



FINAL MINUTES

ON 19 August 2009

Table of Contents

<u>Folio</u>	<u>Date</u>	<u>Particulars</u>
	19.08.09	Ordinary Meeting
	31.07.09	Mackay Entertainment and Convention Centre Performance Management Report
	19.08.09	Inkind Assistance Policy
	19.08.09	Community Engagement Policy
	19.08.09	Community Engagement Guidelines Handbook
	19.08.09	Community Engagement Working Group Terms of Reference
	19.08.09	Audit Committee Policy
	19.08.09	Internal Audit Policy
	29.06.09	Audit Committee Minutes
	20.07.09	Mackay Matsuura Sister City Community Committee Report
	01.07.09	Sarina Sugar Shed Committee Report

Declaration of Material Personal Interest

Nil.

ORDINARY MEETING MINUTES

1. ATTENDANCE:

His Worship the Mayor, Cr C Meng (Chairperson), Crs G R Christensen, D T Comerford, P F Steindl, D J Perkins, D R Hatfield, D E Camilleri, K J Casey and K L May were in attendance at the commencement of the meeting. Also present was Mr P Franks (Chief Executive Officer) and Ms D Jeffery (Minute Secretary).

The meeting commenced at 10:01am.

2. APOLOGIES:

THAT the apologies on behalf of Crs Thomsen and Cameron be accepted.

Moved Cr Camilleri

Seconded Cr Casey

CARRIED

3. CONDOLENCES:

Nil

4. CONFIRMATION OF MINUTES:

4.1 ORDINARY MEETING MINUTES - 12 AUGUST 2009

THAT the Minutes of the Ordinary Meeting held on 12 August 2009 be confirmed.

Moved Cr Christensen

Seconded Cr Comerford

CARRIED

THAT standing orders be suspended to enable item 7.8 to be dealt with.

Moved Cr Christensen

Seconded Cr Hatfield

CARRIED

THAT standing orders be reinstated.

Moved Cr Christensen

Seconded Cr Casey

CARRIED

5. BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING:

Nil

6. MAYORAL MINUTES:

Nil.

7. CORRESPONDENCE AND OFFICERS' REPORTS:

**7.1 MACKAY ENTERTAINMENT AND CONVENTION CENTRE
PERFORMANCE MANAGEMENT REPORT**

Author Manager Mackay Convention Precinct and Events

Purpose

Attached is the Performance Management Report for the Mackay Entertainment and Convention Centre for the period ended 31 July 2009.

Director's Recommendation

THAT the Performance Management Report be received.

Council Resolution

THAT the Director's Recommendation be adopted.

Moved Cr Perkins

Seconded Cr Christensen

CARRIED

7.2 COMMUNITY SERVICES HIGHLIGHTS AND SIGNIFICANT ISSUES REPORT - MONTH ENDED 31 JULY 2009

Author Director Community Services

Purpose

To review Community Services Department highlights and significant issues for the month ended 31 July 2009

Background and Discussion

Highlights and Significant Issues for period are as follows:

- Community Services Management
 - Festival of Arts
 - Convention Centre completion and official opening
 - New Economic Development Manager appointed
 - NAIDOC week celebrations
 - Hands On Exhibition opening at Artspace
 - Discussions with Planning Department regarding Community Services involvement in new Planning Scheme
 - Sarina Sugar Shed planning workshop
 - Community Development planning day
 - Management team performance appraisals undertaken

Major Projects

- Mackay Development Advisory Board Meeting held

Mackay Convention Precinct

Convention Centre opened on 11 July 2009

Aquatic Facilities Development Project

- The minor works project commenced at the Bluewater Lagoon on Monday 13 July. The 6-week project is anticipated to be completed by end August.
- Community Development and Libraries

Management

Manager Community Development and Libraries facilitated two days of Business Planning for Sarina Sugar Shed. This involved all staff, volunteers and Committee Members in looking at the current position of the Sugar Shed and ways to move forward as a tourist facility.

A skype link up was held with officials from Matsuura to celebrate the 20th anniversary of the sister city relationship. The Manager Community Development and Libraries chaired this session.

Attendance and involvement with Community Development planning day.

Community Development

- Community Development Business Planning day held to develop Business Plan 2009-2014. Actions currently being developed to address strategies and desired outcomes. The plan will be reviewed annually in line with Council's Corporate plan.
- Community Development hosted the annual flag raising to launch NAIDOC week. Mackay Regional Council sponsored the Ceremony, the following traditional lunch, and the Mackay City Library Art and Craft Display and Cultural Activities which was supported by approximately 300 people.
- The theme for NAIDOC Week 2009 , Honouring Our Elders, Nurturing Our Youth, was reflected in the Council Flag Raising Ceremony Program.
- Other Community Highlights throughout NAIDOC Week celebrations included Mr and Ms NAIDOC Quest, Seniors Dinner Dance, with the week culminating in the NAIDOC Ball and Awards night.
- Community Development team assisted the Events team with the annual Wine and Food Day as part of the Festival of Arts
- Co-ordinator Community Development attended the annual Community Advisory Board meeting for the JCU Rural Clinical School, (a program offered by the School of Medicine and Dentistry). The meeting was also attended by representatives from Atherton, Cairns, Townsville, Cooktown and Canberra. Aspects of the Rural Clinical School model will be reviewed in the near future as a result of a recent review of the program.
- Hiromi Tango - Artist in Residence Project Phase 1 completed. Very positive response from the community with many requests for more opportunities of this kind to be offered.

Brief of project:

In association with the Mackay Region Festival of Arts, and an Artspace Mackay Volunteers' project *Artstreet: A shopfront exhibition* with Japanese born, Brisbane based artist Hiromi Tango and her eight month old daughter Kimiyo inhabited a shopfront at 84 Wood Street, Mackay from the 11 – 26 July 2009.

With a theme of *New Life* the shopfront became a busy hub of creative activity. People of all ages and abilities came to visit and participate.

Hiromi will be returning to the region for Global Grooves, 25 October and the works produced during the July residency will be re-installed. Hiromi has been deeply touched by the enthusiasm and generosity shown to her by the Mackay community and looks forward to making more connections when she returns.

- Two RADF Committee members have stood down from the committee. Process has commenced to fill these positions. All other committee members have chosen to continue for another term.
- Submissions have closed for issue #42 of the Art Is In Calendar of the Arts (issue 42 will cover arts and cultural events and activities September - November 2009)
- The valley district youth council's main project for the year, its annual youth theatrical production, was staged at the Pinnacle Playhouse with four performances spread over the last two weekends of July. The theme, "The S.S. FriendShip", combined a lively variety production of music, dance, comedy and drama, with some poignant considerations for young people in managing their friendships and peer relationships. The project was a huge success. Over 300 people attended the four performances and \$4,000 was raised for this year's main Youth Council benefactor, the Pinnacle Playhouse itself. Around 30 young people participated in the project, which accounted for around 4 months of hard work and some 200 hours of workshops and collaborations. These young people benefited enormously from their participation while contributing to the community in this worthwhile way.
- The Mirani skate park was successfully launched during July. Approximately 130 community members attending the afternoon at which the Mayor officially opened the facility. The young people and families of the Pioneer Valley continue to express a very positive attitude towards the facility and it enjoys a high rate of usage on a daily basis.
- The School Holiday Programs at Sarina Youth Centre are proving to be popular with new activities launched in the July holidays. 200 young people attended a variety of sessions over the two week period.
- The three day Duke of Edinburgh expedition leadership trip to Eungella National Park was extremely successful. Six young people from Sarina State High School took part and thoroughly enjoyed the notion of preparing and achieving the 35km round trip with the guidance of three leaders.
- Sarina Skate Park Committee has received funding from the MAD fund to make the Sarina Skate Park a safe and enjoyable area for the young people of Sarina.
- After School Activities program have had a great success with an average of 10 young people per day.

Libraries

- Over 172 children from Mirani, Sarina, Walkerston and Mackay enjoyed the July School Holiday activities.
- Popular children authors, Emily Rodda, John Marsden, Steven Herrick and Matt Ottley attended a book signing at Gordon White Library as part of Whitsunday Voices Literature Festival. Over 200 people attended.

- Two new electronic products were rolled out during July. Safari e-Books and Choice Online are expected to be a valuable addition to the current collection of online resources.
 - Training was very popular during July with some excellent figures recorded. 69 Customer registered and attended DiscoverIT training at Mackay City, Gordon White and Sarina Libraries.
- Recreation Services

Management / Sport and Recreation

- The tender review panel reviewed the tender submissions regarding the Open Space, Sports and Recreation Study. Outcome: Strategic Leisure Pty Ltd has been appointed to undertake the 9-month study.
- Sports & Recreation Officer planned, co-organised and attended the official opening of the Mirani Skate Park on 17 July.
- Sports & Recreation Officer and Portfolio Councillor Health, Sports and Recreation attended the official opening of the resurfacing of courts at the Mackay Netball Courts on 18 July.
- Cr Meng officially opened the junior squash competition event. Council, through the North Queensland Sports Foundation, sponsored the event.
- Club development activities: Mackay Bowhunters Club, Dolphins Oval at Bucasia, Wanderers Football Club, Radio Control Mackay and District Off Road Group Inc, Mackay Rowing Club, Queensland Tennis, St Johns QLD, Sarina Saints Football Club, Walkerston BMX, AFL Mackay, Armstrong Beach Progress Association, Sarina Brewers Park Precinct Committee, Active Mackay CBD project, Easy Active, Mackay Vigoro, Grapevine (suicide prevention), Sarina Junior Rugby club, Sarina Tennis, Brothers Bulldogs, Mackay Pioneer BMX, Mackay 8-ball, and Sarina Senior Rugby League.
- Sports and Recreation Officer attended the Sustainable Futures Committee - Transport Working Group and will be pursuing the development of a structured bicycle plan for Council staff to become involved in.
- Sports & Recreation Officer and Portfolio Councillor Health, Sports and Recreation met with representatives of the Mt Vince Rifle Range to assess the site.
- Manager Recreation Services, Sports & Recreation Officer and Portfolio Councillors Health, Sports and Recreation organised and attended the Sarina Brewers Park Sports Management Committee to resolve several outstanding issues and to assist progress and encourage collaboration.
- Sports & Recreation Officer and Portfolio Councillor Health, Sports and Recreation attended the North Queensland Sports Foundation (NQSf) board meeting.
- Recreation Services Manager, Sports & Recreation Officer and Portfolio Councillor Health, Sports and Recreation met with the president of Radio Control Mackay and District Off Road Group Inc for the handover of the old waste transfer station at Bakers Creek.

Aquatic Facilities

Bluewater Lagoon

- The facility attracted nearly 7,000 customers during the first two weeks of July, likely as a result of June/July school holidays.
- The facility closed the day after the school holidays, to commence the “minor works project” on Monday 13 July. The project is anticipated to be completed by end August, in preparation for the 2009/2010 swimming season in early September.
- Project defect rectification work continues to be addressed by the principal contractor. The majority of defects have now been rectified.
- Staff of Recreation Services and Corporate Communications compiled an article regarding the Bluewater Lagoon for a local government publication.

Memorial Pool

- Staff conducted evaluation and planning activities. Actual attendance revenue was up 20.6% compared to July 2008.
- Contractors replaced damaged drainage pipe work in the female amenities.
- Earthmoving contractors levelled the base of the levy bank to ensure proper drainage on the western side of the facility.

Pioneer Pool

- Capital and maintenance activities continue to be carried out as part of the facility’s 2009 annual shutdown/maintenance programme.

Sarina and Mirani Pools

- Both pools are closed for annual maintenance and are scheduled to re-open in September for the start of the 2009/2010 swimming season.

▪ Property Services

Management

- Participation in workshop involving Sugar Shed employees and volunteers as part of the review of the facilities Business Plan.
- Attendance at meetings of the Sarina Field of Dreams Committee, Sugar Shed Committee and Built Environment Sustainability Workgroup.
- Meeting with Mackay Police representative to discuss concerns held by Council in regards to the safety of Council employees and members of the community in the Jubilee Park area and Civic Precinct.
- Continued participation in the new Paget Depot Project Working Group and Steering Committee.

Property Services

- Property Services actioned all requests received within the required timeframes, with a total of 104 received for the month.

- The City Library Glass Replacement Project was completed. The glass upgrade will make the Library a safer and more energy efficient building.
- The City Library sewer reline was completed.
- Two Community Housing unit vacancies have been filled. An additional unit was made vacant in late July and is expected to be occupied after handover maintenance is completed by mid-August
- The four Bucas Drive Community Housing Units have each had vinyl flooring in the Entry, Laundry, Kitchen and Living areas replaced.
- Roof re-thatching of the South Sea Islander Hut has commenced.
- The renovation of the Ness Street amenities block and lunchroom was completed.
- A new core-filled block work bin enclosure was constructed at Andergrove Community Hall, and fourteen (14) damaged storage doors were repaired and re-painted.
- A Community Housing Unit 22 at Macarthur Street was repainted internally and had new carpet installed prior to new tenant occupying the property.
- Roof repairs at the 42 Wellington Street Building have been completed. It is estimated, that barring any disasters, the roof should provide a minimum of 10 years extra service prior to major maintenance being required.
- Several Property Services staff were called upon to provide support roles for Festivals and Events staff. Requests included the construction of a special mirror panel, to the installation of stairs on the ablution blocks, and the co-ordination of volunteers at the Food & Wine Day at Queens Park.
- Cleaning and repair of entire Sarina Library a/c ducting was completed.

Property Co-ordinations

- Discussion with resident in regards to the naming of a section of the Bakers Creek Hall to commemorate Rae Baldwin's years of service to the hall and surrounding community.
- 155A Bruce Highway – Tender for Sale of unused drainage easement for incorporation with a surrounding property.
- Sarina & District Community Kindergarten – Enquiry regarding possible extension of lease area.
- Boundary & Bruce Hwy - Road realignment.
- Old Bowen Coach Road - Road realignment.
- G & K Bourke – Surrender of Easement
- C Langford – Surrender of Easement
- Program staff are currently dealing with 23 land acquisitions and 11 easement matters.

Leases

- Wanderers Football Club – New lease arrangements.
- Pioneer Show Society – Lease over portion of land to construct, maintain, and renew water pipelines and water bores on the land and a levee bank system for flood mitigation.
- Meeting with Dows Creek Hall Committee to discuss lease options and community use of the facility.
- Lease dealings currently being handled by program staff amount to 14.

Sarina Sugar Shed

- The Sugar Shed recipe book has sold in excess of 700 copies to both retail and wholesale customers during its first month on the shelf.
 - The Sugar Shed is entered in three categories of the Queensland Tourism Awards with judges tentatively visiting the facility on 7 September 2009 as part of the judging process. Submissions for the Australian Regional Achievement & Community Awards closed last Friday with the Sugar Shed entering into two categories.
 - All staff and most of the volunteers attended the business planning workshops for the Sugar Shed. Feedback from the volunteers and staff was generally supportive of the processes, which has increased awareness of both Sugar Shed and Council operations and procedures.
 - Development of our website for on-line selling is currently underway. HipFish have advised that the back-end of the site is complete.
 - The Sugar Shed's ties to community projects and partnership with the Sarina High School will be enhanced through the Sarina High School Agricultural Centre growing Habernaro chillies for the Sugar Shed that will allow the joint development of a fermented chilli sauce. The Sarina grown chillies have a certain fruitiness and colour that help make the sauces distinctive.
 - Visitor numbers remain relatively stable, however sales are far exceeding last years comparative figures. The value adding of products such as the Chef's Gusto range and Sugar Shed recipe book has been the key to this increase in sales.
- Mackay Convention Precinct and Events

Management

- The Mackay Convention Centre, part of the Mackay Entertainment & Convention Centre, was handed over to Council on 10 July and officially opened on 11 July by the Premier, the Hon. Anna Bligh MP, the Mayor, Cr Col Meng, and Member for Mackay the Hon. Tim Mulherin. The lunchtime opening was followed by the Centre's opening concert at 8pm, featuring Jimmy Barnes. This highly anticipated event achieved excellent audiences and critical acclaim. Excellent media attention Australia wide has been received.
- The Mackay Region Festival of Arts commenced on 11 July with the opening performance for the Convention Centre. Fifteen days of festivities followed as described further in this report. Twinning the Convention Centre opening with the Festival of Arts allowed the Mackay community to actively enjoy a number of events within the Convention Centre prior to the Centre taking in private hires.
- Long serving staff member Cheryl Jorgensen of MECC retired after a 21 year association with the MEC and Council

Festivals & Events

- The Mackay Region Festival of Arts was held to critical acclaim from 11 to 25 July. Highlights included:
 - *G&S Engineering* Wine & Food Day had an estimated 25,000 visitors. A new attendance record.

- *Cellabrations* Big Top Tent at Queens Park, the home of festival Cabarets (including the Bobcat Ballet) and the Bollywood Dance Party, provided national coverage for the festival as well as drawing great crowds to all the events held there.
 - *Dalrymple Bay Coal Terminal* Songs for Sarina, world music concert at Grasstree Beach Sarina was a free event due to the generosity of the naming rights sponsor.
 - The Artstreet project involving 25 artists exhibiting their work in Mackay City businesses including the residency of Hiromi Tango in Wood Street.
 - The world premiere of Crossroad Arts *Synchronicity* had wide public support and critical acclaim and was made possible through a \$20,000 grant from Festivals Australia which Council officers facilitated.
 - The White Party sold approximately 800 tickets, most of them to 18 to 25 year old patrons. This is an audience demographic which is very hard to attract to an arts event.
 - The *G&S Engineering* Supper Club held at the MECC.
- The overall design of the Festival and the Deep Heart Art theme assisted in the marketing and promotion of this event.
 - Work continues in earnest on forthcoming Council Festivals and Events and community events including Coal to Coast (Sarina), River to Reef, Global Grooves and Christmas and New Year celebrations.

Artspace Mackay

- 4,013 people visited Artspace Mackay during July 2009
- 2,172 people visited the Town Hall during July 2009
- 6,602 people visited the Artspace Mackay website during July 2009
- Exhibitions in July:

<i>10 July –</i>	McAleese Gallery	<i>Hands on: Rick Wood –</i>
<i>30 August</i>		<i>A Commitment To Clay</i>
<i>10 July –</i>	Mackay Mazda Foyer	<i>Listen to the Ink: Printbank</i>
<i>30 August</i>		<i>Mackay</i>
<i>July</i>	Cox Rayner Gallery	<i>Unpacked: Recent Acquisitions,</i>
		<i>Mackay Regional Council</i>

Public & Education Programs in July:

1 July	<i>Holiday Art Workshops</i> with Wanda Bennett	24
2 July	<i>Artspace –To-Go</i> Holiday Art Workshop with Wanda Bennett, Greenmount	12
4 & 5 July	<i>Colour Relief</i> with Glen Skien	12
10 July	<i>Exhibition Opening</i>	350
11 July	○ <i>Floor Talk</i> with Bettina MacAulay and Leonie Wood	35
11 July	○ <i>Printmaking</i> demonstration with	50

Printbank Mackay members		
11 July	○ <i>Meet the Collection</i>	10
14 July	<i>BMA Kidspace</i>	220
25 July	Badge making stall, Food & Wine Day	600

As part of the Community Exhibitions Program, preliminary planning for Printbank Mackay's *Inaugural Print Award* is underway. The exhibition will be opened at 6.30pm on Friday 21st August, at the Studio, Mackay Town Hall, Sydney Street, Mackay.

School and other booked groups:

24 July	<i>Seaforth S.S</i>	25 Students + 5 Teachers/Parents
29 July	<i>St Mary's Primary</i>	47 Students + 12 Teachers/Parents
31 July	<i>Mercy College</i>	20 Students + 1 Teacher

Artspace Volunteers coordinating a launch for *Artstreet: A shopfront exhibition* in conjunction with Crossroad Arts' *Freefall* launch. Over 200 people attended. Winners of the Judges Award (judged by Cr. George Christensen and Michael Wardell) were artists - Ryan Bunker and Corey De Muth and business – Mackay Music. Winners of the People's Choice Award were artist – Bonnie Simpson, business – Stockline Clothing.

Critical Activities Proposed for the Following Month

Rectification and defect work continues on the Convention Centre to ensure it is fully operable. Minor works package for the Bluewater Lagoon is on schedule for completion this month.

Consultation

There has been consultation with Community Services Managers.

Resource Implications

Nil.

Conclusion

All programs are meeting budget targets for this stage of the financial year.

Director's Recommendation

THAT the report be received.

Council Resolution

THAT the Director's Recommendation be adopted.

Moved Cr Christensen

Seconded Cr Steindl

CARRIED

7.3 INKIND ASSISTANCE - APPROVAL OF POLICY AND AMENDMENTS TO INKIND ASSISTANCE REQUEST FORM

Author Director Community Services

Purpose

To seek Council's approval of the Inkind Assistance Policy and amendments to the Inkind Assistance Request form.

Background/Discussion

The Mackay Regional Council has not, as yet, adopted an Inkind Assistance policy and the program has largely been operating under the guidelines of the former Mackay City Council. Under the current operating process, the Director Community Services has authority to deal with Inkind Assistance Requests up to the value of \$2000. Requests exceeding this amount are required to be sent to Council for consideration.

A number of requests, which are submitted under the Inkind Assistance Request Program, are inappropriate for this program due to the excessive cost of the works involved or the inability of the Council to provide the assistance required.

In these instances, it would be preferable that these applicants were referred to the Council's Grants program by the Director of Community Services so that they can be considered competitively against other worthy organisations seeking assistance.

Consultation

Council's Strategy and Leadership Team and the Coordinator Community Development who manages the Inkind Assistance Request program have been consulted and agree that the new policy and amended form will improve the management of the Inkind Assistance program and lead to better and more streamlined outcomes for organisations seeking assistance.

Resource Implications

The Council's Inkind Assistance Budget for the 09/10 year is \$16000.00. The program is designed to allow community organisations access to relatively inexpensive Council resources. The budget for the program has traditionally been expended through provision of low cost items such as bins for community events. There is no capacity within the budget to

approve expensive applications without negatively impacting upon the provision of assistance to other organisations.

Conclusion

Given the large number of organisations which seek assistance from Council, and the limited funds available, it is preferable that the Director Community Services has the authority to decline or direct applications in excess of \$2000 for Inkind Assistance to the grants program and that Council has a clear policy which can be provided to organisations seeking assistance. This will maintain the integrity of the Inkind Assistance program and ensure that the largest range of organisations possible can be assisted.

Director's Recommendation

THAT the Inkind Assistance Policy and amended Inkind Assistance Request form be approved

Council Resolution

THAT the Director's Recommendation be adopted with the addition of the following wording to item 3 of the Inkind Assistance Policy:-

Examples of Inkind Assistance which may be considered include:

- Administration, co-ordination and support.
- Low cost earthworks, signage, lawn and garden maintenance
- Road closures for community events
- Erection of marquees, street banners, etc.
- Provision of rubbish bins

Moved Cr Christensen

Seconded Cr May

CARRIED

**COUNCIL POLICY – NUMBER**

DEPARTMENT Community Services
PROGRAM Community Development
POLICY TITLE Inkind Assistance Program
SUB-TITLE
ADOPTED
AMENDED
REVOKES

1. OBJECTIVE

The objective of the Mackay Regional Council Inkind Assistance Program is to provide access to Council's physical resources in order to support local community groups/organizations that make positive contributions to the quality of life in the local government area.

2. RATIONALE

Free or subsidised use of Council's organisational resources is recognised as a direct subsidy to a group / organisation and treated with similar equity and accountability requirements as those applicable to applicants for other Council grants.

3. ELIGIBILITY

Organisations must:

- be located within the Mackay Regional Council area
- have the majority of their members residing in the Mackay region
- be a non profit group / organisation or the particular event is a charitable or community event
- provide a community benefit to the residents of the Mackay Regional Council area

4. APPLICATION PROCESS

All applications must be made on the Inkind Assistance Request Form and submitted to Council a minimum of 4 weeks prior to the start date of event / activity. The Director Community Services has the authority to reject applications of any value, refer applicants to the grants program, where appropriate, and approve applications up to \$2,000.00. Requests valued in excess of \$2,000.00, which are recommended for approval, will be forwarded to full Council for endorsement.



COUNCIL POLICY – NUMBER

5. EXCLUSIONS

Refunds and or waiver of Council fees and charges will not be considered through this program. Such requests should be directed to the Community Grant program, which closes on the 3rd Friday each February and August.



Inkind Assistance Request

Please submit application four (4) weeks prior to event to allow approved work to be scheduled

Free or subsidised use of Council's organisational resources is recognised as a direct subsidy to a group / organisation and treated with similar equity and accountability requirements as those applicable to applicants for other Council grants.

All applications must be made on the Inkind Assistance Request Form. The Director Community Services has the authority to reject applications of any value, refer applicants to the grants program, where appropriate and approve applications up to \$2,000.00. Requests valued in excess of \$2,000.00, which are recommended for approval, will be forwarded to full Council for endorsement.

Eligible groups / organisations are required to be:

- Located within the Mackay Regional Council area
- Have the majority of members residing in the Mackay region
- Be a non profit group / organisation or the particular event is a charitable or community event
- Provide a community benefit to the residents of the Mackay Regional Council area

Details of your group / organisation	Name of Organisation <hr/> Postal Address <hr/> Contact Person <hr/> Telephone <hr/> Fax <hr/> Email <hr/>
Does your organisation have the majority of its members residing in the Mackay Region? Give a brief description of your group / organisation (eg. non-profit etc) Is the inkind assistance required for a charitable or community event? What community benefit does your group / organisation provide to the residents of the Mackay Regional Council area?	<input type="checkbox"/> Yes <input type="checkbox"/> No <hr/> <hr/> <hr/> <hr/> <hr/> <input type="checkbox"/> Yes <input type="checkbox"/> No <hr/> <hr/> <hr/> <hr/> <hr/>

Office Use Only

Department _____ Date / /
Estimated cost \$ _____ Actioning officer _____
Comments _____

Forwarded to _____ Date / /

Department _____ Date / /
Estimated cost \$ _____ Actioning officer _____
Comments _____

Forwarded to _____ Date / /

Department _____ Date / /
Estimated cost \$ _____ Actioning officer _____
Comments _____

Forwarded to _____ Date / /

Director Community Services

Approximate cost \$ _____ Approved Not Approved
DCS signature _____ Date / /
DCS comments _____

7.4 COMMUNITY ENGAGEMENT

Author Manager Community Development and Libraries

Purpose

To seek Council adoption of the Community Engagement Policy, guidelines, handbook and working group terms of reference.

Background/Discussion

The previous Mackay, Sarina and Mirani Council's had a range of community engagement processes in place, which have been built upon by the Mackay Regional Council. The current processes in place within the Mackay Regional Council, as evidenced by recent engagement activities such as that surrounding the Corporate Plan, are robust, well supported and ensure the community is informed and engaged in the activities of the Mackay Regional Council. While current practice in this area is strong, there is a need to ensure that Council has in place a well-defined Community Engagement Policy and handbook.

The Local Government Act 2009, Section 4 states that To ensure the system of local government is accountable, efficient and effective, Parliament requires anyone who is performing a responsibility under this Act, do so in accordance with the local government principles, which include democratic representation, social inclusion and meaningful community engagement.

For the first time, councils have a legislated responsibility to undertake community engagement. To address the principles contained in the new Local Government Act, there is a requirement to report to the State Government on Council's community engagement practices. One of the questions asked by the State is "Does Council have a Community Engagement Policy?". To enable this question to be answered positively, a new policy has been developed which builds upon the Community Engagement Guidelines, which are already in place. Council's Community Engagement Handbook has also been updated to reflect current responsibilities and a Community Engagement Working Group is proposed to ensure the policy is implemented.

This policy, guidelines, handbook and working group are designed to oversee official Council engagement activities for specific projects or activities.

It is recognised that Councillor's, as part of their role as elected community representatives, often need to undertake more general engagement activities. These activities include, but are not limited to, general public meetings, Councillor consultation sessions and visits as well as participation and attendance at events organised by Council or the community across the region. While these activities form an important part of the process in ensuring Council is informed of community needs and wants, they fall outside of the scope of this policy, which is confined, to official engagement with a defined purpose.

Consultation

Consultation has been undertaken with the Director Community Services, Council's Strategic Leadership Team, LGAQ and LGMA on this matter.

Councillors were briefed on the proposed policy on 15 July 2009.

Resource Implications

There are no additional resource implications should the policy be adopted.

Conclusion

By having a formal Community Engagement Policy, Mackay Regional Council is clearly demonstrating its commitment to ensuring that community engagement forms an integral component of informed decision making.

The formation of a working group to manage engagement activities will ensure that the community is consulted in a coordinated and consistent manner and that Council is fully aware of all engagement that is undertaken.

Director's Recommendation

THAT the Community Engagement Policy, guidelines handbook and working group terms of reference be adopted.

Council Resolution

THAT the Director's Recommendation be adopted.

Moved Cr Christensen

Seconded Cr Hatfield

CARRIED



COMMUNITY SERVICES

PROGRAM COMMUNITY DEVELOPMENT AND LIBRARY SERVICES

POLICY TITLE COMMUNITY ENGAGEMENT POLICY

SUB-TITLE

ADOPTED FOLIO - Date in words

AMENDED 01.06.2009

REVOKES

1. Definition:

For the purposes of this policy, community engagement can be defined as "any process that involves the public in decision-making, and that uses public input to make better decisions".

2. Intent:

Genuine and effective community engagement has benefits for Council and citizens. Engagement allows Council to tap wider sources of information, perspectives and potential solutions. This in turn results in assistance and guidance in terms of decision-making and consequently better outcomes for the community.

Community engagement does not replace the decision-making functions of Council. Rather these processes are designed to ensure that Council has access to a broad range of information about community needs, opinions and options prior to decisions being made. It also increases the likelihood that Council decisions are understood and supported by the community.

Mackay Regional Council understands community engagement to contain the following basic elements:

- **Information:** To provide key stakeholders and members of the community with objective and balanced information on policies, plans and strategies
- **Consultation:** To obtain feedback from the community and key stakeholders to enable a broader understanding by Councillors and Council staff of the local needs, concerns and priorities prior to decision-making.
- **Participation:** To enhance community ownership of decisions and resultant outcomes and commitment to the decisions made, through involvement in discussion of issues and options.



3. Objectives

1. To provide a framework that encourages a relationship with the whole operation of Council. It should be read in conjunction with the Community Engagement Guidelines
2. To encourage community engagement practices that draw on the skills and wisdom of citizens in order to add value to decision-making processes. It should be emphasised however that the ultimate responsibility for decision-making rests with Council.
3. To ensure that community engagement is clearly linked to the goals and objectives of the Corporate Plan.
4. To ensure that Council activities within the community are inclusive of all members of that community.
5. To foster collaboration and cooperation between Council and the community, including other spheres of government in the planning and implementation of programs and services for the Mackay area
6. To increase the community's understanding of Council through improved relationships and communication

4. Policy Principles

1. That Council will provide genuine opportunities for informed community engagement in decision-making in a framework of local democracy
2. That community engagement forms an integral part of the development, implementation and evaluation of policies, programs and services
3. That Council will adopt open, accountable processes through which individuals and groups can exchange views and influence policy or decision-making.
4. That there is transparency and accountability in the process which is open, two-way and ongoing
5. That opportunities will be provided to encourage increased access by Aboriginal people, Torres Strait and South Sea Islanders and people from culturally and linguistically diverse backgrounds to discussions about council initiatives which are likely to impact upon them
6. That the day to day operations and administration of the Council shall reflect the philosophical objectives of this policy

This policy confirms the commitment of Mackay Regional Council to ensuring that community engagement forms an integral component of informed decision-making



and as such aims to ensure that as many people as possible who are affected by decisions of Council have the opportunity to be consulted about their needs and concerns prior to decisions being made.

The Community Engagement Policy addresses the principle outlined in Council's Corporate Plan 2009-2014:

"to provide genuine opportunities for informed community involvement in decision-making in a framework of local democracy"

5. ATTACHMENTS

1. COMMUNITY ENGAGEMENT GUIDELINES

6. AUTHORISATION

Adopted by Council on (FOLIO)

*our Community
our Comment*

Community Engagement Handbook

*A guide for
Mackay Regional Council
Councillors and Staff
who may be considering
undertaking community engagement.*

July 2009

If you are considering undertaking consultation on behalf of Mackay Regional Council, please read this booklet and follow the Community Engagement Process located in the centre of the booklet.

Contact Working Group Convenor, Jan Kilbourne on ext. 9330 for further details.

Copies of the Community Engagement Guidelines 2008 are available in all departments and on the website.



Community Engagement is any process that involves the public in problem-solving and decision-making, and that uses public input to make better decisions.

2000 International Association for Public Participation

ISSUES FOR CONSIDERATION

- ✓ Budget
- ✓ Audience—cultural sensitivities; youth; rural; business.
- ✓ Legal obligations
- ✓ Time constraints
- ✓ Appropriateness of technology
- ✓ People with a disability (ie. someone who is vision impaired, hard of hearing or who uses a wheelchair)
- ✓ Social opportunities (ie. can the event be used as a fundraiser for the local P & C Committee, by asking them to provide morning/afternoon tea)
- ✓ The need for specialist expertise
- ✓ Can the process be linked with an event (Council or otherwise)
- ✓ What networks can be triggered to aid the community engagement process



CODE OF ETHICS

This Code of Ethics is a set of principles, which guide us in our practice of enhancing the integrity of the community engagement process. As practitioners we hold ourselves accountable for these principles and strive to hold all participants to the same standards.

PURPOSE: We support community engagement as a process to make better decisions that incorporate the interests and concerns of all affected stakeholders and meet the needs of the decision-making body.

ROLE OF PRACTITIONER: We will enhance the community's participation in the decision-making process and assist decision-makers in being responsive to the community's concerns and suggestions.

TRUST: We will undertake and encourage actions that build trust and credibility for the process and among all the participants.

DEFINING THE COMMUNITY'S ROLE: We will carefully consider and accurately portray the community's role in the decision-making process.

OPENNESS: We will encourage the disclosure of all information relevant to the community's understanding and evaluation of a decision.

ACCESS TO THE PROCESS: We will ensure that stakeholders have fair and equal access to the community engagement process and the opportunity to influence decisions.

RESPECT FOR COMMUNITIES: We will avoid strategies that risk polarizing community interests or that appear to "divide and conquer".

ADVOCACY: We will advocate for the community engagement process and will not advocate for a particular interest, party or project outcome.

COMMITMENTS: We will ensure that all commitments made to the community, including those by the decision-maker, are made in good faith.

2000 International Association for Public Participation

INTRODUCTION

Mackay City Council adopted the original Community Consultation and Participation Framework and Charter in November 2000. The Charter was developed to ensure that all groups—Council, residents and other spheres of government—were clear about the principles that guide Council's efforts to involve the community in the planning and evaluation of Council's projects and activities. This document was re-written and was entitled Mackay Regional Council Community Engagement Guidelines which is now supported by the Community Engagement Policy adopted in August 2009.

Community Engagement refers to the processes implemented by Mackay Regional Council during the planning and evaluation of Council policy, programs and services to:

- inform
- consult
- engage
- collaborate

with residents and other spheres of government.

Community engagement does not replace the decision-making functions of Council. Rather these processes are designed to ensure that Council has access to a broad range of information about community needs, opinions and options prior to decisions being made. It also increases the likelihood that Council decisions are understood and supported by the community.

A Community Engagement Working Group has been established to develop community engagement processes that are entrenched in and intrinsically linked with Corporate goals and objectives. By adopting an across-Council approach to community engagement, Council is expressing a desire to see engagement processes implemented in a professional and accountable manner.

WORKING GROUP REPRESENTATIVES ROLE AND RESPONSIBILITIES

Members of the Community Engagement Working Group are required to collectively streamline Council's Community Engagement processes. This will minimise the likelihood of communities being consulted too often on similar issues.

Individually, members are required to:

- Liaise with Program Managers and/or relevant officers who wish to engage the community on an issue, either within Council or in the Community
- Assist in the identification of issues requiring community engagement
- Assist in the preparation of a draft Engagement Plan
- Ensure copies of the Community Engagement Handbook and Guidelines are readily available to Council and the community
- Attend meetings of the Working Group
- Ensure Councilors and the Executive Management team are kept informed of community engagement details
- Be prepared to undertake facilitation and community engagement training and, once trained, act as a facilitator as required
- Review evaluation of processes to determine changes, if required
- Ensure that all community engagement processes undertaken by Council are in accordance with the aims and objectives of the Corporate Plan
- Ensure actions decided at meetings are minuted
- Group Convenor is to act as first contact point for Councillor initiated community engagement.

INCREASING LEVEL OF COMMUNITY PARTICIPATION SPECTRUM

<i>Inform</i>	<i>Consult</i>	<i>Engage</i>	<i>Collaborate</i>	<i>Empower</i>
<p>Objective: To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions</p>	<p>Objective: To obtain public feedback on analysis, alternatives and/or decisions.</p>	<p>Objective: To work directly with the public throughout the process to ensure that public issues and concerns are consistently understood and considered.</p>	<p>Objective: To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.</p>	<p>Objective: To place final decision-making in the hands of the public.</p>
<p>Promise to the Public: We will keep you informed.</p>	<p>Promise to the Public: We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influences the decision.</p>	<p>Promise to the Public: We will work with you to ensure that your concerns and issues are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.</p>	<p>Promise to the Public: We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.</p>	<p>Promise to the Public: We will implement what you decide.</p>
<p>Example Tools: ⇒ Fact sheets ⇒ Web sites ⇒ Open houses</p>	<p>Example Tools: ⇒ Public comment ⇒ Focus groups ⇒ Surveys ⇒ Public meetings</p>	<p>Example Tools: ⇒ Workshops ⇒ Deliberative polling</p>	<p>Example Tools: ⇒ Citizen Advisory Committees ⇒ Consensus-building ⇒ Participatory decision-making</p>	<p>Example Tools: ⇒ Citizen Juries ⇒ Ballots ⇒ Delegated decisions</p>

COMMUNITY ENGAGEMENT PLAN *Title of intended community engagement*

DO YOU NEED TO ENGAGE THE COMMUNITY? - Which of the criteria does the community engagement address?

AIM OF COMMUNITY ENGAGEMENT - Why is the meeting/workshop being held?

DEFINE THE ISSUES - What are the major issues affecting the community as a consequence of this project?

GOAL - The desired outcome of the community engagement.

ENGAGEMENT COMMUNICATION MESSAGES - What will the community want/need to hear through this engagement?

TARGET AUDIENCES - Who should be included in the process?

OBJECTIVES AND PERFORMANCE INDICATORS - What do you hope to achieve and how will this be measured?

TACTICS AND ACTIVITIES - (See Community Engagement Options).

FEEDBACK/EVALUATION OF PROCESS - How will you gather feedback from the community engagement process and how will you evaluate the process?

ACKNOWLEDGEMENTS (if applicable) - When and how will submissions be acknowledged? *Note: Acknowledgements should include information on timeframes.*

What is Community Engagement?

The International Association for Public Participation views community engagement as any process that involves the public in problem-solving or decision-making and uses public input to make better decisions. While there is an element of dispute resolution in all community engagement, the essence is to begin a participatory process before disputes arise.

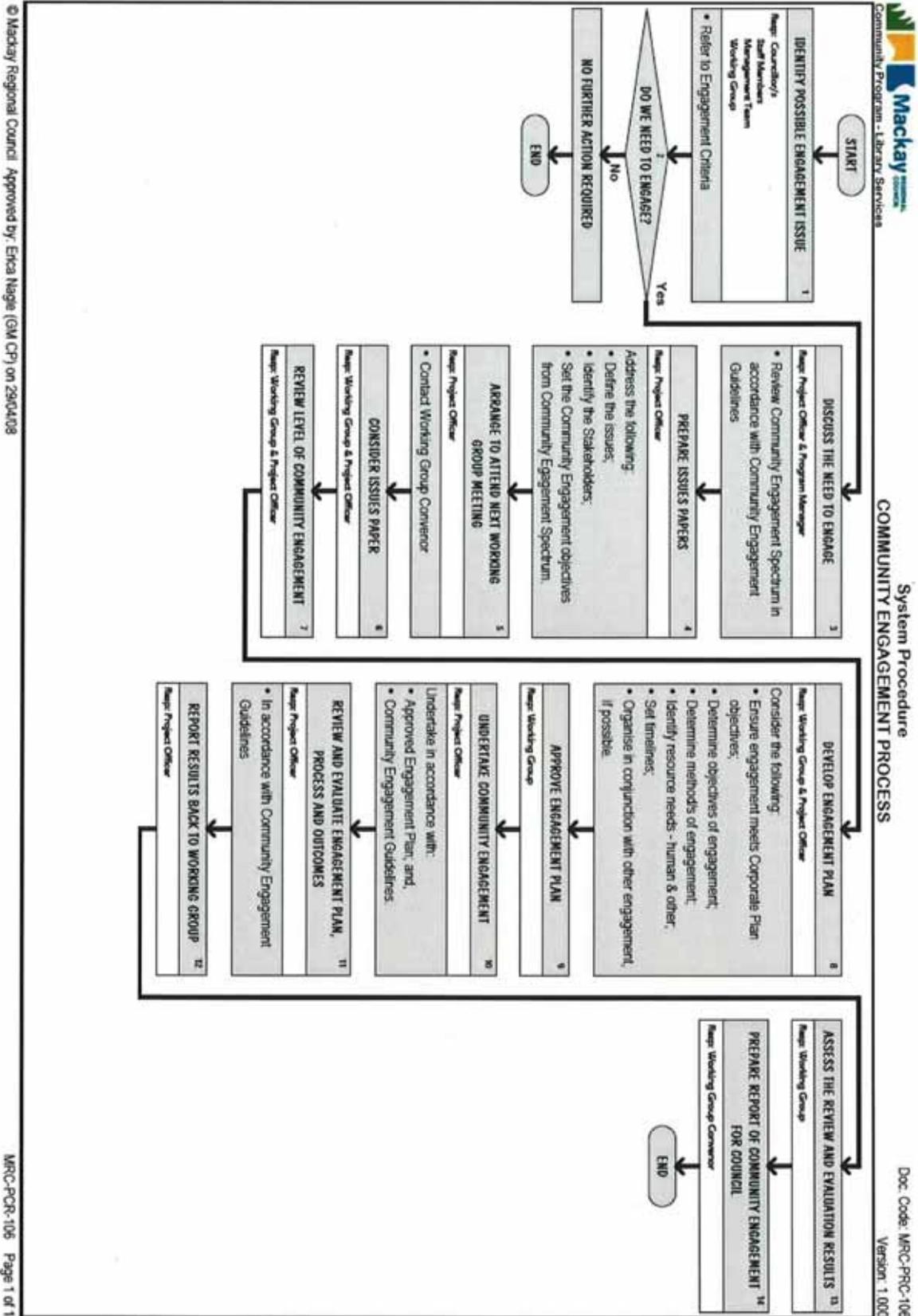
Community engagement includes all aspects of identifying problems, developing alternatives and making decisions. Community engagement uses tools and techniques that are common to a number of dispute resolution and communication fields.

COMMUNITY ENGAGEMENT FOR PROGRAM MANAGERS AND STAFF

DO WE NEED TO ENGAGE THE COMMUNITY?

Community engagement processes may be initiated in the planning and evaluation of policies or programs which meet one or more of the following criteria:

1. The future use of a significant area of land within the city is being decided.
2. There is, or there is likely to be, strong community concern or interest in the issue.
3. The proposals coming before Council are anticipated to have a significant impact on the economy, lifestyle or environment of the city or its residents.
4. The resolution of an issue or implementation of a proposal is likely to require a substantial redirection of ratepayer revenue in up-front or on-going maintenance costs.
5. Information is needed by Councillors or Council staff about community needs, priorities or values to ensure planning is appropriate and responsive.
6. That Council has statutory obligations to engage with the community.
7. The Council wishes to ensure that minority or disadvantaged groups have information about, and access to, the services and programs of Council.
8. Council believes there is a need.



**MACKAY REGIONAL COUNCIL
COMMUNITY ENGAGEMENT
GUIDELINES**

TABLE OF CONTENTS	PAGE
1. EXECUTIVE SUMMARY	3
2. INTRODUCTION	4
3. COMMUNITY ENGAGEMENT	
3.1 Purpose	5
3.2 Benefits	5
4. CRITERIA FOR COMMUNITY ENGAGEMENT	6
5. DESIGN OF COMMUNITY ENGAGEMENT PROCESSES	7
6. TERMS OF REFERENCE FOR COMMUNITY ENGAGEMENT	7
7. COMMUNITY ENGAGEMENT TECHNIQUES	9
8. WORKING GROUP RESPONSIBILITIES	9
9. INCREASING LEVEL OF COMMUNITY PARTICIPATION SPECTRUM	10
10. WHO WILL BE INVOLVED?	11
11. YOUR COMMUNITY – YOUR COMMENT	11
12. SCHEDULING OF ACTIVITIES	12
13. FEEDBACK	12
14. MONITORING AND EVALUATION	12
15. CONFIDENTIALITY	13
16. MANAGING COMMUNITY ENGAGEMENT	13
17. TRAINING	13
18. CONCLUSION	14

1. EXECUTIVE SUMMARY

These Community Engagement Guidelines outline a framework for community engagement and identify the ways in which Mackay Regional Council can enhance community involvement in the planning of Council services and programs in Mackay.

There is a strong impetus for developing Council processes which encourage greater community engagement. Council can develop more responsive policies and programs because they will be based on a sound assessment of the priorities of the residents of Mackay region.

More importantly, the involvement of residents and other spheres of government in the early stages of the process enables Council to gather information about concerns, ideas and options regarding proposals, prior to Council decision-making. This ensures that Council planning integrates economic, social and environmental considerations and increases the likelihood that Council decision-making will be supported by all concerned.

The Community Engagement Guidelines outline the key principles which need to be considered in implementing community engagement activities. They are drafted to provide guidance to Councillors, Council staff and consultants in the planning of activities which engage and involve the community.

2. INTRODUCTION

For the purposes of this document, community engagement can be defined as 'any process that involves the public in decision-making, and that uses public input to make better decisions' (International Association for Public Participation, 2002). It refers to the processes implemented by Mackay Regional Council to consult, hold discussion, exchange information, negotiate with and inform residents and other spheres of government during the planning and evaluation of Council policy, programs and services.

Genuine and effective community engagement has benefits for Council and citizens. Broadly, engagement allows Council to tap wider sources of information, perspectives and potential solutions. This in turn results in assistance and guidance in terms of decision-making and consequently better outcomes for the community.

Community engagement is considered to be an integral component of informed decision-making. As such it aims to ensure that as many people as possible who are affected by decisions of Council have the opportunity to be consulted about their needs and concerns prior to decisions being made.

Community engagement processes aim to consider all available information and opinion on the economic, social and environmental impact of Council policy, programs or services.

Community engagement processes are open, two-way and on-going. As such, Council actively informs the community of community engagement processes initiated by Council and seeks involvement of individuals and representatives of relevant community and government organisations in these processes.

To ensure openness and accountability, the results of all community engagement processes initiated by Council are available to the public except in those cases where confidentiality must be applied.

The single most important success factor in improving community engagement is genuine commitment to best practice engagement. This means ensuring:

- community engagement forms an integral part of the development, implementation and evaluation of policies, programs and services
- both Council officials and citizens have the capacity to engage effectively
- there is transparency and accountability in the process

3.1 PURPOSE OF COMMUNITY ENGAGEMENT

Community engagement aims to:

- Ensure that significant policies and programs submitted to Council detail community inputs regarding their social, economic and environmental impact on the community.
- Ensure that a range of options are considered in the development of Council policy and programs prior to Council decision-making.
- Ensure that the community is adequately informed of Council's plans and the rationale for Council's decisions.
- Foster collaboration and cooperation between Council and the community, including other spheres of government in the planning and implementation of programs and services for the Mackay area.

Input from community members and groups into the Council decision-making process means a better, more informed decision for everyone.

This is achieved by::

- Improving the quality of relations between the Council and its community thus making the work of Council easier
- Satisfying community expectations of social justice principles
- Enhancing community ownership of decisions and the resultant outcomes
- Adding value to Council's decision-making processes by drawing on the skills and wisdom of community members
- Maximising the possible positive impacts of Council decisions and minimising the possible negative impacts.

3.2 BENEFITS OF COMMUNITY ENGAGEMENT

Involving the community prior to decisions being made by Council can have substantial social, political and financial benefits for all concerned. These include:

- A broader understanding by Councillors and Council staff of community needs, concerns and priorities prior to decision-making.

- Expansion of community input into the development of Council's plans and policies.
- The development of appropriate and responsive policies and programs by Council which integrate economic, social and environmental issues.
- Increased likelihood that social and cultural considerations will be integrated with technical solutions.
- Increased ability and credibility of Council in representing and advocating for the interests of the local community with other government organisations.
- Increased community cohesion resulting from a reduction in Council/community conflict regarding decisions taken by Council.
- Commitment from the community to the decisions undertaken by Council through their involvement in discussion of issues and options.
- Increased access of groups such as Aboriginal people, Torres Strait and South Sea Islanders and people from culturally and linguistically diverse backgrounds to discussions about Council initiatives which are likely to impact upon them.
- Community access to information underpinning Council decisions.

Community engagement does not replace the decision-making functions of Council. Rather these processes are designed to ensure that Council has access to a broad range of information about community needs, opinions and options prior to decisions being made. It also increases the likelihood that Council decisions are understood and supported by the community.

4. CRITERIA FOR COMMUNITY ENGAGEMENT.

Initiating community engagement processes may be considered in the planning and evaluation of policies or programs which meet one or more of the following criteria:

- The future use of a significant area of land within the city is being decided.
- There is, or there is likely to be, strong community concern or interest in the issue.
- The proposals coming before Council are anticipated to have a significant impact on the economy, lifestyle or environment of the city or its residents.

- The resolution of an issue or implementation of a proposal is likely to require a substantial redirection of ratepayer revenue in up-front or on-going maintenance costs.
- Information is needed by Councillors or Council staff about community needs, priorities or values to ensure planning is appropriate and responsive.
- That Council has statutory obligations to engage the community.
- The Council wishes to ensure that minority or disadvantaged groups have information about, and access to, the services and programs of Council.
- Council believes there is a need.

5. DESIGN OF COMMUNITY ENGAGEMENT PROCESSES

For successful community involvement in Council planning activities, the processes need to be well prepared and adequately resourced.

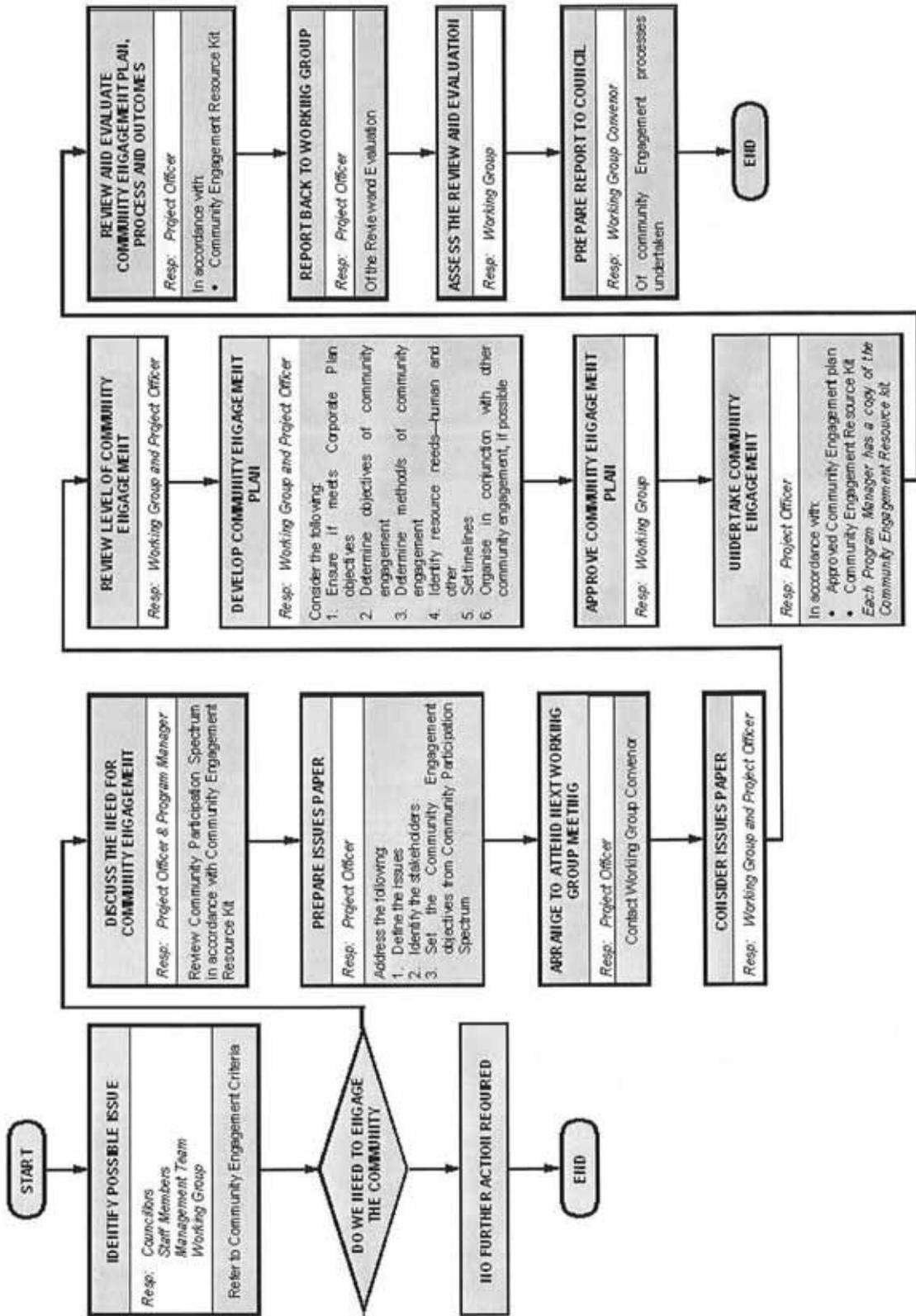
Consideration needs to be given to:

- Detailing which planned activities require engagement with the community.
- Defining the objectives for the proposed engagement process.
- Outlining key stakeholders to be involved in the engagement process
- Describing the broad methodologies to be used for community engagement.
- Outlining proposed timing of activities.
- Indicating resources that will be required to support community engagement activities.

6. TERMS OF REFERENCE FOR COMMUNITY ENGAGEMENT

In planning major community engagement activities, the following phases and tasks will be undertaken to ensure uniformity across Council in the consultation process. These are summarised in the Community Engagement Handbook which has been disseminated across the organisation.

COMMUNITY ENGAGEMENT PROCESS



The Community Engagement Plan will include the following:

- The objectives
- Any background information and rationale for the activities being undertaken
- Who will be involved
- What messages are being sent by Council to the community
- How information from the community will be used by Council in its planning and decision-making
- How outcomes and information will be shared with the participants and the public
- The time frame for the activities being undertaken
- How the process will be evaluated

7. COMMUNITY ENGAGEMENT TECHNIQUES

These are many and varied. Each has its strengths and weaknesses as a method of consultation. These strengths and weaknesses should be understood and acknowledged before being incorporated into the Community Engagement Plan.

8. WORKING GROUP RESPONSIBILITIES

A Working Group has been established with cross-Council representation. All members of the Working Group have been trained in engagement techniques and are able to assist in designing community engagement methodologies and processes.

There are different levels of engagement from informing to empowering the community. The following table best describes examples of these different levels and techniques.

9. Increasing Level of Community Participation Spectrum

Inform	Consult	Engage	Collaborate	Empower
<p>Objective: To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.</p> <p>Promise to the Public: We will keep you informed.</p>	<p>Objective: To obtain public feedback on analysis, alternatives and/or decisions.</p> <p>Promise to the Public: We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision.</p>	<p>Objective: To work directly with the public throughout the process to ensure that public issues and concerns are consistently understood and considered.</p> <p>Promise to the Public: We will work with you to ensure that your concerns and issues are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.</p>	<p>Objective: To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.</p> <p>Promise to the Public: We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.</p>	<p>Objective: To place final decision-making in the hands of the public.</p> <p>Promise to the Public: We will implement what you decide.</p>
<p>Example Tools:</p> <ul style="list-style-type: none"> ⇒ Fact sheets ⇒ Web sites ⇒ Open houses 	<p>Example Tools:</p> <ul style="list-style-type: none"> ⇒ Public comment ⇒ Focus groups ⇒ Surveys ⇒ Public meetings 	<p>Example Tools:</p> <ul style="list-style-type: none"> ⇒ Workshops ⇒ Deliberative polling 	<p>Example Tools:</p> <ul style="list-style-type: none"> ⇒ Citizen Advisory Committees ⇒ Consensus-building ⇒ Participatory decision-making 	<p>Example Tools:</p> <ul style="list-style-type: none"> ⇒ Citizen Juries ⇒ Ballots ⇒ Delegated decisions

International Association for Public Participation (2002)

10. WHO WILL BE INVOLVED

Community engagement endeavours to involve individual residents and representatives of community and government groups who have an interest in, or are directly affected by, Council programs, policies or services.

In planning which individuals, groups or sectors need to be involved in the community engagement activities of Council, consideration will be given to:

- The location of populations likely to be affected by Council's decision. Where the impact of decisions is confined to a particular geographical area of the City, Council will endeavour to ensure representation from the areas affected
- The likely impact of the decision on residents or groups in the community
- Representation of significant minority groups
- Balanced representation with respect to gender and age.

To ensure that the community is informed of community engagement processes being initiated by Council, adequate publicity is needed and includes the placement of notices in the media, on public notice boards and communicated via Council mailings.

Council will maintain a comprehensive list of contacts and addresses for all key stakeholder groups in the region. This will need to be updated at regular intervals. The listing will be used as a basis for preparation of mailing lists where Council wishes to advise community groups of planned community engagement activities.

Where individuals or groups believe that they have a substantial interest in proposals before Council, but have not been included in a specific public participation process or activity, Council will endeavour to ensure that they be given an opportunity to participate within a reasonable time frame, provided that this does not contravene statutory requirements.

11. "YOUR COMMUNITY, YOUR COMMENT"

Mackay Regional Council promotes the concept of "Your Community, Your Comment".

"Your Community, Your Comment" has been developed to promote constructive and ongoing communication between the community and Council. It is imperative that people of all ages and from all walks of life are engaged in the process. Members of the public will be asked, at every community engagement process, whether they would like to be included in any future community engagement on one, or a number of specific topics.

12. SCHEDULING OF ACTIVITIES

Timing of community engagement activities needs to take into account the ability of individuals to participate. To enhance opportunities for community involvement, consideration will need to be given to:

- Providing adequate advance notification of the activities to be undertaken
- Scheduling activities at times which ensure the involvement of specific groups
- Scheduling activities at times outside major holiday periods such as Christmas.

Where circumstances indicate that changes need to be made to community engagement activities planned by Council, individuals and groups likely to be affected need to be informed of the changes and the reasons for the restructuring of activities.

13. FEEDBACK

Providing timely and appropriate feedback to those who have participated in engagement processes can enhance the legitimacy of the final outcome and assist in the management of expectations.

Feedback is a critical element of the engagement process. It is the point at which those that have participated can see whether their views have been accurately represented and, when relevant, taken into account when decisions are made.

14. MONITORING AND EVALUATION

Community Engagement Plans prepared for community engagement activities need to include information about how these activities will be evaluated.

Effective evaluation of community engagement activities can provide considerable benefits to Council by contributing to setting best practice standards and building support for client and community involvement by providing evidence of how effective engagement works.

15. CONFIDENTIALITY

Information, advice, opinions and recommendations obtained from community engagement activities initiated by Council are freely available to the public unless specifically designated as confidential.

When information is accepted as confidential, there is an obligation on all parties involved to respect confidentiality.

16. MANAGING COMMUNITY ENGAGEMENT

At a minimum, Council staff responsible for planning community engagement activities should have an understanding of:

- The objectives and principles of community engagement
- Community engagement methodologies and when it is appropriate to use them
- The principles of facilitation, negotiation and mediation and their role in the engagement process

17. TRAINING

It is imperative that all staff responsible for community engagement have the required skills. Training should also be made available to interested Councillors and should be part of any orientation for new Councillors.

Training of Councillors and staff will focus on the development of the following competencies:

- Understanding of the principles of community engagement
- Ability to select appropriate community engagement methodologies for different situations
- Understanding of alternative dispute resolution concepts
- Knowledge of available outside expertise and understanding of situations where outside assistance is appropriate.

Professional assistance may be necessary for the planning and implementation of some community engagement activities in the following situations:

- When issues arise which require an independent person to negotiate or mediate between Council and the community

- When it is anticipated that the scope of community engagement activities will require the time and skills of experienced professionals.

18. CONCLUSION

The success of community engagement depends on Council practice that focuses on:

- clarity of objectives
- being clear about timeframes, resources and other constraints
- understanding community perception of the engagement process
- maximising involvement by reducing barriers and ensuring the benefits of engagement outweigh the costs of time and effort
- establishing trusting relationships
- respecting diversity of communities including differences in cultural backgrounds, language, age, literacy and interests
- maintaining flexibility throughout the engagement process, allowing citizens the opportunity to raise issues and propose options

COMMUNITY ENGAGEMENT WORKING GROUP

TERMS OF REFERENCE

Community engagement/consultation/participation refers to the processes implemented by Mackay Regional Council to consult, hold discussion, exchange information, negotiate with, and inform residents and other spheres of government during the planning and evaluation of Council policy, programs and services.

The Community Consultation Working Group is designed to ensure that Council's consultation with the community is consistent, well structured, economical in terms of Council resources and the public's time and delivers on the new requirements for reporting of community engagement activities, which have been implemented by the State Government as part of the Local Government Act 2009.

The Working Group will be formed as follows:

- The Working Group will comprise representatives from the following departments within the organisation:

- Jan Kilbourne – Community Development and Libraries – Convenor
- Community Development – up to 3 representatives
- Parks – 1 Representative
- Works - 1 Representative
- Technical Services - 1 Representative
- Planning - 1 Representative
- Corporate Communications - 1 Representative
- Water Services - 1 Representative
- Waste Services - 1 Representative
- Customer Services - 1 Representative
- Other representatives to attend on a short-term basis dependent upon engagement in question
- Any other members as the committee deems necessary

- The Working Group provides a point of reference for any staff member or Councillor considering a community engagement process and minimises the risk of communities being consulted numerous times about different issues.
- Advice will be given by the Working Group as to whether consultation is required and all Council programs are required to consult the working group before embarking on community engagement activities.
- Community Engagement Plans will be developed for each consultation activity.
- Expertise will be provided by the Working Group and Community Development staff to assist in the facilitation of community engagement.
- When reporting on the outcomes of any consultation process to Councillors, the Working Group will include information on:

- The process undertaken
 - Any recommendations resulting from the consultations
 - The rationale for the recommendations made to Council
-
- Meetings of the Working Group will be held monthly unless there is a requirement for additional meetings to address particular issues. Meetings will be open with formal minutes taken showing agreement to actions and actioning required by whom and by when.
 - The Manager Community Development and Libraries will compile and keep up to date a register of endorsed Council engagement activities. The register will be submitted to Council for information on a 6 monthly basis.

7.5 PROPOSED LEASE - SARINA LANDCARE CATCHMENT MANAGEMENT ASSOCIATION INC

File No 738224-006 – RP
Author Manager Property Services

Purpose

To consider a request received from Sarina Landcare Catchment Management Association Inc (SLCMA) to increase their leased area situated at 101 Beach Road, Sarina.

Background/Discussion

Sarina Shire Council received an application from SLCMA in December 2007 for the use of part of Lot 6 on RP 738224 for Landcare purposes. Council agreed to the proposal and the associated Licence Agreement was prepared and signed on the 19th December 2007. (Copy attached)

SLCMA is a not-for-profit community organisation that works collaboratively with the community to promote and implement the sustainable management of our natural resources and provides advice and information through its office/resource centre situated at beach road Sarina.

The Association has a long track record of successful community involvement, advocacy and delivery of on-ground activities within the Sarina Catchment by providing essential coordination and support to land managers, community groups and other project partners in the design and delivery of priority natural resource management projects and programs. SLCMA operates the SLCMA Office as a resource centre for the community to access NRM advice and information.

The SLCMA Nursery is utilised as a training facility for the Sarina community (Landcare members, volunteers, school students, Green Corps teams etc) in the identification and propagation of local native plants. The native plants are used for community rehabilitation projects, local school plots and during environmental awareness events.

At present the licensed area is enclosed with a fence and consists of a garden shed, greenhouse, potting-on and sun-hardening area. In order to increase the potential of the nursery, Sarina Landcare is asking for Councils approval to expand their licensed area to include sun-hardened benches, a small hothouse, rainwater tank and guttering to collect water from nearby buildings, some within the Sarina Council Depot adjoining their licensed area.

Consultation and Communication

Consultation with the Manager of the Parks and Environment Program has confirmed that they have no issues with the expansion of the Nursery as proposed. Sarina Landcare will need to consult with the program in respect to the guttering and location of the water tank if approval is granted.

Neighbouring property owners were contacted by letter asking for comment on the proposed increase in area for the nursery, with no comments or feedback received within a two-week period.

The Sarina Apex Club being the owner of the shed adjacent to the SLCMA Nursery has confirmed that the proposal was presented at the clubs general meeting with no issues being raised in respect to the expansion which is seen as being of benefit to both parties.

Resource Implications

A new lease agreement replacing the current General Tenancy Agreement executed on the 1st September 2004 would need to be prepared by our solicitors with the cost borne by SLCMA.

Conclusion

The SLCMA Nursery provides a training facility for the Sarina community (Landcare members, volunteers, school students, Green Corps teams etc) in the identification and propagation of local native plants.

As the licensed area in the current Agreement is not clearly defined, a lease agreement detailing the leased area including any improvements would be beneficial for future planning and funding applications and there would appear no reason why Council should not support such action.

Director's Recommendation

THAT Council approve a Community Lease for a term of twenty (20) years in the name of Sarina Landcare Catchment Management Inc over an approximate 270m² section of Lot 6 on RP738224 on Sarina Beach Road, Sarina.

Council Resolution

THAT the Director's Recommendation be adopted.

AND THAT before any lease is entered into by Council and a community group a report be tabled detailing proposed conditions of future leases and conditions of existing leases.

Moved Cr May

Seconded Cr Christensen

CARRIED

7.6 LEASE RENEWAL - ARMSTRONG BEACH AREA PROGRESS ASSOCIATION INC

Author Manager Recreation Services

Purpose

To consider a request from Armstrong Beach Area Progress Association Inc. to renew the expired Licence Agreement at Armstrong Beach, to continue the recreational operations of community activities in the hall, along with Rural Fire and SES use, with a recommendation that the lease renewal be approved.

Background/Discussion

Armstrong Beach Progress Association Inc. held a Licence Agreement administered by former Sarina Shire Council for a period of twelve (12) months, from 22 March 2004. This land was gifted by Mrs Davis to Sarina Shire Council to act as Trustee to enable the Armstrong Beach Area Progress Association Inc. to have an area to share with the Rural Fire Service Queensland (Armstrong Beach) & Queensland State Emergency Service (Armstrong Beach) - Lot 1 in SP154746, 1724m².

The Armstrong Beach Progress Association Inc. reports that the use of the community hall is to create a place for gatherings and functions, sewing classes, Rural Fire Service Queensland activities, Queensland State Emergency Service activities, art classes, playgroup, and hall hire for private functions, coffee mornings and youth discos.

Renewal of the lease on the existing footprint is not considered to cause any issues to Council and approval would allow for the continued development of the Armstrong Beach Progress Association Inc. Any new lease would be based on the existing community type lease, whereby the association maintains the area within the lease boundaries and pays concessional rates. This arrangement is inclusive of peppercorn rental provisions.

Consultation and Communication

Council Policy AD01 – Council Land – Leases, has a requirement for public consultation where the lease area is in close proximity to residential areas. The Armstrong Beach Progress Association Inc. has consulted with the Rural Fire Service Queensland (Armstrong Beach), Queensland State Emergency Service (Armstrong Beach) and the community regarding the shared hall, with all parties being agreeable.

Resource Implications

Nil. Council provides no direct assistance to Armstrong Beach Progress Association Inc, other than following formal application via Council's processes such as the Community Grants program.

Conclusion

Given that Armstrong Beach Progress Association has operated from the site for many years without incident, it is recommended the lease renewal be approved for the existing lease area for a term of twenty (20) years.

The lease would be based on Council's standard "community" type lease including peppercorn rental provisions.

Director's Recommendation

THAT Council agree to approve a community lease to the Armstrong Beach Progress Association Inc. of 1724m² on Lot 1 on SP154746 for a term of twenty (20) years.

Council Resolution

THAT the Director's Recommendation be adopted.

Moved Cr Steindl

Seconded Cr Hatfield

CARRIED

7.7 **DEVELOPMENT SERVICES HIGHLIGHTS & SIGNIFICANT ISSUES REPORT - MONTH ENDED 31ST JULY 2009**

Author DIRECTOR DEVELOPMENT SERVICES

Purpose

To review Development Services Department highlights and significant issues for the month ended 31st July 2009.

Background and Discussion

Highlights and Significant Issues for period are as follows: -

▪ Urban Renewal and Economic Development

Sarina Community Public Transport Scheme

- 119 passengers recorded for the period of June 15 to July 15.
- In consultation with Department of Transport and Main Roads regarding collection points in Sarina.
- Audit undertaken on both routes to trail bus service in regards to placement of collection points, customer feedback and review of service.
- Consequently, current timetable being reviewed following consideration of feedback provided.

Eat Well Be Active Program

- The 10,000 steps will be delivered to the depot this Friday. Arrangements are being made with Park and Gardens to have them installed during the fourth week of August
- Suitable sites have been identified and approved by Corporate Communications
- We have recently received the draft Bicycle Hire Agreement from the solicitor. The document is under consideration
- Pending Council's approval of the Bicycle Hire Agreement, arrangements will be made to have the bicycles engraved by the Mackay Police and tested for road worthiness before the scheme starts operating
- Public liability cover continues to be a hurdle as to date we have not received favourable feedback from private insurers. It will be recalled that Jardine Lloyd Thompson has refused to provide public liability cover for the scheme.

Mackay Economic Development Advisory Committee (MEDAC)

- From the Draft City Centre Economic Development Action Plan, items were prioritised for actioning and consideration.
- Acting Director of Main Roads Department Mackay Region accepted an invitation to attend the MEDAC meeting in October to provide an overview of the construction of the new Forgan Bridge, including revised image of the completed bridge and discuss the proposed celebration of the closing of the old Forgan Bridge.
- Manager Convention Precinct & Events met with MEDAC members and City Heart Traders for further discussions on the CBD markets.
- Following feedback on the general state of the City Heart, additional cleaning has commenced for the umbrellas and lighting. Costings are being sought for the reinstallation of fairy lights and proposed piped music to improve the ambience in the City Heart.

City Safe Mackay Committee

- "Its All In Your Hands" posters were printed and distributed to City Safe members in preparation of the launch of the new campaign. Continued preparations for media releases, proposed street march and production of banners and promotional merchandise for campaign.
 - Continuing discussions held in regards to the completion of installation of CCTV's. Letter to be sent to Ergon Energy to expedite digging of pits to install cabling for camera's.
 - Discussions held regarding the proposed installation of road barriers in the City heart for Friday and Saturday nights to provide a safe environment for club patrons.
- Development Assessment - Engineering

Description	No. July 2009	No. July 2008
Number of current applications	38	53
Operational Works applications received	4	7
Operational Works applications finalised	11	18
Average days to decide	35	94
Plans of Survey applications received	17	14
Average days to sign	18	14
Plans of Survey applications finalised	24	16
Number of lots registered	81	36
Minor Works applications Received	69	60
Minor Works applications Finalised	87	65
Average days to Decide	32	24

▪ Development Assessment - Planning

Applications Received

Description	No. July 2009	No. July 2008
Development Applications Received:	42	62
<ul style="list-style-type: none"> • Material Change of Use – Code • Material Change of Use – Impact • Reconfiguration of a Lot – less than 6 lots • Reconfiguration of a Lot – more than 6 lots and less than 10 lots • Reconfiguration of a Lot – more than 10 lots • Combined applications 	12 19 8 1 1 1	46 5 8 0 1 2
Number of Concurrence Agency applications received	4	2
Requests received for Negotiated Decision Notices	10	0
Notices of Appeal	0	1
Form 2 Requests (<i>Change of Approval, Change of Conditions & Extension of Currency Period</i>).	8	1

Development Applications:

Description	No. July 2009	No. July 2008
Number of current (MCU/ROL) applications (end of month)	184	279
Number of applications in Decision Making Period (end of month)	51	71
Number of applications decided	37	77
Average Number of time in Decision Making Period	29 days	23 days

Description	No. July 2009	No. July 2008
Average time to Decide a Development Application (lodgement to decision)	72 days	34 days

Major Application Decided:

- A Homemaker Centre located at the corner of Bucasia and Holts Road, Richmond and comprising of over 38,000m² GFA including 10,000m² Harvey Norman store.
- An application was approved for a 5 Rural Residential lot subdivision at 59 Whitsunday Drive, Bloomsbury.
- 8 Multiple Dwelling Units were approved at 30 Bryon Street, Mackay as a part of the Affordable Housing Project.
- 8 Multiple Dwelling Units were approved at 7 English Street, South Mackay as a part of the Affordable Housing Project.
- An addition to an existing Health Care Centre was approved at 97 Willetts Road, Mt Pleasant.
- Catering Shops, Shops, Commercial Premises and Health Care Centre was approved at 36 Iridium Drive, Paget.

Town Planning Certificates:

Type	No. Received in July 2009	No. Actioned in July 2009
Limited	14	14
Standard	5	3
Full	0	0

Duty Planner Enquiries

Enquiries	No.
Face to Face appointments (Sarina, Mackay and Mirani)	59
Email and Fax	182

- Front counter will be open for lodgement of applications (including planning, operational works, survey plans etc) the end of August. There has been a transition period working with local consultants initially while training front counter staff. There will be promotion of this change and making DS customers aware of the facility at Wellington Street
- Electronic lodgement of applications (planning initially with the potential to include Operational Works) via the Smart eDA web site (state gov't initiative) will commence with a soft launch early September, working with a local consultant then testing and refining, then extending out to all consultants. This will allow electronic lodgement, payment and referrals (to some State Government Agencies). Council will still process and manage the applications via pathways and internal process.
- HaF, the Project Initiation Document (PID) has been signed. This includes the implementation of Masterview and Masterplan modules from the vendor Infomaster. This will allow online tracking and enquiries for customers, including access to copies of documents associated with applications. This work will occur over the next 6 months and there will be regular updates regarding the progress.

Compliance Section*Status of Compliance Activities:*

Description	No. July 2009	No. July 2008
Requests for actions Received for the month	101	31
Requests for actions Finalised for the month	111	53
Show Cause Notices issued	7	9
Enforcement Notices issued	4	5
Local Laws Notices were issued	6	N/A
Cases Requiring on-going Intervention	67	112

66 Cases currently at formal enforcement action phase, of which 19 have lead to MCU applications or engagement of Private Certifier and are pending that result.

Governance Development

Description	No. July 2009	No. July 2008
Private Certified Applications received (<i>Building applications lodged by certifiers</i>)	235	332
Value of Building Works	\$35,373,683	\$61,400,660
Building Application Audits (<i>Audits of building files by Building Surveyor & Plumbing Inspector</i>)	6	21
Building Records Searches (<i>A database search of approved structures on properties</i>)	59	33

Health – General Inspections

Type	No. July 2009
Dust	2
Noise	6
Nuisances	0
Overgrown Land / Untidy Premises	5
Smoke	2

Local Laws Complaints

Category	Complaints	Actioned	Pending	Unactioned
Dogs Barking	40	21	13	6
Dogs Straying & Control	55	41	6	8
	38	34	0	4
	3	3	0	0
Dogs Placing in Fear	31	23	3	5
Dogs Excessive Numbers	10	9	0	1
Poultry/Birds	5	5	0	0
Dog Registration	3	2	1	0

Category	Complaints	Actioned	Pending	Unactioned
Dogs Biting	6	4	2	0
Cats	0	0	0	0
Abandoned Vehicles	22	18	2	2
Miscellaneous	4	3	0	1
Overgrown Land Complaints & Untidy	16	5	8	3
Livestock Complaints	21	15	0	6
Parking Complaints	64	45	0	19
Water Complaints	0	0	0	0
Smoke	2	2	0	0
Continual Offenders	1	0	0	1
Illegal Camping	3	1	1	1

Dog Registrations

Registrations	Number
Registrations up to 01/08/2009	12216
Registrations for Previous Month	11729

▪ Strategic Planning

General Issues:

The Strategic Planning Programme has been re-organised to put in place work teams to reflect the four priority areas.. Key responsibilities of the 4 four teams are as follows:

Waterways and Open Space:

- Stormwater trunk infrastructure studies
- Catchment management plans
- Flood studies
- Open space
- Stormwater quality management plans
- Erosion and sediment control and
- Healthy waterways & monitoring

Local Area Planning:

- Planning scheme and planning scheme policies maintenance
- Local planning instruments
- New planning scheme
- Ministerial designations/ State development
- Heritage planning

Regional and Strategic Planning:

- WHAM Regional Plan

- Strategic plan
- Development sequencing
- Infrastructure providers liaison

PIPs

- Maintenance of Planning Scheme Policies dealing with infrastructure
- Preparation of Priority Infrastructure Plans
- Implementation of Priority Infrastructure Plans
- Infrastructure Charges Notices

Progress on specific projects within each team will be provided in the monthly report.

The recruitment process to fill four key vacant positions commenced in July.

Waterways & Open Space

PROJECT	PROGRESS	PLANNED ACTIVITIES
1.1 Stormwater Studies		
Bakers Creek Stockroute Road East Stormwater Trunk Infrastructure Study	– Consultants finalised a peer review of the flood model	– Address comments from the peer review and finalise draft study.
Kellys Road Catchment Stormwater Trunk Infrastructure Study	– New initiative.	– Consultants brief being prepared.
McCreadys Creek South Stormwater Trunk Infrastructure Study	– New initiative.	– Project brief for consultants being prepared. – Inception Report to Council (September).
Review of 2006 Mackay Stormwater Quality Management Plan	– Workshops held on 29 – 31 July 09 with various internal and external stakeholder groups.	– Briefing to council to discuss issues raised at workshops held in July.
Reef Guardian Action Plan	– Ongoing	– Ongoing.
Example Site Based Stormwater Management Plan	– Consultants appointed to assist in developing example site based stormwater management plans for small residential lots and industry lots.	– Continue development of templates for developers. – Investigate Environmental Control / enforcement options.
1.2 Flood Studies		
Goosepond Creek	– Draft study being finalised	– Report to Council on

PROJECT	PROGRESS	PLANNED ACTIVITIES
Flood Study		status of project prior to commencing public consultation.
Pioneer River Flood Study	– Initial data provided to consultant.	– Study ongoing.
1.3 Open Space		
Open Space Policy Review	– New initiative.	– Scope of new initiative being developed. – Inception Report to Council (September).
1.4 Erosion and Sediment Control		
Review best practice guidelines	– New initiative.	– Review IECA guidelines and determine impact on Mackay Region.
Review policies to incorporate Erosion and Sediment Control	– New initiative.	– Project ongoing.

2. Local Area Planning

PROJECT	PROGRESS	PLANNED ACTIVITIES
2.1 Planning Scheme Maintenance		
Mackay PS Amendments 2 of 2007: Proposed Neighbourhoods Code	– Council resolved not to proceed with proposed amendment. – Letters submitted to DIP and submitters advising them of Council's decision.	– Project complete.
Mackay PS Amendments 3 of 2007: Car Parking provisions	– Council resolved to proceed with proposed amendments, with modifications. – Proposed amendments with modifications submitted for 2 nd State Interest Review.	– Awaiting response from 2 nd State Interest Review.
Mirani PS Amendments 1 of 2007	– Council resolved to proceed with proposed amendments, with modifications. – Proposed amendments with modifications submitted for 2 nd State Interest Review.	– Awaiting response from 2 nd State Interest Review.
Mackay PS Amendments 1 of 2009 (priority amendments)	– New initiative.	– Short list of proposed amendments being finalised. – Report to Council to

PROJECT	PROGRESS	PLANNED ACTIVITIES
		resolve to propose amendments.
2.2 Local Planning Instruments		
Farm Forestry	– Ongoing.	– Issue to be included in report to Council on Amendments 1 of 2009.
Mirani and Marian LAP	– New initiative.	– Inception Report to Council in September on new initiative.
Ooralea growth area - Masterplan	– New initiative.	– Inception Report to Council on new initiative in September.
Other: Midge Point	– New initiative.	– Comments on developer's Local Area Planning.
2.3 SPA Planning Scheme		
New Planning Scheme	– New initiative. – Awaiting finalisation of Queensland Planning Provisions.	– Low priority
2.4 Heritage Planning		
Heritage Information Kit	– Draft heritage information brochures (3) completed.	– Draft Guides to be distributed to HAC for comment.
Heritage Advisory Committee	– Ongoing.	– Next HAC meeting on 14 August.
Other	– Submissions made on proposed inclusion of 2 sites to state heritage register: – Oral Representation made to QLD Heritage Council regarding East Gordon Street Sewerage Pump Station.	– Ongoing.

3. Regional & Strategic Planning:

PROJECT	PROGRESS	PLANNED ACTIVITIES
3.1 WHAM Regional Plan		
<ul style="list-style-type: none"> - Social Infrastructure Audit - Infrastructure Audit - APODs – Regional - APODs – Local - Transport Model - LUPTAI Model 	<ul style="list-style-type: none"> - Participated in Alternative Patterns of Development (APODs) evaluation workshop hosted by DIP. - Provided preliminary comments to DIP regarding Preferred Patterns of Development. 	<ul style="list-style-type: none"> - Report to Council on current status and progress of APODs.
3.2 Mackay Strategic Plan		
Preliminary Scoping Study	<ul style="list-style-type: none"> - Extensive internal consultation undertaken for a preliminary scoping study to inform the approach and resources required for the new Strategic Plan and Planning Scheme 	<ul style="list-style-type: none"> - Draft scoping report being developed.
Strategic Plan	<ul style="list-style-type: none"> - Need to progress with Regional Plan. 	<ul style="list-style-type: none"> - Briefing for Council in last quarter of 2009.
High Density Residential Study	<ul style="list-style-type: none"> - New initiative. - Consultants brief being developed. 	<ul style="list-style-type: none"> - Inception Report to Council in last quarter of 2009.

4. PIPs

PROJECT	PROGRESS	PLANNED ACTIVITIES
4.1 Infrastructure Policies		
Mackay Planning Scheme Parks Contribution Policy 16.02 – proposed amendments	<ul style="list-style-type: none"> - Public information session on held on 17 July. - Public consultation closed on 28 July. - Two submissions made. 	<ul style="list-style-type: none"> - Investigate issues raised in submissions. - Report to council on submissions received (September)
Developer contribution policies	<ul style="list-style-type: none"> - Selected developer contribution policies adopted on 24 June was Gazetted on 1 July 2009. - Charging path to phase in the adopted contribution rates was adopted by 	<ul style="list-style-type: none"> - Ongoing.

PROJECT	PROGRESS	PLANNED ACTIVITIES
	Council on 1 July 2009.	
4.2 Indexation		
Indexation of Contribution Rates	– Calculated and published new indexed charge rates (including adopted charging path) for policies adopted on 24 June 2009 and indexation of unchanged policies.	– Publication of the next round of developer contribution charges rates (charging path capping) - September 2009.
4.3 PIPs		
PIP	– Project completion plan being developed.	– Ongoing.
4.4 Transport Planning		
Mackay Area Integrated Transport Study (MAITS)	– Project ongoing.	– Meeting with DMR in August.

- Health and Regulatory Services

1. *Environmental Health*

- 1.1 Inspections

- 1.1.1 Licensed Premises

Premises Type	Routine Work Inspection	Complaint Inspections
Caravan Parks	8	2
Flammable Liquids	2	0
Food	27	9
Accommodation	3	1
Swimming Pools	2	1
Vendors	15	0
Skin Penetration	0	2
Outdoor Events	3	0
Temporary Homes	1	2

- 1.2 Licensed Premises Annual Registered Inspections

Premises	Premises Inspected this month	Premises Inspected in 2009	Total No. Licensed Premises
Caravan Parks	10	23	22
Flammable Liquids	2	26	129
Food	36	289	549

Premises	Premises Inspected this month	Premises Inspected in 2009	Total No. Licensed Premises
Footpath Dining	0	10	15
Accommodation	4	79	67
Swimming Pools	3	63	73
Vendors	15	19	12
Skin Penetration	2	7	7

2. *Environmental Protection*

2.1 Environmentally Relevant Activity Registrations

Categories	Enquiries	Inspections	Complaints
Plastic Product Manufacturing	0	1	0
Abrasive Blasting	1	1	0
Boiler Making or Engineering	1	1	0
Metal Forming	0	1	0
Metal Recovery	0	0	0
Motor Vehicle Workshop	0	11	0
Concrete Batching	1	0	0

2.2 Registered Premises

Premises	Premises Inspected this month	Premises Inspected in 2009	Total No. Licensed Premises
Poultry Farming	0	0	1
Asphalt Manufacturing	0	0	1
Chemical Storage	0	14	63
Plastic Product Manufacturing	1	5	6
Abrasive Blasting	1	10	15
Boiler Making or Engineering	1	67	110
Metal Forming	1	5	12
Metal Recovery	0	3	8
Motor Vehicle Workshop	11	120	202
Printing	0	0	7
Surface Coating	0	17	17
Concrete Batching	0	2	12
Wooden Product Manufacturing	0	7	29
Boat Maintenance/Repair	0	0	6

3. *Vector Control*

Note; includes aerial treatment.

Sites Inspected	Sites Treated	Hectares Treated
126	40	890 ha

4. *Pest Management*

4.1 Declared Weeds

Plants:	Enquiries	Inspection
Giant Rats Tail Grass	2	0
Singapore Daisy	1	0
Water Hyacinth	1	0
Other Plant	1	1

4.2 Declared Animals

Animals	Enquiries	Traps
Dingo/Wild Dog	4	1
Feral Pig	1	0

5. *Local Laws*

5.6 Parking

Item	No
Total Number of Infringements	560
No. of Appeals	19
Machine Faults	56

▪ **Critical Activities Proposed for the Next Month**

- Strategic Planning – roll out of ambitious Strategic Planning Program.
- Customer Service – activating the front counter at Wellington Street.
- Improved liaison with Development Industry.

Consultation

There has been consultation with Development Services Program Managers.

Resource Implications

Nil.

Conclusion

In this months report we have included more data to reflect the activity levels across the Department. When we are satisfied that the data is accurate we will began to comment on the data from a performance improvement prospective.

Director's Recommendation

THAT this report be received.

Council Resolution

THAT the Director's Recommendation be adopted.

Moved Cr Hatfield

Seconded Cr Comerford

CARRIED

7.8 MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT - UNDEFINED USE (PRIVATE PLANE STORAGE FACILITY FOR STORAGE OF UP TO 8 PRIVATE PLANES) - ROBERT J SMITH - LOT 550 BALL BAY ROAD, BALL BAY (004515-550-DA-2008-787)

Application Number:	DA-2008-787
Action Officer:	John Caldwell
Applicant's Details:	Robert Smith C/-Humphreys Reynolds Perkins PO Box 244 MACKAY QLD 4740
Proposal:	Material Change of Use for an Undefined Use being a Private Plane Storage Facility for storage of up to 8 Planes
Site Address:	Lot 550 Ball Bay Road, Ball Bay
Property Description:	Lot 550 on CI4515
Owner's Details:	Robert, Suzanne, Donald, Ralda, Stephen, Wendy and Graham Smith
Area:	34.447 Ha
IPA Compliant Planning Scheme	
Locality:	Mackay Hinterland
Precinct:	O'Connell River & Northern Streams
Zone:	Rural

Referral Agencies:Concurrence:

Department of Natural Resources & Water

Attachments:

Attachment A: Locality Plan
Attachment B: Proposal Plan/ Building Plans
Attachment C: Acoustic Assessment
Attachment D: Flight Path Plan
Attachment E: Department of Natural
Resources Conditions

ASSESSMENT OF APPLICATION**Purpose**

The applicant has submitted a Material change of use application for an undefined use in the Planning Scheme to expand the use of an existing private airstrip at Ball Bay. The current application is for an undefined use in the Planning Scheme. The use being applied for is defined by the applicant as being for a Private Plane Storage Facility for the storage of up to 8 Private Planes. The applicant proposes to construct two additional plane hangars in addition to the existing hangar. Each hangar will house about 3 to 4 planes. Effectively, the use of the lawful airstrip would expand from a private airstrip ancillary to the cane farm to one that would be available for use by restricted members of the public for storage of certain planes on site.

This report recommends that Council approve this application subject to conditions to control the operations of the airstrip. If Council is unconvinced that the conditions of approval are not sufficient to control the use or the conditions of approval are unable to be enforced, then the Council should refuse the application.

Executive Summary

The applicant has submitted a material change of use application for an undefined use in the Planning Scheme to expand the use of an existing private airstrip at Ball Bay. This is the second application on this site. The previous application for "Expansion of an Airstrip" involving three additional aircraft hangers to be made available for use by persons other than the landowner was refused by Council on the 20th February 2007. The current application is for an undefined use in the Planning Scheme. The use being applied for is defined by the applicant as being for a Private Plane Storage Facility for the storage of up to 8 Private Planes. The applicant proposes to construct two additional plane hangars in addition to the existing hangar. Each hangar will house about 3 to 4 planes. Effectively, the use of the lawful airstrip would expand from a private airstrip ancillary to the cane farm to one that would be available for use by restricted members of the public for storage of certain planes on site.

The application underwent public notification and attracted 66 properly made objecting submissions, 3 objecting petitions containing 279 signatures. There was also one late submission objecting to the application.

This second application is sufficiently different from the first application to consider approving the use. It is considered that the submitter concerns with the existing lawful use

airstrip will be partly addressed by applying conditions to control the operations of the use but also for the use of the airstrip. While this may become potentially a compliance issue in the future, it is considered that this pragmatic approach will be the most manageable and will put some constraints on the use of the airstrip which at present it is not required to comply with any planning approval restrictions. The application is recommended for approval with conditions.

The applicant, as well as submitter representatives, addressed the Council on the 21st July 2009. Additional email correspondence both for and against the proposal has been forwarded to Council. The issues raised are similar to the ones submitted during the formal public notification period.

This report recommends that Council approve this application subject to conditions to control the operations of the airstrip. If Council is unconvinced that the conditions of approval are not sufficient to control the use or the conditions of approval are unable to be enforced, then the Council should refuse the application.

Background

The airstrip was established in 2003 under the provisions of the Superseded Transitional Planning Scheme. The provisions of the Scheme allow the development of a private airstrip without the need for Council approval if the airstrip and associated hangars are for personal use to operate the farm. The use of the airstrip is considered a lawful use, as that use is ancillary to an agricultural practise.

In June 2005, Council was advised that an aero club had hosted a fly-in at the airstrip. The fly-in use is not ancillary to the farming use of the site and accordingly Council issued a show cause notice to the landowners. A response from the landowners was received stating that the airstrip was unwittingly used outside of its lawful use. Council accepted the landowners representations and no further action was taken. It should be noted that submissions against this application and further complaints have claimed that a number of additional fly-ins have been hosted at the airstrip. This application was submitted in response to the issues raised in the show cause notice.

The previous application for an “Expansion of an Airstrip” involving construction of 3 additional aircraft hangars which would be made available for use by persons other than the landowner was refused by Council on the following grounds.

1. *The proposal conflicts with the IPA Compliant Planning Scheme.*
2. *The proposal conflicts with the zoning intent of the surrounding area.*
3. *The proposal has the potential to adversely impact on the amenity of the surrounding existing residential properties by way of noise generation.*
4. *The proposal will increase air traffic above that normally expected in a Village area.*
5. *The applicant has not adequately demonstrated that there is a need for this proposal.*

6. *The proposal is inconsistent with State Planning Policy 1/92 'Development and Conservation of Good Quality Agricultural Land' and the 'Good Quality Agricultural Land Management Overlay Code'.*
7. *The proposal requires the clearing of vegetation on Crown Land.*
8. *There are insufficient planning grounds to justify approval of the application notwithstanding the conflict with the Planning Scheme*

A similar application to expand an existing private airstrip at Whitsunday Drive, Bloomsbury was also refused by Council. However, the issues surrounding the potential impact of the proposal on the amenity of surrounding residents is common to both proposals.

The most recent airstrip and associated hangar facilities approved by Council was at the drag strip at Bell's Road, Palmyra. It was considered that the use of the existing drag strip as a private airstrip would not impact on the residents in the surrounding area over and above the impacts caused by the use of the existing drag strip for motor sport purposes. Further, the nearest residence to the airstrip/drag strip was at least 200m from the location of the strip.

Proposal

The current application is for an undefined use in the Planning Scheme. The Use being applied for is defined by the applicant as being for a Private Plane Storage Facility for the storage of up to 8 Private Planes. The applicant proposes to construct two additional plane hangars in addition to the existing hangar. Each hangar will house about 3 to 4 planes and it is indicated that the use will be in compliance with Environmental Protection (Noise) Policy 1997 which allows 27 take offs within a 24 hour period from the airstrip. (See Attachment "A" for the Locality Plan and Attachment "B" for the Proposal Plan).

Approval of the application would allow the use of the airstrip by persons other than the landowner. The 2 additional hangars would be used by members of the public to store their aircraft. The airstrip would be available for use by the owners of these aircraft.

This current proposal is different to the one refused by Council.

This proposal more accurately describes the intended use of the site. The previous application was defined as "Expansion of an Airstrip" and inferred an intensification of the use and/or the ability of commercial operators to use the facility. The responses to information requests inferred a possible tourism connection which may have been construed as a more intense use.

The applicant intends for the site to be used on a private basis as described above and no publicly advertised events will occur unless separately approved by Council.

The focus of this application is the storage proposal which, in accordance with preliminary advice is essential to allow the use of the strip by visitors by planes for private purposes. The airstrip itself is not expanding and will not encompass any additional activities, merely weather-proof storage.

Site Characteristics

The site is situated to the west of the beach community of Ball Bay (refer to Attachment "B" Locality Plan). The fenced property is 34.447 hectares in extent and is located approximately 400 metres from the entrance to the Ball Bay Township. It is bounded by Ball Bay Road to the north and undeveloped vegetated land to the west and south, with rural residential allotments further to the south east. The closest dwelling house is located on a rural property approximately 130 metres to the east of the existing dirt airstrip. There is currently an aircraft hangar on the site. The balance of the site is under sugar cane cultivation.

CORE PLANNING CONSIDERATIONS

The application is impact assessable and requires assessment against the entire Mackay City Planning Scheme.

Planning Scheme Designations

Zone

The subject site is zoned *Rural*. The intent of the *Rural* zone is that “*rural activities undertaken on land within the Rural Zone continue unconstrained by encroachment of incompatible land uses*”.

The proposed development is compatible with the intent of the *Rural* zone in that it is the most appropriate zone for such a development. However, the land is adjacent to the Ball Bay community and increased use of the airstrip may have an impact on the amenity of the residents of Ball Bay. The land within Ball Bay is zoned *Village* and is located approximately 400 metres from the existing airstrip. The intent of the *Village Zone* states that:-

The interface between Village land and surrounding rural and any industry resources is characterised by buffers:

- *to protect the amenity of the Village areas;*
- *to retain the integrity of ecosystems in the locality;*
- *minimise the impact on the landscape setting and natural features such as riparian corridors, beach systems, estuaries, and escarpments and sloping land.*

While the property is adjoined by land zoned *Open Space*, it is considered that the subject site is not sufficiently separated from the Ball Bay community to protect the amenity of the existing residents. The spatial separation between the dwelling houses and the airstrip is considered inadequate to prevent the increase in aircraft using the airstrip from adversely affecting the amenity of the adjoining residents. However, the Environmental Protection (NOISE) Policy does allow a airstrip to be used for up to 27 times in a 24 hour period for the “As of Right” use of the airstrip. This application is an opportunity to apply conditions to not only restrict the proposed plane storage facility use but to control all aircraft operations by the use of reasonable and relevant conditions to address hours of use, frequency of use, permitted type of aircraft and exclusion of commercial operation of the airstrip. It is considered that approval with conditions will ensure that the airstrip becomes an improved neighbour for the residents of Ball Bay and surrounds.

Tourist Areas

The subject site is included on the 'Tourist Areas' information map in the Planning Scheme. *Preferred tourist development sites have proximity to infrastructure and services, and have suitable physical characteristics to accommodate the form, scale and intensity of development proposed without imposing unnecessary or unacceptable impacts upon the surrounding area.*

While some tourist activity is envisaged in the Ball Bay locality, it is considered that the revised proposed development will comply with the intent of the designation.

Good Quality Agricultural Land Overlay Code

The subject site is included in the *Good Quality Agricultural Land Overlay*, which seeks to ensure that GQAL is protected from incompatible land uses which will help to ensure the long-term viability of agricultural pursuits. In this instance, the airstrip is existing and not currently used for agricultural production. However, the new hangars and private storage use of the airstrip will not prevent the balance of the area of the site from being used for agricultural pursuits.

SPP 1/02 - 'Development in the Vicinity of Certain Airports and Aviation Facilities'

State Planning Policy (SPP) 1/02 was implemented to ensure the on-going viability of aerodromes and associated facilities by protecting the operational integrity of the airports through preventing/controlling incompatible land uses from being established where they may impact on the safe operation of the airports.

The SPP applies in the vicinity of certain large airports (eg. Mackay Airport) and does not specifically apply to this type of airstrip, which is classified as an unlicensed Authorised Landing Area (ALA). The general objectives of the SPP could be applied to the airstrip, however these objectives are generally about controlling land uses external to the site. The Policy does not apply to this airstrip as it is not a designated airport and compliance with this Policy is not required.

Amenity

Council's *Environment and Infrastructure* code requires that noise and vibration does not detract from the amenity of residents or employees of any adjacent premises. That is, the operation of the airstrip should have regard for the standards of comfort of surrounding residents. The applicant assessed the proposal against the *Environmental Protection (Noise) Policy 1997* (EPP) to determine the likely impact of the expansion on surrounding residents.

The applicant engaged HLA Envirosiences Pty Ltd to undertake an acoustic assessment of a Commander 114 aircraft conducting take offs, fly overs, landing and taxi on the runway. The assessment was based on the EPP planning level for an 'airport', which has been set at 70dB (A), assessed in front of the most exposed part of an affected noise sensitive place. Under the EPP, the 70dB (A) must not be equalled or exceeded for more than 5 minutes over a 24 hour period.

The Commander 114 aircraft used in the noise assessment is considered to be the worst case scenario of aircraft currently using the airstrip. Noise monitoring was conducted at the property boundary adjacent to the nearest noise sensitive location, being a residential house

situated on the adjoining allotment. The dwelling house is approximately 130m east of the edge of the runway. The results of the assessment are shown in Attachment C – ‘Noise Assessment’, which indicate that the noise levels stipulated in the EPP would not be exceeded provided the number of take offs does not exceed 27 within any 24 hour period.

The applicant has provided an indicative flight path (refer to Attachment D – ‘Flight Paths’). The flight path shows that flight paths do not interfere with existing residences in the Ball Bay area.

This application is an opportunity to apply conditions to not only restrict the proposed plane storage facility use but to control all aircraft operations by the use of reasonable and relevant conditions to address hours of use, frequency of use, permitted type of aircraft and exclusion of commercial operation of the airstrip. It is considered that approval with conditions will ensure that the airstrip becomes an improved neighbour for the residents of Ball Bay and surrounds.

Safety

CASA stated with regards to the previous application that because the airstrip is private there is no requirement for it to be licensed and that there is no legislation pertaining to unlicensed airstrips. CASA requested that if Council believed there was a safety risk at the airstrip, actions be taken to mitigate or remove the risk. Council sought legal advice that pointed to section 92 (1) (d) of the Civil Aviation Regulations which impose an obligation on operators of aircraft to ensure that they do not land or take off from a place that is not “*suitable for use as an aerodrome for the purposes of the landing and taking off of aircraft and, having regard to all the circumstances of the proposed landing or take-off (including prevailing weather conditions), the aircraft can land at, or take-off from, the place in safety*”. The regulation provides for a penalty for non-compliance which is under the authority of CASA.

Council does not have any local laws which enable it to regulate the present aircraft and airstrip related activities on the lot, and non-commercial uses are ‘as of right’ under the Planning Scheme.

INFRASTRUCTURE CONSIDERATIONS

The applicant has not proposed any infrastructure works as part of the proposal. If Council was to approve the application, any infrastructure requirements could be conditioned.

REFERRAL AGENCIES

The application required referral to the Department of Natural Resources and Water, acting as a concurrence agency for assessable vegetation. The Department has given its conditions to include in the decision notice if Council is to approve the application (refer to Attachment F – Concurrence Agency Response).

The concurrence agency has imposed conditions to ensure no infrastructure is located in remnant vegetation, and is not located within 30 metres of remnant vegetation except for a fence, road or vehicular track and that any tree clearing must be applied for unless exempt as per the Integrated Planning Act and Vegetation management Act.

SUBMISSIONS

Table 1 is a summary of the submissions received during the public notification period for the application. Where submissions are categorised as ‘not properly made’ the letters were received by Council after the public notification had finished. The grounds raised in the not properly made submissions are addressed below, but the submitters do not have appeal rights.

Table 1: Summary of Submissions

Type of Submission	Number Received
Properly made letter objecting to the proposal	66
Signatories of Petitions objection to the proposal (3 petitions)	279
Not properly made letters objecting to the proposal	1

While it is acknowledged that the application received a significant number of submissions against the development application, some signatories of the petition also submitted standard form letters. The application was placed on public notification for a period of fifteen (15) business days in accordance with the requirements of the Integrated Planning Act. The issues raised in the submissions are summarised below:-

Summary of Submissions Objecting to the Proposal

Ground 1: Undefined Use Query

The application is for an undefined use and submitter is concerned that they do not know what use is being applied for.

Applicants Comments

The proposal is for a ‘Private Plane Storage Facility’ i.e. an undefined use. This is because it is not possible in any Planning Scheme to define every imaginable use that may be proposed in the planning scheme area and is why at the end of the Assessment Table for the Rural Zone there is a catch all category of ‘Other Uses Not Defined by the Planning Scheme’.

In order to re-confirm the nature of the use, the following definition is provided for Council’s consideration:

“Private Plane Storage Facility means an airfield, not available for use by the general public or for commercial purposes that provides:

1. *Storage, usually in hangars, of up to an additional 8 planes, not associated with farming activities conducted on the site; and*
2. *Ancillary storage on the site, from time to time, of plane owner’s vehicles and equipment.*

To avoid uncertainty, the use of the premises as an Airport or Car Park is not approved.”

The storage of aircraft will not involve a financial gain by the applicant, but provide a convenient location for friends, relatives or acquaintances to land and store their aircraft.

Officers Comments

The use applied for is not defined in the planning scheme. Accordingly the use is then determined to be an Undefined Use (use nominated by applicant) for Council to consider. An application of this type is Impact Assessable as the applicant is applying for site specific use. The conditions of approval have been worded to clearly define what is the use and the restrictions/ controls for the operation of the Private Plan Storage Facility Use.

Ground 2: Second Application

Submitter concerned why is there is a second application when the original was refused by Council.

Officers Comments

While the first application was refused by Council, the applicant is entitled to make a separate fresh application for Council consideration. See executive summary section of report on differences between this application and previous refused application.

Ground 3: Ball Bay Amenity is Affected By Frequency and Hours Of Operation

Applicants Comments

It is envisaged that a majority of the planes will be stored for extended periods of time. Typically, it would be expected on average that the number of daily flights would be approximately one per day. This, of course, recognises that there may be more than one take-off/landing on any one particular day, or days without any flights.

The majority of flights are expected to occur during daylight hours and aircraft would be directed to fly over areas away from Ball Bay Village or neighbouring residences.

Officers Comments

The conditions of approval have been set to prohibit the use of the airstrip other than what was applied for. This will address concerns by submitters on the actual use of the airstrip such as skydivers, parachuting, aero clubs, pilot training, etc.

Ground 4: Ball Bay Amenity is Affected by Noise

Applicants Comments

All noise generated from the 'Private Plane Storage Facility' will comply with environmental nuisance laws. Typically, a majority of noise is heard on 'take-off'. No noise is heard for the entire landing process as the airplane engine is idling on approach and there is no reverse thrust ability such as that found on a jet.

'Warm Up' involves a fast idle to elevate the engine temperature ready for take-off.

A noise assessment report, prepared as part of DA-2006-87, indicated that the greatest length of time that noise would exceed 70dB(A) in any neighbouring dwelling was 11 seconds during take-off. The report concluded that the number of flights should not exceed a maximum of 27 within a 24 hour period. As outlined above, it would be expected on average that the number of daily flights would be approximately one per day.

It was concluded in the noise assessment report that the noise generated by the airstrip would not exceed the allowable planning limits under the Environmental Protection Policy (Noise) 1997.

Officers Comments

The only noise controls that are applicable is the EPP (noise) Policy. The applicant has demonstrated compliance with this State Policy. Additional conditions of approval have been set to minimise noise impacts by setting hours of use, frequency and types of uses permitted by this approval.

Ground 5: Concerns of Safety from Private Airstrip and Lack of Planning Scheme Controls on Location

Applicants Comments

The airstrip will be for private use only. Approaches to the airstrip are clear of obstacles and pilots must remain a minimum of 15 metres above the ground to avoid placing themselves and people on the ground at risk.

A typical landing onto the airstrip would begin approximately 250m from the airstrip with a 3.5 degree approach angle. At this angle and distance, the aircraft would clear Ball Bay Road by approximately 15 metres or the equivalent of a 5 storey building. Airplanes using the Mackay airport would cross Bridge Road at similar heights.

Documentation and maps provided with the application show that no dwellings are located in areas of potential public safety with airplanes turning slightly east immediately after take-off to avoid flying near Kippen Drive and a row of large trees at the end of the airstrip. The applicant would direct airplanes to only use approved flight paths to and from the airstrip.

Officers Comments

CASA publication '*Guidelines for Aeroplane Landing Areas*' CAAP 92-1(1), specifies the dimensions and requirements for aeroplane landing areas. Under CASA regulations, the Pilot-in-Charge of the aircraft is required to make a determination about the relative safety of an airstrip. This includes assessing their ability to land the aircraft safely on the airstrip. This application is an opportunity to apply conditions to not only restrict the proposed plane storage facility use but to control all aircraft operations by the use of reasonable and relevant conditions to address hours of use, frequency of use, permitted type of aircraft and exclusion of commercial operation of the airstrip.

The Planning Scheme does not have specific planning control on the location of private airstrips in the Rural Zone. Private Airstrips are considered to be ancillary to the Rural Use of the land. The existing airstrip is an existing lawful use – this application is not about whether

an airstrip should be approved, but is about expanding the use of the airstrip to permit private plane storage for up to 8 planes on this site. The submissions also seeks Council to amend the Planning Scheme to control the locations of private airstrips. This is a separate matter for Council to consider when preparing the amendments to the Planning Scheme. Conditions of approval haven been set to address safety concerns such as fencing, restriction on use, restricted hours of operation, sign posting and restricted access, etcetera.

Ground 6: Access to Airstrip

Applicants Comments

Vehicular and pedestrian access to the 'Private Plane Storage Facility' will be via the existing entrance off Ball Bay Road, further details of which were provided as part of the applicant's response to Council's Information Request.

It is noted that vehicles associated with farming activities access the property from an entrance off Kippen Drive. These farming related vehicle movements would continue.

Officers Comments

Conditions of approval have been set to limited access only from Ball Bay Road as well as fencing of the airstrip and sign posting to ensure people are aware of the airstrip operations.

Ground 7: Environmental Impact

Applicant's Response

In the research undertaken to prepare this development application it was found that birds have little fear of planes and cause a greater risk to pilots as a result of birdstrike than the other way around. Light planes, which are all that can land on the airstrip, do not have the capacity to dump fuel.

Clearing vegetation from the subject site was done previously with approval from the Department of Natural Resources, Mines and Water. There will be no further clearing as part of this application. It should be noted that approval for this development was granted from the Department of Natural Resources, Mines and Water on 22 May 2006.

It is important to note that these are small planes in small numbers. Emissions or fuel leakages will be no greater from the planes than would be from cars or boats.

Officers Comments

The Department of Natural Resources and Water, acting as a concurrence referral agency has set conditions in relation to the application. This proposal does not include any clearing of remnant vegetation. It is difficult to quantify the claims made regarding the effect the current airstrip has on birdlife and other wildlife. No environmental management plan was requested or submitted with the application. It is considered that an increase in air traffic would have a minimal effect on the birdlife in the area. This application is an opportunity to apply conditions to not only restrict the proposed plane storage facility use but to control all aircraft operations by the use of reasonable and relevant conditions. It is considered that approval

with conditions will ensure that the airstrip becomes a better neighbour for the residents of Ball Bay and surrounds.

Ground 8: Miscellaneous Submission

- 1. Submission wants no further applications to be submitted for expansion of use of airstrip.**

Officers Comments

See Grounds 1 comments.

- 2. Submission indicated application is connected with a business which is a major sponsor of Mackay Festival of Arts Wine and Food Day and requests that any Councillors with a pecuniary interest not be involved in voting on the application.**

Officers Comments

The Local Government Act guides Councillors in regards to pecuniary interest when considering applications before Council.

- 3. Loss of property value**

Officers Comments

This is not a planning consideration.

GENERAL COMMENT

This report recommends that Council approve this application subject to conditions to control the operations of the airstrip. If Council is unsure that the conditions of approval are not sufficient or unable to be enforced, then the Council should refuse the application.

If Council decides to refuse the application, the grounds of refusal will be as follows:

- 1. The proposal conflicts with the IPA Compliant Planning Scheme.*
- 2. The proposal conflicts with the zoning intent of the surrounding area.*
- 3. The proposal has the potential to adversely impact on the amenity of the surrounding existing residential properties by way of noise generation.*
- 4. The proposal will increase air traffic above that normally expected in a Village area.*
- 5. The applicant has not adequately demonstrated that there is a need for this proposal.*
- 6. The proposal is inconsistent with State Planning Policy 1/92 'Development and Conservation of Good Quality Agricultural Land' and the 'Good Quality Agricultural Land Management Overlay Code'.*
- 7. The proposal requires the clearing of vegetation on Crown Land.*

8. *There are insufficient planning grounds to justify approval of the application notwithstanding the conflict with the Planning Scheme*

CONCLUSION

The grounds of submission as presented above contain significant reasons that need to be taken into account when deciding this application. The grounds of submission are not considered sufficiently persuasive to warrant refusal of the application. This revised application is sufficiently different to the original application refused by Council to warrant reconsideration of this current plane storage application which is limited to a maximum of 8 planes. This revised application is an opportunity to apply conditions to not only restrict the proposed plane storage facility use but to control all aircraft operations by the use of reasonable and relevant conditions to address hours of use, frequency of use ,permitted type of aircraft and exclusion of commercial operation of the airstrip. It is considered, that approval with conditions will ensure that the airstrip becomes a better neighbour for the residents of Ball Bay and surrounds.

Grounds for Approval

1. The revised proposal does not conflict with the IPA Compliant Planning Scheme.
2. The revised proposal does not conflict with the zoning intent of the surrounding area.
3. While the proposal has the potential to adversely impact on the amenity of the surrounding existing residential properties by way of noise generation, conditions of approval can be imposed to control all the operations of the airstrip.
4. The proposal will not increase air traffic noise above that normally expected in a *Village* area in accordance with Environmental Protection(Noise) policy 19997 provisions.
5. The proposal is consistent with State Planning Policy 1/92 '*Development and Conservation of Good Quality Agricultural Land*' and the '*Good Quality Agricultural Land Management Overlay Code*'.
6. This application is an opportunity to apply conditions to not only restrict the proposed plane storage facility use but to control all aircraft operations by the use of reasonable and relevant conditions to address hours of use, frequency of use ,permitted type of aircraft and exclusion of commercial operation of the airstrip. It is considered that approval with conditions will ensure that the airstrip becomes a better neighbour for the residents of Ball Bay and surrounds
7. There are sufficient planning grounds to justify approval of the application notwithstanding the conflict with the Planning Scheme.

Director's Recommendation

- A. THAT Council approve the application by Mr Robert Smith for a Material Change of Use (Development Permit) for an Undefined Use being a Private Plane Storage Facility for storage of up to 8 Planes on a private airstrip on land at Lot

550 Ball Bay Road, Ball Bay, described as Lot 550 on CI4515, subject to the following conditions:-

1. Plan of Development

The approved (Private Plane Storage Facility for storage of up to 8 Planes on a private airstrip) development must be completed and maintained generally in accordance with the Plan of Development (identified in the Table below) and supporting documentation which forms part of this application, except as otherwise specified by any condition of this approval.

Project Number	Drawing Number	Revision	Prepared By	Date
089102	Proposal Plan	2.0	Humphrey, Reynolds & Perkins	06-06-2009
059074	Flight Path & Public Safety Areas		Humphrey, Reynolds & Perkins	29-08-2006
	Indicative Building Design		Submitted with Application	
	Ball Bay Airstrip Acoustic Assessment		HLA Environmental Services Pty Ltd	23-02-2006

2. Definition of Use

Private Plane Storage Facility (storage of up to 8 private planes) is defined as any premises used for the storage of planes on a small scale, ie garaging of planes.

“Private Plane Storage Facility means an airfield, not available for use by the general public or for commercial purposes that provides:

*Storage, usually in hangars, of up to an additional 8 planes, not associated with farming activities conducted on the site; and
Ancillary storage on the site, from time to time, of plane owner’s vehicles and equipment.*

To avoid uncertainty, the use of the premises as an Airport or Car Park is not approved.”

3. Private Plane definition

A private plane is defined as a aircraft owned by the pilot and no fee paying passengers are carried. Commercial planes of any description such as charter flights, survey planes, freight operators, sky diving or training flights are specifically excluded from this approval. Helicopters and ultra light aircraft or similar are not permitted to operate from this airstrip. No “Touch and Go” flight testing is to be carried out on this site.

4. Definition of Activities of a private nature

Activities of a private nature is defined as follows:

There is no commercial arrangement or operation between pilots, plane owners or passengers wishing to use the site

5. Extent of Approval

This approval for a private plane storage facility is limited to the subject land, being Lot 550 on CI4515. The boundary realignment approved under DA-2009-71 does not extend the approval spatial extent. The approval is also limited to the facilities shown on the Plan of Development submitted with the application.

6. Firebreaks

The applicant shall provide firebreaks and access for fire fighting and other emergency vehicles as detailed in the Bushfire Management Overlay Code S1.3

7. Building Permits

The proposed hangars and the existing hangar are to be constructed with the requirements of the Building Code of Australia and shall not be constructed until a Building Works permit is obtained. Evidence of a Building approval for the existing hangar shed shall be provided before commencement of the use.

8. Maximum Height of Buildings

The new hangars are to be no higher than 4.8 metres above natural ground level.

9. Acoustic Report take-off limitation

The total of all aircraft operating from this site shall not exceed a maximum of 27 take offs in any 24 hour period.

10. Acoustic Report Aircraft Restriction

This approval is limited to any aircraft using the airstrip including engine warm up, such that the noise generated is no more than a Commander 114 aircraft or similar detailed in the Acoustic Report submitted with application and is to comply with Environmental Protection (Noise) Policy provisions. . Alternative planes may operate from this airstrip if it can be demonstrated that they meet the acoustic restrictions. A register of approved planes types and owners shall be provided to Council before commencement of the use.

11. Hours of Operation of aircraft from airstrip

All aircraft using this airstrip are restricted to operating only between the following hours:

- a) Week days- 7 am to 6 pm
- b) Saturday – 7 am to 6 pm
- c) Sunday- 8 am to 6 pm
- d) Public Holidays 8 am to 6 pm

12. Fuel Storage

No fuel storage for aircraft using this airstrip is permitted.

13. Temporary Use of airstrip for other purposes

The airstrip is not be used for Aero Club fly-ins or similar unless otherwise approved by Council. Such permission for temporary public use of the airstrip is to be submitted a minimum of two weeks before the event and is to not commence until a written response from Council agreeing to the temporary use is provided one week before the nominated time of the event occurring. The applicant shall place an advertisement in the local papers circulating in the area to any approved proposed temporary use agreed to by Council.

14. Maintenance of Airstrip/ storage areas

Maintenance vehicle for the airstrip are to only access the site from Ball Bay Road, not Kippen Drive.

15. Aesthetic Screening

The outdoor storage of any equipment or material and any service area must be aesthetically screened so as not to be visible from any road to which the site has frontage

16. Signage

The applicant shall place signage in Ball Bay Road near the runway approaches to advise motorists of overhead place transits. A signage plan is to be submitted for approval.

17. Fencing of airstrip

Fencing of the airstrip and associated storage areas are to be fenced for safety and security purposes. A fencing plan is to be submitted to Council for approval.

18. Advertising Signs

No advertising sign nor advertising device must be erected without Council approval. A separate application to Council under Local Law 78 will be required to be made to seek approval of the signage/ advertising device.

19. Waste Storage Area

The location and design of the waste storage area must be located so as not to cause a nuisance to neighbouring properties in accordance with the relevant provisions of the Environmental Protection Act and Regulations.

20. Security Lighting

Security Lighting if provided on the subject site must be turned off at 9 pm and then activated via movement sensors after that time.

21. Control of light Spill

External lighting if provided must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the responsible authority.

22. Ponding and Diversion of Stormwater

Ponding of stormwater resulting from the development must not occur on adjacent sites and stormwater formerly flowing onto the site must not be diverted onto other sites. The site shall be graded so that it is free draining.

24. Potable Water Supply

It must be satisfactorily demonstrated that an adequate potable water supply can be provided to the subject site.

25. On-site Wastewater disposal

A design for on-site wastewater disposal that demonstrates compliance with the Queensland Plumbing and Waste Water Code must be provided to Council. The design is to include designation of the area on the site that is to be set aside

26. Compliance with Conditions

All conditions must be complied with prior to the commencement of the use on the subject site, unless specified in an individual condition.

27. Maintenance of Development

Maintain the approved development (including landscaping, carparking, driveways and other external spaces) in accordance with the approved

drawings(s) and/or documents, and any relevant Council engineering or other approval required by the conditions

28. Conflict between plans and written conditions

Where a discrepancy or conflict exists between the written conditions(s) of the approval and the approved plans, the requirements of the written condition(s) will prevail.

29. Notice of Intention to Commencement the Use

Prior to the commencement of the use on the site, written notice must be given to Council that the use (development and / or works) fully complies with the decision notice issued in respect of the use (please see attached notice for your completion).

30. Currency Period

This approval will lapse at the expiration of 2 years from the date of the approval if the Material Change of Use approved has not been completed.

B. THAT the applicant be provided with the following Assessment Managers Advice:

1. Local laws

The approved development must also comply with Council's Local Laws under the Local Government Act 1993 from time and other controls.

2. Hours of Work

It is the applicant/owner's responsibility to ensure compliance with Section 6W of the Environmental Protection Regulation 1998, which prohibits any construction, building and earthworks activities likely to cause nuisance noise (including the entry and departure of heavy vehicles) between the hours of 6:30pm and 6:30am from Monday to Saturday and at all times on Sundays or Public Holidays.

3. Dust Control

It is the applicant/owner's responsibility to ensure compliance with Part 2A – Environmental Nuisance of the Environmental Protection Regulation 1998 which prohibits unlawful environmental nuisance caused by dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks and construction.

4. Sedimentation Control

It is the applicant/owner's responsibility to ensure compliance with Section 32 of the Environmental Protection (Water) Policy 1997 to prevent soil

erosion and contamination of the stormwater drainage system and waterways.

5. Noise During Construction and Noise in General

It is the applicant/owner's responsibility to ensure compliance with Section 6S General Emission Criteria and Section 6T Noise Emission Criteria of the Environmental Protection Regulation 1998.

6. General Safety of Public During Construction

It is the principal contractor's responsibility to ensure compliance with Section 31 of the Workplace Health and Safety Act 1995. Section 31(1)(c) states that the principal contractor is obliged on a construction workplace to ensure that work activities at the workplace are safe and without risk of injury or illness to members of the public at or near the workplace.

It is the responsibility of the person in control of the workplace to ensure compliance with Section 30 of the Workplace Health and Safety Act 1995. Section 31(1)(c) states that the person in control of the workplace is obliged to ensure there is appropriate, safe access to and from the workplace for persons other than the person's workers.

Council Resolution

THAT: Council refuse the application, on the following grounds:

1. The proposal conflicts with the IPA Compliant Planning Scheme.
2. The proposal conflicts with the zoning intent of the surrounding area.
3. The proposal has the potential to adversely impact on the amenity of the surrounding existing residential properties by way of noise generation.
4. The proposal will increase air traffic above that normally expected in a Village area.
5. The applicant has not adequately demonstrated that there is a need for this proposal.
6. The proposal is inconsistent with State Planning Policy 1/92 'Development and Conservation of Good Quality Agricultural Land' and the 'Good Quality Agricultural Land Management Overlay Code'.
7. The proposal requires the clearing of vegetation on Crown Land.
8. There are insufficient planning grounds to justify approval of the application notwithstanding the conflict with the Planning Scheme

Moved Cr Hatfield

Seconded Cr Comerford

CARRIED

7.9 PLANNING & ENVIRONMENT COURT APPEAL NO. D211 OF 2009 - BLACKS BEACH COVE NO 2 PTY LTD - LOT 901 BLACKS BEACH ROAD, BLACKS BEACH (199843-901-DA-2007-553)

Author MANAGER DEVELOPMENT ASSESSMENT (PLANNING)

Executive Summary

Council has been served notice on 11th August 2009 of an appeal by the solicitors acting for Blacks Beach Cove No 2 Pty Ltd in relation to an application at Lot 901 on SP199843 being located at Lot 901 Blacks Beach Road, Blacks Beach. (Refer to Attachment "A" – Locality Plan).

The appeal is against Council's refusal of the Material Change of Use component of the Combined Application for a Shopping Centre on 28th January 2009 (Refer to Attachment "B" – Decision Notice dated 4th February 2009 and Attachment "C" – Notice of Appeal).

Director's Recommendation

THAT the Chief Executive Officer and Director Development Services be delegated to:

- A. Retain legal representation and appropriate experts as required;
- B. Settle the appeal in consultation with the Mayor and/or Planning Portfolio Councillor should an acceptable solution arise.

Council Resolution

THAT the Director's Recommendation be adopted.

Moved Cr Hatfield

Seconded Cr Casey

CARRIED

7.10 AUDIT COMMITTEE POLICY AND INTERNAL AUDIT POLICY

Author Mark Lyons, Executive Manager Governance

Purpose

To submit amended policies for Council's consideration in relation to Audit Committees and Internal Audit.

Background/Discussion

In accordance with legislative requirements, Mackay Regional Council must maintain a policy in relation to Audit Committees and Internal Audit. In simple terms Council must

adopt a position as to whether it will, or will not, have an Audit Committee and/or an Internal Audit Function.

Council adopted a combined policy in relation to these issues in July 2008. This policy titled 'Audit Committee and Internal Audit' established Council's position in the affirmative and it also included a number of operational issues in relation to the functioning of the Committees.

In accordance with best practice guidelines the operational aspects of the former policies have been included in new charter documents and the policy document will detail Council's position in accordance with legislation. The two updated charter documents were approved by the Audit Committee at its meeting held 29 June 2009 and have been appended to the minutes of that meeting for Councillors' information.

Consultation

Consultation has been undertaken with other large Local Governments in Queensland to ensure Council's policies are reflective of contemporary and best practice.

Resource Implications

Council already maintains an Audit Committee and Internal Audit Function and there will be no extra costs to those already budgeted.

Conclusion

It is recommended that Council adopt the two policies as tabled.

Executive Manager's Recommendation

THAT in accordance with Section 4 of the Local Government Finance Standard 2005, Council adopts Policy No. 037 Audit Committee Policy and Policy No. 038 Internal Audit Policy.

Council Resolution

THAT the Executive Manager's Recommendation be adopted.

Moved Cr Camilleri

Seconded Cr Comerford

CARRIED

 Mackay REGIONAL COUNCIL	COUNCIL POLICY	
	Audit Committee Policy	
	POLICY NO	037
	DEPARTMENT	Corporate Services
	GROUP/PROGRAM	Governance

1.0 Scope

This policy shall apply to Audit Committee activities undertaken by Mackay Regional Council.

2.0 Purpose

To establish a formal position (in accordance with legislation) on Audit Committees for Mackay Regional Council.

3.0 Reference

- Local Government Act 1993
- Local Government Finance Standard 2005 Section 4 & 7

4.0 Definitions

To assist in interpretation the following definitions shall apply:

CEO – shall mean the person appointed to the position of Chief Executive Officer under the Act and anyone acting in that position.

Senior Executive Officer – shall mean Directors and persons acting in such positions.

Another employee – shall mean all employees of Council including Senior Executive Officers but excluding the Chief Executive Officer.

Council – shall mean the Mackay Regional Council.

The Act – shall mean the *Local Government Act 1993* (as amended).

The Standard – shall mean the *Local Government Finance Standard 2005* (as amended).

5.0 Background

The Local Government Finance Standard 2005 legislates that Council must maintain a policy in relation to Audit Committees.

6.0 Policy Statement

Council will maintain an Audit Committee and the Audit Committee will establish a charter to regulate and guide its activities. While the charter is to be established by the Committee, Council will have the right to implement changes if required.

7.0 Review of Policy

This Policy will be reviewed when any of the following occur:

1. The related documents are amended or replaced.
2. Other circumstances as determined from time to time by a resolution of Council.

Notwithstanding the above, this policy is to be reviewed at intervals of no more than two years.

 Mackay REGIONAL COUNCIL	COUNCIL POLICY	
	Internal Audit Policy	
	POLICY NO	038
	DEPARTMENT	Corporate Services
	GROUP/PROGRAM	Governance

1.0 Scope

This policy shall apply to Internal Audit activities undertaken by Mackay Regional Council.

2.0 Purpose

To establish a formal position (in accordance with legislation) in relation to Internal Audit for Mackay Regional Council.

3.0 Reference

- Local Government Act 1993
- Local Government Finance Standard 2005 Section 4 & 6

4.0 Definitions

To assist in interpretation the following definitions shall apply:

CEO – shall mean the person appointed to the position of Chief Executive Officer under the Act and anyone acting in that position.

Senior Executive Officer – shall mean Directors and persons acting in such positions.

Another employee – shall mean all employees of Council including Senior Executive Officers but excluding the Chief Executive Officer.

Council – shall mean the Mackay Regional Council.

The Act – shall mean the *Local Government Act 1993* (as amended).

The Standard – shall mean the *Local Government Finance Standard 2005* (as amended).

5.0 Background

The Local Government Finance Standard 2005 legislates that Council must maintain a policy in relation Internal Audit.

6.0 Policy Statement

Council will maintain an Internal Audit Function and further the function is to be maintained as an in house service wherever possible. The Internal Audit Function will form part of the Corporate Services Department and Council's Audit Committee will establish a charter to regulate and guide its activities. While the charter is to be established by the Committee, Council will have the right to implement changes if required.

7.0 Review of Policy

This Policy will be reviewed when any of the following occur:

1. The related documents are amended or replaced.
2. Other circumstances as determined from time to time by a resolution of Council.

Notwithstanding the above, this policy is to be reviewed at intervals of no more than two years.

8. CONSIDERATION OF COMMITTEE REPORTS:**8.1 AUDIT COMMITTEE MINUTES - 29 JUNE 2009**

Author Mark Lyons, Executive Manager Governance

Purpose

To receive the minutes of the Audit Committee meeting held 29 June 2009.

Executive Manager's Recommendation

THAT the minutes be received.

Council Resolution

THAT the Executive Manager's Recommendation be adopted.

Moved Cr Camilleri

Seconded Cr Comerford

CARRIED

8.2 MACKAY MATSUURA SISTER CITY COMMUNITY COMMITTEE REPORT

Author Manager Community Development and Libraries

Purpose

Attached is a copy of the Mackay Matsuura Sister City Community Committee report of 20 July 2009.

Director's Recommendation

THAT the report be received.

Council Resolution

THAT the Director's Recommendation be adopted.

Moved Cr Perkins

Seconded Cr Steindl

CARRIED

8.3 SARINA SUGAR SHED COMMITTEE REPORT

Author Manager Property Services

Purpose

Attached is a copy of the Sarina Sugar Shed Committee report of 1 July 2009.

Director's Recommendation

THAT the report be received.

AND THAT the Terms of Reference and change of name for the Sarina Sugar Shed Advisory Committee be adopted.

Council Resolution

THAT the Director's Recommendation be adopted.

Moved Cr Perkins

Seconded Cr Camilleri

CARRIED

9. RECEIPT OF PETITIONS:

Nil.

10. TENDERS:**10.1 TENDER RECOMMENDATION - LEASE OF LAND HAMILTON STREET**

File No MRC 2009-054

Author Manager Property Services

Purpose

To present for Council approval a lease agreement of approximately 200m² of Lot 103 on SP115933 to the adjoining land owner Townson Plumbing for the term of 10 years for storage purposes.

Background/Discussion

Tenders were invited on the 13th June 2009, via Council's website and advertised locally in the Daily Mercury, requesting submissions from suitable adjoining land owners.

The following submission was received by 2.30pm, 7th July 2009, from Townson Plumbing Pty Ltd.

The Evaluation Panel conducted an initial compliance check on the 29th July 2009 to identify if the submission was non-conforming with the immediate requirements of the Request for Tender. This included compliance with contractual requirements and provision of requested information.

Townson Plumbing's submission progressed through to the qualitative criteria assessment on the basis that the terms and conditions, and mandatory requirements of the request for tender had been met.

During the evaluation the tenderer was assessed against the nominated qualitative criteria. The weighting attributed to each qualitative criteria was:

Insurance Coverage	25%
Demonstrated Understadning	25%
Price	50%

It was also the panel's decision to check the tenderer's financial capacity through Council's finance department and using Dun and Bradstreet to compile a report, with both having a favourable outcome.

Consultation and Communication

The evaluation of the tender was conducted on the 29th July 2009 by:
Contracts Officer – Procurement & Plant
Property Co-ordinations Officer – Property Services

Resource Implications

A new lease be prepared with the cost borne by Townson Plumbing.

Lease rental monies of \$5,820.00 excluding GST per annum being received.

Conclusion

That awarding the tender to Townson Plumbing represents the most advantageous outcome to Mackay Regional Council based on the location and quality of the leased land and the tenderers sound financial capacity to meet lease requirements.

Director's Recommendation

THAT Council approve a lease agreement of approximately 200m² of Lot 103 on SP115933 to the adjoining land owner Townson Plumbing for the term of ten years for storage purposes and the annual rental of \$5820.00 exclusive of GST.

Council Resolution

THAT the Director's Recommendation be adopted.

Moved Cr Christensen

Seconded Cr Casey

CARRIED

10.2 MRC 2009-052 EOI- PANEL OF SUPPLIERS (PANEL 2) - FLOOD SATURATION

File No MRC 2009-052

Author MANAGER MAINTENANCE

Purpose

To present to Council for consideration a Panel of Suppliers (Panel Number 2) for the provision of repairs to Council's road network as a result of the 2008 Flooding Event and to recommend appointment of a number of contractors that are capable of undertaking the works.

Background/Discussion

On the 3 June 2009, Council appointed a panel of Main Roads prequalified suppliers (Panel 1) for the provision of repairs to the road network due to flooding saturation damage.

A second Expression Of Interest was called on 18 April 2009 to provide repairs to the road network for smaller packages of works. These contractors were not required to be Main Roads prequalified. Invitation to tender were invited via Council's website and advertised locally in the Mackay Daily Mercury.

The following submissions were received by 2.30pm, 12 May 2009.

1. Allciv Pty Ltd
2. Ash Industries Pty Ltd
3. Beach Building and Civil Group Pty Ltd
4. Boral Resources (Qld) Pty Ltd
5. Camco Contractors Pty Ltd
6. Civil Team Engineering Pty Ltd
7. Diamond Civil Pty Ltd
8. Hiway Stabilisers
9. Seaforth Civil and Plant Pty Ltd
10. Vella's Plant Hire Pty Ltd t/As Vella's Civil Construction

The Evaluation Panel conducted an initial compliance check on the 22 June 2009 to identify submissions that were non-conforming with the immediate requirements of the Expression Of Interest.

At this time it was identified that Beach Building and Civil Group Pty Ltd were already members of Panel 1 and their submission was not evaluated. All other submissions were progressed through to the qualitative criteria assessment.

The weightings used by the Evaluation Panel to score submissions are as follows:

Relevant experience with similar projects	40%
Key personnel skills and experience – the personnel to be used on projects	30%
Tenderers' Resources – plant/ machinery, labour and current commitments	30%

Using these weightings the following tenderers' submissions were evaluated as having the necessary experience, personnel and resources to perform flood restoration works as specified.

- Allciv Pty Ltd
- Camco Contractors Pty Ltd
- Diamond Civil Pty Ltd
- Hiway Stabilisers
- Vella's Plant Hire Pty Ltd t/As Vella's Civil Construction

The following tenderers' submissions were evaluated as not adequately demonstrating that they have either or all of the following: necessary experience, personnel and/or resources to manage and perform the types of work set out in the flood rehabilitation schedule of works.

- Ash Industries Pty Ltd
- Boral Resources (Qld) Pty Ltd
- Civil Team Engineering Pty Ltd
- Seaforth Civil and Plant Pty Ltd

These tenderers failed to provide sufficient information, as required by Council (via EOI), to demonstrate that the tenderer had the necessary experience, personnel, management skills, and resources to successfully manage and complete the works of the type or nature set out in the EOI.

Generally, these tenderers failed to:

- Adequately provide whole sections of information required by the EOI.
- Provided attribute information relevant to the types of works scheduled.
- Demonstrate how the works would be completed where the tenderers did not have either of; experience or resources in-house to complete the work scheduled.
- Nominate subcontractors for works outside the scope of the tenderers' in-house experience.

Consultation and Communication

The evaluation of the tenders was conducted on the 22 June 2009 by:

Contracts Coordinator – Construction
Contracts Coordinator – Procurement and Plant
Special Project Engineer - Maintenance

Resource Implications

A budget of \$33M has been allocated to the flood damage repairs with funding being predominately from the Department of Infrastructure and Planning.

Conclusion

The tenderers listed in the attached schedule (Panel 2, Panel of Suppliers – Flood Saturation Damage Repairs) have been assessed as providing the most appropriate expertise to undertake the range of work proposed.

Director's Recommendation

THAT the tenderers listed, be appointed to Panel 2, Panel of Suppliers – Flood Saturation Repairs.

- Allciv Pty Ltd
- Camco Contractors Pty Ltd
- Diamond Civil Pty Ltd
- Hiway Stabilisers
- Vella's Plant Hire Pty Ltd t/As Vella's Civil Construction

Council Resolution

THAT the Director's Recommendation be adopted.

Moved Cr Christensen

Seconded Cr Casey

CARRIED

11. CONSIDERATION OF NOTIFIED MOTIONS

11.1 NOTICE OF MOTION - CR PERKINS

THAT a report be prepared as a priority task detailing a potential call by Mackay Regional Council for Expressions of Interest for the development of Council's land on the corner of River and Gregory Streets into a multi storey development, potentially accommodation, and public car parking facility.

Moved Cr Perkins

Seconded Cr Camilleri

CARRIED

12. LATE BUSINESS:**12.1 PAID PARKING MACHINES IN MACKAY CBD**

THAT a report be provided to the next Ordinary Meeting of Council on the status of the fourteen (14) paid parking machines in the Mackay's CBD.

Moved Cr Perkins

Seconded Cr Comerford

CARRIED

12.2 COMMUNITY ENGAGEMENT PLAN – NEW CARPARK ON THE CIVIC PRECINCT AND RELOCATION OF WAR MEMORIALS IN JUBILEE PARK

THAT a Community Engagement Plan be developed to establish appropriate community engagement activities to determine the most suitable location for:-

- a) The development of a new carpark on the Civic Precinct and
- b) The relocation, if required, of the war memorials located in Jubilee Park

AND THAT the Community Engagement Plan be presented to Council on 2 September 2009.

Moved Cr Comerford

Seconded Cr May

CARRIED

12.3 COMMUNITY ENGAGEMENT PLAN – FREE WASTE DISPOSAL DAYS PROGRAM

THAT a Community Engagement Plan be developed to establish appropriate community engagement activities to assess a range of options to replace or improve Council's Free Waste Disposal Days Program.

AND THAT the Community Engagement Plan be presented to Council on 2 September 2009.

Moved Cr Comerford

Seconded Cr Christensen

CARRIED

13. PUBLIC PARTICIPATION:

Mr Rod Smith of Carlyle Gardens congratulated Council on the works that have been carried out on Norris Road. He commented that it would be good to see the missing section in Phillip Street finished.

Mr Smith also commented on fluoridation of Mackay's water supply. He said that Council should make a stand against the State Government.

The Mayor advised Mr Smith that the work on Phillip Street is to be undertaken by the developer. The Mayor also advised Mr Smith that the fluoridation of Mackay's water supply beyond Council's control.

14. CONFIDENTIAL REPORTS:

THAT the meeting be closed to the public in accordance with the Local Government Act 1993 to discuss the following:-

Confidential Item	Reason for Meeting Closure
• Performance Management Program for Executives	(a) a matter relating to the appointment, dismissal or discipline of employees
• Monthly Development Assessment Appeals Report	(f) a matter relating to starting or defending legal proceedings involving Council
• Planning & Environment Court Appeal No. D33 of 2008	(f) a matter relating to starting or defending legal proceedings involving Council
• Planning & Environment Appeal No. 3308 of 2008	(f) a matter relating to starting or defending legal proceedings involving Council

Moved Cr May

Seconded Cr Comerford

CARRIED

11:37am – The meeting was closed to the public.

11:46am – Cr Christensen retired from the Meeting.

THAT the meeting be opened to the public.

Moved Cr Perkins

Seconded Cr Casey

CARRIED

12:26pm – The meeting was reopened to the public.

**14.1 PERFORMANCE MANAGEMENT PROGRAM FOR EXECUTIVES
(CONFIDENTIAL REPORT REGISTER FOLIO 52)**

Council Resolution

THAT Council endorse the Performance Management Program for Executives Report.

Moved Cr Camilleri

Seconded Cr Perkins

CARRIED

Crs Comerford and May recorded their votes against the Motion.

**14.2 MONTHLY DEVELOPMENT ASSESSMENT APPEALS REPORT
(CONFIDENTIAL REPORT REGISTER FOLIO 53)**

Council Resolution

- A. THAT the report be received.
- B. AND THAT the Chief Executive Office and Director Development Services be delegated to:
 - i) Retain legal representation and appropriate expert as required;
 - ii) Settle the appeal in consultation with the Mayor and/or Planning Portfolio Councillor should an acceptable solution arise.

Moved Cr Casey

Seconded Cr Hatfield

CARRIED

**14.3 PLANNING & ENVIRONMENT COURT APPEAL NO. D33 OF 2008 -
MATERIAL CHANGE OF USE & RECONFIGURATION OF 2 RURAL
ZONED LOTS INTO 19 URBAN RESIDENTIAL LOTS PLUS PARKLAND -
SETH DICKINSON - MARY STREET, MIRANI (743679-004 & 702204-012-
DA-2008-278) (CONFIDENTIAL REPORT REGISTER FOLIO 54)**

Council Resolution

- A. THAT Council agree on a “Without Prejudice” basis to a Consent Order to allow the creation of Urban Residential lots off Mary Street, Mirani as per the amended Proposal Plan.

B. AND FURTHER THAT Council authorise the Chief Executive Officer and Director Development Services to resolve the appeal by Consent Order as detailed in the Mediation Agreement dated 27th July 2009.

C. AND THAT the Consent Order conditions of approval be as follows:

1. Plan of Development

The approved reconfiguration of land creating 7 must generally comply with the Plan of Development (identified in the Table below) and supporting documentation which forms part of this application, except as otherwise specified by any condition of this approval.

Drawing Number	Title of plan	Revision	Prepared by	Date
09NQ013	Proposal Plan	1	Humphreys Reynolds Perkins	3.08.09

2. Compliance of Conditions

All conditions must be complied with prior to the endorsement of the plan of subdivision, unless specified in an individual condition.

3. Endorsement of Survey Plan

The Plan of Survey with associated documents will not be endorsed by Council until all of the conditions of approval have been complied with.

4. Compliance with Council Standards

All design and construction for the development must be in accordance with Council's Policies, Engineering Design Guidelines, Standard drawings and standard specifications.

5. Conflict between plans and written conditions

Where a discrepancy or conflict exists between the written conditions(s) of the approval and the approved plans, the requirements of the written condition(s) will prevail.

6. Water and Sewerage Headworks

Headworks Contributions for Water Supply and Sewerage Services must be paid in accordance with Mirani Shire Planning Scheme Policy No. 1, 'Developer Contributions for Water Supply and Sewerage Headworks'. Headworks will be applied based on an additional 7 ET's.

7. External Roadworks Contributions

An External Roadworks Contribution must be paid in accordance with Mirani Shire Planning Scheme Policy No.2, 'Developer Contributions for

External Road Works'. The External Roadwork Contribution will be applied based on an additional 7 Lots.

8. Contributions Payment Timing – Endorsement of Survey Plans

All contributions and charges must be paid prior to the date of endorsement of the Plan of Survey at the rate applicable at the time of payment.

9. Transfer of Parkland (Fee Simple)

The proposed parkland must be transferred as shown on the proposal plan to Council in Fee Simple at no cost to Council.

10. Electricity Services

Infrastructure necessary for the provision of underground reticulated power to all proposed lots must be provided and written evidence of a service agreement from the infrastructure provider to demonstrate compliance must be provided to Council.

11. Telecommunications Services

All proposed lots must be connected to telecommunications and written evidence from Telstra to demonstrate the connection must be provided. Above ground switching station cubicles are to be located clear of footpath areas and parkland areas.

12. Streetlighting

Streetlighting if applicable must be provided in accordance with Council's Engineering Design Guidelines and the relevant current Australian Standards.

13. Damage

Any damage which is caused to Council's infrastructure as a result of the construction and / or establishment of the proposed development must be repaired immediately.

14. Street Works - External

Mary Street is to be constructed as an access street for the frontage of Lots 1 – 7 in accordance with the Council's requirements and the Engineering Design and Construction Manual.

15. Stormwater

All stormwater for the approved development must be controlled, with provision being made for the following:

- i) External catchments

- ii) Inter-allotment drainage
- ii) Downstream Drainage to a lawful and practical point of discharge which has been nominated the Mary Street drain East of Louise Street.

16. Ponding and Diversion of Stormwater

Ponding of stormwater resulting from the development must not occur on adjacent sites and stormwater formerly flowing onto the site must not be diverted onto other sites. The site shall be graded so that it is free draining.

17. Drainage – Rear Boundary to Street

Except where otherwise approved by Council, allotments must be drained from the rear boundary to front street in accordance Council's Standard drawing PA3-870. Attention is drawn to preferred footpath and allotment slopes as follows:

Footpath slope:	Preferred	1:50
Allotment Slope:	Minimum	1:200
	Maximum	1:12

Filling is to be provided where applicable in accordance with Council's Engineering Design Guidelines.

18. Drainage Easement and Reserves

Drainage easements and reserves are to be in accordance with Council's Engineering Design Guidelines. Reserves are to be transferred to Council in Fee Simple at no cost Council.

19. Water Connection

Separate Water connections must be installed for the newly created Lots in accordance with Council's Engineering Design and Construction Manual.

20. Design of Sewer Main Extension

A fully detailed design of the sewer main extension that will service the lots must be submitted to Council as part of the Operational Work Application. The design must be in accordance with Council's Engineering Design and Construction Manual.

21. Live Connection Work

Mackay Water is to carry out all water connection and live sewer work at the developer's expense.

22. Building Envelope

Lots 1 – 7 shall identify a building envelope on each lot to satisfy State Planning Policy 1/92 to buffer residential uses from the agricultural use of

the balance site. A plan of the building envelope is to be submitted for approval. Any future dwelling is restricted to be situated within the building envelope shown on the approved plan. Future purchasers are to be made aware of this requirement in the contract of sale. A notation to this effect will be placed on Council's rates database. A covenant registered on title shall also be provided over Lot 1 – 7 to achieve this outcome.

25. Private Water Line

The water line in Easement A on RP894741 is to be relocated to the Mary Street road reserve. This relocation shall be shown on the Operational Works plans.

D. THAT the applicant be provided with the following Assessment Managers Advice:

1 Hours of Work

It is the applicant/owner's responsibility to ensure compliance with Section 6W of the Environmental Protection Regulation 1998, which prohibits any construction, building and earthworks activities likely to cause nuisance noise (including the entry and departure of heavy vehicles) between the hours of 6:30pm and 6:30am from Monday to Saturday and at all times on Sundays or Public Holidays.

2 Dust Control

It is the applicant/owner's responsibility to ensure compliance with Part 2A – Environmental Nuisance of the Environmental Protection Regulation 1998 which prohibits unlawful environmental nuisance caused by dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks and construction.

3 Sedimentation Control

It is the applicant/owner's responsibility to ensure compliance with Section 32 of the Environmental Protection (Water) Policy 1997 to prevent soil erosion and contamination of the stormwater drainage system and waterways.

4 Noise During Construction and Noise in General

It is the applicant/owner's responsibility to ensure compliance with Section 6S General Emission Criteria and Section 6T Noise Emission Criteria of the Environmental Protection Regulation 1998.

5 General Safety of Public During Construction

It is the principal contractor's responsibility to ensure compliance with Section 31 of the Workplace Health and Safety Act 1995. Section 31(1)(c) states that the principal contractor is obliged on a construction workplace to

ensure that work activities at the workplace are safe and without risk of injury or illness to members of the public at or near the workplace.

It is the responsibility of the person in control of the workplace to ensure compliance with Section 30 of the Workplace Health and Safety Act 1995. Section 31(1)(c) states that the person in control of the workplace is obliged to ensure there is appropriate, safe access to and from the workplace for persons other than the person's workers.

6 Contaminated Land

It is strictly the applicant/owner's responsibility to source information regarding contaminated land from the Environmental Protection Agency, Contaminated Land Section as Council has not conducted detailed studies and does not hold detailed information pertaining to contaminated land.

7 Summary of Developer Contributions as at date of approval.

Note: Contributions paid at the time nominated in the relevant condition will be re-calculated at current applicable rate, at that time.

Infrastructure	Catchment	Basis of Calculation	Number of Units/ET's/EP's/VPD
Water Supply	Mirani	7 additional lots	7 ET
Sewerage Supply	Mirani	7 additional lots	7 ET
Transport Network	Mirani	7 additional lots	7 ET

In order to calculate the quantum of the contribution at the time you wish to pay. Please refer to Council's website for the indexed Policy Contribution rates.

Moved Cr Hatfield

Seconded Cr Perkins

CARRIED

14.4 PLANNING & ENVIRONMENT APPEAL NO. 3308 OF 2008 - ARABESQUE PTY LTD - MATERIAL CHANGE OF USE FOR URBAN RESIDENTIAL & HIGHER DENSITY RESIDENTIAL USE - HODGES ROAD, SHOAL POINT - DA-2004-311 (CONFIDENTIAL REPORT REGISTER FOLIO 55)

Council Resolution

- A. THAT Council agree to the resolution of this appeal by a Consent Order effectively approving the development as shown on the proposal plans at Hodges Road, Shoal Point on the conditions outlined in this report.

- B. AND FURTHER THAT Council authorise the Chief Executive Officer and Director Development Services to resolve the appeal by Consent Order.
- C. AND THAT the Consent Order conditions of approval be as follows:

1. Plan of Development

The approved mixed residential development must be completed and maintained generally in accordance with the Plan of Development (identified in the table below) and supporting documentation which forms part of the application, except as otherwise specified by any condition of this approval.

Project Number	Drawing Number	Revision	Prepared by	Date
Development Plan	12116 F03	G	WS Group	11-08-09
Proposed Precincts	12116 P02	A5	WS Group	3-08-09
Staging Plan	12116 P03	C	WS Group	11-08-09
Hodges Road Alignment	MIS 11350 Figures 1-8	B	Cardno Ullman & Nolan	07-09

2. Land Use

This approval identifies the following land uses on the Development Plan which are defined as follows:

- a) Precinct A – Ecotourism Resort – not part of this application
- b) Residential – Defined as Urban Residential in Consolidated Mackay City Planning Scheme dated 13th May 2009
- c) Medium Density – Defined as Urban Residential in Consolidated Mackay City Planning Scheme dated 13th May 2009 at a maximum density of 30 dwelling units per hectare.
- d) High Density – Defined as Higher Density Residential in Consolidated Mackay City Planning Scheme dated 13th May 2009 at a maximum density of 35 dwelling units per hectare.
- e) Local Retail Centre – not part of this application
- f) Park/ Open space - Defined as Open Space in Consolidated Mackay City Planning Scheme dated 13th May 2009.
- g) The location of the areas listed in b, c, d and f above are to be confirmed at detailed design stage taking into account the conditions of this approval and the provisions of the Planning Scheme in force at the time of submission of any further applications.

3. Development Bounds

At the time the site is intended to be developed, then the following parameters controlling the development bounds of the site are to be confirmed prior to or at the time of submission of an application to develop that part of the site.

- a) Any additional land required if applicable as result of road works conditions.
- b) Where the development (excluding road reserves) is adjacent to the Conservation Zone, then an additional buffer of 10 metres between the development site and the Conservation Zone shall be provided to protect the environmentally significant areas from future residential use of the site. The provision of this buffer shall be demonstrated at the time that this part of the site is intended to be developed.

4. Staging

The site shall be developed generally in accordance with the Staging Plan provided that the sequence and boundaries of the stages may be amended with written consent of the Council taking into account Condition 5 below.

5. Restriction on Access to Adjoining Private Land

The development shall not direct more than 1000 vehicles per day via entrance 2 shown on the Development Plan.

6. External Roadworks

The alignment of Hodges Road should be based on the following parameters:-

- a) Rural road cross section including 8m wide seal (2 x 3m traffic lanes & 2 x 1m shoulders)
- b) Southern cut/fill batters within Esplanade
- c) All services including table drain on southern side
- d) Suitable protection measures for the roadway within the erosion prone area as identified by a competent coastal engineering expert . This expert is to assess the risk and identify the measures required to provide the protection of this section of the roadway from coastal erosion in the next 50 years.
- e) Suitable protection measures for the roadway outside the erosion prone area as identified by a competent coastal engineering expert . This expert is to assess the risk and identify the measures required to

provide the protection of this section of the roadway from coastal erosion in the next 50 years.

- f) 1 on 6 (max) northern fill batter slopes unless otherwise approved.
- g) 1 in 200 year storm surge protection
- h) General horizontal alignment along southern boundary of esplanade within erosion prone zone.
- i) Vehicular access to Lot 4 on RP904467

These design parameters may vary at the detailed design stage.

7. Internal Road Works

- a) Batters for any road fronting onto the Foreshore Park, the Lake Park, the Wetland area between the Northern and Southern Precinct development areas or the Conservation Area should be at 1 on 6 (max) unless otherwise approved.
- b) The road along the Foreshore Park should be designed to be outside the erosion prone area and is to be built to a standard that provides 1 in 200 year storm surge protection, unless otherwise agreed.
- c) Suitable protection measures for the roadway along the Foreshore Park adjacent to the erosion prone area are to be identified by a competent coastal engineering expert. This expert is to assess the risk and identify the measures required, if any, to provide the protection of this section of the roadway from coastal erosion in the next 50 years.
- d) The internal roads shall be designed and constructed in accordance with the Council's Engineering Design Guidelines.

8. Parkland

Areas shown as parkland will only be credited as parkland if in accordance with Council Policy.

9. Approval Relationship to Planning Scheme

Subsequent applications for development shall be required to comply with the relevant provisions of the Planning Scheme in force at the time of making such application except where a specific condition of this approval overrides the relevant planning code.

The Development Plan (Drawing No 12116F03 Revision F) as amended by the conditions of this approval shall not be regarded as a Master Plan as defined in the Planning Scheme but will be regarded as the Master Plan for land use allocation and general road network only.

10. Future Contributions

Future applications to develop the site will require contributions to be paid in accordance with the relevant planning scheme in force at the time.

11. Compliance with Council Standards

All design and construction for the development shall be in accordance with Council's policies, Engineering Design Guidelines, standard drawings and standard specifications.

12. Electricity and Telecommunication Services

The approved development shall be provided with electricity and telecommunications infrastructure.

AND FURTHER THAT the Chief Executive Officer be requested to write to the Department of Environment and Resource Management expressing disapproval of the conditions of approval requiring the removal of the rock wall and seeking clarification as to the extent of the rock wall that is to be removed.

Moved Cr Hatfield

Seconded Cr Perkins

CARRIED

15. MEETING CLOSURE

The meeting closed at 12:28pm.

16. FOR INFORMATION ONLY**16.1 DEVELOPMENT APPLICATION INFORMATION - 02.08.09 TO 08.08.09**

For Council Information Only – No Decision Required

Development Applications Received

App No	Location	Applicant	Description	Officer
DA-2009-308	L 900 Yakapari- Seaforth Road, Seaforth	Optus Mobile Pty Ltd	Telecommunication Facility	Andrew Schembri

DA-2009-285	968 Stockroute Road, Greenmount	Belinda L Dowell	Reconfiguration of a Lot by Boundary Realignment - 2 Rural Lots into 2 Rural Lots	Andrew Schembri
DA-2009-301	7 Mill Street, Finch Hatton	Gavin J Wright	2 x Multiple Dwelling Units	Dean Appleton
DA-2009-297	31 Peak Downs Highway, Ooralea	Conics (Sunshine Coast) Pty Ltd	Change to Plan of Development for Existing Veterinary Hospital	John Caldwell
DA-2004-38	L 2 Shoal Point Road, Shoal Point	John Vassallo	Extension of Currency Period Application for Material Change of Use - Preliminary Approval - Material Change of Use for the Southern Section of the Shoal Point Waters Development Plan	John Caldwell
DA-2005-12	68 Admiral Drive, Dolphin Heads	Geoffrey T Cox	An Extension of Period Before an Approval Lapses for Material Change of Use and Reconfiguration of a Rural Residential Lot to create to 2 Park Residential Lots.	Dennis O'Riely
DA-2002-136	L 3 Shoal Point Road, Shoal Point	Pointglen Pty Ltd	Extension of Currency Period Application for Material Change of Use - Preliminary Approval for Northern Section of Shoal Waters Development Plan	John Caldwell
DA-2009-307	30 Maple Drive, Andergrove	Fusion Ink Hair & Beauty	Home Based Business - Hair and Beauty Salon	Kathryn Goodman
OW-2009-60	30 Len Shield Street, Paget	S.J. Taylor Constructions Pty Ltd	Operational Works - Landscaping	Renan Solatan

Development Applications Finalised

<u>App No</u>	<u>Location</u>	<u>Applicant</u>	<u>Description</u>	<u>Officer</u>
<i>Approved Subject to Conditions</i>				
DA-2008-735	383 Bridge Road West Mackay	Urban Link Pty Ltd	4 x Multiple Dwelling Units	Kathryn Goodman

DA-2009-191	16 Palm Ridge Drive Richmond	Dawson Surveying	Reconfiguration of a Lot - 1 Rural Residential Lot into 2 Rural Residential Lots	Kathryn Goodman
DA-2009-202	39 Stockbridge Street West Mackay	Charles Camilleri	Dwelling House in Flood & Inundation Overlay	Sonia Cannell
DA-2009-210	8 Peace Street Paget	Place Designs	Service Industry	Simon Halcrow
DA-2009-212	37-43 Sunset Drive Erakala	Marcel E Morokutti	Dwelling located in the Steep Land Overlay	Helle Jorgensen Smith
DA-2009-222	288 Sarina Beach Road Sarina	Linda M Burgess	Boundary Realignment	Simon Halcrow
DA-2009-226	17 Katherine Court Andergrove	Samantha J Sewell-Gardner	Oversized Shed	Dean Appleton
DA-2009-281	28-30 Slater Avenue Blacks Beach	Robert Wesseling	Reconfiguration of a Lot (1 Lot into 2 Lots)	Simon Halcrow
DA-2009-49	33 Peel Street Mackay	White Builders	Extension to existing building	Helle Jorgensen Smith
DA-2009-76	23 Macalister Street Mackay	Elevation Architecture Studio	Material Change of Use - Place of Worship (Extension to existing Church Hall and Administration Centre) AND Commercial Premises or Retail Showroom (in four (4) stages)	Andrew Schembri
OW-2009-58	88 Scott Street South Mackay	Sarina Consulting Engineers	Operational Works - 4 Lots - Works including Earthworks and Sewerage Infrastructure	Colin Kelleher

Negotiated Decision

DA-2009-142	231 Bally Keel Road Alligator Creek	Rodney P Keane	1 lot into 2 Rural Residential Lots	Helle Jorgensen Smith
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Confirmed on Wednesday 2 September 2009.

.....
MAYOR

**Mackay Entertainment and Convention Centre
Performance/Management Report**

JULY 2009

SUMMARY

1. Introduction
2. Customer Charter
3. Capital Program
4. Development/Other Issues
5. Performance
6. Conclusion

1. INTRODUCTION

July saw the opening of the Mackay Convention Centre and the official twinning of the Entertainment Centre with this sibling facility now dually known as the Mackay Entertainment and Convention Centre (MECC). The late handover of the Convention Centre to Council created a number of challenges which were expertly managed to ensure the opening of the facility on time and to critical acclaim. A number of functions, events and performances have been held in the MECC during July and minor building works, refurbishment works and rectifications are being undertaken around hired times.

2. CUSTOMER CHARTER / VISION

To be the premium provider of performing arts programs and conference facilities and to provide an increasing range of performing arts, function and convention facilities which are responsive to community and corporate needs.

3. CAPITAL PROGRAM

Capital purchasing relating to the development of the Convention Centre has continued ensuring the timely opening of this facility.

4. DEVELOPMENT / OTHER ISSUES**Friends Donation**

The Friends have donated a mobile tool box valued at \$485.00 for the new functions support team. This will allow them to store all of the equipment and tools they need for the set up of functions and to move it easily from one area to another.

Entrepreneurial

Four entrepreneurial productions were held during the month.

Jimmy Barnes in concert, the opening act for the Convention Centre attracted record attention and publicity, sold out and set a record attendance.

Tarnished the Convention Centre's first cabaret performance was extremely successful, attracting a much larger audience than expected. The Box Office put the "sold out" signs up late on the day of the show when it became apparent that no more tables could be comfortably added to the room set up. The Friends of the MECC (sponsors of this performance) were acknowledged with a surprise birthday cake which celebrated 22 years of the Friends. Cheryl Jorgensen was also acknowledged and publicly thanked for her 21 years of service to the theatre.

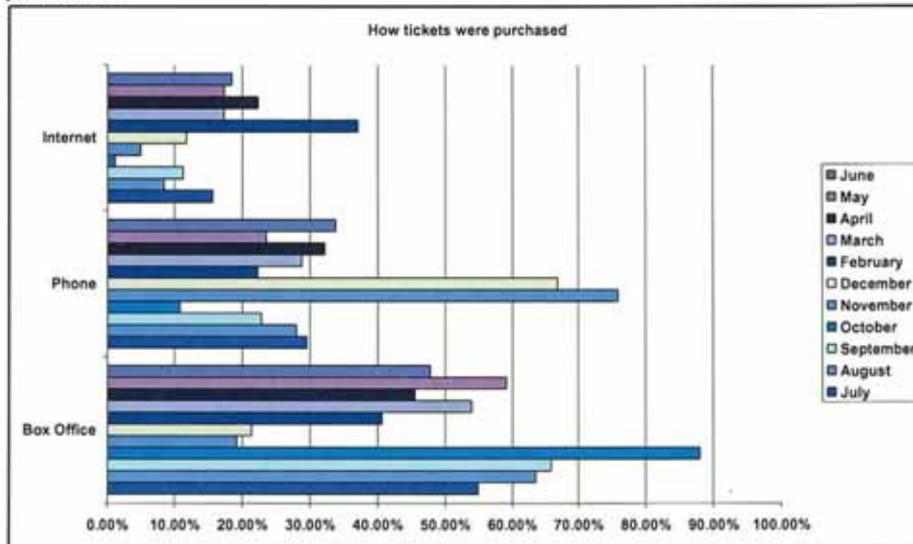
Another successful show was *Jungle Book* which came within one ticket of selling 1,000 tickets

Cypher Sapiens a youth offering as part of the Festival of Arts attracted a small but admiring audience.

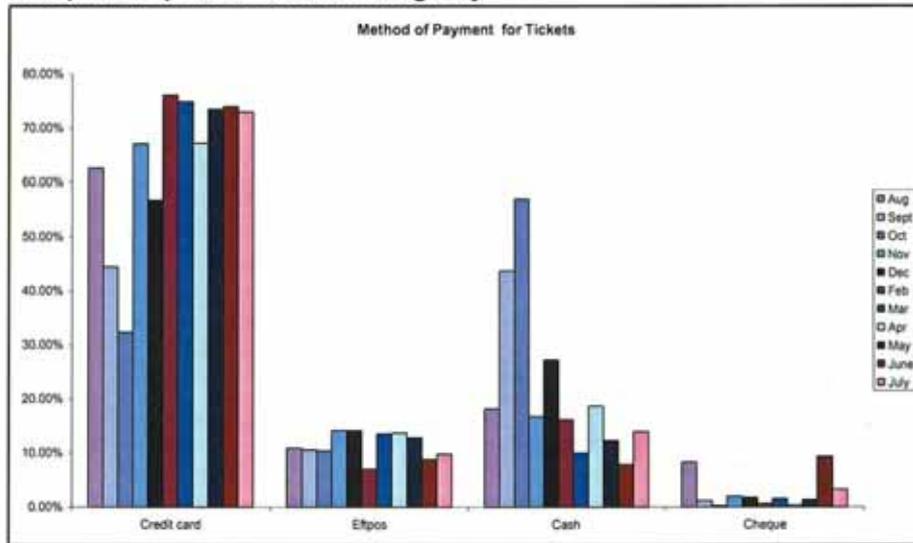
Hires

MECC hires for July include, Whitsunday Literary Dinner, Central Queensland Training Awards, Tropic Sun Theatre (*Oedipus*), Mackay Regional Council (Prime Minister's Dinner celebrating opening of Water Treatment Plant) and *Wakkakiri*.

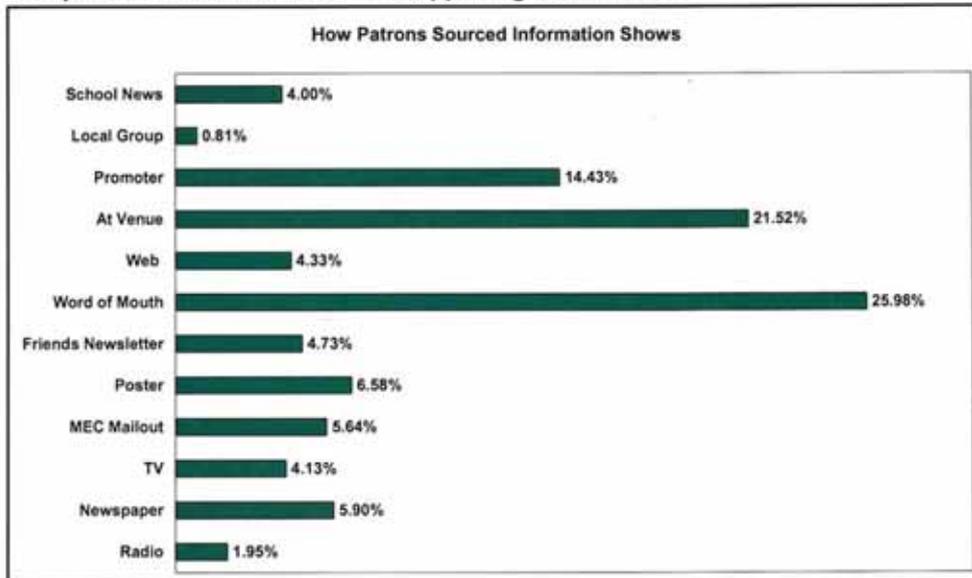
How tickets were purchased



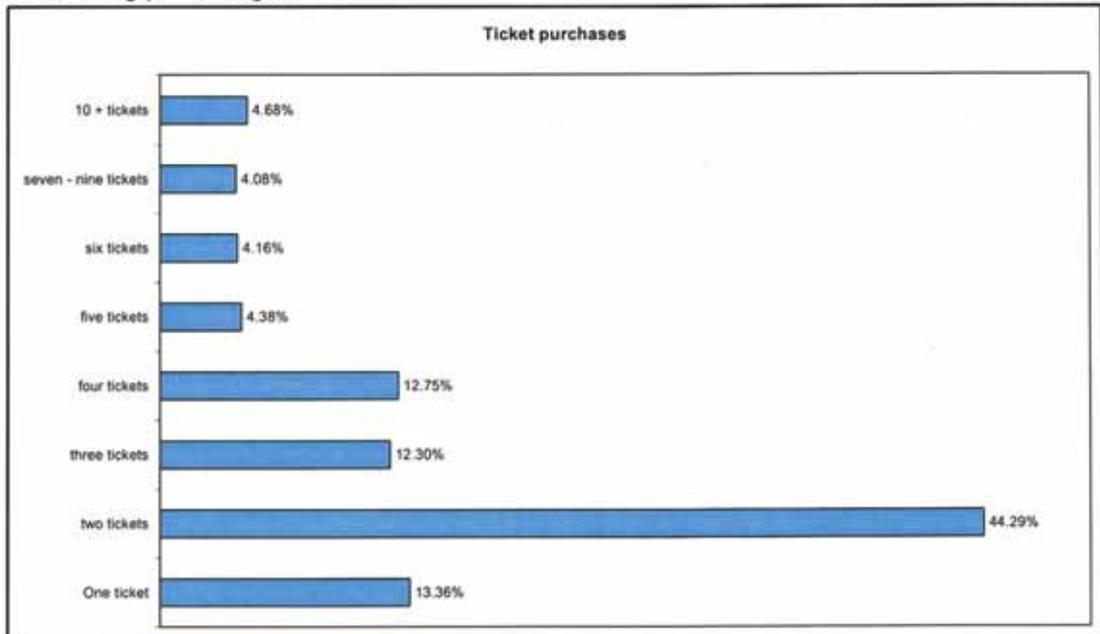
How patrons paid for tickets during July



How patrons found out what was happening at the venue



Purchasing percentages



5. PERFORMANCE**Financial Performance Indicators**

The financial performance figures for the Mackay Entertainment Centre will be included in the Executive Monthly Financial Report

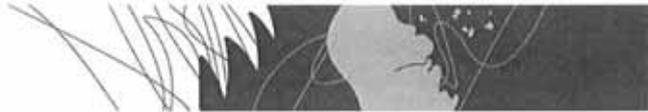
Non-Financial Performance Indicators

The non-financial performance targets for the Mackay Entertainment & Convention Centre for the period ending 31 July 2009 are: -

Description	2009/10	% Achieved as at July
Number of Performances fully cost recovered	7	4 = 57%
Minimum number of Functions	70	9 = 13%
Average attendance at shows	Auditorium 550 Foyer/Space 150	612 60
Yearly occupancy of facility	75,000	18,112 = 24%
Average Response time for Patrons enquiries	<24 Hours	Not achieved

6. CONCLUSION

July has been an excellent month for the MECC with critical acclaim and excellent publicity and feedback. Much work is now required to develop the MECC's business and facilities including staff training and recruitment.



MINUTES - AUDIT COMMITTEE MEETING 29 JUNE 2009

Attendance: Cr D Camilleri (Chairperson), His Worship the Mayor Cr C Meng, Cr D Comerford, Mr P Franks (Chief Executive Officer), Mr Clive Desbois

Also Present: Mr D McKinlay (Director Corporate Services), Mr M Lyons (Executive Manager Governance), Mr T Shoer (Internal Auditor), Mr I Joblin (Brown and Bird) (Items 1 and 2), Ms B Bremner (Executive Assistant)

Meeting Commenced: 9:30 am

1. Minutes – Audit Committee Meeting – 12 March 2009

Minutes of Audit Committee meeting held 12 March 2009 were presented for confirmation.

A number of amendments to the minutes were recommended, including:

- Expansion of the recommendations from Mr David Spearitt to more closely represent the discussion in his report.

Recommendation

THAT, subject to the inclusion of the amendments as noted above, the minutes of the Audit Committee Meeting held 12 March 2009 be confirmed.

2. May 2009 Internal Audit Report – Ian Joblin, Brown & Bird

The May 2009 Internal Audit Report was presented by Ian Joblin, Brown & Bird.

The report included a number of recommendations for improvements, which have been included in an Issues Register to ensure action and follow up.

Recommendation

THAT the May 2009 Internal Audit Report be received.

3. Draft Audit Committee Charter

The draft Audit Committee Charter was presented for consideration and the Committee's comment invited.

In considering the draft Charter, the staff recommendation to replace Council's current Internal Audit Policy with the Audit Committee Charter and the Internal Audit Charter was noted.

Members recommended a number of amendments to the Charter - to be incorporated into the document and circulated to the Committee, prior to presentation to Council.

Recommendation

THAT the draft Audit Committee Charter, with amendments, be confirmed.

4. Draft Internal Audit Charter

The draft Internal Audit Charter was presented for consideration and comment.

In considering the draft Charter, members recommended a number of minor amendments – to be incorporated into the document, and circulated to the Committee, prior to presentation to Council.

Recommendation

THAT the draft Internal Audit Charter, with amendments, be confirmed.

5. Letter of Appointment to Audit Committee – Mr Clive Desbois

A letter of appointment to Audit Committee to Mr Clive Desbois was presented for confirmation, prior to being formally presented to Mr Desbois.

Recommendation

THAT the letter of appointment to the Audit Committee to Mr Clive Desbois be confirmed.

6. Draft Annual Internal Plan

The draft Annual Internal Audit Plan was presented for consideration and comment.

In considering the draft Plan, members recommended a number of minor amendments.

Recommendation

THAT the draft Annual Internal Plan, with amendments, be received.

7. Draft Three Year Internal Plan

The draft Three Internal Audit Plan was presented for consideration and comment.

Recommendation

THAT the draft Three Year Internal Plan be received.

Meeting Closed: 11:25 am



AUDIT COMMITTEE CHARTER

Date Adopted by Council:
Folio No:

2 September 2009

Contents	Page No.
1. Introduction	1
2. Purpose	1
3. Authority.....	1
4. Independence and access	2
5. Membership	2
6. Responsibilities	2
7. Meetings, Records and Reporting Structure	5
8. Training	5
9. Self Evaluation.....	5

Audit Committee Charter

1. INTRODUCTION

The charter defines the responsibilities of the Audit Committee and explains the role of the Committee within Council.

2. PURPOSE

The primary objective of the Committee is to represent Council in fulfilling its oversight responsibilities relating to accounting and reporting requirements imposed under the *Local Government Act* and other relevant legislation.

These terms of reference set the principles and standards for the Audit Committee to:

- 2.1. Enhance the ability of Councillors to fulfil their legal responsibilities.
- 2.2. Add to the credibility and objectivity of financial reports.
- 2.3. Enhance the objectivity and effectiveness of the Council's Internal Audit Function.
- 2.4. Oversee the application of appropriate accounting and disclosure policies and procedures.
- 2.5. Monitor existing corporate policies and review new corporate policies to prohibit unethical, questionable or illegal activities.
- 2.6. Provide a communication link between management, internal auditors/external auditors and Council.
- 2.7. Promote the need for public accountability of managers to Council, the community and other interested parties.
- 2.8. Support measures to improve governance, risk and internal controls.
- 2.9. Other conditions as per the Act.

3. AUTHORITY

The Audit Committee has the authority to conduct or authorise investigations into matters within its scope of responsibility.

4. INDEPENDENCE AND ACCESS

- 4.1. The Committee will need to liaise closely with management and internal and external auditors to carry out its responsibilities. Whilst the primary responsibility for financial and other reporting, internal control and compliance with laws, regulations and ethics within Council rests with management, the Audit Committee may exercise a monitoring and review role.
- 4.2. The Committee will have unrestricted access to all information, including documents and personnel, and have adequate resources in order to fulfil its oversight responsibilities.

5. MEMBERSHIP

The Committee will be comprised of four members with the Chairperson, Deputy Chairperson and the other members being determined by Council, to provide a balance of views and further, that the Committee have the ability to co-opt any persons as advisers , from time to time for a particular period.

The External Auditor, Advisors and Ex Officio members are non voting observers. The Chief Executive Officer, the Director Corporate Services, the Executive Manager Governance and the Senior Internal Auditor are invited to attend all meetings but are not members and have no voting rights. Other Council officers should attend as required by the Audit Committee.

6. RESPONSIBILITIES

The responsibilities of the Committee are:

6.1. *External Audit Focus*

- 6.1.1. Oversee Council compliance with the Local Government Act and *Local Government Finance Standard* requirements for financial reporting.
- 6.1.2. Review the scope of the total audit activities with the external auditors.
- 6.1.3. Review of effectiveness of the annual audit, to ascertain whether emphasis is being placed on areas where the committee, management or the auditors believe special attention is necessary.
- 6.1.4. Review management responses to audit reports and the extent to which external audit recommendations concerning internal accounting controls and other matters are implemented.

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Audit Committee Charter

- 6.1.5. Review the final draft financial statements prior to its approval by Council, taking on board any external audit comments. In particular the review should focus on:
- (i) major changes in accounting policies and practices
 - (ii) major judgmental areas
 - (iii) significant audit adjustments
 - (iv) proposed departures from accounting standards
 - (v) significant and major balances

6.2. Internal Audit Activities

- 6.2.1. Ascertain that the activities undertaken by the Internal Audit Function are in accordance with the Internal Audit Function Charter and the International Standards for the Professional Practice of Internal Auditing.
- 6.2.2. Review the internal audit's charter, resources and budget such that this charter maintains and enforces internal audit's independence from management.
- 6.2.3. Monitor whether the Internal Audit Function, is receiving the co-operation of all levels of management; and in light of it's functions and activities, is viewed as a highly regarded function of Council.
- 6.2.4. Review the planning and scope of internal audit activities and assess the resultant recommendations and findings.
- 6.2.5. Assess whether all significant recommendations of the Internal Audit Function have been properly implemented by management. Any reservations the Internal Audit Function may have about control risk, and accounting and disclosure practices should be discussed by the Committee.
- 6.2.6. Review the Three Year and Annual Internal Audit Plans to assess that it covers the material business risks of the Council.
- 6.2.7. Monitor the extent of reliance on internal audit work by the external auditors to facilitate completeness of coverage and the effective use of audit resources.

The Audit Committee's responsibilities do not extend to managing the day-to-day activities of the Internal Audit Function. This is a function which is carried out by the CEO.

Audit Committee Charter**6.3. Other Matters**

- 6.3.1. Determine whether Council is receiving reliable and timely management information.
- 6.3.2. Review proposed plans and publications of Council including Annual Report, Asset management Plan, Community Plan and Corporate Plan.
- 6.3.3. Review the effectiveness of the control environment established by management including computerised information system controls and security. This also includes a reviewing/monitoring role of the documentation of all policies and procedures.
- 6.3.4. Review the effectiveness of the risk assessment/management policies and processes. In particular monitoring that Council risk management activity is not limited to insurance coverage but includes active risk minimisation.
- 6.3.5. Review and recommend all significant accounting policy changes.
- 6.3.6. Monitor compliance with important regulations relevant to Council's activities including statutory regulations for any subsidiaries of Council.
- 6.3.7. Review policies and procedures relating to conflict of interest, misconduct, fraud and other related sensitive issues.
- 6.3.8. Ascertain whether fraud risks have been included in the assessment of the risk profile of Council.
- 6.3.9. Oversee management's efforts to create and maintain a strong internal control environment, including the design and implementation of antifraud strategies and programs.
- 6.3.10. Recommend special projects or investigations on any matter within its terms of reference.
- 6.3.11. Oversee how management is monitoring the effectiveness of its compliance and ethics program and making changes as necessary.
- 6.3.12. Review and recommend any necessary changes to the quality assurance policy.
- 6.3.13. Review and recommend as necessary changes to the Committee's Charter initially after six months and then at least every three years.

Audit Committee Charter**7. MEETINGS, RECORDS AND REPORTING STRUCTURE**

- 7.1. The Committee shall meet at least four times each financial year. The CEO will set the date, time and place for the meetings. Before setting the date, time and place for a Committee meeting, the CEO must, if practicable, consult with the Chairperson of the Committee. In addition, the CEO will call a meeting if requested to do so by any Committee member, or the internal or external auditors.
- 7.2. A quorum shall consist of three members.
- 7.3. The external auditors shall be given notice of all meetings and sent an agenda. The external auditors shall have the right to attend and speak.
- 7.4. The Governance Program will provide secretarial functions to the meetings.
- 7.5. Provide the opportunity for the Audit Committee members to meet with internal and/or external audit without management being involved.

8. TRAINING

- 8.1 New members of the Audit Committee will be provided with induction material to allow the members familiarise themselves with the environment and to facilitate their understanding of its principal operations and activities, corporate practices and culture.

9. SELF EVALUATION

- 9.1 At least annually, the audit committee should assess the performance and achievements of the committee for the previous period and ensure that it is meeting its objectives efficiently and effectively.
- 9.2 Confirm annually that all responsibilities outlined in this charter have been carried out.
- 9.3 Where this evaluation highlights a need for enhancements to the role, operational processes or membership of the committee, the chairperson should take action to ensure such enhancements are implemented.



INTERNAL AUDIT CHARTER

Date Adopted by Council: 23 July 2008
Folio No: 734

Date Adopted by Council: 2 September 2009
Folio No: xy.xy

MRC Internal Audit Charter

Contents	Page No.
1. Introduction	2
2. The Role and Purpose of Internal Audit	2
3. Independence and the Position of Internal Audit Function within Council.....	3
4. Authority	4
5. Relationship to External Audit	4
6. Scope of Internal Audit Activities.....	5
7. Responsibility for Detecting and Reporting Irregularities	6
8. Internal Audit Approach.....	7
9. Reporting Accountability	8
10. Management's Responsibility For Corrective Action	9
11. Quality Assurance.....	10

1. Introduction

The *Local Government Finance Standard 2005 S 4 (1a)* and *S 6 (1)* requires Mackay Regional Council to adopt a policy with respect to whether an internal audit function must be established and maintained. It is the policy of Council to provide an internal audit function, independent of all other organisational functions. This Charter establishes the authority and responsibility conferred by Council on Internal Audit and incorporates the internal audit duty requirements of the *Local Government Finance Standard S 14 (2)*. It is the purpose of the Charter to define the function, scope, operating and reporting parameters for the internal audit activity.

2. The Role and Purpose of Internal Audit

The internal audit function is established to provide independent, objective assurance¹ and consulting² services designed to add value and improve the organization's operations. It helps the organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

Accordingly audit planning must be sufficiently comprehensive to regularly audit/review all facets of Council's operations, having regard to the functions and duties imposed on Council. An effective audit function will provide Council and the Chief Executive Officer (CEO) with:

- 2.1 Management oriented appraisals of Council functions and activities to determine their appropriateness in the context, of Council objectives (including, but not restricted to accounting and financial management information, performance monitoring and control systems).
- 2.2 Reviews of the reliability of accounting and financial management, an assessment of the systems of internal control, an evaluation of compliance with relevant legislation, local law, local law policies, Council policies, operating guidelines and delegations and the protection of the assets and resources under the control of management.
- 2.3 Independent and confidential advice on action to be taken to improve operational effectiveness, efficiency and economy.
- 2.4 Follow up appraisals, where appropriate, regarding action taken by operational management as a result of audit recommendations.

¹ **Assurance** services involve the internal auditor's objective assessment of evidence to provide an independent opinion or conclusions regarding a process, system or other subject matter. The nature and scope of the assurance engagement are determined by the internal auditor.

² **Consulting** services are advisory in nature, and are generally performed at the specific request of an engagement client. The nature and scope of the consulting engagement are subject to agreement with the engagement client.

MRC Internal Audit Charter

- 2.5 Review of program/support plan performance criteria and performance indicators for relevance, reliability and accuracy at such other times as may be appropriate.
- 2.6 Management-oriented evaluation of programs/support plans to determine that legislation, local law, local law policies, Council policies, and program/support plan objectives and strategies remain appropriate and are being achieved; whether resources are optimally allocated across programs/support plans and optimally utilised within each program/support plan; and that the strategic management system ensures accountability of programs/support plans in line with the strategic direction as set by Council in the Corporate Plan.

This Charter also recognises the role that the Internal Audit Function may be called upon to play as an appropriate entity under the *Whistleblowers Protection Act 1994*.

3. *Independence and the Position of Internal Audit Function within Council*

Internal Audit has independent status within the Council and for that purpose shall have further access to the CEO and Audit Committee.

- 3.1 Shall have no executive or managerial powers, functions, authorities or duties except those relating to the management of the audit function.
- 3.2 Shall not be involved in the day to day operation of Council, nor in the internal operational checking systems of Council except those relating to the administrative and management of the audit activities.
- 3.3 Shall not be responsible for the designing, installing or maintaining systems, procedures or controls, but will advise on these matters and provide assurance to management that completed systems will contribute to the achievement of the intended corporate objectives. If, however, an officer of the Internal Audit Function is involved in the detailed development or implementation of a system, then any post implementation review should, as far as possible, be conducted by another officer of the Branch or by staff entirely independent of the Branch.
- 3.4 May have an observer/adviser status on steering committees, formed to co-ordinate financial/information systems design and implementation, at the discretion of the CEO.

4. Authority

- 4.1 Internal audit has no direct responsibility, nor authority over, any of the activities which it audits. Therefore the audits and evaluations do not in any way relieve other persons in Council of the responsibilities assigned to them.
- 4.2 Internal audit shall generally undertake projects in accordance with programs/plans approved by the CEO but shall also conduct such further unscheduled projects as the CEO considers desirable. Due consideration should also be given to the views of the Audit Committee and Department Heads in regard to suitable projects. The nature and scope of each project will be left to the professional judgement of the Senior Internal Auditor.
- 4.3 For the purpose of its function, Internal Audit is authorised to review all areas of Council and to have full, free, and unrestricted access to all Council's activities, records (both manual and electronic), property, and personnel. Council activities include entities over which Council has direct management, sponsorship or financial control.
- 4.4 All employees shall co-operate fully in making available any material or information reasonably requested by internal auditors. Further, all employees are expected to bring to the attention of the Senior Internal Auditor any suspected situation involving improper activity or non-compliance with applicable policies, plans, procedures, laws or regulations, of which they have knowledge. The Senior Internal Auditor will make the CEO aware of any such situations.
- 4.5 It is the policy of Council that all audit activities remain free of influence by any organisational elements. This will include such matters as scope of audit programs, the frequency and timing of examinations and the content of audit reports.
- 4.6 For approved areas of audit, evaluation and review, where Internal Audit does not possess all the necessary experience/skills, additional internal or external resources may be utilised subject to budgetary constraints and approval by Director Corporate Services and the Executive Manager Governance.

5. Relationship to External Audit

Internal Audit shall co-operate fully with the Auditor-General and the appointed external auditor in respect of any internal audits undertaken.. Working papers together with any further explanations are to be made available in order to enhance the effectiveness of the total audit coverage and to minimise duplication.

MRC Internal Audit Charter

To ensure that Internal Auditors aware of all matters associated with its functional responsibilities, the Internal Auditors to be supplied with copies of all relevant correspondence received from external audit and Queensland Audit Office.

6. Scope of Internal Audit Activities

6.1 The scope of internal auditing is to determine whether the organisation's network of governance, risk management and control processes, as designed and represented by management, is adequate and functioning in an effective manner. It includes, but is not necessarily limited to, the following:

- 6.1.1 Reviewing the reliability and integrity of financial and operating information and the means used to identify, measure, classify and report such information.
- 6.1.2 Reviewing the systems established to ensure compliance with those policies, plans, procedures, laws and regulations which could have a significant impact on operations and reports and whether the organisation is in compliance. Audit should also be pro-active in offering advice to management in regards to the implications of future legislation, policy and industry changes.
- 6.1.3 Reviewing the means of safeguarding assets and, where appropriate, verifying the existence of such assets.
- 6.1.4 Reviewing and appraising the economy and efficiency with which resources are employed, identify opportunities to improve operating performance, and recommend solutions where appropriate.
- 6.1.5 Contributing to the corporate management process by assessing and reporting the relevance, reliability and adequacy of management data and performance indicators and reviewing operations or programs to ascertain whether results are consistent with established objectives and goals and whether the operations or programs are being carried out as planned.
- 6.1.6 Co-ordinating audit work with external auditors to assuring completeness of coverage, preventing a duplication of effort and ensuring the effective use of audit resources.
- 6.1.7 Participating (in an advisory role) in the planning, design, development, implementation and operation of major computer-based systems to determine whether:
 - (i) Adequate controls are incorporated in the systems
 - (ii) Thorough system testing is performed at appropriate stages

MRC Internal Audit Charter

- (iii) System documentation is complete and accurate
- (iv) The needs of the user are met

- 6.1.8 Conducting periodic audits of computer service centres and make post installation evaluations of major data processing systems to determine whether these systems meet their intended purposes, requirements and objectives.
- 6.1.9 Reviewing compliance with Council's guidelines for ethical business conduct and promote high standards of personal and Council performance through the promotion of a Council Code of Conduct.
- 6.1.10 Internal auditing's core role with regard to Enterprise Risk Management (ERM) is to provide objective assurance to the Council on the effectiveness of the organisation's ERM activities to help ensure key business risks are being managed appropriately and that the system of internal control is operating effectively.
- 6.1.11 Developing a Three Year Internal Audit Plan and an Annual Internal Audit Plan, based on risk analysis, and subject these to the Director Corporate Services for review and approval. In the formulation of these plans the views of the Audit Committee should be taken into consideration. Work programs/proposals will be prepared for each audit activity or project undertaken by Internal Audit.
- 6.1.12 Conduct audit projects of Council activities as directed by the CEO.
- 6.1.13 Follow up the implementation of audit recommendations.
- 6.2 The scope of the internal audit function extends to include all departments, programs, sub-programs, functions, funded schemes and entities over which Council has direct management, sponsorship or financial control.
- 6.3 Any dispute as to whether an activity falls within the scope of Council's internal audit function shall be determined by the CEO.

7. *Responsibility for Detecting and Reporting Irregularities*

- 7.1 Internal Audit is not legally or professionally responsible for preventing irregularities (which include fraud, other illegal acts and errors). In order to facilitate the fraud/corruption prevention function, the Senior Internal Auditor should be informed of any special investigation, fraud, theft or other suspected cases of misappropriation.
- 7.2 The responsibility for prevention of irregularities rests with Council and management through the implementation and continued operation of an

MRC Internal Audit Charter

adequate internal control system. Internal auditors are responsible for examining and evaluating the adequacy and the effectiveness of actions taken by management to fulfil this obligation.

- 7.3 However, in exercising due professional care, internal auditors should be alert to the possibility of irregularities and those conditions and activities where irregularities are most likely to occur. Due care implies reasonable care and competence, not infallibility, nor extraordinary performance. It requires internal auditors to conduct examinations and verifications to a reasonable extent.
- 7.4 The Senior Internal Auditor has a responsibility to report irregularities to the CEO and the Audit Committee.
- 7.5 The CEO is responsible for reporting any irregularities according to the provisions of the *Local Government Act 1993*, the *Crime and Misconduct Act 2001* and any other statutory regulations that may come into force from time to time. In this regard the Senior Internal Auditor will fulfil the liaison officers role to the Crime and Misconduct Commission.

8. Internal Audit Approach

- 8.1 Internal Audit will adopt an integrated⁴ risk based approach to allocating resources and planning.
- 8.2 Risk Profile, Three Year and Annual Internal Audit Plans:
- 8.2.1 Internal Audit, in consultation with management, will develop a risk profile for each area within Council so that greater audit attention can be directed to areas of higher risk.
- 8.2.2 Based on the risk assessment, the general direction of Council's internal audit activities over the medium term is to be documented in the Three Year Internal Audit Plan. This plan shall be reviewed and approved by the Director Corporate Services. The Plan will also be reviewed annually to take account of any change in circumstances.
- 8.2.3 The Annual Audit Plan projects may include financial, compliance, performance, due diligence, information systems, program evaluation, operational audits and other approaches as deemed appropriate, given the resources and also the priorities established through the risk assessment process and other more recent considerations.

⁴ Combines aspects of auditing to include or excluded any aspect based on risk

8.3 Responsibilities and Auditing Standards⁵:

8.3.1 Audit will discharge its responsibilities in accordance with this document and the Standards with the proviso that this document shall be overridden by the Standards, should a conflicting interpretation arise.

8.3.2 Specific standards which are to be followed include:

- Audit staff must maintain an independent outlook and must ensure their independence to plan, investigate and report with honesty and objectivity.
- Projects are to be performed by or under the control of a suitably skilled, experienced and competent person(s).
- Findings and recommendations or suggestions are developed and documented with due care during the course of each engagement, such that the reporting process is expedited.
- Regular quality assurance reviews of project plans, reports and working papers are carried out.
- Information acquired during the course of work must not be used and/or conveyed for purposes outside the scope of Audit's approved responsibilities.

9. Reporting Accountability

9.1 Internal Audit Report:

9.1.1 A draft report shall be prepared and issued by the Senior Internal Auditor to the appropriate Manager as soon as possible after the completion of an audit project. The draft report will include comments and action plans by the operational manager⁶ where appropriate.

9.1.2 The appropriate Manager receiving the draft audit report should respond within five (5) working days or such longer period as may be determined between the Manager and the Senior Internal Auditor. This response is to indicate what actions are to be taken or planned, a responsible officer

⁵ Standards includes as follows:

The Institute of Internal Auditors' Standards for Professional Practice, Statement of Responsibilities, Statements on Internal Auditing Standards, and Code of Ethics.

The Information Systems Audit and Control Association's Statements on Information Systems Auditing Standards.

⁶ Operational Manager is the manager who is responsible for the area under audit, and in normal circumstances would be a manager of a branch (other than the Internal Audit), however it may be the department manager where the audit is across more than one branch.

MRC Internal Audit Charter

and a timetable for the anticipated completion of these actions in regard to the specific findings and recommendations in the draft audit report.

- 9.1.3 A final audit report will be prepared and issued by the Senior Internal Auditor to the Director Corporate Services and will include the comments and action plans as per the response of the Manager. If a response is not received by the due date Internal Audit is required to issue the draft as the final audit report with a comment in relation to the non response.
- 9.1.4 As well as the final report to the Director Corporate Services, copies will be provided to the relevant Manager and other officers as appropriate. An indication will be given as to whether the person receiving the report should be taking action or securing action in relation to the report, or merely receiving the report for information.
- 9.1.5 A copy of this report will also be forwarded to the Audit Committee Members, Audit Committee Advisers, and Audit Committee attendees, as per the approved agenda list.
- 9.2 The Senior Internal Auditor may also advise the Auditor-General, Queensland Audit Office, or the Auditor-General's delegate/contractor about any audit findings as appropriate or if requested.
- 9.3 A summary of audit recommendations, action taken and action outstanding will be included in an Internal Audit Activities Report, to be sent on a quarterly basis to the Director Corporate Services , CEO and the Audit Committee Members, the Audit Committee Advisers and Attendees.

10. Management's Responsibility For Corrective Action

- 10.1 The appropriate Manager is responsible for seeing that action is either planned or taken within thirty (30) working days from receipt of the final audit report on recommendations made or deficient conditions reported by auditors (internal and external). Recommendations are considered outstanding until they are implemented and or hold a status of 'no further action required'. Any recommendations that have not been actioned within the agreed timeframe will be reported to and followed through by the Director Corporate Services.
- 10.2 If the appropriate Manager foresees difficulties implementing the recommendations within the time frame, the manager should advise Internal Audit regarding the cause of delay and the revised implementation schedule.
- 10.3 Upon implementation of the recommendations, a written report should be sent by the responsible officer to the relevant Manager and a copy sent to Internal Audit.

11. Quality Assurance

11.1 Audit Work: In order to ensure that the quality of internal audit work is consistently maintained at a high standard, the Senior Internal Auditor should establish and maintain a quality assurance program. This program is to include:

11.1.1. Developing a comprehensive work reporting arrangement.

11.1.2. Maintaining a regular review of audit plans, reports and working papers.

11.1.3. Maintaining effective communication links with the Audit Committee members, CEO, managers, external auditors and the Queensland Audit Office.

11.1.4. Arranging and providing ongoing staff training as appropriate.

11.1.5. Issue necessary oral and written directions and maintain written policies and procedures to assist and direct staff in the performance of their duties.

11.2 External Quality Assessment: Internal Audit will be subject to an external quality assessment on a regular basis, not exceeding an interval of five years.



INTERNAL AUDIT FUNCTION

ANNUAL INTERNAL AUDIT PLAN

2009-2010

Approved by the CEO - 20/OX/2009

1 TABLE OF CONTENTS

1	TABLE OF CONTENTS	1
2	INTRODUCTION	2
3	AUDIT PLAN OBJECTIVES	2
4	PROGRAM OF AUDITS AND ACTIVITIES	3
5	BACKUP AUDITS	4
6	PROPOSED FOCUS OF AUDITS AND ACTIVITIES	4
6.1	AUDITS	4
6.2	AUDIT RELATED ACTIVITIES	6
6.3	SUPPORT ACTIVITIES	7
6.4	BACKUP AUDITS	7
7	DAYS AVAILABLE FOR AUDIT ACTIVITIES	8

2 INTRODUCTION

Internal Audit is established and maintained pursuant to the *Local Government Act 1993 and the Local Government Finance Standard 2005* and reports to the Executive Manager Governance. Internal Audit plays a role in assisting the Council, Audit Committee, Chief Executive Officer, Director Corporate Services and the Executive Manager Governance in the performance and discharge of their functions and duties.

Internal Audit's approach is to conduct integrated risk-based audits. Based on the risk assessment, the general direction of Council's Internal Audit Branch Activities for the year is documented in this 'Annual Internal Audit Plan'.

The Internal Audit Charter also requires that this Annual Internal Audit Plan be reviewed and approved by the Director Corporate Services taking into consideration the views of the Audit Committee.

3 AUDIT PLAN OBJECTIVES

The objectives of the Annual Internal Audit Plan are to:

- identify auditable activities, areas and processes of Council for audit in the year applicable to this plan
- allocate appropriate resources to the audits identified for the year based on estimated Internal Audit resources available

The objectives of Council Internal Audits, on a highest risk/opportunity basis, are to:

- assist Council perform the functions imposed on it by legislation
- assess whether accounting standards and other prescribed requirements in respect of the establishment and keeping of accounts have been complied within all material respects
- assess whether resources are being used economically and efficiently, and system objectives are being achieved effectively
- to identify, encourage, develop and report better practices (The opinion expressed in this regard is a measure of the extent to which improvements can be made which may lead to lower direct and indirect costs, better management of those costs, and/or improved program outcomes)

MRC Annual Internal Audit Plan

4 PROGRAM OF AUDITS AND ACTIVITIES

Specific Audit Activity Days	No.	Risk Rating
Contract Management	10	High
Workplace Health & Safety - Safeplan	6	High
Complaints Handling Process	6	Low
Disaster Recovery & Business Continuity	10	High
Developer Contributions	10	High
Payroll (CHRIS 21 /Finance 1)	6	Moderate
Expenditure/Purchasing (Finance 1)	6	Moderate
Enterprise Risk Management (ERM)	10	High
Fraud & Corruption Control Program	10	Moderate
Rates System	5	Low
Control Self Assessment	8	Moderate
Parking Revenue & Controls	5	Moderate
Treasury Function	3	Moderate
Ad Hoc Audits	3	High
Total Specific Audit Activity Days	98	
Audit Related Activity Days	No.	Risk Rating
Audit Committee Preparation, Facilitation & Assistance	6	
Chief Executive Officer Meetings & Preparation	4	
Code of Conduct Issues (Gifts & Benefits)	2	
Consulting, Advice, Assistance & Presentations (Ad hoc)	4	
Internal Audit Plan Preparation & Risk Assessment	5	
Investigations (Misconduct)	2	
Organisation, Supervision & Liaison with Contract Auditors	3	
Recommendations (Updating & Monitoring)	3	
Review of Charters, Manuals & Website	2	
Risk Management (Workshops & Liaisons)	3	
Total Audit Related Activity Days	34	
Total Productive Days	132	
Support Activity Days	No.	Risk Rating
Conferences & Seminars	5	
Liaisons (LGIA, CMC, IIA, ISACA, CPA etc.)	13	
Management, Administration & Resource Planning	25	
Training & Professional Development	20	
Total Support Activity Days	63	
TOTAL PROGRAMMED DAYS	195	

* Refer to Section 7 on last page for an analysis of the estimated actual days available.

The scheduling of the audits for the year is to be determined after consideration of a number of factors, including risk ranking, management and Audit Committee consideration, state of new programs, previous commitments and availability of contract auditors.

MRC Annual Internal Audit Plan

New Council activities, investigations, and changes in management/political requirements and sensitivities identified during the year may cause amendments to the audit program as agreed and established at the beginning of the audit year.

Any such changes shall be approved by the Director Corporate Services.

5 BACKUP AUDITS

The following table indicates possible replacement audits in case of cancellations assuming that they are still required to be done, the Director Corporate Services' approval is required.

Backup Audits & Activities In Case Of Cancellations	Allocated Days 2009/10		
	SIA	Cont	Total
Specific Audit Activity Days			
Recoverable Works	8		8
Fees & Charges	10		10
Water Operation Compliance Framework	10		10
Recycling & Refuse Centres	7		7
Job Costing	8		8
Asset Management	5		5
TOTAL	48		48

6 PROPOSED FOCUS OF AUDITS AND ACTIVITIES

6.1 *Audits*

In most instances better practices and procedures, risk analysis, controls awareness and performance management will be considered. (Integrated Auditing)

Contract Management: Review of the process of negotiations, compliance with terms and conditions, as well as documentation and negotiation of changes during implementation or execution, plus tender evaluation. Consider wording, delegations and include contracts made with customers, vendors, partners or employees. (Process of systematically and efficiently managing contract creating, execution, and analysis for the purpose of maximizing financial and operational performance and minimizing risk).

Workplace Health & Safety (Safeplan Implementation): Review of the implementation of Safeplan at Mackay Regional Council. Identify impediments to a successful and timely rollout of this initiative.

Complaints Handling Process: Review the customer request/complaints handling process to determine whether the complaints handling process complies with the Local Government Act and whether it accords with accepted best practice.

MRC Annual Internal Audit Plan

Disaster Recovery & Business Continuity: Review the Disaster Recovery and Business Continuity Plans to confirm their existence, their currency, and to identify any weaknesses contained therein.

Developer Contributions: Review the calculation, charging, and collection of developer contributions to ensure accuracy, equity and consistency in approach.

Payroll (CHRIS21/Finance1): Assess control objectives including authorisation, accuracy, completeness, validity, efficiency and effectiveness, segregation of duties and regulatory compliance in areas such as creating employees, managing payroll, time and attendance, payroll calculation and payments within the new ERP system and processes.

Expenditure/Purchasing (Finance 1): Assess control objectives including authorisation, accuracy, completeness, validity, efficiency and effectiveness, segregation of duties and regulatory compliance in areas such as vendor maintenance, requisitions, purchasing, receiving, payables and payments.

Enterprise Risk Management (ERM): Assess whether ERM is tailored to the organisation's objectives, level of inherent risk, and risk tolerance to maximise its opportunities and not over expose it. Evaluate the business practices in place to assess, communicate and manage risk to ensure it foresees potential consequences from future events, make necessary changes to minimise risk, manage negative fallout if an event materialises and capitalise on opportunities that it presents for growth. Assess if decision makers have timely access to information that is crucial to making appropriate choices within set tolerance limits to move the organisation towards its objectives and help guide the allocation of resources and strengthen governance.

Fraud & Corruption Control Program: Use Ashdale Integrity Solutions PTY LTD (pre-qualified consultants) to review the appropriateness of fraud and corruption control within the organisation and suggest improvements where possible to develop an appropriate, integrated fraud and corruption control strategy. Against the rapidly changing business environment, assess the range of internal and external threats that warrant a concerted effort to possibly upgrade the defences against fraud and corruption risks.

Rates System: Review the current rates system and assumptions to ensure accuracy in determining revenue sources and a sound outcome.

Control Self Assessment (CSA): Establishment of CSA methodology to review key business objectives, opportunities/risks impacting on the achievement of objectives and internal controls to manage those risks.

Parking Revenue & Controls: Review the collection and recording of parking revenue to determine the quantum and to ensure that adequate controls exist to guard against theft of such revenue.

MRC Annual Internal Audit Plan

Treasury Function: Review the process of investing Council's funds with the QTC and other institutions to verify that it complies with our Investment Policy and relevant legislation.

Ad Hoc Audits: Issues often arise during the year that are unplanned and may well represent concerns of some significance to the organisation and require involvement or additional involvement.

6.2 Audit Related Activities

Auditing Committee Preparation, Facilitation & Assistance: Provision of information, reports, assistance, advice to the Audit Committee and attend the meetings.

Executive Manager Governance Meetings & Preparation: Providing an update to the Director Corporate Services and obtain support and guidance on important issues every four to six weeks.

Code of Conduct Issues: Internal Audit is Council's contact point in relation to Code of Conduct enquiries by employees and is responsible for the maintenance of the Gifts Register. Time spent performing this duty is recorded here.

Consulting, Advice, Assistance & Presentations: Advice and assistance provided to management on an ad hoc basis by request. Requests estimated to involve more than three audit days would be evaluated in terms of the audit plan and approved by the CEO.

Internal Audit Plan Preparation & Risk Assessment: Time allocated to the revision and compilation of the Annual and Three-Year Internal Audit Plans, an examination of Council's auditable areas and consultation with Council management to review the associated risks and audit priority in preparation for the upcoming audit years.

Investigations: Investigations done as required by making use of an external investigator.

Organisation, Supervision & Liaison with External Auditors and Contract Auditors: This is to record the amount of time spent to ensure a coordinated effort with external audit and with audit contractors on general administration and Council familiarisation.

Recommendations System Updating & Monitoring: Time spent monitoring, reporting, following up and updating the status of outstanding recommendations. In this program limited time will be spent on improving the current database and reports produced.

Review of Charters, Manuals & Website: Work is required to update and maintain charters, manuals and information applicable to Internal Audit.

MRC Annual Internal Audit Plan

Risk Management (Workshops & Liaisons): Internal Audit's involvement in workshops & liaisons regarding risk.

6.3 Support Activities

Conferences & Seminars: This line is to be used to record the time spent in relation to conferences and seminars organised by Professional Bodies.

Liaisons: The Internal Audit Branch maintains liaisons with a number of organisations including the Crime and Misconduct Commission, the Queensland Audit Office, the External Audit Contractor and members of the Local Government Internal Audit Discussion Group (LGIADG), Institute of Internal Auditors etc.

Management/Administration/Resource Planning: Incorporating general management and administrative type tasks (excluding that are specific to audits or contractors) concerning budgets, expenditure, time recording, liaison with Council management and staff, research, file organisation, official Council paperwork, leave/training approvals etc.

Training & Professional Development: This line relates to the time spent on formal training and professional development both in house as well as training with outside professional groups. Continued Professional Development is a requirement to maintain professional qualifications.

6.4 Backup Audits

Recoverable Works: Review how we charge and what we charge for our recoverable works.

Fees & Charges : Assess the fees and charges policy

Water Operation Compliance Framework and Audit Programs: Review compliance framework and assess audit programs, follow-up process and performance reporting to ensure effectiveness.

Recycling and Refuse Centres: Assess the objectives and performance of the recycling and refuse centres and the impact on the environment. Review what is being recycled and what is being sent to the refuse centres to ensure unacceptable materials are refused or dealt with appropriately. Assess safety and security measures impacting on these services.

Job Costing: Determine whether all costing/hours are being entered against timesheets.

MRC Annual Internal Audit Plan

Control Self Assessment (CSA): Establishment of CSA methodology to review key business objectives, opportunities/risks impacting on the achievement of objectives and internal controls to manage those risks.

Asset Management : Review the Asset Management Process to determine how, when and where assets are recorded, how they are valued, and how they flow through the various databases to the Finance 1 accounting package – as well as disposal thereof.

7 DAYS AVAILABLE FOR AUDIT ACTIVITIES

	SIA	Contractor	Total
Total days available in year	365		365
<i>Less non-working days:</i>			
Weekends	104		104
Statutory Holidays	10		10
Annual Leave	25		25
Sick Leave	5		5
<i>Rostered Days Off</i>	26		26
Non –Working Days	170		170
Actual days available for audit activity	195		195



INTERNAL AUDIT FUNCTION

THREE YEAR INTERNAL AUDIT PLAN

2009 – 2012

Approved by the CEO – 20/0X/2009

1 TABLE OF CONTENTS

1	TABLE OF CONTENTS	1
2	INTRODUCTION	2
3	AUDIT PLAN OBJECTIVES	2
4	PROGRAM OF AUDITS AND ACTIVITIES	3
5	ANNUAL ESTIMATED ACTUAL DAYS AVAILABLE	6

2 INTRODUCTION

Internal Audit is established and maintained pursuant to the *Local Government Act 1993 and the Local Government Finance Standard 2005* and reports to the Executive Manager Governance. Internal Audit plays a role in assisting the Council, Audit Committee, Chief Executive Officer, Director Corporate Services and the Executive Manager Governance in the performance or discharge of their functions and duties.

The Internal Audit Charter requires that the Internal Audit Branch, in consultation with management, will develop a risk/opportunity profile for each area within Council so that greater audit attention can be directed to areas of higher risk/opportunity. Based on the risk assessment, the general direction of Council's internal audit activities over the medium term is to be documented in this 'Three Year Internal Audit Plan'.

The Internal Audit Charter also requires that this Three Year Internal Audit Plan shall be reviewed and approved by the Director Corporate Services taking into consideration the views of the Audit Committee. In addition, the plan is to be reviewed and re-drawn annually to take account of any change in circumstances.

3 AUDIT PLAN OBJECTIVES

The objectives of the Three-Year Internal Audit Plan are as follows:

- To identify the auditable activities, areas and processes of Council and the intended year for audit.
- To determine the appropriate priorities (based on the risk assessment) of the auditable activities, areas and processes for Internal Audit activity over the medium term.

Use of Mackay Regional Council Standardised Ratings	Impact Ratings
Current risk ratings are an opinion on the potential impact of risks faced, the likelihood and or control reliance. Although likelihood is briefly considered the rating is more based on level of impact or the level of control reliance. Exposure – total plausible maximum impact on an organisation arising from a risk without regard to controls. (Standards Australia HB 158 – 2006)	Critical
	High
	Moderate
	Low
	Minimal

- To identify the resource levels and available audit time of the Internal Audit Function to effectively address audit priorities.
- To provide the basis for the Annual Internal Audit Plan based on identified priorities and available Internal Audit resources.

4 PROGRAM OF AUDITS AND ACTIVITIES

AUDITS AND ACTIVITIES		Days	2009/10	2010/11	2011/12	Risk Rating	Reason For Placement Year/Risk Rating
Specific Audit Days:							
Contract Management		30	10	10	10	High	Various concerns raised on this issue
Workplace Health & Safety - Safeplan		18	6	6	6	High	Concerns regarding rollout delays
Complaints Handling Process		18	6	6	6	Low	To gauge effectiveness
Disaster Recovery & Business Continuity		30	10	10	10	High	Recent Disasters
Developer Contributions		30	10	10	10	High	Major External Audits Soon...
Payroll (Chris 21/Finance 1)		18	6	6	6	Moderate	Concerns re under-utilisation of Chris 21
Expenditure/Purchasing (Finance 1)		18	6	6	6	Moderate	Purely based on moderate level risk
Enterprise Risk Management (ERM)		30	10	10	10	High	Concerns regarding it's existence
Fraud & Corruption Control Program		30	10	10	10	Moderate	Purely based on moderate level risk
Rating Model		15	5	5	5	Low	To ensure a positive outcome
Controls Self Assessment (CSA)		24	8	8	8	Moderate	Becoming a more and more attractive
Parking Revenue & Controls		15	5	5	5	Moderate	Process identification and evaluation
Treasury Function		9	3	3	3	Moderate	Special Request from Clive Debois
Ad Hoc Audits		9	3	3	3	High	Provision for flexibility
Recoverable Works		24	8	8	8	High	Risk - that we are not capturing costs properly
Fees & Charges (Regulatory)		30	10	10	10	High	Risk - cannot recover more than the cost
Water Operation Compliance Framework		30	10	10	10	Low	Compliance - assurance
Recycling & Refuse Centres		21	7	7	7	Moderate	Environmental impact
Job Costing		24	8	8	8	High	Risk that methodology is not consistent
Developer Contributions		15	5	5	5	Moderate	Assess consistency etc.
Facilities Management		15	5	5	5	Low	Importance of the impact on productivity
Financial Accounting (Finance 1)		30	10	10	10	Low	Precautionary - following FS Mgr's Departure
Grants and Subsidies		15	5	5	5	Moderate	Purely based on moderate level risk
Growth Management		30	10	10	10	Moderate	It is not clear how well we can adjust
Internet Website Content		9	3	3	3	Low	Extent of services still being considered
IT Governance		12	4	4	4	Low	IT as an enabler of the business
Mining Sites & Rural Lands		15	5	5	5	Low	Understand Council's role, scope and influence
Occupational Health & Safety		15	5	5	5	High	Special Request

MRC Three Year Internal Audit Plan						
AUDITS AND ACTIVITIES						
	Days	2009/10	2010/11	2011/12	Risk Rating	Reason For Placement Year/Risk Rating
Performance Measurement	15	5	5	5	Moderate	Important to effective outcomes
Workforce Planning, Recruitment, Management and Retaining Staff	21	7	7	7	Moderate	Recent audit done & improvements in process
Project Management	30	10	10	10	High	Important to ensure success in many areas
Succession Planning	15	5	5	5	High	Purely based on moderate level risk
Security of Facilities, Assets & Physical Records	15	5	5	5	Moderate	Recent audit done & improvements in process
Service Delivery Model & Engagement Model	15	5	5	5	Moderate	Currently being established
Staff Performance and Appraisal Process	15	5	5	5	Low	Purely based on moderate level risk
Stores Operations & Inventory Management	15	5	5	5	Low	Purely based on moderate level risk
Telecommunications	15	5	5	5	Low	Purely based on moderate level risk
Water Operation Compliance Framework & Audit Programs	30	10	10	10	Moderate	Not clear what impact this will have on Council
20 Year Financial Model	15	5	5	5	High	Sustainability of Council direction and model
Total Specific Audit Days	780	260	260	260		
Audit Related Activity Days:						
Audit Committee Preparation, Facilitation & Assistance	48	16	16	16		
Chief Executive Officer Meetings & Preparation	12	4	4	4		
Code of Conduct Issues (Gifts & Benefits)	12	4	4	4		
Consulting, Advice, Assistance & Presentations (Ad hoc)	69	23	23	23		
Internal Audit Plan Preparation & Risk Assessment	21	7	7	7		
Investigations (Misconduct)	150	50	50	50		
Organisation, Supervision & Liaison with Contract Auditors	21	7	7	7		
Quality Self Assessment & Annual Report	18	6	6	6		
Recommendations (System Development, Updating & Monitoring)	42	14	14	14		
Review of Charters, Manuals & Website	21	7	7	7		
Risk Management (Workshops & Liaisons)	9	3	3	3		
Total Audit Related Activity Days	423	141	141	141		
Total Productive Days	1203	401	401	401		
Support Activity Days:						
Conferences & Seminars	15	5	5	5		
Liaisons (LGIA, CMC, IIA, ISACA, CPA etc.)	39	13	13	13		



MRC Three Year Internal Audit Plan

AUDITS AND ACTIVITIES		Days	2009/10	2010/11	2011/12	Risk Rating	Reason For Placement Year/Risk Rating
Management, Administration and Resource Planning		75	25	25	25		
Training & Professional Development		60	20	20	20		
Total Support Activities Days		189	63	63	63		
TOTAL PROGRAMMED DAYS		1392	464	464	464		
ESTIMATED ACTUAL DAYS AVAILABLE		585	195	195	195		
SHORTFALL (Additional Audit Resources Required)		807	269	269	269		

The quantum of audits selected for inclusion in the Internal Audit Plans is estimates only. As history and experience is gained it is anticipated that a more accurate picture of the audit times and hence resource needs will emerge. Initial estimates may need amendment as appropriate during the audit planning stages as flexibility is required.

MRC Three Year Internal Audit Plan

5 ANNUAL ESTIMATED ACTUAL DAYS AVAILABLE

	SIA	Contractor	Total
Total days available in year	365		365
<i>Less non-working days:</i>			
Weekends	104		104
Statutory Holidays	10		10
Annual Leave	25		25
Sick Leave	5		5
Rostered Days Off	26		26
Non-Working Days	170		170
Actual days available for audit activity	195		195

MATSUURA SISTER CITY COMMUNITY COMMITTEE
MONDAY 20 JULY 2009 at 5.00 PM
"London" Meeting Room
Mackay Regional Council Building - Wellington Street

REPORT

ATTENDANCE: Cr Paul Steindl (Chair); Jan Kilbourne Manager Community Development & Libraries (part); Aki Doolan; Margaret Browne; Bill Molloy; Karen Hurford; Kathryn Smith

APOLOGIES: Cr Dave Perkins; Marie Cameron; Naoko Kaneda; Meghan Noy; Julie Blyth

1. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held 15 June 2009, having been previously distributed, were accepted.

2. MATTERS ARISING

2.1 20TH ANNIVERSARY - SISTER CITY RELATIONSHIP

Skype Link up - 1pm - 22 July, Council Chambers

Practice runs have taken place, with a further final practice scheduled for 21 July. A draft run sheet was provided.

2.2 2009 CITIZENS VISIT TO JAPAN

It has not been necessary to conduct a ballot, as less than 40 people applied to go on the trip.

- Individual gifts for formal dinner table

It was agreed it would be difficult to mail alcoholic drinks to Japan as the same Customs restrictions apply as per people carrying alcoholic drinks. It was felt a selection of the locally produced non alcoholic sauces/produce from the Sugar Shed would be more appropriate. However, on sighting a selection of small gifts from a local craftsperson, the committee felt these may be more appropriate and easier to carry in regards to weight. Rather than take a selection of gifts, it was suggested that one type of gift should be taken for male participants at the formal dinner (paper weights) and one for female (bookmarks), to be suitably packaged. It was noted the frill-necked lizard is highly thought of in Japan and this will be mentioned to the craftsperson. It is also hoped the mini-cd may be produced as an additional gift and Akiko Doolan has translated the script which is being reviewed by an accredited translator. Approximately 110 gifts in total will be required.

A suggestion was put that individual tour group members may like to take produce from the Sugar Shed to present at their home-hosted dinners.

An idea was put to have a calendar produced with a photograph of the Councillors, to be presented to Matsuura Assembly.

Action: In view of Cr Dave Perkins' absence at this meeting, individual gifts to be discussed further at the next meeting.

- Japanese Language / Culture Sessions
Committee members will offer sessions in Japanese Culture / language to the tour group, commencing approximately six weeks prior to the group's departure - dates and times to be confirmed.

2.3 SCHOLARSHIP GROUP – UPDATE

The programme is progressing well with regular meetings taking place.

2.4 PEOPLE / WELCOME CLUB

The Community Development Trainee is continuing to add to the database and this concept will be progressed in the near future.

Action: Gerard Carlyon to discuss with the Mayor / CEO for support in principle; letter to be drafted

2.5 WELCOME SIGN AT AIRPORT

A letter has been sent to the Airport regarding the possibility of a welcome sign.

Committee members felt it would be a good idea for mention to be made of the Matsuura Sister City Relationship on a sign at the entrance or exit to the region, where it would be noticeable to passing drivers.

Action: Cr Dave Perkins to raise with the Mayor and Councillors

2.6 JAPAN-QUEENSLAND SISTER CITY RELATIONSHIPS

Advice has been received from the Japan Consul that the date for the conference has been tentatively arranged for Friday 16 October - to be confirmed.

3. GENERAL BUSINESS

- 3.1 Bill Molloy has heard from Hilda McLean, who had taken part in the first visit to Matsuura, that Hilda will be in Japan on a work visit around the time of the citizens' tour and will travel to Matsuura to be there for a couple of days to coincide with the tour. Hilda McLean is contacting Junko Hashimoto to offer assistance with interpreting, etc.

4. DATE OF NEXT MEETING

To be held on Monday 17 August, commencing at 5pm in the London Room.

The meeting closed at 5.50 pm.



SARINA SUGAR SHED COMMITTEE
5.30PM – WEDNESDAY – 1 JULY 2009

At
Mackay Regional Council Sarina Office

REPORT

ATTENDANCE: Cr Dave Perkins, Cr Karen May, Cr Darryl Camilleri, Glenys Mansfield, Tony De Brincat, Jan Kilbourne, Brian Osborn and Wendy Pollock

APOLOGIES: Craig Lawless and Serg Berardi

The meeting commenced at 5.34 pm

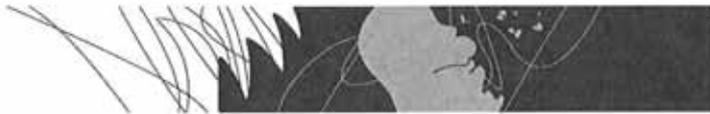
1. **MINUTES OF PREVIOUS MEETING**

Minutes of the Committee Meeting held on the 6 May 2009 were endorsed

2. **MATTERS ARISING**

The following matters from the previous meeting were discussed:

- Members discussed the draft Sugar Shed Terms of reference and agreed to the following amendments:
 - Point 2 of the Key Roles and Responsibilities in the Sugar Sheds Terms of Reference to be amended to – Make recommendations to Council that will assist Council with developing and implementing strategies and projects that will improve operations and facilitate the Sugar Shed becoming a self sustainable tourist facility.
 - Location of meetings amended to – Location of meetings to be determined by Council and Committee members.
- Signage for the Field of Dreams has been ordered taking into account comments from Corporate Communications and facility operators at the Field of Dreams.
- Jessica Reed has been appointed as the Sugar Shed Trainee.
- Council's Senior Internal Auditor Thomas Shoer has visited the Sugar Shed and is reviewing the facilities' financial systems.
- Sugar Shed Co-ordinator to provide Cr D Perkins with a draft letter regarding the Sugar Shed hosting the Mackay Business Network for submission at the next Mackay Tourism Board Meeting.



- Negotiations with local companies regarding the sponsorship of equipment for the Sugar Shed to be continued by the Co-ordinator.
- The Sugar Shed cookbook is being printed and will incorporate a small Mackay Regional Council logo on the back cover of the book.
- Cr D Perkins has been supplied with requested prices for the supply of mixed sauces for the Sister City Matsuura tour

Action: Members resolved that the Sugar Shed Terms of reference incorporating the above amendments be adopted. (Copy attached) .

3. **CO-ORDINATORS REPORT**

The Sugar Shed Co-ordinator presented members with information on work undertaken at the facility over the last month. (Copy attached).

4. **FINANCIAL REPORTS/GRAPHS**

Due to the end of the financial year processes, financial reports and graphs for June were not available for member's information.

Discussion held on Mays figures, which highlight a decrease in operational costs and an increase in fee and product sale takings.

5. **CAPITAL BUDGET ITEMS**

Members discussed the Sugar Shed Capital Works submission for the 2009/10 financial year with the Manager of Property Services to provide a list of approved projects at the next meeting

6. **GENERAL BUSINESS**

- A). Jan Kilbourne Manager Community Development and Libraries and Brian Osborn Museum Co-ordinator attended the meeting and discussed options to progress the "Sarina Sugar Shed Operational and Development Review". (Copy of review document attached)

Action: Members agreed that resources and funding were not available to undertake the full scope of works outlined in the review document and resolved that the following course of action be taken:

- Review of the Sugar Shed Business Plan to be undertaken in house utilising the facilitator skills of Jan Kilbourne.
- Information contained in submissions for the Queensland Tourism Awards to be used during the process. (Copies to be supplied Brian Osborn, Jan Kilbourne and Committee Members).
- Brian Osborn to compile a list of items that can be achieved with available resources from the review document and where possible identifies areas that Committee members can utilise their skills to complete required work.



- Jan Kilbourne in conjunction with Glenys Mansfield to arrange consultation workshops with Sugar Shed staff, volunteers and Committee members.
 - Brian Osborn to visit the Sugar Shed when time is available in his work schedule.
 - The completion date for mentioned work is the end of September 2009.
- B). The Sugar Shed Co-ordinator raised concern with recent discussions held with Corporate Communications pertaining to spelling on product labelling.
- Action: Members resolved that the Corporate Communications Program be advised that marketing for Sugar Shed products has been prescribed for existing items and that the naming of future products will be the responsibility of the Sugar Shed Committee and Co – ordinator of the Sugar Shed.**
- C). The Co-ordinator informed members that the Stone Brothers Racing Team will be stopping at the Field of Dreams on Saturday 4 July 2009 with a display being available to the public around 2.00pm for a half hour period.

7. **DATE OF NEXT MEETING**

The next Committee Meeting will be held at the Mackay Regional Council – Sarina Chambers on the 29 July 2009 at 6.00 pm.

The meeting closed at 6.30 pm

Title: Sarina Sugar Shed Advisory Committee

Creation Authority:

Authority/Delegation: The purpose of this working group is:-

- To provide a forum for comment and information sharing between representatives from Council, Staff and the Community on matters pertaining to the Sarina Sugar Shed.
- To provide advice to Council on the enhancement of operational processes and product development that will assist the Sugar Shed in achieving excellence in tourist facility operations and customer service.

Accountability

The committee will be an advisory committee accountable to the Mackay Regional Council and will act in accordance with any formal resolution of Council.

Key Roles and Responsibilities

- To consider strategies as required to encourage and support volunteers.
- Assist Council with developing and implementing strategies and projects that will improve operations and facilitate the Sugar Shed becoming a self sustainable tourist facility .
- Enhance the awareness of the Sarina Sugar Shed.
- The committee will be responsible for the oversight of the processes for the identification and assessment of the general business risk.
- Review annually the Committees Terms of Reference and recommend updates where necessary.
- Conduct and behaviour of members, to act in good faith, honesty and for a proper purpose and to avoid conflict of interest

Role of Group Members

- To act as a forum for the debate of Sarina Sugar Shed issues;
- To provide input into proposals for the operation and development of the Sarina Sugar Shed.
- To actively contribute to the committee and in particular to provide advice, information and highlight opportunities that may assist in enacting the purpose of the committee.
- Undertake specific tasks within member's capacity.
- Utilise individual networks that exist in current membership to the benefit of the committee.
- To formulate options and recommendations as required.
- Actively participate in the developing of processes, strategies and policies.

Membership

- 3 elected members of Council.
- 3 external members of the community.
- Director of Community Services.
- Manager of Property Services.
- The committee may invite members of management or others to attend the meetings.
- Terms of Council and community appointments will be as determined by Council.
- The Chairperson of the Committee shall be a Councillor who is appointed by Council.

Quorum

A simple majority including at least one Council and community representative.

Frequency of Meetings

Meetings to be held on the last Wednesday of each month or as defined by Council.

Location

Sarina Sugar Shed

APPENDIX / ATTACHMENTS