FINAL MINUTES

22 March 2017

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42951	22.03.2017	Ordinary Meeting Minutes
42977	08.03.2017	Draft Minutes - Infrastructure and Services Standing Committee Meeting
42987	08.03.2017	Draft Minutes - Economic Development and Planning Standing Committee Meeting
43050	15.03.2017	Draft Minutes - Community Engagement Standing Committee Meeting
43066	15.03.2017	Draft Minutes - Corporate Services Standing Committee Meeting
43084	23.03.2017	Office of the Mayor and CEO Monthly Review - March 2017
		Adoption of Council Policies:
43111	23.03.2017	● Asset Management;
43117	23.02.2017	● Recognition of Service as a Councillor; and
43120	23.03.2017	● Shade for Playgrounds.

Declaration of Potential Conflict of Interest

Nil.

ORDINARY MEETING
MINUTES

1. ATTENDANCE:

His Worship the Mayor, Cr G R Williamson (Chairperson), Crs A J Camm, M J Bella, L G Bonaventura, K J Casey, J F Englert, R C Gee, F A Mann, A R Paton and R D Walker were in attendance at the commencement of the meeting. Also present was Mr C Doyle (Chief Executive Officer) and Mrs M Iliffe (Minute Secretary).

Cr Williamson acknowledged the Yuwibara people, the traditional owners of the land on which we meet and paid his respects to their Elders past and present.

The meeting commenced at 10.00 am.

2. OPENING PRAYER:

Rev Alan May led those present in Prayer.

3. ABSENT ON COUNCIL BUSINESS:

Nil

4. APOLOGIES:

Cr K L May

5. CONDOLENCES:

Nil

6. CONFLICT OF INTEREST:

Nil

7. CONFIRMATION OF MINUTES:

7.1 ORDINARY MEETING MINUTES - 22 FEBRUARY 2017

THAT the Ordinary Meeting Minutes held on 22 February 2017 be adopted.

Moved Cr Bonaventura **Seconded Cr Casey**

CARRIED

7.2 SPECIAL ORDINARY MEETING MINUTES - 28 FEBRUARY 2017

THAT the Special Ordinary Meeting Minutes held on 28 February 2017 be adopted.

Moved Cr Camm **Seconded Cr Mann (nee Fordham)**

CARRIED

7.3 SPECIAL ORDINARY MEETING MINUTES - 8 MARCH 2017

The Mayor noted there was a typo in Item 4.1 where Cr Camm spoke in favour of the Motion and this has now been adjusted.

Council Resolution

THAT Special Ordinary Meeting Minutes held on 8 March 2017 be adopted.

Moved Cr Camm **Seconded Cr Mann (nee Fordham)**

CARRIED

8. BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING:

Nil

9. MAYORAL MINUTES:

Nil

10. RECEIPT OF STANDING COMMITTEE MINUTES:

10.1 DRAFT MINUTES - INFRASTRUCTURE AND SERVICES STANDING COMMITTEE MEETING HELD ON 8 MARCH 2017

Author Director Engineering and Commercial Infrastructure

Purpose

To receive the Draft Infrastructure and Services Standing Committee Minutes of the Meeting held on 8 March 2017 and consideration of any recommendations.

Officer's Recommendation

THAT the Draft Infrastructure and Services Standing Committee Meeting Minutes dated 8 March 2017 be received.

In the absence of Cr May as Chair, Cr Casey as Deputy Chair of the Infrastructure and Services Standing Committee, spoke to the report and provided an overview and highlights of the Infrastructure and Services Standing Committee Minutes. He also mentioned the Hogans Pocket Landfill has been shortlisted as a finalist for the Waste Management Association 2017 Australian Landfill Excellence Award, winners will be announced on 29 March 2017.

Cr Bonaventura added to Cr Casey's comment in relation to Hogans Pocket Landfill and is hopeful of winning this award as he feels the waste facility at Hogans Pocket is not only meeting industry standards but it is exceeding industry standards currently.

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Casey **Seconded Cr Bonaventura**

CARRIED

10.2 DRAFT MINUTES - ECONOMIC DEVELOPMENT AND PLANNING STANDING COMMITTEE MEETING HELD ON 8 MARCH 2017

Author Director Development Services

Purpose

To receive the Draft Economic Development and Planning Standing Committee Minutes held on 8 March 2017 and consideration of any recommendations.

Officer's Recommendation

THAT the Draft Economic Development and Planning Standing Committee Minutes dated 8 March 2017 be received.

The Mayor advised Cr Casey has raised an issue with one of the items on the Minutes and foreshadowed a Motion for the next Ordinary Meeting of Council.

Cr Casey advised he is foreshadowing a Motion in relation to Item 8.6 - Shellgrit Creek - Shorebird Protection and Education Proposal at the Ordinary Meeting of Council on Wednesday 26 April 2017.

Cr Camm, as Chair of the Economic Development and Planning Standing Committee, spoke to the report and provided an overview and highlights of the Economic Development and Planning Standing Committee Minutes.

Cr Camm acknowledged Cr Englert, as part of the Committee, for his stakeholder engagement and organising tours as part of preparing the General and Recreational Aviation Discussion Paper.

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Camm **Seconded Cr Mann (nee Fordham)**

CARRIED

10.3 DRAFT MINUTES - COMMUNITY ENGAGEMENT STANDING COMMITTEE MEETING HELD ON 15 MARCH 2017

Author Director Community and Client Services

Purpose

To receive the Draft Community Engagement Standing Committee Minutes dated 15 March 2017 and consideration of any recommendations.

Officer's Recommendation

THAT the Draft Community Engagement Standing Committee Minutes dated 15 March 2017 be received.

Cr Mann (nee Fordham), as Chair of the Community Engagement Standing Committee, spoke to the report and provided an overview and highlights of the Community Engagement Standing Committee Minutes.

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Mann (nee Fordham) **Seconded Cr Englert**

CARRIED

10.4 DRAFT MINUTES - CORPORATE SERVICES STANDING COMMITTEE MEETING HELD ON 15 MARCH 2017

Author Director Organisational Services

Purpose

To receive the Draft Corporate Services Standing Committee Minutes held on 15 March 2017 and consideration of any recommendations.

Committee Recommendations

The following recommendations are referred to the Ordinary Meeting for consideration.

Item 8.4 Renewal of Lease - Mackay Choral Society

THAT the Committee endorses the below and recommends approval to the Ordinary Meeting of Council –

A. THAT Council resolves that an exemption applies under Section 236 (1)(c)(iii) of the Local Government Regulation 2012, "a local government may dispose of a valuable non-current asset other than by tender or auction if – the disposal is for the purpose of renewing the lease of land to the existing tenant of the land."

B. FURTHER THAT Council approve a new lease for a term of ten (10) years to Mackay Choral Society Inc for an area of approx. 1,591m2 being part of Lot 461 on SP104856, Snow Wright Court, Andergrove, with such lease to commence from date of signing and be a standard 'trustee' lease inclusive of peppercorn rental of $50.00 plus GST per annum and be subject to the approval of the Department of Natural Resources and Mines.

Item 13.1 MRC 2017-038 Sale of 24 Heathwood Court, Hampden

THAT the Committee endorses the below and recommends approval to the Ordinary Meeting of Council -

A. Resolves that an exemption applies under Section 236(1)(a) of the *Local Government* Regulation 2012, "a local government may dispose of a valuable non-current asset other than by tender or auction if it was previously offered for sale by tender or action and is to be sold for more than the highest tender or auction bid received."

B. Not award contract MRC 2017-038 Sale of 24 Heathwood Court, Hampden as tendered prices were well below market appraisal; and

C. Approve the sale of 24 Heathwood Court, Hampden being Lot 31 on RP732121 by appointment of a real estate agent; and

D. Delegate the Chief Executive Officer to negotiate sale price under the appraised sale price on behalf of Mackay Regional Council.

Officer's Recommendation

THAT the Draft Corporate Services Standing Committee Minutes dated 15 March 2017 be received.

FURTHER THAT the below recommendations from the Corporate Services Standing Committee Minutes dated 15 March 2017 be approved:

Item 8.4 Renewal of Lease - Mackay Choral Society

A. THAT Council resolves that an exemption applies under Section 236 (1)(c)(iii) of the Local Government Regulation 2012, "a local government may dispose of a valuable non-current asset other than by tender or auction if – the disposal is for the purpose of renewing the lease of land to the existing tenant of the land."

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B. Not award contract MRC 2017-038 Sale of 24 Heathwood Court, Hampden as tendered prices were well below market appraisal; and

C. Approve the sale of 24 Heathwood Court, Hampden being Lot 31 on RP732121 by appointment of a real estate agent; and

D. Delegate the Chief Executive Officer to negotiate sale price under the appraised sale price on behalf of Mackay Regional Council.

Cr Paton, as Chair of the Corporate Services Standing Committee, spoke to the report and provided an overview and highlights of the Corporate Services Standing Committee Minutes.

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Paton **Seconded Cr Walker**

CARRIED

11. CONSIDERATION OF COMMITTEE REPORTS & RECOMMENDATIONS:

Nil

12. CORRESPONDENCE AND OFFICERS' REPORTS:

12.1 OFFICE OF THE MAYOR AND CEO MONTHLY REPORT - MARCH 2017

Author Chief Executive Officer

Purpose

To provide Council with the Office of the Mayor and Chief Executive Officer's Monthly Report for month of March 2017.

Background/Discussion

All departments within MRC prepare a Monthly Review which identifies activities undertaken and progress made during the specific month.

Consultation and Communication

The report contains input from relevant Programs across Council.

Resource Implications

As required to compile report, which is a routine task for multiple employees.

Risk Management Implications

Nil.

Conclusion

Council is kept informed of activities within the Office of the Mayor and Chief Executive Officer and of major initiatives and projects across Council.

Officer's Recommendation

THAT the Office of the Mayor and Chief Executive Officers Monthly Report for March 2017 be received.

The Chief Executive Officer (CEO) spoke to his report and provided an overview and highlights of the Office of the Mayor and CEO Monthly Report for March 2017.

Cr Bella queried if the fuel reporting that commenced six (6) months ago has attributed to any downward pressure on fuel prices.

The Mayor advised he does not feel there has been any downward pressure on the regions fuel prices to date. There have been several meetings held with the executives of RACQ and the next step is to directly contact the fuel agencies. Council has been cautioned that there needs to be more data to rule out seasonality and to have as much data as possible before approaching the fuel companies.

Cr Bella noted the variability has remained relatively constant throughout Mackay's and other regions during the review period, and asked if there any resources planned to be directed to possible solutions, or does Council have any strategies to place to apply any downward pressure on the fuel companies.

The Mayor advised in terms of an overall funded strategy, Council is not at that stage yet. There was a need for a couple of months more data to have at least three quarters of a financial year before approaching the fuel companies. This will be in consultation with the RACQ, who are right behind Council, but they are cautioning Council in the way dealings are undertaken with the fuel companies. He believes Council does have a case, as does Cairns who are probably in a worse case than Mackay.

CEO advised following discussions with RACQ it is now understood that this is very complex matter with a lot of different commercial arrangements related to how service stations operate.

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Camm **Seconded Cr Bella**

Cr Bella spoke in favour of the Motion and in relation to the continued review of the fuel watch as this is of concern to him. There have been a vast number of reports and investigations into fuel pricing, none of which particularly seem to have brought anything to fruition and fears this is going to become another one of those inquiries unless resources are directed to finding a mechanism to place downward pressure on fuel companies. Residents on the outskirts of the

region feel the fuel prices more keenly than the urban residents and would like to make this a priority.

The Mayor advised Council is working on this and over the next couple of months with work with Council to ascertain what resources can be applied.

Cr Paton spoke in favour of the Motion and commended the CEO and staff for the work carried out and the extreme pressure placed on staff recently with the addition of the Works for Queensland and the pressures of the reduced revenue.

Cr Bonaventura spoke in favour of the Motion in relation to parts of the Works for Queensland, in particular the community hall section. If this funding is totalled there is over $350,000 allocated to improving Council's community halls, this is great for Council and the community.

Cr Camm spoke in favour of the Motion but wanted to address other points raised around the fuel prices and would like to see any approach regarding fuel companies, etc., to come back to Council for consideration. She believes in a free market and believes Council has a very clear mandate on what its role and responsibilities are, both to the community and businesses in the community.

CARRIED

12.2 BUILDING OUR REGIONS-REGIONAL CAPITAL FUND FOR CRITICAL INFRASTRUCTURE

Author Executive Officer

Purpose

To endorse Council's application for funding under the Building Our Regions Program for the Drainage Upgrades – Shellgrit Creek East Mackay project.

Background/Discussion

The Building our Regions: Regional Infrastructure Fund (known as Building our Regions) is a Queensland State government targeted infrastructure program that will provide $375 million for local government projects. The primary purpose of Building our Regions is advised as to provide funding for critical infrastructure in regional areas of the state, while also supporting jobs, fostering economic development and improving the liveability of regional communities.

Having previously had two rounds, this is now round three of the Building our Regions fund. Council was successful under the earlier two rounds for the projects of –

1. Mackay Regional Sewage Pump Station Resilience Upgrades
2. Mackay Showgrounds Redevelopment

Building our Regions comprises four separate infrastructure funds. Three of these funds are managed by the Department of State Development (DSD):

1. Regional Capital Fund ($105 million over three years)
2. Royalties for Resource Producing Communities Fund ($82.5 million over three years)
3. Remote and Indigenous Communities Fund ($27.5 million over three years).

The fourth fund is the Transport Infrastructure Development Scheme (TIDS), which will provide an additional $150 million over five years. TIDS will continue to be managed by the Department of Transport and Main Roads.

Funding decisions under Round 3 of Building our Regions will be made following a two-stage assessment process – an expression of interest (EOI) stage and a detailed application stage for shortlisted projects.

An expression of interest was submitted by the required date of 24 February 2017, for the project of Drainage Upgrades – Shellgrit Creek East Mackay.

This project will involve upgrades to existing drainage systems to provide increased flood immunity to the residents of East Mackay. The project would involve the construction of eight 2.4m high x 1.8m wide box culverts with associated tide gates at the upstream end of the existing detention basin, increased capacity of the connection between the East Mackay Main Drain and the detention basin, and excavation of an open channel through the existing sand dunal area and outlet into the ocean.

Having submitted the EOI advice has been received that the project has been shortlisted for further application. This further application process closes 7th April 2017.

Consultation and Communication

The application for the Drainage Upgrades – Shellgrit Creek East Mackay has been discussed with applicable Directorates of Council, and was previously raised with Councillors informally as well as within the Office of Mayor and CEO Monthly Review report for February 2017, tabled at the Ordinary meeting of 22nd February 2017.

The project and associated application has also been discussed with the Department of State Development.

Resource Implications

The total project cost is estimated at $3,215,600, with 50% ($1,607,800) being sought under the Building our Regions funding. The balance Council contribution of $1,607,800 has been allowed for within the 2017/18 Capital Works program.

If successful, there is a requirement for the project to have commenced construction by 30 April 2018, with a projected completion date of November 2018.

Risk Management Implications

Risk of delivery: Ensuring that timing is met to meet funding arrangements.

Project delivery is expected to be by contract after calling of public tenders.

To establish the drainage outlet there are a range of land matters which are required to be addressed involving both private land, road reserve and crown land. These land matters are partly the subject of an Infrastructure Agreement currently under negotiation allowing site access and land transfer. The agreement following long negotiations is believed to be in the final stages of negotiation. Timely finalisation of this agreement to allow the land transfer will be required to ensure the associated timeframes of the funding are met.

Conclusion

It is a condition of the Building Our Regions Program that project proposals be endorsed by Council and evidence of Council's commitment to the project is required (e.g. copy of the Council Resolution).

Officer's Recommendation

THAT Council supports the application under the Building Our Regions Program round three for the project of Drainage Upgrades – Shellgrit Creek East Mackay, at a total project cost of $3,215,600, noting –

- Council's contribution of $1,607,800 will be allowed for within the 2017/18 Capital Works Program component of the 2017/18 Budget; and
- Council commits to the management and costs associated with ongoing operation and maintenance costs from the infrastructure following construction.

Cr Casey queried whether the outstanding Infrastructure Agreement would delay the commencement date of 30 April 2018.

The Chief Executive Officer advised the Infrastructure Agreement is close to being finalised.

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Casey **Seconded Cr Paton**

CARRIED

12.3 ATTENDANCE OF COUNCILLOR AT 2017 AUSTRALIAN COASTAL COUNCILS CONFERENCE

Author Executive Officer

Purpose

To seek confirmation for the Mayor Cr Greg Williamson to attend the 2017 Australian Coastal Councils Conference being held in Redcliffe from Wednesday 3rd May to Friday 5th May 2017.

Background/Discussion

Moreton Bay Regional Council, as co-hosts of the 2017 Australian Coastal Councils Conference along with Moreton Bay Region Industry and Tourism, have formally invited Mayor Cr Greg Williamson to attend the conference being held in Redcliffe from Wednesday 3rd May to Friday 5th May 2017.

Detail of the conference include –

- Theme – A Sustainable Future for Coastal Australia
- Conference Topics include –
    - What does the future hold for coastal regions?
    - Current impacts of a changing climate
    - Options for financing costal adaptation
    - Coastal populations
    - Economic Development Strategies
    - QCoast 2000 funding program

The invitation advises an expectation that representatives from all states will be attending to share information on the latest developments in coastal planning and management from around Australia.

Consultation and Communication

Mayor, Chief Executive Officer

Resource Implications

The total cost will be in the vicinity of $2,500 including conference registration, return flights, accommodation and meal costs. This will be borne by the Councillor budget within the Office of the Mayor and CEO.

Risk Management Implications

Nil

Conclusion

Given Mackay's location as a key coast Council, and the hosting of the conference in Queensland, it would appear of value for Mackay Regional Council to be represented by accepting the invitation as extended to the Mayor.

Officer's Recommendation

THAT Council endorse the attendance of Mayor Cr Greg Williamson to attend the 2017 Australian Coastal Councils Conference being held in Redcliffe from Wednesday 3rd May to Friday 5th May 2017.

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Camm **Seconded Cr Mann (nee Fordham)**

CARRIED

12.4 ADOPTION OF COUNCIL POLICIES

File No **Council Policies**
Author **Manager Governance & Safety**

Purpose

To present the following Council Policies for consideration and adoption:

- Asset Management Policy;
- Recognition of Service as a Councillor Policy;
- Shade for Playgrounds Policy.

Background/Discussion

Council Policies are required to be formally adopted by Council. They provide direction to achieve a strategic objective based on legislative requirements or service provision. Policies are to be reviewed whenever required or after three years.

Mackay Regional Council (MRC) is undertaking a review of all Council Policies for which the review period has been reached, or is close to being reached, to ensure that they are still relevant and up to date. The process involves a review by the relevant program manager, circulation to the Management Team for consultation and subsequent submission to the Strategy, Leadership & Performance Team (SLPT) for endorsement, prior to presentation to Council for adoption. Policies which have an implication on employee benefits and

entitlements are also pre-circulated to the Joint Consultative Committee which includes Union representatives for their feedback.

All three Policies listed above are existing Policies that have been reviewed.

Consultation and Communication

As part of the review process consultation has been undertaken with relevant stakeholders including the relevant program manager, other members of the management team and SLPT.

Resource Implications

The implementation of these Policies will not require any additional resources beyond those currently budgeted for.

Risk Management Implications

There were no risk management implications identified in regards to the proposed Policies.

Conclusion

It is recommended that Council adopt the Policies listed above.

Officer's Recommendation

THAT the following Council Policies be adopted:

- Asset Management Policy;
- Recognition of Service as a Councillor Policy;
- Shade for Playgrounds Policy.

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Paton **Seconded Cr Mann (nee Fordham)**

CARRIED

13. RECEIPT OF PETITIONS:

Nil

14. TENDERS:

14.1 MRC 2017-060 MACKAY REGIONAL SPORTS PRECINCT - PRELIMINARY DESIGN

File No **MRC 2017-060 Mackay Regional Sports Precinct – Preliminary Design**
Author **Project Manager Mackay Sports Precinct**

Purpose

To present to Council for approval, tenders submitted for MRC 2017-060 Mackay Regional Sports Precinct – Preliminary Design.

Background/Discussion

Mackay Regional Council (Council) issued tender documents seeking an experienced consultant to carry out the preliminary design package, assist in principal project requirements and the functional brief for the Mackay Regional Sports Precinct.

The Mackay Regional Sports Precinct is a partnership proposal between Council, Central Queensland University and sporting associations in Mackay, with funding provided by the Federal Government under the Community Development Grants programme. The overall vision is to jointly develop a multi-facility Precinct which caters for the future growth of Mackay and meets the clearly identified future planning needs for sport and recreation in the region.

Tenders were invited on the 11 February 2017, via the Queensland Government Qtenders website and advertised in the Daily Mercury and Courier Mail.

The following submissions were received by the closing time of 10:00am 7 March 2017.

Tenderer	**Location**
AECOM Australia Pty Ltd	Mackay
Architectus Brisbane Pty Ltd	Brisbane
Aurecon Australasia Pty Ltd	Mackay
GHD Pty Ltd	Mackay
Powell Dods & Thorpe Pty Ltd	Brisbane
SMEC Australia Pty Ltd	Townsville
DWP Suters	Melbourne

An initial compliance check was conducted on the 8 March 2017 to identify submissions that were non-conforming with the immediate requirements of the Request for Tender (RFT). This included compliance with contractual requirements and provision of requested information.

SMEC Australia Pty Ltd was removed from any further involvement in the evaluation due to their submission being uploaded in error. The submission referenced another tender closing at the same time for Mackay Regional Council and was transferred accordingly.

All other submissions were progressed through to the qualitative criteria assessment on the basis that all terms, conditions and mandatory requirements of the RFT had been met.

During the evaluation, tenderers were assessed against the nominated qualitative criteria. Specific criteria were weighted according to their importance as perceived and agreed by the evaluation panel. The weighting published within the RFT and attributed to each qualitative criteria was:

a)	Relevant Experience	25%
b)	Key Personnel skills and experience	25%
c)	Tenderers' Resources	25%
d)	Demonstrated Understanding	25%

The tendered lump sum totals (excluding GST) are listed below:

Tenderer	**Price Ex GST**
DWP Suters	$ 264,745.00
Aurecon Australasia Pty Ltd	$ 286,820.00
GHD Pty Ltd	$ 364,859.00
Architectus Brisbane Pty Ltd	$ 432,380.00
AECOM Australia Pty Ltd	$ 544,905.00
Powell Dods & Thorpe Pty Ltd	$ 633,439.00

The qualitative criteria assessment was carried out by the Evaluation Panel 13 March 2017 with the evaluation panel scoring the tenders according to the evaluation matrix.

Tender Information Requests (TIR) were issued to the following tenderers:

- Aurecon Australasia Pty Ltd requesting:
    - Relevant Experience in this field of design including consultant and sub-consultants
    - Clarification of pricing received
    - Technical exclusion addressed
- DWP Suter requesting
    - Further information on relevant experience provided
    - Information on sub-consultant locations
- AECOM Pty Ltd requesting:
    - Confirmation on pricing discrepancies evident in their submission.

A further TIR was issued to all tenderers with a clarification to the scope of services regarding CCTV services.

All tenderers responded within the relevant timeframe with TIR responses being reviewed by the evaluation panel.

On review of TIR responses, pricing changes were evident, with new lump sum totals listed below.

The revised price from Aurecon was due to an item notes as excluded in their original submission, however priced by others. This was clarified as part of the TIR and adjusted accordingly.

Tenderer	**Price Ex GST**
DWP|Suters	$ 264,745.00
Aurecon Australasia Pty Ltd	$ 343,320.00
GHD Pty Ltd	$ 364,859.00
Architectus Brisbane Pty Ltd	$ 432,380.00
AECOM Australia Pty Ltd	$ 544,905.00
Powell Dods & Thorpe Pty Ltd	$ 633,439.00

The evaluation panels in considering qualitative capabilities, respondents resources including contingencies, understanding of the scope requirements as well as previous experience in athletic and aquatic facility design recommends DWP Suters as the preferred tenderer.

DWP Suters has demonstrated an extensive amount of experience and knowledge in this type of specialised design services. They have the capacity and resources to complete the works to the quality as specified in the RFT and provided a comprehensive submission demonstrating their understanding of the extent and nature of the works.

Reference checks were conducted on DWP Suters to ensure that they have the experience as outlined in their submission to provide the services as specified. All references supplied positive feedback on their ability to undertake the services on time and within the submitted price. Referees commended their services in past projects, stating they will go above and beyond for the client and confirmation of their ability to deliver work of a similar nature.

The evaluation of the tender was conducted by:

- Project Engineer — Mackay Regional Sports Precinct
- Manager Technical Services — Technical Services
- Contracts Officer Administrator — Procurement and Plant

Consultation and Communication

Consultation was conducted between Community Lifestyle, Office of the Mayor & CEO, Technical Services and Procurement and Plant prior to the Request for Tender being released.

Resource Implications

Description	**Amount**	**Notes**
Project Name		
Expenditure to Date	$ 45,534.08	*Design Only expenditure*
Contract Price	$ 264,745.00	*DWP Suters Architects*
Project risks	$ 26,474.50	*Contingency allowed (10%)*

Description	Amount	Notes
Estimated Cost of Project	**$ 336,753.58**	
Note: MRSP Project Budget $20Mill Budget for Design includes MRC Costs		
BUDGET		
Budget for 2016/2017	**$ 383,617.60**	Budget for Preliminary Design (50% of total design fees)
BALANCE	**$ 46,864.02**	*Balance to be allocated to Detailed Design under the D&C Contract.*

Risk Management Implications

The Mackay Regional Sports Precinct is a unique specialised facility which requires experienced architects and designers of sporting and recreational facilities to create an exceptional venue for the Mackay region. DWP Suters Architects have showcased this experience in their submission and references. Engaging an experienced consultant reduces the risk to council of creep in time and cost during both the design and construction of the Mackay Regional Sporting Precinct.

The timeframe for the preliminary design is tight, however this risk is mitigated by procuring an experienced consultant, and also undertaking a D&C main contract.

Conclusion

That awarding the contract to DWP Suters represents the most advantageous outcome and demonstrated value for money to Mackay Regional Council due to their extensive experience and knowledge of similar specialised design projects, together with their comprehensive response indicating their ability to meet Council's requirements.

Officer's Recommendation

THAT Council award contract MRC 2017-060 Mackay Regional Sports Precinct – Preliminary Design to DWP Suters for the Lump Sum Tender price of $264,745.00 (excluding GST).

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Casey **Seconded Cr Bonaventura**

CARRIED

15. CONSIDERATION OF NOTIFIED MOTIONS:

15.1 COUNCILLOR AGENDA ITEM REQUEST - POLICY DEVELOPMENT

Author Executive Officer

Purpose

To present for consideration an agenda item as requested by Cr Martin Bella regarding a request for development of a Council Policy.

Background/Discussion

Under the provisions of clause 6.3 Council's Standing Orders, any Councillor has the ability to request that a matter be included on a Council meeting agenda. Written notice of such a request was given to the Chief Executive Officer by Cr Martin Bella.

The below summary of item –

Subject and Background

- The development of a policy to provide a formalised framework for the open dissemination of information and activities undertaken by the committee chairs in the performance of their duties.
- This would provide a mechanism for the councillors to be fully informed of all issues in an adequate and reasonable time frame.
- It also reflects the mantra of openness and accountability, and improves transparency and the ability for elected members to have timely input to better represent the interest of their constituents.
- It also provides an element of upskilling of committee members, and continuity, to assist with the future rotation of the chair positions.

Suggested Policy Framework Inclusions

- Committee chairs are to apprise committee members of any meetings with council officers, relevant public, or both.
- This reporting is to include, but is not limited to, meeting attendees, matters discussed, resolutions reached, future directions.
- Furthermore, if the issue pertains to a specific geographical area or areas, then the relevant area councillors are to be included in this notification.
- These notifications are to be made as soon as possible, but not outside of a 5 business day timeframe.
- If meetings are to be onsite, wherever possible, an invitation is to be extended to the relevant area councillor, such as to give ample opportunity to arrange attendance. This invitation should include any background information regarding the issue.

Consultation and Communication

Chief Executive Officer, Mayor and Councillors

Resource Implications

If requested development of a policy framework document for consideration by Council could be undertaken in-house by Council staff.

Risk Management Implications

Nil

Conclusion

Councillors have the ability under the Standing Orders to request an agenda item be listed for consideration at a meeting. Having received such a request it is presented for discussion and direction.

Officer's Recommendation

> THAT Council considers the requested item and confirms direction for the development of a draft policy for presentation to Council for consideration.

The Mayor asked if Cr Bella could provide a brief overview of his notified motion.

Cr Bella advised he would like some investigation into a provision of a policy to provide formalised framework for the open dissemination of information and activities undertaken by committee chairs in the performance of their duty. This would provide a mechanism for Councillors to be fully informed of all issues in an adequate and reasonable timeframe. It reflects the mantra of openness and accountability and provides transparency. It allows the ability for elected members to have timely input to better represent the interest of their constituents. It also provides for the element of upskilling of Councillors and provides continuity and a seamless transition in the future rotation of chair positions.

Council Resolution

> THAT the CEO be requested to review the matters as raised as part of the current review of the Charter for Councillor document, with the revised document to be brought back to Council for consideration.

Moved Cr Bella **Seconded Cr Bonaventura**

Cr Bella spoke in favour of the Motion as it is a way to ensure Councillors are not at cross purpose and if a resident makes contact with a Councillor or any number of Councillors they will be receiving the same information. This information will not be variable due to a breakdown in the passing on of information or in the variability of the timeframe the

information is being passed on. He believes it is essential as elected representatives that every Councillor has equal access to information in a timely manner and restriction of this information is a breach of the democratic process. Therefore the tabling this Motion is to provide a formalised framework so that anyone that is so interested can review the registered reporting of committee chairs and look into the history of any particular issue that has been raised and see the evolution and possibly the resolution of that issue.

Cr Gee spoke against the Motion as he is against formalising and forced discussions that should naturally occur under the framework of respect, although noted that this is not possible in all cases due to confidentiality and privacy requested by residents.

Cr Bonaventura spoke in favour of the Motion as he believes not all Councillors are receiving the level of information required to make informed decisions as elected members.

Cr Englert spoke against the Motion as he believes the current committee chairs have now put in place more opportunities for discussion with members of their committees. Also he advised residents have requested confidentiality when contacting him and he does not feel he could comply with this Motion in those instances.

Cr Walker spoke in favour of the Motion, he strongly supports this Motion as he believes the committee system in place currently does leave some Councillors excluded from making decisions and some of the information sharing is lacking. By combining this request with the Charter of Councillor will make an excellent consolidated document.

Cr Mann (nee Fordham) spoke against the Motion as she believes Councillors are open and transparent and need to work on the element of respect of what is required of an elected member without a policy being put in place.

Cr Casey spoke in favour of the Motion, stating it is almost 12 months since the Council was elected and a lot of the election campaign was three (3) words, open, transparent and accountable.

Cr Camm spoke against the Motion, stating that as a committee chair she invites Councillors to meetings and provides information to Councillors. Councillors are elected to represent the community and no decision is made unless discussed by Council and cannot support this Motion today.

The Mayor advised he felt discussion had gone a bit away from the Motion and reminded Councillors of the wording of the Motion - *"THAT the CEO be requested to review the matters as raised as part of the current review of the Charter for Councillor document, with the revised document to be brought back to Council for consideration."*

Cr Paton spoke in favour of the Motion as a new chair he was looking at initiatives and greater communication with the committee.

CARRIED

Cr Camm and Gee recorded their vote against the Motion.

16. PUBLIC PARTICIPATION:

Ms Dorothy Wooldridge

Mr Dorothy Wooldridge of Irving Street, South Mackay raised the issue of desilting of Shellgrit Creek. She has continually raised this complaint with Mackay Regional Council over the last eight (8) years. She queried why this project has not been placed on Council's long term plans. Also, she queried what grant funding would be suitable to apply for to assist with the expense of this project? As a large body of water from the Mackay Airport comes into the basin, should Council not be working with Mackay Airport to solve this issue?

Ms Diane Vella

Ms Diane Vella of Atkinson Street, East Mackay thanked the Council for the upcoming funding of the drainage upgrade project Shellgrit Creek East Mackay project. Ms Vella requested Council consider allowing the developer of this land to do this project. She advised she is concerned that the project will not include any tidal surge protection until the development is fully completed.

The Chief Executive Officer (CEO) advised he would meet with Ms Vella at the conclusion of the meeting. He advised the Infrastructure Agreement raised at the agenda Item 12.2 by Cr Casey links to the arrangements put in place between Council and the developer in relation to this project.

Mr Bill Ruffell

Mr Bill Ruffell of Thomas Deguara Drive, Kinchant Dam, spoke on behalf of the residents of Kinchant Dam Road in relation to flooding causing the road to be cut off, and wanted to discuss these concerns with the area Councillors as well as the various options presented by Council as possible solutions.

The Mayor advised the CEO would meet with Mr Ruffell following the meeting to receive the information from Mr Ruffell for further investigation.

Mr Anton Christensen

Mr Anton Christensen of Cemetery Road, Sarina would like Council to arrange a meeting of all restoration and historical clubs in Mackay to discuss a proposal for a historical museum in Mackay. Mr Christensen invited Councillors to visit Herberton and Mareeba to inspect the Council operated and private museums they have for their residents and tourists.

The Mayor advised Council has a museum strategy and also Council has already been briefed on the possibilities on a PDA on the waterfront section of the Pioneer River which includes a museum. The information provided today will be referred to the committee and they will discuss this at the next committee meeting and invited Mr Christensen to attend.

Ms Ainsley Sullivan

Ms Ainsley Sullivan of Mary Street, West Mackay voiced her strong objection to a motion that was passed at the Economic Development and Planning Committee Meeting on 8 March 2017. She believed this will have a large impact on the community and there was no consultation with the community, there needs to be more thought and justification in relation to the Shellgrit Creek - Shorebird Protection and Education Proposal. The proposal to prohibit dogs even on a leash year round from a 1.3 km stretch of public beach needs more thought and consideration.

The Mayor advised the chair of the Economic Development and Planning Committee Cr Camm would meet with Ms Sullivan following the meeting to discuss this further. Also that Cr Casey foreshadowed earlier a Motion that will deal with the Shellgrit Creek - Shorebird Protection and Education Proposal at next month's Ordinary Meeting.

17. LATE BUSINESS:

17.1 25TH ANNUAL CHORAL FESTIVAL

Cr Casey advised he attended the 25th Annual Choral Festival on Monday 20 March 2017 for over 550 children on stage. They were successful in obtaining a Council Community Grant and asked Cr Casey to pass on their thanks to Council for the funding.

17.2 LEAVE OF ABSENCE - CR GEE

THAT Cr Gee be granted leave of absence for the Economic Development and Planning Standing Committee Meeting on 12 April 2017.

Moved Cr Camm **Seconded Cr Englert**

CARRIED

17.3 RAIN EVENT - SARINA

Cr Bella advised the heavy rain experienced in Sarina on Tuesday 21 March 2017 resulted in a number of phone calls from residents in relation to localised flooding. Cr Bella inspected the areas the residents advised where localised flooding was occurring this morning and taking into account the high tide, creek levels being high and the drains appeared to be flowing freely in what was one of the heaviest rain events he had witnessed.

17.4 MACKAY AND DISTRICT ITALIAN ASSOCIATION

Cr Bonaventura advised the Mackay and District Italian Association held a fundraising event to assist the victims of the Italian earthquake that destroyed the town of Amatrice in central Italy and took 247 lives in August 2016. The local Rotary Club of Mackay provided financial support by matching dollar for dollar the fundraising amount. The Rotary Club of Mackay forwarded the $5,000 to the Rotary Club in Northern Italy this amount which made up almost a third of the funds raised by the Rotary Club in Italy was then forwarded to our equivalent of the SES. The funds allowed for four (4) purpose built temporary accommodation units to be delivered allowing families to remain close to their home while rebuilding occurred. The generosity of Mackay has not gone unnoticed and letters of appreciation have been received from the Mayor of Recoaro Terme City Council by the Mackay and District Italian Association and the Rotary Club of Mackay.

17.5 QUEENSLAND PREMIERS TRADE DELEGATION TO INDIA

The Mayor thanked the Council for endorsing unanimously his attendance to the Queensland Premiers trade delegation to India. Once the full report is finalised this will be circulated. There were seven (7) other Mayors who also attended and they had the full endorsement of their individual councils, and the Premier had a team of six (6) staff members. It was a very high level delegation and well worth attending it would have been tragic if Mackay Regional Council did not have a representative in attendance and he again thanked the Council for its endorsement of his participation in the Premiers delegation to India.

18. CONFIDENTIAL REPORTS:

Nil

19. MEETING CLOSURE:

The meeting closed at 11.27 am.

20. FOR INFORMATION ONLY:

Nil

Confirmed on Wednesday 26 April 2017

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MAYOR

APPENDIX / ATTACHMENTS

INFRASTRUCTURE AND SERVICES STANDING COMMITTEE MEETING MINUTES

DRAFT

1. COMMITTEE ATTENDANCE:

Crs K J Casey (Acting Chairperson), M J Bella, A R Paton, R D Walker and Mayor G R Williamson were in attendance at the commencement of the meeting.

2. NON-COMMITTEE ATTENDANCE:

Also present was Mr C Doyle (Chief Executive Officer), Mr J Devitt (Engineering and Commercial Infrastructure), Cr J F Englert and Mrs M Iliffe (Minute Secretary).

The meeting commenced at 9.00 am.

3. ABSENT ON COUNCIL BUSINESS:

Nil

4. APOLOGIES:

Cr K L May (Chairperson) and Cr L G Bonaventura

5. CONFLICT OF INTEREST:

Nil

6. CONFIRMATION OF MINUTES:

6.1 INFRASTRUCTURE AND SERVICES STANDING COMMITTEE MEETING - 8 FEBRUARY 2017

THAT the Infrastructure and Services Standing Committee Meeting Minutes held on 8 February 2017 be adopted.

Moved Cr Walker **Seconded Cr Paton**

CARRIED

7. BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING:

Nil

8. CORRESPONDENCE AND OFFICERS' REPORTS:

8.1 ECI - WATER SERVICES MONTHLY REVIEW - FEBRUARY 2017

Author **Director Engineering & Commercial Infrastructure**

Purpose

To provide the Committee with Engineering & Commercial Infrastructure - Water Services Monthly Review for February 2017.

Officer's Recommendation

THAT the Engineering & Commercial Infrastructure - Water Services Monthly Review for February 2017 be received.

Director Engineering and Commercial Infrastructure (DECI) spoke to the report and provided a brief overview of the Water Services for the month of February 2017.

Cr Paton queried if the capital expenditure balance at the end of the year will be included in next year's budget.

DECI advised at the December quarter budget review some projects were reduced and removed from the current budget, these projects will be included in the budget review process for next year's budget. Otherwise the budget is on target and projects are on track to be completed.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Paton **Seconded Cr Bella**

CARRIED

DRAFT

8.2 ECI - WASTE SERVICES MONTHLY REVIEW - FEBRUARY 2017

Author Director Engineering & Commercial Infrastructure

Purpose

To provide the Committee with Engineering & Commercial Infrastructure - Waste Services Monthly Review for February 2017.

Officer's Recommendation

THAT the Engineering & Commercial Infrastructure - Waste Services Monthly Review for February 2017 be received.

Director Engineering and Commercial Infrastructure (DECI) spoke to the report and provided a brief overview of the Waste Services for the month of February 2017.

Cr Bella queried if the decrease in tonnage received at Hogans Pocket still reflect mainly construction and demolition waste or is there a downturn in domestic waste as well.

DECI advised he believes the reduction is from construction and demolition as well as domestic waste.

Cr Casey advised residents have not had the need to clean up during the storm season due to bad weather and believes there is still a fair bit or rubbish residents could use the dump vouchers for disposal of in the next month before the current vouchers expire at the end of March.

Cr Paton queried the indicators used in the *waste financial report* and asked for clarification.

DECI advised he would take this on notice and review the indication system for the *waste financial report* for the March Monthly Review.

Cr Walker queried if the transfers to reserves listed in comments for the *waste financial report* should be included as they distort the reality of what has occurred and unless they are an essential part of it, maybe they can be left out to provide a clearer indication of what has occurred.

DECI advised he will take this on notice and review this for the March Monthly Review.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Paton **Seconded Cr Bella**

CARRIED

DRAFT

8.3 ECI - TRANSPORT & DRAINAGE MONTHLY REVIEW - FEBRUARY 2017

Author **Director Engineering & Commercial Infrastructure**

Purpose

To provide the Committee with Engineering & Commercial Infrastructure - Transport & Drainage Monthly Review for February 2017.

Officer's Recommendation

THAT the Engineering & Commercial Infrastructure - Transport & Drainage Monthly Review for February 2017 be received.

Director Engineering and Commercial Infrastructure (DECI) spoke to the report and provided a brief overview of the Transport and Drainage Services for the month of February 2017.

The Mayor queried the timber bridge management and noted there are nine (9) bridges under review and a further six (6) bridges that may possibly come under review and these bridges are very old in our region. It is pleasing to see Council is reviewing these bridges but would like an indication about the potential exposure in this area.

DECI advised Council has a bridge crew that maintains the timber bridges and when the assessments were received was not what was expected given Council was of the understanding the timber bridges were in a reasonable condition. Currently Council is undertaking an independent review of the timber bridges in our region and will brief the full Council on the findings.

The Mayor advised this issue has been ongoing for a couple of months now and would be very keen to understand the both the risk financially and for public transport and access as soon as possible.

Cr Casey advised he recently attended the LGAQ Roads and Transport Advisory Meeting in Brisbane and timber bridges were discussed.

Cr Bella queried if during the assessment of the timber bridges could the projection on the rate of deterioration be provided as well.

DECI advised Council undertakes regular reviews of the timber bridges and undertake repair and strengthen work to the bridges, this has been occurring over a number of years. There are different levels of assessment that can be carried out, 1, 2 and 3. A level 3 assessment is where the piles are drilled and a full engineering assessment is undertaken. The level 3 assessment recently undertaken is the first time that has been done for all of the timber bridges in our region. Will include the assessment on the conditions of the timber bridges and what the forward program looks like when the full Council is briefed.

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The Chief Executive Officer advised in response to the Mayor's query that Council is very comfortable with the public risk right now and in the budget for next year there will be possibly two (2) timber bridges that require replacement based on the assessment received and on the other timber bridges, as indicated by DECI, the information received from the level 3 inspection is correct before a plan is put in place.

Cr Paton queried why there was no budget allocated to the Fourways Drainage project given the indicator for the budget is red.

DECI advised this process commenced a few years ago and originally there was a budget amount included for the full engineered solution but when reviewing alternative solutions for this project the budgeted amount was placed into budget reserves. Due to uncertainty of the project proceeding during the current budget process no amount was allocated in the budget. There is money allocated in reserves for this project and when necessary these funds can be brought back into the budget through the review process if the project is supported to proceed.

Cr Casey noted the thank you letters were sent to staff members who returned to work early from their annual leave in early January due to the major rainfall event.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Walker **Seconded Cr Bella**

CARRIED

9. TENDERS:

9.1 MRC 2017-025 QUOTA PARK SHARED PATHWAY

File No **MRC 2017-025 Quota Park Shared Pathway**
Author **Director Engineering & Commercial Infrastructure**

Purpose

To present to Council for approval, tenders submitted for MRC 2017-025 Quota Park Shared Pathway (Binnington Esplanade).

Background/Discussion

Mackay Regional Council (Council) issued tender documents for construction of a shared footpath in Quota Park between Kippen Street and Bridge Road. The project works will include supply and installation of pipe culverts/conduits, concrete footpaths, turf, signage, fencing and paving. The project has two stages, one stage jointly funded by Department Transport and Main Roads (DTMR) and Council and a further stage funded solely by Council.

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Tenders were invited on 21 January 2017 via Queensland Government Qtender website and advertised in the Daily Mercury.

The following submissions were received by the closing time of 10:00am on 14 February 2017:

Respondent	Location
JMac Constructions Pty Ltd	Mackay
Haber Excavations Pty Ltd	Mackay
Crusade Developments Pty Ltd	Mackay
Seaforth Civil Pty Ltd	Mackay

An initial compliance check was conducted on 16 February 2017 to identify submissions that were non-conforming with the requirements of the Request for Tender (RFT). This included compliance with contractual requirements and provision of requested information.

All submissions were progressed through to the Qualitative Criteria Assessment on the basis that all terms, conditions and mandatory requirements of the RFT had been met.

During the evaluation, tenderers were assessed against the nominated Qualitative Criteria. The weighing attributed to each Qualitative Criteria, as published in the RFT was:

a) Relevant Experience 25%
b) Key Personnel Skills and Experience 25%
c) Tenderers' Resources 25%
d) Demonstrated Understanding 25%

The tendered re-measurable schedule of rates pricing (excluding GST) are listed below:

Respondent	Re-Measurable Schedule of Rates (Excl GST)		
	Stage 1	Stage 2	Total
JMac Constructions Pty Ltd	$218,921.75	$115,213.47	**$334,135.22**
Haber Excavations Pty Ltd	$220,896.00	$125,195.00	**$346,091.00**
Crusade Developments Pty Ltd	$220,153.50	$129,726.28	**$349,879.78**
Seaforth Civil Pty Ltd	$217,860.36	$136,442.91	**$354,303.27**

The qualitative criteria assessment was carried out by the Evaluation Panel on 16 February 2017 with the Evaluation Panel scoring respondents according to the evaluation matrix.

Based on the information received from the submissions, and the scores from the evaluation, JMac Constructions Pty Ltd has demonstrated experience in undertaking and delivering works of a similar nature with the capacity and resources to complete the works to the quality as specified in the RFT.

The Evaluation Panel consisted of:

- Construction Engineer - Civil Projects
- Civil Projects Engineer - Civil Projects
- Contracts Officer Administrator - Procurement & Plant

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Consultation and Communication

Consultation was conducted between Civil Projects, Technical Services and Procurement & Plant and Parks & Environment (as the owners of the adjacent playground facility) prior to the Request for Quotation being released.

Resource Implications

Description	Amount		Notes
	Stage 1	Stage 2	
	Quota Park Shared Pathway (MRC2017-025)		
Expenditure to Date	$10,262.20	$1,415.78	*Design and Tendering Expenses*
Contract Price	$218,921.75	$115,213.47	JMac Constructions Pty Ltd
Project Risks	$21,892.10	$11,521.30	*10% Contingency Allowed*
Council's Costs	$22,000	$20,000	*Estimate on Project Management*
Estimated Cost of Project	**$273,076.05**	**$148,150.53**	
BUDGET			
Budget for 2016/2017	$326,070.00	$206,743.00	
BALANCE	**$52,993.95**	**$58,592.47**	*Budget Forecast Saving*

Risk Management Implications

This project involves the construction of a shared concrete pathway adjacent to the existing playground. The playground is to remain open during the works. There will be a requirement for the contractor to interface with the playground patrons and this introduces a degree of risk. The risk will be mitigated through Pedestrian Management Plans implemented as part of the works. Once the plans are implemented the risk will decrease. The construction works themselves are relatively uncomplicated and low risk.

Conclusion

That awarding the quotation to JMac Construction Pty Ltd represents the most advantageous outcome and value for money to Council based on their experience and demonstrated understanding of Council's requirements.

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Officer's Recommendation

THAT Council award the re-measureable schedule of rates contract MRC 2017-025 Quota Park Shared Pathway for Stages 1 and 2 to JMac Constructions Pty Ltd for the combined total price of $334,135.22 (excl GST).

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Paton **Seconded Cr Walker**

CARRIED

10. CONSIDERATION OF NOTIFIED MOTIONS:

Nil

11. PUBLIC PARTICIPATION:

Nil

12. LATE BUSINESS:

Cr Casey advised he had attended the LGAQ Transport and Roads Advisory Meeting in Brisbane on Friday 3 March 2017 and will provide an update to Council when the Minutes are received.

Cr Paton advised he had attended the LAWMAC Meeting in Cairns recently and will provide an update to Council when the Minutes are received.

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13. CONFIDENTIAL REPORTS:

13.1 ENGINEERING & COMMERCIAL INFRASTRUCTURE BI-MONTHLY LEGAL REPORT - FEBRUARY 2017

Confidential Legal Report - Subject to Legal Professional Privilege

Committee Resolution

THAT the Report be received.

Moved Cr Bella **Seconded Cr Paton**

CARRIED

14. MEETING CLOSURE:

The meeting closed at 9.23 am.

15. FOR INFORMATION ONLY:

Nil

Confirmed on Wednesday 12 April 2017

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CHAIRPERSON

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APPENDIX / ATTACHMENTS

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ECONOMIC DEVELOPMENT AND PLANNING STANDING COMMITTEE MEETING MINUTES

DRAFT

1. COMMITTEE ATTENDANCE:

Crs A J Camm (Chairperson), J F Englert, R C Gee, F A Mann (nee Fordham) and Mayor G R Williamson were in attendance at the commencement of the meeting.

2. NON-COMMITTEE ATTENDANCE:

Also present were Cr M J Bella, Cr K J Casey, Cr A R Paton, Cr R D Walker, Mr C Doyle (Chief Executive Officer), Mr G Carlyon (Director Development Services) and Mrs M Iliffe (Minute Secretary).

The meeting commenced at 1.00 pm.

3. ABSENT ON COUNCIL BUSINESS:

Nil

4. APOLOGIES:

Cr K L May

5. CONFLICT OF INTEREST:

Item 9.1 - Crs Williamson, Camm, Gee and Mann (nee Fordham) - (Perceived Conflict)

6. CONFIRMATION OF MINUTES:

6.1 ECONOMIC DEVELOPMENT AND PLANNING STANDING COMMITTEE MINUTES - 8 FEBRUARY 2017

THAT the Economic Development and Planning Standing Committee Meeting Minutes held on 8 February 2017 be adopted.

Moved Cr Mann (nee Fordham) **Seconded Cr Gee**

CARRIED

7. BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING:

Nil

8. CORRESPONDENCE AND OFFICERS' REPORTS:

8.1 DEVELOPMENT SERVICES - MONTHLY REVIEW REPORT FOR FEBRUARY 2017

Author **Director Development Services**

Purpose

To review the attached Development Services Monthly Review Report for the month of February 2017.

Officer's Recommendation

THAT the attached report be received.

Director Development Services (DDS) spoke to the report and provided a brief overview of the Development Services Directorate for the month of February 2017.

Cr Camm noted the recent support of the Catalyst Growers Forum for the sugar industry when they were in our region. Also the Mackay Region Fishing Strategy engagement workshops will be held during March 2017.

Cr Walker queried if the application approved in Hadley Street, Marian was for a car and dog wash facility.

DDS confirmed the approved application was for a car and dog wash facility and will circulate the conditions to Cr Walker.

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Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Mann (nee Fordham) **Seconded Cr Englert**

Cr Mann (nee Fordham) highlighted the amount of work carried out by the Development Services team and in the economic development space as well and commends the officers.

CARRIED

8.2 URBAN STORMWATER QUALITY MANAGEMENT PLAN FOR MACKAY

Author **Supervisor Waterways Team - Parks, Environment & Sustainability**

Purpose

To present the Urban Stormwater Quality Management Plan for Mackay to be adopted by Council.

Background/Discussion

Waterways within the Mackay Regional Council (MRC) Local Government Area provide many benefits including recreation, aesthetics, habitat and environmental values that are important to the community.

MRC is committed to managing urban development in an ecologically sustainable way, whilst providing protection to the community and infrastructure from flooding. MRC has been one of the most proactive local authorities in Queensland when dealing with urban stormwater runoff. Many of the stormwater management policies adopted by MRC over the past 10 years have been successful in mandating best practice stormwater management outcomes and have been adopted by other regional councils. MRC is constantly reviewing the success of existing policies and programs with a view to improving implementation of urban stormwater quality management in the region.

Studies have found that there is a direct link between urban development expansion and the degradation of waterway health. Increased impervious area brought about by urbanisation, significantly alters the quality and quantity/volume of stormwater runoff and by doing so, interferes with the natural hydrologic cycle. While MRC supports growth and development and the many positive outcomes it delivers for the community, increased levels of toxicants (oil, sediment, nutrients and litter), erosion risk and a decrease in the natural functioning of waterways are associated negative environmental side-effects associated with urban development that must be effectively managed.

MRC has been part of the Great Barrier Reef Marine Park Authority's (GBRMPA) *Reef Guardian Councils Program* since 2009 and undertakes initiatives such as community

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environmental education and improved land, waste and water management. MRC actively participates in (and is a member of) the *Mackay-Whitsunday Healthy Rivers to Reef Partnership* which is committed to remaining aligned with other catchment and reef monitoring and management activities including the *Reef 2050 Long-Term Sustainability Plan*, GBRMPA's *Reef Outlook Report* and associated integrated monitoring and other reporting programs such as *Paddock to Reef*.

Council is currently in the process of completing a *Flood and Stormwater Management Strategy* which focuses on community risk to riverine and creek flooding, urban stormwater flooding and flooding from storm tides. It's vision is that *Flood and stormwater risks are actively managed to minimise the consequences to life, assets, community wellbeing, the environment and the economy*. It is water quantity based and therefore does not focus on water quality, which is the intent of this Urban Stormwater Quality Management Plan (USQMP).

This USQMP has been prepared to "*establish a framework to manage stormwater quality in urban waterways that maintains or enhances a state of balance among environmental, social and economic interests within our community*". It supersedes the *Stormwater Quality Management Plan for Mackay City* prepared by consultants GHD and adopted by MRC in 2006.

The purpose of the document is to:

- Provide a concise history of stormwater quality management in the Mackay region
- Provide clear direction on MRC's vision, preferred approach and expectations for stormwater quality management in the Mackay region
- Summarise the current frameworks for improving stormwater quality management in the
- Mackay region
- Identify the issues currently facing MRC and stormwater quality management in the Mackay region
- Outline future recommended actions and funding considerations for planning, implementation, communication and education

The document provides MRC, the development industry and community with certainty that MRC is striving to improve policy and processes that guide stormwater quality management in the Mackay region. This document addresses current legislative requirements, highlights past and present stormwater quality related challenges and aims to guide the future planning and design of stormwater quality systems in the MRC region.

It sets a clear way forward for achieving sustainable outcomes that minimise the impact of urban stormwater quality on the receiving environment. Examples of these preferred sustainable options include partaking in Council Policy 087 – *Voluntary Mechanism for Stormwater Quality Management*, utilising the *Living Waterways* Framework or producing *Naturalised Waterways*. These best practice alternatives have received widespread support with the *Voluntary Mechanism for Stormwater Quality Management* being one of a suite of projects that helped secure Mackay the prestigious title of Queensland's most Sustainable City for 2016 by *Keep Queensland Beautiful*. The USQMP encourages developers to utilise these preferred approaches to urban stormwater quality management rather than on-site treatment which has been problematic at the local level.

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Consultation and Communication

An MRC internal Working Group was formed to guide the preparation of the USQMP. All internal stakeholders provided input into the USQMP. The Working Group consisted of various Council Programs, including Strategic Planning, Technical Services, Parks Environment & Sustainability, Governance & Assets and Civil Operations. Once the draft USQMP was completed, it was externally reviewed by *DesignFlow* who are regarded as one of State's leading water quality consultants.

The reviewed draft was then distributed to a multitude of State Government organisations, Not for Profit organisations as well as a sub-committee of the *Urban Development Institute of Australia* (UDIA), seeking feedback. Feedback was received from the *Mackay Conservation Group*, the *Department of Environment and Heritage Protection* (Brisbane office) as well as the UDIA. Feedback was positive, with only minor amendments suggested.

On 8 December 2016, a presentation was given to the *Natural Environment Advisory Committee* (NEAC) which supported the intent of the USQMP. On 10 January 2017, the USQMP was presented to Councils *Senior Leadership & Performance Team* (SLPT). Once again, the intent of the USQMP was supported.

Resource Implications

The USQMP sets an overarching vision and preferred approach for long term urban stormwater quality management. It consists of of an *Action Plan* which highlights a number of stormwater initiatives and priority actions as well as the resources required and responsible department.

The financial resources required and relative importantce of individual proposed actions and initiatives in the Action Plan will be considered through the annual budgeting process and the adoption of the overall plan at this stage does not include any direct budgetary impacts.

Risk Management Implications

Funding for the projects identified in the USQMP will be put forward as part of the Parks Environment and Sustainability annual budgeting process. There is a potential risk to long term urban stormwater quality management (particularly maintenance projects) if the plan is not progressed. It is important to adopt the USQMP report (minus the specific resource allocations) as it provides necessary guidance to the development industry. Without this, problematic on-site WSUD assets may be constructed which pose an on-going financial maintenance burden to Council.

Conclusion

Being the custodian of waterways in the region and recognising that stormwater assets are designed to protect waterways and alleviate stormwater runoff from urban environments, there is a requirement for MRC to implement a more sustainable approach to manage water resources that are of vital importance to the community, economy and the health of the region's waterways, including the Great Barrier Reef.

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The Objectives, Strategies and Actions section of the USQMP, details the actions Council will need to undertake to ensure the successful implementation of this USQMP. It also identifies stormwater related projects that need to be improved or investigated and highlights the preferred approach to urban stormwater quality management moving forward.

The USQMP recommends the exploration of more suitable stormwater quality management alternatives such as implementing Council's *Voluntary Mechanism for Stormwater Quality Management*, utilising the *Living Waterways* Framework or producing *Naturalised Waterways* and encourages developers to utilise these preferred approaches to urban stormwater quality management. These proposals not only provide better environmental outcomes but also generally provide a better financial outcome for individual developers as well as Council.

Officer's Recommendation

THAT Council endorse the Urban Stormwater Quality Management Plan for Mackay.

The Mayor commended the report which outlines the implementations for Council to have a strategy that delivers a sustainable approach to water management in our region and thanked the officers who prepared the report.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Mann (nee Fordham) **Seconded Cr Englert**

Cr Mann (nee Fordham) spoke in favour of the Motion as Council are custodians now and into the future and believes the report outlines the necessary actions and budget implications.

CARRIED

DRAFT

8.3 GENERAL AND RECREATIONAL AVIATION - REGIONAL INDUSTRY DISCUSSION PAPER

Author **Principal Economic Development Officer**

Purpose

To present an overview of the region's general and recreational aviation industry and related infrastructure.

Officer's Recommendation

THAT the General and Recreational Aviation: Regional Industry Discussion paper is noted.

FURTHER THAT Mackay Regional Council launch a call for Expressions of Interest amongst current airport owners / operators for expanding general and recreational aviation services and for Council staff to work proactively with any operators who come forward to establish appropriate approvals over their site.

The Mayor commended the General and Recreational Aviation: Regional Industry Discussion paper and noted the recommendation is for expressions of interests to be called to assist with the creation of a strategy for general aviation in our region.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Englert **Seconded Cr Gee**

Cr Englert spoke in favour of the Motion as this has direct linkage into Council's Economic Strategy and Corporate Plan. It has been historically difficult for operators in the general aviation industry and other businesses to exist compliantly within the region and this is a step forward.

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8.4 MATERIAL CHANGE OF USE - HOTEL (EXTENSION TO EXISTING CLARION HOTEL) - 34-38, 40, 42 & 44 MULHERIN DRIVE, MACKAY HARBOUR - LOTS 27 & 29 ON SP175677 AND LOTS 30 & 31 ON SP160880 (DA-2016-106)

Application Number:	DA-2016-106
Date Received:	4 November 2016
Action Officer:	Brogan Jones
Applicant's Details:	Marina International Pty Ltd & Mackay Marina Car Park Pty Ltd c/- Development Evolution PO Box 2022 BROOKSIDE CENTRE QLD 4740
Proposal:	Extension of existing Clarion Hotel (Marquee)
Site Address:	34-38, 40, 42 and 44 Mulherin Drive, MACKAY HARBOUR QLD 4740
Property Description:	Lots 27 and 29 on SP175677, Lots 30 and 31 on SP160880
Owner's Details:	Marina International Pty Ltd & Mackay Marina Car Park Pty Ltd
Area:	18,008m^2
Planning Scheme:	Mackay Planning Scheme (24 February 2014)
Planning Scheme Designations:	
Locality:	Mackay Frame Locality
Precinct:	McCreadys Creek
Zone:	Special Activities (Tourism)
Assessment Level:	Impact
Submissions:	67 properly made 12 in opposition 55 in support
Referral Agencies:	Nil
Attachments:	Attachment A: Locality Plan Attachment B: Proposal Plan
Recommendation:	Approved Subject to Conditions

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ASSESSMENT OF APPLICATION

Purpose

The Material Change of Use application is for an Extension to the existing Clarion Hotel at Mackay Harbour to formalise the existing marquee function facility *(refer Attachment A – Locality Plan)*. The subject site is zoned *Special Activities (Tourism)*. An extension to the Hotel in the *Special Activities (Tourism) Zone* triggers an impact assessable application requiring public notification. Sixty-seven (67) properly made submissions were received: twelve (12) in opposition to the proposal and fifty-five (55) in support.

The submitters in opposition have raised concerns regarding the noise emitted from the marquee facility, the odour caused by its patronage, the lack of toilet facilities, the fire and cyclone rating of the structure, and its capacity. Whilst acknowledging the submitters' significant concerns, the submissions have not raised any planning grounds that cannot be appropriately conditioned and therefore the application is recommended for approval.

Background

The original approval for the existing Clarion Hotel was given by Council in May 2003 with a further expansion granted in June 2010 for fifty (50) additional hotel rooms and a four storey car park building. A further approval was granted in December 2011 for a second hotel tower (The Beacon) to the south of the Clarion Hotel to accommodate 120 hotel rooms in a twelve storey complex. This approval is current through to December 2019.

The existing marquee function facility, subject to this application, has been erected and operating onsite for a number of years at time of writing. Ongoing complaints to Council and the Office of Liquor and Gaming Regulation (OLGR) triggered Council investigations where it was found the structure did not have the relevant planning or building approvals in place.

Subject Site and Surrounds

The subject site is located at Mackay Harbour and is approximately 5km northeast from the Mackay CBD. The subject site is made up of four lots, altogether making up the Clarion Hotel *(refer to Attachment A: Locality Plan)*:

- Lot 29 on SP175677 – at grade car parking area, and grassed area for existing marquee
- Lot 27 on SP175677 – hotel proper and car parking turnaround area
- Lot 31 on SP160880 – volumetric lot for multi-level car park
- Lot 30 on SP160880 – at grade car parking and ancillary facilities

The properties gain access directly from Mulherin Drive to the west, and is bordered by high rise residential to the south, marina boardwalk and the marina to the east, and the Mackay Marina Commercial precinct to the north. The existing hotel is seven storeys and includes a restaurant, pool, and other ancillary facilities.

Proposal

The applicant proposes an expansion of the existing hotel operations in the form of the existing marquee function facility onsite. The application has been made to legalise the use that has been occurring onsite for a number of years. The marquee is located in an open grassed area

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adjacent the existing outdoor pool and restaurant dining area overlooking the marina. The marquee is located generally on the site where the Beacon development would be constructed if it were to proceed. The marquee has a footprint of 544m^2 (length 32m, width 17m, height 4m on the sides and 6.5m to the apex) and is set back 2.5m from the southern boundary and 6.5m from the parkland strip to the east. Refer to *Attachment B: Proposal Plan*.

The marquee will hold both public and private functions, serviced by the existing kitchen in the Clarion Hotel. An extra bar may be set up within the marquee for certain events on an as-needed basis. The function area uses amplified sound and is proposed to operate between 6am and midnight.

MACKAY ISAAC WHITSUNDAY REGIONAL PLAN

It is noted the Mackay Isaac Whitsunday Regional Plan (MIWRP) is no longer a statutory document. The subject site is located within the Urban Footprint and is thus generally consistent with the intent and outcomes of the MIWRP.

PLANNING SCHEME ASSESSMENT

Desired Environmental Outcomes

The proposal is consistent with the desired environmental outcomes in the Mackay City Planning Scheme. Any discrepancies or further justifications are discussed below.

> *(3d)(ii) Convenient access is provided to a range of community facilities and services, including health care, education, shopping and business services, cultural and entertainment facilities, and recreation and sporting facilities to achieve a standard of living coincident with residents' expectations.*

The marquee is a function facility located within the Mackay Harbour and Marina precinct. The precinct is defined by a mix of uses ranging from high rise residential, hotel, restaurants, parkland, light industry, office space, retail, and maritime operations. It is not unexpected that a precinct with such wide ranging uses would have noise emissions over and above a purely residential neighbourhood.

The applicant has conducted noise testing onsite, specific to the marquee and its operation. An acoustic report, prepared by Vipac Engineers and Scientists (Ltd) on behalf of the applicant, was lodged with the application. The report recommends the marquee's sound system be fitted with a sound system limiter calibrated to specific limits across a range of frequency bands. This would achieve compliance with relevant standards for the timeframe 6.00am to 10.00pm. For the remaining time, 10.00pm to 6.00am, a separate condition will specify a maximum noise limit of 75 dB(C) measured from the centre of the tent. The recommendations of the acoustic assessment will be written into conditions of approval to ensure noise emissions are within the bounds of relevant legislative regulations for the site and adjoining residential uses.

Mackay Frame Locality Code

The proposal is consistent with the overall outcomes and specific outcomes of the locality code.

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Special Activities (Tourism) Zone

The proposal is generally consistent with the overall outcomes and specific outcomes of the zone. Any discrepancies and further justifications are discussed below.

> *Overall Outcome (2c) The form, scale, and intensity of tourism development accords with the setting of the site and surrounding area, and minimises the impacts on adjacent residential areas.*

The marquee represents an extension of the existing hotel, a tourist facility, and is located adjacent residential uses. It is expected the form, scale, and intensity of the use can be managed through specific conditions of approval restricting the noise and odour emissions from the facility to ensure there is no unreasonable impacts on adjacent residents, bearing in mind the wider use of the marina precinct as commercial and industrial.

> *Specific Outcome P3 Tourism infrastructure is designed and sited to protect the amenity of the surrounding area and adjoining residential uses, by ensuring:*
>
> *ii. no windows, doors, paths, recreation areas, car parking or other areas used by tourists, overlook the windows or the private open space of a dwelling house, unless specific design and landscaping measures effectively mitigate the potential for the loss of privacy;*
> *iii. the potential noise nuisance on adjacent residential sites from indoor entertainment areas, licensed premises, car parking, and arrival and departure points, and the like is screened effectively and mitigated.*

It will be conditioned no windows, doors, paths, or recreation areas associated with the marque open towards the southern boundary. Further, a specific noise condition will form part of the approval to ensure noise emissions are kept at a reasonable level.

Landscape Character Overlay Code

The proposal is generally consistent with the overall outcomes and relevant specific outcomes of the overlay code. The site is not within a landscape character area however it is adjacent an image corridor. The marquee is set back further than 10.0m from the Mulherin Drive frontage and has zero impact on the streetscape as it is well screened by significant landscaping.

Environment & Infrastructure Code

The proposal is generally consistent with the overall outcomes and specific outcomes of the code. Any discrepancies or further justifications are discussed below.

> *Overall Outcome (2e) Uses sensitive to external noise, vibration, dust, and odours are protected from unacceptable impacts.*

The approval will include conditions restricting noise as well as removing causes of odour (i.e. relocating the designated outdoor smoking area, relocating the generator, enforcing the use of toilets rather than landscaped areas).

> *Specific Outcome P11 Premises are provided with adequate vehicle parking spaces to satisfy the anticipated requirements of the activity.*

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In terms of off street parking users of the marquee can park in the existing 37 spaces adjacent the facility, at the front of the Clarion Hotel. A large number of on street car parking exists within Mulherin Drive, offering parallel parking and centre parking to guests of the facility. The use of this on street car parking is minimal except during large events held in the marina precinct, which ensures capacity for marquee users during marquee functions and events. The scale of car parking available is likely to accommodate the traffic generated by visitors to the marquee.

> *Specific Outcome P1 and P2 Noise and vibration do not detract from the amenity of residents or employees of any adjacent premises. Premises accommodating uses which are likely to generate noise are designed and constructed with noise attenuation measures to avoid noise nuisance to nearby uses.*

Specific noise conditions will form part of the approval restricting noise to levels that ensure the amenity of adjacent residents is maximized, bearing in mind the wider use of the marina precinct includes commercial and industrial activities.

Retail and Commercial Code

The proposal is generally consistent with the overall outcomes and specific outcomes of the code. The proposed commercial development is outside a centre designated in the *Network of Centres* in the code and relevant information map. Mackay Harbour is not designated as a centre. However, it is known Mackay Harbour includes a broader marina complex that includes mixed uses including residential, commercial, and industrial. On this basis the proposed land use is considered consistent with the planning scheme and the code.

DEED OF AGREEMENT ASSESSMENT

In May 2001 Council and Port Binnli Pty Ltd entered into a Deed of Agreement providing an alternative planning scheme for the Mackay Harbour marina precinct consisting of the following stages:

- Stage 1 – commercial precinct, boat ramp and associated car parking areas, marina berths, harbour walk promenade.
- Stage 2 – unit development, hotel, motel, serviced apartments
- Stage 3 – beachfront residential, continuation of harbour walk promenade through to Mulherin Park.

The deed also specifies particular levels of assessment for land uses and sets certain design criteria to be met by these land uses across the precinct (e.g. design themes, building heights, setbacks in the beachfront residential area). The deed has undergone minor amendments since May 2001.

In the context of this application, a hotel land use within the stage 2 area requires approval of a code assessable planning application; however the current planning scheme triggers impact assessment for the extension of a hotel use. The application was lodged and assessed as an impact assessable application.

The deed also outlined that Indoor Entertainment (which includes function facilities) are an appropriate use in the Mackay Harbour marina precinct.

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The proposal is consistent with the design criteria, design themes, building heights, and setbacks specified in the deed.

PROPOSED MACKAY REGION PLANNING SCHEME

The proposed marquee is defined as a *function facility* under the proposed planning scheme. In the *High density residential zone* a *function facility* triggers impact assessment when it includes a bar and has a gross floor area over 150m^2. Based on the assessment below, it is likely the proposal would be approved subject to conditions.

The proposal is generally consistent with the overall outcomes of the *Higher density residential zone code*. The code specifies a limited range of non-residential uses as appropriate in the zone provided they ensure the continued privacy and amenity of adjoining users. In accordance with PO3, the non-residential activity proposed does not compromise the viability of the wider multi-purpose centre of the marina precinct, nor the existing uses in the area. The use remains subordinate to the primary short-term residential use onsite. The development will be conditioned to comply with PO8 to ensure noise and odour impacts on adjoining residential uses are kept within reasonable parameters.

The site is subject to the *Acid Sulfate Soils Overlay*, however the lightweight structure's footings are unlikely to penetrate to a depth that will disturb any acid sulfate soils.

The site is also subject to the *Extractive Resources and High Impact Activities Overlay* however the entire marina precinct is as well. The proposed commercial use is not expected to be impacted by port operations, and vice versa.

Mulherin Drive is nominated as an *Image Corridor* as per the *Landscape Character and Image Corridor Overlay* and the proposal is compliant with the overlay code.

The proposal is generally consistent with the overall outcomes of the *Centre activities code*. The development will be conditioned to ensure noise and odour impacts on adjoining residential uses are kept within parameters reasonably expected by the mix of commercial, residential, and industrial within the wider marina complex.

INFRASTRUCTURE CHARGES

Under Council's Infrastructure Charges Resolution the proposal attracts an infrastructure charge in line with the *Entertainment* charge category. An Infrastructure Charges Notice will be issued in accordance with this resolution.

INFRASTRUCTURE CONSIDERATIONS

Water & Sewer

The subject site is connected to existing reticulated water and sewer services however the marquee will not require connection to these services.

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Stormwater

Stormwater that is collected on the roof of the marquee structure will be allowed to discharge to the ground where it will either infiltrate or runoff the site as it would have prior to the erection of the marquee structure. It is not expected that any impacts will be created by the additional impervious roof area being discharged to the ground.

Roadworks

Internal

No internal roadworks are proposed or required for the establishment or operation of the marquee.

External

No external roadworks are proposed or required for the establishment or operation of the marquee. The existing Clarion Hotel access to Mutherin Drive will remain as existing.

REFERRAL AGENCIES

As per the *Sustainable Planning Regulations* 2009, the proposal triggered no referral to State departments or otherwise.

SUBMISSIONS

The application was publicly notified in accordance with the requirements of the *Sustainable Planning Act 2009*, and as a result of this process sixty-seven (67) properly made submissions were received. Of the submissions, fifty-five (55) were in support of the proposal, and the remaining twelve (12) were in opposition.

The principle concerns raised from the submissions in opposition to the proposal are summarised and discussed below.

1. Noise
'The noise that emanates from this structure when there is a function on is at the stage that we cannot enjoy our peace and amenity within our own residential apartments and when there is a live band playing it is so amplified that it is impossible to even have a decent conversation without raising your voice. It is impossible to sleep and young children and shift workers find it particularly distressing.'
'The applicant goes on to say that an acoustic report was done to assess the proposed use. We don't believe these results are an accurate assessment of noise levels when the noise can be adjusted up or down by the operator of the amplifiers in use and also changes with the number of people in attendance at different functions. The testing methodology used does not simulate these factors.'
Applicant's Response: *'The subject site and the surrounding properties are included in the Special Activities (Tourism) Zone. A variety of uses have been approved within this attractive tourist destination include the marina, licenced premises, shops and commercial uses, and both short and long*

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term accommodation. All of these uses are in accordance with the overall Mackay Marina Master Plan. The marina precinct is an active, busy and vibrant tourist destination. The proposed development is located within the heart of this marina precinct.'

'The noise within the subject land is and will continue to be monitored. It should be noted there is currently sound monitoring equipment installed and used on site. The equipment includes 2 monitoring locations at opposite ends of the marquee and a third in the hotel restaurant. If noise is detected above the limits set in the liquor licence, power to all sound equipment is automatically cut and cannot be switched back on without this power connection being restored by a licenced electrician.'

'In order to address the residents' concerns regarding live bands, the applicant is willing to accept the following condition: "The number of patrons attending the marquee is limited to 600 patrons generally within a formal setting. An ancillary use to the function would be entertainment for the patrons. However, standalone live music concerts are not permitted."'

Officers Comments:
The applicant's noise measurements have been carried out and the subsequent noise report prepared by professionals in the field of acoustics. As discussed above, the report provides specific recommendations, including the use of a sound system limiter calibrated to specific limits across a range of frequency bands. This would achieve compliance with relevant standards for the timeframe 6.00am to 10.00pm. For the remaining time, 10.00pm to 6.00am, a separate condition will specify a maximum noise limit of 75 dB(C) measured from the centre of the tent. The recommendations of the acoustic assessment will be written into condition of approval to ensure noise emissions are within the bounds of relevant legislative regulations for the site and adjoining residential uses.

2. Enter Main Description of Submission

'The structure is a stand-alone tent and has no toilets. The existing hotel toilets are supposed to be used but we have seen people urinating between the structure and our building which is disgusting and smelly.'

Applicant's Response:
'The existing hotel toilet facilities are adequate for the proposed number of patrons using the venue. However, in order to restrict patron's access to the southern side of the venue, the current fencing to the marina will be extended along the southern edge of the property and be in keeping with the existing landscaping.'

Officers Comments:
Incidents of patrons relieving themselves in the gardens suggests the amenities within the hotel are located too far away from the marquee. The applicant's proposal to increase fencing will be conditioned, as will additional bathroom facilities for each event in the form of portable facilities.

3. Building matters (fire and wind)

'The structure has no fire suppression system in place. It is a steel frame with vinyl covering which would burn freely putting our building at risk.'

'The structure is not built to cyclone standard and again it puts our building at risk.'

Applicant's Response:
'The structure has an aluminium frame and the external vinyl is treated with a fire retardant to minimise fire risk. The marquee is fitted with powder fire extinguishers inside, and there is

a fire hose reel outside (in the DOSA). Emergency exit signage and evacuation plans are also in place.'

'The structure has been constructed to a cyclone standard. A copy of the engineer's certificate is attached for Council's record.'

Officers Comments:

Further to the emergency management and evacuation plans, the applicant has provided a statement from a building certifier who has conducted an assessment against the relevant section of the Queensland Development Code. The certifier considers the structure and associated facilities fit for purpose.

Regarding wind/cyclone certification, the applicant has provided certification of the structure from Civil and Structural Engineering Design Services Pty Ltd. As part of this certification an assessment was made against all relevant Australian Standards. Recommendations will be conditioned, including a staged dismantling of the structure during certain high gust wind speeds.

4. Odour (generator and cigarettes)

'In the summer months when there is a function there is a diesel generator operating on the western end of this structure to power the air conditioning units which emits diesel fumes while it is operating and can be heard and smelt from our building.'

'There is an open area on the eastern end that is used by smokers and as it is so close to us cigarette smoke wafts over to our building.'

Applicant's Response:

'A generator has been hired and used infrequently in order to power temporary air conditioning for larger events particularly during the summer months (3 times in 2016 – 1 x Melbourne Cup function and 2 x Christmas events). The attached plan shows the approximate location of the generator used for these recent functions. An enclosed (noise limited) generator was used. It should also be note that any noise from a generator is picked up by the dedicated noise monitoring equipment used to ensure compliance with noise requirements of the liquor licence. In order to provide a greater separation to the southern boundary of the site, it is proposed to move the positioning of the temporary generator a further 10m to the north west. This location is also screened by thick vegetation.'

'The eastern end of the marquee has been nominates as the designate outdoor smoking area (DOSA). It is noteworthy the existing DOSA is next to the esplanade walkway, where smoking is restricted. In order to address the concern, the existing DOSA will be removed and marquee guests will be directed to a combined Hotel/Marquee DOSA.'

Officers Comments:

The relocation of the generator to a location that is both further away from the residents and behind mature landscaping is considered an acceptable measure for a unit that isn't used for every event. The location of this generator will be conditioned.

It is also agreed the DOSA is to be consolidated at the location shown on the attached sketch (shown in the approved plans).

5. Patronage

'The report says the venue may hold up to 600 patrons but by the Marquee Fact Sheet put out by the Clarion Hotel and is attached to this submission the venue has a capacity of up to 1500

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people so we do not believe this report should have any relevant for the amount of noise emanating from the marquee.'

Applicant's Response:
'In order to address the residents' concerns, the applicant is willing to accept the following condition:
"The number of patrons attending the marquee is limited to 600 patrons generally within a formal setting. An ancillary use to the function would be entertainment for the patrons. However, standalone live music concerts are not permitted."'

Officers Comments:
The approval will include a condition limiting patronage to 600 persons per event, generally as per the applicants response.

RESOURCES IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

Nil, with the exception of potential costs involved if an appeal is lodged.

CONSULTATION

External

The application was publicly notified in accordance with the *Sustainable Planning Act 2009*. A notice was placed in the Daily Mercury on 12 December 2016, a notice was sent to all adjoining landowners, and a sign was placed on the land from 12 December 2016 through to 23 January 2017.

Internal

The application was tabled at Council's internal development review meetings where the proposal was considered to be appropriate development in the location.

CONCLUSION

The proposed expansion of the existing hotel, in the form of the marquee for functions and events, complies with the intent of the Mackay City Planning Scheme, the Deed of Agreement and the proposed Mackay Region Planning Scheme. The proposed development is recommended for approval subject to the following conditions.

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Public Participation

The Chair welcomed the members of the public to the meeting and invited them to speak on this agenda item:

Mr Michael Duffy

Mr Michael Duffy of Mulherin Drive, Mackay who is the Chairman of the Body Corporate at 32 Mulherin Drive which is next door to the marquee advised he would be speaking against the application on the grounds the owners did not feel the noise report was accurate and their lifestyle would be adversely affected if the application was approved. There are 16 units at 32 Mulherin Drive and 12 unit owners have submitted objections to Council. Mr Duffy was also concerned with the fire and building codes and if they had been adhered to in relation to this application.

Mr Barwon Gooch

Mr Barwon Gooch, Consultant Town Planner for Port Binnli Group, spoke in favour of the proposed development. One of the main emphases discussed during public consultation of the Mackay Planning Scheme was the importance of the Mackay Marina with the tourism and residential components working together. There is an expectation of this type of activity occurring in the Mackay Marina and fully support the Council assessment. In terms of the noise level, there are three (3) monitoring locations in place to ensure the noise level does not exceed the Liquor Licencing conditions and all sound equipment will automatically cut off of if these levels are exceeded and cannot be switched back on without a licenced electrician.

Mr Bryan Finney

Mr Bryan Finney of the Port Binnli Group, spoke in favour of the proposed development. He reiterated Mr Gooch's comments and advised the Port Binnli Group agree with the assessment and recommendations being made. Also, the proposal is consistent with Council's current planning scheme, consistent with the proposed planning scheme and also consistent with the Deed of Agreement between Port Binnli Group and Mackay Regional Council. The noise report was prepared by suitable professionals. The marquee has been designed with building codes and fire risks in mind, the surface of the marquee is fire retardant and there are appropriate fire extinguishers within the structure.

Mr Ben Anderson

Mr Ben Anderson of Mackay Marina, spoke in favour of the proposed development. He advised from his prospective as a business owner in the Mackay Marina and operator of the facility it is a unique function facility for Mackay which will attract people to the precinct which in turn will assist the other businesses within the precinct.

The Chair thanked the members of the public who participated in public participation discussion in relation to this agenda item.

Officer's Recommendation

A. THAT Council approve the application for a *Material Change of Use - Extension of existing Clarion Hotel (Marquee) located at 34-38, 40, 42 and 44 Mulherin Drive, Mackay Harbour,* described as Lot 27 and 29 on SP175677 and 30 and 31 on SP160880, subject to the following conditions:

1. Plan of Development

The approved *Material Change of Use – Extension of existing Clarion Hotel (Marquee)* 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.

Dwg #	Title	Rev	Prepared by	Date
-	Mackay Marina Hotel Event Marquee on Lot 29 on SP175677	-	-	ND
C-11-263437-A	Site Plan	A	Civil & Structural Engineering Design Services	7.5.15
Figure 1	Extension to Clarion Hotel	-	-	2.2.17

2. Compliance with Conditions

All conditions must be complied with within three (3) months from the date of this approval, unless specified in an individual condition.

3. Maintenance of Development

The approved development (including landscaping, car parking, driveways and other external spaces) must be maintained in accordance with the approved drawing(s) and/or documents, and any relevant Council engineering or other approval required by the conditions.

4. Conflict Between Plans and Written Conditions

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

5. 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 Construction Specifications.

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6. Damage

The developer is responsible for the repair of any damage that is caused to Council's infrastructure as a result of the construction works associated with the proposed development. The developer must make any damage safe and then notify Council immediately. Council will make the decision as to who will carry out the rectification works and the timing for the completion of those works.

7. Dismantling of Structure

During high gust wind speeds the marquee must be dismantled in accordance with the recommendations of the certification report by Civil and Structure Engineering Design Services Pty Ltd.

8. Hours of Operation

The hours of operation must be limited to the hours between 10.00am and 12.00am Monday to Saturday, excluding public holidays.

9. Noise

Noise emanating from the marquee, including amplified, non-amplified, and patron noise, must be managed and measured as follows:

a) between 6.00am and 10.00pm – a sound limiter on the venue's sound system is to be installed such that noise does not exceed the limits in the table below at each frequency band when measured from the centre of the marquee with all speakers operating. The overall level which will result in compliance with the 6.00am to 10.00pm noise limit is 92 dB(C) L_{10} at the centre of the marquee tent with all speakers operating.

Frequency	*63*	*125*	*250*	*500*	*1000*	*2000*	*dBlin*	*dB(C)*	*dB(A)*
Allowable noise level at the centre of the marquee tent with all speakers operating	63	72	70	76	83	92	92	92	93

b) between 10.00pm and 6.00am – 75 dB(C) at the centre of the marquee tent, with all speakers operating.

10. Refuse Storage

The location and design of the waste storage area for the marquee must be located and screened as not to cause a nuisance to neighbouring properties.

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11. Smoking Area

The designated outdoor smoking area (DOSA) for the marquee must be relocated and consolidated with the existing DOSA for the Clarion Hotel proper in accordance with the approved plan of development.

12. Generator Location

Any generator used to power the marquee or its services must be located in the new location as shown in the approved plans.

13. Amenities

Portable amenities must be located onsite to adequately cater for the size of each event held in the marquee.

14. Fencing

In accordance with approved plan of development, a fence must be erected from the southeast corner of the marquee to the eastern property boundary to prevent access to landscaping areas.

15. Patronage

The number of patrons attending marquee events must be limited to 600 persons per event/function.

16. Live Music

Any live music forming part of a primary event (wedding, function, conference) is considered ancillary to the function centre and is permitted. However, concerts or standalone live music events are not permitted at the facility.

17. 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.

B. THAT the applicant be provided with the following Assessment Manager 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

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(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.

7. Infrastructure Charges Notice

Pursuant to the *Sustainable Planning Act 2009* and the State Planning Regulatory Provision (adopted charges) an Infrastructure Charges Notice relates to this Development Permit, and accompanies this notice.

The Mayor queried the noise component of the report and the difficulty to relate the findings to the residents who are opposing the development in terms of the noise levels that they would be subjected to. In the report the noise deals with up to 10 pm at 92 decibels in the centre of the marquee and beyond 10 pm at 75 decibels in the centre of the marquee. How does this relate to the nearby residents, what does a nearby resident hear when the noise is at 75 decibels at the centre of the marquee?

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Director Development Services (DDS) advised there are a lot of factors that come into play, everything from wind directions to type of music being played but there is a standard way all noise monitoring is done. It would be possible to organise some recordings and show Councillors exactly how it sounds for nearby residents. There are environmental factors which provide some minor differences, these levels are essentially determined by the Liquor Licence to be acceptable and he is very conscious in recommending this for approval that the type of development in the Mackay Marina is a mixed use development in the special activities tourism zone. This is the type of activity that Council would expect in those types of zones. However, he is very conscious that there are nearby residents who did not have these impacts when they first moved into the facility but there is nothing in terms of these impacts that you would not expect in terms of the zoning of the current and the future planning scheme. When reviewing the application there were no reasons why this could not be recommended for approval given the zoning and the ability to put conditions on the development. Also, how this application is conditioned going forward is not the same as how it has necessarily operated in the past, there are changes required around where the generators are situated to try and limit some of the noise impacts.

The Mayor advised he understands the Liquor Licensing requirements around noise and realise Council has very little grounds to oppose this application but for future it would help Councillor's enormously to have the noise component expanded on further to enable Councillors to advise residents on what noise they would expect to be exposed to.

Cr Camm queried if the operator was planning to expand to a permanent structure in the future.

DDS advised the current zoning allows for this but there are no current plans and this application is only for this use.

Cr Englert advised when reading the report in relation to the noise component he did not have any issues but after hearing the previous comments today it makes him question this interpretation of the report as a non-expert. Will there be ongoing compliance enforcement by Council.

DDS advised Council will respond to complaints and compliance activities are largely complaint based and suspect given the level of interest from the nearby residents they will most likely lodge a complaint with Council's compliance team. In this circumstance because of the Liquor License and the noise monitoring equipment in place, if that operates effectively it should automatically cut the power to all sound equipment when the levels are breached.

Cr Englert advised in relation to the noise component this is a unique position and is quite close to nearby residents and the structure is a marquee not an enclosed facility.

Cr Casey queried if this application is successful will it negate any other approvals on the site.

DDS advised no, approvals can concurrently run on a site.

Cr Casey queried if the previous application time lines are still in place.

DDS advised he will take this on notice and circulate the information to the committee.

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Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Gee **Seconded Cr Englert**

Cr Gee spoke in favour of the Motion to enhance Mackay as a tourist location and given the current zoning for this proposal is special activities tourism zone fully supports the application.

CARRIED

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8.5 MATERIAL CHANGE OF USE - EXTRACTIVE INDUSTRY - MOBILE CRUSHING CO PTY LTD TRADING AS MACKAY SAND AND GRAVEL SALES - LOT 10 R WATTS ROAD, BENHOLME - LOT 10 ON SP201885 (DA-2016-99)

Application Number:	DA-2016-99
Date Received:	17 October 2016
Action Officer:	Darryl Bibay
Applicant's Details:	Mobile Crushing Co Pty Ltd PO Box 101 MACKAY QLD 4740
Proposal:	Extractive Industry
Site Address:	Lot 10 R Watts Road, BENHOLM QLD 4754
Property Description:	Lot 10 on SP201885
Owner's Details:	Clifford and Heather J Flor Robert G and Florence J Keft
Area:	62.55 Ha
Planning Scheme:	Consolidated Mirani Shire Plan 14 December 2011
Planning Scheme Designations:	
Locality:	Rural Locality
Zone:	Rural Zone
Assessment Level:	Impact
Submissions:	30
Referral Agencies:	Concurrence - Department of Infrastructure,

Local Government and Planning *(Schedule 7, Table 2, Item 1 Environmentally relevant activities, Schedule 7, Table 2, Item 12 Removal of Quarry Material, Schedule 7, Table 3, item 2 Development Impacting State Transport infrastructure)*

Attachments:

Attachment A: Locality Plan
Attachment B: Proposal Plan
Attachment C: Referral Agency Response

Recommendation: Approved Subject to Conditions

ASSESSMENT OF APPLICATION

Purpose

The Material Change of Use application is for an Extractive Industry for increased sand extraction from Cattle Creek (refer to Attachment A – Locality Plan). An application for Extractive Industry in the rural zone triggers an impact assessable application requiring the application to be publicly notified.

The application received 30 properly made submissions, two (2) objecting the proposal. The submissions have not raised any grounds that cannot be appropriately conditioned.

The application is recommended for approval.

Background

Pre-lodgement advice was provided in relation to the proposal to expand an existing sand quarry by Mackay Regional Council on 22 July 2016 and a pre- lodgement meeting was undertaken on 3 August 2016 with Department of Infrastructure Local Government and Planning, with state government agencies: Department of Environment & Heritage Protection, Department of Transport & Main Roads, Department of Agriculture & Fisheries and Department of Natural Resources & Mines prior to the applicant lodging the application and to ensure that all relevant legislative requirements are adequately addressed as part of the application.

Subject Site and Surrounds

The subject site is located at Lot 10 R Watts Road, Benholme, described as Lot 10 on SP201885 (refer Attachment A – Locality Plans). The site is approximately 10 km from township of Mirani and 40km to Mackay.

R Watts Road is an unsealed road approximately 1.7km in length. Access to the subject site is located at the southern end of R Watts Road via an access easement through 174 R Watts Road (Lot 12 on SP201885). At its northern end, R Watts Road connects to Mackay-Eungella Road, a State controlled road.

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The subject site is improved by a farm shed near 174 R Watts Road and is currently used for cane farming and quarry stockpiling. Two small 'rural living' properties are located to the north of the subject site, which the existing haul route passes in close proximity to.

The subject site is surrounded by rural zoned land, predominantly utilised for cane farming and grazing purposes.

Proposal

Mackay Sands and Gravel Sales is seeking approval for an Extractive Industry at Lot 10 R Watts Road, Benholme, which is the expansion of an existing sand extraction operation.

Quarrying operations have been carried out on the subject site since 2005, with the applicant having rights to extract 5,000m^3 of sand from Cattle Creek and stockpiling of the extracted material occurs on land within Lot 10 prior to transportation from the site.

The applicant is proposing to expand the existing operations to extract 50,000m^3 of sand with a corresponding increase in stockpile area. In 2014, the Department of Natural Resources and Mines (DNRM) issued a new Quarry Material Allocation Notice to facilitate the increase in extraction volume from 5000m^3 to 50,000m^3 per year. In addition, the Department of Environment and Heritage Protection (EHP) conducted their assessment and issued the relevant approvals also.

The area of Cattle Creek from which the existing and proposed extraction occurs is classified as a Key Resource Area under the State Planning Policy, with the resource and haul route along R Watts Road required to be protected from incompatible uses to ensure the ongoing ability for the resource to be exploited.

Hours of Operation

The proposed hours of operation will be consistent with the existing operations. The applicant has advised that these vary subject to market demand and the site has never been permanently manned. When operational, hours would typically fall between ranges of 6am to 6pm, Monday to Saturday. These hours would be a best case scenario for the applicant and to date the applicant has advised that they have not operated the site for the full 12 hours per day and demand for the product will dictate the extent of operations.

On Site vehicle numbers

The number of vehicles located on-site will vary based upon extraction campaigns. A reasonable assumption of vehicles/machinery on site, averaged over the course of a year, would be one front-end loader stationed permanently at the site and one road registered truck coming and going each day removing sand to market.

Vehicle movements to and from the site each day

Extraction volumes relate directly to market demand and as such will fluctuate. It is unlikely that the site will operate at maximum capacity at all times. However, to cover all scenarios, a maximum extraction rate of 50 000m^3 has been considered.

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Based on an average payload of 22m^3 per truck, over 250 days of hauling per year, a nominal nine (9) loads per day is a reasonable average. Allowing for return trucks, this equates to up to 18 truck movements per day if the entire allocation of 50,000m^3 is extracted from the site.

Haulage routes proposed

The distribution of material will be from R Watts Road onto Mackay Eungella Road. It is anticipated that 95% of all material sold will be hauled east towards Mackay.

Stockpiling

Sand extracted from Cattle Creek will be stockpiled on the subject property prior to its removal/sale to market. The quantity stockpiled is limited to the existing area, market demands, available plant, equipment and human resources. The applicant estimates that the most they are likely to stockpile at any one time is up to 10,000m^3.

Extraction method, Machinery & Blasting

The applicant employs a 'campaign base' methodology for all extraction within the business. Campaigning typically involves the mobilisation to site of the required plant, equipment and personnel for a set period of time or amount of material. Equipment mobilised to the site is brought in to achieve specific aims and once these are reached, all are removed from that site to the next. A copy of the applicants Operational Plan was included with the application and has been approved as part of the Referral Agency response.

The equipment typically mobilised to a site like this would include an excavator and two (2) articulated haul trucks. Ongoing equipment at the site would be limited to an end loader with road registered trucks that come and go based upon market needs. Sand is extracted from the water course with an excavator, loaded into haul trucks, removed from the water course and stockpiled on Lot 10 SP210835. When the extracted material is required it is loaded from the stockpile into a road registered truck for distribution.

As the resource being extracted is sand from the river bed, no blasting is required.

Extraction will be carried out in line with the Operations Plan lodged with the Department of Natural Resources and Mines for the increase in quarry material allocation.

Comparison of current vs proposed operations

No changes to the extraction methodology, layout, extraction or stockpiling area are proposed. The application comprises an increase to extraction volume only (up to 50,000m^3).

PLANNING SCHEME ASSESSMENT

The proposed development has been assessed against the Consolidated Mirani Shire Plan and Policies and is considered generally consistent with the intent of the Scheme.

The subject site is zoned Rural and contained within the Rural Locality. The application has been assessed against the Desired Environmental Outcomes (DEO's), overlays and the following codes of the Planning Scheme.

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- Table 4.2. Rural Locality Code
- Table 6.2. Industrial Use Class Code
- Table 7.1. Filling and Excavation Code
- Table 7.3. Vehicle parking and Movement Code
- Table 7.4. Infrastructure Code

Desired Environmental Outcomes

The proposed development is generally consistent with the Desired Environmental Outcomes (DEO's) or does not compromise these matters. The following DEO's require more detailed discussion:

2.2.1 Ecological Processes and Natural Systems

(1) Urban development and, in particular, residential, commercial and industrial development, is confined to the urban localities to minimise impacts on natural values and resources or on primary production operations, and to maximise the efficient and safe provision and operation of infrastructure.

The proposal is an expansion of an existing lawful activity. The proposed development by its nature is required to be located within and adjacent to a watercourse and outside urban localities.

(3) The Shire's rivers and creek systems, and associated catchment areas, are protected from adverse impacts and incompatible development.

The proposed activity is the extraction of a naturally occurring resource from a water course. The activity has limited impacts on the river and catchments and has been assessed as being an appropriate activity by the relevant State departments.

(4) Remnant vegetation and, in particular, riparian corridors are protected, maintained and enhanced to maximise biodiversity and areas of flora and fauna habitat.

The proposed expansion of the existing extraction activities will not impact on any remnant vegetation or riparian corridors. The expanded activities will continue to utilise the same access tracks and stockpile areas as per the existing activity.

2.2.2 Economic Development

(7) The rural areas provide for the continued and viable use of productive agricultural land, including for traditional, new and emerging primary production activities.

The proposed development will see the expansion of an existing primary production activity in an appropriate area.

Rural Locality Code

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The proposal is generally consistent with the overall outcomes, specific outcomes, and probable solutions of the Code. The establishment and expansion of extractive industries in the rural locality is supported by the Code on the basis that:

- The loss of GQAL is avoided
- The loss of remnant vegetation or riparian corridors is avoided
- The rural character and amenity of the locality is not impacted.

It is considered that the proposed development complies with the above matters as the use is already existing and no additional impacts will be generated other than the increase in excavation and truck movements.

Overlays

The subject site is affected by the following Overlays:

Bushfire Management

The subject site is mapped Low Bushfire Risk. In the Overlay mapping produced for the proposed Planning Scheme (which is more up-to-date), the location of the actual operation site is not affected by the overlay.

Good Quality Agricultural Land (GQAL)

The subject lot is mapped as comprising GQAL on the planning scheme overlay map. The quarry is an existing development within the confines of Cattle Creek and the applicant does not propose to increase the stockpile and screening area. The rest of the property is being used as cane farm. It is considered that the proposed application is consistent with the requirements of the overlay.

Use Class Codes and General Codes

A detailed assessment has been undertaken against the following codes:

- Industrial Use Class Code
- Filling and Excavation Code
- Vehicle Parking and Movement Code

Industrial Use Class Code

The proposal is generally consistent with the relevant overall outcomes, specific outcomes, and probable solutions of the code. The use, whilst not being purely industrial, does include some potential impacts that are common from industrial developments such as noise, air quality, and traffic impacts.

The Code has a Probable Solution for extractive industries that do not involve blasting, to be separated from any residential use by a minimum of 500m. The extraction element of the existing and proposed operation is almost 700m from the nearest dwelling, while the existing stockpile is about 350m from the same dwelling. It is considered that the extraction element would be the noisiest aspect of the operation and this aspect exceeds the separation distance.

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The stockpiling and loading area does not meet the separation distance. However, it is considered that a distance of 350m is sufficient for this element of the operation, as if it was part of a different industrial use (i.e. not an extractive industry); the required separation to a residential use is 200m under the Probable Solutions of the Code.

The applicant proposes to stockpile up to 10,000m^3 of material on site prior to distribution of the material for sale. The Code includes a Probable Solution that the total volume of exposed stockpile is not greater than 30m^3. The existing operations on site already greatly exceed this volume and the applicant is proposing to increase the stockpile amount to reflect the increased extraction proposed. The corresponding Specific Outcome for this criterion is that the 'storage of materials on site does not cause:

a) a public health hazard; or
b) an environmental nuisance.

The stockpile area will be maintained in accordance with the operational conditions enforced by EHP under the current Environmental Authority dated 5/12/2016. As such, the proposal will not cause public health hazards or environment nuisances as sought by Council.

Filling and Excavation Code

The proposal is generally consistent with the overall outcomes, specific outcomes, and probable solutions of the code. Excavation will form part of the sand extraction method, however this aspect of the operation will be carried out within the Cattle Creek reserve and not within the subject site. Accordingly, the proposed code is technically not part of the jurisdiction of assessment.

Vehicle Parking and Movement Code

The proposal is generally consistent with the overall outcomes, specific outcomes, and probable solutions of the code. Vehicle movements will be in locations that are generally as per the existing approved operation. Numbers of truckloads exiting the property will increase per operation day to 18, on average.

In terms of potential impacts from the haulage operations, the applicant is willing to discuss and accept conditions in relation to screening works along the haulage route with residents of dwellings within 50 metres of the haulage route to minimise visual impacts.

MACKAY ISAAC WHITSUNDAY REGIONAL PLAN

While the Regional Plan is no longer a statutory document, the following comments are made. The subject site is located outside of the regional plan urban footprint and within the Rural Production area. Extractive Industry is described as a natural resource under the Regional Plan and is a consistent use in the Rural Production area.

PROPOSED MACKAY REGION PLANNING SCHEME

The subject property is intended to be zoned Rural under the proposed Mackay Region Planning Scheme (MRPS). The proposed use would be described as an Extractive Industry under the MRPS and it would require the lodgement and assessment of an impact assessable application, the same as currently being assessed.

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The Rural zone code and Extractive industry code support the establishment of extractive industries such as proposed in the application. Similar assessment issues would be raised in an assessment under the MRPS such as noise, dust and impact on sensitive activities.

It is considered that the proposed use would be supportable under the MRPS.

ADOPTED INFRASTRUCTURE CHARGES REGIME

Extractive Industry is identified within the Specialised Uses category of the Adopted Infrastructure Charges Resolution 2014, but the proposal does not intend to increase the stockpile/storage area and no new buildings are proposed and as such Infrastructure Charges are not applicable to this use.

INFRASTRUCTURE CONSIDERATIONS

Water & Sewer

The subject site is not connected to Council's reticulated water or sewer services. The proposed activity does not specifically require the provision of these services due to the temporary or intermittent use of the site as described by the applicant. Provision of water supply and toilet facilities would be required to be provided to the work site under the applicant's workplace health and safety obligations.

Stormwater

No change to existing flow regimes of mapped watercourses or wetlands is anticipated as a result of the site development. All waters within the quarry development area will be directed to the quarry sump and/or sediment basins for treatment prior to release off-site.

The applicant has prepared a Water Quality Management Plan, and it is recommended this plan be a condition of approval. The implementation of Erosion and Sediment Control systems will also be a requirement of any approval.

Roadworks

Internal

As per existing operations, unsealed internal gravel hardstand access roads and associated areas will be utilised to facilitate the movement of personnel, plant, equipment, and light vehicles into and out of the site.

It is proposed to include a condition on any approval that requires the internal access road to be upgraded to a gravel standard, with stabilised gravel surface provided in proximity to dwellings adjacent the internal access road (i.e. adjacent to 172 and 174 R Watts Road).

External

Mackay – Eungella Road is a State-controlled road and as such any impacts or requirements are assessed by the State. DTMR advised that current intersection format at R Watts Road-Mackay-Eungella Road intersection is acceptable for the proposed traffic generation.

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R Watts Road is identified as a Rural Access road under Council's Road Hierarchy. The road is unsealed and approximately 1.7km in length from the intersection with Mackay-Eungella Road to the termination of the road where it enters the subject property.

It is proposed to include a condition on any approval for the applicant to upgrade and maintain R Watts Road to a stabilised gravel standard where dwellings are located within 50m of the road boundary.

The applicant has stated that they currently undertake some maintenance works on R Watts Road as necessary during any hauling operations from the site. They have indicated that they will continue to do so under any approval for expanded operations.

REFERRAL AGENCIES

The application was referred to the Department of Infrastructure Local Government and Planning for the following triggers:

- Sustainable Planning Regulation 2009, Schedule 7, Table 2, Item 1 – Environmentally Relevant Activities - A material change of use for an environmentally relevant activity made assessable under Schedule 3, Part 1, Table 2, Item 1;
- Sustainable Planning Regulation 2009, Schedule 7, Table 2, Item 12 Removal of Quarry Material, made assessable under Schedule 3, Part 1, Table 5
- Sustainable Planning Regulation 2009, Schedule 7, Table 3, Item 2 – Development impacting on State transport infrastructure – Material Change of Use for Extractive Industry which exceeds the threshold in Schedule 9 (10,000t);

The State has approved the use subject to conditions (refer Attachment C – Referral Agency Response).

SUBMISSIONS

The application was publicly notified in accordance with the requirements of the *Sustainable Planning Act (2009)*, and as a result of this process, thirty (30) individually prepared properly made submissions was received.

Of the submissions received, two (2) expressed opposition to the proposal. The principle concerns raised from the submissions are summarised and discussed below.

1. Traffic / Speed
The submitter is concerned with the increase in traffic to R Watts Road, which is unsealed. Issues include increased vehicle movements, traffic speed and safety at the intersections. Applicant's Response: • At the pre- lodgement meeting convened by DILGP and attended by all relevant regulatory authorities, Transport Main Roads advised that following their assessment into the planned increase, impact associated was negligible and thus no road impact assessment was required by them. • The application is to expand an existing quarry with approvals. Scale is a consequence

of market conditions. Use will be of a similar intensity to existing cane farming practices. The site is not permanently manned. Only 1 x front end loader will be kept at the site for loading road registered trucks.

- As identified in the planning report, approx. nine (9) vehicles movements are expected on Watts Road each day. Heavy vehicle movements are normal for Watts Road as existing land uses include quarry and cane farming activities.
- We are happy to erect speed signs if required.
- The site has always been a working farm. The entire farm is a work area with a vista that changes with the growing season. Views that were visible in August will be different to those that exist in December and vice versa - a consequence of harvesting and the seasons.

Officers Comments:

It is acknowledged that there will be an increase in vehicle movements if the maximum extraction approved for the site is achieved. The applicant has advised that on average the extraction of 50,000m^3 would result in 18 truck movements per day (nine (9) each way), which is one and a half movements per hour across a 12 hour work day at maximum capacity.

Impact will be from increased traffic and extraction; however they are not new impacts for surrounding residents and given that the surrounding areas are used for cane production the access roads would be utilised by cane haul out vehicles during the crush and other farm vehicles throughout the year.

Council will require the applicant to upgrade R Watts Road to a stabilised gravel standard where the road is in close proximity to existing dwellings. Also, the applicant will be required to investigate screening or other ameliorative measures to ensure there is less impact on any surrounding residential use. Conditions will be applied to require the loads of extracted material to be covered when being transported from the site to reduce any dust from the loads. Further, the applicant already undertakes maintenance of R Watts Road and will continue this under any new approval.

In terms of possible speeding by vehicles on R Watts Road or the internal access road, this is not a matter that Council can control via conditions of approval and it must be addressed by the operator and their operational plans for the activity.

In relation to the intersection of R Watts Road and Mackay-Eungella Road, Department of Main Roads have assessed the existing intersection and consider it is safe for the proposed operation. No upgrades or other works are required by the applicant to this intersection.

2. Dust

Concern that the increase will add additional dust from the increased traffic and impact on dirt road access not designed to carry large vehicles.

Applicant's Response:

- The Department of Environment and Heritage Protection have issued us an approval relative to the volume increase at the site.
- The site has been in operation since 2005 with no complaints received. We operate other businesses within the local community and have a good reputation for working with nearby neighbours and have not received any complaints relating to dust.

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- Information provided gives a mathematical overview to truck movements and the permissible extraction volume at the site. Our operational history and mean market conditions suggest the opposite.
- In terms of extraction method, sand is wet when extracted meaning nil dust is generated by the extraction or hauling to stockpile processes.
- Is in favour of residents by the prevailing wind conditions. Haul roads are on the northern side of residences meaning that the prevailing south easterly winds removes any potential for nuisance dust upon these potential receiving environments. The nearest receiver on the downwind side is some 2 kilometres away.
- Dust is a consequence of speed. Speed is managed via training.
- Quarries are often located within rural areas and coexist with rural pursuits

Officers Comments:

The potential for impact on air quality has been assessed and conditioned in the Environmentally Relevant Activities permit issued by conditioned by Department of Environment and Heritage Protection as follows:

A1 Odours or airborne contaminants which are noxious or offensive or otherwise unreasonably disruptive to public amenity or safety must not cause nuisance to any sensitive place or commercial place.

A2 When required by the administering authority, as per condition G7, dust and particulate matter emissions monitoring must not exceed the following concentrations at any sensitive place or commercial place:

a) dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10.1 (or more recent editions), or

b) a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging time, when monitored in accordance with Australian Standard AS 3580.9.6 (or more recent editions)

Council will require the applicant to upgrade R Watts Road to a stabilised gravel standard where the road is in close proximity to existing dwellings which will reduce dust generation near existing dwellings. Also, the applicant will be required to investigate screening or other ameliorative measures to ensure there is no impact on any surrounding residential use.

Conditions will be applied to require the loads of extracted material to be covered when being transported from the site to reduce any dust from the loads. Further, the applicant already undertakes maintenance of R Watts Road and will continue this under any new approval.

R Watts Road is currently used by cane haul out vehicles as well as trucks transporting extracted material from the existing quarry. The existing unsealed road form is appropriate for the current and anticipated vehicle types using the road.

3. Noise

The submitter is concerned with elevated noise levels due to increase operation

Applicant's Response:

The site is and has always been a working cane farm. While some residents are new to the area (last three (3) years) sand extraction at the site has been in place since 2005.

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A significant buffer exists between operations and the nearest residence (approximately 500m). Noise on site will be managed via adherence to hours of operation (6am - 6pm Monday to Saturday}.
Further, all equipment used at the site is maintained in accordance with manufacturer's specifications and all are fitted with factory exhaust systems. Speed limits on the haulage route to and from the site (across Lot 10) are restricted to no more than 30km per hour as the site is a pre-existing cane farm, again reducing the potential for amenity impact on nearby receivers. No complaints have been received in relation to noise emission over our operating history at the site.

The predominant wind direction for at least 8 months of the year is from the South East. Relative to the existing residence, any noise that may be generated by our operations is not carried in their direction. The same can be said for the remaining time of the year when the wind becomes Northerly.
Through a combination of best practice, site location and prevailing conditions, noise from our operations has not, and will not, be a problem.

Officers Comments:

The potential impact from noise generated by the operations has been assessed and conditioned in the Environmentally Relevant Activities permit issued by Department of Environment and Heritage Protection as follows:

N1 Other than as permitted within this environmental authority, noise generated by the activity must not cause environmental nuisance to any sensitive place or commercial place.
N2 Noise from the activity must not exceed the levels identified in *Table 1-Noise limits* when measured in accordance with the associated monitoring requirements.

Table 1 – Noise limits

Noise level dB(A) measured as	Monday to Sunday including public holidays		
	7am – 6pm	6pm – 10pm	10pm -7am
	Noise measured at a sensitive place		
$L_{Aeq\ adj,\ 1\ hour}$	45	35	30

N3 When required by the administering authority, noise monitoring must be undertaken in accordance with the associated monitoring requirements of *Table 1-Noise Limits*, and the results notified within 14 days to the administering authority. Monitoring must include:
1. $LA_{A\ eq,\ adj,\ T}$
2. Background noise (Background) as $L_{A\ 90,\ adj,\ T}$
3. $MaxL_{PA,T}$
4. the level and frequency of occurrence of any impulsive or tonal noise
5. atmospheric conditions including wind speed and direction
6. effects due to extraneous factors such as traffic noise
7. location, date and time of recording.

The closest operation areas for the activity (stockpiles) are located around 350m from the

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nearest dwelling; however the haulage route does pass within 50m of the dwelling located at 172 R Watts Road. Therefore it is expected that the dwelling will notice increased noise from vehicle movements on the access roads.

The applicant has stated that they have received no complaints to-date about the noise generated from the operations and suggest that through on-site management of operations, especially when in the area surrounding the existing residences, they will be able to operate in a manner that does not impact on any residential dwellings.

4. Siting

The submitter has concerns with the siting of the proposed development to his neighbouring property. "The change of the development permit application could negatively impact the quality and character of our property and surrounding areas and the way it functions. The change of license will add additional noise, dust from the increased traffic and impact on the dirt road access not designed to carry large vehicles.

Officers Comments:

The application proposes to expand the operations of an existing extractive industry that has occurred from this location since 2005. While the expanded operations will potentially increase noise and dust from vehicle movements and increase vehicle movements on the access road, the proposed activity is an appropriate use in the rural area. Further, the sand extracted from the creek bed has been classified as a 'key resource' under the State Planning Policy, which provides protection to the resource from incompatible uses to ensure the resource can be exploited.

Due to the alignment of the creek, the river sand builds up on the side of the creek adjacent to the subject property; therefore making access to extract the material appropriate only from the subject site. The location of the proposed activity is dictated by the accessibility of the river sand from the subject property. If access is not suitable via the existing access roads then the resource will not be able to be extracted in a cost effective manner.

It is considered that the increased excavation of the river sand and haulage from the site will not create undue impact on residential activities in proximity to the operations area or haul road. Conditions will be applied to reduce the potential for impact on any residential uses, such as:

- Requirement to cover loads when sand is transported from the site.
- Requirement to upgrade the access road and R Watts Road to a stabilised gravel standard to reduce/eliminate dust creation from vehicle movements near residential activities.
- Requirement to implement screening, fencing or landscaping near dwellings close to the haulage route, subject to discussions with the owner of the dwellings.

The applicants own operational or management plans will also address these matters to eliminate as far as practical any impact on existing residential activities.

5. Noise

The submitter is concerned on the effect of the increase of production to the bore water quality.
"We are reliant on using bore water and have no access to town supplied water. If the increased activities lead to any degradation of the river this could affect our quality of

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drinking water. The river health is important not only from an environmental standpoint but also the practical concern that if the healthy conditions are altered it could have an impact on the water we drink"

Applicant's Response:

- Site is and has always been a working cane farm. While some residents are new to the area (last 3 years) sand extraction at the site has been in place since 2005.
- Nil complaints received.
- comments offered re intensity and market conditions
- QMAN Permit Conditions and ongoing monitoring
- approvals from both DNRM and EHP.

Officers Comments:

The water issues have been assessed and conditioned in the Environmentally Relevant Activities permit issued by Department of Environment and Heritage Protection as follows:

WT1 Stormwater contaminated by the activity must be managed to minimise or prevent any adverse impacts on the values of the receiving environment.

WT2 The release to waters must not:

1. have any other properties at a concentration that is capable of causing environmental harm
2. produce any slick or other visible evidence of oil or grease, nor contain visible floating oil, grease, scum, litter or other visually objectionable matter.

WT3 Erosion and sediment control measures must be implemented to minimise erosion and the release of sediment.

The State has identified that the sand resource is suitable for extraction and sale. As part of this process the relevant departments would have assessed the likely environmental impact from the excavation of the material and found that there would be little or no environmental harm caused by the operations.

The operations on site, including the extraction of material from the creek bed, should not impact on the quality of the bore water able to be obtained by surrounding properties. The impact of extraction from the creek bed would be an increase in turbidity and suspended solids in the water within the creek. This would flow down the creek and disperse naturally in the creek system; it would not enter the water table/aquifer to contaminate the available bore water supplies. Further, the stockpiling activities would generate run off during rainfall events, which will be captured as part of the stormwater management devices required under the State approvals for the activity. The major potential contaminates from the stockpiles would be dirt and other small material that is naturally occurring in the creek as the stockpile will be material extracted from the creek. This material would not be likely to cause any impact on ground water supplies.

DRAFT

RESOURCES IMPLICATIONS

There is a potential requirement for Development Compliance staff to investigate any complaints from neighbouring property owners in relation to the activities proposed.

RISK MANAGEMENT IMPLICATIONS

Nil, with the exception of potential costs involved if an appeal is lodged.

CONSULTATION

External

The development proposal was publicly notified as required by the Sustainable Planning Act. Details of the submissions are outlined earlier in this report.

Internal

Internal stakeholders have been consulted in relation to the application through the discussion of the proposal at the internal Development Enquiries Meeting and via formal internal referral of the application to nominated programs. The requirements of the internal stakeholders have been included in the conditions of approval where appropriate.

CONCLUSION

The development application seeks approval to expand the operations of an existing sand quarry. The proposed use is an appropriate activity in the rural area that will exploit a natural resource that has been identified by the state as being a 'key resource' for the State and worthy of protection from incompatible uses.

It is considered that the increased operations proposed will not have any significant impact on surrounding sensitive land uses as proposed conditions of approval, and those imposed by the state, will ensure the activity operates in a manner that does not cause adverse impacts.

Officer's Recommendation

A. THAT Council approve the application for a Material Change of Use for an Extractive Industry for a Sand Extraction - Quarry located at Lot 10 R Watt Road, Benholme, described as Lot 10 on SP201885, subject to the following conditions:

1. Plan of Development

The approved Extractive Industry (Sand Extraction – Quarry) 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	Title	Prepared by	Date
	Websters Quarry – Plan of Development	Mackay Sand and Gravel	

DRAFT

2. 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.

3. Maintenance of Development

The approved development (including landscaping, car parking, driveways and other external spaces) must be maintained in accordance with the approved drawings and/or documents, and any relevant Council engineering or other approval required by the conditions.

4. Conflict Between Plans and Written Conditions

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

5. Notice of Intention to Commence 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).

6. 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 Construction Specifications.

7. Damage

The developer is responsible for the repair of any damage that is caused to Council's infrastructure as a result of the construction works associated with the proposed development. The developer must make any damage safe and then notify Council immediately. Council will make the decision as to who will carry out the rectification works and the timing for the completion of those works.

8. Access and Road Upgrade

The existing access to the site via R Watts Road and the existing access track through the subject site must be upgraded as follows:

a) R Watts Road must be upgraded and maintained to a stabilised gravel standard where dwellings are located within 50m of the road boundary
b) The internal access road from R Watts Road to the existing stockpile area must be upgraded to a gravel standard, except in proximity to 172 and 174 R Watts Road where the access must be upgraded to a stabilised gravel standard.

DRAFT

9. Vehicle Manoeuvring

To ensure compliance with the Vehicle Parking and Movement Code the stockpile and screening area must be designed to ensure all vehicles can enter and exit this area in a forward gear.

10. 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.

11. Erosion and Sediment Control

The operator must implement Erosion and Sediment Control measures around the stockpile area to ensure that any runoff from the site does not cause sediment to enter the adjacent riparian zone.

12. Haulage or Bulk Fill/Spoil Material

Where the volume of material exported from the site exceeds 2,500m^3, the volume and transport route are to be nominated for separate Council approval. Specific conditions may apply, including contributions towards the cost of accelerated pavement degradation along haulages routes and/or for repairs to haulage routes.

13. Extraction Method

The approved extraction method is by mechanical means only. There must be no blasting on the subject site.

14. Transportation of Sand

All sand transported to and or from the site must be covered to prevent dust or spillage during transport. If soil is tracked or spilt onto the road pavement from works on the subject land, it must be removed no later than the end of each working day.

15. Hours of Operation

The hours of operation must be limited to 6.00am to 6.00pm, Monday to Saturday, excluding public holidays.

16. Site Rehabilitation

At the cessation of the approved use, the stockpile and screening area must be returned to use as agricultural land and the visual amenity of the site is to be restored.

DRAFT

17. Security Signage

Security signage must be installed on property boundaries and adjacent the excavation area in order to prevent unauthorized or accidental public entry.

18. Screening

Provide screening on haulage routes within 50m of existing dwellings. Agreement must be made with the land owners and evidence of compliance/agreement must be provided to Council prior to commencement of use.

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

1. Maximum Annual Extraction Amount

A maximum of 50,000m^3 annually is approved to be extracted from the subject site. Any increase in this amount of production will require a further Material Change of Use application to be lodged with Council.

2. Local laws

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

3. 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.

4. 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.

5. 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.

DRAFT

6. 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.

7. 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.

8. Advertising Sign Approval

No advertising sign and/or advertising device must be erected without separate Council approval. An application to Council under Subordinate Local Law 1.4 must be made and approved prior to any such sign or device being erected.

9. Contaminated Land

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

Cr Camm queried if the opposing submitters where notified this matter was on the Committee Agenda for decision.

Director Development Services confirmed the opposing submitters had been notified.

DRAFT

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Mann (nee Fordham) **Seconded Cr Gee**

Cr Mann spoke in favour of the Motion given it is a key resource area and is appropriately conditioned and is a rural zone.

CARRIED

8.6 SHELLGRIT CREEK - SHOREBIRD PROTECTION AND EDUCATION PROPOSAL

Author **Natural Environment Coordinator**

Purpose

To provide information to Council regarding potential nature-based tourism opportunities relating to the high-tide shorebird roost at Shellgrit Creek and the process for restricting or prohibiting dogs from the area.

Background/Discussion

Migratory waders or shorebirds migrate to Australia from the northern hemisphere, during our summer period (October to April), when conditions are too cold in their breeding grounds for them to survive. While here, shorebirds need to spend considerable time feeding and resting to build up reserves to make the return journey to their breeding grounds. They feed on tidal flats (when exposed at low tides), consuming invertebrates such as crabs, yabbies and worms. As they can only feed when the tidal flats are exposed, they feed both day and night, resting (also known as roosting) in large numbers at high-tide roosts when the tidal flats are inundated (during high tides). When shorebirds are feeding and roosting, they are vulnerable to disturbance. When shorebirds are disturbed (including by beach users, pedestrians or dogs) they take flight, using up valuable energy stores. If they are subject to frequent disturbance, they may fail to build up sufficient energy reserves and condition to return to their breeding grounds in the Northern Hemisphere.

Barry Deacon from Birdlife Mackay submitted a proposal to the Natural Environment Advisory Committee which was tabled at the committee's November 2016 meeting. The proposal highlights the importance of the Shellgrit Creek area, at the southern end of Far Beach, as a significant high-tide shorebird roost site. Members of Birdlife Mackay conduct monthly shorebird monitoring at this location, recording both the number of shorebird species seen and the number of birds present. Records confirm the importance of Shellgrit Creek as an important site for shorebirds, with endangered and vulnerable species such as the Eastern Curlew and Great Knot regularly recorded at the site.

DRAFT

Dogs are currently allowed on the beach but must be on leash. The proposal recommends prohibiting dogs from the area at all times, to allow shorebirds to rest and feed undisturbed. This could be achieved through an amendment to Council's Local Laws, prohibiting dogs from the area. Currently dogs are prohibited from the nearby Sandfly Creek Environmental Reserve on a seasonal basis. The group has requested that dogs be prohibited from the Shellgrit Creek area on a permanent basis rather than seasonally, so as to avoid any confusion about when dogs are or aren't allowed and also because smaller numbers of migratory shorebirds are present in the area over the winter months, in addition to the large numbers that are present in summer. Resident shorebirds (those species that are non-migratory such as Red-capped Plovers) would also benefit from the dog prohibition.

Once the area's shorebirds are protected from disturbance, opportunities exist to promote the tourism and educational value of the site, through a nature-based walking trail and a shorebird viewing site. This could take the form of a low-key walking track that meanders around existing native vegetation and wetland areas. If this approach was taken, native vegetation would not need to be cleared and any raised boardwalk or bridge sections could be avoided, minimising cost and allowing continued maintenance access, including for the Vector Control Team who regularly access the area for mosquito control purposes. A small viewing platform with seating is proposed adjacent to the beach front, where the best views of the roosting birds can be obtained.

There is scope to provide interpretive and educational signage along the trail, focussing on the variety of habitats, such as mangroves, tidal wetlands and beach scrub that the trail would pass through, as well as specific information on shorebird identification and the wide variety of other bird life likely to be encountered. The nature trail could be marketed as a unique nature-based tourism opportunity to locals and tourists to the region. International tourists are known to travel to Cairns to view shorebirds on the Cairns Esplanade. The Shellgrit Creek site, at times, has greater numbers of shorebirds than the Cairns foreshore, making the area potentially significant for tourists interested in viewing shorebirds.

It is proposed that the dog prohibition area not just include the foreshore, but include the area surrounding the nature trail, in order to capitalise on bird watching and nature-based tourism opportunities. It is also proposed to extend the dog prohibition area further to the north, to the last beach access at Illawong Park and the car parking area as shown in Attachment 1. Signage could be installed in the car park and at the access tracks indicating dogs are allowed in the area to the north only, providing a clear delineation point. A dog off leash area is located approximately 650m to the north of the car park, between Evans St and Bridge Rd, providing ample opportunities for on leash dog walking and off leash recreation.

The distance of the proposed nature trail is estimated at 700 metres and the approximate alignment is shown in Attachment 2. The track alignment has been designed to minimise vegetation disturbance and the requirement for raised boardwalks. Potential sites for interpretive signage and directional signage are also shown on the map. It is proposed to also formalise and sign a beach access.

Weed control could be undertaken in the area to complement the nature trail and enhance visitor experiences. There is also an opportunity to create a brochure for birdwatchers, highlighting the species commonly seen in the area.

Protecting shorebirds and roost sites from disturbance, compliance activities and providing opportunities for low-impact education and interpretation activities is consistent with the management intent of the Beach Plan for Town and Far Beach.

Consultation and Communication

Consultation has occurred internally with Planning and Development, Local Laws, and Health and Regulatory Services staff. Consultation has occurred with representatives from Birdlife Mackay and the Natural Environment Advisory Committee, including site visits. Should the project proceed, additional key stakeholders such as the Queensland Wader Study Group will also be invited to be part of the project.

Resource Implications

The creation of a low-impact, nature trail at Shellgrit Creek could be achieved at a relatively low cost. Entry signage, interpretive signage and direction markers are proposed, together with beach access signage and a viewing platform with seating. The approximate cost of this project is estimated at $80,000. Funding for this project will be considered during the approval of the 2017/18 capital budget. Ongoing maintenance costs are expected to be minimal. This project has the potential to generate income for local businesses through increasing tourism opportunities.

Risk Management Implications

Prohibiting dogs from Shellgrit Creek and the nature trail area would help minimise disturbance to shorebirds and other birds. Not restricting or prohibiting dogs from the area would mean that shorebird species that are protected by international, federal and state legislation may be disturbed at an important high-tide roost site. Sensitive design of the viewing area would minimise any disturbance cause by humans to the foreshore and roosting shorebirds. The nature trail will be designed so that management vehicles, such as for mosquito control, will still be able to access the site. There is a risk that people who currently walk dogs at Shellgrit Creek may be displeased with the prohibition of dogs from the area, however it is a relatively small area of exclusion, and it is considered that there are ample opportunities for on and off leash dog walking adjacent to the site, and in the region.

Conclusion

There is considerable scope to provide low-impact, nature-based tourism opportunities in the Shellgrit Creek area. There are also opportunities to work with local interest groups such as Birdlife Mackay to implement locally-relevant projects, which support the efforts of community volunteers. Prohibiting dogs from the Shellgrit Creek would be a positive step to protect shorebirds at a locally significant high-tide roost site. This could be achieved through a Local Law amendment. Considerable areas exist for walking dogs to the north of the proposed protected area at Shellgrit Creek, including a designated dog off leash area.

DRAFT

Officer's Recommendation

THAT Council gives 'in principle' support to creating a low-impact nature trail and viewing platform at Shellgrit Creek and to prohibiting dogs from this area, subject to consideration of funding for the project via Council's budget process and amendment to Council's local laws to facilitate the project which would include community consultation.

Cr Camm queried the 'in principle' support without the prohibiting dogs from this area part of it, if the nature trail viewing platform is being investigated as a potential natural environment/tourism opportunity.

Director Development Services (DDS) confirmed the nature trail viewing platform was being investigated as a potential natural environment/tourism activity but obviously there are a whole range of projects which are running through the yearly budget discussions presently and this would be one considered as part of the process.

Cr Camm advised she would encourage the officers to look at using the Natural Environment Levy which is there to help support and facilitate natural environment protection and enhancement.

Cr Casey advised there have been previous areas designated for shorebirds but the shorebirds migrate to different parts of the area continually. The area is currently used by residents walking, running and exercising and does not feel the area should be restricted in use. He understands the birds have travelled a long way to rest and feed but does not feel it necessary to restrict this area.

Cr Camm advised she understands Cr Casey's concerns but it is about a balance about understanding the true migrant cycle of the shorebirds and this be taken into consideration in the investigation of this proposal understanding further the impacts of dogs off leash. There is also the need to understand and engage with the groups which are specialist in nature out birdwatching all of the time to understand the other locations of the shorebirds.

Cr Walker queried the use of the area now is it a dog on or off leash area.

Cr Camm advised the area is undefined with very little signage and general confusion across the entire beach from Evan Street through to Shellgrit Creek.

Cr Walker advised he was of the understanding if you are walking a dog you should have it on a leash.

Cr Camm confirmed that is correct.

Cr Walker queried if this proposal is confirmed then there will be no dogs allowed in this area.

Cr Camm advised this would be investigated and there would need to be some engagement and consultation and whether that is a viable option or Council encourages dogs to be on leash. This would be determined through the scoping of the proposal and the engagement.

Cr Bella queried if the migratory birds were resting in the area or where they nesting.

DRAFT

Cr Camm advised the migratory birds do rest in the area for several months which is resting to feed for their return journey.

Cr Bella advised the predation of birds from dogs that are accompanied by humans would be relatively minimal. There may be some disturbance but he would be interested to see, as it is commonly accepted that most predation of birds is by feral cat population, if the prohibition of dogs was because Council can control the dogs and would it be insignificant to the impact by feral cats.

Cr Camm advised Cr Bella's concerns would be reviewed as part of the investigation.

Cr Gee queried if the report was necessary given that the shorebirds are still migrating to the area where there is such a long history of dog activity.

DDS advised there are a number of value judgements that Council needs to consider in what they value and how much value they place on it. If the proposal is accepted and goes through all the process the outcome would be the creation of a nature based tourism trail for bird watching of 700 m. This is not an officer generated proposal it is a proposal from the Natural Environment Advisory Committee which Council established who are promoting the idea.

Cr Camm reminded the committee that Council has in place advisory committees to the Council that advise Council in the areas of interest that they are appointed and she is the Chair of the Natural Environment Advisory Committee and this was a request of the Natural Environment Advisory Committee. She is very supportive of the request as it strikes an amazing and beautiful balance between a natural unique habitat for the migrating shorebirds, not only does that have an environmental value and a community value, there is tourism value as well. This is echoed by Mackay Tourism and the Bird Watching Association, who receive international inquiry and people who visit our region to see these birds.

The Mayor advised this is about endorsing a proposal to allow the officers to investigate a proposal that will spend $80,000 of ratepayers funds on a viewing platform and 700m of walkway in an area that the shorebirds may then decide to land at Bakers Creek next year. He understands all of the tourism aspects and the amenity of the area but the birds will nest wherever they choose and have done so over the past 20 or 30 years. He is happy to support the recommendation of the committee but must remember the eventual spend will be $80,000 to $100,000 of ratepayers funds on this project.

Cr Bella clarified his earlier comments in relation to the shorebirds nesting and after checking the report they are actually not nesting there but are resting during the period.

Cr Camm offered the councillors a briefing at the Natural Environment Advisory Committee meeting to better understand and be educated on the migrating shorebirds of this area.

DRAFT

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Englert **Seconded Cr Mann (nee Fordham)**

CARRIED

Cr Englert spoke in favour of the Motion as it will investigate a potential tourism opportunity.

Cr Gee spoke against the Motion, he is in favour of the tourism and bird watching component of Motion but cannot support the dog off leash and prohibiting dogs from this area as it is currently widely used by residents and the shorebirds are still migrating to this area.

Cr Gee recorded his vote against the Motion.

8.7 DRAFT MINUTES CHARACTER AND HERITAGE ADVISORY COMMITTEE

Author **Manager Strategic Planning**

Purpose

To receive the draft minutes of the Character and Heritage Advisory Committee of the meeting held on 17 February 2017 for information purposes and consideration of any recommendations.

Officer's Recommendation

THAT the Draft Character and Heritage Advisory Committee Minutes dated 17 February 2017 be received.

Cr Mann (nee Fordham) highlighted some activities the Character and Heritage Advisory Committee meeting discussed and activities organised. There are some significant dates for 2018 which have been identified:

- 100th anniversary of the 1918 cyclone
- 100th anniversary of Mackay being declared a city
- 75th anniversary of the first town plan
- 10th anniversary of the 2008 floods
- 60th anniversary of the 1958 floods
- 30th anniversary of the opening of the Mackay Entertainment Centre
- 30th anniversary of the opening of the Sarina Cultural Centre

The inquiry to change the street blades in Sarina and the Pioneer Valley to commemorate the World War One (WWI) soldiers who severed from the region is progressing.

DRAFT

The Chief Executive Officer advised there will be a strategy for the whole region for the WWI street blades presented to Council for approval soon.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Mann (nee Fordham) **Seconded Cr Englert**

CARRIED

8.8 DRAFT MINUTES NATURAL ENVIRONMENT ADVISORY COMMITTEE

Author **Manager Parks, Environment & Sustainability**

Purpose

Attached is a copy of the draft minutes of the Natural Environment Advisory Committee meeting held on 23rd February 2017 for information purposes.

Background/Discussion

The Natural Environment Advisory Committee consists of councillors, council officers, community members and stakeholder group representatives. The Committee meets bimonthly.

There were a number of actions identified as a result of the February meeting.

The committee recommended that the following Conservation and Environment Grant applications be supported:

- Pioneer Catchment and Landcare Group - $5,000 for Landholder Support Program focussed on peri-urban land holders
- Sarina Landcare and Catchment Management Association - $5,000 for Landholder Support Program focussed on peri-urban land holders
- Mackay Area Fish Stocking Association- $5,000 for tagging and release of 5000 Barramundi fingerlings

Consultation and Communication

Once accepted by Council, the committee minutes will be circulated to members and be made available on council's website.

DRAFT

Resource Implications

$15,000 in funding is able to be provided from the 2016/17 allocation for Conservation and Environment Grants in the Natural Environment Levy.

Risk Management Implications

Nil.

Conclusion

Council has been provided with the February 2017 Natural Environment Advisory Committee meeting minutes for information.

Officer's Recommendation

THAT the Draft Natural Environment Advisory Committee Minutes dated 23 February 2017 be received.

FURTHER THAT grant funding of $5,000.00 be allocated to each of the following groups:

- Pioneer Catchment and Landcare Group
- Sarina Landcare Catchment Management Association
- Mackay Area Fish Stocking Association

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Gee **Seconded Cr Englert**

Cr Gee spoke in favour of the Motion and congratulated everyone involved in the Barramundi restocking over the past few years to Teemburra and Kinchant Dams.

CARRIED

DRAFT

9. TENDERS:

Crs Williamson, Camm, Gee and Mann (nee Fordham) declared that a perceived conflict of interest in this matter, **Item 9.1 MRC 2017-042 Mackay Region Botanic Gardens Operations Centre and Nursery** could exist (as per section 173 of the *Local Government Act 2009*), due to WHF Group, the firm recommended for award of the tender, being a donor to the Greg Williamson Alliance group during the 2016 Local Government Election.

Due to the inability to form a quorum should applicable Councillors not participate in the decision section 173(7) of the *Local Government Act 2009* allows Councillors to participate in the meeting subject to recording in the Minutes:

(a) the name of the councillor who has the real or perceived conflict of interest;
(b) the nature of the personal interest, as described by the councillor;
(c) how the councillor dealt with the real or perceived conflict of interest;
(d) if the councillor voted on the matter—how the councillor voted on the matter;
(e) how the majority of persons who were entitled to vote at the meeting voted on the matter.

Further, that having considered their position are firmly of the opinion they could participate in debate and vote on this matter in the public interest due to the minor amount of donation and acceptance of the independent report and recommendation from Council Officers.

Voting is then recorded as per usual.

9.1 MRC 2017-042 MACKAY REGIONAL BOTANIC GARDENS OPERATIONS CENTRE AND NURSERY

File No MRC 2017-042
Author Manager Parks, Environment and Sustainability

Purpose

To present to Council for approval, tenders submitted for MRC 2017-042 Mackay Regional Botanic Gardens Operations Centre & Nursery.

Background/Discussion

Mackay Regional Council (Council) issued tender documents for a suitably qualified and experienced contractor to undertake the construction of the operations centre and nursery at the Mackay Regional Botanic Gardens. This facility will be located within the Meadowlands section on the eastern side of Cowleys Road.

Tenders were invited on the 20 December 2016, via Queensland Government Qtender website and advertised in the Daily Mercury.

DRAFT

The following submissions were received by the closing time of 10.00am Tuesday 31 January 2017.

Tenderer	Location
Crusade Developments Pty Ltd	Mackay
GW & JL Fergus Pty Ltd	Mackay
John Foster Projects Pty Ltd	Mackay
WHF Group Pty Ltd	Mackay
T.F. Woollam & Sons Pty Ltd	Mackay
Zined Property Services Pty Ltd	Mackay

An initial compliance check was conducted on 1 February 2017 to identify submissions that were non-conforming with the immediate requirements of the Request for Tender (RFT). This included compliance with contractual requirements and provision of requested information.

All submissions were progressed through to the qualitative criteria assessment on the basis that all terms, conditions and mandatory requirements of the RFT had been met.

During the evaluation, tenderers were assessed against the nominated qualitative criteria as outlined in the RFT. The weighting attributed to each qualitative criteria was:

a) Demonstrated Understanding of the Scope of Works 35%
b) Quality and Experience of Contractor & Subcontractors 25%
c) Quality and Experience of Key personnel & subcontractors 25%
d) Value for money 15%

The tendered lump sum prices, excluding GST are listed below:

Tenderer	Lump Sum Price
Crusade Developments Pty Ltd	$2,295,522.80
GW & JL Fergus Pty Ltd	$2,664,434.06
John Foster Projects Pty Ltd	$2,269,000.00
WHF Group Pty Ltd	$1,963,625.00
T.F. Woollam & Sons Pty Ltd	$2,216,000.00
Zined Property Services Pty Ltd	$1,704,544.00

The qualitative criteria assessment was carried out by the evaluation panel on 1 February 2017 with the evaluation panel scoring the tenders according to the evaluation matrix.

Tender Information Requests (TIR) were issued to:

- GW & JL Fergus Pty Ltd requesting the qualitative criteria as it was not included in their submission.
- WHF Group Pty Ltd requesting the qualitative criteria and addressing qualifications included as part of their submission.
- T.F. Woollam & Son Pty Ltd requesting the timeline that was not included as part of their submission

DRAFT

All responses were received within the relevant timeframe.

Due to the lump sum prices being in excess of budget available additional TIR's were issued to all tenderers requesting a revised price for four options. These options were:

- Option 1 – Price to exclude the quarantine area and associated works and stormwater connections from pits 3/4 to 1/5
- Option 2 – Price to exclude the quarantine area and associated works and stormwater connections from pits 3/4 to 1/5 as well as the terrace deck to become a gravel yard.
- Option 3 - Price to exclude the quarantine area and associated works and stormwater connections from pits 3/4 to 1/5 as well as the potting shed, water tanks and associated storage rooms with the service brought to the edge of the area.
- Option 4 - Price to exclude the quarantine area and associated works and stormwater connections from pits 3/4 to 1/5 , the Terrace deck to become a gravel yard, potting shed, water tanks and associated storage rooms to be removed with the service connections brought to the edge.

All tenderers replied within the relevant timeframes with the revised lump sum prices:

Option 1 Price

Tenderer	Lump Sum Price (Excluding GST)
Zined Property Services Pty Ltd	$1,704,544.00
WHF Group Pty Ltd	$1,943,375.00
T.F. Woollam & Sons Pty Ltd	$2,117,000.00
John Foster Projects Pty Ltd	$2,176,000.00
Crusade Developments Pty Ltd	$2,261,186.54
GW & JL Fergus Pty Ltd	$2,622,098.06

Option 2 Price

Tenderer	Lump Sum Price (Excluding GST)
Zined Property Services Pty Ltd	$1,697,374.20
WHF Group Pty Ltd	$1,926,052.00
T.F. Woollam & Sons Pty Ltd	$2,093,000.00
John Foster Projects Pty Ltd	$2,138,000.00
Crusade Developments Pty Ltd	$2,236,538.59
GW & JL Fergus Pty Ltd	$2,561,057.06

Option 3 Price

Tenderer	Lump Sum Price (Excluding GST)
WHF Group Pty Ltd	$1,601,895.00
Zined Property Services Pty Ltd	$1,686,800.00
John Foster Projects Pty Ltd	$1,819,000.00
T.F. Woollam & Sons Pty Ltd	$1,849,500.00
Crusade Developments Pty Ltd	$1,993,123.93
GW & JL Fergus Pty Ltd	$2,258,008.06

DRAFT

Option 4 Price

Tenderer	Lump Sum Price (Excluding GST)
WHF Group Pty Ltd	$1,584,572.00
Zined Property Services Pty Ltd	$1,679,630.20
John Foster Projects Pty Ltd	$1,781,000.00
T.F. Woollam & Sons Pty Ltd	$1,824,600.00
Crusade Developments Pty Ltd	$1,968,475.98
GW & JL Fergus Pty Ltd	$2,197,147.51

The evaluation panel reviewed all responses to the TIR's and recommend award based on Option 3 above, considering the benefits and cost in comparison to option 4.

Based on the evaluation panel's assessment of the information provided within the submissions and TIR responses, the evaluation panel recommends WHF Group Pty Ltd as the preferred tenderer based on their demonstrated understanding, previous experience and personnel nominated to complete this project. All subcontractors nominated by WHF Group Pty Ltd on this project are Mackay based businesses.

The evaluation of the tender was conducted by:

- Botanic Gardens Coordinator - Parks, Environment & Sustainability
- Supervisor Operational Maintenance - Property Services
- Contracts Coordinator - Procurement and Plant

Consultation and Communication

Consultation was conducted between Parks, Environment & Sustainability, Property Services, Procurement and Plant and external consultants prior to the Request for Tender being released.

Resource Implications

Council has received a grant for this project of $745,510.00 from the Department of Infrastructure, Local Government and Planning - 2016-17 Local Government Grants and Subsidies Program.

Estimated projects costs were based on an assessment by a qualified quantity surveyor. Despite the additional TIR's being issued to all tenderers to remove some built infrastructure, the contract price remained higher than the project budget following competitive tender process.

With the project cost exceeding currently budgeted and funded allowances, extra required funds for the project will be sourced during the March Quarterly Budget Review, including identified savings from other capital projects.

Description	Amount	Notes
Project Name		
Expenditure to Date	$0	

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Description	Amount	Notes
Contract Price	$1,601,895	WHF Group Pty Ltd
Project risks	$160,000	Contingency allocation
Estimated Cost of Project	**$1,761,895**	
BUDGET		
Budget for 2016/2017	**$622,551**	Parks Capital Funds
Grants	**$745,510**	State Government Grant
	$1,368,061	
BALANCE	**($393,834)**	To be sourced from March Quarterly Budget Review

Risk Management Implications

Contingency allocation of 10% for project risks is provided to account for unforeseen project expenses.

Conclusion

Following competitive tender process, awarding the contract to WHF Group Pty Ltd represents the most advantageous outcome and demonstrated value for money to Mackay Regional Council due to their ability to undertake the works required, demonstrated understanding and previous experience.

Budget and funding shortfall for the project will be addressed as part of the March Quarterly Budget Review.

Officer's Recommendation

THAT the contract MRC 2017-042 Mackay Regional Botanic Gardens Operations Centre and Nursery be awarded to WHF Group Pty Ltd for the tender price of $1,601,895.00 (excluding GST).

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Englert **Seconded Cr Gee**

CARRIED UNANIMOUSLY

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10. CONSIDERATION OF NOTIFIED MOTIONS:

Nil

11. PUBLIC PARTICIPATION:

Nil

12. LATE BUSINESS:

Nil

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13. CONFIDENTIAL REPORTS:

THAT the meeting be closed to the public in accordance with the *Local Government Act 2009 (Section 275 (1) of the Local Government Regulation 2012)* to discuss matters relating to:-

Confidential Item	Reason for Meeting Closure
• **ITEM 13.1** - FACILITATING DEVELOPMENT IN THE MACKAY REGION POLICY - CORNERSTONE BUILDING DEVELOPMENTS - HEALTH CARE CENTRE / COMMERCIAL PREMISES WITH ANCILLARY PHARMACY, GYMNASIUM AND CAR PARKING - CANCER CARE CENTRE - 148 SAMS ROAD, NORTH MACKAY	(h) for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage
• **ITEM 13.2** - DEVELOPMENT SERVICES MONTHLY LEGAL REPORT - FEBRUARY 2017	(f) starting or defending legal proceedings involving Council (g) action to be taken under the Sustainable Planning Act 2009 (Qld) (h) for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage
• **ITEM 13.3** - APPROVED CONCESSIONS UNDER THE FACILITATING DEVELOPMENT IN THE MACKAY REGION POLICY	(c) the Council's budget

Moved Cr Englert **Seconded Cr Gee**

CARRIED

2.15 pm - The meeting be closed to the public.

THAT the meeting be reopened to the public.

Moved Cr Mann (nee Fordham) **Seconded Cr Englert**

CARRIED

2.30 pm - The meeting was reopened to the public.

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13.1 FACILITATING DEVELOPMENT IN THE MACKAY REGION POLICY - CORNERSTONE BUILDING DEVELOPMENTS - HEALTH CARE CENTRE / COMMERCIAL PREMISES WITH ANCILLARY PHARMACY, GYMNASIUM AND CAR PARKING - CANCER CARE CENTRE - 148 SAMS ROAD, NORTH MACKAY

Confidential

Committee Resolution

THAT the following Specific Incentives are approved under the Facilitating Development in the Mackay Region Policy for the Health Care Centre / Commercial Premises located at 148 Sams Road, North Mackay (DA-2008-660/B):

a) Reducing infrastructure charges payable following all concessions, discounts and available credits to $134,453.57 from $472,989.14 net charge amount identified on the Infrastructure Charge Notice for DA-2008-660/B at 148 Sams Road, North Mackay (Lot 6 on SP247660);

b) Delayed payment of infrastructure charges, payable within twelve (12) months of the commencement of use, to be confirmed pursuant to an infrastructure agreement;

c) Development application fee refund ($5,407.00) calculated as a discount to the outstanding net charge amount payable at the required time of payment;

d) Reduction in water and sewer service connection fees (50% discount up to a maximum of $500.00 for each service), applied at the time when the fees would be payable for the activity;

AND THAT the approval of the concessions is dependent on:

e) The development must be completed and the use commenced by 12 April 2019.

Moved Cr Mann (nee Fordham) **Seconded Cr Englert**

CARRIED

DRAFT

13.2 DEVELOPMENT SERVICES MONTHLY LEGAL REPORT - FEBRUARY 2017

Confidential

Committee Recommendation

THAT the report be received.

Moved Cr Englert **Seconded Cr Mann (nee Fordham)**

CARRIED

13.3 APPROVED CONCESSIONS UNDER THE FACILITATING DEVELOPMENT IN THE MACKAY REGION POLICY

Confidential

Committee Recommendation

THAT the concessions approved under the Facilitating Development in the Mackay Region Policy are noted.

Moved Cr Gee **Seconded Cr Mann (nee Fordham)**

CARRIED

14. MEETING CLOSURE:

The meeting closed at 2.31 pm.

15. FOR INFORMATION ONLY:

15.1 DEVELOPMENT APPLICATION INFORMATION - 01.02.17 TO 28.02.17

For Council Information Only - No Decision Required.

Development Applications Received

App No.	Code / Impact	Address	Applicant	Description	Officer
DA-2006-497/G	Code	Lot 900 Diesel Drive, PAGET	FKP Mackay Turf Farm No 1 Pty Ltd	Request to Extend Relevant Period - Reconfiguration of 2 lots to create 59 industrial lots - Industroplex Estate Stages 5-8	Kathryn Goodman
DA-2008-216/C	Code	Lot 34 Tamarind Terrace, ALLIGATOR CREEK	Robert B Power	Extension of Relevant Period - Reconfiguration of a Lot (Stage 2 - 18 Lots) Rural Residential	Josephine McCann

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App No.	Code / Impact	Address	Applicant	Description	Officer
DA-2008-699/B	Code	29 River Street, MACKAY	Mistweft Pty Ltd and Patsday Pty Ltd	Extension of Relevant Period - 4 Multiple Dwelling Units, 84 Dual Key Units (168 Motel Suites/Rooms), Catering Shops & Onsite Parking	Brogan Jones
DA-2011-334/A	Code	47-51 Golflinks Road, BEACONSFIELD	Lorna G Shuttlewood and Lawrence N Shuttlewood and	Change to Development Approval - Change of Conditions - 2 Urban Expansion Lots into 75 Urban Residential Lots, 2 Medium Density Lots and 1 Balance Lot - Kerrisdale Estate Stage 2	Brogan Jones
DA-2012-209/A	Code	25 Juliet Street, SOUTH MACKAY	Russell A Spurrell and Elise Spurrell	Extension of Relevant Period - Multiple Dwelling Units (5)	Josephine McCann
DA-2012-421/A	Code	21 Streeter Avenue, WEST MACKAY	Johnny Thai	Extension of Relevant Period - Multiple Dwelling Units (5)	Darryl Bibay
DA-2016-55/A	Code	2 Rosewood Drive, RURAL VIEW	Urbis Pty Ltd	Request to Consider Plans 'Generally in Accordance' - Telecommunications Facility	Brogan Jones
DA-2017-11	Code	2 Mangrove Road, MACKAY	Lend Lease Property Management (Australia)	Service Station (Car Wash)	Josephine McCann
DA-2017-12	Code	Lot 1 Edmond Street, EIMEO	Eimeo Surf Life Saving Club Inc	Sport & Recreation (Clubhouse Extensions) - Eimeo Surf Life Saving Club	Darryl Bibay
DA-2017-13	Code	369-371 Mackay-Bucasia Road, RICHMOND	Beaconsfield Road Pty Ltd	Home Based Business (Office)	Josephine McCann
DA-2017-14	Code	93897 Bruce Highway, BAKERS CREEK	Ooralea Developments Pty Ltd	3 Rural Lots into 5 Lots & Access Easement	Darryl Bibay
DA-2017-15	Code	180 Shoal Point Road, SHOAL POINT	Charter Capital Pty Ltd	3 Urban Residential Lots into 30 Lots	Helle Jorgensen Smith
DA-2017-16	Code	5 Willoughby Crescent, EAST MACKAY	Brandon J Ross	Multiple Dwelling Units (3)	Helle Jorgensen Smith
DA-2017-17	Code	118-120 Maggiolo Drive, PAGET	Gmech	General Industry	Kathryn Goodman
DA-2017-18	Code	Lot 13 Owen Jenkins Drive, SARINA BEACH	TF Thompson Business Trust	Caravan Park (14 sites)	Darryl Bibay
DA-2017-8	Code	8 Bundesen Avenue, MIDGE POINT	Noel P Harris	Residential Storage Shed > 85m2	Darryl Bibay
DA-2017-9	Code	154-156 Maggiolo Drive, PAGET	Simon R Andrew	General Industry	Darryl Bibay

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Development Applications Entering Decision Making Period

App No.	Code / Impact	Address	Applicant	Description	Officer
MCUC-2012-209A	Code	25 Juliet Street SOUTH MACKAY	Russell A Spurrell and Elise Spurrell	Extension of Relevant Period - Multiple Dwelling Units (5)	Josephine McCann
MCUC-2016-117	Code	2 Mangrove Road MACKAY	Lend Lease Real Estate Investments Limited	Shopping Centre (Caneland Central Expansion)	Brogan Jones
MCUC-2017-9	Code	154 Maggiolo Drive PAGET	Simon R Andrew	General Industry	Darryl Bibay
MCUCD-2008-699B	Code	29 River Street MACKAY	Mistweft Pty Ltd and Patsday Pty Ltd	Extension of Relevant Period - 4 Multiple Dwelling Units, 84 Dual Key Units (168 Motel Suites/Rooms), Catering Shops & Onsite Parking	Brogan Jones

App No.	Code / Impact	Address	Applicant	Description	Officer
MCUI-2016-11	Impact	133 Inneston Road KOUMALA	Stewart J Borg and Sarah J Borg	Intensive Animal Industry (Cattle Feedlot)	Josephine McCann
MCUI-2016-126	Impact	10 Canberra Street NORTH MACKAY	The Roman Catholic Trust Corporation	Educational Establishment (Kindergarten ancillary to existing school)	Brogan Jones
RECONF-2006-497G	Code	0 Diesel Drive PAGET	FKP Mackay Turf Farm No 1 Pty Ltd	Request to Extend Relevant Period - Reconfiguration of 2 lots to create 59 industrial lots - Industroplex Estate Stages 5-8	Kathryn Goodman
ROLC-2011-334A	Code	47 Golflinks Road BEACONSFIELD	Lorna G Shuttlewood and Lawrence N Shuttlewood and	Change to Development Approval - Change of Conditions - 2 Urban Expansion Lots into 75 Urban Residential Lots, 2 Medium Density Lots and 1 Balance Lot - Kerrisdale Estate Stage 2	Brogan Jones
ROLC-2016-114	Code	767 Bruce Highway FARLEIGH	Paul A Schembri and Elizabeth Schembri	1 Rural Lot into 2 Lots	Helle Jorgensen Smith
ROLC-2016-116	Code	0 Mackay-Habana Road RICHMOND	Sugarview Developments Pty Ltd	1 Urban Expansion Lot into 55 Lots (Sugarview Estate - Stage 8)	Brogan Jones
ROLC-2016-123	Code	0 Aura Street MCEWENS BEACH	Mackay Regional Council	1 Open Space lot into 11 Lots & Balance Lot	Brogan Jones
ROLC-2016-128	Code	0 Maraju-Yakapari Road BALNAGOWAN	Charles S Agius and Anne M Agius	Boundary Realignment 2 Rural Lots into 2 Lots	Leah Harris
ROLC-2017-1	Code	217 Wainui Road FARLEIGH	Victor J Attard	1 Rural Residential Lot into 2 Lots	Leah Harris

Development Applications Finalised

App No.	Code / Impact	Address	Applicant	Description	Officer
Approved Subject to Conditions					
MCUC-ASPA-2014/139A	Code	184-192 Malcomson Street MOUNT PLEASANT QLD 4740	Cotherstone Pty Ltd	Change to Development Approval - Change of Condition - Shopping Centre	Josephine McCann
MCUC-ASPA-2016/124	Code	Lot 27 Jan Reddacliff Drive THE LEAP QLD 4740	Gemini Homes (QLD) Pty Ltd	Dwelling House (Steep Land Overlay)	Josephine McCann
MCUC-ASPA-2016/130	Code	18-26 Central Drive ANDERGROVE QLD 4740	Health On Central	Health Care Centre	Helle Jorgensen Smith
MCUC-ASPA-2016/20A	Code	363-369 Shakespeare Street MACKAY QLD 4740	Eshami Corporation Pty Ltd	Change to Development Approval - Change of Conditions - Extension to Machinery and Vehicle Sales, Outdoor Sales Premises & Ancillary Car Repair Workshop	Brogan Jones
MCUC-ASPA-2016/81	Code	160 Boundary Road OORALEA QLD 4740	Optus Mobile Pty Ltd	Telecommunications Facility	Brogan Jones
MCUC-ASPA-2017/6	Code	16 David Muir Street SLADE POINT QLD 4740	Debbie's Seafood Pty Ltd	Catering Shop	Brogan Jones
MCUC-ASPA-2017/7	Code	24 Yaralla Avenue EAST MACKAY QLD 4740	Darryll K Schurmann and Vicki E Schurmann	Aviation Facilities Buffer Area - Development in the Vicinity of Mackay Airport Overlay & Building Work - Front and Side Boundary Setbacks for Carports	Kathryn Goodman
MCUC-ASPA-2017/8	Code	8 Bundesen Avenue MIDGE POINT QLD 4799	Noel P Harris	Residential Storage Shed > 85m2	Darryl Bibay
MCUI-ASPA-2016/120	Impact	3 Hackett Court CAMPWIN BEACH QLD 4737	Graham A Moon	Undefined Use (Small Scale Home Based Motor Mechanic)	Josephine McCann
MCUI-ASPA-2016/65	Impact	Lot 900 Diesel Drive PAGET QLD 4740	Bowen Basin Residences Pty Ltd	Service Station, Catering Shop and Tourist Facility	Leah Harris

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App No.	Code / Impact	Address	Applicant	Description	Officer
ROLC-ASPA-2016/119	Code	Lot 11 Gormleys Road MOUNT JUKES QLD 4740	Anne F Kley	Boundary Realignment 10 Rural Lots into 10 Lots	Josephine McCann
Generally In Accordance With					
MCUC-ASPA-2010/96A	Code	1272 Hay Point Road HAY POINT QLD 4740	Whitsunday Design & Drafting	Request to Consider Plans "Generally in Accordance" Extension to Existing Motel and Environmentally Relevant Activity 63 for a Sewerage Treatment Plant (15 Temporary Accommodation Cabins)	Brogan Jones
MCUC-ASPA-2016/55A	Code	2 Rosewood Drive RURAL VIEW QLD 4740	Urbis Pty Ltd	Request to Consider Plans 'Generally in Accordance' - Telecommunications Facility	Brogan Jones
Relevant Period Extended					
MCUC-ASPA-2012/300A	Code	29 Rae Street EAST MACKAY QLD 4740	Reef To Range Investments Pty Ltd	Extension of Relevant Period (4 Years) - Multiple Dwelling Units (5) & 1 Urban Residential Lot into 5 Lot Community Title Scheme by Standard Format Plan	Helle Jorgensen Smith
RECONF-IDAS-2008/216C	Code	Lot 34 Tamarind Terrace ALLIGATOR CREEK QLD 4740	Robert B Power	Extension of Relevant Period - Reconfiguration of a Lot (Stage 2 - 18 Lots) Rural Residential	Josephine McCann
Negotiated Decision					
MCUC-ASPA-2016/103	Code	59 Mdina Drive HABANA QLD 4740	Terence P Duncan and Barbara J Duncan	Residential Storage Shed > 85sqm and Steep Land Overlay	Kathryn Goodman
MCUC-ASPA-2016/92	Code	174-176 Maggiolo Drive PAGET QLD 4740	Jason T Sharam and Peter S Sharam	General Industry (Office, Showroom, Storage & Workshop)	Kathryn Goodman
MCUI-ASPA-2015/148	Impact	Securities Lease 1232 Snow Wright Court ANDERGROVE QLD 4740	Kucom Theatre Incorporated	Local Community Facility - KUCOM Theatre (with ancillary public performance).	Josephine McCann

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Confirmed on Wednesday 12 April 2017

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CHAIRPERSON

APPENDIX / ATTACHMENTS

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COMMUNITY ENGAGEMENT STANDING COMMITTEE MEETING MINUTES

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1. COMMITTEE ATTENDANCE:

Crs F A Mann (nee Fordham) (Chairperson), J F Englert, L G Bonaventura, A J Camm, K J Casey, R C Gee, and Mayor G R Williamson were in attendance at the commencement of the meeting.

2. NON-COMMITTEE ATTENDANCE:

Also present were Cr M J Bella, Cr A R Paton, Cr R D Walker, Mr C Doyle (Chief Executive Officer), Ms B Mather (Director Community and Client Services) and Mrs M Iliffe (Minute Secretary).

The meeting commenced at 9.00 am

3. ABSENT ON COUNCIL BUSINESS:

Nil

4. APOLOGIES:

Nil

5. CONFLICT OF INTEREST:

Item 8.5 - Crs Mann (nee Fordham), Bonaventura and Casey (perceived conflict)

6. CONFIRMATION OF MINUTES:

6.1 COMMUNITY ENGAGEMENT STANDING COMMITTEE MINUTES - 15 FEBRUARY 2017

THAT the Community Engagement Standing Committee Meeting Minutes held on 15 February 2017 be adopted.

Moved Cr Camm **Seconded Cr Casey**

CARRIED

7. BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING:

Nil

8. CORRESPONDENCE AND OFFICERS' REPORTS:

8.1 COMMUNITY AND CLIENT SERVICES MONTHLY REVIEW FEBRUARY 2017

Author **Director Community and Client Services**

Purpose

Attached is a copy of the Community and Client Services Monthly Review for the period 1-28 February 2017.

Officer's Recommendation

THAT the Community and Client Services Monthly Review covering the month of February 2017 be received.

Director Community and Client Services (DCCS) spoke to the report and provide a brief overview of the directorates activities for the month of February 2017.

Cr Camm queried under the Sister Cities Program the receiving of only five (5) applications for 2017 and was this down from previous years and if so, why.

DCCS advised the five (5) applications are for the chaperones not for the participants in the program.

Cr Camm queried when the applications will be opened for the students.

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DCCS advised the applications are open now for students to apply.

Cr Gee queried if live streaming to the Mackay Entertainment and Convention Centre (MECC) had been considered for the sold out Sir Elton John concert.

DCCS advised seating at the venue is being reviewed to ascertain if additional tickets could be released. Live streaming to the MECC has not been considered but will liaise with the Manger of the MECC to see if that is an option.

Cr Gee advised he did not believe Sir Elton John was targeting the regional areas to maximise his ticket sales and the live streaming is worth investigating.

DCCS advised the contractual obligations for this concert would need to be reviewed in relation to live streaming.

Chief Executive Officer (CEO) advised in relation to Cr Camm's query on the five (5) chaperones, Council has taken on notice the issues which occurred last year and are very conscious of this in the selection process this year. Also to reinforce DCCS comments that the promotors of the Sir Elton John concert will make the decision of whether there is live streaming or not, this will not be a decision made by Council. There were 12,000 tickets available and the seating allocation has been exhausted.

Cr Camm advised given that the initiative was out of the directorate of Economic Development and Planning as much as this concert is a fantastic community opportunity for the region it is very much focused on economic return and exposure and bringing visitation to our region.

Cr Englert queried the financial data provided for the MECC for February 2017 given the attendance has increased in comparison to last year's figures.

DCCS advised the financial data for the MECC is complex as the reporting period often does not contain both the revenue and expenses for an event. Often expenses are paid in one period and revenue received in either a later or earlier period. Overall the movement of customers through the MECC is increasing and this is reflected in improving revenue.

Cr Englert queried if there were enough roles for the 70 active library volunteers and given the changing nature of the activities undertaken now, do the volunteers receive additional training.

DCCS advised the libraries can always use more volunteers and volunteers are continually trained and made aware of the changing trends in libraries.

Cr Camm queried where Foodspace operating costs are shown in the budget.

DCCS advised Foodspace forms part of the catering budget for the MECC.

Cr Camm queried if the committee could be briefed on the current operating model of Foodspace.

DCCS will take this on notice and forward this information to the committee.

Cr Bonaventura queried in relation to the river and rainfall alert station project where the new stations will be located and how many will be installed.

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DCCS will take this on notice and forward the information to the committee.

The Mayor advised Cr Walker queried earlier the number of tickets available for the Sir Elton John Concert.

Cr Walker advised he was happy with the CEO's earlier comment that there were 12,000 tickets available for sale.

The Mayor advised the ticket sales for the concert has been outstanding.

Cr Englert advised he has received a lot of positive feedback in relation to the series of revised Council Connect TV infomercials. The community are able to understand better the day to day functions of Council and congratulated the Corporate Communications program for this initiative.

Cr Mann (nee Fordham) asked DCCS to forward the committee's thanks to the Corporate Communications program.

Cr Mann (nee Fordham) provided a brief overview of recent and upcoming events for the Community and Client Services program:

- Queensland Women's Week events
- International Women's Day
- Mackay Women Who Make us Proud Awards
- Sarina Women Who Make us Proud Awards
- The inaugural Mary Malone Award that will be awarded to an exception woman in the Sarina community during International Women's week
- Harmony Day - Tuesday 21 March 2017
- Citizenship Ceremony - Tuesday 21 March 2017
- Community strengthening and development conferences coming to support not for profit volunteer organisations in the work they undertake

Cr Bella congratulated the staff who organised the Women Who Make us Proud Awards held in Sarina, he was unable to attend due to another commitment in Townsville. He advised he received an invitation to the Sarina event but queried if this was to be a women only event.

DCCS advised this event was not a women's only event, it was directed at women to participate but men were able to attend, Cr Bonaventura and The Hon Jim Pearce MP attended the event.

Cr Bella queried if the invitations to the women included their partners.

Cr Mann (nee Fordham) advised it was her understanding that partners were invited as well.

Cr Bonaventura advised he attended the event and personally enjoyed the event, it was great to be part of the awards night and in some ways it was disappointing that were not a few more men to share the event.

Cr Mann (nee Fordham) advised these comments will be taken on notice when organising the event for 2018.

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Cr Camm advised the women of Sarina help create this event and it is a fantastic initiative and recognise that each part of the region should be respected in a way in which they want to conduct or help formulate or create their own experience. Cr Bonaventura did attend the event and noted he enjoyed it and it was fun and he was teased for most of the night. It was great to see the representation but for 2018 it would be good to seek clarity whether the event is a women's only event or not.

Cr Bonaventura advised while Cr Camm said the comments made on the night were all light hearted, and he did accept them in that way, his wife was upset that they continued throughout the evening.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Englert **Seconded Cr Gee**

Cr Englert advised the Sports Expo was held and there were 8,000 people who attended throughout the day and Mackay Regional Council is leading the way in organising and holding this type of event. The Inaugural Volunteer Expo registrations are now open and will be similar to the Sports Expo. Emergency Management have been reinforcing the "Get Ready" campaign recently and distributed nearly 3,000 "Get Ready Bags" during February.

CARRIED

DRAFT

8.2 DRAFT MINUTES - VISUAL ARTS ADVISORY COMMITTEE

Author **Manager Community Lifestyle**

Purpose

Attached is a copy of the Visual Arts Advisory Committee (VAAC) minutes of 30 January 2017.

Officer's Recommendation

THAT the minutes of the Visual Arts Advisory Committee meeting held on 30 January 2017 be received.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Camm **Seconded Cr Englert**

Cr Englert commented on the Libris Award that is in place and the fact that Artspace has one of the premier collections of artist books in Queensland. He noted that there is a $10,000 prize for the Libris Award. Cr Englert also commended that there is an Art Collection Policy in place to provide guidance to the Artspace Director in further developing the collection and how the art collection is managed.

CARRIED

DRAFT

8.3 LOCAL DISASTER MANAGEMENT GROUP MINUTES - 27 FEBRUARY 2017

File No **LDMG Minutes**
Author **Local Disaster Coordinator**

Purpose

To present to the Community Engagement Committee the Local Disaster Management Group Meeting minutes dated 27 February 2017 for information purposes.

Officer's Recommendation

THAT the minutes of the Local Disaster Management Group meeting of 27 February 2017 be received.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Casey **Seconded Cr Englert**

CARRIED

8.4 REGIONAL ARTS DEVELOPMENT FUND (RADF) APPLICATIONS ROUND 3 FEBRUARY 2017

Author **Manager Community Lifestyle**

Purpose

To ratify the Regional Arts Development Fund (RADF) Committee recommendations from round two and made during the Committee Meeting held Monday 20th February 2017.

Background/Discussion

This is the second round of grants assessed by the RADF Committee this financial year under the current guidelines. Eighteen applications requesting $103,446.19 have been received.

Consultation and Communication

The RADF Chair Cr Fran Mann, Deputy Chairs Cr Ross Gee and Cr Justin Englert, and ten (10) community representatives met to assess applications supported by Senior Coordinator Community Programs and the Arts Development Officer.

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Resource Implications

The budget available for the RADF program for the 2016/2017 financial year is $167,000. This total comprises three rounds of $45,000, one green arts round of $30,000 available to community applicants and $2,000 toward training of RADF Committee Members. There is $45,796 available for round two that includes a $796 surplus carried forward from Round One. There is also $30,000 available for the Green Arts Category.

Risk Management Implications

The risks associated with the approving of grants to successful applicants, is managed through the use of a rigorous application, assessment and acquittal process managed by the Arts Development Officers.

Conclusion

Following the assessment process the committee is recommending that 16 of the 18 applications received be approved totalling $17,915 for the Green Arts Category and $45,796 for the general community funding pool. An amount of $12,085 will be carried over for Round 3 applications applying to the Green Arts Category.

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Officer's Recommendation

THAT the minutes of the RADF Advisory Committee be adopted.

AND THAT funding to the following applicants for the amounts stated to a total of $63,711 be approved.

Application	Name	Category	Requested	Approved
RADF00005R2 16/17	Oliver McCahill	Individual Development	$3,000.00	$3,000.00
RADF00007R2 16/17	Clovr	Projects/Programs	$5,000.00	$2,500.00
RADF00008R2 16/17	David Pyke	Projects/Programs	$7,303.00	$4,000.00
RADF00009R2 16/17	Valley District Youth Council	Community Wellbeing	$8,350.00	$4,350.00
RADF00011R2 16/17	Kris Martin	Green Arts	$9,760.00	$9,760.00
RADF00012R2 16/17	Daryl Barnes	Green Arts	$5,100.00	$5,100.00
RADF00013R2 16/17	Terri Lethlean	Projects/Programs	$9,457.00	$7,000.00
RADF00015R2 16/17	Mackay Dance Festival	Projects/Programs	$11,956.00	$0.00
RADF00018R2 16/17	Jodie Connolly and Wanda Bennett	Concept Development	$7,480.00	$5,000.00
RADF00019R2 16/17	Mackay Creatives Inc	Projects/Programs	$3,806.00	$2,600.00
RADF00021R2 16/17	Jessikah Baillie	Projects/Programs	$2,700.00	$2,000.00
RADF00022R2 16/17	QCWA Pioneer Division Handcraft Committee	Individual Development	$2,000.00	$1,000.00
RADF00023R2 16/17	Rosemary Payne	Concept Development	$2,235.00	$1,546.00
RADF00024R2 16/17	Triple Threat Theatre Company	Projects/Programs	$7,500.00	$5,000.00
RADF00026R2 16/17	Australian South Sea Islander Heritage Organisation Mackay	Projects/Programs	$7,800.00	$6,000.00
RADF00027R2 16/17	Sarina Fibre Arts Group Inc	Projects/Programs	$3,944.00	$1,800.00
RADF00028R2 16/17	Lucas Ihlein and Kim Williams	Green Arts	$3,055.19	$3,055
RADF00033R2 16/17	Teal Keating	Individual Development	$3,000	$0.00

DRAFT

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Gee **Seconded Cr Englert**

Cr Gee advised Council has three (3) rounds of $45,000 each to fund the regional arts in the Mackay Region. This round there were applications totalling $85,000 and there is a committee of Councillors, Council Officers and ten (10) members of the public to determine how the funding is allocated. There are many individuals and organisations that will benefit from this funding and he is looking forward to completion of the Australian South Sea Islander project.

CARRIED

8.5 COMMUNITY GRANT APPLICATIONS ROUND 2 FEBRUARY 2017

File No **Community Grants**
Author **Manager Community Lifestyle**

Purpose

The Community Grants Committee assessed applications on 3 March 2017 for the second round of grants in the 2016/17 financial year. This report contains details of applications received and the Committee's recommendations for funding.

Background/Discussion

51 applications, requesting a total of $252,163.72 were received by 3 February 2017, the closing date for this round of the grants program. Members of the grants committee individually assessed applications prior to the meeting. Assessment panel members declared the following conflicts of interest:

Cr Fran Mann and Bridget Mather	Zonta Club of Mackay
Cr Laurence Bonaventura	KMEIA (Mackay Chapter)
	Mackay and District Italian Club Inc.
Cr Ross Gee and Kylie Lamb	Eimeo Surf Lifesaving Club

At the assessment meeting, members shared further information, made available to them to assist with assessing, applications were prioritised and funding levels determined. (Please see attachment for details of applications.)

General enquiries were undertaken by Senior Coordinator Community Programs to ensure that applicants were not requesting funding for a service/project/event which was already available to the community as a whole. Further research into specific groups, content of applications and acquittals of previous grants was undertaken to provide additional information to inform the Grants Committee.

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Consultation and Communication

The Grants Assessment Committee for this round consisted of: Councillors Fran Mann, Laurence Bonaventura, and Ross Gee, along with Director Community and Client Services and Manager Finance.

Resource Implications

The budget available for the 2016/2017 grants program is $150,000.00 excluding GST.

	Committed Funds Ex GST	Balance Available
Total Community Grants and Sponsorship Budget 2016/17		**$150,000.00**
Committee Recommendations from Round 1	$75,962.60	
Committee Recommendations from Round 2	$63,990.76	
Out of Round Approvals	$10,000.00	
Balance Remaining		**$46.63**

Risk Management Implications

There are limited risks for Council in the allocation of funds from the Community Grants budget to the approved community organisations. Should any of the successful applicant organisations fail to appropriately acquit the approved funds, they will be ineligible to receive future funding.

Conclusion

The request for financial assistance from not-for-profit community organisations continues to far exceed the funds available through council's Community Grants program. As a result this round, like many others, continues to be competitive and challenging for the Grants Assessment Committee to ensure that the funds are appropriately allocated.

DRAFT

Officer's Recommendation

THAT funding be approved through the Grants Program for the following groups for the stated amounts:

Organisation Name	Amount
Pioneer River Valley Hack & Pony Club	$1,921.23
Claire Kelly (auspice - Zonta Club of Mackay Inc.)	$724.33
Sarina Beach Progress Association	$5,000.00
Hibiscus Coast Progress & Sports Association Inc	$2,500.00
Mackay Children's Contact Service	$1,830.00
Mackay Early Years Language and Literacy Network (auspice - George Street Neighbourhood Centre Association Inc)	$4,620.00
Mackay Veteran Golfers Association Inc.	$1,500.00
Endeavour Foundation - Eva Mussett Learning & Lifestyle Mackay	$2,500.00
Shed Happens G'day Mate Inc IA39237	$4,000.00
Mackay Children's Support Programs Inc	$3,900.00
Film & Arts Mackay Inc	$2,000.00
Mackay Northern Beaches Neighbourhood Watch	$2,074.75
Kidney Support Network Inc (Mackay Regional Branch)	$1,600.00
YP (Young Professionals) Mackay Inc	$1,250.00
KMEIA (Mackay Chapter)	$5,000.00
Mackay & District Italian Association Inc	$5,000.00
Road Accident Action Group	$4,500.00
Community Radio Assoc. of Mackay - 4CRM	$4,545.45
Pioneer Amateur Swimming Club Inc	$4,500.00
Mackay Table Tennis Association Inc	$1,700.00
Zonta Club of Mackay Inc.	$825.00
Mackay Marina Run	$2,500.00
TOTAL	$63,990.76

Cr Bonaventura declared that a perceived conflict of interest in this matter (**Item 8.5**) could exist (as per section 173 of the *Local Government Act 2009)* due to **Cr Bonaventura** being a friend of a committee member of KMEIA and being a member of Mackay & District Italian Club Inc and left the meeting room at **9.28 am**, taking no part in the debate or decision of the meeting.

Cr Casey declared that a perceived conflict of interest in this matter (**Item 8.5**) could exist (as per section 173 of the *Local Government Act 2009)* due to **Cr Casey** being related to a committee member of KMEIA and left the meeting room at **9.28 am**, taking no part in the debate or decision of the meeting.

Cr Mann (nee Fordham) declared a perceived conflict interest in respect to **Item 8.5** could exist (as per section 173 of the *Local Government Act 2009)* due to being a Committee Member of Zonta Club of Mackay Inc. and Claire Kelly as auspiced by Zonta Club of Mackay Inc and vacated the Chair and left the Council Chambers at **9.28 am** whilst the item was being discussed and a decision taken thereon.

Cr Englert took the Chair.

Voting then recorded as per usual.

DRAFT

Committee Resolution

THAT funding be approved through the Grants Program for the following groups for the stated amounts:

Organisation Name	Amount
KMEIA (Mackay Chapter)	$5,000.00
Mackay & District Italian Association Inc	$5,000.00
Zonta Club of Mackay Inc.	$825.00
Claire Kelly (auspice - Zonta Club of Mackay Inc.)	$724.33
TOTAL	$11,549.33

Moved Cr Camm **Seconded Cr Gee**

CARRIED

9.30 am - Crs Mann (nee Fordham), Bonaventura and Casey returned to the Meeting Chamber.

Cr Mann (nee Fordham) retook the Chair.

Committee Resolution

THAT funding be approved through the Grants Program for the following groups for the stated amounts:

Organisation Name	Amount
Pioneer River Valley Hack & Pony Club	$1,921.23
Sarina Beach Progress Association	$5,000.00
Hibiscus Coast Progress & Sports Association Inc	$2,500.00
Mackay Children's Contact Service	$1,830.00
Mackay Early Years Language and Literacy Network (auspice - George Street Neighbourhood Centre Association Inc)	$4,620.00
Mackay Veteran Golfers Association Inc.	$1,500.00
Endeavour Foundation - Eva Mussett Learning & Lifestyle Mackay	$2,500.00
Shed Happens G'day Mate Inc IA39237	$4,000.00
Mackay Children's Support Programs Inc	$3,900.00
Film & Arts Mackay Inc	$2,000.00
Mackay Northern Beaches Neighbourhood Watch	$2,074.75
Kidney Support Network Inc (Mackay Regional Branch)	$1,600.00
YP (Young Professionals) Mackay Inc	$1,250.00
Road Accident Action Group	$4,500.00
Community Radio Assoc. of Mackay - 4CRM	$4,545.45
Pioneer Amateur Swimming Club Inc	$4,500.00
Mackay Table Tennis Association Inc	$1,700.00
Mackay Marina Run	$2,500.00
TOTAL	$52,441.43

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Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Englert **Seconded Cr Bonaventura**

CARRIED

9. TENDERS:

Nil

10. CONSIDERATION OF NOTIFIED MOTIONS:

Nil

11. PUBLIC PARTICIPATION:

Nil

12. LATE BUSINESS:

Cr Englert advised he attended the Friends of the Theatre Annual General Meeting last week and enjoyed meeting the MECC volunteers and it should be noted that over the past 12 months the volunteers have contributed 6,500 volunteer hours to the MECC and raised approximately $40,000 over that same period. On behalf of the committee, he congratulated and thanked the volunteers for their service to the MECC.

Cr Mann (nee Fordham) asked if the DCCS could pass this on to the volunteers.

Cr Bonaventura advised the Habana and District Progress Association appreciated the majority of Councillors and Mayor attending their meeting recently and enjoyed the opportunity of catching up with them following the meeting.

Cr Mann (nee Fordham) advised Habana is a very proactive community in our region and they are to be congratulated.

13. CONFIDENTIAL REPORTS:

Nil

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14. MEETING CLOSURE:

The meeting closed at 9.33 am.

15. FOR INFORMATION ONLY:

Nil

Confirmed on Wednesday 19 April 2017

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CHAIRPERSON

DRAFT

APPENDIX / ATTACHMENTS

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CORPORATE SERVICES STANDING COMMITTEE MINUTES

1. COMMITTEE ATTENDANCE:

The Chair welcomed Cr Bonaventura to the Committee as a new committee member.

Crs A R Paton (Chairperson), M J Bella, L D Bonaventura, R D Walker and Mayor G R Williamson were in attendance at the commencement of the meeting.

2. NON-COMMITTEE ATTENDANCE:

Also present were Cr R C Gee, Cr F A Mann (nee Fordham), Cr J F Englert, Cr K J Casey, Mr C Doyle (Chief Executive Officer), Mr A Knight (Director Organisational Services) and Mrs M Iliffe (Minute Secretary).

The meeting commenced at 1.01 pm.

3. ABSENT ON COUNCIL BUSINESS:

Nil

4. APOLOGIES:

Cr K L May

5. CONFLICT OF INTEREST:

Nil

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6. CONFIRMATION OF MINUTES:

6.1 CORPORATE SERVICES STANDING COMMITTEE MINUTES - 15 FEBRUARY 2017

THAT the Corporate Services Standing Committee Meeting Minutes held on 15 February 2017 be adopted.

Moved Cr Walker **Seconded Cr Bella**

CARRIED

7. BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING:

Nil

8. CORRESPONDENCE AND OFFICERS' REPORTS:

8.1 ORGANISATIONAL SERVICES MONTHLY REVIEW - FEBRUARY 2017

Author **Director Organisational Services**

Purpose

To keep the Corporate Services Committee updated on Organisational Services activities.

Background/Discussion

All departments within MRC prepare a monthly review which identifies activities undertaken and progress made during the specific month.

Consultation and Communication

The report contains input from each and every Program within Organisational Services.

Resource Implications

As required to compile report, which is a routine task for multiple employees.

Risk Management Implications

Nil.

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Conclusion

The Corporate Services Committee is kept informed of activities within Organisational Services.

Officer's Recommendation

THAT the Corporate Services Standing Committee receives the Organisational Services Monthly Review for February 2017.

Director Organisational Services (DOS) provided a brief overview of the directorates activities for the month of February 2017.

Cr Bonaventura queried the number of apprenticeship and/or traineeship opportunities offered in 2018 to people with barriers to employment with Council and to what areas of Council.

DOS advised there are no set numbers but there are targets in Council's People and Culture strategies overall planning for providing opportunities as part of the apprenticeship and traineeship program to people with barriers to employment. Further discussion is needed with all the relevant organisations before a number is decided on but an estimate might be around four (4).

Cr Bonaventura advised he felt this estimate to be very low considering the number of employees Council has and are lagging behind in this area. This is a great initiative to get started but would like to increase the estimated number way above what DOS has indicated. This is a positive and creates a community spirit to have Council offer employment to people with barriers to employment.

Cr Paton asked if Cr Bonaventura's comments could be taken into consideration by DOS.

Cr Englert queried if there was a reason why the aquatic facilities attendance figures for the two (2) Mackay facilities were less than the previous year.

DOS will take this on notice and forward the information to the committee.

Cr Bonaventura queried what the 2016-17 Internal Audit Plan relates to in relation to conducting a review of the conflict of interests for Councillors.

DOS advised the internal audit is to review the system and processes in place for the management of Councillor conflict of interest and assess whether Councillors are actively and accurately declaring conflicts of interests. The audit is focusing on controls and process only of Councillor conflicts of interest, process of completion of Form 2, identifying methods to validate the information, process for recording declaration of conflict of interests at meetings and the alignment with the related party policy and benchmarking against other local government processes. The scope of the internal audit was limited to Councillors in the current term.

Chief Executive Officer (CEO) advised the internal auditor works through the Organisational Services directorate and reports directly to him on any findings. Through the external audit last year there were areas identified and the Audit Risk Advisory Committee (ARAC) sets the

DRAFT

internal order well in advance. The annual plan of items to review is approved by ARAC and this item is on the list of internal audit to be reviewed now.

Cr Bella queried if further to this is scrutiny being applied to both real and perceived conflict of interests as this is sometimes unclear and maybe some rigor should be applied to defining this more clearly.

DOS advised a perceived conflict of interest is a subjective view of a conflict and when looking at conflicts of interests all perceived and actual conflicts are viewed together rather than separating them. When the internal auditor examines the conflicts they will be reviewing those aspects as perceived conflicts of interests are more topical than real conflicts of interests.

CEO re-emphasised that the internal auditor's role is not to look at specific cases but to ensure controls and procedures are in place when a Councillor declares a conflict.

Cr Bella queried if Council could provide an assessment framework for Councillors on the assessment of perceived conflict of interests.

DOS advised this could be incorporated as part of the Councillor Charter which is currently being reviewed.

CEO advised there was conflict of interest training provided to Councillors following the election through LGAQ and this could be recirculated if required.

Cr Bella advised he would prefer the DOS option of incorporating Councillor conflicts as part of the Councillor Charter currently being reviewed.

The Mayor congratulated the CEO and DOS for the work undertaken at the senior management level on the transition process of the Northern Australia Services team to Share Service Centre team.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Bonaventura **Seconded Cr Bella**

CARRIED

DRAFT

8.2 STRATEGIC FINANCIAL REPORT FOR THE MONTH OF FEBRUARY 2017

Author **Director Organisational Services**

Purpose

To adopt council's Strategic Financial Report for the month of February 2017.

Background/Discussion

Under Part 9 Section 204 of the Local Government Regulation 2012, the Local Government is required to prepare a financial report which the Chief Executive Officer presents at a meeting of the local government once a month.

The financial report must state the progress that has been made in relation to the local government's budget for the period of the financial year up to a day as near as practicable to the end of the month before the meeting is held.

Consultation and Communication

Chief Executive Officer, Directors, Manager Financial Services.

Resource Implications

Nil.

Risk Management Implications

Some revenue streams are currently tracking below year to date budget. Whilst this is being offset by a reduction in expenditure, this will continue to be monitored.

Conclusion

Council is tracking favourably for February, noting there are a number of major factors that are expected to result in a significant forecast deficit for the full year. Significant budget savings have been achieved and will continue to be monitored.

Council is cognisant of the current economic climate and will continue to closely monitor how the various revenue streams are tracking throughout the remainder of the year to forecast.

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Officer's Recommendation

THAT the attached Strategic Financial Report for the month of February 2017 be adopted.

The Director Organisational Services (DOS) spoke to the report.

The Mayor queried how the current rate arrears compared to previous years and if the current rate arrears are where Council budgeted they would be.

DOS advised the rate arrears are currently trending as previous years, there has been a general improvement in the outlook for Mackay, more importantly with people's perception of an improved outlook Council receives less inquiries about rate assistance. Council's recovery rates are on track, bearing in mind Council has a regimented debt recovery policy that is enforced to assist with cash flow and in fairness and equity to all ratepayers.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Bonaventura **Seconded Cr Bella**

CARRIED

8.3 ATTENDANCE OF COUNCILLOR AT 5TH LOCAL GOVERNMENT FINANCIAL SUSTAINABILITY SUMMIT

Author **Director Organisational Services**

Purpose

To seek confirmation for the Chair of the Corporate Services Standing Committee (Cr. Ayril Paton) to attend the 5th Local Government Financial Sustainability Summit in Cairns from the 29 - 30 March 2017.

Background/Discussion

Cr Ayril Paton is the new Chair of the Corporate Services Committee and attendance would allow an increased understanding of Local Government and Queensland Treasury Corporation financial requirements.

Council's financial statements and budget reporting falls within the terms of reference of the Corporate Services Committee. Attendance at the Summit will provide Council knowledge of strategies to better deliver its services and infrastructure and leave council in a stronger financial position.

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The 5th Local Government Financial Sustainability Summit is a chance for councils to gather and learn from peers and industry experts. Sessions and key note speakers include key government ministers, international and industry experts, with practical insights to avoid the chasm between expectation and delivery. The summit will explore the stresses between the cost of doing business and the ability to raise revenue. It will also include executive and governance master classes on important financial management concepts and decision making tools.

Consultation and Communication

Mayor, Chief Executive Officer, Director Organisational Services and Executive Officer.

Resource Implications

The total cost will be in the vicinity of $ 2400 including Summit dinner, return flights, accommodation and meal costs. This will be borne by the Councillor budget within the Office of the Mayor and CEO.

Risk Management Implications

Nil.

Conclusion

It will be of value to Mackay Regional Council for Cr Ayril Paton as Chair of the Corporate Services Committee, to attend the 5th Local Government Financial Sustainability Summit in Cairns from the 29-30 March 2017. The content covered by this conference is directly relevant to Cr Paton's role as Chair of the Corporate Services Committee and will assist with professional development by furthering his knowledge and examining better practice solutions.

Officer's Recommendation

THAT the Committee endorse the attendance of Cr Paton at the 5th Local Government Financial Sustainability Summit in Cairns from the 29-30 March 2017.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Bonaventura **Seconded Cr Walker**

CARRIED

DRAFT

8.4 RENEWAL OF LEASE - MACKAY CHORAL SOCIETY

File No 104856-461-SP
Author Manager Property Services

Purpose

To approve a new lease for the Mackay Choral Society for an area of approximately 1,591m2 being part of Lot 461 on SP104856, Snow Wright Court, Andergrove for a period of ten (10) years.

Background/Discussion

Mackay Regional Council is the Trustee of Recreational Reserve Lot 461 on SP104856 situated at Snow Wright Court Andergrove.

Mackay Choral Society Inc (MCS) originally formed in February 1945 and have held a lease with Council in Snow Wright Court since 1997, with their existing lease due to expire 30th March 2017.

MCS is a not for profit community choir that welcome any member of the public to join. They have members that sing at an international level down to members that sing for their love of music. Currently MCS have approx. 80 members and have just last year performed with the Queensland Symphony Orchestra.

MCS works very well with other Lessees of Snow Wright Court and their premises is made available to other likeminded organisations. A recent lease inspection took place and Council Staff was pleased with how MCS are undertaking their operations.

According to Section 236 (1)(c)(iii) of the *Local Government Regulation 2012*, "a local government may dispose of a valuable non-current asset other than by tender or auction if – the disposal is for the purpose of renewing the lease of land to the existing tenant of the land." Council could also extend an exemption under Section 236 (1)(b)(ii) given the "community organisation" status of MCS. From either exemption, Council is not required to re-tender this before leasing the property.

Consultation and Communication

Consultation has occurred between representatives of Mackay Choral Society, Lease Officer – Property Services and Manager Property Services.

Resource Implications

All costs incurred in respect to the preparation and lodgement of the lease documents to be borne by the Lessee.

The lease will be a standard 'Trustee' type lease inclusive of peppercorn rental of $50.00 plus GST per annum and other like conditions.

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Risk Management Implications

MCS have occupied and maintained the Lease site for many years, should the lease not be renewed, both the community and region would not be able to benefit from the opportunities that arise from such a group.

Conclusion

That the renewal of the lease to Mackay Choral Society who have shown a long term commitment to the land, its infrastructure and the local community is the most advantageous outcome to Council.

The trustee lease will be signed under delegation once finalised.

Officer's Recommendation

THAT the Committee endorses the below and recommends approval to the Ordinary Meeting of Council –

A. THAT Council resolves that an exemption applies under Section 236 (1)(c)(iii) of the *Local Government Regulation 2012* "*a local government may dispose of a valuable non-current asset other than by tender or auction if – the disposal is for the purpose of renewing the lease of land to the existing tenant of the land.*"

B. FURTHER THAT Council approve a new lease for a term of ten (10) years to Mackay Choral Society Inc for an area of approx. 1,591m2 being part of Lot 461 on SP104856, Snow Wright Court, Andergrove, with such lease to commence from date of signing and be a standard 'trustee' lease inclusive of peppercorn rental of $50.00 plus GST per annum and be subject to the approval of the Department of Natural Resources and Mines.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Bella **Seconded Cr Bonaventura**

CARRIED

DRAFT

9. TENDERS:

9.1 MRC 2017-023 PREFERRED ARRANGEMENT - SUPPLY AND DELIVERY OF TRAFFIC CONTROL SIGNS AND DEVICES

Author **Manager Procurement and Plant**

Purpose

To present to Council tenders submitted for MRC 2017-023 Preferred Supplier Arrangement – Supply and Delivery of Traffic Control Signs and Devices.

Background/Discussion

Preferred Supplier Arrangements (PSA) have proven to be a cost-effective means of supplying high usage items utilised by Mackay Regional Council's (Council) operational departments due to negating the requirements for quotes to be obtained for each purchase. The tendered prices provide emergency and programmed supply to all Council departments.

Considerable delays to operational activities would be incurred if tenders were to be obtained in each instance, as stipulated under the *Local Government Regulation 2012*. In order to gain cost efficiencies and competitive market rates due to the economies of scale achieved by aggregating demand, Council issued the Request for Tender (RFT) MRC 217-023 Preferred Supplier Arrangement – Supply and Delivery of Traffic Control Signs and Devices.

The current PSA expired on the 31st January 2017. The proposed commencement date of this Arrangement is 20th March 2017, for a twenty four month period, with a clause for rise and fall after each twelve month period, together with an option of a twelve month extension period at Council's discretion.

Tenders were invited on the 24th September 2016, via QTender website and advertised locally in the Daily Mercury seeking submissions for the supply and delivery of traffic control signs and devices.

The following responses were received by the closing date of the 18th October 2016 at 10.00am.

Tenderer	Location
Arteraft Pty Ltd	Townsville Based
Delnorth Pty Ltd	NSW Based
Enviropost Australia	Brisbane Based
JMP Signage Pty Ltd	Brisbane Based
Reflective Signs and Decals Pty Ltd	Brisbane Based
Roadside Products Pty Ltd	Brisbane Based

Of the submissions received, there were no local based suppliers who provided a response.

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An initial compliance check was conducted on 20th October 2016 to identify submissions that were non-conforming with the requirements of the RFT. This includes compliance with the contractual requirements and provision of requested information.

All other submissions were progressed through to the qualitative criteria assessment on the basis that all terms and conditions and mandatory requirements of the RFT had been met.

The tender assessment was carried out by the evaluation panel on 26th October 2016 with the evaluation panel assessing submissions against the nominated criteria as published in the RFT, being:

a) Value for Money 100%
(includes price, product offered, ability to supply locally)

Following the review of the submissions the evaluation panel acknowledged that all conforming respondents were capable of supplying the items tendered on and to Council specifications.

In some instances, the evaluation panel recommended items that have provided a high degree of operational performance as the preferred product. These items required compatibility with existing items therefore providing administrative cost efficiencies. In the instances where the product or brand was identified as preferred, the cheapest supplier of each item was selected.

The evaluation of the tender was conducted by:

Supervisor Linemarking and Signs	Civil Operations
Team Leader Arboriculture	Parks and Environment
Technical Officer	Civil Projects
Contracts Officer	Procurement and Plant

Consultation and Communication

Prior to releasing the RFT, all operational departments were consulted to ensure all requirements were specified in the tender documentation.

Resource Implications

The Preferred Supplier Arrangement – Supply and Delivery of Traffic Control Signs and Devices contract is a schedule of rates contract, which is utilised on an as required basis with funding to be provided from relevant department budgets.

Based on the usage as detailed in the tender documents and utilising the rates of the recommended providers, the contract has the potential total value of approximately $683,477.06 (excluding GST) for the 24 month period.

The total value of the last contract based on the same usage figures was $664,869.92 (excluding GST), resulting in an approximate 2.8% increase.

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Risk Management Implications

The general conditions of contract provide sufficient remedies and warranties to council based on the risk profile of the goods being provided. This includes compliance with relevant Australian Standards and regulations.

The recommended respondents are required to provide all relevant insurance and compliances prior to the executing of their contracts. This includes:

- Product Liability $20,000,000.00
- Public Liability $20,000,000.00
- Workcover As required by law

Conclusion

It is recommended that MRC 2017-023 Preferred Supplier Arrangement – Supply and Delivery of Traffic Control Signs and Devices for a twenty-four month period with the option of a twelve month extension period and the provision of rise and fall after each twelve months period, commencing 20th March 2017, be awarded to:

- Artcraft Pty Ltd 121 items
- Delnorth Pty Ltd 4 items
- Enviropost Australia 3 items
- JMP Signage Pty Ltd 117 items
- Reflective Signs and Decals Pty Ltd 141 items
- Roadside Products Pty Ltd 18 items

Officer's Recommendation

THAT Council award tender MRC 2017-023 Preferred Supplier Arrangement – Supply and Delivery of Traffic Control Signs and Devices for a twenty-four month period with the option of a twelve month extension period and the provision of rise and fall after each twelve months, commencing 20th March 2017 to:

- Artcraft Pty Ltd 121 items
- Delnorth Pty Ltd 4 items
- Enviropost Australia 3 items
- JMP Signage Pty Ltd 117 items
- Reflective Signs and Decals Pty Ltd 141 items
- Roadside Products Pty Ltd 18 items

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Bonaventura **Seconded Cr Walker**

CARRIED

DRAFT

9.2 MRC 2017-031 REMOVAL AND SALE OF COUNCIL ASSETS - 5 AND 7 GOLDSMITH STREET

File No MRC 2017-031
Author Manager Property Services

Purpose

To present to Council for approval, tenders submitted for MRC 2017-031 Removal and Sale of Council Assets – 5 and 7 Goldsmith Street.

Background/Discussion

Mackay Regional Council (Council) issued tender documents seeking submissions for the removal and sale of the following Council assets:

a) Lot 573 on CP 891469, known as 5 Goldsmith Street, East Mackay; and
b) Lot 574 on CP 891469, known as 7 Goldsmith Street, East Mackay.

Tenders were invited on 12 November 2016, via Queensland Government Qtender website and advertised locally in the Daily Mercury.

The following submissions were received by the closing time of 10.00am on Tuesday 6 December 2016:

Tenderer	Location
Curtis Civil and Demo	Mackay
Mackay House Removals	Mackay

A meeting was held on 6 February 2017 to identify if the submissions were non-conforming with the requirements of the Request for Tender (RFT). This included compliance with contractual requirements and provision of requested information.

The submissions progressed through to the qualitative criteria assessment on the basis that all terms, conditions and mandatory requirements of the RFT had been met.

The applicants were assessed against the qualitative selection criteria. Specific criteria were weighted according to their importance as perceived and agreed by the evaluation panel. The weighting attributed to each qualitative criterion was:

a) Relevant Experience 25%
b) Tenderer's resources 25%
c) Key Personnel 25%
d) Demonstrated Understanding 25%

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The tendered prices offered, are listed below, excluding GST:

a) Mackay House Removals Pty Ltd submitted pricing of $12,100 for each asset with the total **payable to Council** of $24,200.

b) Cortis Civil and Demo did not offer a price payable to Council, but requested the amount of $30,000 (ex GST) each asset for their removal, which is a **total payable by Council** to Cortis of $60,000 (ex GST).

The qualitative criteria assessment was carried out individually by the evaluation panel scoring the tenders according to the evaluation matrix.

Following the evaluation, the evaluation panel recommends awarding the contract to Mackay House Removals Pty Ltd as per their submission.

The evaluation of the tender was conducted by:

- Project Officer — Property Services
- Team Leader – Operational Maintenance — Property Services
- Contracts Officer — Procurement and Plant

Consultation and Communication

Consultation was conducted between Property Services and Procurement & Plant programs prior to the RFT being released.

Resource Implications

A total payment of $24,200 would be paid to Council on execution of the agreement.

All associated charges pertaining to the removal of assets will be borne by the Purchaser.

Risk Management Implications

Stakeholder	Stakeholder Outcome	Potential Outcome Failure	Impact and Effect
MRC	Removal of WH&S risk: unused and aging buildings.	Continuance of WH&S issue: unused and aging buildings.	Long term negative impact for the community. Risk of injury (unauthorised access) and legal action.
MRC	Ability to complete the Queens Park Master Plan: direct improvement for community.	Inability to complete Queens Park Master Plan. Redesign and create a new master plan.	Long term negative impact for the community.

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Stakeholder	Stakeholder Outcome	Potential Outcome Failure	Impact and Effect
Community	Improved service delivery.	No improvement in service delivery or access to community facility.	Long term negative impact for the community.

Project Drivers (negative)	Likelihood	Consequence	Risk	Comments
Financial risk – budget overruns, budget reduced	Unlikely	Minor	Low	Project & contractor management.
Policies risk	Unlikely	Moderate	Med	Plant and procurement, purchasing policy, tendering.
Stakeholder risks	Unlikely	Moderate	Med	Consultation
Contractor or consultant risks	Unlikely	Moderate	Med	Plant and procurement, purchasing policy, tendering.
Failure to complete detailed design and/or construction	Moderate	Moderate	High	Payments held until project is complete and negotiated outcome as per signed agreements.
Awarded company failure during construction or after handover	Unlikely	Moderate	Med	Business indemnity insurance for construction phase. If after handover, maintenance can be performed by any qualified professional in that field.

Conclusion

That awarding the contract to Mackay House Removals represents the most advantageous outcome and demonstrated value for money to Mackay Regional Council based on their local resources and demonstrated understanding of Council's requirements.

Officer's Recommendation

THAT Council award tender MRC 2017-031 Removal and Sale of Council Assets – 5 and 7 Goldsmith Street to Mackay House Removals Pty Ltd for a value of $24,200.

Director Organisational Services (DOS) advised Council had received advice from the preferred tenderer on Monday 13 March 2017 and suggested there was an error in the report and Council had misunderstood the content of their submission. DOS suggested that this agenda item be withdrawn to allow further investigation. DOS advised on initial review of Council's tender documentation the report was correct but however further investigation is required.

Cr Bonaventura queried if the preferred tenderers submission was lodged as Council understood, then is it not legal and binding.

DRAFT

DOS advised further investigation was required.

Cr Bonaventura advised if Council has not mistaken the preferred tenderers submission then this report should not be withdrawn.

Chief Executive Officer (CEO) advised further investigation is required before awarding this tender.

The Mayor advised it would be best to lay this report on the table to allow further investigation.

Procedural Motion

THAT the report lay on the table.

Moved Cr Williamson

CARRIED

Cr Bonaventura recorded his vote against the Motion.

DRAFT

10. CONSIDERATION OF NOTIFIED MOTIONS:

Nil

11. PUBLIC PARTICIPATION:

Nil

12. LATE BUSINESS:

Nil

13. CONFIDENTIAL REPORTS:

13.1 MRC 2017-038 SALE OF 24 HEATHWOOD COURT, HAMPDEN

Confidential

Committee Resolution

THAT the Committee endorses the below and recommends approval to the Ordinary Meeting of Council -

A. Resolves that an exemption applies under Section 236(1)(a) of the *Local Government Regulation 2012*, *"a local government may dispose of a valuable non-current asset other than by tender or auction if it was previously offered for sale by tender or action and is to be sold for more than the highest tender or auction bid received."*

B. Not award contract MRC 2017-038 Sale of 24 Heathwood Court, Hampden as tendered prices were well below market appraisal; and

C. Approve the sale of 24 Heathwood Court, Hampden being Lot 31 on RP732121 by appointment of a real estate agent; and

D. Delegate the Chief Executive Officer to negotiate sale price under the appraised sale price on behalf of Mackay Regional Council.

Moved Cr Bella **Seconded Cr Bonaventura**

CARRIED

14. MEETING CLOSURE:

The meeting closed at 1.39 pm.

15. FOR INFORMATION ONLY:

Nil

Confirmed on Wednesday 19 April 2017

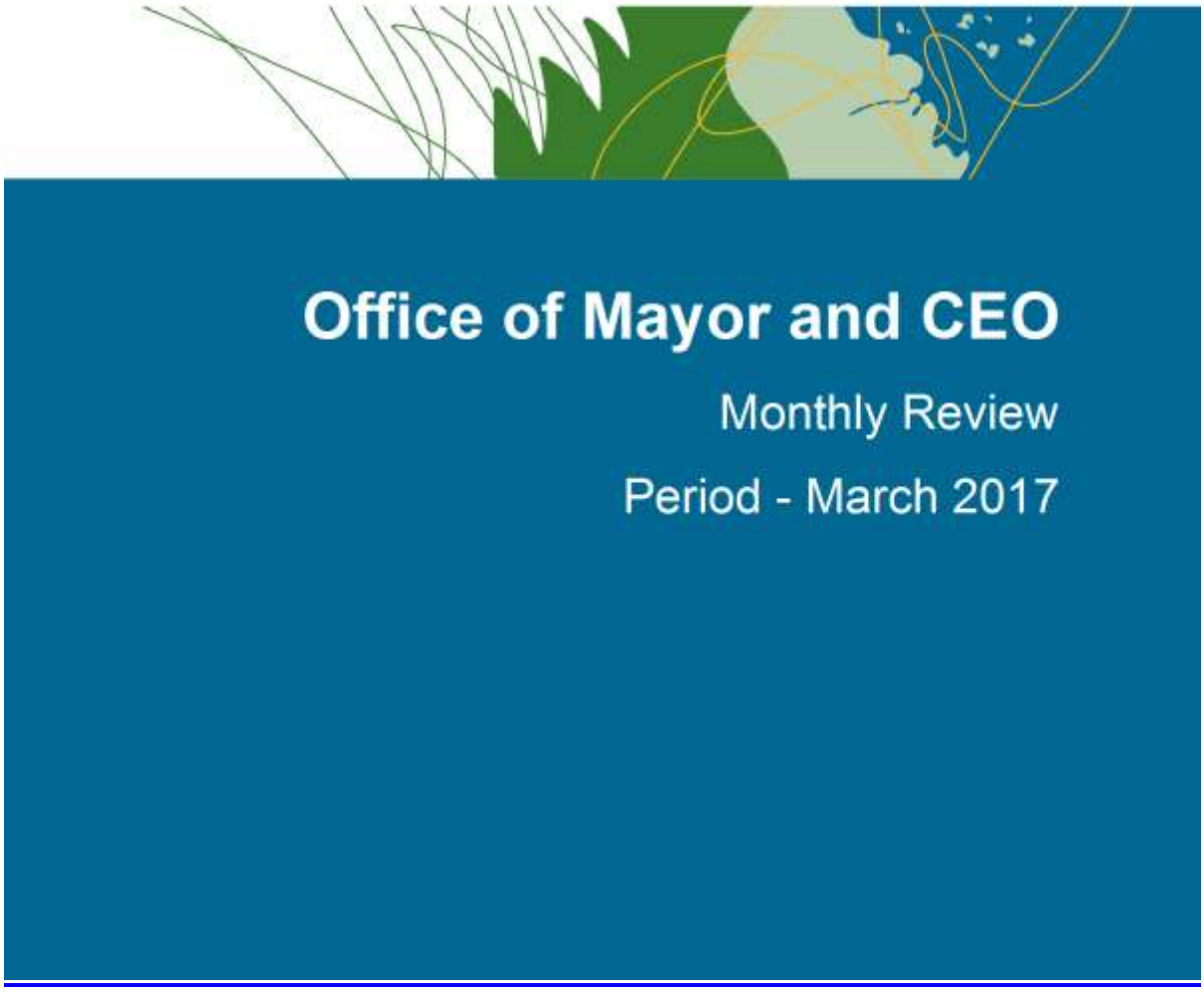
.....

CHAIRPERSON

DRAFT

APPENDIX / ATTACHMENTS

DRAFT


Mackay REGIONAL COUNCIL
Office of Mayor and CEO
Monthly Review
Period - March 2017

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OVERVIEW

This report is for the Office of the Mayor and CEO for March 2017.

Significant items in this period include:

- There were no lost time injuries for February. We are at the lowest lost time injury frequency rate ever achieved for Mackay Regional Council. Safety continues to be a major focus with serious near miss reporting and investigation increasing.
- The Whitsunday Regional Organisation of Councils (WROC) has commenced a CEO's forum between the Councils of Mackay, Whitsunday and Isaac. This will see operational areas of joint interest to be furthered at this forum allowing the WROC to concentrate on strategic matters. The CEO of MRC is the Chair of this group for the first year.
- The First Principles Review process has seen the associated reports finalised and initial briefing of outcomes undertaken.
- The Works for Queensland funded projects delivery are now well advanced with some works to commence in April. A Project Control Group has been established, and dedicated internal project management resources have been being finalised
- A further review of council's asset management strategy has commenced with the aim to finalise a way forward within the next six months.
- The Mackay Sports Precinct project is proceeding well with final design package contract to be awarded within two weeks.
- Budget preparations for 2017/18 are on track with key reviews of operating and capital costs and projects to be finalised by early May.
- The Director of Development Services will fill the Acting CEO role while I am on leave from 10 April to 7 May.

Chief Executive Officer

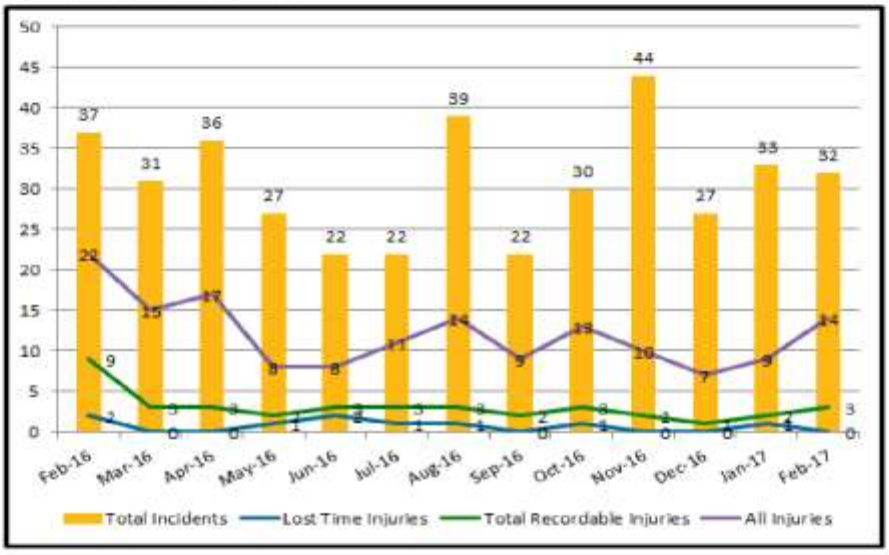
SAFETY

1.1. Summary

During February, 32 incidents were reported; 14 of which involved an injury to MRC employees.

For 2016-17 year to date, there have been four lost time injuries recorded, with a total of 29 days lost. Further days associated with a LTI in late January will be lost in March.

1.2. Incidents and Injuries



This graph shows the total number of safety-related incidents and injuries recorded across all of MRC.

11 injuries to MRC employees were reported in February:

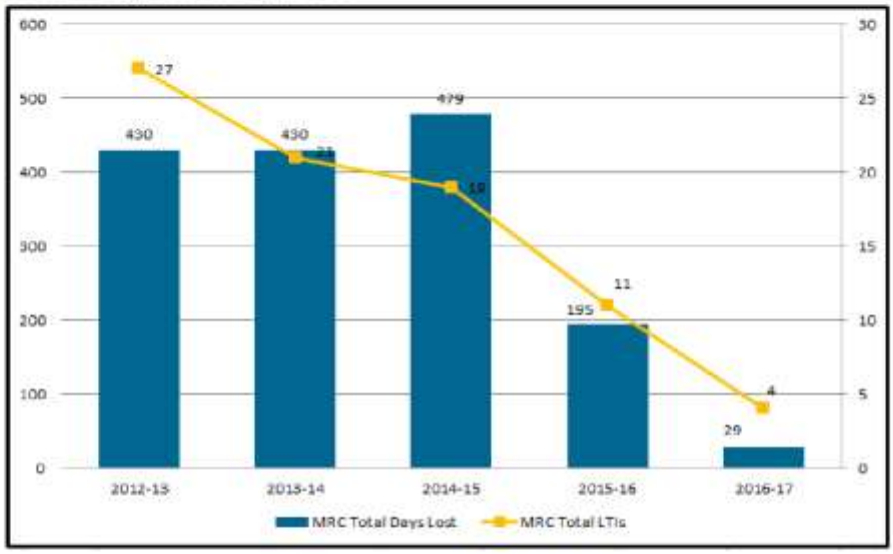
- A worker felt pain in their neck, shoulders, and back while carrying a vacuum cleaner.
- A worker suffered a minor cut to their finger after it was caught in a door.
- An employee felt pain in their shoulder while they were removing a back-pack blower they had been using.
- An employee felt pain in their elbows & shoulders while using a hedger.
- An employee received a tick bite.
- An employee felt pain in their wrist after hedging; pain was noticed over a period of time.
- Two separate incidents where workers received a minor spider bite.
- An employee was injured in a vehicle incident; when the vehicle they were driving was side-swiped at an intersection.
- A worker received a small puncture wound to their hand from a thumb-tack which had been left on a work bench.
- A worker scalded their hand while rinsing out a coffee cup.

Also, an incident involving three library workers witnessing the physical assault of a member of the public outside the library was reported.

Other incidents involved non-staff members including:

- Two separate incidents of a customer who tripped over a vehicle stop – resulting in minor lacerations and grazes.
- Each incident is investigated and appropriate corrective measures implemented, to reduce future risks.

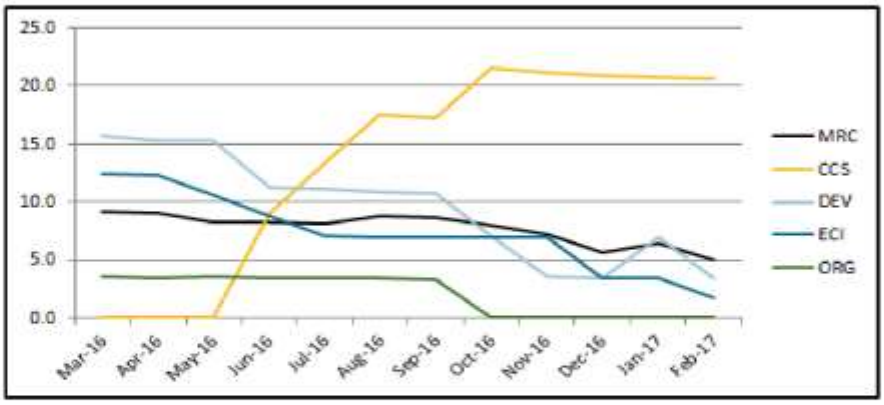
Lost Time Injuries and Days Lost



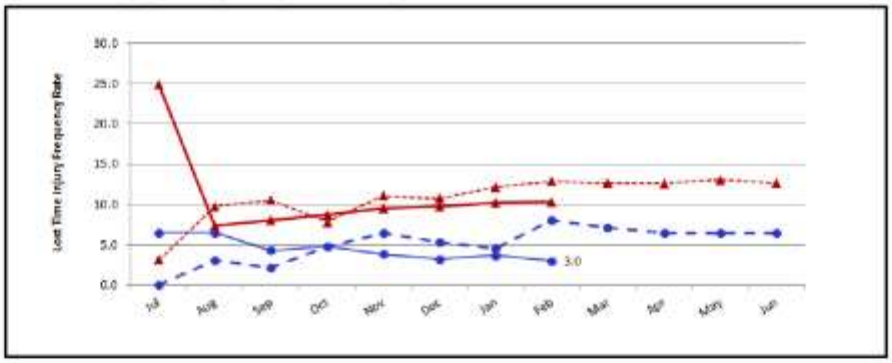
Department	2012-13		2013-14		2014-15		2015-16		2016-17	
	LTI	Days Lost	LTI	Days Lost	LTI	Days Lost	LTI	Days Lost	LTI	Days Lost
Community & Client Services	3	15	5	155	1	11	2	4	3	6
Organisational Services	3	24	1	4			1	4		
Development Services	9	130	7	201	4	164	3	29	1	23
Engineering & Commercial Infrastructure	12	261	8	70	14	304	5	158		
Mackay Regional Council	**27**	**430**	**21**	**430**	**19**	**479**	**11**	**195**	**4**	**29**

Twenty days associated with a LTI in late January were lost during February. Further days will be lost in early March. The injured worker returned to work in mid-March.

Injury Frequency Rates 12 month rolling average



Lost Time Injury Frequency Rate Comparison



Legend

MRC	This year	
	Last year	

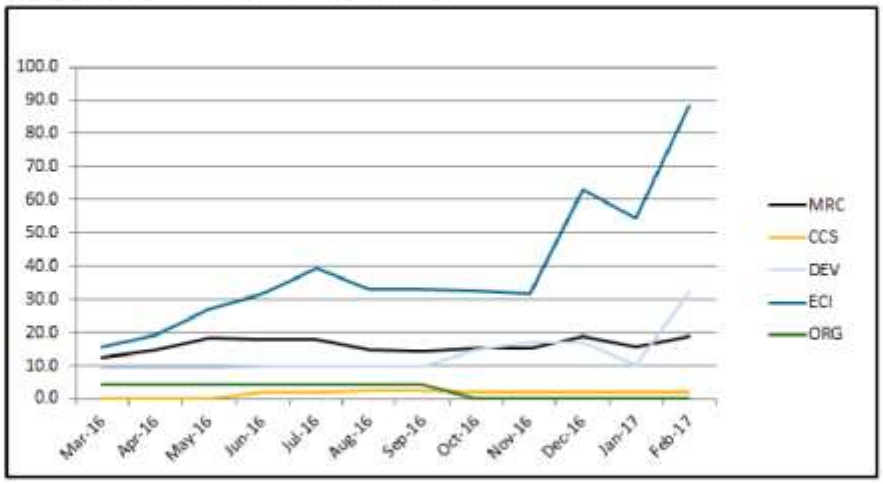
All Group E Councils	This year	
	Last year	

This data is provided by MRC's workers compensation insurer LGW, and depicts the cumulative LTI frequency rate over the course of the current financial year, compared to comparable councils (Group E councils).

As at 31 January, MRC had recorded four LTIs. This has resulted in a LTI frequency rate significantly below both the *All Group E Councils* rate and the recorded performance for the same timeframe last year.

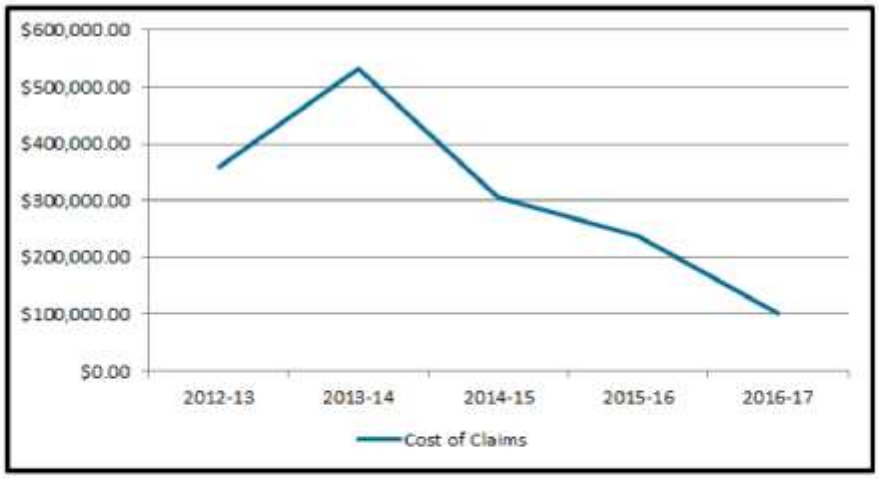
Where applicable, this data includes 'journey claims' ie injuries sustained while travelling to and from work, as these are included in the *All Group E Councils* data.

Duration Rates 12 months rolling average



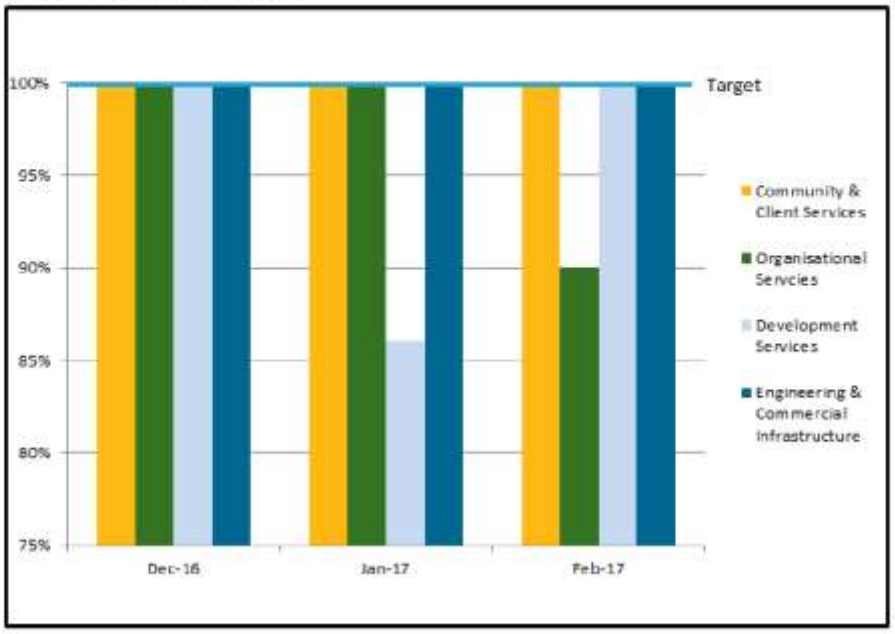
This graph shows the average severity of injuries calculated on 12-month rolling average. The increase in ECI is a result of there being only one LTI in the 12 month period but the total days lost in the period were 89.

Workers Compensation Claims Costs



Reduced workers compensations costs are an indicator of improved safety outcomes and will result in lower insurance premiums over time.

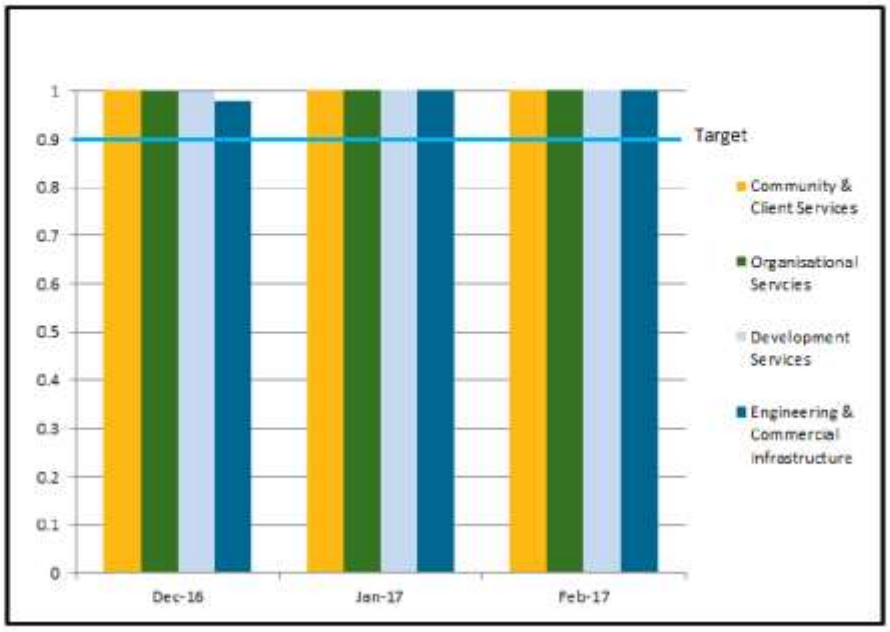
Hazard Inspection Checklists



A hazard inspection is a planned activity in which the workplace is inspected, following a checklist, to identify and report potential hazards to be eliminated or controlled. Hazard inspections are an important element of MRCs safety system and help to prevent work-related injury and illnesses.

A target of 100% has been set for the completion of scheduled hazard inspections. Data is shown as recorded at the end of the month. Further actions have been completed in subsequent months.

Monthly Action Plans



Monthly Action Plans (MAP) are planned safety-related actions allocated to work groups over a 12-month schedule and are developed in response to identified risks.

A target of 90% has been set for the completion of MAP items. Data is shown as recorded at the end of the month. Further actions have been completed in subsequent months.

Glossary

Group E	Councils with wages greater than $50 million
Incident	Any unplanned event resulting in, or having a potential for injury or ill health.
Lost Time Injury (LTI)	Incidents that resulted in a fatality, permanent disability or time lost from work of one day / part of a day or more
Lost time incident frequency rate (LTIFR)	The number of lost-time injuries per million hours worked. Calculated as follows: No of LTI x 1,000,000 / total hours worked during period
Duration rate	Days Lost / # of LTIs
Reportable Injuries (RI)	Incidents that result in a Lost Time Injury (LTI), Suitable Duties Injury (SDI) and Medical Treatment Injury (MTI)

KEY INITIATIVES

This section provides a summary of key initiatives linked directly to the Office of the Mayor and CEO. Many of these initiatives utilise staff and resources from key areas of the business however are not necessarily reported through Standing Committee reports.

2.1. Summary of key projects and initiatives

Strategy	Action	Measure	Start Date	Est Complete Date	Status	Comments
Diversify Mackay's Economy	Facilitate the creation of an economic development body for the region, which reflects Council's role in regional economic development (NCP)	Economic development body formed	May -16	Sep-16		Complete. Chair, CEO and Directors have now all been selected. Final REDC Board meeting took place on 20 January with GW3 now formally in place.
Co-investment for development	Identify opportunities to attract co-investment in regional priorities and strategies from State and Federal Governments and the private sector through strategic partnerships	Identify shovel ready projects and initiatives and develop business cases for these.	June 16	Ongoing		A priority list of shovel ready projects has now been developed with business cases and further works underway for these six projects.
Residential showcase developments	Assist Economic Development Queensland (EDQ) to undertake Woodlands residential 'showcase' developments	Completion of Stages 7 & 8 infrastructure civil works	June 16	Feb 17		Stages 7 and 8 are completed with on-maintenance inspection occurring during February. Final approval of plans for associated extra park related works has been given with the works being commenced.
Promotion of local suppliers and local stimulus	Undertake standard review of the Procurement/Local Buy policy	Complete Review with endorsement by Council	July 16	Dec 16		Review nearly complete with plan to bring final policy forward to council by May 2017
Corporate Strategy Alignment	Review of Councils 2015-2020 Corporate Plan	Plan reviewed and updated for 2016 – 2021 and endorsed by Council	June 16	Sept 16		Final draft of plan near complete and final review by councillors will take place by early April. Plan to submit to full council meeting in April or May for final endorsement
Advocacy for the Mackay Ring Road	Support the State Government progress Stage 1 of the Mackay Ring Road	Ring Road Stage 1 is progressed	2015	2018		Complete. Stage 1 of the Ring Road is now fully funded and due for commencement of works in 2017.
	Advocate for State and Federal Government support for Stage 2	Number of advocacy activities undertaken	Jul 16	June 17		Limited advocacy and work undertaken on Stage 2 in this period.
Advocacy for Mackay to Bowen Basin Service Link	Seek funding for the construction of the Mackay to Bowen Basin Service Link Number of advocacy	Funding commitment	July 16	Ongoing		Minimal work undertaken in this period. Further discussion on timing and funding will occur

Mackay REGIONAL COUNCIL

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Strategy	Action	Measure	Start Date	Est Complete Date	Status	Comments
	activities undertaken					between CEO's Office and the DG's Office.
Mackay Regional Sports Precinct	Advocate for, and help facilitate the construction of the CQ University Mackay Campus Sports Precinct master plan	Construction activities commenced, subject to funding approval	July 16	Jun 17		Project has commenced. Project delivery model and project team makeup now finalised. Lease for CQU land in final draft, and EOI called for associated contracts. See more detail on this project later in this report.
Northern Australia Services	Undertake a review of the Northern Australia Services Transition and Transformation process on completion of 1 year [NCP]	Review completed and recommendations implemented.	June 16	Sep 16		Review complete.
People and Culture	Review and revise the performance planning and review process for managers and directors [NCP]	New process implemented	July 16	Dec 16		New draft performance plans finalised for senior group.
Governance and Performance	Create cost savings and efficiencies through the delivery of in-house legal services	Increased percentage of legal services provided in-house.	July 16	Jun 17		Active legal cases continue to reduce. On track to reduce legal costs from 2015/16.
		Savings in overall legal costs compared to 2015/16				On track for significant reduction of >25% as compared to 15/16 actuals.
Best value service	Undertake a 'first principles' review of Council's activities and services [NCP]	Review completed and recommendations presented to Council	July 16	Apr 17		Final reports for all 22 focus areas now completed with summary of outcomes and further works completed with some inclusions for 2017/18 budget.
Industrial Relations	To commence negotiations for 2016 EA with workforce.	Complete new EA	July 16	Feb 17		EA negotiations tracking to plan with aim to finalise by 30 June 2017, despite the associated Award underpinning the EA only made available on 14 March.
Stimulate Local Economy	Identify opportunities to attract people to Mackay to live and visit	Finalise and implement initiatives that result in increased population growth	July 16	June 17		Continued focus across multiple areas to stimulate activity and growth in Mackay are ongoing
Improved Efficiency	Identify initiatives to improve cost management and improve ratepayer service delivery.	Achieve 2016/17 budget and aim for reduction in deficit for 2016/17 by > $2m	July 16	June 17		A reduction in revenue from water and waste of > $5M for 16/17 has placed enormous pressure on achieving budget result. Cost reductions to match a

Mackay REGIONAL COUNCIL

Office of the Mayor and CEO
Monthly Review > March 2017

Strategy	Action	Measure	Start Date	Est Complete Date	Status	Comments
						large portion of the revenue reductions have been implemented as part of the second quarter budget review EOI for renewable energy options closed early February. Review of options and future strategy to be finalised by April 2017.
Mackay Region Fuel Prices	Investigate Mackay region fuel pricing and comparison with other regions	Track terminal price and retail price data	Oct 16	Ongoing	●	Data has continued to be collected and is provided later in this report.

● On Track ● Potential Issues ● Definite Issue

Whitsunday Region of Councils (WROC)

3.1. Whitsunday Regional Organisation of Councils (WROC)

Continuation of the joint WROC group in conjunction with the Councils of Isaac and Whitsunday.

ROC membership involves the Mayor and CEO of each of the three (3) Councils, supported by various staff from applicable Councils as well as a part time Executive Officer focused on projects.

The major focus of the WROC since mid-2016 has been the establishment of the Greater Whitsunday Alliance (GW3). This has now been fully established, with the new Chairperson and Directors selected, and new Chief Executive Officer commencing in February 2017. The office of GW3 has been established in the Dome complex Victoria Street.

As well as the general WROC meetings, a Strategy Day was held during February. The outcomes of that day are being collated and associated tasks allocated. Part of this was settling the role of the WROC moving forward, especially with the establishment of GW3. Also, discussion was held on possible rebranding of the WROC, with options being investigated.

Another key matter to be developed from the Strategy Day was agreement to form a CEO's group between the three Councils. The intent of this group is to handle the more Council 'business' matters and look for possible synergies between councils at CEO level and allowing the WROC to focus on higher level and strategic issues for the region. The initial meeting of the CEO group occurred on Friday 17 March 2017.

The latest meeting of the WROC was held on Thursday 16 February 2017. Relevant matters discussed and/or resulting from that meeting included:

- Presentation by North Queensland Public Health Network regarding a local health Action
- Presentation by LGAQ representative regarding a number of relevant matters currently before Queensland Councils
- QWRAP/Whitsunday Isaac Mackay(WIM) Alliance – collaboration project between the water businesses of the three Councils – update on latest meeting and outcomes
- Digital Economy Strategy – Update on latest meeting and outcomes

Next Stages

The next WROC meeting is scheduled for 20 April 2017, to be held at Moranbah.

Major Project Updates

4.1. Staff Accommodation Project

4.1.1 Introduction

The last component of the Staff Accommodation Project is the refit of the Old City Library Building to provide community meeting rooms, new display space and staff accommodation.

4.1.2 Project Delivery

The design process for the community meeting rooms and staff accommodation components of the refit has been completed, the process incorporated engagement with all effected parties.

The appointment of a contractor to perform required works has been put on hold for approximately one month to allow the design and incorporation of the new display space to be added to the tender, this previously unfunded component has now been included in this stage of the project though the allocation of Works for Queensland funding. The decision to delay is based on likely cost efficiencies with combining the two programs of works together.

4.1.3 Project Cost

Funding is allocated in the Property Services Programs 2016/2017 Capital Works schedule for the project. This has been recently enhanced through the Works for Queensland funding.

4.1.4 Summary

The initial design phase of Stage 2 of the project is nearing completion with the tender process to commence in early April 2017.

4.2. Mackay Regional Sports Precinct Project

Project Status Report as at 14th March 2017

The Mackay Regional Sports Precinct is a partnership proposal between Mackay Regional Council, Central Queensland University and sporting associations in Mackay. The overall vision is to jointly develop a multi-facility Precinct which caters for the future growth of Mackay and meets the clearly identified future planning needs for sport and recreation in the region.

4.2.1 Project Outcomes for Stage 1

The outputs of Stage 1 (1a and 1b) of the Precinct will include the following deliverables:

Stage 1a - Athletics Facility including synthetic surface running track and field event facilities. The associated clubhouse building will include spectator stands, general lighting (excluding field lighting), roads/drop-off areas, car park, path links within site and landscaped surrounds.

Stage 1b – Aquatic Centre includes a 50 metre outdoor pool, heated pool and program pool, as well as reception and amenities buildings.

Car parking facilities, security lighting/CCTV cameras and site infrastructure will also be delivered which comprises the services required to the overall site. These include sewerage, water supply, electricity, communications services and minor stormwater.

Items including athletics equipment and clubhouse/kitchen 'loose' items such as furniture and equipment are not part of the project as they are not eligible for funding. Work will be undertaken with the ultimate facilities users over equipment including existing items held as well as other potential funding opportunities.

4.2.2 Project Budgets

Total stage 1 budget	$19,996,196
NSRF funding requested	$9,996,196

Cost Plan below as developed by AECOM:

Mackay Regional Sports Precinct – Cost Plan		
Description	**Sub Total**	**Total**
STAGE 1A		
TOTAL Entry Road and Drop-off	795,365	
TOTAL Athletics Field	1,865,630	
TOTAL Athletics Building	700,000	
TOTAL Path Link to TAFE	89,390	
TOTAL Field Events Facilities	25,000	
TOTAL Athletics Parking	202,317	
TOTAL Site Works	1,080,980	
Contingencies, design and management costs	1,652,318	
TOTAL Stage 1A		**6,411,000**

STAGE 1B		
TOTAL Aquatic Centre	9,746,150	
TOTAL Aquatic Centre Car parking	697,024	
TOTAL Site Works	511,586	
TOTAL ESD Initiatives Applicable to Stage 1b	25,000	
Contingencies, design and management costs 1b	2,556,240	
TOTAL Stage 1B	**13,536,000**	**13,536,000**
Total Stage 1	$	**19,947,000**

4.2.3 Key Project Dates (Stage 1)

Signed funding agreement	Dec 2016
Commence preliminary design stage (3-4 months)	Jan 2017
Design package review (4 weeks)	May 2017
Commence Tender Period - priced (2 months)	July 2017
Tender Assessment (1 month)	Sept 2017
Award main D&C contract	Oct 2017
Commence site works (15 months construction)	Oct/Nov 2017
Construction of Stage 1	Nov 2017-through 2018-Feb 2019
Practical Completion	Feb 2019

4.2.4 Project Status Summary

The funding agreement was received in December 2016, and is now fully executed.

4.2.5 Project Governance

The current Project Control Group (PCG) has been revised from the previously wider group. The PCG has been reduced with a focus on project delivery, with a wider group including representatives from Central Queensland University to be used for reference and liaison generally.

Project Control Group

The revised Project Control Group consists of the following membership;

- MRC Executive Officer, David McKendry (Chair)
- MRC Chief Executive Officer, Craig Doyle
- MRC ECI Director, Jason Devitt
- MRC Director Community & Client Services, Bridget Mather
- MRC Project Manager, Jim Carless

The Project Control Group meets monthly.

4.2.6 Financial Summary

Total spend to date on the project is $157,362, being mostly on project management, and site preparation including survey and geotech.

4.2.7 Major Recent Project Activities

- Site survey and data collection completed
- Geotechnical investigations and reports due by the end of March 2017.
- Expression of Interest documents for principal contractor received being reviewed.
- Preliminary design package tenders closed and recommendation report being presented to Council.
- Key stakeholder session held to develop draft Engagement & Communication Plan document which is currently being reviewed
- Media project launch event held on Thursday 23rd February 2017 including associated representatives from CQU, along with local MP Michelle Landry.

4.2.8 Planned Project Activities

- Finalisation of the Engagement & Communication Plan for the project
- Finalisation of review of expressions of interest for the principal contractor

4.3. First Principles Review Summary Report

A key initiative in the 2016/17 financial year was a First Principles Review of Mackay Regional Councils activities, service delivery, charges and policies. The review is being led by the Chief Executive Officer.

The initial project team includes members of the Finance Team, Executive Officer and Chief Executive Officer. This will expand to others within Council as we move through the process.

The initial phase of the project involving identification of possible areas of focus has been completed with identified focus groups completing many meetings and workshops.

The key review areas will be completed by April 2017 so that any key findings, opportunities and/or changes can be discussed as part of the 2017/18 budget.

4.3.1 Project Deliverables

- The key deliverables of the First Principles Review are:

Initial Phase – July 2016 to November 2016 (complete)

- A key costing summary with consistent application of assumptions for all Council services and activities has been developed. Summary of relevant costs have been broken down to per ratepayer, per resident and per user.
- Council's fees and charges costing methodology and basis for charging has been reviewed where available.
- Key category spend profiles have been identified.
- A workshop session has been presented to Council including data analysis and identification of key focus areas.

Intermediate Phase – November 2016 to February 2017 (complete)

- From data analysis an agreed twenty-one (21) key focus areas have been identified for further review.
- Focus groups for key areas, including key employees, established to identify opportunities.
- Focus groups have completed meetings and workshops to identify suggested options and undertake sensitivity analysis for review as part of pending 2016/17 Budget deliberations.

Final Phase – March 2017 to June 2017

- Final reports on key areas options and recommendations received.
- Include in 2017/18 Budget.
- The work and data analysis and collection for this review will be setup so that it can be used as a management tool to assess costs, options and analysis for improved future decision making.

4.3.2 Current Project Status

Works completed to date are:

- Summary of key services and costs/revenue completed.
- Initial workshop briefing held with Council.
- An agreed twenty-one (21) key focus areas have been identified for further review.
- Focus groups identified and key resources allocated to these groups.
- Focus groups have completed internal meetings and workshops in development of options.
- Reports from the Focus groups in required standard format have been completed and reviewed
- Briefing undertaken with Councillors on 15 March 2017 reporting initial findings from review reports

4.4. Investigation into Mackay Region Fuel Pricing

Project Status Report as at 6 March 2017

4.4.1 Reported Data

The average ULP terminal gate price (TGP) has remained fairly consistent but has started decreasing, although it is still higher than October/November last year. ULP retail prices are also starting to slow decrease. Diesel prices have increased slightly.

Unleaded fuel

UNLEADED	Mackay	Cairns	Townsville	Rockhampton	Whitsundays
October					
Average Monthly Retail Price	124.54	130.37	127.10	126.80	121.91
Average Monthly RACQ Fair Fuel Price	121.83	122.45	120.65	122.35	121.38
Variance	2.71	7.91	6.45	4.45	0.53
November					
Average Monthly Retail Price	124.34	130.55	129.61	126.75	124.06
Average Monthly RACQ Fair Fuel Price	121.08	121.88	121.10	121.73	122.10
Variance	3.25	8.67	8.51	5.02	1.96
December					
Average Monthly Retail Price	126.02	130.99	129.60	127.17	124.64
Average Monthly RACQ Fair Fuel Price	125.40	126.84	125.89	125.73	124.39
Variance	0.61	4.15	3.71	1.44	0.25
January					
Average Monthly Retail Price	138.83	140.46	140.05	139.75	129.44
Average Monthly RACQ Fair Fuel Price	131.34	132.16	131.50	131.55	129.58
Variance	7.49	8.29	8.55	8.20	- 0.14
February					
Average Monthly Retail Price	139.41	144.40	139.72	143.97	128.55
Average Monthly RACQ Fair Fuel Price	131.11	131.63	130.93	131.58	128.54
Variance	8.31	12.76	8.79	12.39	0.01
Average Variance	4.48	8.36	7.20	6.30	0.52

Diesel Fuel

DIESEL	Mackay	Cairns	Townsville	Rockhampton	Whitsundays
October					
Average Monthly Retail Price	122.46	122.80	119.89	122.80	126.74
Average Monthly RACQ Fair Fuel Price	118.29	120.15	117.73	119.39	119.57
Variance	**4.17**	**2.65**	**2.16**	**3.41**	**7.17**
November					
Average Monthly Retail Price	123.71	127.96	122.06	125.93	128.56
Average Monthly RACQ Fair Fuel Price	117.37	119.06	117.48	118.28	118.59
Variance	**6.34**	**8.90**	**4.59**	**7.66**	**9.98**
December					
Average Monthly Retail Price	125.73	131.02	124.40	128.82	128.82
Average Monthly RACQ Fair Fuel Price	122.14	123.58	122.10	123.14	123.45
Variance	**3.59**	**7.44**	**2.29**	**5.69**	**5.37**
January					
Average Monthly Retail Price	132.23	135.13	132.42	133.55	133.08
Average Monthly RACQ Fair Fuel Price	127.06	128.74	127.10	127.88	128.37
Variance	**5.16**	**6.39**	**5.32**	**5.67**	**4.71**
February					
Average Monthly Retail Price	133.29	136.84	130.46	132.47	133.58
Average Monthly RACQ Fair Fuel Price	131.11	127.57	122.16	126.61	127.00
Variance	**2.18**	**9.27**	**8.31**	**5.86**	**6.58**
Average Variance	**4.29**	**6.93**	**4.53**	**5.65**	**6.76**

4.5. Mackay Showground Redevelopment

4.5.1 Project Summary

The project involves the following aspects:

- Construction of undercover Equestrian arena
- Construction of new Grandstand
- Kitchen install (500 Pavilion & Big Shed)
- Water main relocation

The total project cost is $4.61M, with contributions from:

- Queensland State Government $2.3M
- Mackay Show Association $1.26M
- Mackay Regional Council $1.05M

Council's contribution is made up of $700,000 for relocation of the water main, and $350,000 from the Better Community Building Fund.

Mackay Show Association is undertaking procurement and tender processes and associated contract payments directly, with claims to Council for reimbursement under the funding.

4.5.2 Latest Developments

- Project Control Group established consisting of Jason Devitt (Director Engineering and Commercial Infrastructure) and David McKendry (Executive Officer) from

Council, and Steve Gavioli (Mackay Show Association), and Marcus Frommolt (Project Manager)

- Mackay Show Association has further refined detailed plans for Equestrian arena and Grandstand components. These have been used for the EOI process.
- EOI's have closed with nine (9) submissions received. These have been reviewed, and shortlisted for invitation to tender. The three(3) shortlisted firms are Paynter Dixon, FK Gardner, and Woollam Constructions, all with design and construct experience and all meeting Council's local classification. The evaluation panel consisted of the Project Control Group members.
- Preliminary design plans have been completed for the kitchen upgrades component (500 Pavilion and Big Shed), with tenders called for associated construction works
- Stormwater Management Plan consultancy proposal has been co-ordinated by Strategic Planning to meet Mackay Show Association requirements. A preliminary report has been received and is being reviewed.

Concept Plans

Equestrian Centre:

VIEW FROM SOUTH WEST
1 : 1

VIEW FROM SOUTH EAST

VIEW FROM NORTH WEST

Grandstand:

GRANDSTAND AND CURLY BELLS

4.5.3 Next Stages

Tender documentation being prepared for shortlisted EOI submitters.

Kitchen works package tenders being called with a view to works being completed by June 2017.

4.6. Works for Queensland

4.6.1 Project Summary

The 2016–17 Works for Queensland (W4Q) program is a $200 million Queensland Government funding program to support local governments outside of South East Queensland to undertake job-creating maintenance and minor infrastructure works.

This initiative is delivered by the Department of Infrastructure, Local Government and Planning and funded under the State Infrastructure Fund.

The objective of the 2016–17 W4Q program is to support job-creating maintenance and minor infrastructure works relating to assets owned or controlled by Councils.

Projects must be delivered by 30 November 2017. Eligible projects are those that:

- Improve the condition (maintenance), quality or lifespan of a local government-owned capital asset such as, but not limited to, footpaths, kerb and channel works, roads, car parks, sewer, water and stormwater systems and networks, shade structures, playgrounds, community and sport facilities, halls, swimming pools and water play infrastructure;
- Are not already proposed for funding in the applicant's 2016–17 budget;
- Are new minor infrastructure works that meet the required timeframe and program objectives; and
- Clearly demonstrate they will create or sustain jobs.

A dedicated Project Manager has been appointed from within Council, with John Cumming Council's Manager Infrastructure Delivery seconded for the project. Associated finance, procurement, and administrative support are also being allocated, as well as identified of key roles within various Programs.

A Project Control Group (PCG) has been established being Jason Devitt Director Engineering and Commercial Infrastructure, Gerard Carlyon Director Development Services, Andrew Knight Director Organisation Services, and John Cumming as dedicated Project Manager,

As part of project delivery, due to time constraints it is intended to utilise procurement Delegations for the award of a number of required tenders etc. These could include types of contracts historically brought to Council for approval, however could be approved under delegated authority. For any Council procurement following associated processes is still a requirement and could include full tender, seeking quotations, or award under existing Panel arrangements. An example of the Delegation possible includes the below, noting the overarching requirement to still meet sound contracting principles of the Act.

Delegation LGR77	14 December 2016 – Folio 41747	Power to decide to accept a tender or not to accept any tenders (Deciding and awarding Tenders and entering into associated contracts)	Section 228(8) & (9) of the LG Regulation 2012	Within Financial Delegation and subject to the sound contracting principles of the LG Act

Mackay Regional Council was allocated $11.49M. The allocations comprised a base of $1,000,000 plus an amount that reflects unemployment levels in the region.
Whilst given an allocation, a formal submission listing projects was needed to be lodged for final approval against funding eligibility. The recommended projects for Mackay included a wide variety of projects (both new and upgrades), for facilities, amenities, and infrastructure across the whole Council area.

Listed projects are as currently identified. If during planning/design processes changes are required to the project and/or scope, these will be modified in conjunction with the Department.

PROJECT LOCATION	BUDGET	DESCRIPTION OF WORKS
REGIONAL PARKS		
Various locations – to be confirmed	$50,000	Upgrades to public convenience amenities at regional parks
Various locations – to be confirmed	$50,000	Minor play equipment replacement, safety upgrades at regional parks
Mansfield Drive Park	$320,000	Playground, shade structure, pathways, landscaping
Eungella Town Park Stage 1	$360,000	Pathways, shelters, car park, landscaping
Queens Park	$745,000	Playground, shade structure, roadworks, landscaping
Ram Chandra Park, Slade Point	$180,000	New toilet block
Vic Bridger Park, Calen	$150,000	Playground, shade structure
Canelands Park	$80,000	Rubber softfall replacements
Platypus Beach, Mirani	$200,000	River foreshore enhancement, recreational area
COUNCIL FACILITIES		
Mackay Entertainment and Convention Centre	$310,000	Roof repairs to improve drainage, application of thermoshield
Council administration building	$250,000	Energy efficiency initiatives for administration precinct
42 Wellington Street building	$99,430	Upgrades to air conditioning, UV lighting, enhancement to external staff facilities
Council depot upgrades	$280,000	Re-roofing and plumbing works for six Council depots
Dome Building	$250,000	Refurbishment of ageing amenities, enhancement of common areas
Paget Waste Centre	$200,000	Extension of resource recovery facility shed
Mirani Caravan Park	$85,000	Renewal of plumbing system
LIBRARIES		
Mackay City Library building	$150,000	Refurbishment of community space area
Gordon White Library	$100,000	Renewal of air conditioning systems
Gordon White Library	$120,000	Replacement of shade structure
Mirani Library	$38,000	Renewal of air conditioning systems
SWIMMING POOLS		
Mirani Swimming Pool	$160,000	Amenity renewals, re-grouting, painting

Pioneer Swimming Pool	$75,000	Amenity renewals, painting
Bluewater Lagoon	$65,000	Painting - facility buildings
COMMUNITY HALLS		
Northern Beaches Community Hall	$83,000	Facility upgrade – painting, flooring, louvres, windows
Bakers Creek Community Hall	$53,000	Facility upgrade – painting, flooring, louvres, windows
Andergrove Community Hall	$33,000	Facility upgrade – painting, flooring
Andergrove Neighbourhood Centre	$33,000	Facility upgrade – painting, flooring
Walkerston Community Hall	$33,000	Facility upgrade – painting, flooring
Sarina Community Hall	$8,000	Facility upgrade – flooring
Mirani Community Hall	$33,000	Facility upgrade – painting, flooring
Slade Point Community Hall	$33,000	Facility upgrade – painting, flooring
Seaforth Community Hall	$33,000	Facility upgrade – painting, flooring
MINOR WORKS		
Mackay CBD	$120,000	Rehabilitation of damaged tiled surrounds
Goldsmith Street/ Victoria Park State School	$80,000	Footpath and invert crossings
Gordon Street East/ Lawson Street	$15,000	Intersection upgrade
Pacific Esplanade	$15,000	Kerb replacement
Denman Avenue	$20,000	Pedestrian crossing
Armstrong Street	$5,000	Pipe culvert repair
Lenesha Drive	$15,000	Drainage improvements
Alfred Street	$100,000	Bike lane marking
Meadowlands Road/ Landsdowne Road	$40,000	Intersection widening
Rae Street	$14,000	Drainage easement maintenance
Grants Road	$20,000	Palymyra drag track flooding works
Various locations – to be confirmed	$300,000	Open drains maintenance works for wet season
Various locations – to be confirmed	$400,000	Timber bridge upgrades
Milton/ Harney Street, South Mackay	$225,000	Open drain concrete lining works
BUS STOPS		
Eimeo Road interchange	$96,000	Construction of bus stop

Marlborough-Sarina Road, Swayneville School	$48,000	Construction of bus stop
Bald Hill Road/ Cinnamon Drive, Glenella	$20,000	Construction of bus stop
Sugarshed Road/ Jardine Drive, Erakala	$40,000	Construction of bus stop
Cape Hillsborough Road/ Smalleys Beach Road	$40,000	Construction of bus stop
Conder Parade/ Power Boulevarde, Midge Point	$40,000	Construction of bus stop
Bruce Highway/ Baronga Drive, Balberra	$20,000	Construction of bus stop
Kinchant Dam Road/ Savannagh Drive, Kinchant Dam	$40,000	Construction of bus stop
Boundary Street/ Victoria Street, Eton	$48,000	Construction of bus stop
Bull Street, Koumala	$48,000	Construction of bus stop
Various locations – to be confirmed	$40,000	Bus stop DDA works
CIVIL WORKS		
River Street boat ramp	$115,000	Construction of boat ramp facilities
Haliday Bay slat ramp	$60,000	Construction of boat ramp facilities
Willetts Road, North Mackay	$385,000	Construction of shared pathway
McHugh Street, Eimeo	$144,000	Traffic calming works
McHugh Street, Eimeo	$25,000	Construction of footpath
WATER AND SEWERAGE		
Campwin Beach	$165,000	Repair scouring of underwater pipeline
Sarina	$260,000	Upgrades to sewerage system
Smalleys Beach Road, Cape Hillsborough	$47,000	Replacement of water main
Nebo Road Water Treatment Plant	$296,000	Upgrade of raw water bores
ROADWORKS		
Various locations – to be confirmed	$1,100,000	Gravel replenishment, re-sheeting for unsealed roads
Various locations – to be confirmed	$2,384,570	Sealed road resurfacing
TOTAL	**$11,490,000**	

4.6.2 Latest Developments

- Confirmation has been received that the listing of recommended projects has been approved by the Department.
- An internal delivery team has been developed headed by John Cumming (Manager Infrastructure Delivery)
- A Project Control Group (PCG) has been established

4.6.3 Next Stages

- Continued work on the project delivery framework including resource needs.
- Commence documentation of projects for delivery.
- Commence works on initial projects

COUNCIL POLICY	
Asset Management	
POLICY NO	042
DEPARTMENT	Organisational Services
PROGRAM	Asset Management
ENDORSED BY COUNCIL	[Date & Minute number]

1.0 Scope

This policy applies to all Mackay Regional Council's (MRC) activities.

MRC recognises the fundamental importance of delivering consistent, reliable and sustainable service outcomes. Sustainably delivering services to the community is impossible without effective asset management. This responsibility for understanding service standards and delivering services to the community requires strong leadership from MRC and its officers to ensure the assets are managed effectively.

2.0 Purpose

The MRC owns assets in order to provide services. The purpose of this policy is to ensure assets are manged in such a way that service outcomes are delivered and are sustainable. The lifecycle cost of assets is recognised as having the biggest impact on the cost of service delivery, and it is therefore imperative to ensure assets are managed effectively and efficiently.

3.0 Reference

- *Local Government Act 2009*
- *Local Government Regulations 2012*
- Australian Accounting Standards Board – Relevant Australian Accounting Standards
- International Standard ISO 55000 *Asset Management*

4.0 Definitions

To assist in interpretation the following definitions shall apply:

Asset shall mean an item, thing or entity that has potential or actual value to an organisation.

Asset Management (AM) shall mean the coordinated activity of an organisation to realise value from assets by delivering outcomes.

Asset Management Plan shall mean documented information that specifies the activities, resources and timescales required for an individual asset, or a grouping of assets, to achieve the organisation's asset management objectives

Asset Owner shall mean the MRC officer accountable for management decisions, performance, and condition of the MRC asset.

Level of Service shall mean the parameters, or combination of parameters, which reflect social, political, environmental and economic outcomes that the organisation delivers.

Business Case shall mean demonstrates the advantage and value of a proposed service/asset including consideration of alternative delivery methods and a recommended option

MRC shall mean Mackay Regional Council.

5.0 Background

The overall intent of this policy is encapsulated in the following statement:

By managing risk, maximising value, and delivering service outcomes, Asset Management shall ensure safety, environmental responsibility and financial sustainability for current and future stakeholders.

6.0 Policy Statement

6.1 Principles

MRC will apply the following principles across MRC for the development and delivery of its Asset Management Policy:

6.1.1 *Asset Ownership*

Each asset will have a designated Asset Owner.

6.1.2 *Service Outcomes*

The sole purpose for owning an asset is to provide one or more services.

For all services MRC delivers, Service Outcomes will be defined and measured.

Service Outcomes impact the wider community and include:

- Safety;
- Public Health;
- Environment;
- Service Levels;
- Cost of Service; and
- Relationships Between Services

6.1.3 *Importance of Asset Management*

- The lifecycle cost on an asset is recognised as having the biggest impact on the cost of service delivery.
- MRC has an economic value in excess of $3 billion. This value is almost entirely comprised of assets.

6.1.4 *Document Hierarchy*

- An Asset Management Framework will be applied across all of MRC to leverage economies of scale and scope and ensure standardisation.
- Asset Management Strategies will be developed and applied to each specific service.
- The effect of each asset on service outcomes will be understood and included in the Asset Management Strategies.
- All assets will be covered by an Asset Management Plan.
- The Asset Management Plan will inform the Long Term Financial Forecast.

6.1.5 *Decision Making*

- The most important Asset Management decisions are made before the realisation of an asset.
- Alternative Service Delivery options will be considered before the realisation of an asset including:
  - Outsourcing;
  - Leasing;
  - Demand Management;
  - Modification of existing Asset Base; and
  - Adjusting Service Levels.
- New assets add new costs to the business which reduces the operating surplus. The effects of the following costs will be understood before realisation of new assets:
  - Operating;
  - Maintenance;
  - Depreciation; and
  - Disposal/Replacement.
- During the life of an asset, the demand and service required of the asset is likely to have changed, making like-for-like replacement of an asset potentially unsuitable. It is therefore necessary to follow a similar process for replacing an asset as procuring a new asset.

- The full cost of service delivery will be understood.
- Whole-of-life costs will be used in the Asset Decision Making process.
- The ongoing costs of operating, maintaining, disposing and renewing an asset materially impact the Whole-of-life cost and must be understood.

6.1.6 *Relationship between Risk, Cost and Service Outcomes*

- The impact of changing service levels on cost is understood and communicated.
- Services Outcomes are reviewed to ensure alignment with community expectations and the operating environment.
- The delivery of services requires a balance of risk, cost and service outcomes.
- The responsibility of the Asset Owner is to meet service levels, manage risk to prescribed risk appetite, while maximising long term value.

6.2 *Processes*

This Policy and its associated principles will be embedded into the MRC processes including:

1. Asset Management Plans will be the responsibility of the Asset Owner.
   - Asset Management Plans will work in conjunction with the Business Plan, the Service Plan and the Performance Plans to effectively manage the delivery of service.
   - Asset Management Plans will be updated annually, and will cover a rolling 10 year period.
   - Asset Management Plans will inform the Long Term Financial Forecast and the Operational Budget. The annual Asset Management Plan update will be delivered with the Capital submission for the budgeting process.
2. Services will be delivered through coordination of employees, contracts and assets.
3. Asset Management Strategies will be applied with a continuous improvement framework.
4. Fit for purpose governance processes will be used to ensure the effective management of assets across MRC programs and across MRC departments.

6.3 *Governance*

Stakeholder	Roles/ Responsibilities
Strategy, Leadership and Performance Team	To **provide direction by :** • Setting levels of service, risk appetite and cost standards • Defining the Asset Management Steering Committee constituents • Approving policies related to the facilitation of assets • Approving the Asset Management Development Plan • Monitoring the Performance of the Asset Management Steering Committee
Asset Management Steering Committee	To provide **strategic leadership and accountability** by • Developing policies related to the facilitation of assets • Providing the strategic direction of the development of Asset Management • Developing the AM Development Plan • Being accountable for the successful execution of the Asset Management Development Plan • Establishing the required Working Groups and their constituents
Working Groups	To provide **strategic implementation support** by: • Delivering tasks assigned by the Asset Management Steering Committee
Asset Owners	To provide **operational support** by: • Delivering 10-year Asset Management Plans updated annually in accordance with the Asset Management Policy • Quantify the cost of service delivery and the cost of changing level of service • Quantify the cost of risk profile and the cost of changing risk profile • Present options and recommendations for service levels and risk appetite to SLPT. • Develop and deliver an operation and maintenance plan • Deliver levels of service to agreed risk and cost standards • Manage assets ensuring the long-term sustainability • Develop and implement a long term Capital profile

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 three (3) years.

Version Control:

Version	Reason / Trigger	Change	Endorsed / Reviewed	Date
1	To be review			

COUNCIL POLICY	
Recognition of Service as a Councillor	
POLICY NO	079
DEPARTMENT	Office of the CEO and Mayor
PROGRAM	Governance & Safety
ENDORSED BY COUNCIL	[Date & Minute number]

1.0 Scope

This policy applies to all elected Councillors.

2.0 Purpose

This Policy aims to officially recognise the service given to the community by an elected member.

3.0 Reference

- *Local Government Act 2009*

4.0 Definitions

To assist in interpretation the following definitions shall apply:

Council shall mean the Mayor and Councillors of Mackay Regional Council.

Councillor shall mean any Councillor including the Mayor unless otherwise mentioned.

MRC shall mean Mackay Regional Council.

Total Service shall mean a total of all terms of office served by an individual Councillor with Mackay Regional Council (MRC) (or pre amalgamation Councils) commencing for each term from the date first elected to office as a result of an election outcome and concluding with the departure from office as a result of an election outcome, resignation or death.

5.0 Background

MRC endeavours to pursue and encourage an environment of honesty and integrity from its elected members and recognises the dedication, service and commitment of those elected members to the general community.

6.0 Policy Statement

MRC recognises the community service of an individual Councillor of Mackay Regional Council as follows:

6.1. Recognition upon departure from office after any period of service

- Desk Plaque or equivalent be presented by the Mayor (Deputy Mayor or Chief Executive Officer if the recipient is the Mayor) at a full Council Meeting.

Presentations shall take place at the last Council meeting of the Council prior to the election, the attendance at and the timing of the formal presentation to be set at a time convenient to Council and the recipient.

Where the departure from Council is as a result of an election, the attendance at and the timing of the formal presentation will be set at a time convenient to Council and the recipient.

6.2. Recognition of Completion of 12 years total service

- Framed certificate of recognition to be presented by the Mayor (Deputy Mayor or Chief Executive Officer if the recipient is the Mayor) at a full Council meeting.

Presentations are to be scheduled for the first Council meeting after which the 12 years' service is achieved, subject to availability of the Recipient Councillor/s.

6.3. Recognition of Completion of 20 years total service

- Watch and framed certificate of recognition to be presented by the Mayor (Deputy Mayor or Chief Executive Officer if the recipient is the Mayor) at a full Council meeting.

Presentations are to be scheduled for the first Council meeting after which the 20 years service is achieved, subject to availability of the Recipient Councillor/s.

6.4 In the event that the former Councillor passes away prior to the presentations referred to in in this policy, then the presentation is to be subject to the preference of the relative or representative.

6.5 Any Councillor who is disqualified from office under the Queensland *Local Government Act 2009* shall not be eligible for recognition.

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 three (3) years.

Version Control:

Version	Reason / Trigger	Change	Endorsed / Reviewed	Date

Mackay REGIONAL COUNCIL	**COUNCIL POLICY**
	Shade for Playgrounds
	POLICY NO 070
	DEPARTMENT Development Services
	PROGRAM Parks, Environment and Sustainability
	APPROVED BY COUNCIL

1.0 Scope

This policy relates to the provision of shade facilities to playgrounds within the Mackay Regional Council (MRC) area. Copies of the policy should be made available to those groups, associations or developers seeking to install shade facilities on playgrounds which will ultimately become MRC's responsibility to maintain.

2.0 Purpose

To ensure a uniform approach and direction to the provision of the most suitable form of shade for playgrounds to existing and future playgrounds across the region.

3.0 Reference

- Creating Shade at Public Facilities, Policy and Guidelines Edition 2 Australian Queensland Government, Institute of Environmental Health.
- SunSmart Policy Guidelines, Cancer Council Queensland.
- SunSmart - Council Events (Policy No 074)

4.0 Definitions

To assist in interpretation the following definitions shall apply:

Council shall mean the Mayor and Councillors of Mackay Regional Council.

MRC shall mean Mackay Regional Council.

Shade Sail shall mean any shade cloth whether mounted over a portal frame or suspended between columns.

Solid Roofed Shade Structure shall mean a roof usually steel (e.g. Colorbond) or aluminium which is waterproof and provides maximum protection against UVR penetration and reflected UVR.

UVR shall mean ultraviolet radiation.

5.0 Background

MRC provides a range of parks, community facilities and events and has a responsibility to ensure that those facilities and events are utilised by the community in a safe manner.

Skin cancer is the most common form of cancer in Australia, with 80 per cent of all cancers diagnosed in Australia being skin cancer. Queensland has the highest rate of skin cancer in the world. More than 430,000 Australians are treated a year for skin cancers. Each year there are around 1600 deaths from melanoma and non-melanoma skin cancer.

Thankfully, almost all of these cancers are preventable and MRC is determined to ensure that we play our part in ensuring the safety of our community. The major cause of skin cancer is too much exposure to ultraviolet (UV) radiation from the sun.

In a tropical climate such as Mackay's skin can burn in as little as 15 minutes so it is important to provide opportunities for residents to protect their skin from UV radiation.

In the past, natural shade (e.g. trees) was the most common form of shade for most playgrounds, however many had no shade at all. While natural shade is the best option, it is difficult to provide in playgrounds where mature trees do not already exist. Faced with the need to provide shade to playgrounds, the next best option is for built shade; this comes in many forms including solid roof structures and shade sail structures.

While shade sails have become popular and can provide a very colourful addition to a playground they are the least effective material for protection from UVR. They do not provide protection from reflected UVR anywhere near as well as natural shade or solid roofs. They have a short life span, are susceptible to vandalism and are highly maintenance intensive.

Solid roofed structures provide a much higher level of sun protection, do not need to be removed and replaced when the wind exceeds 35 knots, are much more resistant to vandalism, have a much longer life span and require far less maintenance. They also provide a greater degree of protection to the play equipment and soft fall under them which results in a much lower maintenance requirement and longer life span for these items.

6.0 Policy Statement

Sun Safety and protection is a key part of MRC's overall responsibility. MRC is determined to ensure that the facilities it provides allow the community to recreate in a safe and enjoyable manner.

6.1 Forward Planning: Parks and Environment

MRC will develop and maintain a Playgrounds Shade Master Plan which:

(a) Describes and lists all playgrounds across the region;
(b) Determines whether shade trees and/or built shade structures are appropriate at each location;
(c) Specifies the location of built shade structures if they exist;
(d) Determines preferred tree species for each location should shade trees be the preferred mode of shade;
(e) Determines preferred built structures for each location;

(f) Is subject to periodic review.

6.2 Forward Planning: Planning Services

With the transfer to MRC of new parkland through the subdivisional process, developers are to be made aware of this Policy and advised that only solid roof shade structures are allowable for the provision of shade over play facilities in new subdivisions.

A landscape master plan is to be provided from a qualified landscape architect for each park and play location where shade provision over play facilities is to be provided.

6.3 New Trees

All plantings are to be carried out under the direction of Parks and Environment staff and are to conform to approved standards.

6.4 New Shade Structures

All new solid roof shade structures are to be designed with architectural merit and are to adhere to the Parks and Recreation Style Manual in terms of appropriateness of design and colour selection. Relevant staff in the Technical Services and Parks, Environment & Sustainability programs are to be consulted through this process.

All new structures are to be built with the supervision of Parks, Environment & sustainability Building Services staff and are to conform to approved standards.

Under this Policy lightweight portal frame shade-sail structures are not to be installed on new playgrounds within the MRC area.

Any existing shade-sail structures are to be progressively phased out and replaced in accordance with the Playgrounds Shade Master Plan subject to the availability of funding.

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 three (3) years.

Version Control:

Version	Reason / Trigger	Change	Endorsed / Reviewed	Date	DWS
1	Review of Policy	No amendments		17.02.17	