FINAL MINUTES

13 December 2017

Table of Contents

Folio	Date	Particulars
48237	13.12.2017	Ordinary Meeting Minutes
48279	06.12.2017	Draft Minutes - Infrastructure and Services Standing Committee Meeting
48300	06.12.2017	Draft Minutes - Economic Development and Planning Standing Committee Meeting
48325	06.12.2017	Draft Minutes - Community Engagement Standing Committee Meeting
48330	06.12.2017	Draft Minutes - Corporate Services Standing Committee Meeting
48360	13.12.2017	Office of the Mayor and CEO Monthly Report - December 2017

Declaration of Potential Conflict of Interest

Item 13.2 - Cr Gee

ORDINARY MEETING
MINUTES

1. ATTENDANCE:

His Worship the Mayor, Cr G R Williamson (Chairperson), Crs, M J Bella, L G Bonaventura, K J Casey, J F Englert, R C Gee, K L May, 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:

Crs A J Camm and F A Mann (nee Fordham)

5. CONDOLENCES:

Cr Englert expressed condolences on the recent passing of Christopher Robert Johnson (known as Tim), to his wife Judy, their family and friends. Tim was the first cadet foreman in the Pioneer Shire Council and an avid fundraiser for CQ Rescue.

6. CONFLICT OF INTEREST:

Item 13.2 - Cr R Gee (Perceived Conflict of Interest)

7. CONFIRMATION OF MINUTES:

7.1 ORDINARY MEETING MINUTES - 22 NOVEMBER 2017

THAT the Ordinary Meeting Minutes dated 22 November 2017 be adopted.

Moved Cr Paton **Seconded Cr Casey**

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 6 DECEMBER 2017

Author Director Engineering and Commercial Infrastructure

Purpose

To receive the Draft Infrastructure and Services Standing Committee Minutes of the Meeting held on 6 December 2017 and consideration of any recommendations.

Officer's Recommendation

THAT the Draft Infrastructure and Services Standing Committee Minutes of the Meeting dated 6 December 2017 be received.

FURTHER THAT the following recommendations from the Infrastructure and Services Standing Committee Minutes dated 6 December 2017 be endorsed:

Item 8.4 Local Law - Waste Management

1. THAT Council resolves to propose to make Local Law No. 9 (Waste Management) 2017;

2. FURTHER THAT the CEO be granted delegation to effect item 1 of this resolution:

   a) To consult with relevant government entities about the overall State interest in the proposed local law (Waste Management) before proceeding with the making of the proposed local law;
   b) To the extent considered necessary, consider and respond to the consultation with the relevant government entities about the overall State interest;
   c) To consult with the public about the proposed local law and conduct a public interest test in relation to the anti-competitive provisions in conjunction with the proposed local law for at least twenty-one (21) days ("the consultation period").

3. AND THAT Council accept and consider every submission properly made to Council about the proposed local law.

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr May **Seconded Cr Casey**

Cr May, as 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 dated 6 December 2017.

CARRIED

10.2 DRAFT MINUTES - ECONOMIC DEVELOPMENT AND PLANNING STANDING COMMITTEE MEETING HELD ON 6 DECEMBER 2017

Author Director Development Services

Purpose

To receive the Draft Economic Development and Planning Standing Committee Minutes of the Meeting held on 6 December 2017.

Officer's Recommendation

THAT the Draft Economic Development and Planning Standing Committee Minutes dated 6 December 2017 be received.

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr May **Seconded Cr Englert**

In the absence of Cr Camm, Chair of the Economic Development and Planning Committee, Cr May spoke to the report and provided an overview and highlights of the Economic Development and Planning Standing Committee Minutes dated 6 December 2017.

CARRIED

10.3 DRAFT MINUTES - COMMUNITY ENGAGEMENT STANDING COMMITTEE MEETING HELD ON 6 DECEMBER 2017

Author Director Community and Client Services

Purpose

To receive the Draft Community Engagement Standing Committee Minutes of the Meeting held on 6 December 2017.

Officer's Recommendation

THAT the Draft Community Engagement Standing Committee Minutes dated 6 December 2017 be received.

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Englert **Seconded Cr Paton**

In the absence of Cr Mann (nee Fordham), as Chair of the Community Engagement Standing Committee, Cr Englert spoke to the report and provided an overview and highlights of the Community Engagement Standing Committee Minutes dated 6 December 2017.

Cr Englert asked for an alteration to the Draft Minutes to better reflect the SES comment made by Cr Casey, Cr Casey confirmed he agrees to this change - *"Cr Casey noted in the SES section they participated in over 103 operational hours contributing to a total of 1,215 volunteer hours for the month. Cr Casey stated that he hopes they have a peaceful Christmas and enjoy the break, as unfortunately, they will be called upon again next year."* The Draft Minutes will be amended to include this change prior to adoption of the Minutes by the Committee.

CARRIED

10.4 DRAFT MINUTES - CORPORATE SERVICES STANDING COMMITTEE MEETING HELD ON 6 DECEMBER 2017

Author Director Organisational Services

Purpose

To receive the Draft Corporate Services Standing Committee Minutes of the Meeting held on 6 December 2017 and consideration of any recommendations.

Officer's Recommendation

THAT the Draft Corporate Services Standing Committee Minutes of the Meeting dated 6 December 2017 be received.

FURTHER THAT the following recommendations from the Corporate Services Standing Committee Minutes dated 6 December 2017 be endorsed:

Item 8.2 Access Easement - Lot 1 Sarina Beach Road, Sarina

A. THAT Council resolves that an exemption applies under Section 236(1)(c)(iv) parts A, B, C and D of the Local Government Regulation 2012 " a local government may dispose of a valuable non-current asset other than by tender or auction".

B. AND THAT the Council approve the dedication of an Access Easement in Lot 1 on RP744118 for an approximate area of 240m2 to the benefit of the adjoining Lot 5 on RP738224 as detailed on the attached image to the Grantee, Sarina Auto Group, with compensation of $5,450.00 (Plus GST).

C. FURTHER THAT all costs associated with the dedication of the Access Easement to be borne by the Sarina Auto Group.

Item 8.3 Lease Renewal - The Scout Association of Australia, Queensland Branch Inc - Lot 2 ON CI4057

A. THAT Council resolves that an exemption applies under Section 236 (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. AND THAT Council approve a new lease for a term of ten years to Banksia Scout Group for an area of approx. 686m2 being part of Lot 4 on CPCi4057, 53 Fernleigh Avenue, 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.

Council Resolution

THAT the Draft Corporate Services Standing Committee Minutes of the Meeting dated 6 December 2017 be received.

FURTHER THAT the following recommendations from the Corporate Services Standing Committee Minutes dated 6 December 2017 be endorsed:

Item 8.2 Access Easement - Lot 1 Sarina Beach Road, Sarina

THAT the report be deferred until the Ordinary Meeting 24 January 2018 pending further information required.

Item 8.3 Lease Renewal - The Scout Association of Australia, Queensland Branch Inc - Lot 2 ON CI4057

A. THAT Council resolves that an exemption applies under Section 236 (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. AND THAT Council approve a new lease for a term of ten years to Banksia Scout Group for an area of approx. 686m2 being part of Lot 4 on CPCi4057, 53 Fernleigh Avenue, 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.

Moved Cr Paton **Seconded Cr Walker**

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 dated 6 December 2017.

Cr Paton advised further information was required in relation to Item 8.2 Access Easement - Lot 1 Sarina Beach Road, Sarina and a decision should be deferred until the Ordinary Meeting dated 24 January 2018.

CARRIED

11. CONSIDERATION OF COMMITTEE REPORTS & RECOMMENDATIONS:

Nil

THAT per clause 16.2 of the Mackay Regional Council Standing Orders (Meetings) 2016, to allow Item 12.1 Petition - Request for Sealing of Camelzuis Road and Glenora Drive Balnagown to be considered before Item 13 - Correspondence and Officers' Reports, despite being a Petition that the order of business be amended to consider the Petition at this point.

Moved Cr Casey **Seconded Cr May**

CARRIED

12. RECEIPT OF PETITIONS:

12.1 PETITION - REQUEST FOR SEALING OF CAMELZULIS ROAD AND GLENORA DRIVE BALNAGOWAN

Author Chief Executive Officer

Purpose

A petition was received by Council on the 4 October 2017 and relates to a request for Council to include in the short-term planning program that Camelzulis Road and Glenora Drive be upgraded to have a sealed surface (bitumen) to reduce/eliminate the high level of dust pollution.

Background/Discussion

This petition was considered at the Ordinary meeting of 25 October 2017 at which time it was resolved –

THAT the Petition lay on the table pending further information.

Following that meeting further review has been undertaken, including the previous assessment and consideration by Council of a similar petition, specifically via the Council meeting of 10 June 2015 when it was resolved –

THAT Council advise the Principal Petitioner of the outcome of the investigations as follows:

1. *That the Petition requesting upgrading of Camelzulis Road and Glenora Drive not be approved given that the road standard is commensurate with requirements for roads in rural areas and the traffic volumes existing.*

2. *That Council will continue to maintain the roads in line with its adopted maintenance intervention standards.*

In terms of Council's Standing Orders Council has three options with regard to Petitions that are tabled and these are;

- the petition be received and consideration stand as an order of the day for the meeting; or for a future meeting; or
- the petition be received and referred to a committee or officer for consideration and a report to the local government; or
- the petition not be received.

Under the Terms of Reference for Council's Standing Committees, petitions may be referred to the Committee from the Ordinary meeting of Council for investigation or action, with the Ordinary meeting rather than individual Committee meetings being the appropriate forum for initial tabling of any petition.

In the attached letter, residents state a number of issues related to their request for road sealing some of which are: dust pollution which affects their drinking water and solar panels, loose rocks which cause cracked windscreens and damage to cars, rough surfaces at the railway crossing and they also comment that the drain pipes are too small to handle wet weather resulting in road washouts.

The most recent petition is exactly the same as the petition previously submitted and considered by Council in 2015, simply with updated signatures. The petition was lodged with Council as part of a submission for DA 2017-75, a proposed Equestrian Estate in Van Moolenbroek's Road adjacent to Camelzulis Road and Glenora Drive. Advice from Technical Services is that apart from the proposed DA there has been no significant changes known in traffic movements or similar in the Camelzulis Road since the last assessment.

The petition does not quite meet the requirements as per the Standing Orders, in that it only has 18 signature rather than 25 but is being put forward for Council's consideration.

Consultation and Communication

Technical Services, and Development Assessment.

Resource Implications

NIL

Risk Management Implications

NIL

Conclusion

As the petition is exactly the same as previously received, assessed, and considered by Council as recently as June 2015, and there are no known significant traffic or other changes for the area, it is suggested that the petition not be received.

Other matters as raised via submission for DA 2017-75, a proposed Equestrian Estate, will be addressed through the standard Planning process.

Officer's Recommendation

THAT Council advise the Principal Petitioner as follows:

1. That as the Petition contains no new information from that previously submitted, assessed, and considered by Council, that the Petition not be received by Council.

2. That Council notes a linkage to a submission regarding DA 2017-75, a proposed Equestrian Estate for Van Moolenbroeks Road, and advises that any such matters will be addressed through the standard Planning process in considering submissions.

The Chief Executive Officer spoke to the report and provided a brief overview of the outcome of the Petition received by Council.

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Casey **Seconded Cr Gee**

CARRIED

13. CORRESPONDENCE AND OFFICERS' REPORTS:

13.1 OFFICE OF THE MAYOR AND CEO MONTHLY REPORT - DECEMBER 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 December 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 December 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 December 2017.

Cr Walker queried if there was an update from the Greater Whitsunday Council of Mayor's CEO Group Meeting.

CEO advised the Greater Whitsunday Council of Mayor's (GWCoM's) meeting will be held today and the GWCoM's CEO Group Meeting was held last week and continue to look at opportunities for the three (3) Councils to work together, particularly on an operational basis. A Council will be visiting Mackay Regional Council tomorrow to look at possible opportunities through the Shared Service Centre. Also, discussions are being held around procurement opportunities on large plant with some central arrangements where the three (3) Councils could unite rather than purchase the same item from the market separately.

Cr Bonaventura advised he felt it was important to note the efforts staff undertook to ensure the $11.49M Works for Queensland funding monies was spent within the allocated timeframe.

The Mayor endorsed Cr Bonaventura's comments and congratulated, on behalf of the Elected Members, all the staff involved in ensuring the State Funded $11.49M Works for Queensland was spent within the allocated deadline.

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Casey **Seconded Cr Bonaventura**

CARRIED

13.2 PRELIMINARY APPROVAL FOR MATERIAL CHANGE OF USE & RECONFIGURING A LOT PURSUANT TO S242 OF THE SUSTAINABLE PLANNING ACT 2009 TO VARY THE EFFECT OF THE MACKAY CITY PLANNING SCHEME 2006 - 9 VAN MOOLENBROEKS ROAD, BALNAGOWAN (LOT 26 ON SP167457) - DA-2017-75

Application Number:	DA-2017-75
Date Received:	30 June 2017
Action Officer:	Leah Harris
Applicant's Details:	Rok Properties Pty Ltd c/- Veris Mackay PO Box 158 MACKAY QLD 4740
Proposal:	Preliminary Approval for Material Change of Use & Reconfiguration of a Lot pursuant to s242 of the Sustainable Planning Act 2009 which varies the effect of the Mackay City Planning Scheme 2006 to facilitate an Equestrian Estate
Site Address:	9 Van Moolenbroeks Road, BALNAGOWAN QLD 4740
Property Description:	Lot 26 on SP167457
Owner's Details:	Rok Properties Pty Ltd
Area:	37.2Ha
Planning Scheme:	Mackay City Planning Scheme 2006
Planning Scheme Designations:	
Locality:	Hinterland
Precinct:	Pioneer River and Southern Streams
Zone:	Rural
Assessment Level:	Impact

Submissions:	Seven (7) submissions and one (1) petition
Referral Agencies:	Concurrence – Department of Infrastructure, Local Government and Planning. Triggers*:-* *State-controlled Road* *Schedule 7, Table 2, Item 2 – ROL* *Schedule 7, Table 3, Item 1 – MCU*
Attachments:	Attachment A: Location Plan Attachment B: Precinct Plans Attachment C: Concurrence Agency Response Attachment D: Mackay City Planning Scheme and Mackay Region Planning Scheme Overlay Mapping Attachment E: The Meadows Equestrian Estate Development Code
Recommendation:	Approved Subject to Conditions

ASSESSMENT OF APPLICATION

Purpose

This development application to Mackay Regional Council seeks Preliminary Approval for a Material Change of Use and Reconfiguring a Lot pursuant to section 242 of the Sustainable Planning Act 2009 varying the effect of the Mackay City Planning Scheme 2006 at 9 Van Moolenbroeks Road, Balnagowan *(Refer Attachment A – Locality Plans*).

The applicant has submitted a new development code, called 'The Meadows Equestrian Estate Development Code', which it is proposed will override certain aspects of the Mackay City Planning Scheme 2006.

The submitters have raised issues of a planning and environmental nature relating to the proposed use. The submissions have not raised any grounds that cannot be appropriately conditioned or that warrant refusal of the application.

The application is recommended for approval subject to conditions.

Background

Pre-lodgement discussions were undertaken with the proponent prior to the lodgement of the application. The proposed development was discussed in a meeting held on April 19, 2017. The minutes have been included in the applicants planning report and cover issues of roads, water, the function of the development as a genuine equestrian centre and not just a subdivision of Rural zoned land.

Subject Site and Surrounds

The total area of the site is approximately 37.2Ha. It is in the Rural Zone and affected by the Bushfire Management, Development on Steep Land and Good Quality Agricultural Land Overlays.

The site contains an existing dwelling, sheds and equestrian infrastructure, such as undercover arenas and round yards. There are also dams on the site, and paddocks used for agistment of horses.

The site has direct access to Van Moolenbroeks Road and Glenora Drive, both of which have a mostly gravel surface currently maintained by Council. There are existing crossovers to the site that service the existing uses. The property is outside the serviced sewer and water network area. Electricity is available at the western corner of the property. The property is within the NBN fixed wireless network coverage area.

Part of the land, on which a sugar cane railway line traverses, is subject to a lease to Mackay Sugar Co-Operative Association Limited. The proposed development will not impact this lease.

The surrounding area is made up of rural residential style allotments of average 2Ha to the north east (Sugarloaf Drive), 20ha rural blocks to the north west, a large 70Ha block to the south west and smaller 2Ha lots on Erinagh Drive to the south west.

All of the land in the area is currently zoned Rural under the Mackay City Planning Scheme 2006 and the Mackay Region Planning Scheme 2017.

Proposal

In order to vary the Scheme, it is proposed that the future material change of use and reconfiguration of lot development shall be in accordance with the provisions of The Meadows Equestrian Estate Development Code. Further, this application will override the application of overlays to future development (based on approval of these within this application).

The purpose of this Development Code is to detail relevant planning and design provisions that will apply to the future development of the site. It is not intended to over-ride all aspects of the Scheme. Where not included in this Development Code, the relevant provisions of the applicable Scheme shall apply.

The Assessment Code within the Meadows Equestrian Estate Development Code contains Performance Outcomes and Acceptable Outcomes consistent with the Mackay Region Planning Scheme 2017. Being a variation of a Planning Scheme, this Development Code is to be interpreted as if it were a code within the Mackay City Planning Scheme 2006. Where there is inconsistency between this code and the Scheme that is in force, this Development Code prevails.

Future development proposals (for the subject site) will be in accordance with The Meadows Equestrian Estate Development Code (Development Code) and any other applicable codes that will continue to apply.

The Preliminary Approval is intended to facilitate the development of four separate precincts within a community title subdivision. The precincts are; community title equestrian facilities, equestrian living Stage 1, equestrian living Stage 2 and general equestrian facilities ((*Refer Attachment B – Precinct Plan*).

Significant parts of the Development Code are the facilitation of Indoor Sport and Recreation and Outdoor Sport and Recreation as accepted development. This would mean that these uses can commence onsite without needing any further development applications to Council. The uses would have to be in accordance with the provisions in the code which the applicant has included hours of operation from 6am to 11pm seven days a week.

WHAT IS A PRELIMINARY APPROVAL UNDER S242 OF SPA?

Under section 242 of the SPA, a preliminary approval may affect how a local planning instrument is applied or the effect it has on the proposed development. This type of preliminary approval may establish specific assessment provisions that will then apply in assessing any future development applications relating to the land.

In addition to approving the proposed development, a section 242 preliminary approval may vary the effect of a local planning instrument until the approved development is completed or the time limit for completing the development ends.

The preliminary approval may change the level of assessment for the proposed development or related development. For example, the planning scheme may state that a particular aspect

of the development is assessable development requiring impact assessment. The preliminary approval may instead require code assessment for that aspect. The preliminary approval may also identify or include codes for the development. For example, the preliminary approval may state that particular codes in the planning scheme apply to the proposed development, or it may include new codes for assessing the proposed development.

INFRASTRUCTURE CONSIDERATIONS

Water & Sewer

The subject site is not connected to Council's reticulated water or sewer services. It is proposed that the future lots will be serviced by water tanks. This will be further assessed as part of subsequent Reconfiguring a Lot applications.

Stormwater

The applicant has stated "the proposal is for a s242 application only. Further detail design of the lot configurations will be provided at future ROL development permits" and "all drainage works can comply with the relevant guidelines". It will be required that the development does not have any detrimental impact on surrounding properties as a result of increased stormwater flows. Detailed design will be assessed with future Reconfiguring a Lot applications.

Roadworks

There is no road layout or lot layout provided as part of the application because it is for a preliminary approval, however, Rural Residential development of this type generally requires access to a bitumen sealed road in accordance with the Planning Scheme Codes. The applicant has indicated that the standard of the road is something which can be assessed at the time of future application however, it is considered necessary to address the issues in the proposed Meadows Equestrian Estate Development Code.

REFERRAL AGENCIES

The application was referred to Department Infrastructure, Local Government and Planning (DILGP) for the following triggers:

- Sustainable Planning Regulation 2009, Schedule 7, Table 3, Item 1 – State-controlled Road (Material Change of Use)
- Sustainable Planning Regulation 2009, Schedule 7, Table 2, Item 2 – State-controlled Road (Reconfiguration of a Lot).

The State has approved the use subject to conditions *(Refer Attachment C–Concurrence Agency Response).* Road access works comprising a BAR/BAL must be provided at the Maraju–Yakapari Road & Van Moolenbroeks Road access location before any lots are created.

MACKAY ISAAC WHITSUNDAY REGIONAL PLAN

The subject site is located outside of the regional plan Urban Footprint and within the Regional Landscape and Rural Production area.

The regional plan states;

> *"4.4 Planning and managing agricultural land*
> *Land suitable for agricultural production is identified, protected and managed to provide for profitable and sustainable use of the resource. Use and management programs build resilience to, or mitigate, the potential impacts of climate change."*

As detailed above the agricultural land will be lost to production as a result of the development.

PLANNING SCHEME ASSESSMENT

The proposed development has been assessed against Council's Mackay City Planning Scheme and is considered generally consistent with the intent of the Scheme with some conflicts identified below.

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

- Rural Zone Code
- Reconfiguration of a Lot Code
- Environment and Infrastructure Code
- Bushfire Management Overlay Code
- Development on Steep Land Overlay Code
- Good Quality Agricultural Land Overlay Code

Desired Environmental Outcomes (DEO's)

The Desired Environmental Outcomes (DEOs) of the Planning Scheme are discussed below:

a) Biodiversity and Habitat/Natural Features

The Planning Scheme states;

> *"(i) significant natural features are conserved and their values are not compromised in order to sustain ecological processes and maintain biodiversity in the City for present and future generations" ...*

The subject site does not contain any significant natural features as outlined in the Planning Scheme. Furthermore, the site does not contain remnant vegetation, steep land, or wetlands. The permanent loss of Good Quality Agricultural Land however, is considered a conflict with the outcome as the resource will no longer be available for future generations.

b) Cultural Heritage & Landscape Character

The Planning Scheme states;

> *"(i) the aesthetic and amenity values of significant cultural heritage places and areas, as well as notable features of landscape character, are retained and enhanced for the*

benefit of present and future generations."…

The subject site does not contain any places of cultural heritage or notable features of landscape character.

There is no conflict with this outcome.

c) Economic Development

The Planning Scheme states;

"(i) economic resources such as good quality agricultural land, forests, fisheries, extractive materials, water and land resources are protected from the adverse or limiting effects of proximate, incompatible activity for future ongoing use. Good quality agricultural land is made available for urban uses only with a demonstration of overriding community need."…

"(xi) Rural land:

(A) is protected from incompatible land uses;

(B) is maintained in agricultural use, where possible, in order to ensure the viability of the sugar industry in the City; and

(C) provides opportunities for use for a wide range of economic activities including extractive industries, forestry, grazing, intensive animal husbandry and water supply development. "

The intent of this DEO is to ensure the preservation and growth of major economic resources within Mackay. Good Quality Agricultural Land is recognised as a significant resource which generates substantial income and employment for Mackay. Mackay Sugar is supported by 1000 family owned farms producing tonnes of cane per annum on 85,000 hectares of quality agricultural land. It also currently contributes around $300 million per annum to the local economy through grower shareholders and employees.

The permanent loss of Good Quality Agricultural Land however, is considered a conflict with the outcome.

d) Amenity and Community Well-being

The Planning Scheme states;

"(i) a wide range of affordable and accessible housing is available which is suitable for the climate, meets the needs of the City's population and is convenient to community facilities, employment and recreation opportunities."…

"(v) a wide range of living and lifestyle options are available to residents including urban, rural residential, village, rural and island living."

The proposal will not compromise the intent of this DEO, and it may be considered that the

development is fulfilling this outcome by providing an alternative living option for the residents of Mackay not previously provided in the region.

e) Infrastructure and Urban Growth

The Planning Scheme states;

"(iv) 'in sequence' urban growth occurs in the following pattern:

(A) urban consolidation occurs within the existing urban areas, particularly in the McCready's Creek, Goosepond Creek and Pioneer River (Urban) precincts of the City; and

(B) urban, rural residential and village development occurs in land zoned for urban residential, urban expansion, rural residential or village purposes to which infrastructure and community services can be provided efficiently and effectively."

"(v) 'out of sequence' urban growth occurs only where a need for additional land is demonstrated and the need is balanced against the cost of providing infrastructure, including community facilities and services, and the impacts on the environment. Any such growth must be ecologically sustainable and is limited to areas in the McCready's Creek, Goosepond Creek and Pioneer River and Southern Streams precincts, which are most easily and economically serviced, providing that the interface with agricultural and other incompatible land uses can be managed appropriately and effectively and the landscape and heritage values of the City are not diminished. "

The proposed subdivision component of the development would be considered 'out of sequence' development because it is Rural Residential style living in the Rural Zone. However, when combined with the equestrian facilities it becomes logical for the development to be located in the Rural Zone as the large scale development would be an underutilization of Rural Residential zoned land. It is still necessary to consider the additional costs to Council in relation to the provision of services to the area while noting that rates do not fully cover the cost of services to Rural zoned land.

It is considered that there is not significant conflict with this DEO.

Overlays

The subject site is affected by the following Overlays *(Refer Attachment D–Mackay City Planning Scheme and Mackay Region Planning Scheme Overlay Mapping)*:

Bushfire Management Overlay Code

The subject site is mapped Medium Bushfire Risk in the Mackay City Planning Scheme.

The recently adopted Mackay Region Planning Scheme mapping removes the bushfire mapping from the site and shows it to only be within buffer areas.

There is no vegetation onsite so the Bushfire Risk is considered low.

Development on Steep Land Overlay Code

The subject site is mapped with small areas shown as being "steep land" or generally greater than 15% slope in the Mackay City Planning Scheme.

The recently adopted Mackay Region Planning Scheme mapping removes the landslide hazard mapping from the site due to more accurate information and as such the code is not considered relevant.

Good Quality Agricultural Land (GQAL)

The whole of the subject land is mapped as Good Quality Agricultural Land in the Mackay City Planning Scheme. The recently adopted Mackay Region Planning Scheme mapping includes the land in the Agricultural Land Class A and B.

What is Good Quality Agricultural Land?

According to the MADI metadata;

"the information was compiled by Mackay Regional Council, as part of the development of the Mackay City Planning Scheme. This information was based on Soil and Land Suitability Mapping undertaken by the Department of Natural Resources. This was originally based on the Shields and Holz Land Suitability for Sugar Cane Study (published 1985).

The data represents areas of High Sugar Cane Suitability (Category A). This was similar to the Shields and Holz categories 1 to 3. This Overlay Code is used to identify areas that may need special consideration during development, particularly related to ensuring ongoing availability of Good Quality Agricultural Land."

The repealed State Planning Policy 1/92 Development and the Conservation of Agricultural Land goes on to describe GQAL as

"Good quality agricultural land is land which is capable of sustainable use for agriculture, with a reasonable level of inputs, and without causing degradation of land or other natural resources. In this context, agricultural land is defined as land used for crop or animal production, but excluding intensive animal uses such as feedlots, piggeries, poultry farms and plant nurseries based on either hydroponics or imported growth media."

What is Agricultural Land Classification?

The Department of Infrastructure Local Government and Planning has produced a State Planning Policy Guidance document on Agriculture to assist in the interpretation of their SPP. See excerpt below;

"Agricultural land classification (ALC) depicts soil and land characteristics to help determine the location and extent of agricultural land across Queensland that can be used sustainably for agricultural land uses with minimal land degradation. Soils are finite resources and are fundamental to agricultural production systems. Land with special characteristics, such as high fertility, water-holding capacity and arability, is scarce and often highly sought after for competing uses. Productive soils that have the

capacity to sustain agricultural production with few limitations cover just 2.5 per cent of Queensland.

ALC Class A and Class B land constitute the most productive agricultural land in Queensland, with soil and land characteristics that allow successful crop and pasture production."

The Overall outcomes for the Good Quality Agricultural Land Overlay are;

"(1) The overall outcomes are the purpose of the Good Quality Agricultural Land Overlay Code.
(2) The overall outcomes sought for the Good Quality Agricultural Land Overlay Code are to ensure:

(a) good quality agricultural land is conserved for continued agricultural use;
(b) good quality agricultural land is protected from reconfiguration which fragments otherwise productive rural land;
(c) reconfiguration of lots in the Rural Zone facilitates viable and sustainable rural land use pursuant to State Planning Policy No 1/92, and
(d) Agricultural uses are protected from encroachment by incompatible uses."

The applicant has argued that the proposed use is "rural" and agricultural in nature and therefore is consistent with the Good Quality Agricultural Land Overlay and not in conflict with it. However, the State Planning Policy and the Planning Scheme require the preservation of GQAL for agricultural uses that are required to be on or near good soils. While the definition of 'agriculture' could be debated, there is no question that the proposed use does not need to be located on or near good soils. Therefore, it is considered the proposed development is in conflict with the overlay code.

A detailed assessment has been undertaken against the following codes:

- Rural Zone Code
- Reconfiguration of a Lot Code
- Environment and Infrastructure Code

Only the areas of non-compliance and provisions requiring management of conflicts are discussed below. A general discussion in regards to the conflicts is consolidated after the detail of the codes.

Rural Zone Code

Specific Outcomes of the Rural Zone Code

"P1 The use of land within the Rural Zone for rural purposes is sustainable over the long term by:

(i) avoiding fragmentation of agricultural lots; and…

P6 Rural residential development does not occur."

The applicant has argued that the development will not fragment agricultural land, however, a subdivision is considered a fragmentation of agricultural land. Therefore, the proposal is considered to conflict with the Rural Zone Code. The equestrian facilities however are considered a Rural use and are appropriate on Rural Zoned land.

Reconfiguration of a Lot Code

Specific Outcomes of the Rural Zone Code

P2 Each lot is consistent with the minimum area and dimensions as set out in Table 9-18.1 Minimum Area & Dimensions. Rural – 100Ha
P3 In the Rural Zone, new lots are not created unless:
(i) the result of the reconfiguration is that new lots and the balance lot are above the minimum area stated for the Rural Zone; or
(ii) the result of the reconfiguration is that an equal or lesser number of lots is created and the utility and accessibility of all subject lots is an improvement on the original situation in relation to enhancing or supporting the rural use of the lots.

The applicant has argued that "*The proposal is for a s242 application only. Further detail design of the lot configurations will be provided at future ROL development permits. This application has demonstrated an over-riding community need…"* It is considered that the detail design will not enable compliance with the requirement for no additional lots unless they are 100ha as the subject land is less than 100ha. Therefore, it is considered that there is a conflict with the Reconfiguration of a Lot Code.

Discussion
The development is in conflict with a number of the provisions of the Mackay City Planning Scheme in respect to the reconfiguration component of the development. As there is a conflict with the Planning Scheme it is necessary to demonstrate that there are sufficient grounds to approve the development despite the conflict. Even though the application is only a *preliminary approval* there is no differentiation in the Sustainable Planning Act which means this lessens the burden of having adequate grounds.

Ultimately, if a proposal is inconsistent with a planning scheme, the greater the inconsistency is, the more difficult it is to gain approval. In more technical terms, this test is found for development applications made under the Sustainable Planning Act 2009 (Qld) ("SPA") in s 326 of SPA:

326 Other decision rules
(1) The assessment manager's decision must not conflict with a relevant instrument unless—
(a) the conflict is necessary to ensure the decision complies with a State planning regulatory provision; or
(b) there are sufficient grounds to justify the decision, despite the conflict; or
(c) the conflict arises because of a conflict between—
(i) 2 or more relevant instruments of the same type, and the decision best achieves the purposes of the instruments; or
Example of a conflict between relevant instruments—
a conflict between 2 State planning policies
(ii) 2 or more aspects of any 1 relevant instrument, and the decision best achieves the purposes of the instrument.
Example of a conflict between aspects of a relevant instrument—
a conflict between 2 codes in a planning scheme
(2) In this section—

relevant instrument means a matter or thing mentioned in section 313(2) or 314(2), other than a State planning regulatory provision, against which code assessment or impact assessment is carried out.

The relevant instruments for code assessable and impact assessable development stated, respectively, in Sections 313(2) and 314(2) of SPA include the relevant planning scheme. "Grounds" is defined in Sch 3 (Dictionary) of SPA as:

grounds, for sections 326(1)(b) and 329(1)(b)—
1 Grounds means matters of public interest.
2 Grounds does not include the personal circumstances of an applicant, owner or interested party

There is certainly **no** need for additional Rural Residential developments in the Mackay region which has been demonstrated through Mackay Regional Council's own Rural and Rural Residential Study. Therefore; the subdivision is only supportable as part of the equestrian centre.

The applicant has provided letters of support for the proposal from Mackay Turf Club, Mackay Show Association and Mackay Pony Club which may suggest that there is need for the facility within the Mackay region but support does not necessarily equal need. There was no detail on the facilities currently available and what is the short fall of equestrian facilities in Mackay. What is the economic benefit to the region? How do these facilities complement the existing and planned facilities at the Show Grounds and Turf Club? If, as the applicant states there is an overriding community need, is it an urgent need? It is considered that the argument of need has not been adequately demonstrated.

Despite the above considerations, it is still considered that there are grounds to support the development as follows;

1. The Mackay City Planning Scheme does not adequately address this type of development; and
2. The Mackay City Planning Scheme does not anticipate this specific or particular development.

The proposal is to create a unique high quality equestrian themed living development that delivers upmarket equestrian facilities to residents, and the wider community. It is a type of development not as yet seen in Mackay. There are benefits of combining living, keeping and training horses in the one location. This enables the residents to take their horses to a training facility without having to use horse floats resulting in greater amenity for the residents and the animals.

PROPOSED MACKAY REGION PLANNING SCHEME (MRPS)

The subject site is zoned Rural under the recently adopted MRPS. The proposed development would be assessed against the following codes:

- Rural zone code
- Reconfiguring a lot code
- General development requirements code
- Agriculture land overlay code

- Bushfire hazard overlay code

The Mackay Region Planning Scheme does not differ greatly from the Mackay City Planning Scheme in regards to the support for and conflict with the proposed development. The conflict with the agricultural land overlay remains and the subdivision component still conflicts with the Rural Zone and Reconfiguring a lot code.

Similarly, the same grounds of approval apply in that the Mackay Region Planning Scheme does not envisage this form of development.

ADOPTED INFRASTRUCTURE CHARGES REGIME

Infrastructure Charges will be applied to the future development applications in accordance with the charging regime in force at the time of those applications.

SUBMISSIONS

The application was publicly notified in accordance with the requirements of the *Sustainable Planning Act 2009,* and as a result of this process, seven (7) submissions and one (1) petition were received.

The submissions received, expressed opposition to the proposal. The principle concerns raised from the submissions are summarised under the following headings and discussed below.

1. Rural Land Uses;
2. Dust;
3. Water;
4. Hendra Virus;
5. Equestrian Uses;
6. Roadside Stall;
7. Fragmentation of Agricultural Land;
8. Community Title Scheme;
9. Fire;
10. Multiple Dwellings/Caretaker's Residence;
11. Property Valuations;
12. Dogs; and
13. Road Closure.

1. Rural Land Uses

In summary, the submitters had the following concerns relating to Dust:

- *The proposal is not a rural use and is creating suburbia.*
- *The proposal will impact on existing Rural Activities such as bee keeping.*

Applicant's Response:

The proposed houses on Glenora Drive are at the end of a dead end road and will be a considerable distance from any neighbouring homes. There would be no more than 5 houses on this site which would take access from Glenora Drive. There would be no more than 4 additional houses (excluding the one existing) gaining access from Van Moolenbroeks Road. The proposed density on the site will be approximately 1 dwelling per 3.5 hectares (subject

to further subdivision design). This density is far less than a typical rural residential development, and certainly not in line with the supposed residential development.

Officers Comments:
While the minimum lot size proposed of 1ha is less than the Rural Living lots in the area being on average around 2ha, the proposal is in accordance with the Rural Residential Zone. Also, the applicant has provided an average density based on the larger site and it is relevant to take into account the common property areas when assessing the density in this case. The shared facilities don't have to be provided by each individual on each lot. The proposed density is considered appropriate.

In relation to the keeping of bees and this existing use being inconsistent with the keeping of horses, it is proposed in the Development Code that new sensitive landuses such as dwellings are setback from rural activities outside of the site by 60m or 15m if including a vegetated buffer. It is considered that this will protect the existing Rural uses.

2. Dust and Road Standard

In summary, the submitters had the following concerns relating to Dust and Road Standard:

- *Glenora Drive, Van moolenbroeks Road and Camelzulis Road are all (at least part) gravel standard only and not suitable for additional traffic and should be bitumen sealed and upgraded.*
- *The gravel roads create a lot of dust.*

Applicant's Response:
All existing houses on Glenora Drive and Van Moolenbroeks Road are set a good distance off the road.

On Van Moolenbeoeks Road only a total of 4 of the proposed houses would need to pass one existing neighbour on the dirt road. We do not believe that rural properties require bitumen roads. This is not creating suburbia. A total of 11 houses would be the number on the entire 37 hectares.

The purpose of this development application is to setup an assessment framework for future development. Future Reconfiguring a Lot development applications to Council will be accompanied by engineering services reports and assessment against the development manual. At that point in time, once the final number or lots is known, Council can make an informed decision on the requirements of the existing roads.

Officers Comments:
The development code (Refer Attachment E– The Meadows Equestrian Estate Development Code) has been amended to include a performance outcome that the lots have access from a sealed constructed road. Further assessment will occur at the time of the future Reconfiguration of a Lot application for a development permit. Council's Rural Residential development requirements in the Planning Scheme require access to a sealed road.

3. Water Supply

In summary, the submitters had the following concerns relating to Water Supply:

- *Bore water supply issues for current residents, bores running dry. Will this development make their supply worse?*

Applicant's Response:
Water is not an issue as there would be no bores, water to be supplied from rainwater tanks. There will be no more and possibly less livestock than currently grazing the property, so there will be no additional water requirements for stock.

As per the development code, rainwater tanks are proposed to service the community title lots, and any proposed uses on the site.

It is also noted that in most instances, water bores for other than servicing livestock require separate water licenses or a development permits under the Water Regulation 2016.

Officers Comments:
Water supply requirements are included in the development code and allow for the provision of water by tanks. This is in accordance with our Planning Scheme for Rural Residential development.

4. Hendra Virus

In summary, the submitter had the following concerns with regards to Hendra virus:-

- *Increase risk of Hendra Virus due to the increase of horses and humans.*

Applicant's Response:
We would have no more horses on the property than are currently there and that have been there for the past 6 years (under agistment) without any issue. Hendra can be vaccinated against.
The risk of Hendra virus in a rural area is an existing issue that will not be increased by the proposed development application.

Officers Comments:
The issue of Hendra Virus raised by submitters is part of a larger issue they have raised which relates to impacts on the operation of their farm in the Rural Area. The nearby mango farms should not be impacted by the proposed development as the proposed uses are Rural also.

5. Equestrian Uses

In summary, the submitters had the following concerns:-

- *Hours of operation*
- *Lighting*
- *Traffic generation*
- *Parking*
- *Building Heights*
- *Noise*

Applicant's Response:
The proposed equestrian facilities on the Group title will be for the exclusive use of the residents of that equestrian estate.

The main general equestrian (the balance of the farm) will be used for training purposes and riding enjoyment, not competitions that will have public viewing.

Concerns for public parking, events, noise etc are therefore unfounded. The facilities are

only for training, participants would then compete at events held at the Mackay Showgrounds, as many rural horse owners do.

Access to the general equestrian area is serviced by an existing bitumen road.
The Council can condition noise limits and operating hours, as well as condition requirements for car parking areas, should the need arise, as part of any future development applications.

Officers Comments:
While the applicant has indicated that Council can address this issue as part of future applications they have actually applied for Indoor Sport and Recreation and Outdoor Sport and Recreation to be self-assessable, so we would not receive future applications if they comply with the code. As submitted the code allows uses to occur from 6am to 11pm. However, as the applicant has indicated that there will not be events or competitions, that has been added to the Development Code. Thereby making any proposal to run an event or competition subject to a future Impact Material Change of Use application. Also, it is proposed to limit the hours of operation to 6am to 7pm.

6. Roadside Stall

In summary, the submitters had the following concerns:-

- *Concern over the impact of roadside stalls.*

Applicant's Response:
A roadside stall is currently a permitted use in the Rural Zone. The proposed development application does not change this.

Officers Comments:
The applicant's response is correct and roadside stalls are restricted to sale of goods produced on the premises so it is not anticipated the use will create a large amount of impacts, especially considering the passing traffic is very low and only made up of local residents.

7. Fragmentation of Agricultural Land

In summary, the submitters had the following concerns:-

- *Fragmentation of Agricultural Land;*

Applicant's Response:
The proposal satisfies an overriding community need for a facility of this nature, as demonstrated by the letters of the support from the Mackay Turf Club, Mackay Show Association and Mackay Pony Club. The equestrian uses proposed are by their very nature a rural use.

Officers Comments:
This report addresses conflicts with the Planning Scheme above and has concluded that there are sufficient grounds to approve the development despite the conflicts.

8. Community Title Scheme

In summary, the submitters had the following concerns:-

- *Concerns on how the scheme will operate.*

Applicant's Response:

A query with regard to how the scheme would operate - the lot owners would purchase their lot which would give them access to their own equestrian facilities, plus the general estate which will have a larger arena being a dressage arena and show jumping arena for general riding and training. A body corporate fee would be paid to maintain the facilities. The benefit to the owners is that they do not have to set up their own equestrian facilities/arenas on their own properties at their expense and the maintenance is done for them. It is unlikely that someone would want to buy into this estate and pay a body corporate fee for equestrian facilities if they are not going to utilise the facilities.

A community management statement will set out the specifics of the Community Title Subdivision to ensure the proposal operates as intended.

Officers Comments:
The Development Code specifies that all additional Rural Living lots must be part of the community title scheme and thereby linked to the equestrian development.

9. Fire

In summary, the submitters had the following concerns:-

- *Increase risk of fires.*

Applicant's Response:
An assessment against Council's bushfire overlay code has been provided with the development application. The subject is cleared grassland with low fire risk.

Officers Comments:
Agreed, the requirement for firefighting water supply is included in the Development Code.

10. Multiple Dwellings/Caretakers Residence

In summary, the submitters had the following concerns:-

- *Each lot could have a dwelling house and caretaker's residence.*

Applicant's Response:
The assessment table within the development code allows for a caretaker's residence, only if it complies with the assessment code. The provisions for a caretaker's residence are duplicated from the Mackay Regional Council 2017 Planning Scheme.

Officers Comments:
Agreed, even if it is not included in the Development Code caretakers residences are included in Councils Mackay Region Planning Scheme.

11. Property Valuation

In summary, the submitters had the following concerns:-

- *Concerns property valuations will decrease.*

Applicant's Response:
Property valuations is not a valid planning ground.

Officers Comments:
Agreed.

12. Dogs
In summary, the submitters had the following concerns:- • *Increase of roaming dogs.* Applicant's Response: …Our experience is that people who train horses also have well trained dogs… Officers Comments: This is part of the broader issue of increased density and additional residents which has been addressed above.
13. Road Closure
In summary, the submitters had the following concerns:- • *Road closure is not supported;* Applicant's Response: The development application is not applying to close the road. Any road closure applications will be assessed by DNRM, with adjoining landowners and Council afforded the opportunity to comment at that time. Officers Comments: Agreed, it was part of the pre-lodgement discussions only.

It is considered that the submissions have not raise any issues or sufficient concern to warrant refusal of the application.

RESOURCES IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

Nil, other than if an appeal is lodged by the applicant or submitters in response to the approval or its conditions.

CONSULTATION

External

The application was publicly notified in accordance with the Sustainable Planning Act 2009 and it has been determined the requirements of the Act has been satisfied in this respect.

Internal

The application has been tabled at Council's internal development enquiries meeting where the proposal was considered appropriate rural development in this rural locality.

CONCLUSION

This proposal for a Preliminary Approval for a Material Change of Use and Reconfiguring a Lot pursuant to section 242 of the Sustainable Planning Act 2009 varying the effect of the Mackay City Planning Scheme 2006 at 9 Van Moolenbroeks Road, Balnagowan be approved as it is considered that the conflicts with the Planning Scheme are not sufficient to warrant refusal of the application.

Officer's Recommendation

A. THAT Council approve this Preliminary Approval for a Material Change of Use and Reconfiguring a Lot pursuant to section 242 of the Sustainable Planning Act 2009 varying the effect of the Mackay City Planning Scheme 2006 at 9 Van Moolenbroeks Road, Balnagowan in accordance with The Meadows Equestrian Estate Development Code.

1. Varying the effect of the Planning Scheme

   Future development proposals (for the subject site) will be in accordance with The Meadows Equestrian Estate Development Code and any other applicable codes that will continue to apply.

   Where there is inconsistency between the Development Code and the Scheme that is in force, the Development Code prevails.

   Unless specified in the Development Code, all other relevant provisions within the Scheme shall otherwise continue to apply.

2. Endorsement of Survey Plan

   Future Reconfiguration of a Lot Approvals will not be endorsed by Council unless the associated community title equestrian facilities have been constructed.

PUBLIC PARTICIPATION

The Mayor welcomed the members of the public in the Public Gallery who had registered to speak to this item on the agenda today and provided an explanation on the procedure of public participation.

Mr Andrew Cabassi

Mr Cabassi from Balnagowan advised he was a neighbour and disagrees with the proposed closure of Cabassis Road and Glenora Drive as it will limit the access to the bottom of his property. He is concerned with the current culverts ability on the roads surrounding this proposed application to keep the water off the road and safe for the additional road users. The dust complaint is of concern from the traffic utilising Camelzulis Road and Glenora Drive currently and with additional traffic will only increase. He is also concerned with the water supply to his property with the additional houses proposed in this application.

Mr Gregory Lewis

Mr Lewis from Balnagowan advised he was an adjoining owner to the proposed development and feels the proposed development is quite complex and the residents require more consultation with Council before any decision can be made. As an adjoining owner if this proposed development was approved it would make him an adjoining owner to a body corporate and he believes his property is not in future urban land but rural land. He is concerned about the need for this proposed development and believes it is an equestrian park that is piggybacking a residential development. Glenora Drive and Cabassis Road future proposed closure is of concern as all of the traffic will have to use Glenora Drive and believes Cabassis Road should remain open. He would like to see Council visit Camalzullis Road and Glenora Drive to see this part of the proposed application as the application was put in for 9 Van Moolenbroeks Road but there is an outlet onto Glenora Drive and affects this part of the area as well.

Mr Wayne Wellby

Mr Wellby from Balnagown advised he lives on a neighbouring block to the proposed application and wished to reiterate what has already been stated. He advised Glenora Drive is a single lane unsealed carriageway at best and water comes over the road approximately three (3) times per year and he does not believe this road is suitable for the increased traffic and the type of traffic the proposed development will attract. A double horse float weighs approximately 4 tonnes and if they have to pass another vehicle will have to pull off the road to allow for safe passing along Glenora Drive.

Mr Scott Pullen

Mr Pullen from Balnagowan advised he was in attendance today to reiterate his submission of rejection of the proposed application. He is not opposed to development of regional areas but seeks a compromise between the developers and the existing residents. He has the following concerns with is proposed application:

- Minimum lot size of 1 hectare, the current lot size is a minimum of 2 hectares;
- Proposal has suburban type appeal with lots being side by side, the current roads and properties of the area are of unique size and shape giving the properties a unique appeal;
- Benefits to the wider community that are not equine related are nil;
- Existing shed/arena was approved under a rural application and now the developer is seeking a residential type area around this shed/arena;
- Seeking a covenant if this proposed application should be approved on the new properties to keep the ascetics of the area to a standard currently enjoyed by the existing property owners; and
- Water supply issue to existing property owners.

Ms Zuriette du Plessis

Ms Zuriette du Plessis of Balnagowan advised she owns a neighbouring property to the proposed application and is concerned with the possibility of Hendra Virus due to the possible increased number of horses. In relation to the keeping of bees she advises a request had been received asking her to remove the bees from the boundary as they were stinging the horses.

She is concerned with the spraying of the proposed Lucerne crop so close to her orchid and bee hives.

Ms Maree Sturdy

Ms Sturdy of Balnagowan advised she lives on Sugarloaf Drive and is not a direct neighbour to the proposed application but the neighbourhood is very important to her. She is not opposed to the development but would like to ensure the developers are held accountable with better transparency on the proposed application. She is concerned about the increase in traffic causing an increase in the dust issue already currently being experienced by some residents. She believes the residents were not given adequate advice or consultation on this proposed application and is seeking Council to stand up for the resident's rights and hold the developer accountable for transparency and compliance with conditions.

The Mayor asked if the Acting Director Development Services (A/DDS) wished to reply to the public participation as presented today.

A/DDS advised all the matters raised today during public participation are similar to issues raised in the submissions received by Council and the submissions and issues raised in the submissions have been addressed in the report.

Cr Paton advised he wished to raise a Procedural Motion on this matter to lay the report on the table and requested a further Council briefing to better understand the proposed application in relation to the Mackay Region Planning Scheme.

Procedural Motion

THAT the Report lay on the table, pending additional information being provided to Council via a briefing, until the Ordinary Meeting of 24 January 2018.

Moved Cr Paton

CARRIED

Crs Bonaventura and Walker recorded their vote against the Procedural Motion

Cr Gee advised during public participation the name Andrew McDonald was raised and he was not aware of Mr McDonald's involvement with Rok Properties Pty Ltd prior to this. Due to prior business dealings with Mr McDonald he would like to declare a Perceived Conflict of Interest in this item and stated he did not take part in the vote on the Procedural Motion raised by Cr Paton.

Cr Gee declared that a perceived conflict of interest in this matter could exist (as per section 173 of the Local Government Act 2009), due to prior business dealings with the applicant and that he had considered his position and would not vote on this matter.

The Mayor noted Cr Gee's Perceived Conflict of Interest.

13.3 ATTENDANCE AT FLOOD AND CYCLONE MITIGATION AND RESPONSE FORUM 2018

Author Chief Executive Officer

Purpose

This report is to request that Council nominate its delegates to attend the Flood and Cyclone Mitigation and Response Forum 2018 to be held in Brisbane between the 22 and 23 February 2018.

Background/Discussion

The Flood and Cyclone Mitigation and Response Forum brings leading disaster management professionals from government, community and business together to discuss better ways to prepare, mitigate and respond to floods and cyclones.

The forum will showcase government and industry insights into new emergency procedures focused on minimising the impact of floods and cyclones as well as the Queensland Government's plan to help stimulate economic recovery.

The outcomes-focused discussion sessions will prepare delegates to make more informed decisions in high pressure situations to reduce the impact of disasters and reduce risk in the urban context.

Consultation and Communication

Mayor and Councillors

Resource Implications

Cost of conference registration is $5,012.87 inclusive of GST. Other costs will include air fares and accommodation. Attendance for conferences is catered for in the current budget.

Risk Management Implications

Nil.

Conclusion

It is proposed that Council endorse the attendance of Deputy Mayor, Cr Amanda Camm; Cr Karen May and Cr Kevin Casey as Members of the Mackay Local Disaster Management Group to attend the Flood and Cyclone Mitigation and Response Forum 2018 to be held in Brisbane between the 22 and 23 February 2018.

Officer's Recommendation

THAT Council approve Deputy Mayor, Cr Amanda Camm; Cr Karen May and Cr Kevin Casey to attend the Flood and Cyclone Mitigation and Response Forum 2018 to be held in Brisbane between the 22 and 23 February 2018.

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Paton **Seconded Cr Englert**

CARRIED

13.4 LOCAL AND SUBORDINATE LOCAL LAWS

File No **Local Laws Review**
Author **Manager Governance & Safety**

Purpose

To progress the next stage of the Local Law Making process in relation to the:

- Amendments to the following Subordinate Local Laws:
  - Subordinate Local Law No 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011
  - Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2011
  - Subordinate Local Law No. 1.10 (Operation of Public Swimming Pools) 2011
  - Subordinate Local Law No. 2 (Animal Management) 2011;
- To propose a new Local Law No. 8 (Heavy Vehicle Parking) 2017
- Repealing of Local Law No. 2 (Meetings) 2008

Background/Discussion

The commencement of the local law process was approved by Council on 26 July 2017 where Council resolved to:

Proceed to make the following:

- Alteration or Improvement to Local Government Controlled Areas and Roads (Amendment) Subordinate Local Law (No. 1) 2017;
- Installation of Advertising Devices (Amendment) Subordinate Local Law (No. 1) 2017;

- Operation of Public Swimming Pools (Amendment) Subordinate Local Law (No. 1) 2017;
- Animal Management (Amendment) Subordinate Local Law (No. 1) 2017;
- Local Law No. 8 (Heavy Vehicle Parking) 2017.

AND THAT Council resolves to repeal Local Law No. 2 (Meetings) 2008;

AND FURTHER THAT the public consultation process is commenced.

Summary of proposed amendments

Subordinate Local Law No 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011

- Proposed amendments are to change the category activity from a category 2 to a category 1 activity.
- These amendments will allow Mackay Regional Council (MRC) to enforce the removal and destruction of street trees by issuing a penalty infringement notice rather than proceeding through the court system.

Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2011

- A number of proposed changes are required around the criteria for approving permits for awning fascia signs, illuminated signs and election signage.
- The amendment will also allow MRC to take compliance action in regard to signs which do not meet these criteria.

Subordinate Local Law No. 1.10 (Operation of Public Swimming Pools) 2011

- The proposed amendments include the reference to the *Building Act 1975* in relation to swimming pools.
- This reference will allow MRC to better manage pool compliance under the Subordinate Local Law.

Subordinate Local Law No. 2 (Animal Management) 2011

The proposed amendments include:

- the management of bee hives,
- the removal of the "designated town area" definition,
- the inclusion of the Shellgrit Creek Beach dog exclusion zone; and
- criteria amendments around keeping various types of animals.

Local Law No. 8 (Heavy Vehicle Parking) 2017

With the removal of Heavy Vehicle Parking from the new Planning Scheme, a new proposed Local Law has been drafted to outline the criteria to allow heavy vehicle parking on residential land within the local government area. This will enable MRC to take enforcement action where required.

Local Law 2 (Meetings) 2008

This Local Law is proposed to be repealed as it is no longer relevant. It was developed and in place prior to the commencement of the *Local Government Act 2009* (ie the *Local Government Act 1993*), and provisions contained within this local law are now within the current Act.

Consultation

MRC has undertaken public consultation on all the abovementioned Laws.

One submission from a member of the public was received following public consultation; the submission related to Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2011.

The submission has been considered by the Health & Regulatory Services Program and King and Company Solicitor. The Subordinate Local Law has been amended in response to the submission. The amendments relate to the alignment of terminology with the new Planning Scheme and Planning Act and improvements in other operational matters.

Consultation was also undertaken with State Government agencies on the proposed new Local Law No. 8 (Heavy Vehicle Parking) 2017 and the repealing of Local Law No. 2 (Meetings) 2008.

The following departments were consulted.

- Department of Communities, Child Safety and Disability Services
- Department of Housing and Public Works
- Department of Infrastructure, Local Government and Planning
- Department of Justice and Attorney-General
- Department of Natural Resources and Mines
- Department of State Development
- Department of the Premier and Cabinet
- Department of Transport and Main Roads
- Public Service Commission
- Queensland Police Service
- Queensland Treasury

Reponses were received from:

- Department of Infrastructure, Local Government and Planning
- Queensland Police Service
- Department Housing and Public Works
- Department of Transport and Main Roads

The responses were considered by Council's Solicitors King and Company for review and advice on the next steps in the process. Details of the responses received from the State Departments as well as comments from King and Co in response are shown in Attachment 5.

Local Law No. 8 (Heavy Vehicle Parking) has been amended to reflect the submission of the Queensland Police Service.

Public Interest Test Plans and Anti-Competitive Provisions

King and Company has advised that possible anti-competitive provisions and relevant public interest testing will now need to be undertaken in relation to some of the proposed Local Laws and Subordinate Local Laws. Anti-competitive provisions are possible activities where the amendment to the Local Law or Subordinate Local Law may impact on the business activity of commercial businesses.

Anti-competitive provisions have been identified for the Animal Management Subordinate Local Law, Operation of Public Swimming Pool Subordinate Local Law and the Heavy Vehicle Parking Local Law.

Public interest testing on the possible anti-competitive provisions is required to meet the principles and objections of the National Competition Policy reform set by the Competition Principles Agreement. The public interest test plans have been prepared in accordance with the guidelines which have been issued by State Government and as per the regulation under the *Local Government Act 2009*. The public interest test plans provide an outline of how the testing is to take place and likely stakeholders who should be consulted. Specific details for the amendment of the relevant laws affected are outlined in the attached public interest test plan attached to this report.

MRC will now need to proceed to the advertising of the above public interest testing and anti-competitive provisions for a period of 21 business days.

Next Steps

Following public interest testing and after any submissions have been reviewed by King & Company Solicitors, a further report will be brought back to Council for the adoption of the proposed amendments and gazettal of the Local Laws and Subordinate Local Laws.

Consultation and Communication

Consultation has been undertaken with Health & Regulatory Services Staff, Office of the Mayor and CEO and King and Company Solicitors.

Resource Implications

No additional resources will be required for the administration of the New Local Law and amended Subordinate Local Laws.

Risk Management Implications

The risk associated with this activity is assessed as being low.

Conclusion

In order to meet the requirements of the Local Law Making Process, it is recommended that MRC proceed to the next step for the advertising to determine public interest and anti-competitive provision testing by Council delegating the powers under Section 38 to the CEO to allow the CEO to progress this matter in accordance with the public interest test plans.

Officer's Recommendation

THAT Council resolves, pursuant to section 257 of the *Local Government Act 2009* ("the Act"), to delegate to the Chief Executive Officer of Council its powers under section 38 of the Act and section 15 of the *Local Government Regulation 2012* to decide—

(a) how the public interest test of each local law particularised in the schedule is to be conducted; and

(b) the matters with which the public interest test report in relation to each local law particularised in the schedule must deal; and

(c) the consultation process for the public interest test and how the process is to be used in the public interest test.

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr May **Seconded Cr Bonaventura**

CARRIED

14. TENDERS:

Nil

15. CONSIDERATION OF NOTIFIED MOTIONS:

Nil

16. PUBLIC PARTICIPATION:

Mr Tony Bugeja of Walkerston advised DA 2017-74 application for excavation of soil from the property across from his property for sodic soil. He is concerned when the soil is excavated it will affect the underground water and with approximately 800 hectares on the floodplain that regularly goes under water. With the sodic leaking through the soil structure into the pods and when the flood water comes the excess water will flow across the cane paddocks into Bakers Creek. He believes this application will have a major impact on eight (8) houses and approximately 800 hectares of land will be impacted and urges Council to undertake a site inspection before any decision is made.

The Mayor advised the Chief Executive Officer would be in contact with Mr Bugeja to follow up his concerns raised today.

17. LATE BUSINESS:

Cr Casey presented to the Mayor a Community Development Fund certificate he received, on behalf of Council, at the Rio Tinton Hail Creek Mine Community Annual Stakeholder Function on Thursday 7 December 2017. Mackay Regional Council, Bendigo Bank and Rio Tinto partnered to host Community Strengthening Conferences held in Walkerston, Sarina and Mackay with 66 attendees from 44 organisations attending.

Cr Casey advised on Saturday morning he attended the Cyclone Saturday at Canelands along with the Mayor and Cr Bonaventura, there was a constant crowd attending the stand with several residents commenting they were attending since Cyclone Debbie. He thanked the staff who manned the stand on Saturday to provide emergency service information to the community of Mackay.

The Mayor agreed with Cr Casey comments and the staff did a tremendous job alongside all of the emergency personnel who also assisted in providing information to the community while manning the stand. He thanked Cr Casey and Cr Bonaventura for donating a considerable amount of their Saturday to assist with Cyclone Saturday.

18. 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 18.1 - Mackay Region Planning Scheme 2017 - Qualified State Interest Amendment 1 of 2017 - Dwelling House and Related Provisions	(g) action to be taken under the Sustainable Planning Act 2009 (Qld)

Moved Cr Casey **Seconded Cr Englert**

CARRIED

10.51 am - The meeting be closed to the public.

THAT the meeting be reopened to the public.

Moved Cr Casey **Seconded Cr Englert**

CARRIED

10.53 am - The meeting was reopened to the public.

18.1 MACKAY REGION PLANNING SCHEME 2017 - QUALIFIED STATE INTEREST AMENDMENT 1 OF 2017 - DWELLING HOUSE AND RELATED PROVISIONS

Confidential

Council Resolution

THAT Council agree to the proposed amendment prepared under Chapter 2, Part 3, Steps 8.2 and 8.3 of the *Minister's Guidelines and Rules* and section 20 of the *Planning Act 2016*

AND THAT in accordance with Chapter 2, Part 3, Step 8.4 of the *Minister's Guidelines and Rules,* Council gives the Minister notice of the decision to amend the planning scheme and provide the required material for a proposed qualified state interest amendment.

AND THAT subject to the Minister confirming, in accordance with Chapter 2, Part 3, Step 8.6 of the *Minister's Guidelines and Rules*, that the proposed amendments can proceed through the qualified state interest amendment process and that the proposed amendments can proceed to public consultation without major changes, that public consultation is undertaken in accordance with Chapter 2, Part 3, Step 9.2 of the *Minister's Guidelines and Rules.*

Moved Cr Paton **Seconded Cr Walker**

CARRIED

19. MEETING CLOSURE:

The Mayor commented that it has been a busy and robust year with the contributions by everyone seated around the Chambers table most welcome and valuable. On behalf of the Councillors, he thanked the Executive Support Officer, Madonna, for her work and delivery of all the Committee and Council Agendas and Minutes throughout the year which is always very professionally carried out, the Councillors are very grateful for her contribution. He thanked the Chief Executive Officer (CEO) and Directors for their leadership and believes Mackay Regional Council is a tremendous organisation and, all the Councillors seated around the table would agree, the Councillors have the utmost confidence in the CEO and Directors in the leadership shown and the delivery of the services to Council this year has been outstanding. On behalf of all the Councillors, thank you all very much. The Mayor wished all the Councillors a very happy and safe Christmas and looks forward to working with them in the New Year.

The meeting closed at 10.55 am

20. FOR INFORMATION ONLY:

Nil

Confirmed on Wednesday 24 January 2018

……

MAYOR

APPENDIX / ATTACHMENTS

INFRASTRUCTURE AND SERVICES STANDING COMMITTEE MEETING MINUTES

1. COMMITTEE ATTENDANCE:

Crs K L May (Chairperson), M J Bella, L G Bonaventura (part attendance), K J Casey, 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 Cr R Gee, J Englert (part attendance), Mr C Doyle (Chief Executive Officer), Mr J Devitt (Director Engineering & Commercial Infrastructure) and Mrs R Pakowski (Minute Secretary).

The meeting commenced at 8:30am.

3. ABSENT ON COUNCIL BUSINESS:

4. APOLOGIES:

5. CONFLICT OF INTEREST:

6. CONFIRMATION OF MINUTES:

6.1 INFRASTRUCTURE AND SERVICES STANDING COMMITTEE MEETING - 8 NOVEMBER 2017

THAT the Infrastructure and Services Standing Committee Meeting Minutes dated 8 November 2017 be adopted.

Moved Cr Casey **Seconded Cr Walker**

CARRIED

7. BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING:

8. CORRESPONDENCE AND OFFICERS' REPORTS:

8.1 ECI - WATER SERVICES MONTHLY REVIEW - 1 NOVEMBER 2017 TO 30 NOVEMBER 2017

Author **Director Engineering & Commercial Infrastructure**

Purpose

To provide the Committee with the Engineering and Commercial Infrastructure - Water Services Monthly Review for the period of 1 November 2017 to 30 November 2017.

Officer's Recommendation

THAT the Engineering and Commercial Infrastructure - Water Services Monthly Review for the period of 1 November 2017 to 30 November 2017.

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

Cr Paton queried the internal crack found at the Mt Pleasant Reservoir and was it due to the works being carried out or was it something that has recently occurred?

DECI advised that investigations are still being carried out. It was noted that some of the issue is when the old post tensioning bands were removed to be replaced by the new bands, officers have found that there has been some release from the concrete. As a result of this occurring, they are now conducting further inspections to ensure there are no other cracks. Technical advice is still being received and whether this occurrence has any further impacts.

Cr May queried Item 4.1 Surface water storage capacity - more specifically regarding the allocation to Wilmar and the release from Middle Creek Dam. Is that the bulk water we sell to Wilmar?

DECI stated that it is not, that the State have the allocation, even though it is a Council owned and operated storage the actual allocation sits in the Plane Creek weir downstream. Occasionally, Wilmar request Council to release water for them to be able to access from the weir, but the allocation doesn't come from what is released from Middle Creek Dam, but from is held at the weir. Even though Council own, maintain and operate the Dam, any release what for Wilmar, it's not Council's allocation to charge for.

Cr May noted that historically, Council did charge of the water, and it seems very unfair that Council bears the huge costs of operating the Middle Creek Dam and Sunwater get to sell the

water. Queried whether a discussion regarding this issue needs to be held between Council and Sunwater at some point in the future.

DECI advised that the allocation is charged by State Government, and that Council are currently in discussions about potentially having Sunwater taking ownership of the dam and for them to look at the opportunities for further irrigation needs.

Cr May noted that CSR built the dam and had a 60-year arrangement with Sarina Shire Council (SSC), then at that time the asset reverted to the Council. It was at that point in time, that (SSC) commenced charging for water allocation coming out of the dam. This practice seems to have changed over time.

Committee Resolution

THAT the Director's Recommendation be adopted.

Moved Cr Paton **Seconded Cr Walker**

CARRIED

8.2 ECI - WASTE SERVICES MONTHLY REVIEW - 1 NOVEMBER 2017 TO 30 NOVEMBER 2017

Author **Director Engineering & Commercial Infrastructure**

Purpose

To provide the Committee with the Engineering and Commercial Infrastructure - Waste Services Monthly Review for the period of 1 November 2017 to 30 November 2017.

Officer's Recommendation

THAT the Engineering and Commercial Infrastructure - Waste Services Monthly Review for the period of 1 November 2017 to 30 November 2017 be received.

8:39am Cr J Englert entered the Council Chamber

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

Cr Casey stated that in relation to the Recycling Competition, it was great to see that 71% of people answered the questions correctly. Those numbers are up from what they were when the Region commenced recycling.

Cr May noted that the resident who won the competition, was extremely excited that she had won the $1,000 Porters voucher.

Cr Casey questioned if the flaring at Hogans Pocket had been finalised?

DECI stated that it is now being operated by Council and the previous Operators contract had come to an end. For the time being, the Chief Executive Officer takes responsibility under the Legislation for management of the facility and process. Council will continue to review and monitor at the moment and see whether it is worthwhile going back out to the market to bring in a third party. Council will need to contract in a skilled expertise to deal with the flaring itself, but this is what was done by the previous Contractor.

Cr Williamson queried the very low percentage of dump vouchers used at this current time of the year? Are there any concerns regarding these levels?

DECI stated that due to the short timeframes for the reports creation this month, he suggested that not all of the month's data had been received. Also, that looking at the previous month's data, and the normal trend that there would be a late rush to use vouchers prior to the expiry date. The redemption percentage figures are normal and consistent with previous periods.

Cr Casey stated that due to the wet weather, there will be a lot more greenwaste coming through.

DECI is not concerned at the figures seeing there is still another four (4) months for the vouchers to be used. DECI stated that it could be possible to plot the usage of the vouchers and compare to previous rateable periods to see where the peak usages lie, whether it is a front end or back end usage.

Committee Resolution

THAT the Director's Recommendation be adopted.

Moved Cr Paton **Seconded Cr Casey**

CARRIED

8.3 ECI - TRANSPORT & DRAINAGE MONTHLY REVIEW - 1 NOVEMBER 2017 TO 30 NOVEMBER 2017

Author **Director Engineering & Commercial Infrastructure**

Purpose

To provide the Committee with the Engineering and Commercial Infrastructure - Transport and Drainage Monthly Review for the period of 1 November 2017 to 30 November 2017.

Officer's Recommendation

THAT the Engineering and Commercial Infrastructure - Transport and Drainage Monthly Review for the period of 1 November 2017 to 30 November 2017 be received.

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

Cr Williamson requested a report be brought to the Standing Committee in February 2018, on the Unsealed Road Network. The actions on all the unsealed roads, what seals are being applied, what is expected to be applied throughout 2018, costs associated with it and where there are any shortfalls. Unsealed roads have been discussed previously that we can't place enough seal on the road. By February, the Standing Committee needs to be able to discuss the unsealed road network and our ability to apply funds in the Budget. Council is receiving many calls from residents stating that roads that are unsealed or haven't been touched for some time. He would like the Committee to be completely across the what is going on and understand where the roads are and what is the programme to maintain the roads.

DECI highlighted that there is an additional $1.6M for gravel replenishment that has been allocated in the next round of Works For Queensland (W4Q), that is over and above what Council normally spend.

Cr Williamson noted that there is 930km of unsealed roads in the Region, and as a Council, we need to understand where we are at risk in that road network and what are we applying to the road network and what is our ability to apply a fix to that road network.

Cr May requested a breakdown of what was achieved in the W4Q extra funding, separate out what Council normally fund under the budget, and the NDRRA works. To help Councillors gain a better picture of what is normal works and what is able to be achieved with those additional funds.

Chief Executive Officer (CEO) stated that from a briefing given previously, that Council is averaging $1.5-2M on the Unsealed Road Network, and that over the 6 categories service level expectations and it was noted in that briefing that Council should be spending approximately $3-4M operating costs per year. CEO agreed to have the report, as requested prepared for the first Infrastructure and Services Standing Committee in February. CEO stated that subject to

the budget for next year, there are additional funds for W4Q Stage 2 of $1.6M are on top of whatever Council decides to spend in the Budget. From that briefing, it was quite good in terms of stating that if Council want to hold the service level for those 6 categories to where we currently are, then Council needs to spend between $3-4M per year operating costs, which is double what it is currently spending.

Cr May clarified that her request was relating to the roads that have been done. For the W4Q funds, it would be nice to say that these roads were completed due to the additional funds received.

CEO confirmed that this information is available and that 31km of roads were able to be treated.

DECI advised that due to the multitude of works needing to be completed on some of the roads, some works on the roads were spilt to W4Q, NDRRA and maintenance. Agreed to bring a report forward and focus on the backlog of works, what the priority is and also the feed into the gravel replenishment works as well. The report will focus on programme of works going forward and associated timeframes, especially leading up to the cane crushing season in 2018.

Cr Williamson stated Council needs to know what is Council's exposure. Where are the roads that we don't get to, where are the roads we can't get to, where are the roads we haven't spent money on and what is our exposure. Council knows that the Federal Member for Dawson has been asking for funding programs, and one of the funding programs that was suggested was the causeways and gullies programs, that the federal government may be able to fund. At the moment, Council has no idea what the actual costs involved in the exposure on the rural road networks that aren't being attended to, it is just so that we are prepared for budget considerations for next year and also what we may be able to look for from State and Federal funding.

Cr Walker queried if there was any good news in relation to the inspection of the beaches by Queensland Recovery Authority (QRA) and Department of Environment, Heritage and Protection (DEHP)?

DECI stated that QRA conducted site visits on the Emergent Works conducted to bring the sites back to safe areas prior to the wet season and to also review the scope of works that are planned and have been submitted in relation to the current works. Feedback received so far, is that we are aligned and on the same page. Council need to do a little bit more work in a couple of areas and progress to doing some detailed design of what we need to do. Council is aligned with QRA in relation to the restoration works attached to TC Debbie.

CEO also stated that of $10.9M submitted for Cat D, $1M was for boat ramps and alike. Of the rest the issue that have come up with the Federal and State, that they will only pay for what the sites where like to just prior to cyclone. When Council did the design for everything, we wanted to not just design to what was there but also to make it better for the future, which was the geobag wall for Midge Point etc. QRA have signed off on $1.4M, which includes $400K of touch-up works that is required before storm season. Cape Hillsborough and Armstrongs Beach have been signed off completely. Council were given $950K for Lamberts Beach, but Council requested $2.5M. The issue is that they are saying that they not paying for all of the works only the $950K. Council wants to do the extra work that includes another dune. When QRA visited, they went through Midge Point and the other beaches and what Council submitted to be clear on where they think the line is in our design, for where back to pre-

cyclone is, but Council want to go further with the works. CEO is to speak with QRA General Manager today, who indicated that they would be looking at making a decision on the funding prior to Christmas. CEO noted that to be clear, the funding would not cover the $11M and they are only willing to pay out of the funding bucket for works up to pre-cyclone and no betterment. The next option is to try to use political influence to try to get the balance from elsewhere. But this cannot occur until such time as Council knows what we are getting.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Casey **Seconded Cr Bella**

Cr Casey noted that the open drain maintenance is on schedule and we have been a little effected lately with the rain, but it is good to see that we are getting prepared for the wet season, Congratulations to those staff. Also, that there is a gang of approximately 30 officers that will be on-call over the Christmas period. Noting that the Council depots normally closes down over Christmas period and that these officers will be on-call for the whole Christmas break.

Cr Casey requested CEO to pass on the Councillors congratulations to all the staff involved in the projects for the Works for Queensland (W4Q), and that they have done an excellent job with very large programme to be completed in a very small amount of time. Comments that he has received at recent events, residents stating that the area is looking very good, which has been possible due to the W4Q funds.

CARRIED

8.4 LOCAL LAW - WASTE MANAGEMENT

File No **Local Law**
Author **Manager Governance & Safety/Manager Waste Services**

Purpose

The purpose of this report is for the Committee to recommend that Council resolve to commence the Local Law making process in response to the impending expiry on 1 July 2018 of the waste management provisions contained within Chapter 5a of the *Environmental Protection Regulation 2008 (EPR)* and section 7 of the *Waste Reduction and Recycling Regulation 2011 (WRRR).*

The proposed new Local Law would replicate these provisions and ensure Council can continue to adequately manage risks associated with the supply, storage, removal and treatment of waste in its local government area. Further, it also allows Council to continue to have designated areas for waste and recycling collection within its local government area.

Background/Discussion

The proposed Local Law is aimed at replacing the expiring clauses in Chapter 5A of the *Environmental Protection Regulation 2008 (EPR)* and the section 7 in Part 2A of the *Waste Reduction and Recycling Regulation 2011 (WRR)*.

Chapter 5A of the EPR provides Council with the ability to take action for matters relating to:

- Supply of waste containers
- Storage of general waste
- Storage/keeping of waste containers
- Removal of general waste
- Storage and treatment of industrial waste.

The provisions also address the following matters at waste facilities:

- Unlawful disposal
- Burning of waste
- Restrictions on use of a waste facility
- Ability to give direction to a person transporting waste.

Section 7 of the WRR enables the Council to designate waste collection areas. The Mackay Local Government Designated Waste Collection Area in the Waste Collection Services Policy (No. 053) is currently defined as:

- The Mackay Regional Council area is a designated area for the purposes of general waste collection from residential premises.

If these regulatory provisions expire without a replacement legal instrument such as a Local Law, waste management functions would be inadequately regulated, which is likely to have significant impacts on amenity and safety. The absence of designated waste collection areas could result in a greater number of commercial and industrial waste vehicle movements and inconsistent bin types and servicing.

Without a head of power to require standard kerbside collection services, residents could opt out of the standard collection service. Under this scenario, the incidences of public health and amenity issues arising would greatly increase across the city.

Council will also have difficulty in addressing competitive neutrality complaints as it will not have the power to rely on the "compulsion" provisions contained in chapter 5A. Rather, owners and occupiers of premises would be free to elect to either use, or not use, the collection service provided by Council or, possibly, use (a minimal) part of the collection service provided by Council, and an additional service provided by a commercial waste collection contractor.

The purpose of the new Local Law is to protect the public health, safety and amenity related to waste management by—

a regulating the storage, servicing and removal of waste; and

b regulating the disposal of waste at waste facilities; and

c ensuring that an act or omission does not result in—
i harm to human health or safety or personal injury; or
ii property damage or loss of amenity; or
iii environmental harm or environmental nuisance.

The Local Law has been drafted so that the content is a transposition of the expiring legislation.

Law making process

According to the Local Law Making Process which was adopted by Council on 6 March 2013, Council must, when wishing to implement a new Local Law first resolve to proceed with the making of that Local Law.

The proposed Local Law contains possible anti-competitive provisions. Relevant possible anti-competitive provisions are identified in Attachment 2. Council must not make a Local Law that contains an anti-competitive provision unless Council has complied with the procedures prescribed under a regulation for the review of anti-competitive provisions including, relevantly, the conduct of a public interest test in relation to the anti-competitive provisions in conjunction with the usual public consultation about the proposed Local Law.

Also, pursuant to the *Local Government Act 2009,* section 29A, Council must consult with relevant government entities about the overall State interest in the proposed Local Law before making the proposed Local Law. Consultation is for a period of 21 days following which a further report will come back to Council for consideration prior to final adoption. Public consultation will then follow.

Local consultation by advertising in the Daily Mercury newspaper and on Council's website. During the consultation period copies of the proposed Local Law will be available for inspection or purchase. Submissions will be taken into consideration in the preparation of the final report and recommendation to Council.

Consultation and Communication

Internal consultation has been undertaken with:

- Strategy Leadership and Performance Team (SLPT)
- Chief Operating Officer Water & Waste Services
- Waste Services

External Consultation and advice sought from King and Company Solicitors who prepared the draft documentation.

Resource Implications

Legal fees of $9,000 have been expended to date on this matter for the preparation of the updated documents. Funds were included in the Legal Services budget.

No additional resources will be required for the administration of the new Local Law,

Risk Management Implications

Risks associated with endorsing the recommendation:

- The Local Law making process is lengthy requiring public interest tests, reviews of any anti-competitive provisions, and consultation with relevant government entities about the overall State interest in the Local Law before making the proposed Local Law.

Risks associated with not endorsing the recommendation:

- Reduced ability for Council to control and regulate collection activities and the resultant negative impacts on public health, safety and amenity from a considerable increase in truck movements, lack of coordinated collection in each area, lack of consideration regarding collection times and bin servicing;
- Reduced certainty for Council regarding waste service numbers and volumes, impacting contract negotiations;
- Loss of economies of scale resulting in increased domestic waste management utility charges and disposal fees; and
- The private waste sector will be able to 'cherry pick' profitable domestic waste areas leaving Councils to service the remainder.

Conclusion

The proposed Local Law provides the regulatory flexibility to best facilitate the delivery of waste management services to the local government area. The law replaces the expiring provisions of the state legislation. Further to this, the proposed laws recognise the range of activities that are undertaken at waste facilities which support recycling initiatives.

It is recommended that the Committee recommend that Council resolve to propose to make the new Local Law and commence the law-making process, including consultation with the State and the public about the proposed law.

Officer's Recommendation

THAT the Committee recommends that Council:

1. Resolves to propose to make Local Law No. 9 (Waste Management) 2017;

2. That the CEO be granted delegation to effect item 1 of this resolution:

   a) To consult with relevant government entities about the overall State interest in the proposed local law (Waste Management) before proceeding with the making of the proposed local law;
   b) To the extent considered necessary, consider and respond to the consultation with the relevant government entities about the overall State interest;
   c) To consult with the public about the proposed local law and conduct a public interest test in relation to the anti-competitive provisions in conjunction with the proposed local law for at least twenty-one (21) days ("the consultation period").

3. That Council accept and consider every submission properly made to Council about the proposed local law.

8:56am Cr Bonaventura entered the Council Chambers

The Director Engineering and Commercial Infrastructure (DECI) spoke to the report.

Cr Paton attended the recent LAWMAC meeting, and this issue was raised at the meeting. Noted that it was good to see all the Council's working together, which is good to see.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Paton **Seconded Cr Walker**

CARRIED

8.5 DRAFT MEETING MINUTES - WATER & WASTE ADVISORY BOARD MEETING - 20 NOVEMBER 2017

Author **Director Engineering & Commercial Infrastructure**

Purpose

Attached is a copy of the Draft Minutes of the Water and Waste Advisory Board Meeting held on 20 November 2017.

Officer's Recommendation

THAT the Minutes of the Water and Waste Advisory Board Meeting dated 20 November 2017 be received.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Paton **Seconded Cr Casey**

CARRIED

8.6 DRAFT MEETING MINUTES - TRANSPORT & DRAINAGE ADVISORY BOARD - 6 NOVEMBER 2017

Author **Director Engineering & Commercial Infrastructure**

Purpose

Attached is a copy of the Draft Minutes of the Transport and Drainage Advisory Board Meeting held on 6 November 2017, for information purposes.

Officer's Recommendation

THAT the Minutes of the Transport and Drainage Advisory Board Meeting dated 6 November 2017 be received.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Casey **Seconded Cr Paton**

CARRIED

8.7 DRAFT MEETING MINUTES - TRAFFIC ADVISORY COMMITTEE

Author **Director Engineering & commercial Infrastructure**

Purpose

Attached is a copy of the Draft Minutes of the Traffic Advisory Committee held on 24 November 2017, for information purposes.

Officer's Recommendation

A. THAT the Minutes of the Traffic Advisory Committee meeting dated 24 November 2017 be received.

B. AND THAT the Standing Committee endorses the recommendation to implement dedicated heavy vehicle parking in side streets along Nebo Road with the final locations subject to further engagement with key stakeholders.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Casey **Seconded Cr Walker**

CARRIED

9. TENDERS:

9.1 MRC 2018-022 BUCASIA ESPLANADE SHARED PATHWAY EXTENSION

File No **MRC 2018-022 Bucasia Esplanade Shared Pathway Extension**
Author **Manager Civil Projects**

Purpose

To present to Council for approval, tenders submitted for MRC 2018-022 Bucasia Esplanade Shared Pathway Extension.

Background/Discussion

Mackay Regional Council (Council) issued tender documents seeking an experienced and resourced contractor to undertake the construction of a shared pathway between Waverley Street and Homestead Bay Avenue and Homestead Bay Avenue to Urarii Crescent.

This project has been funded via the State Governments Works for Queensland Round 2 subsidy program.

Tenders were invited on the 28th October 2017, via the Queensland Government Qtender website and advertised in the Daily Mercury.

The following submissions were received by the closing time of the 21st November 2017 at 10am.

Tenderer	Location
Epoca Construction Pty Ltd	Mackay, QLD
JMac Constructions Pty Ltd	Mackay, QLD
Cragcorp Pty Ltd T/A Queensland Bridge & Civil	Mackay, QLD
Seaforth Civil Pty Ltd	Mackay, QLD
Vassallo Constructions Pty Ltd	Mackay, QLD
Wisely Services Pty Ltd	Mackay, QLD

An initial compliance check was conducted on the 21st November 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.

The qualitative criteria assessment was carried out by the evaluation panel on the 23rd November 2017 with the evaluation panel scoring the tenders according to the qualitative criteria, as published in the RFT was:

a) Relevant Experience 20%
b) Key Personnel skills and experience 20%

c) Demonstrated Understanding 20%
d) Value for Money 40%

The re-measurable schedule of rates total price (excluding GST) are listed below:

Tenderer	Total Price
Vassallo Constructions Pty Ltd	$ 839,146.14
JMac Constructions Pty Ltd	$ 841,107.01
Epoca Construction Pty Ltd	$1,006,855.67
Cragcorp Pty Ltd T/A Queensland Bridge & Civil	$1,140,240.00
Seaforth Civil Pty Ltd	$1,256,030.00
Wisely Services Pty Ltd	$2,498,444.44

Tender Information Requests (TIR) were issued to all respondents to advise of a change in the advice regarding the long section for boardwalk 6 in relation to the distance from the ground to bottom of the joist on the "Typical Bored Pier" details provided.

Due to this clarification, tenderers were provided the opportunity to confirm their pricing including the requirement for bracing under the elevated composite boardwalk item.

Further TIR's were issued to JMac Constructios and Vassallo to clarify other outstanding issues.

Tenderers responded within the relevant timeframe with TIR responses being reviewed by the evaluation panel. The re-measurable schedule of rates total price (excluding GST) are listed below:

Tenderer	Total Price
JMac Constructions Pty Ltd	$ 845,262.59
Vassallo Constructions Pty Ltd	$ 860,954.95
Epoca Construction Pty Ltd	$1,016,680.67
Cragcorp Pty Ltd T/A Queensland Bridge & Civil	$1,145,620.00
Seaforth Civil Pty Ltd	$1,259,855.30
Wisely Services Pty Ltd	$2,498,444.44

The evaluation panel considered information received from submissions, responses to TIR's and based on the scores from the evaluation, the panel recommends JMac Constructions Pty Ltd as the preferred respondent due to their demonstrated understanding, previous experience, capacity and availability to complete the project to Council specifications.

Consultation and Communication

Consultation was conducted between Civil Projects, Parks, Environment & Sustainability Department and Procurement and Plant, prior to going to tender.

Engagement has also occurred with a number of residents whose properties back onto the proposed pathway.

Resource Implications

The funding for this project is in the Financial Year 2017/18.

Description	Amount	Notes
MRC 2018-022 Bucasia Esplanade Shared Pathway Extension.		
Expenditure to Date	$ 22,572.00	FY17/18 Expenditure up to end September 2017
Contract Price	$ 845,262.59	JMac Constructions Pty Ltd price
Project risks	$ 160,000.00	Approximately 20% of Contract & Material costs
Council's costs	$ 86,000.00	Estimate on internal project management costs
Estimated Cost of Project	$1,113,835.00	Includes expenditure to date
BUDGET		
Budget for 2017/2018	$1,295,976.00	W4QR2 funding
BALANCE	$ 182,141.00	

This project is funded from the Works for Queensland Round 2 subsidy program. If the full funds are not to be utilised then Council will need to liaise back with Department of Infrastructure, Local Government and Planning on redistribution of remaining available funds into other projects.

Risk Management Implications

Risks to Council for this project include community liaison, working around traffic, existing services, environmental and safety risks. The mitigation will be carried out by:

- Community consultation was carried out during design stages. Brief community consultation will be further carried out specifically targeting the concern raised by a few houses again after tender award. MRC will be carrying out media release and letter drops with project information and notification with construction timeline. The Contractor will carry out letter drops immediately prior to the works starting at site.

- Throughout delivery, the traffic (including pedestrian) risks will be mitigated through notification to the local residents and the implementation and monitoring of the Traffic Management Plan.

- Tenderers have been made aware of the existing services and constraints to allow their costing and methodology to comply with risk control activities associated with the project.

- The successful contractor must develop site specific environment management plan that will be approved by Council.

- Measures taken to minimise safety risks are utilising experienced contractors for the works and compliance with Workplace Health & Safety Legislation. The delivery methodology (Safe Work Method Statement) from the successful contractor must address any high-risk work activity and Council to review and monitor.

Conclusion

That awarding the contract to JMac Constructions Pty Ltd represents the most advantageous outcome to Mackay Regional Council based on their experience and demonstrated understanding of Council's requirements.

Officer's Recommendation

THAT Council award contract MRC 2018-022 Bucasia Esplanade Shared Pathway Extension to JMac Constructions Pty Ltd for the re-measurable schedule of rates total price of $845,262.59 (excluding GST).

The Director Engineering and Commercial Infrastructure spoke to the tender report.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Paton **Seconded Cr Casey**

Cr Paton stated that it was great to see another project that has been funded by Works for Queensland (W4Q) Round 2 and that this is a valuable link for the local community and tourism within the Northern Beaches area. As was stated by the Director, the W4Q funding has allowed for the 3rd and 4th Stage to come forward and also good to see the comments regarding the engagement with the residents in the area, and that Council will be working the residents a lot more for the works to run smoothly.

CARRIED

9.2 MRC 2018-020 - ROCKY CREEK BRIDGE REPLACEMENT

File No **MRC2018-020 – Rocky Creek Bridge Replacement**
Author **Manager Civil Projects**

Purpose

To present to Council for approval, tenders submitted for MRC2018-020 – Rocky Creek Bridge Replacement.

Background/Discussion

Mackay Regional Council (MRC) is seeking to undertake the replacement of the existing bridge structure and associated roadway approach.

Tenders were invited on the 14th October 2017, via Queensland Government QTender website and advertised locally in the Daily Mercury seeking submissions from suitably qualified Contractors to complete the works as specified in the RFT.

The following responses were received by the closing date of the 14th November 2017.

TENDERER	LOCATION
CASA ENGINEERING PTY LTD	WACOL QLD
DOVAL CONSTRUCTIONS (QLD)	SUMNER PARK QLD
EPOCA CONSTRUCTIONS PTY LTD	MACKAY QLD
NQ CIVIL CONTRACTORS PTY LTD	DEERAGUN QLD
PENTACON PTY LTD	MILTON QLD
SEAFORTH CIVIL PTY LTD	MACKAY QLD
VASSALLO CONSTRUCTIONS PTY LTD	MACKAY QLD

An initial compliance check was conducted of the submissions on 16th November 2017 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 submissions were deemed compliant.

Tender Submissions	Tender Price excluding GST
PENTACON PTY LTD	$703,981.88
VASSALLO CONSTRUCTIONS PTY LTD	$869,645.00
EPOCA CONSTRUCTIONS PTY LTD	$922,915.00
NQ CIVIL CONTRACTORS PTY LTD	$1,219,800.00
CASA ENGINEERING PTY LTD	$1,292,569.00
SEAFORTH CIVIL PTY LTD	$1,448,549.00
DOVAL CONSTRUCTIONS (QLD)	$1,485,680.00

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

Assessment Criteria	Weighting
Relevant Experience	25%
Key Personnel Skills & Experience	25%
Tenderer's Resources	20%
Demonstrated Understanding	30%

The qualitative criteria assessment was carried out by the Evaluation Panel on the 20th November 2017 with the evaluation panel scoring the tenders according to the evaluation matrix.

In consideration of supporting local business and industry, Council's Local Preference Policy was applied however it did not provide any change to the outcome for this tender. This policy is utilised by applying a price differential to the submitted price of local respondents, for evaluation purposes only.

Based on the information received from the respondents and the scores from the evaluation, Pentacon Pty Ltd have addressed the specific requirements of the RFT, have the experience, equipment, capacity and resources to deliver the works.

The evaluation of the submissions was conducted by:

- Construction Engineer Civil Projects
- Graduate Engineer Civil Projects
- Project Engineer Civil Projects
- Contracts Officer Procurement and Plant

Consultation and Communication

Consultation was conducted between Civil Projects & Procurement and Plant prior to the Request for Tender being released.

Resource Implications

Description	Amount	Notes
Project Name: 56392 - Rocky Creek Bridge Replacement		
Expenditure to Date	$445,360	*Consists of $242k of Actuals for design and $200k of committals for Principal Supplied Bridge components*
Contract Price	$703,981.88	*Pentacon Pty Ltd*
Project risks	$240,000	*Contingency allowed*
Council's costs	$90,000	*Project Management*
Estimated Cost of Project	**$1,479,341.88**	
BUDGET		
Previous Budget	$103,247.44	*Financial years of 2014/2015 and 2015/2016*
Budget for 2017/18	$907,500	
Budget for 2018/19	$507,500	
BALANCE	**$38,905.56**	*Budget Saving*

Risk Management Implications

Due to construction activity in the region increasing, including construction of the Mackay Ring Road, the decision was made to maintain access past the project site via a side track rather than closing the road.

A side track was designed, and has in principle approval by the relevant authorities, however as this side track crosses Rocky Creek there is a risk of additional conditions being placed on the approval of the side track when it is submitted. Council will be working with the contractor when submitting for approval to minimise any potential risk in delay.

The project is anticipated to commence in February/March 2018, which falls within the wet season. This may slow the works during the piling activities if the creek overtops the side track. However, once this activity has been completed the project should not be adversely affected by the weather due to the small amount of pavement and earthworks and the precast nature of the bridge.

Conclusion

That awarding the contract to Pentacon Pty Ltd represents the most advantageous outcome and demonstrated value for money to Mackay Regional Council based on their experience and understanding of Councils requirements.

Officer's Recommendation

THAT Council award contract MRC2018-020 – Rocky Creek Bridge Replacement to Pentacon Pty Ltd for the re-measurable schedule of rates total price of $703,981.88 (excl GST)

The Director Engineering and Commercial Infrastructure spoke to the tender report.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Bella **Seconded Cr Walker**

Cr Bella stated that he was happy to see the tender evaluation process working so effectively and very happy with the outcome.

CARRIED

10. CONSIDERATION OF NOTIFIED MOTIONS:

11. PUBLIC PARTICIPATION:

12. LATE BUSINESS:

13. CONFIDENTIAL REPORTS:

13.1 EXECUTION OF SOFTWARE AS A SERVICE (SAAS) AGREEMENT FOR LICENSING OF MIWATER SOFTWARE

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Casey **Seconded Cr Paton**

CARRIED

14. MEETING CLOSURE:

The meeting closed at 9:02 am.

15. FOR INFORMATION ONLY:

ECONOMIC DEVELOPMENT AND PLANNING STANDING COMMITTEE MEETING MINUTES

1. COMMITTEE ATTENDANCE:

Crs K L May (Acting Chairperson), J F Englert, 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 L G Bonaventura, Cr K J Casey, Cr A R Paton, Cr R D Walker, Mr C Doyle (Chief Executive Officer), Mr J Ackerman (Acting Director Development Services) and Mrs M Iliffe (Minute Secretary).

The meeting commenced at 10.30 am.

3. ABSENT ON COUNCIL BUSINESS:

Nil

4. APOLOGIES:

Cr A J Camm (Chairperson) and Cr F A Mann (nee Fordham)

5. CONFLICT OF INTEREST:

Nil

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6. CONFIRMATION OF MINUTES:

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

THAT the Economic Development and Planning Standing Committee Meeting Minutes dated 8 November 2017 be adopted.

Moved Cr Englert **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 - NOVEMBER 2017

Author **Director Development Services**

Purpose

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

Officer's Recommendation

THAT the attached report be received.

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

Cr Englert queried if the Media Guide has been released.

A/DDS advised the Media Guide is still being finalised and will be released via the Daily Mercury.

The Mayor, on behalf of the Committee, thanked the Parks Environment and Sustainability team for the work undertaken in constructing the new iconic Queens Park Playground officially opened last week-end.

DRAFT

Cr Bonaventura requested additional information on the proposed development at the old Bunnings site in North Mackay.

A/DDS advised there is an approval application from January 2016 which allows for 6,000 m^2 to be utilised as a retail showroom, gym and café on the property. If a new development is in line with this approval, then Council will not see a new development application but there is some interest in relation to this site.

Cr Englert queried if the injury to an employee who got his foot caught while getting out of a Polaris was an isolated incident or a design flaw of the vehicle for its intended use by staff.

The Chief Executive Officer (CEO) advised every incident is reviewed and is confident in the quad bike type area that the design of the vehicle is very good. In this instance, it was more around the awareness of the location where the employee was working and not a design issue of the vehicle.

Cr Englert sought clarification if the employee's foot was caught on the vehicle or on the ground.

CEO advise when the worker stood out of the vehicle with one foot and the other foot got caught because the first foot slipped.

Cr May advised she attended the Master Builders Christmas party on Monday 4 December 2017 and the builders she spoke to were very positive and it was pleasing to see the building industry moving forward.

Cr Englert queried the number of expressions of interest received for the Façade Improvement Scheme - City Centre since opening on 8 August 2017.

A/DDS advised he would have to take that query on notice and come back to the committee.

Cr Bonaventura requested additional information on the application approved for Lot 44 Midge Pont Road, Midge Point.

A/DDS advised there was a previous DA approval on this site and this application is only for the earthworks.

Cr Bonaventura queried if this was for drainage only.

A/DDS advised it was for site levelling, shaping of the site for drainage and erosion and sediment requirements.

DRAFT

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Englert **Seconded Cr Gee**

Cr Englert congratulated the Sarina Sugar Shed for winning gold for Excellence in Food Tourism and it is pleasing to see development applications and operation works are continuing to be received through the Directorate.

CARRIED

8.2 FACILITATING DEVELOPMENT IN THE MACKAY REGION - JAYBAT PTY LTD - GENERAL INDUSTRY - 33-39 MARGARET VELLA DRIVE & 7-9 IRIDIUM DRIVE, PAGET (DA-2017-81)

Author **Principal Economic Development Officer**

Purpose

To assess an application under the Facilitating Development in the Mackay Region Policy.

Background/Discussion

The proposed development is for General Industry (Electroplating Facility) and is located at 33-39 Margaret Vella Drive (Lot 54 on SP244245). The site is a 6,026m^2 industrial allotment which contains an industrial workshop, warehouse and office over the southern portion. The site is currently occupied by D&T Hydraulics and Engineering who operate a business that undertakes the refurbishment of equipment associated with the mining, industrial and agricultural sectors.

The applicant is proposing to expand their current business operations by expanding the workshop over the northern part of the site. The proposed development will increase the gross floor area of the site by 1,664m^2 which will allow the applicant to operate an electroplating facility from the site.

A development application for the development was approved on the 22 September 2017 (DA-2017-81).

DRAFT

Incentive Requests

The applicant has requested the following Specific Incentive under Schedule 2 of the *Facilitating Development in the Mackay Region Policy:*

- 50% concession on infrastructure charges:
  - Infrastructure Charges = $124,312.46
  - Requested concession = $62,156.23
- Development application fee refund = $6,745
- Delayed payment for infrastructure charges
- Service connection fee refund = $1,000 (maximum)

This application was lodged with Council on the 17th October 2017, prior to adoption of Version 4 of the Policy on 22nd November 2017. The application has accordingly been assessed against superseded Version 3 of the Policy which was in effect at the time of lodgement. In respect to the assessment of this application, the major difference between the two versions is the removal of development application refund provisions in Version 4.

As per Schedule 2, infrastructure charges may be reduced up to 50% based on the net charge amount identified on the Infrastructure Charges Notice. Council may consider reductions in infrastructure charges beyond 50%, for applications that can demonstrate that they will generate significant long-term economic benefits, job creations and have transformative outcomes that will diversify the existing economic base of the region.

General Eligibility Criteria

The Facilitating Development in the Mackay Region Policy seeks to attract investment in qualifying development to stimulate growth, diversify and add value to the economy of the Mackay region. The policy is discretionary and seeks to support projects that will deliver the greatest economic benefits to the region.

Based on information provided by the applicant, the proposal satisfies the requirements under the General Eligibility Criteria for consideration under *Schedule 2 – Major industry development* of the Policy.

Criteria	Eligibility
Timing of development Estimated Commencement of Use within 2 years	• Estimated construction commencement – March 2018 • Estimated commencement of use – December 2018
Non-Government Development	Yes
Infrastructure capacity	Based on the information provided by the applicant and the Development Application it is considered that the proposed development can be serviced without requiring trunk infrastructure upgrades.

DRAFT

Location Specific Eligibility Criteria – Stage 2

Based on information provided by the applicant the proposal satisfies the requirements under the Location Specific Eligibility Criteria of *Schedule 2 – Major industry development* of the Policy:

Criteria	Eligibility
Economic Investment The applicant must demonstrate that the minimum capital investment in the development is equal to or greater than $3M in Paget and $1M in other locations.	• Estimated total capital investment: $4.25 M • Estimated construction cost $3.0 M • Based on economic modelling, from a direct injection of $3.0 M (construction costs), flow on economic output would be $3.349 M totalling $6.349 M economic impact. • The applicant has committed to utilising local contractors and suppliers.
Employment Generation	• Economic modelling projected that the project would generate a total of 13 direct and in-direct jobs.
Applicable Area For eligible development located inside the Priority Infrastructure Area in the Paget, Marian, Mirani, Sarina, Slade Point and Glenella urban areas, the policy is applicable to land within the bounds of the industrial zoned areas.	• The site is appropriately located inside the Priority Infrastructure Area. •
Applicable Land Uses The policy applies to material change of use (MCU) for uses that are consistent with the "applicable land uses" listed in the policy as defined by the relevant planning schemes in effect at the time of application.	• The development is defined as General Industry which is identified as an applicable land use under Schedule 2 of the Policy.

Business and Regional Benefits

The applicant has proposed that the development will deliver significant short and long term business and regional benefits, including:

- The proposed development will allow D&T Hydraulics and Engineering to undertake electroplating on site, a service which is currently outsourced;
- The type of electroplating required is not widely available in the region. D&T Hydraulics and Engineering currently refurbish components in the workshop before transporting them to Brisbane to be electroplated. The extension would thus provide a new service and business activity not available in Mackay and retain money currently being sub-contracted to Brisbane in the local economy;
- The development will allow for expansion of the business, greater profitability and value adding to the existing business operating from the site;
- The expansion of the existing facility will allow D&T Hydraulics and Engineering to provide a wider range of specialist services to both existing and new clients;

DRAFT

- Significant capital investment is proposed to facilitate the business expansion and the ability to undertake more diverse refurbishment projects on site.

Based on information provided by the applicant and Council's economic modelling, the development is considered to be value-adding to the regional economy and will generate additional full time employment and business activity.

Consultation and Communication

Development Assessment, Development Engineering and Mackay Water have been involved during the assessment process of the development application. The Director Development Services has considered this application and provided approval for the expression of interest to proceed to a stage two application.

The Development Permit and Infrastructure Charge Notice have both been reviewed in regards to infrastructure requirements.

Resource Implications

Under the Adopted Infrastructure Charges Resolution the proposed development has a net infrastructure charge of $124,312.46 (+ annual adjustments).

Concessions based on the rates provided in Schedule 2 of the Policy would result in a 50% reduction which would reduce the charges received by Council by $62,156.23.

The further requested Specific Incentives would result in the following additional incentives:

- A refund of the development application fees applied as reductions to the applicable infrastructure charges would reduce the charges received by $6,745.
- A service connection fee discount would reduce the fees payable by a maximum of $1,000 ($500 each for water and sewerage connections) applied at the time when the fees would be payable for the activity;
- Delayed payment for infrastructure charges.

The above incentives would result in infrastructure charges payable of $55,411.23 (+ annual adjustments).

Risk Management Implications

There is a risk that granting significant concessions can leave Council exposed to similar claims in future and that a potential infrastructure funding gap could present. These risks are sufficiently mitigated through the following measures:

- An existing development approval is in place and on-site infrastructure requirements have been reviewed as part of the assessment process;
- A condition has been included as part of the officer's recommendation stating that the approved concessions are dependent on Council not incurring any additional infrastructure costs (including 'bring forward costs') to service the development;

DRAFT

- Strict timeframes are placed on claiming approved concessions. If the lots are not registered within the recommended timeframe, the concessions will no longer be applicable and 100% of the applicable Infrastructure Charges will be applicable to the development;
- Council has the ability to review the application of the Policy at any time;

Conclusion

The *Facilitating Development in the Mackay Region Policy* provides incentives for development that will deliver economic development and growth outcomes in alignment with Council's policy and planning objectives.

Given the regional economic benefits that the development would deliver, it is considered that the provision of concessions will assist with the delivery of the development and the realisation of significant economic investment and employment.

Officer's Recommendation

THAT the following Specific Incentives are approved under the Facilitating Development in the Mackay Region Policy for General Industry (Electroplating Facility) at 33-39 Margaret Vella Drive (Lot 54 on SP244245):

a) Concessions of 50% on the net charge amount identified on the Infrastructure Charge Notice for DA-2017-81;
b) Development application fee refund ($6,745) calculated as a discount to the outstanding net charge amount payable at the required time of payment;
c) Reduction in water and sewer service connection fees (50% discount up to a maximum of $500 for each service), applied at the time when the fees would be payable for the activity;
d) Delayed payment of infrastructure charges, payable within 12 months of the commencement of the use, subject to a suitable agreement with Council;

AND THAT the approval of the concessions is dependent on:

e) The development must be completed and the use commenced by 6th December 2019.
f) No additional infrastructure costs incurred to Council (including 'bring forward costs').

Acting Director Development Services (A/DDS) spoke to the report and provided a brief overview.

The Chief Executive Officer (CEO) advised there was an error in the heading of item 8.2, it states "33-37 Margaret Vella Drive" but the rest of the reports states "33-39 Margaret Vella Drive" and sought clarification that the recommendation was correct in stating "33-39 Margaret Vella Drive".

A/DDS confirmed the correct address is 33-39 Margret Vella Drive and the report heading was amended.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Englert **Seconded Cr Gee**

Cr Englert advised given no additional trunk infrastructure was required, new local industry and meets all the terms under the Planning Scheme he was in support of the Motion.

CARRIED

8.3 FACILITATING DEVELOPMENT IN THE MACKAY REGION POLICY - COSTIERA PTY LTD - MULTIPLE DWELLING - 21 MILNE LANE, WEST MACKAY

Author **Principal Economic Development Officer**

Purpose

To assess an application under the *Facilitating Development in the Mackay Region Policy*.

Background/Discussion

The proposed development is for a Multiple Dwelling (5 x 2 bedroom units) located at 21 Milne Lane, West Mackay (Lot 2 on RP707364). The site is a 1,012m^2 residential allotment located in the Medium Density Residential Zone under the *Mackay City Planning Scheme*. The site currently contains a dwelling house which will be removed from the site.

A development application has not been submitted to Council for planning approval however plans of development have been provided.

Incentive Requests

The applicant has requested the following Specific Incentives under Schedule 7 of the *Facilitating Development in the Mackay Region Policy:*

- 20% concession on infrastructure charges (in accordance with Adopted Infrastructure Charges resolution, December 2014):
  - Estimated Infrastructure Charges = $64,800
  - Requested concession = $12,960
- Development application fee refund = $4,230
- Delayed payment for infrastructure charges
- Service connection fee refund = $1,000 (maximum)

As per Schedule 7 of the policy infrastructure charges may be reduced up to 20% based on the net charge amount identified on the Infrastructure Charges Notice. Council may consider

reductions to infrastructure charges beyond 20%, for applications that can demonstrate that they will generate significant long-term economic benefits, job creations and have transformative outcomes that will diversify the existing economic base of the region.

This application was lodged with Council on the 29th September 2017, prior to adoption of Version 4 of the Policy on 22nd November 2017. The application has accordingly been assessed against superseded Version 3 of the Policy which was in effect at the time of lodgement. In respect to the assessment of this application, the major difference between the two versions is the deletion of development application refund provisions in Version 4.

General Eligibility Criteria

The Facilitating Development in the Mackay Region Policy seeks to attract investment in qualifying development to stimulate growth, diversify and add value to the economy of the Mackay region. The policy is discretionary and seeks to support projects that will deliver the greatest economic benefits to the region.

Based on information provided by the applicant, the proposal satisfies the requirements under the General Eligibility Criteria for consideration under *Schedule 7 – Residential development in urban areas* of the Policy.

Criteria	Eligibility
Timing of development Estimated commencement of use within 2 years	The below dates have been provided by the applicant: • Estimated construction commencement – May 2018 • Estimated commencement of use – November 2018
Non-Government Development	Yes
Infrastructure capacity	The applicant has advised that the proposed development can be serviced without requiring trunk infrastructure upgrades. This will be confirmed through the assessment of a development application and an engineering report during the development assessment process. To manage this risk it is recommended that a condition of approval be included which will result in the approval being voided if any additional infrastructure costs are incurred to Council.

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Location Specific Eligibility Criteria – Stage 2

Based on information provided by the applicant the proposal partly satisfies the requirements under the Location Specific Eligibility Criteria of *Schedule 7 – Residential development in urban areas* of the Policy:

Criteria	Eligibility
Economic Investment The development must create a minimum of 5 additional dwellings delivered in the same construction program.	• Number of dwellings: 5 x 2 bedroom units • Estimated total capital investment: $1.889M • Estimated construction cost $1.649M • Based on economic modelling, from a direct injection of $1.649M (construction costs), flow on economic output would be $2.173M totalling $3.822M economic impact. • The applicant has committed to utilising local contractors and suppliers.
Employment Generation	• Economic modelling estimates that the project would generate a total of 10 direct and in-direct jobs. • The applicant has proposed that the development will generate approximately 16 jobs during construction.
Applicable Area Appropriately zoned land located within the Priority Infrastructure Area.	The site is located within the Priority Infrastructure Area.
Applicable Land Uses The policy applies to material change of use (MCU) for uses that are consistent with the "applicable land uses" listed in the policy as defined by the relevant planning schemes in effect at the time of application.	The development is defined as Multiple Dwelling which is listed as an applicable land use under Schedule 7 of the Policy.

Business and Regional Benefits

The applicant has proposed that the development will deliver regional economic benefits, including:

- The development constitutes value adding in-fill development and responds to current demand trends for medium density housing.
- The site is within easy walking distance of a District Centre (4-Ways Commercial / Medical Precinct).
- The development is in-sequence medium density residential development and will facilitate the efficient use of existing land and infrastructure and provide residential choice for new and existing residents.
- The development will utilise 100% locally based contractors and consultants.

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Based on information provided by the applicant and Council's economic modelling, the development is considered to be value-adding to the regional economy and will generate additional full time employment and business activity.

Consultation and Communication

The Director Development Services has considered this application and provided approval for the expression of interest to proceed to a stage two application. Development Assessment, Development Engineering and Mackay Water will be involved in the future assessment process of the development application.

Resource Implications

Under the Adopted Infrastructure Charges Resolution, December 2014 the proposed development has an estimated net infrastructure charge amount of $64,800 (+ annual adjustments).

Concessions based on the rates provided in Schedule 7 of the Policy would result in a 20% reduction which would reduce the charges received by Council by $12,960.

The further requested Specific Incentives would result in the following additional concessions:

- A refund of the development application fees applied as reductions to the applicable infrastructure charges would reduce the charges by $4,230;
- A service connection fee discount would reduce these fees by a maximum of $1,000 ($500 each for water and sewerage connections) applied at the time when the fees would be payable for the activity;
- Delayed payment for infrastructure charges

Risk Management Implications

There is a risk that granting significant concessions can leave Council exposed to similar claims in future and that a potential infrastructure funding gap could present. These risks are sufficiently mitigated through the following measures:

- On-site infrastructure requirements will be reviewed as part of the assessment process and a condition has been included as part of the officer's recommendation stating that the approved concessions are dependent on Council not incurring any additional infrastructure costs (including 'bring forward costs') to service the development;
- Timeframes are placed on claiming approved concessions. If the development is not completed and operational within the recommended timeframe, the concessions will no longer be applicable and 100% of the applicable Infrastructure Charges will be applicable to the development.
- Council can review the application of the Policy at any time.

While a multiple dwelling is a consistent use in the Medium Density Residential Zone, detailed site specific assessment cannot be undertaken until such time that a development application is received. There is a risk that approving concessions prior to assessment of a development application will create a pre-conceived idea that the proposed development has been assessed

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and is supported by Council. Council is unable to provide this level of support until such time a development application has been assessed. To mitigate this risk, it is proposed that the approval only relate to the proposed land use and that a condition be included which states that concessions are dependent on Council's assessment of a properly made development application.

Conclusion

The Facilitating Development in the Mackay Region Policy provides incentives for development that will deliver economic development and growth outcomes in alignment with Council's policy and planning objectives. The proposed application supports the desired outcomes of Schedule 7 of the Policy.

Officer's Recommendation

THAT the following Specific Incentives are approved under the Facilitating Development in the Mackay Region Policy for the Material Change of Use – Multiple Dwelling at 21 Milne Lane, West Mackay (Lot 2 on RP707364)

a) Concessions of 20% on the net charge amount identified on the future Infrastructure Charge Notice for a Multiple Dwelling;
b) Delayed payment of infrastructure charges, payable within 12 months of the commencement of the use, subject to a suitable agreement with Council;
c) Development application fee refund (to a maximum of $4,230) 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 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) Lodgement and approval by Council of a properly made development application for a Multiple Dwelling;
f) Construction of the development must be completed and the use commenced by 6th December 2019;
g) No additional infrastructure costs incurred to Council (including 'bring forward costs').

Acting Director Development Services (A/DDS) spoke to the report and provided a brief overview.

Cr May queried what date the approval commences.

A/DDS advised the approval commences once the application is approved by the Committee and the construction of the development must be completed and the use commence by 6 December 2019.

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Cr Englert queried when the Development Application was lodged, given Milne Lane is a narrow one way street, if the traffic area was considered.

A/DDS advised it would be a code assessable application and in the correct zone to promote sub-division but traffic flow would be considered.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Englert **Seconded Cr Gee**

Cr Englert believes this development would be value adding to the region and supports the Motion.

CARRIED

8.4 FACILITATING DEVELOPMENT IN THE MACKAY REGION POLICY - SHD PTY LTD KERRISDALE GARDENS - RESIDENTIAL SUBDIVISION - KERRISALE CRESCENT, BEACONSFIELD (DA-2017-77)

Author Principal Economic Development Officer

Purpose

To assess an application under the *Facilitating Development in the Mackay Region Policy*.

Background/Discussion

The approved development is for a Reconfiguration of a Lot (2 urban expansion lots into 13 lots) at Lots 601 & 602 Kerrisdale Crescent, Beaconsfield (601 & 602 SP271139).

Kerrisdale Estate is an established residential estate bounded by McCreadys Creek, Mackay Bucasia Road and Mackay Golf Club. The estate also includes the completed Kerrisdale Gardens residentral aged care facility.

A development application (DA-2017-77) was approved by Council on 18 September 2017.

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Incentive Requests

The applicant has requested the following Specific Incentives under Schedule 7 of the *Facilitating Development in the Mackay Region Policy – Residential development in urban areas*:

- 20% concession on infrastructure charges:
  - Infrastructure Charges = $277,200
  - Requested concession = $55,440
- Development application fee refund ($9,130)
- Service connection fee refund (maximum of $1,000)
- Delayed payment of Infrastructure Charges

This application was lodged with Council on the 4th October 2017, prior to adoption of Version 4 of the Policy on 22nd November 2017. The application has accordingly been assessed against superseded Version 3 of the Policy which was in effect at the time of lodgement. In respect to the assessment of this application, the major differences between the two versions is the deletion of development application refund and delayed payment provisions in Version 4.

As per Schedule 7, Infrastructure Charges may be reduced up to 20% based on the net charge amount identified on the Infrastructure Charges Notice. Council may consider reductions in infrastructure charges beyond 20%, for applications that can demonstrate that they will generate significant long-term economic benefits, job creations and have transformative outcomes that will diversify the existing economic base of the region.

General Eligibility Criteria

The Facilitating Development in the Mackay Region Policy seeks to attract investment in qualifying development to stimulate growth, diversify and add value to the economy of the Mackay region. The policy is discretionary and seeks to support projects that will deliver the greatest economic benefits to the region.

Based on information provided by the applicant, the proposal does not satisfy the timing requirements under the General Eligibility Criteria for consideration under Schedule 7 of the Policy.

Criteria	Eligibility
Timing of development Lots are registered within 2 years.	Based on information provided by the applicant it is estimated that construction will commence in December 2017 and the lots will be registered following lodgement of the Survey Plan in March 2018. These dates are dependent on approval of Operational Works and wet weather.
Non-Government Development	Yes
Infrastructure capacity	Based on the information provided by the applicant and the approved Development Permit the proposed development can be serviced without requiring trunk infrastructure upgrades.

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Criteria	Eligibility
	The development requires local extension of reticulated services in order to service the subdivision.

Location Specific Eligibility Criteria – Stage 2

Based on information provided by the applicant the proposal satisfies the requirements under the Location Specific Eligibility Criteria of Schedule 7 – Residential development in urban areas of the Policy:

Criteria	Eligibility
Economic Investment For a ROL, the development must create a minimum of 5 additional saleable lots on the same Survey Plan.	• 13 lot residential subdivision (11 additional lots) • Estimated construction cost $815,000 • Based on economic modelling, from a direct injection of $815,000 (construction costs), flow on economic output would be $924,000 totalling $1.739M economic impact. • The applicant has indicated that 100% of contractors and suppliers utilised in the construction are local, excluding electrical design and certification which is not available locally.
Employment Generation	• Economic modelling projected that the project would generate three jobs. • The applicant has proposed that the development will create 38 full-time jobs across the construction, survey, inspection, supply, legal and marketing fields.
Applicable Area Appropriately zoned land located within the Priority Infrastructure Area.	The development is located in an applicable area.
Applicable Land Uses The policy applies to Reconfiguration of a Lot (ROL) or Material Change of Use (MCU) for uses that are consistent with the "applicable land uses" listed in the policy as defined by the relevant planning schemes in effect at the time of application.	The development is defined as a Reconfiguration of a Lot – 2 Urban Expansion Lot into 13 Lots.

Business and Regional Benefits

New residential development supports local industry, manufacturers and suppliers and provides a number of employment opportunities across various sectors.

Based on information provided by the applicant, the development will support full time employment and increased construction activity.

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The applicant has provided the following information in regards to these benefits:

- The development is value-adding to existing land stock and is responding to current demand trends for smaller lots.
- The development constitutes in-sequence residential development, facilitating efficient use of existing land and infrastructure and providing improved residential choice.

Consultation and Communication

Development Assessment, Development Engineering and Mackay Water were involved during the assessment process of the development application. The Director Development Services has considered this application and provided approval for the expression of interest to proceed to a stage two application.

The Development Permit and Infrastructure Charge Notice have both been reviewed in regards to infrastructure requirements.

Resource Implications

Under the Adopted Infrastructure Charges Resolution the proposed development has a net infrastructure charge of $277,200 (+ annual adjustments). Concessions based on the rates provided in Schedule 7 of the Policy would result in a 20% reduction which would reduce the charges received by Council by $55,440.

The further requested Specific Incentives would result in the following additional incentives:

- A refund of the development application fees applied as reductions to the applicable infrastructure charges would reduce the charges received by $9,130.
- A service connection fee discount would reduce the fees payable by a maximum of $1,000 ($500 each for water and sewerage connections) applied at the time when the fees would be payable for the activity.
- Delayed payment for infrastructure charges

The above incentives would result in infrastructure charges payable of $212,630 (+ annual adjustments).

Risk Management Implications

There is a risk that granting significant concessions can leave Council exposed to similar claims in future and that a potential infrastructure funding gap could present. There is also a risk that approving concessions for a development under construction will set a precedent. These risks are sufficiently mitigated through the following measures:

- An existing development approval is in place and on-site infrastructure requirements have been reviewed as part of the assessment process;
- A condition has been included as part of the officer's recommendation stating that the approved concessions are dependent on Council not incurring any additional infrastructure costs (including 'bring forward costs') to service the development;

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- Strict timeframes are placed on claiming approved concessions. If the lots are not registered within the recommended timeframe, the concessions will no longer be applicable and 100% of the applicable Infrastructure Charges will be applicable to the development;
- Council has the ability to review the application of the Policy at any time.

Conclusion

The Facilitating Development in the Mackay Region Policy provides incentives for development that will deliver economic development and growth outcomes in alignment with Council's policy and planning objectives. The proposed application supports the desired outcomes of Schedule 7 of the Policy.

Officer's Recommendation

THAT the following Specific Incentives are approved under the Facilitating Development in the Mackay Region Policy for the Reconfiguration of a Lot (2 Urban Expansion Lots into 13 Lots) located at Kerrisdale Crescent, Beaconsfield (601 & 602 SP271139).

a) Concessions of 20% ($55,440) on the gross charge amount ($277,200 + annual adjustments) identified on the Infrastructure Charge Notice for DA-2017-77.
b) Development application fee refund ($9,130) calculated as a discount to the outstanding net charge amount payable at the required time of payment;
c) Reduction in water and sewer service connection fees (50% discount up to a maximum of $500 for each service), applied at the time when the fees would be payable for the activity;
d) Delayed payment of infrastructure charges, payable at the sale of each lot or within 12 months of sealing of Survey Plan by Council, whichever occurs first, subject to a suitable agreement with Council;

AND THAT the approval of the concessions is dependent on:

e) The lots must be registered by 6th December 2019.
f) No additional infrastructure costs incurred to Council (including 'bring forward costs').

Acting Director Development Services (A/DDS) spoke to the report and provided a brief overview.

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Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Gee **Seconded Cr Englert**

Cr Gee advised it was pleasing to see more development occurring in the Northern Beaches and supports the Motion.

CARRIED

9. TENDERS:

Nil

10. CONSIDERATION OF NOTIFIED MOTIONS:

Nil

11. PUBLIC PARTICIPATION:

Nil

12. LATE BUSINESS:

Nil

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13. CONFIDENTIAL REPORTS:

13.1 APPROVED SPONSORSHIP UNDER THE INVEST MACKAY EVENTS AND CONFERENCE ATTRACTION PROGRAM - NOVEMBER 2017

Confidential

Committee Resolution

THAT the sponsorship approved under the Invest Mackay Events and Conference Attraction Program are noted.

Moved Cr Englert **Seconded Cr Gee**

CARRIED

13.2 APPROVED CONCESSIONS UNDER THE FACILITATING DEVELOPMENT IN THE MACKAY REGION POLICY - NOVEMBER 2017

Confidential

Committee Resolution

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

Moved Cr Englert **Seconded Cr Gee**

CARRIED

13.3 DEVELOPMENT SERVICES MONTHLY LEGAL REPORT - NOVEMBER 2017

Confidential Legal Report - Subject to Legal Professional Privilege

Committee Resolution

THAT the report be received.

Moved Cr Englert **Seconded Cr Gee**

CARRIED

DRAFT

14. MEETING CLOSURE:

The meeting closed at 10.48 am.

15. FOR INFORMATION ONLY:

15.1 DEVELOPMENT APPLICATION INFORMATION - 01.11.2017 TO 26.11.17

For Council information only - no decision required.

Development Applications Received.

App No.	Code / Impact	Address	Applicant	Description	Officer
DA-2008-258/C	Code	L 4 Melba Street, ARMSTRONG BEACH	Robert Dunn and Marcia R Dunn and Albin R Woolcock and others	Extension of Currency Period (4 Years) - Material Change of Use (Prelim Approval to override Planning Scheme) to allow development as if within the Village Zone AND Reconfiguration of 2 Lot (Development Permit) to create 65 Village Lots and 1 Parkland Lot	Josephine McCann
DA-2012-323/G	Code	70-90 Beaconsfield Road East, ANDERGROVE	Andergrove Lakes Pty Ltd	Change Application - Combined Application for Andergrove Lakes Eastern Precinct- Material Change of Use: Tourist Facility (including 38-bed Cable Ski Lodge, Cafe and ancillary operating facilities, Lake Grande and in-line lakes, Manager's Residence and 48 Tourist Accommodation Units); and Reconfiguration of a Lot: 1 Lot (Proposed Lot 600) into 145 Lots (including 113 Residential, 31 Terrace Houses, 1 Multiple Dwelling Unit Lot, 1 Tourist Facility Lot and 1 Tourist Accommodation Lot), plus parkland and drainage lots over 4 Stages (6 to 9) in accordance with Preliminary Approval DA-2007-286/B.	Dennis O'Riely
DA-2013-158/A	Code	261 Nebo Road, WEST MACKAY	PK Murphy Pty Ltd and Rok Properties Pty Ltd	Extension of Currency Period (4 years) - Multiple Dwelling Units (7)	Kevene Albert
DA-2013-212/A	Code	24 Graffunder Street, SOUTH MACKAY	Rocky 2011 Pty Ltd	Extension of Currency Period (2 Years) - Multiple Dwelling Units (4)	Josephine McCann
DA-2013-314/A	Code	73 Wood Street, MACKAY	Harphil Pty Ltd	Extension of Currency Period (6 Years) - Commercial Premises Extension of Existing Building)	Helle Jorgensen Smith
DA-2015-167/A	Code	2-4 Discovery Lane, MOUNT PLEASANT	Sandhurst Trustees Limited	Change Application - Child Care Centre	Dennis O'Riely
DA-2016-92/A	Code	174-176 Maggiolo Drive, PAGET	Jason T Sharam and Peter S Shaw	Change Application - General Industry (Office, Showroom, Storage & Workshop)	Josephine McCann
DA-2017-105	Impact	1A Beaconsfield Road, BEACONSFIELD	RSL Care RDNS Limited	Residential Care Facility (72 Rooms)	Dennis O'Riely
DA-2017-106	Code	39-41 Shuttlewood Drive, RICHMOND	Haber Excavations Pty Ltd	Reconfiguration of a Lot - 1 Rural Residential Lot into 2 Lots	Helle Jorgensen Smith
DA-2017-107	Code	15-17 Iridium Drive, PAGET	Wall Planning & Environmental Consulting	Material Change of Use - Warehouse	Darryl Bibay
DA-2017-109	Impact	14 Shamrock Road, BALBERRA	Michael Szeitszam and Maria C Szeitszam	Function Facility & Caretaker's Accommodation	Helle Jorgensen Smith
DA-2017-110	Code	L 35 Barrow Hill Road, HABANA	Alan Bonney and Robin F Bonney	Boundary Realignment 2 Rural Lots into 2 Lots	Josephine McCann

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App No.	Code / Impact	Address	Applicant	Description	Officer
DA-2017-111	Code	1091 Moohins Road, HABANA	Habana and District Progress Associated Inc	Community Use	Helle Jorgensen Smith
DA-2017-112	Code	4 Llewellyn Court, FRESHWATER POINT	Chriss M McCann	Dwelling House (Outbuilding)	Kevene Albert
DA-2017-113	Code	17 Holts Road, BEACONSFIELD	Gainbight Pty Ltd	Boundary Realignment – 2 Community/Emerging Community Lots into 2 Lots	Helle Jorgensen Smith
DA-2017-114	Code	1/15 Wrights Road, GLENELLA	Ian J Trewartha and Raylene J Trewartha and Margaret A Smith	Change Application - Remove the Common Property	Kevene Albert
DA-2017-116	Impact	61 Whitsunday Drive, BLOOMSBURY	Garry Poole	Combined Application - Reconfiguring a Lot 1 Rural Lot into 67 Airfield park lots, 1 Airfield lot and 1 Balance lot) & Airservice	Leah Harris
DA-2017-117	Code	15 Pollock Street, NORTH MACKAY	Axicom	Telecommunication Facility	Dennis O'Riely
DA-2017-118	Code	18 Malin Road, SARINA	Caroline M Phillips	Boundary Realignment 2 Rural lots into 2 lots	Helle Jorgensen Smith
DA-2017-119	Impact	92 Glendaragh Road, GLENELLA	Vella's Civil Construction	Extractive Industry - Farm Works (dam) and temporary quarry for the removal of up to 300,000 tonnes of material (temporary use 12 months)	Helle Jorgensen Smith
DA-2017-120	Code	723 Marwood-Sunnyside Road, BALBERRA	Rodney P Privileggio	Outbuilding - > Height Dimension	Kevene Albert
DA-2017-121	Code	2 Sugarfield Place, OORALEA	Benarid Pty Ltd	1 Low Density Residential/Open Space Lot into 17 Lots & 1 Access Easement - (Sugarfields Estate -Stage 6)	Kevene Albert
DA-2017-122	Impact	L 106 Boomerang Road, PALMYRA	Summit Construction Materials Pty Ltd	Extractive Industry (Expansion)	Darryl Bibay
DA-2017-123	Code	7 Lowanna Avenue, BALBERRA	Sarah J Tetley	Dwelling House (Outbuilding)	Helle Jorgensen Smith

Development Applications Entering Decision Making Period.

App No.	Code / Impact	Address	Applicant	Description	Officer
13/1994/HIMRD//A	Code	4 Blackmur Street MARIAN	Flow Empire Pty Ltd	Change Application - Rezoning from Residential 'A' to Business and Consent for Indoor Entertainment (Dance Studio and Pilates Studio)	Josephine McCann
DA-2017-103	Code	5 Lowanna Avenue BALBERRA	Russel S Thomsett	Oversized Outbuilding	Helle Jorgensen Smith
DA-2017-106	Code	39 Shuttlewood Drive RICHMOND	Haber Excavations Pty Ltd	Reconfiguration of a Lot - 1 Rural Residential Lot into 2 Lots	Helle Jorgensen Smith
DA-2017-110	Code	0 Barrow Hill Road HABANA	Alan Bonney and Robin F Bonney	Boundary Realignment 2 Rural Lots into 2 Lots	Josephine McCann
DA-2017-68	Impact	0 Ball Bay Road BALL BAY	Bob Smith	Undefined Use (Private Airstrip)	Leah Harris

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Development Applications Finalised.

App No.	Code / Impact	Location	Applicant	Description	Officer
Approved Subject to Conditions					
CAC-ASPA-2014/213A	Code	19 The Crescent NORTH MACKAY QLD 4740	Douglas Developments QLD Pty Ltd	Change Application - Combined Application - 1 Urban Residential Lot into 3 Lots & 2 Dual Occupancy	Dennis O'Riely
MCUC-ASPA-2015/77B	Code	7 Evolution Drive PAGET QLD 4740	Taipan Corporation Pty Ltd	Change Application - General Industry (Pre-Delivery Centre)	Helle Jorgensen Smith
MCUC-ASPA-2017/100	Code	55 Mdina Drive HABANA QLD 4740	Allbuild Approvals	Dwelling House (Outbuilding > 200m2 and height dimensions)	Helle Jorgensen Smith
MCUC-ASPA-2017/104	Code	60 Jardine Drive ERAKALA QLD 4740	AAA Building Consultants	Dwelling House (Outbuilding)	Josephine McCann
MCUC-ASPA-2017/112	Code	4 Llewellyn Court FRESHWATER POINT QLD 4737	Chriss M McCann	Dwelling House (Outbuilding)	Kevene Albert
MCUC-ASPA-2017/61	Code	22 Florence Street EIMEO QLD 4740	Scott C McDermott	Dwelling House & Residential Storage Shed (Steep Land Overlay)	Helle Jorgensen Smith
MCUC-ASPA-2017/62	Code	38-40 Centurion Drive PAGET QLD 4740	Brelis Land Investments Pty Ltd	General Industry (Staged Engineering Workshop)	Kevene Albert
MCUC-ASPA-2017/94	Code	61 Jardine Drive ERAKALA QLD 4740	Andrew J Agius and Madelina G Agius	Dwelling House and Outbuilding	Josephine McCann
MCUC-ASPA-2017/95	Code	11 Nicholsons Crossing Road MIRANI QLD 4754	Bruce A Torrens	Dwelling House (Outbuilding/Awning)	Darryl Bibay
MCUI-ASPA-2017/88	Impact	L 51 Midge Point Road MIDGE POINT QLD 4799	Carlisle Coast Developments Pty Ltd	Extractive Industry (Temporary Use 12 months) - Site Levelling Works	Helle Jorgensen Smith
ROLC-ASPA-2017/64	Code	L 2 Homebush Road SANDIFORD QLD 4740	Vincenzo Germanotta	Boundary Realignment - 15 Rural Lots into 14 Lots Tradable Development	Darryl Bibay
ROLC-ASPA-2017/82	Code	L 392 Beechwood Circuit BAKERS CREEK QLD 4740	Oorsles Developments Pty Ltd	1 lot into 12 lots (11 Residential lots & 1 Balance lot)	Leah Harris
ROLC-ASPA-2017/98	Code	634 Barrie Lane HOMEBUSH QLD 4740	Scott A Head and Assunta M Head	Boundary Realignment 2 Rural Lots into 2 Lots	Josephine McCann
Application Refused					
CAI-ASPA-2017/19	Impact	75 R McClures Road MIRANI QLD 4754	Mirani Solar Farm Pty Ltd	Combined Application - Major Utility (Solar Farm) & Long Term Leases (Leases Greater than 10 Years)	Josephine McCann
Relevant Period Extended					
CA-IDAS-2008/258C	Code	L 4 Melba Street ARMSTRONG BEACH QLD 4737	Robert Dunn and Marcia R Dunn and Albin R Woolcock and others	Extension of Currency Period (4 Years) - Material Change of Use (Prelim Approval to override Planning Scheme) to allow development as if within the Village Zone AND Reconfiguration of 2 Lot (Development Permit) to create 65 Village Lots and 1 Parkland Lot.	Josephine McCann
MCUC-ASPA-2011/167B	Code	360 Bridge Road WEST MACKAY QLD 4740	Cardiff Law	Extension of Currency Period - Catering Shop, Commercial Premises, Multiple Dwelling Units, Shop	Dennis O'Riely
MCUC-ASPA-2012/127A	Code	15-23 Schapers Road GLENELLA QLD 4740	Pointglen Developments Pty Ltd	Extension of Currency Period - 52 Multiple Dwelling Units (61 Keys)	Dennis O'Riely
MCUC-ASPA-	Code	24 Graffunder Street SOUTH	Rocky 2011 Pty Ltd	Extension of Currency Period (2 Years) - Multiple Dwelling Units (4)	Josephine McCann

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App No.	Code / Impact	Location	Applicant	Description	Officer
2013/212A		MACKAY QLD 4740			
MCUC-ASPA-2013/330A	Code	79 Lynette Drive NINDAROO QLD 4740	Allbuild Approvals	Extension of Currency Period - Dwelling House Extension & Garage (Steep Land Overlay)	Helle Jorgensen Smith
ROLC-ASPA-2010/206D	Code	L 391 Beachwood Circuit BAKERS CREEK QLD 4740	Cougar Developments Pty Ltd	Extension Application (4 Years) & Change Application (Amendment of Infrastructure Charge Notice) - Reconfiguration of a Lot - 2 Rural Lots into 262 Urban Residential Lots, 1 Open Space Lot and 2 Balance Lots - The Waters Stages 2-5	Darryl Bibay

15.2 BUILDING STATISTICS REPORT - 01.11.2017 - 26.11.2017

For Council information only - no decision required.

Description	Current Month	Value of Works
Average Value of Detached Dwellings	-	$351,216.53
Average Cost of Attached Dwellings	-	
Average Dwelling Size	241	$329,452.38
No. of Detached Dwellings	15	$5,268,246.00
No. of Attached Dwellings	-	
Additions and Alterations	6	$381,611.00
Total Residential Applications	**16**	**$5,271,238.00**
Total All Applications	**80**	**$8,059,219.09**
Disclaimer: Total all applications includes all other Building Works applications not shown above		

Class		Description	November 2017	November 2016	YTD
Class 1	Class 1A	Single dwelling	23	23	367
	Class 1B	Boarding House, guest house or hostel	0	0	0
Class 2		Building containing 2 or more sole-occupancy units each being a separate dwelling	0	0	0
Class 3		Residential building, other than a building of Class 1 or 2	0	0	2
Class 4		Dwelling in building that is Class 5, 6, 7, 8 or 9	0	0	0
Class 5		Office Building	1	2	17
Class 6		Shop or other building for the sale of goods by retail or the supply of services direct to the public	3	5	55
Class 7	Class 7A	Carpark	0	0	0

Class		Description	November 2017	November 2016	YTD
	Class 7B	Carpark	2	1	13
Class 8		Laboratory or a building in which a handcraft or process for the production, assembling, altering, repairing, packing, finishing or cleaning of goods or produce is carried on for trade, sale or gain	0	2	8
Class 9	Class 9A	Health care building	0	0	4
	Class 9B	Assembly building	1	0	19
	Class 9C	Aged care building	0	0	0
Class 10	Class 10A	Non-habitable building being a private garage, carport, shed, or the like	46	43	665
	Class 10B	Structure being a fence, mast, antenna, retaining or free-standing wall, swimming pool, or the like	6	10	142
	Class 10C	Private bushfire shelter	0	0	0
Sundry		Demolition residential/commercial/industrial, class n/a, class s/s	3	2	27
Total			**85**	**88**	**1319**

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Confirmed on Wednesday 14 February 2018

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Acting CHAIRPERSON

COMMUNITY ENGAGEMENT STANDING COMMITTEE MEETING MINUTES

1. COMMITTEE ATTENDANCE:

Crs J F Englert (Acting Chairperson), L G Bonaventura, 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 was Crs R Walker, K May, M Bella and A Paton, Mr C Doyle (Chief Executive Officer), Mrs B Mather (Director Community & Client Services) and Mrs R Pakowski (Minute Secretary).

The meeting commenced at 1:00pm.

3. ABSENT ON COUNCIL BUSINESS:

4. APOLOGIES:

Crs F A Mann (nee Fordham) and A J Camm

5. CONFLICT OF INTEREST:

6. CONFIRMATION OF MINUTES:

6.1 COMMUNITY ENGAGEMENT STANDING COMMITTEE MINUTES - 15 NOVEMBER 2017

THAT the Community Engagement Standing Committee Minutes dated 15 November 2017 be adopted.

Moved Cr Casey **Seconded Cr Gee**

CARRIED

7. BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING:

8. CORRESPONDENCE AND OFFICERS' REPORTS:

8.1 COMMUNITY AND CLIENT SERVICES MONTHLY REVIEW 1 - 24 NOVEMBER 2017

Author **Director Community and Client Services**

Purpose

Attached is a copy of the Community and Client Services Monthly Review for the period 1 - 24 November 2017.

Officer's Recommendation

THAT the Community and Client Services Monthly Review covering the period 1 - 24 November 2017 be received.

The Director Community & Client Services spoke to the report and provided a brief overview of the directorates activities for the November 2017.

Cr Gee requested Sport and Recreation section be added to the Highlights of the Monthly Review Report, as of February 2018.

Director Community & Client Services (DCCS) agreed to include Sport and Recreation section into the report, especially with the Sports Expo coming up in February 2018, and also the North Queensland Games in Mackay in May 2018.

Cr Bonaventura stated in relation to the Pathways of Performance, he attended the Educators launch. It is a great program and that children attending remote schools, not only from Mackay Region, but also further afield, are given the opportunity to see a performance live at the MECC is a great scheme and Congratulate the staff on their ongoing efforts to keep the program running.

DCCS thanked Cr Bonaventura for the comment that it is a very important program and added that the community engagement role at the MECC particularly in engaging with children is as important as the events. A small, but important part of their business is about engaging with children, who do come from Isaac, Whitsunday and further afield.

Cr Bonaventura raised a past dog complaint regarding Winston the dog, and noted that part of the owners conditions were that the dog had to be de-sexed by the end of November. Does Council know if that has occurred?

DCCS confirmed that advice was received that Winston had been desexed on 30 November 2017.

Cr Casey noted that it was good to see the Dalrymple Coal Terminal and other larger businesses were holding their Christmas parties at the MEC, and feels that it is a very good sign that times are changing and for the economic outlook in town. Noted that the planning for the New Year's Party is tracking well. Cr Casey stated that the Corporate Communications team did a wonderful job publicising the opening of the new Queens Park Playground, held on Saturday. There was a very large crowd attending and noted that people had come from far and wide to attend. The Parks team are already making plans on how to further improve the equipment. Cr Casey Congratulated Ross Willis and his team on the creation of the playground.

Cr Englert noted that there had been a dog impounded due to an incident biting a child and possible infection on lyssavirus and asked the Director to give an overview of the incident and follow up actions.

DCCS stated that the in mid-November two (2) dogs had bitten a young boy and the dogs were relinquished to Council voluntarily. On the Monday after the weekend, a member of the public contacted Council to state that the dogs had been playing with dead bats and were concerned that they had been exposed to the lyssavirus. Officer immediately contacted the Council's contracted vet, who visited Council pound to ensure that Council were doing everything correctly in terms of isolating the dogs, disinfecting the pound, disinfecting the car in which the dog had been in and taking all appropriate precautions. The vet noted that the likelihood of the dog having contracted the lyssavirus was possible but no known recorded cases. The dog was destroyed the following day, which was always the intention given the event that had taken place on the weekend. Testing for lyssavirus can only be done once the animal is deceased. Testing was carried out immediately, which showed a negative result and a secondary test came back negative last week. The advice received from the vet was accurate and we had taken his advice, but also taking the appropriate precautions.

Cr Casey noted the SES section that there were 103 activations over 1215 hours of works for the SES staff. Cr Casey stated that he hopes they have a peaceful Christmas and enjoy the break, as unfortunately, they will be called upon again next year.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Gee **Seconded Cr Casey**

CARRIED

8.2 DRAFT MINUTES - VISUAL ARTS ADVISORY COMMITTEE (VAAC)

Author **Manager Community Lifestyle**

Purpose

Attached is a copy of the Visual Arts Advisory Committee (VAAC) minutes of 13 November 2017 for information purposes. The Terms of Reference are in the process of being updated and will be put to Council for approval when finalised.

Officer's Recommendation

THAT the minutes of the Visual Arts Advisory Committee meeting held on 13 November 2017 be received.

Cr Englert stated that he sits on this Committee and wanted to raise with the Standing Committee the Komoro Artworks, a large private collection of West Papuan artefacts of carving and tribal implements, from a resident from Campwin Beach. The collection is quite extensive, collected over many years and is one of the most significant collections in Australia, at this time. The collection was offered to the Council, but the issue is that the collection would require storage facilities. Cr Englert noted that two (2) UQ Masters students had attended the property and catalogue the entire collection.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Bonaventura **Seconded Cr Gee**

CARRIED

9. TENDERS:

10. CONSIDERATION OF NOTIFIED MOTIONS:

11. PUBLIC PARTICIPATION:

12. LATE BUSINESS:

Cr Casey noted that Cyclone Saturday is being held this weekend from 8am to 1pm, Saturday, 9 December 2017. The Emergency Management team will have a stall set up at Canelands Central and encourages all Councillors to drop in and give a hand to help inform our community.

13. CONFIDENTIAL REPORTS:

14. MEETING CLOSURE:

The meeting closed at 1:14 pm.

15. FOR INFORMATION ONLY:

CORPORATE SERVICES STANDING COMMITTEE MINUTES

1. COMMITTEE ATTENDANCE:

Crs A R Paton (Chairperson), K L May, M J Bella, L G 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 K J Casey, Cr R C Gee, Cr J F Englert, Mr C Doyle (Chief Executive Officer), Mr A Knight (Director Organisational Services) and Mrs M Iliffe (Minute Secretary).

The meeting commenced at 3.00 pm.

3. ABSENT ON COUNCIL BUSINESS:

Nil

4. APOLOGIES:

Nil

5. CONFLICT OF INTEREST:

Item 9.2 - Crs May, Paton and Williamson (Perceived Conflict).
Item 9.2 - Cr Gee (Non-Committee Member) (Perceived Conflict).

6. CONFIRMATION OF MINUTES:

6.1 CORPORATE SERVICES STANDING COMMITTEE MEETING - 15 NOVEMBER 2017

THAT the Corporate Services Standing Committee Meeting Minuted dated 15 November 2017 be adopted.

Moved Cr Walker **Seconded Cr May**

CARRIED

DRAFT

7. BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING:

Nil

8. CORRESPONDENCE AND OFFICERS' REPORTS:

8.1 ORGANISATIONAL SERVICES MONTHLY REVIEW - NOVEMBER 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 Program within Organisational Services.

Resource Implications

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

Risk Management Implications

Nil

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 November 2017.

The Director Organisational Services (DOS) provided a brief overview of the Directorate's activities for the month of November 2017.

DRAFT

Cr Bonaventura advised during the recent Budget discussions the Blue Water Lagoon running costs were discussed and a briefing was to be presented to Council in relation to the Blue Water Lagoon. He queried the timing of when this briefing would be presented to Council in the New Year.

DOS advised the sub-contracts for the Blue Water Lagoon, in relation to the operations, are now under one contractor which resulted in a $80,000 per year in savings. The current operator will enhance the efficiency and more importantly, offer a better service to the ratepayers and should increase the utility of the asset by the community. In terms of the operating costs, Budgets are year to year and this can be discussed when the budget is set next year.

The Chief Executive Officer (CEO) advised he did not recall there being an action item to brief Council on the running costs of the Blue Water Lagoon, he was aware of the action item to review the operation of the Blue Water Lagoon which has occurred by tender.

Cr Bonaventura requested the CEO to review the minutes from the meeting when the tenderer was approved for the Blue Water Lagoon there was quite a bit of discussion at that time and his understanding was that a briefing would be presented to Council on what operational options were available for the Blue Water Lagoon.

Cr Paton advised the CEO would take Cr Bonaventura's request on notice and come back to the Committee.

Cr Paton queried if the Mirani Pool Pump that failed had been regularly maintained.

DOS advised the pump was subject to Council's normal maintenance schedule and it was an unforeseen failure and the delay in repairing the pump was due to the availability of the required part.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Walker **Seconded Cr May**

CARRIED

DRAFT

8.2 ACCESS EASEMENT - LOT 1 SARINA BEACH ROAD, SARINA

File No **RP744118/1**
Author **MANAGER PROPERTY SERVICES**

Purpose

To consent to an area of 240m2 from Council freehold Lot 1 on RP744118 known as Lot 1 Sarina Beach Road, Sarina being dedicated as an access easement to formalise longstanding usage provided to the adjoining Lot 5 on RP738224, owned by the Sarina Auto Group (SAG) to provide access to the rear of their premises.

Background/Discussion

Mackay Regional Council ("Council") is the freehold owner of Lot 1 on RP744118 known as Lot 1 Sarina Beach Road, Sarina for a total area of 4774m2 ("the Land"). The Land is a separate parcel of land located adjacent to the Sarina Council Depot. The Land due to this longstanding use is outside the depot fencing and is not used for Council purposes or by Council staff.

The Land previously contained a loading ramp which was historically used by the community but cleaned and maintained by (SAG) as it also provided rear access to their premises.

In June 2016, the Property Services program inspected the Site and deemed the loading ramp unsafe and organised its demolition. Property Services then entered into discussion with SAG in respect to the Lands future use. Several options were discussed which included a lease, an easement or sale of a section of the Land for amalgamation with SAG's adjoining property.

The initial agreed option was a negotiated lease agreement.

In accordance with legislative requirements Council issued tender documents in November 2015 seeking submissions for leasing of the land in which SAG provided the sole submission. Due to a change in preference by SAG to formalise access via an Access Easement the tender was not awarded.

In line with the change in preference for an Access Easement SAG sought and provided a valuation on the proposed Easement area which included amalgamation costs which was assessed at Seven Thousand Two Hundred Dollars ($7,200.00).

The negotiated outcome with SAG was that they agreed to provide: -

1. compensation of the amount of Five Thousand Four Hundred and Fifty Dollars ($5,450) for the easement area; and

2. the necessary Easement and Easement Survey Plan in a registrable format of which costs are estimated at Three Thousand Five Hundred Dollars ($3,500.00).

This Access Easement request was included within Land & Road Use Committee November 2016 agenda, wherein the Committee supported the dedication of the access easement to SAG as it did not impede upon Council ability to access its services or infrastructure.

The delay from this point was due to renegotiation of the options, with the outcome being same as previously discussed and the preference due to the historic management of the land by SAG to reach an reasonable agreement on access.

Under *Local Government Regulations 2012* (Regulations) Section 236(1)(c)(iv) parts A, B, C and D being a local government may dispose of a valuable non-current asset other than by tender or auction if the land is disposed of to a person who owns adjoining land if -

(A) the land is not sutiable to be offered for disposal by tender or auction for a particular reason, including, for example, the size of the land or the existence of particular infrastructure of the land; and

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(B) there is not another person who owns other adjoining land who wishes to acquire the land; and

(C) it is in the public interest to dispose of the land without a tender or auction; and

(D) the disposal is otherwise in accordance with sound contracting principals.

The details of the exemption noted above, as can be applied are:-

(A) the land and size of land for the purpose of an Access Easement is not suitable to be offered for disposal other than to SAG for the purpose; and

(B) SAG are the sole adjoining property owner; and

(C) SAG have historically cleaned and maintained the Land, including removal and clearing of dumped waste and tyres to the Sarina Waste site and historically accessed the rear of their premises via the Land it is in the publics interest to dispose of the land to SAG; and

(D) the compensation as offered is in accordance with sound contracting principals.

Consultation and Communication

Consultation with the Land and Road Use Committee occurred on 8 December 2016. The Committee consists of Manager Technical Services, Manager Strategic Planning, Planning Officer, Central Area Maintenance Coordinator, Manager Planning and Sustainability, Project Manager Water Infrastructure Delivery, Legal Counsel, Manager Development Engineering, Manager Parks, Environment & Sustainability and the Sarina Auto Group.

Resource Implications

Compensation in the amount of $5,450 being received by Mackay Regional Council with all costs associated with dedication of the Access Easement and associated Survey Plan being be borne by SAG.

Risk Management Implications

The risk to Council in not approving the Access Easement is financial through the requirement of fencing the lot and ongoing maintenance of the site to a satisfactory standard which would impact on the operational viability of SAG.

Following dedication of the Access Easement the balance of the Land will be fenced and incorporated within the Sarina Council Depot site.

Conclusion

That the proposed dedication of the Access Easement along the adjoining property boundary between the Land and SAG has no adverse impact on Council's current or future requirements.

DRAFT

The easement and easement survey plan will be signed under Delegated Authority ADEL57 by the Director of Organisational Services.

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)(iv) parts A, B, C and D of the *Local Government Regulation 2012* " a local government may dispose of a valuable non-current asset other than by tender or auction".

B. AND THAT the Council approve the dedication of an Access Easement in Lot 1 on RP744118 for an approximate area of 240m^2 to the benefit of the adjoining Lot 5 on RP738224 as detailed on the attached image to the Grantee, Sarina Auto Group, with compensation of $5,450.00 (Plus GST).

C. FURTHER THAT all costs associated with the dedication of the Access Easement to be borne by the Sarina Auto Group.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr May **Seconded Cr Walker**

CARRIED

8.3 LEASE RENEWAL - THE SCOUT ASSOCIATION OF AUSTRALIA, QUEENSLAND BRANCH INC - LOT 4 ON CI4057

File No 004057-004-CPCi
Author Manager Property Services

Purpose

To approve the renewal of The Scout Association of Australia, Queensland Branch Inc (Banskia Scout Group) lease for an area of approximately 686m2 being part of Lot 4 on CPCi4057, 53 Fernleigh Avenue, Andergrove for a period of ten years.

Background/Discussion

Mackay Regional Council is the trustee of Park and Recreational Reserve Lot 4 on CPCi4057 situated at 53 Fernleigh Avenue, Andergrove.

DRAFT

Banksia Scout Group (BSG) have occupied and maintained the lease site for at least the last 30 years. BSG utilise the facility at least four nights per week, and the facility is also made available to other community groups when the scouts are not using the building. BSG have plans to upgrade the facility (dependent on funding opportunities) including possible installation of a solar system and to extend the existing shed to allow for extra storage.

BSG have increased their lease area from the previous lease being 400m2, this is just to formalise the area they currently use for their outdoor activities.

According to Section 236 (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." Therefore, Council is not required to re-tender this before leasing the property.

Consultation and Communication

Consultation has occurred between representatives of BSG, Lease Officer - Property Services and Manager Property Services.

Resource Implications

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

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

Risk Management Implications

Banksia Scout Group have occupied and maintained this 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 groups.

Conclusion

That the renewal of the lease to Banksia Scout Group, who have shown a long term commitment to the land, its infrastructure and the local community is the most advantageous outcome to Council.

The lease will be signed under delegation once finalised.

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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 (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. AND THAT Council approve a new lease for a term of ten years to Banksia Scout Group for an area of approx. 686m2 being part of Lot 4 on CPCi4057, 53 Fernleigh Avenue, 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 Bonaventura **Seconded Cr May**

CARRIED

9. TENDERS:

9.1 MRC 2018-015 PANEL OF PREQUALIFIED SUPPLIERS FOR CONCRETE WORKS

File No MRC 2018-015
Author Manager Procurement and Plant

Purpose

To present to Council for approval, tenders submitted for MRC 2018-015 Panel of Prequalified Suppliers for Concrete Works.

Background/Discussion

Mackay Regional Council (Council) issued tender documents inviting suitably qualified companies to apply for registration, as a member on a panel of prequalified suppliers for concrete works in the following categories:

1. Small projects - works to be undertaken immediately, to make safe or of a low risk nature and will be completed under a Service Agreement.
2. Medium projects – Minor concrete works.

DRAFT

3. Major projects – full construction packages, high value and / or high risk works.

It will be the responsibility of Council's authorised personnel to ensure that following the identification of a specific work package, a quotation request is issued to all suppliers per the relevant category. This will exclude Small projects due to the nature of these works, where authorised personnel will be required to request the relevant number of quotes in accordance with legislative requirements and council's procurement policy financial limits.

Tenders were invited on 30 September 2017, via Queensland Government Qtender website and advertised locally in the Daily Mercury.

The following submissions were received by the closing time of 10.00am Tuesday 24 October 2017.

Tenderer	Location
Beagle Boys Construction Pty Ltd	Mackay
D&D Howland Pty Ltd ATF The Howland Family Trust T/A Concise Constructions (Qld)	Mackay
Epoca Constructions Pty Ltd	Mackay
Fergus Builder Pty Ltd	Mackay
Flash Concreting Pty Ltd	Mackay
Haber Excavations Pty Ltd	Mackay
JMac Constructions Pty Ltd	Mackay
McCosker Contracting Pty Ltd	Mackay
Michelmore Traders Pty Ltd	Mackay
Morris Builders & Civil Pty Ltd	Mackay
Queensland Complete Contracting Services Pty Ltd	Mackay
Seaforth Civil Pty Ltd	Mackay
Vassallo Constructions Pty Ltd	Mackay

An initial compliance check was conducted on the 26 October 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 as outlined in the RFT, however no weightings were attributed to the qualitative criteria as tenderers were required to provide details to support their inclusion on the panel as per the categories indicated in their submission.

The qualitative assessment was carried out based on the following criteria:

- Relevant company experience
- Key personnel skills and experience
- Resources
- Financial capacity
- Safety management systems & safety record
- Quality management systems

- Environmental management systems

All submissions were assessed by the evaluation panel with categories being assessed against the nominated qualitative criteria. Tenderers unable to show sufficient evidence to support their inclusion in a category, including their financial capacity for that contract value were not considered for that category of the panel.

The evaluation of the tender was conducted by:

• Construction Engineer	Civil Projects
• Waste Management Technical Officer	Waste Services
• Contract Coordinator	Procurement & Plant

Consultation and Communication

Consultation was conducted between Civil Operations, Civil Project, Infrastructure Delivery, Parks, Environment and Sustainability, Water Services, Waste Services and Procurement and Plant prior to the Request for Tender being released.

Resource Implications

The recommended tenderers will only be used for works that have been approved through Council's budgeting process on an as-required basis.

Use of this Panel will significantly reduce administrative time, assist in progressing of works, reduce possible delays in project delivery and ensure the relevant procurement legislation is adhered to.

Risk Management Implications

The conditions of contract provide sufficient measures for Council to mitigate the risks associated with projects of this type.

The recommended tenderers are required to provide all relevant insurances, work health and safety and other regulatory compliances prior to the executing of their contract. This includes:

• Product Liability	$20,000,000.00
• Public Liability	$20,000,000.00
• Workcover	As required by law

Successful tenderers are required to provide Council with a copy of their Safety Management Plan, for review prior to commencing work. A site specific safe work method statement shall be provided to Council's site supervisor on the identification of a specific work package.

Conclusion

That the following tenderers be awarded to the Panel based on their previous experience, capabilities, documentation and financial capacity as per the categories indicated below, in no

DRAFT

particular order, for a two (2) year term, with the option of a one (1) year extension, commencing 1 January 2018:

Tenderer	Small Projects	Medium Projects	Major Projects
Beagle Boys Construction Pty Ltd	✔	✔	✔
D&D Howland Pty Ltd ATF The Howland Family Trust T/a Concise Constructions (Qld)	✔	✔	
Epoca Constructions Pty Ltd	✔	✔	✔
Fergus Builder Pty Ltd	✔	✔	✔
Flash Concreting Pty Ltd	✔	✔	✔
Haber Excavations Pty Ltd	✔	✔	✔
JMac Constructions Pty Ltd	✔	✔	✔
McCosker Contracting Pty Ltd		✔	✔
Michelmore Traders Pty Ltd	✔	✔	✔
Morris Builders & Civil Pty Ltd	✔	✔	✔
Queensland Complete Contracting Services Pty Ltd	✔	✔	✔
Seaforth Civil Pty Ltd	✔	✔	✔
Vassallo Constructions Pty Ltd	✔	✔	✔

Officer's Recommendation

THAT Council appoint the following tenderers to MRC 2018-015 Panel of Prequalified Suppliers for Concrete Works as per the categories indicated below, in no particular order, for a two (2) year term, with the option of a one (1) year extension, commencing 1 January 2018:

Tenderer	Small Projects	Medium Projects	Major Projects
Beagle Boys Construction Pty Ltd	✔	✔	✔
D&D Howland Pty Ltd ATF The Howland Family Trust T/a Concise Constructions (Qld)	✔	✔	
Epoca Constructions Pty Ltd	✔	✔	✔
Fergus Builder Pty Ltd	✔	✔	✔
Flash Concreting Pty Ltd	✔	✔	✔
Haber Excavations Pty Ltd	✔	✔	✔
JMac Constructions Pty Ltd	✔	✔	✔
McCosker Contracting Pty Ltd		✔	✔
Michelmore Traders Pty Ltd	✔	✔	✔
Morris Builders & Civil Pty Ltd	✔	✔	✔
Queensland Complete Contracting Services Pty Ltd	✔	✔	✔
Seaforth Civil Pty Ltd	✔	✔	✔
Vassallo Constructions Pty Ltd	✔	✔	✔

DRAFT

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Walker **Seconded Cr Bonaventura**

CARRIED

Cr Gee (Non-Committee Member) declared a perceived conflict of interest (as per section 173 of the *Local Government Act 2009*) on this matter (Item 9.2) due to the fact that they were a member of the Greg Williamson Alliance during the 2016 election and WHF Group Pty Ltd was a donor to the Alliance in the amount of $2,000 and left the room at **3.17 pm**, taking no part in the debate or decision of the meeting.

Cr May declared a perceived conflict of interest (as per section 173 of the *Local Government Act 2009*) on this matter (Item 9.2) due to the fact that they were a member of the Greg Williamson Alliance during the 2016 election and WHF Group Pty Ltd was a donor to the Alliance in the amount of $2,000 and left the room at **3.17 pm**, taking no part in the debate or decision of the meeting.

Cr Williamson declared a perceived conflict of interest (as per section 173 of the *Local Government Act 2009*) on this matter (Item 9.2) due to the fact that they were a member of the Greg Williamson Alliance during the 2016 election and WHF Group Pty Ltd was a donor to the Alliance in the amount of $2,000 and left the room at **3.17 pm**, taking no part in the debate or decision of the meeting.

Cr Paton declared a perceived conflict of interest (as per section 173 of the *Local Government Act 2009*) on this matter (Item 9.2) due to the fact that they were a member of the Greg Williamson Alliance during the 2016 election and WHF Group Pty Ltd was a donor to the Alliance in the amount of $2,000, vacated the Chair and left the room at **3.17 pm**, taking no part in the debate or decision of the meeting.

Cr Walker took the Chair.

Voting then recorded as per usual.

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9.2 MRC 2017-066 CONSTRUCTION OF WASH BAYS - MIRANI AND SARINA

File No MRC2017-066
Author Manager Property Services

Purpose

To present to Council for approval, tenders submitted for MRC 2017-066 Construction of Wash Bays – Mirani and Sarina.

Background/Discussion

Mackay Regional Council (Council) issued a Request for Tender (RFT) inviting submissions from suitably qualified contractors to undertake construction works for wash bays at the Mirani and Sarina Depots.

These facilities will provide Council with regulatory compliant vehicle and plant washing facilities.

The wash bays will consist of a concrete base, with a partly enclosed, steel framed covering structure (over the complete facility) to minimise the impact of the weather. These structures will also be used to collect rainwater for use in the wash bay facility. Equipment and treatment facilities to capture and treat effluent will be incorporated onto the slab construction.

Ground level construction will consist of a concrete base with suitable fall to a retention pit. Wastewater from that pit will then be treated prior to discharge to sewer. Relevant Building Codes and Australian Standards are to be adhered to as part of project, with appropriate certification by RPEQ, Building Certifiers etc. being required for relevant works.

Tenders were invited on the 25 March 2017, via the QTender website and advertised locally in the Daily Mercury.

The following submissions were received by the closing time of 10.00am 20 April 2017:

Tenderer	Location
St Hilliers Property Pty Ltd	Brisbane, QLD
Dowdens Pumping	Mackay, QLD
V2R Projects Pty Ltd	Sarina, QLD
Zined Property Services	Mackay, QLD
WHF Group Pty Ltd	Mackay, QLD

An initial compliance check and evaluation was conducted on the 25 March 2017 to identify submissions that were non-conforming with the requirements of the 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.

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The evaluation of the submissions was performed on the same day, 25 March 2017. During the evaluation, tenderers were assessed against the nominated qualitative criteria, as published in the RFT, being:

- Relevant Experience 25%
- Key personnel skills and experience 25%
- Tenderers' Resources 25%
- Demonstrated Understanding 25%

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

Tenderer	Mirani Washbay	Sarina Washbay	Total Lump Sum (Ex GST)
Dowdens Pumping	$ 842,830.00	$ 842,830.00	$ 1,685,660.00
WHF Group Pty Ltd	$ 843,557.00	$ 852,323.00	$ 1,695,880.00
St Hilliers Property Pty Ltd	$ 887,712.44	$ 813,184.97	$ 1,700,897.41
V2R Projects Pty Ltd	$ 914,056.44	$ 909,920.56	$ 1,823,977.00
Zined Property Services	$ 969,401.00	$ 960,942.00	$ 1,930,043.00

During this evaluation meeting, it was identified that additional information was required from all tenderers. A Tender Information Request (TIR) was issued to each respective party to obtain further clarifications to information submitted, and to advise all parties of a change to the original scope.

The original tender was for the construction of two wash bays; one at Sarina and one at Mirani. During the course of the evaluation, the panel reviewed pricing received and due to financial restrictions, the decision to remove the Sarina wash bay from the scope of work was confirmed. All tenderers were advised of this change to the scope and were provided the opportunity to reprice the work to reflect this change.

Responses to all TIR's were received and distributed to the evaluation panel members for review.

The revised tendered lump sum totals (excluding GST) following the TIR's responses were as follows for the Mirani wash bay:

Tenderer	Mirani Lump Sum Total (Ex GST)
Dowdens Pumping	$ 681,451.34
WHF Group Pty Ltd	$ 819,537.00
Zined Property Services	$ 849,196.00
V2R Projects Pty Ltd	$ 890,390.58
St Hilliers Property Pty Ltd	$ 1,037,842.44

The evaluation panel recognised that the majority of companies provided an adequate demonstration of relevant experience and were able to reasonably satisfy the evaluation panel of suitable resources.

Dowdens Pumping & Service Pty Ltd demonstrated the best value for money to Mackay Regional Council based on both qualitative assessment and pricing. The evaluation panel

recommends that Dowdens Pumping & Service Pty Ltd is awarded the contract for the construction of the Mirani Washbay.

The evaluation of the tenders was conducted by:

- Supervisor Projects and Operational Compliance — Property Services
- Project Officer — Property Services
- Contracts Officer — Procurement and Plant

Consultation and Communication

Consultation was conducted between Property Services, Civil Operations and Procurement and Plant prior to the Request for Tender being released.

Resource Implications

The original 2017/18 Capital Projects schedule for the Property Services Program included two projects for constructing Wash Bay facilities at both the Sarina and Mirani depots. Funding for the projects amounted to $1,218,925.80.

The original estimates provided by consultants pointed towards the individual cost per facility being $500,000.00, quotes received through the tender process ranged from $800,000 to $1,000,000 per facility with additional costs to be incurred for earthworks at the Mirani Depot.

Considering the variance in costs it was decided to combine the available through the September Budget review to fund the construct of the Mirani Wash Bay for the following reasons, and submit a new Business Case through the 2018/19 Budget process for funding to construct the Sarina Wash Bay:

The Sarina depot has an existing wash down facility which consists of an open concrete slab and adjacent sediment and water collection pit next to the maintenance vehicle shed (Non-compliant), where the Mirani Depot only has a single high pressure hose and pump next to an open tarmacked area on the western side of the site.

The distance to bring plant and vehicles from Sarina to the Paget Depot wash bay facility is far less than bringing such items from Mirani if required.

Construction of one wash bay to test the design and functionality of the proposed facility and show Council's commitment to addressing associated environmental issues.

There is potential to save funding in the project through project management of the earthworks and construction of the Wash Bay.

Description	Amount	Notes
Expenditure to Date		
2016/2017 Expenditure Total	$42,054.75	*Tech Services Civil design costs* *Removal of Maude St House* *Detailed design - GHD* *Independent tender price review -*

DRAFT

Description	Amount	Notes
		AECOM
2017/2018 Expenditure		
Contract Price	$ 681,451.34	*Dowden's tender price*
Project risks	$136,290.26	*20% contingency pending underground findings and energy demand results.*
Council's costs	$-	*Project management undertaken in-house under Property Services, associated costs under normal operational budget.*
	$280,000.00	*Civil works – estimate pending prices received*
	$61,183.20	*Automatic gates and security fencing – estimate pending prices received*
	$60,000.00	*Upgrade to electrical infrastructure – estimate pending prices received*
Estimated Cost of Project	$ 1,218,924.80	*Includes wash bay construction, civil site works and upgrade to depot security by way of automatic gates and associated fencing.*
BUDGET		
Budget for 2017/2018	**$ 1,218,924.80**	
BALANCE	**$ 0**	

Risk Management Implications

The following risks may impact the delivery of the project management plan and should be considered and mitigated (where possible) according:

- Availability of key stakeholders to inform the methodology
- Legislative changes and potentially more stringent licence terms
- Underground issues may generate variations to the contract.

Project Drivers (negative)	Likelihood	Consequence	Risk	Comments
Financial risk – budget overruns, budget reduced	Unlikely	Moderate	Med	Project & contractor management
Policies risk	Unlikely	Moderate	Med	Plant and procurement, purchasing policy, tendering
Stakeholder risks	Moderate	Moderate	High	Consultation
Contractor or consultant risks	Unlikely	Moderate	Med	Plant and procurement, purchasing policy, tendering

DRAFT

Project Drivers (negative)	Likelihood	Consequence	Risk	Comments
Facility fails or does not perform to requirements	Unlikely	High	Med	SES use alternate short term accommodation. MRC invoke professional indemnity insurance (performance guarantee)
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
Depot has a future expansion	Unlikely	Moderate	Med	Design is to account for minor plans for any future expansion

Conclusion

That awarding the contract to Dowden's Pumping & Services Pty Ltd represents the most advantageous outcome and demonstrated value for money to Mackay Regional Council based on their demonstrated understanding of Council's requirements, relevant experience, capacity and resources to provide the services to the specified quantity and quality as details in the RFT.

Officer's Recommendation

THAT Council award contract MRC 2017-066 Construction of Mirani wash bay to Dowden's Pumping & Service Pty Ltd for the lump sum price of $681,451.34 (excluding GST).

The Director Organisational Services (DOS) spoke to the report and provided a brief overview of the tender.

Cr Bonaventura queried the use of the wash bays when completed and if there was any possibility of offering this facility to commercial businesses for a fee.

DOS advised it was a possibility to offer use of the facility to commercial businesses.

The Chief Executive Officer (CEO) advised Council purchased the property for construction of the wash bays which could allow out of hours' access without needing access to the depot. The primary goal for this facility is to service Council's requirements but it could be possible to offer the use of the facility to commercial businesses.

Cr Bonaventura queried what will be the ongoing costs of treating the material collected onsite.

DOS advised he would take this query on notice to collect additional data but as he understands it the design of the facility allows the water to be treated onsite and when treated it can be reused.

CEO advised he believed the water is reusable but the solids would need to be removed.

DRAFT

Cr Casey queried the budget amount quoted in the report and if it was only for the Mirani Wash Bay.

DOS advised the budgeted amount quoted was only for the Mirani Wash Bay.

Cr Casey subsequently queried if the project was costing approximately $1.2M and the contract price was approximately $680,000 where the balance was being sourced from.

DOS there is a total budget for this project of $1.2M.

Cr Bonaventura queried if an additional contract was going to be awarded for the $280,000 for the civil works required.

DOS advised the civil works may be carried out internally and this is built into the entire budget cost for this project.

CEO advised the civil works, if unable to be carried out internally, could be under a panel arrangement if required.

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Bella **Seconded Cr Bonaventura**

Cr Bella advised he supports wash bays and believes they are very important in assisting biosecurity and the rationale provided for deciding on the location of this wash bay is very sound.

CARRIED

3.27 pm - Cr Gee, May, Williamson and Paton returned to the Meeting Chamber.

Cr Walker vacated the Chair and **Cr Paton** retook the Chair.

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9.3 MRC 2018-007 PREFERRED SUPPLIER ARRANGEMENT - SUPPLY & DELIVERY OF PLUMBING FITTINGS

File No MRC 2018-007
Author Manager Procurement & Plant

Purpose

To present to Council for approval, tenders submitted for MRC2018-007 – Preferred Supplier Arrangement – Supply and Delivery of Plumbing Fittings.

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 or quotes 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 2018-007 Preferred Supplier Arrangement – Supply & Delivery of Plumbing Fittings for the supply and delivery of the following groups of items:

- Section 1: Plumbing fittings
- Section 2: Valves (ball, check, gate & sluice)
- Section 3: Gunmetal bands, cock TPFNR'S, ferrule bends & S.S. repair clamps
- Section 4: Polythene pipe and fittings
- Section 5: Water meters and fittings
- Section 6: PVC pipe and fittings
- Section 7: Ductile iron pipe and fittings

The current PSA expires on the 31 December 2017. The proposed commencement date of this Arrangement is 1 January 2018, for a twenty-four (24) month period, together with an option of a twelve (12) month extension period at Council's discretion.

Council reserved the right to award individual items to respondents with all tendered prices to be free in store (FIS) which provides emergency and programmed supply to all Council departments, assisting in maintaining operations in the region.

Tenders were invited on the 29 July 2017, via Queensland Government QTender website and advertised locally in the Daily Mercury seeking submissions from companies to supply and deliver items identified in the RFT.

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The following responses were received by the closing date of the 22 August 2017.

Tenderer	Location
Bermad Water Technologies	Brendale QLD
Cadia Group Pty Ltd	Orange NSW
Deks Industries Pty Ltd	Bayswater VIC
Dowdens Group Pty Ltd	Mackay QLD
Elster Metering Pty Ltd	Northgate QLD
Iplex Pipelines Australia Pty Ltd	Bohle QLD
NQ Water Services Pty Ltd	Mackay QLD
Rapid Clamps Pty Ltd	Brendale QLD
Viadux Pty Ltd	Garbutt QLD

An initial compliance check was conducted of the submissions on the 5 October 2017 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.

During the evaluation, tenderers were assessed against the nominated qualitative criteria. The weighting attributed was:

Assessment Criteria	Weighting
Value for Money – Includes price, product offered & ability to supply.	100%

The qualitative criteria assessment was carried out by the evaluation panel on the 31 October and 14 November 2017, with the evaluation panel scoring the tenders according to the evaluation matrix.

The evaluation panel acknowledged that all respondents are capable of supplying the items tendered and that the items offered meet Council specifications. Respondents will be awarded a certain number of line items based on the assessment criteria.

Of the items offered for tender, 78 items were not awarded as the prices received were considered too high. The alternate quotation method will be utilised when these items are identified as required, in line with Council's procurement policy.

The evaluation of the submissions was conducted by:

- Supervisor Construction — Infrastructure Delivery
- Plumber — Water Network
- Warehouse Supervisor — Procurement and Plant
- Contracts Officer — Procurement and Plant

Consultation and Communication

Consultation was conducted between all departments to ensure all requirements were specified prior to the Request for Tender being released.

Resource Implications

The Preferred Suppliers Arrangement – Supply and Delivery of Plumbing Fittings contract is a schedule of rates contract, which is utilised on an as required basis, and funding is 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 $1,563,370.55 excluding GST for the twenty-four (24) month period.

The comparison of rates between the current contract suppliers and the recommended suppliers tendered schedule of rates, indicates the following increases and/or decreases over the term of twenty-four (24) months:

Preferred Supplier Arrangement	Current contract totals	New contract totals	Difference	Percentage Increase / Decrease
Valves (Ball, Check, Gate and Sluice)	$107,925.85	$94,384.51	-$13,541.34	-12% Decrease
Gunmetal Bands, Cock TPFNR's, Ferrule Bends and Repair Clamps	$55,657.55	$45,507.66	-$10,149.89	-18% Decrease
Polythene Pipe and Fittings	$56,291.05	$47,966.27	-$8,324.78	-14% Decrease
Water Meters and Fittings	$252,391.88	$254,984.50	2,592.62	1% Increase
Plumbing Fittings	$76,303.86	$79,921.34	$3,617.48	5% Increase
PVC Pipe and Fittings	$80,487.90	$78,850.45	-$1,637.45	-2% Decrease
Ductile Iron Pipe and Fittings	$219,018.88	$220,031.22	$1,012.34	1% Increase
CONTRACT TOTAL	**$1,619,850.08**	**$1,563,370.55**	**-$56,479.53**	**-4% Decrease**

Risk Management Implications

The conditions of contract provide sufficient remedies and warranties to council based on the risk profile of the goods being provided.

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
- Technical Information Sheets As requested

DRAFT

Conclusion

It is recommended that MRC 2018-007 Preferred Supplier Arrangement – Supply and Delivery of Plumbing Fittings be awarded, commencing 1 January 2018 for a twenty-four (24) month period with a twelve (12) month extension option at Council's discretion, with the availability for the provision of rise and fall after each twelve (12) months period, as follows:

Tenderer	Items
Bermad Water Technologies	0
Cadia Group Pty Ltd	37
Deks Industries Pty Ltd	10
Dowdens Group Pty Ltd	87
Elster Metering Pty Ltd	35
Iplex Pipelines Australia Pty Ltd	583
NQ Water Services Pty Ltd	25
Rapid Clamps Pty Ltd	31
Viadux Pty Ltd	62

And that 78 items not be awarded, but will instead follow Council's procurement policy on identification of their requirements.

Officer's Recommendation

THAT Council award contract MRC 2018-007 Preferred Supplier Arrangement – Supply and Delivery of Plumbing Fittings commencing 1 January 2018 for a twenty-four (24) month period with a twelve (12) month extension option at Council's discretion, with the availability for the provision of rise and fall after each twelve (12) months period be awarded as per the following:

Tenderer	Items
Cadia Group Pty Ltd	37
Deks Industries Pty Ltd	10
Dowdens Group Pty Ltd	87
Elster Metering Pty Ltd	35
Iplex Pipelines Australia Pty Ltd	583
NQ Water Services Pty Ltd	25
Rapid Clamps Pty Ltd	31
Viadux Pty Ltd	62

AND THAT 78 items not be awarded but will instead follow Council's procurement policy on identification of their requirements.

Cr May queried if the number of items allocated to Iplex Pipelines Australia Pty Ltd was due to non-availability from other suppliers or was Iplex the best price option for those items.

The Director Organisational Services confirmed the allocation of those items to Iplex would have been a combination of those two (2) reasons.

DRAFT

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Walker **Seconded Cr May**

CARRIED

9.4 MRC 2018-028 PREFERRED SUPPLIER ARRANGEMENTS FOR PROVISION OF AD-HOC HARDWARE CONSUMABLES

File No **MRC2018-028**
Author **Manager Procurement and Plant**

DRAFT

Purpose

To present to Council for approval, tenders submitted for MRC 2018-028 Preferred Supplier Arrangements for provision of Ad-Hoc Hardware Consumables.

Background/Discussion

Preferred Supplier Arrangements have proven to be a cost-effective means of purchasing while meeting required statutory obligations.

Current Preferred Supplier Arrangements (PSA) are in place to supply items to replenish Council's Warehouse and also for bulk orders. Respondents were advised that this arrangement does not replace or negate any current PSA.

The proposed commencement date for this contract is 21 December 2017, for a twenty-four (24) month period with the availability of a twelve (12) month extension at Council's discretion.

Tenders were invited on 14 October 2017, via Queensland Government Qtender Website and advertised locally in the Daily Mercury seeking submission from suitable suppliers for the availability of Ad-Hoc Hardware Consumables.

The following submissions were received by the closing time of Tuesday 7 November 2017:

a) ATOM Supply Mackay
b) J Blackwood & Son Pty Ltd Mackay
c) Charles Porters and Sons Pty Ltd Mackay
d) Inenco Group Mackay

An initial compliance check was conducted by the evaluation panel on 15 November 2017 to identify if the submissions were conforming to the requirements of the Request for Tender (RFT).

All submissions were progressed through to the qualitative criteria assessment.

The qualitative criteria assessment was carried out by the evaluation panel on 15 November 2017, with the evaluation panel scoring the tenders according to the evaluation matrix.

All applicants were assessed against the qualitative selection criteria, as published within the RFT.

The weighting attributed to each qualitative criteria was:

a) Value for money - includes Price, Product Offered, ability to supply Locally 100%

In evaluating the tender responses, value for money and locations of warehouses were considered. Suppliers were requested to note their store locations in their response to allow Council staff the maximum allowable coverage of the Mackay Region.

Following the evaluation panel's review of submissions received, Inenco Group were classed as non-conforming as they offered discounts on mechanical products, which do not form part of this tender.

In awarding the contract as recommended, Council staff will have direct access to ad-hoc hardware consumables, to the maximum dollar limit of $150.00 (inclusive of GST) per transaction, with some restrictions noted including no availability to purchase power tools, which will assist in timely delivery of services.

The evaluation of the tender was conducted by:

• Contracts Administration Assistant	Procurement and Plant
• Contracts Coordinator	Procurement and Plant
• Procurement Officer	Procurement and Plant
• Construction Supervisor	Civil Projects
• Leading Hand Maintenance	Civil Operations

Consultation and Communication

Prior to releasing the Request for Tender, Council's operational programs were requested to provide input and specific requirements which were then detailed in the tender documentation.

Resource Implications

This contract MRC 2018-028 Preferred Supplier Arrangements for provision of Ad-Hoc Hardware Consumables is based on an as needed basis.

Suppliers, who are successful in being appointed, will not have sole rights to the supply of hardware materials. Current PSA's are in place to supply items to replenish Council's Warehouse and also for bulk orders, and this arrangement does not replace or negate any current PSA.

DRAFT

Items supplied to Council staff will have a maximum dollar limit of $150.00 (inclusive of GST) per transaction, with some restrictions noted including no availability to purchase power tools, chemicals, herbicides or similar on the ad-hoc arrangement.

Risk Management Implications

Any ad-hoc items supplied to Council staff has been limited to a maximum dollar value of $150.00 (inclusive of GST) per transaction and shall not include power tools, chemicals, herbicides or similar.

The recommended respondents are required to provide all relevant insurances and compliances prior to the executing of their contract.

The conditions of contract provide sufficient remedies to Council based on the risk profile of the goods being provided.

Conclusion

It is recommended that MRC 2018-028 Preferred Supplier Arrangements for provision of Ad-Hoc Hardware Consumables for a twenty-four (24) month period with the option of a twelve (12) month extension, be awarded to:

a) ATOM Supply
b) J Blackwood & Son Pty Ltd
c) Charles Porter and Sons Pty Ltd

Officer's Recommendation

THAT contract MRC 2018-028 Preferred Supplier Arrangements for provision of Ad-Hoc Hardware Consumables commencing 21 December 2017 for a twenty-four (24) month period, with the option of a twelve (12) month extension be awarded to:

a) ATOM Supply
b) J Blackwood & Son Pty Ltd
c) Charles Porter and Sons Pty Ltd

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Bonaventura **Seconded Cr May**

CARRIED

DRAFT

9.5 MRC 2018-034 SHAREPOINT PROJECT

File No MRC2018-034 – SharePoint Project
Author Chief Information Officer

Purpose

To present to Council for approval, tenders submitted for MRC2018-034 – SharePoint Project.

Background/Discussion

MRC is working towards realising a vision to offer constituents a seamless experience of online services and to empower their mobile workforce, corporate offices and partners with a ubiquitous personalised digital workplace.

To achieve this goal MRC will focus initially on the implementation of a customer portal for online services preferably using SharePoint extranet capabilities; Nintex workflow and InfoPath smart form enhancements, and improve efficiencies both technical and functional in the current SharePoint 2013 on-premise environment.

Due to the complex nature of the project respondents to this tender were required to provide a fixed price quotation for initial works and a schedule of rates to enable additional works to be undertaken this financial year. Approved funding for this project is $700,000 allocated to internal resources, and vendor services.

The estimated cost of the tender includes both fixed price works and consequent works based on a tendered schedule of rates. Fixed price services are $212,800 as detailed in the tender response with $337,200 (available project funds) allocated to additional vendor provisioned works identified as part of the prescribed scoping and planning task detailed in the tender. The total cost of the tender is $550,000 including a contingency of $50,000.

Tenders were invited on the 21 October 2017, via Queensland Government QTender website and advertised locally in the Daily Mercury seeking submissions for suitable partner with extensive experience in Microsoft SharePoint 2013 / SharePoint Online.

The following responses were received by the closing date of the 14 November 2017

Tenderer	Location
Acclario IT Pty Ltd	Morningside QLD
AllaboutXpert Australia Pty Ltd	Brisbane QLD
Antares Solutions Pty Ltd	Sydney NSW
Insight Enterprises Pty Ltd	Milton QLD
Lanluas Consulting Pty Ltd	Brisbane QLD
Persistent Systems Ltd	Sydney NSW
Techfly Pty Ltd	Milton QLD
Telstra Corporation Ltd	Mackay QLD*
*Telstra presented a non-compliant response. Telstra proposed a wholly Sydney based vendor but submitted their response via their local office. This	

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Tenderer	Location
would not meet local supplier requirements.	

An initial compliance check was conducted of the submissions on 17 November 2017 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.

Lanluas Consulting Pty Ltd and Telstra Corporation Ltd submitted a non-conforming submission and were removed from the tender evaluation due to no fixed price submitted.

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.

Tender Submissions	Tender Price
Acclario IT Pty Ltd	$212,800.00
AllaboutXpert Australia Pty Ltd	$452,700.00
Antares Solutions Pty Ltd	$246,990.00
Insight Enterprises Pty Ltd	$516,660.00
Persistent Systems Ltd	$1,184,018.00
Techfly Pty Ltd	$193,020.00

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

Assessment Criteria	Weighting
Relevant Experience	25%
Skill Personnel Skills & Experience	25%
Demonstrated Understanding	25%
Value for Money	25%

The qualitative criteria assessment was carried out by the Evaluation Panel on the 20 November 2017 with the evaluation panel scoring the tenders according to the evaluation matrix.

Based on the information received from the respondents and the scores from the evaluation, Acclario IT Pty Ltd have addressed the specific requirements, value for money & ability to deliver.

Although Techfly offered a cheaper fixed price their solution offered reduced functionality. Further Techfly is a small business with only 2 permanent staff. This presented a delivery continuity risk and meant that Techfly would be unable to scale their offering to deliver additional tasks identified in the scoping and definition phase.

The evaluation of the submissions was conducted by:

- Team Lead Governance & Optimisation Shared Services Centre
- Business Analyst Shared Services Centre
- Chief Information Officer Shared Services Centre
- Systems Developer & DBA Shared Services Centre

- Contracts Officer Procurement and Plant

Consultation and Communication

Consultation was conducted between Shared Services Centre & Procurement and Plant prior to the Request for Tender being released.

Resource Implications

Description	Amount	Notes
Project Name		
Expenditure to Date	$35,000.00	*Reference to previous expenditure*
Contract Price Fixed	$212,800.00	Acclario IT Pty Ltd
Estimated Consultancy fees (based on tendered schedule of rates).	$337,200.00	Acclario IT Pty Ltd (time and materials)
Council resource	$65,000.00	*Capital cost of council resources*
Contingency	$50,000.00	
Estimated Cost of Project	$700,000.00	
BUDGET		
Budget for 2017/2018	$700,000.00	
BALANCE	**$0**	*Identify budget saving / over expenditure*

Risk Management Implications

Budget: Fixed price contract for initial work. Remainder of work time and materials to be completed on approval only. Contingency allocated.

Resource continuity: Acclario provided an extensive resource pool demonstrating capability and redundancy.

MRC resource capability: Project has been designed to reduce delivery impost on MRC resources with emphasis on developing MRC resource capability.

Quality: Acclario will develop for approval a project plan including full risk register and quality management plan for approval by MRC. The Information Services PMO will establish project governance and reporting in accordance with EPMF and Information Services requirements.

Acclario demonstrated extensive experience in successfully delivering similar projects to local government.

DRAFT

Conclusion

Awarding the contract to Acclario IT Pty Ltd represents the most advantageous outcome and demonstrated value for money to Mackay Regional Council based on their experience and understanding of Councils requirements.

Officer's Recommendation

THAT Council award contract MRC2018-034 – SharePoint Project to Acclario IT Pty Ltd for the lump sum tender price of $212,800.00 (excl GST).

The Director Organisational Service (DOS) spoke to the report and provided a brief overview of the tender.

Cr Bella queried the wide variance in the tender prices submitted.

DOS advised procuring in the IT space if very uncertain and costs can fluctuate and is reflective of a lot of IT functionality where costs can vary considerably for the same functionality if the contractor is not managed closely. Council has a very skilled Chief Information Officer and IT Team and it will require them to closely manage this vendor to ensure Council receives the product they are tasked to provide.

Cr Bonaventura queried the note in the report around Telstra's non-compliance and not meeting the local supplier requirements and if would not also apply to other tenderers.

DOS advised the service Telstra was offering would be supplied out of Sydney, technically they would not be producing the product supplied to Council locally.

Cr Bonaventura queried even though the other tenderers locations are not local they are producing the product locally.

DOS confirmed that the other tenderers would be producing the product predominately on-site locally, however some aspects may be produced off-site.

Cr May queried if the ongoing maintenance required would be carried out by the tenderer and if they are, can this be carried out remotely.

DOS confirmed the maintenance could be carried out remotely but the ongoing maintenance on applications and the equipment could also be carried out by another firm locally.

Cr Walker queried the size of Acclario IT Pty Ltd given Techfly was overlooked due to the size of the company and if the financial stability of Acclario IT Pty Ltd was reviewed.

DOS advised he would take this query on notice and come back to the Committee however, he can confirm Acclario IT Pty Ltd is significantly larger than Techfly.

DRAFT

Committee Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Walker **Seconded Cr May**

CARRIED

10. CONSIDERATION OF NOTIFIED MOTIONS:

Nil

11. PUBLIC PARTICIPATION:

Nil

12. LATE BUSINESS:

Nil

13. CONFIDENTIAL REPORTS:

Nil

14. MEETING CLOSURE:

The meeting closed at 3.41 pm.

15. FOR INFORMATION ONLY:

Nil

DRAFT

Confirmed on Wednesday 21 February 2018

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CHAIRPERSON

Mackay REGIONAL COUNCIL

Office of Mayor and CEO

Monthly Review

Period - December 2017

OVERVIEW **3**

SAFETY **4**

1.1. Overview 4

1.2. Lead Indicators 4

KEY INITIATIVES **10**

2.1. Summary of key projects and initiatives 10

2.2. Cyclone Debbie Update 15

GREATER WHITSUNDAY COUNCILS OF MAYORS (GWCoM'S) **16**

3.1. Greater Whitsunday Council of Mayors (GWCoM's) – formerly Whitsunday Regional Organisation of Councils (WROC) 16

MAJOR PROJECT UPDATES **17**

4.1. Capital Summary report 17

4.2. Mackay Regional Sports Precinct Project 21

4.3. Mackay Showground Redevelopment 25

4.4. Works for Queensland - Stage 1 29

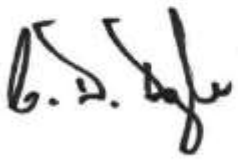
4.5. Sarina Field of Dreams Parkland Masterplan and new Mackay Region Visitor Information Centre 44

4.6. Mackay Skate and Wheeled Sports Plaza (Norris Road Skate Park) 47

OVERVIEW

This report is for the Office of the Mayor and CEO for December 2017.

- There was one lost time injury in November when an employee injured their eye when a pair of safety glasses broke. All departments met the required level of compliance for hazard inspections for November.
- The Priority Development Area project is now commenced formally with Council approving the declaration of the area through the State in late November and concept design process commencing.
- Two large projects were completed by end November with the new Jubilee Community Centre being opened and also the new $1.8m SES Ness Street Training and Operations Centre being completed.
- Budget pre-work has commenced for the 2018/19 budget with capital business cases being prepared and reviews commenced. Associated work on the long term financial forecast accuracy and asset renewals is tracking well.
- To-date $1.4M of approved funding has been forthcoming through the Category D NDRRA program. Council continues to work with QRA on the outstanding projects put forward as a result of Tropical Cyclone Debbie. We are hopeful a decision will be made on NDRRA relevant funding before Christmas.
- The recruitment of a new Capital Works Director has commenced.
- The Stage 1 Works for Queensland (W4Q) Funding program of $11.49M has now been successfully completed. All projects have been completed by the 30 November deadline with great results for the community from the many projects undertaken.
- Approximately 44% of the planned capital expenditure has been completed or is committed after 5 months of the year. This is a much-improved outcome from previous years with a continued focus on delivering projects as planned for the remainder of the year.



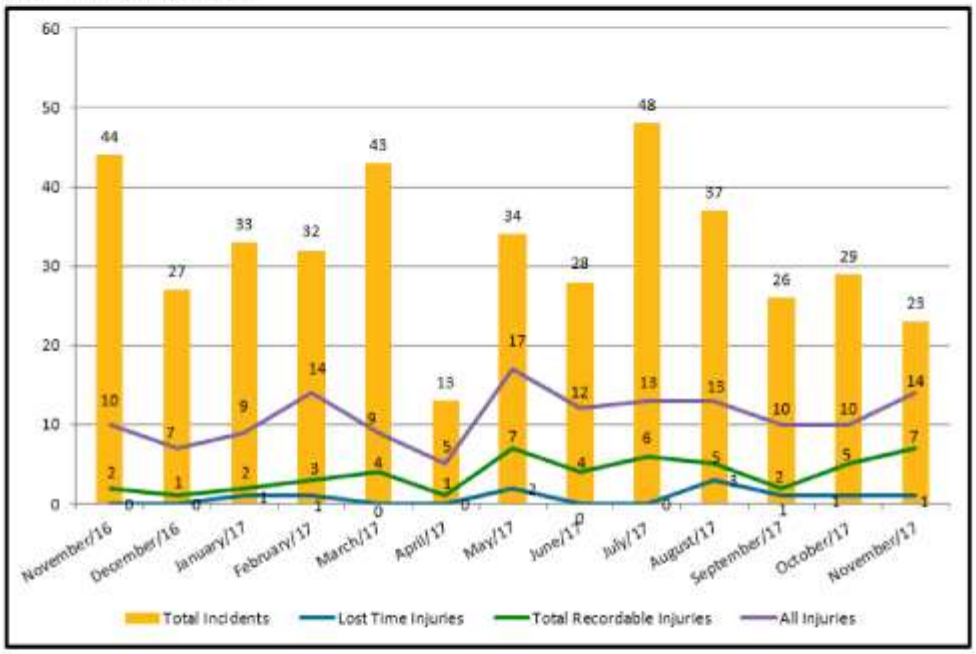
SAFETY

1.1. Overview

As of 24 November, twenty-three incidents were reported involving staff, contractors and members of the public.

One lost time injury was recorded: a worker received a cut to his eye resulting in two days lost time, when the safety glasses he was putting on snapped.

1.2. Lead Indicators



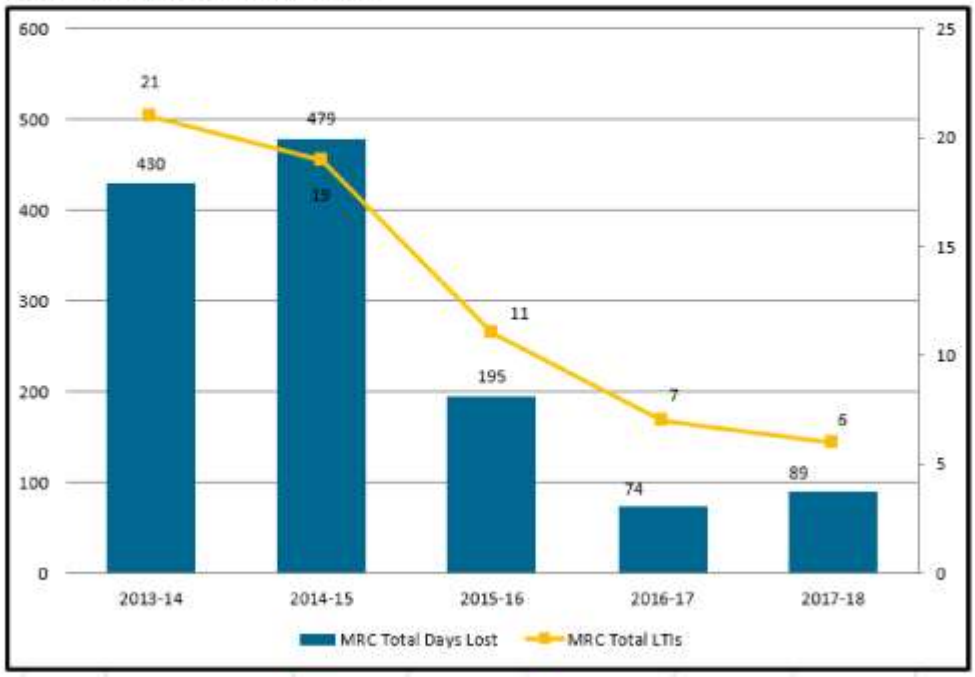
This graph shows the total number of safety-related incidents and injuries recorded across all of MRC.

The following recordable injuries to MRC employees were reported in November:

- A worker hyper-extended his thumb while setting up a trestle table.
- A worker felt pain in his lower back while hitching a trailer to a truck.
- A worker suffered an allergic reaction while removing trees.
- A worker received medical attention after receiving a bite / sting.
- A worker received a cut to his eye when the safety glasses he was putting on snapped across the bridge.
- A worker suffered a muscle strain when using hand tools.
- A worker injured his knee when stepping up into truck.

Each incident is investigated and appropriate corrective measures implemented, to reduce future risks.

Lost Time injuries and Days Lost



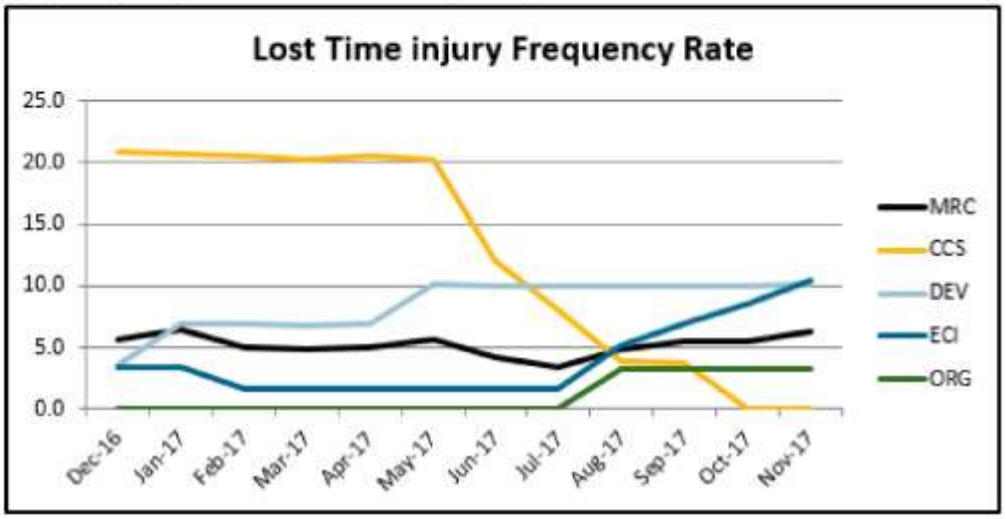
Department	2013-14		2014-15		2015-16		2016-17		2017-18	
	LTI	Days Lost	LTI	Days Lost	LTI	Days Lost	LTI	Days Lost	LTI	Days Lost
Community & Client Services	5	155	1	11	2	4	3	6		
Organisational Services	1	4			1	4			1	8
Development Services	7	201	4	164	3	29	3	52		
Engineering & Commercial Infrastructure	8	70	14	304	5	158	1	11	4	52
Mackay Regional Council	**21**	**430**	**19**	**479**	**11**	**195**	**7**	**69**	**5**	**60**

For the 2017-18 year to date there has been six lost time injuries, with a total of 89 days lost.

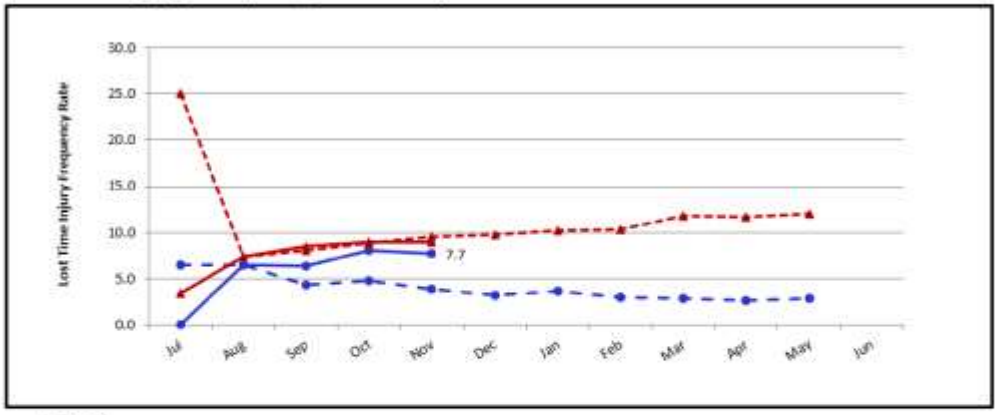
- In August, a worker suffered a severe allergic reaction to a spider bite; losing eight days from work.
- In August, a worker lacerated and fractured his thumb; losing 12 days in August and 7 days in September.
- In August, a worker injured his knee while stepping out of a work truck. Four days were lost in September; 11 further days were lost in October.

- In September, a worker injured his ankle when he slipped on the edge of a curb. Six days were lost in October. A further 22 days have been lost in November as he recovered.
- In October, 12 days were lost when a worker suffered a deep puncture wound. He was removing worn scarifier tips from a grader tine when a piece of steel was dislodged and entered his leg. A further 5 days were lost in early November as he recovered.
- In November, 2 days were lost when a worker received a cut to the eye when the safety glasses he was putting on snapped across the bridge

Injury Frequency Rates 12 month rolling average



Lost Time Injury Frequency Rate Comparison



Legend

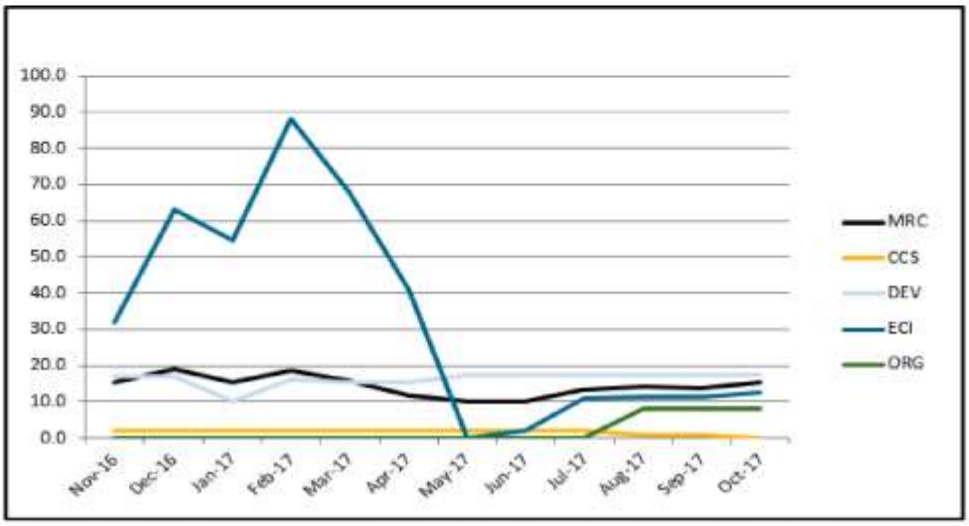
MRC	This year	
	Last year	

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).

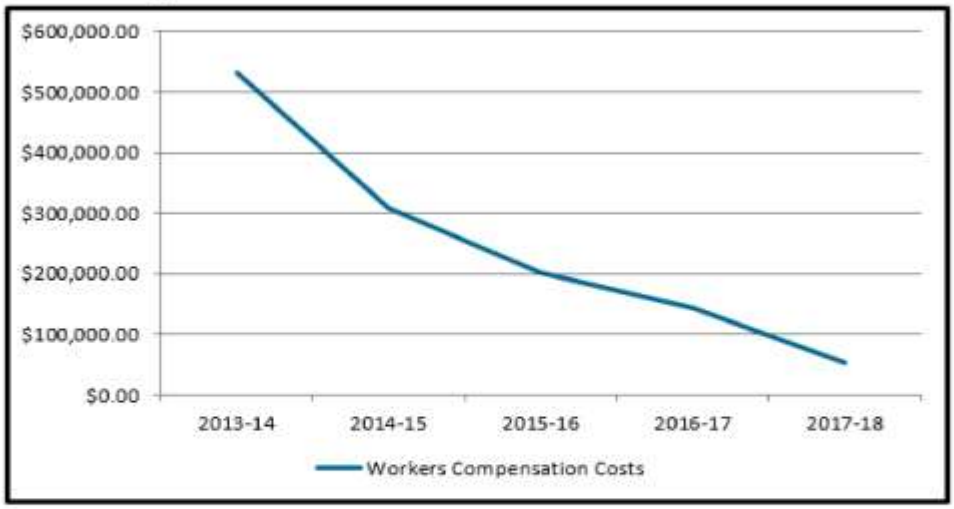
Our LTI frequency rate is below the *All Group E Councils* rate. Where applicable, this data includes 'journey claims' i.e. injuries sustained while travelling to and from work, as these are included in the LGW data. MRC recorded a 'journey claim' in September 2017

Duration Rates 12 months rolling average



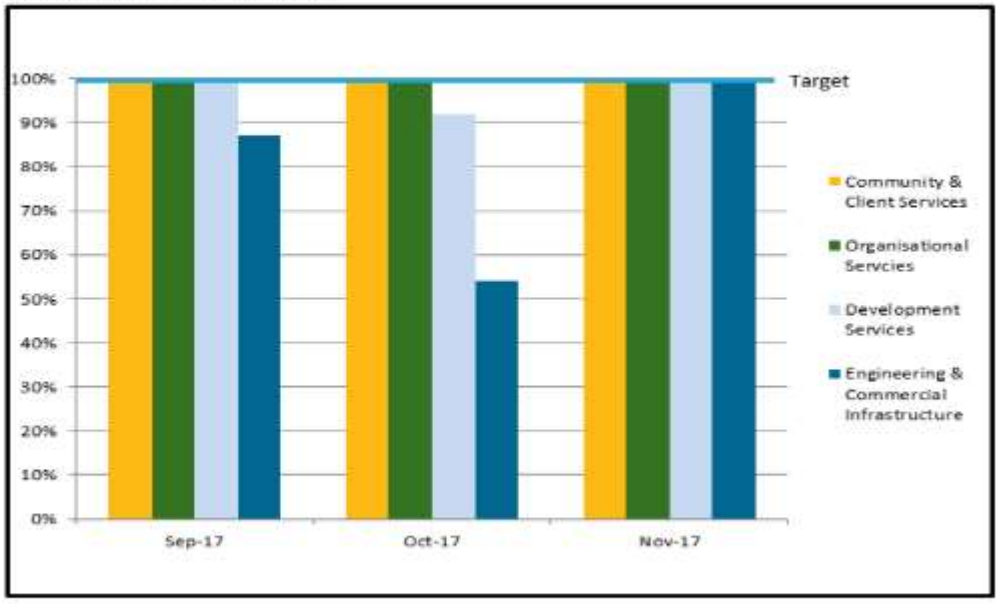
This graph shows the average severity of injuries calculated on 12-month rolling average.

Workers Compensation Claims Costs



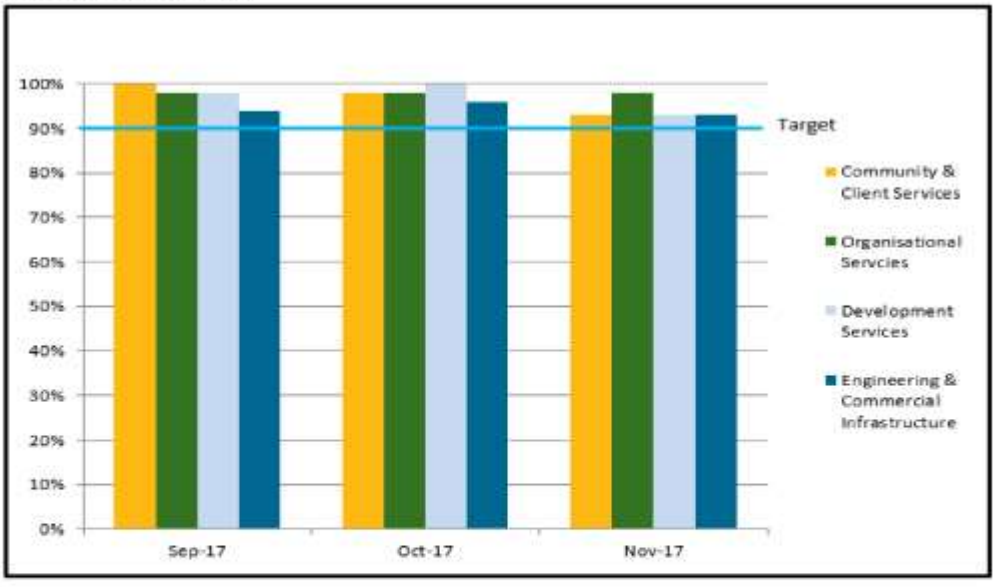
Reduced workers' compensations costs are an indicator of improved safety outcomes and will result in lower insurance premiums over time.

Hazard Inspection Checklists



A target of 100% has been set for the completion of scheduled hazard inspections. All hazard inspections that were not completed on-time in September and October have since been completed.

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 (September and October). November data is shows as recorded on 24 November.

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 for 2017/18. 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
People & Culture	Implement industry-leading people management practices including recruitment, training and development, performance management, and workforce planning.	• Develop and implement a plan for the use of workforce planning, succession planning and a talent management tools and framework	Jul17	May 18		Good progress being made. Draft strategies have been developed and discussed at SLPT. On track to complete by May 18
		• Reshape the Council approach to recruitment and selection to improve the quality of successful candidates	Jul 17	May 18		Some review work commenced.
Meet or better 17/18 budget targets for operational and capital. Ensure LTFF data and information is sustainable and accurate.	• Ensure revenue and costs are as per budget or better.	• Meet business budget target. Stretch target to balance full year budget	Jul 17	Jun 18		Forecast for balanced budget which is an improvement on budgeted deficit of $1.1m.
	• Develop strategies to reduce costs with agreed impacts on service levels	• Introduce Business plans for all departments as part of the 2018/19 budget	Jul 17	May 18		Working Group set up to develop standard Business Plan template. Plan template now endorsed by SLPT and Management team.
	• Continue First principles review of Council operations	• Implement and improve accuracy of Business cases for all capital projects for 18/19 budget.	Jul 17	Mar 18		Business case information and improved accuracy commenced and will be submitted as part of next year's budget
	• Improve accuracy of LTFF forecasts to ensure minimal increases for ratepayers into future with sustainable outcomes.	• Total Costs for 18/19 Budget to be at or reduced levels from 17/18 actual estimated costs.	Jul 17	Jun 18		Due for review in May 2018.
		• Review and optimise LTFF with greater accuracy on future capital forecasts.	Jul 17	Jun 18		Working group set up with two meetings held – on track
	• Complete financial sensitivity analysis for	• Prepare and present full LTFF	Jul 17	Oct 18		Initial sensitivity analysis completed as part of PDA declaration process.

Strategy	Action	Measure	Start Date	Est Complete Date	Status	Comments
	LTFF for the Priority Development Area project	implications of PDA financial sensitivity analysis to Council by Oct 17				Further work will be completed once concept design and budgets are set.
Deliver capital works projects in accordance with budget timelines	Deliver the capital works program on time and in line with the 2017/18 original budget and carry-overs from previous year	Percentage of the capital works program including carry-overs completed against the original budget including carry-overs considering scope changes, contingency and project savings and new or deferred projects – 90%	Jul 17	Jun 18		New capital report identifying areas of activity that need further attention. Actions to deliver a more effective project management delivery structure well advanced with approval given by Council to recruit a new Director of Capital Works. Recruitment has 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	Oct 17		**Complete**. Revised Policy adopted by Council at 25 October 2017 meeting.
Regional Identity	**Northern Australia Alliance** Participate as a strategic and active partner in the Northern Australia Alliance ensuring the Mackay region maximises these opportunities to advocate for, and influence, government policies for the benefit of the region.	Number of Mackay regional issues that GW3 advocate for via the Northern Australia Alliance minimum of 2	Jul 17	Jun 18		GW3 has secured membership of Northern Australia Alliance. Advocacy items pending. Through Northern Australia Alliance, GW3 co-sponsored the 2nd Northern Australia Statement function at Parliament House Canberra with 100 invited guests.
Regional Identity	**Working Together with Neighbouring Councils** Maximise the opportunities through active participation in the Greater Whitsunday Region of Mayors to build strategic alliances, advocate on regional priorities and collaborate to capitalise on opportunities for joint cost savings and improve service delivery	Number of active/successful ventures through NAS or other mechanisms of 6	Jul 17	Jun 18		Current joint activities include: CEO's Group meetings, WIM Alliance, Joint Government Deputations and Traded services initiatives through Shared Services.
Improved Disaster Preparedness	Build community preparedness and responsiveness to emergencies and natural disasters by coordinating recovery actions and learnings form LDMG, State	100% completion of Development of action plan with all key actions listed and targets set with minimum 75%	Jul 17	Feb 18		Action plan from TC Debbie updated and actions tracked and distributed to councillors in early November. Outcomes from communication report

Strategy	Action	Measure	Start Date	Est Complete Date	Status	Comments
	and council following TC Debbie	completion of key actions achieved				now finalised and prioritised.
Environmental Sustainability	Promote sustainable practices and respond to climate change in council's operations.	Complete the renewable energy initiative project with minimum of $250K of savings to be realised by end 2018.	Jul 17	Jun 18	●	Site investigations completed with approval provide by council to tender for solar panel installation to ~ 20 council sites commenced in late November 2017.
		Adopt new Sustainability Policy and achieve all outcomes for 2017/18 from that policy.	Mar 17	Jun 18		Strategy adopted by Council in August 2017 and initiatives from action plan now on track to be delivered.
Liveability/ promotion of region	Advocate, seek funding, commence works and complete key projects linked to the promotion and liveability of the Mackay region	**Mackay region Sports Precinct** Commence construction of new sports precinct prior to December 2017 with final completion achieved by Feb 2019.	Jan 17	Feb 19	●	Contract awarded at Special Council meeting of 8 November 2017.
		District Skate Park Project approval with funding from federal Government achieved. Commence construction and complete by mid-2018.	Jul 17	Sep 18	●	Approved for funding received in early Aug. Final concept design completed and detailed design due for completion early 2018. Construction aimed to be complete August 2018.
		Sarina Field of Dreams Complete all works by July 2018 linked to new Visitor Information centre and area upgrade	Feb 17	Aug 18	●	Civil works and landscaping works commenced and VIC tender approved in September. Project on track. With all major contracts now allocated.
		Sarina City Centre Revitalisation Finalise concept design with accurate costing completed for consideration for the 2018/19 budget	Jul 17	Dec 18	●	Council briefed in November of options. Agreed to focus on one option and review budget for opportunities to undertake further feasibility works.
		Complete business case analysis for; * Mining Centre of Excellence	Jul 17	Jun 18	●	Business case tender awarded late November. State election promises of $3.6M for new centre which is to be further investigated.

Mackay REGIONAL COUNCIL

Office of the Mayor and CEO
Monthly Review > December 2017

Strategy	Action	Measure	Start Date	Est Complete Date	Status	Comments
		* Mountain Bike strategy * RV and Caravan Strategy * Recreational Fishing Strategy				Business case tenders closed early December. Planned to be awarded before Christmas 2017. Working with Mackay Showgrounds on possible RV site. Heavy focus on fishing infrastructure currently with other strategy outcomes being developed.
Economic Stimulus	Facilitate catalytic land and infrastructure development by attracting investment through joint ventures and partnerships with the private sector, and by working with state and federal governments on joint initiatives	Number of advocacy activities undertaken for identified opportunities of at least 4	Jul 17	Jun 18		An agreed list of projects was identified by larger group and then MRC agreed a number of key higher priority initiatives from that list. Finalising lead agencies for each project.
Improved asset Management	Ensure that asset management aligns to the council's strategic direction and that effective asset management practices are in place to optimise the use of council's assets required to deliver services to the community. Provide oversight and strategic guidance to ensure that assets, property and plant are managed appropriate to the required service delivery standards.	New and revised asset management systems are implemented and operational – Jun 18 Maintenance management activities are transitioned into the corporate Asset Management System – Jun 18	Jul 17	Jun 18	 	Initial Gap analysis completed. Asset Management Steering Committee and Working Group has been setup with monthly meetings commenced to develop strategy. On Track.
Continuous Improvement Focus	Implement a sustainable and active continuous improvement process.	Identify opportunities to review performance and generate ideas for improvement form all layers of the organisation.	Jul 17	Jun 18		First Principles Review Committee set up to continue review process. Further options for CI program discussed at Management Forum with a Working Group developed (meet monthly) to identify other opportunities. Key identified areas will be presented as part of the 2018/19 budget.
Industrial Relations	To commence negotiations for 2016 EA with workforce.	Complete new EA	July 16	Dec 17		**Complete.** EA vote was approved with 94% support. Document has been lodged with QIRC for

Mackay REGIONAL COUNCIL

Office of the Mayor and CEO
Monthly Review > December 2017

Strategy	Action	Measure	Start Date	Est Complete Date	Status	Comments
						registration (due date 8 Dec)
Mackay Region Fuel Prices	Investigate Mackay region fuel pricing and comparison with other regions	Track terminal price and retail price data	Oct 16	Ongoing	●	**Complete.** Council will no longer track prices however will continue to advocate for lower prices in our region through advocacy and joint initiatives with other key stakeholders and Councils.

● On Track ● Potential Issues ● Definite Issue

2.2. Cyclone Debbie Update

Category B

Detailed geotechnical assessments and proposed restoration works for landslips on Mt Blackwood Access Road, Chelmans Road & Dalrymple Road are currently being prepared. Once finalised the last submission under Category B will be forwarded to QRA for assessment and approval.

The grading and gravelling of the unsealed road network is continuing. These works are being undertaken in conjunction with Works for Queensland and normal maintenance works. Drainage repairs have been undertaken on Tara Creek Road. Two other crews which are working North of Mackay, have completed works on Kuttabul-Mt Jukes Road and are undertaking repairs to a floodway on Ruggeris Road.
One submission, mainly for restoration works on sealed roads, is still being assessed by QRA. Additional information has been provided to QRA in response to a number of queries. It is anticipated that the assessment and approval of this submission will be finalised in early December.

The tender for Sichter Street has been called and closes in December. The detailed design for the other major restoration project (Clews Road, Mount Charlton) has commenced. This design process will involve obtaining a waterway barrier permit from the Department of Agriculture & Fisheries.

Category D

Detailed design on the three proposed betterment projects (Graham Road & Sievers Road in Oakenden and Hinton Road, Koumala) has commenced and is being undertaken by three separate engineering consultants. The designs will be completed in December.

The Environmental Recovery Package application for coastal works for Restoration of beaches to pre STC Debbie conditions ($6.2M), Restoration & Betterment of Vehicular Beaches Accesses & St Helens Beach Groynes ($1.5M) and Betterment beach nourishment at Lamberts Beach and Midge Point ($1.9M) is currently being assessed by QRA with assistance from DEHP. Approval has been received for works on Lamberts Beach, Cape Hillsborough Beach and Armstrong Beach totalling $1.0M. A joint inspection, with QRA & DEHP, of all beaches included in the application occurred on 28 & 29 November. This inspection will assist with the assessment and approval of works.

Under the separate funding of $400k for preliminary restoration works, sand reprofiling has been completed at Lamberts Beach and the repairs to the swimming enclosures at Halliday Bay & McEwens Beach have also been completed. Works at Midge Point and Cape Hillsborough have commenced and will be completed in early December.

GREATER WHITSUNDAY COUNCILS OF MAYORS (GWCoM'S)

3.1. Greater Whitsunday Council of Mayors (GWCoM's) – formerly Whitsunday Regional Organisation of Councils (WROC)

WROC has decided to rebrand under the name Greater Whitsunday Council of Mayor's.

Continuation of the joint group in conjunction with the Councils of Isaac and Whitsunday.

Membership involves the Mayor and CEO of each of the three (3) Councils, supported by various staff from applicable Councils. The part time Executive Officer who previously focused on projects has left the organisation, with most projects transitioning to others including WIM Alliance and GW3.

It was agreed 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 focus on higher level and strategic issues for the region by the wider group.

The latest CEO group meeting was held 22 September 2017, with the next scheduled meeting to be held on 8 December 2017. Key items are either actioned directly, or recommended to full a GWCoM's meeting.

A full GWCoM's meeting was held in Mackay on 12 October and coincided with a joint regional deputation by all Mayors and CEOs to the State Government. This meeting was held and attended by Deputy Premier Jackie Trad, and Kate Jones Minister for Education, Tourism, Major Events, Small Business, and the Commonwealth Games.

Next Stages

The next GWCoM's meeting has been rescheduled from Thursday 14 December 2017 in Whitsunday, to be held Wednesday 13 December in Mackay. This to allow some attendees to travel for LGAQ Tourism Roundtable sessions in Brisbane.

MAJOR PROJECT UPDATES

4.1. Capital Summary report

The following capital information provides a summary of the status of delivery for the capital program for 2017/18. The amended budget now includes amendments to the capital program adopted by council in November. Continual adjustments will be made to the program as required throughout the year including incorporation of some projects associated with cyclone damage repairs.

Currently we have 474 projects listed to complete, which has increased from last month (was 457) with some identified projects being transferred from header accounts. Some cyclone projects are still to be determined and will be included in future reports.

4.1.1 Financial Performance

The table below summarises the total financial summary for the 2017/18 capital projects budget. This does not include additional TC Debbie damage projects that fall into Category A, Category B, Category D or insurance as they are still being scoped and finalised re-funding with the State Government. We expect these will be added within the next two months once funding is known and approved.

The current forecast total spend is $111.6M (original budget $111.5M) as shown below.

As at 30 November 2017 we have spent $28.9M of actuals on these projects which represents approximately 25.9% of the total budget. However, when you include committals for works underway or approved that are not yet invoiced, this increases to $49.5M or around 44.3% of total. It is not uncommon to have lower spend earlier in the year as projects are being fully designed and contract documentation is prepared. Into the future, we want to have more of this "upfront" work completed before projects are approved as part of the budget.

The following table shows the spend per department area for actuals plus committals as at end of November against each area's total budget.

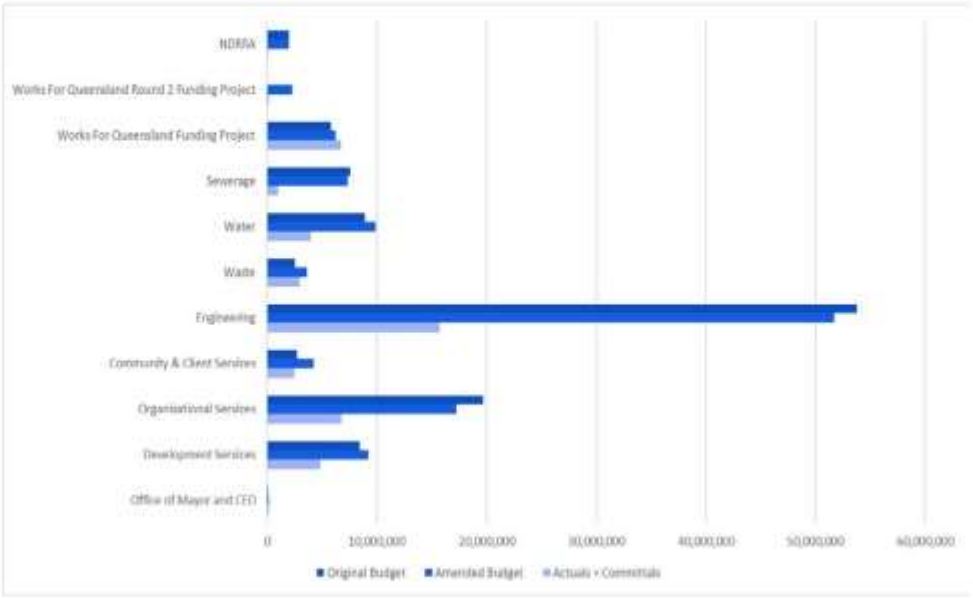
Capital Projects Expenditure 2017/18

November 2017

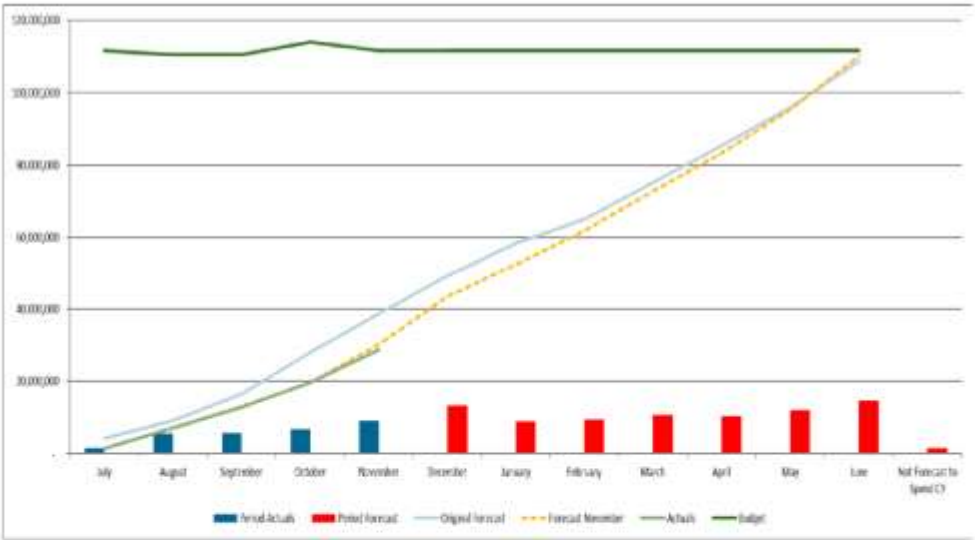
Department	Original Budget	Amended Budget	Actuals	Actuals + Committals	% Spent of Amended Budget
Office of Mayor and CEO	100,000	307,095	140,685	140,685	45.81%
Development Services	8,433,334	9,517,778	2,610,185	5,481,086	57.59%
Organisational Services	19,676,736	17,323,459	3,341,416	7,719,816	44.56%
Community & Client Services	2,737,103	4,217,415	1,816,185	2,476,298	58.72%
Engineering	53,779,806	49,958,402	9,538,176	17,899,546	35.83%
Waste	2,544,761	3,611,669	1,499,393	3,022,635	83.69%
Water	8,886,462	9,886,462	2,610,217	4,497,695	45.49%
Sewerage	7,580,244	7,342,661	594,698	1,187,435	16.17%
Works For Queensland Funding Project	5,839,956	6,207,212	6,627,147	6,781,076	109.25%
Works For Queensland Round 2 Funding Project	0	2,279,000	61,172	167,914	7.37%
NDRRA	2,000,000	1,000,000	55,925	123,225	12.32%
Total	**111,578,402**	**111,651,153**	**28,895,199**	**49,497,410**	**44.33%**

Mackay REGIONAL COUNCIL

Office of the Mayor and CEO
Monthly Review > December 2017



Capital Expenditure Forecast 2017/18



This graph shows the current predicted spend (actuals only) per month and accumulated spend. As we continue to improve in the amount of pre-work the cash flow will be more even however, we expect for the first half of this year actual spends will be lower than that forecast and will increase dramatically in the second half of the year as contracts commence and works are finalised.

4.1.2 Key Contracts Approved for November

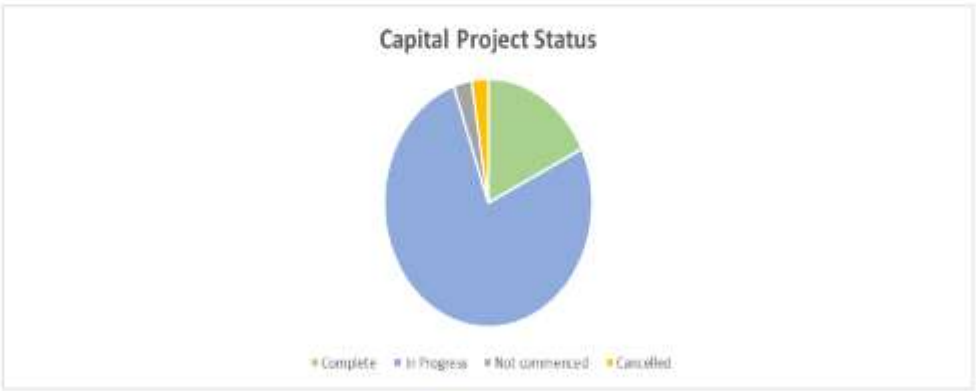
A list of key contracts that have been finalised and approved for the month is given below. In total these contracts are valued at ~ $23.8M. There are smaller packages of works (not included below) that have also been awarded for the month of November linked to capital.

Contract	Amount Award (ex GST)	Contractor
MRC 2018-010 Panel of Prequalified Suppliers for Asphaltic Concrete, Bituminous Pavement & Surfacing Materials	Schedule of Rates	• Boral Resources (Qld) Pty Ltd • Fulton Hogan Industry's Pty Ltd • Queensland Central Bitumen Pty Ltd • Rock n Road Bitumen Pty Ltd
MRC 2018-011 Mackay Showgrounds (Shakespeare to Gordon St) Water Main Replacement	$454,437.23	Vassallo Constructions Pty Ltd
MRC 2017-011 Green Waste Management Services	$616,292.75	AJK Contracting Pty Ltd
MRC 2018-014 Design & Construct Mackay Regional Sports Precinct and Associated Works (Construction of Ferris Gully CQU Trunk Drain)	$22,237,356.00	Paynter Dixon Queensland Pty Ltd
Quote 2018-036 Asphaltic Concrete Treatment	$506,660.00	Rock N Road Bitumen Pty Ltd

4.1.3 Project Status

For all of the capital projects we have classified them into four main categories to track progress. These are:

- Not commenced - yet to start any works
- In progress - started and in varying stages of completion
- Completed - project completed physically however with some possible minor financial finalisation required around defects liability, retention monies etc.
- Cancelled - These are projects that have been cancelled.



Currently we have 474 projects listed to complete, which has increased from last month due to specific projects being identified from header accounts. Some cyclone projects are still to be determined and will be included in future reports. The breakdown of status is as below;

Complete	133
In Progress	308
Not commenced	22
Cancelled	11

There were 21 projects completed during November as listed below, noting the project costs is the total cost of the project which may have been incurred over multiple years, not just the spend in 2017/18.

Projects completed	*Budget Approval Year*	*Total Project Costs*
Programmed Upgrade - Flooring, basins, pedestals and	YEARLY	$177
Sweeney Crt, Glenella - Shared Path	2013	$258,741
Bundesen Street Reserve Footpath Connection	2017	$35,208
Glenella-Richmond Rd, Glenella	HEADSM18	$142,959
Hogan's Pocket Wash Bay	2017	$132,047
W4Q - Sewerage Reticulation - Sarina	W4Q17	$50,250
W4Q - Conder Pde & Power Blvd, Midge Point - Bus stop	W4Q17	$115,463
W4Q - Bruce Hwy & Baronga Dr, Balberra - Bus Stop	W4Q17	$40,082
W4Q - Bull St, Koumala Bus stop	W4Q17	$80,087
W4Q - Sealed road resurfacing - General	W4Q17	$88,136
W4Q - North St Park, Eungella	W4Q17	$351,607
W4Q - Queens Park, East Mackay	W4Q17	$830,331
W4Q - Library - Gordon White - Air conditioning renewa	W4Q17	$187,000
W4Q - Depot - Sarina - Roofing & Plumbing Upgrade	W4Q17	$128,000
W4Q - Administration Building, Mackay - Energy initiati	W4Q17	$131,475
W4Q - Library - Gordon White - Shade Structure Replace	W4Q17	$80,000
W4Q - Sewerage Reticulation - Sarina	W4Q17	$50,250
W4Q - Nebo Road WTP, West Mackay	W4Q17	$207,939
W4Q - Resource recovery facility, Crichtons Rd, Paget	W4Q17	$104,722
W4Q - Sealed road resurfacing – Bitumen seal	W4Q17	$1,756,824
W4Q - Sealed road resurfacing – Asphalt concrete	W4Q17	$682,968

4.2. Mackay Regional Sports Precinct Project

Project Status Report as at 9th November 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.

As a result of the Council Resolution at the 8th November 2017 Special Meeting to increase the budget for the project, the scope will now include the following;

Aquatics

- Heating to 50m pool,
- Cover to 25m pool,
- Solar system,
- Pool equipment,
- Grassed area for future splash pad

Athletics

- Storage shed,
- Increased landscaping and irrigation,
- Carpark for 25 cars

4.2.2 Project Budgets/ Financial Summary

As a result of the Council resolution at the 8th November 2017 Special Meeting to increase the budget for the project, the budget for the Mackay Regional Sports Precinct will increase by $3,690,980.

Total revised stage 1 budget	$23,798,585
NSRF funding approved	$9,996,196

The project is funded jointly by MRC and the Federal Government.

Total actual spend to date on the project is $846,986 being mostly design, project management, and site preparation including survey and geotechnical report. Total commitments for the project are $26,802 which is for IT & associated costs for the new site office.

4.2.3 Key Project Dates (Stage 1)

Activity	*Anticipated dates*
Award main D&C contract	08 Nov 2017
Commence drain site works (15 months construction)	Late Nov 2017
Commence detailed design on sports precinct	Late Nov 2017
Construction of Stage 1	Nov 2017-through 2018-Feb 2019
Handover period	Jan-Feb 2019
Practical Completion - opening	Feb 2019

4.2.4 Project Status Summary

The funding agreement was received in December 2016, and is now fully executed. The lease of the 12Ha subject land with CQU has been agreed and executed and is now being registered.

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.

The revised Project Control Group consists of the following membership:

- MRC Chief Executive Officer, Craig Doyle (Chair)
- MRC Executive Officer, David McKendry
- 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 Major Recent Project Activities

- Prestart meeting held with Paynter Dixon on 16th November 2017. Following this the project team have been reviewing documents such as the WHS&E Plan and Quality Plan from the contractor.
- The contractor has slashed the site ready for site establishment.
- Ongoing development of the Community Liaison plan for relevant stakeholders, with Paynter Dixon now involved in this process.
- Continuing consultation with stakeholder groups on included scope items, operating model for precinct, and event attraction.

4.2.7 Planned Project Activities

- Design meeting with the contractor and their consultants to commence design planned for early December.
- Construction to commence on the Trunk Drain.
- Project Update #2 to be uploaded to website and provided to stakeholders.
- Ongoing development of the Community Liaison plan for relevant stakeholders.
- Continuing consultation on operating model for precinct, with a meeting planned for mid-December for further discussions.
- The project team is relocating to the Mackay Trade Training Centre at the Ooralea campus in early December.

Figure 1 - Mackay Regional Sports Precinct Aquatic Centre

Figure 2 - Mackay Regional Sport Precinct - Athletics Track

Figure 3 - Overall Site View

4.3. Mackay Showground Redevelopment

4.3.1 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:

- Qld State Gvt (Building our Regions $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.

4.3.2 Latest Developments

- Milestone No. 2 payment received from State Government under Building our Regions Round 2 funding.
- Work has been completed on the installation of new kitchens for the 500 Pavilion (both floors), and the Big Shed. These were installed in time to be able to be utilised during the 2017 Mackay Show.
- TF Woollam Constructions (Woollams) awarded the main construction contract. The contract is a Design and Construct Contract, with designs completed for both the new Grandstand and Equestrian arena, and building approvals obtained.
- Construction activities have commenced on-site with preliminary base earthworks and footings commenced for the Equestrian Arena area, and slabs pored for the new Grandstand (see photos attached).
- The timber roofing structure from the old Grandstand has been reconstructed, including replacements where needed and installation of bracing (see photos attached).
- Council has awarded the water main replacement component to Vassallo Constructions.
- Stormwater has been installed, and fire hydrant lines laid for both facilities

Concept Plans

Equestrian Centre:

VIEW FROM SOUTH EAST

VIEW FROM NORTH WEST

Grandstand:

Construction Photos

Equestrian Centre Earthworks

Grandstand slab completed

Grandstand roofing structure ready for reuse

4.3.3 Next Stages

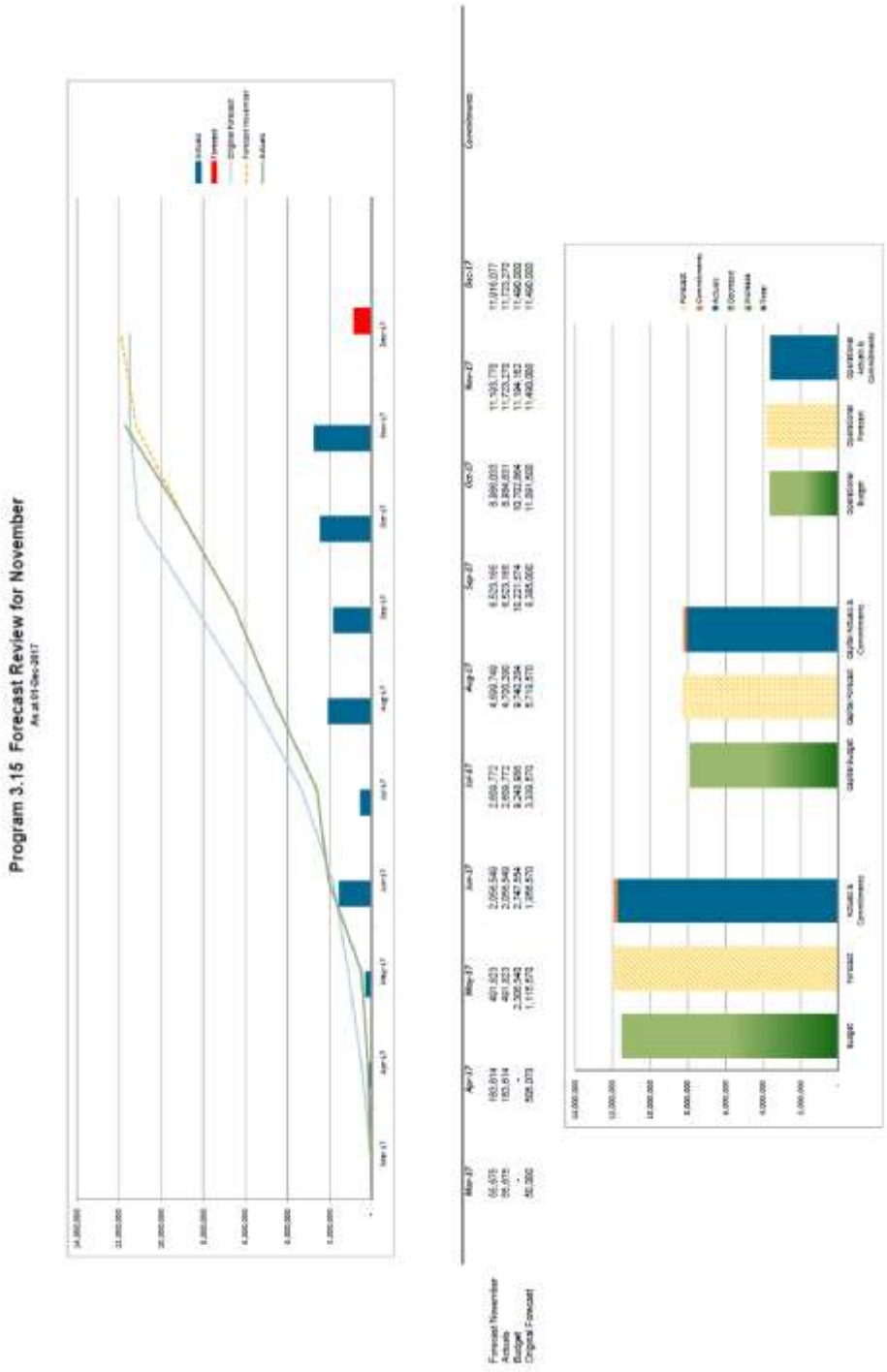
- Steel framing for Grandstand to be received mid December following galvanising;
- Shed frame for Equestrian arena ready for delivery early December; and
- Water Main replacement contractor appointed by Council to commence on-site late December.

4.4. Works for Queensland - Stage 1

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.

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.

The graph on the next page shows the actual and forecast project spend through the finalisation period and final acquittal at the end December 2017.


Program 3.15 Forecast Review for November
As at 01-Dec-2017

4.4.1 Latest Developments

- The Project Control Group has been meeting weekly through the last month of the program reviewing project delivery issues as remaining works progress though to practical completion.
- Completion of physical construction / installation works was achieved by the 30th November deadline.
- Council's 35 projects have supported, sustained or created approximately 412 jobs across the Mackay Regional Council area.
- Overall costs have slightly exceeded the $11.49M allocation by approximately $180k, which represents a 1.4% increase over the overall program budget. Programs have identified funds from their respective 17-18 budgets to meet this expenditure.

  - Eungella Town Park, North St Eungella

  - Queens Park playground
  - Mackay City Library building refurbishment

- MECC internal repairs

- Dome building amenities refurbishment
- Gordon White Library shade structure replacement
- Air conditioning upgrade at Gordon White Library
- Swimming pool amenities upgrades at Pioneer and Mirani

- Various community hall facility upgrades

- Regional depot roofing and plumbing repairs
- Sarina sewerage network maintenance works

- Repair of scouring of underwater pipeline to Campwin Beach

- Upgrade of Nebo Road WTP bores
- Resource recovery facility shed extension
- Rehabilitation of damaged footpath tiles in CBD
- Construction of DDA bus stops

- River Street boat ramp parking,
- Gravel re-sheeting of unsealed roads.

- Works are substantially complete on a number of projects, including:
  - Mansfield Drive Park
  - Platypus Beach Foreshore, Mirani
  - Ram Chandra Park toilet block, Slade Point
  - Seaforth camping amenities upgrade
  - Minor play equipment upgrades
  - Vic Bridger Park playground, Calen
  - Caneland Park softfall replacement

  - Mackay Entertainment and Convention Centre roof
  - Mirani Caravan Park water reticulation
  - Air conditioning upgrades 42 Wellington Street
  - Mirani Library air conditioning
  - Replacement of shade structures at 42 Wellington Street and Mirani Depot

- Facilities painting works at Mirani & Pioneer Pools and Bluewater Lagoon
- Smalleys Beach Road water main renewal
- Milton & Harney Street open drain concrete lining works
- McHugh Street footpath & traffic calming works near Eimeo Road State school
- Various roads and drainage minor works and drain maintenance projects across the region

- Timber bridge upgrades

- Sealed road resurfacing

4.4.2 Next Stages

Program documentation finalisation with collation of project asset information, processing final invoices and submission of Final Certificate and Expenditure claim form for payment of the remaining 10% of the funding allocation. This will be the last report for this program of works.

Mackay REGIONAL COUNCIL

Office of the Mayor and CEO
Monthly Review > December 2017

Works for Queensland - Monthly Report

Monthly report for the month of:	Nov-17
Date report completed:	1/12/2017

Total W4Q allocation:	$ 11,490,000.00
% of Allocation expended to date:	100.00%

Project description	Address	W4Q Approved project budget	% Completed (of the project)	FINAL EXPENDITURE	Forecast project practical completion date	Council comment (more comments (including emerging risks)
APPROVED PROJECTS						
Playground, shade structure, pathway, landscaping	Mansfield Drive Park, Beaconsfield	$ 320,000.00	100.00%	$ 325,500.00	15/10/2017	All works complete.
Shade structure, pathway, landscaping	Eungella Town Park, North Street, Eungella	$ 360,000.00	100.00%	$ 380,000.00	30/11/2017	All works complete.
River foreshore enhancement/recreational area	Platypus Beach, Mackay-Eungella Rd, Mirani	$ 180,000.00	100.00%	$ 180,000.00	2/10/2017	All works complete.
Playground, shade structure, roadworks, landscaping	Queens Park, Gordon Street, Mackay	$ 783,000.00	100.00%	$ 853,000.00	30/11/2017	All works complete.
New toilet block and amenities	Ram Chandra Park, Pacific Esp, Slade Point	$ 162,000.00	100.00%	$ 162,000.00	15/09/2017	All works complete.
Playground, shade structure	Vic Bridge Park, McIntyre St, Calen	$ 150,000.00	100.00%	$ 156,000.00	15/09/2017	All works complete.

Rubber softfall replacements	Canelands Park, Matsuura Dve, Mackay	$ 80,000.00	$ 80,000.00	100.00%	$ 82,300.00	15/09/2017	All works complete.
Upgrades to public convenience amenities	Various locations	$ 50,000.00	$ 50,000.00	100.00%	$ 50,000.00	13/10/2017	All works complete.
Minor play equipment replacement/safety upgrades	Various locations	$ 50,000.00	$ 50,000.00	100.00%	$ 50,000.00	13/10/2017	All works complete.
Roof siphonic/drainage and thermoshield application	Mackay Entertainment & Convention Centre, Alfred Street, Mackay	$ 330,000.00	$ 330,000.00	100.00%	$ 330,000.00	17/11/2017	All works complete.
Refurbishment of Mackay City Library to provide dedicated community space	Civic Precinct, Gordon Street, Mackay	$ 195,000.00	$ 195,000.00	100.00%	$ 209,000.00	17/11/2017	All works complete.
Refurbishment of ageing amenities and enhancement of common and tenancy areas (ground floor)	Dome Building, Victoria Street, Mackay	$ 345,000.00	$ 345,000.00	100.00%	$ 345,000.00	17/11/2017	All works complete.
Renewal of plumbing system	Caravan Park, Caroline Street, Mirani	$ 65,000.00	$ 65,000.00	100.00%	$ 65,000.00	30/09/2017	All works complete.
Air conditioning upgrades, UV lighting, enhanced staff facilities at rear of building	Council administration building, 42 Wellington Street, Mackay	$ 79,430.00	$ 79,430.00	100.00%	$ 79,430.00	30/10/2017	All works complete.
Replacement of shade structure	Gordon White Library, Philip Street, Mount Pleasant	$ 80,000.00	$ 80,000.00	100.00%	$ 80,000.00	24/11/2017	All works complete.
Energy efficiency initiatives for administration precinct - possible solar or similar	Council administration building, Gordon Street, Mackay	$ 135,000.00	$ 135,000.00	100.00%	$ 135,000.00	30/11/2017	All works complete.

Renewal of air conditioning systems - Libraries	Gordon White Library, Phillip Street, Mt Pleasant Mirani Library, Victoria St, Mirani	$ 213,000.00	$ 213,000.00	100.00%	$ 213,000.00	27/11/2017	All works complete.
Swimming pool amenity renewals/facility upgrades	Pioneer Pool, Malcomson St, North Mackay Bluewater Lagoon, River St, Mackay Mirani Pool, Caroline St, Mirani	$ 351,000.00	$ 351,000.00	100.00%	$ 351,000.00	17/11/2017	All works complete.
Community hall facility upgrades	Prince Charles Avenue, Seaforth Wallace St, Bucasia Ivers St, Bakers Creek Celebes Drive, Andergrove Bedford Road, Andergrove Bold St, Walkerston Caroline St, Mirani Wren St, Slade Point Broad St, Sarina	$ 223,000.00	$ 223,000.00	100.00%	$ 223,000.00	17/11/2017	All works complete.
Regional Council depots - roofing and plumbing	Pratts Road, Calen Maud Street, Mirani Walkerston Homebush Road, Palmyra Ness Street, West Mackay North Street, Eungella Sarina Beach Road, Sarina	$ 308,000.00	$ 308,000.00	100.00%	$ 308,000.00	17/11/2017	All works complete.
Upgrades to mitigate public health risks	Place Avenue/Kana Christian Street, Sarina	$ 210,000.00	$ 210,000.00	100.00%	$ 210,000.00	17/11/2017	All works complete.
Repair scouring of underwater pipeline	Campwin Beach	$ 115,000.00	$ 115,000.00	100.00%	$ 115,000.00	17/11/2017	All works complete.
Replacement of water main	Smileys Beach Road, Cape Hillsborough	$ 47,000.00	$ 47,000.00	100.00%	$ 47,000.00	30/07/2017	Project completed

Upgrade of raw water bores	Nebo Road WTP, West Mackay	$ 296,000.00	100.00%	$ 302,000.00	30/11/2017	Site works substantially complete except for a number of finishing items
Resource recovery facility shed extension	Crichtons Road, Paget	$ 200,000.00	100.00%	$ 205,000.00	30/11/2017	Site works substantially complete except for a number of finishing items
Construction of DDA bus stops	Various locations	$ 1,055,000.00	100.00%	$ 1,055,000.00	24/11/2017	All works complete.
Construction of boat ramp facilities	River Street boat ramp, Mackay	$ 160,000.00	100.00%	$ 175,000.00	24/11/2017	All works complete.
Sealed road resurfacing (approx 45km)	Various locations	$ 2,309,570.00	100.00%	$ 2,309,570.00	30/10/2017	All works complete.
Traffic calming works (includes footpath works (variation approved)	McHugh Street, Eimeo	$ 254,000.00	100.00%	$ 254,000.00	31/10/2017	All works complete.
Open drain concrete lining works	Milton & Harney Street, Mackay	$ 290,000.00	100.00%	$ 290,000.00	15/09/2017	All works complete.
Open drain maintenance works for wet season	Various locations	$ 430,000.00	100.00%	$ 430,000.00	30/10/2017	All works complete.
Rehabilitation of damaged tiled surrounds	Victoria Street, Mackay CBD	$ 110,000.00	100.00%	$ 110,000.00	17/11/2017	All works complete.
Various minor works projects to address outstanding customer service requests (includes added projects - Old Eimeo Rd drop off zone, Chelona School car park (variation approved)	Various locations	$ 254,000.00	100.00%	$ 254,000.00	6/10/2017	All works complete.

Timber bridge upgrades	Various locations	$ 200,000.00	100.00%	$ 240,000.00	31/10/2017	All works complete.
Gravel replenishment/resheeting unsealed roads (approx 40km)	Various locations	$ 1,100,000.00	100.00%	$ 1,100,000.00	15/11/2017	All works complete.
Total:		**$ 11,480,000.00**		**$11,674,000.00**		

4.5. Sarina Field of Dreams Parkland Masterplan and new Mackay Region Visitor Information Centre

The Sarina Field of Dreams Parkland Masterplan and new Mackay Region Visitor Information Centre project includes the refurbishment of the Sarina Railway Station into a new Visitor Information Centre for the Mackay Region and further finalises the delivery of the Sarina Field of Dreams Parkland Masterplan, which includes improved car parking and long vehicle parking facilities.

4.5.1 Project Summary

The project is being undertaken through three key stages of delivery:

- **August – January** - Civil & Landscaping construction works for the Parkland Masterplan
- **November – March** - Design & Construction work for the Sarina Railway Station refurbishment
- **November – June** - Design & Construction work for new Visitor Information Centre and Parkland signage

4.5.2 Financial Summary – 28 November 2017

Project Budget		
SRIPP Queensland Government Funding		$1,300,000
Mackay Regional Council		$2,150,198
	TOTAL	**$3,450,198**
Project Spend		
Committals		$1,956,212
Actuals		851,936
	TOTAL	**$2,808,148**
Funding Instalments		
Milestone 1 – 30 June		$0
Milestone 2 – 31 October		$243,804
	TOTAL	**$243,804**

4.5.3 Planned Project Activities

- Line marking of new car park
- Planting of garden beds in new main car park
- Construction of the retaining wall between the Museum and Art Gallery
- Demolition of external concrete and old car park at Sarina Railway Station
- Removal of redundant Queensland Rail electrical infrastructure from Sarina Railway Station
- New footpath and carpark concrete work at Sarina Railway Station
- Continued planting out of Stage 2 Landscaping works across the Parkland
- Commence installation of lights across the Parkland
- Workshop concept plans for Signage and Wayfinding

Photo 1: Main carpark at the Sarina Field of Dreams Parklands

Photo 2: New Landscaping (Stage 1) at the Sarina Field of Dreams Parklands

Photo 3: Demolition works ongoing at the Sarina Railway Station

Photo 4: Demolition works ongoing at the Sarina Railway Station

4.6. Mackay Skate and Wheeled Sports Plaza (Norris Road Skate Park)

Overview

The Mackay Skate and Wheeled Sports Plaza will be the region's first district level state of the art skate park facility. The skate park will include mix discipline skate and wheeled sports ridable features, as well as recreational area including half basketball court, BBQ's and shaded seating areas.

Finance

Spend to date is $49,116 (concept design, survey and investigations) and further commitments are $60,894 (detailed design).

Program

Anticipated timeframes for project design and construction outlined below.

Activity	***Anticipated dates***
Award main design contract to CONVIC	08 Nov 2017
Complete design	End Dec 2017
Finalise tender documents	End Jan 2018
Tender & Award period	Feb 2018-through End April 2018
Commence construction	Early May 2018
Practical Completion – weather dependent	August 2018

Major Recent Project Activities

- Ongoing design development of skate park and non-skate elements
- Site investigations for amenities facility and associated service connections
- Ongoing stakeholder liaison regarding the design elements within the skate park
- Internal team meetings to discuss and provide feedback to the designers on elements within the park.

4.2.8 Planned Project Activities

- Review of detailed design to finalise by end of December.
- Stakeholder liaison to review and finalise the detailed design.
- Prepare tender documents and price breakdown schedules for the works.