



AGENDA

Ordinary Meeting

**To be held at Council Chambers
Sir Albert Abbott Administration Building
73 Gordon Street, Mackay**

On Wednesday 24 April 2024

Commencing at 10:00 AM

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1. ATTENDANCE
2. OPENING PRAYER
3. ABSENT ON COUNCIL BUSINESS
4. APOLOGIES
5. CONDOLENCES
6. CONFLICT OF INTEREST
7. CONFIRMATION OF MINUTES

7.1. CONFIRMATION OF MINUTES - 7 FEBRUARY 2024

THAT the Ordinary Meeting Minutes dated 7 February 2024 be adopted.

7.2. POST-ELECTION MEETING MINUTES - 11 APRIL 2024

THAT the Post-Election Meeting Minutes dated 11 April 2024 be adopted.

8. BUSINESS ARISING OUT OF PREVIOUS MINUTES
9. MAYORAL MINUTES
10. CONSIDERATION OF COMMITTEE REPORTS & RECOMMENDATIONS
- 10.1. AUDIT COMMITTEE - MINUTES

Author	Secretary (Jeanne Ronald)
Responsible Officer	Executive Manager, Ethical Standards, Audit & Risk (Anthony Bigby)
File Reference	Audit Committee

Attachments

1. Minutes of 22 February 2024 [**10.1.1** - 8 pages]

Purpose

To receive the draft final minutes of the Audit Committee (the Committee) meeting held on 22 February 2024.

Related Parties

Nil

Corporate Plan Linkage

Financial Strength

Ethical Decision-Making and Good Governance - We are committed to keeping our community informed about our activities and performance and employing robust governance policies and procedures to ensure legislative compliance and organisational integrity.

Background/Discussion

In accordance with Section 211 (1) (c) of the *Local Government Regulation 2012* (the regulation), the Committee must as soon as practicable after a meeting, give the local government a written report about the matters reviewed at the meeting and the committee's recommendations about the matters.

Furthermore, under Section 211 (4) of the regulation, the Chief Executive Officer must present the report at the next meeting of the local government.

Consultation and Communication

The draft minutes were approved by the Chair of the Committee and circulated to the Committee.

Resource Implications

Nil

Risk Management Implications

Nil

Conclusion

Nil

Officer's Recommendation

THAT the minutes of the Committee meeting of 22 February 2024 be received.



FINAL MINUTES

Audit Committee

Held at Council Chambers
Sir Albert Abbott Administration Building
73 Gordon Street, Mackay

On Thursday 22 February 2024

AUDIT COMMITTEE - 22 FEBRUARY 2024

ORDER OF BUSINESS

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AUDIT COMMITTEE - 22 FEBRUARY 2024

Chair Mr T Cronin acknowledged the traditional custodians of the land on which we meet today, the Yuwibara and Yuibera people and paid his respects to their Elders past and present. He also extended his acknowledgement to all Aboriginal members of the Birri Gubba Nation.

1. ATTENDANCE**Committee Members:**

Mr T Cronin (Chairperson), His Worship the Mayor Cr GR Williamson, Cr M Bella and Ms M McKendry (External Audit Committee Member).

Observers:

Cr K May and Cr B Hassan.

Council Officers:

Mrs A Hays (Director Corporate Services), Mr C Molyneux (Chief Financial Officer), Mrs J Wix (Principal Internal Auditor) and Mrs J Ronald (Minute Secretary)

Visitors:

Ms A Gibbs (Internal Audit Advisor) Mr S Narasimhan (External Auditor, QAO) via teams, Ms M Manual (External Auditor, QAO) via teams, Ms J Prinsloo (Financial Accounting Coordinator), Mr J Carless (Priority Projects Director), Mr J Devitt (Director Infrastructure & Operations), Mrs K Rogers (Associate Director Infrastructure), Mrs S Downes (A/Executive Manager Asset Management), Mr S Hildred (Chief Information Officer), Ms C Blunt (External Auditor – O'Connor Marsden) via Teams and Mr S Dix (External Auditor – O'Connor Marsden) via teams.

The meeting commenced at 10:00 am.

2. APOLOGIES

Mr S Owen (Chief Executive Officer)

3. CONFLICT OF INTEREST

Nil declared.

4. CONFIRMATION OF MINUTES**Council Resolution AC-2024-0**

THAT the Minutes of the Audit Committee of 07 December 2023 be adopted.

Moved Cr Williamson

Seconded Tim Cronin

CARRIED

AUDIT COMMITTEE - 22 FEBRUARY 2024

5. BUSINESS ARISING OUT OF PREVIOUS MINUTES**6.7 Local Government Sustainability Ratios**

Action – QAO are to provide model (once developed) to input the data which is due for release in February 2024
 Action – Financial Service will provide a snapshot of ratio calculations (based on new ratios) for the last five years, once the QAO Model is received.

Completed – Part of today's Agenda papers.

6.16 Presentation – Cyber Security Bi-Annual Update

Action – The committee requested a Chat GPT/IA Session for February meeting.

Completed – Part of today's Agenda papers.

6. REPORTS TO BE TABLED**6.1. QAO BRIEFING PAPER****Audit Committee Resolution AC-2024-1**

THAT the Audit Committee receive the attached briefing paper.

Moved Monica McKendry

Seconded Cr Williamson

CARRIED

6.2. 2024 EXTERNAL AUDIT PLAN

The Committee queried the QAO on the overall cost on the delivery of the Plan including the travel expenses.

The QAO advised that they have been unable to source local suppliers or service providers within the Region which included Rockhampton, Townsville and Cairns. The costs are a best estimate however it should be noted Council will only be charged actuals for the travel.

The QAO further noted the first year of their audits are quite indepth which will assist for future audits.

The Committee advised the QAO that on the meeting plan, the draft financials are set for 23 September 2024 and in their plan it is 08 October 2024. The Committee requested the Financial Services to liaise with the Secretary further on this timeframe.

Action - QAO to provide breakdown of costs.

Action - Secretary to liaise with Financial Services further.

Audit Committee Resolution AC-2024-2

THAT the Audit Committee receive the External Audit Plan for the financial year ending 30 June 2024 from the QAO.

Moved Monica McKendry

Seconded Cr Williamson

CARRIED

AUDIT COMMITTEE - 22 FEBRUARY 2024

10.45am Mr S Narasimhan (QAO) left the meeting via teams.

6.3. STRATEGIC FINANCIAL REPORT - JANUARY 2024

The Committee discussed the Capital expenditure reporting within the Strategic Financial Report around if more context and analysis that can be added.

Mr C Molyneux (Chief Financial Officer) discussed increasing the level of reporting on Capital expenditure which would include a more detailed internal report on the top 5 capital works projects by Asset Class.

Action - Chief Financial Officer to review Capital expenditure reporting in the Strategic Financial Report noting the Committee's comments.

Audit Committee Resolution AC-2024-3

THAT the Strategic Financial Report for January 2024 is received.

Moved Monica McKendry

Seconded Cr Williamson

CARRIED

6.4. FINANCIAL ACCOUNTING TIMELINE FY 2023-24

The QAO advised the Committee that Local Government Finance Professionals (LGFP) will be releasing guidelines on landfills to all Council once finalised.

Audit Committee Resolution AC-2024-4

THAT the Audit Committee receive the 2023/24 Financial Statements timeline and have provided feedback.

Moved Monica McKendry

Seconded Cr Williamson

CARRIED

6.5. PRO FORMA FINANCIAL STATEMENTS FY 2023-24

Audit Committee Resolution AC-2024-5

THAT the Audit Committee receive the 2023/24 MRC Pro Forma Financial Statements and provided feedback

Moved Monica McKendry

Seconded Cr Williamson

CARRIED

AUDIT COMMITTEE - 22 FEBRUARY 2024

6.6. KNOWN ACCOUNTING ISSUES FY 2023-24

Audit Committee Resolution AC-2024-6

THAT the Audit Committee received the 2023/24 position papers and file notes on known accounting issues as part of the planning phase of the financial reporting process.

Moved Monica McKendry

Seconded Cr Williamson

CARRIED

6.7. LOCAL GOVERNMENT SUSTAINABILITY RATIOS - 4-YEAR AVERAGE RESULTS

Audit Committee Resolution AC-2024-7

THAT the Audit Committee receive a summary of the calculations of the sustainability ratios for the years ended 30 June 2020, 2021, 2022 and 2023 according to Financial Management (Sustainability Guideline) 2023 Version 1, and the four-year average.

Moved Monica McKendry

Seconded Cr Williamson

CARRIED

6.8. ASSET MANAGEMENT REPORT

Audit Committee Resolution AC-2024-8

THAT the report is noted

Moved Cr Williamson

Seconded Monica McKendry

CARRIED

11.30am Ms S Downes (A/Manager Asset Manager) left the meeting.

AUDIT COMMITTEE - 22 FEBRUARY 2024

6.9. INTERNAL AUDIT PROGRESS REPORT

Audit Committee Resolution AC-2024-9

THAT the Internal Audit Progress Report is received by the Audit Committee.

Moved Monica McKendry

Seconded Cr Bella

CARRIED

11.45am Ms C Blunt and Mr S Dix (External Auditors - O'Connor Marsden) entered the meeting via Teams.

6.10. INTERNAL AUDIT REPORT - COMMERCIAL BUSINESS UNIT

Audit Committee Resolution AC-2024-10

THAT the Internal Audit Report – Commercial Business Unit is received by the Audit Committee.

Moved Tim Cronin

Seconded Cr Williamson

CARRIED

12.15pm Ms C Blunt and Mr S Dix (External Auditors - O'Connor Marsden) left the meeting via Teams.

Mr J Devitt (Director, Infrastructure & Operations), Ms K Rogers (Associate Director, Infrastructure) and Ms J Prinsloo (Financial Accounting Coordinator) left the meeting.

6.11. AUDIT ACTION REGISTER

Audit Committee Resolution AC-2024-11

THAT the Audit Action Register as at 31 December 2023 is reviewed by the Audit Committee.

AND THAT all items identified as being completed, are endorsed by the Audit Committee so that they can be removed from the register.

Moved Monica McKendry

Seconded Cr Bella

CARRIED

**12.30pm The meeting adjourned for lunch.
Ms M Manual (QAO) left the meeting via teams.**

1.00pm The meeting re-commenced.

1.00pm Mr S Hildred (Chief Information Officer), Ms K Peeris (Coordinator Performance & Risk) and Ms A Kenny (Senior Risk Officer) entered the meeting.

AUDIT COMMITTEE - 22 FEBRUARY 2024

6.12. STRATEGIC RISK REPORT Q2 2023-2024

Audit Committee Resolution AC-2024-12

That the Strategic Risk Report, Quarter Two 2023-2024 is received by the Audit Committee, along with the updates provided regarding the progression of strategic risk, risk appetite and risk maturity at MRC.

Moved Cr Williamson

Seconded Cr Bella

CARRIED

6.13. PRESENTATION - CHAT GPT & AI

Mr S Hildred (Chief Information Officer) presented to the committee.

The Committee requested a risk assessment be undertaken.

Action - Chief Information Officer to liaise with Performance and Risk on this assessment.

2.00pm Mr S Hildred (Chief Information Officer), Ms K Peeris (Coordinator Performance & Risk) and Ms A Kenny (Senior Risk Officer) left the meeting.

Mr J Carless (Priority Projects Director) entered the meeting chambers.

6.14. PRESENTATION - SIGNIFICANT PROJECTS 2024

Mr J Carless (Priority Projects Director) presented to the committee.

7. OTHER BUSINESS

7.1. NEXT MEETING

The next meeting will be held on Thursday 09 May 2024.

8. MEETING CLOSURE

Meeting closed at 2.40pm due to mandatory evacuation from the Fire Alarm system.

11. CORRESPONDENCE AND OFFICER'S REPORTS

11.1. MAYOR AND CEO REPORTS

11.1.1. CHIEF EXECUTIVE OFFICER'S MONTHLY REVIEW REPORT - FEBRUARY & MARCH 2024

Author	Chief Executive Officer (Scott Owen)
Responsible Officer	Chief Executive Officer (Scott Owen)
File Reference	DMRR
Attachments	1. FINAL - CEO Monthly Review Report - February & March 2024 [11.1.1.1 - 23 pages]

Purpose

To provide Council with the Chief Executive Officer's Monthly Review Report for the months of February and March 2024.

Related Parties

Nil

Officer's Recommendation

THAT the Chief Executive Officer's Monthly Review Report for February and March 2024 be received.

CEO MONTHLY REVIEW REPORT

FEBRUARY – MARCH 2024



Scott Owen CEO



SUMMARY OF CONTENT

CEO's summary

Safety

Highlights

Workforce profile

Utilisation of council facilities

RADF Grants

Community events

Community engagement

Customer contacts

Regional growth

Significant projects

Economic snapshot

Development activity

CEO'S SUMMARY

It is with pleasure that I present the consolidated CEO's report for council for the months of February and March 2024.

Whilst each is further detailed in the report, items of note include the below:

- The opening of the initial mountain bike trails of the Finch Hatton MTB project were a highlight for the quarter, with the remaining Stage 1 trails to be open for the official opening on April 21.
- Commencement of work on the Northern Beaches Community Hub (Stage 1A) is also a significant milestone for a key Council project.
- Adding to project delivery, the Pioneer River pontoon is now fully installed and operational. Tenders are in progress for potential commercial operators to utilise the pontoon.
- Feedback from the community is critical in directing services and resources for Council, so it is pleasing to see the focus on after-agent surveys as an easy means of gauging community satisfaction.
- Trainees and apprentices are critical to Council's operations, and in a wider view helps train the workforce of the future. Therefore, it was very pleasing to see the latest intake for Council on boarded.
- Sarina Sugar Shed continues to be recognised, with the latest accolade being Best Tour in 2023 at the Grey Nomad Awards.

SAFETY

Program Activities

- Psychological Safety delivery plan in development, 56% of actions completed to date.
- Expressions of interest issued to vendors for the Safety & Wellbeing Expo in September 2024.
- Risk management material for E-Bike use at the mountain bike trail for new work activity.
- The newly established WHS Strategic Advisory Committee is scheduled to meet on May 2 2024.

Key Safety Improvements and Drivers

Key Improvement	Driver
Refresh of Evacuation practices across various MRC sites	Annual review required for Code of Practice Compliance
Completion of chemical manifest for aquatic facilities and treatment plant	

Training & Development

- Refresh of Elev8 to upskill supervisory staff in a full day session on safety. Enhancements to physical safety content and inclusion of psychosocial safety.
- Development of Contractor Management Training in progress.

Critical Incidents

	February	March
Critical Incident Investigations		
- Traffic related near miss (16 corrective actions defined)	2	0
- Uncontrolled release of chemical (under investigation)		



HIGHLIGHTS

NRL trial match at BB Print Stadium creates excitement

The program delivered 18 successful events in March. A highlight of the month was the almost 6000 fans roaring with excitement as their beloved Queensland teams, the Brisbane Broncos and NQ Cowboys, battled it out in a thrilling NRL trial match at BB Print Stadium. It was an action-packed day loaded with rugby league entertainment like no other, delivered in collaboration with the Mackay Cutters and NRL.



Riders enjoying Finch Hatton MTB Trails thrills

More than half of the trails at the Finch Hatton MTB were opened in February. A mix of easy, intermediate and expert trails are available. These initial trails are the first to be accessible in stage one, with the remaining trails and the trailhead to be unveiled prior to the official opening on April 21. Carparking, toilets and the pump tracks are also available.

Off Camber, the official shuttle service, also began operating on February 24.



Finch Hatton MTB website launched

The Finch Hatton MTB full website was launched in February. The website and social media platforms have received positive engagement results. Some key highlights include 997 website views, 836 new social media followers and 3900 engagements across the digital platforms.



Northern Beaches Community Hub construction under way

Council has awarded a \$10.2M tender to Fergus Builders for Stage 1A and associated works of the Northern Beaches Community Hub.

Stage 1A includes an undercover multi-purpose court, adjoining kitchen and store, nature play and picnic spaces, as well as landscaping, pedestrian links, and a parking area.

Construction began in March 2024 and is expected to be completed in late May 2025, weather permitting. Major planning and extensive civil works have previously been undertaken on the greenfield site. This project is jointly funded by the Australian Government and Mackay Regional Council.



Water Networks teams lead industry engagement

The Water Network Team undertook an Industry Engagement Session during March, providing feedback to local industry leaders on a wide range of topics.

The session targeted external plumbers, builders, hydraulic consultants and property developers. The purpose was to proactively work with the industry to identify opportunities to streamline processes and inform the industry about some of the common issues council is experiencing. It was also a great opportunity for attendees to provide feedback around council's processes.

Feedback from attendees was extremely positive and the Water Network team plans to run these sessions on a quarterly basis, discussing various topics. The sessions will assist in creating a more informed and engaged industry and establish a collaborative approach to improving outcomes for customers.

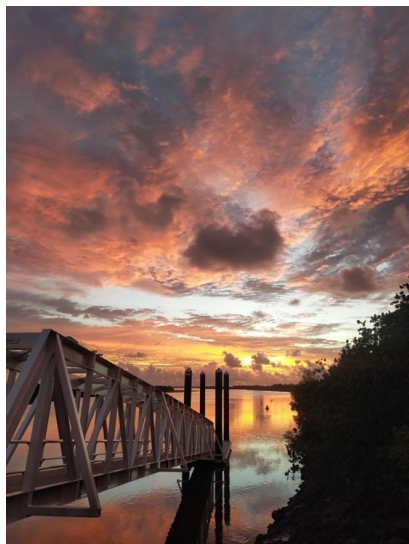
Sarina Sugar Shed is 'Best Tour Experience'

The Sarina Sugar Shed has won Best Tour in 2023 at the Grey Nomad Awards on 8 March, winning Gold after a rigorous assessment by a panel of esteemed industry judges.

The Sarina Sugar Shed also won Silver in the new category of Best Foodie Experience for its Tasting Tour.

Pioneer River pontoon now open

Construction of the Pioneer River pontoon was completed in February. The Pontoon can be accessed via a gangway from the Brisbane Street fishing pier next to the Bluewater Quay. Tenders have also closed for businesses interested in running a commercial operation from the pontoon. The applications are now being assessed. This project is jointly funded by the Australian Government and Mackay Regional Council.



Invest Mackay initiative making its mark

Three events funded under council's Invest Mackay Events and Conference Attraction Program were held in March, including:

- World Wakeboarding Association (WWA) Aussie Triple Crown Series on March 16 to 17 at Wake House Australia.
- Great Barrier Reef Arena GIFT, held on March 23, at the Great Barrier Reef Arena, Harrup Park. An estimated 1500 people attended the inaugural event.
- Country Fest, held on March 30 to 31, at Dittman's Bull Pit, Bloomsbury.

Mackay Waterfront PDA Development Scheme amended

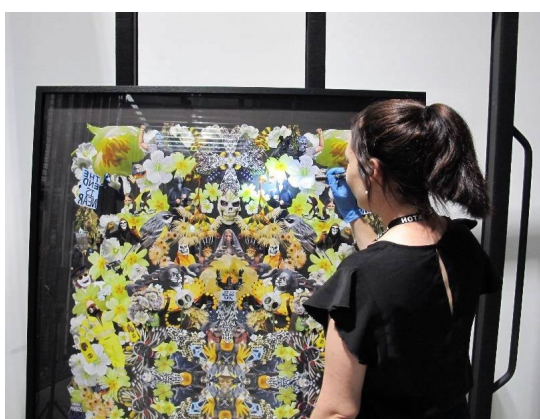
PDA Development Scheme Amendment 1 was adopted on February 27 and took effect on March 1. The purpose of the amendment was to:

- Improve the legibility and workability of development requirements and the 'line of sight' between the strategic framework and development requirements,
- Facilitate new opportunities to ensure the Mackay Waterfront PDA remains competitive and attractive to development,
- Ensure PDA accepted development categories are workable and align with other regulations and update the implementation strategy.

Home of the Arts – Placement

Artspace Mackay Assistant Curator Jamie Wilcox joined the Home of the Arts (HOTA) team at the Gold Coast for her first placement as part of the Museums & Galleries Queensland Mentorship & Internship Program 2022-2024.

Jamie spent time with the Collections, Curatorial and Exhibitions teams, creating industry connections, sharing knowledge and returning with inspiration, tips and ideas for the team back at Artspace. While at HOTA, she condition reported Jemima Wyman’s Flourish 10, an artwork from HOTA’s Collection, which will be loaned for Artspace Mackay’s major Wyman exhibition later this year. Jamie then presented a talk to Artspace staff and volunteers, sharing some insights into HOTA and key takeaways from the experience as part of the Volunteer Engagement sessions during the gallery closure.



After agent survey results highlight disaster preparedness

As of February, Customer Service restructured the after-agent survey to capture community feedback and sentiment on a specific council service or issue. The first topic selected was around Emergency Management due to the region being within our annual storm season. This topic will remain in operation until end of April (three-month period).

Three questions were asked, and customers made their selection of 1-5 on the keypad to note their rating (1 poor, 2 below average, 3 average, 4 good and 5 excellent). For the month of March, 116 surveys were completed.

Question	Average Rating out of 5	Percentage
How prepared do you think the community is for a natural disaster?	3.72	74%
How prepared are you for a natural disaster?	3.89	78%
How do you rate the information provided by council on being prepared for a natural disaster?	4.06	81%



WORKFORCE PROFILE

Staff Contingent

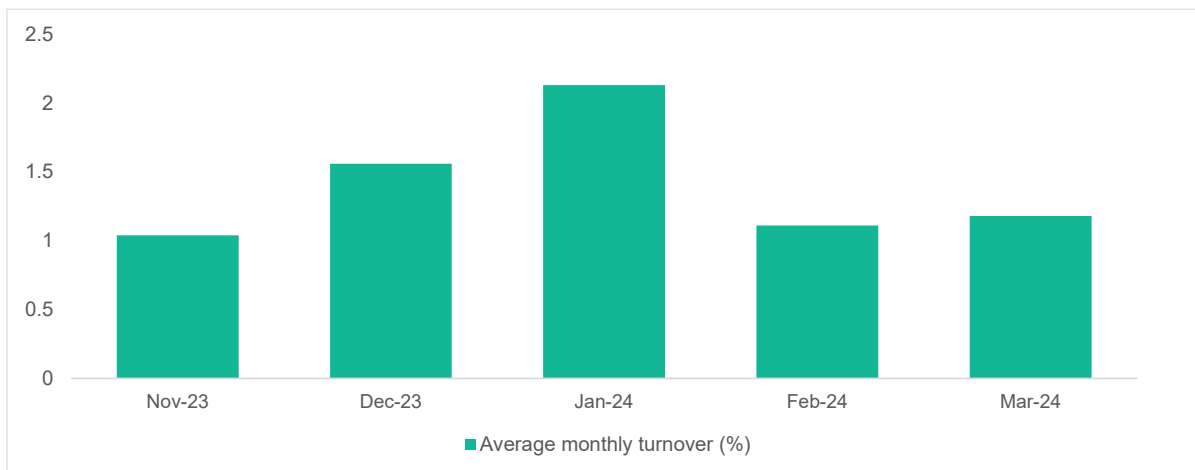
The current make-up of council's workforce is below. Of note, more than 80 per cent of staff are permanently employed. The number of active vacancies remains relatively consistent.

	COMS	CORS	IO	OCR	PGS	TOTAL	Prev. month
Casual	80	3	4	1	7	95	94
Contract	5	5	11	5	4	30	32
Permanent Full Time	108	140	540	37	38	863	848
Permanent Part Time	28	32	9	2	5	73	71
Permanent Job Share	3	2	1	0	0	6	6
Temporary Full Time	23	18	40	1	12	94	96
Temporary Part Time	8	3	3	0	1	15	17
Temporary Job Share	2	1	3	0	1	7	7
TOTAL EMPLOYEES*	257	201	611	46	68	1183	1171
TOTAL ACTIVE VACANCIES**	19	9	62	2	10	102	138

* Total employees excludes Councillors, Mayor & Deputy Mayor

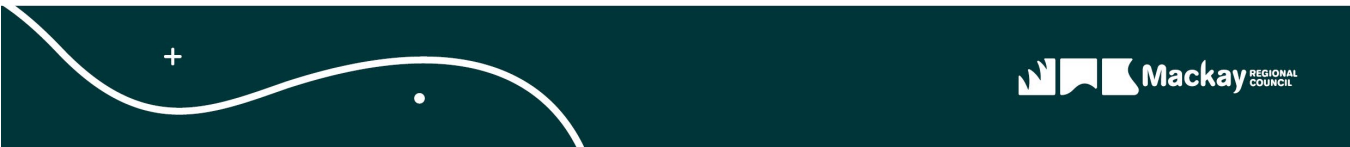
** Total active vacancies are defined as vacant positions which have been approved for and are undergoing recruitment

Employee Turnover

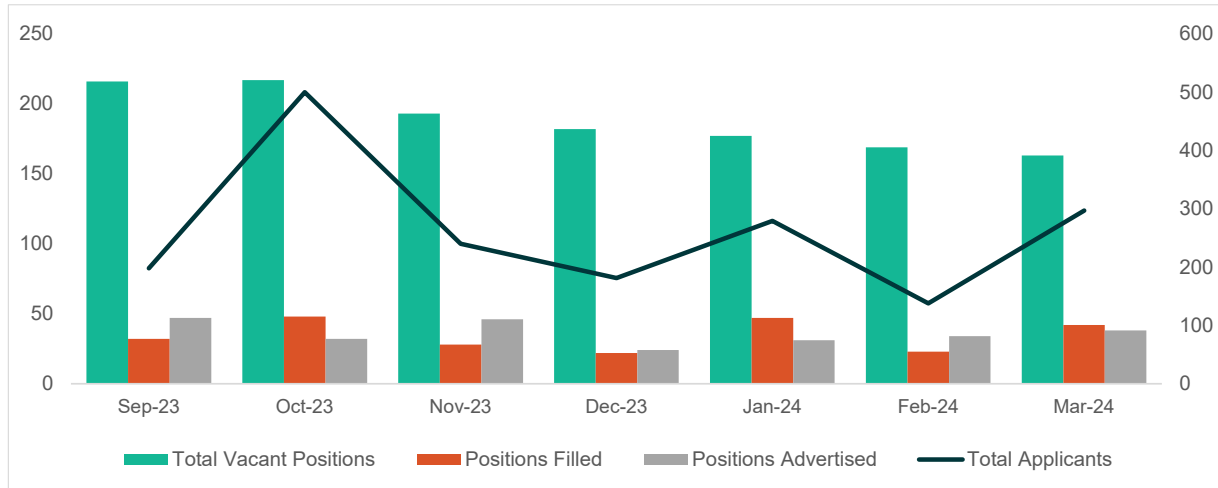


STAFF TURNOVER


The monthly turnover for February and March was **1.11%** and **1.18%** respectively.



Monthly Recruitment



+



In the month of **February**, there were **169** vacant positions, **34** positions were advertised, resulting in **138** applications and **23** positions were filled.
 In the month of **March**, there were **163** vacant positions, **38** positions were advertised, resulting in **297** applications and **42** positions were filled.

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Key Workforce Initiatives

- Councils participating in the Water Industry Worker program are entering the final stages of their training cohorts. Mackay, Townsville and Isaac councils recently completed their face-to-face training and are looking forward to finalising their workplace assessments.
- On boarding of MRC's three new apprentices and eleven new trainees for 2024 continued, with an induction with the Registered Training Organisation and the commencement of their training.
- Council staff were encouraged to take part in Harmony Day during March to celebrate cultural diversity, promoting inclusiveness, respect and a sense of belonging for everyone. During the third week in March, staff came together to share a meal and stories to understand what makes each team unique.
- Elev8 Fundamentals Leadership Program started in March, with 20 new participants across two new cohorts. Programs involved in these cohorts include a diverse range across the organisation, with several coordinators and team leader positions taking part.
- In partnership with Resource Industry Network, the 2024 Mentoring Program has launched, with mentors and mentees introduced to the program and each other. This cohort will see 17 mentors paired with 21 mentees exchanging knowledge, experience, and advice, fostering a mutually beneficial partnership. The program will run until October, with a mid-year networking event open to regional professionals interested in connecting and learning more about our program.

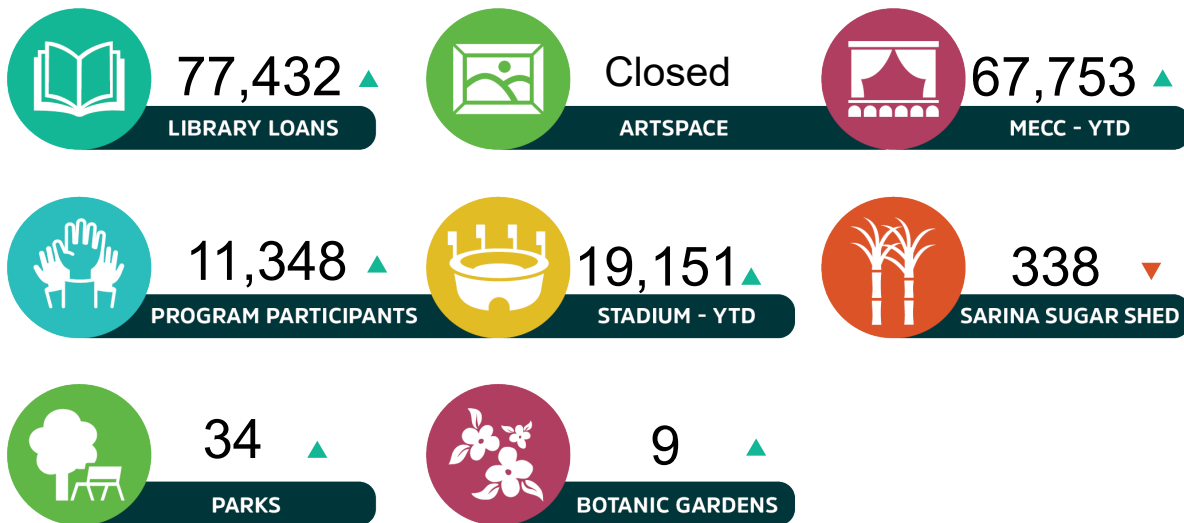


UTILISATION OF COUNCIL FACILITIES FEBRUARY 2024

Aquatic Facilities



Public Programs and Facilities



Library loans are up on Januarys 77150. Program participants are higher than 3340 in January

Health and Regulatory Services registrations and statistics



The mosquito breeding areas treated increased due to higher rainfall, resulting in an increased number treatment sites identified. Illegal dumping volumes continued to trend downwards. However, the number of customer requests increased [34]. Out of 655 licensed food businesses, 196 were rated 4 and 5 Star [5 Star being the highest rating] under the EatSafe program.

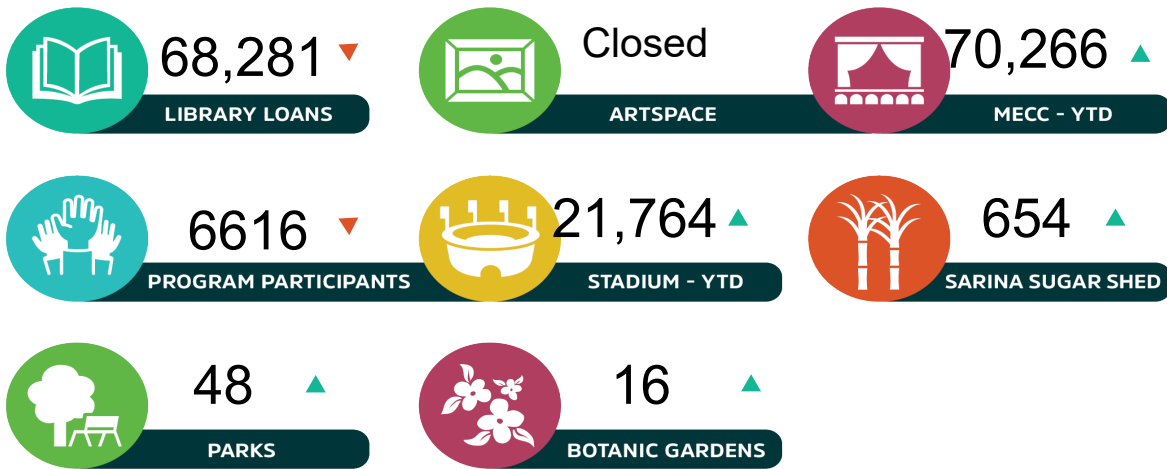


UTILISATION OF COUNCIL FACILITIES MARCH 2024

Aquatic Facilities



Public Programs and Facilities

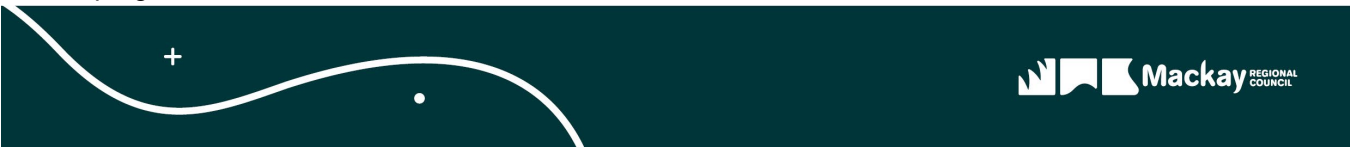


Library loans are down on Februarys 77423. Program participants are lower than 11438 in January.

Health and Regulatory Services registrations and statistics



The mosquito breeding areas treated decreased due to high tides and the increased rainfall limited access to treatment sites. Illegal dumping volumes continued to trend downwards, with a decrease in number of illegal dumping customer complaints received [22]. Out of 658 licensed food businesses, 195 were rated 4 and 5 Star [5 Star being the highest rating] under the EatSafe program.



RADF GRANTS

Name	Description	Approved amount
Jayne Delaney	Clay Skills Mentorship with Liz Craven Partnering with Liz Craven to present opportunities for exploring the art of clay building, including glazing and firing techniques.	\$8,000
James Slade	Rhythm & The Reef - Music and Arts Festival 2024 Boutique music, arts & action sports festival. Live art displays & local artists working together with musicians to help protect the great barrier reef and enhance regional tourism.	\$10,000
Pamela Finger	2024 Workshop Program and Website Deliver intermediate to advanced workshops to members and artists from the local community across a variety of mediums. Development of a website to advertise these events and show results.	\$5,195
Bernadette Jakstas	2024 Plein Air Sunday Session Series As local Hibiscus Coast Artists and experienced tutors we propose the delivery of six full day plein air painting workshops throughout the region across mediums to new and established painters.	\$7,878
Max Kingsbury	Fire Safety Program This performance aims to give students tools to remember fire training in an interactive fashion. The messages will follow instruction from QFES training in a never-seen-before way.	\$8,000
Tanya Williams	Mackay West State School Centenary Local historian Lyall Ford researching, editing and design of the centenary book of MWSS. In kind donation of time has been donated however funding is requested for completion.	\$3,000
Matthew Tandy	Matt Tandy EP/PR Matt Tandy is a singer songwriter multi-instrumentalist based in Mackay that is planning on recording and releasing an EP of 5 original songs.	\$6,579
Tracey Johnson	Dreamscape Artists Six multidisciplinary visual artists who have collaborated on art and light installations in the Mackay region would like to spend undertake a concept development process together to create new work.	\$8,260
Leon Namai	Connect and Breathe (Working Title) Creation of new work using drone footage digital imagery of original sand art designs produced during a collaboration with Rebecca Cooper with mentorship provided by Donna Maree Robinson.	\$4,560
Antoinette du Toit	Northern Beaches Community Week A collection of workshops and public art installations in the Northern Beaches as part of a community activation project to bring together residents through engaging activities and vibrant art experiences.	\$6,200
Brooke McReynolds	MEMOIR-WRITING WORKSHOP A weekend (2-day) workshop by a professional writer instructing participants how to write their own memoirs.	\$4,991
Margaret Burgess	OURscape OURscape is an exciting creative project to connect artists and community through the process of making art in public places as a part of the 2024 Festival of Arts Program.	\$7,688
Lauren Turton	Curatorial project: research and exhibition concept development Research and skills development for curatorial writing in aim of developing an exhibition rationale to connect Australian and French contemporary artists.	\$1,389
Lalune Croker	Getting The Wonder Room Experiences ready for touring Building on the concept development grant for touring this interactive art experience, the project now requires a small investment towards the minimal infrastructure needed to successfully deliver the Wonder Room.	\$1,411



COMMUNITY EVENTS

Upcoming events

Date	Event	Location
21/4/24	Official opening of Finch Hatton MTB	Finch Hatton trailhead site
25/4/24	Anzac Day community events	Various locations
1/5/24	Events and conference connect briefing	BB Print Stadium
2/5/24	2024 CQUniversity Graduation	MECC
3/5/24	Barrier Reef Congress Contract Bridge competition	Mackay Showgrounds
4/5/24	QRL Foley Shield Championships	BB Print Stadium
11/5/24	Mayor's Charity Ball	MECC
11/5/24	Zach Mach	Pioneer Valley
1/6/24	Legends on the Lawn	GBRA
1/6/24	PGA Mackay Golf Pro AM	Various



COMMUNITY ENGAGEMENT

Queens Park and Illuka Park maintenance works (inform)

Contractors carried out maintenance works at two popular playgrounds – Queens Park and Illuka Park – in February and March. Corflutes were erected at the parks to advise the public about the works and a media release and social media post was issued to inform the wider community.

Bus stop upgrades (inform)

Contractor Seaforth Civil is upgrading 13 bus stops in the Mackay region to improve accessibility. The works began in February and are expected to be completed by May, weather permitting. Notices were erected at the bus stops to inform patrons, notification letters were sent to nearby residents and businesses and a media update, social media post and a Connecting Mackay webpage were issued to inform the wider community.

Pioneer River Floating Pontoon (inform)

The Pioneer River Floating Pontoon was completed and opened to the public in March. A media release and social media post was issued to inform the public.

Finch Hatton MTB (inform)

Most of the trails at Finch Hatton MTB are now ready to ride. The remaining trails and the trailhead to be completed during April, with the official opening scheduled on April 21. A media update, social media posts and project emails were issued to inform the public.

Bloomsbury water main (inform)

Council is providing treated water from the Midge Point township to the Bloomsbury township with the installation of a new 11km water main, a new booster pump station, storage tanks and chlorination facility along Midge Point Road. Residents were informed about the works, the Connecting Mackay web page was updated, and an article appeared in the Connecting Mackay e-Newsletter.

Timber bridge renewals (inform)

Contractor Timber Restoration Services is completing restoration works on six timber bridges in the region. Engagement has been undertaken with nearby residents as required. Most recent notification included the road closure to Calen-Mt-Charlton Rd for the renewal works at Greens Bridge, Calen.

Seaview shared pathway (inform)

Notification letters were sent to nearby residents and the contractor door knocked the local businesses in the area to advise them about the works and reduce any impacts.

Pavement investigation works, Malcomson Street (inform)

Engagement has been undertaken with the residents and businesses within the works area. The works are expected to take place in late-March, weather permitting.

Northern Beaches Community Hub (inform/consult)

Contractor Fergus Builders has begun construction on stage 1A and associated works of the Northern Beaches Community Hub. Notification was distributed to residents and businesses to announce the beginning of construction. An article appeared in the Connecting Mackay e-Newsletter and the Connecting Mackay website was updated.



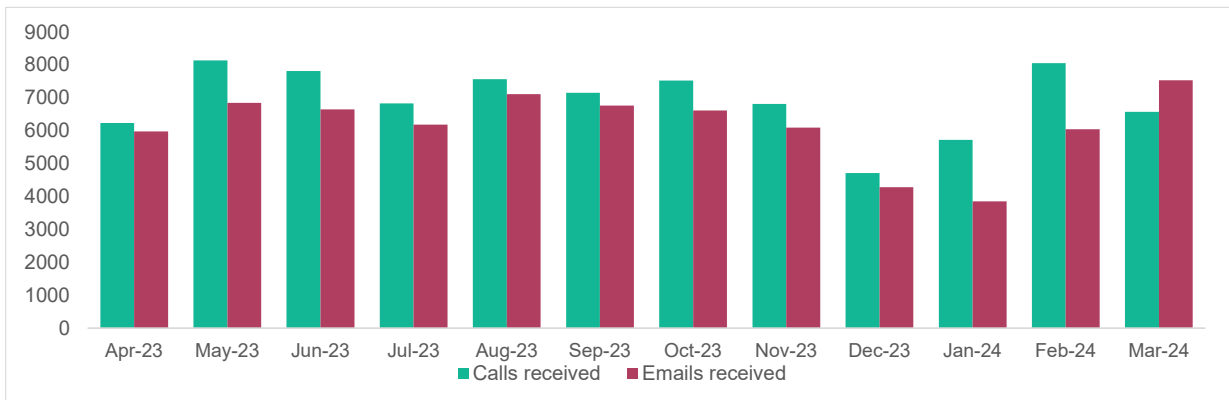
CUSTOMER CONTACTS

Top Five Customer Requests

Pathway requests lodged – FEB 2023	Volume	% of total requests	Pathway requests lodged – MAR 2024	Volume	% of total requests
Replace wheelie bin	745	17.0%	Replace wheelie bin	573	15.6%
Phone Message	318	7.3%	Phone Message	336	9.1%
Damaged wheelie bin	222	5.1%	Tree Maintenance	173	4.7%
Tree Maintenance	201	4.6%	Water Leak (Public Area)	162	4.4%
Roads – General	185	4.2%	Roads – General	130	3.5%


Across council, in February and March 2024, the percentage of customer requests responded to on time were 87% and 78% respectively.

Customer Enquiries

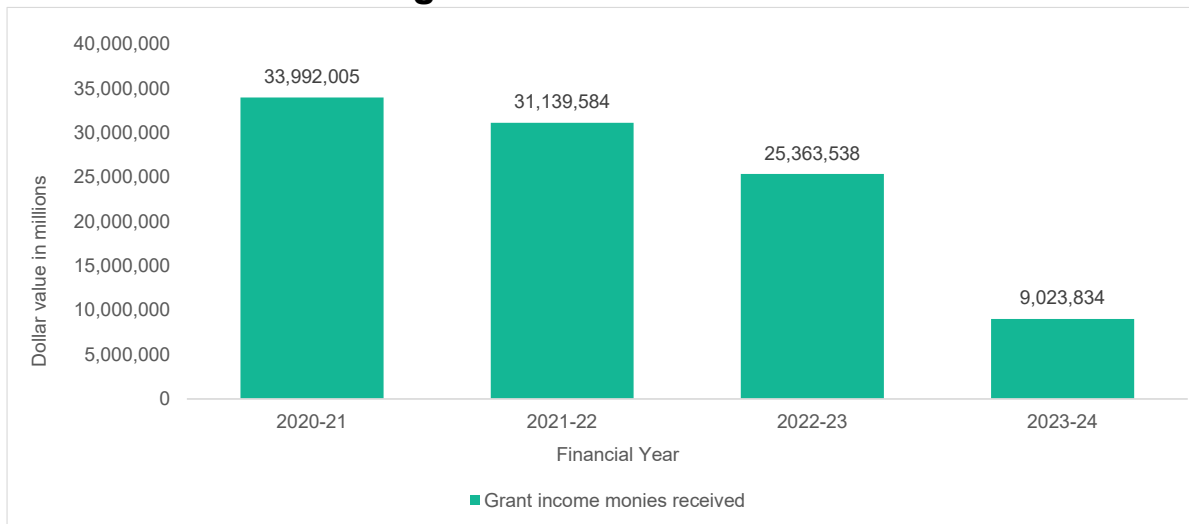


KPI	KPI Description	Target			Result FEB 2024	Result MAR 2024
		Red (Under KPI)	Green (Met KPI)	Blue (Exceed KPI)		
First Contact Resolution (FCR)	The percentage of external customer enquiries that are resolved at the first point of contact.	< 50%	50-60%	> 60%	60%	55%
Abandoned Calls	The percentage of customers that abandon their call before being served.	> 6%	4.5-6%	< 4.5%	9%	8%



REGIONAL GROWTH

External Grant Funding



Successful funding submissions announced

- Queensland Reconstruction Authority - Reconstruction of Essential Public Assets - Owens Creek Loop Rd Culvert Rehabilitation \$143,468.34.
- Queensland Reconstruction Authority - Reconstruction of Essential Public Assets - Flood Monitoring Systems \$18,410.30.
- Tourism & Events Queensland – Queensland Destination and Events Program – Festival of Arts Marketing \$10,000.
- Department of Transport & Main Roads – School Transport Infrastructure Program (STIP) – Pindi Pindi State School Bus Stop & Shelter \$269,000.
- Department of Transport & Main Roads – School Transport Infrastructure Program (STIP) – Chelona State School Bus Stop & Shelter \$216,000.
- Gordon Darling Foundation – Darling Travel Grant for an Artspace Employee \$3,000.
- Department of Transport & Main Roads – Black Spot Funding – Eversleigh Rd/Sutton Rd Intersection \$95,500.

Key Applications Submitted

- Department of Tourism, Innovation and Sport - Building Bush Tourism - City Centre and Riverside Precinct Signage and Wayfinding \$200,000.
- Department of Tourism, Innovation and Sport - Active Women & Girls - Sport & Recreation Training & Education \$25,000.
- Queensland Reconstruction Authority - Disaster Ready Fund Round 2 - Region Wide Flood Risk Assessment \$129,740.
- Tourism & Events Queensland - Tourism-Business Capability Subsidy 2024 - Support for Sustainable Tourism Program \$1,830.92.



\$9.73M, or 64%, of council spend in February 2024 was with local suppliers. With \$9.75M or 65% spent in March 2024.



SIGNIFICANT PROJECTS



MULTIPURPOSE COURT

Northern Beaches Community Hub – Stage 1A and Civil Works

Project Budget: \$14.6 Million

Project Status: On track – works awarded to Fergus Builders and works commenced on site.



Pioneer River Floating Pontoon

Project Budget: \$3 Million

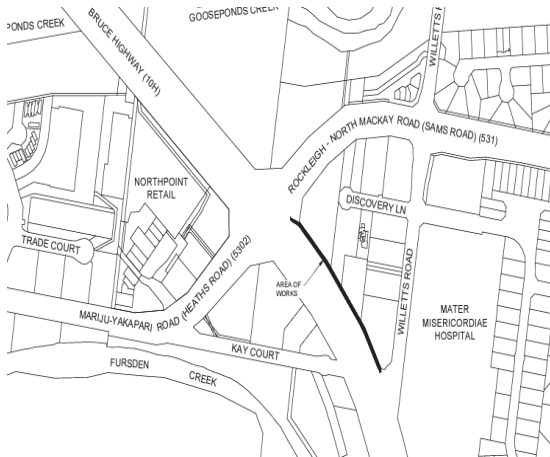
Project Status: Completed and open to public on March 6.



Mountain Bike Project Stage 1

Project Budget: \$16 Million

Project Status: Delayed due to wet weather. Official Opening scheduled for April 21.



Pioneer North Bank Shared Pathway – Stage 4

Project Budget: \$1.8 Million

Project Status: On Track

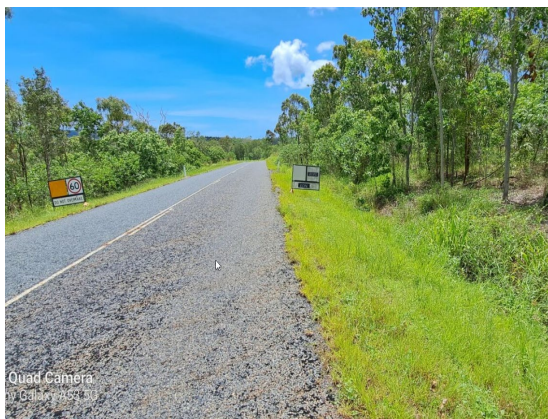


Bus Shelter Program 2022/2023

Project Budget: \$1.8 Million

Project Status: On Track

(Nebo Road bus stop shown)



Bloomsbury Water Supply Scheme

Project Budget: \$7.5 Million

Project Status: On Track – Work awarded to Utilstra. Works to commence in April.



ECONOMIC SNAPSHOT

Economic Indicators (Quarterly)

Indicator	Dec 22	Mar 23	Jun 23	Sep 23	Dec 23	Mar 24
Employment						
Unemployment rate	2.4%	2.7%	3.1%	3.7%	NA	NA
Employed persons	70,832	70,070	69,676	69,249	NA	NA
Real Estate						
Median house sale	\$440,000	\$445,000	\$450,000	\$450,000	\$480,000	NA
Median house rent 3 bed house (12 month ending)	\$450	\$460	\$470	\$480	\$500	\$500
Median rent 2 bed unit (12 month ending)	\$350	\$350	\$360	\$370	\$383	\$400
Res. Vacancy rate	1.0%	1.0%	0.8%	0.5%	0.6%	NA
Residential Lot Supply						
Lots approved	3	215	2	22	NA	NA
Lots registered	28	29	74	75	14	NA

Data relates to the Mackay Local Government Area and is updated on a quarterly basis as it is received by council. There is often a 3-6 month lag from the receipt of data for a previous quarter. The 'employed persons' data does get adjusted retrospectively by the source. This may see quarterly figures change but is a valuable indicator for recognising trends. ^ Queensland Government data (QLD Treasury).

NA = data not yet released.

E-Statistics

	Oct 23	Nov 23	Dec 23	Jan 24	Feb 24	Mar 24
Mackay Region Joblink Analytic Report Active Users	512	1,057	1,329	1,343	1,378	1,405
Internet Vacancy Index (Central Qld) Advertised Jobs*	5,212	NA	4,340	4,288	4,321	NA
SEEK Advertised Jobs**	1,604	1,525	1,473	1,262	1,328	1,494
Sarina Field of Dreams Website Visitation	479	381	430	258	400	487
Hooked on Mackay Facebook	6,502	6,550	6,782	6,792	6,847	6,867
Hooked on Mackay Instagram	966	995	982	971	982	999
Hooked on Mackay YouTube Subscribers	462	471	486	508	521	526
Net Free Zone Voluntary Code Sign-ups	716	716	716	716	716	716
Mackay Region Event Organisers Connect Facebook Group Members	160	160	160	160	161	161
Invested in Mackay Subscribers	598	592	590	582	583	582

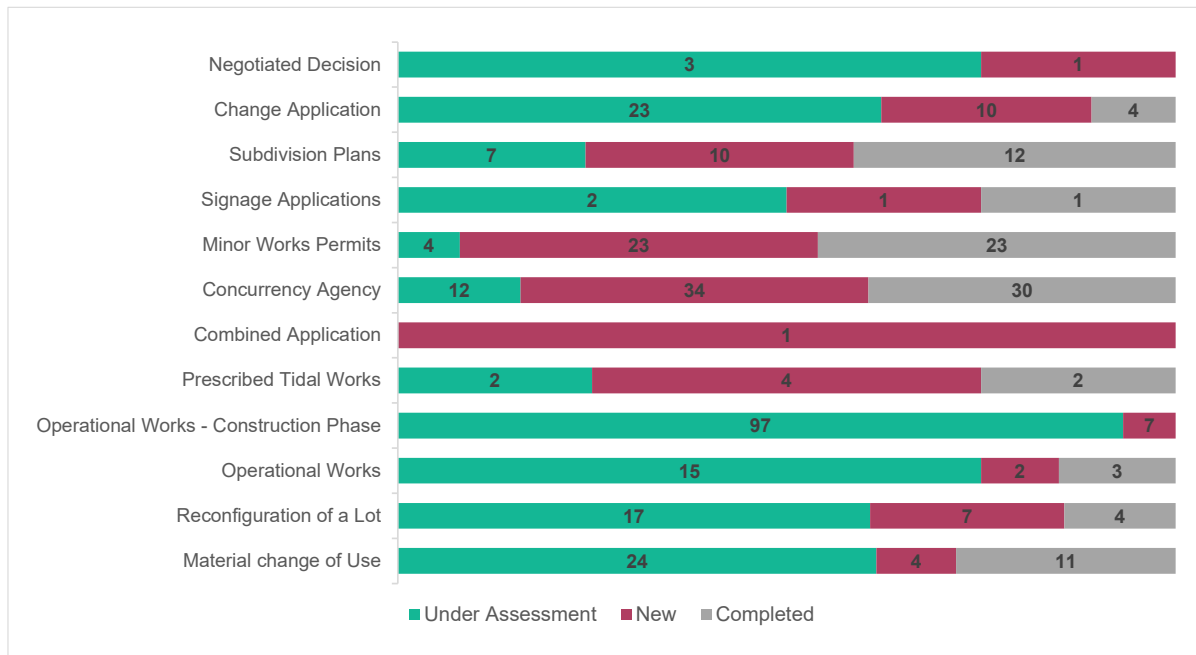
*The Internet Vacancy Index (IVI) is the only publicly available source of detailed data on online vacancies, for 350 occupations (at all skill levels), and for all states/territories and 37 regions. The IVI is based on a count of online job advertisements newly lodged on SEEK, CareerOne and Australian JobSearch during the month. As such, the IVI does not reflect the total number of job advertisements in the labour market as it does not include jobs advertised through other online job boards, employer websites, word of mouth, in newspapers, and advertisements in shop windows. The IVI does not take account of multiple positions being advertised in a single job advertisement. The data is broken down to Central QLD covering 9 Local Government Areas (including Mackay Regional Council) and is calculated on a 3-month moving average.

**SEEK data is captured on the 1st Tuesday of each month.



DEVELOPMENT ACTIVITY FEBRUARY 2024

Applications received by Development Planning and Engineering



In February 159 building approvals including amendments together with 104 development and 72 plumbing applications were lodged.

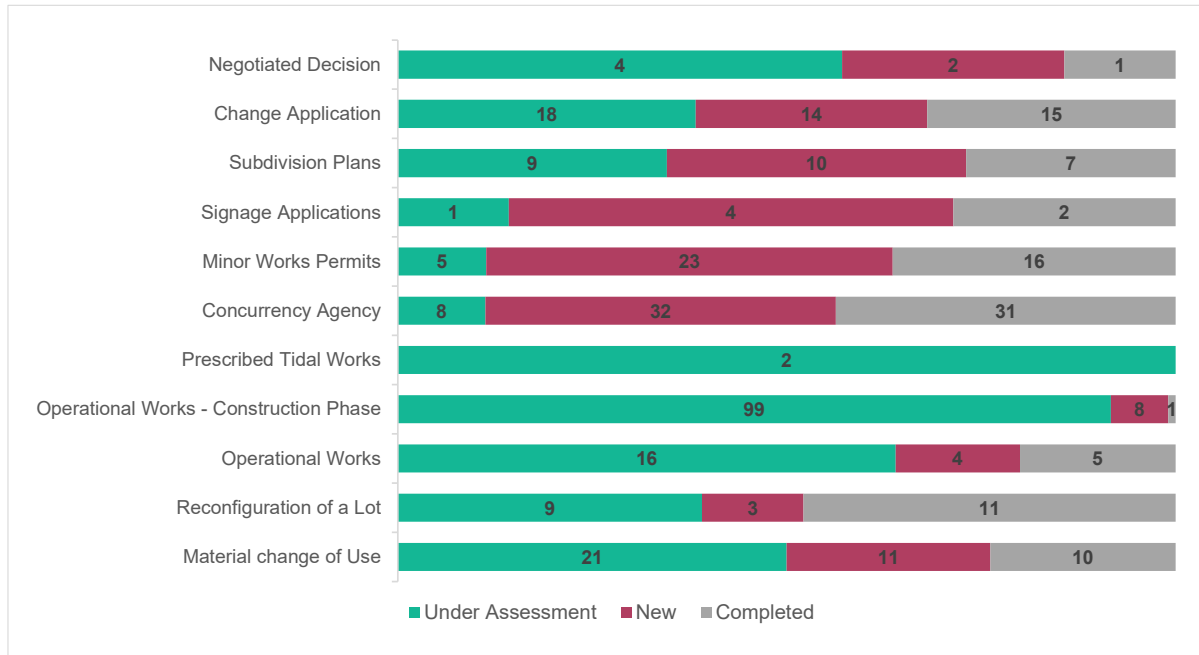


Building applications lodged with council

Class	February 23	February 24	Year to date	Total value of proposed works
Class 1A	41	36	57	\$9,671,346
Other classes	113	113	189	\$19,789,202
Totals	154	149	246	\$29,460,548

DEVELOPMENT ACTIVITY MARCH 2024

Applications received by Development Planning and Engineering

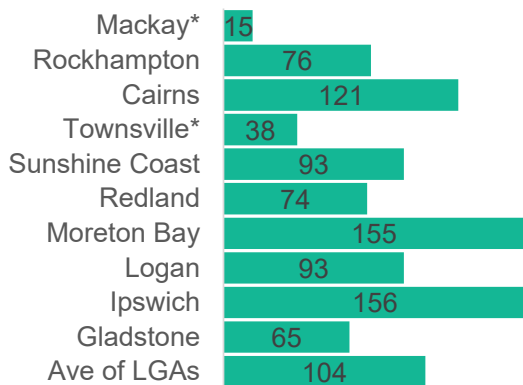


In March **122** building approvals including amendments together with **111** development and **56** plumbing applications were lodged.

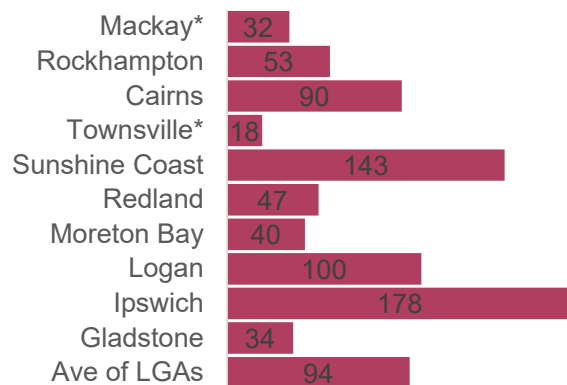
Building applications lodged with council

Class	March 23	March 24	Year to date	Total value of proposed works
Class 1A	53	28	90	\$10,644,349
Other classes	142	99	301	\$19,656,919
Totals	195	127	391	\$30,301,286

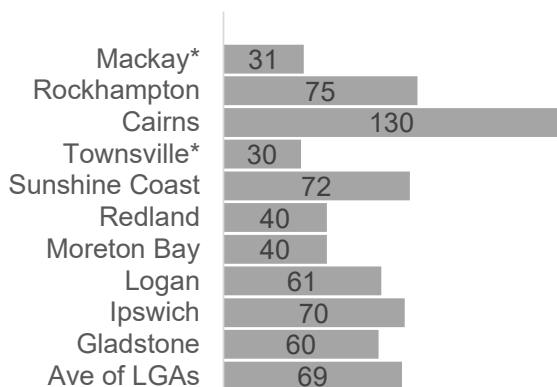
Material Change of Use



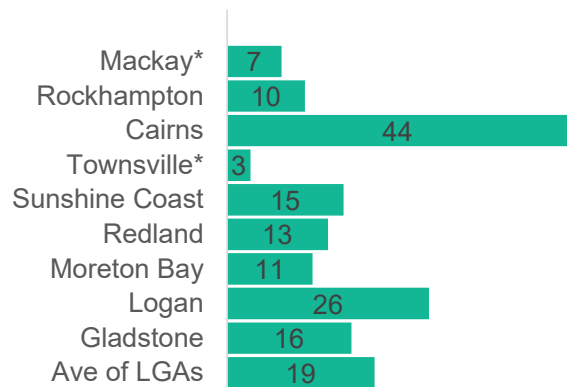
Reconfiguration of a Lot



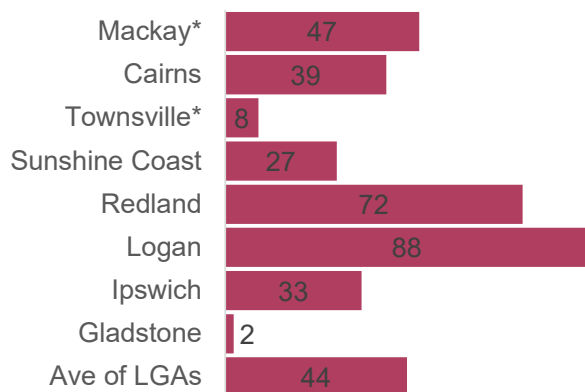
Operational Works



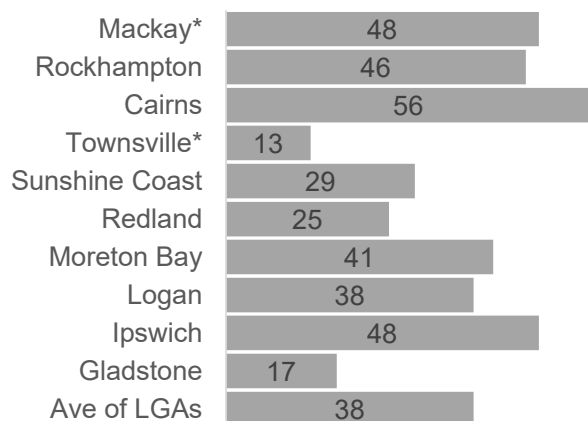
Concurrence Referrals



Negotiated Decisions



Minor Change Development Approvals



The information in these tables is supplied by Urban Development Institute of Australia and updated quarterly.
 *Statistics provided by Toowoomba Regional Council (TRC) for MCU, RoL, OPW and BWA reflects decision periods only. Townsville and Mackay are also reporting decision periods only for all categories.



11.1.2. ADOPTION OF COUNCIL POLICIES

Author	Coordinator Corporate Governance (Kerri Verroen)
Responsible Officer	Director Organisational Capability and Risk (Lisa Young)
File Reference	Policies - Councillor Drug & Alcohol Policy, Councillor Investigation Policy, Gifts & Benefits Policy

Attachments

1. 041 - Gifts and Benefits Policy and Corporate Standard - Council Version [**11.1.2.1** - 16 pages]
2. 071 - Councillor Drug and Alcohol - Council Version [**11.1.2.2** - 9 pages]
3. 101 - Councillor Investigations - Council Version [**11.1.2.3** - 25 pages]

To present the following Council policies for consideration and adoption:

1. COU041 – Gifts and Benefits Policy and Corporate Standard
2. COU071 – Councillor Drug & Alcohol Policy
3. COU101 – Councillor Investigations Policy

Related Parties

There are no identified related parties.

Corporate Plan Linkage

Financial Strength

Ethical Decision-Making and Good Governance - We are committed to keeping our community informed about our activities and performance and employing robust governance policies and procedures to ensure legislative compliance and organisational integrity.

Background/Discussion

Mackay Regional Council (MRC) have a process of reviewing policies and any associated corporate standard to ensure that they are relevant and up to date. The process involves a review by the responsible executive manager, circulation to the senior leadership for consultation (SLT) and final submission to the executive leadership team (ELT) for endorsement. Consultation also occurred with the Councillors prior to presenting to Council for endorsement and adoption.

COU041 – Gifts and Benefits Policy and Corporate Standard

This policy provides guidance on the acceptance of gifts and benefits offered to or received by Councillors, Senior Executives and staff while representing MRC or because of an MRC activity.

The policy is intended to support Councillors and staff in maintaining high levels of integrity and public trust by displaying behaviours that are consistent with the relevant Codes of Conduct for both Councillors and staff.

This policy has been reviewed as part of MRC's policy review process.

COU071 – Councillor Drug & Alcohol Policy

This policy provides a framework for Councillors to comply with behaviour standard 1.5 contained in the Councillors' Code of Conduct to ensure that Councillors are not impaired by drugs or alcohol while undertaking their official duties.

This policy has been reviewed as part of MRC's policy review process.

COU101 – Councillor Investigations Policy

This policy provides guidance on the investigation process for any suspected conduct breach by a councillor (including the Mayor). The policy ensures that there is a consistent approach to the investigation affording natural justice.

The policy has been reviewed in line with the model template provided by the Department of State Development and Infrastructure.

Consultation and Communication

As part of the review process consultation has been undertaken with relevant stakeholders including the Joint Consultative Committee (Gifts and Benefits Policy), program managers, directors and ELT.

Councillors were also briefed on 10 April 2024 regarding the content of the policies.

Resource Implications

The implementation of these policies will not require additional resources beyond those currently budgeted.

Risk Management Implications

There were no risk management implications identified regarding the proposed policies.

Conclusion

It is recommended that Council adopt the following policies: -

1. COU041 – Gifts and Benefits Policy and Corporate Standard
2. COU071 – Councillor Drug & Alcohol Policy
3. COU101 – Councillor Investigations Policy

Officer's Recommendation

THAT Council adopt the following policies:

- 1. COU041 – Gifts and Benefits Policy and Corporate Standard**
- 2. COU071 – Councillor Drug & Alcohol Policy**
- 3. COU101 – Councillor Investigations Policy**

COUNCIL POLICY

GIFTS AND BENEFITS

Program: Ethical Standards, Audit & Risk
Date of Adoption:
Resolution Number:
Review Date:

Scope

This Policy applies to all gifts and benefits offered to, or received by, Councillors, senior executive and staff from external sources.

This policy does not apply to:

- Electoral gifts to Councillors as defined in the *Local Government Electoral Act 2011*;
- Gifts or benefits offered to Councillors, senior executives and staff as a result of Council policies or management directives, such as recognition of service awards.

Objective

The objective of this policy is establishing Mackay Regional Council's (MRC) position in relation to Councillors, senior executive and staff responding to offers of gifts and benefits while representing MRC or as a result of an MRC activity.

This policy is intended to support Councillors and staff to maintain high levels of integrity and public trust, and to display behaviours which are consistent with the staff Code of Conduct, the Code of Conduct for Councillors in Queensland and the *Local Government Act 2009* principles of:

- Transparent and effective processes, and decision-making in the public interest;
- Good governance of, and by, local government; and
- Ethical and legal behaviour of Councillors, senior executive and staff.

Policy Statement

Councillors, senior executive and staff hold positions of public trust and the community expects Councillors, senior executive and staff to discharge their responsibilities impartially and with integrity.

It is not appropriate for Councillors or staff to request, to be offered, to accept or to give gifts that affect, may be likely to affect or could reasonably be perceived to affect, the performance of their official duties.

MRC is committed to:

COUNCIL POLICY

GIFTS AND BENEFITS

- Ensuring Councillors, senior executive and staff do not encourage the offer of any form of gift in connection with the performance to their official duties.
- Ensuring Councillors and senior executive are aware of their legislative obligations in relation to their relevant register of interests.
- Recording gifts received by a Councillor, senior executive or staff in accordance with the approved thresholds.

MRC considers that to the extent this policy engages and limits, or potentially limits, any human rights, that limitation is reasonable in that it is proportionate and justified.

This process to remain in force until otherwise determined
by Mackay Regional Council

COUNCIL POLICY **GIFTS AND BENEFITS**

Contents

1.0 Principles 4
2.0 Complaints 4
3.0 Definitions 5
4.0 Review of Policy 7
5.0 Reference 7
6.0 Attachments 7



COUNCIL POLICY

GIFTS AND BENEFITS

1.0 Principles

In determining whether acceptance of a gift and/or benefit is appropriate, the two major considerations are:

- the intent in which the gift and/or benefit is offered; and
- the public perception of acceptance of the offered gift and/or benefit.

Councillors, senior executive and staff must be mindful at all times of their obligation to maintain public confidence in the integrity of MRC's administration and must be aware that acceptance of any offered gifts and/or benefits from an external party may or may be seen to affect the performance of their official duties, or influence, or be seen to influence their decision-making or behaviour.

Councillors, senior executive and staff must declare all offered gifts or benefits over the nominal value. The offered gift or benefit must then be either accepted or declined.

This Policy and its associated Corporate Standard 041.1 Gifts and Benefits set out the principles that apply to the offer and acceptance of gifts and/or benefits.

2.0 Complaints

Any complaints in relation to a decision or a service relating from this policy will be assessed and managed in accordance with MRC's Administrative Action Complaints Policy, a copy of which can be found on MRC's website.

When an individual feels that they are the subject of MRC's failure to act compatibly with human rights, they can make a complaint directly to MRC. These complaints will be assessed against the Human Rights Act 2019.

Complaints may be made as following:

In writing to
Chief Executive Officer
Mackay Regional Council
PO Box 41
MACKAY QLD 4740

Via Email - complaints@mackay.qld.gov.au

In person at the following MRC Client Services Centres:

- MRC Mackay Office – 73 Gordon Street, Mackay
- MRC Sarina Office – 65 Broad Street, Sarina
- MRC Mirani Council Office – 20 Victoria Street, Mirani

Any complaints received in relation to the receipt of a gift or benefit by a Councillor will be referred to the Office of Independent Assessor.

COUNCIL POLICY

GIFTS AND BENEFITS

3.0 Definitions

To assist in interpretation the following definitions shall apply:

Accepted shall mean the formal acceptance of an offered gift or benefit.

Benefit shall mean preferential treatment, privileged access, favours or other advantage offered to an individual. This may include invitations to sporting, cultural or social events, access to discounts as a result of a person's employment or position and loyalty program which may be used to influence the individual behaviour.

CEO shall mean the person appointed to the position of Chief Executive Officer under the *Local Government Act 2009* (the Act) and anyone acting in that position.

Council shall mean the Mayor and Councillors of Mackay Regional Council.

Councillor shall mean the Mayor and elected Councillors.

Declined shall mean the refusal of the offered gift or benefit or if you have accepted the offered gift or benefit and for whatever reason were not able to attend.

Electoral Gifts shall mean gifts offered to candidates relating to an election and separately governed by the *Electoral Act 1992*.

Gifts and/or benefits shall mean a present given voluntarily to show favour toward someone, honour an occasion, or make a gesture of assistance or goodwill, which is offered outside of normal open contractual arrangements. This could include but is not limited to the following examples.

- Cash or the transfer of money;
- Transfer of property of presentational or charitable nature or otherwise;
- Preferential treatment such as the provision or use of property, equipment or services free of charge, at a reduced rate, for a period of time or unspecified period;
- Corporate offers of transportation, accommodation, tickets, meals and functions as part of a major event not paid by MRC or personally;
- Loans of money, or equipment including provision of overdraft facilities (e.g. credit card) or guarantor for a loan;
- Catering received or given as part of a meeting, conference, trade display or other event attended which are not part of official duties;
- The sale of property with a sale price below proper valuation;
- Hospitality, including restaurant meals, beverages and entertainment;
- All travel or accommodation not paid by MRC or personally;
- Any bargain deal;
- Alcohol, clothes or products;
- Conferences, sponsorship tickets, tickets to the theatre, cultural events, sporting and other events or access to a private spectator box at a sporting or other venue not paid by MRC or personally;
- Associations, organisations and memberships not paid by MRC or personally;
- Sports team sponsorship;

COUNCIL POLICY

GIFTS AND BENEFITS

- Artworks;
- Souvenirs;
- Awards or prizes including lucky door prizes or similar.

The following examples are not considered to be gifts:

- Mementos such as ties, scarves, cufflinks, pens, stationery or the like which are considered to be a token gift;
- Items provided to Councillors and staff under an approved reward program;
- MRC sponsored event tickets and house tickets.

MRC shall mean Mackay Regional Council.

Official Duties of a Councillor and Senior Executive shall mean where a Councillor or Senior Executive is undertaking their legislated role as a Councillor in accordance with the provisions of the *Local Government Act 2009*.

The following non-exhaustive list provides examples of what would normally be considered Official Duties in which Councillors or Senior Executive are required to represent Council in a positive light at all times whilst attending:

- Attending formal or informal meetings including ordinary and special meetings, committee meetings, briefing sessions and workshops;
- Any meeting that directly has the primary purpose of discussing Council or Council business;
- Attendance at community meetings;
- Formal engagements where a Councillor will be presenting or speaking at the engagement on behalf of Council;
- Attendance at a conference representing Council;
- Performing a function at a community or sporting event such as an opening, welcoming speech, coin toss, cutting of ribbon etc.
- Meeting with or undertaking discussions with residents either in the workplace or on-site.
- Travel to and from any Official Duties listed above.

Senior Executive shall mean the CEO and any staff directly reporting to the CEO.

Sponsored Travel or accommodation benefit shall mean where the cost of any travel or accommodation is paid for or contributed to by another entity and not by MRC.

Staff shall mean all persons employed by Mackay Regional Council on a permanent, temporary, or casual basis, or otherwise engaged by Mackay Regional Council including those under a contract of service or a volunteer program.

The Act shall mean the *Local Government Act 2009*.

COUNCIL POLICY

GIFTS AND BENEFITS

4.0 Review of Policy

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

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

Notwithstanding the above, this policy is to be reviewed at intervals of no more than three (3) years.

5.0 Reference

- *Local Government Act 2009*
- *Local Government Regulations 2012*
- *Public Sector Ethics Act 1994*
- MRC Employee Code of Conduct
- Public Service Commission Directive Number 22/09
- COU018 - Entertainment and Hospitality
- COU078 - Public Interest Disclosure
- CS041.1 – Gifts and Benefits Corporate Standard
- PRO041 – Gifts and Benefits
- COU099 - Sponsorship

6.0 Attachments

- Corporate Standard 041.1 – Gifts and Benefits

Version Control:

Version	Reason / Trigger	Change	Endorsed / Reviewed	Date
2	Review of Policy	Amendments to Policy	Council	28.09.16
3	Review of Policy	Amendments to Policy	Council	25.10.17
4	Review of Policy	Amendments to Policy	Council	13.02.19
5	Review of Policy	Amendments to Policy	Council	28.9.2022
6	Review of Policy			

COU041 – GIFTS AND BENEFITS

Electronic version current – uncontrolled copy valid only at time of printing.

Page No. 7

Program Ethical Standards, Audit & Risk
Date of Endorsement
Resolution Number:
Review Date

1.0 Scope

This Corporate Standard applies to all Mackay Regional Council (MRC) Councillors, senior leadership team and staff.

2.0 Objective

To set out the principles that apply to the offer and acceptance of gifts and/or benefits.

3.0 Reference

- *Local Government Act 2009*
- *Local Government Regulations 2012*
- *Public Sector Ethics Act 1994*
- MRC Employee Code of Conduct
- Code of Conduct for Councillors in Queensland
- Queensland Government Register of Interest Notes Guideline
- Public Service Commission Directive Number 22/09
- COU041 - Gifts and Benefits
- PRO041 - Gifts & Benefits Procedure
- COU018 - Entertainment and Hospitality
- COU078 - Public Interest Disclosure

4.0 Definitions

To assist in interpretation the following definitions shall apply:

Accepted shall mean the formal acceptance of an offered gift or benefit.

Benefit shall mean preferential treatment, privileged access, favours, or other advantage offered to an individual. This may include invitations to sporting, cultural or social events, access to discounts as a result of a person's employment or position and loyalty program which may be used to influence the individual behaviour.

Bribe shall mean to give money or some other form of consideration to a public official to persuade the official not to exercise their common law or statutory powers or to bestow some privilege or favour.

CEO shall mean the person appointed to the position of Chief Executive Officer under the *Local Government Act 2009* (the Act) and anyone acting in that position.

Council shall mean the Mayor and Councillors of Mackay Regional Council.

Councillor shall mean the Mayor and elected Councillors.

Declined shall mean the refusal of the offered gift or benefit or if you have accepted the offered gift or benefit and for whatever reason were not able to attend.

Electoral Gifts shall mean gifts offered to candidates relating to an election and separately governed by the *Electoral Act 1992*.

ELT shall mean the Executive Leadership Team. This team consist of the CEO, Directors and Executive Officer.

Gifts and/or benefits shall mean a present given voluntarily to show favour toward someone, honour an occasion, or make a gesture of assistance or goodwill, which is offered outside of normal open contractual arrangements. This could include but is not limited to the following examples.

- Cash or the transfer of money;
- Transfer of property of presentational or charitable nature or otherwise;
- Preferential treatment such as the provision or use of property, equipment, or services free of charge, at a reduced rate, for a period or unspecified period;
- Corporate offers of transportation, accommodation, tickets, meals, and functions as part of a major event not paid by MRC or personally;
- Loans of money, or equipment including provision of overdraft facilities (e.g. credit card) or guarantor for a loan;
- Catering received or given as part of a meeting, conference, trade display or other event attended which are not part of official duties;
- The sale of property with a sale price below proper valuation;
- Hospitality, including restaurant meals, beverages, and entertainment;
- All travel and accommodation not paid by MRC or personally;
- Any bargain deal;
- Alcohol, clothes, or products;
- Conferences, sponsorship tickets, tickets to the theatre, cultural events, sporting and other events or access to a private spectator box at a sporting or other venue not paid by MRC or personally;
- Associations, organisations, and memberships not paid by MRC or personally;
- Sports team sponsorship;
- Artworks;
- Souvenirs;
- Awards or prizes including lucky door prizes or similar.

The following examples are not considered to be gifts:

- Mementos such as ties, cufflinks, pens, stationery or the like which are a token gift;
- Items provided to Councillors and staff under an approved reward program;
- MRC sponsored event tickets and house tickets.

MRC shall mean Mackay Regional Council.

Official Duties of a Councillor and Executive leadership team shall mean where a Councillor or Executive leadership team is undertaking their legislated role as a Councillor or senior executive in accordance with the provisions of the *Local Government Act 2009*.

The following non-exhaustive list provides examples of what would normally be considered Official Duties in which Councillors or Executive leadership team are required to always represent Council in a positive light whilst attending:

- Attending formal or informal meetings including ordinary and special meetings, committee meetings, briefing sessions, and workshops;
- Any meeting that directly has the primary purpose of discussing Council or Council business;
- Attendance at community meetings;
- Formal engagements where a Councillor will be presenting or speaking at the engagement on behalf of Council;
- Attendance at a conference representing Council;
- Performing a function at a community or sporting event such as an opening, welcoming speech, coin toss, cutting of ribbon etc.
- Meeting with or undertaking discussions with residents either in the workplace or on-site.
- Travel to and from any Official Duties listed above.

Executive Leadership Team shall mean the CEO and any staff directly reporting to the CEO.

Senior Leadership Team shall include the CEO, Directors, Associate Directors, all Executive Managers and Chief Officers.

Sponsored Travel or accommodation benefit shall mean where the cost of any travel or accommodation is paid for or contributed to by another entity and not by MRC.

Staff shall mean all persons (including Senior Leadership Team) employed by Mackay Regional Council on a permanent, temporary, or casual basis, or otherwise engaged by Mackay Regional Council including those under a contract of service or a volunteer program.

The Act shall mean the *Local Government Act 2009*.

5.0 Standard Statement

This standard must be read in conjunction with Council Policy 041 Gifts and Benefits.

5.1 Soliciting Gifts and/or Benefits

Soliciting personal gifts and/or benefits is prohibited under all circumstances.

If a Councillor, the senior leadership team or staff member become aware of a situation of soliciting gifts and/or benefits, they must report it to the CEO or their supervisor immediately.

The CEO is required to notify the relevant reporting bodies of any soliciting of gifts and/or benefits by Councillors, senior leadership team or staff. In the case that it is the CEO, the Mayor is required to undertake the relevant reporting requirement.

5.2 Bribery

Acceptance of money or any other gifts and/or benefits perceived as bribery is prohibited in all cases and the offer must be reported immediately to the CEO or their supervisor.

The CEO is required to notify the Crime and Corruption Commission of any offer of money as soon as practicable after the offer has been made.

5.3 Prizes (i.e. lucky door prizes, gifts from conferences or functions, raffles)

On occasions Councillors, the senior leadership team, and staff may enter a competition while representing MRC on official business (for example a door prize at a community event or a business card prize draw at a conference).

If the winning of such a prize does not influence or compromise the integrity and impartiality of the recipient, create a conflict of interest or compromises MRC's position in any way, it is deemed reasonable for such prize to be retained by the prize winner.

Raffle winnings from tickets that a Councillor, the senior leadership team, or staff have paid for privately during an official function are not considered a gift or benefit and will not need to be declared.

5.4 Individual Awards Received in an Official Capacity

If a staff member, senior leadership team or Councillor receives an individual award in recognition of work undertaken in an official capacity which includes components that could be deemed a gift or benefit, then the award **must be declared** subject to the provisions in section 5.9.

Generally, it is deemed reasonable for such a gift or benefit to be retained by the award recipient if it does not compromise the integrity or impartiality of the recipient, create a conflict of interest, or comprises MRC in any way.

If the award is received in a personal capacity for work unrelated to their employment with MRC, then the award does not need to be declared.

5.5 Sponsorship and General Invitations (i.e. Corporate Box and event invitations)

5.5.1 **Sponsorship**

There may be occasions when MRC is offered entry tickets as a result of MRC sponsoring an event or Agreement with a third party.

Tickets or house tickets which have been gifted due to MRC sponsorship will become the property of MRC.

Whilst tickets to sponsored events are not required to be declared, these tickets will be recorded in the Sponsorship Register. The Sponsorship Register will be accessible through the staff intranet and will be monitored by Corporate Governance.

For consistency in the distribution of bulk sponsorship tickets and invitations offered and received by MRC (e.g., Mackay Cutters home games and Mackay Beach Horse Races) the following priority order is a guide for distribution (also noting for timing of acceptances and practical purposes this order may be amended by the CEO):

1. Mayor; then
2. Councillors; then
3. ELT members; then
4. Senior Leadership Team; then
5. By offer and acceptance to all staff

Ticket distribution will be limited to one ticket plus one in the first instance. In the event there are no further acceptances, than remaining tickets may be offered for someone to accept additional tickets.

Note: *If event organisers offer sponsored tickets **directly** to the Mayor, Councillors, or staff members, these do not fall under this sponsorship arrangement and will need to be declared as a gift and benefit.*

5.5.2 **General invitations**

Any invitations in relation to corporate box, sporting events, concerts or other events offered to a Councillor, senior leadership team or staff member personally **must be declared**, even when the invitation appears to be issued on a personal basis, this includes personal invitations for events which MRC sponsors.

5.6 Ceremonial Gifts

All ceremonial gifts presented to a Councillor or a staff member on behalf of MRC will be the property of MRC and must be passed to the CEO.

5.7 Nominal Gifts

Gifts and benefits of \$100 or less are considered nominal (unless cumulative amount exceeds that value from the same donor in one (1) financial year).

These types of gifts can normally be accepted as a matter of social convention, however the value of the gift, sensitivity of the recipient's position and perception should be considered and declared in accordance with clause 5.9.

Examples of nominal gifts are as follows:

- Gifts of single bottles of reasonably priced alcohol, chocolates or flowers, gift basket as acknowledgement for giving a presentation or being a guest speaker or as a matter of gratitude.
- Refreshments of a modest nature provided at a conference where a Councillor or staff member is a guest speaker or is attending with the prior approval of the executive.
- Marketing or corporate mementos such as ties, scarves, pens, coasters, tie pins, diaries, or chocolates.

5.8 Sponsored Travel or Accommodation Benefit

All offered sponsored travel or accommodation benefits **must be declared**.

All offered sponsored travel or accommodation benefits must be either approved by a Council meeting for the executive leadership team and Councillors or by the CEO for staff members.

If the travel or accommodation benefits are for overseas travel, this travel must be approved at a Council meeting prior to travel.

All accepted sponsored travel or accommodation benefits will be required to be noted on Councillors and executive leadership team's registers of interests.

5.9 Principles for Acceptance of a Gift or Benefit

All other offered gifts or benefits received by a Councillor, senior leadership team or staff members over the nominal value of \$100 **must be declared** where appropriate prior to acceptance or as soon as possible after receipt. All offered gifts and benefits either accepted or declined must be entered in the relevant Gifts/Benefits/Hospitality Register.

The retention of the gift and/or benefit will be approved by the following:

- The reporting Director for a staff member;
- The CEO for the executive leadership team;
- The Mayor for the CEO;
- The CEO for the Mayor and Councillors.

Should the decision be that the offered gifts and/or benefits will not be retained by the recipient for personal use, it must be disposed of in an appropriate and transparent manner. For example:

- return the gifts and/or benefits to the giver;
- share the gifts and/or benefits amongst the recipient's team and/or department;
- auction the gifts and/or benefits with the proceeds being donated to charity;
- donate the gifts and/or benefits to a charitable or community facility;
- ownership passed to MRC allowing the gifts and/or benefits to go on public display where appropriate.

5.9.1 **Official Business / Official Duties**

Gifts and/or benefits can be offered in relation to official MRC business and/or official duties of a staff member, senior leadership team or Councillor. It is to be noted that the benefit received must relate directly to performing official duties and/or fulfilling official responsibilities in relation to the functions and activities of MRC.

Staff members, senior leadership teams or Councillors must declare this type of gift/benefit.

For the executive leadership team and Councillors this type of gift/benefit may not require recording in registers of interests. However, the declaring of gifts/benefits offered in relation to official duties will assist these officers to account for the date and value of each gift received from donors.

The Mayor will be the official representative for Council.

The gifts and/or benefits must be reasonable and appropriate to the circumstances and should not be seen as a substitute for general business meetings which would ordinarily be conducted in a workplace.

5.10 Councillor Responsibilities

Councillors must be mindful of their obligation to maintain public confidence in Council and must be aware that acceptance of any offered gifts or benefits from an external party, may, or may be seen to affect the performance of official duties, or influence, or to be seen to influence, their decision-making or conduct.

Councillors must not:

- ask for, or encourage, the giving of any form of gift or benefit in connection with the performance of their official duties on behalf of Council;
- ask for or encourage to undertake official duties to avoid declaration of a gift.

5.11 Councillor and Executive Leadership Team Register of Interests

Councillors and executive leadership team have obligations under the *Local Government Act 2009* and *Local Government Regulations 2012* with respect to recording of offered gifts and benefits on their Register of Interests. Failure to update the register of interests accordingly may result in the Councillor or executive leadership team being found guilty of misconduct or an integrity offence where significant penalties may apply.

Any offered and accepted gift or benefit received from:

- a single donor valued at \$500 or more or where multiple smaller gifts from the same donor totalling \$500 or more, have been received during the current term and the previous term as a Councillor; or
- the current and immediate contract period for CEOs and executive leadership team.

are required to be recorded in the relevant register of interests.

Any offered gift of benefit from a single donor over the value of \$500 may lead to a conflict of interest in a matter being decided by Council as follows:

- \$500 or more in total for a declarable conflict of interest;
- \$2,000 or more in total for a prescribed conflict of interest.

5.12 Gifts/Benefits/Hospitality Register

When offered gifts and/or benefits are accepted or declined, it is important that they are dealt with in a consistent and appropriate manner. All offered gifts and/or benefits received over \$100 **must be declared**, regardless of whether they were declined, and recorded in the Gifts/Benefits/Hospitality Register.

Any Councillor, senior leadership team or staff member who receives an offered gift and/or benefit is required to fill out the appropriate form and forward the completed form for authorisation where appropriate prior to acceptance or as soon as possible after receipt of the gift and/or benefit.

The Gifts/Benefits/Hospitality Register will be maintained by the Corporate Governance.

6.0 Review of Standard

This corporate standard will be reviewed when any of the following occur:

1. When any related policy documents are amended or replaced.
2. Other circumstances as determined from time to time.

**CORPORATE
STANDARD****GIFTS AND BENEFITS**

Notwithstanding the above, this Corporate Standard is to be reviewed at intervals of no more than three (3) years.

Version Control:

Version	Reason / Trigger	Change	Endorsed / Reviewed	Date
1	New		Adopted	28.9.2022
2	Review			



COUNCIL POLICY

COUNCILLOR DRUG AND ALCOHOL

Program: Executive Office
Date of Adoption:
Resolution Number:
Review Date:

Scope

This policy applies to the Mayor and Councillors of Mackay Regional Council (MRC) when in the workplace and/or when undertaking official duties, noting that the role of a Councillor does not have a defined start and finish time or designated place of work.

Where a Councillor is not undertaking official duties, they are not required to comply with the Code of Conduct for Councillors in Queensland or this policy.

Objective

To provide a safe, healthy, and productive workplace whilst eliminating risks associated with the adverse effects of alcohol and other drugs in the workplace by:

- preventing, where possible, drug and alcohol-related incidents;
- ensuring that Councillors adversely affected by substances do not create a negative perception of the Council; and
- ensuring Councillors are in a fit state to undertake their official duties.

In addition, this policy provides a framework for Councillors to comply with behavioural standard 1.5 as contained in the ‘Code of Conduct for Councillors in Queensland’:

“Ensure that their behaviour or capacity to perform their responsibilities as a Councillor is not impaired by the use of substances that may put them or others at risk while performing their duties (for example, alcohol, illegal drugs or prescribed/nonprescribed and/or restricted substances”.

Policy Statement

MRC is committed to ensuring its Councillors will not be impaired by drugs and/or alcohol whilst undertaking their official duties.

Council considers that to the extent this policy engages and limits, or potentially limits, any human rights, that limitation is reasonable in that it is proportionate and justified.

 This process to remain in force until otherwise determined
 by Mackay Regional Council



COUNCIL POLICY

COUNCILLOR DRUG AND ALCOHOL

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COUNCIL POLICY

COUNCILLOR DRUG AND ALCOHOL

1.0 Fitness for Duty

Councillors are expected to undertake their official duties free from the impairment of drugs and/or alcohol. Councillors must not present themselves for official duty or to any workplace whilst impaired.

Drugs and/or alcohol shall not be consumed at any workplace, in any MRC vehicle or plant, or at any time whilst a Councillor is undertaking their official duties unless an exemption under this policy applies.

Councillors must not remain at the workplace if they are under the influence or if there is a risk of them becoming under the influence.

2.0 Identification and Testing

2.1 Reasonable Suspicion

Where there is a reasonable suspicion or concern that a Councillor is impaired due to the effects of drugs and/or alcohol while at the workplace or undertaking their official duties, it should be raised with the CEO.

Where there remains reasonable suspicion or concern of a Councillor being impaired, the CEO may request the Councillor undergo testing and/or leave the workplace.

2.2 Initial Discussion

Where there is a reasonable suspicion or concern that a Councillor is under the influence while at the workplace, it should be privately raised by the CEO (or delegate) directly with the Councillor to determine if they should remain in the workplace based on the observations undertaken.

2.3 Formal Action

Where a positive test result has been established and/or the Councillor has refused testing and has been instructed to leave or stay away from the workplace or official duties, the CEO is required (in accordance with the provisions of the *Local Government Act 2009*) to notify the Office of the Independent Assessor about the suspected conduct of the subject Councillor.

2.4 Formal Complaints

Where a complaint is made by any person that a Councillor is under the influence, it is required in accordance with the provisions of the *Local Government Act 2009* to refer any complaints about the conduct of a Councillor to the Office of Independent Assessor.

2.5 Drug and Alcohol Testing Triggers

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Councillors will be required to undergo drug and alcohol testing in the following circumstances:

2.5.1 *Random Testing*

All Councillors will be tested at a minimum of twice a year on a date that will be randomly selected at the discretion of the CEO.

Should a Councillor be absent for any advised random testing, a further random test date will be selected at the discretion of the CEO for this Councillor only if doing so is required to meet the minimum testing requirements.

2.5.2 *Post-Incident and Mandatory Testing*

MRC has the discretion to impose mandatory drug and/or alcohol testing.

A Councillor will be required to undergo a drug and/or alcohol test if they were involved in any of the following workplace incidents:

- where there is a reasonable belief that drugs and/or alcohol may have been involved as a contributing factor;
- in situations where there has been a significant event;
- a requirement to be tested under legislation or regulations;
- an incident that is notifiable to the regulator;
- an incident causing the death of a person;
- an incident causing admission to the hospital as an in-patient for an injury;
- injury incidents causing, or likely to cause, permanent injury to health; or
- a significant or repeated incident involving vehicles/plant and a third-party vehicle, plant, or property.

Counselling (via MRC's Employee Assistance Program), treatment and rehabilitation services are available externally to enable Councillors who identify as having problems to seek effective solutions and treatment of their choosing.

2.5.3 *Voluntary Testing*

Councillors may choose to voluntarily undertake drug and/or alcohol testing:

- a) any time where they may wish to demonstrate compliance with this policy and the 'Code of Conduct for Councillors in Queensland';
- b) where a reasonable suspicion has been established that they may be under the influence of alcohol or drugs.

Where a voluntary test is undertaken, a Councillor shall be considered in breach of this policy if a sample collected and analysed in accordance

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with the relevant Australian Standards indicates the presence of a substance at or above the limits identified in that Standard.

2.5.4 *Positive Test Results*

Where a positive test result has been returned, arrangements will be made to transport the Councillor to their residence safely. The Councillor will not be permitted to return to the workplace until they can either demonstrate they are no longer adversely affected or return a negative result.

2.6 Testing Method

Any required drug and/or alcohol testing will be undertaken in accordance with the appropriate Australian Standards.

All test results are treated with the strictest confidentiality.

2.6.1 *Tolerance Levels - Alcohol*

The tolerance for alcohol for all Councillors is a breath alcohol concentration (BAC) of not more than 0.00g/100ml (0.00%).

Note: See clause 3.0 *Endorsed Locations, Events and Social Functions* for exemption for the consumption of alcohol will be made.

2.6.2 *Tolerance Levels - Drugs*

A confirmed drug test reporting levels of drugs or metabolites that exceed designated cut-off levels constitutes a positive test. Cut-off levels will conform to the relevant Australian Standard, where such a standard has been issued in relation to the drug concerned.

2.6.3 *Testing Results*

a) ***Negative test result***

If the test results are negative, no further action is required.

b) ***Non-negative results from a declared prescription or pharmacy medication***

If a Councillor declares the use of prescription or pharmacy medications prior to presenting for testing and the test results are non-negative for a substance known to be in that medication, the Councillor must be allowed to continue with their official duties if the actual medication does not cause any impairment, risk, or impairment, or place them outside the legal limits for operating motor vehicles.

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This sample may be sent to an approved testing facility to confirm the declaration. Should the laboratory result contradict the prescription of pharmacy medication declared by the Councillor, this will be treated as a positive result.

c) *Positive test result*

If a Councillor returns a positive test result for either drugs or alcohol, the Councillor will not be permitted to return to the workplace or undertake any official duties until such time a negative sample is provided.

A positive test will be deemed a breach of this policy and will be dealt with in accordance with clause 2.3.

2.7 Assistance

MRC recognises drug and/or alcohol dependency as a treatable condition. Councillors who suspect they have an issue with drugs and/or alcohol are encouraged to seek advice regarding appropriate treatment options. Councillors can access the services of the Employee Assistance Program (EAP).

2.8 Option to Challenge Test Result

If at any time a Councillor disputes the test result, the Councillor has the right to appeal that result. This may mean immediately attending their medical provider for further alcohol testing or transportation of their urine sample to an alternative NATA (National Association of Testing Authorities) accredited laboratory for further drug testing.

Any appeal testing is to be organised by the Councillor and conducted at their own cost. When confidential results are returned to the CEO, results may require the initiation of an interview. This should occur as soon as possible.

3.0 Endorsed Locations, Events and Social Functions

An exception for the consumption of alcohol will be made for:

- a) special occasions or locations as determined by the CEO or
- b) where the provision of alcoholic beverages is within the bounds of normal customary hospitality (e.g., attendance at a conference, function or social event in their Official Capacity where alcoholic beverages are served, either held by Council or another group or organisation).

While these exception areas have been identified, Councillors are still reminded of their duty per the 'Code of Conduct for Councillors in Queensland'.

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With this in mind, and as a guide, not as a policy position, Councillors should aim to meet a breath alcohol concentration (BAC) of less than 0.05g/100ml (0.05%) when participating in such exempted situations.

4.0 Definitions

To assist in interpretation, the following definitions shall apply:

BAC shall mean Breath Alcohol Concentration.

CEO shall mean the Chief Executive Officer. A person who holds an appointment under section 194 of the *Local Government Act 2009*. This person includes a person acting in this position.

Council shall mean all elected representatives of Mackay Regional Council.

Councillors shall mean an individual elected representative of Mackay Regional Council.

Drug shall mean any illegal, medically prescribed or over-the-counter substance that may cause a Councillor not to be fit to work.

Human Rights Complaint shall mean a complaint about an alleged contravention of section 58-1 by a public entity in relation to an act or decision of the public entity.

Impairment shall mean a symptom of reduced quality, strength, or effectiveness of a person because of drugs and/or alcohol consumption whilst performing Official Duties.

Intoxicated/Intoxication, in accordance with the *Liquor Act 1992*, a person may be taken to be unduly intoxicated if-

- a). the person's speech, balance, coordination, or behaviour is noticeably affected; and
- b). there are reasonable grounds for believing the affected speech, balance, coordination, or behaviour is the result of the consumption of liquor, drugs, or another intoxicating substance.

MRC shall mean Mackay Regional Council.

Negative Test Result shall mean either a drug sample indicating no substance or a blood alcohol concentration less than the tolerance level.

Non-Negative Test Result shall mean the test indicates the presence of a substance declared prior to the test.

Official Capacity shall mean where a Councillor is invited to an event or function to represent the Council and not in a personal capacity.

Official Duties shall mean where a Councillor is undertaking their legislated role as a Councillor in accordance with the provisions of the *Local Government Act 2009*.

The following non-exhaustive list provides examples of what would normally be considered Official Duties in which Councillors are required to always represent the Council in a positive light whilst attending:

COUNCIL POLICY

COUNCILLOR DRUG AND ALCOHOL

- Attending formal or informal meetings, including ordinary and special meetings, committee meetings, briefing sessions, and workshops
- Any meeting that directly has the primary purpose of discussing Council or Council business.
- Attendance at community meetings
- Formal engagements where a Councillor is representing Council in an Official Capacity.
- Attendance at a conference.
- Formal meetings between Councillors about Council business.
- Meeting with or undertaking discussions with residents either in the workplace or on-site.
- Travel to and from any Official Duties listed above.

Positive Test Result shall mean a blood alcohol reading greater than 0.00g/100ml blood unless attending an endorsed event or social function identified in clause 3.0.

In relation to a position test result for Drugs. Cut-off levels will conform to the relevant Australian Standard/New Zealand Standard, where such a standard has been issued in relation to the Drug concern.

Random shall mean no specific pattern, purpose, or objective.

Under the influence shall mean a Councillor who is adversely affected by alcohol or illicit drugs if they are unfit to perform their Official Duties and responsibilities safely and productively.

The effects of alcohol or Drug consumption can lead to:

- Increased risk of incidents;
- Impaired coordination;
- Decreased ability to concentrate and communicate;
- Lack of thoughtful decision-making;
- Impairment of memory and other cognitive functions;
- Delayed reaction time;
- impaired performance related to coming down from illicit Drug use or experiencing the effects of a hangover; and
- the terms 'Intoxicated/Intoxication as defined within this Definitions section.

Workplace shall mean a workplace or work location of any MRC building, telecommuting, working from home, work endorsed events, work social functions and whilst operating MRC-owned vehicles.

It also encompasses the definition of 'workplace' in the *Work Health and Safety Act 2011*.

Workplace Incident shall mean an incident in the workplace as defined by the *Work Health and Safety Act 2011*.

5.0 Review of Policy

This policy will be reviewed when any of the following occurs:

COUNCIL POLICY

COUNCILLOR DRUG AND ALCOHOL

- The related documents are amended or replaced.
- Other circumstances are determined from time to time by a resolution of the Council.

Notwithstanding the above, this policy will be reviewed at intervals of no more than three (3) years.

6.0 Reference

- *Liquor Act 1992*
- *Local Government Act 2009*
- *Local Government Regulations 2012*
- *Human Rights Act 2019*
- *Information Privacy Act 2009*
- *Work Health and Safety Act 2011*
- *Work Health and Safety Regulation 2021*
- Code of Conduct for Councillors in Queensland
- MRC 001.3 Human Rights – Corporate Standard
- Australian Standard 4760-2019 – Procedure for specimen collection and the detection and quantification of drugs in oral fluid
- Australian Standard 4308:2008 – Procedure for specimen collection and the detection and quantitation of drugs of abuse in urine.
- Australian Standard 3547:2019 – Breath Alcohol Testing Devices

Version Control:

Version	Reason / Trigger	Change	Endorsed / Reviewed	Date
1	New Policy		ORD-2022-259	24/8/2022
2	Review of Policy			

COUNCIL POLICY

COUNCILLOR INVESTIGATIONS

Program: Executive Office
Date of Adoption:
Resolution Number:
Review Date:

Scope

In Scope

This investigation policy applies to investigations and determinations by the Mackay Regional Council (MRC) about the suspected conduct breach of a Councillor, including a Mayor, which has been referred by the Independent Assessor. The policy must:

- include a procedure for investigating the suspected conduct breaches of Councillors (see Addendum 2 – Investigation Standards; and
- state the circumstances in which another entity may investigate the conduct; and
- be consistent with the principles of natural justice; and
- require the Council to prepare a report about each investigation (see Addendum 1 - Report template and summary report template); and
- require a notice about the outcome of investigations be provided to the Assessor, Councillor and persons who made complaint about the Councillors' conduct; and
- include a procedure about when the Council may decide not to start, or to discontinue, an investigation under section 150AEA.

The policy must require MRC -

- to give the Councillor information about the suspected conduct, including details about the evidence of the conduct; and
- to give the Councillor a notice if an investigation is not started or is discontinued; and
- for conduct the subject of a complaint - to give the person who made the complaint, if the contact details of the person are known, a notice if an investigation is not started or is discontinued; and
- to give the Councillor the preliminary findings of the investigation before preparing an investigation report about the investigation (see Addendum 3 - Statement of Preliminary Findings Template); and
- to allow the Councillor to give evidence or a written submission to the Council about the suspected conduct and preliminary findings; and
- to consider any evidence and written submission given by the Councillor in preparing the investigation report for the investigation; and
- to include in the investigation report -
 - i. if evidence is given by the Councillor—a summary of the evidence; and
 - ii. if the Councillor gives a written submission—a full copy of the written submission.



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Out of Scope

This Policy does not relate to more serious Councillor conduct, such as misconduct or corrupt conduct, which are dealt with under separate legislative provisions.

This Policy also does not deal with unsuitable meeting conduct, or any conduct undertaken in a personal capacity by a Councillor, for example, a sitting Councillor campaigning for re-election or attending a private social function.

Objective

To outline how complaints about the inappropriate conduct of Councillor/s will be dealt with as required by the section 150AE of the *Local Government Act 2009* (the LGA).

Policy Statement

Chapter 5A of the LGA prescribes the Councillor conduct management system. Section 150CT of the LGA establishes an Independent Assessor (the Assessor) to carry out certain functions including the preliminary assessment, dismissal, referral, or investigation of complaints about Councillor conduct.

After undertaking a preliminary assessment on a Councillor conduct matter, if the Assessor reasonably suspects a Councillor has engaged in a conduct breach, the Assessor may decide to refer a suspected conduct breach to MRC to deal with under section 150SD(4)(a) or 150W(b) of the LGA.

Upon receipt of the referral notice of a complaint of suspected conduct breach MRC must deal with the Councillor’s conduct as prescribed under section 150AF of the LGA unless a decision is made not to start or to discontinue the investigation under section 150AEA of the LGA. In conducting the investigation, MRC must comply with this investigation policy.

MRC may decide not to start or discontinue the investigation if:

- if the complaint is withdrawn by the complainant
- if the complainant consents to the matter being withdrawn. For example, the matter has been resolved and it is unnecessary for the Council to investigate the matter.
- if the complainant refuses to cooperate by providing additional information during the investigation phase and not enough information is available to proceed
- if the office of the Councillor becomes vacant for any reason, i.e., the person has resigned or was not re-elected and is no longer a Councillor.

This process to remain in force until otherwise determined
by Mackay Regional Council



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1.0 Principles

1.1 Confidentiality

Matters relating to the investigation of suspected conduct breach of a Councillor are confidential to the Council during the investigation period, except:

- to give the Councillor information about the suspected conduct, including details about the evidence of the conduct
- to give the Councillor the preliminary findings of the investigation before preparing an investigation report about the investigation
- to give the Councillor a notice if an investigation is not started or is discontinued; and
- for conduct the subject of a complaint - to give the person who made the complaint, and the Assessor a notice if an investigation is not started or is discontinued.

However, once the conduct is investigated and an investigation report is received, a summary of the investigation report must be made publicly available before any discussion is undertaken by MRC. The published summary report must not contain any names or identifying information about the complainant and persons who were interviewed or a transcript of interview, or provided a statement or affidavit, unless the complainant is a Councillor or Chief Executive Officer of the local government, whose identity was disclosed at the meeting at which the investigation report was considered.

Once the matter has been investigated and a report has been provided to the local government, the matter will be placed on the council meeting agenda and the investigation report and any recommendations of the investigator may be debated in the council meeting, which may be in a closed session under section 254J(j) of the LGR. At this point, the summary investigation report is not treated as confidential as it must be publicly available and attached to the agenda papers that are circulated before the meeting.

A final decision by resolution of the council in an open council meeting must take place when the decision is made about whether a Councillor engaged in a conduct breach and if so any decision about orders that are made under section 150AH of the LGA. Any decision that is not consistent with the recommendation of the investigation report must state in the meeting minutes, the reasons for the decision. The minutes must give sufficient information to demonstrate the logic that has been applied to justify the decision not to follow the recommendation of the investigation report.

The full investigation report must be made publicly available within 10 business days of Council making a decision by resolution about whether the Councillor engaged in a conduct breach and if so, any orders made in relation to the matter. The published report must not contain any names or identifying information about the complainant, persons who were interviewed or a transcript of interview, or provided a statement or affidavit unless the complainant is a Councillor or Chief Executive

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Officer of MRC whose identity was disclosed at the meeting at which the investigation report was considered.

When deciding what action to take, Council may consider any previous conduct breach of the Councillor, any allegation made in the investigation that was admitted or not challenged, and Council is reasonably satisfied is true.

A notice about the outcome of the investigation must be given to the Assessor as soon as practicable that states the decision, the reasons for the decision and the details of any orders made under section 150AH of the LGA.

Note: For investigation report templates please refer to Addendum 1 - Report template & summary report template, and Addendum 3 - Statement of Preliminary Findings Template. These templates must be used by the investigator.

1.2 Natural Justice

Any investigation of suspected conduct breach of a Councillor must be carried out in accordance with natural justice.

Natural justice or procedural fairness refers to three key principles:

- that the Councillor who is the subject of the suspected conduct breach matter has a chance to have his or her say before adverse formal findings are made and before any adverse action is taken i.e., fair hearing.
- that the investigator should be objective and impartial i.e., absence of bias.
- that any actions taken, or decisions made are based on evidence i.e., not on suspicion or speculation.

A fair hearing means the Councillor who is the subject of the suspected conduct breach matter will receive information about the suspected conduct, including;

- the preliminary findings of the investigation before the preparing of an investigation report about the investigation; and
- a notice if an investigation is not started or is discontinued including the reasons for the decision.
- allow the Councillor to give evidence or a written submission to the Council about the suspected conduct breach and preliminary findings; and
- require the Council to consider the evidence or written statement from the Councillor in preparing the investigation report, and
- include, if evidence is given by the Councillor, a summary of the evidence and, if a written submission is provided, a full copy of the written submission, in the investigation report.

The Council must give the following notices to the other parties;

- the person who made the complaint if an investigation is not started or dismissed including the reasons for the decision.
- the Assessor if an investigation is not started or dismissed including the reasons for the decision.

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An absence of bias means that any investigation must not be biased or be seen to be biased in any way. This principle embodies the concept of impartiality.

A proper examination of all issues means the investigation must give a proper and genuine consideration to each party's case.

Note: *It must be kept in mind that the matter when referred, is suspected, and not yet proven.*

1.3 Standard of Proof

The civil standard of proof is applied by the investigator when determining whether a Councillor has engaged in a conduct breach.

The civil standard of proof is 'on the balance of probabilities,' which means the weighing up and comparison of the likelihood of the existence of competing facts or conclusions.

An allegation is sustained 'on the balance of probabilities,' if based on the evidence, the investigator and/or Council, is reasonably satisfied that its existence is more probable than not.

1.4 Timeline

The Councillor conduct framework must be effective and efficient. The investigator will make all reasonable endeavours to complete the investigation and provide a report for inclusion on the agenda of the local government's meeting within eight weeks of commencing the investigation, after the receipt of the complaint from the Assessor.

Note: *If the investigator is of the opinion that it may take longer than eight weeks to complete the investigation, the matter should be raised with the Mayor or delegate (if the Mayor is managing the investigation) to seek an extension of time. Delay in procuring an investigator to undertake the investigation should be avoided by the local government.*

1.5 Councillor Conduct Register

The Chief Executive Officer must ensure decisions and any orders under section 150AH of the LGA made about suspected conduct breach of a Councillor or any decision to not start, or to discontinue an investigation of suspected conduct breach under section 150AEA of the LGA, are entered into the relevant Councillor conduct register.

1.6 Expenses

MRC will pay the expenses associated with the investigation of suspected conduct breach of a Councillor including any costs of:

- an independent investigator engaged on behalf of MRC;
- travel where the investigator needed to travel to undertake the investigation, or to interview witnesses.
- obtaining legal or expert advice will be paid in accordance with the Legal Assistance for Councillors and Employees Policy.

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Note: Council may order the subject Councillor to reimburse them for all or some of the costs arising from a sustained conduct breach. These costs would usually only relate to obtaining legal or expert advice and reasonable costs for the investigator engaged to undertake the investigation. Any costs incurred by complainants will not be met by council. Legal Costs incurred for Councillors will be in accordance with the Legal Assistance for Councillors and Employees Policy. Where possible, costs should be kept to a reasonable rate taking into consideration the costs for more serious matters dealt with by, for example, the Councillor Conduct Tribunal or other jurisdictions who deal with conduct matters.

Payment of incurred costs by the subject Councillor will be considered in accordance with the Legal Assistance for Councillors and Employees Policy.

2.0 Procedure for the Investigation

2.1 Independent Assessor's referral

MRC will receive a referral notice from the Assessor about the suspected conduct breach of a Councillor. The referral notice will include details of the conduct and any complaint received about the conduct, state why the Assessor reasonably suspects that the Councillor has engaged in a conduct breach and include information about the facts and circumstances that form the basis of the Assessor's reasonable suspicion.

MRC must deal with the matter and the investigation must be conducted in a way that is consistent with this investigation policy.

The Assessor must also give a notice to the Councillor that states the Councillor's conduct has been referred to MRC to deal with and a copy of the referral notice must be attached.

2.2 Receipt of Assessor's referral

On receipt of a referral notice about the suspected conduct breach of a Councillor from the Assessor, the Chief Executive Officer will forward a copy of that referral notice to the Mayor and all Councillors, including the subject Councillor, as a confidential document.

The Councillor who is the subject of the complaint and the complainant, if the complainant is a Councillor, have a declarable conflict of interest and should manage it in a way that is consistent with the requirements of section 5 of the Model Meeting procedures.

The Mayor will manage the investigation process and may undertake the investigation themselves, or engage an external investigator, to investigate the suspected conduct breach and prepare an investigation report with recommendations about whether the Councillor engaged in a conduct breach and how the conduct may be dealt with.

If the Mayor has a conflict of interest in the matter, the Mayor's powers will be assumed by the Deputy Mayor to manage the investigation. If both Mayor and

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Deputy Mayor are conflicted, then a Councillor will be chosen by resolution, to manage the investigation.

If the subject Councillor agrees to all of the facts presented and accepts complete accountability for the suspected conduct breach, then there would be no requirement for an external investigation; the matter will be presented to the Council for resolution, which must state the decision and reason for the decision.

2.3 When the Council may decide not to start, or to discontinue, an investigation

On receipt of the referral notice from the Assessor, the Mayor will manage the investigation unless it is delegated.

If there are circumstances for considering not starting or discontinuing an investigation, the matter will be placed on the agenda for the next council meeting. The Council may decide by resolution to not start, or discontinue, a suspected conduct breach matter. The resolution must state the decision and the reasons for the decision.

The only circumstances in which the Council can formally not start or discontinue a matter are under section 150AEA of the LGA:

Note: *The matters not started or discontinued must be reported in the annual report (including the reasons) and recorded in Councillor conduct register.*

2.4 Council investigating the suspected conduct breach of a Councillor

Unless the matter has been delegated by the local government, the Mayor will manage the investigation of suspected conduct breach matters relating to other Councillors by either performing the role of Investigator or engaging a suitably qualified person to undertake the investigation and provide an investigation report for the Council to consider. The Mayor is authorised by Council to expend money as reasonably needed to engage contractors in accordance with the Council's procurement policy.

If the investigator obtains information which indicates a Councillor may have engaged in misconduct, the investigator must cease the investigation and advise the Mayor and the Chief Executive Officer. The Chief Executive Officer will determine if the conduct is within the timeframe for reporting the matter. The Chief Executive Officer will then provide an information notice to the Assessor giving the details of the suspected misconduct. The notice must be given within 1 year after the conduct occurred, or within 6 months after the conduct comes to the knowledge of the Chief Executive Officer or another person who gave the information notice to the Assessor, but within 2 years after the conduct occurred.

If the investigator obtains information that indicates a Councillor may have engaged in corrupt conduct, the investigator must cease the investigation and advise the Mayor and Chief Executive Officer. The Chief Executive Officer will then provide an information notice to the Assessor giving the details of the suspected corrupt

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conduct or notify the Crime and Corruption Commission of the suspected corrupt conduct. There are no reporting time limits for corrupt conduct.

2.5 Engaging an Investigator

Once an investigator has been selected to undertake the investigation, that investigator will follow the investigation standards of the Council (see Addendum 2 – Investigation Standards) e.g. an investigation plan and file management system will be established.

Once the investigation is finalised the investigator will prepare a report for the Council including the following the details:

- the investigation process.
- any witnesses interviewed.
- documents or other evidence obtained.
- a statement of the relevant facts ascertained.
- confirmation that the subject Councillor has been provided with an opportunity to respond to the complaint and the evidence compiled.
- the investigation findings
- a statement of any relevant previous disciplinary history.
- any recommendations about dealing with the conduct.
- a record of the investigation costs.

2.6 Completion of investigation

2.6.1 ***Findings and recommendations***

The investigator must prepare a Preliminary Statement of Findings and must give the preliminary findings to the Councillor before preparing the Investigation Report and allow the Councillor to give evidence or a written statement about the conduct and preliminary findings.

The investigator must consider any evidence or written submission given by the Councillor in preparing the investigation report and include a summary of the evidence and a full copy of any written submission in the investigation report.

2.6.2 ***Investigation Report***

The investigator must prepare an investigation report about the investigation of a suspected conduct breach matter referred by the Assessor to MRC under section 150AFA of the LGA.

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The investigation report must include the findings of the investigation, a summary of the evidence or a full copy of any written submission given by the Councillor and recommendations for consideration by the Council (see Addendum 1 – Report Template).

A summary investigation report with the preliminary Statement of Findings and summary of the outcome of the investigation attached, must be prepared for public availability before the meeting where the Councillors will consider the investigation report matter on or before the day and time prescribed by the LGR section 254C which is;

- 5pm on the next business day after the notice of the meeting at which a decision is to be made has been provided to the Councillors, or
- the day and time when the agenda for the meeting at which a decision is to be made is publicly available.

The summary of the investigation report must include—

- the name of the Councillor whose conduct has been investigated; and
- a description of the alleged conduct; and
- a statement of the facts established by the investigation; and
- a description of how natural justice was afforded to the Councillor during the conduct of the investigation; and
- a summary of the findings of the investigation; and
- any recommendations made by the investigator who investigated the conduct.

The following information must not be made publicly available—

- if the investigation relates to the conduct of a Councillor that was the subject of a complaint—
- the name of the person who made the complaint or any other person, other than the Councillor; or
- information that could reasonably be expected to result in identifying a person who made the complaint or any other person;
- if a person, other than the Councillor, provided information for the purposes of the investigation including, for example, by giving an interview or making a submission or affidavit—
 - the name of the person; or
 - information that could reasonably be expected to result in identifying the person or any other person, other than the Councillor;
 - any other information the Council is entitled or required to keep confidential under a law.

2.6.3 ***Making a decision about the investigation***

Council must make a decision as to whether the subject Councillor has engaged in a conduct breach.

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When debating this matter the subject Councillor who has a declarable conflict of interest in the matter, must declare the conflict of interest, and the eligible Councillors (those who do not have a conflict of interest in the matter) can decide by resolution for the subject Councillor to remain in the meeting during the debate and may answer questions put to the subject Councillor through the chairperson to assist the eligible Councillors in making a decision.

The resolution can include conditions that the subject Councillor must leave the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have committed a conduct breach and what, if any, penalty to impose if the Councillor is found to have committed a conduct breach.

If a decision is reached that the Councillor has engaged in a conduct breach, the Council (with the exception of the Councillor the subject of the investigation and the complainant, if another Councillor), will consider the findings and recommendations of the investigator's report and decide what, if any, action it will take under section 150AH of the LGA.

After making a decision about the conduct breach, the Council must make the investigation report for the investigation publicly available after the meeting at which the decision about the outcome of the investigation is made, by;

- on or before the day and time prescribed by regulation, or 5pm on the tenth day, or
- the day and time that the meeting minutes are made publicly available.

The following information contained in the investigation report must **not** be made publicly available:

- if the investigation relates to the conduct of a Councillor that was the subject of a complaint:
 - the name of the person who made the complaint or any other person, other than the Councillor even if that person has a declarable conflict of interest; or
 - information that could reasonably be expected to result in identifying a person;
- if a person, other than the Councillor, provided information for the purposes of the investigation including, for example, by giving an interview or making a submission or affidavit:
 - the name of the person; or
 - information that could reasonably be expected to result in identifying the person or any other person, other than the Councillor;

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- the submission or affidavit of, or a record or transcript of information provided orally by, a person, including, for example, a transcript of an interview;
- any other information the Council is entitled or required to keep confidential under a law e.g. documents subject to legal professional privilege or information that is part of a public interest disclosure under the Public Interest *Disclosure Act 2010*.
- The report made publicly available must include the name of the person who made the complaint if:
 - the person is a Councillor or the Chief Executive Officer of the local government; and
 - the person's identity as the complainant was disclosed at the meeting at which the report for the investigation was considered.

2.7 Quorum

Where the Council meeting loses quorum due to conflicts of interest of Councillors or absent Councillors, then the conduct matter must be delegated to the Mayor to make a decision. If the referral notice is about the suspected conduct breach by the Mayor, then the matter must be delegated to the Deputy Mayor.

If the Mayor has a conflict of interest in the matter, the Mayor's powers will be assumed by the Deputy Mayor to manage the investigation. If both Mayor and Deputy Mayor are conflicted, then a Councillor will be chosen by resolution, to manage the investigation.

2.8 Disciplinary action against Councillors

If Council decides that the Councillor has engaged in a conduct breach, any of the following orders may be imposed:

- i. order that no action be taken against the Councillor, or
- ii. make an order outlining action the Councillor must undertake in accordance with section 150AH(1)(b) of the LGA.

Note: For further information refer to Addendum 4 - Conduct Breach Disciplinary Action Guideline

2.9 Notice about the outcome of the investigation

After an investigation is finalised, the Council must give a notice about the outcome decision of the investigation if the Council decides not to start or discontinue an investigation (section 150AEA of the LGA) or makes a decision about whether the Councillor has engaged in a conduct breach (section 150AG of the LGA) including the reasons for the decision and any orders made under section (150AH of the LGA).to:

- the Assessor

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- the person who made the complaint about the Councillor' conduct that was the subject of the investigation, and
- the subject Councillor who was investigated.

3.0 Definitions

To assist in interpretation the following definitions shall apply:

Assessor shall mean means the Independent Assessor appointed under section 150CT of the LGA.

Behavioural standard shall mean a standard of behaviour for Councillors set out in the Code of Conduct for Councillors in Queensland approved under sections 150D and 150E of the LGA.

Conduct shall include—

- (a) failing to act; and
- (b) a conspiracy, or attempt, to engage in conduct.

Conduct breach as set out in section 150K of the LGA.

Corrupt Conduct has the same meaning as 'corrupt conduct' under section 15 of the *Crime and Corruption Act 2001*.

Councillor conduct register means the register required to be kept by the Council as set out in section 150DX and 150DY of the LGA.

Council shall mean the Mayor and Councillors of Mackay Regional Council.

Councillor shall mean the Mayor or a Councillor of Mackay Regional Council.

Inappropriate conduct see section 150K of the LGA.

Investigation policy refers to this policy, as required by section 150AE of the LGA.

Investigation report means a report provided by the investigator to the Council that must be publicly available within 10 business days after the Council makes a decision about the outcome of the investigation.

Investigator means the person responsible under this investigation policy for carrying out the investigation of the suspected conduct breach of a Councillor or Mayor,

LGA shall means the *Local Government Act 2009*.

Council meeting shall mean a meeting of—

- (a) a local government; or

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- (b) a committee of a local government.

Misconduct see section 150L of the LGA.

Model procedures shall mean the procedures to ensure the Local Government principles are reflected in the conduct of Council Meetings (including committee Meetings) as required by section see section 150F of the LGA.

MRC shall mean Mackay Regional Council.

Natural justice shall mean a set of principles to ensure fair and just decision making, including a fair hearing, an absence of bias, decisions based on evidence, and the proper examination of all issues.

Referral notice see section 150AB, AC and AD of the LGA

Summary of investigation report means a summary of the full investigation report prepared before making a decision about the outcome of the investigation that must be publicly available on or before the day prescribed by regulation.

Tribunal shall mean the Councillor Conduct Tribunal as established under section 150DK of the LGA.

Unsuitable meeting conduct see section 150H of the LGA.

4.0 Review of Policy

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

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

Notwithstanding the above, this policy is to be reviewed at intervals of no more than three (3) years.

5.0 Reference

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Crime and Corruption Act 2001*
- *Public Interest Disclosure Act 2010*
- *Public Sector Ethics Act 1994*

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Version Control:

Version	Reason / Trigger	Change	Endorsed / Reviewed	Date
1	New Policy		Council	13.02.19
2	Review	Amendments	Council	26.10.22
3	Review	Amendment made in accordance with Department Template	Council	



Addendum 1 - Report template and summary report template

Conduct Breach Complaint Investigation and Recommendation Report to Council

Reference number:

Date received from council:

1. The complaint

(Outline the allegation/s as referred for investigation, including date/s, time/s, place/s, description of alleged conduct. Succinct description of (full title and relevant sections) of policy (e.g. code of conduct) alleged to have been breached)

2. The complainant

Description of the alleged conduct

*(Consider if council indicates the matter relates to a public interest disclosure and ensure compliance with the *Public Interest Disclosure Act 2010*)*

3. The subject Councillor

Name (Reference level of experience as a Councillor and any past disciplinary history including for like matters)

4. Conflict of interest considerations

(Declaration of any conflict of interest or 'no conflict of interest' by the investigator)

5. Summary of the investigation process

- Scope of the investigation:
- Interviews conducted:
- Documents examined:
- Facts identified:
- Category of the conduct breach:
Set out relevant standards of sections considered.

6. Investigation Report

- Date of the report
- Wording of allegation for consideration
- A statement of the facts established by the investigation
- A description of how natural justice was afforded to the Councillor during the conduct of the investigation
- A summary of the findings of the investigation
- A summary of any relevant previous disciplinary history
- Summary of the evidence or a full copy of any written submission given by the Councillor
- Application of facts to the conduct breach outlined above
- A record of the investigation costs.



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Note: Insert discussion of sufficiency of evidence to sustain the allegation and whether the evidence is capable of supporting a finding that the Councillor has breached

7. Recommendation to council

- Recommendations made by the investigator who investigated the conduct.

It is recommended that:

- a) This report be submitted to the Council for consideration, pursuant to section 150AG of the LGA, as to whether or not the Councillor has engaged in inappropriate conduct; and if they are found to have so engaged, what action the Council will take to discipline the Councillor pursuant to section 150AH of the LG Act;

- b) Having analysed the material from this investigation, a conclusion might be drawn that:

Note: make a recommendation as to whether a conduct breach is made or not, with succinct reasons:

- c) If Council finds the Councillor has engaged in inappropriate conduct, are there any aggravating or mitigating circumstances that should be taken into account? *For example, any action taken by the Councillor since the conduct, any Aboriginal traditions or Islander customs of the Councillor.*

- d) If council finds the Councillor has engaged in a conduct breach, the following disciplinary action under section 150AH LGA is recommended (refer to the 'Guideline – conduct breach disciplinary action)

..... (SIGN)

NAME:

ATTACHMENTS:



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Summary Report Template

Include the following:

- the name of the Councillor whose conduct has been investigated; and
- a description of the alleged conduct; and
- a statement of the facts established by the investigation; and
- a description of how natural justice was afforded to the Councillor during the conduct of the investigation; and
- a summary of the findings of the investigation; and
- any recommendations made by the investigator who investigated the conduct.

Addendum 2 – Investigation Standards

The investigation must be managed in a consistent manner.

Documentation must be contained in an efficient records management system.

Confidential information must be secured appropriately.

1. Case Management file

The investigation must be supported by a recognised case management tool so that emails, letters, statements, and evidence can be stored and secured confidentially. File notes must be made in the case management system to document key milestones in the investigation such as when lines of inquiry are identified, witnesses are spoken to, when evidence is secured, and document key decisions.

2. Investigation Plan

The Mayor or delegate will, prior to beginning the investigation, check that the investigator does not have a conflict of interest in the matter. Remove them immediately from the investigation should a conflict of interest become known.

The following investigation process must be followed by the investigator unless the Mayor or delegate agrees to vary the process in a particular case.

Take all necessary steps to protect the identity of the complainant(s) as far as possible during communications with the Councillor.

Consider the following:

- Research the legislation and policy framework thoroughly.
- Identify lines of inquiry and record them as a file note in case file management system.
- Present all the evidence the Councillor provides or gives in a written statement.
- Gather further evidence (for example, from interviewing other witnesses, obtaining documents, or carrying out site inspections) when necessary.
- Secure evidence in case file management system, making a file note when lines of inquiry are followed up and key decisions are made during the course of in the investigation.
- Undertake a proper and impartial examination of the evidence gathered, including expert advice and analysis and / or legal advice if required.
- Draw conclusions based on the evidence and applying the appropriate legislative and policy frameworks.

3. Prepare an investigation report

Prepare the investigation report for the Council to consider on the template attached (Addendum 1).

If during the course of an investigation, the Investigator obtains new information that a Councillor may have engaged conduct that may give rise to a new allegation, the Investigator must obtain particulars related to the conduct and then advise the Mayor and the Chief

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Executive Officer who will provide an information notice to the Assessor. The Assessor will undertake a preliminary assessment or alternative action on the matter.

The Investigator will be informed of activities of the Council in relation to the investigation. For example, the Investigator will be informed in the event the finalisation of a matter is delayed, or if the Council has to notify of a fresh allegation identified during the course of an investigation to the Assessor for a preliminary assessment.

If during the course of an investigation, the Investigator obtains new information that a Councillor may have engaged in misconduct or corrupt conduct the investigation will cease and the investigator will notify the Mayor and Chief Executive Officer who will be responsible for providing an information notice to the Assessor/Crime and Corruption Commission.



Addendum 3 - Statement of Preliminary Findings Template

Statement of Preliminary Findings

The Investigator has assessed the evidence set out in the investigation report and, taking into account the seriousness of the allegations, has made findings on the balance of probabilities.

The table below contains a summary of the Allegations and the Investigator’s findings. A detailed summary of the evidence and findings is provided in the full investigation report.

CONDUCT ALLEGATIONS

Allegation	Finding
Allegation: Particulars:	Substantiated/Not Substantiated Summary of Evidence: Summary of reasons for finding:

Date

Investigator’s signature and name



Addendum 4 - Conduct Breach Disciplinary Action Guideline

This guideline is provided to assist Queensland local governments to make consistent decisions about the appropriate disciplinary action to be taken against a Councillor who is found to have engaged in a conduct breach.

1. What is a conduct breach?

According to section 150K of the *Local Government Act 2009* (LGA), a conduct breach occurs when a Councillor:

- breaches a behavioural standard (Code of Conduct for Councillors in Queensland)
- breaches a council policy, procedure, or resolution.
- contravenes an order by a chairperson of a Council to leave a council meeting and stay away from the place at which it is being held.
- is part of a course of unsuitable meeting conduct orders on three occasions within a one-year period, taken together, is a conduct breach. The Council is not required to notify the OIA of these matters and may deal with the conduct as if an investigation has been undertaken section 150J and make a decision under section 150AG of the *Local Government Act 2009* (including Brisbane City Council). Below are some examples of conduct which may constitute a conduct breach:

2. Decision

Section 150AG of the LGA provides that where an allegation of a conduct breach has been referred by the Office of the Independent Assessor (OIA) to a Council for investigation, the Council must decide:

1. whether or not the Councillor has engaged in a conduct breach, and,
2. what action the Council will take under section 150AH of the LGA to discipline the Councillor if the Councillor has been found to have engaged in a conduct breach.

3. Types of orders

Section 150AH of the LGA provides a list of the types of orders that the Council may make where it has found that a Councillor has engaged in inappropriate conduct:

- An order that no action be taken against the Councillor.
- An order that the Councillor make a public apology, in the way decided by the local government, for the conduct.
- An order reprimanding the Councillor for the conduct.

COUNCIL POLICY

COUNCILLOR INVESTIGATIONS

- An order that the Councillor attend training or counselling addressing the Councillor's conduct including at the Councillor's expense.
- An order that the Councillor be excluded from a stated Council meeting.
- An order that the Councillor is removed or must resign from a position representing the Council other than the office of Councillor.
- An order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct.
- An order that the Councillor reimburse the Council for all or some of the costs arising from the Councillor's conduct breach.

4. Factors that may be taken into account

Section 150AG(2) of the LGA provides that in deciding what action to take, the Council may consider:

- Any previous conduct breach of the Councillor
- Any allegation made in the investigation that-
 - was admitted, or was not challenged and
 - the Council is reasonably satisfied is true.

5. Guidance on appropriate disciplinary action

It is open to local governments to decide which order/s in section 150AH of the LGA /are suitable when a Councillor is found to have engaged in a conduct breach. The particular circumstances of a case must always be taken into consideration.

As a guide, it is suggested that it may be appropriate for the Council to consider making an order or combination of orders depending on whether a Councillor has been found to have engaged in a conduct breach for the first time, or for a second, or third time.

Section 150L of the LGA provides that conduct is misconduct if the conduct is part of a course of conduct leading the Council to take action under s150AG to discipline the Councillor for a conduct breach on three occasions within a 1-year period.

The table on the following page may assist councils to decide what disciplinary action is suitable in various circumstances.

COUNCIL POLICY

COUNCILLOR INVESTIGATIONS

Order	First instance engaging in a conduct breach	Second instance engaging in a conduct breach	Third instance engaging in a conduct breach
No action be taken against the Councillor	✓		
An order for the Councillor to make a public apology in the way decided by the local government, for the conduct	✓*	✓*	✓*
An order reprimanding the Councillor for the conduct	✓#	✓#	✓#
An order that the Councillor attend training or counselling addressing the Councillor's conduct including at the Councillor's expense	✓#	✓#	✓#
An order that the Councillor be excluded from a stated Council meeting		✓	✓
An order that the Councillor is removed or must resign from a position representing the Council other than the office of Councillor			✓
An order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct	✓^	✓	
An order that the Councillor reimburse the Council for all or some of the costs arising from the Councillor's inappropriate conduct **	25% of costs ¹ 35% of costs ²	50% of costs ¹ 60% of costs ²	100% of costs

*May be appropriate where there is heightened or particular public interest in the type of conduct or the subject matter relating to the conduct

May be particularly appropriate where the conduct involves bullying or harassment or making inappropriate comments about another person

^ For more serious and deliberate conduct breaches by an experienced Councillor

** Costs arising from the Councillor's conduct breach includes investigative costs, legal costs, and administrative costs. However, costs should be kept to a reasonable rate taking into consideration the costs for more serious matters dealt with by the Councillor Conduct Tribunal.

¹ Where the conduct was accidental rather than deliberate or reckless; the Councillor has demonstrated insight into their conduct; the Councillor cooperated with the investigation.

² Where there has been previous in appropriate conduct by the Councillor; or the conduct was reckless or deliberate; or the Councillor has not demonstrated insight into their conduct; or the Councillor has failed to cooperate with the

COUNCIL POLICY

COUNCILLOR INVESTIGATIONS

investigation; or the Council is an experience Councillor; or the Councillor has had the benefit of relevant training but still engaged in the conduct; or the impact of the conduct (financial and reputational) on Council or others is significant.

11.2. ORGANISATIONAL CAPABILITY AND RISK

11.3. COMMUNITY SERVICES

11.4. PLANNING, GROWTH AND SUSTAINABILITY

11.4.1. MACKAY E-SCOOTER HIRE BUSINESS

Author Senior Economic Development Officer (Grier Williamson)
Responsible Officer Director Planning, Growth & Sustainability (Aletta Nugent)
File Reference Mackay E-Scooter Hire Business

Attachments Nil

Purpose

For Council to consider the outcomes of the Mackay e-scooter hire business trial and the continued use of commercial e-scooters in the region.

Related Parties

- Beam Mobility Australia Pty Ltd

Corporate Plan Linkage

Community and Environment

Sustainable Practices - We are responsible and active custodians of our natural environment, with future targets and commitments aimed at driving us towards a cleaner, greener and more sustainable region. Climate change will continue to be a consideration in forward planning and we will continue to implement sustainability initiatives in council operations.

Invest and Work

Technologically Advanced Region - We harness technology to support business and the economy.

Live and Visit

Places and Spaces - We provide well planned and designed places, facilities and infrastructure that meet the needs of our residents and visitors.

Background/Discussion

At its meeting on 11 May 2022, Council resolved to award a contract for an e-scooter hire business in Mackay to Beam Mobility Australia Pty Ltd (Beam) for a one year term, with the option of a further one year extension at Council's discretion. The tender was subsequently awarded by way of agreement dated 7 June 2022, representing the commencement of the e-scooter hire business trial in the region.

Beam presented at a briefing to Council on 8 February 2023, providing an update on the outcome of the first 12 months of operation and expressing an interest in utilising the option to extend the term of the agreement for a further 12 months. The 12-month extension was supported by Council.

During the full contract period, it is the view of officers that the provision of e-scooters has successfully achieved Council's intended goals of:

- Providing community members and visitors with an alternative mode of transport.

- Establishing a new user-experience for people to increase activity in the City Centre to further support local businesses.
- Establish a new user-experience for people to increase activity in the City Centre to further support local businesses; and
- Encourage sustainable and diversified jobs and investment in the Mackay region.

A summary of the results of the trial are as follows:

- Currently, 421 e-scooters are in operation.
- In the reporting period of 1 March 2023 to 29 February 2024, Mackay has seen 133,803 trips in the Mackay operating area. Of that, 70,575 are unique riders that use the service.
- The total distance travelled was 264,408 kilometres.
- The average trip duration is ten minutes and distance travelled is two kilometres.
 - On average, the monthly sign-up tally on the Beam app from within the Mackay operating area is 904.
 - The Beam e-scooter operating area includes: Mackay City, North Mackay, East Mackay, West Mackay, South Mackay, parts of Ooralea, Mount Pleasant, Mackay Harbour, and parts of Andergrove and Beaconsfield.
 - During the 12-month reporting period, Beam received a total of five incident reports. Of these, four were reported as minor incidents, with one being recorded as an incident that caused serious injuries and required medical attention.
 - During this same time period, one incident was reported to Council and Council's insurer was notified.

Based on the results of the trial, it is proposed that Council invite tenders from experienced e-scooter hire businesses to apply to exclusively operate and manage a fleet of hire e-scooters from public land in the Mackay region for a contract term of three years with two by one-year (2 x 1 year) options to extend. Given the size of the Mackay urban area and the area required to be serviced by e-scooters, it is not considered viable to have more than one e-scooter hire business operating in the region at any one time.

The purpose of the tender will be to:

- Comply with Council's obligations under the Local Government Regulations and follow a tender process to identify a sole e-scooter hire businesses to operate a fleet of hire e-scooters from public land in the Mackay region for the term of the proposed contract.
- Continue to provide community members and visitors with an alternative mode of transport.
- Encourage sustainable and diversified jobs and investment in the Mackay region.

The proposed tender will allow for the provision of e-scooters within the areas currently serviced, however it is possible that additional areas may be added in the future subject to community need and demand.

Consultation and Communication

Consultation will be conducted between Economic Development and Tourism and internal teams including Legal Counsel, Mackay City and Waterfront, Strategic Planning, Health and Regulatory Services and Infrastructure Planning prior to the Request for Tender being released. Further updates and consultation with all relevant internal stakeholders will be ongoing during the initial stages of implementation and ongoing management of the service.

Resource Implications

A summary of the resource implications relevant to the impacted Council programs is summarised in the table below.

Department	Role	Commitment	Implication
Economic Development & Tourism	Senior Economic Development Officer	Moderate	Contract management of e-scooter agreement including all ongoing liaison with the preferred proponent.
Parks & Open Space	Operational Team	Minor	Minimal input – anticipated to be managed as part of standard roles where the e-scooter provider has not met their timing obligations for safety (i.e. fallen e-scooter).

Risk Management Implications

Through the tender process, respondents will be requested to demonstrate their experience and capability to identify, mitigate and limit any preventable risks associated with operating and managing a fleet of hire e-scooters from public land in the Mackay region. The ongoing supply of e-scooters in the Mackay region will continue to attract interest from the community, with this interest being both positive and also sensitive to potential or perceived safety concerns. The preferred proponent will be selected based on their customer service approach which includes in-app technology reporting, social media, phone and email. Response times for any anticipated issues such as fallen, unsafe or e-scooters in need of repair will be requested as part of the tender and expected to be adhered to through ongoing contract management. The preferred proponent will be requested to provide a detailed account of all anticipated pre-launch and post-launch tasks to ensure Council and the community are regularly updated.

The required minimum public liability, professional indemnity and work cover insurances will be requested as part of the Request for Tender. The respondent will be required to perform all risk assessment analyses upon engagement and will work in conjunction with relevant Council officers to ensure all risk assessments are well documented and considered.

Conclusion

The e-scooter hire business trial is considered to be a success, and as a result officers recommend that e-scooters continue to be used in the region. Given the current agreement with Beam is coming to an end, it is proposed that a tender process be initiated to secure a single e-scooter hire business for Mackay, with the CEO authorised to enter into an operating agreement with the successful tenderer.

Officer's Recommendation

THAT Council resolves to:

1. Receive the results of the Mackay E-Scooter Hire Business trial;
2. Support the continued use of commercial e-scooters in the region; and
3. Authorise the Chief Executive Officer to enter into an operating agreement with the successful tenderer.

11.5. INFRASTRUCTURE AND OPERATIONS

11.5.1. LEASE RENEWAL - MACKAY COMMUNITY GARDEN

Author Land and Property Officer (Jacinta Pollock Bonnett)
Responsible Officer Director Engineering & Commercial Infrastructure (Jason Devitt)
File Reference Current Securities Lease 194, 3 Sarah Street, WEST MACKAY QLD 4740

Attachments

1. Lease Area [11.5.1.2 - 1 page]

Purpose

To consider a Lease renewal for Mackay Community Garden Inc for a total area of approximately 3,308 square metres being Lot 1 on RP893216 known as 3 Sarah Street, West Mackay for a period of ten (10) years with such Lease to commence on 1 January 2024.

Related Parties

Mackay Community Garden Inc

Corporate Plan Linkage

Live and Visit

Live, Visit and Play - We have a diverse mix of accessible spaces to live, visit and play.

Places and Spaces - We provide well planned and designed places, facilities and infrastructure that meet the needs of our residents and visitors.

Background/Discussion

In 1997 Council established a community garden on this parcel of land until 2005 when the Mackay Community Garden Inc (MCG) was formed for the purpose of demonstration, promotion and education of sustainable human settlements and permaculture principles.

MCG has planted a variety of plants that not only promote and provide education on permaculture principles but has also replicated plants found in the Mackay Region. MCG hold workshops and invite a variety of community groups to attend and participate in the garden. It is continually evolving under the guidance of a core crew and the group.

According to Section 236 (1) (b) (ii) 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 valuable non-current asset is disposed of to a community organisation."

Therefore, Council is not required to tender this before approving a new Lease Agreement.

Consultation and Communication

Extensive consultation has occurred between representatives of Mackay Community Garden Inc, Legal Counsel, Executive Manager Property & Plant, Supervisor Land Operations, Land and Property Officer and the Land and Road Use Committee.

Resource Implications

All costs incurred in respect to the preparation and lodgement of the Lease documentation will be borne by the Lessee.

The Lease will be a standard community lease inclusive of rental in accordance with the Mackay Regional Council's Community Leasing Policy and other like conditions.

Risk Management Implications

MCG hold a long-term commitment to the land, its infrastructure and the local community, and should the Lease not be renewed, both our community and region would not be able to benefit from the opportunities that arise from such a community group.

Conclusion

The approval of a new ten (10) year Lease to MCG is the most advantageous outcome to Mackay Regional Council and the community.

Officer's Recommendation

THAT Council

1. Resolves that an exemption applies under Section 236 (1) (b) (ii) 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 valuable non-current asset is disposed of to a community organisation"; and
2. Approves a new Lease for Mackay Community Garden Inc for a total area of approximately 3,308 square metres being Lot 1 on RP893216, 3 Sarah Street, West Mackay for a period of ten (10) years with such Lease to commence on 1 January 2024.



Mackay Community Garden – Lot 1 on RP893216

11.5.2. CONTRACTUAL ARRANGEMENT TENDERING EXEMPTION - MSWRF SCREW PRESS REPLACEMENT

Author Executive Assistant (Robyn Smith)
Responsible Officer Director Infrastructure and Operations (Jason Devitt)
File Reference MSWRF

Attachments Nil

Purpose

To seek a Council Resolution to engage Aqseptence Group Pty Ltd without first inviting quotes or tenders to provide services, equipment, and associated accessories for the replacement of the Inlet Screen Screw Press at Mackay South Water Recycling Facility (MSWRF) in accordance with s235(b) of the *Local Government Regulation 2012 (Regulation)*.

Related Parties

The parties relating to this report are as follows:

- Aqseptence Group Pty Ltd

Corporate Plan Linkage

Financial Strength

Optimised Asset Management - Our asset spend is aligned with the optimised maintenance, replacement and renewal of our asset base.

Background/Discussion

Mackay Regional Council (Council) operates the Mackay South Water Recycling Facility (MSWRF) and the Mackay North Water Recycling Facility (MNWRF). The Inlet Works at both facilities utilise screening equipment manufactured by Aqseptence Group Pty Ltd.

In FY (Financial Year) 2019/2020, Council replaced the Inlet Screens (but not the Screw Press) at MSWRF with the more efficient “Honeycomb” band screens manufactured by Aqseptence Group Pty Ltd. In FY 2021/2022, Council replaced the Inlet Screens and the Screw Press at MNWRF also manufactured by Aqseptence Group Pty Ltd. The screens which remove debris/material from the plant influent are crucial to the efficiency of the treatment process. The debris/material removed by both screens is dewatered by the Screw Press after which it is discharged to skip bins for offsite disposal.

The existing Screw Press at MSWRF has reached its end of life requiring a complete rebuild or replacement. It is recommended to replace the Screw Press which is more cost effective and will minimise downtime. The new Screw Press if supplied by the original equipment manufacturer (OEM) will be a “drop in” replacement which will greatly reduce the installation downtime and associated risk of modification to civil works to accommodate a Screw Press with differing dimensions and also reduce the risk of time for the sewerage system to be taken off-line whilst the works occur.

Given that the Inlet Screens and associated Screw Press are specialist areas with customised equipment, to maintain uniformity of equipment used in the operation of both treatment plants, it is recommended that Council engage the original equipment manufacturer in a Specialist Supplier Agreement in accordance with tendering exemptions available under s235(b) of the *Local Government Regulation 2012 (Regulation)*-

235 Other exceptions

A local government may enter into a medium-sized contractual arrangement or large-sized contractual arrangement without first inviting written quotes or tenders if -

- (b) the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders;

On that basis, it is recommended that Council support the replacement of the MSWRF Screw Press by Aqseptence Group Pty Ltd under the specialist nature of the services sought provision.

Consultation and Communication

Consultation has been undertaken with the Water Treatment and Infrastructure Planning Teams to ensure the proposed replacement Screw Press Works meet their requirements to operate the Water Recycling Facility.

Consultation also occurred with the Chief Procurement Officer in relation to the procurement options available.

Resource Implications

The services, equipment, and associated accessories for the replacement of the Screw Press will be funded from the FY 2023/2024 budget for Project 71310 - MSWRF Screw Press Upgrade.

Budget Description – 2023/2024	Budget
71310 – MSWRF Screw Press Upgrade	\$85,000.00 (GST exclusive)

The anticipated total cost to purchase the Screw Press and associated ancillary equipment totals \$70,680.00 (GST exclusive) and these costs are covered within the above budget allocation.

Risk Management Implications

The continuous operation of the existing Screw Press increases the risk of failure of the Influent Screening System at MSWRF. Renewal of the Screw Press is essential to reduce the risk of ragging and blockage in downstream treatment processes. Failure to renew the existing Screw Press also increases the risk of excessive maintenance costs and possible regulatory enforcement action due to environmental breach in the event of a failure.

Conclusion

Due to the specialised and customised nature of the Treatment Plant sites, and to maintain uniformity of equipment, it is recommended that under s235(b) of the Regulation that Council resolve that due to the specialised nature of the work it is impractical and disadvantageous for Council to invite quotes or tenders and, therefore, should directly engage Aqseptence Group Pty Ltd for the supply of a new Screw Press and associated ancillary equipment.

Officer's Recommendation

THAT under *s235(b) Local Government Regulations*, Council resolves that because of the specialist nature of the work and proprietary original equipment manufacturer item, it would be impractical and disadvantageous for Council to invite quotes or tenders for supply by suppliers other than Aqseptence Group Pty Ltd as the original supplier.

FURTHER THAT Council enters into an arrangement with Aqseptence Group Pty Ltd to provide services, equipment, and associated accessories for the replacement of the Screw Press at Mackay South Water Recycling Facility to occur, with the cost of the works being \$70,680.00 (GST exclusive).

11.6. CORPORATE SERVICES

11.6.1. BUDGET REVIEW MARCH 2023-2024

Author Chief Financial Officer (Chris Molyneaux)
Responsible Officer Director Corporate Services (Angela Hays)
File Reference 2023-2024 Budget Review

Attachments

1. Statement of Income and Expenses 10 Yr MBR [11.6.1.1 - 1 page]
2. Statement of Financial Position 10 Yr MBR [11.6.1.2 - 1 page]
3. Statement of Cashflow 10 Yr MBR [11.6.1.3 - 1 page]
4. Statement of Changes in Equity 10 Yr MBR [11.6.1.4 - 1 page]
5. Ratios 10 Yr MBR [11.6.1.5 - 1 page]
6. Capital Summary 10 Yr MBR [11.6.1.6 - 1 page]

Purpose

To present the 2023-2024 third quarter budget review and associated changes to Fees & Charges.

Related Parties

Nil.

Corporate Plan Linkage

Financial Strength

Ethical Decision-Making and Good Governance - We are committed to keeping our community informed about our activities and performance and employing robust governance policies and procedures to ensure legislative compliance and organisational integrity.

Planned Capital and Forecasting - Our planned capital and operational projects are delivered with agility in the line with our business needs.

Background/Discussion

In accordance with section 170(3) of the *Local Government Regulation 2012*, Council may by resolution, amend the budget for a financial year at any time before the end of the financial year.

Following completion of the third quarter of the financial year, it is timely to review the budget, for any known variations, to better reflect the forecasted closing position for the 2023-2024 financial year.

The revised budget proposed for adoption with this report is summarised as follows:

Operational

	Current Amended Budget \$'000	March Budget Review Adjustment \$'000	Amended Budget \$'000
Operating Revenue	\$295,376	\$1,208	\$296,584
/less Operating Expense	\$300,800	\$1,208	\$302,008
Operating Surplus/(Deficit)	(\$5,424)	\$0	(\$5,424)

As a result of the above movements in revenue and expenses, MRC's forecasted operating result has remained unchanged at a deficit of \$5.4M for the 2023-2024 financial year.

Revenue

Operating revenue is forecasted to favourably increase by \$1.2M, with adjustments to fees & charges, and interest income offset by reduced water rates income.

Category	Amount Fav / (Unfav) \$'000	Comments
Fees and charges	1,300	Additional income recognised from water sales \$588K, waste disposal fees \$286K, development planning activities \$250K and Sugar Shed \$100K.
Interest received	819	Based on actual interest received to date due to higher than anticipated interest rates.
Recurrent grants, subsidies, contributions and donations	594	Recognition of approved disaster funding for unsealed road maintenance \$400K and increase stormwater quality contributions \$200K.
Rental Income	75	Telecommunication leases on council sites.
Other revenue	56	Sugar shed trading income
Sales contracts and Recoverable works	(668)	Water recoverable income reclassified as capital income (\$550K) and a reduction Developer Street trees income (\$58K)
Rates, levies and charges	(1,002)	Reduction in water consumption due to consistent wet weather.
Operational Income in Capital Projects	34	Net operational project grant income increased to correct the distribution between capital and operational expenses.
	1,208	Total operating revenue adjustments

Expenses

Operating expenditure is forecasted to increase overall by \$1.2M. The majority of the increased expenditure is associated with increases in material and services offset by savings in employee expenses due to vacancies and reduced depreciation estimate.

Category	Amount Fav / (Unfav) \$'000	Comments
Employee Benefits	3,234	Reduction in expenditure due to staff vacancies across Council and time required to fill vacant positions in the current economic climate.
Depreciation	753	Revised estimate of depreciation recognised for Council's assets.

Materials and Services	(4,389)	Materials and Services increases primarily due to contractor increases \$2.3m across multiple areas of Council, including parks and open spaces, unsealed road maintenance and Hogans Pocket landfill operations. Increased repairs and maintenance costs \$893K across multiple areas of Council, including sealed road maintenance and sewerage pump station maintenance. External legal expenses \$550K and external equipment hire \$210K.
Operational Expenses in Capital Projects	(806)	The major component of this cost is associated with the MECC cleaning and HVAC cleaning due to the mould outbreak.
	(1,208)	Total operating expenditure adjustments

Capital Projects

Project	Capital Expenditure Amount \$'000	Operational Expenditure Amount \$'000	Capital Income Amount \$'000	Operational Income Amount \$'000
New Projects	(3,042)	(1,077)	(576)	0
Project Adjustments	(3,849)	(97)	(1,353)	(44)
Project Savings	3,814	67	1,548	10
Projects Deferred	14,350	300	1,753	0
TOTAL	11,273	(807)	1,372	(34)

Capital projects expenditure is forecasted to decrease overall by \$11.27M. This consists of savings and deferrals of \$18.16M offset by additional capital project expenditure \$6.89M.

	Original Budget \$'000	Current Amended Budget \$'000	March Budget Review Adjustment \$'000	Amended Budget \$'000
Capital Project budget	126,548	121,714	(10,467)	111,247
- Capital expenditure	124,420	118,739	(11,273)	107,466
- Operational expenditure	2,128	2,975	\$806	3,781
Capital Project funding budget	45,137	42,653	(1,337)	41,316
- Capital funding	45,110	42,525	(1,371)	41,154
- Operational funding	27	128	34	162

Overall capital projects revenue is decreasing by \$1.33M because of net grant income adjustments from existing and deferred projects.

In summary, known changes to the capital works program have been identified and adjusted as detailed above.

Fees and Charges Amendments

Paper Notice Fee

Removal of incorrect legislation shown on Council's Fees & Charges schedule for the Paper Notice Fee. This fee is a commercial fee.

Officers are recommending that an exemption is granted to all eligible pension concession holders for the Paper Notice Fee.

Building Certification Fees

The Final Inspection Fee (Form 21) and Final Clearance Inspection – Outstanding Building Requisitions are recommended to change from \$436 and \$447 respectively to Price on Application. This is due to Council engaging a contractor Building Certifier to provide this service in lieu of Council's Building Certifier who is entering retirement.

Consultation and Communication

The requirements of the capital program are monitored during the financial year, including detailed monthly reporting to Management and Councillors.

Identified changes which require budget amendments will be reviewed by the Executive Leadership Team and presented regularly to Council for approval.

Resource Implications

The revised capital project expenditure program for 2023-2024 has decreased by \$10.5M to \$111.2M.

The Operating Result will remain unchanged, a deficit of \$5.4M for the 2023-2024 financial year. This will continue to be monitored during the remainder of the year.

Risk Management Implications

The budget needs to reflect expected costs of delivery, therefore changes to budgets associated with changes in delivery timing and changes in costs need to be addressed as soon as possible.

This budget review brings to account known variations to the original budget adopted on 21 June 2023 and adjustments throughout the year.

Conclusion

The March 2023-2024 budget review amendments will be included in the current approved budget and become the current amended budget.

The amended budget will be reflected in the Strategic Financial Report for April 2024.

The Long-Term Financial Forecast has been updated based on the changes identified in this report and the effect on future forecasts.

Council's current forecasted operating deficit is \$5.4M for the 2023-2024 financial year. Costs and revenue will continue to be monitored.

Capital expenditure delivery is progressing and will continue to be monitored. Known adjustments have been made to the budget to reflect any changes to estimates, current construction market and delivery timing.

Officer's Recommendation

THAT the changes identified in the March budget review be adopted and become the approved amended budget from April 2024.

MACKAY REGIONAL COUNCIL
STATEMENT OF INCOME AND EXPENSES
For the year ending 30 June 2024
(including long term forecast until 2032/33)

	Budget 2023/24 \$000	Forward Estimate								
		2024/25 \$000	2025/26 \$000	2026/27 \$000	2027/28 \$000	2028/29 \$000	2029/30 \$000	2030/31 \$000	2031/32 \$000	2032/33 \$000
Operating revenue										
Rates and charges	263,000	277,037	290,563	304,259	316,793	328,273	340,315	352,810	366,066	379,832
Discounts	(19,906)	(20,822)	(21,686)	(22,597)	(23,444)	(24,206)	(25,126)	(26,081)	(27,098)	(28,155)
Remissions	(2,539)	(2,656)	(2,766)	(2,882)	(2,990)	(3,087)	(3,189)	(3,294)	(3,407)	(3,522)
Net Rates and charges	240,555	253,559	266,111	278,780	290,359	300,980	312,000	323,435	335,561	348,155
Fees and charges	22,126	20,598	21,319	22,065	22,727	23,345	23,980	24,633	25,249	25,880
Rental income	1,507	1,557	1,611	1,667	1,718	1,760	1,804	1,850	1,896	1,943
Sales - contracts and recoverable works	7,412	8,559	8,859	9,169	9,444	9,680	9,922	10,170	10,424	10,685
Grants and subsidies	11,089	8,653	8,956	9,270	9,548	9,787	10,031	10,282	10,539	10,802
Interest earned	7,726	7,123	6,226	6,194	4,476	3,307	3,100	2,836	2,999	3,140
Other operating revenue	6,169	5,759	5,961	6,169	6,354	6,513	6,676	6,843	7,014	7,189
Total operating revenue	\$ 296,584	\$ 305,808	\$ 319,043	\$ 333,314	\$ 344,626	\$ 355,372	\$ 367,513	\$ 380,049	\$ 393,682	\$ 407,794
Operating expenses										
Employee costs	94,072	104,200	108,267	112,497	116,347	120,331	124,454	128,721	133,138	137,465
Materials and services	110,576	108,052	115,136	119,590	124,494	131,264	135,884	140,296	146,425	150,345
Finance costs	7,886	3,402	3,873	4,524	4,150	4,159	4,648	5,840	7,769	9,160
Depreciation	89,474	90,140	91,236	92,293	92,729	93,288	93,964	95,772	97,772	99,842
Total operating expenses	302,008	\$ 305,794	\$ 318,512	\$ 328,904	\$ 337,720	\$ 349,042	\$ 358,950	\$ 370,629	\$ 385,104	\$ 396,812
Operating result	\$ (5,424)	\$ 14	\$ 531	\$ 4,410	\$ 6,906	\$ 6,330	\$ 8,563	\$ 9,420	\$ 8,578	\$ 10,982
Capital revenue										
Grants and subsidies	18,998	30,675	31,128	42,755	54,075	58,741	41,720	44,950	65,620	72,330
Contributions from developers	3,500	4,000	4,500	5,500	6,500	7,000	7,500	8,000	9,000	9,000
Donated assets	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000
Other capital income	956	-	-	-	-	-	-	-	-	-
Total capital revenue	\$ 27,454	\$ 38,675	\$ 39,628	\$ 52,255	\$ 64,575	\$ 69,741	\$ 53,220	\$ 56,950	\$ 78,620	\$ 85,330
Capital expenses										
Loss on disposal or sale of assets	740	768	799	812	(463)	872	925	892	1,003	987
Revaluation decrement and loss on impairment	-	-	-	-	-	-	-	-	-	-
Other capital expenses	2,602	2,000	2,000	2,000	2,000	2,000	2,000	2,065	2,086	2,000
Total capital expenses	3,342	\$ 2,768	\$ 2,799	\$ 2,812	\$ 1,537	\$ 2,872	\$ 2,925	\$ 2,957	\$ 3,089	\$ 2,987
Net result	\$ 18,688	\$ 35,921	\$ 37,360	\$ 53,853	\$ 69,944	\$ 73,199	\$ 58,858	\$ 63,413	\$ 84,109	\$ 93,325

**MACKAY REGIONAL COUNCIL
STATEMENT OF FINANCIAL POSITION
For the year ending 30 June 2024
(including long term forecast until 2032/33)**

	Budget 2023/24 \$000	Forward Estimate								
		2024/25 \$000	2025/26 \$000	2026/27 \$000	2027/28 \$000	2028/29 \$000	2029/30 \$000	2030/31 \$000	2031/32 \$000	2032/33 \$000
Current assets										
Cash, cash equivalents and investments	125,385	121,313	119,814	87,723	67,965	54,737	39,297	43,896	46,557	53,909
Trade and other receivables	21,282	22,094	23,140	24,198	25,093	26,043	26,957	27,903	28,821	29,933
Contract assets	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500
Other assets	4,506	4,506	4,506	4,506	4,506	4,506	4,506	4,506	4,506	4,506
Inventories	3,136	3,136	3,136	3,136	3,136	3,136	3,136	3,136	3,136	3,136
Non-current assets held for sale	-	-	-	-	-	-	-	-	-	-
Total current assets	\$ 157,809	\$ 154,549	\$ 154,096	\$ 123,063	\$ 104,200	\$ 91,922	\$ 77,396	\$ 82,941	\$ 86,520	\$ 94,984
Non-Current Assets										
Investments	5,580	5,580	5,580	5,580	5,580	5,580	5,580	5,580	5,580	5,580
Trade and other receivables	-	-	-	-	-	-	-	-	-	-
Property, plant and equipment	3,958,003	4,000,207	4,048,433	4,114,781	4,193,772	4,283,678	4,381,817	4,485,480	4,599,938	4,718,134
Intangible assets	4,106	4,102	4,097	4,093	4,088	4,084	4,080	4,075	4,071	4,066
Right of use assets	1,143	1,062	982	902	821	741	661	581	500	450
Total non-current assets	\$ 3,968,832	\$ 4,010,951	\$ 4,059,092	\$ 4,125,356	\$ 4,204,261	\$ 4,294,083	\$ 4,392,138	\$ 4,495,716	\$ 4,610,089	\$ 4,728,230
Total assets	\$ 4,126,641	\$ 4,165,500	\$ 4,213,188	\$ 4,248,419	\$ 4,308,461	\$ 4,386,005	\$ 4,469,534	\$ 4,578,657	\$ 4,696,609	\$ 4,823,214
Current liabilities										
Contract liabilities	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500
Lease liabilities	68	68	68	68	68	68	68	68	68	68
Trade and other payables	9,483	8,918	9,501	9,871	10,245	10,831	11,213	11,575	12,047	12,403
Employee entitlements	1,799	1,998	2,076	2,157	2,225	2,308	2,387	2,469	2,546	2,636
Borrowings	11,646	8,849	7,247	7,632	6,151	4,861	6,471	8,891	11,034	11,552
Provisions	59,641	58,186	55,989	46,939	34,547	24,745	9,819	7,889	6,620	5,321
Other liabilities	14,947	14,947	14,947	14,947	14,947	14,947	14,947	14,947	14,947	14,947
Total current liabilities	\$ 101,084	\$ 96,466	\$ 93,328	\$ 85,114	\$ 71,683	\$ 61,260	\$ 48,405	\$ 49,339	\$ 50,762	\$ 50,427
Non-current liabilities										
Lease liabilities	1,213	1,196	1,179	1,162	1,145	1,128	1,111	1,095	1,078	1,061
Trade and other payables	1,601	1,601	1,601	1,601	1,601	1,601	1,601	1,601	1,601	1,601
Employee entitlements	-	-	-	-	-	-	-	-	-	-
Borrowings	48,408	59,561	76,118	68,485	72,336	87,477	120,510	173,125	212,096	251,049
Provisions	21,685	21,685	21,685	21,685	21,380	21,024	25,534	17,711	11,177	5,856
Other liabilities	9,685	6,105	3,031	273	273	273	273	273	273	273
Total non-current liabilities	\$ 82,592	\$ 90,148	\$ 103,614	\$ 93,206	\$ 96,735	\$ 111,503	\$ 149,029	\$ 193,805	\$ 226,225	\$ 259,840
Total liabilities	\$ 183,676	\$ 186,614	\$ 196,942	\$ 178,320	\$ 168,418	\$ 172,763	\$ 197,434	\$ 243,144	\$ 276,987	\$ 310,267
Net community assets	\$ 3,942,965	\$ 3,978,886	\$ 4,016,246	\$ 4,070,099	\$ 4,140,043	\$ 4,213,242	\$ 4,272,100	\$ 4,335,513	\$ 4,419,622	\$ 4,512,947
Community equity										
Retained surplus	2,331,875	2,367,796	2,405,156	2,459,009	2,528,953	2,602,152	2,661,010	2,724,423	2,808,532	2,901,857
Asset revaluation reserve	1,611,090	1,611,090	1,611,090	1,611,090	1,611,090	1,611,090	1,611,090	1,611,090	1,611,090	1,611,090
Total community assets	\$ 3,942,965	\$ 3,978,886	\$ 4,016,246	\$ 4,070,099	\$ 4,140,043	\$ 4,213,242	\$ 4,272,100	\$ 4,335,513	\$ 4,419,622	\$ 4,512,947

MACKAY REGIONAL COUNCIL
STATEMENT OF CASH FLOW
For the year ending 30 June 2024
(including long term forecast until 2032/33)

	Budget 2023/24 \$000	Forward Estimate								
		2024/25 \$000	2025/26 \$000	2026/27 \$000	2027/28 \$000	2028/29 \$000	2029/30 \$000	2030/31 \$000	2031/32 \$000	2032/33 \$000
Cash flows from operating activities:										
Receipts from customers	279,284	289,068	302,837	316,815	329,725	341,348	353,487	366,001	379,243	392,761
Payments to suppliers and employees	(237,975)	(214,525)	(225,406)	(241,174)	(253,594)	(261,598)	(270,821)	(278,927)	(287,456)	(294,551)
	\$ 41,309	\$ 74,543	\$ 77,431	\$ 75,641	\$ 76,131	\$ 79,750	\$ 82,666	\$ 87,074	\$ 91,787	\$ 98,210
Interest received	7,726	7,123	6,226	6,194	4,476	3,307	3,100	2,836	2,999	3,140
Non capital grants and contributions	11,585	8,804	8,934	9,247	9,529	9,767	10,013	10,263	10,522	10,781
Borrowing Costs	(2,787)	(2,949)	(3,404)	(4,038)	(3,649)	(3,645)	(4,122)	(5,300)	(7,216)	(8,593)
Net cash inflow (outflow) from operating activities	\$ 57,833	\$ 87,521	\$ 89,187	\$ 87,044	\$ 86,487	\$ 89,179	\$ 91,657	\$ 94,873	\$ 98,092	\$ 103,538
Cash flow from investing activities:										
Payments for property, plant and equipment	(106,423)	(131,431)	(138,751)	(158,964)	(170,107)	(182,998)	(192,349)	(199,555)	(212,373)	(218,195)
Payments for intangible assets	-	-	-	-	-	-	-	-	-	-
Net movement in loans and advances	1,676	-	-	-	-	-	-	-	-	-
Proceeds from sale of property plant and equipment	1,189	2,403	2,574	3,596	2,935	3,016	3,406	3,313	3,225	3,225
Grants, subsidies, contributions and donations	19,327	34,675	35,628	48,255	60,575	65,741	49,220	52,950	74,620	81,330
Other investing activities	(5,520)	(5,580)	(5,074)	(4,758)	(2,000)	(2,000)	(2,000)	(2,000)	(2,000)	(2,000)
Net cash inflow (outflow) from investing activities	\$ (89,751)	\$ (99,933)	\$ (105,623)	\$ (111,871)	\$ (108,597)	\$ (116,241)	\$ (141,723)	\$ (145,292)	\$ (136,528)	\$ (135,640)
Cash flow from financing activities:										
Proceeds from borrowings	21,200	20,000	23,800	-	10,000	20,000	39,500	61,500	50,000	50,500
Repayment of borrowings	(14,045)	(11,643)	(8,846)	(7,247)	(7,631)	(6,149)	(4,857)	(6,465)	(8,886)	(11,029)
Principal lease repayments	(17)	(17)	(17)	(17)	(17)	(17)	(17)	(17)	(17)	(17)
Net cash inflow (outflow) from financing activities	\$ 7,138	\$ 8,340	\$ 14,937	\$ (7,264)	\$ 2,352	\$ 13,834	\$ 34,626	\$ 55,018	\$ 41,097	\$ 39,454
Net increase (decrease) in cash held	\$ (24,780)	\$ (4,072)	\$ (1,499)	\$ (32,091)	\$ (19,758)	\$ (13,228)	\$ (15,440)	\$ 4,599	\$ 2,661	\$ 7,352
Cash at beginning of reporting period	150,165	125,385	121,313	119,814	87,723	67,965	54,737	39,297	43,896	46,557
Cash at end of reporting period	\$ 125,385	\$ 121,313	\$ 119,814	\$ 87,723	\$ 67,965	\$ 54,737	\$ 39,297	\$ 43,896	\$ 46,557	\$ 53,909

MACKAY REGIONAL COUNCIL
STATEMENT OF CHANGES IN EQUITY
For the year ending 30 June 2024
(including long term forecast until 2032/33)

	Budget 2023/24 \$000	Forward Estimate								
		2024/25 \$000	2025/26 \$000	2026/27 \$000	2027/28 \$000	2028/29 \$000	2029/30 \$000	2030/31 \$000	2031/32 \$000	2032/33 \$000
Retained Surplus										
Opening balance	2,313,187	2,331,875	2,367,796	2,405,157	2,459,009	2,528,953	2,602,152	2,661,010	2,724,423	2,808,532
Adjustment to opening balance	-	-	-	-	-	-	-	-	-	-
Net result for the period	18,688	35,921	37,360	53,853	69,944	73,199	58,858	63,413	84,109	93,325
Closing balance	\$ 2,331,875	\$ 2,367,796	\$ 2,405,157	\$ 2,459,009	\$ 2,528,953	\$ 2,602,152	\$ 2,661,010	\$ 2,724,423	\$ 2,808,532	\$ 2,901,857
Asset Revaluation Reserve										
Opening balance	1,611,090	1,611,090	1,611,090	1,611,089	1,611,090	1,611,090	1,611,090	1,611,090	1,611,090	1,611,090
Adjustment to opening balance	-	-	-	-	-	-	-	-	-	-
Asset revaluation adjustments	-	-	(1)	1	-	-	-	-	-	-
Closing balance	\$ 1,611,090	\$ 1,611,090	\$ 1,611,089	\$ 1,611,090	\$ 1,611,090	\$ 1,611,090	\$ 1,611,090	\$ 1,611,090	\$ 1,611,090	\$ 1,611,090
Total										
Opening balance	3,924,277	3,942,965	3,978,886	4,016,246	4,070,099	4,140,043	4,213,242	4,272,100	4,335,513	4,419,622
Adjustment to opening balance	-	-	-	-	-	-	-	-	-	-
Net result for the period	18,688	35,921	37,360	53,853	69,944	73,199	58,858	63,413	84,109	93,325
Asset revaluation adjustments	-	-	(1)	1	-	-	-	-	-	-
TOTAL COMMUNITY EQUITY	\$ 3,942,965	\$ 3,978,886	\$ 4,016,246	\$ 4,070,099	\$ 4,140,043	\$ 4,213,242	\$ 4,272,100	\$ 4,335,513	\$ 4,419,622	\$ 4,512,947

MACKAY REGIONAL COUNCIL
KEY FINANCIAL SUSTAINABILITY METRICS
For the year ending 30 June 2024
(including long term forecast until 2032/33)

	Target	Budget 2023/24	Forward Estimate								
			2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33
Operating surplus ratio <i>Operating result (excluding capital items) as a percentage of operating revenue</i>	0% - 10%	-1.8%	0.0%	0.2%	1.3%	2.0%	1.8%	2.3%	2.5%	2.2%	2.7%
Current ratio <i>Current assets / current liabilities</i>	Between 1 and 4	1.6	1.6	1.7	1.4	1.5	1.5	1.6	1.7	1.7	1.9
Debt service cover ratio <i>EBITDA / (interest expense + principal loan repayment)</i>	>2 times	4.2	6.3	7.7	8.8	9.0	10.4	11.7	9.3	7.0	6.0
Net financial liabilities ratio <i>(Total liabilities - current assets) / total operating revenue (excluding capital items)</i>	< 60%	8.7%	10.5%	13.4%	16.6%	18.6%	22.7%	32.7%	42.2%	48.4%	52.8%
Asset sustainability ratio <i>Capital expenditure on renewals / depreciation expense</i>	> 90%	58.2%	94.9%	95.2%	85.8%	86.4%	95.7%	90.9%	89.4%	94.0%	85.0%
Capital expenditure ratio <i>Capital expenditure / depreciation</i>	> 1.1 times	1.2	1.5	1.6	1.8	1.9	2.0	2.1	2.1	2.2	2.2

**MACKAY REGIONAL COUNCIL
CAPITAL WORKS PROGRAM
For the year ending 30 June 2024
(including long term forecast until 2032/33)**

	Budget	Forward Estimate									
	2023/24 \$000	2024/25 \$000	2025/26 \$000	2026/27 \$000	2027/28 \$000	2028/29 \$000	2029/30 \$000	2030/31 \$000	2031/32 \$000	2032/33 \$000	
Buildings and Facilities	12,092	7,829	13,607	28,724	31,341	25,165	9,850	7,228	9,166	10,521	
Renewal	5,036	6,155	6,735	7,569	5,777	4,826	3,981	4,323	6,277	3,921	
Upgrade	968	308	1,059	7,120	219	97	99	102	-	-	
New	6,088	1,365	5,814	14,035	25,344	20,243	5,769	2,803	2,889	6,599	
Parks, Gardens, Coastal & Foreshores, Waste	17,215	21,711	17,000	8,399	15,777	21,553	12,801	12,165	8,879	8,545	
Renewal	2,521	4,992	2,893	4,014	4,488	6,365	5,012	4,275	5,648	3,826	
Upgrade	1,458	1,398	1,198	1,103	2,841	1,036	1,727	5,196	1,139	195	
New	13,235	15,322	12,909	3,283	8,447	14,151	6,062	2,695	2,092	4,525	
Land	241	-	-	4,175	5,760	-	-	-	-	-	
Renewal	-	-	-	-	-	-	-	-	-	-	
Upgrade	-	-	-	-	-	-	-	-	-	-	
New	241	-	-	4,175	5,760	-	-	-	-	-	
Plant & Equipment	9,307	13,353	13,641	11,136	10,654	10,944	12,646	12,838	13,726	12,564	
Renewal	8,193	13,269	13,558	9,565	9,142	9,528	11,320	11,472	12,319	11,115	
Upgrade	108	84	-	303	-	-	-	-	-	-	
New	1,005	-	83	1,268	1,512	1,416	1,326	1,366	1,407	1,449	
Roads, Drainage & Network	46,265	55,390	49,401	53,893	71,119	71,369	80,461	98,485	107,567	101,066	
Renewal	21,560	38,827	32,966	26,771	32,134	33,969	32,349	31,811	37,752	36,654	
Upgrade	10,084	5,928	7,088	10,564	20,972	21,914	22,886	35,851	34,069	14,864	
New	14,621	10,636	9,347	16,558	18,013	15,486	25,226	30,822	35,746	49,549	
Sewerage	6,244	15,244	12,977	27,666	15,979	21,250	41,324	36,636	52,604	59,253	
Renewal	4,564	10,017	8,246	14,768	12,164	17,140	16,075	16,348	12,386	12,830	
Upgrade	932	3,186	2,769	6,313	2,982	2,923	24,650	17,857	1,253	10,201	
New	748	2,041	1,963	6,585	834	1,187	599	2,431	38,964	36,221	
Water	15,059	17,904	32,124	24,971	19,478	32,716	35,269	32,202	20,431	26,247	
Renewal	10,135	12,198	22,412	16,390	16,316	17,375	16,574	17,289	17,407	16,513	
Upgrade	1,859	1,301	6,795	1,699	2,756	8,472	4,574	3,448	105	4,521	
New	3,065	4,404	2,917	6,883	406	6,869	14,121	11,465	2,919	5,212	
Quarry and Landfill Remediaton	1,043	1,636	2,197	9,050	12,696	10,308	10,589	9,980	7,996	6,680	
Renewal	1,043	1,636	2,197	9,050	12,696	10,308	10,589	9,980	7,996	6,680	
Upgrade	-	-	-	-	-	-	-	-	-	-	
New	-	-	-	-	-	-	-	-	-	-	
	\$ 107,466	\$ 133,067	\$ 140,947	\$ 168,015	\$ 182,803	\$ 193,306	\$ 202,938	\$ 209,535	\$ 220,369	\$ 224,875	

11.6.2. STRATEGIC FINANCIAL REPORT - MARCH 2024

Author	Financial Accounting Co-ordinator (Jena Prinsloo)
Responsible Officer	Director Corporate Services (Angela Hays)
File Reference	Strategic Financial Report

Attachments

1. March 2024 Strategic Financial Report [**11.6.2.1** - 19 pages]

Purpose

To adopt Mackay Regional Council's (MRC) Strategic Financial Report for the month of March 2024.

Related Parties

Nil

Corporate Plan Linkage

Financial Strength

Ethical Decision-Making and Good Governance - We are committed to keeping our community informed about our activities and performance and employing robust governance policies and procedures to ensure legislative compliance and organisational integrity.

Background/Discussion

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

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

Consultation and Communication

Chief Executive Officer, Directors, Chief Financial Officer.

Resource Implications

MRC is forecasting an operating deficit of \$5.4M for the 2023/24 financial year. The variance of the actual operating result against YTD budget is an unfavourable variance of \$1.97M for the period ending March 2024, this variance is between $\pm 3\%$ and $\pm 5\%$.

Operating revenue is reporting a favourable variance of \$771K, this favourable variance is largely due to higher than anticipated interest income as a result of favourable interest rates.

Operating expenditure is reporting an unfavourable variance of \$2.74M. This unfavourable variance is largely attributable to materials and services (\$3.25M); specifically repairs and maintenance \$1.71M due to reactive maintenance, software maintenance costs \$755K due to the timing of expenses, and contractors \$801K largely due to of staff vacancies. Employee Benefit expenses are reporting an unfavourable variance of \$372K, this unfavourable variance is largely due to an increase in overtime claimed and allowances paid as a result of vacant positions. These unfavourable variances are offset by a favourable variance of \$922K for depreciation and amortisation based on asset capitalisations.

To date, \$69.65M has been expended in the delivery of Council Projects. Council's current works in progress is \$169.6M, works in progress reflect all projects that are currently in progress or completed and awaiting capitalisation.

Risk Management Implications

Variances will be closely reviewed and considered in future budget processes where required.

Conclusion

For the period ending March 2024, MRC reported an unfavourable operating surplus variance of \$1.97M against YTD budget.

Officer's Recommendation

THAT the Strategic Financial Report for March 2024 be received.



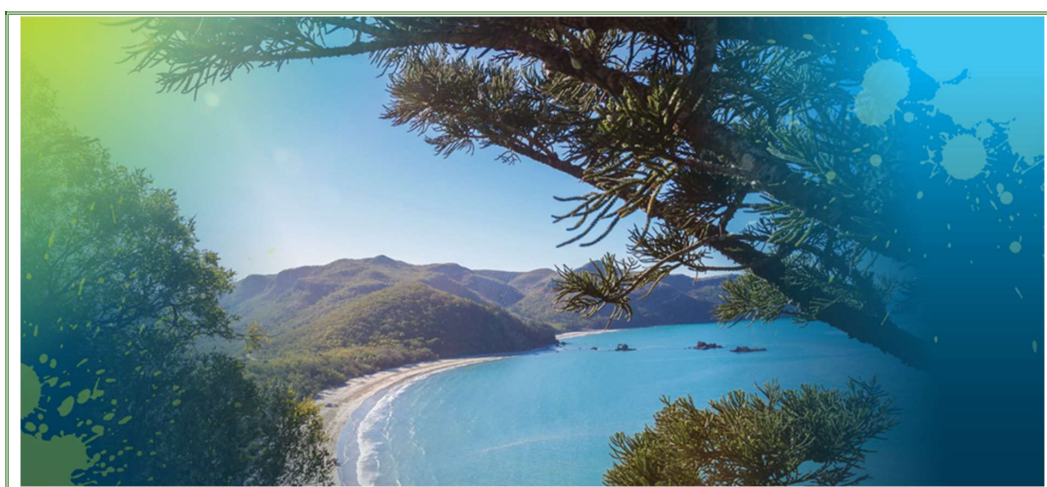
Strategic Financial Report

31 March 2024

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Background



Under the requirements of the Local Government Regulation 2012, Council must prepare a financial report that states the progress that has been made in relation to the Council's budget for the period of the financial year up to the end of the month.

The end of month financial statements within the report include:

- Statement of Profit or loss
- Statement of Financial Position
- Statement of Cash Flows

The report is prepared based on the revised December budget review approved at the council meeting held on 24 January 2024.

Figures provided are accurate as at the date of publication and are cumulative year-to-date.

Amounts disclosed are rounded to the nearest thousand (\$'000) unless otherwise stated. Consequently, rounded balances in the categories may not exactly add to the reported totals.

*Refer to Glossary

March '24 result at a glance

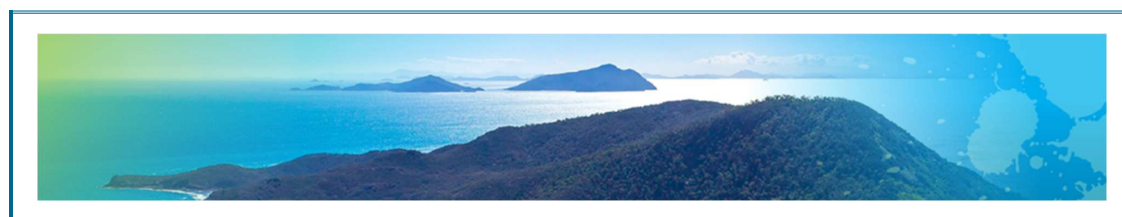
Amended Budget	<p>Full Year Result</p> <p>Total income: 295,371 Total expenses: 300,795</p>	YTD Budget	<p>YTD Result</p> <p>Budget: 43,045 Actual: 41,075</p>
(5,424K)		(1,970K)	
Operating surplus ratio -1.80%		YTD Variance -4.80%	
▼		▼	

Available cash	176.6M	Cash and investments at call
	5.15%	MRC Portfolio returns on cash at call

Liquidity	1.74	Current ratio
	15.2M	rates in arrears at 31 March 2024
	6.3%	rates in arrears as a percentage of rates charged

Borrowings	42.5M	Loan borrowings outstanding
-------------------	--------------	------------------------------------

Capital Expenditure	69.7M	capital expenditure for the period ended 31 March 2024
	59%	actual capital expenditure divided by forecasted total capital expenditure for the period ended 31 March 2024



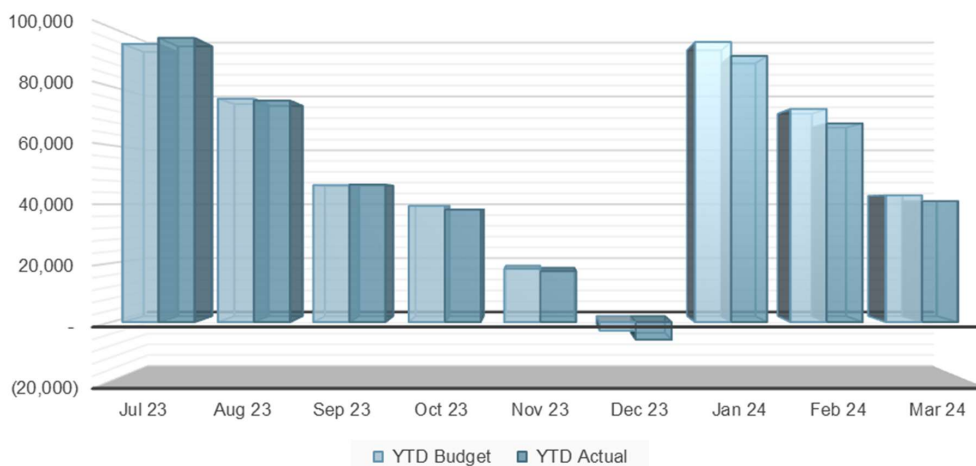
Operating result

	Annual Original Budget \$'000	Annual Revised Budget \$'000	YTD Budget \$'000	YTD Actual \$'000	YTD Variance \$'000	Size of Variance (+ and -):
						0% to 3%
						3% to 5%
						More than 5%
δ	292,142	295,371	265,869	266,640	771	Total operating revenue
✖	291,591	300,795	222,824	225,565	(2,741)	Less: total operating expenses
📊	551	(5,424)	43,045	41,075	(1,970)	Operating surplus / (deficit)

(\$5.4M) operating deficit forecast for 2023/24 financial year following the adoption of the December budget review by Council on 24 January 2024

(\$1.97M) unfavourable operating variance for the period ended 31 March 2024

Monthly Performance



Operating surplus ratio*








Historical results				Budget	5yr Ave
2019/20	2020/21	2021/22	2022/23	2023/24	2023/24
-0.9%	2.3%	0.2%	-1.5%	-1.8%	-0.34%

Benchmark: Greater than 0%*

*Refer to Glossary







Operating Revenue

	Annual Original Budget \$'000	Annual Revised Budget \$'000	YTD Budget \$'000	YTD Actual \$'000	YTD Variance \$'000	
	240,557	241,557	228,410	228,321	(89)	Rates and charges
	19,806	20,826	16,670	16,695	25	Fees and charges
	8,230	8,080	5,178	5,025	(153)	Contract and recoverable works
	9,839	10,462	5,141	5,227	86	Grants and subsidies
	6,676	6,907	5,229	5,834	605	Interest received
	1,497	1,432	1,040	1,092	52	Rental income
	5,537	6,107	4,201	4,446	245	Other income
	292,142	295,371	265,869	266,640	771	

Interest Received: \$605K favourable variance due to higher than expected interest rates.

Other Income: \$245K favourable largely due to additional income from events held at Mackay Stadium.

Operating Expenditure

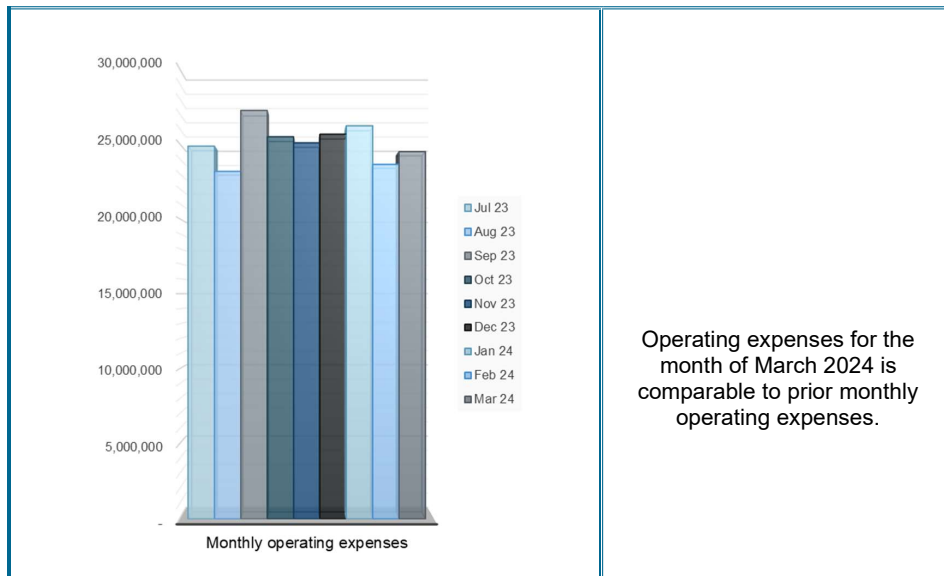
	Annual Original Budget \$'000	Annual Revised Budget \$'000	YTD Budget \$'000	YTD Actual \$'000	YTD Variance \$'000	
	99,822	97,305	69,543	69,915	(372)	Employee benefit expenses
	103,100	105,377	80,331	83,584	(3,253)	Materials and services
	3,230	7,886	5,923	5,961	(38)	Finance costs
	85,439	90,227	67,027	66,105	922	Depreciation and amortisation
	291,591	300,795	222,824	225,565	(2,741)	

Employee Benefit Expenses: (\$372K) unfavourable variance largely due to an increase in overtime claimed and allowances paid as a result staff vacancies.

Materials and Services: (\$3,253K) unfavourable variance largely due to repairs and maintenance (\$1.72M), as a result of additional work done for the MECC and sealed road maintenance, software maintenance costs (\$755K) due to timing of expenses and Contractor costs also continue to trend higher than forecast due to external labour hire (\$801K) as a result of staff vacancies.

*Refer to Glossary



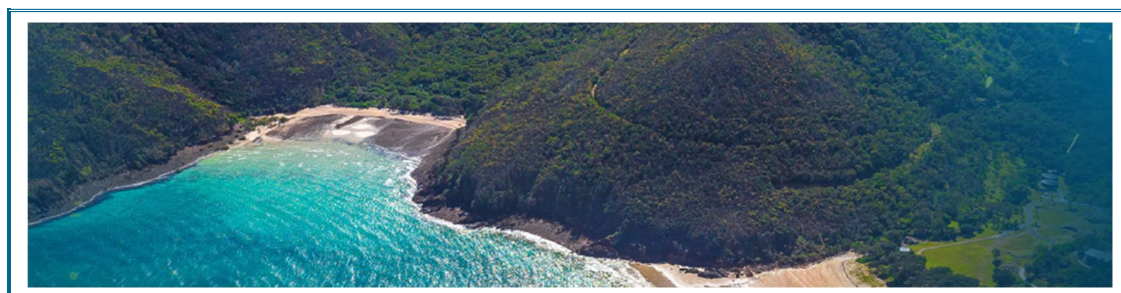


Capital Income and Expenses

	Annual Original Budget \$'000	Annual Revised Budget \$'000	YTD Budget \$'000	YTD Actual \$'000	YTD Variance \$'000	
	551	(5,424)	43,045	41,075	(1,970)	Operating surplus or (deficit)
	31,410	28,524	9,462	8,493	(969)	Capital grants and subsidies
	-	301	78	157	79	Other capital revenue
OCE	2,740	3,240	1,387	3,088	(1,701)	Less: Other capital expenses
	29,221	20,161	51,198	46,637	(4,561)	Net surplus or (deficit)

Capital Grants and Subsidies: (\$969K) unfavourable variance, largely due to discounts granted for developer contributions

Other Capital Expenses: (\$1,701K) unfavourable variance, due to the derecognition of non-current assets

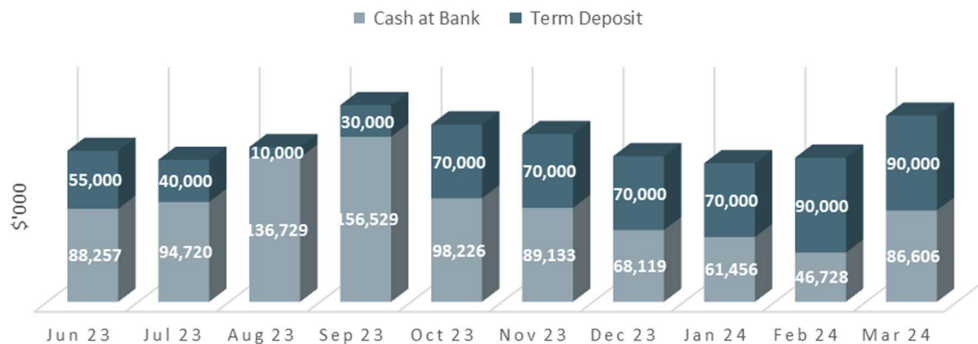


Refer to Glossary



Money Matters

Cash at call



March '24	12 Month Comparative	
4.00%	3.28%	AusBond Bank Bill Index
5.15%	4.82%	MRC Portfolio

Liquidity (can Council pay its debts when they fall due)

	Annual Original Budget \$'000	Annual Revised Budget \$'000	YTD Actual \$'000	
↑	173,032	149,295	216,009	Current assets
↓	107,263	100,736	123,996	Current liabilities
	1.61	1.48	1.74	Current ratio

Current ratio*

The current ratio is an indicator of Council's liquidity and ability to meet short term obligations.

	Historical results				Budget	5yr Ave
	2019/20	2020/21	2021/22	2022/23	2023/34	2023/24
	1.7	1.8	1.5	1.3	1.5	1.5

Benchmark: Between 1 and 4

Debtors

	Actual \$'000	Actual %
Rates and utility charges	19,578	62.8%
Development contributions	4,281	13.7%
Other debtors	7,339	23.5%
Trade and other receivables	31,198	100.0%

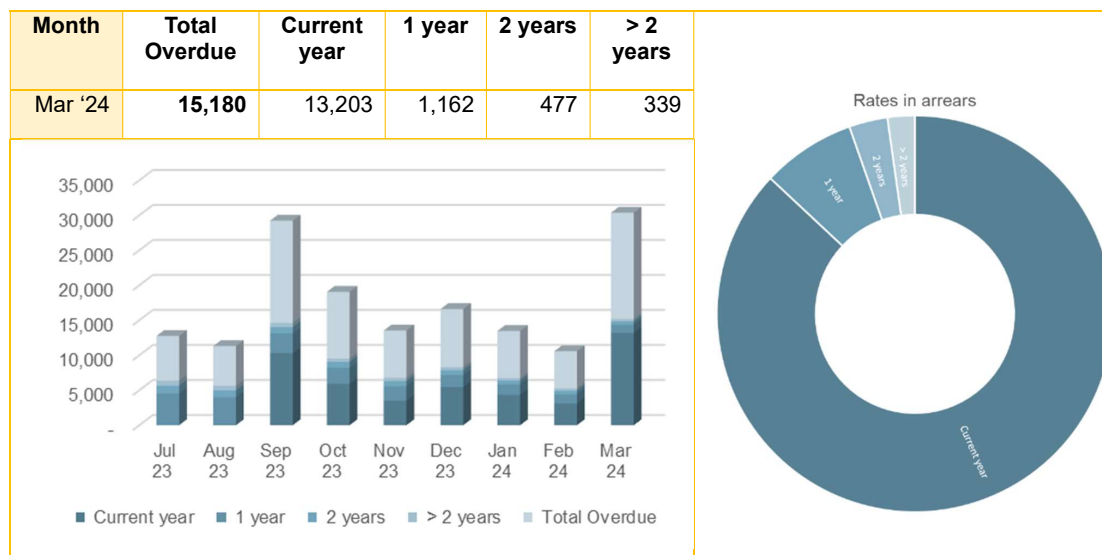
Rates Collection

Council's standard settlement terms for trade receivables are 30 days from invoice date.

	Issue date of notice	Due date of payment
Rates notice	12/02/2024	13/03/2024
Pensioner rates notice	12/02/2024	06/06/2024

MRC collection processes ensure rates are collected efficiently and effectively, whilst being cognisant of individual circumstances. Collection action is continuing, both with our external collection agency and monitoring of in-house payment schedules. In-house collection methods include the use of SMS reminders for ratepayers.

Rates Arrears

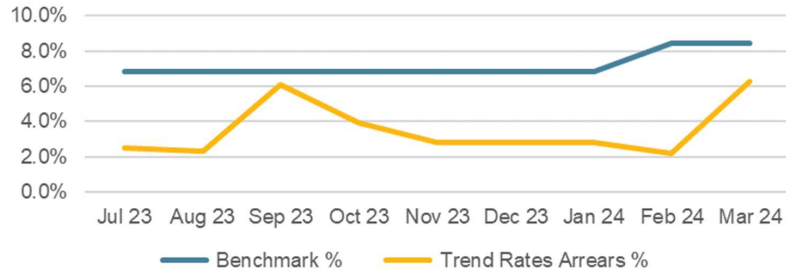


Refer to Glossary



Rates in arrears as a percentage of rates charged:

- March 2024: **6.3%**

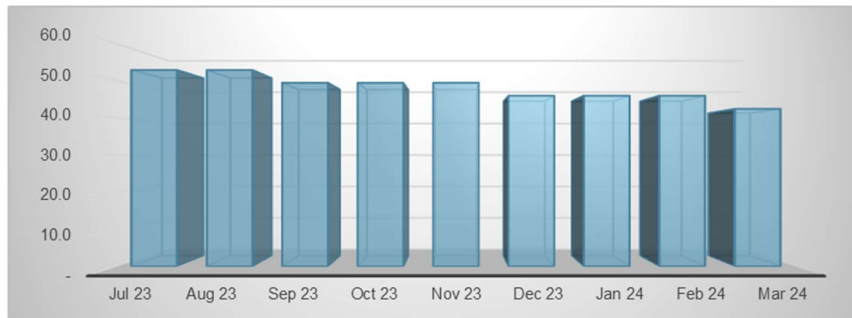


Benchmark: **8.46%** (average rates arrears percentage of Tier 2 Councils)

Borrowings

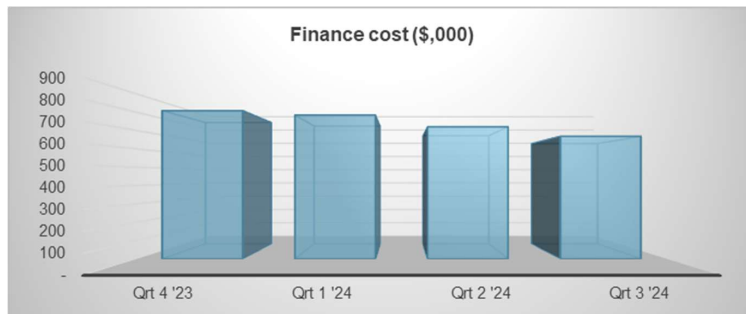
\$42.46M total loan borrowings outstanding

Loan borrowings are an important funding source for Council; reflecting that the full cost of infrastructure should not be borne entirely by present-day ratepayers alone, rather by all those who benefit from the infrastructure over its lifetime.



Finance costs

Finance costs are reflective of interest repayments on current borrowings.



*Refer to Glossary



Debt service cover ratio*

This ratio measures the extent to which available cash flow covers current debt obligations.

Historical results				Budget	5yr Ave
2019/20	2020/21	2021/22	2022/23	2023/34	2023/24
N/A	N/A	3.2	4.9	4.2	N/A

Benchmark: More than 2 times.

Cash flows for the period


Cash at call on 1 July 2023	\$'000
	150,165
Cash inflows	
Receipts from customers	238,866
Receipts from grantors	12,157
Interest received	5,834
Cash outflows	
Payments to suppliers and employees	(149,004)
Payments for property, plant and equipment	(69,316)
Repayment of borrowings and leases	(10,484)
Finance costs	(2,177)
Other	566
Cash at call on 31 March 2024	176,607



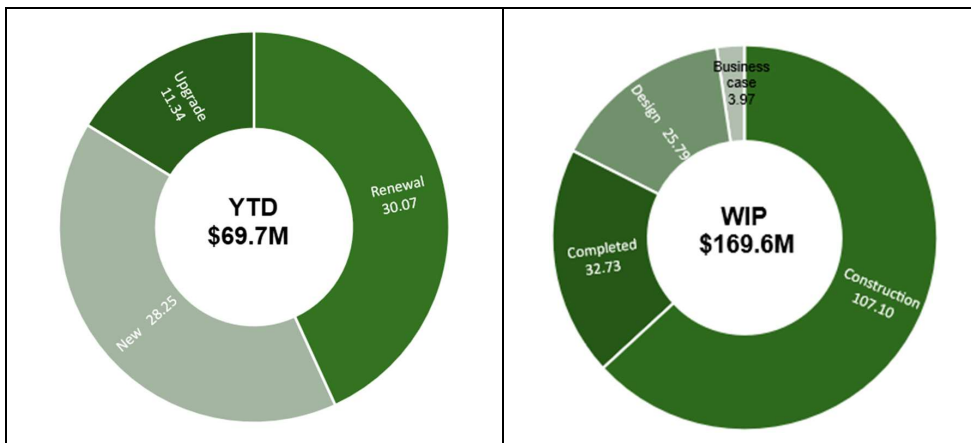
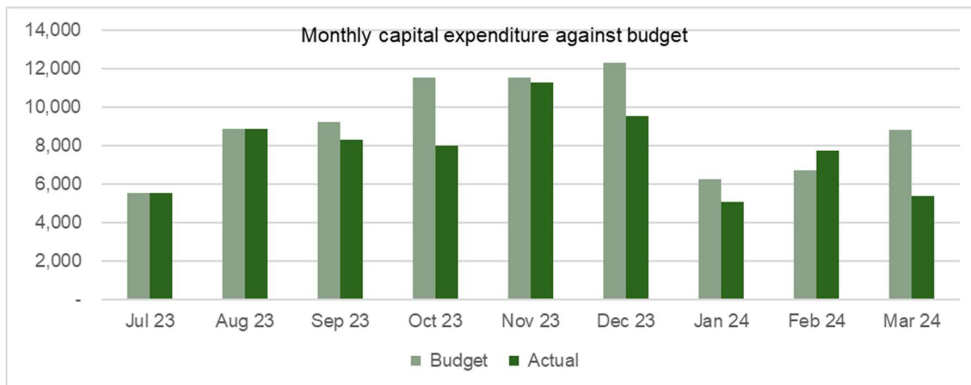
*Refer to Glossary

Infrastructure

Council manages the construction, upgrade, and renewal of community assets as part of its capital works program.

	Annual Original Budget	Annual Revised Budget	YTD Actual	
	\$'000	\$'000	\$'000	
	124,420	118,740	69,656	Capital expenditure

59% of annual revised budget expended on capital projects.



WIP – Works in Progress, reflects all projects that are currently in progress or completed and awaiting capitalisation.



Refer to Glossary

Major Projects

The projects reflected below are largest projects being delivered as part of Council's capital works program based on Amended Budget.

Project	Amended Budget \$'000	YTD Actuals \$'000	YTD Forecast \$'000
Mountain Biking - Stage 1	9,298	8,981	8,754
Pioneer River Levee construction - Rivers Edge to Heaths Rd	5,776	5,750	5,833
Asphalt Resurfacing Works FY2024	4,442	3,973	4,076
Northern Beaches Community Hub - Civil Works	3,697	2,330	2,520
Mackay Bus Station – Bus Set down	3,100	2,657	2,654
Mackay Stadium Refurbishment	3,078	1,360	1,877
Pioneer River Floating Pontoon	2,996	2,633	2,632
Art Space Facility Upgrade	2,995	923	1,490
Northern Beaches Community Hub – Stage 1A	2,885	388	396
Barton St, Drainage Upgrade – Holland to Stoneham	2,463	2,166	2,192
Stormwater Relining Condition State 16 and Above 23/24	1,654	1,343	1,422
SLP-Sewer Renewals\ Replacement Programme FY23/24	1,341	1,156	1,147

The delivery of several major projects under construction is on track for the year to date ending March '24, including projects such as Mackay Bus Station at Canelands, Barton Street Drainage Upgrade, and the SLP-Sewer Programme.

The Pioneer River Floating Pontoon project was completed, and the Mountain Bike Trial – Stage 1 is nearing completion.

The asphalt resurfacing works, Pioneer River Levee construction, and Northern Beaches Community Hub were impacted by wet weather delays, and the Stormwater Relining Programme was briefly delayed due to performing other urgent works.

Capital expenditure ratio*

This ratio indicates that council is willing to invest more than depreciation into expanding its assets base for the life of the adopted Long Term Financial Forecast.

Historical results				Budget	5yr Ave
2019/20	2020/21	2021/22	2022/23	2023/24	2023/34
1.1	1.2	1.3	1.3	1.4	1.3





Benchmark: More than 1.1 times.



*Refer to Glossary



Council is responsible for the provision of a diverse range of services to meet community needs and expectations. A significant number of these services are provided through infrastructure assets and other property, plant, and equipment.

	Annual Original Budget \$'000	Annual Revised Budget \$'000	YTD Actual \$'000	
	3,730,542	3,967,644	3,970,626	Property, plant and equipment
	5,277	5,580	5,580	Investment properties
	1,143	1,143	1,163	Right of use assets
	3,927	4,106	4,114	Intangible assets

Asset sustainability ratio*

This ratio is calculated based on the planned capital expenditure on the renewal of assets.

Historical results				Budget	5yr Ave
2019/20	2020/21	2021/22	2022/23	2023/34	2023/24
50.8%	74.5%	62.8%	63.6%	66.1%	63.56%

Benchmark: More than 60%.



*Refer to Glossary

Appendices

- Statement of Profit or Loss For the period ended 31 March 2024

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Budget \$000	YTD Actual \$000	YTD Variance \$000	
Operating Revenue						
Rates, levies and charges	240,557	241,557	228,410	228,321	(89)	
Fees and charges	19,806	20,826	16,670	16,695	25	
Contracts and recoverable works	8,230	8,080	5,178	5,025	(153)	
Grants, subsidies, contributions, donations	9,839	10,462	5,141	5,227	86	
Interest received	6,676	6,907	5,229	5,834	605	
Rental income	1,497	1,432	1,040	1,092	52	
Other income	5,537	6,107	4,201	4,446	245	
Total operating revenue	292,142	295,371	265,869	266,640	771	
Less: Operating expenses						
Employee benefits	99,822	97,305	69,543	69,915	(372)	
Materials and services	103,100	105,377	80,331	83,584	(3,253)	
Finance costs	3,230	7,886	5,923	5,961	(38)	
Depreciation and amortisation	85,439	90,227	67,027	66,105	922	
Total operating expenses	291,593	300,795	222,824	225,565	(2,741)	
Operating surplus or (deficit)	551	(5,424)	43,045	41,075	(1,970)	
Capital revenue						
Grants, subsidies, contributions, donations	31,410	28,524	9,462	8,493	(969)	
Other capital revenue	-	301	78	157	79	
Less: Capital expenses						
Capital expenses	2,740	3,240	1,387	3,088	(1,701)	
Total capital revenue and expenses	28,670	25,585	8,153	5,562	(2,591)	
Net result	29,221	20,161	51,198	46,637	(4,561)	

% YTD Variance from YTD Budget (KPI)

YTD Variance between 0% and ± 2.99%

YTD Variance between ± 3% and ± 4.99%

YTD Variance equal to or greater than ± 5%

Refer to Glossary



- **Statement of Financial Position**
At 31 March 2024

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Actual \$000
Current assets			
Cash and cash equivalents	142,190	116,900	86,606
Financial assets	-	-	90,000
Trade and other receivables	21,059	21,253	31,198
Contract assets	3,500	3,500	3,216
Other assets	3,216	4,506	1,516
Inventories	2,988	3,136	3,473
Non-current assets held for sale	79	-	-
Total current assets	173,032	149,295	216,009
Non-current assets			
Investment property	5,277	5,580	5,580
Trade and other receivables	-	-	1,676
Property, plant and equipment	3,730,542	3,967,644	3,970,626
Right of use assets	1,143	1,143	1,163
Intangible assets	3,927	4,106	4,114
Total non-current assets	3,740,889	3,978,473	3,983,159
Total assets	3,913,921	4,127,768	4,199,168
Current liabilities			
Trade and other payables	8,488	9,055	18,886
Employee entitlements	14,135	1,861	21,387
Borrowings	11,644	11,646	3,708
Lease liabilities	66	68	37
Provisions	49,858	59,659	61,457
Contract Liabilities	3,500	3,500	4,380
Other liabilities	19,572	14,947	14,141
Total current liabilities	107,263	100,736	123,996
Non-current liabilities			
Employee entitlements	1,699	1,601	1,601
Borrowings	48,406	48,408	38,755
Lease liabilities	1,241	1,213	1,230
Provisions	13,268	21,685	24,375
Other liabilities	11,691	9,685	6,184
Total non-current liabilities	76,305	82,592	72,145
Total liabilities	183,568	183,328	196,141
Net community assets	3,730,353	3,944,440	4,003,027

*Refer to Glossary



Statement of Financial Position
At 31 March 2024

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Actual \$000
Community equity			
Retained surplus	2,340,937	2,333,350	2,391,937
Asset revaluation surplus	1,389,416	1,611,090	1,611,090
Total community equity	3,730,353	3,944,440	4,003,027

^{*}Refer to Glossary



- Statement of Cash Flows
For the period ended 31 March 2024

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Actual \$000
Cash flows from operating activities			
Receipts from customers	275,075	279,552	238,866
Receipts from grantors, donors for operational activities	9,824	10,951	5,227
Payments to suppliers and employees	(204,004)	(236,355)	(149,004)
Interest income	6,676	6,907	5,834
Borrowing costs	(2,787)	(2,787)	(2,177)
Net cash inflow from operating activities	84,784	58,268	98,746
Cash flows from investing activities			
Payments for non-current assets	(123,863)	(117,718)	(69,316)
Payments for investments	-	-	(35,000)
Payments for capital projects	(2,000)	(4,396)	(102)
Proceeds from sale of non-current assets	2,090	2,090	668
Receipts from grantors, donors for capital projects	27,410	21,353	6,931
Net cash outflow from investing activities	(96,363)	(98,671)	(96,819)
Cash flows from financing activities			
Proceeds from borrowings	21,200	21,200	-
Repayment of borrowings	(14,045)	(14,045)	(10,435)
Repayments made on leases (principal only)	(17)	(17)	(49)
New cash outflow from financing activities	7,138	7,138	(10,484)
Net increase or (decrease) in cash and cash equivalents	(4,441)	(33,265)	(8,559)
Cash and cash equivalents at beginning of the period	146,631	150,165	95,165
Cash and cash equivalents at end of the period	142,190	116,900	86,606

*Refer to Glossary



Glossary

Operating surplus ratio (%)	Extent to which operating revenue covers operating expenses (excludes capital items)	Operating result (excluding capital items) as a percentage of operating revenue
Current ratio	Extent to which current assets cover current liabilities	Current assets / current liabilities
Asset sustainability ratio (%)	Extent to which the infrastructure assets are being replaced/renewed	Capital expenditure on renewals / depreciation expense
Capital expenditure ratio (times)	Extent to which capital expenditure exceeds depreciation.	Capital expenditure / depreciation
Debt service cover ratio	Extent to which available cash flow covers current debt obligations	Earnings Before Interest Depreciation and Amortisation / (interest expense + principal loan repayment)

MRC will be adopting the new Local Government Sustainability Framework ratios in the 2023/24 Annual Financial Statements. Calculations of historical ratios have been adjusted to reflect the guidance provided in the Local Government Sustainability Guideline (2023 Version 1).

*Refer to Glossary



12. RECEIPT OF PETITIONS

12.1. PETITION - REMOVAL OF MATERIAL FROM LIBRARIES

Author Chief Executive Officer (Scott Owen)
Responsible Officer Chief Executive Officer (Scott Owen)
File Number Petitions

Attachments 1. Petition - Against Material in Library [12.1.1 - 10 pages]

Purpose

A petition was received by Council on the 16 February 2024 and relates to a request to remove materials from the Mackay Regional Council libraries.

Related Parties

Listed petitioners per the attached petition.

Corporate Plan Linkage

N/A

Background/Discussion

In terms of Council's Standing Orders, where a petition is put to a meeting no debate is undertaken on the petition itself, with the only motion which may be moved being:

- (a) the petition be received, and consideration stand as an order of the day for:
 - (i) the meeting; or
 - (ii) a future meeting; or
- (b) the petition be received and referred to the Chief Executive Officer for consideration and a report to the local government; or
- (c) the petition not be received.

The petition meets the requirements as per the Standing Orders, in that it is legible and has more than 25 signatures.

Consultation and Communication

That the petitioners, through their lead petitioner, be informed that Council acknowledges receipt of the Petition and that it has been accepted as a formal submission. The issues raised will be addressed in the report to be tabled before Council in the future.

Resource Implications

At this stage as the recommendation relates only to the preparation of a report on the matter.

Risk Management Implications

NIL.

Conclusion

It is proposed that as the petition meets the necessary requirement for consideration by Council, that the petition be referred to the Chief Executive Officer for a report to be prepared for further consideration by Council.

Officer's Recommendation

THAT the petition be received and referred to the Chief Executive Officer for a report to be prepared for consideration by Council which investigates the issues identified within the petition.

THAT the principle petitioner be advised of Council's determination.

STOP CORRUPTING OUR CHILDREN

The ANNUAL CHILD SAFETY STATEMENT OF COMPLIANCE PUBLIC SERVICE COMMISSIONER, PETER WOOLCOTT, 25th Oct 2022 states, "The Commission has zero tolerance for child abuse and exploitation, and any allegations and concerns for safety of children and young people will be treated most seriously. We believe that all children have a right to feel safe, respected, valued and protected from harm."

It is our will that all pornographic and gender corrupt materials targeting children, be removed from the Mackay Regional Council libraries immediately.

DATE	NAME	ADDRESS	SIGNATURE
4.9.23	G. J. SIEGEL	12 Harveys Rd Beaconsfield	[Signature]
4.9.23	A.W. SIEGEL	" " " "	[Signature]
4.9.23	M. M. E. OLD	12 HARVEYS RD BEACONSFIELD	[Signature]
4.9.23	Y. SIMPSON	42/12 HARVEYS RD	[Signature]
6.9.23	R. Wulf	26 Jayvia Dr Nelsaua	[Signature]
6.9.23	L. BROWSEY	34 McLENNANS RD, MT CHARLTON	[Signature]
6.9.23	P. HOLLOWAY	2/13 LINDEMAN AVE SLADE POINT	[Signature]
6.9.23	N. EASTWICK	21 Coles Rd, Anderingrove.	[Signature]
6.9.23	C. Stretton	41 Mackay	[Signature]
23.9.23	N. MARSH	40 MOUNT MAERU RD	[Signature]
23.9.23	A. ELLUL	5 ERNEST ST, MT MKY	[Signature]
"	T. ELLUL	" "	[Signature]
23-9-23	ROD BREIBNER	45 SARINA BEACH RD. SARINA	[Signature]
23-9-23	LILLIAN BASBREA	" " "	[Signature]
23-9-23	Lyn Cousen	58 Kippen St. Mackay	[Signature]
23-9-23	Russ Cousen	"	[Signature]
23-9-23	Amy Diessel	47 Manooka Dve Cannonvale	[Signature]
23.9.2023	MARK JOHNSON	31 BANKSIA AVE ANDERINGROVE	[Signature]
23 Sep 2023	J. J. FARREN - PRICE	31 TOUCHERS RD TALBOORO.	[Signature]
23/9/23	S. Hall	4 Xanadu Place Mooloolah	[Signature]
23.9.23	R. Franney	17 Ethel Crt. Glenelle	[Signature]
23.9.23	D. REAVES	7 ANNUNCIUS ST SLADE POINT	[Signature]
23-9-23	C JACKSON	2 KRISTY CRES	[Signature]

2/10

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It is our will that all pornographic and gender corrupt materials targeting children, be removed from the Mackay Regional Council libraries immediately.

DATE	NAME	ADDRESS	SIGNATURE
5-9-23	Shane Collins	27 Paton terrace skele pt	[Signature]
5/9/23	DEAN ZAMMIT.	4 HILL END RD. GLEN.	[Signature]
5/9/23	MICHAEL JAMES	3/22 GABLE ST EAST MKY	[Signature]
5/9/23	Ludwig Dancik	1 RIDGWAY CRT, MARIAN.	[Signature]
5-9-23	SHANE HEATH	17 PELICAN ST SID PT MKY	[Signature]
5.9.23	JOHN THURK	3 TALARA CT RUKAL WIEU	[Signature]
5-9-23	KEN VICKERS	315 ANZAC AVE MARIAN	[Signature]
06-9-23	Rob Williams	7 CUMBERLAND AVE 9740	[Signature]
6.9.23	WILL THICKMAN	7 NIGHTINGALE CRT	[Signature]
7.09.23	Isobel Zammit	9 Hill End Road Glenella 9740	[Signature]
14-9-23	STEVE BEUCHINGHAM	7 BREAKWATER ACCESS RD, MAGEM	[Signature]
2-10-23	CHRIS DAVIES	43 FAIRMESAD DR, MT PLEASANT	[Signature]
25.11.23	Maree English	23 CASUARINA ST SLADE PT	[Signature]
24.11.23	P. BROWNBY	34 MC BENNAN RD	[Signature]
25/11/23	Chris Soriano	2 GUNSYND ST DONALD	[Signature]
25/11/23	Ann Soriano	2 GUNSYND ST.	[Signature]

4/10

STOP CORRUPTING OUR CHILDREN

The ANNUAL CHILD SAFETY STATEMENT OF COMPLIANCE PUBLIC SERVICE COMMISSIONER, PETER WOOLCOTT, 25th Oct 2022 states, "The Commission has zero tolerance for child abuse and exploitation, and any allegations and concerns for safety of children and young people will be treated most seriously. We believe that all children have a right to feel safe, respected, valued and protected from harm."

It is our will that all pornographic and gender corrupt materials targeting children, be removed from the Mackay Regional Council libraries immediately.

DATE	NAME	ADDRESS	SIGNATURE
6-9-23	GARRY GAINSTER	6 BECKETT CRT DORALEA 4740	[Signature]
6-9-23	LINDA GAINSTER	6 BECKETT CRT DORALEA 4740	[Signature]
6-9-23	Ben Luck	26 Marlborough Street ^{Doralea}	[Signature]
6/9/23	TOM TUCKER	24 MARLBOROUGH ST DORALEA	[Signature]
6/9/23	MAREA TUCKER	24 MARLBOROUGH ST. DORALEA	[Signature]
7/9/23	ROBYN MITCHELL	16 Marlborough St Doralea	[Signature]
7/9/23	JULIE SAUNDERS	27 Reef Drive Savina	[Signature]
7-9-23	EMMA FELDMAN	41 NICOLA ST MARIAN	[Signature]
8-9-23	CLIFF WARD	26 GEORGE ST MACKAY	[Signature]
8-9-23	GUS WARD	26 GEORGE ST MACKAY	[Signature]
8-9-23	Zane Ward	26 George St Mackay	[Signature]
17/9/23	Peter Hauke	9 Marlborough St Doralea	[Signature]
19/9/23	Elena Hunt	20 Marlborough St Doralea	[Signature]
11-9-23	DeeCe Bailey	13 Marlborough St Doralea	[Signature]
19-9-23	Peta Webb	15 Marlborough St Doralea	[Signature]
19-9-23	MARGARET SIEVERS	11 MARLBOROUGH ST DORALEA	[Signature]
19-9-23	GERRIT HAASKMA	33 KESWICK AVE SHADE POINT	[Signature]
19-9-23	Helen Quice	25 MONASH WAY CORALLA	[Signature]
19-9-23	Garvin Jeffery	25 MONASH WAY CORALLA	[Signature]
19/9/23	Michele Thompson	27 Monash Way Doralea	[Signature]
20/9/23	Kobie Hunt	20 Marlborough St, Doralea	[Signature]
20/9/23	Lorraine Thorne	20 Marlborough St	[Signature]
20/09/23	Paul Thorne	20 Marlborough St	[Signature]

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DATE	NAME	ADDRESS	SIGNATURE
23/9/23	Dean Marsted	Mackay	[Signature]
23-9-23	Angelina Bragg	Mackay	[Signature]
23/9/23	Jon Williams	MACKAY	[Signature]
23/9/23	DEAN HALL	SUNSHINE COAST	[Signature]
23/9/23	Patricia Smith	Mackay	[Signature]
23/9/23	John Bonaventura	HOMEBUSH	[Signature]
23/9/23	NARELLE KELLY	MACKAY	[Signature]
23/9/23	Ross Braden	MACKAY	[Signature]
23/9/23	Renee Farley	St Helens Beach	[Signature]
23/9/23	Juanita Erance	mackay	[Signature]
23/9/23	Maree English	Shade Point	[Signature]
23/9/23	Jane Goodman	Barberra	[Signature]
23/9/23	Samantha Kirchner	Alligator crk	[Signature]
23/9/23	Tracey Mack	North Mackay	[Signature]
23-9-23	Nangala	EAST MKY	[Signature]
23-9-23	KEES DEWAARD	ANDER GROVE	[Signature]
23-9-23	Pam Filcais	Mackay	[Signature]
25-9-23	Stephanie Nelson	Surfers Paradise	[Signature]
25/9/23	Michael Simms	Canberra	[Signature]
25/9/23	Mandy Jane	Caloundra	[Signature]
25/9/23	Debbie Lewis	Pacific Pines	[Signature]
25/9/23	Hayley Nelson	Surfers Paradise	[Signature]
25-9-23	A. BALDWIN	MACKAY	[Signature]

7/10

STOP CORRUPTING OUR CHILDREN

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It is our will that all pornographic and gender corrupt materials targeting children, be removed from the Mackay Regional Council libraries immediately.

DATE	NAME	ADDRESS	SIGNATURE
25/8/23	A. BENTLEY	4 DON WRIGHT CRT ANDERGRIVE	A Bentley
25/8/23	W. Turnbull	6 Wrasse Ct Andergrive	W Turnbull
25/8/23	E. Landman	23 Spinnacker Rd Bucasia	E Landman
25/8/23	G. BURNS	5/64 WAVERLEY ST BUCASIA	G Burns
26/8/23	Z. Schotterova	18 Keilbachs road, Greenmant	Z Schotterova
26/8/23	B Carpenter	4/23 Juliet St	B Carpenter
26/08/23	Gitta Adams	143 Ian Reddycliff Dr. The Leap	Gitta Adams
26/08/23	Ginny Smith	7 Holmes Dr, Beaconsfield	G Smith
26/08/23	Andreea Baker	37 Holack St, North Mackay	A. Baker
26/08/23	BRAD BAKER	PO Box 8476 MOUNT PLEASANT	Brad Baker
26/08/23	L. Hollard	PO Box 41 Sarina	L Hollard
26.08.23	T. Dampsey	PO-1951- MACKAY Q 4740	T Dampsey
26.08.23	S.M. TURNER	10 CREDLIW ST MTKY Q 4740	S.M. Turner
26.08.23	J.L. SHERRY	195 Kochs Rd THE LEAP MKY 4740	J.L. Sherry
26/8/23	STEVE BARBER	27 NARRABEEN ST 4740	Steve Barber
26 8 23	Glen Gordon	7 Mortensen St, Nth Mackay	Glen Gordon
26/8/23	JON WILLIAMS	8 NADINA ST BEACONSFIELD	Jon Williams
25/8/23	Craig Spank	1/16 Kennedy St, Sth Mackay	Craig Spank
26/08/23	BOB O'D	PO BOX 8473 MTP. 4740	Bob O'D
26.8.2023	Mark Johnston	31 BARKVA AVE AMAN GRV	Mark Johnston
26.8.23	Lynne Taylor	43 Aurum Cres, RINGWOOD NTH	Lynne Taylor
26.8.23	Jodie Zammit	4 Hill End Road, Glenella 4740	Jodie Zammit

8/10

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The ANNUAL CHILD SAFETY STATEMENT OF COMPLIANCE PUBLIC SERVICE COMMISSIONER, PETER WOOLCOTT, 25th Oct 2022 states, "The Commission has zero tolerance for child abuse and exploitation, and any allegations and concerns for safety of children and young people will be treated most seriously. We believe that all children have a right to feel safe, respected, valued and protected from harm."

It is our will that all pornographic and gender corrupt materials targeting children, be removed from the Mackay Regional Council libraries immediately.

DATE	NAME	ADDRESS	SIGNATURE
25/8/23	Yvonne McDonald	350 Side Point Road	<i>[Signature]</i>
25/8/23	Andrea Olsen	Beaconsfield	<i>[Signature]</i>
25/8/23	Andrew Reed	Walkerston	<i>[Signature]</i>
27/8/23	Anthony Nielsen	8 George Jane St Walkerston	<i>[Signature]</i>
27/8/23	Sarah Payne	Doralee	<i>[Signature]</i>
27/8/23	David Miller	76 Canewthers Dr, Doralee	<i>[Signature]</i>
27/8/23	Camp Horseshoe	C/o Range Mackay	<i>[Signature]</i>
27/8/23	Meroy Nielsen	WALKERSTON	<i>[Signature]</i>
27.8.23	Lynn Miller	WEST MACKAY	<i>[Signature]</i>
27.8.23	Wayne McHugh (Rev)	36 Ardmore Ct, Beaconsfield	<i>[Signature]</i>
27-8-23	Jeff Stafford	86 Wheeler St	<i>[Signature]</i>
30-8-23	Norman Tilse	168 Carlise Gardens	<i>[Signature]</i>
30-8-23	Maureen Tilse	168 Carlise Gardens	<i>[Signature]</i>
1-9-23	C J McDonald	12 Harveys Rd	<i>[Signature]</i>

9/10

12.2. EPETITION - SARINA AQUATIC CENTRE

Author Chief Executive Officer (Scott Owen)
Responsible Officer Chief Executive Officer (Scott Owen)
File Number Petitions

Attachments 1. Susie Tomlinson - e Petition - Sarina Aquatic Centre [12.2.1 - 9 pages]

Purpose

A petition was received by Council on the 9 April 2024 and relates to a request to investigate provision of options for an improved Sarina Aquatic Centre for the health and well-being needs for the whole community of the Sarina district.

Related Parties

Listed petitioners per the attached petition.

Corporate Plan Linkage

N/A

Background/Discussion

In terms of Council's Standing Orders, where a petition is put to a meeting no debate is undertaken on the petition itself, with the only motion which may be moved being:

- (a) the petition be received, and consideration stand as an order of the day for:
 - (i) the meeting; or
 - (ii) a future meeting; or
- (b) the petition be received and referred to the Chief Executive Officer for consideration and a report to the local government; or
- (c) the petition not be received.

The petition meets the requirements as per the Standing Orders, in that it is legible and has more than 25 signatures.

Consultation and Communication

That the petitioners, through their lead petitioner, be informed that Council acknowledges receipt of the Petition and that it has been accepted as a formal submission. The issues raised will be addressed in the report to be tabled before Council in the future.

Resource Implications

At this stage as the recommendation relates only to the preparation of a report on the matter.

Risk Management Implications

NIL.

Conclusion

It is proposed that as the petition meets the necessary requirement for consideration by Council, that the petition be referred to the Chief Executive Officer for a report to be prepared for further consideration by Council.

Officer's Recommendation

THAT the petition be received and referred to the Chief Executive Officer for a report to be prepared for consideration by Council which investigates the issues identified within the petition.

THAT the principle petitioner be advised of Council's determination.

From: "Susie Tomlinson" <susiea@y7mail.com>
Sent: Tue, 9 Apr 2024 06:22:35 +1000
To: "Mackay Regional Council" <council@mackay.qld.gov.au>
Cc: "sdpa4737@gmail.com" <sdpa4737@gmail.com>
Subject: Attention Chief Executive Officer-e-Petition-Sarina Aquatic Centre
Attachments: sign_petition-submission-log-sarina-aquatic-centre-april-2024.csv
Categories: Kate

Good morning,

Please find attached e-petition for council's consideration. This petition was initiated on behalf of the Sarina District Progress Association of which I am the Chairperson.

A community meeting was held early last year in Sarina with the Mayor and councillors of the Mackay Regional Council to discuss the community's needs regarding aquatic facilities. At that meeting the Mayor's recommendation was that Sarina form a progress association to provide a platform to advocate for the needs of the community. An association was formed in May last year and became incorporated in October. A second community meeting with the Mayor and councillors was held in October to highlight the lack of support to the Sarina district in the latest Mackay regional aquatic feasibility report and the need for something to be done to improve these facilities. The Mayor advised us to apply for funding through their community grant to engage a consultant to do a feasibility/business report. After investigating this option we have been guided to present this petition as a better course of action for the Sarina community.

We are hopeful that the council will accept the request of the petition to give consideration to investigate provision of options for an improved aquatic centre for the health and well being needs for the whole community of the Sarina district.

Regards,
Susie Tomlinson

Submittor	First name	Last name	Email	Address	Suburb/Tov	State	Postcode	I agree to the terms of use
#####	Amanda	Allman	Amanda_al34	Seaview	Sarina	Qld	4737	Yes
#####	Amanda	Allman	Amanda_al34	Seaview	Sarina	Qld	4737	Yes
#####	Yvonne	Chaplin	jch24310@23	Brooksfi	Sarina Bea	QLD	4737	Yes
#####	Debbie	Sands	dsandzee@8	Heron St	Sarina	Qld	4737	Yes
#####	Jude	Campbell	jude_camp	47 Hans Ct	Sarina	Qld	4737	Yes
#####	Dorothy Ga	Blaney	Gail.blaney1	Hans Chr	Sarina	Qld	4737	Yes
#####	Bill	Brown	wbrown22@22	Mt Blarr	Sarina	Qld	2085	Yes
#####	Helen	Loudon	Robhelenar	15 brewers	Sarina	Qld	4737	Yes
#####	Carolyn	Hoare	ghoare6@t	16 Rankin (Armstrong		QLD	4737	Yes
#####	Carolyn	Hoare	ghoare6@t	16 Rankin (Armstrong		QLD	4737	Yes
#####	Carolyn	Hoare	ghoare6@t	16 Rankin (Armstrong		QLD	4737	Yes
#####	Patricia	Vella	trisha-me@	Brooksfield	Sarina Bea	Qld	4737	Yes
#####	Carolyn	Hoare	ghoare6@t	16 Rankin (Armstrong		QLD	4737	Yes
#####	George	Hoare	ghoare6@t	16 Rankin (ARMSTRO		QLD	4637	Yes
#####	Shannon	Chhon	Shannon.cl	677 west pl	Sarina	Qld	4737	Yes
#####	Sheryl	Place	beach_plac	44 The Esp	Grasstree	QLD	4740	Yes
#####	Niomie	Scantlebur	niomiescan	695 Sarina	Sarina	Queenslan	4737	Yes
#####	Salena	Cook	Salenacool	62 Coleshil	Alligator Cr	Qld	4740	Yes
#####	Anna	Jennings	jenningsan	633 West F	Sarina	Qld	4737	Yes
#####	Donna	Keating	donnalee7	43 Jackson	Sarina	QLD	4737	Yes
#####	Olga	Albu	Olgaalbu	2268 Range F	Sarina	Qld	4737	Yes

#####	Andrew	Pershous	ajpersh@g68 Range F Sarina	Qld	4737	Yes
#####	Michael	Mollenhagem.	mollenh:29 Reef Dri Sarina	Queenslan	4737	Yes
#####	Kim	Cassells	Kimcassell:21 Poole st Sarina bea	Qld	4737	Yes
#####	Kim	Cassells	Kimcassell:21 Poole st Sarina bea	Qld	4737	Yes
#####	Judith	Whitfield	judithaw59(13 Brewers Sarina	Qld	4737	Yes
#####	Lachlan	Millward	lachlan.mill 1 Cooper A Campwin E	QLD	4737	Yes
#####	Tash	Warry	Tash.warry 2/69 west s Sarina	Qld	4737	Yes
#####	Stefanie	Grant	Stef_143@15 Pacific / Sarina	Qld	4737	Yes
#####	Emma	Keam	Keamemm:26 Range F Sarina	Qld	4737	Yes
#####	Emma	Keam	Keamemm:26 Range F Sarina	Qld	4737	Yes
#####	Keryn	Zurvas	kerynzurva:1695 Bolinç Sarina	Qld	4737	Yes
#####	Metta	Sands-Patc	mettamay@11 Lando A Sarina	Queenslan	4737	Yes
#####	Brendan	Richardson	Brendan_9:11 Lando A Sarina	Queenslan	4737	Yes
#####	Brendan	Richardson	Brendan_9:11 Lando A Sarina	Queenslan	4737	Yes
#####	Colt	Cionti-Smit	C.ciontismi:61 wheeler Glenella	Qld	4740	Yes
#####	Saskia	VonFahlan	Saskiavf@11983 Sarin: Oakenden	Qld	4741	Yes
#####	Adele	Lewis	Del_and_al452 miran !Freshwater	Qld	4737	Yes
#####	Leanne	Ross	leestan16@10 Credlin / Sarina	Queenslan	4737	Yes
#####	Leanne	Ross	leestan16@10 Credlin / Sarina	Queenslan	4737	Yes
#####	Chloe	Eddy	Mickandchl 144 Broad Sarina	Qld	4737	Yes
#####	Mary-There	Watson	bwmtwatso57 Dawlish Sarina	Qld	4737	Yes
#####	Carolyn	Smithson	c.smithson:4 Langdon Sarina	QLD	4737	Yes

#####	Jeanne	Ronald	djronald3g(17 WestcotCampwin E qld	4737	Yes
#####	David	Ronald	djronald3g(17 WestcotCampwin E QLD	4737	Yes
#####	Macey	Ronald	djronald3g(17 WestcotCampwin E QLD	4737	Yes
#####	Zali	Ronald	djronald3g(17 WestcotCampwin E QLD	4737	Yes
#####	Cheryl	Cook	beachie7@34 WestcotCampwin E Qld	4737	Yes
#####	Michael	Deas	grahame.dt1107 Sarin: Sarina Bea Qld	4737	Yes
#####	Chantelle	Woods	chonie88@187 Courtn Sarina Qld	4737	Yes
#####	Sandra	Woods	glenandsar187 Courtn Sarina Qld	4737	Yes
#####	Glenn	Gospel	glenandsar187courtn Sarina Qld	4737	Yes
#####	Gayle	Smith	Gayle.smitt56 WestcotCampwin EQueenslan	4737	Yes
#####	Gary	Smith	gjs.campwi56 WestcotCampwin EQueenslan	4737	Yes
#####	David	Ronald	djronald3g(17 WestcotCampwin E Qld	4737	Yes
#####	Nola	Turner	Steven.turn4 Antonye ISarina Bea Qld	4737	Yes
#####	Lynda	Van den Bc	lyndav1@li Captain Bl: Sarina Bea Qld	4740	Yes
#####	Frances	Lloyd	fglloyd@biç15 Poole S Sarina Beach	4737	Yes
#####	Denis	Stothard	Denis.stothard@hotmail: Sarina Bea Qld	4737	Yes
#####	Denis	Stothard	denis.stoth: Brooksfild Sarina Bea Qld	4737	Yes
#####	Thomas	Rigby	trrigby67@959 Hay Pc Hay Point Qld	4745	Yes
#####	Debra	Turner	debdjh200: Hillside Dv: Grasstree E Qld	4740	Yes
#####	Jane	Gunn	Jane.gunnf25 Poole st Sarina Bea Q	4737	Yes
#####	Margaret	Ross	Butterflyenl18 Tara cre SARINA Qld	4737	Yes
#####	Bree	Bourne	Wb_bourne121 brooks Sarina Qld	4737	Yes

#####	Judy	Rogash	judyrogash248 West F Sarina	Qld	4737	Yes
#####	Judy	Rogash	judyrogash248 West F Sarina	Qld	4737	Yes
#####	Helen	Lynch	hlynch147(29 Captain Sarina Bea	QLD	4737	Yes
#####	ANDREW	Brown	Andy.browr452 miran l Freshwater	Qld	4737	Yes
#####	Kevin	Fay	Kevingay55 50 WindsorTimberland	Qld	4749	Yes
#####	Val	Kay	valandjim1(7 Hillside DGrasstree	l Q	4740	Yes
#####	Sarah	Kennerley	455 Grasst Grasstree t	Qld	4740	Yes
#####	Frida	Johansson	fridafrojdajc3 connolly t Sarina	Queenslan	4737	Yes
#####	Danike	Mitchell	Danikemitc68 ArmstroArmstrong	Queenslan	4737	Yes
#####	Sylvia	Eames	s.eames9344 collins a Sarina	Qld	4737	Yes
#####	Rochelle	Brumpton	Rochellejoy@hotmail.c Sarina	Queenslan	4737	Yes
#####	Madison	Bradford	madisonbrz19 Hans Ct Sarina	Queenslan	5737	Yes
#####	Lisa	W	lisa.parry06@gmail.coi Sarina	Qld	4737	Yes
#####	Jess	Bombardie	Jessica.dric18 Hill Stre Sarina	QLD	4737	Yes
#####	Robin	Leicht	rleicht@g15 Barton StWest Mack	Queenslan	4740	Yes
#####	Nicole	McCowan	Ashnic84@9 SeabreezFreshwater	QLD	4737	Yes
#####	Prue	Buckley	Pruebuckle40 Jackson Sarina	Qld	4737	Yes
#####	Jodie	Corbett	jcorbett@a14/73 Broad Sarina	Qld	4737	Yes
#####	Kristy	Burchardt	Kbartlett13 39 Chelona Sarina	Qld	4737	Yes
#####	Kristy	Burchardt	Kbartlett13 39 Chelona Sarina	Qld	4737	Yes
#####	Kari	Morphy	gkmorphy@20 Holmes Sarina	Qld	4737	Yes
#####	Jennifer An Petersen		jejapeterse42 Owen JrSarina Bea	QLD	4737	Yes

#####	Jennifer An Petersen	jejapeterse42 Owen Jt Sarina Bea QLD	4737	Yes
#####	Ash Campbell	ashcampbell@wkndowslive.com		Yes
#####	Kristie Matthews	Kristie.matt48 morris s Campwin E QLD	4737	Yes
#####	Amy Saunders	Amy.rose4(21 central s Sarina Qld	4737	Yes
#####	Judy Altenkirk	jaaltenkirk650 Courtne Sarina Qld	4737	Yes
#####	Kimberley Fewin	ben_kim28.32 Milleniui Sarina QLD	4737	Yes
#####	Sarah Robin	Sarah_robi53 Hans Ct Sarina Qld	4737	Yes
#####	Russell Smith	russ.smith(9 RasmussArmstrong QLD	4737	Yes
#####	Robyn Galley	Robyn_gall27 swan strArmstrong Queenslan	4737	Yes
#####	Lisa Sedgman	liza_m85@10 Hook Ct Sarina Qld	4737	Yes
#####	Lisa Sedgman	liza_m85@10 Hook Ct Sarina Qld	4737	Yes
#####	Jade McCartney	jademac01.59 Moonlig Sarina QLD	4737	Yes
#####	Ruth Gash	rgash7@biPO BOX 67 Sarina Qld	4737	Yes
#####	Ben Fewin	Ben_439@32 Milleniui Sarina Qld	4737	Yes
#####	Hayley Delaney	h.delaney83 Mapley C Sarina QLD	4737	Yes
#####	Richard Murphy	Richard.mu873 Sarina Sarina bea Qld	4737	Yes
#####	Karla Hourigan	Crash97@55 Hans Ct Sarina QLD	4737	Yes
#####	Janet Delaney	delaney.far 124 Frederi FREDERIC Qld	4806	Yes
#####	Kristie Ruttiman	kristieruttim155 Crystal Alice river Qld	4817	Yes
#####	Jo Beitz	Joannebrur 128 mezze Sunnyside Qld	4737	Yes
#####	Jennifer Lockie	Lockiejen@Sarina ranç Sarina QLD	4737	Yes
#####	Neil Cliffe	90757 Bruc Sarina Qld	4737	Yes

#####	Brittney	Whittington	31 Hasting	Ooralea	Qld	4740	Yes
#####	Angelina	Caine	8 Leonie Cr	Armstrong	Qld	4737	Yes
#####	Heidi	Keating	9 Ulysses v	Armstrong	Qld	4737	Yes
#####	Jackie	Keating	9 Ulysses v	Armstrong	Qld	4737	Yes
#####	Keely	Zammit	142 Venton	Sarina	Qld	4737	Yes
#####	Grace	Brooks	20 Westcot	Campwin E	Qld	4737	Yes
#####	Toni	Bell	8 Nolan Str	Sarina	Qld	4737	Yes
#####	Jacob	Bell	8 Nolan Str	Sarina	Qld	4737	Yes
#####	Lilian	Brown	185 Range	Sarina	Qld	4737	Yes
#####	June	Hackett	143 Range	Sarina	Qld	4737	Yes
#####	Noeline	Moore	31 Anzac S	Sarina	Qld	4737	Yes
#####	Robyn	Raynham	482 Miran I	Freshwater	Qld	4737	Yes
#####	Cheryl	Adams	360 Sarina	Sarina	Qld	4737	Yes
#####	Elizabeth	Scells	175 Tara C	Sarina	Qld	4737	Yes
#####	Elaine	Harvey	16 Hellweg	Half Tide B	Qld	4740	Yes
#####	Shirley	Sullivan	382 Marlbo	Sarina	Qld	4737	Yes
#####	Pat	Mathiesen	148 Miran I	Freshwater	Qld	4737	Yes
#####	Ilona	Keyes	19 Crescer	Armstrong	Qld	4737	Yes
#####	Dawn	Templeton	51 Pacific I	Hay Point	Qld	4740	Yes
#####	Sandra	Lloyd	2 Manon St	Armstrong	Qld	4737	Yes
#####	R	Ross	18 Tara Cr	Sarina	Qld	4737	Yes
#####	M	Ross	18 Tara Cr	Sarina	Qld	4737	Yes

##### S	Deas	1107 BeaclSarina Bea Qld	4737 Yes
##### C	Deas	107 TropiczAndergrove Qld	4740 Yes
##### J	Costello	11 Jackson Sarina Qld	4737 Yes
##### J	Espig	13 Cooper Campwin E Qld	4737 Yes
##### R	Rowles	4/5 Graham Sarina Qld	4737 Yes
##### D	Proctor	12 Michael Sarina Qld	4737 Yes
##### M	Crawford	82 Fenech Alligator Cr Qld	4740 Yes
##### H	Tietzel	5 SugarlanrAlligator Cr Qld	4737 Yes
##### P	Robertson	49 OceanviFreshwater Qld	4737 Yes
##### K	Parchert	11 Rainfore Sarina Qld	4737 Yes
##### R.E.	Windsor	64 WestcotCampwin E Qld	4737 Yes
##### L	Ryan	62 WestcotCampwin E Qld	4737 Yes
##### D	Pengilly	61 Cooper Campwin E Qld	4737 Yes
##### G	Lomerini	92857 Bruc Balberra Qld	4740 Yes
##### Caitlin	Rasmussen	558 Hay PcAlligator Cr Qld	4740 Yes
##### Rachelle	Rasmussen	556 Hay PcAlligator Cr Qld	4740 Yes
##### Anne-Louis	Rasmussen	556 Hay PcAlligator Cr Qld	4740 Yes
##### Jessie Lea Byrd		86 Coleshil Hay Point Qld	4740 Yes
##### Amy	Radel	13 Silver SiGrasstree E Qld	4740 Yes
##### Sunny	Carman	13 Silver SiGrasstree E Qld	4740 Yes
##### Kristy	Leek	Hay Point FAlligator Cr Qld	4740 Yes
##### Katie	Cransnow	56 Windsor Hay Point Qld	4740 Yes

#####	Aleya	Bell	8 Nolan Str Sarina	Qld	4737	Yes
#####	Joe	Muscat	651 Sarina Sarina	Qld	4737	Yes
#####	John	Way	13 Poole S Sarina Bea	Qld	4737	Yes
#####	Deb	Bohm	7 Owen Jai Sarina Bea	Qld	4737	Yes
#####	Rob	Bohm	7 Owen Jai Sarina Bea	Qld	4737	Yes
#####	Kim	Fewin	32 Milleniui Sarina	Qld	4737	Yes

13. TENDERS

14. CONSIDERATION OF NOTIFIED MOTIONS

15. PUBLIC PARTICIPATION

16. LATE BUSINESS

17. CONFIDENTIAL REPORTS

17.1. APPROVED SPONSORSHIP UNDER THE INVEST MACKAY EVENTS AND CONFERENCE ATTRACTION PROGRAM - FEBRUARY AND MARCH 2024

Confidential

Confidential Report to be forwarded separately.

This report is **CONFIDENTIAL** in accordance with the Section 254J (3) (c) of the *Local Government Regulation 2012* which permits the meeting to be closed to the public to discuss a matter **relating to Council's budget**.

17.2. APPROVED CONCESSIONS UNDER THE FACILITATING DEVELOPMENT IN THE MACKAY REGION POLICY – FEBRUARY AND MARCH 2024

Confidential

Confidential Report to be forwarded separately.

This report is **CONFIDENTIAL** in accordance with the Section 254J (3) (c) of the *Local Government Regulation 2012* which permits the meeting to be closed to the public to discuss a matter **relating to Council's budget**.

18. MEETING CLOSURE

19. FOR INFORMATION ONLY

19.1. BUILDING WORKS STATISTICS - FEBRUARY AND MARCH 2024

Attachments

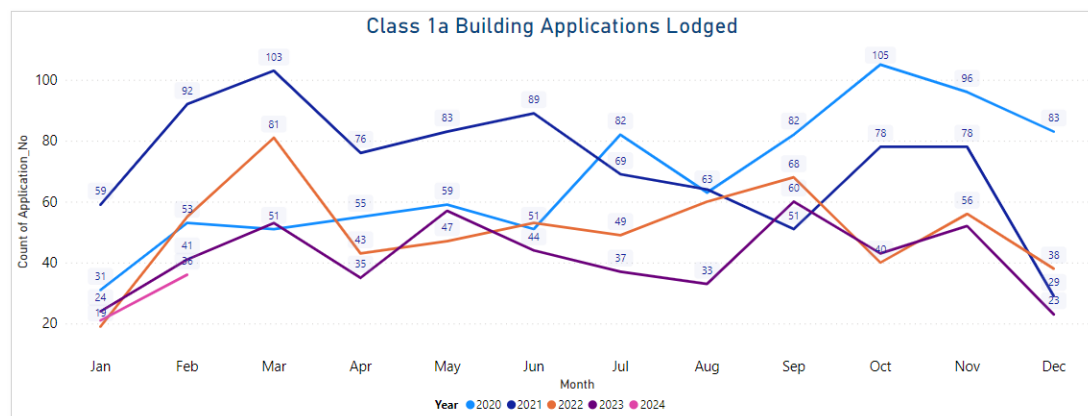
1. Building Works Statistics - February 2024 [**19.1.1** - 2 pages]
2. Building Works Statistics - March 2024 [**19.1.2** - 2 pages]

Building Works Statistics – February 2024

Class	Description	Total February 2024	Total Value of Proposed Works	Average Proposed Floor Area (m2)	Total February 2023	YTD
Class 1A	A single dwelling being a detached house, or one of a group of two or more attached dwellings, each being a building, separated by a fire-resisting wall, including a row house, terrace house, town house or villa unit	36	\$9,671,346	177	41	57
Class 1B	A boarding house, guest house, hostel or the like with a total area of all floors not exceeding 300m2, and where not more than 12 people reside, and is not located above or below another dwelling or another Class of building other than a private garage	1	\$679,050	253	0	1
Class 2	A building containing 2 or more sole-occupancy units each being a separate dwelling	0			0	0
Class 3	A residential building, other than a Class 1 or 2 building, which is a common place of long term or transient living for a number of unrelated persons. Example: boarding-house, hostel, backpackers accommodation or residential part of a hotel, motel, school or detention centre	0			0	0
Class 4	A dwelling in a building that is Class 5, 6, 7, 8 or 9 if it is the only dwelling in the building	0			0	0
Class 5	An office building used for professional or commercial purposes, excluding buildings of Class 6, 7, 8 or 9	0			1	0
Class 6	A shop or other building for the sale of goods by retail or the supply of services direct to the public. Example: café, restaurant, kiosk, hairdressers, showroom or service station	6	\$922,567	304	2	9
Class 7A	A building which is a car park	0			0	0
Class 7B	A building which is for storage or display of goods or produce for sale by wholesale	0			3	1
Class 8	A laboratory, or a building in which a handicraft 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	1
Class 9A	A health care building, including those parts of the building set aside as a laboratory	0			0	0
Class 9B	An assembly building, including a trade workshop, laboratory or the like, in a primary or secondary school, but	2	\$5,543,644	693	0	4

	excluding any other parts of the building that are of another class					
Class 9C	An aged care building	0			0	0
Class 10A	A private garage, carport, shed or the like	85	\$10,466,113	108	74	139
Class 10B	A structure being a fence, mast, antenna, retaining or free standing wall, swimming pool or the like	19	\$2,177,828	53	25	30
Class 10C	A private bushfire shelter	0			5	0
Sundry	Demolition residential/commercial/industrial, class n/a, class s/s	0		N/A	1	4
Totals		149	\$29,460,548	1,586	154	246

Description	Total February 2024	Total Value of Proposed Works	Average Proposed Floor Area (m2)	Total February 2023	YTD
New building or structure	113	\$26,500,597	145	100	186
Change of building classification	2	\$704,879	720	1	3
Demolition	8	\$857,979	N/A	7	12
Repairs, alterations, additions	26	\$2,349,225	130	29	35
Swimming pool and/or pool fence	12	\$1,563,321	N/A	25	23
Relocation or removal	0			1	1
Totals	161	\$31,976,002	993	163	260

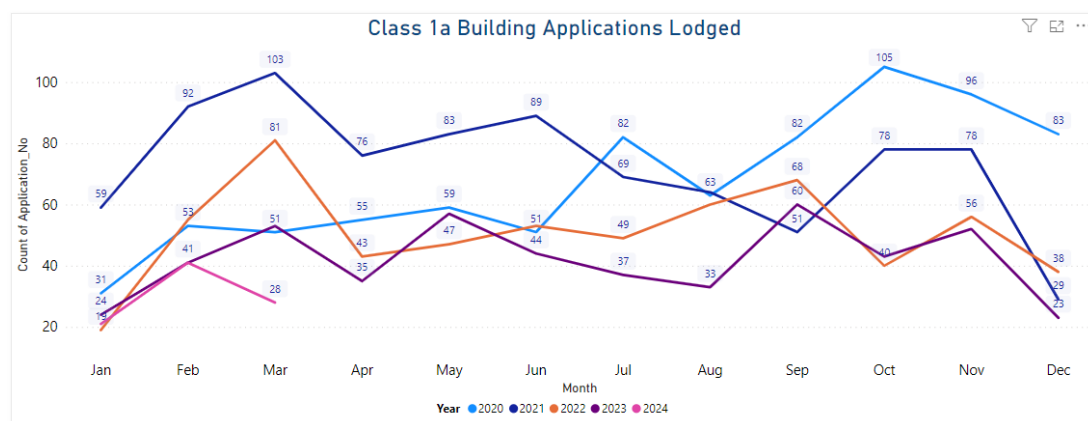


Building Works Statistics – March 2024

Class	Description	Total March 2024	Total Value of Proposed Works	Average Proposed Floor Area (m2)	Total March 2023	YTD
Class 1A	A single dwelling being a detached house, or one of a group of two or more attached dwellings, each being a building, separated by a fire-resisting wall, including a row house, terrace house, town house or villa unit	28	\$10,644,349	178	53	90
Class 1B	A boarding house, guest house, hostel or the like with a total area of all floors not exceeding 300m2, and where not more than 12 people reside, and is not located above or below another dwelling or another Class of building other than a private garage	0			0	1
Class 2	A building containing 2 or more sole-occupancy units each being a separate dwelling	0			0	0
Class 3	A residential building, other than a Class 1 or 2 building, which is a common place of long term or transient living for a number of unrelated persons. Example: boarding-house, hostel, backpackers accommodation or residential part of a hotel, motel, school or detention centre	0			0	0
Class 4	A dwelling in a building that is Class 5, 6, 7, 8 or 9 if it is the only dwelling in the building	0			0	0
Class 5	An office building used for professional or commercial purposes, excluding buildings of Class 6, 7, 8 or 9	2	\$352,000	0	2	2
Class 6	A shop or other building for the sale of goods by retail or the supply of services direct to the public. Example: café, restaurant, kiosk, hairdressers, showroom or service station	4	\$850,532	110	8	13
Class 7A	A building which is a car park	0			0	0
Class 7B	A building which is for storage or display of goods or produce for sale by wholesale	3	\$990	2,970	1	4
Class 8	A laboratory, or a building in which a handicraft 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			3	1
Class 9A	A health care building, including those parts of the building set aside as a laboratory	0			1	0
Class 9B	An assembly building, including a trade workshop, laboratory or the like, in a primary or secondary school, but excluding any other parts of the building that are of another class	3	\$11,322,745	531	2	7
Class 9C	An aged care building	0			0	0

Class 10A	A private garage, carport, shed or the like	72	\$5,470,597	152	102	223
Class 10B	A structure being a fence, mast, antenna, retaining or free standing wall, swimming pool or the like	15	\$1,660,073	59	16	46
Class 10C	A private bushfire shelter	0			5	0
Sundry	Demolition residential/commercial/industrial, class n/a, class s/s	0		N/A	2	4
Totals		127	\$30,301,286	4,000	195	391

Description	Total March 2024	Total Value of Proposed Works	Average Proposed Floor Area (m2)	Total March 2023	YTD
New building or structure	92	\$32,734,438	232	133	293
Change of building classification	0			0	3
Demolition	1	\$96,280	N/A	11	14
Repairs, alterations, additions	20	\$2,493,446	40	41	58
Swimming pool and/or pool fence	15	\$3,061,360	N/A	16	39
Relocation or removal	1	\$100,000	134	0	2
Totals	129	\$38,485,524	404	201	409



19.2. DEVELOPMENT APPLICATIONS - FEBRUARY AND MARCH 2024

Attachments

1. Development Applications - February 2024 [**19.2.1** - 4 pages]
2. Development Applications - March 2024 [**19.2.2** - 4 pages]

Development Applications – February 2024**Development Applications Received**

App No.	Code / Impact	Address	Applicant	Description	Officer
DA-2011-262/B	Code	2-16 Celeber Drive ANDERGROVE	RPS AAP Consulting Pty Ltd	Generally in Accordance Material Change of Use - Development Permit for Educational Facility (Dual Caretakers Residences)	Brogan Jones
DA-2012-323/K	Code	Lot 610 Lakeside Way ANDERGROVE	Andergrove Lakes Pty Ltd and Mackay Cable Park Pty Ltd	Change Application (Minor) Re-establish Lots 323 & 340 - 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.	Emma Langford
DA-2013-389/C	Code	1 Erie Street ANDERGROVE	Aldi Foods Pty Limited	Change Application (Minor) Material Change of Use - Development Permit for Service Station, Shop, and Gym (as defined in Preliminary Approval DA-2007-286/C - Commercial Precinct)	Emma Langford
DA-2013-425/B	Code	648-654 Mackay- Bucasia Road RURAL VIEW	Mentmore 1 Pty Ltd and Mentmore 2 Pty Ltd	Extension of Currency Period (4 Years) - Preliminary Approval for a Locality Concept Plan in accordance with the Eulbertie Park Plan of Development	Lachlan Deon
DA-2019-106/C	Code	239-255 Nebo Road WEST MACKAY	The Roman Catholic Trust Corporation	Change Application (Minor) Material Change of Use - Development Permit for Educational Establishment	Brogan Jones
DA-2020-46/B	Code	Lot 467 Heliconia Street BAKERS CREEK	Cougar Developments Pty Ltd	Change Application (Minor) Reconfiguring a Lot - Development Permit for Subdivision (1 Emerging Community Lot into 3 Residential lots, and Removal of Common Property - Stage 4C)	Lachlan Deon
DA-2022-225/A	Code	419 Shakespeare Street WEST MACKAY	Conor J Smith	Change Application (Other Change) (Development Permit for a Material Change of Use – 4 x Multiple Dwellings) - Reconfiguring a Lot – 1 into 4 Lots and Access Easements	Lachlan Deon
DA-2023-16/A	Code	289 West Plane Creek Road SARINA	Darryl K Josey	Change Application (Minor) Removal or Alteration of Condition 21 and 22 - Material Change of Use - Low Impact Industry (Distillery)	Lachlan Deon
DA-2023-195/A	Code	28 Coral Reef Court ARMSTRONG BEACH	AAA Building Consultants	Change Application (Minor) - (Increase in Height & Length of Shed) Material Change of Use - Development Permit for Dwelling House (Shed - Class 10a)	Renee Andrea
DA-2024-12	Impact	1-5 Sol Drive MACKAY HARBOUR	East Point Mackay Pty Ltd	Material Change of Use - Preliminary Approval including a Variation Request	Dennis O'Riely

				and Development Permit for Resort Complex	
DA-2024-13	Code	1433 Sarina Homebush Road SUNNYSIDE	Evon H Penola	Reconfiguring a Lot - Development Permit for Boundary Realignment (2 into 2 Lots)	Renee Andrea
DA-2024-14	Code	57 William Street SOUTH MACKAY	Michael A Pownell and Sabine Scott	Material Change of Use - Development Permit for Dwelling House (Heritage & Neighbourhood Character Overlay and Flood and Coastal Hazards Overlay)	Lachlan Deon
DA-2024-15	Code	328 Mirani-Boldon Road MIRANI	Hunn Investments Pty Ltd and John W Hunn and Pamela Hunn	Reconfiguring a Lot - Development Permit for Boundary Realignment (2 into 2 Lots)	Lachlan Deon
DA-2024-16	Code	54 Buthurra Station Road MOUNT OSSA	Adrian J Zarb and Michelle M Zarb	Reconfiguring a Lot - Development Permit for Boundary Realignment (3 into 3 Lots)	Darryl Bibay
DA-2024-17	Impact	2A Keim Street RURAL VIEW	MI & SA Quinn Family Trust	Material Change of Use - Development Permit for Shop	Teagan Darvill
DA-2024-19	Code	Lot 28 Production Drive PAGET	Bosso Holdings Pty Ltd and Maggiolo Holdings Pty Ltd	Material Change of Use - Development Permit for Medium Impact Industry	Brogan Jones
DA-2024-20	Code	34 Tidemann Street WALKERSTON	Ian W Kyle and Cynthia M Kyle	Material Change of Use - Development Permit for Dwelling House (Shed Awning 10a)	Darryl Bibay
DA-2024-22	Code	Lot 83 Rocky Waterholes-Wollingford Road PLEYSTOWE	Troy M Craig and Elizabeth J Craig and Darren Galea Mechanical Pty Ltd	Reconfiguring a Lot - Development Permit for Boundary Realignment (2 into 2 Lots)	Lachlan Deon
DA-2024-23	Code	8 Bridge Street WALKERSTON	Peter J Town	Reconfiguring a Lot - Development Permit for Subdivision (1 lot into 2 Standard Format Community Title Lots)	Lachlan Deon
DA-2024-24	Code	16 Smith Street WEST MACKAY	Peter P Mifsud and Gae L Mifsud	Reconfiguring a Lot - Development Permit for Boundary Realignment (2 into 2 Lots)	Lachlan Deon
DA-2024-25	Code	20 Pugsley Street WALKERSTON	Statewide Town Planning	Reconfiguring a Lot - Development Permit for Boundary Realignment (2 into 2 Lots)	Lachlan Deon
PDA-2024-1	Code	36 Wood Street MACKAY	SMH Property Group Australia Pty Ltd	Building Works (Local Heritage Place)	Emma Langford

Development Applications in Decision Making Period

App No.	Code / Impact	Address	Applicant	Description	Officer
DA-2017-116/E	Code	Lot 700 Whitsunday Drive BLOOMSBURY	Mt Tyson Holdings Pty Ltd	Change Application (Other)Reconfiguring a Lot – Development Permit for Subdivision (2 Rural Lots into 35 Airfield Park lots, 1 Airfield lot and 1 Balance lot) & Material Change of Use – Development Permit for Air Services	Cherise Ayling
DA-2021-172	Code	160 Oswald Street SARINA	Sentinel Sarina Development Pty Ltd	Combined Application: Material Change of Use - Car Wash, Community Care Centre, Emergency Services, Food and Drink Outlet, Funeral Parlour, Hardware and Trade Supplies, Health Care Services, Office, Service Station, Showroom, Shop, and Veterinary Services; and Reconfiguring a Lot - 1 Emerging	Lachlan Deon

				Community Lot into 3 Lots + Balance Lot + Access Easement	
DA-2022-234	Code	1 Matsen Street BAKERS CREEK	Schweitzer Investments Pty Ltd	Material Change of Use - Service Station, Food and Drink Outlet, Childcare Centre and Reconfiguring a Lot - 1 Lot into 3 Lots and Access Easements	Brogan Jones
DA-2023-171	Code	154 Goldsmith Street SOUTH MACKAY	Amass Group Pty Ltd	Reconfiguring a Lot - Development Permit for Subdivision (1 Lot into 2 Lots)	Teagan Darvill
DA-2023-192	Code	Lot 11 Ritchies Road GREENMOUNT	George Vella	Reconfiguring a Lot - Development Permit for Boundary Realignment (4 Lots into 4 Lots)	Teagan Darvill
DA-2023-213	Impact	23-47 Cemetery Road WEST MACKAY	Ergon Energy Corporation Limited	Material Change of Use - Development Permit for Low Impact Industry	Teagan Darvill
DA-2023-216	Impact	839-873 Mackay-Bucasia Road BUCASIA	Paul J Camilleri and Michelina M Camilleri	Material Change of Use - Development Permit for Warehouse (Storage Yard), Office and Shop	Teagan Darvill
DA-2023-253	Code	7 Evolution Drive PAGET	Taipan Corporation Pty Ltd	Reconfiguring a Lot - Development Permit for Subdivision (1 Lot into 11 Lots)	Brogan Jones
DA-2024-1	Code	600 Gorge Road FINCH HATTON	AAA Building Consultants	Material Change of Use - Development Permit for Dwelling House - Siting	Renee Andrea
DA-2024-6	Code	135 Sarina Homebush Road SARINA	Alan D McFadzen	Material Change of Use - Development Permit for Dwelling House (Shed - Class 10a)	Teagan Darvill

Development Applications Finalised

App No.	Code / Impact	Address	Applicant	Description	Officer
Generally in Accordance With					
DA-2011-262/B	Code	2-16 Celeber Drive ANDERGROVE	RPS AAP Consulting Pty Ltd	Generally in Accordance Material Change of Use - Development Permit for Educational Facility (Dual Caretakers Residences)	Brogan Jones
DA-2017-4/B	Impact	15 Charlotte Street WEST MACKAY	OZCARE	Change Application (Other)Material Change of Use - Development Permit for Extensions to an Existing Residential Care Facility	Emma Langford
DA-2023-189/A	Code	16 Poinciana Avenue SEAFORTH	Darcy S Sleeman and Breannan V Black	Generally in Accordance Material Change of Use - Development Permit for Dwelling House in Flood and Coastal Hazards Overlay (Storm Tide Inundation Area)	Lachlan Deon
Approved Subject to Conditions					
DA-2013-171/D	Code	Lot 501 Beaconsfield Road East ANDERGROVE	Andergrove Lakes Pty Ltd	Change Application (Minor) - 1 Higher Density Residential Lot into 20 lots (1 Higher Density Residential Lot, 10 Duplex Lots, 8 House Lots and 1 Drainage Lot)	Emma Langford
DA-2022-176	Impact	7-17 Heaths Road MOUNT PLEASANT	Overeas Pty Ltd	Material Change of Use - Development Permit for Low Impact Industry (Motor Vehicle Workshop)	Emma Langford
DA-2023-120	Impact	23-25 Schmidtkes Road OORALEA	Ooralea Farming Pty Ltd	Material Change of Use - Development Permit for Childcare Centre and Reconfiguring a Lot - Development Permit for Subdivision (1 into 3 Lots)	Cherise Ayling

DA-2023-198	Impact	27 Barrier Street ETON	Steven W Newson	Material Change of Use - Development Permit for Dwelling House (Class 1a)	Brogan Jones
DA-2023-227	Code	82 Andergrove Road ANDERGROVE	Daniel J Warrener	Reconfiguring a Lot - Development Permit for Subdivision (1 into 2 Lots)	Renee Andrea
DA-2023-240	Code	23 Mowlam Street EIMEO	Sadie M Wells	Material Change of Use - Development Permit for Home Based Business	Emma Langford
DA-2023-242	Impact	3 Sandpiper Court SLADE POINT	Helen M Arthur	Material Change of Use – Development Permit for Short-term Accommodation	Teagan Darvill
DA-2023-252	Code	Lot 8 Mirabellas Road MARIAN	Joanne L Smith	Material Change of Use - Development Permit for Dwelling House (Extractive Resources and High Impact Activities Overlay)	Darryl Bibay
DA-2023-54	Code	532 Kinchant Dam Road KINCHANT DAM	Victor C Deguara	Reconfiguring a Lot - Development Permit for Subdivision (2 Lots into 19 Lots in 3 Stages)	Cherise Ayling
DA-2023-98	Code	55 Ocean Avenue SLADE POINT	Adam G Harrison and Leah Harrison	Reconfiguring a Lot - Development Permit for Boundary Realignment (4 into 2 Lots)	Emma Langford
DA-2024-10	Code	11 Carlton Road SARINA	AAA Building Consultants	Material Change of Use – Development Permit for Dwelling House (Patio - Class 10a)	Lachlan Deon
DA-2024-11	Code	823 Mackay-Eungella Road PLEYSTOWE	AAA Building Consultants	Material Change of Use - Development Permit for Dwelling House (Secondary Dwelling Class 1a)	Darryl Bibay
DA-2024-14	Code	57 William Street SOUTH MACKAY	Michael A Pownell and Sabine Scott	Material Change of Use - Development Permit for Dwelling House (Heritage & Neighbourhood Character Overlay and Flood and Coastal Hazards Overlay)	Lachlan Deon
DA-2024-15	Code	328 Mirani-Boldon Road MIRANI	Hunn Investments Pty Ltd and John W Hunn and Pamela Hunn	Reconfiguring a Lot - Development Permit for Boundary Realignment (2 into 2 Lots)	Lachlan Deon
DA-2024-4	Code	Lot 901 Diesel Drive PAGET	Brown & Hurley Pty Ltd	Material Change of Use – Development Permit for Medium Impact Industry & Warehouse (Workshop, Ancillary Parts Store & Office)	Lachlan Deon
DA-2024-7	Code	119 Moonlight Drive SARINA	AAA Building Consultants	Material Change of Use - Development Permit for Dwelling House (Shed - Class 10a) - Siting and Height	Lachlan Deon

Development Applications – March 2024

Development Applications Received

App No.	Code / Impact	Address	Applicant	Description	Officer
DA-2002-34/A	Code	2-16 Celeber Drive ANDERGROVE	Whitsunday Anglican School Ltd	Change Application (Minor) Material Change of Use - Development Permit for Educational Establishment (Art Centre)	Teagan Darvill
DA-2010-319/H	Code	Lot 501 Beaconsfield Road East ANDERGROVE	Andergrove Lakes 501 Pty Ltd and Mackay Cable Park Pty Ltd and Halfback Pty Ltd	Change Application (Minor) Material Change of Use - Development Permit for a Tourist Facility and Commercial Premises and Reconfiguring a Lot - Development Permit for Subdivision (4 Lots into 87 Lots plus Balance Land in 5 Stages)	Emma Langford
DA-2010-341/E	Code	16/146 Shoal Point Road SHOAL POINT	Acquilla Investments Pty Ltd	Generally in Accordance Combined Application - Material Change of Use - Dwelling House (19 Houses) and Reconfiguration of a Lot - 1 High Density Residential Lot into 19 Lots	Darryl Bibay
DA-2013-171/E	Code	Lot 501 Beaconsfield Road East ANDERGROVE	Andergrove Lakes 501 Pty Ltd	Change Application (Minor) Reconfiguring a Lot - Development Permit for Subdivision (1 Lot into 23 Lots)	Emma Langford
DA-2022-155/B	Code	Lot 21 Matthew Street FINCH HATTON	Mackay Regional Council	Change Application (Minor) (Affected Entity) Material Change of Use - Undefined Use (Pioneer Valley Mountain Bike Park - Stage 1)	Emma Langford
DA-2022-184/B	Code	40-42 Caterpillar Drive PAGET	Hastings Deering (Australia) Ltd	Change Application (Minor) Material Change of Use - Warehouse, Low Impact Industry and Outdoor Sales	Lachlan Deon
DA-2023-136/A	Code	102 Andrew Drive DUMBLETON	Kimberly J Matheson	Generally in Accordance Reconfiguring a Lot - Development Permit for Boundary Realignment (2 lots into 2 lots)	Emma Langford
DA-2023-181/A	Code	2143 Mackay- Eungella Road MIRANI	Gerard M Agius	Generally in Accordance Reconfiguring a Lot - Development Permit for Boundary Realignment (2 into 2 Lots)	Emma Langford
DA-2023-2/A	Code	878 Maraju-Yakapari Road DUMBLETON	AAA Building Consultants	Change Application (Minor) Material Change of Use - Dwelling House (Bushfire Hazard Overlay)	Lachlan Deon
DA-2023-204/A	Code	13-15 Southlink Drive BAKERS CREEK	MJ Mahon Transport	Change Application (Minor) Material Change of Use - Development Permit for Transport Depot	Brogan Jones
DA-2024-26	Code	55 Lembergs Road BAKERS CREEK	Glen O Rix	Material Change of Use - Development Permit for Dwelling House (Secondary Dwelling - Class 1A)	Darryl Bibay
DA-2024-28	Code	2-16 Celeber Drive ANDERGROVE	Whitsunday Anglican School Ltd	Material Change of Use - Development Permit for Educational Establishment (New Egress and Parking Expansion)	Teagan Darvill
DA-2024-30	Code	170 Habana Wharf Road HABANA	AAA Building Consultants	Material Change of Use - Development Permit for Dwelling House (Bushfire Hazard Overlay)	Teagan Darvill
DA-2024-31	Code	Lot 241 Slater Avenue BLACKS BEACH	Crossroad Developments Pty Ltd	Reconfiguring a Lot - Development Permit for Subdivision (1 into 16 Lots)	Teagan Darvill
DA-2024-32	Code	Lot 5 Melba Street ARMSTRONG BEACH	Karkel Contracting Pty Ltd	Material Change of Use - Development Permit for Retirement Facility	Renee Andrea
DA-2024-33	Code	Lot 106 Tannalo- Galea Road PINNACLE	Melvyn B Finn and Colin G Finn	Reconfiguring a Lot - Development Permit for Boundary Realignment (3 Lots into 2 Lots)	Darryl Bibay

DA-2024-34	Code	22 Kinchant Dam Road NORTH ETON	PV Pumps Pty Ltd	Reconfiguration of a Lot - Development Permit for Boundary Realignment (2 Lots into 2 Lots)	Darryl Bibay
DA-2024-35	Code	16 Timberland Court SARINA	Jefrey Mtombo and Charity Mudimu-Mtombo	Material Change of Use - Development Permit for Dwelling House (Shed - Class 10a)	Teagan Darvill
DA-2024-36	Code	13 Paulette Street WEST MACKAY	AAA Building Consultants	Material Change of Use - Development Permit for Dwelling House (Class 1a Dwelling House and 10a Shed)	Renee Andrea
DA-2024-37	Code	16-24 Carl Street RURAL VIEW	Kraigs Enterprises Pty Ltd	Material Change of Use - Development Permit for Food and Drink Outlet	Renee Andrea
DA-2024-39	Code	92899 Bruce Highway BALBERRA	Patio World Mackay	Material Change of Use - Development Permit for Dwelling House (Carport - Class 10a)	Lachlan Deon
DA-2024-40	Code	8 Central Park Drive PAGET	Australian Management & Safety Training	Material Change of Use – Development Permit for Educational Establishment (Training for Industry Uses)	Lachlan Deon
DA-2024-41	Code	Lot 2 Dozer Drive PAGET	BNC Planning	Material Change of Use - Development Permit for Warehouse	Brogan Jones

Development Applications Entering Decision Making Period

App No	Code / Impact	Address	Applicant	Description	Officer
DA-2023-113	Code	269 Nebo Road WEST MACKAY	Kristin M Rounsevell	Material Change of Use - Development Permit for Multiple Dwelling (4 Units) and Reconfiguring a Lot - Development Permit for Subdivision (1 into 4 Lots)	Renee Andrea

Development Applications Finalised

App No	Code / Impact	Address	Applicant	Description	Officer
Generally in Accordance With					
DA-2010-341/E	Code	16/146 Shoal Point Road SHOAL POINT	Acquilla Investments Pty Ltd	Generally in Accordance Combined Application - Material Change of Use - Dwelling House (19 Houses) and Reconfiguration of a Lot - 1 High Density Residential Lot into 19 Lots	Darryl Bibay
DA-2022-155/A	Code	Lot 21 Matthew Street FINCH HATTON	Mackay Regional Council	Generally in Accordance Material Change of Use - Development Permit for Undefined Use (Pioneer Valley Mountain Bike Park - Stage 1)	Emma Langford
DA-2023-136/A	Code	102 Andrew Drive DUMBLETON	Kimberly J Matheson	Generally in Accordance Reconfiguring a Lot - Development Permit for Boundary Realignment (2 lots into 2 lots)	Emma Langford
DA-2023-181/A	Code	2143 Mackay-Eungella Road MIRANI	Gerard M Agius	Generally in Accordance Reconfiguring a Lot - Development Permit for Boundary Realignment (2 into 2 Lots)	Emma Langford
Approved Subject to Conditions					
DA-2011-6/A	Code	173 Greenmount Road PLEYSTOWE	George Vella and Jane Vella	Change Application (Other)Reconfiguring a Lot - Development Permit for Subdivision (3 Lots into 7 Lots)	Teagan Darvill
DA-2013-389/C	Code	1 Erie Street ANDERGROVE	Aldi Foods Pty Limited	Change Application (Minor) Material Change of Use - Development Permit for Service Station, Shop, and Gym (as defined in Preliminary Approval DA-2007-286/C - Commercial Precinct)	Emma Langford

DA-2014-239/C	Code	89 Juliet Street SOUTH MACKAY	Mackay Cricket Association Inc	Change Application (Minor)- Material Change of Use for Indoor Entertainment (Extension & refurbishment to existing licensed sports club and new carparks) - Harrup Park Country Club	Renee Andrea
DA-2019-106/C	Code	239-255 Nebo Road WEST MACKAY	The Roman Catholic Trust Corporation	Change Application (Minor)Material Change of Use - Development Permit for Educational Establishment	Brogan Jones
DA-2022-155/B	Code	Lot 21 Matthew Street FINCH HATTON	Mackay Regional Council	Change Application (Minor) (Affected Entity) Material Change of Use - Undefined Use (Pioneer Valley Mountain Bike Park - Stage 1)	Emma Langford
DA-2022-187/A	Code	217 Shakespeare Street MACKAY	JA & JB Boyle Pty Ltd	Change Application (Minor)Material Change of Use - Development Permit for Crematorium	Emma Langford
DA-2022-225/A	Code	419 Shakespeare Street WEST MACKAY	Conor J Smith	Change Application (Other Change) (Development Permit for a Material Change of Use – 4 x Multiple Dwellings) - Reconfiguring a Lot – 1 into 4 Lots and Access Easements	Lachlan Deon
DA-2023-16/A	Code	289 West Plane Creek Road SARINA	Darryl K Josey	Change Application (Minor) Removal or Alteration of Condition 21 and 22 - Material Change of Use - Low Impact Industry (Distillery)	Lachlan Deon
DA-2023-165	Code	56 Ocean Avenue SLADE POINT	Diane B O'Connell	Reconfiguring a Lot - Development Permit for Subdivision (1 into 2 Lots)	Teagan Darvill
DA-2023-192	Code	Lot 11 Ritchies Road GREENMOUNT	George Vella	Reconfiguring a Lot - Development Permit for Boundary Realignment (4 Lots into 4 Lots)	Teagan Darvill
DA-2023-195/A	Code	28 Coral Reef Court ARMSTRONG BEACH	AAA Building Consultants	Change Application (Minor) Material Change of Use - Development Permit for Dwelling House (Shed - Class 10a)	Renee Andrea
DA-2023-2/A	Code	878 Maraju-Yakapari Road DUMBLETON	AAA Building Consultants	Change Application (Minor) Material Change of Use - Dwelling House (Bushfire Hazard Overlay)	Lachlan Deon
DA-2023-204/A	Code	13-15 Southlink Drive BAKERS CREEK	MJ Mahon Transport	Change Application (Minor)Material Change of Use - Development Permit for Transport Depot	Brogan Jones
DA-2023-213	Impact	23-47 Cemetery Road WEST MACKAY	Ergon Energy Corporation Limited	Material Change of Use - Development Permit for Low Impact Industry	Teagan Darvill
DA-2023-216	Impact	839-873 Mackay- Bucasia Road BUCASIA	Paul J Camilleri and Michelina M Camilleri	Material Change of Use - Development Permit for Warehouse (Storage Yard), Office and Shop	Teagan Darvill
DA-2023-230	Code	102 Lansdowne Road RACECOURSE	Ross A Powell and Riley N Powell	Reconfiguring a Lot - Development Permit for Boundary Realignment (6 into 5 Lots)	Renee Andrea
DA-2023-250	Code	65 Shakespeare Street EAST MACKAY	CJ Smith Homes Pty Ltd	Material Change of Use - Development Permit for Multiple Dwelling (14 x 1 Bedroom Units)	Emma Langford
DA-2023-254	Code	85 Maple Drive ANDERGROVE	South Brisbane DA Pty Ltd	Reconfiguring a Lot - Development Permit for Subdivision (1 Lot into 4 Lots) and Operational Works - Development Permit for Civil Works (Earthworks, Access, Sewer, and Water Connection)	Renee Andrea
DA-2024-1	Code	600 Gorge Road FINCH HATTON	AAA Building Consultants	Material Change of Use - Development Permit for Dwelling House in Bushfire Hazard Overlay - Siting	Renee Andrea

DA-2024-13	Code	1433 Sarina Homebush Road SUNNYSIDE	Evon H Penola	Reconfiguring a Lot - Development Permit for Boundary Realignment (2 into 2 Lots)	Renee Andrea
DA-2024-16	Code	54 Buthurra Station Road MOUNT OSSA	Adrian J Zarb and Michelle M Zarb	Reconfiguring a Lot - Development Permit for Boundary Realignment (3 into 3 Lots)	Darryl Bibay
DA-2024-20	Code	34 Tidemann Street WALKERSTON	Ian W Kyle and Cynthia M Kyle	Material Change of Use - Development Permit for Dwelling House (Shed Awning 10a)	Darryl Bibay
DA-2024-22	Code	Lot 83 Rocky Waterholes-Wollingford Road PLEYSTOWE	Troy M Craig and Elizabeth J Craig and Darren Galea Mechanical Pty Ltd	Reconfiguring a Lot - Development Permit for Boundary Realignment (2 into 2 Lots)	Lachlan Deon
DA-2024-23	Code	8 Bridge Street WALKERSTON	Peter J Town	Reconfiguring a Lot - Development Permit for Subdivision (1 lot into 2 Standard Format Community Title Lots)	Lachlan Deon
DA-2024-24	Code	16 Smith Street WEST MACKAY	Peter P Mifsud and Gae L Mifsud	Reconfiguring a Lot - Development Permit for Boundary Realignment (2 into 2 Lots)	Lachlan Deon
DA-2024-26	Code	55 Lembergs Road BAKERS CREEK	Glen O Rix	Material Change of Use - Development Permit for Dwelling House (Secondary Dwelling - Class 1A)	Darryl Bibay
DA-2024-30	Code	170 Habana Wharf Road HABANA	AAA Building Consultants	Material Change of Use - Development Permit for Dwelling House (Bushfire Hazard Overlay)	Teagan Darvill
DA-2024-33	Code	Lot 106 Tannalo-Galea Road PINNACLE	Melvyn B Finn and Colin G Finn	Reconfiguring a Lot - Development Permit for Boundary Realignment (3 Lots into 2 Lots)	Darryl Bibay
DA-2024-34	Code	22 Kinchant Dam Road NORTH ETON	PV Pumps Pty Ltd	Reconfiguration of a Lot - Development Permit for Boundary Realignment (2 Lots into 2 Lots)	Darryl Bibay
DA-2024-35	Code	16 Timberland Court SARINA	Jefrey Mtombo and Charity Mudimu-Mtombo	Material Change of Use - Development Permit for Dwelling House (Shed - Class 10a)	Teagan Darvill
DA-2024-39	Code	92899 Bruce Highway BALBERRA	Patio World Mackay	Material Change of Use - Development Permit for Dwelling House (Carport - Class 10a)	Lachlan Deon
DA-2024-6	Code	135 Sarina Homebush Road SARINA	Alan D McFadzen	Material Change of Use - Development Permit for Dwelling House (Shed - Class 10a)	Teagan Darvill
PDA-2024-1	Code	36 Wood Street MACKAY	SMH Property Group Australia Pty Ltd	Building Works assessable against the Development Scheme (Local Heritage Place)	Emma Langford
Application Withdrawn					
DA-2023-243	Impact	Lot 241 Slater Avenue BLACKS BEACH	Crossroad Developments Pty Ltd	Material Change of Use - Preliminary Approval for Variation Request (Medium Density Residential Zone to Local Centre Precinct) and Reconfiguring a Lot - Development Permit for Subdivision (1 in to 16 Lots)	Teagan Darvill
DA-2024-3	Code	471 Olletts Road THE LEAP	Denham Livestock Pty Ltd	Material Change of Use - Development Permit for Dwelling House (Bushfire Hazard and Flood and Coastal Hazards Overlay)	Darryl Bibay