



MINUTES

Ordinary Meeting

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

On Wednesday 25 October 2023

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His Worship the Mayor, Cr Williamson conducted an acknowledgement of Country acknowledging the traditional custodians of the land on which we meet today.

Mayor Williamson advised that the Council Meeting is being streamed live, recorded and published in accordance with Council's Standing Orders, including publishing on Council's web-site.

Mayor Williamson advised those present in the public gallery that, by attending a public meeting of the Council they are consenting to their image, voice and comments being recorded and published, and comments will form part of the live stream and recording.

Attendees were also advised that they may be subject to legal action if their actions result in inappropriate and/or unacceptable behaviour and/or comments.

1. ATTENDANCE

His Worship the Mayor, Cr G R Williamson (Chairperson), Crs M J Bella, L G Bonaventura, J F Englert, M I Green (via Teams), B C Hassan, A N Jones, F A Mann, K L May and R J Seymour were in attendance at the commencement of the meeting.

Also present was Mr S Owen (Chief Executive Officer), Mrs J Ronald (Minute Secretary), Mr D McKendry (Executive Officer), Mr J Devitt (Director - Engineering & Commercial Infrastructure), Ms A Nugent (Director - Planning, Growth & Sustainability), Mr J Carless (Director - Capital Works), Ms J McKay (Director - Community Services), Ms A Hays (Director - Corporate Services) and Mr M Sleeman (Manager - Corporate Communications & Marketing).

Cr Green is joining today's meeting by audit visual link as allowed under Section 254K of the *Local Government Regulation 2012*.

The meeting commenced at 10:00 am.

2. OPENING PRAYER

Ven Dr Rosemary Dunn, Archdeacon of Mission and Ministry, Anglican Diocese of North Queensland led those present in Prayer.

3. ABSENT ON COUNCIL BUSINESS

Nil

4. APOLOGIES

4.1. LEAVE OF ABSENCE - CR TOWNSEND

THAT Cr Townsend be granted leave of absence for today's Meeting as approved at the Council Meeting on 27 September 2023.

5. CONDOLENCES

Cr May expressed condolences, on behalf of Council to Cr Williamson and his family on the passing of his father of Doug. Doug was a family orientated man who lived the majority of his life in South Mackay and worked in the City Centre. Doug was devoted to his family and enjoy the many family gatherings and in his later years enjoyed listening to music and dancing.

6. CONFLICT OF INTEREST

Nil

7. CONFIRMATION OF MINUTES

7.1. CONFIRMATION OF MINUTES - ORDINARY MEETING - 27 SEPTEMBER 2023

Council Resolution ORD-2023-265

THAT the Ordinary Meeting Minutes dated 27 September 2023 be adopted.

Moved Cr Mann

Seconded Cr Bonaventura

CARRIED UNANIMOUSLY

8. BUSINESS ARISING OUT OF PREVIOUS MINUTES

UPDATE ON QUESTIONS ARISING FROM COUNCIL MEETING – 27 SEPTEMBER 2023

AGENDA ITEM	MATTER	RESPONSE
11.1.2	Chief Executive Officer's Monthly Review Report – August 2023	<p>Koch's Road Culvert Replacement</p> <p>As an update to the statement in the Engagement Section of the CEO Report. The work has not yet commenced. Below details of the planned work and traffic management strategy.</p> <ul style="list-style-type: none">• The work is scheduled for late October start (23/10/23).• Works anticipated to take 8 weeks to complete (weather permitting).• The work is scheduled to be completed by mid December.• Engagement has commenced with the local farmers/residents and is ongoing.• Traffic is planned to be managed to allow access for haulage movements through the site.

9. MAYORAL MINUTES

Nil

10. CONSIDERATION OF COMMITTEE REPORTS & RECOMMENDATIONS

10.1. AUDIT COMMITTEE - MINUTES OF MEETING 10 OCTOBER 2023

Author	Secretariat (Jeanne Ronald)
Responsible Officer	Executive Officer (David McKendry)
File Reference	Audit Committee

Attachments	1. Final Minutes [10.1.1 - 4 pages]
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Purpose

To receive the draft final minutes of the Audit Committee (the Committee) meeting held on 10 October 2023.

Related Parties

Nil

Corporate Plan Linkage

Priority: Organisational Performance

Strategy: Governance and performance - Ensure that council complies with all of its statutory obligations, minimises its exposure to litigation, manages its risk, undertakes targeted internal audits, and meets community expectations of transparency and performance reporting.

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

Officer's Recommendation

THAT the minutes of the Committee meeting of 10 October 2023 is presented.

Council Resolution ORD-2023-266

THAT the minutes of the Committee meeting of 10 October 2023 is received.

Moved Cr May

Seconded Cr Mann
CARRIED UNANIMOUSLY

11. CORRESPONDENCE AND OFFICER'S REPORTS

11.1. OFFICE OF THE MAYOR AND CEO

11.1.1. MAYOR'S MONTHLY REVIEW REPORT

Author	Mayor (Greg Williamson)
Responsible Officer	Mayor (Greg Williamson)
File Reference	DMRR

Attachments

1. Mayoral Monthly Report - September- October 2023 [11.1.1.1 - 11 pages]

Purpose

To provide Council with the Mayor's Monthly Review Report for the month of September/October 2023.

Related Parties

Nil

Officer's Recommendation

THAT the Mayor's Monthly Review Report for September/October 2023 be received.

Council Resolution ORD-2023-267

THAT the Mayor's Monthly Review Report for September/October 2023 be received.

Moved Cr Williamson

Seconded Cr Hassan
CARRIED UNANIMOUSLY

11.1.2. CHIEF EXECUTIVE OFFICER'S MONTHLY REVIEW REPORT - SEPTEMBER 2023

Author	Chief Executive Officer (Scott Owen)
Responsible Officer	Chief Executive Officer (Scott Owen)
File Reference	DMRR

Attachments	1. FINAL - CEO Monthly Report - September 2023 [11.1.2.1 - 21 pages]
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Purpose

To provide Council with the Chief Executive Officer's Monthly Review Report for the month of September 2023.

Related Parties

Nil

Officer's Recommendation

THAT the Chief Executive Officer's Monthly Review Report for September 2023 be received.

Council Resolution ORD-2023-268

THAT the Chief Executive Officer's Monthly Review Report for September 2023 be received.

Moved Cr Englert

Seconded Cr May
CARRIED UNANIMOUSLY

11.1.3. SCHEDULE OF COUNCIL MEETINGS 2024

Author	Executive Officer (David McKendry)
Responsible Officer	Chief Executive Officer (Scott Owen)
File Reference	Council Meetings Ordinary

Attachments

1. Letter from DSDISLGP - Section 257 LG Regulation - Ability to request exemption from holding Ordinary
[11.1.3.1 - 1 page]

Purpose

To confirm changes to the Mackay Regional Council Ordinary Meeting schedule for 2024 in the lead up to the local government elections.

Related Parties

Nil.

Corporate Plan Linkage

Operational Excellence

Customer/Community Focus - Improving community wellbeing is a primary goal of our services to the Mackay region. This encompasses residents, businesses, visitors and investors. Council believes all members of the community play a crucial role in supporting the vision and strategic outcomes and we encourage community engagement.

Background/Discussion

Council at its Ordinary meeting of 26 July 2023 approved changes to the meeting schedule for 2023/24, including to accommodate the upcoming Christmas/New Year period.

With the pending Christmas and New Year 2023-2024 period consideration needs to be given to operations of Council and the associated Council meeting dates.

The below is a listing of the approved changed schedule –

- Last Ordinary Meeting 2023 - **Wednesday 13 December 2023** commencing at 10.00 am
- First Ordinary Meeting 2024 - **Wednesday 24 January 2024** commencing at 10.00 am
- For 2024 Ordinary Meetings, meetings would return to the normal schedule of commencing at 10.00 am on the fourth Wednesday of the month.

From this, Ordinary Meetings for 2024 would essentially follow the standard fourth Wednesday of the month schedule, which post 24 January would for February and March would then be –

- Wednesday 28 February
- Wednesday 27 March

Section 257 of the *Local Government Regulation 2012 (Regulation)* requires councils to hold an Ordinary meeting at least once per calendar month. With confirmation of the local government elections in Queensland being Saturday 16 March 2024, this provides some practicality issues for the holding of the February and March meetings as scheduled.

In raising the scheduling clash with the Department of State Development, Infrastructure, Local Government and Planning (DSDILGP), upon consideration they have confirmed the ability for Council's to apply to the Minister for Local Government to vary the requirement to hold a meeting in each month.

Depending on the publishing of the public notice by the Election Commission of Queensland for the holding of elections, Caretaker period for Council would apply from this date. Whilst the date proposed for publishing is unknown, there is a window to do so which would see Caretaker provisions in place for at least all of February 2024 (if not earlier). During Caretaker period there are restrictions on Councillors decision making powers (prohibiting Major Policy decisions), although the day to day operations of Council can continue. Essentially the application of Caretaker provisions would restrict what is able to be decided at Council meetings during this time, and thus supporting any proposal to vary dates, or seek an exemption to hold a meeting during March. In simple terms the items able to be considered at such meetings would be limited in any event.

Given the above, for practicality purposes it is proposed that the meeting schedule for 2024 be amended as –

January - Wednesday 24 January 2024

February - Wednesday 7 February 2024

March - An exemption be sought from the Minister for the requirement to hold a Council meeting during March 2024 given the impracticality of doing so given the date of the local government elections of Saturday 16 March 2024

Post the election there is a requirement to hold a post-election meeting, which would meet the requirement of holding a meeting in April, and would also enable the elected Council to set the meeting schedule for 2024.

Consultation and Communication

- Department of State Development, Infrastructure, Local Government and Planning (DSDILGP)
- Mayor and Councillors
- CEO and Directors

Resource Implications

There are no identified resource implications of note.

Risk Management Implications

The major legislative item required for approval during this period, and to enable Council functions to continue, relate to Budget reviews. Advice from Organisational Services is that whilst the timeframes are tight for the December Budget Review, they can be achieved.

Conclusion

Whilst it is possible to hold a meeting in March 2024, doing so is not considered practical and would essentially only be held to meet the legislative requirement of holding a meeting each calendar month.

For practicality, it is suggested that the 2024 meeting for February be rescheduled, and an application be lodged with the Minister for Local Government for an exemption to hold a Council meeting in March 2024.

Following the local government elections in March 2024, a newly elected Council will decide on future meeting schedules as part of the post-election meeting.

Officer's Recommendation

THAT Mackay Regional Council's Ordinary Meeting schedule for 2024 be resolved as -

1. Wednesday 24 January 2024 commencing at 10.00 am.
2. Wednesday 7 February 2024 commencing at 10.00 am.
3. For an application be lodged by the Chief Executive Officer with the Minister for Local Government for an exemption for Council to hold a meeting in March 2024 due to practicality issues.
4. Meetings post the 2024 local government elections to be set by the newly elected Council at the legislated post-election meeting.

All Ordinary Meetings to be held in the Council Chambers, Administration Building 73 Gordon Street Mackay, unless otherwise advised.

FURTHER THAT Per section 254B of the *Local Government Regulation 2012*, that public advertisement of Council meeting changes via the Councils website and posting of notices on official notice boards at Council offices, be undertaken of the meeting changes, supported by a specific media release.

Council Resolution ORD-2023-268

THAT THAT Mackay Regional Council's Ordinary Meeting schedule for 2024 be resolved as -

5. Wednesday 24 January 2024 commencing at 10.00 am.
6. Wednesday 7 February 2024 commencing at 10.00 am.
7. For an application be lodged by the Chief Executive Officer with the Minister for Local Government for an exemption for Council to hold a meeting in March 2024 due to practicality issues.
8. Meetings post the 2024 local government elections to be set by the newly elected Council at the legislated post-election meeting.

All Ordinary Meetings to be held in the Council Chambers, Administration Building 73 Gordon Street Mackay, unless otherwise advised.

FURTHER THAT Per section 254B of the *Local Government Regulation 2012*, that public advertisement of Council meeting changes via the Councils website and posting of notices on official notice boards at Council offices, be undertaken of the meeting changes, supported by a specific media release.

Moved Cr Hassan

Seconded Cr May
CARRIED UNANIMOUSLY

11.1.4. ADOPTION OF COUNCIL POLICIES

Author	Senior Governance Officer - (Pam Currell)
Responsible Officer	Executive Manager, Ethical Standards, Audit & Risk - (Anthony Bigby)
File Reference	011 - Subdivision Plan Approval / 121 - Social Media / 037 - Audit Committee / 098 - Liability Claims against MRC / 026 - Kerbside Numbering / 026 - Kerbside Numbering

Attachments

1. 011 - Subdivision Plan Approval [**11.1.4.1** - 17 pages]
2. 121 - Social Media [**11.1.4.2** - 9 pages]
3. 037 - Audit Committee Policy and Charter [**11.1.4.3** - 13 pages]
4. 098 - Liability Claims against Mackay Regional Council [**11.1.4.4** - 4 pages]
5. 026 - Kerbside Numbering [**11.1.4.5** - 4 pages]

Purpose

To present the following Council policies for consideration an adoption:

1. COU011 – Subdivision Plan Approval
2. COU121 – Social Media
3. COU037 – Audit Committee

Further to present the following Council policies for rescission as they are no longer required:

1. COU098 - Liability Claims against Mackay Regional Council
2. COU026 – Kerbside Numbering

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 standards to ensure that they remain relevant and current. The process involves a review by the responsible program manager, circulation to the management team for consultation and final submission to the executive leadership team (ELT) for review and endorsement by the Chief Executive Officer (CEO), prior to presenting to Council for adoption.

COU011 – Subdivision Plan Approval

This policy and its associated guideline apply to all new Subdivision Plan applications submitted under Schedule 18 of the *Planning Regulation 2017*.

This policy and its guideline have been reviewed as part of MRC's policy review process.

COU121 – Social Media

This policy is a better practice policy redrafted to enhance to reflect the responsibility and obligations for Council and Staff when using social media platforms.

COU037 – Audit Committee

The Audit Committee (the committee) is a committee established in accordance with the *Local Government Act 2009* and *Local Government Regulation 2012*.

The Audit Committee Charter (the charter) defines the role, responsibilities, composition and operating guidelines of the committee.

The review of this policy and it associated charter have been reviewed as part of MRC's policy review process including incorporation of Queensland Treasury guidelines for Audit Committees, including;

- More detailed roles and responsibilities
- Amendment of external member contract term, to allow for a maximum of 6-years.

COU098 – Liability Claims against Mackay Regional Council

This policy wording is now directly located on the MRC webpage to provide consistent information for potential claims. This webpage also incorporates a direct link to the new Customer Request – Insurance Claim/Enquiry. This now enables customers to lodge their claims directly online which compliments the existing process.

The policy is now redundant and can be rescinded.

COU026 – Kerbside Numbering

This policy as part of its review has been determined an operational policy, including policy processes. It has subsequently been converted and endorsed into Operational Policy 101 and associated Corporate Standard 101.1.

The policy is now redundant and can be rescinded.

Consultation and Communication

As part of the review process consultation has been undertaken with relevant stakeholders including responsible and associated program managers, directors and ELT.

Resource Implications

The implementation and rescission 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 policy:-

1. COU011 – Subdivision Plan Approval

2. COU121 – Social Media
3. COU037 – Audit Committee

I further recommend that Council rescind the following Council policies as they are no longer required:

1. COU098 - Liability Claims against Mackay Regional Council
2. COU026 – Kerbside Numbering

Officer's Recommendation

THAT Council adopt the following policy:-

1. COU011 – Subdivision Plan Approval.
2. COU121 – Social Media
3. COU037 – Audit Committee

AND THAT Council rescind the following policies as they are no longer required:-

1. COU098 – Liability Claims against Mackay Regional Council
2. COU026 – Kerbside Numbering

Council Resolution ORD-2023-270

THAT Council adopt the following policy:-

1. COU011 – Subdivision Plan Approval.
2. COU121 – Social Media
3. COU037 – Audit Committee

AND THAT Council rescind the following policies as they are no longer required:-

1. COU098 – Liability Claims against Mackay Regional Council
2. COU026 – Kerbside Numbering

Moved Cr Jones

Seconded Cr Hassan
CARRIED UNANIMOUSLY

11.1.5. CONTRACTUAL ARRANGEMENT EXEMPTION - EXTERNAL REPRESENTATIVES FOR THE AUDIT COMMITTEE

Author Senior Internal Auditor (Jacqueline Wix)
Responsible Officer Chief Executive Officer (Scott Owen)
File Reference

Attachments Nil

Purpose

To recommend that MRC enter into a contractual arrangement, for the external representatives for Audit Committee, without the invitation of written quotes, in accordance with Section 235 (b) of the *Local Government Regulation 2012*.

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

The *Local Government Regulation 2012*, Section 235 (b), allows;

“a Local Government to enter into a medium-sized contractual arrangement without first inviting written quotes if 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.”

In accordance with the *Local Government Act 2009*, Section 105(2), Council is required to establish an Audit Committee. Council Policy 37 – Audit Committee Policy & Charter (the policy) stipulates the Audit Committee will comprise of four members, two of whom shall be independent external members.

The policy, adopted by Council today, included an amendment of the appointment term for external members, to align with Queensland Treasury guidelines. The policy now states;

“The term of appointment is for two years and can be extended for a further term subject to composition and skill requirements of the committee. The maximum term is six years.”

As a result of this change, it is proposed that the contract terms for the two current external members be amended, and that this amendment be exempt from requiring an invitation to quote. This exemption will allow;

- External member contracts to align with the recently adopted policy (providing a maximum of six-year appointment)
- No financial impact, with the amendment being cost neutral
- Negate the need to undertake an invitation to quote, as one member has reached the previous maximum period of 4-years, which is considered impractical at this time, due to impending local government elections and the current organisational realignment

It is considered impractical and disadvantageous to call public quotations for what would be a two (2) year extension only. Such an undertaking would require significant input from interested parties, along with Council resourcing. Current appointees have the required skill set, and calling quotations for potential new external

representatives would be disruptive. Following the expiry of extended six (6) year periods public quotations would be called for six-year appointments.

External Member	Contract Contractual Term	Proposed Contractual Option
Tim Cronin	Member Contract; <ul style="list-style-type: none"> 1 March 2020 – 28 February 2022 (2 years) Option – 2-year extension (28 February 2024) Chair Contract; <ul style="list-style-type: none"> 1 March 2022 – 28 February 2024 (2 years) No second option 	Provision for 1 additional 2-year option. Allowing a maximum of a 6-year term, ending 28 February 2026.
Monica McKendry	Member Contract; <ul style="list-style-type: none"> 1 March 2022 – 28 February 2024 (2 years) Option - 2-year extension (28 February 2026) 	Provision for 1 additional 2-year options. Allowing a maximum of a 6-year term, ending 28 February 2028

Upon approval of the exemption, it is recommended that the below extensions be applied;

- Tim Cronin – offer of a second and final 2-year option; 1 March 2024 – 28 February 2026
- Monica McKendry – offer of the first 2-year option, and provision for a second 2-year option (2026-2028): 1 March 2024 – 28 February 2026

It is noted that the two members have the desired mix of skills, with one having expertise in auditing, risk management finance and other Queensland local government audit committee experience, and the other having a very strong financial background. Tim Cronin has served for 4 years, including 2 years as the Chair, Monica McKendry has served as a committee member for 2 years. Both have fulfilled the role to a high standard and have a thorough understanding of MRC. The extension also allows MRC to maintain staggered appointments of external members to ensure continuity.

Consultation and Communication

Consultation has been undertaken with relevant stakeholders including the CEO, Director Organisational Services, Executive Officer, Manager Procurement and Plant and MRC Audit Committee members.

Resource Implications

External Audit Committee members are a paid position, these costs are included in Relevant Programs' 2023/2024 Financial Year's Operational budget. The amendment of the contract term is cost neutral.

Risk Management Implications

There are no risk management implications to the appointment of two external members.

Conclusion

It is recommended that Council;

- Approve the contract amendment for the two Audit Committee external members without the invitation to quote, in accordance with Section 235(b) of *the Local Government Regulations* that Council resolve that due to the specific nature of the service that it is impractical for Council to invite tenders.
- Approve the offer of a contract extension to Tim Cronin as Chair of the Audit Committee, for a period of 2 years.
- Approve the offer of a contract extension to Monica McKendry as a member of the Audit Committee, for a period of 2 years, with an option to extend for a further 2 years subject to agreement over the terms of appointment.

Officer's Recommendation

THAT pursuant to *section 235(b) Local Government Regulations*, Council resolves that because of the specific nature of the service, it would be impractical and disadvantageous for Council to invite quotes or tenders for external representatives for the Audit Committee.

THAT Council approve the offer of a contract extension to Tim Cronin as the Chair, for a period of 2 years (1 March 2024 – 28 February 2026), with no further option to extend.

THAT Council approve the offer of a contract extension to Monica McKendry as a member, for a period of 2 years (1 March 2024 – 28 February 2026), with an option to extend for a further 2 years subject to agreement over the terms of appointment.

FURTHER THAT the Chief Executive Officer finalise contract negotiations over their tenures.

Council Resolution ORD-2023-271

THAT pursuant to *section 235(b) Local Government Regulations*, Council resolves that because of the specific nature of the service, it would be impractical and disadvantageous for Council to invite quotes or tenders for external representatives for the Audit Committee.

THAT Council approve the offer of a contract extension to Tim Cronin as the Chair, for a period of 2 years (1 March 2024 – 28 February 2026), with no further option to extend.

THAT Council approve the offer of a contract extension to Monica McKendry as a member, for a period of 2 years (1 March 2024 – 28 February 2026), with an option to extend for a further 2 years subject to agreement over the terms of appointment.

FURTHER THAT the Chief Executive Officer finalise contract negotiations over their tenures.

Moved Cr Jones

Seconded Cr May
CARRIED UNANIMOUSLY

11.2. CAPITAL WORKS

11.3. COMMUNITY SERVICES

11.3.1. MACKAY LOCAL DISASTER MANAGEMENT PLAN

Author	Emergency Management Co-ordinator (Kristie Brown)
Responsible Officer	Director Community Services (Janine McKay)
File Reference	LDMG

Attachments Nil

Purpose

To provide Council with the 2023 Mackay Local Disaster Management Plan (LDMP) for endorsement.

Related Parties

Mackay Local Disaster Management Group Members

Corporate Plan Linkage

Community and Environment

Safe, Healthy and Engaged Region - Our Region is a safe and resilient community, with services that support high standards of public health, and extends friendship and support to each other through both good and challenging times.

Operational Plan Linkage

Community and Environment:

- Established partnerships across the Local Disaster Management Group ensure a collaborative
- multi-agency response to disaster activations.
- Promote disaster preparedness through community education to build empowerment, knowledge and resilience.

Background/Discussion

The Draft 2023 LDMP review was conducted by the Emergency Management Program in consultation with LDMG partner agencies.

The 2023 LDMP is not an exhaustive document rather, it is a document written with the intent to provide a high level process on how Mackay Regional Council and Local Disaster Management Group will prevent, prepare, respond and recover for disaster events.

This plan was distributed to the Mackay LDMG on the 12th July 2023 for consultation before being accepted by the Local Disaster Management Group on the 9th October 2023.

Consultation and Communication

The Draft 2023 Mackay Local Disaster Management Group was distributed to the Local Disaster Management Group for consultation with comments assessed and implemented as required.

Resource Implications

Nil

Risk Management Implications

The LDMP has been revised to not only be legislatively compliant but also effective for functional disaster management through integration of LDMG membership agency activities and resources.

The risk in not proceeding is that the Local Disaster Management Group may not be operating within the current framework or best practice.

Conclusion

The Local Disaster Management Plan is a public document as required under Section 60 Disaster Management Act and will be made available to the public via the Mackay Regional Council Website and Council operating locations.

Officer's Recommendation

THAT Council resolves to endorse the 2023 Local Disaster Management Plan.

Council Resolution ORD-2023-272

THAT Council resolves to endorse the 2023 Local Disaster Management Plan.

Moved Cr May

Seconded Cr Englert
CARRIED UNANIMOUSLY

11.4. PLANNING, GROWTH & SUSTAINABILITY

11.4.1. FACILITATING DEVELOPMENT IN THE MACKAY REGION POLICY - CHILDCARE CENTRE - LOT 710 CUTLER DRIVE, ANDERGROVE

Author	Principal Economic Development Officer (Nadine Connolly)
Responsible Officer	Director Planning Growth & Sustainability (Aletta Nugent)
File Reference	Facilitating Development in the Mackay Region Policy

Attachments

1. Childcare Centre - Cutler Drive - Andergrove - Site Plans [11.4.1.1 - 8 pages]

Purpose

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

Related Parties

- Ink Developments Pty Ltd
- Alto Architects Pty Ltd
- Pinnacle Engineering Group
- Zone Planning Group
- RPS AAP Consulting Pty Ltd

Corporate Plan Linkage

Invest and Work

Diversified Economy - We have a diversified economy that attracts new and emerging industries, such as sport, tertiary education, health, tourism, agribusiness, biofutures industry, and the Mining Equipment Technology and Services (METS) sector.

Industries, Jobs and Growth - Our core industries are growing and prosperous, encouraged to innovate, create jobs, and drive growth.

Live and Visit

Enhance Liveability - We have a range of housing and social infrastructure options that supports a great quality of life and wellbeing in our community.

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

Background/Discussion

The proposed development by Ink Development Pty Ltd will deliver a Childcare Centre at Lot 710 Cutler Drive, Andergrove. The development will provide 100 new childcare places within an existing large residential population base and will also be in proximity to growth areas around the Northern Beaches.

The development will cater to ages 0 – 5 years. The single storey building (gross floor area of 717m²) will include activity rooms for babies, toddlers and kindergarten aged children, laundry, staff room, kitchen, dining and outdoor play areas. The development is estimated to cost approximately \$3.725M, with the total capital investment anticipated at around \$5.6M.

The development application (DA-2023-30) for a Material Change of Use - Childcare Centre was approved on 15 June 2023. Construction is scheduled to commence in late 2023 and should be operational by July 2024. It is anticipated that the centre will create 19 new FTE positions for educators, support staff, administrators and maintenance personnel.

Incentive Requests

The applicant submitted an Expression of Interest under the Facilitating Development in the Mackay Region Policy (Policy) on 7 July 2023, and the subsequent Stage 2 application was received on 5 September 2023. The applicant is seeking concessions under Schedule 6 Community Facilities which includes a Material Change of Use for a Childcare Centre.

The following concessions have been requested:

- a. 75% concession on infrastructure charges:
 - o Infrastructure Charges = \$98,257.45
 - o Requested concession = \$73,693.09
 - o Charges payable = \$24,564.36

Under Schedule 6 Community Facilities in the Policy (as at April 2023), infrastructure charges may be reduced by up to 75% of the net charge amount identified on the Infrastructure Charges Notice, after the subtraction of any offsets or credits, and following annual adjustments, to a maximum concession value of \$1,000,000 for a Childcare Centre.

Council may consider reductions in infrastructure charges beyond these rates for applications that can demonstrate they will generate significant long-term economic benefits, job creation and have transformative outcomes that will diversify the existing economic base of the region.

- b. Service connection fee refund

As per Schedule 6 Community Facilities, water and sewage connection fees can be discounted by up to 50% or a maximum of \$500 per service.

- c. Delayed payment of infrastructure charges.

As per Schedule 6 Community Facilities, delayed payment of Infrastructure Charges can be considered for eligible applications.

General Eligibility Criteria

The Policy seeks to attract investment in qualifying developments to stimulate growth, diversify and add value to the economy of the Mackay region.

Based on information provided by the applicant, the proposed development satisfies the requirements under the General Eligibility Criteria in Schedule 6 Community Facilities as follows:

Criteria	Eligibility
Timing of development Lots are registered within 2 years.	Commencement of construction – Late 2023 Commencement of use – July 2024
Non-Government Development	Yes
Infrastructure capacity	The applicant has advised all required urban services are already provided to the site, and no external or trunk infrastructure upgrades will be required to service the proposed development.

	As per the Infrastructure Charges Notice, no offsets are in place for DA-2023-30.
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Specific Eligibility Criteria

Based on information provided by the applicant, the proposal satisfies the requirements under the Eligibility Criteria in Schedule 6 Community Facilities in the Policy:

Criteria	Eligibility
Economic Investment Minimum capital investment in the development is equal to or greater than \$100,000 under Schedule 6 Community Facilities.	<ul style="list-style-type: none"> Estimated construction cost of development is \$3.725M. Estimated total capital investment of \$5.6M (plant, equipment, land, construction costs) Based on Council's economic modelling, a direct injection of \$3.725M (construction costs) will result in combined supply chain and consumption effects of \$4.382M, totalling \$8.106M economic impact. The applicant has committed to utilising local contractors and suppliers during construction of the development.
Employment Generation	<ul style="list-style-type: none"> The applicant has proposed that the development will generate approximately 40 to 50 temporary workers for the construction period. Post construction, the applicant anticipates the development will result in 19 direct FTE jobs once operational. Based on Council's economic modelling, the project will generate 4 direct and 11 indirect jobs, totalling 15 jobs during construction. The applicant has committed to utilising local contractors and suppliers during construction of the development.
Applicable Area	The development is located within the Emerging Community Zone under the current Planning Scheme.
Applicable Land Uses The Policy applies to material change of use (MCU) for applicable land uses in Schedule 6 Community Facilities (Refer to the table in the Policy).	The development application is for a Material Change of Use for Childcare Centre, which is included in the land uses identified in Schedule 6 Community Facilities.

Business and Regional Benefits

The applicant proposes the development will deliver immediate benefits to the Mackay region's economy, these being:

- The project involves the delivery of 100 new childcare places strategically located adjacent to key residential areas.
- The project will provide opportunity for more parents to return to and / or increase their hours in the workplace. This will relieve some pressure on the critical skills shortage challenges currently being experienced in the Mackay region.
- The proposed Andergrove childcare centre is part of the Andergrove Lakes Estate. The location of services such as childcare will positively impact land sales and housing development providing a further stimulus.
- The project will result in 19 FTE staff positions post construction.
- The development supports increased business activity within the local construction industry, manufacturers and suppliers, and provides additional employment opportunities across various industry sectors.

Consultation and Communication

The Development Planning and Engineering Program has considered the development application through the statutory assessment provisions under the *Planning Act 2016*. As part of this assessment process, other relevant sections of Council were consulted.

The Director Development Services has also considered this application and provided approval for the Expression of Interest to progress to a Stage 2 application.

Resource Implications

a. Concessions on Infrastructure Charges

In accordance with the Infrastructure Charges Notice, the development will give rise to net infrastructure charges of \$98,257.45 (after the subtraction of offsets or credits).

Under Schedule 6 Community Facility (Childcare Centre), infrastructure charges may be reduced by up to 75% of the net charge amount, to a maximum concession value of \$1,000,000.

Using the Policy incentive of 75%, the applicant will receive a concession of \$79,452.56, with \$24,564.36 charges payable.

It is proposed that infrastructure charge concessions only apply to the net charge amount calculated following the subtraction of any offsets and credits, and after annual adjustments. The application of this methodology will ensure that the granting of concessions does not introduce any additional infrastructure costs to Council.

Gross Infrastructure Charge (IC)	Credit Unit (Residential dwelling)	Net Infrastructure Charge (IC minus Credit)	Concession (%)	Concession (\$)	Charges Payable
\$128,484.15	\$30,226.70	\$98,257.45	75%	\$79,452.56	\$24,564.36

b. Service connection fee refund

As per Schedule 6 Community Facilities, water and sewage connection fees can be discounted by 50%, up to maximum of \$500 per service. A total discount of \$1000 would apply to this application.

c. Delayed Payment

As per Schedule 6 Community Facilities, the applicant can request delayed payment of Infrastructure Charges, allowing a delay of up to 12 months from the commencement of use.

Risk Management Implications

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

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

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

Conclusion

The Policy provides incentives for developments that will deliver economic development and growth outcomes in alignment with Council's policy and planning objectives.

The proposed development supports the desired outcomes of Schedule 6 of the Policy. The provision of concessions will facilitate the delivery of the project, resulting in jobs during construction, on-going jobs post construction and increased economic output for the region.

Officer's Recommendation

THAT the following Specific Incentives are approved under the Facilitating Development in the Mackay Region Policy for the Childcare Centre, Ink Developments Pty Ltd, located at Lot 710 Cutler Drive, Andergrove:

- a. Concessions of 75% (estimated at \$79,452.56) apply to the net charge amount on the Infrastructure Charge Notice (calculated following annual adjustments and subtraction of any offsets and credits) for DA-2023-30;
- b. Reduction in water and sewer service connection fees (50% discount up to a maximum of \$500 for each service, totalling a maximum discount of \$1000) apply at the time when the fees would be payable for the activity;
- c. Delayed payment of the Infrastructure Charges, allowing a delay of up to 12 months from the commencement of use.

AND THAT the approval of concessions is dependent on:

- d. The development must be completed and use commenced by 25 October 2025.
- e. No additional infrastructure costs incurred by Council (including establishment and bring forward costs).
- f. The developer utilising local contractors and suppliers.

Council Resolution ORD-2023-273

THAT the following Specific Incentives are approved under the Facilitating Development in the Mackay Region Policy for the Childcare Centre, Ink Developments Pty Ltd, located at Lot 710 Cutler Drive, Andergrove:

- a. Concessions of 75% (estimated at \$79,452.56) apply to the net charge amount on the Infrastructure Charge Notice (calculated following annual adjustments and subtraction of any offsets and credits) for DA-2023-30;
- b. Reduction in water and sewer service connection fees (50% discount up to a maximum of \$500 for each service, totalling a maximum discount of \$1000) apply at the time when the fees would be payable for the activity;
- c. Delayed payment of the Infrastructure Charges, allowing a delay of up to 12 months from the commencement of use.

AND THAT the approval of concessions is dependent on:

- d. The development must be completed and use commenced by 25 October 2025.
- e. No additional infrastructure costs incurred by Council (including establishment and bring forward costs).
- f. The developer utilising local contractors and suppliers.

Moved Cr May

Seconded Cr Englert

CARRIED

Mayor Williamson, Crs Bonaventura, Englert, Green, Hassan, Jones, Mann, May and Seymour voted for the Resolution.

Cr Bella voted against the Resolution.

**11.4.2. FACILITATING DEVELOPMENT IN THE MACKAY REGION POLICY - XANTH LODGE - 62
SMALLEY'S BEACH ROAD, CAPE HILLSBOROUGH**

Author	Principal Economic Development Officer (Nadine Connolly)
Responsible Officer	Director Planning, Growth & Sustainability (Aletta Nugent)
File Reference	Facilitating Development in the Mackay Region Policy

Attachments

1. Xanth Lodge - Approved Plan [11.4.2.1 - 6 pages]

Purpose

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

Related Parties

- Dylan T Vallance and Benita J Vallance
- Jewell Planning
- Tempus Design Studio

Corporate Plan Linkage

Invest and Work

Diversified Economy - We have a diversified economy that attracts new and emerging industries, such as sport, tertiary education, health, tourism, agribusiness, biofutures industry, and the Mining Equipment Technology and Services (METS) sector.

Industries, Jobs and Growth - Our core industries are growing and prosperous, encouraged to innovate, create jobs, and drive growth.

Live and Visit

Community Participation and Active Lifestyles - Our region is vibrant and culturally rich, home to a wide variety of events, experiences and attractions.

Eco-Tourism Adventure and Leisure - We are a world-famous tourism destination, providing eco, adventure and water-based sport, recreation, and leisure opportunities.

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

Background/Discussion

The development, Xanth Lodge, will provide nature-based holiday accommodation located on 17 acres of bushland approximately 40 minutes north of Mackay at 62 Smalleys Beach Road, Cape Hillsborough (Lot 3 RP736127).

The development will result in six eco-based cabins, over six stages, with anticipated construction costs of \$1.8M. This application is for Stages 1 and 2 (two cabins), with an anticipated construction cost of \$600,000. Each cabin will comprise of one-bedroom, kitchen, bathroom, dining, living room, carport and deck – approximately 100m². The cabins will be individually powered by rooftop solar (with battery storage) and water will be collected and stored in tanks at each site.

The cabins will be located on an elevated area well above the storm tide impact area and will be built from hardwood sourced from a local timber mill 20 minutes away (Platypus Timbers at Kuttatubul).

The completed development will also include several pergolas and BBQ areas as well as a kids play area. The facilities will be linked together by footpaths and bike trails.

The development would be aimed at families or couples who wish to spend a few days away in the privacy of the bush.

Incentive Requests

The applicant submitted an Expression of Interest under the Facilitating Development in the Mackay Region Policy (Policy) along with the Stage 2 application on 13 June 2023. The applicant is seeking concessions under Schedule 4 Tourism Development which includes a Material Change of Use for Nature-based tourism.

Total infrastructure charges of \$51,818.40 will apply to this development when all six cabins are complete. However, the applicant only intends to construct stages 1 and 2 (two cabins) at this point in time which will result in charges of \$17,272.32. Subsequent concessions will be requested as future stages are developed.

This application is seeking the following concessions:

- a) 100% concession on infrastructure charges:
 - Infrastructure Charges = \$17,272.32
 - Requested concession = \$17,272.32
 - Charges payable = \$0

Under Schedule 4 Tourism Development in the Policy (version 9), infrastructure charges may be reduced by up to 100% of the net charge amount identified on the Infrastructure Charges Notice, after the subtraction of any offsets or credits and inclusive of annual adjustments, to a maximum concession value of \$1,000,000 for tourism development.

- b) Service connection fee refund – water service

As per Schedule 4 Tourism Development, water and sewage connection fees can be discounted by 50%, up to maximum of \$500 per service. Water connection concessions only apply to this application.

General Eligibility Criteria

The Policy seeks to attract investment in qualifying developments to stimulate growth, diversify and add value to the economy of the Mackay region.

Based on information provided by the applicant, the proposed development satisfies the requirements under the General Eligibility Criteria in Schedule 4 Tourism Development as follows:

Criteria	Eligibility
Timing of development Lots are registered within 2 years.	Commencement of construction – Early 2024 Commencement of use – Mid 2025
Non-Government Development	Yes
Infrastructure capacity	<p>The applicant has advised no additional Council infrastructure will be required for the development. The subject site is located outside of the existing serviced area for reticulated sewer with the proposed development will include onsite sewerage systems for each of the six cabins. The cabins will collect water from the roof which will be stored in tanks at each cabin. Each cabin will also be individually powered by rooftop solar with battery storage. In times of low rainfall, the water tanks may be supplemented with water pumped from the reticulated network.</p> <p>As per the Infrastructure Charges Notice, no offsets or refunds are applicable for DA-2022-95.</p>

Specific Eligibility Criteria

Based on information provided by the applicant, the proposal satisfies the requirements under Eligibility Criteria in Schedule 4 Tourism Development in the Policy:

Criteria	Eligibility
Economic Investment There is no minimum capital investment for Schedule 4.	<ul style="list-style-type: none"> Estimated construction cost for stages 1 and 2 is \$600,000. Estimated total construction cost of all 6 stages is approximately \$1.8M. Estimated total capital investment of \$2.6M (plant, equipment, land, construction costs) for all stages. Based on Council's economic modelling, a direct injection of \$0.6M (construction costs for stages 1 and 2) will result in combined supply chain and consumption effects of \$0.636M, totalling \$1.236M economic impact. Based on Council's economic modelling, and for all stages of development, a direct injection of \$1.8M (construction costs for stages 1-6) will result in combined supply chain and consumption effects of \$1.9M, totalling \$3.707M economic impact. The applicant has committed to utilising local contractors and suppliers during construction of the development.
Employment Generation	<ul style="list-style-type: none"> Based on Council's economic modelling, stages 1 & 2 of the project will generate one direct and one indirect job, totalling two jobs during construction. Based on Council's economic modelling, and for all stages of development (\$1.8M), the project will generate two direct and five indirect jobs, totalling seven jobs during construction. The applicant has committed to utilising local contractors and suppliers during construction of the development.
Applicable Area	The development is on appropriately zoned land outside of Mackay urban area.

Applicable Land Uses The Policy applies to material change of use (MCU) for applicable land uses in Schedule 4 Tourism Development (Refer to the table in the Policy).	The development application applies to a Material Change of Use for Nature-based Tourism, which is consistent with land uses identified in Schedule 4 Tourism Development outside of Mackay urban area.
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Business and Regional Benefits

The applicant proposes the development will deliver immediate benefits to the Mackay region's economy, these being:

- The proposal will supply unique nature-based accommodation located in secluded bushland. It will not replicate mainstream accommodation.
- The proposal provides a unique tourism experience to both local and intra/interstate tourists.
- The proposal provides \$600,000 (construction costs) into the local economy, and potentially \$1.8M for all stages.
- The development will result in full time permanent and temporary jobs.
- The project supports current tourism assets in the region – ie. Sunrise with the Wallabies at Cape Hillsborough.
- The development supports increased business activity within the local construction industry, manufacturers and suppliers, and provides additional employment opportunities across various industry sectors.

Consultation and Communication

The Development Planning and Engineering Program has considered the development application through the statutory assessment provisions under the *Planning Act 2016*. As part of this assessment process, other relevant sections of Council were consulted.

The Director Development Services has also considered this application and provided approval for the Expression of Interest to progress to a Stage 2 application.

Resource Implications

a) Concessions on Infrastructure Charges

In accordance with the Infrastructure Charges Notice, the development gives rise to infrastructure charges of \$51,818.40 + annual adjustments. This application only applies to Stage 1 and 2 (two cabins) which raises infrastructure charges of \$17,272.32.

Under Schedule 4 Tourism Development, infrastructure charges may be reduced up to 100% of the net charge amount identified on the Infrastructure Charges Notice, to a maximum concession value of \$1,000,000 for tourism developments.

Using the Policy incentive of 100%, the applicant will receive a concession of \$17,272.32 for Stages 1 and 2 of the development, with \$0 charges payable.

Gross Infrastructure Charge (IC)	Adopted Infrastructure charge	Number of cabins for this application	Infrastructure charge for this application	Concession (%)	Concession (\$)	Charges Payable
\$51,816.96	\$8,636.16 per cabin	2	\$17,272.32	100%	\$17,272.32	\$0

It is proposed that infrastructure charge concessions only apply to the net charge amount calculated following annual adjustments, and after subtraction of any offsets and credits. The application of this methodology will ensure that the granting of concessions does not introduce any additional infrastructure costs to Council.

b) Service connection fee refund – water service

As per Schedule 4 Tourism Development, water and sewage connection fees can be discounted by 50%, up to maximum of \$500 per service. As there is no sewer service to this site, a refund of \$500 only applies to the water connection fee.

Risk Management Implications

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

- An existing development approval is in place and on-site infrastructure requirements have been reviewed as part of the assessment process.
- A condition has been included as part of the officer's recommendation stating that the approved concessions are dependent on Council not incurring any additional infrastructure costs (including 'bring forward costs') to service the development.
- Strict timeframes are placed for claiming approved concessions. If the lots are not registered within the recommended timeframe, the concessions will no longer be applicable and 100% of the applicable Infrastructure Charges will be applicable to the development.
- Council can review the application of the Policy at any time.

Conclusion

The Policy provides incentives for developments that will deliver economic development and growth outcomes in alignment with Council's policy and planning objectives.

The proposed development supports the desired outcomes of Schedule 4 of the Policy. The provision of concessions will facilitate the delivery of the project and result in increased tourism activity and economic growth outcomes for the region.

Cr Bonaventura asked what size and type of water main runs along Cape Hillsborough Road, have there been any reliability issues with that main line, and do we anticipate the life span of that services, similar to others which is around 80 years to be the same.

The Director, Engineering and Commercial Infrastructure, Jason Devitt advised he would take the question on notice.

Officer's Recommendation

THAT the following Specific Incentives are approved under the Facilitating Development in the Mackay Region Policy for Xanth Lodge, located at 62 Smalleys Beach Road, Cape Hillsborough (Lot 3 RP736127):

- a) Concessions of 100% (estimated at \$17,272.32) apply to the net charge amount on the Infrastructure Charge Notice (calculated following annual adjustments and subtraction of any offsets and credits) for Stage 1 and 2 (two cabins) of DA-2022-95.
- b) Reduction in water service connection fees (50% discount up to a maximum of \$500) apply at the time when the fees would be payable for the activity.

AND THAT the approval of concessions is dependent on:

- c) The development must be completed and use commenced by 25 October 2025.
- d) No additional infrastructure costs incurred by Council (including establishment and bring forward costs).
- e) The developer utilising local contractors and suppliers.

Council Resolution ORD-2023-274

THAT the following Specific Incentives are approved under the Facilitating Development in the Mackay Region Policy for Xanth Lodge, located at 62 Smalleys Beach Road, Cape Hillsborough (Lot 3 RP736127):

- a. Concessions of 100% (estimated at \$17,272.32) apply to the net charge amount on the Infrastructure Charge Notice (calculated following annual adjustments and subtraction of any offsets and credits) for Stage 1 and 2 (two cabins) of DA-2022-95.
- b. Reduction in water service connection fees (50% discount up to a maximum of \$500) apply at the time when the fees would be payable for the activity.

AND THAT the approval of concessions is dependent on:

- c. The development must be completed and use commenced by 25 October 2025.
- d. No additional infrastructure costs incurred by Council (including establishment and bring forward costs).
- e. The developer utilising local contractors and suppliers.

Moved Cr Englert

Seconded Cr Mann

CARRIED

Mayor Williamson, Crs Bonaventura, Englert, Green, Hassan, Jones, Mann, May and Seymour voted for the Resolution.

Cr Bella voted against the Resolution.

11.4.3. FACILITATING DEVELOPMENT IN THE MACKAY REGION POLICY - BEACONSFIELD CHILDCARE CENTRE - 106 AND 108 EAGLEMOUNT ROAD, BEACONSFIELD

Author	Principal Economic Development Officer (Nadine Connolly)
Responsible Officer	Director Development Services (Aletta Nugent)
File Reference	Facilitating Development in the Mackay Region Policy Applications

Attachments

1. Beaconsfield Childcare Centre - Approved Plans [**11.4.3.1** - 10 pages]

Purpose

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

Related Parties

- Belo Developments
- GGBSC Properties Seven Pty Ltd
- GGBSC Properties Seven Unit Trust
- Place Design Group
- Laudink
- MPN Consulting
- Local Office Architecture

Corporate Plan Linkage

Invest and Work

Diversified Economy - We have a diversified economy that attracts new and emerging industries, such as sport, tertiary education, health, tourism, agribusiness, biofutures industry, and the Mining Equipment Technology and Services (METS) sector.

Industries, Jobs and Growth - Our core industries are growing and prosperous, encouraged to innovate, create jobs, and drive growth.

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

The proposed development by Griffith Group will deliver a Childcare Centre at 106 and 108 Eaglemount Road, Beaconsfield (Lot 4 on RP852449 and Lot 10 on RP817143). A development permit for the Material Change of Use (DA-2022-94) for a Childcare Centre was approved on 9 August 2022.

The site comprises a rectangular configuration over two allotments with an area of 2,478m² benefitting from access to both Eaglemount Road and Broomdykes Drive. The proposed centre will be a single storey facility, with a maximum capacity of 110 children, ranging from infants to kindergarten. Outdoor play areas are a mix of indoor and outdoor spaces with landscaping and acoustic fencing located along the neighbouring boundaries to minimise any amenity concerns. The centre will provide a modern and state of the art facility for the community of Beaconsfield and surrounds.

The tenant, Eden Childcare, has already established one centre in the region, and is looking to establish more centres over the next three years.

The centre is estimated to cost approximately \$3.7M to construct, with total capital investment anticipated at around \$5.25M. The development is scheduled to commence construction in late 2023 and should be operational by December 2024. It is anticipated that the centre will create 22 new FTE positions for educators, support staff, administrators and maintenance personnel.

Incentive Requests

The applicant submitted an Expression of Interest under the Facilitating Development in the Mackay Region Policy (Policy) on 2 September 2023, and the subsequent Stage 2 Application was received on 24 September 2023. The applicant is seeking concessions under Schedule 6 Community Facilities of the Policy which supports Material Change of Use development for a Childcare Centre.

The following concessions have been requested:

- a) 75% concession on infrastructure charges:
 - Infrastructure Charges = \$67,651.55
 - Requested concession = \$50,738.66
 - Charges payable = \$16,912.89

Under Schedule 6 Community Facilities of the Policy (April 2023), infrastructure charges may be reduced by up to 75% of the net charge amount identified on the Infrastructure Charges Notice (after the subtraction of any offsets or credits, and following annual adjustments) to a maximum concession value of \$1,000,000 for a Childcare Centre.

Council may consider reductions in infrastructure charges beyond these rates for applications that can demonstrate they will generate significant long-term economic benefits, job creation and have transformative outcomes that will diversify the existing economic base of the region.

- b) Service connection fee refund

As per Schedule 6 Community Facilities, water and sewage connection fees can be discounted by up to 50% or a maximum of \$500 per service.

- c) Delayed payment of infrastructure charges.

As per Schedule 6 Community Facilities, delayed payment of Infrastructure Charges can be considered for eligible applications.

General Eligibility Criteria

The Policy seeks to attract investment in qualifying developments to stimulate growth, diversify and add value to the economy of the Mackay region.

Based on information provided by the applicant, the proposed development satisfies the requirements under the General Eligibility Criteria in Schedule 6 Community Facilities as follows:

Criteria	Eligibility
Timing of development Lots are registered within 2 years.	Commencement of construction – December 2023 Commencement of use – December 2024
Non-Government Development	Yes
Infrastructure capacity	The applicant has advised all required urban services are already provided to the site, and no external or trunk infrastructure upgrades will be required to service the proposed development.

As per the Infrastructure Charges Notice, no offsets are in place for DA-2022-94.

Specific Eligibility Criteria

Based on information provided by the applicant, the proposal satisfies the requirements under Eligibility Criteria in Schedule 6 Community Facilities of the Policy:

Criteria	Eligibility
Economic Investment Minimum capital investment in the development is equal to or greater than \$100,000 under Schedule 6 Community Facilities.	<ul style="list-style-type: none"> Estimated construction cost of development is \$3.7M. Estimated total capital investment of \$5.25M (land, construction costs, project management, consultant costs, DA costs, etc), with an additional \$850,000 for tenant set-up costs (furniture, equipment, resources, playscape). Based on Council's economic modelling, a direct injection of \$3.7M (construction costs) will result in combined supply chain and consumption effects of \$4.352M, totalling \$8.052M economic impact. The applicant has committed to utilising local contractors and suppliers during construction of the development.
Employment Generation	<ul style="list-style-type: none"> Based on Council's economic modelling, the project will generate four direct and 11 indirect jobs, totalling 15 jobs during construction. Post construction, the applicant anticipates the development will result in 22 direct FTE jobs once operational. The applicant has committed to utilising local contractors and suppliers during construction of the development.
Applicable Area	The subject site is identified within the Low Density Residential zone, which triggered a code assessment development application. A Development Permit for the Material Change of Use (DA-2022-94) for a Childcare Centre, was granted on 9 August 2022.
Applicable Land Uses The Policy applies to material change of use (MCU) for applicable land uses in Schedule 6 Community Facilities (Refer to the table in the Policy).	The development application applies to a Material Change of Use for Childcare Centre, which is consistent with land uses identified in Schedule 6 Community Facilities.

Business and Regional Benefits

The applicant proposes the development will deliver immediate benefits to the Mackay region's economy, these being:

- This project will deliver 110 new childcare spaces for infants to kindergarten-aged children.
- The project will deliver a new modern, state-of-the art facility, strategically located to key residential areas.
- The project will allow more parents to return to and or increase their hours in the workplace. This will relieve some pressure on the critical skills shortage challenges currently being experienced in the Mackay region.
- The project will result in 22 FTE staff positions post construction.
- The tenant, Eden Childcare, has already established one centre in the region and looking to establish more centres over the next three years.
- The development supports increased business activity within the local construction industry, manufacturers and suppliers, and provides additional employment opportunities across various industry sectors.

Consultation and Communication

The Development Planning and Engineering Program has considered the development application through the statutory assessment provisions under the *Planning Act 2016*. As part of this assessment process, other relevant sections of Council were consulted.

The Director Development Services has also considered this application and provided approval for the Expression of Interest to progress to a Stage 2 application.

Resource Implications

a) Concessions on Infrastructure Charges

In accordance with the Infrastructure Charges Notice, the development gives rise to total net infrastructure charges of \$67,651.55 (+ annual adjustments).

Gross Infrastructure Charge (IC)	Credit Unit (Residential dwellings)	Net Infrastructure Charge (IC minus Credit)	Concession (%)	Concession (\$)	Charges Payable
\$128,104.95	\$60,453.40	\$67,651.55	75%	\$50,738.66	\$16,912.89

Under Schedule 6 Community Facility (Childcare Centre), infrastructure charges may be reduced up to 75% of the net charge amount (identified on the Infrastructure Charges Notice after the subtraction of any offsets or credits) to a maximum concession value of \$1,000,000.

It is proposed that infrastructure charge concessions only be applied to the net charge amounts calculated following the subtraction of any offsets and credits. The application of this methodology will ensure that the granting of concessions does not introduce any additional infrastructure costs to Council.

b) Service connection fee refund

As per Schedule 6 Community Facilities, water and sewage connection fees can be discounted by 50%, up to maximum of \$500 per service.

c) Delayed Payment

As per Schedule 6 Community Facilities, the applicant can request Delayed Payment of the Infrastructure Charges, allowing a delay of up to 12 months from the commencement of use.

Risk Management Implications

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

- An existing development approval is in place and on-site infrastructure requirements have been reviewed as part of the assessment process;
- A condition has been included as part of the officer's recommendation stating that the approved concessions are dependent on Council not incurring any additional infrastructure costs (including 'bring forward costs') to service the development;
- Strict timeframes are placed for claiming approved concessions. If the use has not commenced within the recommended timeframe, the concessions will no longer be applicable and 100% of the applicable Infrastructure Charges will be applicable to the development;
- Council can review the application of the Policy at any time.

Conclusion

The Policy provides incentives for developments that will deliver economic development and growth outcomes in alignment with Council's policy and planning objectives.

The proposed development supports the desired outcomes of Schedule 6 of the Policy. The provision of concessions will facilitate the delivery of the project, resulting in jobs during construction, on-going jobs post construction and increased economic output for the region.

Officer's Recommendation

THAT the following Specific Incentives are approved under the Facilitating Development in the Mackay Region Policy for the proposed development by Griffith Group, Beaconsfield Childcare Centre, at 106 and 108 Eaglemount Road, Beaconsfield (Lot 4 on RP852449 and Lot 10 on RP817143):

- a) Concessions of 75% (estimated at \$50,738.66) apply on the net charge amount on the Infrastructure Charge Notice (calculated following annual adjustments, and subtraction of any offsets and credits) for DA-2022-94;
- b) Reduction in water and sewer service connection fees (50% discount up to a maximum of \$500 for each service, totalling a maximum discount of \$1000) that apply at the time when the fees would be payable for the activity;
- c) Delayed Payment of the Infrastructure Charges, allowing a delay of up of to 12 months from the commencement of use.

AND THAT the approval of concessions is dependent on:

- d) The development must be completed and use commenced by 25 October 2025;
- e) No additional infrastructure costs incurred by Council (including establishment and bring forward costs); and
- f) The developer utilising local contractors and suppliers.

Council Resolution ORD-2023-275

THAT the following Specific Incentives are approved under the Facilitating Development in the Mackay Region Policy for the proposed development by Griffith Group, Beaconsfield Childcare Centre, at 106 and 108 Eaglemount Road, Beaconsfield (Lot 4 on RP852449 and Lot 10 on RP817143):

- a. Concessions of 75% (estimated at \$50,738.66) apply on the net charge amount on the Infrastructure Charge Notice (calculated following annual adjustments, and subtraction of any offsets and credits) for DA-2022-94;
- b. Reduction in water and sewer service connection fees (50% discount up to a maximum of \$500 for each service, totalling a maximum discount of \$1000) that apply at the time when the fees would be payable for the activity;
- c. Delayed Payment of the Infrastructure Charges, allowing a delay of up of to 12 months from the commencement of use.

AND THAT the approval of concessions is dependent on:

- d. The development must be completed and use commenced by 25 October 2025;

- e. No additional infrastructure costs incurred by Council (including establishment and bring forward costs); and
- f. The developer utilising local contractors and suppliers.

Moved Cr Englert

Seconded Cr May

CARRIED

Mayor Williamson, Crs Bonaventura, Englert, Green, Hassan, Jones, Mann, May and Seymour voted for the Resolution.

Cr Bella voted against the Resolution.

11.4.4. FACILITATING DEVELOPMENT IN THE MACKAY REGION - 3 WELLINGTON STREET, MACKAY

Author	Principal Economic Development Officer (Nadine Connolly)
Responsible Officer	Director Planning, Growth & Sustainability (Aletta Nugent)
File Reference	Facilitating Development in the Mackay Region Applications

Attachments

1. Approved Plans - 3 Wellington Street, Mackay [**11.4.4.1** - 14 pages]

Purpose

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

Related Parties

- Jewell Planning Consultants
- Chanine Developments
- CD Architects
- 3 Wellington Pty Ltd ATF

Corporate Plan Linkage

Invest and Work

Diversified Economy - We have a diversified economy that attracts new and emerging industries, such as sport, tertiary education, health, tourism, agribusiness, biofutures industry, and the Mining Equipment Technology and Services (METS) sector.

Industries, Jobs and Growth - Our core industries are growing and prosperous, encouraged to innovate, create jobs, and drive growth.

Live and Visit

Enhance Liveability - We have a range of housing and social infrastructure options that supports a great quality of life and wellbeing in our community.

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

Background/Discussion

The applicant, 3 Wellington Pty Ltd ATF, is applying for concessions under the Policy for a Material Change of Use, Multiple Dwellings and Health Care Services (DA-2023-141), for a proposed unit development located at 3 Wellington Street, Mackay.

The development will encompass a six-story building containing 16 dwelling units and 176m² of commercial area on the ground floor. It is envisaged that the commercial area will focus on health care activities. The new units will be purpose-built “specialist disability accommodation” (SDA) to cater exclusively for NDIS supported disabled persons, providing a higher level of independent living. The proposal will allow disabled residents to live independently, in their own apartment, with the option to have family or friends stay-over in a second bedroom. A full-time on-site carer will reside in a separate unit.

Each unit will be fully self-contained and include two bedrooms, kitchen, dining and living rooms, balcony / outdoor living area, bathroom, separate ensuite and laundry. Level five will contain a large common open space incorporating a covered BBQ area and landscaped recreation area. Parts of the ground floor and level one will be used as carparking and include 15 accessible residential parking spaces with share-zones, one commercial accessible parking space, plus four other spaces.

The project will increase housing stock in Mackay, specifically providing critical SDA units, helping to alleviate the current housing crisis in Mackay.

The development will be located within the CBD. The total estimated construction cost of the development is approximately \$7M, with a total capital investment of around \$17M.

A Development Permit was issued for the development on 28 August 2023.

Incentive Requests

The applicant submitted an Expression of Interest under the Policy on 3 October 2023, and the subsequent Stage 2 Application was received the same day.

The application has been assessed against version 9 of the Policy, which has been in effect since 17 April 2023.

The applicant is seeking concessions under both Schedule 7 Housing Diversity and Schedule 6 Community facilities of the Policy.

1) Infrastructure Charge concessions

It is important to note that the infrastructure charges for this development have been calculated using residential and essential services (health care) categories. Credit from the existing dwelling (ie. \$30,226.70) has been apportioned to both charge categories.

i. Schedule 7 – Housing Diversity – requested 100% concession

As per Schedule 7 Housing Diversity, the applicant is seeking 100% concession for the residential component on the net charge amount identified in the Infrastructure Charges Notice.

Gross Infrastructure Charges	Apportioned Credit \$	Gross Less Apportioned Credit	FDP Discount	Concession	Charges payable
\$345,488	\$27,318.40	\$318,129.60	100%	\$318,129.60	\$0

ii. Schedule 6 – Community Facilities – requested 75% concession

As per Schedule 6 Community Facilities, Infrastructure Charges may be reduced up to 50% for commercial developers, 75% for not for profit organisations, and 100% for charities. As the applicant is a commercial business, concessions of 50% will apply for this component.

Gross Infrastructure Charges	Apportioned Credit \$	Gross Less Apportioned Credit	FDP Discount	Concession	Charges payable
\$36,776.25	\$2,908.30	\$33,867.95	50%	\$16,933.97	\$16,933.97
\$36,776.25	\$2,908.30	\$33,867.95	75%	\$25,400.96	\$8,466.99

2) Service connection fee refund

As per Schedule 7 Housing Diversity and Schedule 6 Community Facilities, water and sewage connection fees can be discounted by 50% (or a maximum of \$500) per service, to a maximum of \$1,000.

General Eligibility Criteria

The Policy seeks to attract investment in qualifying developments to stimulate growth, diversify and add value to the economy of the Mackay region.

Based on information provided by the applicant, the proposed development satisfies the requirements under the General Eligibility Criteria in Schedule 7 Housing Diversity and Schedule 6 Community Facilities, as follows.

Criteria	Eligibility
Timing of development The development will be completed within 2 years of the approval of the incentives under this policy	Commencement of construction – May 2024 Commencement of use – September 2025
Non-Government Development	Yes
Infrastructure capacity	The proposed development is accommodated by existing infrastructure servicing the site, with no upgrades to trunk infrastructure required. As per the Infrastructure Charges Notice, no offsets or refunds are applicable.

Specific Eligibility Criteria

Based on information provided by the applicant, the proposal satisfies the Specific Eligibility Criteria in Schedule 7 Housing Diversity and Schedule 6 Community Facilities of the Policy:

Criteria	Eligibility
-----------------	--------------------

Economic Investment	<ul style="list-style-type: none"> Estimated construction cost of development is \$7M. Estimated total capital investment of \$17M. Based on Council's economic modelling, a direct injection of \$7M (construction costs), along with a combined supply chain and consumption effects of \$8.23M, will result in a total economic impact of \$15.23M for the region. The applicant will utilise local contractors and suppliers.
Employment Generation	<ul style="list-style-type: none"> Based on Council's economic impact modelling, the project will generate eight direct and 21 indirect jobs, totalling 29 FTE jobs during construction.
Applicable Area	The development is on appropriately zoned land in the urban area.
Applicable Land Uses	The Policy applies to material change of use development for uses that are consistent with "applicable land uses" in Schedule 7 Housing Diversity and Schedule 6 Community Facilities.

Business and Regional Benefits

Based on the information provided by the applicant, the new multi-dwelling and health care services development supports increased business activity within the local construction industry, provides additional employment opportunities across various industry sectors and addresses critical shortages in disability housing stock in the Mackay region.

Further, the applicant proposes that the development will deliver additional benefits to the Mackay region's economy, these being:

- The project involves the delivery of 16 dwelling units and 176m² of commercial area to Mackay's property market.
- The project will be providing specialist disability accommodation stock in Mackay, which is in critical demand.
- The proposal allows for SDA residents to live independently, in their own apartment, with the option to have family or friends stay-over in a second bedroom.
- The proposed health care services will provide easy access to products and services for the building occupants. These services could include pharmacy, doctors/dentist/physiotherapy/occupational health services, etc.
- The proposal supports inner city living which is a desired outcome for Mackay City and Waterfront PDA.
- The site is located within easy access to schools, employment, retail centres and recreational facilities.
- The development has the potential to encourage further investment in the Mackay Waterfront PDA.
- The developer will invite local construction companies to tender for the construction of the development.

Consultation and Communication

The Development Planning and Engineering Program has considered the development application through the statutory assessment provisions under the *Planning Act 2016*. As part of this assessment process, other relevant sections of Council were consulted.

The Director Development Services has also considered this application and provided approval for the Expression of Interest to progress to a Stage 2 Application.

Resource Implications

In accordance with the Infrastructure Charges Notice (DA-2023-141), the development gives rise to a total net infrastructure charge of \$351,997.55 (+ annual adjustments) after the credit application of \$30,226.70.

Net Infrastructure Charge (IC)	Charge for Multidwellings (100%)	Charge for Health Services (50%)	Concessions	Charges Payable
\$351,997.55	\$318,129.60	\$33,867.95	\$318,129.60 +\$16,933.97	\$16,933.97

Under Schedule 7 Housing Diversity, Infrastructure Charges may be reduced by up to 100% based on the net charge amount identified on the Infrastructure Charges Notice, up to a maximum concession value of \$500,000. For this component of the charge, the amount of \$318,129.60 is eligible for concession.

As per Schedule 6 Community Facilities, Infrastructure Charges may be reduced up to 50% on the net charge amount for commercial developers. Application of the Policy for this component of the charge will result a concession of \$16,933.97, with total charges payable of \$16,933.97.

It is proposed that infrastructure charge concessions only be applied to the net charge amounts calculated after annual adjustments and subtraction of any offsets and credits. The application of this methodology will ensure that the granting of concessions does not introduce any additional infrastructure costs to Council.

Risk Management Implications

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

- An existing development permit is in place and on-site infrastructure requirements have been reviewed as part of the assessment process.
- A condition has been included as part of the officer's recommendation stating that the approved concessions are dependent on Council not incurring any additional infrastructure costs (including 'bring forward costs') to service the development.
- Infrastructure charge concessions are based on the net charge amount identified on the Infrastructure Charges Notice, following adjustments and after the application of any offsets.
- Strict timeframes are in place for claiming approved concessions. If the use has not commenced within the recommended timeframe, the concessions will no longer apply and 100% of the applicable Infrastructure Charges will be payable.
- Council can review the application of the Policy at any time.

Conclusion

The Policy provides incentives for developments that will deliver economic development and growth outcomes in alignment with Council's policy and planning objectives.

The proposed application supports the desired outcomes of Schedule 7 Housing Diversity and Schedule 6 Community Facilities of the Policy and the provision of concessions will facilitate the delivery of this project.

Officer's Recommendation

THAT the following Specific Incentives are approved under the Facilitating Development in the Mackay Region Policy for the proposed development by 3 Wellington Pty Ltd ATF for Multiple Dwelling Units and Health Services at 3 Wellington Street, Mackay (Lot 1 on RP700730):

- a. Concessions of 100% (estimated at \$318,129.60) be applied against the net charge amount (following annual adjustments and after application of any offsets and credits) for the residential component on Infrastructure Charge Notice DA-2023-141;

- b. Concessions of 50% (estimated at \$16,933.97) be applied against the net charge amount (following annual adjustments and after application of any offsets and credits) for the Essential Services component on Infrastructure Charge Notice DA-2023-141;
- c. Reduction in water and sewer service connection fees (50% discount up to a maximum of \$500 for each service, totalling a maximum overall discount of \$1000) be applied at the time when the fees would be payable for the activity.

AND THAT the approval of concessions is dependent on:

- d. The development must be completed and commenced use by 25 October 2025.
- e. No additional infrastructure costs incurred by Council (including establishment and bring forward costs).
- f. The developer utilising local contractors and suppliers.

Council Resolution ORD-2023-276

THAT the following Specific Incentives are approved under the Facilitating Development in the Mackay Region Policy for the proposed development by 3 Wellington Pty Ltd ATF for Multiple Dwelling Units and Health Services at 3 Wellington Street, Mackay (Lot 1 on RP700730):

- a. Concessions of 100% (estimated at \$318,129.60) be applied against the net charge amount (following annual adjustments and after application of any offsets and credits) for the residential component on Infrastructure Charge Notice DA-2023-141;
- b. Concessions of 50% (estimated at \$16,933.97) be applied against the net charge amount (following annual adjustments and after application of any offsets and credits) for the Essential Services component on Infrastructure Charge Notice DA-2023-141;
- c. Reduction in water and sewer service connection fees (50% discount up to a maximum of \$500 for each service, totalling a maximum overall discount of \$1000) be applied at the time when the fees would be payable for the activity.

AND THAT the approval of concessions is dependent on:

- d. The development must be completed and commenced use by 25 October 2025.
- e. No additional infrastructure costs incurred by Council (including establishment and bring forward costs).
- f. The developer utilising local contractors and suppliers.

Moved Cr Englert

Seconded Cr May
CARRIED UNANIMOUSLY

11.4.5. REQUEST FOR WAIVER OF INFRASTRUCTURE CHARGES AND HEADWORKS CONTRIBUTIONS

Author Manager Development Planning and Engineering (Matthew Kelly)
Responsible Officer Director Development Services (Aletta Nugent)
File Reference DA-2005-160, DA-1991-9, DA-1991-9/A, DA-2008-200, DA-2007-358

Attachments Nil

Purpose

To seek Council's consideration of a number of requests to waive all or part of the infrastructure charges or headworks contributions owing for several developments.

Related Parties

- Sailipar Pty Ltd C/- Glen Croker
- Mackay Brothers Football Club Incorporated
- Caneola Investments Pty Ltd
- P&L Maguire Pty Ltd
- John Carroll Retravisio Mackay Pty Ltd
- G&J Paterson Superannuation Pty Ltd
- Hatrail Pty Ltd
- Leprechaun Park Pty Ltd
- Roslyn Gunning
- Kerry Duprez
- Mark Duprez
- MR & KH Duprez Superannuation Fund

Corporate Plan Linkage

Financial Strength

Affordable Living - Our rates and charges provide value for residents and are sufficient in providing for required infrastructure, facilities and services.

Background/Discussion

As part of the ongoing material change of use audit being undertaken by Council's Development Planning & Engineering Program, steps continue to be taken to recover infrastructure charges and headworks contributions owing for development that has already commenced. As a result of this process, Council has received requests from landowners to waive all or part of the outstanding infrastructure charges or headworks contributions owing for development on their land. Details in relation to these requests is provided below.

Application Number:	DA-2005-160
Property Owner:	Sailipar Pty Ltd C/- Glen Croker
Address:	2/10 Southgate Drive, Paget
Description of Development:	Material Change of Use – Extension to Existing Use (Showroom - Machinery)
Total Headworks Charge:	\$28,522.03 (indexation approximately \$4,720.23)
Request Detail:	<p>Landowner is requesting that Council apply a 50% discount against the outstanding Transport Network Contributions and waive the indexation applied to the contributions over the past 18 years.</p> <p>The discontinued Economic Development Incentive Strategy (initially adopted by Council on 12 October 2005) offered a 50% subsidy against Transport Network Contributions for Industrial Developments. This Policy is no longer in effect and the Industrial Developments subsidy with the Policy was withdrawn by Council, effective 1 April 2010.</p>
Recommendation:	<p>It is recommended that:</p> <ol style="list-style-type: none"> 1. A 50% waiver on Transport Networks Contribution be applied to outstanding headworks charges inclusive of indexation. 2. No further waiver of indexation is granted. 3. The value of charges payable becomes \$14,261.02.

Application Number:	DA-1991-9 and DA-1991-9/A
Property Owner/s:	Caneola Investments Pty Ltd P&L Maguire Pty Ltd John Carroll Retravisio Mackay Pty Ltd G&J Paterson Superannuation Pty Ltd Hatrail Pty Ltd Leprechaun Park Pty Ltd
Applicant:	Mackay Brothers Football Club
Address:	435 Milton Street, Paget (Leprechaun Park)
Description of Development:	Caretaker's Residence and Sport and Recreation including Gymnasium
Total Infrastructure Charge:	\$26,115.84
Request Detail:	<p>The applicant has requested Council consider the waiver of the infrastructure charges owing for the development for the following reasons:</p> <ol style="list-style-type: none"> 1. The club is a not for profit sporting club; 2. The facilities at Leprechaun Park including the gymnasium are utilised by multiple sporting organisations without charge; 3. The club relies solely on sponsorship, donations and revenue raised to maintain facilities; 4. Access to the grounds are unsealed/impacted by flooding; and 5. It was not communicated by Council that charges would be levied for the construction of the gymnasium.
Recommendation:	It is recommended that, as the applicant is an incorporated association providing sporting services to the community, that the charges be waived in full.

Application Number:	DA-2007-358
Property Owner:	Kerry Duprez, Mark Duprez MR & KH Duprez Superannuation Fund
Address:	6 Coolum Court, Blacks Beach
Description of Development:	Material Change of Use – Dual Occupancy
Total Headworks Charge:	\$12,686.00
Request Detail:	<p>Council was briefed on 25 May 2022 regarding the waiver of outstanding charges for small scale residential developments, where recovery of charges could be considered unreasonable. It was agreed that the following criteria would be applied to the consideration as to whether charges should be waived for small scale residential developments:</p> <ol style="list-style-type: none">1. The use commenced prior to 2012 (10 years);2. There has been a change in ownership since the use commenced and the charge remains due and owing;3. The use is either a Dual Occupancy, Secondary Dwelling or Multiple Dwelling; and4. The charge owed is no more than the maximum capped indexed amount Council could currently levy for an additional dwelling \$30,677.65 in accordance with the Planning Regulation. <p>Council officers consider the above criteria to have been met for this development.</p>
Recommendation:	It is recommended that the outstanding headworks contributions are waived in full.

Application Number:	DA-2008-200
Property Owner:	Roslyn Gunning
Address:	108 Glenella-Richmond Road, Glenella
Description of Development:	Material Change of Use – Dependent Person's Accommodation
Total Headworks Contribution:	\$5,011.20
Request Detail:	<p>The landowner has paid the amount owing as advised by Council officers in response to notification that the charges were due and owing.</p> <p>Due to the age and small scale nature of the development, it is therefore considered unreasonable that Council pursue the remaining balance due to this error.</p>
Recommendation:	It is recommended that the amount of \$1,081.00 of indexation be waived.

Consultation and Communication

There have been ongoing discussions with the affected landowners that have requested that their adopted infrastructure charges and headworks contributions be waived.

Resource Implications

The total loss of revenue is \$54,143.86 which is considered minor in context of the number of outstanding charges that remain outstanding, taking into account the costs that would be associated with pursuing recovery of the outstanding charges.

Risk Management Implications

Risks associated with recommending the waiver of outstanding charges includes the loss of revenue from infrastructure charges and headworks contributions that would otherwise be budgeted for and used for the funding of trunk infrastructure projects as identified within Council's Local Government Infrastructure Plan Schedule of Works.

Conclusion

Consideration has been given to the circumstances of each development approval, with the recommendations outlined below.

Officer's Recommendation

THAT Council:

1. Waive the headworks charges and indexation associated with DA-2005-160 being a total of \$14,261.02;
2. Waive the adopted infrastructure charges associated with DA-1991-9 and DA-1991-9/A being a total of \$26,115.84;
3. Waive the headworks charges for development approval DA-2007-358 being a total of \$12,686.00; and
4. Waive the indexation applied to headworks charges for development approval DA-2008-200 of \$1,081.00.

Council Resolution ORD-2023-277

THAT Council:

1. Waive the headworks charges and indexation associated with DA-2005-160 being a total of \$14,261.02;
2. Waive the adopted infrastructure charges associated with DA-1991-9 and DA-1991-9/A being a total of \$26,115.84;
3. Waive the headworks charges for development approval DA-2007-358 being a total of \$12,686.00; and
4. Waive the indexation applied to headworks charges for development approval DA-2008-200 of \$1,081.00.

Moved Cr May

Seconded Cr Englert

CARRIED

Mayor Williamson, Crs Englert, Green, Hassan, Jones, Mann and May voted for the Resolution.

Crs Bonaventura, Bella and Seymour voted against the Resolution.

11.5. ENGINEERING AND COMMERCIAL INFRASTRUCTURE

11.6. CORPORATE SERVICES

11.6.1. BUDGET REVIEW - SEPTEMBER 2023-2024

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

Attachments

1. Summary Fees & Charges Changes 2023-24 v 3 [**11.6.1.1** - 2 pages]
2. Statement of Income and Expenses 10 Yr SBR [**11.6.1.2** - 1 page]
3. Statement of Financial Position 10 Yr SBR [**11.6.1.3** - 1 page]
4. Statement of Cashflow 10 Yr SBR [**11.6.1.4** - 1 page]
5. Statement of Changes in Equity 10 Yr SBR [**11.6.1.5** - 1 page]
6. Ratios 10 Yr SBR [**11.6.1.6** - 1 page]

Purpose

To present the 2023-2024 first quarter budget review.

Related Parties

Nil.

Corporate Plan Linkage

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 first 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

Revenue

Category	Amount	Comments
Recurrent grants, subsidies, contributions and donations	\$262,539	Additional grants income to be recognised for Neighbourhoods Centres \$212K; and for the Coastal Hazard Adaption Study \$46K.

Other recurrent income	\$215,584	Additional revenue forecast as responsibility for the operations of the Stadium transitions to MRC (revenue income is offset in materials and services).
Fees and charges	\$212,823	Additional income recognised for returning parking compliance to previous levels \$136K; and higher than predicted use of camping grounds \$50K.
Rental Income	(\$65,200)	Reduction in anticipated lease income this financial year.
Sales contracts and Recoverable works	(\$150,000)	A review has indicated that recoverable works from Street Trees in new developments will be lower than previously predicted.
Operational Income in Capital Projects	\$366,628	Net operational income increased due to the recognition of grants income.
	\$842,374	Total operating revenue adjustments

Total revenue is forecasted to favourably increase by \$842K, with adjustments to fees & charges, rentals income, recoverable works, grants & subsidies, and other operating income.

It should be noted that adjustments to grants & subsidies and some fees and charges for events has a corresponding increase or decrease in expenses.

Expenses

Category	Amount	Comments
Employee Benefits	\$1,362,419	Reduction in expenditure due to staff vacancies across Council and time required to fill vacant positions in the current economic climate.
Materials and Services	(\$711,420)	Additional need for contractors in our outdoor programs to offset staff vacancies \$385K. Recognition of increased electricity costs \$324K and additional Payroll and fringe benefits tax \$300K. Savings in TDIP Asset data collection costs \$245K offset some expenses.
Finance Costs	(\$3,554,878)	Recognition of finance costs related to the provision of funds to support the aftercare and rehabilitation of landfill sites in future years.
Depreciation	(\$3,273,067)	The value of council's assets increased as a result of recent valuations, which requires adjustments to depreciation and amortisation to recognise the adjusted cost of the asset over its useful life.
Operational Expenses in Capital Projects	(\$348,578)	Changes have been made to reflect timing and forecasted spending of capital projects. Increases in some areas are mostly offset by savings in other areas, with a net operational increase related to recognition of landscaping costs.
	(\$6,525,524)	Total operating expenditure adjustments

Operating expenditure is forecasted to increase overall by \$6.5M. Most of the expenditure is associated with increases in depreciation and the recognition of finance costs associated with rehabilitation provisions. Other cost increases and part of depreciation and finance costs are offset by savings in employee benefits costs.

	Original Budget \$'000	Current Amended Budget \$'000	September Budget Review Adjustment \$'000	Amended Budget \$'000
Operating Revenue	\$292,143	\$292,194	\$842	\$293,036
Operating Expense	(\$291,592)	(\$291,935)	(\$6,525)	(\$298,460)
Operating Surplus/(Deficit)	\$551	\$259	(\$5,683)	(\$5,424)

As a result of the above movements in revenue and expenses, MRC's forecasted operating result will change to report a deficit of \$5.4M.

Capital Projects

Project	Capital Expenditure Amount	Operational Expenditure Amount	Capital Income Amount	Operational Income Amount
New Projects	(\$448,029)	\$0	\$0	\$0
Project Adjustments	(\$7,398,087)	(\$667,644)	(\$295,783)	\$366,628
Project Savings	\$2,657,773	\$1,607	(\$1,818,447)	\$0
Projects Deferred	\$5,138,714	\$317,459	\$581,361	\$0
TOTAL	(\$49,629)	(\$348,578)	(\$2,695,591)	\$366,628

Capital projects expenditure is forecast to increase overall by \$398K. This is made up of savings and deferrals of \$8.1M offset by additional capital project expenditure \$8.5M. It should be noted that \$5.4M of expenditure is being deferred to next financial year in line with expected delivery timeframes.

Overall capital projects revenue is decreasing by \$2M as a result of net grant income adjustments from existing and deferred projects.

	Original Budget \$'000	Current Amended Budget \$'000	September Budget Review Adjustment \$'000	Amended Budget \$'000
Capital project budget	(\$126,548)	(\$123,376)	(\$398)	(\$123,775)
- Capital Expenditure	(\$124,420)	(\$120,636)	(\$50)	(\$120,686)
- Operational Expenditure	(\$2,128)	(\$2,740)	(\$348)	(\$3,089)
Capital Funding budget	\$45,137	\$44,559	(\$2,329)	\$42,230
- Capital funding	\$45,110	\$44,472	(\$2,695)	\$41,776
- Operational funding	\$27	\$88	\$366	\$454

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

Ongoing review of the capital program will continue throughout the year.

Fees and Charges

Council has identified Fees and Charges that required amendment. Changes relate to items that have been made obsolete, resolving errors, and identifying changed services requiring a new fee structure.

*** Refer to attachment - Summary of Fees & Charges Changes 2023-24 ***

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 increased by \$398K to \$123.8M.

The Operating Result will change to report a deficit of \$5.4M. This change is mostly as a result of increased depreciation costs resulting from an increase in the value of council's assets, and rehabilitation provisions to set aside funds now to fund the aftercare and rehabilitation of landfill sites in the future. 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 September 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 October monthly Strategic Financial Report.

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. Capital delivery remains a focus of Council.

Officer's Recommendation

THAT the changes identified in the September budget review be adopted and become the approved amended budget from October 2023.

Council Resolution ORD-2023-278

THAT the changes identified in the September budget review be adopted and become the approved amended budget from October 2023.

Moved Cr May

Seconded Cr Englert
CARRIED UNANIMOUSLY

11.6.2. STRATEGIC FINANCIAL REPORT - SEPTEMBER 2023

Author	Chief Financial Officer (Chris Molyneaux)
Responsible Officer	Director Corporate Services (Angela Hays)
File Reference	Strategic Financial Report

Attachments

1. Strategic Financial Report September Update with OB [11.6.2.1 - 20 pages]

Purpose

To adopt Mackay Regional Council's Strategic Financial Report for the month of September 2023.

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, Acting Manager Financial Services.

Resource Implications

MRC is forecasting an operating surplus of \$0.3M for the 2023/24 financial year. The actual operating result for September 2023 is within the 0% to $\pm 2.99\%$ range, with a favourable variance of \$0.2M against YTD budget.

Risk Management Implications

Variances will be closely reviewed and considered in future budget processes where required. Council revenue and expenditure forecasts are being reviewed as part of the quarterly (September) budget review process, which will be reflected in future strategic monthly reports.

Conclusion

For the period ending September 2023, MRC reported a favourable operating variance of \$0.2M against YTD budget. Operating revenue is reporting slightly above YTD budget, with lower than anticipated rates, levies and charges income being received to date. Higher than anticipated expenditure across MRC is largely attributable to materials and services, specifically contractors, consultants and equipment hire being utilised to meet community service levels while ongoing labour vacancies are experienced.

To date, \$23.5M has been expended in the delivery of Council Projects; \$22.7M capital expenditure and \$0.8M operational expenditure. Council projects includes accrued expenditure for works in progress and associated operational costs expended in the delivery of these works.

Officer's Recommendation

THAT the Strategic Financial Report for September 2023 be received.

Council Resolution ORD-2023-279

THAT the Strategic Financial Report for September 2023 be received.

Moved Cr May

Seconded Cr Englert
CARRIED UNANIMOUSLY

11.6.3. NEW LEASE TO YUWI ABORIGINAL CORPORATION RNTBC - EX TOURIST INFORMATION CENTRE - NEBO ROAD, WEST MACKAY

Author	Commercial Lease & Property Officer (Barb Sauer)
Responsible Officer	Director Corporate Services (Angela Hays)
File Reference	135633-003-SP

Attachments

1. Lease Area Nebo Road Mackay [**11.6.3.1** - 1 page]

Purpose

To approve a new lease for Yuwi Aboriginal Corporation RNTBC (YAC) over an area of approx. 450m², being part of Lot 3 on SP135633, 316 Nebo Road, West Mackay for a period of five (5) years for the purpose of a First Nations Cultural Hub and associated activities to display Yuwi stories, artwork, knowledge, images and artefacts for the local community and tourists.

Related Parties

Mackay Regional Council and Yuwi Aboriginal Corporation RNTBC

Corporate Plan Linkage

Community and Environment

First Nations People - Mackay Regional Council respects the traditional custodians of the lands that make up our region, the Yuwi and Widi people. We also acknowledge all other A&TSI people who call our region home. Council, through our RAP, acknowledges the values, history and culture of our A&TSI people. Council is committed to developing strong relationships with the Traditional Custodians of our land and aims to protect and promote our region and celebrate our histories.

Live and Visit

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

Background/Discussion

Mackay Regional Council is trustee over the reserve for Local Government located at 316 Nebo Road, West Mackay. The reserve has a sub purpose of “Tourist” and the former Tourist Information Centre Building is located within the reserve. The building is currently vacant.

Yuwi Aboriginal Corporation have made application for a lease over the building for the purpose of establishing a “First Nations Cultural Hub”.

YAC was incorporated in April 2017 and registered as the Native Title Registered Body Corporation in March 2020. YAC operates with participatory membership with 192 current members. Through the YAC strategic plan and workplans for both the Traditional Use of Marine Resources Agreement and Ranger Programs, the importance of Indigenous Tourism has been highlighted for the future of the organisation.

As there is currently no location in the Mackay region that displays Yuwi stories, artwork, images or artefacts YAC wish to establish a premises where they can share their knowledge and tourists, schools and the community can go to view the displays and learn about the rich culture of the Yuwi people.

YAC note the advantages of the site being at the southern entrance to Mackay, thereby capturing tourists as they enter town. The site is also in close proximity to the Australian South Sea Islander Hut and the Torres Strait and First Nation sections in Mackay Regional Botanic Gardens therefore would be the perfect location for a First Nations Hub.

The premises will also be used for board meetings and for the ranger, sea ranger, cultural heritage and TUMRA projects.

Due to the “Tourist” sub purpose of the reserve, some previous enquiries to lease the building were not accepted by Council, as they did not meet the “Tourist” purpose. Council officers are satisfied that the proposed use is consistent with the tourist purpose of the reserve and the Department of Resources offered no objection to the proposed lease.

The lease will be over part of the lot only, with the remainder of the reserve and the public amenities attached to the exterior of the building to be available for use by the general public.

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 is disposed of to a community organisation.”

YAC is a “community organisation” for the purposes of the exception in section 236(1)(b)(ii) of the Local Government Regulation.

Therefore, Council is not required to tender this before leasing the property.

Consultation and Communication

Consultation occurred between representatives of Yuwi Aboriginal Corporation RNTBC., Manager Property Services, Supervisor Land Operations – Property Services, Legal Counsel, Cultural Heritage Officer, Manager Economic Development and Tourism, and Department of Resources.

Resource Implications

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

The lease will be a standard “Trustee” lease inclusive of rental in accordance with the Mackay Regional Council’s Community Leasing Policy and other like conditions.

Risk Management Implications

Yuwi Aboriginal Corporation RNTBC are committed to establishing a First Nations Cultural Hub and promoting Indigenous Tourism. Should the lease not be approved, both the community and region would not be able to benefit from the opportunities that arise from activities of the organisation.

Conclusion

That approving a new lease to Yuwi Aboriginal Corporation RNTBC., who are committed to the land, its infrastructure and the local community is the most advantageous outcome to 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 is disposed of to a community organisation.
2. Council approve a new lease for Yuwi Aboriginal Corporation RNTBC over an area of approx. 450m2 being part of Lot 3 on SP135633 for a period of five (5) years. The rent will be in accordance with the Mackay Regional Council's Community Leasing Policy

Council Resolution ORD-2023-280

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 is disposed of to a community organisation.
2. Council approve a new lease for Yuwi Aboriginal Corporation RNTBC over an area of approx. 450m2 being part of Lot 3 on SP135633 for a period of five (5) years. The rent will be in accordance with the Mackay Regional Council's Community Leasing Policy.

Moved Cr Jones

Seconded Cr Englert
CARRIED UNANIMOUSLY

11.6.4. FOOTBALL QUEENSLAND - ADDITIONAL LEASE AREA

Author	Land and Property Officer (Jacinta Pollock Bonnett)
Responsible Officer	Director Corporate Services (Angela Hays)
File Reference	Current Securities Lease 292 10 Hewitt Way GLENELLA QLD 4740

Attachments

1. FQ Current & Proposed Lease Area [**11.6.4.1** - 1 page]
2. FQ Master Plan [**11.6.4.2** - 1 page]

Purpose

To approve a new lease for a term of ten (10) years to Football Queensland Ltd (FQ) over approximately 193,966sqm being part of Lot 7 on SP271086, known as 10 Hewitt Way, Glenella to incorporate the existing Lease Agreement and additional 23,366sqm to the east, and surrender the existing Lease.

Related Parties

Football Queensland Ltd

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 October 2014 Council entered into a lease with Mackay & Regional Football Zone Inc over part of Lot 7 on SP271086, now known as 10 Hewitt Way, Glenella, after they were requested to relocate from Barbour Park by the Mackay Airport. The incorporation established the site, building the facility which has female, male & disabled toilets, change rooms, kitchen / kiosk, clubhouse and developed fields (4 seniors, 15 + juniors).

FQ were assigned the lease from Mackay & Regional Football Zone Inc in January 2022. FQ has continued to grow the sport within the Mackay Region and have developed a master plan for the premises.

Patrons have identified the insufficient carparking as an inconvenience and safety issue. FQ have developed the future plans around this feedback and propose the land to the east of the current lease area would be appropriate for parking.

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

Representatives of Football Queensland Ltd, Land and Road Use Committee, Manager Transport and Drainage Infrastructure Planning, Manager Property Services, Land Operations Supervisor, Commercial Lease and Property Officer, Land and Property Officer, Sport and Recreation Development Officer

Resource Implications

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

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

Risk Management Implications

FQ holds a successful history within the Mackay Region, and have shown their commitment to the land, its infrastructure and the local community. The additional areas will provide a benefit to their patrons and increase safety.

Conclusion

The approval of a new ten (10) year lease to include the current lease area and additional area to FQ, who have shown their commitment to the land, its infrastructure and the local community, is the most advantageous outcome to Mackay Regional Council.

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 is disposed of to a community organisation."; and
2. Approves a new lease for a term of ten (10) years to Football Queensland Ltd (FQ) over approximately 193,966sqm being part of Lot 7 on SP271086, known as 10 Hewitt Way, Glenella to incorporate the existing Lease Agreement and additional 23,366sqm to the east, and surrender the existing Lease.

Council Resolution ORD-2023-281

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 is disposed of to a community organisation."; and
2. Approves a new lease for a term of ten (10) years to Football Queensland Ltd (FQ) over approximately 193,966sqm being part of Lot 7 on SP271086, known as 10 Hewitt Way, Glenella to incorporate the existing Lease Agreement and additional 23,366sqm to the east, and surrender the existing Lease.

Moved Cr Green

Seconded Cr Englert
CARRIED UNANIMOUSLY

12. RECEIPT OF PETITIONS

12.1. PETITION - OFF LEASH DOG PARK FOR SLADE POINT

Author	Chief Executive Officer (Scott Owen)
Responsible Officer	Chief Executive Officer (Scott Owen)
File Number	Dog Off Leash

Attachments	1. Petition - Off Leash Dog Park for Slade Point [12.1.1 - 4 pages]
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Purpose

A petition was received by Council on the 9 October 2023 and relates to a request to provide an off-leash dog park for the Slade Point area utilising the undeveloped reserve adjacent to Wren Street Oval Park

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

NIL 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.

Council Resolution ORD-2023-282

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.

Moved Cr Jones

Seconded Cr Hassan
CARRIED UNANIMOUSLY

13. TENDERS

14. CONSIDERATION OF NOTIFIED MOTIONS

Nil.

15. PUBLIC PARTICIPATION

Nil.

16. LATE BUSINESS

Nil.

17. CONFIDENTIAL REPORTS

17.1. APPROVED SPONSORSHIP UNDER THE INVEST MACKAY EVENTS CONFERENCE ATTRACTION PROGRAM - SEPTEMBER 2023

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**.

Council Resolution ORD-2023-284

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

Moved Cr May

Seconded Cr Englert
CARRIED UNANIMOUSLY

**17.2. DRAFT MINUTES - INVEST MACKAY EVENTS AND CONFERENCE ATTRACTION PROGRAM
ADVISORY COMMITTEE - 3 OCTOBER 2023**

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**.

Council Resolution ORD-2023-285

THAT the draft minutes of the Invest Mackay Events and Conference Attraction Program Advisory Committee meeting dated 3 October 2023 be received.

AND THAT funding is approved as recommended by the Invest Mackay Events and Conference Attraction Program Advisory Committee for Item 10.1.

AND THAT funding is approved as recommended by the Invest Mackay Events and Conference Attraction Program Advisory Committee for Item 10.2.

AND THAT funding is approved as recommended by the Invest Mackay Events and Conference Attraction Program Advisory Committee for Item 10.3.

Moved Cr Hassan

Seconded Cr Mann
CARRIED UNANIMOUSLY

**17.3. APPROVED CONCESSIONS UNDER THE FACILITATING DEVELOPMENT IN THE MACKAY
REGION POLICY - SEPTEMBER 2023**

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**.

Council Resolution ORD-2023-286

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

Moved Cr Hassan

Seconded Cr Mann
CARRIED UNANIMOUSLY

18. MEETING CLOSURE

Meeting closed at 11:02 am.

19. FOR INFORMATION ONLY

19.1. DEVELOPMENT APPLICATIONS - SEPTEMBER 2023

19.2. BUILDING WORKS STATISTICS - SEPTEMBER 2023

Nil

Confirmed on Wednesday

MAYOR