

11.2. CAPITAL WORKS

11.3. COMMUNITY SERVICES

11.4. PLANNING, GROWTH & SUSTAINABILITY

11.4.1. FACILITATING DEVELOPMENT IN THE MACKAY REGION POLICY – MATERIAL CHANGE OF USE FOR MULTIPLE DWELLINGS – 419 SHAKESPEARE 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. 419 Shakespeare Street, Mackay Site Plan [**11.4.1.1** - 12 pages]

Purpose

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

Related Parties

- Conor Smith
- Veris (Matthew Ward)
- Becker Sunner Consulting
- Palmview Homes

Corporate Plan Linkage

Invest and Work

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

Region of Choice - We are recognised as Australia's best region for attracting, retaining, and developing a skilled workforce.

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.

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

The proposed development by Conor Smith is located at 419 Shakespeare Street, West Mackay (Lot 12 on RP704604). The Development Permit for the Material Change of Use (DA-2022-225) for Multiple Dwellings was approved on 12 May 2023.

The development will occupy a vacant residential allotment, which encompasses a total lot size of 814m². The subject site is located on a corner lot which provides the property with two road frontages, Gibson Street and Shakespeare Street.

The applicant intends to deliver four x two-storey town houses, each with a floor area of 159.9m² (inclusive of balconies and verandas), three bedrooms and two parking spaces per unit.

The development is estimated to cost approximately \$1.25M to construct, resulting in \$2.575M economic impact for the region. It is anticipated construction will commence in February 2024 and should be completed by August 2024.

This development will provide the Mackay region with an affordable and diverse housing option in a market where there is high demand for residential stock.

Incentive Requests

The applicant submitted an Expression of Interest under the Facilitating Development in the Mackay Region Policy (Policy) on 1 September 2023, and the subsequent Stage 2 Application was received on 5 October 2023.

The applicant is seeking concessions under Schedule 7 Housing Diversity which supports the Development Permit for a Material Change of Use (MCU) for Multiple Dwellings (Town Houses) DA-2022-225.

The following concessions have been requested:

- a) 100% concession on infrastructure charges:
 - Infrastructure Charges = \$90,680.10
 - Requested concession = \$90,680.10
 - Charges payable = NIL

Under Schedule 7 Housing Diversity of the current Policy (endorsed April 2023), infrastructure charges may be reduced by up to 100% based on the net charge amount identified on the Infrastructure Charges Notice (after annual adjustments and the application of any offsets), up to a maximum concession value of \$500,000.

The maximum concession value above will include any previous stages of the development or other development of the site that has been previously approved under the policy.

- b) Service connection fee refund

As per Schedule 7 Housing Diversity, water and sewage connection fees can be discounted by up to 50% or a maximum of \$500 per service.

General Eligibility Criteria

The Policy seeks to attract investment in qualifying developments to stimulate growth, and 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 as follows:

Criteria	Eligibility
Timing of development Lots are registered within 2 years.	Commencement of construction – February 2024 Commencement of use – August 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-2022-225.
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Specific Eligibility Criteria

Based on information provided by the applicant, the proposal satisfies the requirements under Eligibility Criteria in Schedule 7 Housing Diversity of the Policy:

Criteria	Eligibility
Economic Investment Minimum capital investment in the development is equal to or greater than \$100,000 under Schedule 7 Housing Diversity.	<ul style="list-style-type: none"> Estimated construction cost of development is \$1.25M. Based on Council's economic modelling, a direct injection of \$1.25M (construction costs) will result in combined supply chain and consumption effects of \$1.32M, totalling \$2.575M 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 one direct job, a further four indirect jobs, resulting in five jobs in total. The applicant has committed to utilising local contractors and suppliers during construction of the development.
Applicable Area	The proposal is to provide medium density residential development within the Medium-Density Residential zone. A Development Permit for the Material Change of Use (DA-2022-225) for Multiple dwelling was approved on 12 May 2023.
Applicable Land Uses The Policy applies to material change of use (MCU) for applicable land uses in Schedule 7 Housing Diversity (Refer to the table in the Policy).	The development application applies to a Material Change of Use – Development Permit Multiple Dwellings (4 Units) which is consistent with land uses identified in Schedule 7 Housing Diversity.

Business and Regional Benefits

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

The applicant proposes that the development will deliver the following benefits to the Mackay region's economy:

- The project involves the delivery of 4 dwelling units to Mackay's property market, providing affordable and diverse housing options.
- 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.
- A local building firm will be constructing the development.
- The site has access to all services such as reticulated water, sewer, electricity and telecommunication services.

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 Planning, Growth & Sustainability 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 \$90,680.10 (+ annual adjustments).

Gross Infrastructure Charge (IC)	Credit Unit (Residential dwellings)	Net Infrastructure Charge (IC minus Credit)	Concession (%)	Concession (\$)	Charges Payable
\$120,906.80	\$30,266.70	\$90,680.10	100%	\$90,680.10	Nil

Under Schedule 7 Housing Diversity (Multiple Dwellings), infrastructure charges may be reduced up to 100% of the net charge amount identified on the Infrastructure Charges Notice (after annual adjustments and the subtraction of any offsets or credits) to a maximum concession value of \$500,000.

It is proposed that infrastructure charge concessions only be applied to the net charge amount calculated following the application of annual adjustment 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.

b) Service connection fee refund

As per Schedule 7 Housing Diversity, water and sewage connection fees can be discounted by 50%, up to maximum of \$500 per service.

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 development 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 7 of the Policy. The provision of concessions will facilitate the delivery of the project, resulting in new housing stock for the region and increased economic output.

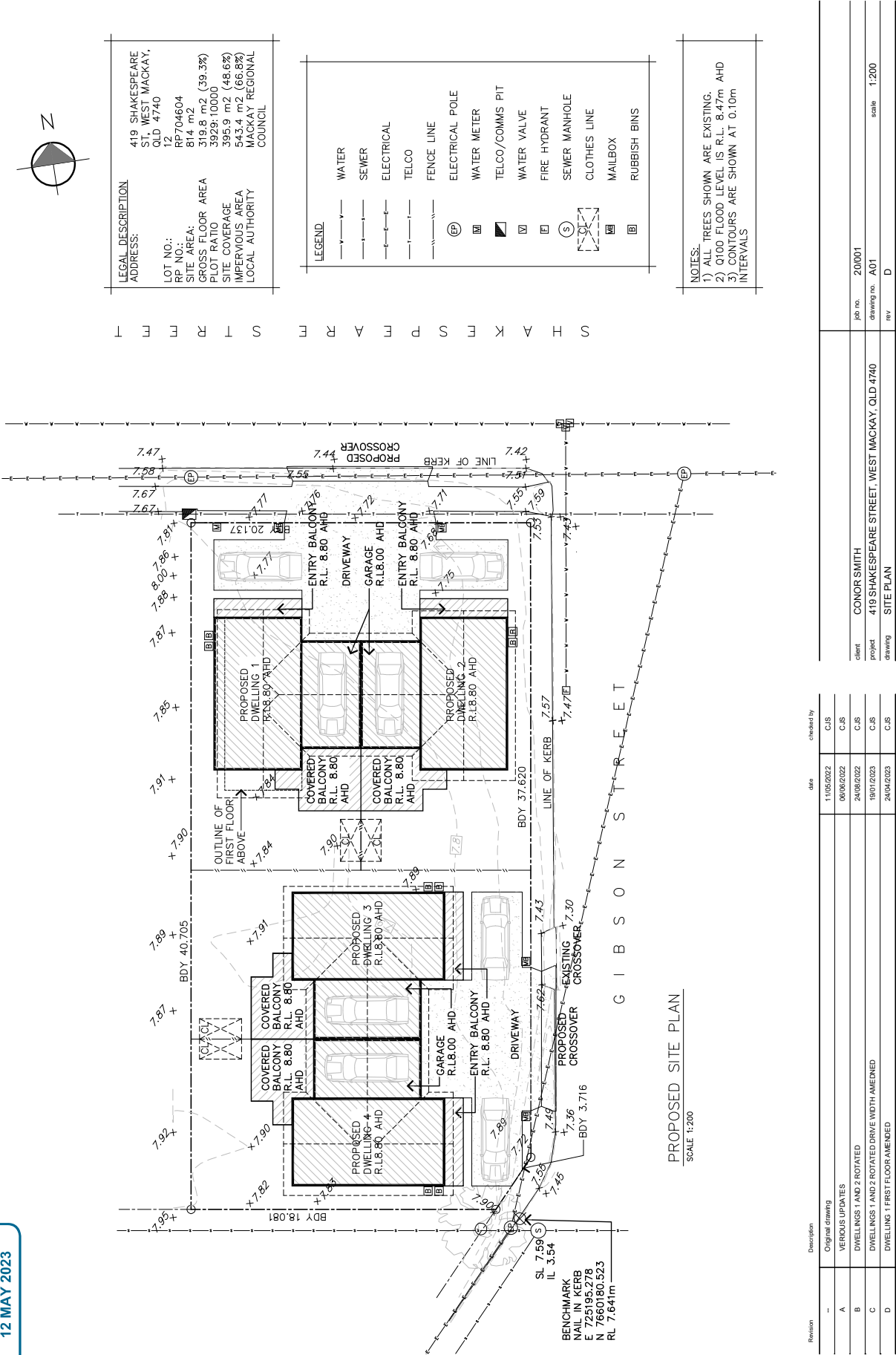
Officer's Recommendation

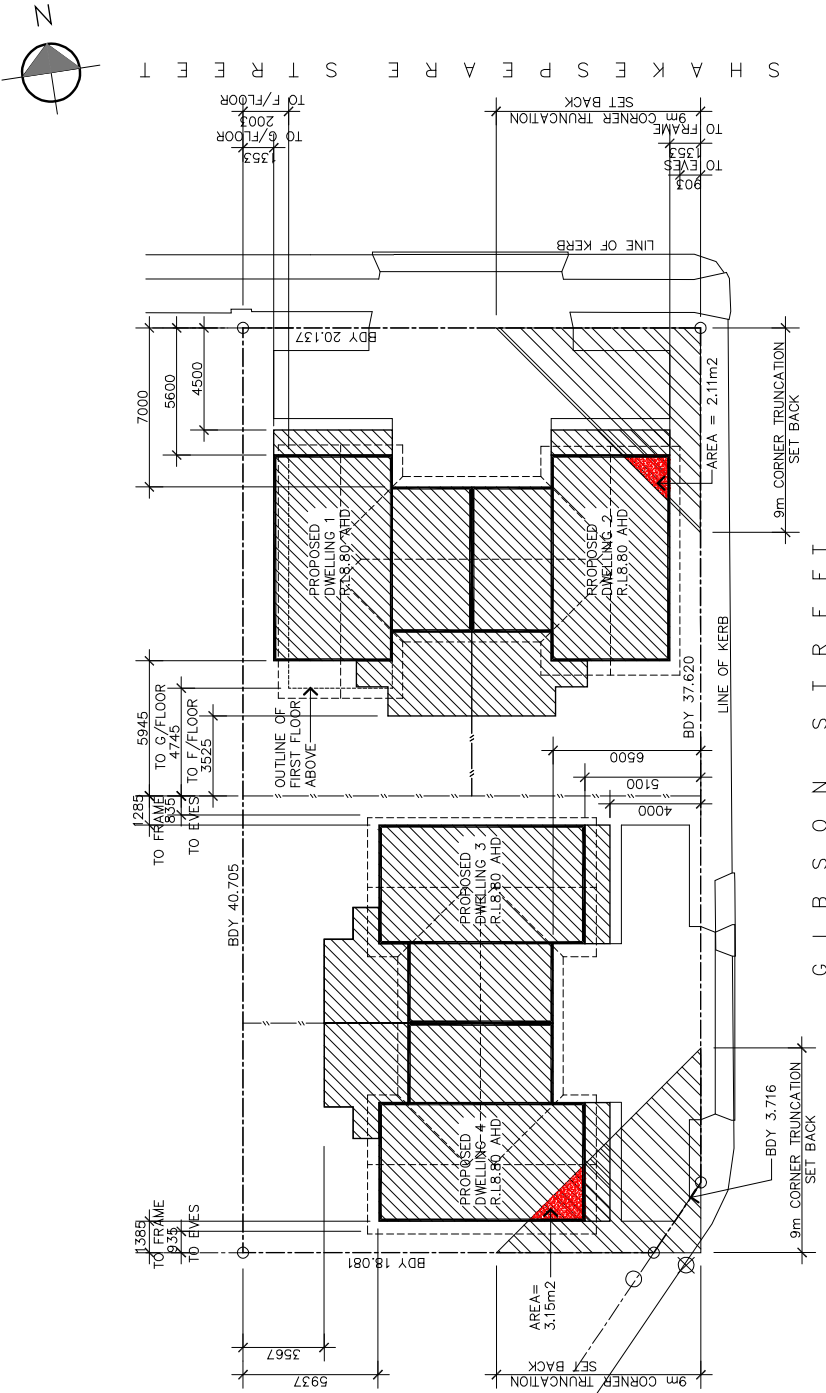
THAT the following Specific Incentives are approved under the Facilitating Development in the Mackay Region Policy for the proposed development by Conor Smith at 419 Shakespeare Street, Mackay (Lot 12 on RP704604):

- a) Concessions of 100% (estimated at \$90,680.10) apply on the net charge amount on the Infrastructure Charge Notice (calculated following annual adjustments, and subtraction of any offsets and credits) for DA-2022-225;
- 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.

AND THAT the approval of concessions is dependent on:

- c) The development must be complete and in use by 22 November 2025;
- d) No additional infrastructure costs are incurred by Council (including establishment and bring forward costs);
- e) The developer utilising local contractors and suppliers.

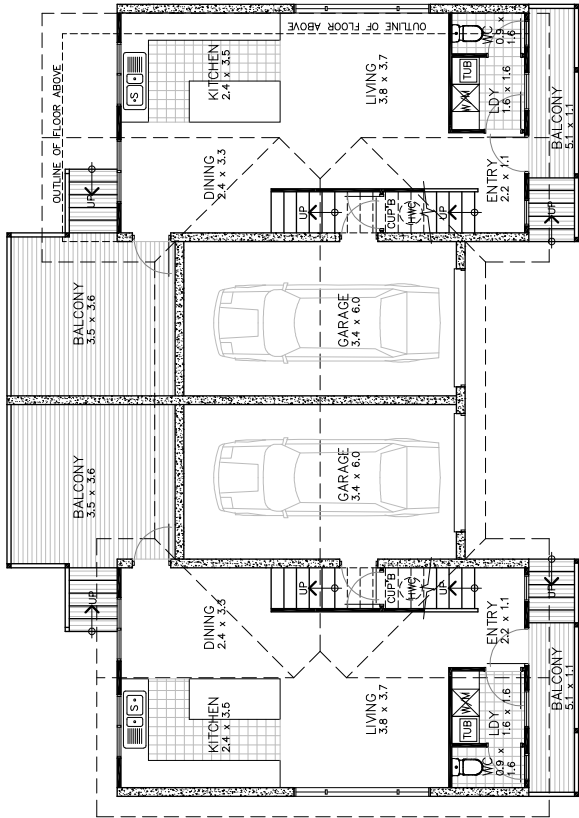




PROPOSED SITE PLAN
SCALE 1:200

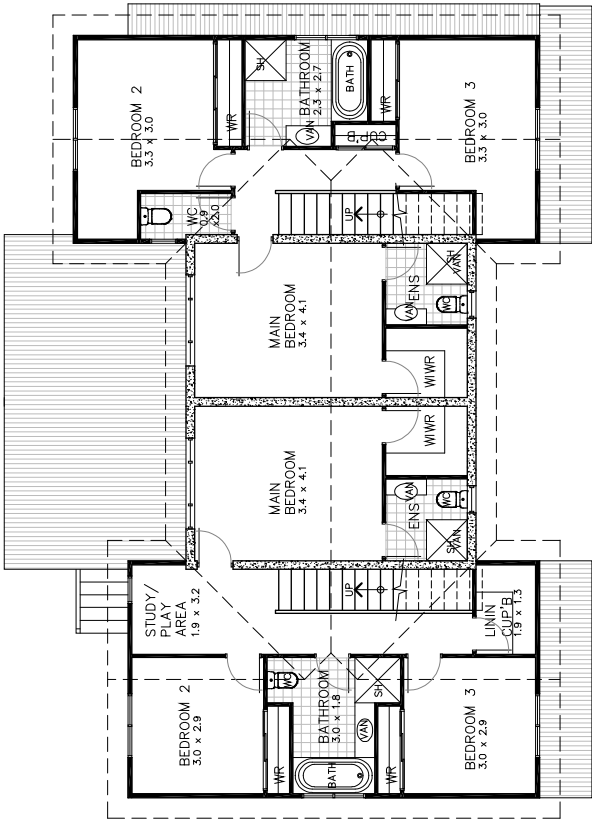
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-	Original drawing	08/06/2022	CJS
A	DWELLINGS 1 AND 2 ROTATED	24/06/2022	CJS
B	DWELLINGS 1 AND 2 ROTATED AND DRIVEWAY WIDTH AMENDED	18/07/2023	CJS
C	DWELLING 1 FIRST FLOOR AMENDED	24/04/2023	CJS

client	CONOR SMITH	job no.	20/001
project	419 SHAKESPEARE STREET, WEST MACKAY, QLD 4740	drawing no.	A02
drawing	PROPOSED BOUNDARY SETBACKS	rev	C
		scale	1:200



GROUND FLOOR PLAN
DWELLINGS 1 AND 2 - SCALE 1:100

Revision	Description	date	checked by
-	Original drawing	24/08/2022	CJS
A	WINDOWS AMENDED	18/01/2023	CJS
B	DWELLING 1 FIRST FLOOR AMENDED	24/04/2023	CJS

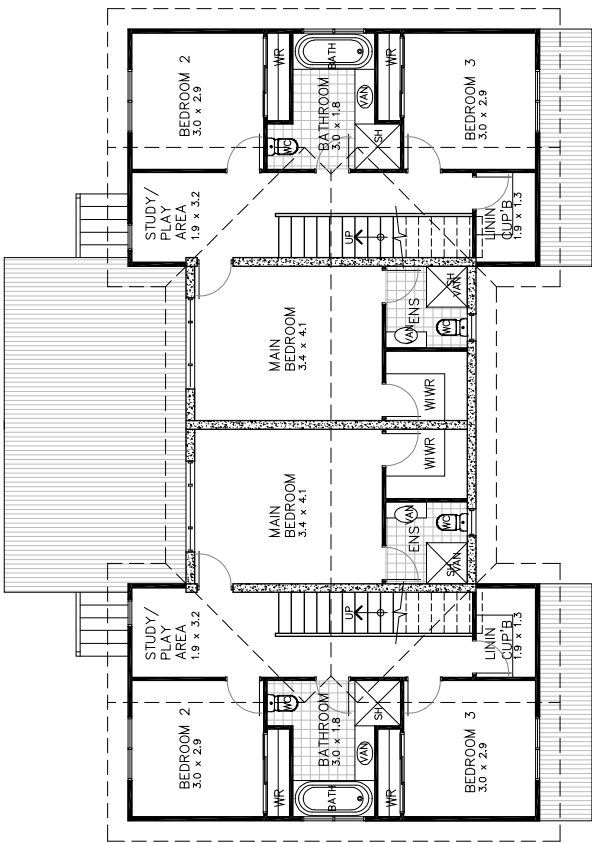


FIRST FLOOR PLAN
DWELLINGS 1 AND 2 - SCALE 1:100

FLOOR AREAS	
DWELLING 1	47.3m2
GROUND FLOOR	22.3m2
GARAGE	15.0m2
OUTDOOR LIVING AREA	5.7m2
FRONT PATIO	90.3m2
TOTAL	180.6m2
DWELLING 2	47.3m2
GROUND FLOOR	22.3m2
GARAGE	15.0m2
OUTDOOR LIVING AREA	5.7m2
FRONT PATIO	90.3m2
TOTAL	180.6m2
DWELLINGS 1 AND 2	180.6m2
DWELLING 1	69.6m2
FIRST FLOOR	65.3m2
DWELLING 2	65.3m2
FIRST FLOOR	134.9m2
TOTAL FIRST FLOOR AREA	134.9m2
DWELLINGS 1 AND 2	315.3m2
TOTAL AREA DWELLINGS 1 AND 2	315.3m2

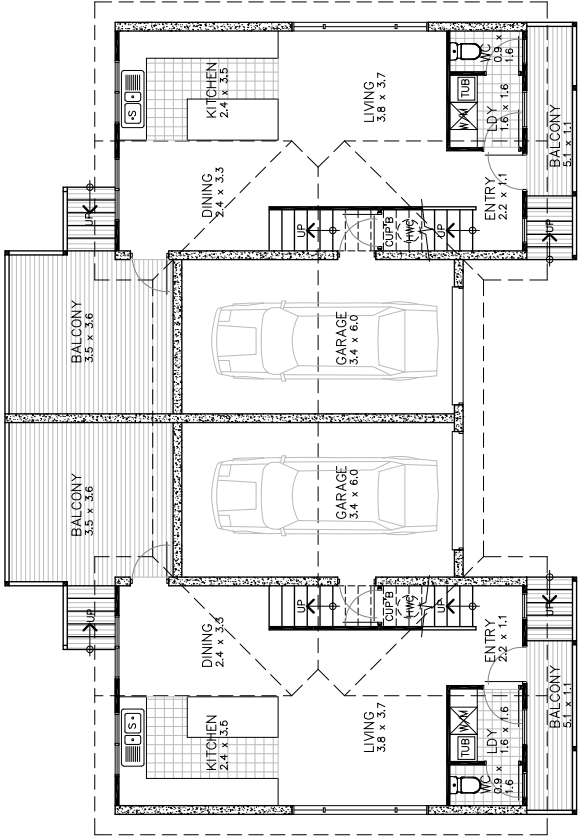


client	Conor Smith	job no.	20001
project	419 SHAKEPEARE STREET, WEST MACKAY, QLD 4740	drawing no.	A03
drawing	FLOOR PLANS - DWELLINGS 1 AND 2	rev	B
		scale	1:100



FIRST FLOOR PLAN
DWELLINGS 3 AND 4 – SCALE 1:100

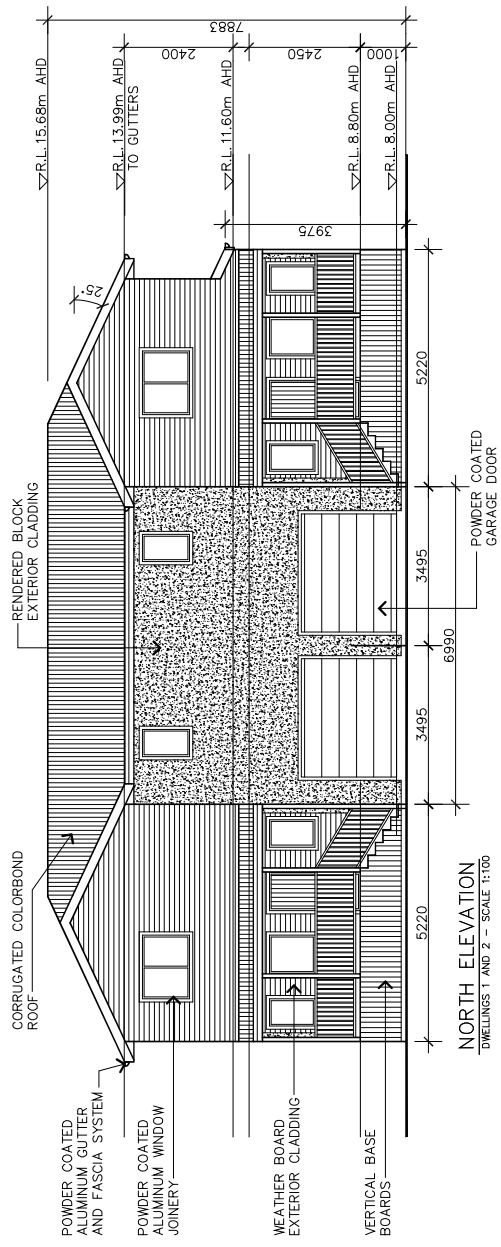
FLOOR AREAS	
DWELLING 3	47.3m ²
GROUND FLOOR	22.3m ²
GARAGE	15.0m ²
OUTDOOR LIVING AREA	5.7m ²
FRONT PATIO	90.3m ²
TOTAL	
DWELLING 4	47.3m ²
GROUND FLOOR	22.3m ²
GARAGE	15.0m ²
OUTDOOR LIVING AREA	5.7m ²
FRONT PATIO	90.3m ²
TOTAL	
TOTAL GROUND FLOOR AREA	180.6m ²
DWELLINGS 3 AND 4	
DWELLING 3	69.6m ²
FIRST FLOOR	
DWELLING 4	69.6m ²
FIRST FLOOR	
TOTAL FIRST FLOOR AREA	139.2m ²
DWELLINGS 3 AND 4	
TOTAL AREA DWELLINGS 3 AND 4	319.8m ²



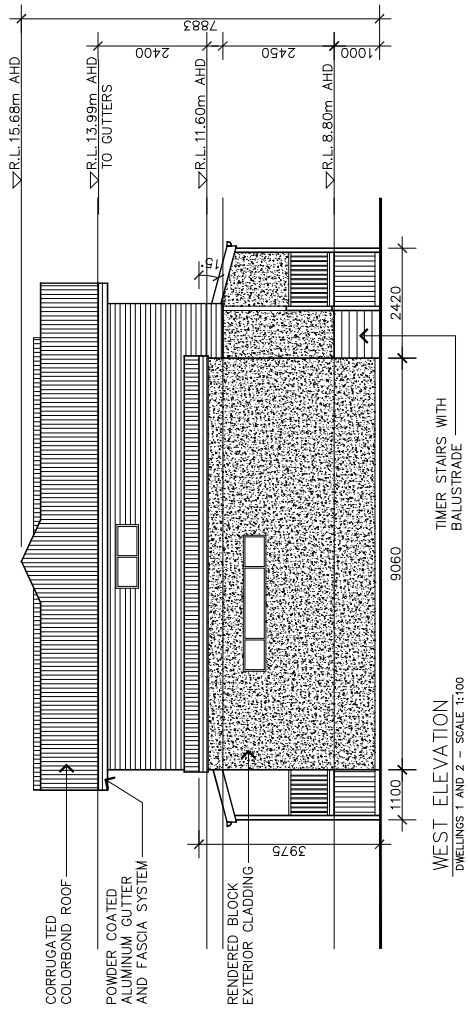
GROUND FLOOR PLAN
DWELLINGS 3 AND 4 – SCALE 1:100

client	Conor Smith	job no.	20001
project	419 SHAKEPEARE STREET, WEST MACKAY, QLD 4740	drawing no.	A04
drawing	FLOOR PLANS - DWELLINGS 3 AND 4	rev	-

Revision	Description	date	checked by
-	Original drawing	24/08/2022	CJS



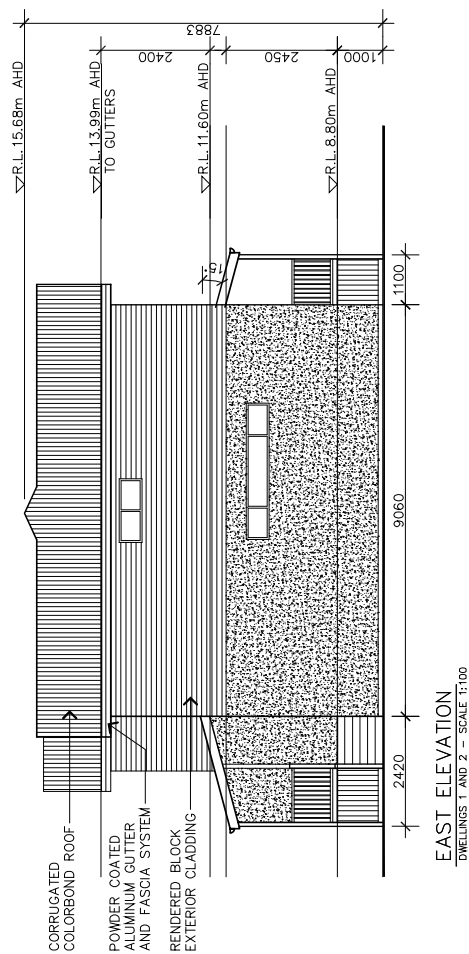
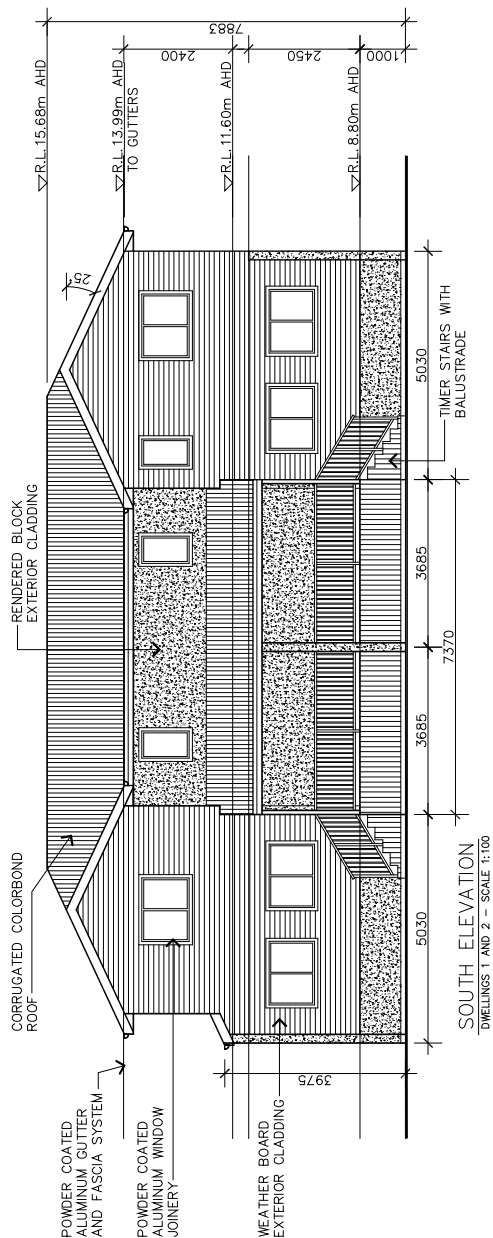
NORTH ELEVATION
DWELLINGS 1 AND 2 - SCALE 1:100



WEST ELEVATION
DWELLINGS 1 AND 2 - SCALE 1:100

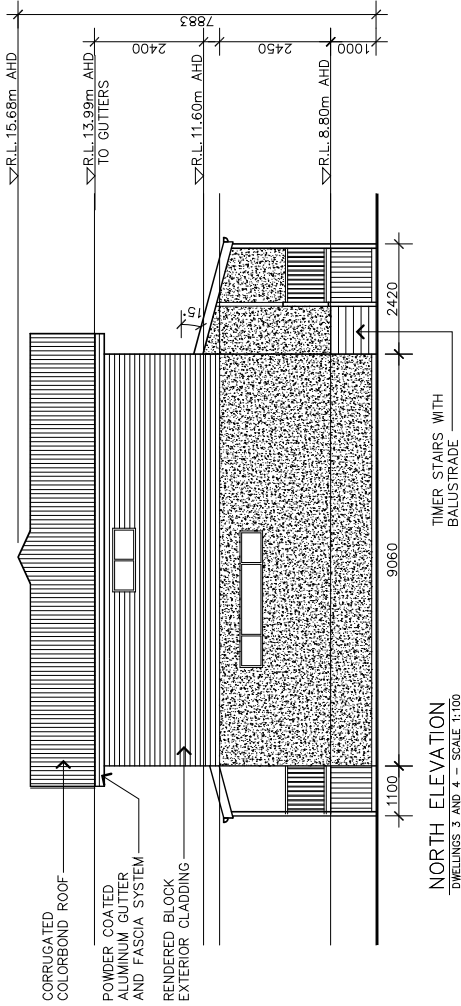
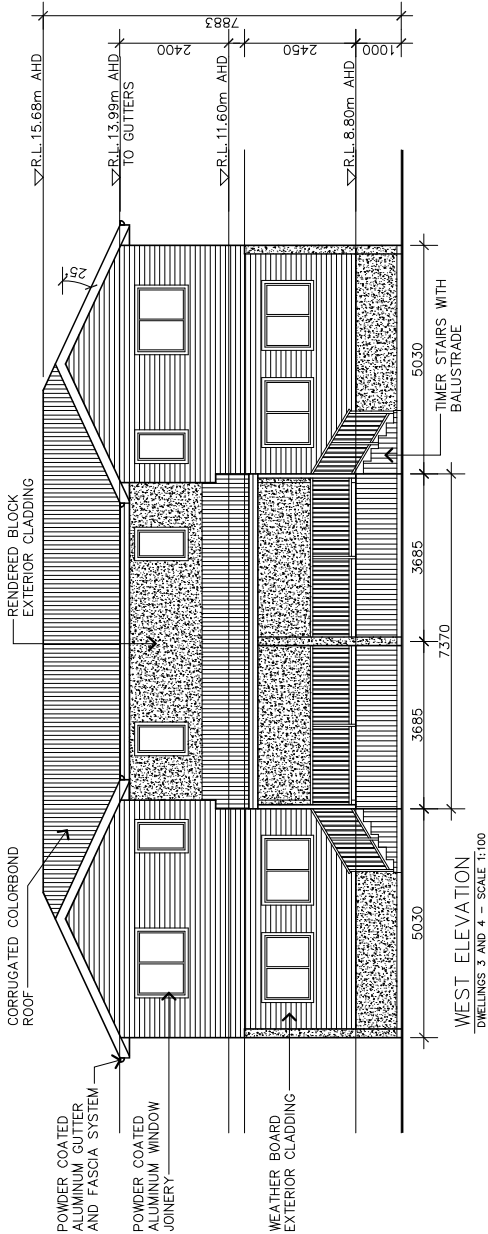
Revision	Description	date	checked by
-	Original drawing	24/05/2022	CJS
A	WINDOWS REMOVED FROM WEST ELEVATION	31/05/2022	CJS
B	WINDOWS AMENDED	18/07/2023	CJS
C	DWELLING 1 FIRST FLOOR AMENDED	24/04/2023	CJS

client	CONOR SMITH	job no.	20001
project	419 SHAKEPEARE STREET, WEST MACKAY, QLD 4740	drawing no.	A05
drawing	WEST AND NORTH ELEVATIONS DWELLINGS 1 AND 2	rev	C
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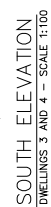
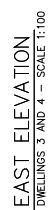


Revision	Description	date	checked by
--	Original drawing	24/08/2022	CJS
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B	DWELLING 1 FIRST FLOOR AMENDED	24/04/2023	CJS

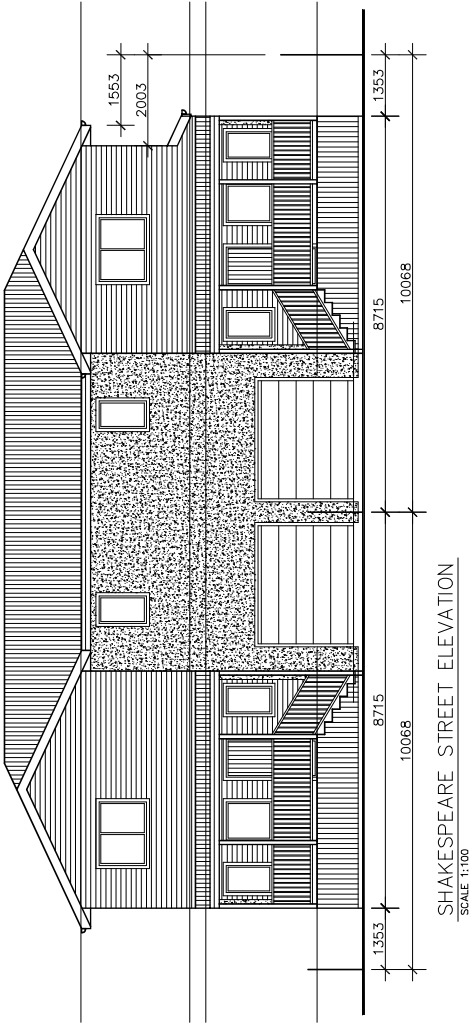
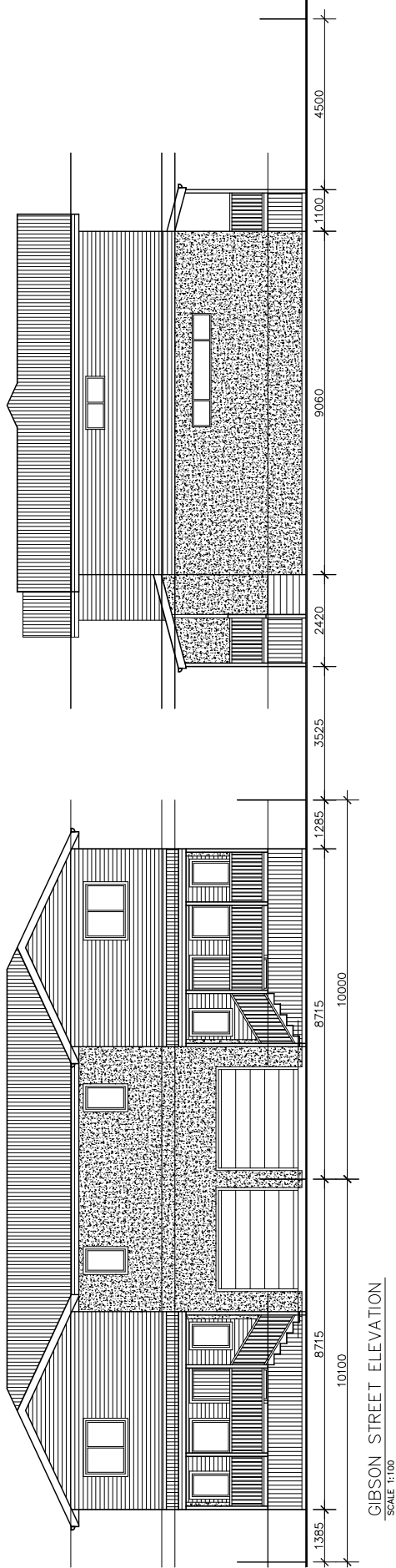
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Revision	Description	date	checked by	client	project	job no.	20001
A	Original drawing	24/09/2022	CJS	CONOR SMITH	419 SHAKESPEARE STREET, WEST MACKAY, QLD 4740	drawing no.	A07
	WINDOWS AMENDED	19/07/2023	CJS			rev	A
						scale	1:100

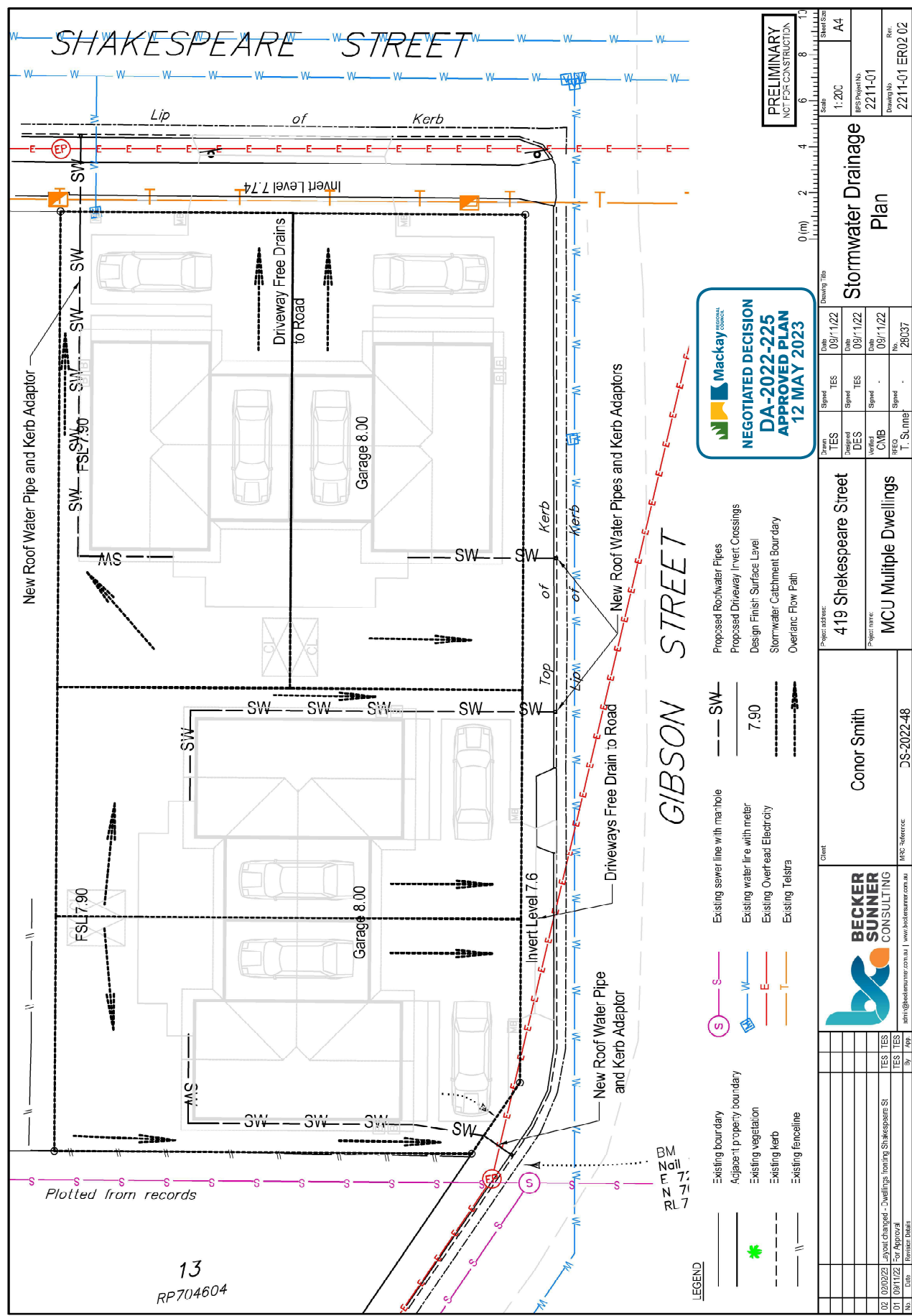


client	CONOR SMITH		
project	419 SHAKESPEARE STREET, WEST MACKAY QLD 4740	job no.	20/001
drawing	EAST AND SOUTH ELEVATIONS DWELLINGS 3 AND 4	drawing no.	A08
		rev	A
		scale	1:100

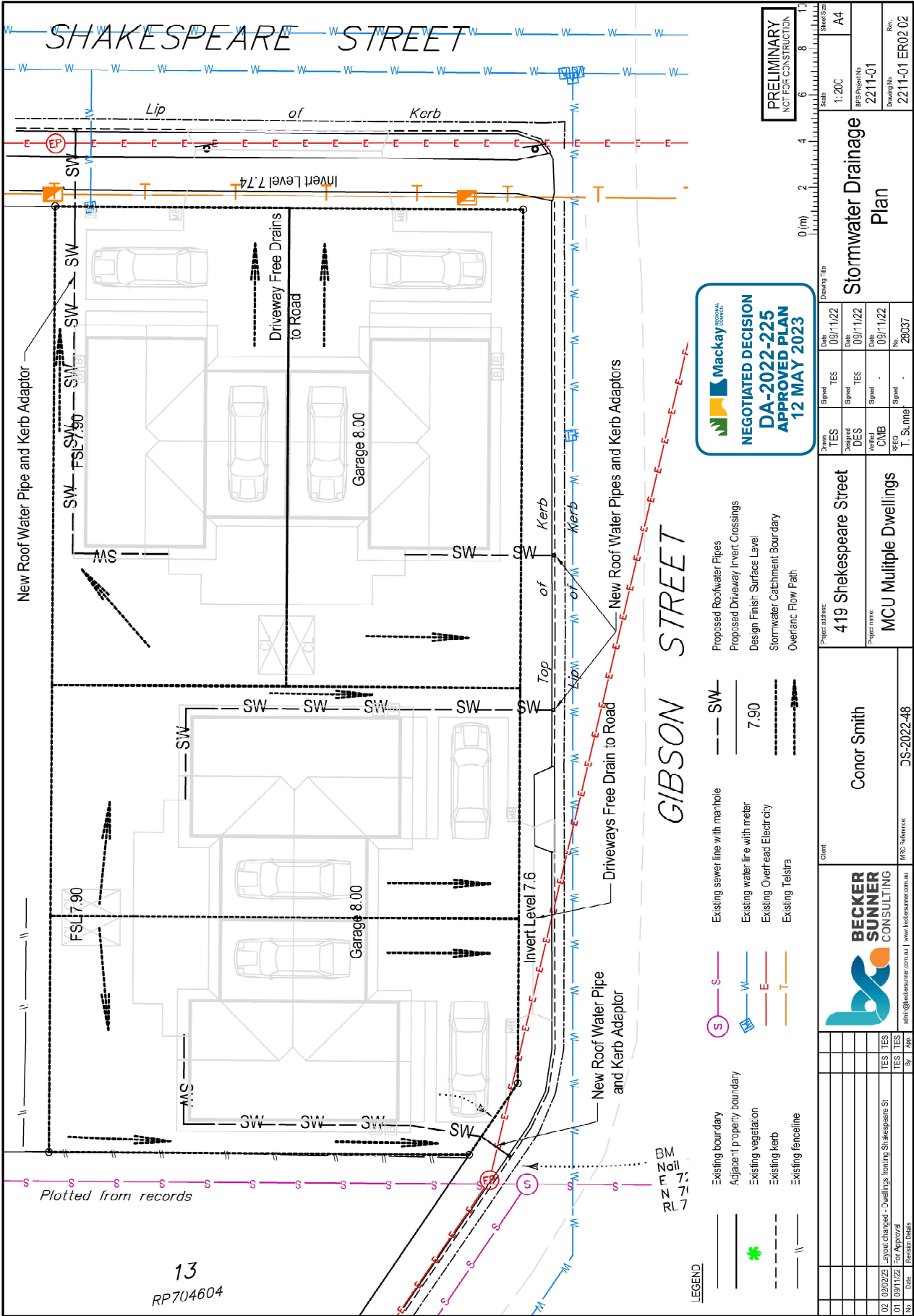


Revision	Description	date	checked by
-	Original drawing	24/08/2022	CJS
A	DWELLINGS 1 AND 2 ROTATED	18/01/2023	CJS
B	DWELLING 1 FIRST FLOOR AMENDED	24/04/2023	CJS

client	CONOR SMITH	job no.	201001
project	419 SHAKESPEARE STREET, WEST MACKAY, QLD 4740	drawing no.	A09
drawing	STREET ELEVATIONS	rev	B
		scale	1:100







11.4.2. FACILITATING DEVELOPMENT IN THE MACKAY REGION POLICY - MATERIAL CHANGE OF USE FOR MULTIPLE DWELLINGS - 7 ENGLISH STREET, SOUTH 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. 7 English Street - Site Plans [11.4.2.1 - 5 pages]

Purpose

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

Related Parties

- Horizon Property Alliance
- Jewell Planning Consultants
- The Design House NQ

Corporate Plan Linkage

Invest and Work

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

Region of Choice - We are recognised as Australia's best region for attracting, retaining, and developing a skilled workforce.

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 Horizon Property Alliance is located at 7 English Street, South Mackay (Lot 7 on RP706909). The proposed development (DA-2023-99) will be delivered over two-stages with Stage 1 incorporating a Material Change of Use Development Permit for Multiple Dwellings (two x dual occupancy units), and Stage 2 requiring a Reconfiguration of a Lot. Only Stage 1 of the development application is being considered under this Facilitating Development application as reconfigurations are not eligible under the policy.

Four new units will be purpose-built to cater exclusively for NDIS supported disabled persons. The development will provide specialist disability accommodation (SDA) for people requiring higher independent living needs.

The subject site has a total area of approx. 1,052m² and is situated within the South Mackay residential area. It is in proximity to the CBD, health care and other services such as primary schools, high schools, community centres and commercial and retail centres.

The development is estimated to cost approximately \$2M to construct resulting in a \$4.119M economic impact. The project is scheduled to commence construction in late in January 2024 and should be completed by December 2024.

Incentive Requests

The applicant submitted an Expression of Interest under the Facilitating Development in the Mackay Region Policy (Policy) on 11 July 2023, and the subsequent Stage 2 Application was received on 3 October 2023. The applicant is seeking concessions under Schedule 7 Housing Diversity which supports Material Change of Use development for Multiple Dwellings.

The following concessions have been requested:

- a. 100% concession on infrastructure charges:
 - o Infrastructure Charges = \$56,135.50
 - o Requested concession = \$56,135.50
 - o Charges payable = NIL

Under Schedule 7 Housing Diversity of the current Policy (April 2023), infrastructure charges may be reduced by up to 100% based on the net charge amount identified on the Infrastructure Charges Notice and after the application of any offsets, up to a maximum concession value of \$500,000.

The maximum concession value will include any previous stages of the development, or other development of the site, that has been previously approved under the policy.

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 as follows:

Criteria	Eligibility
Timing of development Lots are registered within 2 years.	Commencement of construction – January 2024 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-2023-99.

Specific Eligibility Criteria

Based on information provided by the applicant, the proposal satisfies the requirements under Eligibility Criteria in Schedule 7 Housing Diversity of the Policy:

Criteria	Eligibility
Economic Investment	<ul style="list-style-type: none">• Estimated construction cost of development is \$2M.• Estimated total capital investment of \$2.5M

Minimum capital investment in the development is equal to or greater than \$100,000 under Schedule 7 Housing Diversity.	<ul style="list-style-type: none"> Based on Council's economic modelling, a direct injection of \$2M (construction costs) will result in combined supply chain and consumption effects of \$2.12M, totalling \$4.12M 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 two direct jobs, and a further six indirect jobs during construction, resulting in the creation of eight jobs in total. The applicant has committed to utilising local contractors and suppliers during construction of the development.
Applicable Area	The subject site is identified within the Medium-Density Residential zone.
Applicable Land Uses The Policy applies to material change of use (MCU) for applicable land uses in Schedule 7 Housing Diversity (Refer to the table in the Policy).	The development application applies to a Material Change of Use – Development Permit Multiple Dwellings (4 Units) which is consistent with land uses identified in Schedule 7 Housing Diversity.

Business and Regional Benefits

The applicant proposes that the development will deliver the following benefits to the Mackay region's economy:

- The development will provide new specialist disability accommodation in Mackay for up to four NDIS supported individuals.
- The accommodation will support independent living for persons with disabilities, providing a safe and comfortable living environment.
- Additional residential product is required in Mackay to accommodate current demand and future population growth.
- The subject site is situated within the South Mackay residential area and in close proximity to the CBD, health care and other services such as primary schools, high schools, community centres, and commercial and retail centres.

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 Planning, Growth & Sustainability 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 \$56,135.50 (+ annual adjustments).

Gross Infrastructure Charge (IC)	Credit Unit (Residential dwellings)	Net Infrastructure Charge (IC minus Credit)	Concession (%)	Concession (\$)	Charges Payable
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\$86,362.00	\$30,266.70	\$56,135.50	100%	\$56,135.50	Nil
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Please note: Under the Stage 2 part of this development application (DA-2023-99), a Net Levied Charge Amount of \$4,318.10 will be payable for Reconfiguring a Lot, which is not covered under the Policy.

Under Schedule 7 Housing Diversity (Multiple Dwellings), infrastructure charges may be reduced up to 100% 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 \$500,000.

It is proposed that infrastructure charge concessions only be applied to the net charge amount 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.

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;
- 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 7 of the Policy. Provision of concessions will facilitate the delivery of the project, resulting in jobs during construction, increased economic output, and new diverse housing stock for the region.

Officer's Recommendation

THAT the following Specific Incentive is approved under the Facilitating Development in the Mackay Region Policy for the proposed development by Horizon Property Alliance, 7 English Street, South Mackay (Lot 7 on RP706909):

- a. Concessions of 100% (estimated at \$56,135.50) apply on the net charge amount on the Infrastructure Charge Notice (calculated following annual adjustments, and subtraction of any offsets and credits) for the Material Change of Use – Development Permit for Multiple Dwellings (2 x dual occupancy) component of DA-2023-99;

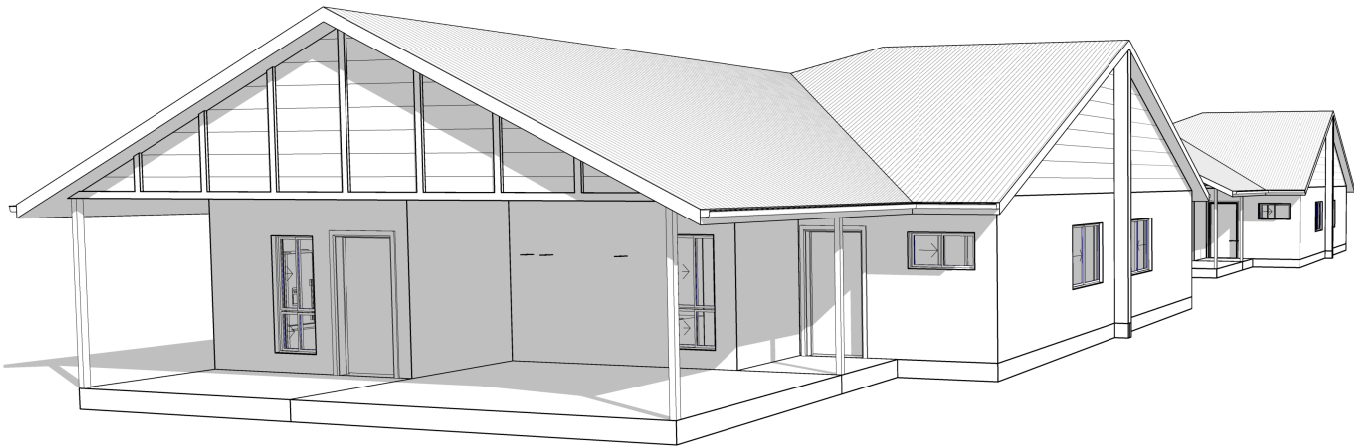
AND THAT the approval of concessions is dependent on:

- b. The development must be completed and use commenced by 22 November 2025;

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

PROPOSED DUPLEX
HORIZON PROPERTY
7 ENGLISH STREET, MACKAY

SHEET LIST			
SHEET No.	SHEET NAME	Revision	REV. ISSUE DATE
01	COVER PAGE	3	29.05.23
02	SITE PLAN	3	29.05.23
03	FLOOR PLAN	3	29.05.23
04	ELEVATIONS	3	29.05.23
05	ELEVATIONS	3	29.05.23



The
Design
House^{NO}

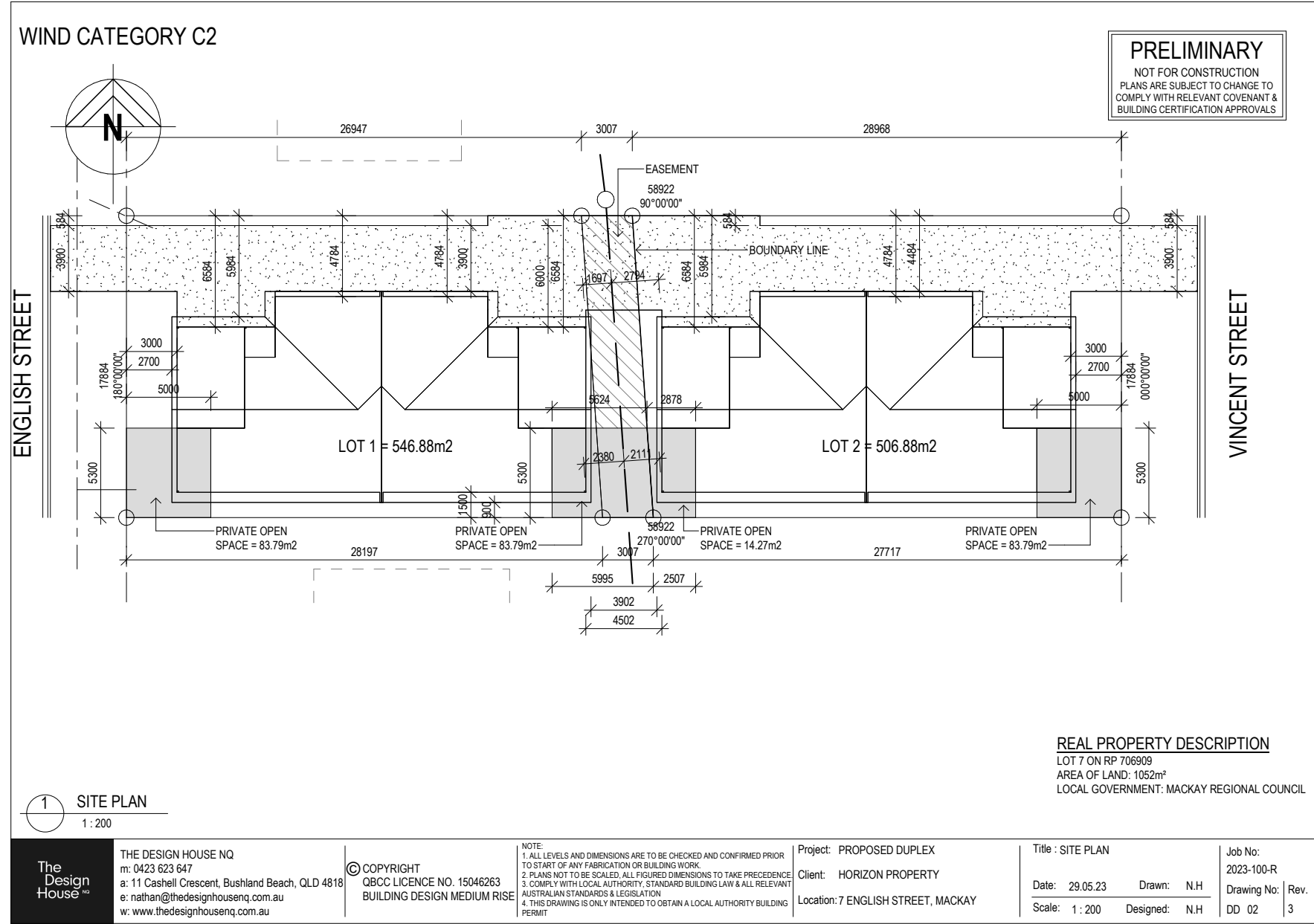
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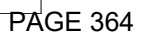
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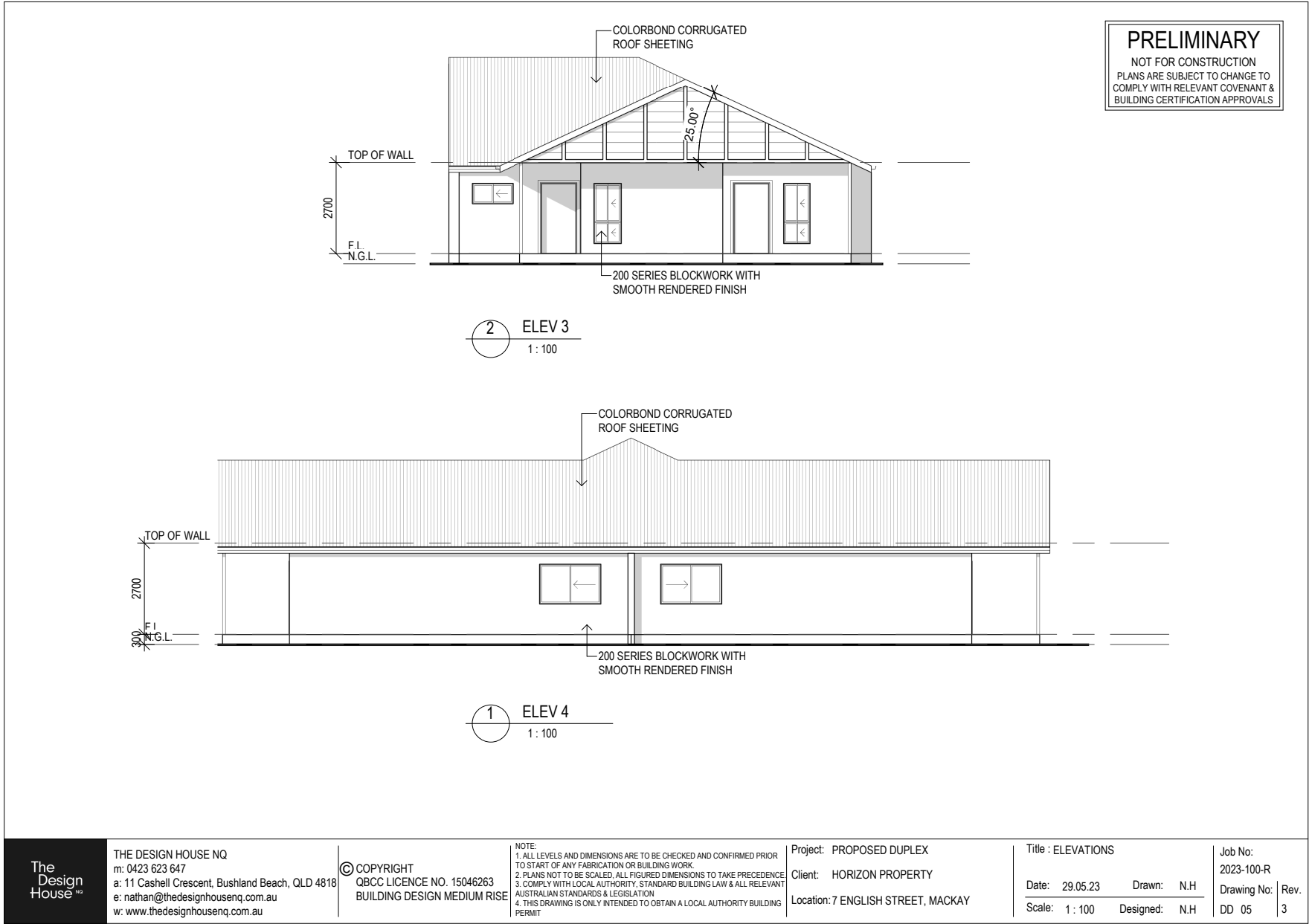
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11.4.3. DECIDE TO MAKE AND PREPARE TLPI 01/2023 (FINCH HATTON FLOOD HAZARD REGULATION)

Author	Principal Planner (Andrew Schembri)
Responsible Officer	Director Planning, Growth & Sustainability (Aletta Nugent)
File Reference	SPRP-076

Attachments

1. Proposed TLPI 01-2023 - Finch Hatton Flood Hazard Regulation [**11.4.3.1** - 20 pages]

Purpose

The purpose of this report is for Council to:

- (a) decide to make a proposed Temporary Local Planning Instrument (TLPI) in accordance with section 23(1) of the *Planning Act 2016* (the Act) and using the process under Chapter 3, Part 2, section 7.1 of the *Minister's Guidelines and Rules under the Planning Act 2016 – version 2.0* (MGR),
- (b) receive and note the proposed TLPI 01/2023 (Finch Hatton Flood Hazard Regulation) prepared in accordance with Chapter 3 Part 2, section 7.2 of the MGR,
- (c) authorise the submission of the proposed TLPI 01/2023 (Finch Hatton Flood Hazard Regulation) to the Minister for State Development, Infrastructure, Local Government and Planning (the Minister) in accordance with Chapter 3, Part 2, section 8.1 of the MGR, and
- (d) delegate authority to the Chief Executive Officer to decide to adopt TLPI 01/2023 (Finch Hatton Flood Hazard Regulation) in accordance with Chapter 3, Part 2, section 9.1 of the MGR, if the Minister for State Development, Infrastructure, Local Government and Planning gives a notice approving the making of the TLPI under Chapter 3, Part 2, section 8.4 of the MGR.

Related Parties

- Property owners within the mapped area identified in the proposed TLPI
- Department of State Development, Infrastructure, Local Government and Planning (the Department)
- Department of Regional Development, Manufacturing and Water

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.

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

Background/Discussion

Following the Ordinary meeting of 27 April 2022, Council commenced the proposed major amendment to the Mackay Region Planning Scheme (planning scheme) in relation to the Finch Hatton and Eungella townships. As part of the State Interest Review phase of this amendment process, the Department identified concerns relating to flood hazard, specifically the identification of flood hazards in Finch Hatton for development and sought the

inclusion of flood hazard regulation for the Finch Hatton area as a priority.

Council was briefed on 25 October 2023 on options to progress the proposed amendment in consideration of State interest feedback. The outcome of the briefing was to modify the proposed amendment in response to the flood hazard and to make and prepare a TLPI. The TLPI puts in place Flood hazard regulation (provisions) and overlay mapping (identified by a previous flood study by WRM Water & Environment that was updated in 2023) as an interim measure while a new flood study for Finch Hatton is undertaken. The new flood study is budgeted for in the 2023/24 financial year and will provide a more comprehensive study of the affected catchment. The mapping identified by the new study will ultimately be incorporated into the planning scheme as a Minor amendment (separate amendment process), replacing (repealing) the mapping identified by the proposed TLPI.

The proposed TLPI will introduce flood hazard regulation and mapping, including relevant categories of development (levels of assessment) and assessment (new code with development requirements). The flood hazard overlay code in the proposed TLPI will regulate development locating in flood hazard areas as shown in mapping forming part of the TLPI.

Once Council decides to make a TLPI, the proposed instrument, including supporting documents, will be submitted to the Minister for consideration. The Minister then has up to 20 business days to give Council a notice stating if the proposed TLPI is approved or not approved. Part of the Minister’s consideration is to decide if the proposed TLPI satisfies section 23(1) of the Act. The TLPI process under the MGR does not include a formal state interest review step and therefore the TLPI process has no opportunity for change to be made or directed to the document once the process is started.

The following table demonstrates how the proposed TLPI satisfies the criteria of section 23(1) of the Act.

A local government may make a TLPI if the local government and Minister decide—	
(a) there is significant risk of serious adverse cultural, economic, environmental or social conditions happening in the local government area	<p>A significant flood hazard risk exists in the Finch Hatton community, and this represents significant risk of serious economic, environmental and social conditions in Finch Hatton due to the potential loss of life or property during flood events. This risk has previously been low due to low expected levels of development in Finch Hatton. However, this risk is increasing due to the establishment of the mountain bike trails (under construction, with stage 1 trails anticipated to be operational in December 2023) and an increased level of development interest (enquiries and applications) in the local area as a result of the trails.</p> <p>This increase in activity requires an interim policy response to ensure development is appropriately regulated and managed in the flood hazard area surrounding the Finch Hatton township, until a new flood study is completed and the associated flood hazard mapping (from the new study) and associated assessment benchmarks are incorporated into the planning scheme. These actions will occur during the life of the TLPI.</p>

(b) the delay involved in using the process in sections 18 to 22 to make or amend another local planning instrument would increase the risk	<p>The TLPI process in this instance is shorter and quicker than other amendment processes (like a minor amendment process) in addressing the immediate risk (i.e. having flood hazard regulation and mapping in place) in the interim period whilst a new flood study for Finch Hatton is being prepared.</p> <p>It is estimated that a TLPI could be in place by December 2023 or January 2024 (at the latest). Should a minor amendment process be considered as an alternative process, it will delay the flood hazard mapping by four to five months due to additional Council and community consultation required to satisfy the eligibility criteria for a minor amendment as per Schedule 1 of the MGR, as the WRM (2013) flood study needs to be formally accepted by Council. This delay is not recommended given the increasing development interest in the area as a result of the mountain bike trails.</p>
(c) the making of the TLPI would not adversely affect State interests	<p>The TLPI introduces flood hazard regulation and mapping to address the requirements of the State Planning Policy (SPP) to identify flood hazards and risk. Therefore, the TLPI does not adversely affect State interests.</p>

If the Minister decides to approve the proposed TLPI, Council then must decide to adopt or not proceed with the proposed TLPI. This step is proposed to be undertaken under delegated authority as the TLPI process under the MGR will not significantly change the content of the document. If adopted, the TLPI will take effect as per the effective day identified on the Public Notice. Once the TLPI is effective, it will be in place for a maximum of two years, unless it is repealed earlier. A TLPI cannot be extended beyond two years.

Consultation and Communication

Council was provided a briefing on 25 October 2023 in relation to the TLPI process and options to progress the proposed amendment in identifying and regulating flood hazards relating to Finch Hatton.

Based on the State interest review of proposed Major amendment 3, council officers prepared a draft TLPI and provided it to the Department for comment. The Department conducted a pre-lodgement review of the proposed TLPI document and Council's response to the TLPI eligibility criteria under section 23(1) of the Act. The Department is strongly encouraging Council in making a TLPI to address flood hazard and risk in Finch Hatton and provided further advice on the document to improve alignment with the SPP.

The proposed TLPI was distributed to internal stakeholders for a preliminary review. No concerns were raised through the internal review process.

There is no statutory period of public consultation required for a TLPI under the MGR. Despite this, the proposed TLPI will be communicated to the Finch Hatton community via the following methods and actions:

- letter to be sent to property owners affected by the flood hazard mapping
- the proposed TLPI will be published on Council's website during the Minister's consideration period
- community information session to be held in Finch Hatton
- dedicated webpage established on Council's Connecting Mackay website providing information on the proposed TLPI
- communications may be sent via channels established by the mountain bike project
- the community will be able to make enquiries about the proposed TLPI.

The above actions will be implemented after this Ordinary meeting (if resolutions are made) and consultation on the proposed TLPI will occur prior to the adoption and commencement of the TLPI.

Further, public engagement on the Finch Hatton flood study is underway, where the Finch Hatton community has further opportunities to provide local knowledge and information on flooding to better inform the new study and proposed major amendment.

Resource Implications

The process of making the TLPI will be managed by Strategic Planning. Resources required will be funded from the current operational budget.

Risk Management Implications

The risk of not proceeding to decide to make a TLPI will:

- result in Council not identifying and addressing an immediate natural hazard risk as required by the SPP,
- impede the ability of the planning scheme to reduce a material risk of serious harm to persons or property from natural events or processes (in this instance flood hazard),
- impede the ability of investors or future property owners to undertake due diligence on a property potentially affected by a flood hazard,
- continue to have more onerous and cost prohibitive requirements for developers or landowners needing to carry out their own flood study to determine the acceptable, tolerable or intolerable flood risk on the site – which has been determined by the flood study mentioned in this report,
- potentially result in the Minister taking action to make the TLPI to address the immediate natural hazard risk, and
- have consequential issues for the proposed major amendment 3, being that it would likely further delay the proposed amendment.

Conclusion

Council is undertaking a proposed major amendment to the planning scheme in relation to the Finch Hatton and Eungella townships. During the State Interest Review of this amendment process, concerns relating to flood hazards, specifically the identification and regulation of flood hazards in Finch Hatton, were identified. Council's response in this regard is to establish a TLPI to put in place Flood hazard overlay regulation and mapping (identified by an existing flood study by WRM, updated in 2023) as a temporary measure while a new flood study for Finch Hatton is being prepared during the 2023/24 financial year.

It is recommended that Council make the TLPI 01/2023 (Finch Hatton Flood Regulation) and submit the required documentation to the Minister for consideration and approval.

Officer's Recommendation

THAT Council:

- decides to make a proposed Temporary Local Planning Instrument (TLPI) in accordance with section 23(1) of the *Planning Act 2016* and the TLPI process under Chapter 3, Part 2, section 7.1 of the Minister's Guidelines and Rules (MGR) under the *Planning Act 2016* – version 2.0, and
- notes the proposed TLPI 01/2023 (Finch Hatton Flood Hazard Regulation), prepared in accordance with Chapter 3, Part 2, section 7.2 of the MGR, and
- authorises the submission of proposed TLPI 01/2023 (Finch Hatton Flood Hazard Regulation) to the Minister for State Development, Infrastructure, Local Government and Planning in accordance with Chapter 3, Part 2, section 8.1 of the MGR, and
- delegates authority to the Chief Executive Officer to decide to adopt TLPI 01/2023 (Finch Hatton Flood Hazard Regulation) in accordance with Chapter 3, Part 2, section 9.1 of the MGR, if the Minister for State Development, Infrastructure, Local Government and Planning gives a notice approving the making of the TLPI under Chapter 3, Part 2, section 8.4 of the MGR.



Temporary Local Planning Instrument 01/2023
Finch Hatton Flood Hazard Regulation

DRAFT

Contents

Part 1 Preliminary	3
1.1 Short Title	3
1.2 Purpose	3
1.3 Commencement and duration of this TLPI	3
1.4 Application	3
1.5 Relationship with the Mackay Region Planning Scheme 2017	3
1.6 Relationship with the <i>Building Regulation 2006</i>	3
1.7 Terms and definitions	4
1.8 Implementation and effect	4
Part 2 Schedules	5
Schedule 1 – Categories of development and assessment	5
2.1.1 Categories of development and assessment for the Flood hazard overlay (Finch Hatton)	5
2.1.2 Assessment benchmarks for development within the Flood hazard overlay (Finch Hatton)	5
Schedule 2 – Flood hazard overlay (Finch Hatton) code	7
2.2.1 Application	7
2.2.2 Purpose	7
2.2.3 Compliance with the Flood hazard overlay (Finch Hatton) code	8
2.2.4 Assessment benchmarks and requirements	9
Schedule 3 – Mapping	14
1. Flood hazard overlay (Finch Hatton)	14

This is to certify that this is a true and correct copy of Temporary Local Planning Instrument 01/2023 (Finch Hatton Flood Hazard Regulation) adopted on XXXX and commenced on XXXX

Scott Owen

Chief Executive Officer

Part 1 Preliminary

1.1 Short Title

This Temporary Local Planning Instrument (TLPI) may be cited as *Temporary Local Planning Instrument 01/2023 – Finch Hatton Flood Hazard Regulation*.

1.2 Purpose

The purpose of this TLPI is to:

- (a) provide flood hazard regulation based on the identified Flood hazard overlay (Finch Hatton) in Schedule 3, and
- (b) to protect life and property by ensuring development appropriately responds to, or is avoided in response to, high flood hazard areas.

To achieve this purpose, the TLPI:

- (a) identifies flood hazard overlay mapping, including high flood hazard area, over the area identified in Schedule 3, and
- (b) applies categories of development and assessment for development listed in Schedule 1 and the area mapped as Flood hazard overlay (Finch Hatton) in Schedule 3, and
- (c) includes assessment benchmarks relating to the flood hazard, including the high flood hazard area, in Schedule 2.

1.3 Commencement and duration of this TLPI

This TLPI commences on XX Month 20XX.

This TLPI has effect for a period of 2 years from the date of commencement, unless repealed by Council resolution in accordance with section 23 of the *Planning Act 2016*.

1.4 Application

This TLPI applies to the mapped flood hazard areas identified in Schedule 3, which are located in the Mackay Regional Council local government area.

This TLPI affects the operation of the Mackay Region Planning Scheme 2017.

This TLPI applies to development on land partially or wholly within the Flood hazard overlay (Finch Hatton) identified in Schedule 3.

1.5 Relationship with the Mackay Region Planning Scheme 2017

If the Mackay Region Planning Scheme 2017, to which this TLPI applies, is inconsistent with this TLPI, the TLPI prevails to the extent of any inconsistency.

1.6 Relationship with the *Building Regulation 2021*

For the purposes of Part 3, Section 8, Items 1(a) and 1(b) of the *Building Regulation 2021*:

- (a) land identified in the 1% Annual Exceedance Probability (AEP) and 0.2% AEP flood events plus climate change factor category of the Flood hazard overlay (Finch Hatton) identified in this TLPI is designated as a Flood Hazard Area;
- (b) the defined flood event is the water surface elevation associated with the 1% AEP flood event plus climate change factor category of the Flood hazard overlay (Finch Hatton); and
- (c) this TLPI provides for finished floor levels of habitable rooms to be 300mm above the defined flood level.

1.7 Terms and definitions

A term used in this TLPI has the meaning assigned to that term by the following:

- (a) *Planning Act 2016*;
- (b) *Planning Regulation 2017*; or
- (c) Mackay Region Planning Scheme 2017 – Schedule 1 Definitions.

In the event that a term has been assigned a meaning in more than one of the instruments listed above, the meaning contained in the instrument that is highest on the list prevails.

In addition, the administrative terms in Table 1.1 have meaning in this TLPI:

Table 1.7.1 – Administrative terms relevant to this TLPI

Column 1 Term	Column 2 Definition
Critical infrastructure	critical infrastructure means any of the following uses: (a) major electricity infrastructure; or (b) renewable energy facility; or (c) substation; or (d) telecommunications facility; or (e) utility installation.
Essential community services	essential community services means any of the following uses: (a) air service; or (b) community use; or (c) emergency services; or (d) hospital, including supporting health care service.
High flood hazard area	high flood hazard area means the area on the Flood hazard overlay map (Finch Hatton) in Schedule 3 identified as having a high flood hazard. Development of land in this area may pose intolerable risks to life and property during a defined flood event.

1.8 Implementation and effect

This TLPI affects the operation of the Mackay Region Planning Scheme 2017 by introducing Flood hazard overlay (Finch Hatton) maps FH - TLPI - 1, FH - TLPI - 2, FH - TLPI - 3 and FH - TLPI - 4 over the Finch Hatton area (see Schedule 3).

The provisions in Parts 1 and 2 of this TLPI apply to the Mackay Region Planning Scheme 2017.

This TLPI designates the flood hazard area and the DFE for the purposes of the National Construction Code and the Queensland Development Code.

Part 2 Schedules

Schedule 1 – Categories of development and assessment

2.1.1 Categories of development and assessment for the Flood hazard overlay (Finch Hatton)

- (1) The categories of development and assessment for development within the Flood hazard overlay (Finch Hatton) map in Schedule 3, are identified in Column 2 of Table 2.1.1.1.
- (2) If development is identified as having a different category of development or category of assessment than under Table 2.1.1 below, the highest level of assessment applies as follows:
 - (a) Accepted development subject to requirements prevails over Accepted development;
 - (b) Code assessment prevails over Accepted development subject to requirements and Accepted development; and
 - (c) Impact assessment prevails over Code assessment, Accepted development subject to requirements and Accepted development.

2.1.2 Assessment benchmarks for development within the Flood hazard overlay (Finch Hatton)

- (1) The relevant assessment benchmarks for development within the Flood hazard overlay (Finch Hatton) in Schedule 3 are identified in Column 3 of Table 2.1.1.1 – Flood hazard overlay (Finch Hatton).

Table 2.1.1.1 – Flood hazard overlay (Finch Hatton)

Column 1 Development	Column 2 Categories of development and assessment	Column 3 Assessment benchmarks for assessable development and requirements for accepted development
Development in the High flood hazard area		
Material change of use for the following uses where locating within the footprint of an existing non-residential building and not involving an increase in gross floor area: <ul style="list-style-type: none"> • Bar • Food and drink outlet • Health care services • Office • Service industry, involving bicycle repairs • Shop • Theatre 	Accepted development	No assessment benchmarks
Material change of use for all uses, except for: <ul style="list-style-type: none"> • uses identified as accepted development in this section • Animal husbandry • Cropping • Environment facility • Park 	Code assessment	Flood hazard overlay (Finch Hatton) code (TLPI 01/2023)
Operational work involving filling where net fill exceeds 50m ³	Code assessment	Flood hazard overlay (Finch Hatton) code (TLPI 01/2023)

Column 1 Development	Column 2 Categories of development and assessment	Column 3 Assessment benchmarks for assessable development and requirements for accepted development
Reconfiguring a lot	Code assessment	Flood hazard overlay (Finch Hatton) code (TLPI 01/2023)
Development in the 1% AEP or 0.2% AEP flood hazard areas outside of the High flood hazard area		
Material change of use for: <ul style="list-style-type: none"> Dual occupancy Dwelling house Dwelling unit 	Accepted development subject to requirements	Flood hazard overlay (Finch Hatton) code (TLPI 01/2023)
Material change of use for non-habitable domestic outbuilding associated with dual occupancy or dwelling house	Accepted development	No assessment benchmarks
Material change of use for: <ul style="list-style-type: none"> Critical infrastructure Essential community services Vulnerable uses 	Code assessment	Flood hazard overlay (Finch Hatton) code (TLPI 01/2023)
Material change of use for all other circumstances, except for: <ul style="list-style-type: none"> Animal husbandry Cropping Cemetery Environment facility Home-based business Market Nature-based tourism if for self-contained recreational vehicle ground Park Permanent plantation Roadside stall Tourist park, if for self-contained recreational vehicle ground Non-residential uses locating within an existing building previously occupied by a non-residential use 	Code assessment	Flood hazard overlay (Finch Hatton) code (TLPI 01/2023)
OW involving filling where: <ul style="list-style-type: none"> outside of the building envelope of a proposed building; net fill exceeds 50m³ 	Code assessment	Flood hazard overlay (Finch Hatton) code (TLPI 01/2023)
Reconfiguring a lot	Code assessment	Flood hazard overlay (Finch Hatton) code (TLPI 01/2023)

Schedule 2 – Flood hazard overlay (Finch Hatton) code

2.2.1 Application

This code applies to Assessable development involving land wholly or partially within the area identified as Flood hazard overlay (Finch Hatton) in Schedule 3.

Note – Pursuant to section 32(a) of the *Building Act 1975* and section 8 of the *Building Regulation 2021*, land identified as areas affected by 1% AEP and 0.2% AEP flood events on the Flood Hazard Overlay (Finch Hatton) Maps FH - TLPI - 1, FH - TLPI - 2, FH - TLPI - 3 and FH - TLPI - 4 in Schedule 3, is designated as a "Flood hazard area".

Note – The Flood hazard overlay is only one response to flooding. Strategic planning, education, disaster management, flood emergency management and mitigation or protection works are also important.

2.2.2 Purpose

- (1) The purpose of the code is to ensure that development in the flood hazard area at Finch Hatton, that is subject to inundation in defined flood events, is planned, designed, constructed and operated to:
 - (a) protect life and property; and
 - (b) ensure development does not result in an intolerable flood risk to people, property, infrastructure or the environment; and
 - (c) not impede or burden disaster management responses and recovery; and
 - (d) limit the exposure of vulnerable uses where risk levels cannot be mitigated to an acceptable level; and
 - (e) ensure that works to mitigate the risk from flood hazard occur in a way that protects, maintains and improves the protective function of landforms, vegetation, biodiversity and natural processes in managing the effects of flooding.
- (2) The purpose of this code will be achieved through the following overall outcomes:
 - (a) Buildings, structures and on-site utilities in the flood hazard area:
 - (i) are located, designed and constructed to be resilient to flood hazards up to and including the defined flood event; and
 - (ii) minimise the impacts of flooding on the assets' life including preventing and withstanding the effects of floodwater inundation; and
 - (iii) minimise environmental impacts from on-site utilities; and
 - (b) the natural floodplain function (conveyance and storage) is protected and improved by ensuring that development:
 - (i) does not adversely affect the hydraulic function of flood conveyance and capacity of waterways or overland flow paths; and
 - (ii) maintains flood storage; and
 - (iii) does not, directly or cumulatively, cause or increase adverse impacts on other properties or land upstream, downstream or adjacent sites within the floodplain from flooding; and
 - (c) development occurs in a way that:
 - (i) maintains or improves the protective function of landforms, vegetation, biodiversity, natural processes and natural land contours, where possible; and
 - (ii) protects and improves vegetation, riparian corridors and overland flow paths; and
 - (d) public safety and the environment are not adversely affected by the inappropriate storage or handling of hazardous materials; and
 - (e) development does not result in the undue burden on disaster management responses and recovery capacity and capability; and

- (f) in the High flood hazard area:
 - (i) the following development avoids locating in the hazard area:
 - (A) essential community services that are relied upon by residents and visitors to service the community during and after a flood event; and
 - (B) intensive rural activities (defined activity group), including activities that involve the keeping of animals; and
 - (C) uses that increase the number of people residing in High flood hazard areas, including:
 - accommodation activities – hotel involving accommodation, nature based tourism, resort complex, short-term accommodation and tourist park; and
 - residential activities – caretaker's accommodation, dwelling house, dwelling unit, multiple dwelling activities (defined activity group), non-resident workforce accommodation; and
 - (D) uses that store hazardous materials; and
 - (E) vulnerable uses; and
 - (ii) non-residential development not mentioned in (2)(f)(i) avoids locating in the hazard area, or where avoidance is not reasonably practicable, ensure development mitigates the risk from flood hazard to people and property to an acceptable level; and
- (g) critical infrastructure avoids locating in the High flood hazard area and only locates in lower flood risk areas to ensure these uses remain operational and accessible to serve the community needs during and immediately after a flood event.
- (h) development involving reconfiguring a lot:
 - (i) avoids High flood hazard areas; or
 - (ii) in all other flood hazard areas outside of the High flood hazard area:
 - (A) minimises the exposure of people and property to an intolerable level; and
 - (B) facilitates safe and efficient evacuation.

Note – A study must be conducted to determine the DFE and the flood hazard risk in the Flood investigation area. The sections of this code relevant to the flood hazard risk (i.e. High flood hazard area or a lower hazard area) must be followed.

Note – Any engineering design solution is to be:

- supported by a report identifying the flood risk hazard and the structural approach to be used; and
- certified by RPEQ.

2.2.3 Compliance with the Flood hazard overlay (Finch Hatton) code

Development that complies with the purpose of the code, complies with the code.

Development that complies with the performance outcomes or acceptable outcomes of the code, complies with the purpose of the code.

2.2.4 Assessment benchmarks and requirements

Part A – Benchmarks for assessable development and requirements for accepted development

Table 2.2.4.1 – Flood hazards overlay (Finch Hatton) – assessable development

Performance outcomes	Acceptable outcomes
For accepted development subject to requirements	
Dual occupancy, dwelling house or dwelling unit located in 1% AEP or 0.2% AEP flood hazard areas outside of the High flood hazard area	
PO1 Habitable rooms and utilities associated with dual occupancy, dwelling house and dwelling unit have acceptable levels of flood immunity.	AO1.1 The minimum floor level for habitable rooms (new buildings and extensions to existing buildings) in dual occupancy, dwelling house and dwelling unit is the highest of the following: <ul style="list-style-type: none"> (a) 300mm above the DFE¹ flood level; or (b) 225mm above natural ground level; or (c) 300mm above the greater of top of the kerb level or the crown of the adjacent bitumen road.
	AO1.2 Utilities on the premises (e.g. on-site sewerage treatment systems, electrical supply, telecommunication connections, and water supply) are located above the DFE flood level.
PO2 Development maintains: <ul style="list-style-type: none"> (a) the flood characteristics and storage capacity of the subject site; and (b) a high level of visual amenity as viewed from the street and adjoining and nearby properties. 	AO2.1 Where the minimum floor level prescribed by AO1.1 is more than 1 metre above ground level, freestanding structures on poles are provided rather than 'slab on ground' construction and/or filling under the building footprint ² .
	AO2.2 Development does not involve: <ul style="list-style-type: none"> (a) any physical alteration of a watercourse; and (b) net filling exceeding 50 cubic metres.

¹ "DFE" – defined flood event – is the 1% AEP flood event plus climate change factor. The DFE is derived from the WRM 2013 (2023 update) flood study.

² The building footprint is the actual area at natural ground level covered by the building or buildings.

Performance outcomes	Acceptable outcomes
For assessable development	
Resilient built form	
PO3 Buildings, structures and on-site utilities are located, designed and constructed to: <ul style="list-style-type: none"> (a) be resilient to flood risks up to and including the DFE; and (b) minimise the impacts of flooding on the asset's life including preventing and withstanding the effects of floodwater inundation; and (c) minimise environmental impacts from on-site utilities. 	AO3.1 Buildings in the flood hazard area, including residential and non-residential buildings (except for Class 10 structures), provide a finished floor level that is the highest of the following: <ul style="list-style-type: none"> (a) 300mm above the DFE flood level; or (b) 225mm above natural ground level; or (c) 300mm above the greater of top of the kerb level or the crown of the adjacent bitumen road.
	AO3.2 The understorey area of a building below the finished floor level is left open to allow the free flow and inundation of flood water.
	AO3.3 Utilities on the premises (e.g. on-site sewerage treatment systems, electrical supply, telecommunication connections, and water supply) are: <ul style="list-style-type: none"> (a) located outside of or above the DFE; or (b) sealed to prevent water intrusion.
Building height	
PO4 Buildings in flood hazard areas: <ul style="list-style-type: none"> (a) utilise a usable extent of building height above flood levels; and (b) integrate with the built form character of the surrounding area; and (c) does not form overdevelopment of the site. 	AO4 Building height above ground level in flood hazard area does not exceed the maximum building height set by the relevant zone code plus the DFE flood level.

Performance outcomes	Acceptable outcomes
Floodplain function (flood conveyance and storage)	
PO5 The natural floodplain function (conveyance and storage) is protected and improved by ensuring that development, including excavating or filling, does not, directly or cumulatively, cause or increase adverse impacts on other properties or land upstream, downstream or adjacent sites within the floodplain from flooding.	AO5.1 The ground level of reconfigured lots and development sites: (a) remains unchanged; or (b) maintains net floodplain storage on the subject site and does not worsen flood impacts (depth, duration, direction, velocity, concentration) on surrounding sites. Note – AO5.1 does not apply to filling that is directly associated with (primarily beneath) building work ³ on sites located outside the High flood hazard area.
	AO5.2 Development: (a) does not adversely affect the hydraulic function of flood conveyance and capacity of waterways or overland flow paths; and (b) maintains flood storage; and (c) maintains existing ground levels; and (d) does not increase water flow velocity, levels or runoff volume; and (e) does not reduce flood warning times.
	AO5.3 Flood conveyance or flood function areas may be used for car parking where there is a low degree of flood hazard and vehicles can be readily moved in the event of a flood. Flood awareness signage is provided to parking areas that serve as a flood conveyance or performs a flood function.
Hazardous materials	
PO6 Public safety and the environment are not adversely affected by the detrimental impacts of floodwater on hazardous materials stored in bulk on the premises.	AO6 The storage or handling of hazardous materials: (a) does not occur in a High flood hazard area; or (b) in flood hazard areas outside of the High flood hazard area: (i) is undertaken outside of or a minimum of 300mm above the DFE flood level; or (ii) in buildings or areas that are designed to prevent the intrusion of floodwater.
Disaster management	
PO7 Development does not result in the undue burden on disaster management responses and recovery capacity.	AO7 Development has access to a public road that is safe for vehicles, pedestrian movements and emergency services up to and including the DFE.

³ The building footprint is the actual area at natural ground level covered by the building or buildings.

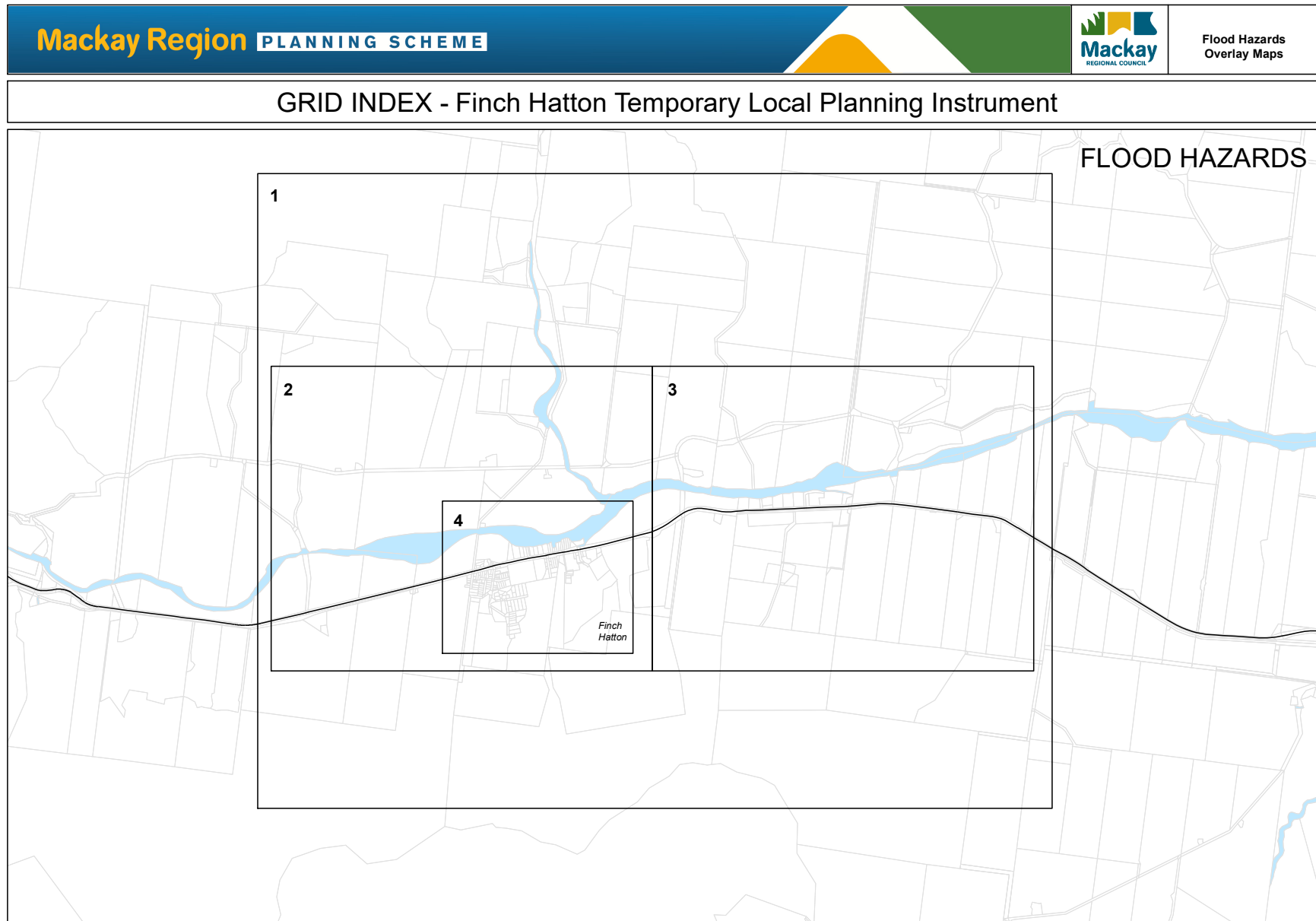
Performance outcomes	Acceptable outcomes
High flood hazard areas	
<p>PO8 Development located in the High flood hazard area does not:</p> <ul style="list-style-type: none"> (a) intensify an intolerable risk through increasing the number people residing in high hazard areas, whether on a permanent, short-term or temporary basis; or (b) involve essential community services or critical infrastructure that is relied upon by residents and visitors to service the community, including during or after a flood event; or (c) involve vulnerable uses; or (d) involve intensive rural activities, including activities that involve the keeping of animals; or (e) store hazardous materials on the premises. 	<p>AO8 The following uses do not locate in the High flood hazard area:</p> <ul style="list-style-type: none"> (a) accommodation associated with a hotel; or (b) any use that involves the storage of hazardous materials; or (c) caretaker's accommodation; or (d) critical infrastructure; or (e) dwelling house; or (f) dwelling unit; or (g) essential community services; or (h) intensive rural activities (defined activity group); or (i) multiple dwelling activities (defined activity group); or (j) nature based tourism, including self-contained RV grounds; or (k) non-resident workforce accommodation (l) relocatable home park; or (m) resort complex; or (n) rural worker's accommodation; or (o) short-term accommodation (p) tourist park, including self-contained RV grounds; or (q) vulnerable uses.
<p>PO9 Non-residential development, whether new or increasing the intensity or scale of existing non-residential development:</p> <ul style="list-style-type: none"> (a) does not locate in the High flood hazard area; or (b) where avoidance is not reasonably practicable, ensure development mitigates the risk from flood hazard to people and property to an acceptable level. <p>Note – PO9 is not applicable to non-residential development mentioned in PO8.</p>	<p>AO9 Non-residential development, whether new or increasing the intensity or scale of existing non-residential development, located within the High flood hazard area is avoided. Where not reasonably practicable to avoid, development demonstrates that:</p> <ul style="list-style-type: none"> (a) all options for avoidance of the area of high flood hazard risk has been exhausted; and (b) development is located on the part of the site which is at the lowest level of risk; and (c) development is designed and constructed to: <ul style="list-style-type: none"> (i) prevent and withstand floodwater inundation; and (ii) not impede the conveyance of flood water; and (d) mitigation to an acceptable risk level is achieved, where the development: <ul style="list-style-type: none"> (i) can be serviced with infrastructure (unaffected by a defined flood event) for the expected life of the asset; and (ii) complies with a site-based flood risk assessment. <p>Note – AO9 is not applicable to non-residential development mentioned in AO8.</p>

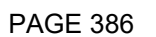
Performance outcomes	Acceptable outcomes
Reconfiguring a lot	
PO10 Development involving reconfiguring a lot: <ul style="list-style-type: none"> (a) avoids High flood hazard areas; or (b) in all other flood hazard areas outside of the High flood hazard area: <ul style="list-style-type: none"> (i) minimises the exposure of people and property to an intolerable level; and (ii) facilitates safe and efficient evacuation. 	AO10.1 Development involving a reconfiguring a lot: <ul style="list-style-type: none"> (a) does not occur in the High flood hazard area; or (b) maintains the number of lots at risk in the High flood hazard area.
	AO10.2 For development located outside of the High flood hazard area, a development envelope is provided as part of a subdivision to: <ul style="list-style-type: none"> (a) ensure that there is sufficient area to: <ul style="list-style-type: none"> (i) accommodate future intended uses which avoids flood risk hazard areas as much as practicable; and (ii) identify access to a public road that remains safe and trafficable for vehicles, pedestrian movements and emergency services up to and including the DFE; and (iii) cater for infrastructure required for the intended use and any other construction features; and (b) demonstrates that works in association with the reconfiguration can achieve an acceptable risk level for future intended purposes.

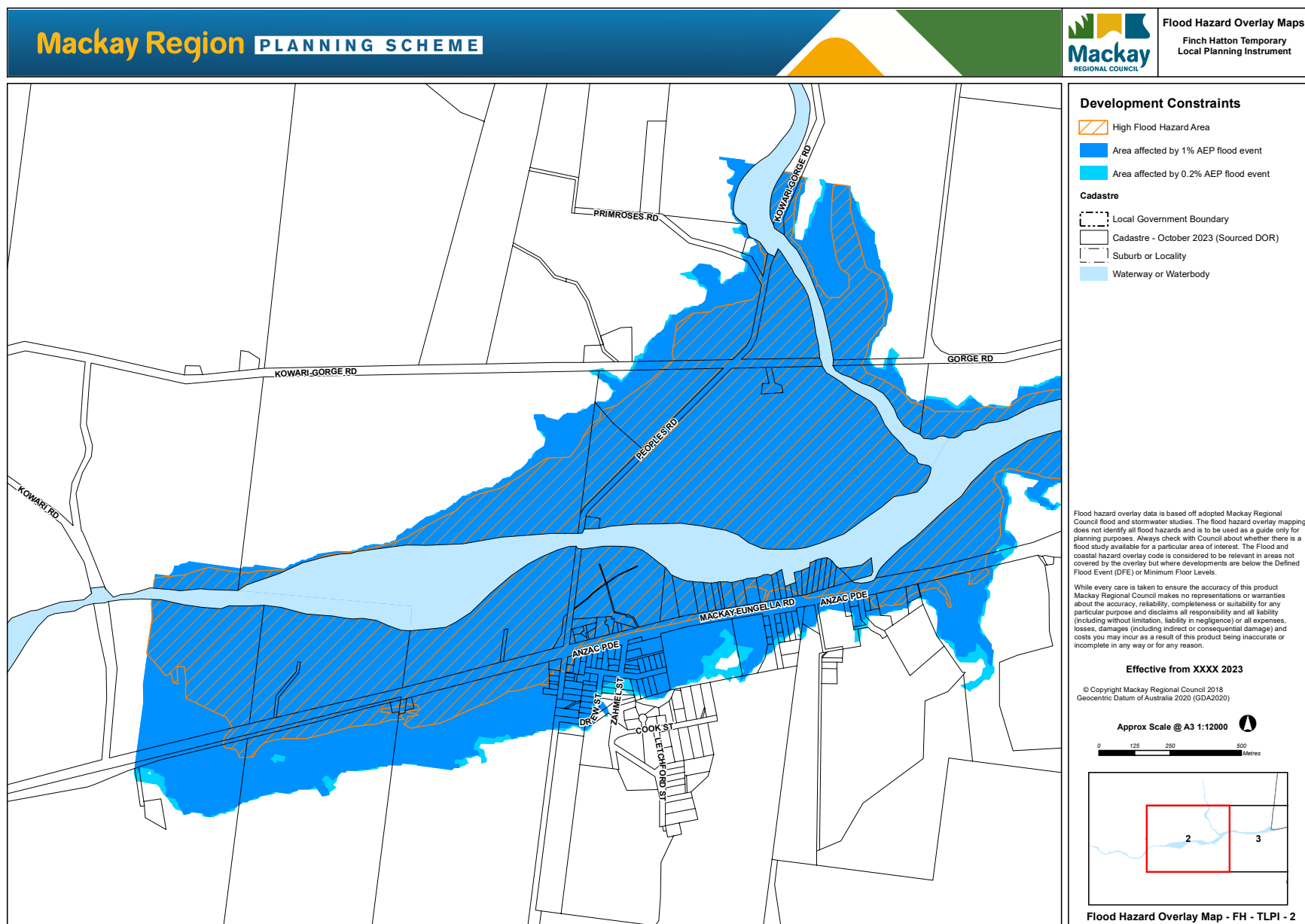
Schedule 3 – Mapping

1. Flood hazard overlay (Finch Hatton)

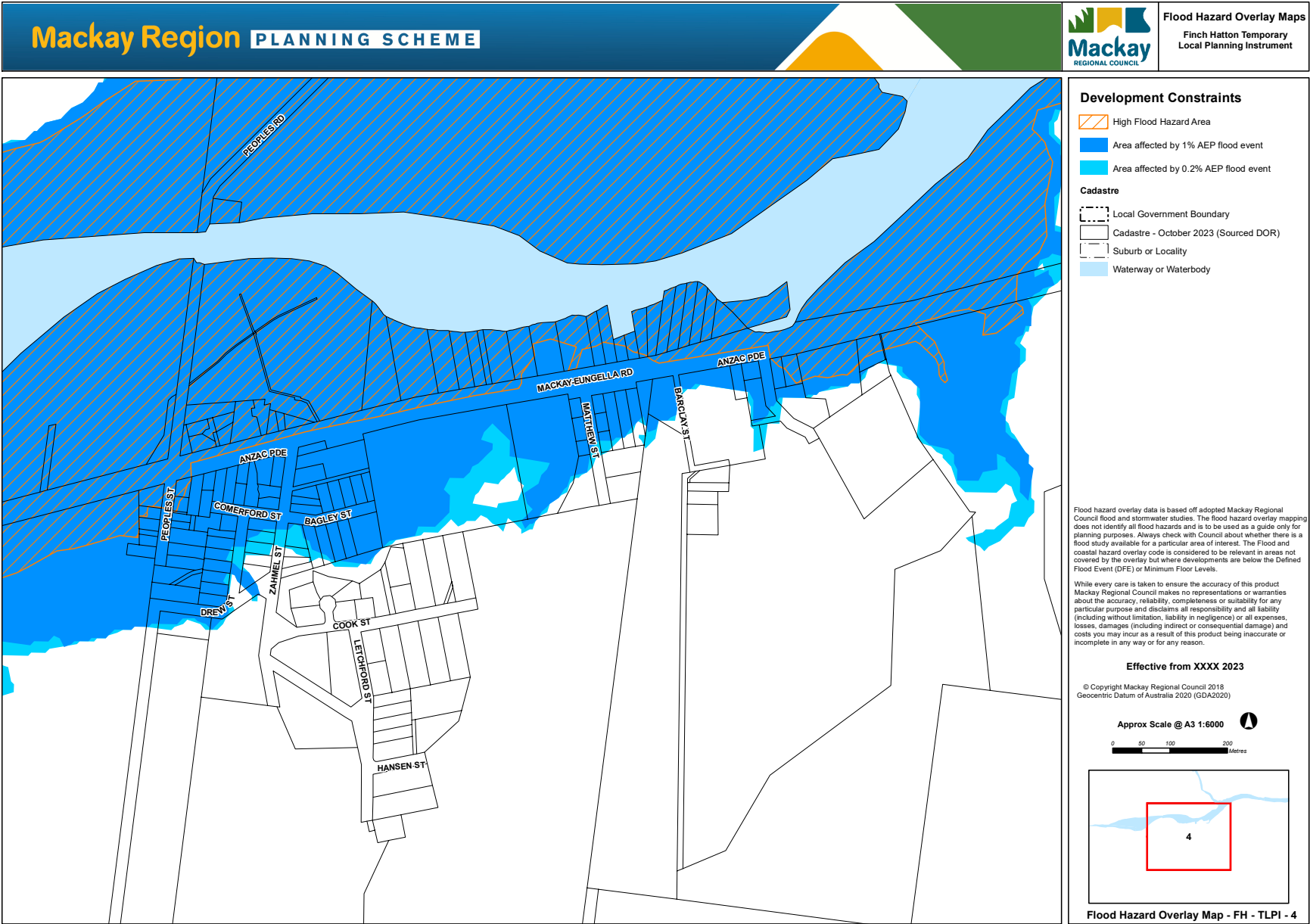
Proposed TLPI











END OF TEMPORARY LOCAL PLANNING INSTRUMENT

Proposed TLPI

11.4.4. ACTIVATE MY PLACE REPORT - APPLICATION REVIEW AND RECOMMENDATION

Author Executive Manager of Economic Development (Teona Cousin)
Responsible Officer Director Planning, Growth & Sustainability (Aletta Nugent)
File Reference Activate My Place – Round 5

Attachments Nil

Purpose

To endorse the Activate My Place Grant (AMP! Grant) Round 5 recommendations.

Related Parties

- Mackay City Heart Collective
- Grasstree Beach Progress Association
- Sarina Beach Progress Association
- Rebecca Cooper

Background/Discussion

The Activate My Place! (AMP!) is a placemaking grants program that supports communities and businesses across the region to create and deliver inspiring, inclusive and vibrant projects in public spaces. AMP! aims to connect and engage communities and facilitate thriving local economies through an enhanced quality of life. Projects can include public art, beautification works, signage, lighting, pop-up activations and events. The AMP! round five offered grants of up to 80% of the project budget. The total budget for the grant program is \$30,000.

Applications were opened for a seven week period, from 2 August until 30 September. At the conclusion of the round, a total of five AMP! applications were submitted with funding requests totalling \$68,504.10.

The assessment panel, consisted of an Economic Development Officer, Public Art Officer, Project Manager and Mackay City and Waterfront Project Support Officer, who reviewed the applications against the assessment criteria.

The applications received and assessment panel recommendations are outlined below.

1. Applicant Name: Mackay City Heart Collective

Project Name: Bee Mindful Mural Project

Amount Request: \$30,000

Project Description: The Bee Mindful Mural Project is an initiative involving the creation of a large mural installation intended to activate and connect Wood Street Park with 7th Lane. This highly visible and accessible mural site is designed to engage the public. The Mackay City Heart Collective team proposes to create a bee mural installation to commemorate 'World Bee Day' in May 2024 with the location known as a long standing pollination ground for bees. Additionally, the project proposes to include a series of activities that engage the community and are volunteer led.

The mural aims to enhance the area by developing a laneway activation project that is designed for future diverse activations. Some examples provided were markets, marquee dinners and lunches, and a range of community-oriented events. The applicant advises the activities could exist within the Laneway itself or extend into Wood Street Park.

Recommendation: That this project be partially funded to the amount of \$12,170.90.

The funding requested for this project was \$30,000, being the entire budget allocation for this round of funding. Therefore, while the panel was unable to recommend the full amount requested, Economic Development Officers were able to negotiate a counteroffer with the Mackay City Heart Collective team. Due to the staged approach of the project, the applicant advised they were willing to accept part funding, as they are confident further funding support can be sourced from local businesses to complete the project.

The applicant has engaged Council's Public Art Officer and initiated the Installation of Art in Public Places Application process. The funding will be conditional on recommendations from the Installation of Art in Public Places Application.

2. Applicant Name: Grasstree Beach Progress Association Inc

Project Name: Grasstree Grooves

Amount Request: \$7,000

Project Description: Grasstree Grooves is a series of three planned events on the foreshore of Grasstree Beach. The applicant proposes to start the events after funding from Council has been confirmed (approx. December). The events are scheduled for Saturday evenings and will offer a mix of culinary experiences, a pop-up bar, enchanting festoon lighting and stylish seating arrangements. The centrepiece of the event is a dedicated stage featuring an artist, while a professionally managed blackboard will provide a platform for community members to showcase their talents.

The chosen event location is strategically positioned near the playground area, providing convenient access to amenities and making it an ideal setting for families seeking a memorable and enjoyable beachside experience. The applicant has noted their long-standing experience in delivering successful events at Grasstree Beach.

Recommendation: That the project be funded in full in the amount of \$7,000.

3. Applicant Name: Rebecca Cooper

Project Name: Northern Beaches Community Activation

Amount Request: \$10,829.10

Project Description: The Northern Beaches Community Activation is a nine-day event aimed at showcasing the diverse local businesses, services and activities within the rapidly growing Northern Beaches area. The primary goal of this project is to foster community connection, while encouraging economic and social development. The event will offer a variety of activities – such as fitness sessions, children's activities and a pop-up library – that will appeal to a wide range of community members.

Following the nine-day activation, a weekly Northern Beaches Community Playgroup will be established for six weeks, with the intention of it becoming a community-run initiative. The project aims to create a vibrant, connected community, offering a sense of place while they await the construction of a Community Hub

The project leverages local partnerships with venues like the Northern Beaches Bowls Club, Eimeo SLSC, and Bucasia Beachfront Cafe to boost their profiles and enhance their offerings through placemaking strategies.

Recommendation: That the project be funded in full in the amount of \$10,829.10.

4. Applicant Name: Mackay City Heart Collective

Project Name: Blue Trees Project

Amount Request: \$15,000

Project Description: The Blue Trees project is an environmental art installation aimed at raising awareness about deforestation's impact on forests and species. This initiative seeks to draw attention to global issues like climate change and the vital role of rainforests. The installation is proposed to start with the trees from the CBD river end of Wood Street and extending to River Street to create a trail leading to the region's blue river.

The Mackay City Heart Collective team proposes that this project is a community-driven effort, involving local residents, school children and volunteers in the installation. The artist will use non-toxic blue paint to temporarily transform living trees, symbolizing the concept of 'blue trees' that exist only in our imagination. The paint is harmless to all flora, fauna, insects, waterways and humans. Over one to two years, the non-toxic paint naturally fades and wears with the weather.

Recommendation: That the application is declined.

While the project has potential to activate Wood Street, officers were concerned that the applicant may not have adequately assessed the project's potential impact on the stakeholders involved. This project needs further planning with a more structured approach to stakeholder consultation and the completion of an Installation of Art in Public Places application.

5. Applicant Name: Sarina Beach Progress Association

Project Name: Sarina Beach Park BBQ Shelter Mural Refurbishment

Amount Request: \$5,675

Project Description: This project proposes the refurbishment of BBQ shelters located at Owen Jenkins Drive Park located in Sarina Beach, that were initially created by the Sarina Beach Progress Association (SBPA) in 2011. The applicant noted that updating the murals will maintain the appealing standard of the BBQ shelters and allowing the existing artwork to further degrade would negatively impact the park's aesthetic and the impression it leaves on visitors.

SBPA will engage a local artist to create, design and install the mural portraying the Sarina Beach identity with the purpose of offering a vibrant representation of the area.

Recommendation: That the application is declined.

Although the project focuses on the refurbishment and activation of Owen Jenkins Drive Park, the application did not demonstrate sufficient community and stakeholder engagement during the art design creation and development phases. The absence of an Installation of Art in Public Places application highlights the significance of utilising the application process to methodically identify and address stakeholder concerns. This project needs further planning and a more structured approach to stakeholder engagement to involve the community in this project.

Summary

The AMP! placemaking program was first introduced in 2018 and since then has provided over \$93,000 in funding to many regional projects. Recent projects include the Keswick Island Art Trail and soon to be completed Maltese Corner installation on Victoria Street.

The projects recommended for approval comply with the grant guidelines and demonstrate the ability to empower communities and have the potential to enhance quality of life and improve local economies.

Consultation and Communication

The Economic Development team actively promoted the AMP! program to all eligible applicants across the region including not-for-profit groups, registered businesses, entrepreneurs, sole traders, partnerships and progress associations.

The team worked with Corporate Communications to create interest through existing media platforms including media releases, social media, website, E-Newsletters and Council Connect. Video and radio advertisements were also used to promote the grant program.

Economic Development Officers partnered with the Community Development program to promote and encourage placemaking projects through facilitated workshops conducted in Sarina, Northern Beaches, Pioneer Valley and Mackay City. The Economic Development team also communicated directly to various progress associations, member organisations and community groups promoting the round of funding.

Resource Implications

A budget of \$30,000 is allocated for the AMP! Program for the 2023/24 financial year.

Risk Management Implications

The risks associated with approving grants to successful applicants is sufficiently mitigated by using a rigorous application, assessment and acquittal process facilitated by the Economic Development and Tourism Program.

Conclusion

The AMP! Program provides funding for placemaking projects that will deliver vibrant, activated spaces in our region. The proposed applications support the desired outcomes of the program and will deliver community driven solutions.

The panel is recommending three out of the five applications receive funding approval, to a combined total of \$30,000 (excl. GST).

Officer's Recommendation

THAT funding to the following applicants be endorsed for the amounts stated, to a total of \$30,000 (excl. GST):

- Mackay City Heart Collective - Bee Mindful Mural Project for \$12,170.90 (excl. GST)
- Grasstree Beach Progress Association Inc - Grasstree Grooves for \$7,000.00 (excl. GST)
- Rebecca Cooper - Northern Beaches Community Activation for \$10,829.10 (excl. GST)

AND THAT the following applications be declined:

- Mackay City Heart Collective - Blue Tree Project
- Sarina Beach Progress Association - Sarina Beach Park BBQ Shelter Mural Refurbishment

11.5. ENGINEERING AND COMMERCIAL INFRASTRUCTURE

11.6. CORPORATE SERVICES

11.6.1. STRATEGIC FINANCIAL REPORT - OCTOBER 2023

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

Attachments

1. Strategic Financial Report October 2023 [**11.6.1.1** - 19 pages]

Purpose

To adopt Mackay Regional Council's (MRC) Strategic Financial Report for the month of October 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, Chief Financial Officer.

Resource Implications

MRC is forecasting an operating deficit of \$5.4M for the 2023/24 financial year. The variance of the actual operating result for YTD October 2023 against YTD budget is an unfavourable variance of \$1.3M, this variance is in the 3% to $\pm 4.99\%$ range.

Risk Management Implications

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

Conclusion

For the period ending October 2023, MRC reported an unfavourable operating surplus variance of \$1.3M against YTD budget. Operating revenue is reporting in line with YTD budget. Higher than anticipated expenditure across

MRC is largely attributable to materials and services, specifically repairs and maintenance and contractors, and finance costs related to the 'make good' liability for the rehabilitation of landfill and quarry sites.

To date, \$31.6M has been expended in the delivery of Council Projects; \$30.6M 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 October 2023 be received.



Strategic Financial Report

> October 2023

Executive summary

Council is forecasting an operating deficit of \$5.4M for the 2023/24 financial year following the adoption of the September budget review by Council on 23 October 2023.

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Budget \$000	YTD Actual \$000	YTD Variance \$000
Total operating revenue	292,142	293,036	138,825	138,813	(12)
Total operating expenses	291,591	298,460	99,351	100,637	(1,286)
Operating surplus or (deficit)	551	(5,424)	39,474	38,176	(1,299)

% YTD Variance from YTD Budget (KPI)

YTD Variance between 0% and $\pm 2.99\%$

YTD Variance between $\pm 3\%$ and $\pm 4.99\%$

YTD Variance equal to or greater than $\pm 5\%$

For the month ended 31 October, an unfavourable operating variance of \$1.3M against YTD budget is reported. Operating revenue is reporting slightly below YTD budget, with offsetting variances seen in interest received \$367K favourable, grants, subsidies, contributions and donations \$288K unfavourable, rental income \$185K unfavourable and sales, contracts and recoverable works \$111K favourable. Higher than anticipated expenditure across MRC is largely attributable to materials and services of \$901K, specifically repairs, maintenance and contractors; finance costs of \$769K due to the liability related to the rehabilitation of landfill and quarry sites, offset by favourable variance of \$414K in employment benefit expenses due to ongoing employee vacancies.

To date, \$31.6M has been expended in the delivery of council projects, including associated operational expenditure in the delivery of these projects; representing 25% of the revised budget. The delivery of several major projects under construction is progressing well during this favourable construction period, including projects such as Finch Hatton Mountain Biking, Pioneer Levee and the Pioneer River Floating Pontoon. New construction contracts will begin in November for Concrete Bridge Repairs and the Reseal and Asphalt Program of works. Forbes Road Causeway construction contract has been awarded and Stage 1 A Northern Beaches is about to be issued to the market for tendering during November.

Chris Molyneux

Chief Financial Officer

Angela Hays

Director Corporate Services

Figures provided are accurate as at the date of publication and are cumulative year to date. Amounts disclosed are rounded to the nearest thousand (\$000) unless otherwise stated. Consequently, rounded balances in the categories may not exactly add to the reported totals.

Table of Contents

1	Economic and industry factors	4
2	Budget analysis	5
2.1	Operating result	5
2.2	Revenue and expenditure	6
2.3	Council projects expenditure	7
	• Capital Expenditure	7
3	Balance Sheet	8
3.1	Statement of Financial Position	8
3.2	Cash and investment portfolio	9
	• Investments	10
3.3	Current receivables	10
	• Rates receivables	11
3.4	Property, plant and equipment	12
3.5	Borrowings	13
4	Cash Flow	14
4.1	Statement of Cash Flows	14
5	Financial analysis	15
5.1	Key performance indicators	15
6	Budget analysis - Commercial businesses	18
6.1	Mackay Water Services	18
6.2	Mackay Waste Services	19

1 Economic and industry factors

Area/issue of Concern	Comment
Australian inflation rate	Changes in the Australia inflation rate forecast could impact ongoing budget review processes, due to its direct impact on MRC expenditure.
Operational expenditure	Current market influences are negatively impacting Council’s employee retention. Employee benefits and materials and services (including external labour hire, consultants and contractors) will continue to be monitored.

2 Budget analysis

2.1 Operating result

Income Statement For the period ending 31 October 2023

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Budget \$000	YTD Actual \$000	YTD Variance \$000
Rates and charges	240,557	240,557	120,789	120,736	(53)
Fees and charges	19,806	20,019	8,979	9,060	81
Rental income	1,497	1,432	805	620	(185)
Interest income	6,676	6,676	1,901	2,268	367
Sales contracts and recoverable works	8,230	8,112	1,972	2,083	111
Other recurrent income	5,537	5,752	1,958	1,911	(47)
Grants, subsidies, contributions and donations	9,839	10,488	2,422	2,134	(288)
Total operating revenue	292,142	293,036	138,826	138,812	(12)
Employee benefits	99,822	98,441	29,390	28,976	414
Materials and services	103,100	104,522	39,351	40,252	(901)
Finance costs	3,230	6,785	1,759	2,528	(769)
Depreciation and amortisation	85,439	88,712	28,851	28,881	(30)
Total operating expenses	291,591	298,460	99,351	100,637	(1,286)
Operating surplus or (deficit)	551	(5,424)	39,474	38,175	(1,299)
Grants, subsidies, contributions and donations	31,410	28,008	3,980	3,400	(580)
Other capital revenue	0	68	8	66	58
Capital expenses	2,740	2,740	1,209	893	316
Total capital revenue and expenses	28,670	25,336	2,779	2,573	(206)
Net result	29,221	19,912	42,253	40,748	(1,505)

% YTD Variance from YTD Budget (KPI)

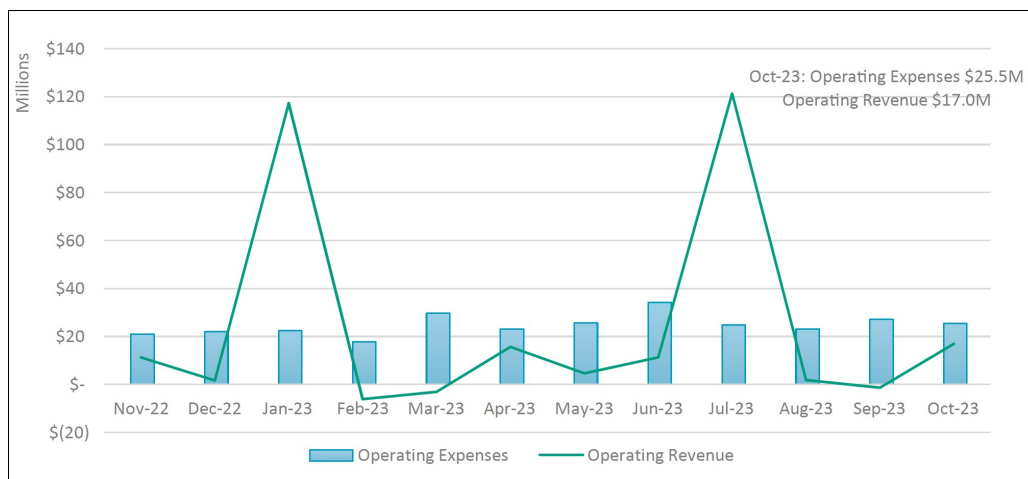
YTD Variance between 0% and ± 2.99%
YTD Variance between ± 3% and ± 4.99%
YTD Variance equal to or greater than ± 5%

2.2 Revenue and expenditure

MRC is currently reporting an unfavourable operating variance of \$1.3M against YTD budget for the period ending October 2023.

Revenue and expenditure variances	YTD Comment
	Variance
REVENUE	\$000
Interest income	367 Favourable interest rates
Grants, subsidies, contributions and donations	(288) Grant revenue not recognised, as performance obligations not yet met.
Rental income	(185) Income lower than anticipated, due to vacancies in the Dome Building.
EXPENSES	
Materials and services	(901) Repairs and maintenance higher than forecasted, due to an increase in costs and additional work done for particularly property and plant, and water networks. Contractor costs also continues to trend higher than forecasted.
Finance costs	(769) Landfill provision for rehabilitation YTD adjustment
Employee benefits	414 Ongoing vacancies due to market influences
CAPITAL REVENUE AND EXPENSES	
Grants, subsidies, contributions and donations	(580) Developer contributions and grants recognised are lower than anticipated.

Trend revenue and expenditure



2.3 Council projects expenditure

Council is responsible for the provision of a diverse range of services to meet community needs and expectations. A significant number of these services are provided through infrastructure assets and other property, plant, and equipment. Council manages the construction, upgrade, and renewal of community assets as part of its capital works program.

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Budget^^ \$000	YTD Actual \$000	YTD Variance \$000
Capital expenditure ^	124,420	120,686	34,204	30,661	(3,542)
Operational expenditure	2,128	3,089	1,270	892	(378)
Total council projects expenditure	126,548	123,775	35,474	31,553	(3,920)

^ as depicted in the below graph

^^ prior month YTD actuals plus current month forecast

% YTD Variance from YTD Budget (KPI)

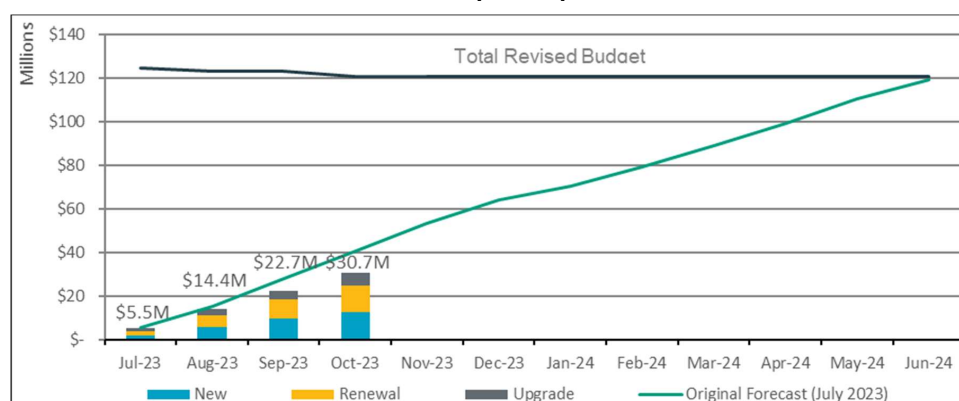
YTD Variance between 0% and $\pm 2.99\%$	<div style="width: 100%; height: 10px; background-color: green;"></div>
YTD Variance between $\pm 3\%$ and $\pm 4.99\%$	<div style="width: 100%; height: 10px; background-color: yellow;"></div>
YTD Variance equal to or greater than $\pm 5\%$	<div style="width: 100%; height: 10px; background-color: red;"></div>

Total council projects expenditure is currently tracking \$3.9M below YTD forecast, with \$31.6M expended to date in the delivery of these projects, representing 25% of the revised budget for October 2023.

- Capital Expenditure

Capital expenditure is currently tracking below YTD forecasts.

Cumulative capital expenditure



3 Balance Sheet

3.1 Statement of Financial Position

The statement of financial position shows council's assets and liabilities. The result of these two components determines the net worth of our community equity (what we own less what we owe).

Statement of Financial Position For the period ending 31 October 2023	Annual Original Budget \$000	Annual Revised Budget \$000	Actual \$000
Current assets			
Cash and cash equivalents	142,190	113,306	96,559
Financial assets	-	-	70,000
Trade and other receivables	21,059	21,098	36,753
Contract assets	3,500	3,500	3,867
Other assets	3,216	4,506	511
Inventories	2,988	3,136	3,257
Non-current assets classified as held for sale	79	-	-
Total current assets	173,032	145,546	210,947
Non-current assets			
Investment property	5,277	5,580	5,580
Property, plant and equipment	3,730,542	3,970,976	3,965,954
Right of use assets	1,143	1,143	1,196
Intangible assets	3,927	4,106	4,127
Total non-current assets	3,740,889	3,981,805	3,976,857
Total assets	3,913,921	4,127,351	4,187,804
Current liabilities			
Trade and other payables	8,488	8,895	15,636
Employee entitlements	14,135	1,883	21,387
Borrowings	11,644	11,646	10,716
Lease liabilities	66	68	54
Provisions	49,858	59,631	60,685
Contract Liabilities	3,500	3,500	4,077
Other liabilities	19,572	14,947	12,691
Total current liabilities	107,263	100,570	125,246

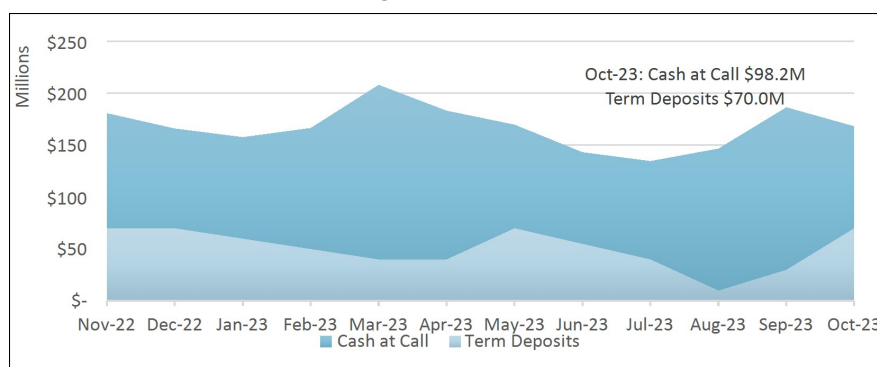
Non-current liabilities			
Employee entitlements	1,699	1,601	1,601
Borrowings	48,406	48,408	38,755
Lease liabilities	1,241	1,213	1,230
Provisions	13,268	21,685	23,231
Other liabilities	11,691	9,685	6,183
Total non-current liabilities	76,305	82,592	71,000
Total liabilities	183,568	183,162	196,246
Net community assets	3,730,353	3,944,189	3,991,558
Community equity			
Retained surplus	2,340,937	2,333,099	2,380,468
Asset revaluation surplus	1,389,416	1,611,090	1,611,090
Total community equity	3,730,353	3,944,189	3,991,558

3.2 Cash and investment portfolio

The total balance of cash at call and investments at the end of the reporting period is shown in the graph below. The balance of cash at call will vary from the reported balance of cash and cash equivalents on the statement of financial position due to unbanked cheques and other uncleared amounts.

Currently, 56% of the total investment portfolio is currently deposited with Queensland Treasury Corporation (QTC). Cash held at call with QTC continues to be reviewed for yield and liquidity requirements. The market is monitored during the month for investment opportunities that will deliver comparable or better than what can be achieved via the QTC at call account.

Closing portfolio balance



- Investments

MRC maintains an investment portfolio diversified across various institutions and terms to maturity, which is reviewed regularly to maximise performance and minimise risk. MRC currently has \$70M invested with financial institutions other than QTC. Maturity of these investments is scheduled between January 2024 and September 2024.

Portfolio returns continues to exceed the benchmark of Ausbond Bank Bill Index. Financial indicators and other available data suggest further increase in interest rate yields is possible. Investment opportunities to maximise returns where possible will continue to be investigated.

	October	12 Month Comparative
MRC Portfolio	5.08%	4.07%
AusBond Bank Bill Index	3.56%	2.19%

3.3 Current receivables

Revenue is recognised at the amounts due at the time of sale or service delivery. Council's standard settlement terms for trade receivables are 30 days from invoice date.

	Actual \$000	Actual %
Trade and other receivables		
Rates and utility charges	23,478	67%
Development contributions	5,505	16%
Other debtors	6,093	17%
Total	35,076	100%

- Rates receivables

Rates and charges revenue represent 82% of MRC's original operating revenue budget for the financial year.

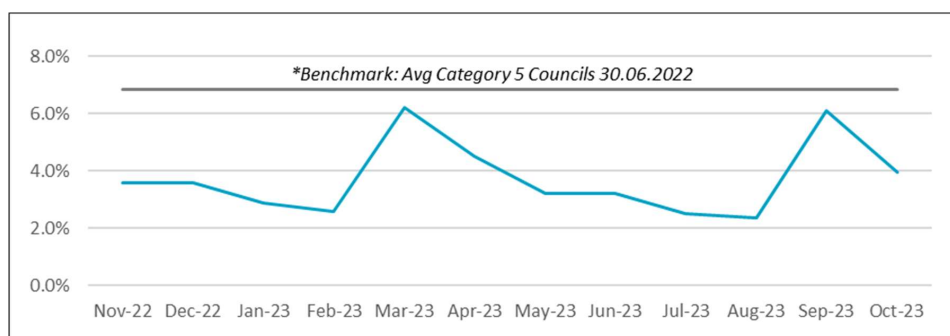
MRC frequently reviews its collection process to ensure rates are collected efficiently and effectively, whilst being cognisant of individual circumstances. Collection action is continuing, both with our external collection agency and monitoring of in-house payment schedules. In-house collection methods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

	Total Overdue \$000	Current year 2023/2024 \$000	1 year 2022/2023 \$000	2 years 2021/2022 \$000	> 3 years \$000
Total rate arrears	9,527	5,896	2,314	834	483

	Issue date of notice	Due date of payment
Rates notice	14/08/2023	13/09/2023
Pensioner rates notice	14/08/2023	1/12/2023
Rates reminder notice	25/09/2023	9/10/2023

Rates arrears as depicted in the trend rate arrears % graph remains consistent with the previous reporting period, noting rates notices are issued twice per financial year. The current arrears balance is anticipated to decrease as collection action continues.

Trend rate arrears %



* Each year the Department of State Development, Infrastructure, Local Government and Planning collects information from local governments about the key services they provide and publishes it in the Queensland local government comparative information report. The report includes a suite of efficiency, effectiveness and quality-of-service indicators covering key functional and financial areas of local government, including rates arrears performance indicators. The benchmark reported above represents the average rates arrears of like councils (category 5) for comparative years 30 June 2022 – 6.9%.

3.4 Property, plant and equipment

	Annual Original Budget \$'000	Annual Revised Budget \$'000	Actual \$'000
Opening balance as at 1 July	3,690,867	3,938,870	3,938,870
Opening balance adjustment	-	-	26,533
Net additions (including WIP) and contributed assets	127,863	123,535	30,478
Depreciation	(85,354)	(88,599)	(28,844)
Disposals and write offs	(2,830)	(2,830)	(1,083)
Transfers to other asset classes	(4)	-	-
Closing written down value	3,730,542	3,970,976	3,965,954

A majority of MRC's assets are in the form of infrastructure, such as roads, drainage, water, sewerage and waste assets. Significant parts of MRC's long-term financial forecast are focused on the construction, upgrade and renewal of these assets, with the associated capital expenditure recognised as work in progress (WIP) until projects are complete and assets are ready for their intended use.

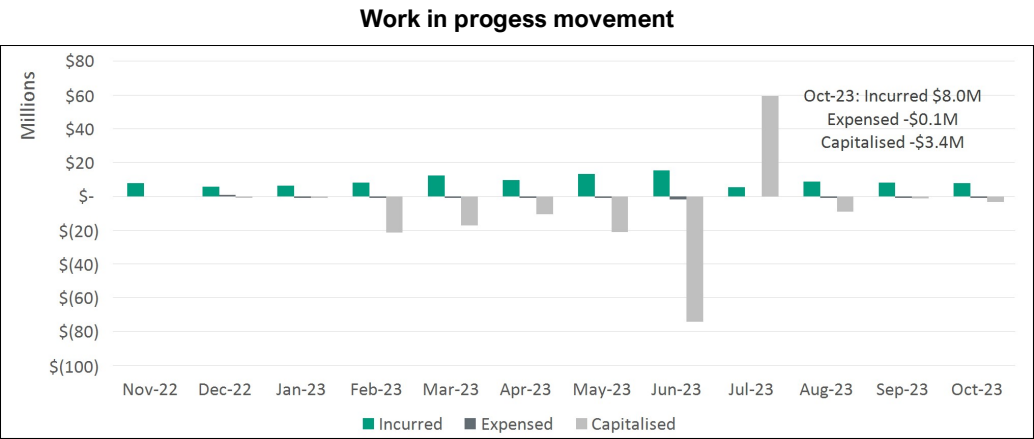
Refer to section 3.3 Council Projects Expenditure for current year budget estimates.

Total WIP as at the end of October represents \$173M, inclusive of current year additions and accruals. **Of this, \$55M relates to projects complete, with assets in use.** MRC employs a 180-day target from project completion through to capitalisation of detailed assets within the corporate asset register as detailed in the MRC non-asset accounting policy.

Project Phase	Actual \$'000
Business case	4,251
Design	24,141
Construction	89,203
Projects completed	55,026
Total WIP	172,621

Total Projects Completed \$'000	> 180 days \$'000	> 90 days \$'000	Aged > 60 days \$'000	> 30 days \$'000	< 30 days \$'000
55,026	18,079	33,150	2,495	933	369

The below graph details movement in WIP by period.



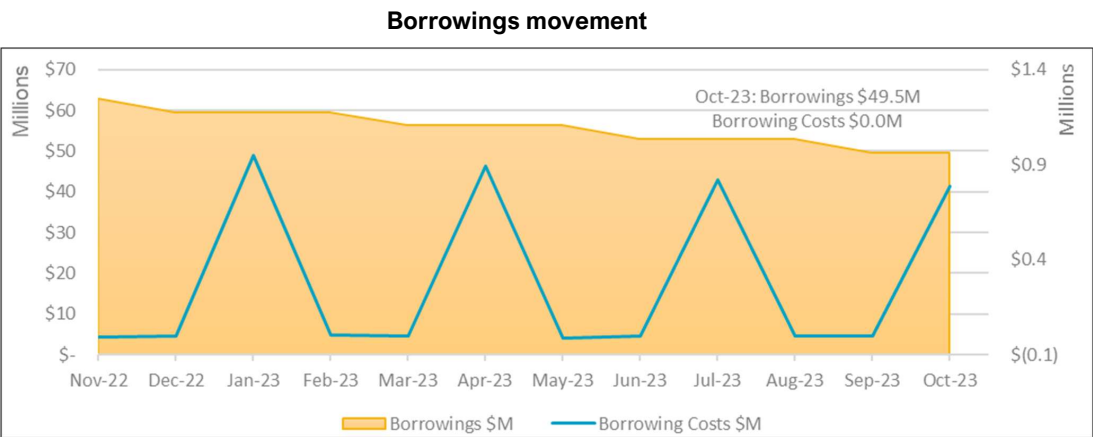
***Note: Incurred;** represents capital expenditure for the construction or acquisition of assets. These assets are incomplete and are non-depreciating. **Capitalised;** refers to the recognition of property, plant and equipment in Mackay Regional Council's asset register. **Expended;** relates to costs transferred from WIP that will not be capitalised, with expenditure recognised in the Income Statement.*

3.5 Borrowings

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

Borrowing costs associated with the debt balance are recognised when the principal repayments are made, on a quarterly basis.

At the end of October, MRC had \$49M in total loan borrowings outstanding.



4 Cash Flow

4.1 Statement of Cash Flows

Statement of Cash Flows For the period ending 31 October 2023

	Annual Original Budget \$000	Annual Revised Budget \$000	Actual \$000
Cash flows from operating activities			
Receipts from customers	275,075	277,575	109,972
Payments to suppliers and employees	(204,004)	(235,704)	(66,934)
Interest income	6,676	6,676	2,268
Non-capital grants, subsidies, contributions and donations	9,824	10,981	2,134
Borrowing costs	(2,787)	(2,787)	(776)
Net cash inflow from operating activities	84,784	56,741	46,665
Cash flows from investing activities			
Payments for property, plant and equipment	(123,863)	(119,535)	(30,477)
Payments for investments	-	-	(15,000)
Net movement in loans and advances	-	1,676	-
Other capital income	-	-	66
Other capital expenses	(2,000)	(5,806)	(63)
Proceeds from sale of property, plant and equipment	2,090	2,090	252
Capital grants, subsidies, contributions and donations	27,410	20,837	3,400
Net cash outflow from investing activities	(96,363)	(100,738)	(41,822)
Cash flows from financing activities			
Proceeds from borrowings	21,200	21,200	-
Repayment of borrowings	(14,045)	(14,045)	(3,426)
Repayments made on leases (principal only)	(17)	(17)	(22)
New cash outflow from financing activities	7,138	7,138	(3,449)
Net increase or (decrease) in cash and cash equivalents	(4,441)	(36,859)	1,394
Cash and cash equivalents at beginning of the period	146,631	150,165	95,165
Cash and cash equivalents at end of the period	142,190	113,306	96,559

5 Financial analysis

5.1 Key performance indicators

Ratio	Description	Target	FY2022	FY2023	Revised Budget FY2024	October FY2024
Operating surplus ratio (%)	Extent to which operating revenues covers operating expenses (excludes capital items)	0% - 10%	0.2%	(1.5%)	(1.9%)	27.5%
Debt service cover ratio	Extent to which available cash flow covers current debt obligations	>2 times	3.2	4.9	4.5	5.5
Net financial liabilities ratio (%)	Extent to which net financial liabilities can be serviced by operating revenues	< 60%	4.3%	9.6%	12.8%	(99.6%)
Current ratio	Extent to which current assets cover current liabilities	Between 1 and 4	1.5	1.3	1.4	1.7
Asset sustainability ratio (%)	Extent to which the infrastructure assets are being replaced/renewed	> 90%	65.4%	63.6%	84.4%	40.9%
Capital expenditure ratio (times)	Extent to which capital expenditure exceeds depreciation.	> 1.1 times	1.3	1.3	1.9	1.1

The timing of receipts impacts the YTD results and are anticipated to return to budget levels by the end of the financial year following finalisation of year end processes.

The actual asset sustainability ratio is consistently below target as MRC boasts a relatively new asset base. Significant investment in new assets over prior years has reduced the immediate need for renewal of those assets. MRC continues to invest adequately in asset renewals to ensure continued services to the community over the long-term as well optimising operating and maintenance costs of the assets over their useful life.

The key performance indicator trends are observed in the following graphs. Historical financial years are represented on the axis using actual (a) results, with revised budget forecasts (f) applied in future financial periods.

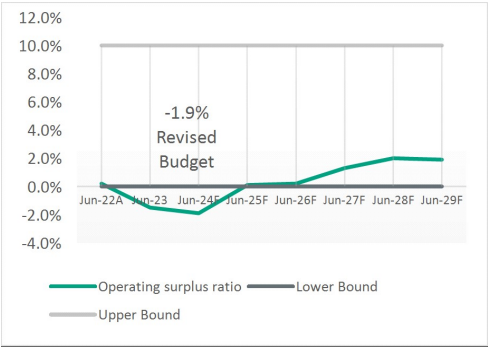
MRC will be adopting the new Local Government Sustainability Framework ratios in the 2023/24 Annual Financial Statements.



Strategic Financial Report > October 2023

Operating surplus ratio %

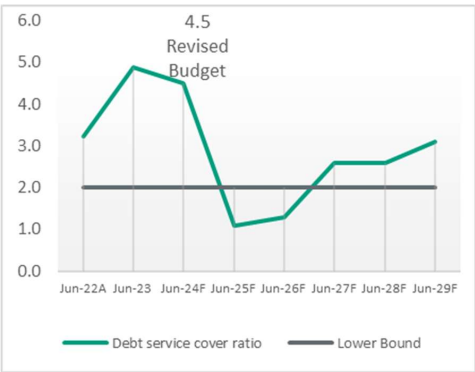
A percentage between 0% and 10% over the long term means Council is expecting to generate healthy levels of revenue with an ability to fund proposed capital expenditure and / or debt repayments.



Debt service coverage ratio

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

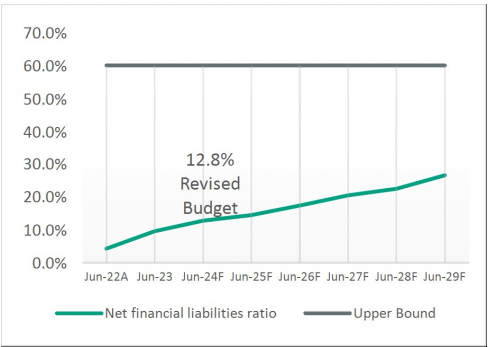
It is noted that MRC is expected to remain within target bounds indicative that the financial risk is being effectively managed.



Net financial liabilities ratio %

This ratio measures Council's ability to fund its net financial liabilities from recurrent revenue.

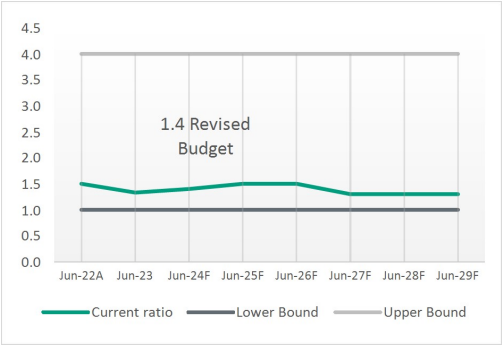
It is noted that MRC is expected to remain within target bounds indicative that the financial risk is being effectively managed.



Current ratio

The current ratio is a good indicator of Council’s liquidity and ability to meet short term obligations.

If the current ratio is too high over a sustained period, this may indicate that council may not be efficiently using its current assets or its short-term financing facilities and may also indicate problems in working capital management.

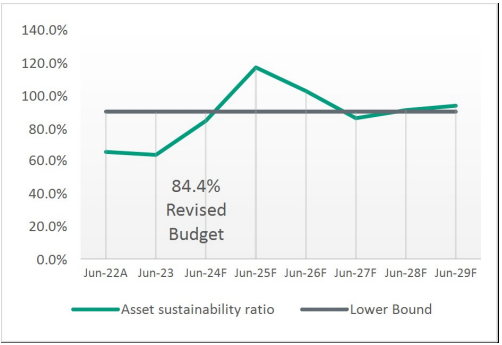


Asset sustainability ratio %

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

MRC is confident that although it does not reach the set target in the first few years of the Long Term Financial Forecast, it does contribute to sustainable asset replacement over the long term.

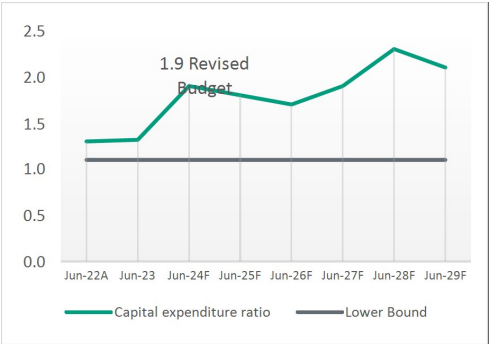
This ratio is also reflective of the relative new age of MRC’s asset base following a period of high growth and investment in new assets. This means the requirement to spend significant funds on renewals at this stage is relatively low but will be monitored to ensure future spend is sufficient.



Capital expenditure ratio (times)

This ratio measures the extent to which annual capital expenditure is covered by annual depreciation. A ratio above 1.1 indicates investment in long term asset growth beyond current existing levels.

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



6 Budget analysis - Commercial businesses

6.1 Mackay Water Services

Income Statement For the period ending 31 October 2023

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Budget \$000	YTD Actual \$000	YTD Variance \$000
Operating revenue	105,453	105,411	51,860	51,913	53
Operating expenses	40,727	40,499	14,284	14,495	(211)
Earnings before interest, depreciation, dividends and tax	64,726	64,912	37,576	37,418	(158)
Finance costs	1,176	1,176	314	343	(29)
Depreciation	32,488	34,081	11,215	11,213	2
Earnings before dividend and tax	31,062	29,655	26,047	25,862	(185)
Dividend and tax	29,571	29,117	9,855	9,857	(2)
Operating surplus or (deficit)	1,491	538	16,192	16,005	(183)
Total capital revenue	5,050	4,944	694	340	(354)
Total capital expenses	600	600	200	352	(152)
Net result	5,941	4,882	16,686	15,993	(689)

% YTD Variance from YTD Budget (KPI)
YTD Variance between ± 0% and ± 2.99%
YTD Variance between ± 3% and ± 4.99%
YTD Variance equal to or greater than ± 5%

Mackay Water Services is reporting an operating surplus of \$16M for the period ended October 2023, which is in line with YTD budget.

Operating revenue is \$0.1M above YTD budget at period end. Favourable variances to budget are seen in interest received \$129K and sales contracts and recoverable works \$122K. This is offset by an unfavourable variance to budget against fees and charges \$92K, rates, levies, and charges \$60K and rental income \$35K.

Operating expenses is \$0.2M above YTD budget at period end. Materials and services are tracking \$293K ahead of budget and is partially offset by a favourable variance to budget for employee benefits \$82K.

Total capital revenue and expenses is yet to see any significant activity.

6.2 Mackay Waste Services

Income Statement
For the period ending 31 October 2023

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Budget \$000	YTD Actual \$000	YTD Variance \$000
Operating revenue	34,324	34,324	15,384	15,524	140
Operating expenses	22,847	22,541	4,833	4,472	361
Earnings before interest, depreciation, dividends and tax	11,477	11,783	10,551	11,052	501
Finance costs	475	3,920	954	1,659	(705)
Depreciation	2,133	2,571	652	666	(14)
Earnings before dividend and tax	8,869	5,292	8,945	8,727	(218)
Dividend and tax	3,193	1,986	1,049	1,064	(15)
Operating surplus or (deficit)	5,676	3,306	7,896	7,663	(203)
Total capital revenue	0	0	0	0	0
Total capital expenses	100	100	33	3	30
Net result	5,576	3,206	7,863	7,660	(173)

% YTD Variance from YTD Budget (KPI)
YTD Variance between 0% and ± 2.99%
YTD Variance between ± 3% and ± 4.99%
YTD Variance equal to or greater than ± 5%

Mackay Waste Services is reporting an operating surplus of \$7.7M for the month of October, which is in line with YTD budget.

Operating revenue is \$140K above YTD budget at period end, with minor variances seen in interest received \$88K and fees and charges \$67K (both favourable) and other recurrent income \$39K (unfavourable).

Total expenses (operating expenses, finance costs and depreciation) are reporting an unfavourable variance of \$358K against YTD budget at period end. An unfavourable variance in finance costs \$705K of the liability related to the rehabilitation of landfill sites. This is partially offset by a favourable variance within materials and services \$340K.

Total capital revenue and expenses is yet to see any significant activity.

11.6.2. FINAL MANAGEMENT REPORT FOR MACKAY REGIONAL COUNCIL 2022/23 FINANCIAL YEAR

Responsible Officer
File Reference

Director Corporate Services (Angela Hays)
2022/23 Audit

Attachments

1. 2023 Final Management Letter - QAO
Reviewed [11.6.2.1 - 4 pages]

Purpose

The purpose of this report is to table, for Council's information, the results of the final audit of MRC's Annual Financial Statements. This audit is completed by Council's external auditors (SBB Partners) on behalf of the Queensland Audit Office.

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 attached letter summarises the audit findings identified by Council's external auditor (SBB Partners) on behalf of the Queensland Audit Office. In accordance with section 213 of the *Local Government Regulation 2012* the mayor must table a copy of this letter at the next ordinary meeting of the local government.

The Auditor General has issued an unmodified audit opinion on Mackay Regional Council's presented financial statements. This means that the financial statements are presented in all material respects, in accordance with the applicable financial reporting framework.

As detailed in the attached letter, two internal control deficiencies have been identified and resolved as part of the current years' external audit process. This relates firstly to the fact that MRC had no formal documented policy for general journal control activities, comprehensive guidelines are now in place. Secondly, a lack of review of payroll system Masterfile Data updates, review processes have been put in place since the reporting of this deficiency.

Continuation of the internal control deficiency from 2021 is a noted outcome of the final management letter. This matter references a time delay between registration and capitalisation of assets in the council's corporate asset register for projects complete with assets in use. As at 30 June 2023, an amount of \$59.3M (2022: \$36.7M) made up of 119 (2022: 191) projects was awaiting asset registration with assets in use. Management direction remains on the prioritisation of completed projects greater than 180 days, based on priority 1, more than 365 days; and priority 2, more than 180 days for asset recognition and capitalisation processes. Reporting is presented to Council monthly as part of the Strategic Financial Report, with a dashboard (updated daily) available for user access as a resource. A review of current processes will be done in the new year.

Consultation and Communication

Chief Executive Officer, Directors, Chief Financial Officer

Resource Implications

The final audited results have been brought to account and are reflected in Council's financial reports.

Risk Management Implications

An internal control issue was identified as part of the final audit of MRC's Annual Financial Statements. The audit was completed by external auditors (SBB Partners) on behalf of the Queensland Audit Office. Corrective action by management to address the issue raised has been completed.

Conclusion

The attached letter confirms an unmodified audit opinion on Mackay Regional Council's 2022/23 financial statements. The internal control deficiency raised by external audit is being addressed by Management.

Officer's Recommendation

THAT Council receives the Final Management Report for Mackay Regional Council for the year ended 30 June 2023.



Mackay Regional Council

23 October 2023

23/10/2023

Councillor Greg Williamson
Mayor
Mackay Regional Council
73 Gordon Street
MACKAY QLD 4740

Dear Councillor Williamson,

Final Management Report for Mackay Regional Council

We have completed our 2023 financial audit for Mackay Regional Council. The Queensland Audit Office has issued an unmodified audit opinion on your financial statements.

The purpose of this letter is to update you on any matters that have arisen since we presented our closing report to the audit committee.

Reporting on issues identified after the closing report

I can confirm that we have not identified significant issues since the presentation of our closing report. Issues and other matters formally reported to management and an update on actions taken by management to resolve these issues is included as Appendix A.

Please note that under section 213 of the Local Government Regulation 2012, you must present a copy of this report at your council's next ordinary meeting.

Report to parliament

Each year we report the results of all financial audits and significant issues to parliament.

This year we intend to include the results of our audit of Mackay Regional Council in our report to parliament. We will comment on the results of our audit of your financial report, any significant internal control issues we identified, and the overall results of the Local Government sector, including major transactions and events. We will discuss the proposed content of our report with your Chief Executive Officer and continue to consult as we draft our report. Formally, you will have an opportunity to comment on our report, and for these comments to be included in the final version tabled in parliament.

Audit fee

The final audit fee for this year is \$162,000 exclusive of GST (2022: \$155,240). This fee is in line with the amount estimated in our external audit plan.

We would like to thank you and your staff for their engagement in the audit this year.

If you have any questions about this letter or would like to discuss any matters regarding our services and engagement, please do not hesitate to contact me on 4951 1455.

Yours sincerely



P. Hinton CA
Contract Audit Partner

cc: Mr Scott Owen, Chief Executive Officer
Mr Tim Cronin, Audit Committee Chair

Final Management Letter 2023

Appendix A – Matters previously reported

The following table summarises all control deficiencies, financial reporting issues and other matters that have previously been raised. The listing includes issues from our reports this year and those issues raised in prior years.



Internal control issues

Ref.	Rating	Issue	Status
21CR-1	D	<p>Capital Work in Progress – Ageing of completed projects</p> <p>Capital works projects / completed assets are in use but had not progressed through Capital Work in Progress ledgers to be recognised as a completed “in use” asset for inclusion in Council’s asset depreciation registers as at 30 June.</p>	<p>Unresolved / action in progress</p> <p>Responsible officer: Director of Organisational Services</p> <p>Action date: 30 July 2024</p> <p>The WIP adjusting entry for FY23 is made up of 119 projects totalling \$59.3m. Depreciation expense impacts of this was calculated based on the completion date and average useful lives. A ~\$456k estimated depreciation expense manual accrual was required. We continue to recommend that the comprehensive review that has been undertaken by management of asset management and accounting processes required for the regular monitoring capital works in progress ledgers be actioned. Better processes are required to ensure final sign off on “As Completed Plans” and required engineering documentation is obtained on a timely basis. This will ensure accumulated costs are transferred to asset registers for depreciating on dates that reflect actual completion of the works / project concerned.</p>
23-IR1	D	<p>No documented formal policy for general journal control activities.</p> <p>No comprehensive written documentation existed to detail management’s current control activities in the area of journals detailing what controls are actually in place in respect of creation, authorisation, exception reporting.</p>	<p>Resolved.</p> <p>Comprehensive guidelines now in place.</p>
23-IR2	D	<p>Lack of review of payroll system Masterfile data updates</p> <p>Lack of controls in place in respect of independent review of payroll system updates resulted in the overpayment of staff. This could have been potentially material if undetected.</p>	<p>Resolved.</p> <p>Review processes now in place.</p>



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11.6.3. NEW LEASE TO BROWNSEY SPORTS & ENTERTAINMENT PTY LTD, L1 ILLAWONG DRIVE, SOUTH MACKAY

Author	Commercial Lease & Property Officer (Barb Sauer)
Responsible Officer	Director Corporate Services (Angela Hays)
File Reference	Current Securities Lease 120 Illawong Drive SOUTH MACKAY QLD 4740

Attachments

1. Image Brownsey Sports 1 Illawong Dr [**11.6.3.1** - 1 page]

Purpose

To approve a new lease to Brownsey Sport and Entertainment Pty Ltd for a period of five (5) years, over an area of approximately 8,435m², being Lot 1 on CP883637, L1 Illawong Drive, South Mackay, for the purpose of operation of Citibeach Volleyball Mackay and associated activities.

Related Parties

Mackay Regional Council and Brownsey Sports and Entertainment 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.

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.

Background/Discussion

Mackay Regional Council is freehold owner of Lot 1 on CP883637, L1 Illawong Drive, South Mackay.

Brownsey Sport and Recreation Pty Ltd have occupied the site since June 2014. The current lease expires on 4th December 2023, and the lessee has indicated that they wish to renew the lease for a further 5 years.

Citibeach Volleyball currently have approximately 80 teams registered, made up of 120 players. The facility hosts 1-2 tournaments a year and the recent Great Barrier Reef Challenge hosted 124 teams from Mackay and other regions.

The facility can also cater for private functions using the volleyball courts, BBQ's, swimming pool, mini golf course and laser tag.

According to Section 236 (1) (c) (iii) of the *Local Government Regulation 2012*, "a local government may dispose of a valuable non-current asset other than by tender or auction if – the disposal is for the purpose of renewing the lease of land to the existing tenant of the land." Therefore, Council is not required to tender this before leasing the property.

Section 236 also states that a local government may only dispose of land under the exemption if the consideration of the disposal is equal to or more than the market value of the land and Council has obtained a written report from a registered valuer as evidence of this.

Consultation and Communication

Consultation has occurred between representatives of Brownsey Sport and Entertainment Pty Ltd, Executive Manager Property & Plant, Commercial Lease & Property Officer – Property & Plant, and Mackay Regional Council Land & Road Use Committee.

Resource Implications

The lease will be a standard commercial lease with a five (5) year term, inclusive of commencing rental of \$29,523 + GST net per annum. Rent will be reviewed annually in accordance with CPI. The current market rent has been confirmed by Knight Frank, Registered Valuers.

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

Risk Management Implications

Brownsey Sport and Entertainment Pty Ltd have occupied and maintained the site for some years. If the lease is not approved, the community and region would not be able to benefit from the opportunities such a facility provides.

Conclusion

The lease to Brownsey Sport and Entertainment Pty Ltd would represent the most advantageous outcome for Council and the community as it will ensure the sporting and recreation benefits provided to the community are maintained whilst providing an income to Council.

Officer's Recommendation

THAT Council:

1. Resolves that an exemption applies under Section 236 (1) (c) (iii) of the *Local Government Regulation 2012*, "a local government may dispose of a valuable non-current asset other than by tender or auction if - the disposal is for the purpose of renewing the lease of land to the existing tenant of the land."
2. Approves a new lease to Brownsey Sport and Entertainment Pty Ltd, for a period of five (5) years commencing on 5 December, 2023 over Lot 1 on CP883637, L1 Illawong Drive, South Mackay. Annual rent will commence at \$29,523 + GST net and will be reviewed annually in accordance with CPI.

Brownsey Sports - Citibeach Volleyball Lease Area – L.1 Illawong Drive, South Mackay



11.6.4. NEW LEASE TO MACKAY VETERANS SUPPORT GROUP INC, 2 LEISURE ST, SOUTH MACKAY

Author	Commercial Lease & Property Officer (Barb Sauer)
Responsible Officer	Director Corporate Services (Angela Hays)
File Reference	Current Securities Lease 153, 2 Leisure Street, SOUTH MACKAY QLD 4740

Attachments

1. Image Mackay Veterans Support Group Lease Area [11.6.4.1 - 1 page]

Purpose

To approve a new lease to Mackay Veterans Support Group Inc for a period of 10 years, over an area of approximately 1,380m², being part Lot 532 on SP239851, 2 Leisure Street, South Mackay, for the purpose of community meetings and associated activities.

Related Parties

Mackay Regional Council and Mackay Veterans Support Group Inc

Corporate Plan Linkage

Live and Visit

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

Background/Discussion

Mackay Veterans Support group was founded in 1997 with serving and former members of the Australian, Commonwealth and Allied Defence Forces invited to join the group.

The current lease commenced on 1st January, 2003 and expires on 31st December 2023. The centre was established with the financial assistance of Federal & State Government Support along with the support of Mackay Regional Council Community Funding and the Mackay Business Community.

Mackay Veterans Support Group Inc have shown a commitment to providing support and advocacy to serving and former members of the Defence Forces and the facility provides meeting rooms, fully equipped kitchen, computer access. They have also recently completed extensions to the existing shed. Current membership is approximately 30 members.

Some activities and services provided include assistance with DVA claims, hospital visits to unwell veterans, Anzac Day school visits, Vietnam Veterans' Day service and construction of mud kitchens for local schools.

The group provides a social atmosphere for veterans with meetings held each week.

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."

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

Consultation and Communication

Consultation has occurred between representatives of Mackay Veterans Support Group Inc, Executive Manager Property & Plant, Commercial Lease & Property Officer – Property & Plant, and Mackay Regional Council Land & Road Use Committee.

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

Mackay Veterans Support Group Inc have occupied and maintained the site for 20 years. If the lease is not approved, members and the community would not be able to benefit from the support and services provided by the group.

Conclusion

The lease to Mackay Veterans Support Group Inc would represent the most advantageous outcome for Council and the community as it will ensure the services and benefits provided to veterans in the community are maintained.

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. Approves a new lease to Mackay Veterans Support Group Inc, for a period of ten years, commencing on 1 January 2024 over an area of approximately 1,380m², being part Lot 532 on SP239851, 2 Leisure Street, South Mackay. The rent will be in accordance with the Mackay Regional Council’s Community Leasing Policy.

MADI Image Mackay Veterans Support Group Lease Area



12. RECEIPT OF PETITIONS

13. TENDERS

13.1. MRC 2023-066 60405 BLOOMSBURY WATER PIPELINE

Author	Executive Manager Portfolio Management Office (Michael Zimmerle)
Responsible Officer	Director Capital Works (Jim Carless)
File Number	MRC 2023-066
Attachments	Nil

Purpose

To present to Council for approval MRC 2023-066 60405 Bloomsbury Water Pipeline.

Related Parties

The parties relating to this report are as follows:

- Roebuck Civil Pty Ltd
- SNG Engineering Pty Ltd
- Utilstra Pty Ltd
- Vassallo Constructions Pty Ltd

Corporate Plan Linkage

Financial Strength

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

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

Background/Discussion

Mackay Regional Council (Council) issued tender documents seeking contractors to construct a new pipeline, new storage tank and a new booster pump for residents at Bloomsbury. The new pipeline provides opportunity for residents along the pipeline to connect to the main and be provided with safe treated water from a plentiful supply.

The tender was advertised on 16 June 2023 via Mackay Regional Council's website and on the Queensland Government's Procurement QTenders website.:

The submissions were received by the closing time of 10.00am, 08 August 2023

The weighting attributed to each qualitative criteria was:

Criterion	Weighting %
Relevant Experience	20%
Tenderer's Resources and Key Personnel	20%
Demonstrated Understanding and Availability	20%
Value for Money	40%

The Tender price of the preferred tender is \$5,550,698.81

Resource Implications

The funding for these works is in the 23/24 and 24/25 budgets as follows:

Project 60405 – 2023-2024 budget of nominally \$2,500,000 and 2024-2025 budget of nominally \$3,400,000 for this project. With the tendered price and other costs associated with the delivery of this project a shortfall of \$1,290,271.51 has been identified.

Description	Amount	Notes
60405 Bloomsbury Water Pipeline		
Expenditure to Date	\$112,210.00	<i>Reference to previous expenditure</i>
Contract Price	\$5,550,698.81	<i>Utilstra Pty Ltd</i>
Project risks	\$832,604.82	<i>15% Contingency allowed</i>
Council's costs	\$694,757.88	<i>Below the line costs for council</i>
Estimated Cost of Project	\$7,190,271.51	
BUDGET		
Budget for 2023/2024 and 2024-2025	\$5,900,000	
BALANCE	(\$1,290,271.51)	<i>Identify budget over expenditure</i>

The additional funding required is to be allocated to the 2024-2025 budget as additional expenditure is anticipated to be expended in 2024-2025 financial year with no budget change to the 2023-2024 financial year.

Risk Management Implications

Risks to Council for this project include community liaison, working in and around traffic, environmental and safety risks and existing services. Some of the mitigation actions to be carried out by the contractor include:

- Throughout delivery, the traffic (including pedestrian) risks will be mitigated through notification to the residents and the implementation and monitoring of the approved Traffic Management Plan
- The contractor has been made aware of the existing services and constraints to allow their costing and methodology to comply with risk control activities associated with the project.
- Measures taken to minimise safety risks are utilising an experienced contractor for the works who will carry out the works in compliance with Workplace Health and Safety Legislation. The delivery methodology (Safe Work Method Statement) from the successful contractor must address any high-risk work activity and will be reviewed and monitored by the Project Manager.
- Existing high voltage and low voltage overhead power lines – the successful contractor must be appropriately trained to perform 'work near overhead and underground electrical lines'.

Conclusion

That awarding the contract to Utilstra Pty Ltd represents the most advantageous outcome and demonstrated value for money to Mackay Regional Council as Utilstra Pty Ltd have the experience, capacity and resources to complete the works to the quantity and quality as specified in the request for tender.

Officer's Recommendation

THAT Council award contract MRC 2023-066 60405 Bloomsbury Water Pipeline to Utilstra Pty Ltd for the part lump sum, part schedule of rates tender price of \$5,550,698.81 (excl GST).

13.2. MRC 2024-016 51861 BUS STOP UPGRADE PROGRAM PTAIP/BSSP

Author	Executive Manager Portfolio Management Office (Michael Zimmerle)
Responsible Officer	Director Capital Works (Jim Carless)
File Number	MRC 2024-016 51861 Bus Stop Upgrade Program PTAIP/BSSP
Attachments	Nil

Purpose

To present to Council for approval MRC 2024-016 51861 Bus Stop Upgrade Program PTAIP/BSSP.

Related Parties

The parties relating to this report are as follows:

- Seaforth Civil Pty Ltd
- Haber Excavations Pty Ltd
- Vassallo Constructions Pty Ltd

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.

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

Resilient and Agile Economy - Our long-term vision guides our planning for present and future needs, understanding the future implications of decisions made today.

Background/Discussion

Mackay Regional Council (Council) issued tender documents for the construction of a series of bus set down areas, and upgrades to existing bus stops to meet the Disability Discrimination Act 1992 requirements. External funding sources for this project include Passenger Transport Accessible Infrastructure Program (PTAIP) and Bus Shelter Subsidy Program (BSSP).

The tender was advertised on 25 August 2023 via the Queensland Governments QTenders website and advertised on Mackay Regional Council's website.

The submissions were received by the closing time of 10:00am 19 September 2023:

The weighting attributed to each qualitative criteria was:

Criterion	Weighting %
Relevant Experience	15%
Tenderer's Resources	15%
Demonstrated Understanding	40%
Value for Money	30%

The Tender price of the preferred tender is \$ 1,144,530.95

Resource Implications

Funding allocations for this project are provided through the capital budget in the 23/24 financial year. There are two external grant funding allocations for this project as follows:

- Bus Shelter Subsidy Program (BSSP) \$190,000.00
- Passenger Transport Accessible Infrastructure Program (PTAIP) \$807,799.03

22/23

Description	Amount	Notes
51861 Bus Stop Upgrade Program PTAIP/BSSP		
Expenditure to Date	\$24,316.07	<i>Reference to previous expenditure</i>
Contract Price	\$1,144,530.95	<i>Seaforth Civil Pty Ltd</i>
Estimated Cost for Bus Shelters scope of work	\$213,783.00	<i>Project's cost estimate Principal Supplied Items</i>
Project risks	\$135,831.40	<i>10% Contingency allowed</i>
Council's costs	\$ 162,611.40	<i>Below the line costs for council</i>
Estimated Cost of Project	\$ 1,681,072.82	
BUDGET		
Budget for 2023/2024	\$ 1,521,687.90	(Fin 1 @ 7.11. 23)
BALANCE	\$ (159,384.92)	<i>Identified budget over expenditure</i>

Additional funding required for completion of this project is proposed to be allocated in the 2023/2024 financial year Capital Works budget to cover the total project spend, this additional funding is depicted in the table above.

Risk Management Implications

- Throughout delivery, the pedestrian and vehicular traffic risks will be mitigated through the implementation and monitoring of the Traffic Management Plan and Safety Management Plan, including signage, as per MUTCD requirements, submitted by the Contractor and accepted by Council.
- Contractors have been made aware of the existing services and constraints to allow their methodology to comply with activities associated with this project.
- Measures taken to minimise safety risks are utilising experienced Contractors for the works and compliance with Work Health & Safety legislation.
- The successful Contractor must develop site specific Environmental Management Plans.
- Existing high voltage (HV) and low voltage (LV) overhead power lines – the successful Contractor must be appropriately trained to perform 'work near overhead and underground electric lines'
- Damage to trees or tree roots. The successful Contractor must adhere to AS4970 Protection of Trees and AS4373 Pruning of Amenity Trees.

Conclusion

That awarding the contract to Seaforth Civil Pty Ltd represents the most advantageous outcome and demonstrated value for money to Mackay Regional Council as Seaforth Civil Pty Ltd have the experience, capacity and resources to complete the works to the quantity and quality as specified in the request for tender.

Officer's Recommendation

THAT Council award contract MRC 2024-016 51861 Bus Stop Upgrade Program PTAIP/BSSP to Seaforth Civil Pty Ltd for the part lump sum, part schedule of rates total price of \$1,144,530.95 (excl GST).

14. CONSIDERATION OF NOTIFIED MOTIONS

14.1. NOTIFIED MOTION

Author	Executive Officer (David McKendry)
Responsible Officer	Chief Executive Officer (Scott Owen)
File Number	Council Policies, Notice of Motion

Attachments	N/a
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Purpose

To present a Notified Motion as presented by Cr Martin Bella, Cr Laurence Bonaventura, and Cr Russell Seymour.

Related Parties

- MRC Councillors

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 clause 6.3 of Council's Standing Orders, any Councillor can request that a matter be included on a Council meeting agenda.

Crs Bella, Bonaventura, and Seymour have requested that a Notified Motion as below be presented to Council –

THAT the Chief Executive Officer undertake for consideration by the newly elected Council at its first Ordinary Meeting the formulation of a proposed operating guideline and structure for Councillors linked to areas of responsibility and interest

The Notified Motion in effect is Council setting a framework for involvement of Councillors in both Council business and linkage to the community, and as such may result in changes to supporting Council Guidelines and Policies.

In support of the Notified Motion, Crs Bella, Bonaventura, and Seymour have provided the below –

The proposed operating guideline should include specific areas of responsibility and interest which align with such things as experience, interest etc. This would also include being the “face of council” with regard to activities in that specific area.

This would also provide a clear pathway for resident requests, and enable councillors to

have better insight in subject knowledge of a specific and defined area.

As presenters of the Notified Motion it is believed that this is essential in preventing the confusion that has reigned both within and outside council during this term.

It is also believed it will go some way to preventing “councillor shopping”, and mixed messages being given to residents, for whatever reason by councillors.

Consultation and Communication

Mayor and Councillors

Resource Implications

Work has already begun related to define Councillor roles including via reestablishing Council Advisory Committees, and linkages to Community Committees (including those that currently have Councillor representation). Any such work in reality to be effective only from the establishment of the new Council following the March elections.

Risk Management Implications

Risk mitigation measures will form part of the assessment and recommendations presented in any overall operating guideline or framework.

Conclusion

Councillors are able to request a Notified Motion be presented for consideration of Council on any matter. In relation to this particular issue, work has already begun investigating options with the view to presenting a recommended position for the newly elected Council.

Timing could align with tabling at the first Ordinary Meeting of the newly elected Council in 2024.

Officer's Recommendation

THAT Council considers the Notified Motion by Crs Bella, Bonaventura, and Seymour of –

THAT the Chief Executive Officer undertake for consideration by the newly elected Council at its first Ordinary Meeting the formulation of a proposed operating guideline and structure for Councillors linked to areas of responsibility and interest

15. PUBLIC PARTICIPATION

Maxine Godley – Dangerous Dogs in Council area

16. LATE BUSINESS

17. CONFIDENTIAL REPORTS

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

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**.

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

18. MEETING CLOSURE

19. FOR INFORMATION ONLY

19.1. DEVELOPMENT APPLICATIONS - OCTOBER 2023

Applications Received

App No.	Code / Impact	Address	Applicant	Description	Officer
DA-2006-109/D	Code	2 Rosewood Drive RURAL VIEW	Core Building Certification	Generally In Accordance Material Change of Use – Development Permit for Club (Northern Beaches Bowls Club)	Patrick Hobson
DA-2008-700/C	Code	2 Mangrove Road MACKAY	Sentinel Caneland Mackay Investment Pty Ltd	Generally in Accordance Extension to Shopping Centre	Darryl Bibay
DA-2020-184/A	Code	23 Oak Street ANDERGROVE	McDonalds Australia Limited	Change Application (Minor)Material Change of Use - Food and Drink Outlet	Brogan Jones
DA-2020-46/A	Code	Lot 497 Beachwood Circuit BAKERS CREEK	Cougar Developments Pty Ltd	Change Application (Minor) Reconfiguring a Lot - Development Permit for Subdivision (1 Emerging Community Lot into 16 Residential lots, Common Property and Balance Lot - Stage 4C)	Emma Langford
DA-2022-54/A	Impact	17 Margaret Street MACKAY	Lambo Projects Pty Ltd	Change Application (Minor) Material Change of Use - Development Permit for Short Term Accommodation	Dennis O'Riely
DA-2023-141/A	Code	3 Wellington Street MACKAY	3 Wellington Pty Ltd ATF	Change Application (Minor)Material Change of Use - Development Permit for 16 Multiple Dwelling Units and Health Care Services	Emma Langford
DA-2023-193	Code	50 Palm Ridge Drive RICHMOND	AAA Building Consultants	Material Change of Use - Development Permit for Dwelling House (Siting and Overlays)	Patrick Hobson
DA-2023-194	Code	11 Alan Naish Court EIMEO	Corey K Egan	Material Change of Use - Development Permit for Dwelling House (Class 10a and 1a) - Siting and Height	Patrick Hobson
DA-2023-195	Code	28 Coral Reef Court ARMSTRONG BEACH	AAA Building Consultants	Material Change of Use - Development Permit for Dwelling House (Shed - Class 10a)	Cherise Ayling
DA-2023-196	Code	100 Camelzulis Road BALNAGOWAN	AAA Building Consultants	Material Change of Use - Development Permit for Dwelling House (Shed - Class 10a)	Teagan Darvill
DA-2023-198	Impact	27 Barrier Street ETON	Steven W Newson	Material Change of Use - Development Permit for Dwelling House (Class 1a)	Brogan Jones
DA-2023-199	Code	106 Moonlight Drive SARINA	Clint J Paskins	Material Change of Use - Development Permit for Dwelling House (Shed - Class 10a)	Patrick Hobson
DA-2023-201	Code	Lot 3 Mount Ossa- Seaforth Road SEAFORTH	Frank R Cowley	Reconfiguring a Lot - Development Permit for Boundary Realignment (2 into 2 Lots)	Darryl Bibay
DA-2023-202	Code	103 Coleshill Drive ALLIGATOR CREEK	Luke W Peters	Material Change of Use - Development Permit for Dwelling House (Shed - Class 10a)	Patrick Hobson
DA-2023-203	Code	11 Le Gardes Road HABANA	Brenton J Wade and Pagean J Wade	Material Change of Use - Development Permit for Dwelling House (Dwelling Additions - Class 1a) - Siting	Cherise Ayling
DA-2023-204	Code	13-15 Southlink Drive BAKERS CREEK	MJ Mahon Transport	Material Change of Use - Development Permit for Transport Depot (Stages 1 and 2)	Brogan Jones
DA-2023-205	Code	62 Kippen Drive BALL BAY	Daniel P Young and Elisha Y Young	Material Change of Use - Development Permit for Dwelling House (Bushfire Hazard, Extractive Resources and	Patrick Hobson

				High Impact Activities, and Flood and Coastal Hazard Overlay)	
DA-2023-206	Code	43 Lloyd Street WEST MACKAY	AAA Building Consultants	Material Change of Use - Development Permit for Dwelling House (Heritage and Neighbourhood Character and Flood and Coastal Hazard Overlays)	Darryl Bibay

Applications Entering Decision Making Period

App No.	Code / Impact	Address	Applicant	Description	Officer
DA-2010-134/A	Impact	20 Ram Chandra Place OORALEA	Windi Tradin Pty Ltd ATF Trading Trust*	Change Application (Other) Material Change of Use - Outdoor Sales	Brogan Jones
DA-2023-106	Impact	Lot 6 Holts Road RICHMOND	Onefin Property Pty Ltd	Material Change of Use - Development Permit for Service Station and Showroom and Reconfiguring a Lot - Development Permit for Subdivision (1 Lot into 4 Lots)	Brogan Jones
DA-2023-124	Code	41 Meadowlands Road RACECOURSE	Brian T Barfield and Mavis J Barfield	Reconfiguring a Lot - Development Permit for Boundary Realignment (9 into 7 Lots)	Renee Andrea
DA-2023-139	Code	1/5 Bridge Road EAST MACKAY	Body Corporate For Ocean Resort Village (No 1)	Material Change of Use - Development Permit for Multiple Dwelling	Renee Andrea
DA-2023-147	Code	47 Pindo Circuit RURAL VIEW	Dominic P Dennis and Lauren J Dennis	Material Change of Use - Development Permit for Dwelling House (Shed - Class 10a) - (Siting and Flood and Coastal Hazard Overlay)	Teagan Darvill
DA-2023-155	Code	Lot 400 Eimeo Road RURAL VIEW	Mackay Regional Council	Material Change of Use - Development Permit for Community Use	Emma Langford
DA-2023-166	Code	Lot 112 Eungella Dam Road EUNGELLA DAM	Eungella Wind Pty Ltd	Material Change of Use - Development Permit for Telecommunications Facility	Darryl Bibay
DA-2023-188	Code	22-24 Silverton Court PAGET	LD West Nominees Pty Ltd	Material Change of Use - Development Permit for Warehouse (2 Stages)	Patrick Hobson
DA-2023-193	Code	50 Palm Ridge Drive RICHMOND	AAA Building Consultants	Material Change of Use - Development Permit for Dwelling House (Siting and Overlays)	Patrick Hobson

Applications Finalised

App No.	Code / Impact	Address	Applicant	Description	Officer
Generally in Accordance With					
DA-2006-109/D	Code	2 Rosewood Drive RURAL VIEW	Core Building Certification	Generally In Accordance Material Change of Use – Development Permit for Club (Northern Beaches Bowls Club)	Patrick Hobson
Approved Subject to Conditions					
DA-2008-700/B	Code	2 Mangrove Road MACKAY	Woolworth Food Group	Generally In Accordance Material Change of Use - Development Permit for Shopping Centre (Extension) - Woolworths 'Direct to Boot' Facility	Darryl Bibay
DA-2013-140/A	Code	23706 Peak Downs Highway ETON	BRW Transport and Quarries Pty Ltd	Permissible Change - Change of Development - Extractive Industry	Patrick Hobson
DA-2014-240	Impact	371 Connors Road BAKERS CREEK	Johnny Farming Company Pty Ltd	Transport Depot	Patrick Hobson

DA-2019-151/B	Code	56 Nelson Street MACKAY	Planning Approval Group	Change Application (Minor) Multiple Dwelling Units (3)	Teagan Darvill
DA-2019-22/A	Code	29-33 Maggiolo Drive PAGET	Bosso Holdings Pty Ltd and Maggiolo Holdings Pty Ltd	Change Application (Minor) Boundary Realignment - 2 High Impact Industry Lots into 2 lots and Material Change of Use - Warehouse (Hardstand Extension)	Darryl Bibay
DA-2019-56/A	Impact	215 Nebo Road WEST MACKAY	Cheuk and Zhang Trading Pty Ltd	Change Application (Minor)Material Change of Use (Food and Drink Outlet and Short-term Accommodation)	Teagan Darvill
DA-2020-27/D	Code	102 Farrellys Road PAGET	BHP Operations Services - Mackay	Change Application (Minor) - Material Change of Use - Development Permit for an Educational Establishment	Darryl Bibay
DA-2021-107/A	Code	19 Daly Street MARIAN	P & Z Mulherin Super Fund Pty Ltd	Change Application (Minor) - Home- based Business (Chiropractic)	Teagan Darvill
DA-2021-214	Code	Lot 900 Mirani-Eton Road MIRANI	Iliv Central QLD Mackay Land Development Pty Ltd	Reconfiguration of a Lot - 1 Lot into 188 Lots (including 2 Park Lots and 1 Sewer Infrastructure Lot)	Brogan Jones
DA-2022-100/A	Code	Lot 241 Slater Avenue BLACKS BEACH	Crossroad Developments Pty Ltd	Change Application (Minor) Material Change of Use – Development Permit for Childcare Centre and Reconfiguring a Lot – Development Permit for Subdivision (1 into 3 Lots)	Teagan Darvill
DA-2023-123	Code	116 Sugarshed Road ERAKALA	Jennifer A Kavanagh	Material Change of Use - Development Permit for Dwelling House (Carport and Shade Structures - Class 10a)	Teagan Darvill
DA-2023-136	Code	102 Andrew Drive DUMBLETON	Kimberly J Matheson	Reconfiguring a Lot - Development Permit for Boundary Realignment (2 lots into 2 lots)	Emma Langford
DA-2023-138/A	Code	Lot 1049 Eton Homebush Road ETON	Bradley J Cameron	Change Application (Other)Material Change of Use - Dwelling House (Bushfire Hazard, Extractive Resources and High Impact Activities Overlay) and Reconfiguring a Lot (Access Easement)	Patrick Hobson
DA-2023-143	Code	Lot 1580 Olletts Road THE LEAP	AAA Building Consultants	Material Change of Use - Development Permit for Dwelling House (Bushfire Hazard Overlay)	Renee Andrea
DA-2023-145	Code	30 Benson Road ALLIGATOR CREEK	James W Turner and Yvonne J Turner	Reconfiguring a Lot - Development Permit for Subdivision (1 into 2 Lots)	Renee Andrea
DA-2023-169	Code	19 Ferguson Street WEST MACKAY	Elizabeth P Zarb	Material Change of Use - Dwelling House (Open Carport and Shed - Class 10a) (Siting, Height and Heritage and Neighbourhood Character Overlay)	Teagan Darvill
DA-2023-176	Code	91358 Bruce Highway SARINA	AAA Building Consultants	Material Change of Use - Development Permit for Dwelling House (Shed - Class 10a)	Teagan Darvill
DA-2023-178	Code	15 Youngs Lane WALKERSTON	The Building Approval Company	Material Change of Use - Development Permit for Dwelling House (Carports - Class 10a)	Renee Andrea
DA-2023-181	Code	2143 Mackay-Eungella Road MIRANI	Gerard M Agius	Reconfiguring a Lot - Development Permit for Boundary Realignment (2 into 2 Lots)	Emma Langford
DA-2023-183	Code	6 Eungella Dam Road EUNGELLA	Eungella Breakaway	Material Change of Use - Development Permit for Short-Term Accommodation	Darryl Bibay

DA-2023-186	Code	4A Rural View Drive RURAL VIEW	Scott Thorburn and Trudy Thorburn	Material Change of Use - Development Permit for Dwelling House (Garage and Carport - Class 10a)	Patrick Hobson
DA-2023-190	Code	116 Donaldson Street WEST MACKAY	Elizabeth A McKendry	Material Change of Use - Development Permit for Dwelling House Extension (Heritage and Neighbourhood Character Overlay) and Building Work - Dwelling House (Carport - Class 10a) - Siting	Patrick Hobson
DA-2023-194	Code	11 Alan Naish Court EIMEO	Corey K Egan	Material Change of Use - Development Permit for Dwelling House (Class 10a and 1a) - Siting and Height	Patrick Hobson
DA-2023-195	Code	28 Coral Reef Court ARMSTRONG BEACH	AAA Building Consultants	Material Change of Use - Development Permit for Dwelling House (Shed - Class 10a)	Cherise Ayling
DA-2023-199	Code	106 Moonlight Drive SARINA	Clint J Paskins	Material Change of Use - Development Permit for Dwelling House (Shed - Class 10a)	Patrick Hobson
DA-2023-202	Code	103 Coleshill Drive ALLIGATOR CREEK	Luke W Peters	Material Change of Use - Development Permit for Dwelling House (Shed - Class 10a)	Patrick Hobson
DA-2023-81	Code	4 Willoughby Crescent EAST MACKAY	Faye Phillips Investments Pty Ltd	Material Change of Use - Development Permit for Multiple Dwelling and Reconfiguring a Lot – Development Permit for Subdivision (2 into 12 Lots)	Renee Andrea
DA-2023-83	Code	85 Coleshill Drive ALLIGATOR CREEK	Rapid Building Approvals	Material Change of Use - Development Permit for Dwelling House (Carport - Class 10a)	Renee Andrea
DA-2023-90	Impact	178 Evan Street MACKAY	Joe Parrotta Plumbing Pty Ltd	Material Change of Use - Development Permit for Warehouse (Outdoor Storage)	Renee Andrea
Application Withdrawn					
DA-2010- 135/C	Code	Lot 900 Mirani-Eton Road MIRANI	Iliv Central QLD Mackay Land Development Pty Ltd	Extension of Relevant Period (6 Years) - Preliminary Approval to vary the effect of the Planning Scheme pursuant to s242 of the Sustainable Planning Act 2009 to facilitate development for Residential Uses (Dwelling Houses, Home Occupations, Multiple Dwelling Units and Oversized Sheds) and Community Uses (Community Facilities, Local Utilities)	Brogan Jones
DA-2023-38	Code	3-7 Reef Drive SARINA	Chloe M Reeve	Material Change of Use - Childcare Centre	Darryl Bibay
Relevant Period Extended					
DA-2011- 167/C	Code	362 Bridge Road WEST MACKAY	Nindaroo Investments Pty Ltd	Extension Application Material Change of Use - Development Permit for Catering Shop, Commercial Premises, Multiple Dwelling Units, Shop	Dennis O'Riely

19.2. BUILDING WORKS STATISTICS - OCTOBER 2023

Class	Description	Total October 2023	Total Value of Proposed Works	Average Proposed Floor Area (m2)	Total October 2022	YTD
Class 1A	A single dwelling being a detached house, or one of a group of two or more attached dwellings, each being a building, separated by a fire-resisting wall, including a row house, terrace house, town house or villa unit	31	\$7,955,518	159	40	415
Class 1B	A boarding house, guest house, hostel or the like with a total area of all floors not exceeding 300m2, and where not more than 12 people reside, and is not located above or below another dwelling or another Class of building other than a private garage	0			2	3
Class 2	A building containing 2 or more sole-occupancy units each being a separate dwelling	0			0	1
Class 3	A residential building, other than a Class 1 or 2 building, which is a common place of long term or transient living for a number of unrelated persons. Example: boarding-house, hostel, backpackers accommodation or residential part of a hotel, motel, school or detention centre	1	\$558,738	210	1	9
Class 4	A dwelling in a building that is Class 5, 6, 7, 8 or 9 if it is the only dwelling in the building	0			0	0
Class 5	An office building used for professional or commercial purposes, excluding buildings of Class 6, 7, 8 or 9	0			2	17
Class 6	A shop or other building for the sale of goods by retail or the supply of services direct to the public. Example: café, restaurant, kiosk, hairdressers, showroom or service station	7	\$1,044,552	27	3	42
Class 7A	A building which is a car park	0			0	0
Class 7B	A building which is for storage or display of goods or produce for sale by wholesale	2	\$204	408	2	15
Class 8	A laboratory, or a building in which a handicraft or process for the production, assembling, altering, repairing, packing, finishing, or cleaning of goods or produce is carried on for trade, sale or gain	3	\$678,325	4,521	0	15
Class 9A	A health care building, including those parts of the building set aside as a laboratory	0			0	1
Class 9B	An assembly building, including a trade workshop, laboratory or the like, in a primary or secondary school, but excluding any other parts of the building that are of another class	0			0	11
Class 9C	An aged care building	0			0	0

Class 10A	A private garage, carport, shed or the like	100	\$7,336,024	82	85	890
Class 10B	A structure being a fence, mast, antenna, retaining or free standing wall, swimming pool or the like	17	\$990,187	10	23	192
Class 10C	A private bushfire shelter	0			5	0
Sundry	Demolition residential/commercial/industrial, class n/a, class s/s	1	\$36,000	N/A	1	11
Totals		162	\$18,599,547	5,417	164	1,622

Description	Total October 2023	Total Value of Proposed Works	Average Proposed Floor Area (m2)	Total October 2022	YTD
New building or structure	98	\$13,934,233	147	119	1,136
Change of building classification	0			0	6
Demolition	8	\$411,799	N/A	5	75
Repairs, alterations, additions	35	\$2,744,966	339	22	307
Swimming pool and/or pool fence	17	\$984,421	N/A	18	191
Relocation or removal	0			1	8
Totals	158	\$18,075,419	485	165	1,723

