



## NOTICE OF GENERAL MEETING

Dear Councillors,

Notice is hereby given of a General Meeting of the Charters Towers Regional Council to be held Wednesday 21 JULY 2021 at 9:00am at the CTRC Board Room, 12 Mosman Street, Charters Towers.

A Johansson  
Chief Executive Officer

**“254I Meetings in public unless otherwise resolved**

A local government meeting is open to the public unless the local government or committee has resolved that the meeting is to be closed under section 254J.

**254J Closed meetings**

- 1) A local government may resolve that all or part of a meeting of the local government be closed to the public.
- 2) A committee of a local government may resolve that all or part of a meeting of the committee be closed to the public.
- 3) However, a local government or a committee of a local government may make a resolution about a local government meeting under subsection (1) or (2) only if its councillors or members consider it necessary to close the meeting to discuss one or more of the following matters—
  - a) the appointment, discipline or dismissal of the chief executive officer;
  - b) industrial matters affecting employees;
  - c) the local government’s budget;
  - d) rating concessions;
  - e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government;
  - f) matters that may directly affect the health and safety of an individual or a group of individuals;
  - g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government;
  - h) negotiations relating to the taking of land by the local government under the *Acquisition of Land Act 1967*;
  - i) a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.
- 4) However, a local government or a committee of a local government must not resolve that a part of a local government meeting at which a decision mentioned in section 150ER(2), 150ES(3) or 150EU(2) of the Act will be considered, discussed, voted on or made be closed.
- 5) A resolution that a local government meeting be closed must—
  - a) state the matter mentioned in subsection (3) that is to be discussed; and
  - b) include an overview of what is to be discussed while the meeting is closed.
- 6) A local government or a committee of a local government must not make a resolution (other than a procedural resolution) in a local government meeting, or a part of a local government meeting, that is closed.”

**GENERAL MEETING**  
**TO BE HELD WEDNESDAY, 21 JULY 2021 AT 9:00AM**  
**CTRC BOARD ROOM, 12 MOSMAN STREET, CHARTERS TOWERS**

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Attachment "A" Unconfirmed Minutes from the General Meeting held 16 June 2021

**1. OPENING OF MEETING**

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**2. ATTENDANCE/APOLOGIES**

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**3. PRAYER**

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**4. CONDOLENCES**

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**5. DECLARATIONS OF INTEREST**

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**6. DEPUTATIONS**

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**7. CONFIRMATION OF MINUTES**

- ❖ Minutes of General Meeting held 16 June 2021.
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**8. BUSINESS ARISING FROM PREVIOUS MINUTES**

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**9. MAYOR'S AND COUNCILLORS' REPORTS**

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**10. MAYORAL MINUTE**

## 11. REPORTS FOR CONSIDERATION – INFRASTRUCTURE SERVICES

### 11.1 Donation of two caravans to SES

#### EXECUTIVE SUMMARY

Council has received a request to support the local Charters Towers SES unit through the donation of two caravans currently within Council Fleet.

#### OFFICER'S RECOMMENDATION

##### *That Council:*

- ***Support the request from Charters Towers SES unit by donating two caravans from Council's Fleet (assets 9000526 and 9000510).***

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#### **BUDGET & RESOURCE IMPLICATIONS**

It is anticipated the direct budget implications will be minimal given the caravans are operational assets and the existing agreement between Council and the local SES unit is for Council to repair and maintain assets utilised by the local SES unit.

The assets recommended for donation have written down values (WDV) and residual values of:

- 9000526: WDV - \$7,476.22 and residual - \$1,000
- 9000510: WDV - \$8,305.94 and residual - \$1,000

There may be an opportunity cost of the assets not being available for operational purposes if required. Should this occur, Council would be required to hire resources to meet operational needs, with availability of the same type of towable caravan difficult to source.

Council utilise the caravan resources to provide off-site accommodation for staff when works are required in isolated locations and it is operationally inefficient and unsafe to travel to sites daily. Donating the two recommended assets shall have minimal to no impact on operational activities as there remains sufficient assets within Council's fleet.

#### **BACKGROUND**

SES representatives attended the Highway Depot site to inspect caravans and identified two preferred assets (9000526 and 9000523.) Fleet Services reviewed the preferred assets and evaluated against other Council caravans and recommends the above assets based on operational suitability. The assets recommended by Fleet Services will minimise operational, repair and maintenance activities and costs when required for service.

#### **LINK TO CORPORATE PLAN**

The recommendation links to the community focus area of "Economic Prosperity – Resilience and Diversification" and the organisational focus areas of "Asset & Infrastructure – Efficient Resource Management" and "Customer Services – Communication" in Council's Corporate Plan 2021-2025.

#### **CONSULTATION (Internal/External)**

Internal: Chief Executive Officer - Aaron Johansson  
Director Infrastructure Services - John Teague  
External: State Emergency Services Representatives

#### **LEGAL CONSIDERATIONS**

There are no legal considerations that warrant the recommendation being declined.

#### **POLICY IMPLICATIONS**

There are no policy implications that warrant the recommendation being declined.

#### **RISK IMPLICATIONS**

There are no political, public relations, financial, workplace health and safety risk implications that warrant the recommendation being declined.

<b>Report Prepared by:</b> GLENN PETERSEN <b>Manager Fleet Services</b> Date: 11 June 2021	<b>Report Authorised by:</b> JOHN TEAGUE <b>Director Infrastructure Services</b>
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**ATTACHMENTS**

- Nil

**REFERENCE DOCUMENT**

- Acceptance of Council’s donation of two caravans Document No. 4511540
- Officer’s Report Document No. 4511517

**11.2 Application for permanent road closure over unconstructed road reserve through Mount Oweenee Station**

**EXECUTIVE SUMMARY**

Council has received a request for ‘in principle support’ of proposed permanent road closure of a section of unconstructed road reserve through Mount Oweenee Station, Charters Towers.

**OFFICER’S RECOMMENDATION**

*That Council:*

- *Offer no objection to the proposed permanent road closure application over the unconstructed road reserve through Mount Oweenee Station, Charters Towers; and*
- *Provide signed Part C statement in relation to an application under the Land Act 1994 over State land to Department of Resources.*

**BUDGET & RESOURCE IMPLICATIONS**

There are no budget and resource implications associated with supporting this recommendation.

**BACKGROUND**

The applicants have requested Council’s ‘in principle’ support to a proposed permanent closure of a section of unconstructed road reserve through their property; Mount Oweenee. This road reserve provides a link between the Gregory Developmental Road and Allensleigh Road that is bound by Lot 4244 on SP284261 and Lot 2 on SP284261 (refer Attachment A). This road reserve does not have a constructed road within it, and is considered surplus to Councils future road network.

The owner of Lot 4244 on SP284261, will lose the potential to subdivide their property with access from the Gregory Developmental Road removed. However, the owner has no objections to the permanent road closure.

It is therefore recommended that Council offer no objection to the proposed permanent road closure application over the identified area and provide signed Part C to the Department of Resources.

**LINK TO CORPORATE PLAN**

The recommendation links to the organisational focus areas of “Asset & Infrastructure – Efficient Resource Management” and “Customer Services – Communication” in Council’s Corporate Plan 2021-2025.

**CONSULTATION (Internal/External)**

Internal: Director Infrastructure Services - John Teague  
 Manager Operations - Nasir Shah

External: Mr. and Mrs. O’Neill  
 Mr. Lyons

**LEGAL CONSIDERATIONS**

There are no legal implications that warrant the recommendation being declined.

### **POLICY IMPLICATIONS**

There are no policy implications that warrant the recommendation being declined.

### **RISK IMPLICATIONS**

There are no political, public relations, financial, workplace health and safety risk implications that warrant the recommendations being declined.

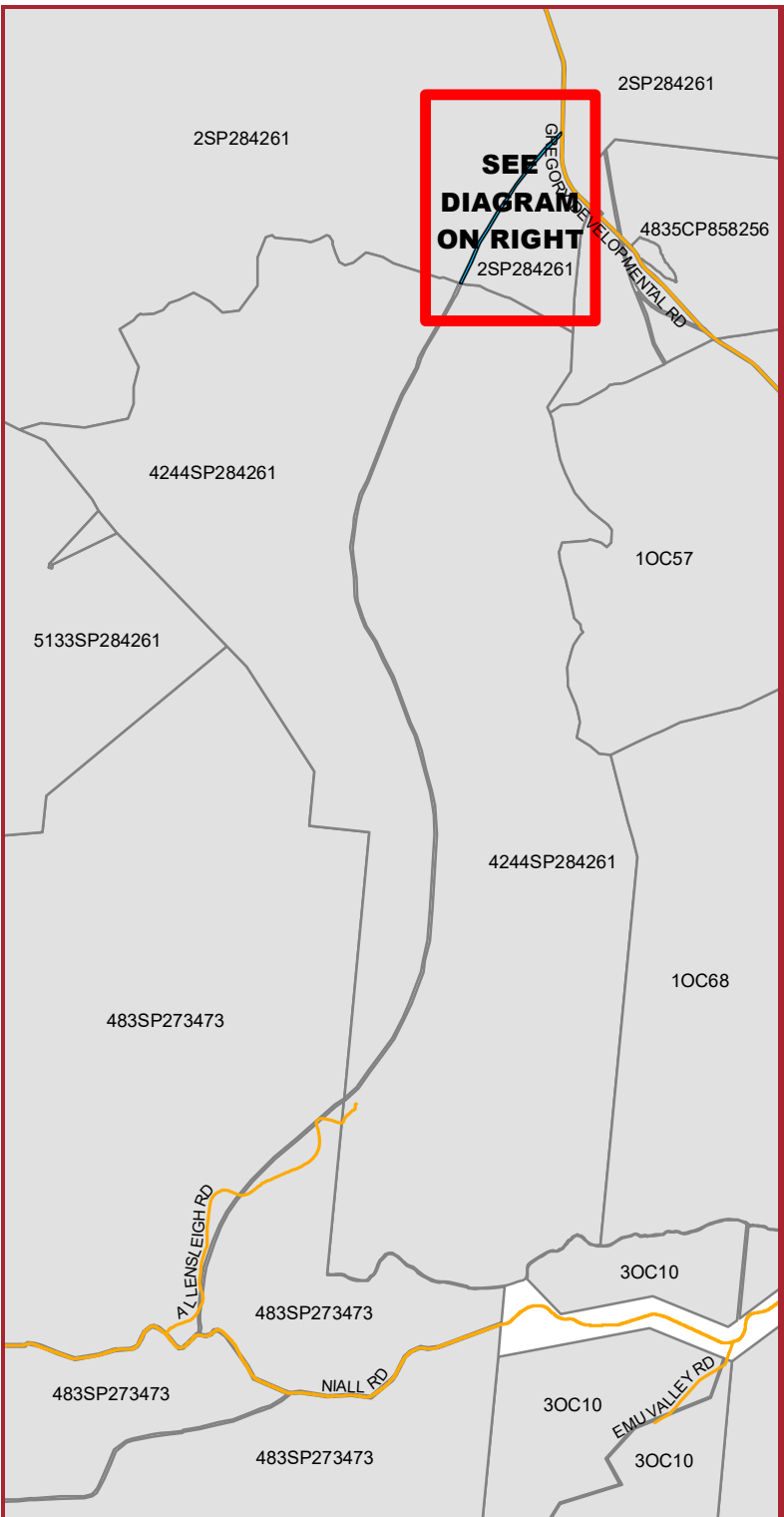
<b>Report Prepared by:</b> NICK HALL <b>Programming Asset Coordinator</b> Date: 23 June 2021	<b>Report Authorised by:</b> JOHN TEAGUE <b>Director Infrastructure Services</b>
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### **ATTACHMENTS**




- Attachment A – Map of proposed road closure Document No. 4511954

### **REFERENCE DOCUMENT**

- Officer's Report Document No. 4511510
  - Response from adjoining landowner Document No. 4511512
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### Unconstructed Road

- LEGEND**
-  Identified Road Segment
  -  Road Centrelines
  -  Parcel Boundaries



Right Diagram Scale  
 0 100 200 400 600 800  
 Metres  
 Scale @ A4 - 1:30,000

PO Box 189 CHARTERS TOWERS QLD 4820  
 T: (07) 4761 5300  
 E: mail@charters Towers.qld.gov.au  
 www.charters Towers.qld.gov.au  
 Date: 7/07/2021  
 Drawn By: CCS  
 Document:  
 Unconstructed\_Road\_Closure



## 12. REPORTS FOR CONSIDERATION – CORPORATE & COMMUNITY SERVICES

### 12.1 Monthly Financial Report

#### EXECUTIVE SUMMARY

Council's monthly financial report in relation to the 2020/21 adopted amended budget is presented for consideration, together with the Income Statement, Balance Sheet and Cash Flow as at 30 June 2021.

#### OFFICER'S RECOMMENDATION

*That Council:*

- *Receive the monthly financial report presenting the progress made as at 30 June 2021 in relation to the 2020/21 adopted amended budget and including the:*
  - *Consolidated Income Statement*
  - *Consolidated Balance Sheet*
  - *Consolidated Cashflow Statement*

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#### **BUDGET & RESOURCE IMPLICATIONS**

A monthly report is presented to Council on its financial position as at 30 June 2021 and includes analysis of actual versus amended budget performance at a whole of organisation level.

It should be noted the report reflects an interim position for income and expenditure levels that are subject to change through the year end / audit process.

#### **BACKGROUND**

This report discusses actual versus amended budget performance, including a rates and charges revenue overview, plus an update on Council cash and investments, and borrowings.

#### **Financial Results as at 30 June 2021**

The following tables provide a snapshot of key financial information for the reporting period 1 July 2020 to 30 June 2021.

#### **Income Statement Summary as at 30 June 2021**

The Income Statement Summary separates the DRFA disaster funding and expenditure from normal Council operations providing a snapshot of the actual versus amended budget performance for normal operations and DRFA activities.

With the 2020/2021 financial year now elapsed, it is reasonable to expect actual income and expenditure to be at approximately 100% of the total budget.

The interim position for total recurrent revenue, excluding DRFA, as at 30 June 2021 is \$38.1 million or 98% of the amended 2020/21 budget.

The interim position for total recurrent expenditure, excluding DRFA, as at 30 June 2021 is \$40.6 million or 95% of the amended 2020/21 budget. After accrued payments are processed, it is anticipated the final 2020/2021 position will be closer to 100%.

The table below provides a summary of key income statement information and is extracted from the 30 June 2021, Income Statement (attached).

Income Statement Summary	2020/21		Variance	Notes
	Amended Budget (\$'000s)	June 2021 Interim EOY (\$'000s)		
Total recurrent revenue (excl DRFA)	\$38,746	<b>\$38,102</b>	98%	On target.
Total recurrent expenses (excl DRFA)	(\$42,659)	<b>(\$40,559)</b>	95%	On target.
<b>Operating result (excl DRFA)</b>	(\$3,913)	<b>(\$2,457)</b>		
<b>DRFA operating result (rev less exp below)</b>	\$150	<b>\$-</b>		New Acc Standards matching timing of DRFA revenue to works carried out
DRFA revenue	\$42,555	<b>\$40,222</b>	95%	DRFA revenue recognised as CTRC work is carried out
DRFA expenses	(\$42,405)	<b>(\$40,222)</b>	95%	DRFA works carried out by CTRC
Capital revenue	\$10,595	<b>\$5,633</b>	53%	Reasonable variance reflects timing of 20/21 capital works funded projects.
Capital expenses	(\$132)	<b>(\$193)</b>		Loss on disposal of fleet assets at auction and land disposal.
<b>Net result</b>	\$6,699	<b>\$2,983</b>		Reconciles with Balance Sheet

New Accounting Standards require that DRFA revenue is recognised in the Income Statement as the DRFA contract works are being expensed. As indicated above, actual DRFA revenue matches actual DRFA expenses of \$40.2 million. The amended budget reflects the realignment of the DRFA budget to the new Accounting Standards.

The table above also shows an operating deficit as at 30 June 2021 of \$2.5 million and a net result surplus of almost three million (including capital revenue and expenses).

## Balance Sheet Summary as at 30 June 2021

The table below provides a summary of key balance sheet information and is extracted from the Balance Sheet as at 30 June 2021 (attached). The table also includes May 2021 figures for comparison of movement against the highlighted balance sheet items.

Balance Sheet Summary	Amended Budget (\$'000s)	2020/21		Notes
		June 2021 EOY (\$'000s)	May 2021 YTD (\$'000s)	
Cash & investments	\$38,915	<b>\$32,499</b>	\$29,458	Increase from prior month reflects funds received in June from QRA for DRFA works & NQRR Grants, plus fleet auction proceeds. Actual is lower than budget due to DRFA claims to be finalised. Final claims will unwind contract assets and liabilities below.
Property plant & equipment	\$465,669	<b>\$454,150</b>	\$453,264	All asset types including roads and water - minor movement
Receivables (Current)	\$5,998	<b>\$2,490</b>	\$2,499	Reasonable level of accounts receivable, minor decrease from prior month
Payables (Current)	\$3,542	<b>\$3,836</b>	\$3,073	Reasonable level of accounts payable
Accrued expenses & unearned revenue	\$6,544	<b>\$-</b>	\$-	Actuals are realised as part of end of year processing
Contract assets	-	<b>\$15,810</b>	\$17,588	Decrease due to payment received from QRA for completed 2019 event DRFA works Contract assets and Contract liabilities will unwind once all DRFA claims for 2019 event are finalised.
Contract liabilities	-	<b>\$6,021</b>	\$5,922	Increase from prior month due to payment received from QRA for a minor number of Work Packages where actuals are yet to be finalised

## Cash and Investments, & Borrowings as at 30 June 2021

The cash and investments, and borrowings as at 30 June 2021 are summarised and presented with key financial stability ratios. These ratios provide a snapshot of the management cash and investments as well as borrowing resources.

Cash & Investments	2020/21		Notes
	Amended Budget (\$'000s)	June 2021 EOY (\$'000s)	
Current account		\$178	Daily transaction management
Investment – QCCU		\$1,000	12 month matures 12/06/2022 – interest rate 0.60%
Investment – QTC		\$31,321	Daily cash fund – interest rate 0.51%
Total cash & investments	\$38,915	\$32,499	

Borrowings			
Current – QTC	\$147	\$148	Quarterly payments payable in current financial year
Non-current – QTC	\$804	\$802	Payable over term– maturity date 15/06/2027
Total borrowings	\$951	\$950	Book rate 2.67% + Admin fee 0.12%

The YTD 2020/21 financial stability ratios reflect strong cash resources available to fund operations.

Financial Stability Ratios	Target	2020/21 Amended Budget	June 21 EOY	May 21 YTD	Notes
Current ratio	>1.1	3.22	3.76	3.92	Well exceeds target.
Cash cover ratio	>1.1	2.75	2.34	2.28	Above target.
Cash capacity in months	>3 months	7.69	5.12	4.64	Cash available to fund over 3 months of operations.

### 1. Current ratio

This is our ability to pay our bills. Measures the extent to which Council has liquid assets available to meet short term financial obligations.  
Current assets ÷ current liabilities

### 2. Cash cover ratio

This is our ability to pay our bills with cash at bank. Measures the extent to which Council's cash at bank can meet short term financial obligations.  
Cash at bank ÷ current liabilities

### 3. Cash capacity in months

An indication as to the number of months available cash would cover operating cash outflows.  
Cash at bank ÷ (annual cash operating costs ÷ months per year)

## Rates & Charges Summary

The following table provides key Rates and Charges Income Statement information and includes the first and second half-yearly rate revenue for the 2020/21 financial year.

Rates & Charges Summary	Adopted Amended Budget	June 2021 EOY (\$'000s)	Notes
General rates	\$12,517	<b>\$12,505</b>	Reflects 1 <sup>st</sup> and 2 <sup>nd</sup> half-yearly rate notices raised for 2020/21.
Waste management	\$1,322	<b>\$1,320</b>	
Water	\$6,210	<b>\$5,215</b>	Water revenue is \$995k below budget. EOY processing will see water revenue close the gap as annual water meter reads are invoiced.
Sewerage	\$3,626	<b>\$3,621</b>	
Excess water	\$473	<b>\$473</b>	
<b>Total rates &amp; charges</b>	<b>\$24,148</b>	<b>\$23,134</b>	YTD actual is 96% of amended budget

### 2020/21 Rating Calendar:

1. First half-yearly rates levies issue date was 24 September 2020. Prompt payment discount due date was 16 November 2020.
2. Second half-yearly rates levies issue date was 4 February 2021 with prompt payment discount due date was 8 March 2021.
3. Water meter reads undertaken last week of May and first week of June 2021. Actual YTD water revenue for 2020/21 to be accrued by end of financial year.

The table below provides key rates and charges Balance Sheet information.

Rates & Charges Debtors	June 2021 EOY (\$'000s)	% of rates debtors	% of rates revenue	Notes
Rates debtors				Due date 8 March 2021
• Current (2020/21 rates)	<b>\$504</b>	42.4%	1.87%	Reduced by \$99k in June
• Overdue (2019/20 rates)	<b>\$461</b>	38.7%	1.74%	Reduced by \$4k in June
• Overdue (pre-2019/20 rates)	<b>\$225</b>	18.9%	0.90%	Reduced by \$3k in June
<b>Total rates debtors</b>	<b>\$1,190</b>	100%		Reduced by \$106k in June
Prepaid Rates & Charges				
Prepaid rates (current liabilities)	<b>\$1,512</b>			Rates paid in advance, mostly via periodic planned payments. Increased by \$142k in June.

### LINK TO CORPORATE PLAN

Corporate Plan 2021-2025

- Priority No 5 Transparency & Accountability
- Priority No 6 Governance & Structure

### CONSULTATION (Internal/External)

Internal: Financial Services Coordinator - Belinda Blokland  
 Rates Coordinator - Selina Pitt  
 Chief Financial Officer - Shane Cagney

External: N/A

### LEGAL CONSIDERATIONS

Section 204 of the *Local Government Regulations (2012)* requires that Council prepare a financial report that is tabled monthly at Council's General Meeting. The financial report must state the progress made in relation to the 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.

## **POLICY IMPLICATIONS**

The report aligns with the adopted 2020/21 budget policies including the Investment Policy, Debt Policy, Revenue Policy and Revenue Statement.

## **RISK IMPLICATIONS**

1. Forward financial planning continues to be a high priority, and the Long-Term Financial Model is actively referenced and updated with key changes throughout the year.
2. Large Asset Classes and Projects are actively monitored throughout each fortnight. Fortnightly positions captured via reporting in the case of Roads and Plant, and monthly reports in respect to Water, Sewerage and Buildings. Monitoring and reporting incorporate both actuals and commitments, enabling early detection of concerning variations to budget or possible trends.

<b>Report Prepared by:</b> SHANE CAGNEY <b>Chief Financial Officer</b> Date: 07 July 2021	<b>Report Authorised by:</b> KIM HARGREAVES <b>Director Corporate &amp; Community Services</b>
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## **ATTACHMENTS**

- Council's position as at 30 June 2021 - Attachment A:
  - Consolidated Income Statement
  - Consolidated Balance Sheet
  - Consolidated Cashflow Statement

## **REFERENCE DOCUMENT**

- Officer's Report Document No. 4511341
-

**INCOME STATEMENT**  
**As at 30 June 2021**  
**Year Ended 30 June 2021**



	2020/2021 Final Amended Budget	2020/2021 Actuals YTD	2020/2021 Percentage Position 100%
<b>REVENUE</b>			
<b>Recurrent Revenue</b>			
<b>Nett Rate Levies &amp; Charges</b>			
General Levies	12,516,476	12,504,695	100%
Waste Management Levies	1,322,103	1,319,899	100%
Water Allocation Levies	6,209,493	5,215,175	84%
Sewerage Levies	3,626,332	3,620,682	100%
Excess Water Levies	473,252	473,252	100%
<b>Total Nett Rate Levies &amp; Charges</b>	<b>24,147,656</b>	<b>23,133,703</b>	
<b>Fees &amp; Charges</b>			
Water Fees & charges	45,000	58,699	130%
Sewerage Fees & charges	135,000	176,760	131%
Other Fees & charges	3,516,416	4,219,948	120%
<b>Total Fees &amp; Charges</b>	<b>3,696,416</b>	<b>4,455,407</b>	
Interest received (includes rates & community loans)	394,533	269,140	68%
Sales	160,000	209,152	131%
Contract Income - RMPC, RPC, PW	2,977,966	2,507,058	84%
Proceeds from Sale of Equipment	123,883	395,881	320%
Other recurrent income	94,047	85,407	91%
<b>Operating Grants &amp; Subsidies</b>			
Operating Grants & Subsidies	7,151,010	7,047,119	99%
Non Capital Flood Event Grants	42,555,319	40,221,751	95%
<b>Total Operating Grants &amp; Subsidies</b>	<b>49,706,329</b>	<b>47,268,870</b>	
<b>TOTAL Recurrent Revenue</b>	<b>81,300,830</b>	<b>78,324,618</b>	<b>96%</b>
<b>Capital revenue</b>			
Capital Grants & Subsidies	8,608,119	4,972,842	58%
Capital Flood Event Grants (DRFA)	1,660,000	-	0%
Capital Contributions	10,000	-	0%
Gain on Sale of Assets	316,895	660,138	208%
<b>Total Capital Revenue</b>	<b>10,595,014</b>	<b>5,632,980</b>	
<b>TOTAL INCOME</b>	<b>91,895,844</b>	<b>83,957,598</b>	<b>91%</b>
<b>EXPENSES</b>			
<b>Recurrent expenses</b>			
Materials, Services & Maintenance	(14,072,482)	(12,301,210)	87%
Flood Event Materials, Services & Maintenance (DRFA)	(41,991,748)	(39,663,731)	94%
Employee Benefits	(19,396,236)	(19,072,404)	98%
Flood Event Employee Benefits (DRFA)	(413,571)	(558,022)	135%
Audit Fees	(245,000)	(198,160)	81%
Finance Costs	(72,040)	(67,100)	93%
Depreciation & amortisation	(8,873,131)	(8,920,572)	101%
<b>TOTAL Recurrent Expenses</b>	<b>(85,064,208)</b>	<b>(80,781,199)</b>	<b>95%</b>
<b>Capital operating expenses</b>	<b>(132,232)</b>	<b>(193,482)</b>	<b>100%</b>
	<b>(132,232)</b>	<b>(193,482)</b>	
<b>TOTAL EXPENSES</b>	<b>(85,196,440)</b>	<b>(80,974,681)</b>	<b>95%</b>
<b>Notional result attributable to council (exc DRFA)</b>	<b>4,889,404</b>	<b>2,982,919</b>	
<b>Notional result attributable to council (inc DRFA)</b>	<b>6,699,404</b>	<b>2,982,917</b>	
<b>Notional Operating Position before Capital Income (exc DRFA)</b>	<b>(3,913,378)</b>	<b>(2,456,579)</b>	
<b>Notional Operating Position before Capital Income (inc DRFA)</b>	<b>(3,763,378)</b>	<b>(2,456,581)</b>	
<b>Notional Op Position before Capital Income &amp; Excess Water</b>	<b>(4,236,630)</b>	<b>(2,929,833)</b>	
<b>Notional Cash available for Capital including Grants</b>	<b>15,704,767</b>	<b>12,096,971</b>	
<b>Notional 'Council funded Cash' available for Capital</b>	<b>5,241,985</b>	<b>6,657,473</b>	

**BALANCE SHEET**  
**As at 30 June 2021**  
**Year Ended 30 June 2021**



	2020/2021 Final Amended Budget	2020/2021 Actuals YTD
<b>CURRENT ASSETS</b>		
Cash at Bank & On-Call Investments	38,914,769	32,499,021
Cash Floats	6,500	6,100
Trade and Other Receivables	5,998,035	2,489,957
Contract Assets	-	15,810,420
Inventories	629,699	675,446
Accrued revenue & prepayments	-	796,561
<b>TOTAL CURRENT ASSETS</b>	<b>45,549,003</b>	<b>52,277,505</b>
<b>NON-CURRENT ASSETS</b>		
Receivables	2,333	1,809
Property, plant and equipment	465,668,816	454,149,838
Internal Loan Receivables	184,000	184,000
<b>TOTAL NON-CURRENT ASSETS</b>	<b>465,855,149</b>	<b>454,335,647</b>
<b>TOTAL ASSETS</b>	<b>511,404,152</b>	<b>506,613,152</b>
<b>CURRENT LIABILITIES</b>		
Trade and other Payables	3,542,354	3,835,692
Contract Liabilities	-	6,021,305
Borrowings	147,000	148,542
Annual & LSL Provisions	3,909,968	3,909,968
Accrued Expenses & Unearned Revenue	6,544,426	-
<b>TOTAL CURRENT LIABILITIES</b>	<b>14,143,748</b>	<b>13,915,507</b>
<b>NON-CURRENT LIABILITIES</b>		
Borrowings	804,000	801,954
Non Current LSL Provision	1,702,597	1,702,598
Internal Loans Payable	184,000	184,000
<b>TOTAL NON-CURRENT LIABILITIES</b>	<b>2,690,597</b>	<b>2,688,552</b>
<b>TOTAL LIABILITIES</b>	<b>16,834,345</b>	<b>16,604,058</b>
<b>NET ASSETS</b>	<b>494,569,807</b>	<b>490,009,094</b>
<b>COMMUNITY EQUITY</b>		
Council Capital	312,673,447	312,673,446
Asset Revaluation Reserve	121,734,680	121,022,686
Retained Surplus/(Deficiency)	6,831,635	2,982,917
Cash Reserves	53,330,045	53,330,045
<b>TOTAL COMMUNITY EQUITY</b>	<b>494,569,807</b>	<b>490,009,094</b>



**CASH FLOW STATEMENT**  
**As at 30 June 2021**  
**Year Ended 30 June 2021**



	2020/2021 Final Amended Budget	2020/2021 Actuals YTD
<b>CASH FLOW FROM OPERATING ACTIVITIES</b>		
Receipts from customers	20,561,942	15,235,024
Payments to suppliers & employees benefits	(76,155,841)	(80,262,795)
	<u>(55,593,899)</u>	<u>(65,027,771)</u>
Interest Received	393,833	268,964
Non capital grants & contributions	7,151,010	7,047,119
Non capital NDRRA Event Grants	42,555,319	40,221,751
Borrowing costs	(30,040)	(28,784)
<b>Net Cash inflow (outflow) from operating activities</b>	<u>(5,523,777)</u>	<u>(17,518,721)</u>
<b>CASH FLOW FROM INVESTING ACTIVITIES</b>		
<b>Payments for property, plant &amp; equipment</b>		
Payments for property, plant & equipment	(19,345,926)	(9,239,591)
	<u>(19,345,926)</u>	<u>(9,239,591)</u>
Receivables-Community Loan Repayments	1,899	1,899
Receivables-Internal Loans	92,000	92,000
Proceeds from sale of property, plant & equipment	316,895	1,095,137
Capital grants, subsidies, contributions	10,278,119	4,972,842
<b>Net cash inflow (outflow) from investing activities</b>	<u>(8,657,013)</u>	<u>(3,077,713)</u>
<b>CASH FLOW FROM FINANCING ACTIVITIES</b>		
Repayment of Internal Loan Borrowings	(92,000)	(92,000)
Repayment of External Loan Borrowings	(143,086)	(143,590)
<b>Net cash flow from financial activities</b>	<u>(235,086)</u>	<u>(235,590)</u>
<b>NET INCREASE (DECREASE) IN CASH</b>	<u><u>(14,415,876)</u></u>	<u><u>(20,832,024)</u></u>
<b>Opening Cash</b>		
Beginning of Reporting Period - Cash at Bank	53,330,045	53,330,044
Beginning of Reporting Period - Cash Floats	7,100	7,100
<b>Cash at beginning of reporting period</b>	<u>53,337,145</u>	<u>53,337,144</u>
<b>Closing Cash</b>		
End of Reporting Period - Cash at Bank	38,914,769	32,499,021
End of Reporting Period - Cash Floats	6,500	6,100
<b>Cash at end of reporting period</b>	<u>38,921,269</u>	<u>32,505,121</u>
<b>Cash Movement</b>		
Net Increase/(Decrease) in Cash at Bank	(14,415,276)	(20,831,024)
Net Increase/(Decrease) in Cash Floats	(600)	(1,000)
<b>NET INCREASE (DECREASE) IN CASH</b>	<u><u>(14,415,876)</u></u>	<u><u>(20,832,024)</u></u>

**EXECUTIVE SUMMARY**

The current Pre-qualified Supplier Arrangement (PSA) for Products (PSA006/18) expires 31 July 2021. The establishment of PSAs has two main objectives. Firstly, to assist Council officers in maintaining compliance in accordance with Section 232 of the *Local Government Regulation 2012*. Secondly, by advertising for the establishment of a PSA, it affords the supplier market an opportunity to express their interest in doing business with Charters Towers Regional Council.

**OFFICER'S RECOMMENDATION****That Council:**

- ***Appoint the following suppliers as tabled, onto the Prequalified Supplier Arrangement for Various Products (PQS059/20) for a period of three years from 1 August 2021 to 31 July 2024, with an option to extend for a further three-year period.***

Tenderer	Category
*7 Day Hire Charters Towers and Totalspan	Category C - Building, Civil Construction and Hardware
A1 Highways Pty Ltd	Category J - Signage and Roadside/Traffic Products
Abco Products	Category D - Chemicals, Cleaning & Hygiene Products
Accidental Health & Safety Nq	Category E - First Aid & PPE
Alliance Safety Equipment Pty Ltd	Category E - First Aid & PPE
Alpha First Aid	Category E - First Aid & PPE
Amare Safety	Category E - First Aid & PPE
Amplitude Pty Ltd	Category E - First Aid & PPE
Apr Manufacturing Group	Category C - Building, Civil Construction and Hardware Category J - Signage and Roadside/Traffic Products
Aqualyng ICES	Category D - Chemicals, Cleaning & Hygiene Products Category A - Spare Parts & Accessories
Artcraft Proprietary Limited	Category J - Signage and Roadside/Traffic Products Category K - Steel Supplies
Australian Chemicals Pty Ltd	Category D - Chemicals, Cleaning & Hygiene Products
Australian Construction Products	Category J - Signage and Roadside/Traffic Products
Australian Control Engineering Pty Ltd	Category A - Spare Parts & Accessories
Australian Tyre Traders Pty Ltd	Category A - Spare Parts & Accessories
B2b Supply Pty Ltd	Category E - First Aid & PPE Category F - Lubricants Category J - Signage and Roadside/Traffic Products
Barro Group Pty Ltd	Category I - Quarry Products
Biosol	Category D - Chemicals, Cleaning & Hygiene Products
*Bits for Cars	Category A - Spare Parts & Accessories
Boral Asphalt	Category B - Bituminous Products
Bridgestone Australia Ltd.	Category A - Spare Parts & Accessories
Broomsfast Lincoln	Category A - Spare Parts & Accessories
Btx Group Pty Ltd	Category D - Chemicals, Cleaning & Hygiene Products
*Bulk Sand and Natural Agg's	Category I - Quarry Products
Bunzl Brands & Operations Pty Limited	Category E - First Aid & PPE
Burson Auto Parts	Category A - Spare Parts & Accessories
Camm Quarries Pty Ltd	Category I - Quarry Products
Chemxpress Pty Ltd	Category D - Chemicals, Cleaning & Hygiene Products

<b>Tenderer</b>	<b>Category</b>
Citiscap Pty Ltd	Category J - Signage and Roadside/Traffic Products
Cleveland Bay Chemical Company	Category D - Chemicals, Cleaning & Hygiene Products
Closedane Pty Ltd T/A JM Switchboards	Category C - Building, Civil Construction and Hardware
Cnw Electrical Wholesale	Category A - Spare Parts & Accessories Category C - Building, Civil Construction and Hardware
Colas Solutions	Category B - Bituminous Products
Cole Supplies Pty Ltd	Category E - First Aid & PPE
Concrete Products Australia	Category H - Precast Concrete Products
Conplant Pty Ltd	Category A - Spare Parts & Accessories
Coogee Qca Pty Ltd	Category D - Chemicals, Cleaning & Hygiene Products
Ctc Automation	Category A - Spare Parts & Accessories
*D&L Mcginnis Pumping Supplies Pty Ltd	Category C - Building, Civil Construction and Hardware
Daimler Trucks Toowoomba	Category A - Spare Parts & Accessories
Delnorth Pty Limited	Category J - Signage and Roadside/Traffic Products
*Direct Wholesale Tyres Pty Ltd	Category A - Spare Parts & Accessories
Downer Infrastructure Services	Category B - Bituminous Products
*Downtime Solutions	Category A - Spare Parts & Accessories Category F - Lubricants
Eesa	Category C - Building, Civil Construction and Hardware
Elster Metering Pty Ltd	Category C - Building, Civil Construction and Hardware
Expandesign Pty Ltd	Category J - Signage and Roadside/Traffic Products
Fernland Agencies Pty Ltd	Category D - Chemicals, Cleaning & Hygiene Products Category E - First Aid & PPE
Fulton Hogan	Category B - Bituminous Products
Gaam Emergency Products	Category E - First Aid & PPE
Geofabrics Australasia Pty Ltd	Category C - Building, Civil Construction and Hardware
Giger Machinery Services Pty Ltd	Category A - Spare Parts & Accessories
Globe Growing Solutions	Category D - Chemicals, Cleaning & Hygiene Products
*Gromac Quarries (Nq) Pty Ltd	Category I - Quarry Products
Harry West Flags	Category J - Signage and Roadside/Traffic Products
Haymans Electrical and Data Suppliers	Category C - Building, Civil Construction and Hardware
*Herbert Hall Enterprises Pty. Ltd.	Category C - Building, Civil Construction and Hardware
Hi-Vis Signs & Safety	Category J - Signage and Roadside/Traffic Products
Holcim (Australia) Pty Ltd	Category H - Precast Concrete Products
*Hollimans Rural Supplies	Category C - Building, Civil Construction and Hardware Category D - Chemicals, Cleaning & Hygiene Products Category F - Lubricants Category E - First Aid & PPE
*Inland Office Supplies & World of Winners	Category G - Office & Stationery Supplies Category G - Office & Stationery Supplies Category E - First Aid & PPE
Ixom	Category D - Chemicals, Cleaning & Hygiene Products
*Jett Industrial Supplies	Category A - Spare Parts & Accessories
Lawrence & Hanson Group Pty Ltd	Category C - Building, Civil Construction and Hardware

<b>Tenderer</b>	<b>Category</b>
	Category E - First Aid & PPE
Marcon Agencies Pty Ltd	Category C - Building, Civil Construction and Hardware Category J - Signage and Roadside/Traffic Products
*Metalcorp Steel	Category K - Steel Supplies
Metasphere	Category A - Spare Parts & Accessories Category C - Building, Civil Construction and Hardware
Metromatics	Category J - Signage and Roadside/Traffic Products
*National Tyre Traders Pty Ltd (Towers Tyres)	Category A - Spare Parts & Accessories
*Nq Steelstocks Pty Ltd	Category K - Steel Supplies
Nq Supply	Category D - Chemicals, Cleaning & Hygiene Products
*Nutrien Ag Solutions	Category D - Chemicals, Cleaning & Hygiene Products Category C - Building, Civil Construction and Hardware
*Ocwen Energy Pty Ltd (BP Charters Towers)	Category F - Lubricants
Omega Chemicals	Category D - Chemicals, Cleaning & Hygiene Products
Ontime Guardrail	Category J - Signage and Roadside/Traffic Products
Permanent Pothole Solutions Pty Ltd	Category B - Bituminous Products
Professional Pump Services & Irrigation	Category C - Building, Civil Construction and Hardware
Protecta-Vision Australia	Category E - First Aid & PPE
Redox Pty Ltd	Category D - Chemicals, Cleaning & Hygiene Products
Reece Australia Pty Ltd	Category C - Building, Civil Construction and Hardware Category D - Chemicals, Cleaning & Hygiene Products Category E - First Aid & PPE Category H - Precast Concrete Products Category K - Steel Supplies
*RepcO	Category A - Spare Parts & Accessories Category D - Chemicals, Cleaning & Hygiene Products Category F - Lubricants
*Revegetation Contractors Pty Ltd	Category C - Building, Civil Construction and Hardware
*Rural Mechanical Repairs	Category A - Spare Parts & Accessories Category F - Lubricants
*Rybenleigh Pty Ltd	Category D - Chemicals, Cleaning & Hygiene Products
Safety Glasses Online	Category E - First Aid & PPE
*Steel Supplies Charters Towers Pty Ltd	Category K - Steel Supplies
T.W. Woods Construction Pty Ltd	Category K - Steel Supplies
TFH Hire Services Pty Ltd	Category C - Building, Civil Construction and Hardware
*The Queenton Paper Shop	Category G - Office & Stationery Supplies
The Trustee for Evan Evans Unit Trust	Category J - Signage and Roadside/Traffic Products
*Towers Hydraulics Pty Ltd	Category A - Spare Parts & Accessories Category F - Lubricants
*Towers Packaging & Chemical Supplies (Nq) P/L	Category D - Chemicals, Cleaning & Hygiene Products
*Towers Power Equipment	Category A - Spare Parts & Accessories Category C - Building, Civil Construction and Hardware
Tradelink Pty Limited	Category B - Bituminous Products Category C - Building, Civil Construction and Hardware Category D - Chemicals, Cleaning & Hygiene Products Category E - First Aid & PPE

Tenderer	Category
	Category H – Precast Concrete Products Category J – Signage and Roadside/Traffic Products
Traffic QLD & NSW	Category J - Signage and Roadside/Traffic Products
Water Treatment Services (Aust) Pty. Ltd.	Category D - Chemicals, Cleaning & Hygiene Products
Whites Diesels	Category A - Spare Parts & Accessories
Winc Australia	Category E - First Aid & PPE Category G - Office & Stationery Supplies Category G - Office & Stationery Supplies
*Worklocker Charters Towers	Category E - First Aid & PPE
Wurth Australia Pty Ltd	Category D - Chemicals, Cleaning & Hygiene Products Category F - Lubricants Category E - First Aid & PPE Category A - Spare Parts & Accessories Category C - Building, Civil Construction and Hardware Category J - Signage and Roadside/Traffic Products

\*Local suppliers

### **BUDGET & RESOURCE IMPLICATIONS**

There are no budget and/or resource implications that would impact the management of the prequalified supplier arrangement or warrant the recommendation being declined.

### **BACKGROUND**

Charters Towers Regional Council undertakes a variety of repairs, general maintenance, construction works and associated functions that often requires suppliers of goods and associated services to be engaged to assist in the completion of these tasks.

Establishing a Register of Prequalified Suppliers for contractors/suppliers able to provide such goods and associated services assists Council in delivering its services to the community in an efficient and effective manner. As outlined in Section 232 of the *Local Government Regulation 2012*:

s232(3) A local government may establish a register of pre-qualified suppliers of particular goods or services only if:

- (a) the preparation and evaluation of invitations every time the goods or services are needed would be costly; or
- (b) the capability or financial capacity of the supplier of the goods or services is critical; or
- (c) the supply of the goods or services involves significant security considerations; or
- (d) a precondition of an offer to contract for the goods or services is compliance with particular standards or conditions set by the local government; or
- (e) the ability of local business to supply the goods or services needs to be discovered or developed.

The tender request sought to establish a Register of Pre-qualified Suppliers that have been assessed as having the capability, financial stability, product range and industry expertise to carry out any resulting contract.

By advertising for the establishment of a Pre-qualified Supplier Arrangement, the tender allowed interested parties to submit an offer to Council for inclusion on a pre-qualified supplier arrangement basis for the categories listed and as required by Council from time to time over a three-year period. The engagement of any successful tenderer (Supplier) is not for indefinite periods, and Council reserves the right to engage any one supplier, any number of suppliers or no suppliers at all.

Council does not guarantee the quantity of goods and/or associated services that will be ordered from successful tenderers under this arrangement, and there is no obligation by Council to place a minimum order with any supplier, nor to ensure equal volumes are shared between suppliers. Orders will be awarded on an 'as needed' and 'best value' basis at the discretion of Council and may include a competitive quotation process. Once the arrangement is in place. Council also reserved the right to seek

fixed pricing from suppliers on the arrangement for a set period. This will be achieved through a competitive quotation process from suppliers listed under the relevant category for a select range of products.

The arrangement also allows Council to negotiate Vendor Managed Inventory (VMI) with supplies appointed to the arrangement. Additionally, the arrangement seeks to provide flexibility for Council to access the suppliers' full range of products within the scope of the requirements.

#### List of categories

- Category A – Spare Parts, Accessories and Associated Services  
(Includes Tyres & Windscreens, however, Excludes Lubricants)
- Category B – Bituminous Products
- Category C – Building, Civil Construction and Hardware
- Category D – Chemicals, Cleaning & Hygiene Products
- Category E – First Aid & PPE
- Category F – Lubricants
- Category G – Office & Stationery Supplies
- Category H – Precast Concrete Products
- Category I – Quarry Products
- Category J – Signage and Roadside/Traffic Products
- Category K – Steel Suppliers

#### Contract details

Contract description:	PQS059/20 Pre-qualified Suppliers of Various Products
Contract commencement date:	1 August 2021
Contract expiry date:	31 July 2024
Tender refresh:	12 Monthly
Next tender refresh:	March 2022
Optional extensions:	1 x 3 Years

#### Tenders were evaluated via a staged approach which is outlined below.

- Stage 1 All required documentation provided, completed, and signed as required.
- Stage 2 Non-weighted criteria were assessed as to whether the submission met the minimum requirements.
- Stage 3 Weighted criteria were assessed and scored through Vendor Panel's multiparty evaluation tool.

<u>Criteria</u>	<u>Weighting</u>
Relevant Experience	40%
Tenderers Capacity	35%
Developing Local Business & Industry	25%

Tenderer submissions were required to meet a minimum weighted evaluation score to warrant inclusion on the panel arrangement.

Council received a total of 163 submissions of which 34 were unsuccessful.

**COMMERCIAL IN CONFIDENCE**

**END COMMERCIAL IN CONFIDENCE**

#### LINK TO CORPORATE PLAN

Governance & Structures – Efficient and clear Council processes that ensures high quality, resource efficient and innovative service delivery

#### CONSULTATION (Internal/External)

Internal: Procurement Team Leader - Jody Bredden (Evaluation Panel)  
Procurement Team Member - Sonja Cluff (Evaluation Panel)

External: Nil

### **LEGAL CONSIDERATIONS**

There are no legal implications that warrant the recommendation being declined. This procurement activity was carried out in accordance with the *Local Government Act 2009* and associated Regulation.

### **POLICY IMPLICATIONS**

There are no policy implications that warrant the recommendation being declined. This procurement activity was carried out in accordance with Council's Procurement Policy and associated procedure.

### **RISK IMPLICATIONS**

There are no political, public relations, financial or workplace health and safety risk implications that warrant the recommendation being declined.

<b>Report Prepared by:</b> PAUL WESTON <b>Procurement Coordinator</b> Date: 2 June 2021	<b>Report Authorised by:</b> SHANE CAGNEY <b>Chief Financial Officer</b>
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### **ATTACHMENTS**

- Nil

### **REFERENCE DOCUMENT**

- Vendor Panel Multi Party Evaluation Report, Document No. 4509677
  - Officer's Report, Document No. 4509689
-

### **EXECUTIVE SUMMARY**

Council's Audit and Risk Committee met on 15 June 2021, a report and the unconfirmed minutes of that meeting are tabled for Council's information.

### **OFFICER'S RECOMMENDATION**

**That Council:**

- **Receive and note this report and the unconfirmed minutes of the CTRC Audit & Risk Committee meeting held on 15 June 2021.**

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### **BUDGET & RESOURCE IMPLICATIONS**

There are no budget or resource implications that warrant the recommendation being declined.

### **BACKGROUND**

In accordance with section 211 of the *Local Government Regulation 2012*, a report is tabled for Council on matters reviewed at its Audit & Risk Committee meeting held 15 June 2021.

The Audit & Risk Committee unconfirmed Minutes are tabled for Council's information, with the matters covered as per the Annual Work Plan, under the following subject headings:

- External Audit
- Internal Audit
- Financial Compliance and Internal Controls
- People, Performance and Work Health & Safety
- Governance and Risk Management
- Audit & Risk Committee Governance Matters

Advisors from the Queensland Audit Office (QAO) and BDO Pty Ltd were in attendance in an external and internal audit practitioner capacity respectively. The QAO provided a brief on QAO reports to parliament as well as an overview of the External Audit Plan accepted by CTRC on 29 April 2021 with a focus on key business and financial reporting risks and key milestones. BDO Pty Ltd provided the Committee with a status update on the 2020/21 Internal Audit Plan and Council's progress on the implementation of review recommendations.

Other matters considered (but not limited to) and endorsed by the Committee included the Draft 2020/21 Shell Financial Statements and Accounting Position Papers.

As per the Annual Work Plan for 2021, the following Committee meetings are scheduled for the remainder of the year:

- Meeting 3 – 12 August 2021
- Meeting 4 – 14 October 2021

With these matters considered, it is recommended that Council receive and note the Audit & Risk Committee report for the meeting held 15 June 2021 as documented through the tabled unconfirmed minutes.

### **LINK TO CORPORATE PLAN**

CTRC Corporate Plan 2021-2025 – Governance & Structures – OFA2.1 – OFA2.3

The CTRC Audit & Risk Committee's responsibilities include monitoring and reviewing CTRC's Corporate Governance practices to ensure compliance, plus effective and efficient service improvements across the organisation.

### **CONSULTATION (Internal/External)**

Internal: Chief Executive Officer - Aaron Johansson  
Director Corporate & Community Services - Kim Hargreaves  
Manager Governance & Communications - Camille Conaghan  
Chief Financial Officer - Shane Cagney

External: Advisors present at the Audit & Risk Committee meeting held 15 June 2021



## **LEGAL CONSIDERATIONS**

The requirements of the Audit & Risk Committee function are set out in the *Local Government Act 2009*, Section 105 and the *Local Government Regulation 2012*; Subdivision 2, Section 208-211.

There are consequently no legal considerations that warrant the recommendation being declined.

## **POLICY IMPLICATIONS**

This report complies with the requirements of the Audit & Risk Committee Policy, S0038 and Terms of Reference, D0062 to present meeting outcomes to Council.

There are consequently no policy considerations that warrant the recommendation being declined.

## **RISK IMPLICATIONS**

There are no risk implications that warrant the recommendation being declined.

<b>Report Prepared by:</b> JASMINE ORWE <b>EA to Director Corporate &amp; Community Services</b> Date: 8 July 2021	<b>Report Authorised by:</b> KIM HAGREAVES <b>Director Corporate &amp; Community Services</b>
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## **ATTACHMENTS**

- Attachment 1 - Unconfirmed minutes of the Audit & Risk Committee meeting held 15 June 2021  
Document No. 4506430 **Confidential**

## **REFERENCE DOCUMENT**

- CTRC Audit & Risk Committee meeting agenda for 15 June 2021, Document No. 4504098
  - Signed External Audit Plan, Document No. 1449558
  - Audit & Risk Committee 2021 Annual Work Plan, Document No. 1372940
  - D0062, Audit & Risk Committee Terms of Reference, Document No. 1251606
  - Officer's Report, Document No. 4512108
-

**EXECUTIVE SUMMARY**

This report details the development activity for the months of April to June 2021 and is tabled for Council to note.

**OFFICER’S RECOMMENDATION**

*That Council:*

- *Receive the Regional Development quarterly update for the period April to June 2021 as tabled.*

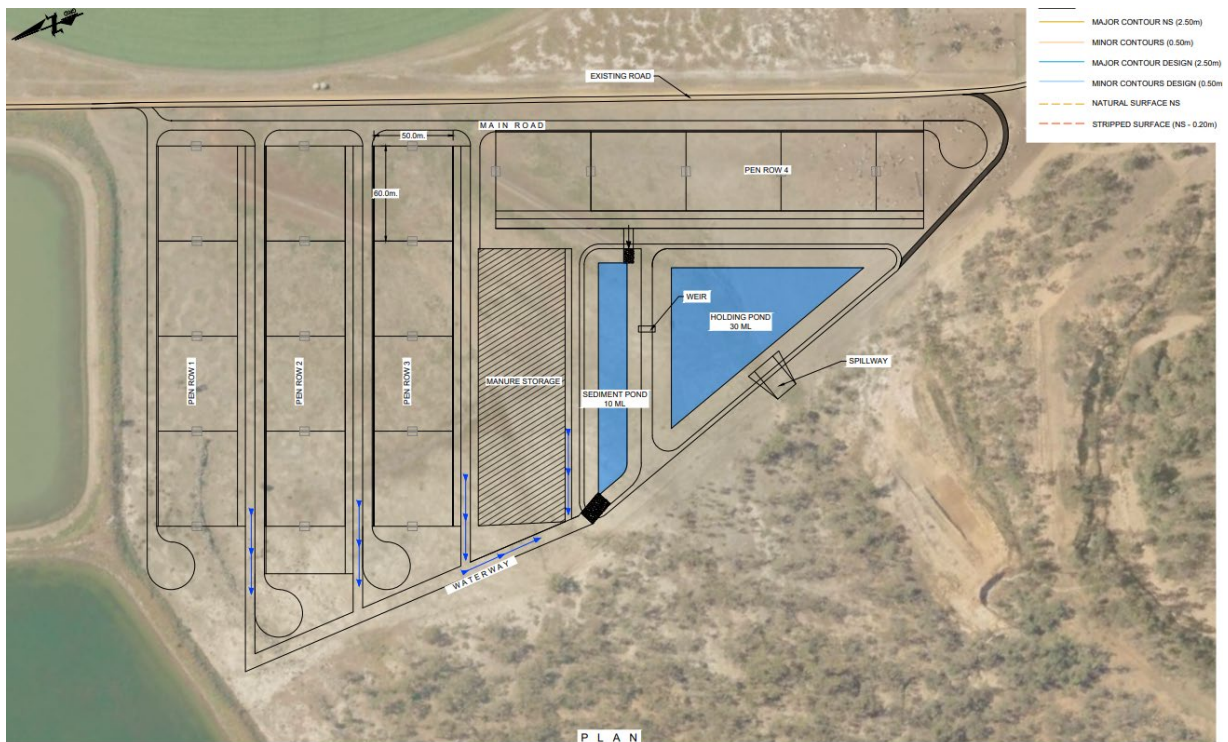
**BUDGET & RESOURCE IMPLICATIONS**

There are no budget or resource implications associated with this resolution being supported.

**BACKGROUND**

**Summary of Major Applications**

- **MC21/93** – Material Change of Use of Premises extension to Intensive Animal Industry (Feed Lot from 1,600 Standard Cattle Units to 5,000 Standard Cattle Units) at 312 Anabranh Road, Breddan; Information and Referral stage as of 6 July 2021.



**Figure One: Proposed Site Plan for MC21/93**

- **OPW2021/0001** – Operational Works (Earthworks, Roadworks (including Driveways), Stormwater Drainage and Water Reticulation (Stage 1 of Grand Secret Estate) at 1-21 Towers Street, Grand Secret; Information Request stage as of 6 July 2021. Value of works \$1,075,207.

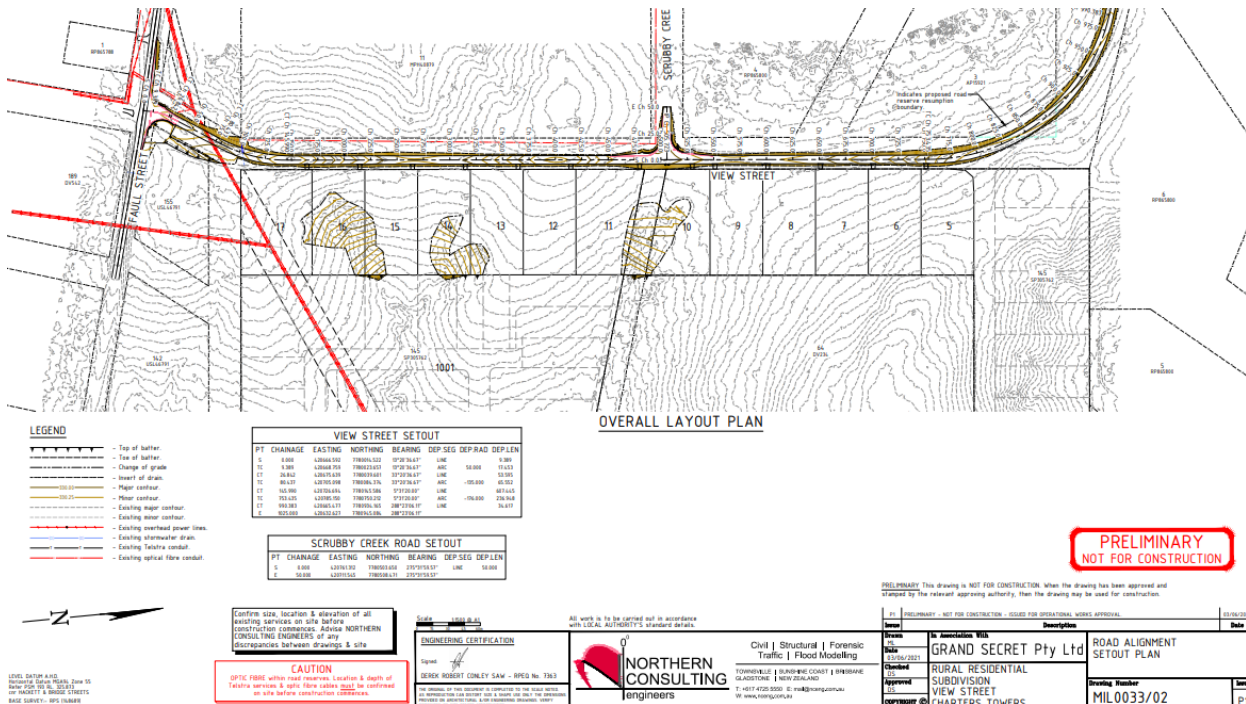


Figure Two: Proposed Works Plan or OPW2021/0001

- **MCU2021/0002** – Material Change of Use of Premises for Non-resident Workforce Accommodation (312 Rooms) at 16420 Gregory Developmental Road, Llanarth QLD 4820 (Belyando Service Station); Information and Referral stage as of 6 July 2021.



Figure Three: Proposed Plan of Development for MCU2021/0002

- **MC21/89** – Material Change of Use of Premises for Garden Centre at 593 Weir Road, Breddan approved on 29 June 2021.
- **MCU2021/0001** - Material Change of Use of Premises for Food and Drink Outlet (Café and Kitchen) at 11 Macpherson Street, Columbia (Feed Lot Café); Undertaking public notification between 25 June to 16 July 2021.

## Quarterly Statistics

**Table One: Summary of Applications Lodged**

Month	Building	Plumbing	Planning	Total
April	6	2	2	10
May	20	5	3	28
June	10	4	5	19
				<b>57</b>

**Table Two: Summary of Building Works Costs**

Month	Total Cost of Works
April	\$405,331
May	\$1,015,505
June	\$1,776,349
	<b>\$3,197,185</b>

### **Façade Improvement Program**

A total of 11 applications have been received, nine approved with three finalised and payment provided to the Applicant.

### **Compliance and Enforcement**

A total of seven Show Cause Notices were issued for carrying out assessable development without a permit. Five have since achieved compliance.

### **2020/2021 Planning and Development Update**

The 2020/2021 Planning and Development Update has been released. Key statistics include:

- 1) 192 Development Applications received
- 2) 18 new Dwelling Houses and 23 new lots approved
- 3) Total Building Works of 31.6M up from 8.4 in 2019/2020, and
- 4) Total commercial floor area approved being 4,935m<sup>2</sup>.

### **LINK TO CORPORATE PLAN**

Community Focus Area – Economic Prosperity

Organisation Focus Area – Customer Service

### **CONSULTATION (Internal/External)**

Internal: Director Corporate and Community Services - Kim Hargreaves  
Manager Regional Development - Matthew Kelly

### **LEGAL CONSIDERATIONS**

There are no legal considerations that warrant the recommendation being declined.

### **POLICY IMPLICATIONS**

There are no policy implications that warrant the recommendation being declined.

### **RISK IMPLICATIONS**

There are no risks that warrant the recommendation being declined.

<b>Report Prepared by:</b> MATTHEW KELLY <b>Manager Regional Development</b> Date: 6 July 2021	<b>Report Authorised by:</b> KIM HARGREAVES <b>Director Corporate and Community Services</b>
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### **ATTACHMENTS**

- Not Applicable

## **REFERENCE DOCUMENT**

- Development Decisions and Exemption Certificates – located on Council's Website [here](#)
- Planning and Development Update 2020/2021 – ECM Document No. 4512338
- Officer's Report – ECM Document No. 4510806

## **12.5 Request to adopted amendments to Local Laws and Subordinate Local Laws**

### **EXECUTIVE SUMMARY**

Council is requested to adopt several amendments to existing Local and Subordinate Local Laws. The amendments remove obsolete Local Laws, consolidate the Subordinate Local Laws, and improve the regulatory framework across the Region.

### **OFFICER'S RECOMMENDATION**

*That Council resolves to:*

- 1) ***Make the following local laws pursuant to Section 29 of the Local Government Act 2009 ("the Act"):***
  - a) ***Subordinate Local Law No. 1 (Administration) 2021;***
  - b) ***Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2021; and***
  - c) ***Repealing Local Law No. 1 (Miscellaneous Local Laws) 2021 (the "New Local Laws").***
- 2) ***Repeal the following local laws pursuant to Section 29(3) of the Act:***
  - a) ***Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011;***
  - b) ***Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011;***
  - c) ***Subordinate Local Law No. 1.3 (Establishment or Occupation of a Temporary Home) 2011;***
  - d) ***Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2011;***
  - e) ***Subordinate Local Law No. 1.5 (Keeping of Animals) 2011;***
  - f) ***Subordinate Local Law No. 1.6 (Operation of Camping Grounds) 2011;***
  - g) ***Subordinate Local Law No. 1.7 (Operation of Cane Railways) 2011;***
  - h) ***Subordinate Local Law No. 1.8 (Operation of Caravan Parks) 2011;***
  - i) ***Subordinate Local Law No. 1.9 (Operation of Cemeteries) 2011;***
  - j) ***Subordinate Local Law No. 1.10 (Operation of Public Swimming Pools) 2011;***
  - k) ***Subordinate Local Law No. 1.11 (Operation of Shared Facility Accommodation) 2011;***
  - l) ***Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2011;***
  - m) ***Subordinate Local Law No. 1.13 (Undertaking Regulated Activities regarding Human Remains) 2011;***
  - n) ***Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011;***
  - o) ***Subordinate Local Law No. 1.15 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011;***
  - p) ***Subordinate Local Law No. 1.18 (Bringing or Driving a Motor Vehicle onto a Local Government Controlled Area) 2011;***
  - q) ***Subordinate Local Law No. 1.19 (Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee) 2011; and***
  - r) ***Local Law Policy No.P24 (Gates and Grids).***

- 3) **Adopt consolidated versions of the following local laws pursuant to section 32(1) of the Act:**
  - a) **Subordinate Local Law No. 2 (Animal Management) 2011;**
  - b) **Subordinate Local Law No. 3 (Community and Environmental Management) 2011;**
  - c) **Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011; and**
  - d) **Subordinate Local Law No. 5 (Parking) 2011.**
- 4) **To approve the anti-competitive provisions review for the New Local Laws and confirm that meaningful public consultation was undertaken;**
- 5) **To delegate to the Chief Executive Officer the power to take all steps necessary to publish the new Local Laws in accordance with section 29B of the Act; and**
- 6) **To delegate to the Chief Executive Officer the power to make administrative amendments where operationally required.**

### **BUDGET & RESOURCE IMPLICATIONS**

The Local Laws Review Project was allocated a \$40,000 budget in the 2020/2021 financial year. As of 11 May 2021, a total of \$28,697.61 was spent with the project completed on time and under budget.

### **BACKGROUND**

Council Officers have undertaken a review of current local laws in consultation with Preston Law and propose that several amendments and repeals be made. The specific changes are detailed as follows:

- 1) Repeal and consolidate the following subordinate local laws into *Subordinate Local Law No. 1 (Administration) 2021*:
  - a) *Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011;*
  - b) *Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011;*
  - c) *Subordinate Local Law No. 1.3 (Establishment or Occupation of a Temporary Home) 2011;*
  - d) *Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2011;*
  - e) *Subordinate Local Law No. 1.5 (Keeping of Animals) 2011;*
  - f) *Subordinate Local Law No. 1.6 (Operation of Camping Grounds) 2011;*
  - g) *Subordinate Local Law No. 1.7 (Operation of Cane Railways) 2011;*
  - h) *Subordinate Local Law No. 1.8 (Operation of Caravan Parks) 2011;*
  - i) *Subordinate Local Law No. 1.9 (Operation of Cemeteries) 2011;*
  - j) *Subordinate Local Law No. 1.10 (Operation of Public Swimming Pools) 2011;*
  - k) *Subordinate Local Law No. 1.11 (Operation of Shared Facility Accommodation) 2011;*
  - l) *Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2011;*
  - m) *Subordinate Local Law No. 1.13 (Undertaking Regulated Activities regarding Human Remains) 2011;*
  - n) *Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011;*
  - o) *Subordinate Local Law No. 1.15 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011;*
  - p) *Subordinate Local Law No. 1.18 (Bringing or Driving a Motor Vehicle onto a Local Government Controlled Area) 2011;*
  - q) *Subordinate Local Law No. 1.19 (Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee) 2011; and*
  - r) *Local Law Policy No.P24 (Gates and Grids); and*
- 2) Make amendments to account for current laws and policy when granting approvals for certain activities.

The purpose of *Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2021* is to amend each of the following subordinate local laws:

- 1) *Subordinate Local Law No. 2 (Animal Management) 2011 to:*
  - a) amend the form of identification required for dogs in certain circumstances,

- b) restrict the type of animal that may be disposed of without an auction or tender,
  - c) amend the requirements and standards for keeping animals,
  - d) specify public locations where animals are prohibited,
  - e) designate dog off-leash areas,
  - f) amend the criteria for a declared dangerous animal,
  - g) amend the conditions for the sale of animals,
  - h) amend the definitions in section 15, and
  - i) correct formatting and renumbering inaccuracies.
- 2) *Subordinate Local Law No. 3 (Community and Environmental Management) 2011 to:*
- a) amend the meaning of community safety hazards,
  - b) amend the definitions in schedule 7, and
  - c) correct formatting and renumbering inaccuracies.
- 3) *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011 to:*
- a) amend what are prohibited and restricted activities,
  - b) amend the conditions in relation to motor vehicle access areas,
  - c) change the opening hours for some local government-controlled areas,
  - d) remove the permanent closure of local government-controlled areas,
  - e) better identify some local government-controlled areas,
  - f) amend the definitions in schedule 7, and
  - g) correct formatting and renumbering inaccuracies.
- 4) *Subordinate Local Law No. 5 (Parking) 2011 to:*
- a) declare the entire local government area a traffic area,
  - b) declare off-street regulated parking areas,
  - c) better define who may hold parking permits issued by Council,
  - d) amend the identification label requirements of commercial vehicles,
  - e) insert maps of traffic and off-street regulated parking areas, and
  - f) correct formatting and renumbering inaccuracies.
- 5) The purpose of proposed *Repealing Local Law No. 1 (Miscellaneous Local Laws) 2021* is to repeal:
- a) *Local Law No. 1 (Meetings) 2008*, and
  - b) *Local Law (Gates and Grids) 1995*.

The proposed consolidated local laws merge the amendments made by *Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2021* in each amended local law.

### **LINK TO CORPORATE PLAN**

Corporate Plan 2021-2025

- Priority No 6 Governance & Structure

### **CONSULTATION (Internal/External)**

Internal: Executive Leadership Team  
 Regional Development Department  
 Councillor Workshops – 21 April 2021 & 16 June 2021

External: Charters Towers Community

Feedback was sought from the community from Wednesday April 28 to Friday 14 May 2021. Engagement was sought through the Townsville Bulletin and Council's social media with hard copies located at Council's Administration Centre, the Excelsior Library and Visitor Information Centre.

No formal submissions were received as part of the Local Laws and Subordinate Local Laws consultation although an enquiry was received about the management arrangement of gates, grids and bridges which fell outside of the scope of the consultation.

### **LEGAL CONSIDERATIONS**

*Local Government Act 2009*, Section 29 (Local law making process);  
*Local Government Act 2009*, Section 38 (Anti-competitive provisions);

*Local Government Act 2009*, Section 121(1) (Removing unsound decisions);  
*Local Government Act 2009*, Section 257 (Delegation of local government powers);  
*Local Government Regulation 2012*, Section 14 (Local law register – Act, s31);  
*Local Government Regulation 2012*, Section 15 (Anti-competitive provisions and review procedures);  
National Competition Policy: Guidelines for conducting reviews on anti-competitive provisions in local laws; and  
Guidelines issued by the Parliamentary Counsel under the *Legislative Standards Act 1992* (section 9).

Note: any amendments to the Local Laws and Subordinate Local Laws only apply from the date they become effective.

### **POLICY IMPLICATIONS**

There are no policy implications which warrant the recommendation being declined.

### **RISK IMPLICATIONS**

There are no risk implications which warrant the recommendation being declined.

<b>Report Prepared by:</b> MATTHEW KELLY <b>Manager Regional Development</b> Date: 18 June 2021	<b>Report Authorised by:</b> KIM HARGREAVES <b>Director Corporate and Community Services</b>
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### **ATTACHMENTS**

- Subordinate Local Law No.1 (Administration) 2021 Document No. 1399009
- Subordinate Local Law No. 2 (Animal Management) 2011 (consolidated version) Document No. 1402611
- Subordinate Local Law No. 3 (Community and Environmental Management) 2011 (consolidated version) Document No. 1402607
- Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011 (consolidated version) Document No. 1402610
- Subordinate Local Law No. 5 (Parking) 2011(consolidated version) Document No. 1402606
- Repealing Local Law No. 1 (Miscellaneous Local Laws) 2021 Document No. 1441561
- Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2021 Document No. 1441562
- Review of Anti-Competitive Provisions of Proposed Local Laws 2021 Document No. 1441563

### **REFERENCE DOCUMENT**

- Officer's Report Document No. 1453764
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# **Charters Towers Regional Council**

## **Subordinate Local Law No. 1 (Administration) 2021**

# Charters Towers Regional Council Subordinate Local Law No. 1 (Administration) 2021

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## Part 1 Preliminary

### 1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 1 (Administration) 2021*.

### 2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 1 (Administration) 2011*, which provides for a legal and procedural framework for the administration, implementation and enforcement of the local government's local laws, subordinate local laws and other regulatory powers, and for miscellaneous administrative matters.
- (2) The purpose is to be achieved by providing for—
  - (a) various matters regarding the granting of approvals for prescribed activities; and
  - (b) further specification of the definitions relevant to various prescribed activities.

### 3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 1 (Administration) 2011* (the **authorising local law**).

### 4 Definitions

Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.

## Part 2 Approvals for prescribed activities

### 5 Prescribed activities that do not require an approval—Authorising local law, s 6(3)

For section 6(3) of the authorising local law, it is declared that section 6(2) of the authorising local law does not apply to the prescribed activities listed in schedule 1.

**6 Categories of prescribed activities for the purposes of maximum penalties—Authorising local law, s 6(4)**

For section 6(4) of the authorising local law, it is declared that—

- (a) the prescribed activities listed in part 1 of schedule 2 are category 1 activities; and
- (b) the prescribed activities listed in part 2 of schedule 2 are category 2 activities; and
- (c) the prescribed activities listed in part 3 of schedule 2 are category 3 activities.

**7 Approvals that are non-transferable—Authorising local law, s 15(2)**

For section 15(2) of the authorising local law, it is declared that the categories of approval listed in schedule 3 are non-transferable.

**8 Prescribed complementary accommodation—Authorising local law, schedule 1**

For the purposes of the definition of *complementary accommodation* in schedule 1 of the authorising local law, the accommodation listed in schedule 4 is prescribed as appropriate for caravan parks.

**9 State-controlled roads to which the local law applies—Authorising local law, schedule 1**

For the purposes of the definition of *road* in schedule 1 of the authorising local law, the State-controlled roads listed in schedule 5 are roads to which the authorising local law applies unless otherwise provided in the local law.

**10 Public place activities that are prescribed activities—Authorising local law, schedule 2, part 2**

For the purposes of paragraph (c) of the definition of *undertaking regulated activities on local government controlled areas and roads* in part 2 of schedule 2 of the authorising local law, the undertaking of a public place activity listed in schedule 6 is a prescribed activity.

**11 Matters regarding prescribed activities—Authorising local law, ss 6(3), 8(2)(a), 9(1)(d), 10(3), 12, 13(a), 14(1)(a)**

- (1) For each prescribed activity, a schedule prescribes the matters specified in this section for the prescribed activity named in section 1 of the schedule.
- (2) For section 6(3) of the authorising local law, it is declared that section 6(2) of the authorising local law does not apply to an activity stated in section 2 of the schedule relating to the prescribed activity.

- (3) For section 8(2)(a) of the authorising local law, the documents and materials that must accompany an application for approval for the prescribed activity are stated in section 3 of the schedule relating to the prescribed activity.
- (4) For section 9(1)(d) of the authorising local law, the local government may only grant an approval for a prescribed activity if it is satisfied the proposed operation and management of the activity would be consistent with the additional criteria prescribed in section 4 of the schedule relating to the prescribed activity.
- (5) For section 10(3) of the authorising local law, the conditions that must be imposed on an approval for a prescribed activity are stated in section 5 of the schedule relating to the prescribed activity.
- (6) For section 10(3) of the authorising local law, the conditions that will ordinarily be imposed on an approval for a prescribed activity are stated in section 6 of the schedule relating to the prescribed activity.
- (7) For section 13(a) of the authorising local law, the term of an approval for a prescribed activity is provided for in section 7 of the schedule relating to the prescribed activity.
- (8) For section 14(1)(a) of the authorising local law, the further term for renewal or extension of an approval for a prescribed activity is provided for in section 8 of the schedule relating to the prescribed activity.
- (9) For section 12 of the authorising local law, in Table 1 of the schedule relating to a prescribed activity—
  - (a) column 1 lists the application requirements for which the local government may accept as evidence the certificate of a third party certifier; and
  - (b) column 2 lists the individuals or organisations that are declared to be third party certifiers for the corresponding application requirement in column 1; and
  - (c) column 3 lists the qualifications that are necessary for an individual or organisation to be a third party certifier for the corresponding application requirement in column 1.

## **Part 3 Repeal provisions**

### **12 Repeal of Subordinate Local Laws**

This subordinate local laws repeals—

- (a) *Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011;*
- (b) *Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011;*
- (c) *Subordinate Local Law No. 1.3 (Establishment or Occupation of a Temporary Home) 2011;*

- (d) *Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2011;*
- (e) *Subordinate Local Law No. 1.5 (Keeping of Animals) 2011;*
- (f) *Subordinate Local Law No. 1.6 (Operation of Camping Grounds) 2011;*
- (g) *Subordinate Local Law No. 1.7 (Operation of Cane Railways) 2011;*
- (h) *Subordinate Local Law No. 1.8 (Operation of Caravan Parks) 2011;*
- (i) *Subordinate Local Law No. 1.9 (Operation of Cemeteries) 2011;*
- (j) *Subordinate Local Law No. 1.10 (Operation of Public Swimming Pools) 2011;*
- (k) *Subordinate Local Law No. 1.11 (Operation of Shared Facility Accommodation) 2011;*
- (l) *Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2011;*
- (m) *Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2011;*
- (n) *Subordinate Local Law No. 1.13 (Undertaking Regulated Activities regarding Human Remains) 2011;*
- (o) *Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011;*
- (p) *Subordinate Local Law No. 1.15 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011;*
- (q) *Subordinate Local Law No. 1.18 (Bringing or Driving a Motor Vehicle onto a Local Government Controlled Area) 2011;*
- (r) *Subordinate Local Law No. 1.19 (Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee) 2011; and*
- (s) *Local Law Policy No.P24 (Gates and Grids).*



## **Schedule 1 Prescribed activities that do not require an approval under the authorising local law**

section 5

*This schedule has been intentionally left blank.*

## **Schedule 2 Categories of prescribed activities for the purposes of maximum penalties**

section 6

### **Part 1 Category 1 activities<sup>1</sup>**

alteration or improvement to local government controlled areas and roads  
commercial use of local government controlled areas and roads  
establishment or occupation of a temporary home  
installation of advertising devices  
keeping of animals  
undertaking regulated activities regarding human remains  
undertaking regulated activities on local government controlled areas and roads  
operation of temporary entertainment events  
operation of camping grounds  
operation of caravan parks  
operation of public swimming pools  
operation of shared facility accommodation

### **Part 2 Category 2 activities<sup>2</sup>**

*This part has been intentionally left blank.*

### **Part 3 Category 3 activities<sup>3</sup>**

*This part has been intentionally left blank.*

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<sup>1</sup> Prescribed activities for which the penalty for not having an approval will be 50 penalty units under section 6(2)(b) of the authorising local law.

<sup>2</sup> Prescribed activities for which the penalty for not having an approval will be 200 penalty units under section 6(2)(c) of the authorising local law.

<sup>3</sup> Prescribed activities for which the penalty for not having an approval will be 500 penalty units under section 6(2)(d) of the authorising local law.

### **Schedule 3      Categories of approval that are non-transferable**

section 7

1. undertaking regulated activities regarding human remains
2. operation of temporary entertainment events
3. commercial use of local government controlled areas and roads
4. operation of shared facility accommodation
5. operation of a caravan park
6. operation of a camping ground

## **Schedule 4 Prescribed complementary accommodation**

### Section 8

1. converted railway carriages
2. demountable accommodation units
3. relocatable home

**Schedule 5      State-controlled roads to which the local law applies**

Section 9

*This schedule has been intentionally left blank.*

**Schedule 6      Public place activities that are prescribed activities**

## section 10

- (1) The following public place activities are prescribed activities that require approval—
- (a) the placing of a display or information booth;
  - (b) conducting a social gathering meeting, sporting activity or any activity that involves more than 50 people participating in, or watching the activity, gathering, meeting or sporting activity;
  - (c) an invitation-only ceremony, party or celebration attended by more than 50 people;
  - (d) a cake stall, sausage sizzle, car wash or similar fundraiser;
  - (e) a training event held on no more than 1 day;
  - (f) a training event held on more than 1 day without payment of a fee;
  - (g) film and television production activities for which a development application is not required under the local government's planning scheme;

## **Schedule 7      Alteration or improvement to local government controlled areas and roads**

section 11

### **1.      Prescribed activity**

Alteration or improvement to local government controlled areas and roads.

### **2.      Activities that do not require an approval under the authorising local law**

Mowing grass on roads and verges immediately adjacent to the person's property

### **3.      Documents and materials that must accompany an application for an approval**

An application for approval must be accompanied by the following documents and materials—

- (a) details of the proposed alteration or improvement of all building work or other work to be carried out under the approval, including plans and specifications detailing—
  - (i) the relevant part of the local government controlled area or road that is to be used for the undertaking of the prescribed activity; and
  - (ii) the proposed location of each structure and item of equipment to be used in the undertaking of the prescribed activity; and
  - (iii) the type and location of any utility, service or infrastructure to be used in the undertaking of the prescribed activity; and
  - (iv) a public liability insurance certificate;
- (b) details of the time and place the alteration or improvement will be undertaken and a specified date for completion of the works;
- (c) the impact, if any, of the prescribed activity on pedestrian or vehicular traffic;
- (d) the materials, equipment and vehicles to be used in the undertaking of the prescribed activity;
- (e) if requested— a traffic management plan which details —
  - (i) anticipated pedestrian and vehicular traffic which will be created by the undertaking of the prescribed activity; and
  - (ii) anticipated impact of the undertaking of the prescribed activity on the movement of pedestrian and vehicular traffic in the area surrounding the place at which the prescribed activity is to be

undertaken; and

- (iii) how the applicant will minimise the impact of the undertaking of the prescribed activity on the movement of pedestrian and vehicular traffic in the area surrounding the place at which the prescribed activity is to be undertaken;
- (f) if requested — a report, study or certification from a suitably qualified person about —
- (i) the undertaking of the prescribed activity generally; or
  - (ii) a specific aspect of the undertaking of the prescribed activity.

*Examples—*

- (a) A certificate from a registered professional engineer of Queensland about the structural adequacy of a structure, improvement or building to be used in the undertaking of the prescribed activity.
- (b) A certificate from a registered professional engineer of Queensland about the extent to which the undertaking of the prescribed activity will comply with relevant requirements of the Manual of Uniform Traffic Control Devices.

#### **4. Additional criteria for the granting of an approval**

For all approvals, the additional criteria are—

- (a) the physical suitability of the site for the proposed activity; and
- (b) the suitability of any proposed structure including satisfactory compliance with relevant standards of the local government; and
- (c) the likelihood of the activity interfering with public access to public areas and roads.

#### **5. Conditions that must be imposed on an approval**

*This section has been intentionally left blank.*

#### **6. Conditions that will ordinarily be imposed on an approval**

For all approvals, the conditions that will ordinarily be imposed on an approval are that the approval holder must—

- (a) comply with specified safety requirements;
- (b) carry out the alteration or approval within the dates and times specified in the approval;
- (c) for the duration of the term of the approval, maintain in full force and effect a standard public liability insurance policy—
  - (i) listing the local government as an interested party;
  - (ii) covering their respective rights, interests and liabilities to third parties in respect of accidental death of, or accidental bodily injury to, persons or accidental damage to property; and



- (iii) for an amount of no less than \$20,000,000 or another amount as specified in the approval.
- (d) prior to the commencement of the prescribed activity, provide the local government with a certificate of currency for the public liability insurance policy;
- (e) indemnify the local government against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against or made upon the local government as a result of the prescribed activity;
- (f) carry out any specified additional work such as earthwork and drainage work;
- (g) maintain structures erected or installed, or vegetation planted, under the approval, in good condition;
- (h) remove a structure erected or installed, under the approval, at the end of a stated period;
- (i) exhibit specified signage warning about the conduct of the prescribed activity; and
- (j) if the undertaking of the prescribed activity results in damage or loss of amenity to a local government controlled area or a road — promptly rectify the damage or loss of amenity.

## **7. Term of approval**

An approval commences on the date the approval is granted and expires on the next 30<sup>th</sup> day of June, unless otherwise specified in an approval.

## **8. Term of renewal of approval**

An approval that is renewed expires on the next 30<sup>th</sup> day of June, unless otherwise specified in a renewal.

## **Schedule 8      Commercial use of local government controlled areas and roads**

section 11

### **1.      Prescribed activity**

Commercial use of local government controlled areas and roads.

### **2.      Activities that do not require approval under the authorising local law**

*This section has been intentionally left blank.*

### **3.      Documents and materials that must accompany applications for approval**

An application for approval must be accompanied by—

- (a) details of the nature, time and place of the prescribed activity for which the approval is sought;
- (b) if the applicant wants to use a particular part of a local government controlled area or road for serving food and drink or for other business purposes—a plan showing the relevant part of the local government controlled area or road;
- (c) if the prescribed activity is to be operated from a site, stall or vehicle—specifications for the site, stall or vehicle which is proposed to be used in the operation of the prescribed activity;
- (d) details of the name, street address, telephone number, facsimile number and email address of the person responsible for the operation of the prescribed activity;
- (e) a copy of the current registration certificate for each vehicle proposed to be used in the operation of the prescribed activity;
- (f) details of the operation of the prescribed activity including—
  - (i) if goods or services are to be supplied—the nature of the goods and services to be supplied; and
  - (ii) if the goods or services are to be supplied at particular times—the times during which the goods or services will be supplied; and
  - (iii) if goods or services are to be supplied—the method of sale of the goods or services; and
  - (iv) a copy of each policy of insurance of the applicant which relates to the operation of the prescribed activity; and

- (v) how the applicant proposes to dispose of waste generated by the operation of the prescribed activity; and
  - (vi) if signage is intended to be displayed – details of the signage and how the signage will be secured whilst displayed.
- (g) if the applicant is not the occupier of the land—
- (i) the written consent from the occupier of the land to the operation of the prescribed activity at the place; or
  - (ii) a written statement from the occupier of the land in support of the operation of the prescribed activity at the place.
- (h) if requested — a report, study or certification from a suitably qualified person about —
- (i) the undertaking of the prescribed activity generally; or
  - (ii) a specific aspect of the undertaking of the prescribed activity.

*Examples—*

- (a) *A certificate from a registered professional engineer of Queensland about the structural adequacy of a structure, improvement or building to be used in the undertaking of the prescribed activity.*
- (b) *A certificate from a registered professional engineer of Queensland about the extent to which the undertaking of the prescribed activity will comply with relevant requirements of the Manual of Uniform Traffic Control Devices.*

#### **4. Additional criteria for the granting of approval**

For all approvals, the additional criteria are—

- (a) the prescribed activity for which the approval is sought must not unduly interfere with the proper use of the local government controlled area or road;
- (b) the physical characteristics of the local government controlled area or road must be suitable for the prescribed activity;
- (c) whether the applicant's proposed waste management strategy makes provision for the satisfactory collection, storage and removal of all waste generated by the proposed activity.

#### **5. Conditions that must be imposed on approvals**

*This section has been intentionally left blank.*

## 6. Conditions that will ordinarily be imposed on approvals

For all approvals, the conditions that will ordinarily be imposed on an approval are as follows—

- (a) The conditions of an approval may require the approval holder to—
  - (i) limit the activities authorised by the approval to 1 or more of—
    - (A) a single specified location;
    - (B) a number of specified locations;
    - (C) a specified area;
    - (D) a number of specified areas;
  - (ii) limit the activities to specified days and times;
  - (iii) display the approval in a specified position, and produce the approval for inspection on demand by an authorised person;
  - (iv) take specified measures to protect the safety of persons who may be involved in, or affected by, the activities authorised by the approval, for example, the installation and maintenance of specified safety barriers;
  - (v) for the duration of the term of the approval, maintain in full force and effect a standard public liability insurance policy—
    - (A) listing the local government as an interested party;
    - (B) covering their respective rights, interests and liabilities to third parties in respect of accidental death of, or accidental bodily injury to, persons or accidental damage to property; and
    - (C) for an amount of no less than \$20,000,000 or another amount as specified in the approval.
  - (vi) prior to the commencement of the prescribed activity, provide the local government with a certificate of currency for the standard public liability insurance policy;
  - (vii) indemnify the local government against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against or made upon the local government as a result of the prescribed activity;
  - (viii) take specified measures to ensure that the activities authorised by the approval do not cause a nuisance; and
  - (ix) if the approval authorises the approval holder to use a specified part of a road for the operation of the activity — pay a specified rental to the local government at specified intervals; and

- (x) submit the operation of the activity, including any vehicle or premises used in the operation of the activity, for inspection by an authorised person; and
- (xi) prominently display at a specified location each of—
  - (A) the approval number granted by the local government in numbers not less than 50mm in height; and
  - (B) the name and address of the approval holder in letters not less than 75mm in height;
- (xii) limit the operation of the prescribed activity so that it does not—
  - (A) create a traffic risk; or
  - (B) increase an existing traffic risk; or
  - (C) detrimentally affect the efficiency of the road network in which the activity is undertaken;
- (xiii) limit the operation of the prescribed activity so that it does not detrimentally affect the amenity of the neighbourhood in which the prescribed activity is undertaken;
- (xiv) ensure that all facilities and equipment used in the operation of the prescribed activity are, at all times, maintained—
  - (A) in good working order and condition; and
  - (B) in a clean and sanitary condition.
- (b) If the approval authorises the operation of a roadside vending activity on a road on specified days, in addition to the conditions in section 6 (1) —remove the vehicle from the road after the close of business each day unless otherwise specified in the approval.
- (c) If the prescribed activity is mobile roadside vending, , in addition to the conditions in section 6 (1), the conditions of the approval may also require that the approval holder—
  - (i) limit the operation of the activity to—
    - (A) a specified vehicle; or
    - (B) a number of specified vehicles; and
  - (ii) not—
    - (A) unless authorised by an authorised person—park the vehicle used for the activity for a period longer than is necessary to serve a customer who has hailed down the vehicle; or

- (B) amplify, or cause to be made, any noise identifying or otherwise drawing attention to the vehicle, except in accordance with standards laid down under the *Environmental Protection Act 1994*; or
- (C) place a sign or device advertising the activity of the approval holder on any local government controlled area or road;
- (iii) keep and maintain the vehicle in a clean, tidy and orderly condition at all times; and
- (iv) produce the vehicle for inspection by an authorised person—
  - (A) prior to commencement of the prescribed activity; and
  - (B) when required by the authorised person;
- (v) limit the operation of the activity to vehicles having specified characteristics, appropriate for the operation of the activity; and
- (vi) only serve customers from the non-traffic or kerbside side of a vehicle used in the operation of the activity;
- (vii) remove the vehicle from the road after the close of business each day.
- (d) For waste generated by the operation of the activity—
  - (i) only dispose of the waste—
    - (A) in a safe and sanitary manner; and
    - (B) in a manner which maintains the vehicle and its surrounds in a clean, tidy, sanitary and hygienic condition; and
  - (ii) not dispose of the waste in a Council waste bin.
- (e) If the prescribed activity is footpath dining, in addition to the conditions in section 6 (1), the conditions of the approval may also require that the approval holder—
  - (i) limit the operation of the activity to a specified area which is contiguous to, or in the vicinity of, a registered café, restaurant, takeaway food shop or similar premises which are operated by the approval holder (*principal premises*);
  - (ii) limit the operation of the activity to the footpath immediately adjacent to the principal premises;
  - (iii) keep and maintain a clear unobstructed pedestrian corridor being a minimum of 1.5m in width for pedestrian traffic;

- (iv) limit the operation of the activity to the normal business hours of the principal premises;
- (v) remove all tables, chairs, fixtures and fittings from the area identified in the approval when the principal premises are not open for business;
- (vi) keep and maintain the area identified in the approval, including all tables, chairs, fixtures, fittings and equipment used in the operation of the activity at all times in a clean, sanitary and tidy condition;
- (vii) keep and maintain in and about the area identified in the approval, adequate waste disposal facilities, for example, bins, and be responsible for the removal of all waste from the waste disposal facilities at such intervals as an authorised person may direct;
- (viii) not place or display any sign or device advertising the activity in the area identified in the approval otherwise than in accordance with an approval of the local government which authorises the use of the footpath for that purpose;
- (ix) not use an umbrella within the area identified in the approval unless the umbrella has not less than 2m clearance above ground level adjacent to the umbrella and is securely anchored to the satisfaction of an authorised person;
- (x) only use furniture in the area identified in the approval which is—
  - (A) aesthetically acceptable to the local government; and
  - (B) kept in a proper state of repair;
- (xi) provide, for use by patrons of each of the principal premises and the area identified in the approval, adequate toilet facilities;
- (xii) regularly clean the area identified in the approval—
  - (A) during business hours for the principal premises; and
  - (B) daily, after the close of business of the principal premises.
- (f) If the prescribed activity is the display of goods for sale on a footpath, , in addition to the conditions in section 6 (1), the conditions of the approval may also require that the approval holder—
  - (i) limit the operation of the activity to a specified area which is contiguous to, or in the vicinity of, retail premises which are operated by the approval holder (also *principal premises*);

- (ii) keep and maintain a clear unobstructed pedestrian corridor being a minimum of 1.5m in width for pedestrian traffic;
- (iii) limit the operation of the activity to the normal business hours of the principal premises;
- (iv) only use, for the purposes of display of the goods for sale, a structure which is—
  - (A) of safe construction; and
  - (B) in good condition and repair; and
  - (C) securely fixed to the footpath;
- (v) only display goods for sale if the goods are in an orderly and sightly condition;
- (vi) only display goods for sale if the goods are the property of, or offered for sale by, the approval holder;
- (vii) remove all goods, and any structure designed for the display of the goods for sale, when the principal premises are not open for business.

#### **7. Term of approval**

An approval commences on the date the approval is granted and expires on the next 30<sup>th</sup> day of June, unless otherwise specified in an approval.

#### **8. Term of renewal of approval**

An approval that is renewed expires on the next 30<sup>th</sup> day of June, unless otherwise specified in a renewal.



## Schedule 9 Establishment or occupation of a temporary home

section 11

### 1. Prescribed activity

Establishment or occupation of a temporary home.

### 2. Activities that do not require approval under the authorising local law

- (1) An approval under the authorising local law is not required for establishment or occupation of a temporary home—
  - (a) for less than 2 weeks in any 52 week period if the temporary home is established on a vacant allotment and occupied by the owners of the allotment; or
  - (b) for less than 4 weeks in any 52 week period if—
    - (i) the temporary home is sited on an allotment occupied by an existing dwelling house; and
    - (ii) the temporary home is located to the rear of the existing dwelling house.
- (2) However, subsection (1) applies only if no waste materials, including grey water, are deposited on site during occupation, or left on site after departure.

### 3. Documents and materials that must accompany applications for approval

An application for approval must be accompanied by—

- (a) a site plan illustrating—
  - (i) the location of the temporary home; and
  - (ii) the location of the other buildings on the site; and
  - (iii) the location of the proposed permanent residence; and
  - (iv) the location of neighbouring buildings; and
- (b) if the applicant is not the owner—written consent of the owner; and
- (c) details of the type of temporary home proposed; and  
*Examples for paragraph (c)—A shed; a caravan with an awning.*
- (d) details of the proposed fit out of the temporary home's kitchen, bathroom, toilet and laundry; and
- (e) intended method of water supply; and
- (f) details of a current building approval for the construction or renovation of a permanent residence and evidence of financial capacity and ability to construct or renovate the permanent residence.

#### 4. Additional criteria for the granting of approval

For all approvals, the additional criteria are that—

- (a) Where necessary, adequate screening of the temporary home is planned to ensure reduced impact on visual amenity;
- (b) A building permit has been issued for the construction of a permanent residence on the property prior to the issue of the approval;
- (c) A plumbing permit has been obtained prior to the issue of the approval, to enable the fixtures to be installed and the liquid wastes to be removed;
- (d) An adequate source of water will be available to the proposed temporary home;
- (e) Adequate means of waste disposal and sanitation will exist to ensure that reasonable standards of health and hygiene can be maintained;
- (f) The proposed temporary home has, as a minimum, a toilet, shower, laundry tub, kitchen sink and hand basin;
- (g) The proposed dwelling will be suitable for temporary occupation;
- (h) Separation distances are compliant with the Planning Act;
- (i) The applicant is able to demonstrate an ability and capacity to construct a permanent dwelling within the term of the approval.

*Example—*

*The applicant has a contract with a registered builder and sufficient funds are available. However this criteria may not be satisfied if a genuine application has not been made for building approval of a permanent residence or there is insufficient time remaining under the building approval to finish the relevant building work.*

#### 5. Conditions that must be imposed on approvals

For all approvals, a condition that must be imposed on the approval is that, where the temporary home is in an area serviced by the local government's waste contractor, a waste service must be obtained.

#### 6. Conditions that will ordinarily be imposed on approvals

The following conditions will ordinarily be imposed on an approval –

- (a) The approval holder must construct or modify a permanent residence on the allotment within the timeframe specified in the approval;
- (b) The temporary home must be designed, sited, constructed and maintained to ensure it does not adversely impact on public health or safety, and must be –
  - (i) compliant with any structural standards, specified safety requirements and codes under applicable laws; and
  - (ii) maintained in good order and repair; and
  - (iii) maintained in a clean, tidy, sanitary and hygienic condition; and

- (iv) maintained in a state to ensure that lighting used to illuminate any areas is angled or shaded in such a manner that the light does not cause a nuisance; and
  - (v) provided with potable water suitable for consumption from an approved water source; and
  - (vi) provided with an adequate and continuous supply of water to all permanent toilet, bathroom, kitchen, laundry and drinking water facilities that form part of the temporary home; and
  - (vii) provided with an adequate waste disposal, including but not limited to waste water, sanitation and refuse facilities; and
  - (viii) provided with an adequate human waste disposal, including but not limited to a dedicated sanitary facility, sewerage system or an approved on-site sewerage facility; and
  - (ix) provided with basic adequate amenities for living, including but not limited to the following –
    - (A) kitchen facilities;
    - (B) bathing/shower facilities;
    - (C) toilet facilities;
    - (D) ablution facilities;
    - (E) sleeping accommodation;
    - (F) storage facilities; and
  - (x) provided with sufficient waste containers to accommodate the collection and storage of all waste generated by and in conjunction with the use of the temporary home, and must ensure those waste containers are kept so as not to attract pests; and
  - (xi) provided with connection to all plumbing and/or drainage facilities to the temporary home prior to occupation.
- (c) The temporary home must not accommodate more than the number of persons specified in the approval;
- (d) Where the temporary home is for the temporary on-site accommodation of an owner-builder or builder, the owner-builder or builder —
- (i) must construct the approved permanent residential dwelling in a timely and efficient manner, and complete the permanent dwelling within the duration of the approval term;
  - (ii) ensure that they do not cease construction of the permanent residence for a period greater than 90 days or such other period as the local government may approve; and
  - (iii) dismantle and remove the temporary home within 30 days of occupation of the permanent residence or the expiry of the term of the approval, whichever first occurs.

## 7. Term of approval

The term of the approval commences on the date the approval is granted and expires on the earlier of the following events—

- (a) the end of the term specified in the approval, which can be no more than 18 months from the commencement date; or
- (b) on the issue pursuant to the *Building Act 1975* of the Form 21 Final Inspection Certificate for the new permanent residence constructed on the allotment where the temporary home is located.

## 8. Term of renewal of approval

- (1) The renewal may only be renewed for the term that a permanent residence on the allotment is reasonably likely to become habitable, not exceeding 12 months, that must be stated in the approval.
- (2) The renewal will lapse on the issue pursuant to the *Building Act 1975* of the Form 21 Final Inspection Certificate for the new permanent residence constructed on the allotment where the temporary home is located.

**Table 1 – Third party certification**

<b>Column 1 Application requirement</b>	<b>Column 2 Individuals or organisations that are third party certifiers</b>	<b>Column 3 Qualifications necessary to be a third party certifier</b>
Consistency of the proposed operation and management of the activity with the criteria in section 4(3) and (4) of this schedule.		A builder's licence (of the class BLR, BMR, BO or BPMS) issued by the Queensland Building and Construction Commission OR A plumber's license issued by the Queensland Building and Construction Commission

## Schedule 10 Installation of advertising devices

section 11

### 1. Prescribed activity

Installation of advertising devices.

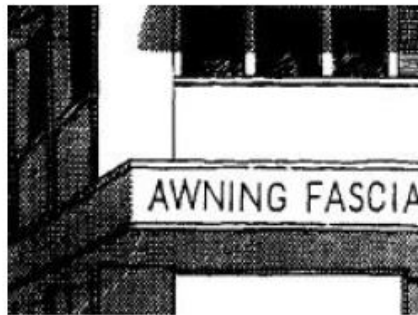
### 2. Activities that do not require an approval under the authorising local law

(1) An approval is not required under the authorising local law for the prescribed activity if—

- (a) the installation of the advertising device is regulated under the local government's planning scheme; or
- (b) the installation is of a permitted advertising device that complies with the prescribed requirements for that advertising device listed in subsection (2).

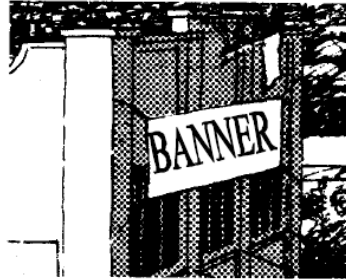
(2) In this section, a *permitted advertising device* means any of the following—

#### (a) Awning face sign



- (i) An *awning face sign* is an advertising device painted or otherwise affixed flat to the face of an awning.
- (ii) The prescribed requirements for an awning face sign are—
  - (A) the building on which the advertising device is proposed to be displayed must have a constructed awning; and
  - (B) the advertising device must—
    - 1) be contained within the outline of the fascia of the building; and
    - 2) not exceed 50mm in thickness; and
  - (C) the face area of the advertising device must not exceed 80% of the outline of the fascia of the building; and
  - (D) an awning face sign which is painted on to the face of an awning must not be illuminated; and
  - (E) an awning face sign other than a painted on awning face sign—
    - 1) may be illuminated internally; but
    - 2) must not be externally illuminated.

(b) **Banner sign**



(i) **A banner sign —**

- (A) is a temporary advertising device intended to be suspended from a structure or pole with or without supporting framework displaying an advertising device applied or painted to fabric or similar material of any kind; and
- (B) includes real estate, for lease, lease, auction, inspection and directional messages.

(ii) The prescribed requirements for a banner sign are that—

- (A) the advertising device must only be displayed for short term promotional purposes; and
- (B) the advertising device must not have a face area in excess of 2.4m<sup>2</sup>; and
- (C) the advertising device may only be displayed for 14 days or less within any 90 day period prior to the function or occasion advertised on the advertising device; and
- (D) the advertising device must be affixed to a structure that will accommodate wind loadings for the area; and
- (E) the advertising device must not be affixed to a tree, lighting standard or power pole on a local government controlled area or a road; and
- (F) the advertising device must not be erected above the gutter line or on the roof of a building.

(c) **Blind/canopy sign**

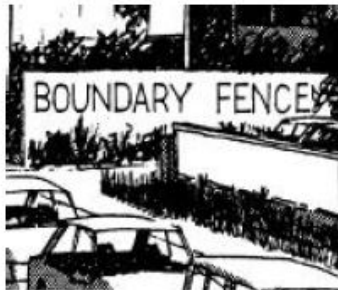


- (i) A **blind/canopy sign** is an advertising device painted or otherwise affixed to a solid or flexible material suspended from an awning, verandah or wall.
- (ii) The prescribed requirements for a blind/canopy sign are—
  - (A) the advertising device must not be displayed unless there is a minimum clearance of 2.2m between the lowest point of the advertising device and ground level directly adjacent to the advertising device; and
  - (B) the advertising device must be contained within the premises advertised in the advertising device; and
  - (C) the display of the advertising device on the blind or canopy must be ancillary to the use of the blind or canopy as a blind or canopy, as the case may be; and

*Example—*

*The primary purpose of the blind or canopy must not be the display of the advertising device.*

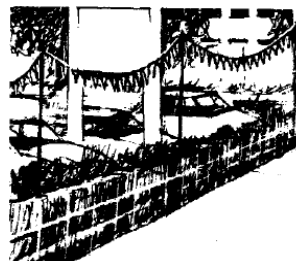
- (D) the face area of the advertising device must not exceed 50% of the face area of the blind or canopy, as the case may be; and
  - (E) the advertising device must not be illuminated.
- (d) **Boundary fence sign**



- (i) A **boundary fence sign** is an advertising device painted or otherwise affixed to a fence that has been designed to permanently delineate or identify a boundary alignment or enclosure.
- (ii) The prescribed requirements for a boundary fence sign are—
  - (A) the whole of the advertising device must be contained within the fence outline; and
  - (B) if the advertising device is on premises adjacent to any kind of residential dwelling, the advertising device must be located on the front property boundary of the premises; and
  - (C) the size and form of the advertising device must be in scale and proportion with —

- 1) the fence on which the advertising device is displayed; and
  - 2) adjacent buildings and structures; and
- (D) where a boundary fence sign is to be displayed on a fence on which boundary fence signs are already displayed, the new advertising device must be uniform in design and positioning to the other advertising devices displayed on the fence unless the new advertising device will significantly enhance the appearance of the fence and the existing signage; and
- (E) if the advertising device is not painted on the fence, the advertising device must not project more than 30mm from the fence; and
- (F) if the advertising device is painted on the fence—the advertising device must not be illuminated; and
- (G) if the advertising device is not painted on the fence—
- 1) the advertising device may be illuminated in a manner which does not cause splashing or spilling of light from the face of the advertising device; and
  - 2) internal illumination of the advertising device is preferred.

(e) **Bunting sign**



- (i) A ***bunting sign*** includes decorative flags, pennants and streamers.
- (ii) The prescribed requirements for a bunting sign are—
  - (A) the advertising device must be affixed to a structure that will accommodate wind loadings in the area; and
  - (B) the advertising device must not be affixed to a tree, lighting standard or power pole on a local government controlled area or a road; and
  - (C) the advertising device must not be placed on premises more than 6m above ground level directly adjacent to the advertising device; and
  - (D) if requested by an authorised person, the advertiser must provide an engineer's certification for any structure dedicated for the support of the advertising device; and



- (E) the advertising device must not be placed on premises beyond the street front boundary of the premises.

**(f) Business nameplate sign**



- (i) A **business nameplate sign** is an advertising device that displays the name or occupation of the business of the occupier of premises which is—
- (A) painted or otherwise affixed to a building, wall or fence at the premises; or
- (B) free-standing on the premises.
- (ii) The prescribed requirements for a business nameplate sign are—
- (A) the face area of the advertising device must not exceed 0.6m<sup>2</sup>; and
- (B) a maximum of 2 advertising devices may be displayed on any premises.

**(g) Building name sign**

- (i) A **building name sign** is an advertising device used to identify a building by reference to the name of the building or a particular logo associated with the building.
- (ii) The criteria prescribed for a building name sign are—
- (A) the advertising device must only identify the building to which it is attached; and
- (B) the advertising device must be securely attached to the building and must be designed to complement the architecture or design of the building to which it is attached; and
- (C) only 1 building name sign may be displayed on a building; and
- (D) the advertising device must be illuminated in a manner which does not cause splashing or spilling of light from the face of the advertising device.

**(h) Community organisation sign**

- (i) A *community organisation sign* is a temporary, non-illuminated advertising device which advertises a non-profit short term event such as a fete, fair, festival or similar event organised by a charitable, religious, educational, childcare or sporting organisation or a community service organisation.
- (ii) If a community organisation sign takes the form of a banner, the same prescribed requirements for the advertising device as are prescribed for a banner sign.
- (iii) A community organisation sign must not be displayed for more than 14 days prior to the event advertised on the advertising device and must be removed within 1 day of the event.

**(i) Site community organisation sign**

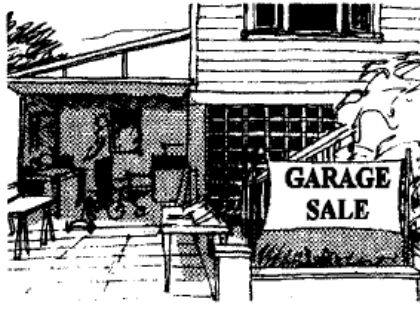
- (i) A *site community organisation sign* is a community organisation sign which is displayed at the site of a fete, fair, festival or other similar event for the primary purpose of advertising the fete, fair, festival or other similar event.
- (ii) A site community organisation sign must not be displayed longer than 30 days prior to the event advertised on the advertising device and must be removed within 1 day of the event.

**(j) Directional community organisation sign**

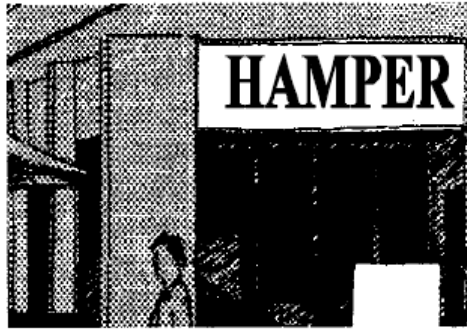
- (i) A *directional community organisation sign* is a community organisation sign the primary purpose of which is to direct the public to the fete, fair, festival or other similar event advertised on the advertising device.
- (ii) The prescribed requirements for a directional community organisation sign are—
  - (A) no more than 10 advertising devices may be displayed on a road related area and each advertising device must have a maximum face area of 0.6m<sup>2</sup>; and
  - (B) the advertising device may be displayed—
    - 1) on the day of the event, and for a period not more than 3 days prior to the event advertised on the advertising device; and

- 2) on a road related area, in the vicinity of the fete, fair or festival event; and
- (C) an advertising device with a maximum face area of 2.4m<sup>2</sup> may be erected on rateable land other than a public place not more than 14 days prior to the event advertised on the advertising device and must be removed within 1 day of the event; and
- (D) the siting of the advertising device must not cause a pedestrian or vehicular hazard; and
- (E) the advertiser of the advertising device must take out and maintain public liability insurance cover in an amount not less than \$20,000,000 against claims for personal injury and property damage resulting from the display of the advertising device.

(k) **Garage sale sign**



- (i) A **garage sale sign** is an advertising device of a temporary nature which—
  - (A) advertises a garage sale; and
  - (B) is displayed for directional purposes.
- (ii) The prescribed requirements for a garage sale sign are—
  - (A) the advertising device may only be placed on rateable land other than a public place; and
  - (B) the advertising device must not have a face area in excess of 0.6m<sup>2</sup>; and
  - (C) the advertising device must be located in the vicinity of the garage sale; and
  - (D) the advertising device must be limited to a number reasonably necessary to identify the route to the garage sale; and
  - (E) the advertising device may only be displayed on the day of the garage sale; and
  - (F) the advertising device must not be located so as to cause a pedestrian or vehicular hazard.

**(l) Hamper sign**

- (i) A *hamper sign* is an advertising device which —
- (A) is located above the door head or its equivalent height and below the awning level or verandah of a building; and
  - (B) is painted or otherwise affixed to the building; and
  - (C) projects not more than 30mm from the building face.
- (ii) The prescribed requirements for a hamper sign are—
- (A) the advertising device must be compatible with the design of the building on which it is displayed; and
  - (B) the advertising device must not exceed 30mm in thickness<sup>4</sup>; and
  - (C) the advertising device must be contained within the actual or created outline of the building on which it is to be displayed; and
  - (D) the advertising device—
    - 1) may be illuminated internally; but
    - 2) must not be externally illuminated.

**(m) Mobile sign**

- (i) A *mobile sign* —
- (A) is a temporary portable self supporting sign which is free-standing and may be mounted on wheels to facilitate movement; and
  - (B) includes an A-frame sign and a sandwich board; but

<sup>4</sup> A hamper sign thicker than 30mm may satisfy the criteria for a wall sign.

- (C) does not include a free-standing sign or a real estate sign.
- (ii) The prescribed requirements for a mobile sign are—
  - (A) the face area of the advertising device must not exceed 2.5m<sup>2</sup> on either side of the advertising device; and
  - (B) the display of mobile signs must not exceed 1 advertising device for each shop or business fronting a road; and
  - (C) where the advertising device advertises a particular shop or business, the advertising device must identify the shop or business; and
  - (D) the advertising device may only be placed on the premises of the shop or business it is advertising or promoting on a local government controlled area or a road if—
    - 1) no part of the advertising device protrudes more than 1m from the street front boundary of the premises; and
    - 2) the advertising device is not a hazard to pedestrian or vehicular traffic; and
    - 3) the advertiser takes out and maintains public liability insurance cover in an amount not less than \$20,000,000 against claims for personal injury and property damage resulting from the display of the advertising device; and
  - (E) the advertising device must be—
    - 1) placed so as to minimise visual clutter; and
    - 2) kept erect and maintained in a good state of repair at all times; and
    - 3) secured so as to prevent danger to pedestrian and vehicular traffic in windy conditions; and
  - (F) the number of face areas of the advertising device must not exceed 2; and
  - (G) the advertising device must not be illuminated.

(n) **Real estate sign**



- (i) A *real estate sign* is a temporary, non-illuminated advertising device which promotes the sale, auction, lease or letting of premises.
- (ii) The prescribed requirements for a real estate sign (other than a directional real estate sign) are—
- (A) the advertising device must not—
    - 1) interfere with the safe and convenient passage of pedestrians; or
    - 2) detract from the amenity of the area in which it is situated or unreasonably obstruct existing views; and
  - (B) the advertising device may be double sided; and
  - (C) the advertising device must not have a face area in excess of 0.6m<sup>2</sup>; and
  - (D) the number of real estate signs displayed at premises must not exceed 1 sign for each agent marketing the premises up to a maximum of 3 signs; and
  - (E) as an alternative to paragraphs (b) to (d) inclusive, an advertiser may display 1 sign having a maximum face area of 2.4m<sup>2</sup> at the premises; and
  - (F) the advertising device must not be displayed for—
    - 1) more than 14 days after the sale of the premises identified in the advertising device; or
    - 2) more than 6 months in any 12 month period; and
  - (G) the advertising device must be kept erect and maintained in a good state of repair at all times; and
  - (H) if a high fence, foliage or the like obscures the advertising device, it must be located as close as practicable to the street front boundary of the premises.
- (i) The prescribed requirements for a directional real estate sign are—
- (A) if the advertising device is displayed on land which is not a public place—

- 1) a maximum of 3 advertising devices may be displayed; and
  - 2) the face area of each advertising device must not exceed 0.6m<sup>2</sup>; and
  - 3) the advertising device—
    - a) must only be displayed on the day on which the premises offered for sale are open for public inspection or offered for sale by auction; and
    - b) must be located in close proximity to the premises; and
- (B) the advertising device must not be displayed on a road except subject to approval of an authorised person.

(o) **Sign written non-building structure sign**



- (i) A *sign written non-building structure sign* is an advertising device painted or affixed to any structure which is not a building.  
*Example —*  
*A structure which is not a building includes a batching plant, conveyor housing, unroofed storage building or liquid or gas tank.*
- (ii) The prescribed requirements for a sign written non-building structure sign are—
  - (A) the advertising device must be contained within the height and width of the structure on which it is displayed; and
  - (B) the advertising device must not project in excess of 50mm from the face of the structure<sup>5</sup>.

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<sup>5</sup> If the advertising device is thicker than 50mm, the advertising device may satisfy the criteria for a wall sign.

(p) **Sign written roof sign**



- (i) A *sign written roof sign* is an advertising device which is painted or otherwise affixed to the roof of a building and directed at, or visible from, a road.
- (ii) The prescribed requirements for a sign written roof sign are—
- (A) the advertising device must be contained within the existing or created outline of the building on which it is displayed; and
  - (B) the advertising device must be of a size and scale which is consistent with the scale and character of the building on which it is displayed and, in any event, must not cover more than 25% of the roof of the building on which it is displayed; and
  - (C) the advertising device must not extend horizontally beyond the edge of the building roof; and
  - (D) the advertising device must be compatible with other sign written roof signs (if any) displayed on the building; and
  - (E) the advertising device must not be visible from any building used for residential purposes located adjacent to the building on which it is displayed; and
  - (F) the advertising device must not be illuminated.

(q) **Stall board sign**



- (i) A *stall board sign* is an advertising device painted or otherwise affixed flat to the wall of a building used for purposes other than residential purposes below a ground floor window of the building.



- (ii) The prescribed requirements for a stall board sign are—
- (A) the face area of the advertising device must be limited to the stall board area below a ground floor window of the building on which it is displayed; and
  - (B) the advertising device must not protrude so as to cause injury to pedestrians; and
  - (C) the advertising device must not exceed a thickness of 30mm, and the corners of the advertising device must be arrised; and
  - (D) the advertising device—
    - 1) may be illuminated internally; but
    - 2) must not be externally illuminated.

(r) **Statutory sign**



- (i) A **statutory sign** is an advertising device exhibited pursuant to the authority or requirements of an Act.
- (ii) The prescribed requirements for a statutory sign is that the advertising device must be exhibited in accordance with the requirements of the Act which requires the exhibition of the advertising device.

*Examples—*

*The Workplace Health and Safety Act 2011 requires the exhibition of signs regarding safety.*

*The Planning Act requires the exhibition of signs regarding town planning issues.*

(s) **Trade sign**



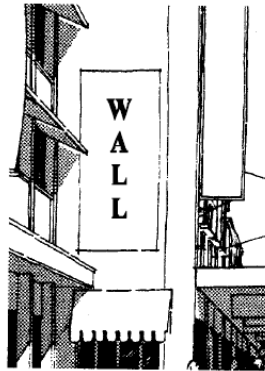
- (i) A **trade sign** is a temporary advertising device which displays a trade person's activity on premises, for example, the activities of a painter or a tiler.
- (ii) The prescribed requirements for a trade sign are—
  - (A) a maximum of 1 trade sign may be displayed on any premises; and
  - (B) the face area of the advertising device must not exceed 0.6m<sup>2</sup>.

(t) **Vertical banner sign**



- (i) A **vertical banner sign** is an advertising device of a non-rigid material normally supported at 2 or more locations from brackets extending from either a pole or a building.
- (ii) The prescribed requirements for a vertical banner sign are that the advertising device must—
  - (A) not be illuminated; and
  - (B) not have a face area in excess of 2.4m<sup>2</sup>; and
  - (C) not have a width in excess of 750mm; and
  - (D) not have a height in excess of 5m above ground level directly adjacent to the advertising device; and
  - (E) be erected within the street front boundary of the premises on which it is displayed unless the advertising device is displayed above a fixed awning; and
  - (F) not be displayed less than 6m from another vertical banner sign; and
  - (G) not be displayed less than 3m from any boundary of the premises on which it is displayed; and
  - (H) not extend lower than 2.4m above ground level directly adjacent to the advertising device; and
  - (I) not have more than 2 face areas.

(u) **Wall sign**



- (i) A **wall sign** is an advertising device painted or otherwise affixed flat to the wall of a building that does not protrude from the wall more than 100mm.
- (ii) The prescribed requirements for a wall sign are—
- (A) the advertising device must only be displayed on the wall of a building; and
  - (B) the advertising device must not project in excess of 100mm from the wall to which it is affixed; and
  - (C) the advertising device must not project beyond any edge of the wall unless this improves the appearance of the building or the premises on which it is painted or affixed<sup>6</sup>; and
  - (D) the advertising device must integrate, and be compatible, with the architecture of the building on which it is painted or affixed; and
  - (E) the dimensions of the advertising device must bear a reasonable relationship to the size of the wall on which it is painted or affixed; and
  - (F) the advertising device must be consistent, in colour and appearance, with buildings and natural features of the environment in which it is situated; and
  - (G) the advertising device—
    - 1) may be illuminated internally; but
    - 2) must not be externally illuminated; and
  - (H) if illuminated—the illumination of the advertising device must not diminish the amenity of the locality; and
  - (I) the advertising device must be installed without “guide wires” or exposed supporting framework; and

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<sup>6</sup> If the advertising device extends above the top of a wall, the advertising device may satisfy the criteria for a roof/sky sign.

- (J) the face area of the advertising device must not cover more than 75% of the area of the wall on which it is painted or affixed.

(v) **Window sign**



(i) **A window sign —**

- (A) is an advertising device painted (illuminated or non-illuminated) or otherwise affixed to the glazed area of a window; and
- (B) includes devices that are suspended from a window frame; but
- (C) does not include products displayed in a window.

(ii) The prescribed requirements for a window sign are—

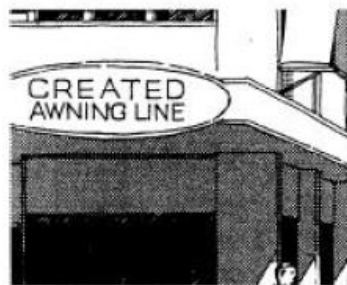
- (A) the advertising device must be situated inside the window on which it is displayed except in the case of a window sign painted directly on the outside face of the window; and
- (B) the advertising device must not cover more than 25% of the surface of the window on which it is displayed; and
- (C) the advertising device—
- 1) may be internally illuminated; but
  - 2) must not be externally illuminated.

(w) **Above awning sign**



- (i) An **above awning sign** is an advertising device located on top of an awning or verandah of a building used for purposes other than residential purposes, with no part of the advertising device projecting —
- (A) above the roof, parapet or ridge line of the building; or
  - (B) beyond the edge of the awning or verandah.
- (ii) The prescribed requirements for an above awning sign are that the advertising device must—
- (A) not have a face area in excess of 2.5m<sup>2</sup> or more than 2 faces; and
  - (B) where the advertising device has 2 faces — be constructed such that the angle between each face is not more than 45 degrees; and
  - (C) not have a height in excess of 1.5m above the awning on which the advertising device is displayed; and
  - (D) not be displayed less than 3m from another above awning sign; and
  - (E) not be displayed less than 1.5m from each side boundary of the premises on which it is displayed; and
  - (F) have a face area length greater than the face area height of the advertising device; and
  - (G) if illuminated—not diminish the amenity of the locality; and
  - (H) be installed without “guide wires” or exposed supporting framework.

(x) **Created awning line sign**



- (i) A **created awning line sign** is an advertising device positioned on the face of, or aligned with, the natural horizontal line of an awning of a building used for purposes other than residential purposes, which creates another awning line with its shape.
- (ii) The prescribed requirements for a created awning line sign are that the advertising device must—
- (A) maintain a clearance from any road related area directly adjacent to the advertising device of not less than 2.4m; and

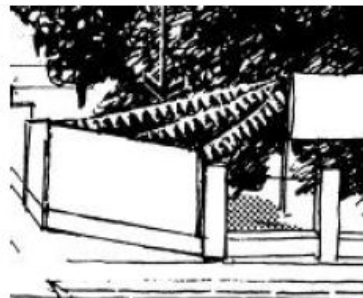
- (B) not extend more than 600mm above an existing awning; and
- (C) not extend above the height of the building on which the advertising is displayed; and
- (D) not cover more than 30% of the overall face area of the awning on which the advertising device is displayed; and
- (E) if illuminated—not diminish the amenity of the locality; and
- (F) be installed without “guide wires” or expose supporting framework.

(y) **Display home sign**



- (i) A *display home sign* is an advertising device which advertises a display home in conjunction with the sale, auction or leasing of a group of dwellings or building sites.
- (ii) The prescribed requirements for a display home sign are that the advertising device must—
  - (A) not be displayed on any premises for a period in excess of 12 months; and
  - (B) not have a face area in excess of 2.4m<sup>2</sup>; and
  - (C) only be located on the premises of the display home advertised on the advertising device.

(z) **Estate sales sign**



- (i) An *estate sales sign* is an advertising device displayed for the primary purpose of the promotion or sale of land within an industrial or residential estate or development.
- (ii) The prescribed requirements for an estate sales sign are—

- (A) if the advertising device is double sided — the advertising device must not have a face area in excess of 6m<sup>2</sup> on either side; and
- (B) if the advertising device is single sided — the advertising device must not have a face area in excess of 12m<sup>2</sup>; and
- (C) if the advertising device is displayed on premises in an area used for residential purposes — the premises must be vacant and in close proximity to the estate or development advertised on the advertising device; and
- (D) the advertising device must not face adjoining premises unless it is more than 3m from each boundary of the premises; and
- (E) the advertising device may only be displayed on premises for, whichever is the lesser of—
  - 1) 12 calendar months; and
  - 2) 14 days after the last lot comprising part of the estate or development is sold.

**(aa) Ground sign**



- (i) A **ground sign** is an advertising device that sits on a low level wall or completely clad vertically oriented free-standing structure which sits on or rises out of the ground.
- (ii) The prescribed requirements for a ground sign are—
  - (A) the advertising device must not have a face area in excess of 10m<sup>2</sup>; and
  - (B) the advertising device must not have a height in excess of 2.4m above ground level directly adjacent to the advertising device; and
  - (C) the advertising device must be consistent with the design of the built environment where it will be displayed; and
  - (D) where the advertising device has 2 faces, the advertising device must be constructed such that the angle between each face is not more than 45 degrees; and
  - (E) the advertising device must not be displayed less than 3m from each side boundary of the premises on which it is displayed; and

- (F) not more than 1 ground sign may be displayed on any premises; and
- (G) if the ground sign is illuminated— illumination of the advertising device must not cause splashing or spilling of light from the face of the advertising device and internal illumination of the advertising device is preferred; and
- (H) the advertising device must be erected within a landscaped environment; and
- (I) the advertising device must not face adjoining premises unless it is more than 3m from each boundary of the premises; and
- (J) the advertising device must be installed without “guide wires” or exposed supporting framework.

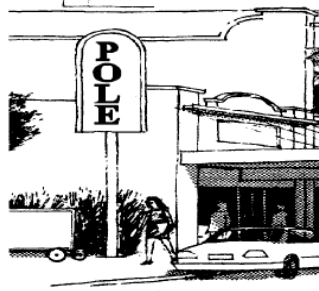
**(bb) Inflatable sign**



- (i) An ***inflatable sign*** is a fixed or captive balloon, including a tethered lighter than air device which is displayed in conjunction with a special event such as a fete, fair, circus, sales promotion or the like.
- (ii) The prescribed requirements for an inflatable sign are—
  - (A) the advertising device must not be displayed for more than 14 days in any 90 day period; and
  - (B) the method of securing the advertising device must be certified as to standard by an accredited engineer prior to the display of the advertising device; and
  - (C) the location of the advertising device must be such that the display of the advertising device will not interfere with any power lines or other public services; and
  - (D) the advertiser must take out and maintain public liability insurance cover in an amount not less than \$20,000,000 against claims for personal injury and property damage resulting from the display of the advertising device; and
  - (E) the advertiser must produce to the local government on request evidence of the existence of the insurance specified in paragraph (D).

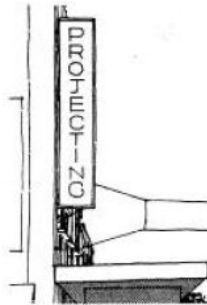


(cc) **Pole sign**



- (i) A *pole sign* —
- (A) is an advertising device which is free-standing on 1 or more vertical supports which has a face area not in excess of 2.4m<sup>2</sup> on any side; and
  - (B) may have a face area consisting of separate slats, panels or components which are removable and replaceable.
- (ii) The prescribed requirements for a pole sign are—
- (A) the advertising device must not have a height in excess of 5m above ground level directly adjacent to the advertising device; and
  - (B) the advertising device must not face adjoining premises unless it is more than 3m from each boundary of the premises.

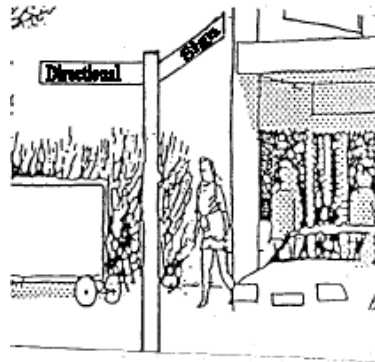
(dd) **Projecting sign**



- (i) A *projecting sign* is an advertising device which—
- (A) is displayed on the wall of a building; and
  - (B) projects at right angles to the building more than 1.5m from the wall on which it is displayed; and
  - (C) does not project higher than the height of the building to which it is attached.
- (ii) The prescribed requirements for a projecting sign are—
- (A) the front elevation of the advertising device must not project beyond the outline of the wall to which it is attached; and

- (B) the advertising device may only be placed on premises to promote or advertise an activity undertaken on the premises; and
- (C) the advertising device must be positioned and designed in a manner which is compatible with the architecture of the building to which it is attached; and
- (D) the advertising device must be situated so as to maintain a clearance of 2.4m from any road related area directly adjacent to the advertising device; and
- (E) the advertising device must be installed without “guide wires” or exposed supporting framework.

(ee) **Public facility directional sign**



- (i) A **public facility directional sign** is an advertising device erected by and for the purposes of a community service organisation.
- (ii) The prescribed requirements for a public facility directional sign are that the advertising device—
  - (A) may inform motorists of services on a road ahead or on a side road; and
  - (B) must not create visual pollution; and
  - (C) in the case of an advertising device at a primary or secondary school — must advertise a school facility used by large numbers of people who are not students or staff at the school; and
  - (D) in the case of an advertising device for a tourist attraction or tourism establishment — must advertise an attraction or establishment which is located on a side road or would be sought by large numbers of people who are not familiar with the area; and

- (E) in the case of an advertising device for a service (for example, a rest area, toilet or fire place) — must be in advance of the service so as to inform motorists of the service available to road users adjacent to the road or along a side road.<sup>7</sup>
- (F) if the advertising device is an official traffic sign—must be displayed in compliance with the requirements of the Manual of Uniform Traffic Control Devices<sup>8</sup>; and
- (G) must have white symbols and legend (where appropriate) on a blue background and may be fully reflectorised for use at night; and
- (H) must incorporate lettering not less than 120mm high; and
- (I) must be displayed so as not to obscure other public facility directional signs; and
- (J) must not obscure the visibility of approaching pedestrian or vehicular traffic, particularly at intersections; and
- (K) if the advertising device is intended to convey information during periods of darkness—must be either illuminated or constructed from reflective material so that the advertising device displays the same colours and shape by both day and night; and
- (L) a maximum of 4 signs (including any street name sign) should be erected on 1 post.

**(ff) Roof/sky sign**



- (i) A **roof/sky sign** is an advertising device fitted to the roof of a building.
- (ii) The prescribed requirements for a roof/sky sign are—
  - (A) the advertising device must be contained within the existing or created outline of the building on which it is displayed; and
  - (B) if the advertising device creates a new outline for the building — the advertising device must be designed to appear as if it were part of the original building, or in some other way match or complement the architecture of the building; and

<sup>7</sup> Public facility directional signs are not intended for use for facilities of a commercial nature which can be seen well in advance by motorists.

<sup>8</sup> See section 166 of the *Transport Operations (Road Use Management) Act 1995*.

- (C) the advertising device must not extend horizontally beyond the edge of the roof of the building on which it is displayed; and
- (D) the advertising device must not be displayed less than 3m from any other roof/sky sign displayed on the building; and
- (E) if there is more than 1 advertising device on a building, the advertising devices must match, align or otherwise be compatible with each other; and
- (F) the source of illumination of the advertising device must be internal and not cause excessive light spill; and
- (G) if the advertising device has a face area greater than 1.2m<sup>2</sup>, the advertiser must obtain an engineer's certification for any structure dedicated for the support of the advertising device; and
- (H) the advertising device must be installed without "guide wires" or exposed supporting framework.

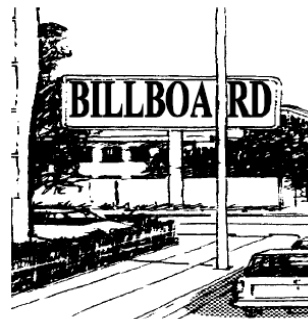
**(gg) Sporting complex sign**



- (i) A ***sporting complex sign*** is an advertising device which is located in close proximity to and identifies a sporting complex, club or building.
- (ii) The prescribed requirements for a sporting complex sign are—
  - (A) the advertising device must not have a face area in excess of 12m<sup>2</sup>; and
  - (B) if requested by an authorised person, the advertiser must produce an engineer's certification for any structure dedicated for the support of the advertising device; and
  - (C) if the advertising device includes third party advertising, only 25% of the face area of the advertising device may display third party advertising.

**(hh) Under awning sign**

- (i) An ***under awning sign*** is an advertising device affixed underneath, or suspended from, an awning or verandah.
- (ii) The prescribed requirements for an under awning sign are that the advertising device must—
  - (A) have a minimum clearance of 2.4m between its lowest point and any directly adjacent road related area; and
  - (B) not have a horizontal dimension greater than the width of the awning, a vertical dimension of more than 0.5m or a thickness of more than 0.3m; and
  - (C) be oriented at right angles to the front of the building on which it is displayed; and
  - (D) not be displayed less than 3m from another under awning sign; and
  - (E) not be displayed less than 1.5m from each side boundary of the premises on which it is displayed; and
  - (F) not project beyond the awning or verandah to which it is affixed.

**(ii) Billboard/hoarding sign**

- (i) A ***billboard/hoarding sign*** is an advertising device which —
  - (A) is free-standing; and
  - (B) has a face area greater than 2.4m<sup>2</sup>; and
  - (C) has a face area width greater than its face area height; and

- (D) is normally elevated from the ground and supported by 1 or more vertical columns, pylons or poles; and
  - (E) is an erected structure used primarily for the display of advertising matter.
- (ii) The prescribed requirements for a billboard/hoarding sign are—
- (A) the advertising device must —
    - 1) not have a face area in excess of 48m<sup>2</sup>; and
    - 2) not have a height in excess of that prescribed for the relevant zone of the local government’s planning scheme <sup>9</sup>; and
    - 3) not face adjoining premises unless it is more than 3m from each boundary of the premises; and
    - 4) not be located or constructed so as to expose an unsightly back view of the advertising device; and
    - 5) not have more than 2 faces; and
  - (B) if the advertising device has 2 faces — the angle between each face must not be more than 45 degrees unless the space between each face is filled or cladded; and
  - (C) only 1 double-sided billboard/hoarding sign may be displayed on premises except where the street front boundary of the premises exceeds 100m; and
  - (D) if the street front boundary of the premises exceeds 100m, more than 1 double-sided billboard/hoarding sign is permitted, however, each billboard/hoarding sign must be not less than 100m apart; and
  - (E) the advertising device must not be displayed less than 3m from any side boundary of the premises; and
  - (F) the advertising device must be installed without “guide wires” or exposed supporting framework.

**(jj) Pylon sign**



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<sup>9</sup> *local government planning scheme* means an instrument setting out integrated planning and development assessment policies for all of a local government area.

(i) **A pylon sign —**

- (A) is an advertising device which—
- 1) is free-standing; and
  - 2) has a face area greater than 2.4m<sup>2</sup>; and
  - 3) has a face area height greater than its face area width; and
  - 4) is normally elevated from the ground and supported by 1 or more vertical columns, pylons or poles; and
- (B) may have a face area consisting of separate slats, panels or components which are removable and replaceable.

(ii) The prescribed requirements for a pylon sign are—

- (A) where the advertising device has 2 faces, the advertising device must be constructed such that the angle between each face is not more than 45 degrees unless the space between each face is filled or cladded; and
- (B) the advertising device must not have a face area in excess of 48m<sup>2</sup>; and
- (C) the advertising device must not have a height in excess of that prescribed for the relevant zone of the local governments planning scheme <sup>10</sup> and
- (D) only 1 double-sided advertising device is permitted on premises except where the street front boundary of the premises exceeds 100m; and
- (E) if the street front boundary of the premises exceeds 100m, more than 1 double-sided advertising device is permitted, however, each advertising device must be not less than 100m apart; and
- (F) the advertising device must not be located or constructed so as to expose an unsightly back view of the advertising device; and
- (G) the advertising device must not face adjoining premises unless it is more than 3m from each boundary of the premises; and
- (H) the advertising device must be installed without “guide wires” or exposed supporting framework.

(kk) **Roadside directional sign**



<sup>10</sup> *local government planning scheme* – see footnote #9.

- (i) A **roadside directional sign** is an advertising device located on a road related area to advertise an open house day, estate, development or auction of premises which are difficult to locate.
- (ii) The prescribed requirements for a roadside directional sign are—
- (A) the advertising device must—
    - 1) not have a face area in excess of 0.6m<sup>2</sup>; and
    - 2) be located in the vicinity of the auction, estate, development or open-house advertised on the advertising device; and
    - 3) not be displayed on a median strip, roundabout, traffic island, pole, post or any other structure on a road reserve except as approved by an authorised person; and
  - (B) not more than 5 roadside directional signs may be displayed by a licensed real estate agent; and
  - (C) the advertising device must at all times display a reference to the registered real estate office responsible for the display of the advertising device; and
  - (D) the advertising device must not cause a hazard to pedestrian or vehicular traffic; and
  - (E) the advertising device must not be displayed on a motorway or a limited access road; and
  - (F) the advertiser of the advertising device must take out and maintain public liability insurance cover in an amount not less than \$20,000,000 against claims for personal injury and property damage resulting from the display of the advertising device; and
  - (G) a roadside directional sign may only be placed on a road reserve between 6.00pm on Friday and 6.00pm on the following Sunday; and
  - (H) roadside directional signs must be used together, or in sequence, to direct people to premises which are the subject of an auction, estate, development or open-house and must be located within a reasonable distance of the premises.

**(II) Social and welfare sign**





- (i) A **social and welfare sign** is an advertising device which identifies a charitable institution, non proprietary club, educational establishment, incorporated association or the like.
- (ii) The prescribed requirements for a social and welfare sign are —
  - (A) If the content or information on an advertising device is such that the advertising device is classified as a social and welfare sign but the design, location or structure of the advertising device is such that the advertising device may be classified within another category of advertising device in this part (the **other category**), the advertising device must comply with the criteria (if any) prescribed for the other category.

*Example—*

*If the location and structure of a social and welfare sign are such that the advertising device may also be classified as a wall sign, the advertising device must comply with the prescribed requirements for a wall sign.*

- (B) A social and welfare sign must not have a face area in excess of 2.4m<sup>2</sup>.
- (C) A maximum of 1 social and welfare sign may be displayed on any premises.
- (D) However, 2 social and welfare signs may be displayed on premises if the premises have a street front boundary in excess of 100m.

**(mm) Sporting field fence sign**



- (i) A **sporting field fence sign** is an advertising device which is painted or otherwise affixed to a fence marking the boundaries of a sporting field.
- (ii) The prescribed requirements for a sporting field fence sign are—
  - (A) the advertising device must acknowledge sponsors associated with the club which has the right to occupy the sporting field on which it is displayed; and
  - (B) the advertising device must be displayed on a fence surrounding the sporting field; and
  - (C) the advertising device must not be visible from any road, public place (other than the sporting field) or premises used for residential purposes; and
  - (D) the advertising device must be contained within the boundaries of the fence on which it is to be displayed; and

- (E) the advertising device must not cause a danger to the public; and
- (F) if the advertiser is a sporting club or association, the advertiser must erect or display the advertising device immediately adjacent to the area allocated to the advertiser for conduct of the advertiser's sporting activity.

**(nn) Motor vehicle sign**

- (i) A **motor vehicle sign**<sup>11</sup> is an advertising device affixed to, placed upon, or beside, a vehicle, caravan or trailer apparently stopped on rateable land for the primary purpose of displaying the advertising device.
- (ii) The prescribed requirements for a motor vehicle sign are that the advertising device must —
  - (A) not have a face area in excess of 2.4m<sup>2</sup>; and
  - (B) not extend beyond the dimensions of, as the case may be, the vehicle, caravan or trailer; and
  - (C) not cause a hazard to pedestrian or vehicular traffic; and
  - (D) be static; and
  - (E) not be constructed from illuminated or reflective material.
  - (F)

**3. Documents and materials that must accompany an application for an approval**

An application for approval must include or be accompanied by the following—

- (a) full details of the proposed advertising device including—
  - (i) the name and address of the premises at which the proposed advertising device will be installed; and
  - (ii) the name and address of the person responsible for the installation of the advertising device; and
  - (iii) if available — the name and address of any business which will be advertised on the advertising device;
- (b) details of all building work and other work to be carried out under the approval;
- (c) details of the time and place at which the prescribed activity will be undertaken;
- (d) the proposed term of the approval;

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<sup>11</sup> See section 4 of the authorising local law. The local law does not apply to an advertising device that is the subject of a permit issued pursuant to section 126 or 126B of the *Traffic Regulation 1962*.

- (e) the impact, if any, of the prescribed activity on pedestrian or vehicular traffic;
- (f) the materials, equipment and vehicles to be used in the undertaking of the prescribed activity;
- (g) plans and specifications detailing—
  - (i) the location of the proposed advertising device; and
  - (ii) each item of equipment to be used in the installation, erection or display of the proposed advertising device; and
  - (iii) the type and location of any utility, service or infrastructure to be used in the installation, erection or display of the proposed advertising device; and
  - (iv) particulars of the content, if available, design, dimensions and construction of the proposed advertising device; and
  - (v) a site plan, to scale, of the proposed advertising device; and
  - (vi) if the applicant is not the owner of the premises on which the proposed advertising device is to be installed, erected or displayed, the consent of the owner of the premises to the installation, erection and display of the advertising device; and
  - (vii) a copy of each development approval required for the installation, erection and display of the proposed advertising device; and
  - (viii) a pictorial representation of the proposed advertising device.

#### **4. Additional criteria for the granting of an approval**

For any approval for installation of an advertising device, the additional criteria are that—

- (a) The conduct of the prescribed activity must not—
  - (i) result in—
    - (A) material harm to human health or safety; or
    - (B) obstruction of pedestrian or vehicular traffic; or
    - (C) a likely road safety risk; or
  - (ii) significantly obstruct the view of any premises.

#### **5. Conditions that must be imposed on an approval**

*This section has been intentionally left blank.*

## 6. Conditions that will ordinarily be imposed on an approval

The conditions that will ordinarily be imposed on approvals are that the approval holder must—

- (a) comply with specified safety requirements; and
- (b) regulate the time within which the prescribed activity must be carried out; and
- (c) specify standards with which the undertaking of the prescribed activity must comply; and
- (d) for the duration of the term of the approval, maintain in full force and effect a standard public liability insurance policy—
  - (i) listing the local government as an interested party;
  - (ii) covering their respective rights, interests and liabilities to third parties in respect of accidental death of, or accidental bodily injury to, persons or accidental damage to property; and
  - (iii) for an amount of no less than \$20,000,000 or another amount as specified in the approval.
- (e) prior to the commencement of the prescribed activity, provide the local government with a certificate of currency for the standard public liability insurance policy;
- (f) indemnify the local government against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against or made upon the local government as a result of the prescribed activity;
- (g) carry out specified additional work such as earthwork and landscaping;
- (h) maintain structures erected or installed, or vegetation planted, under the approval, in good condition;
- (i) remove a structure erected or installed, under the approval, at the end of a stated period;
- (j) exhibit specified signage warning about the conduct of the prescribed activity;
- (k) construct the advertising device from specified materials;
- (l) maintain the advertising device in good order and repair;
- (m) install the advertising device at a specified location, or in a specified manner;
- (n) take specified measures to illuminate, or control the illumination of, the advertising device;
- (o) restrict the dimensions of the advertising device;
- (p) take specified measures to—
  - (i) prevent harm to human health or safety of persons involved in, or affected by, the undertaking of the prescribed activity; and
  - (ii) prevent loss of amenity or nuisance resulting from the

undertaking of the prescribed activity; and

- (iii) ensure that the undertaking of the prescribed activity does not cause unsafe movement or obstruction of pedestrian or vehicular traffic.

**7. Term of approval**

An approval commences on the date the approval is granted and expires on the next 30<sup>th</sup> day of June, unless otherwise specified in an approval.

**8. Term of renewal of approval**

An approval that is renewed expires on the next 30<sup>th</sup> day of June, unless otherwise specified in a renewal.

## Schedule 11 Keeping of animals

section 11

### 1. Prescribed activity

Keeping of animals.

### 2. Activities that do not require an approval under the authorising local law

*This section has been intentionally left blank.*

### 3. Documents and materials that must accompany an application for an approval

An application for approval must include or be accompanied by the following information—

- (a) the species, breed, age and gender of each animal for which the approval is sought; and
- (b) the number of animals to be kept; and
- (c) the nature of the premises at which the animal or animals are to be kept; and
- (d) the area, or the part of the area, in which the animal or animals are to be kept; and
- (e) the materials out of which any enclosure in which the animal or animals to be kept is (or is to be) constructed and any other details of the enclosure; and
- (f) the location of the enclosure on the premises; and
- (g) the name of each person who is to occupy any residence located on the premises on which the animal or animals are to be kept; and
- (h) a drawing showing the design and dimensions of any enclosure in which the animal or animals are to be kept; and
- (i) if the applicant is not the owner of the premises on which the animal or animals are to be kept — the written permission of the owner of the premises to the keeping of the animal or animals on the premises; and
- (j) where the animal or animals are to be kept on multi-residential premises and the keeper of the animal or animals is entitled to make use of an area used in common with others (a **common area**) for the purpose of keeping the animal or animals — the written permission of the person or body who manages or controls the common area to use the common area for the purpose of keeping the animal or animals; and
- (k) if an animal the subject of the application is required to be registered

under the Animal Management Act — evidence that the animal is currently registered with the local government.

#### **4. Additional criteria for the granting of an approval**

For all approvals, the additional criteria are as follows—

- (a) the land must be physically suitable for the keeping of the animal; and
- (b) the enclosure in which the animal is to be kept is structurally suitable; and
- (c) the applicant is a suitable person to hold the approval;
- (d) whether the grant of the approval for the prescribed activity on the premises is likely to —
  - (i) cause an unreasonable nuisance, inconvenience or annoyance to occupiers of adjoining land; or
  - (ii) have a material adverse affect on the amenity of the surrounding area; or
  - (iii) have a deleterious effect on the local environment or cause pollution or other environmental damage;
- (e) if the application relates to the keeping of cats or dogs —
  - (i) whether the animals have been desexed; and
  - (ii) whether the animals have been fitted with an approved microchip;
- (f) if the application relates to the keeping of an animal or animals on multi-residential premises —
  - (i) whether the applicant is entitled to make use of a common area; and
  - (ii) whether the applicant has exclusive possession and control of the whole or a part of the common area for the purpose of keeping the animal or animals; and
  - (iii) whether the applicant has the written permission of the person or body which manages or controls the common area to use the common area, or a part of the common area, for the purpose of keeping the animal or animals.

#### **5. Conditions that must be imposed on an approval**

*This section has been intentionally left blank.*

## 6. Conditions that will ordinarily be imposed on an approval

The conditions that will ordinarily be imposed on an approval are as follows—

- (a) the approval holder must—
  - (i) maintain compliance with any of the requirements for keeping an animal under State legislation and *Local Law No. 2 (Animal Management) 2011*;
  - (ii) ensure that any enclosure in which the animals are kept is maintained in—
    - (A) a clean and sanitary condition and disinfected regularly; and
    - (B) an aesthetically acceptable condition; and
    - (C) accordance with any relevant local law; and
- (b) if minimum standards for the keeping of the species or breed of the animal are prescribed in schedule 5 of *Subordinate Local Law No. 2 (Animal Management) 2011*—the animal must be kept in accordance with the minimum standards for the species or breed of animal prescribed in schedule 5 of *Subordinate Local Law No. 2 (Animal Management) 2011*; and
- (c) if the approval relates to the keeping of 1 or more animals and the animal or animals are identified in the approval—a condition limiting the approval to the animal or animals identified in the approval.

## 7. Term of an approval

- (1) The term of an approval must be determined by the local government having regard to the information submitted by the applicant.
- (2) The term of the approval must be specified in the approval.
- (3) An approval may be granted for a term of up to 3 years.

## 8. Term of renewal of an approval

- (1) The term for which an approval may be renewed or extended must be determined by the local government having regard to the information submitted by the approval holder.
- (2) The term for which an approval may be renewed or extended must not exceed 3 years.
- (3) If the local government grants the application, the local government must specify in the written notice, the term of the renewal or extension.



## Schedule 12 Operation of camping grounds

section 11

### 1. Prescribed activity

Operation of camping grounds.

### 2. Activities that do not require approval under the authorising local law

*This section has been intentionally left blank..*

### 3. Documents and materials that must accompany applications for approval

An application for approval must include or be accompanied by—

- (a) a plan showing the boundaries of the camping ground and the division of the camping ground into camping sites; and
- (b) if the applicant is not the owner of the land on which the camping ground is situated—the written consent of the owner regarding the application; and
- (c) application fee (as determined within Council’s Schedule of Fees and Charges); and
- (d) details of the facilities for sanitation, ablutions, washing and laundry to be provided for campers; and
- (e) documents, information, and materials identified within the relevant approved application form; and
- (f) details of ablution facilities; and
- (g) details of water quality, reticulation, and drainage.

### 4. Additional criteria for the granting of approval

For all approvals, the additional criteria are that the applicant is a suitable person to operate a camping ground.

### 5. Conditions that must be imposed on approvals

The following conditions are conditions that must be imposed on approvals—

- (a) the approval holder must—
  - (i) maintain all facilities in the camping ground to a good standard of hygiene and safety to the satisfaction of an authorised person; and
  - (ii) provide and maintain a current site plan; and
  - (iii) provide and maintain an adequate supply of water to the camping ground; and
  - (iv) supply potable water for drinking and cooking; and

- (v) ensure every outlet within the camping ground that receives non-potable water displays a permanent, prominent and legible sign stating “UNSUITABLE FOR DRINKING”; and
- (vi) provide appropriate facilities for collection, storage and disposal of waste to the satisfaction of an authorised person; and
- (vii) not locate or permit an accommodation to be located at any place within the camping ground other than on a site approved by the local government; and
- (viii) at all times keep the camping ground, its buildings, sanitary conveniences and other facilities in a clean, sanitary and safe condition to the satisfaction of an authorised person; and
- (ix) unless an accommodation is fitted with a sanitary convenience, as a minimum standard provide for the exclusive use of the occupants separate sanitary conveniences for each sex in accordance with the table below; and

**Table A**

No. of Sites	No. of water closets and pans for females	No. of water closets and pans for males	Length of urinals for males
Up to 40	1 for every 7 sites or part thereof	1 for every 10 sites or part thereof	0.6m for every 20 sites or part thereof
Over 40	6 plus an additional 1 for every 15 sites or part thereof in excess of 40 sites	4 plus an additional 1 for every 15 sites or part thereof in excess of 40 sites	0.6m for every 20 sites or part thereof

- (x) in any case where 10 or more water closet fixtures are provided, ensure that at least 1 such water closet and its compartment or cubicle is constructed, equipped and provided with access in accordance with AS1428, Code of Practice for Design Rules for Access by the Disabled; and
- (xi) ensure all sanitary conveniences are constructed so as to ensure privacy to the satisfaction of an authorised person; and
- (xii) unless an accommodation is fitted with ablutionary facilities, provide for the exclusive use of the occupants separate ablutionary facilities as per Table A above; and
- (xiii) ensure a shower or bath is installed:
  - (A) with separate drainage points for the discharge of water into the drainage system; and
  - (B) in a separate compartment or cubicle which is constructed so as to ensure privacy to the satisfaction of an authorised person; and

- (C) provide for the exclusive use of the occupants, laundry facilities in the ratio of 1 laundry tub and 1 clothes washing machine and 1 clothes hoist, or suitable length of clothes lines, for every 20 sites or part thereof; and
- (D) provide sewerage or a drainage system in conformity with the requirements of the local government for the carrying off and disposal of all wastes from every water closet fixture, urinal, ablutionary facility, laundry facility and camp; and
- (xiv) a notice advising of the conditions must be displayed at each public entrance to the camping ground to which the conditions apply; and
- (xv) provide an on-site manager, available at all times the camping ground is operating, and have provision for emergency contact; and
- (xvi) keep an up-to-date register of all persons accommodated at the camping ground. Such register must have the occupants forwarding contact details as well as name, address and site number; and
- (xvii) comply with all requirements contained within the current fire safety report from Queensland Fire and Rescue Services; and
- (xviii) not adversely affect the interests of any aboriginal person, group or impact upon any area of Aboriginal Cultural Heritage.

## **6. Conditions that will ordinarily be imposed on approvals**

The conditions that will ordinarily be imposed on approvals are that the approval holder must—

- (a) maintain to the satisfaction of an authorised person buffer zones between accommodation sites and roads, external boundaries, or facilities on the camping ground; and
- (b) provide overhead and internal lighting in the camping ground to the satisfaction of an authorised person for specified hours; and
- (c) maintain the site in such a manner and to the satisfaction of an authorised person so as not to inhibit the access, egress and transit through the camping ground of the emergency services and their vehicles, having regard to the minimum turning circles and height clearances of overhead structures.

## **7. Term of approval**

The term of the approval commences on the date the approval and expires on the next 30<sup>th</sup> day of June, unless otherwise specified in the approval.

## **8. Term of renewal of approval**

An approval that is renewed expires on the next 30<sup>th</sup> day of June, unless otherwise specified in an approval.

## **Schedule 13      Operation of cane railways**

### Section 11

*This Schedule has been intentionally left blank*

## Schedule 14 Operation of caravan parks

section 11

### 1. Prescribed activity

Operation of caravan parks

### 2. Activities that do not require an approval under the authorising local law

*This section has been intentionally left blank.*

### 3. Documents and materials that must accompany an application for an approval

An application for approval must include or be accompanied by—

- (a) if the applicant is not the owner of the place at which the caravan park is to be operated—the written consent of the owner to the application;
- (b) the name and address of the proposed resident manager of the caravan park and the proposed resident manager's written agreement accepting the responsibilities of resident manager of the caravan park;
- (c) a plan of the proposed caravan park which must be drawn to scale showing—
  - (i) the location and real property description of the place at which the caravan park is to be operated; and
  - (ii) the boundaries of the caravan park; and
  - (iii) the division of the caravan park into sites, including the location and number of potential sites, with each site clearly defined and bearing a distinguishing mark or number; and
  - (iv) the location of each road and building situated within the caravan park; and
  - (v) details of the water supply system, including the position of all water points; and
  - (vi) the position of all waste containers; and
  - (vii) details of the sewerage system including the position of each sanitary convenience, ablution and laundry building; and
  - (viii) details of the on-site sewerage facilities and the wastewater disposal system; and
  - (ix) the position of all fire places; and
  - (x) the nature and position of—

- (A) all fire safety installations; and
  - (B) all electrical installations; and
  - (C) all food preparation areas; and
  - (D) all recreational facilities; and
  - (E) all car parking facilities.
- (xi) details of the facilities for sanitation, washing and laundry to be provided for users of the caravan park;
  - (xii) details of water quality, reticulation and drainage facilities to be provided for users of the caravan park.
  - (xiii) details of the maximum number of persons who can be accommodated at—
    - (A) the caravan park; and
    - (B) each site within the caravan park.
  - (xiv) details of the rules which will govern the use of the caravan park, including rules which prohibit or restrict the keeping of dogs at the caravan park.

#### **4. Additional criteria for the granting of an approval**

The additional criteria for granting an approval are that—

- (a) the proposed resident manager is a suitable person to operate a caravan park; and
- (b) all facilities in the caravan park are at an acceptable standard or can be brought to acceptable standard for use by residents.

#### **5. Conditions that must be imposed on an approval**

*This section has been intentionally left blank.*

#### **6. Conditions that will ordinarily be imposed on an approval**

The conditions that will ordinarily be imposed on approvals are that the approval holder must—

- (a) maintain all facilities in the camping ground to an acceptable standard of hygiene and safety;
- (b) supply potable water drinking, cooking and personal hygiene;
- (c) cause every outlet within the caravan park receiving non-potable drinking water to prominently display a permanent sign stating “**UNSUITABLE FOR DRINKING**”;

- (d) unless accommodation is fitted with ablutionary facilities, provide and maintain adequate toilets and bathing or showering facilities for persons of both sexes (including disable persons);
- (e) cause hot and cold water to be reticulated to every shower, bath and hand basin;
- (f) cause all sanitary conveniences to be constructed so as to ensure privacy;
- (g) cause such shower or bath to be installed with separate drainage points for the discharge of water;
- (h) if bed linen is provided –keep it in a clean and sanitary condition and replace it with clean bed linen whenever there is a change of occupation of the relevant accommodation or site;
- (i) provide adequate laundry facilities for the exclusive use of the occupants in the ratio of 1 set of twin wash tubs and 1 clothes washing machine and 1 clothes hoist or an equivalent length of clothes line for every 20 sites or part thereof;
- (j) not permit an accommodation to be erected or located, closer than 1.5m to any other accommodation and not closer than 6m to any ablution facility;
- (k) not permit an accommodation to be located at any place within the caravan park other than on a site approved by local government under this local law;
- (l) provide adequate lighting for the safe movements of persons within the caravan park;
- (m) provide waste water disposal points which are connected to a sewerage or approved drainage system;
- (n) ensure that if a swimming pool is located within the caravan park that the swimming pool complies with –
  - (i) all requirements of any applicable State legislation; and
  - (ii) Queensland Health Water Quality Guidelines for Public Aquatic Facilities December 2019.
- (o) ensure that an up-to-date register is kept and made available at the request of an authorised person, containing –
  - (i) the name and address of each person who hires accommodation or a site at the caravan park; and
  - (ii) an identifying number for the accommodation or site; and
  - (iii) the registered number of a caravan and the vehicle towing it; and

- (iv) the dates when the hiring of the accommodation or site begins and ends;
- (p) unless the local government agrees in writing, not change the sites by –
  - (i) adding to the existing sites, structures, facilities or accommodation; or
  - (ii) changing the position or boundaries of sites, structures or facilities; or
  - (iii) removing existing structures or facilities however, this does not apply if the proposed change constitutes development under the Planning Act;
- (q) not permit a fire in the open unless the fire is in a fireplace approved by the local government;
- (r) ensure all sites are clearly numbered;
- (s) provide ground anchor points designed to withstand heavy wind loads to enable the tie-down of caravans and complementary accommodation.

## **7. Term of an approval**

- (1) The term of an approval must be determined by the local government having regard to the information submitted by the applicant.
- (2) The term of the approval must be specified in the approval.
- (3) An approval may be granted for a term of up to 3 years.

## **8. Term of renewal of an approval**

- (1) The term for which an approval may be renewed or extended must be determined by the local government having regard to the information submitted by the approval holder.
- (2) The term for which an approval may be renewed or extended must not exceed 3 years.
- (3) If the local government grants the application, the local government must specify in the written notice, the term of the renewal or extension.



## Schedule 15 Operation of cemeteries

### Section 11

#### 1. Prescribed activity

Operation of cemeteries.

#### 2. Activities that do not require approval under the authorising local law

*This section has been intentionally left blank.*

#### 3. Documents and materials that must accompany applications for approval

An application for approval must be accompanied by—

- (a) a drawing showing the design and dimensions of the proposed cemetery;
- (b) details of the materials out of which the cemetery is (or is to be) constructed and other structural details of the cemetery;
- (c) details of the location of the cemetery;
- (d) if the applicant is not the owner of the land on which the cemetery/crematorium is located—the written consent of the owner;
- (e) a site plan drawn at an appropriate scale and showing the immediate area of the proposed cemetery and proposed burial plots, columbarium niches, walls or any associated structures, plots and layout; and
- (f) details of the proposed administration and management of the cemetery.

#### 4. Additional criteria for the granting of approval

*This section has been intentionally left blank.*

#### 5. Conditions that must be imposed on approvals

*This section has been intentionally left blank.*

#### 6. Conditions that will ordinarily be imposed on approvals

The conditions that will ordinarily be imposed on approvals are that the approval holder must—

- (a) comply with specified hours when the cemetery may be open to the public (where not previously regulated by a development approval);
- (b) comply with specified hours when a burial, cremation or disposal may take place in the cemetery (where not previously regulated by development approval);
- (c) give notice to the local government prior to a burial, cremation or disposal;
- (d) permit an authorised person to inspect a burial site at any time either before or after a burial;

- (e) comply with requirements in the approval regarding the position of grave sites;
- (f) comply with specified standards for required minimum depth, size and other dimensions of graves and grave sites;
- (g) comply with any relevant standard applicable to coffins (for example, an Australian Standard);
- (h) not exceed the specified maximum number of bodies which may be buried in a single grave;
- (i) comply with prescribed minimum periods of leases of grave sites;
- (j) comply with specified standards applicable to the keeping of records of burials and graves;
- (k) ensure that records of burials and graves are not destroyed or otherwise disposed of without the written approval of the local government;
- (l) keep records of burials and graves open to inspection at all times when the person responsible for the making and retaining thereof is ordinarily in attendance at the place where the records are kept;
- (m) keep a register of all reserved sites or niches within the cemetery;
- (n) properly maintain memorials and other buildings and structures in the cemetery;
- (o) keep the cemetery in a clean and tidy state.

#### **7. Term of approval**

An approval commences on the date the approval is granted and expires on the next 30<sup>th</sup> day of June, unless otherwise specified in an approval.

#### **8. Term of renewal of approval**

An approval that is renewed expires on the next 30<sup>th</sup> day of June, unless otherwise specified in a renewal.

## Schedule 16 Operation of public swimming pools

### Section 11

#### 1. Prescribed activity

Operation of public swimming pools.

#### 2. Activities that do not require approval under the authorising local law

*This section has been intentionally left blank.*

#### 3. Documents and materials that must accompany applications for approval

Additional documents and materials that must accompany an application for an approval are as follows—

- (a) The address of the swimming pool, including real property description;
- (b) The dimensions and capacity of the pool;
- (c) Pool filtration unit details;
- (d) Pool pump details;
- (e) Pool chlorination equipment details;
- (f) Resuscitation notice details;
- (g) Fencing and access to the swimming pool;
- (h) Hours of operation;
- (i) Details of backwash water discharge;
- (j) Plans of the site showing the immediately adjoining properties, and the position, width and name of the street or road from which the property has access and upon which it abuts; and
- (k) Details of how the swimming pool will be adequately supervised when open to the public including the names and a copy of a lifesaving qualification and blue card for each proposed supervisor.

#### 4. Additional criteria for the granting of approval

For all approvals, the additional criteria are that—

- (a) the equipment for chlorination, filtration and recirculation of swimming pool water is adequate to protect public health and safety; and
- (b) the maintenance, management and supervision of the swimming pool will be adequate to protect public health and safety and prevent nuisance;

#### 5. Conditions that must be imposed on approvals

The following conditions must be imposed on an approval —

- (a) the approval holder, its contractors or agents must—

- (i) provide appropriate equipment for emergency medical treatment and first aid; and
- (ii) erect and display of notices providing information about basic life saving, resuscitation and first aid techniques; and warning about possible danger; and
- (iii) ensure that biological contaminants are kept within acceptable levels by means of regular testing; and
- (iv) keep appropriate records as required by an authorised person of all testing and have it readily available for Council officers to view upon inspection; and
- (v) install special equipment for filtering, purifying and recirculating the water to the satisfaction of an authorised person; and
- (vi) advise the local government in writing of any intention to empty a swimming pool, unless instruction has been received from the local government to do so; and
- (vii) allow an authorised person access to the premises stated in the approval at any reasonable time to inspect a swimming pool and associated equipment; and
- (viii) allow an authorised person to take samples of water from a swimming pool and have them analysed.

## **6. Conditions that will ordinarily be imposed on approvals**

The conditions that will ordinarily be imposed on an approval are that the approval holder must—

- (a) provide separate dressing rooms for male and female users of the pool that are—
  - (i) of a size sufficient to accommodate the likely maximum number of users (at any one time) of the pool; and
  - (ii) situated and constructed so that they totally conceal persons within the dressing rooms from persons who may be outside the dressing rooms;
- (b) provide for proper and sufficient male and female sanitary conveniences at the pool;
- (c) not allow persons suffering, or appearing to suffer from an infectious, contagious or offensive disease or skin complaint to be at, or use, the public pool;
- (d) maintain water quality in the manner recommended by the Queensland Health Water Quality Guidelines for Public Aquatic Facilities (December 2019);
- (e) keep the pool at all times free from extraneous matter;
- (f) display a notice explaining mouth to mouth resuscitation in a position that is visible from within any point of the swimming pool or spa;

- (g) prominently display a sign at any spa pool containing the following warning: “IMMERSION FOR PERIODS LONGER THAN 20 MINUTES IN WATER HEATED UP TO 35°C IS CONSIDERED DANGEROUS”;
- (h) ensure that the swimming pool is adequately supervised at all times that it is open to the public;
- (i) ensure that any persons engaged to supervise the use of the pool—
  - (i) hold and maintain, throughout the term of the approval, lifesaving qualifications from a body recognised by the local government,
  - (ii) hold a blue card; and
  - (iii) are otherwise suitable and of sufficiently good character in the reasonable opinion of the local government.

#### **7. Term of approval**

An approval commences on the date the approval is granted and expires on the next 30<sup>th</sup> day of June, unless otherwise specified in an approval.

#### **8. Term of renewal of approval**

An approval that is renewed expires on the next 30<sup>th</sup> day of June, unless otherwise specified in a renewal.

## Schedule 17 Operation of shared facility accommodation

### Section 11

#### 1. Prescribed activity

Operation of shared facility accommodation.

#### 2. Activities that do not require an approval under the authorising local law

*This section has been intentionally left blank.*

#### 3. Documents and materials that must accompany an application for an approval

An application must be accompanied by—

- (a) a report from an appropriately qualified professional that the fire safety provisions of the *Building Act 1975* have been complied with; and
- (b) if the applicant is not the owner of the premises for which the approval is sought—the written consent of the owner to the application; and
- (c) a plan to scale and specifications of the operation of the prescribed activity including—
  - (i) a site plan; and
  - (ii) a floor plan; and
  - (iii) the location and area of each access way; and
  - (iv) particulars of the proposed use of each room and the maximum number of persons to be accommodated in each bedroom; and
  - (v) particulars of—
    - (A) all lighting and ventilation; and
    - (B) all sanitary facilities; and
    - (C) all fire safety installations; and
    - (D) shared facilities; and
    - (E) all water supply facilities; and
    - (F) all on-site sewerage facilities.
- (d) an electrical safety certificate of compliance.

#### 4. Additional criteria for the granting of an approval

For all approvals, the additional criteria are as follows—

- (a) the need for a reasonable degree of uniformity between local government areas; and

- (b) the need to encourage prospective operators to enter the market for accommodation to which this local law applies as a way of promoting tourism.

## 5. Conditions that must be imposed on an approval

*This section has been intentionally left blank.*

## 6. Conditions that will ordinarily be imposed on an approval

The conditions that will ordinarily be imposed on an approval are as follows—

- (a) Conditions that may—
  - (i) limit the number of persons for whom accommodation may be provided at the premises, or a specified part of the premises; and
  - (ii) make provision about the number of beds that may be placed and the number of persons who may sleep—
    - (A) in a specified room at the premises; or
    - (B) in the premises as a whole; and
  - (iii) require that specified modifications, or other specified building work related to the premises be carried out within a specified period; and
  - (iv) require the regular maintenance of the premises (including internal and external paintwork); and
  - (v) require that specific provision be made for electrical and fire safety; and
  - (vi) require the provision and maintenance of specified facilities; and
  - (vii) require the provision and maintenance of specified furniture and equipment; and
  - (viii) require the regular cleaning of the premises; and
  - (ix) require fumigation or other treatment of the premises to keep the premises free of pests; and
  - (x) if relevant to the type of accommodation provided— require the regular provision of clean linen and towels; and
  - (xi) require the provision of services of specified kinds (for example, the safe custody of valuables) for the persons using the accommodation; and

- (xii) require that the approval holder or a representative of the approval holder approved by the local government reside at the premises; and
  - (xiii) require the approval holder to keep specified records; and
  - (xiv) specify requirements about the use of specific rooms; and
  - (xv) make provision about the use and maintenance of kitchen, clothes washing, clothes drying, bathroom, shower and toilet facilities; and
  - (xvi) make provision about the use and maintenance of furniture, fittings, equipment and chattels; and
  - (xvii) make provision about the use and maintenance of shared or communal areas and facilities.
- (b) The premises and all fixtures and fittings proposed to be used for the purposes of the prescribed activity must be—
- (i) in good working order and condition; and
  - (ii) in a good state of repair; and
  - (iii) in a clean and sanitary condition; and
  - (iv) free of pests.
- (c) Any room which is to be used as a bedroom must—
- (i) be accessible without passing through any other bedroom or room used for the private occupation of another person, except when folding beds are used for sleeping on a temporary or short term basis; and
  - (ii) ensure the privacy of the occupants of the room.
- (d) The walls of each bedroom at the premises must be so constructed as to ensure privacy for the occupants of the room.
- (e) Each wall or partition wall at the premises must be of a proper and workmanlike construction.
- (f) A room at the premises must not be used as a bedroom unless each occupant of the room can obtain access to it without passing through any other bedroom or other room in the private occupation of another person.
- (g) Every common use room at the premises must be so situated that any resident of the premises can obtain access to it without passing through any bedroom or other room which is not a common use room.



- (h) A bedroom must not be used as sleeping accommodation by more than 1 person unless the dimensions of the room are such that, after—
  - (i) disregarding the space occupied by bulky furniture; and
  - (ii) disregarding space more than 2.6 m above floor level,
  - (iii) the room contains at least 11.5m<sup>3</sup> of space for each person occupying the room.
- (i) A bedroom must not be used as sleeping accommodation unless the room contains at least 4.58 m<sup>2</sup> of floor space for each person occupying the room.
- (j) The number of beds in a bedroom must not exceed the maximum number of persons who use the room as sleeping accommodation (having regard to subsections (6) and (7)).
- (k) The floor and the ground surface below the floor of a bedroom must be kept free of dampness.
- (l) If a bedroom is or becomes affected by dampness so as to interfere with the comfort or health of a person accommodated in the room, the room must not be further used as a bedroom until the floor or ground surface has been damp-proofed in accordance with the written directions of an authorised person.
- (m) Where the provision of accommodation includes the supply of bedding and linen, the approval holder must ensure that—
  - (i) all bedding and linen is clean; and
  - (ii) linen provided to a person accommodated has been washed since it was last used.
- (n) The premises must be either—
  - (i) connected to a reticulated water supply system; or
  - (ii) provided with an adequate water supply which complies with all relevant legislation relating to the minimum standards for drinking water.
- (o) An adequate and continuous supply of potable hot and cold water must be reticulated to all showers, baths, hand basins, kitchen sinks and laundry facilities.
- (p) The premises must be configured so that every person accommodated has convenient access to at least 1 bath or shower and at least 1 water closet and hand basin without having to pass through any bedroom or any other room which is not a common use room.

- (q) For single dwelling accommodation (that is, accommodation which does not involve shared laundry facilities), the premises must be equipped (at least) with—
- (i) electrical and drainage facilities to accommodate a washing machine; and
  - (ii) a clothes line or hoist with not less than 10 m of line or, alternatively, 1 electric heat operated clothes dryer.
- (r) For accommodation which involves shared laundry facilities, not being short term or tourist accommodation, the premises must be equipped (at least) with—
- (i) a laundry of adequate size containing—
    - (A) a laundry tub with reticulated hot and cold water; and
    - (B) 1 washing machine for each 4 bedrooms; and
  - (ii) an external clothes line in the ratio of 7.5 m of clothes line for each bedroom or, alternatively, 1 electric heat operated clothes dryer for each 4 dwelling units.
- (s) The approval holder must keep the premises free from—
- (i) vermin, insects, nesting birds and lice; and
  - (ii) any other pests of a generally similar class specified in a written notice given by an authorised person to the approval holder.
- (t) The approval holder must, if required by written notice given by an authorised person—
- (i) obtain an inspection report in relation to the safety of electrical wiring and other electrical fittings in the premises; and
  - (ii) give a copy of the report to the local government; and
  - (iii) repair or remedy any defects specified in the report within—
    - (A) 30 days after the date of the report; or
    - (B) any longer period which may be specified by written notice given to the approval holder by an authorised person.
- (u) The approval holder must maintain a register of the guest of the premises which includes the following details—
- (i) the name and address of each resident;
  - (ii) the date of each guest's arrival at and departure from the accommodation premises;

(iii) the number of the bedroom and bed allocated to each guest.

**7. Term of an approval**

One year from the date the approval is granted.

**8. Term of renewal of an approval**

A further term equal to the current term of the approval.

## Schedule 18 Operation of temporary entertainment events

section 11

### 1. Prescribed activity

Operation of temporary entertainment events.

### 2. Activities that do not require an approval under the authorising local law

Events that are attended by less than 50 people.

### 3. Documents and materials that must accompany an application for an approval

The following documents and materials must accompany an application for approval—

- (a) a plan of the place of the temporary entertainment event which details—
  - (i) the boundaries of the place; and
  - (ii) the water supply system for the place; and
  - (iii) the position of each waste container at the place; and
  - (iv) each advertising device proposed to be installed, erected or displayed about the operation of the temporary entertainment event at the place; and
  - (v) the sewerage system for the place, including the position of each sanitary convenience at the place; and
  - (vi) the nature and position of each installation at the place which is to be used for the preparation or sale of food;
- (b) details and drawings of buildings and other structural elements of the place of the temporary entertainment event;
- (c) a detailed statement of the nature of the entertainment to be provided at the place of the temporary entertainment event and when the place is to be open to the public;
- (d) if the applicant is not the owner of the place of the temporary entertainment event—the written consent of the owner of the place;
- (e) the dates and times during which the temporary entertainment event is to be undertaken;
- (f) the expected attendance rate for the temporary entertainment event;
- (g) the street address, real property description and details of the owner of the place where the temporary entertainment event is to be undertaken;

- (h) the name, street address, telephone number, facsimile number and email address of each person and business who will operate the temporary entertainment event;
- (i) if relevant, or requested, details about how the applicant proposes to manage the event, which must include (where relevant):
  - (i) community consultation plan;
  - (ii) an event operational plan;
  - (iii) a catering plan;
  - (iv) a security service plan;
  - (v) an emergency management plan;
  - (vi) an alcohol management plan;
  - (vii) a noise management plan;
  - (viii) a traffic management plan;
  - (ix) a waste management plan;
  - (x) a risk management strategy;
  - (xi) a public safety plan;
- (j) if requested — a report, study or certification from a suitably qualified person about —
  - (i) the undertaking of the prescribed activity generally; or
  - (ii) a specific aspect of the undertaking of the prescribed activity.

*Examples—*

- (a) *A certificate from a registered professional engineer of Queensland about the structural adequacy of a structure, improvement or building to be used in the undertaking of the prescribed activity.*
- (b) *A certificate from a registered professional engineer of Queensland about the extent to which the undertaking of the prescribed activity will comply with relevant requirements of the Manual of Uniform Traffic Control Devices.*

#### **4. Additional criteria for the granting of an approval**

The additional criteria for granting approvals are as follows—

- (a) the design and construction of the place of the temporary entertainment event must be safe and appropriate to the nature of the entertainment proposed and the number of people expected to attend the place;
- (b) adequate provision must exist for people and (if relevant) vehicles to enter and leave the place of the temporary entertainment event;

- (c) the applicant for the approval must nominate a person who is responsible for—
  - (i) ensuring compliance with the authorising local law before, during and after the event; and
  - (ii) handling general complaints which may be received; and
  - (iii) liaising and communicating with the local government or an authorised person;
- (d) the operation of the temporary entertainment event must be lawfully conducted on the place identified in the application.

## 5. Conditions that must be imposed on an approval

The conditions that must be imposed on an approval are that the approval holder must—

- (a) display the approval in the manner, and at the locations, specified by the local government; and
- (b) produce the approval for inspection by an authorised person on demand.

## 6. Conditions that will ordinarily be imposed on an approval

For all approvals, the conditions that will ordinarily be imposed on an approval are as follows—

- (a) Amplification equipment used for the prescribed activity must be set up so as to minimise the noise impact on residential premises;
- (b) A letter drop must be conducted to residents within 200m of the boundaries of the site where the prescribed activity is being held. The letter must detail the dates and operating times of the prescribed activity;
- (c) The approval holder must maintain a defined access point for emergency vehicles at all times;
- (d) The approval holder must provide a first aid station and qualified first aid officer/s;
- (e) Food must be sold only from the temporary food stalls or mobile food vans approved by the local government. All food must be processed, prepared and packed in accordance with the provisions of the *Food Act 2006*;
- (f) An adequate number of toilets are to be provided to meet the needs of all attendants. All toilets are to be kept in a sanitary state at all times during the prescribed activity;
- (g) If camp fires are permitted during the prescribed activity, they must be in a designated area and all precautions must be in place to ensure the safety of patrons and festival staff. The fires must be monitored at all times and extinguished when not supervised;

- (h) For the duration of the term of the approval, the approval holder must maintain in full force and effect a public liability insurance policy—
  - (i) listing the local government as an interested party;
  - (ii) covering their respective rights, interests and liabilities to third parties in respect of accidental death of, or accidental bodily injury to, persons or accidental damage to property; and
  - (iii) for an amount of no less than \$20,000,000.00 or another amount as specified in the approval;
- (i) Prior to the commencement of the prescribed activity, the approval holder must provide the local government with a certificate of currency for the standard public liability insurance policy;
- (j) The approval holder must indemnify the local government against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against or made upon the local government as a result of the prescribed activity;
- (k) If the activity involves playing live or taped performances—the approval holder must obtain a casual licence from the Australasian Performing Rights Association;
- (l) If the activity involves use of a footpath— the approval holder must maintain a clear unobstructed pedestrian corridor of not less than 2m or, in the case of high usage footpaths, the distance greater than 2m stipulated in the approval;
- (m) An approval may—
  - (i) regulate the hours of operation of the temporary entertainment event; and
  - (ii) prescribe requirements for people and (if applicable) vehicles to enter and leave the place of the temporary entertainment event; and
  - (iii) require that any premises, building, structure, vehicle, facility or equipment used in the operation of the temporary entertainment event be maintained at all times—
    - (A) in good working order; and
    - (B) in a good state of repair; and
    - (C) in a clean and sanitary condition; and
  - (iv) Prescribe requirements about—
    - (A) crowd, traffic and parking control; and
    - (B) security measures to be implemented; and
    - (C) evacuation procedures to be implemented as part of the operation of the temporary entertainment event; and

- (n) Evacuation plans and procedures as part of the operation of the temporary entertainment event must be publicly displayed at the venue; and
- (o) Structures erected, and equipment used, as part of the operation of the temporary entertainment event must be removed, at the completion of the event.

#### **7. Term of an approval**

- (1) The term of an approval must be determined by the local government having regard to the information submitted by the applicant.
- (2) The term of the approval must be specified in the approval.

#### **8. Term of renewal of an approval**

- (1) The term for which an approval may be renewed or extended must be determined by the local government having regard to the information submitted by the approval holder.
- (2) If the local government grants the application, the local government must specify in the written notice, the term of the renewal or extension.



**Schedule 19 Undertaking regulated activities regarding human remains— (a) disturbance of human remains buried outside a cemetery; or (b) burial or disposal of human remains outside a cemetery; or (c) disturbance of human remains in a local government cemetery**

section 11

**1. Prescribed activity**

Undertaking regulated activities regarding human remains, including undertaking 1 or more of the following activities—

- (a) disturbance of human remains buried outside a cemetery; and
- (b) burial or disposal of human remains (excluding cremated remains) outside a cemetery; and
- (c) disturbance of human remains in a local government cemetery.

**2. Activities that do not require an approval under the authorising local law**

An approval under the authorising local law is not required for the exhumation or other disturbance or interference with human remains if undertaken pursuant to an order of a coroner or other lawful authority.

**3. Documents and materials that must accompany an application for an approval**

The documents and materials that must accompany an approval are—

- (a) details of —
  - (i) the burial site, niche or other place or proposed burial site, niche or other place at which the human remains are buried or placed, or are proposed to be buried or placed; and
  - (ii) the coffin, container or shroud in which the human remains are buried or placed or are proposed to be buried or placed;
- (b) evidence of the applicant's relationship (if any) with the deceased;
- (c) a certified copy of each approval required (including authority under the *Coroners Act 2003* (if applicable)) for the undertaking of the prescribed activity;
- (d) details of how and when the prescribed activity is to be undertaken;
- (e) evidence of the identity of the deceased person;
- (f) evidence of the wishes of the deceased and the relatives of the deceased;

- (g) if the prescribed activity is the disturbance of human remains buried outside a cemetery—
  - (i) a written statement of the reasons for the proposed disturbance; and
  - (ii) the written agreement of the owner of, and anyone else with a registered interest in, the land on which the remains are buried;
- (h) if the prescribed activity is the burial or disposal of human remains outside a cemetery—
  - (i) a written statement of how and when the remains are proposed to be disposed of or buried; and
  - (ii) the written agreement of the owner of, and anyone else with a registered interest in, the land on which the remains are to be buried or placed to the disposal of the remains on the land; and
  - (iii) details of the nature of the ceremony (if any) to be conducted at the time of the burial or disposal; and
  - (iv) details of how the applicant proposes to secure ongoing access to the place at which the human remains are to be buried or disposed of if the owner of the land on which the place is located, disposes of the owner's interest in the land; and
  - (v) details of the historical connection of the deceased to the land on which the remains are to be buried or disposed of, for example, the fact that the deceased resided on the land for a period in excess of 20 years; and
  - (vi) details of the size of the land;
- (i) if the prescribed activity is the disturbance of human remains in a local government cemetery—
  - (i) a written statement of the reasons for the proposed disturbance; and
  - (ii) the written approval of an authorised person.

#### **4. Additional criteria for the granting of an approval**

The additional criteria for granting an approval are—

- (a) the undertaking of the prescribed activity must—
  - (i) comply with the expressed wishes of each of the deceased and the relatives of the deceased; and

- (ii) if the prescribed activity involves the opening of a grave in order to bury another deceased person in the grave—comply with the expressed wishes of all of the deceased persons who are buried or will be buried in the grave; and
  - (iii) if the prescribed activity is the burial or disposal of human remains outside a cemetery — secure ongoing access to the place at which the human remains are to be buried or disposed of if the owner of the land on which the place is located disposes of the owner’s interest in the land.
- (b) If the prescribed activity is the burial or disposal of human remains outside a cemetery —
- (i) the deceased must have a significant historical connection to the land; and
  - (ii) the size of the land must be appropriate for the undertaking of the prescribed activity.

## **9. Term of an approval**

- (1) The term of an approval must be determined by the local government having regard to the information submitted by the applicant.
- (2) The term of the approval must be specified in the approval.

## **10. Term of renewal of an approval**

- (1) The term for which an approval may be renewed or extended must be determined by the local government having regard to the information submitted by the approval holder.
- (2) If the local government grants the application, the local government must specify in the written notice, the term of the renewal or extension.

## **Schedule 20 Undertaking regulated activities on local government controlled areas and roads— (a) driving or leading of animals to cross a road**

Section 11

### **1. Prescribed activity**

Driving or leading of animals to cross a road.

### **2. Activities that do not require an approval under the authorising local law**

*This section has been intentionally left blank.*

### **3. Documents and materials that must accompany an application for an approval**

The documents and materials that must accompany an approval are—

- (a) Details of the nature, time and place of the prescribed activity for which the approval is sought.
- (b) If the applicant wants to use a particular part of a local government controlled area or road for the prescribed activity—a plan showing the relevant part of the local government controlled area or road.
- (c) If the prescribed activity is to be undertaken at or in close proximity to a site, stall or vehicle—specifications for the site, stall or vehicle which is proposed to be used in the undertaking of the prescribed activity.
- (d) Details of the name, street address, telephone number, facsimile number and email address of the person responsible for the undertaking of the prescribed activity.
- (e) A copy of the current registration certificate for each vehicle proposed to be used in the undertaking of the prescribed activity.
- (f) Details of the undertaking of the prescribed activity including—
  - (i) if requested — a copy of each policy of insurance of the applicant which relates to the undertaking of the prescribed activity; and
  - (ii) how the applicant proposes to dispose of waste generated by the undertaking of the prescribed activity; and
  - (iii) if signage is intended to be displayed — details of the signage and how the signage will be secured whilst displayed.
- (g) If requested — a traffic management plan which details—

- (i) anticipated pedestrian and vehicular traffic which will be created by the undertaking of the prescribed activity; and
  - (ii) anticipated impact of the undertaking of the prescribed activity on the movement of pedestrian and vehicular traffic in the area surrounding the place at which the prescribed activity is to be undertaken; and
  - (iii) how the applicant will minimise the impact of the undertaking of the prescribed activity on the movement of pedestrian and vehicular traffic in the area surrounding the place at which the prescribed activity is to be undertaken.
- (h) If requested — a report, study or certification from a suitably qualified person about —
- (i) the undertaking of the prescribed activity generally; or
  - (ii) a specific aspect of the undertaking of the prescribed activity.

*Examples—*

- (a) *A certificate from a registered professional engineer of Queensland about the structural adequacy of a structure, improvement or building to be used in the undertaking of the prescribed activity.*
- (b) *A certificate from a registered professional engineer of Queensland about the extent to which the undertaking of the prescribed activity will comply with relevant requirements of the Manual of Uniform Traffic Control Devices.*

#### **4. Additional criteria for the granting of an approval**

The additional criteria for granting an approval are—

- (a) The physical characteristics of the local government controlled area or road must be suitable for the prescribed activity.
- (b) Whether the driving or leading of the animals to cross the road will unduly interfere with the proper use of the road or create a safety hazard for users of the road.
- (c) Adequate provision must exist for the disposal of waste generated by the undertaking of the prescribed activity; and

#### **5. Conditions that must be imposed on an approval**

*This section has been intentionally left blank.*

#### **6. Conditions that will ordinarily be imposed on an approval**

The conditions that will ordinarily be imposed on an approval may include that the approval holder—

- (a) limit the activities authorised by the approval to 1 or more of—

- (i) a single specified location;
- (ii) a number of specified locations;
- (iii) a specified area;
- (iv) a number of specified areas; and
- (b) limit the activities to specified days and times; and
- (c) limit the activities to—
  - (i) a specified period of time; or
  - (ii) specified periods of time; and
- (d) display the approval in a specified position, and produce the approval for inspection on demand by an authorised person; and
- (e) take specified measures to protect the safety of persons who may be involved in, or affected by, the activities authorised by the approval; and
- (f) give the local government specified indemnities and take out and maintain insurance against personal injury and property damage resulting from the activities authorised by the approval; and
- (g) take specified measures to ensure that the activities authorised by the approval do not cause environmental harm or environmental nuisance; and
- (h) submit the undertaking of the activity, including any vehicle or premises used in the undertaking of the activity, for inspection by an authorised person; and
- (i) prominently and permanently display at a specified location each of—
  - (i) the approval number granted by the local government in numbers not less than 50mm in height; and
  - (ii) the name and address of the approval holder in letters not less than 75mm in height; and
- (j) if the approval relates to an activity on a road—give a written indemnity to the State; and
- (k) display specified warning notices for the safety of users of the local government controlled area or road; and
- (l) limit the undertaking of the prescribed activity so that it does not—
  - (i) create a traffic nuisance; or
  - (ii) increase an existing traffic nuisance; or

- (iii) detrimentally affect the efficiency of the road network in which the activity is undertaken; and
- (m) ensure that the undertaking of the prescribed activity does not create a safety risk; and
- (n) at all times keep and maintain all facilities and equipment used in the undertaking of the prescribed activity—
  - (i) in good working order and condition; and
  - (ii) in a clean and sanitary condition.
- (o) if the undertaking of the prescribed activity results in damage or loss of amenity to a local government controlled area or a road — promptly rectify the damage or loss of amenity;
- (p) restrict the number of animals that may be driven or led across the road; and
- (q) not conduct the prescribed activity in a manner which is, or may be, a risk to road safety.

## **7. Term of an approval**

- (1) The term of an approval must be determined by the local government having regard to the information submitted by the applicant.
- (2) The term of the approval must be specified in the approval.

## **8. Term of renewal of an approval**

- (1) The term for which an approval may be renewed or extended must be determined by the local government having regard to the information submitted by the approval holder.
- (2) If the local government grants the application, the local government must specify in the written notice, the term of the renewal or extension.

## **Schedule 21      Undertaking regulated activities on local government controlled areas and roads— (b) depositing of goods or materials**

### Section 11

#### **1.      Prescribed activity**

Undertaking regulated activities on local government controlled areas and roads—(b) depositing of goods or materials.

#### **2.      Activities that do not require approval under the authorising local law**

*This section has been intentionally left blank.*

#### **3.      Documents and materials that must accompany applications for approval**

The additional documents and materials that must accompany an application for an approval are—

- (a) details of the location of where the activity will be carried out by way of plan or drawing and showing the location of any warning notices for the safety of road users;
- (b) details of the quantity or volume and type of goods or materials that will be deposited; and

#### **4.      Additional criteria for the granting of approval**

The additional criteria for granting of the approval are as follows—

- (a) the physical suitability of the road or footway for the proposed use;
- (b) whether the activity will have an adverse effect on an existing service in, on or over a road.

#### **5.      Conditions that must be imposed on approvals**

*This section has been intentionally left blank.*

#### **6.      Conditions that will ordinarily be imposed on approvals**

The conditions ordinarily imposed on an approval are that the approval holder must—

- (a) ensure unobstructed movement of vehicles and pedestrians;
- (b) for the duration of the term of the approval, maintain in full force and effect a standard public liability insurance policy—
  - (i) listing the local government as an interested party;
  - (ii) covering their respective rights, interests and liabilities to third parties in respect of accidental death of, or accidental bodily injury to, persons or accidental damage to property; and



- (iii) for an amount of no less than \$20,000,000 or another amount as specified in the approval.
- (c) prior to the commencement of the prescribed activity, provide the local government with a certificate of currency for the standard public liability insurance policy;
- (d) indemnify the local government against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against or made upon the local government as a result of the prescribed activity;
- (e) observe standards specified by the local government in the carrying out of the works or activity;
- (f) ensure safety of pedestrians and vehicles including but not limited to the safe temporary diversion of traffic, erection of warning lights and barricades;
- (g) lodge a security deposit with the local government in the amount specified in the approval;
- (h) reinstate the road following completion of the works or ceasing of the activity;
- (i) lodge a security for performance for any condition imposed on an approval.

## **7. Term of approval**

An approval commences on the date the approval is granted and expires on the next 30<sup>th</sup> day of June, unless otherwise specified in an approval.

## **8. Term of renewal of approval**

An approval that is renewed expires on the next 30<sup>th</sup> day of June unless otherwise specified in a renewal.

## **Schedule 22      Undertaking regulated activities on local government controlled areas and roads— (c) undertaking of a public place activity prescribed by subordinate local law**

section 11

### **1.      Prescribed activity**

Undertaking regulated activities on local government controlled areas and roads—(c) undertaking of a public place activity prescribed by subordinate local law.<sup>12</sup>

### **2.      Activities that do not require approval under the authorising local law**

- (1) A cake stall, sausage sizzle, car wash or similar fundraising activity held on no more than 1 day.
- (2) Any public place activity undertaken in accordance with—
  - (a) the terms of a lease or permit issued under the *Land Act 1994*; or
  - (b) a contract entered into by the person and the local government, that authorises the person to undertake the activity on a local government controlled area or road.

### **3.      Documents and materials that must accompany applications for approval**

An application for an approval must be accompanied by—

- (a) a plan of the venue; and
- (b) a detailed statement of the nature of the activity; and
- (c) the dates and times the activity will be undertaken; and
- (d) if the applicant is not the owner of the land—the written consent of the owner; and
- (e) if approval of anything to be done under the approval is required under another law—a certified copy or other appropriate evidence of the approval.

### **4.      Additional criteria for the granting of approval**

For all approvals, the additional criteria are that—

- (a) the venue is safe and appropriate for the nature of the activity and for the number of people expected to attend; and
- (b) the activity will not generate significant noise, dust or light pollution or other significantly adverse effects on the surrounding neighbourhood; and

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<sup>12</sup> See schedule 4 of this subordinate local law for the list of activities prescribed as public place activities that require approval.

- (c) there will be enough toilets and sanitary conveniences, complying with standards and requirements imposed by the local government, for the activity; and
- (d) adequate provision will exist for the disposal of refuse generated by the activity; and
- (e) adequate provision will exist for people and (if relevant) vehicles to enter and leave the venue.

## **5. Conditions that must be imposed on approvals**

*This section has been intentionally left blank.*

## **6. Conditions that will ordinarily be imposed on approvals**

The conditions ordinarily imposed on an approval are that the approval holder must—

- (a) ensure safety of pedestrians and vehicles including but not limited to the safe temporary diversion of traffic, erection of warning lights and barricades;
- (b) for the duration of the term of the approval, maintain in full force and effect a standard public liability insurance policy—
  - (i) listing the local government as an interested party;
  - (ii) covering their respective rights, interests and liabilities to third parties in respect of accidental death of, or accidental bodily injury to, persons or accidental damage to property; and
  - (iii) for an amount of no less than \$20,000,000 or another amount as specified in the approval.
- (c) prior to the commencement of the prescribed activity, provide the local government with a certificate of currency for the standard public liability insurance policy;
- (d) indemnify the local government against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against or made upon the local government as a result of the prescribed activity;
- (e) lodge security bond with the local government in the amount specified in the approval;
- (f) reinstate the area following the ceasing of the activity;
- (g) at least 7 days before the activity commences residents living 500 m from the activity who may be affected in any way by the activity must be informed in writing by a letter drop of the approximate date and time and the nature and scale of proposed activities.

## **7. Term of approval**

- (1) The term of an approval must be determined by the local government having regard to the information submitted by the applicant.
- (2) The term of the approval must be specified in the approval.

**8. Additional criteria for the granting of approval**

- (1) The term for which a renewal must be determined by the local government having regard to the information submitted by the approval holder.
- (2) If the local government grants a renewal the local government must specify by written notice, the term of the renewal or extension.

## **Schedule 23 Undertaking regulated activities on local government controlled areas and roads - (c) - Film and television activities.**

### Section 11

#### **1. Prescribed activity**

Undertaking regulated activities on local government controlled areas and roads—(c) - film and television production activities for which a development application is not required under the local government's planning scheme

*Example—*

*commercial filming/photography*

#### **2. Activities that do not require approval under the authorising local law**

Filming or photography undertaken only for personal use.

#### **3. Documents and materials that must accompany applications for approval**

The following documents and materials must accompany applications for approval—

- (a) details of the location where the activity will be carried out, by way of plans or otherwise; and
- (b) if an applicant for an approval is not the owner of the premises on which the activity is to be operated, the application must be accompanied by the written consent of the owner; and
- (c) details of contact person; and
- (d) details of times; and
- (e) a certificate of currency of the applicant's public liability insurance for the activity.

#### **4. Additional criteria for the granting of approval**

The additional criteria for the granting of approvals are as follows—

- (a) whether the premises or location is suitable taking into account the—
  - (i) type of activity proposed; and
  - (ii) number of people involved in the activity; and
  - (iii) means of entry and exit for attendees and or vehicles if applicable.

#### **5. Conditions that must be imposed on approvals**

*This section has been intentionally left blank*

## 6. Conditions that will ordinarily be imposed on conditions

The conditions ordinarily imposed on an approval are that the approval holder must—

- (a) ensure safety of pedestrians and vehicles including but not limited to the safe temporary diversion of traffic, erection of warning lights and barricades;
- (b) for the duration of the term of the approval, maintain in full force and effect a standard public liability insurance policy—
  - (i) listing the local government as an interested party;
  - (ii) covering their respective rights, interests and liabilities to third parties in respect of accidental death of, or accidental bodily injury to, persons or accidental damage to property; and
  - (iii) for an amount of no less than \$20,000,000 or another amount as specified in the approval.
- (c) prior to the commencement of the prescribed activity, provide the local government with a certificate of currency for the standard public liability insurance policy;
- (d) indemnify the local government against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against or made upon the local government as a result of the prescribed activity;
- (e) lodge security bond with the local government in the amount specified in the approval;
- (f) reinstate the area following the ceasing of the activity;
- (g) advise residents living adjacent to the location of the time, nature and scale of the activity at least 7 days before the activity commences;
- (h) obtain additional approval under the local laws to use vehicles, aircraft, vessels and non-filming equipment on local government areas;
- (i) vegetation must not to be disturbed or damaged;
- (j) inform the local government of any alterations to the activity schedule;
- (k) ensure a sufficient number of sanitary conveniences are available during the activity;
- (l) fees are to be paid in accordance with the local government's current fees and charges schedule.

## 7. Term of approval

An approval commences on the date the approval is granted and expires on the next 30<sup>th</sup> day of June, unless otherwise specified in an approval.

## 8. Term of renewal of approval

An approval that is renewed expires on the next 30<sup>th</sup> day of June, unless otherwise specified in a renewal.

## **Schedule 24 Bringing or Driving a Motor Vehicle onto a Local Government Controlled Area**

### Section 11

#### **1. Prescribed activity**

Bringing a motor vehicle onto or driving a motor vehicle on a place that is—

- (a) within a local government controlled area; and
- (b) not within a motor vehicle access area.

*(Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011, section 6(2)).*

#### **2. Activities that do not require an approval under the authorising local law**

A person may undertake the prescribed activity without a current approval if the person is —

- (a) an employee, contractor or agent of the local government; and
- (b) undertaking the prescribed activity—
  - (i) for the purpose of carrying out work for or on behalf of the local government; and
  - (ii) in the course of carrying out his or her duties for or on behalf of the local government.

#### **3. Documents and materials that must accompany an application for an approval**

An application for approval must include or be accompanied by—

- (a) full details of the reason for bringing the motor vehicle onto, or driving the motor vehicle on, the local government controlled area;
- (b) details of the time and place at which the prescribed activity will be undertaken;
- (c) details of how the applicant proposes to obtain access to, and egress from, the local government controlled area;
- (d) particulars of—
  - (i) the parts of the local government controlled area on which the motor vehicle will be brought or driven; and
  - (ii) the motor vehicle which will be brought or driven onto the local government controlled area; and

- (iii) the impact, if any, of the prescribed activity on pedestrian or vehicular traffic on the local government controlled area.

#### **4. Additional criteria for the granting of approval**

*This section has been intentionally left blank*

#### **5. Conditions that must be imposed on an approval**

*This section has been intentionally left blank*

#### **6. Conditions that will ordinarily be imposed on an approval**

The conditions that will ordinarily be impose on an approval are as follows—

- (a) An approval may—
  - (i) require compliance with specified safety requirements; and
  - (ii) regulate when, or the time within which, the prescribed activity must be carried out; and
  - (iii) specify standards with which the prescribed activity must comply; and
- (b) An approval holder must—
  - (i) for the duration of the term of the approval, maintain in full force and effect a standard public liability insurance policy—
    - (A) listing the local government as an interested party;
    - (B) covering their respective rights, interests and liabilities to third parties in respect of accidental death of, or accidental bodily injury to, persons or accidental damage to property; and
    - (C) for an amount of no less than \$20,000,000 or another amount as specified in the approval.
  - (ii) prior to the commencement of the prescribed activity, provide the local government with a certificate of currency for the standard public liability insurance policy;
  - (iii) indemnify the local government against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against or made upon the local government as a result of the prescribed activity;
  - (iv) exhibit specified signage warning about the conduct of the prescribed activity; and
  - (v) restrict the right to undertake the prescribed activity to a specific vehicle or type of vehicle specified in the approval; and



- (vi) require the approval holder to limit the speed of any vehicle used in the undertaking of the prescribed activity to a speed limit specified in the approval; and
  - (vii) require that access to and egress from the local government controlled area be exercised—
    - (A) in a specified manner; and
    - (B) at a specified location; and
  - (viii) require the display of the approval at a specified location on each vehicle used in the undertaking of the prescribed activity; and
  - (ix) require the giving of notice, in a manner specified in the approval, of the undertaking of the prescribed activity at the local government controlled area to persons residing in the vicinity of the area.
- (c) The conditions of an approval may require the approval holder to take specified measures to—
- (i) prevent harm to human health or safety of persons involved in, or affected by, the undertaking of the prescribed activity; and
  - (ii) prevent loss of amenity or nuisance resulting from the undertaking of the prescribed activity; and
  - (iii) ensure that the undertaking of the prescribed activity does not cause unsafe movement or obstruction of vehicular or pedestrian traffic.

## **7. Term of an approval**

- (1) The term of an approval must be determined by the local government having regard to the information submitted by the applicant.
- (2) The term of the approval must be specified in the approval.

## **8. Term of renewal of an approval**

- (1) The term for which an approval may be renewed or extended must be determined by the local government having regard to the information submitted by the approval holder.
- (2) If the local government grants the application, the local government must specify in the written notice, the term of the renewal or extension.

## Schedule 25 Bringing or driving prohibited vehicles onto motor vehicle access areas

Section 11

### 1. Prescribed activity

Bringing a prohibited vehicle onto or driving a prohibited vehicle on a specified motor vehicle access area (*Local Law No.4 (Local Government Controlled Areas, Facilities and Roads)2011*, section 6(4)).

### 2. Activities that do not require approval under the authorising local law

A person may undertake the prescribed activity without a current approval if the person is —

- (a) an employee, contractor or agent of the local government; and
- (b) undertaking the prescribed activity—
  - (i) for the purpose of carrying out work for or on behalf of the local government; and
  - (ii) in the course of carrying out his or her duties for or on behalf of the local government.

### 3. Documents and materials that must accompany applications for approval

The following documents and materials must accompany applications for approval—

- (a) Full details of the reason for bringing the motor vehicle onto, or driving the motor vehicle on, the local government controlled area.
- (b) Details of the time and place at which the prescribed activity will be undertaken.
- (c) Details of how the applicant proposes to obtain access to, and egress from, the local government controlled area.
- (d) Particulars of—
  - (i) the parts of the local government controlled area on which the motor vehicle will be brought or driven; and
  - (ii) the motor vehicle which will be brought or driven onto the local government controlled area; and
  - (iii) the impact, if any, of the prescribed activity on pedestrian or vehicular traffic on the local government controlled area.

**4. Additional criteria for the granting of approval**

*This section has been intentionally left blank*

**5. Conditions that must be imposed on approvals**

*This section has been intentionally left blank*

**6. Conditions that will ordinarily be imposed on approvals**

The conditions that will ordinarily be impose on an approval are as follows—

- (a) An approval may—
  - (i) require compliance with specified safety requirements; and
  - (ii) regulate when, or the time within which, the prescribed activity must be carried out; and
  - (iii) specify standards with which the prescribed activity must comply; and
- (b) An approval holder must—
  - (i) for the duration of the term of the approval, maintain in full force and effect a standard public liability insurance policy—
    - (A) listing the local government as an interested party;
    - (B) covering their respective rights, interests and liabilities to third parties in respect of accidental death of, or accidental bodily injury to, persons or accidental damage to property; and
    - (C) for an amount of no less than \$20,000,000 or another amount as specified in the approval.
  - (ii) prior to the commencement of the prescribed activity, provide the local government with a certificate of currency for the standard public liability insurance policy;
  - (iii) indemnify the local government against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against or made upon the local government as a result of the prescribed activity;
  - (iv) exhibit specified signage warning about the conduct of the prescribed activity; and
  - (v) restrict the right to undertake the prescribed activity to a specific vehicle or type of vehicle specified in the approval; and

- (vi) require the approval holder to limit the speed of any vehicle used in the undertaking of the prescribed activity to a speed limit specified in the approval; and
  - (vii) require that access to and egress from the local government controlled area be exercised—
    - (A) in a specified manner; and
    - (B) at a specified location; and
  - (viii) require the display of the approval at a specified location on each vehicle used in the undertaking of the prescribed activity; and
  - (ix) require the giving of notice, in a manner specified in the approval, of the undertaking of the prescribed activity at the local government controlled area to persons residing in the vicinity of the area.
- (c) The conditions of an approval may require the approval holder to take specified measures to—
- (i) prevent harm to human health or safety of persons involved in, or affected by, the undertaking of the prescribed activity; and
  - (ii) prevent loss of amenity or nuisance resulting from the undertaking of the prescribed activity; and
  - (iii) ensure that the undertaking of the prescribed activity does not cause unsafe movement or obstruction of vehicular or pedestrian traffic.

## **7. Term of approval**

- (1) The term of an approval must be determined by the local government having regard to the information submitted by the applicant.
- (2) The term of the approval must be specified in the approval

## **8. Term of renewal of approval**

- (1) The term for which an approval may be renewed or extended must be determined by the local government having regard to the information submitted by the approval holder.
- (2) If the local government grants the application, the local government must specify in the written notice, the term of the renewal or extension.

## **Schedule 26    Parking contrary to an indication on an official traffic sign regulating parking by time or payment of a fee**

section 11

### **1.    Prescribed activity**

Parking contrary to an indication on an official traffic sign regulating parking by time or payment of a fee. (*Local Law No.5 (Parking) 2011*, section 7(1)).

### **2.    Activities that do not require an approval under the authorising local law**

*This section has been intentionally left blank*

### **3.    Documents and materials that must accompany an application for an approval**

The following documents and materials must accompany applications for approval—

- (a)    the name of the applicant.
- (b)    a description of the type and make of the vehicle.
- (c)    the registration number of the vehicle and the date of expiry of the registration.
- (d)    details of the registered owner of the vehicle.
- (e)    details of why the applicant requires the approval.
- (f)    the period during which the applicant requires the approval.
- (g)    if the application is for a works zone parking permit—
  - (i)    details of the specified part of the road adjacent to the site of the proposed building or construction work which the applicant proposes will be declared as a works zone; and
  - (ii)    evidence that the applicant intends undertaking the building or construction work at the site during the term of the permit.

### **4.    Additional criteria for the granting of approval**

*This section has been intentionally left blank*

### **5.    Conditions that must be imposed on an approval**

*This section has been intentionally left blank*

## 6. Conditions that will ordinarily be imposed on an approval

The conditions that will ordinarily be imposed on an approval are as follows—

- (a) The conditions of an approval may require the approval holder to—
  - (i) affix the approval to, or exhibit the approval on, a specified part of the vehicle identified in the approval facing outwards and as near as practicable to the registration label for the vehicle; and
  - (ii) if the approval holder requests the issue of a replacement approval—complete a statutory declaration detailing the facts and circumstances of the loss, destruction or damage of the original approval; and
  - (iii) enter into an agreement with the local government to indemnify the local government against claims (including claims made against the approval holder by the local government) for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the use of a vehicle under the approval; and
  - (iv) if the approval holder is a business—take out and maintain insurance against personal injury and property damage resulting from the activities authorised by the approval; and
- (b) The conditions of a works zone parking permit may—
  - (i) specify the part of the road to which the permit relates; and
  - (ii) require the approval holder to pay a prescribed fee, as determined by the local government, for the installation of official traffic signs, or other signs and markings, as determined by the local government to be appropriate, to identify the boundaries of the works zone identified in the permit; and
  - (iii) require that the approval holder not park a vehicle within the works zone except while the vehicle is being loaded or unloaded in connection with the building or construction work to which the permit relates; and
  - (iv) require that materials of any kind not be stacked, placed or otherwise left on the road or footpath (either within or outside of the works zone); and
  - (v) require that a vehicle not be parked, loaded or unloaded or that other operations be carried out, in a manner which obstructs pedestrian movement along a footpath within or adjacent to the works zone.

## 7. Term of an approval

- (1) An approval remains in force for, if the approval is—

- (a) a temporary parking permit—the term of the proposed temporary activity;
  - (b) a works zone parking permit—the term of the proposed building or construction work;
  - (c) a local government works parking permit—the term of the proposed carrying out of work for or on behalf of the local government.
- (2) However, the local government may fix some other term for an approval if it is desirable to do so—
- (a) to provide common expiry dates for approvals; or
  - (b) for some other reason.

## **8. Term of renewal of an approval**

- (1) No term is provided for which an approval may be extended or renewed if the approval is—
- (a) a temporary parking permit; or
  - (b) a works zone parking permit; or
  - (c) a local government works parking permit.
- (2) However, the local government may fix some other term for the extension or renewal of an approval if it is desirable to do so—
- (a) to provide common expiry dates for approvals; or
  - (b) for some other reason.

## **Schedule 27      Parking in a loading zone by displaying a commercial vehicle identification label**

### Section 11

#### **1.      Prescribed activity**

Parking in a loading zone by displaying a commercial vehicle identification label

*Local Law No.5 (Parking) 2011, section 8(1).*

#### **2.      Activities that do not require approval under the authorising local law**

*This section is not applicable for this prescribed activity.*

#### **3.      Documents and materials that must accompany applications for approval**

An application for a parking permit must include or be accompanied by the following—

- (a) the name, home address, telephone number and e-mail address of the applicant; and
- (b) the business name, address, telephone number and e-mail address of the applicant's business; and
- (c) the registration number, make, model and colour of the vehicle nominated in the application; and
- (d) a copy of the current registration notice for the vehicle; and
- (e) the number of persons the vehicle is built to carry; and
- (f) details of the usage of the vehicle, including the—
  - (i) nature of goods carried in the vehicle; and
  - (ii) quantity of goods carried; and
  - (iii) hours that goods are carried; and
  - (iv) frequency with which goods will be loaded/unloaded.

#### **4.      Additional criteria for the granting of approval**

*This section has been intentionally left blank*

#### **5.      Conditions that must be imposed on approvals**

*This section has been intentionally left blank*

#### **6.      Conditions that will ordinarily be imposed on approvals**

The conditions that will ordinarily be imposed on an approval for a commercial vehicle identification label are that—



- (a) the approval applies to the vehicle registration and applicant nominated on the application form;
- (b) the label must be affixed to the lower left-hand corner of the windscreen or other highly visible location on the left-hand side of the vehicle;
- (c) the label is not transferable to the new owner of the vehicle if the vehicle is sold;
- (d) in the event of a change of vehicle the approval holder is required to destroy the label;
- (e) in the event of a change of vehicle the approval holder is to complete a new application form with new vehicle details;
- (f) damaged or defaced labels must be returned to the local government;
- (g) a label must not be wilfully misused.

## **7. Term of approval**

The term of an approval commences on the date the approval is granted and expires on the next 30<sup>th</sup> day of June, unless otherwise specified in the approval.

## **8. Term of renewal of approval**

An approval that is renewed expires on the next 30<sup>th</sup> day of June, unless otherwise specified in a renewal.

## **Schedule 28 Carrying out works on a road or interfering with a road or its operation**

### **Section 11**

#### **1. Prescribed activity**

Carrying out works on a road or interfering with the road or its operation (*Local Government Act 2009*, section 75(2)).

#### **2. Activities that do not require an approval under the authorising local law**

*This section has been intentionally left blank.*

#### **3. Documents and materials that must accompany an application for an approval**

An application must be accompanied by the following documents and information—

- (a) full details of the proposed works or interference including plans and specifications;
- (b) details of all building work and other work to be carried out under the approval;
- (c) details of the time and place at which the prescribed activity will be undertaken;
- (d) the proposed term of the approval;
- (e) the impact, if any, of the prescribed activity on pedestrian or vehicular traffic;
- (f) the materials, equipment and vehicles to be used in the undertaking of the prescribed activity;
- (g) plans and specifications detailing—
  - (i) the relevant part of the road that is to be used for the undertaking of the prescribed activity; and
  - (ii) the proposed location of each structure and item of equipment to be used in the undertaking of the prescribed activity; and
  - (iii) the type and location of any utility, service or infrastructure to be used in the undertaking of the prescribed activity;
- (h) if requested— a traffic management plan which details—
  - (i) anticipated pedestrian and vehicular traffic which will be created by the undertaking of the prescribed activity; and

- (ii) anticipated impact of the undertaking of the prescribed activity on the movement of pedestrian and vehicular traffic in the area surrounding the place at which the prescribed activity is to be undertaken; and
  - (iii) how the applicant will minimise the impact of the undertaking of the prescribed activity on the movement of pedestrian and vehicular traffic in the area surrounding the place at which the prescribed activity is to be undertaken.
- (i) if requested — a report, study or certification from a suitably qualified person about —
- (i) the undertaking of the prescribed activity generally; or
  - (ii) a specific aspect of the undertaking of the prescribed activity.

*Examples—*

- (a) *A certificate from a registered professional engineer of Queensland about the structural adequacy of a structure, improvement or building to be used in the undertaking of the prescribed activity.*
- (b) *A certificate from a registered professional engineer of Queensland about the extent to which the undertaking of the prescribed activity will comply with relevant requirements of the Manual of Uniform Traffic Control Devices.*

#### **4. Additional criteria for the granting of approval**

The carrying out of the work or interference with the road or its operation must not—

- (a) result in—
  - (i) material harm to human health or safety; or
  - (ii) property damage or loss of amenity; or
  - (iii) unreasonable nuisance; or
  - (iv) obstruction of vehicular or pedestrian traffic; or
  - (v) environmental harm; or
  - (vi) environmental nuisance; or
- (b) have a material adverse effect on the amenity of the area in which the prescribed activity is to be undertaken.

#### **5. Conditions that must be imposed on an approval**

No conditions prescribed.

## 6. Conditions that will ordinarily be imposed on an approval

- (1) The conditions of an approval may—
  - (a) require compliance with specified safety requirements; and
  - (b) regulate the time within which the prescribed activity must be carried out; and
  - (c) specify standards with which the prescribed activity must comply; and
  - (d) require the approval holder to—
    - (i) carry out specified additional work such as earthwork and drainage work; and
    - (ii) take out and maintain public liability insurance as specified by the local government and produce documentary evidence of the insurance to the local government before commencement of the prescribed activity; and
    - (iii) give the local government specified indemnities; and
    - (iv) maintain structures erected or installed, or vegetation planted, under the approval, in good condition; and
    - (v) remove a structure erected or installed, under the approval, at the end of a stated period; and
    - (vi) exhibit specified signage warning about the conduct of the prescribed activity; and
    - (vii) if the undertaking of the prescribed activity results in damage or loss of amenity to a local government controlled area or a road—promptly rectify the damage or loss of amenity.
- (2) The conditions of an approval may require the approval holder to take specified measures to—
  - (a) prevent harm to human health or safety of persons involved in, or affected by, the undertaking of the prescribed activity; and
  - (b) prevent loss of amenity or nuisance resulting from the undertaking of the prescribed activity; and
  - (c) ensure that the undertaking of the prescribed activity does not cause unsafe movement or obstruction of vehicular or pedestrian traffic.

## 7. Term of an approval

- (1) The term of an approval must be determined by the local government having regard to the information submitted by the applicant.

- (2) The term of the approval must be specified in the approval.

**8. Term of renewal of an approval**

- (1) The term for which an approval may be renewed or extended must be determined by the local government having regard to the information submitted by the approval holder.
- (2) If the local government grants the application, the local government must specify in the written notice, the term of the renewal or extension.

# **Charters Towers Regional Council**

## **Subordinate Local Law No. 2 (Animal Management) 2011**

### **CONSOLIDATED VERSION NO. 1**

As in force on [INSERT DATE]

Adopted by Charters Towers Regional Council on [INSERT] pursuant to section 32 of the *Local Government Act 2009*

# Subordinate Local Law No. 2 (Animal Management) 2011

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## Part 1 Preliminary

### 1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 2 (Animal Management) 2011*.

### 2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 2 (Animal Management) 2011*, which provides for regulation of the keeping and control of animals within the local government's area.
- (2) The purpose is to be achieved by providing for—
  - (a) the circumstances in which the keeping of animals is prohibited or requires approval; and
  - (b) requirements for keeping animals, including minimum standards, mandatory desexing, proper enclosures, koala conservation and identification; and
  - (c) the control of animals in public places; and
  - (d) matters regarding the impounding of animals and the sale or disposal of impounded animals; and
  - (e) the conditions to be complied with by persons who offer animals, or a particular species of animal, for sale; and
  - (f) the declaration of a species of animal as a declared dangerous animal and the criteria for declaration of a specific animal as a declared dangerous animal.

### 3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 2 (Animal Management) 2011* (the **authorising local law**).

### 4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 15 defines particular words used in this subordinate local law.

## Part 2 Keeping of animals

### 5 Circumstances in which keeping animals prohibited—Authorising local law, s 5(1)

For section 5(1) of the authorising local law, keeping an animal or animals mentioned in column 1 of schedule 1 is prohibited in the circumstances described in column 2 of schedule 1.

**6 Circumstances in which keeping animals requires approval—Authorising local law, s 6(1)**

For section 6(1) of the authorising local law, keeping an animal or animals of the species or breed mentioned in column 1 of schedule 2 requires approval in the circumstances described in column 2 of schedule 2.

**7 Animals that must be desexed—Authorising local law, s 7**

For section 7 of the authorising local law, an animal of the species or breed mentioned in column 1 of schedule 3 must be desexed once it reaches the age specified in column 2 of schedule 3 except in the circumstances described in column 3 of schedule 3.

**8 Minimum standards for keeping animals—Authorising local law, s 8(1)**

- (1) For section 8(1) of the authorising local law, the minimum standards for the keeping of animals are set out in schedule 4.
- (2) For section 8(1) of the authorising local law, column 2 of schedule 5 sets out the minimum standards for keeping an animal of the species or breed mentioned in column 1 of schedule 5.

**9 Identification for dogs in certain circumstances—Authorising local law, s 9**

For section 9 of the authorising local law, the identification required for dog is a tag for the collar of a dog.

**Part 3 Control of animals****10 Public places where animals are prohibited—Authorising local law, s 10(1)**

For section 10(1) of the authorising local law, the species or breeds of animals mentioned in column 2 of schedule 6 are prohibited in the public places described in column 1 of schedule 6.

**11 Dog off-leash areas—Authorising local law, s 11(1)**

For section 11(1) of the authorising local law, the areas described in schedule 7 are designated as dog off-leash areas.

**12 Animal faeces in public places—Authorising local law, s 13**

For section 13 of the authorising local law, the following animals are prescribed as an animal whose faeces must be removed from a public place in an urban area and disposed of in a sanitary way—

- (a) an alpaca;

- (b) a buffalo;
- (c) a camel;
- (d) a cat;
- (e) a cow or bull;
- (f) a donkey;
- (g) an emu;
- (h) a goat;
- (i) a horse;
- (j) a llama;
- (k) an ostrich;
- (l) a sheep.

**13 Requirements for adequate enclosure for keeping animals—Authorising local law, s 14(2)**

For section 14(2) of the authorising local law, column 2 of schedule 8 sets out the requirements for an adequate enclosure for an animal of the species or breed mentioned in column 1 of schedule 8.

**14 Koala conservation—Authorising local law, s 15**

- (1) For section 15(1) of the authorising local law, schedule 9 sets out the requirements for keeping a dog on land that is within a koala area.
- (2) For section 15(4) of the authorising local law, each area described in schedule 10 is designated as a koala area.

**15 Criteria for declared dangerous animals—Authorising local law, s 19(1)**

For section 19(1) of the authorising local law, the criteria for declaring an animal as a declared dangerous animal are set out in schedule 11.

## **Part 4 Seizure, impounding or destruction of animals**

**16 Place of care for impounded animals—Authorising local law, s 24**

For section 24 of the authorising local law, the place of care for animals impounded by the local government will be operated by the local government or a contractor of the local government.

**17 Animals that may be disposed of without auction or tender—Authorising local law, s 32(1)(b)**

For section 32(1)(b) of the authorising local law, the species, breeds or classes of animal that may be sold by private agreement, destroyed or disposed of in some other way are the following—

- (g) a cat; and
- (h) a dog; and
- (i) a goat; and
- (j) a sheep; and
- (k) other small domestic animals; and
- (l) poultry, including any species of fowl, duck, goose, pigeon, turkey, peafowl or guineafowl.

**18 Register of impounded animals—Authorising local law, s 33(3)**

For section 33(3) of the authorising local law, the register of impounded animals will be kept at —

- (a) if the place of care for animals has a public office — the public office; or
- (b) if the place of care for animals does not have a public office — the public office of the local government.

**Part 5 Appeals against destruction orders**

*This part in the authorising local law does not contain any matters to be provided for by subordinate local law.*

**Part 6 Miscellaneous****19 Conditions regarding sale of animals—Authorising local law, s 42(1)**

For the purposes of section 42(1) of the authorising local law, persons who offer for sale an animal of a species or breed mentioned in column 1 of schedule 12 must comply with the conditions set out in column 2 of schedule 12.

**20 Animals excluded from application of the local law—Authorising local law, schedule**

For the purposes of the definition of “*animal*” in the schedule to the authorising local law, animals of the fish species are excluded from the application of the authorising local law.

**21 Species that are declared dangerous animals—Authorising local law, schedule**

For the purposes of the definition of “*declared dangerous animal*” in the schedule to the authorising local law, no species of animal is declared to be a declared dangerous animal.

**22 Prescribed period for reclaiming animals—Authorising local law, schedule**

For the purposes of the definition of “*prescribed period*” in the schedule to the authorising local law, the period within which an animal may be reclaimed is 3 business days.

## Schedule 1 Prohibition on keeping animals

### Section 5

	<b>Column 1 Animal</b>	<b>Column 2 Circumstances in which keeping of animal or animals is prohibited</b>
1	Dog	(a) More than 3 dogs over the age of 3 months on an allotment in the city area or a designated town area.  (b) Any of the following breeds anywhere in the local government area: American pit bull terrier or pit bull terrier; dogo Argentino; fila Brasileiro; Japanese tosa; Perro de Presa Canario or Presa Canario.
2	Cat	More than 3 cats over the age of 3 months on an allotment in the city area.
3	Horse (including a racehorse), mule, ass, donkey, cow, bull, buffalo or camel	A horse (including a racehorse), mule, ass, donkey, cow, bull, buffalo or camel on an allotment with an area less than 4,000m <sup>2</sup> .
4	Sheep, goat, alpaca, llama, ostrich or emu	A sheep, goat, alpaca, llama, ostrich or emu on an allotment with an area less than 4,000m <sup>2</sup> .
5	Rooster	A rooster on an allotment with an area less than 4,000m <sup>2</sup> .
6	Poultry (other than a rooster) duck or goose	(a) More than 6 birds on an allotment with an area less than 1,000m <sup>2</sup> .  (b) More than 12 birds on an allotment with an area between 1,001m <sup>2</sup> and 4,000m <sup>2</sup> .
7	Pig	(a) A pig on an allotment with an area less than 10,000m <sup>2</sup> .  (b) More than 2 pigs on an allotment with an area between 10,000m <sup>2</sup> and 100,000m <sup>2</sup> .

## Schedule 2 Requirement for approval to keep animal

### Section 6

	<b>Column 1</b> <b>Species or breed of animal</b>	<b>Column 2</b> <b>Circumstances in which keeping of animal or animals requires approval<sup>1</sup></b>
1	Dog	(a) 3 dogs over the age of 3 months on an allotment in the city area or a designated town area.  (b) Any of the following breeds anywhere in an allotment in the city area with an area less than 4,000m <sup>2</sup> :  (i) Maremano-Abruzzese Sheepdog.
2	Cat	3 cats over the age of 3 months on an allotment in the city area or a designated town area.
3	Horse (including a racehorse), mule, ass, donkey, cow, bull, buffalo or camel	More than 2 animals on an allotment with an area between 4,001m <sup>2</sup> and 10,000m <sup>2</sup> .
4	Sheep, goat, alpaca, llama, ostrich or emu	More than 4 animals on an allotment with an area between 4,001m <sup>2</sup> and 10,000m <sup>2</sup> .
5	Cockatoo, galah or other bird of a similar size, peahen or peacock	More than 1 bird on an allotment with an area less than 4,000m <sup>2</sup> .
6	Budgerigar, canary or other bird of a similar size or racing pigeons	More than 20 birds on an allotment with an area less than 4,000m <sup>2</sup> .

<sup>1</sup> See *Local Law No.1 (Administration) 2011* and *Subordinate Local Law No.1 (Administration) 2021* in relation to the requirements and processes for approvals (e.g. form of application for approval, documents and materials that must accompany applications, criteria for granting approval, conditions that must be imposed on approvals, conditions that will ordinarily be imposed on approvals, term of approval, third party certification of applications).

**Schedule 3 Requirement to desex animal**

## Section 7

	<b>Column 1</b> <b>Species or breed of animal</b>	<b>Column 2</b> <b>Age at which animal must be desexed</b>	<b>Column 3</b> <b>Exemptions to the requirement for desexing</b>
	No species or breed of animal mentioned.		



## **Schedule 4      Minimum standards for keeping animals generally**

### **Section 8(1)**

A person who keeps an animal on premises must —

- (a) ensure that the animal is adequately identified so that the owner's name, address and telephone number are readily ascertainable; and
- (b) ensure that waste waters from enclosures are drained in a nuisance free manner and that run-off is kept off adjoining premises or as otherwise directed by an authorised person; and
- (c) ensure that excreta, food scraps and other material that is, or is likely to become, offensive is collected at least daily and, if not immediately removed from the premises, is kept in a waste container of a kind approved by an authorised person; and
- (d) ensure that any enclosure in which the animal is kept is properly to the satisfaction of an authorised person in—
  - (i) a clean and sanitary condition; and
  - (ii) an aesthetically acceptable condition; and
- (e) take all reasonable steps to prevent the animal from making a noise or disturbance that causes a nuisance or disturbance to the occupiers of—
  - (i) adjoining premises; or
  - (ii) premises in the vicinity of the land on which the animal is ordinarily kept; and
- (f) ensure that the area available to the animal kept on the premises is appropriately sized so that the animal can be effectively and comfortably kept; and
- (g) ensure that the animal is provided with, and has access to, adequate shelter, drinking water and appropriate food; and
- (h) ensure that any enclosure in which the animal is kept is not located within 10m of a place used for the preparation of food other than a place used for the preparation of food by the owner of, or the responsible person for, the animal; and

## Schedule 5 Minimum standards for keeping particular animals

Section 8(2)

	<b>Column 1 Species or breed of animal</b>	<b>Column 2 Minimum standards for keeping animals</b>
1	Dog (other than a greyhound)	<p>Each owner of, and responsible person for, 2 dogs kept on premises must ensure that—</p> <p>(a) each kennel, run and exercise yard on the premises is—</p> <p>(i) set back a minimum of 2m from each boundary of the premises; and</p> <p>(ii) located not less than 10m from a residence, other than a residence on the premises; and</p> <p>(b) all dog accommodation and enclosure areas are thoroughly cleansed and disinfected on a regular basis to the satisfaction of an authorised person.</p>
2	Greyhound	<p>(a) Each owner of, and responsible person for, a greyhound must, when the dog is outside the premises on which the dog is normally kept, be—</p> <p>(i) under the effective control of a person aged 16 or over who has control of not more than 2 greyhounds at any 1 time; and</p> <p>(ii) kept muzzled so as to prevent the dog from biting unless it is a decommissioned greyhound.</p> <p>(b) Each owner of, and responsible person for, a greyhound must ensure that the dog is kept—</p> <p>(i) without nuisance; and</p> <p>(ii) if a code of practice for the keeping of greyhounds has been approved by the Greyhound Racing Authority of Queensland—in accordance with the requirements of the code of practice.</p>

3	Horse (including a racehorse), donkey, ass, mule, cow, bull, camel, buffalo and other domesticated animals of a similar size and sheep, goat, alpaca, llama and other animals of a similar size	<p>Each owner of, and responsible person for, an animal specified in column 1, item 3 which is kept at a stable on premises must ensure that—</p> <ul style="list-style-type: none"> <li>(a) the stable is not located within a 10m radius of— <ul style="list-style-type: none"> <li>(i) a residence on adjoining premises; or</li> <li>(ii) a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the animal; or</li> <li>(iii) a place used for the storage of food (other than food kept in hermetically sealed packages); and</li> </ul> </li> <li>(b) the stable is set back a minimum of 2m from each boundary of the premises; and</li> <li>(c) the stable is located a minimum of 20m from any watercourse, well or bore; and</li> <li>(d) the stable has a floor which is covered with an absorbent soft floor material which is changed at least once in every 6 week period; and</li> <li>(e) the interior of the stable and any associated open yard are cleaned of manure and other unhygienic matter daily; and</li> <li>(f) the construction of the stable complies with the requirements of any applicable approval or code; and</li> <li>(g) the stable is maintained in good condition and repair.</li> </ul> <p>Each owner of, and responsible person for, an animal specified in column 1, item 3 which is kept free range or in a paddock on premises must ensure that shelter of a clean, dry and shady nature is provided together with a minimum space per animal as prescribed in the Model Code of Practice for the Welfare of Animals published from time to time by the Commonwealth Scientific and Industrial Research Organisation.</p>
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4	Budgerigar, canary and other birds of a similar size and cockatiel and other birds of a similar size and cockatoo, galah and other birds of a similar size.	<p>Each owner of, and responsible person for, a bird specified in column 1, item 4 must ensure that—</p> <ul style="list-style-type: none"> <li>(a) the bird is kept without nuisance; and</li> <li>(b) the bird is contained within an enclosed cage or aviary; and</li> <li>(c) the bird's food is kept in a properly sealed, vermin proof container; and</li> <li>(d) the cage or aviary in which the bird is kept is thoroughly cleaned at least once each week; and</li> <li>(e) if a code of practice for the keeping of birds of a relevant species has been approved by the local government—the bird is kept in accordance with the requirements of the code of practice; and</li> <li>(f) the fence surrounding the premises on which the bird is kept does not form part of the cage or aviary in which the bird is kept; and</li> <li>(g) the enclosure in which the bird is kept is set back a minimum of 2m from each boundary of the premises.</li> </ul>
5	Poultry including chicken, duck, drake, goose, turkey, and rooster.	<p>Each owner of, and responsible person for, a bird specified in column 1 item 5 which is kept on premises must ensure that—</p> <ul style="list-style-type: none"> <li>(a) the bird is kept without nuisance; and</li> <li>(b) the enclosure in which the bird is kept is— <ul style="list-style-type: none"> <li>(i) thoroughly cleaned at least once each week; and</li> <li>(ii) located at the rear of, and behind, any residence situated on the premises; and</li> </ul> </li> <li>(c) the enclosure in which the bird is kept is not located within a radius of 10m of— <ul style="list-style-type: none"> <li>(i) a residence on adjoining premises; or</li> <li>(ii) a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the bird; or</li> <li>(iii) a place used for the storage of food (other than food kept in hermetically sealed packages); and</li> </ul> </li> <li>(d) the enclosure in which the bird is kept is set back a minimum of 2 m from each boundary of the premises; and</li> <li>(e) the enclosure in which the bird is kept is constructed so as to prevent the bird from wandering off, or flying away from, the premises.</li> </ul>

6	Pig	<p>Each owner of, and responsible person for, a pig which is kept on premises must ensure that the enclosure in which the pig is kept is not located within—</p> <ul style="list-style-type: none"> <li>(a) 15 m of a residence on adjoining premises; or</li> <li>(b) 5 m of a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the pig; or</li> <li>(c) 5 m of a place used for the storage of food (other than food kept in hermetically sealed packages).</li> </ul>
7	Cat	<p>Each owner of, and responsible person for, 2 cats kept on premises must ensure that —</p> <ul style="list-style-type: none"> <li>(a) each enclosure, run and exercise yard on the premises is— <ul style="list-style-type: none"> <li>(i) set back a minimum of 2m from each boundary of the premises; and</li> <li>(ii) located not less than 10m from a residence other than a residence on the premises; and</li> </ul> </li> <li>(b) all cat accommodation and enclosure areas are thoroughly cleansed and disinfected on a regular basis to the satisfaction of an authorised person; and</li> <li>(c) any external cat enclosure on the premises is set back a minimum of 2m from each boundary of the premises.</li> </ul>
8	Any animal, if the animal is kept on premises used for the purposes of the operation of a pet shop	<p>Each owner of, and responsible person for, an animal kept on premises used for the purposes of the operation of a pet shop must, if a code of practice for the keeping of animals at a pet shop has been approved by the local government — ensure that the animal is kept in accordance with the requirements of the code of practice.</p>
9	Dogs, if the dogs are kept on premises used for the purposes of the operation of a kennel, and cats, if the cats are kept on premises used for the purposes of the operation of a cattery	<p>Each owner of, and responsible person for, an animal kept on premises in the circumstances specified in column 1 item 9 must ensure that —</p> <ul style="list-style-type: none"> <li>(a) the keeping of the animals on the premises <ul style="list-style-type: none"> <li>(i) does not detrimentally affect the amenity of neighbouring premises; and</li> <li>(ii) does not involve the storage in the open of goods, materials or activities associated with the keeping of the animals; and</li> <li>(iii) does not fly breeding or vermin infestation; and</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>(b) the premises are suitably and continuously ventilated to ensure that all areas on which animals are kept are free of dampness, nuisance odours and dust emissions; and</li> <li>(c) only rain water from uncontaminated areas may drain directly into the storm water system; and</li> <li>(d) all spillages of wastes, contaminants and other materials are cleaned up immediately and are not cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or materials to any storm water system or waters; and</li> <li>(e) the premises are kept free of vermin and conditions offering harbourage for vermin; and</li> <li>(f) all fixtures, fittings, equipment and facilities at the premises are maintained in a clean, tidy, sanitary and hygienic condition; and</li> <li>(g) waste waters from the washing down of floors, surfaces, enclosures and other areas is collected, and drained to, an approved pre-treatment device before discharge to the sewerage system; and</li> <li>(h) waste containers sufficient to accommodate the collection and storage of all waste generated as part of the operation of the premises are provided; and</li> <li>(i) all waste containers are regularly cleaned and maintained in a clean, tidy, sanitary and hygienic condition; and</li> <li>(j) the premises, including all buildings, structures, vehicles, car parks, access and egress routes, facilities and equipment of and incidental to the keeping of the animals is maintained at all times— <ul style="list-style-type: none"> <li>(i) in good working order and condition; and</li> <li>(ii) in a clean and sanitary condition; and</li> </ul> </li> <li>(k) all enclosures which form part of the operation of the premises are provided and maintained in a manner so as to— <ul style="list-style-type: none"> <li>(i) be clean and in a sanitary condition; and</li> <li>(ii) prevent the escape of any animal kept in the enclosure; and</li> <li>(iii) protect the safety of staff and the public; and</li> <li>(iv) be in a state of good order and repair; and</li> <li>(v) avoid injury to any animal kept in the enclosure; and</li> </ul> </li> </ul>
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		<ul style="list-style-type: none"><li>(vi) permit regular cleaning of all internal and external surfaces of each enclosure and regular checking of any animal within the enclosure; and</li><li>(vii) be impervious and able to be effectively cleaned and sanitised; and</li><li>(viii) ensure the comfort of any animal kept in the enclosure and prevent the spread of disease; and</li><li>(l) animal feed is stored in insect and vermin proof containers; and</li><li>(m) if a code of practice for the operation of a cattery or a kennel has been approved by the local government—the cattery or kennel is operated in accordance with the requirements of the code of practice.</li></ul>
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## Schedule 6 Prohibition of animals in public places

### Section 10

	<b>Column 1</b> <b>Public place</b>	<b>Column 2</b> <b>Species or breed of animals prohibited</b>
1	Gill Street, Charters Towers (including the footpath) but only from the intersection of Mosman Street to the intersection of Boundary Street	<p>All species and breeds of animal unless—</p> <p>(a) the animal is participating in a parade authorised by the local government; or</p> <p>(b) a responsible person for the animal is attending a veterinary clinic or a pet grooming business for grooming purposes and the animal is in the immediate vicinity of the responsible person; or</p> <p>(c) if the animal is a dog—the animal is tethered in or on a vehicle and unable to reach beyond the vehicle extremities or a responsible person for the animal has the animal on a leash.</p>
2	Mosman Street, Charters Towers (including the footpath) but only from the intersection of Jackson Street to the intersection of Mary Street	<p>All species and breeds of animal unless—</p> <p>(a) the animal is participating in a parade authorised by the local government; or</p> <p>(b) a responsible person for the animal is attending a veterinary clinic or a pet grooming business for grooming purposes and the animal is in the immediate vicinity of the responsible person; or</p> <p>(c) if the animal is a dog—the animal is tethered in or on a vehicle and unable to reach beyond the vehicle extremities or a responsible person for the animal has the animal on a leash.</p>



3	<ul style="list-style-type: none"> <li>(a) Brownson Park, Flinders Highway, Charters Towers (L219/DV475)</li> <li>(b) Bucklands Hill, Fraser Street, Charters Towers (L12/DV840956)</li> <li>(c) Centenary Park, Hackett Terrace, Charters Towers L61-62/SP250466</li> <li>(d) Dar Rin Park, Kirrima Court, Charters Towers (L4/DV712)</li> <li>(e) Elizabeth Park, Gill Street, Charters Towers (Road Reserve)</li> <li>(f) Lissner Park, Mary Street, Charters Towers (L230/DV444)</li> <li>(g) Pan Australian Mining Pty Park (L1/DV840972)</li> <li>(h) Towers Hill, Blackjack Road, Charters Towers (L35/DV276)</li> <li>(i) Venus Battery Park, Broughton Road, Charters Towers (L33/DV480)</li> <li>(j) Weir Park, Burdekin River, Charters Towers (L216/DV6))</li> <li>(k) Mossman Park, Lister Street, Charters Towers (L233/SP300390)</li> </ul>	Horses, cattle, sheep and other domesticated livestock of a similar size.
4	<ul style="list-style-type: none"> <li>(a) Within 50 metres of a designated playground area which forms part, or the whole, of a local government controlled area.</li> <li>(b) Within 50 metres of any area where equipment has been provided by the local government in a local government controlled area for use by the public for the purpose of physical exercise</li> </ul>	All species and breeds of animals.

5	Dalrymple Saleyards, 13076 Flinders Highway, Charters Towers (L143/CP894373)	Dogs unless— (a) the dog is participating in a dog trial, show or other event authorised by the local government; or (b) the animal is tethered in or on a vehicle and unable to reach beyond the vehicle extremities; or (c) the animal belongs to a keeper employed/contracted by the local government to work stock on the premises and where such animals and where such keeper is authorised by the local government to employ such animal to assist with such stock work.
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## **Schedule 7      Dog off-leash areas**

### **Section 11**

Lissner Park, Mary Street, Charters Towers (L230/DV444)

## Schedule 8 Requirements for adequate enclosure for keeping animals

### Section 13

	Column 1 Species or breed of animal	Column 2 Requirements for adequate enclosure
1	All animals regardless of species or breed	<p>(1) An adequate enclosure is an area of the land on which the animal is kept, appropriately sized so as to be capable of effectively and comfortably housing the animal.</p> <p>(2) The area must be suitably fenced—</p> <ul style="list-style-type: none"> <li>(a) appropriate to the species and breed of the animal to be enclosed; and</li> <li>(b) so as to effectively enclose the animal on the land on which it is kept at all times.</li> </ul> <p>(3) For the purposes of this item 1 <i>suitably fenced</i> means enclosed by a fence—</p> <ul style="list-style-type: none"> <li>(a) constructed of materials which are of sufficient strength to prevent the animal from escaping over, under or through the fence; and</li> <li>(b) of a height which is sufficient to prevent the animal jumping or climbing over the fence; and</li> <li>(c) where the animal has the ability to dig — which includes a barrier installed directly below the fence to prevent the animal digging its way out; and</li> <li>(d) where the animal has the ability to climb — designed and constructed in such a way as to prevent the animal from climbing over the fence; and</li> <li>(e) of which all gates are kept closed and latched except when in immediate use by a person entering or leaving the land on which the animal is kept.</li> </ul> <p>(4) An adequate enclosure must include a weatherproof area appropriate to the species or breed of animal to be enclosed.</p> <p>(5) If the animal is poultry, the enclosure must be constructed so as to prevent the poultry from wandering off, or flying away from, the land on which the poultry is kept.</p>

2	Horse	<p>An adequate enclosure for the keeping of a horse must, in addition to the requirements specified in item 1—</p> <ul style="list-style-type: none"><li data-bbox="614 336 1434 448">(a) effectively enclose the horse so that the horse cannot reach over or through the fence to adjoining land or any public place; and</li><li data-bbox="614 459 1434 660">(b) where the animal is a stallion—the enclosure must be constructed within an additional or second suitable and adequate fence or enclosure that is provided at the land on which the stallion is kept to a standard approved by an authorised person.</li></ul>
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**Schedule 9      Requirements for keeping a dog in a koala  
area**

Section 14(1)

*This schedule has been intentionally left blank.*

## **Schedule 10 Koala areas<sup>2</sup>**

Section 14(2)

*This schedule has been intentionally left blank. .*

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<sup>2</sup> “Koala areas” under section 15(4) of the authorising local law comprise the areas designated in this schedule plus “koala habitat areas” designated by a State planning instrument or a conservation plan made under the *Nature Conservation Act 1992*.

## **Schedule 11      Criteria for declared dangerous animals**

### Section 15

The criteria for making a dangerous animal declaration are that the animal—

- (a) has attacked, or acted in a way that caused fear to, a person or another animal; or
- (b) may, in the opinion of an authorised person having regard to the way the animal has behaved towards a person or another animal, attack, or act in a way that causes fear to, the person or animal.



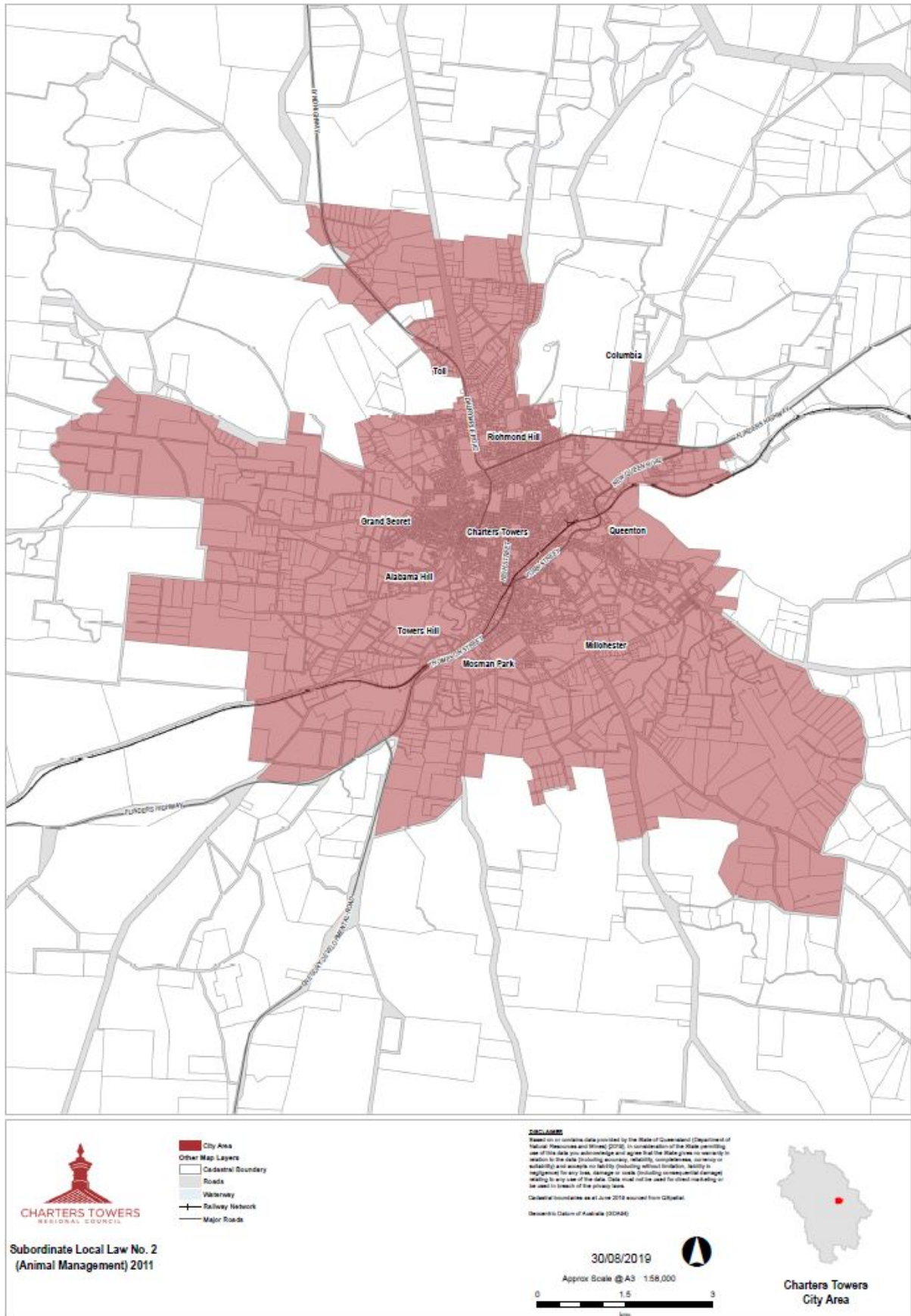
## Schedule 12 Conditions for sale of animals

### Section 19

	<b>Column 1 Species or breed of animal</b>	<b>Column 2 Conditions that must be complied with when offering animal for sale</b>
1	Cat	<p>(1) the cat is to be desexed unless the circumstances in paragraph (2) apply—</p> <p>(2) The circumstances for the purpose of paragraph (1) are-</p> <p>(a) the purchaser holds a signed veterinary surgeon's certificate for the cat stating that desexing is likely to be a serious risk to the health of the animal; or</p> <p>(b) the animal is under 16 weeks of age and the purchaser provides the supplier with a veterinary surgeon's voucher to the equivalent monetary value of the full cost of desexing the animal upon desexing age.</p>

# Schedule 13 City area

## Section 4



# Schedule 14 Designated town area

## Section 4







**CHARTERS TOWERS**  
REGIONAL COUNCIL

**Subordinate Local Law No. 2  
(Animal Management) 2011**

**Legend**

- Designated Town Areas
- Other Map Layers
- Council Boundary
- Roads
- Railway
- Railway Network
- Major Roads

**DISCLAIMER**

Based on or contains data provided by the State of Queensland (Department of Natural Resources and Mines) (DNRM), in consultation with the State planning use of this data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence for any loss, damage or work (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or for sale in breach of the privacy laws.

Cadastral Coordinates as at June 2018 sourced from GDA94.  
Geometric Datum of Australia (GDA94).

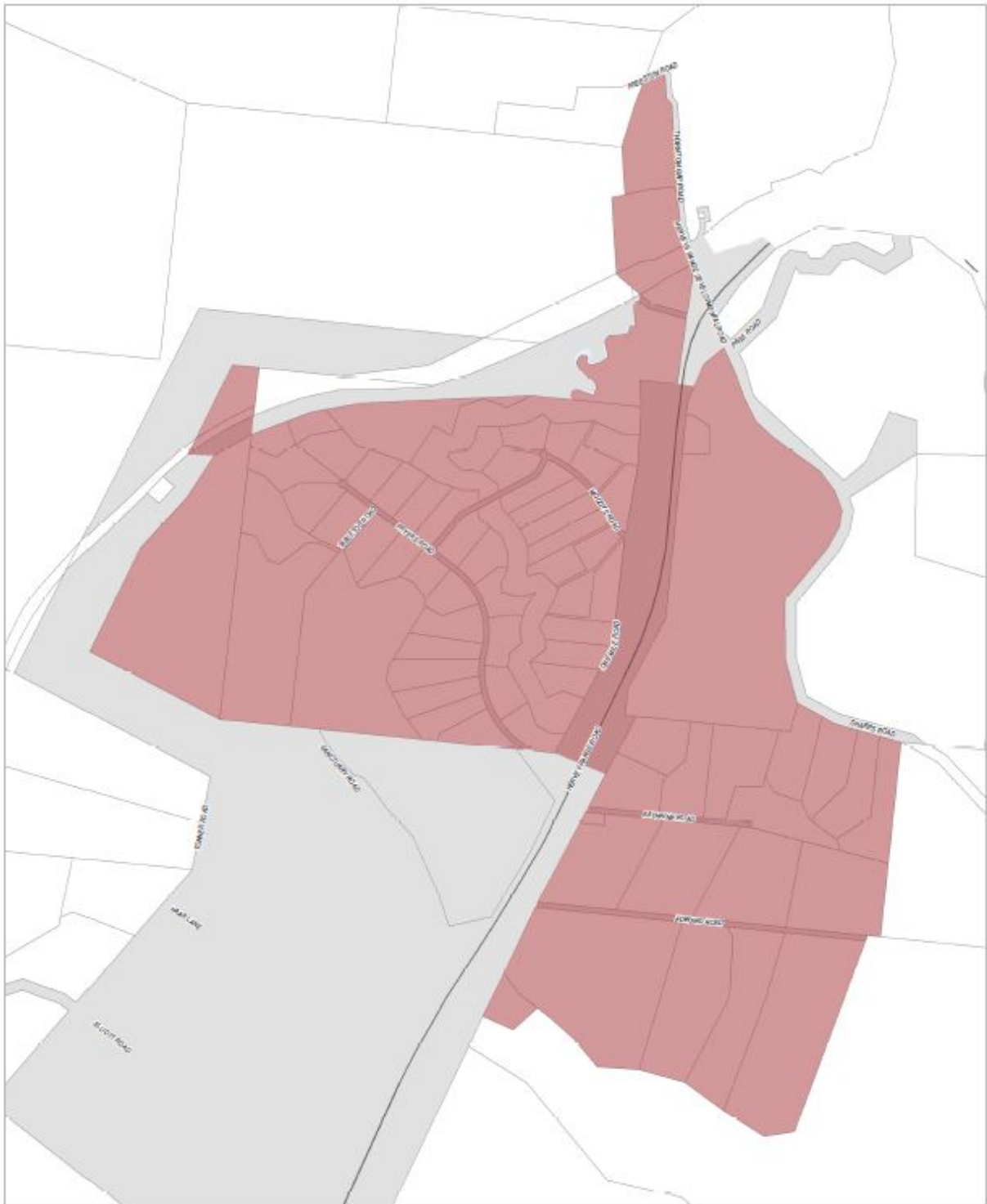
30/08/2019

Approx. Scale @ A3 1:8,000






**Greenvale  
Designated Town Area**





**Subordinate Local Law No. 2  
(Animal Management) 2011**

**Legend**

- Designated Town Areas
- Other Map Layers
- Coastal Boundary
- Roads
- Walkway
- Railway Network
- Major Roads

**DISCLAIMER**

Based on or contains data provided by the State of Queensland (Department of Natural Resources and Mines (DNRM)), in collaboration with a State controlling use of the data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence for any loss, damage or costs (including consequential damages) relating to any use of the data. Data must not be used for direct marketing or to make inferences of the primary data.

Geospatial coordinates as at June 2018 sourced from GDA2011  
Geometric Datum of Australia (GDA2011)

**30/08/2019**

Approx Scale @ A3 1:14,000

0

0.25

0.7

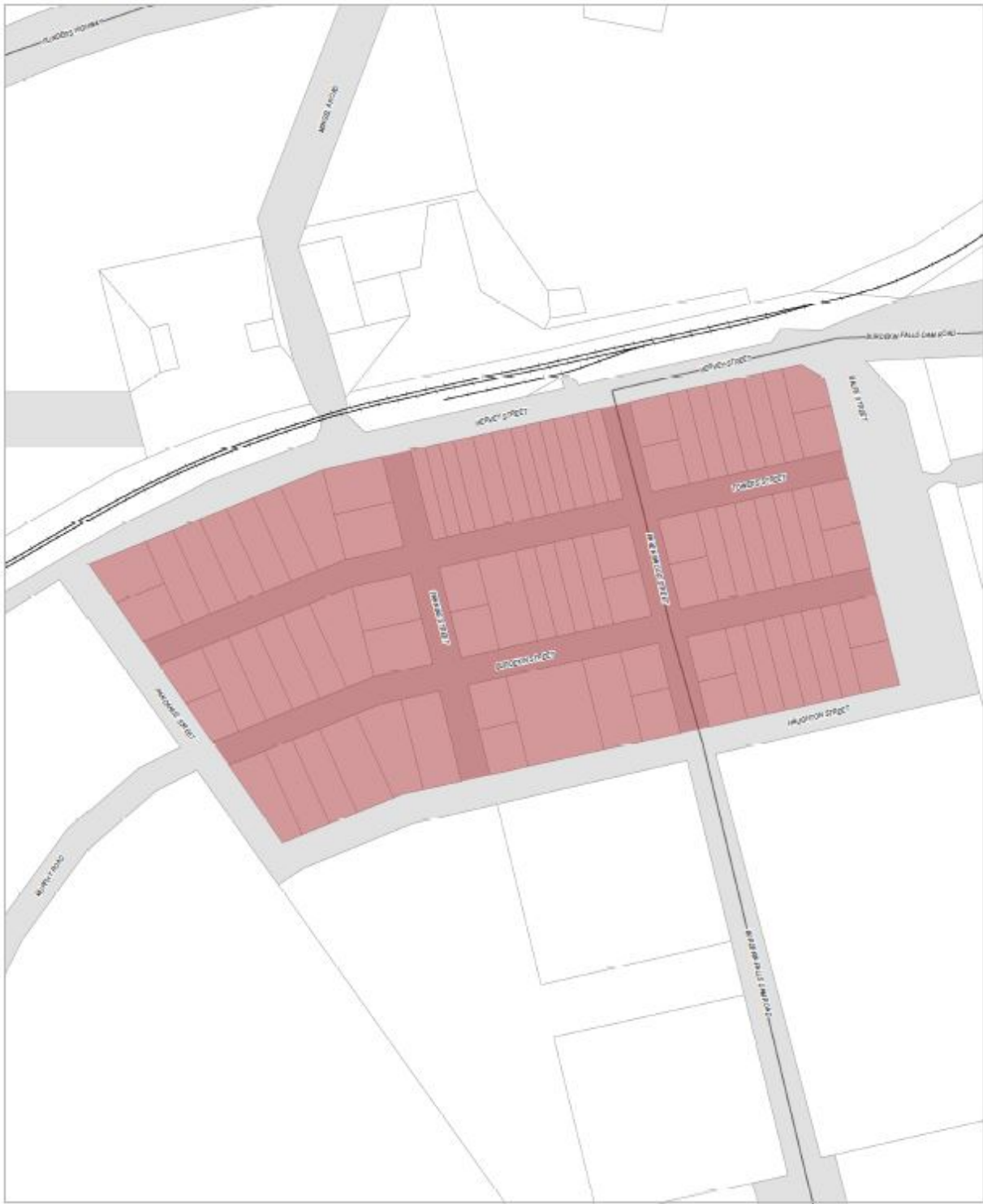
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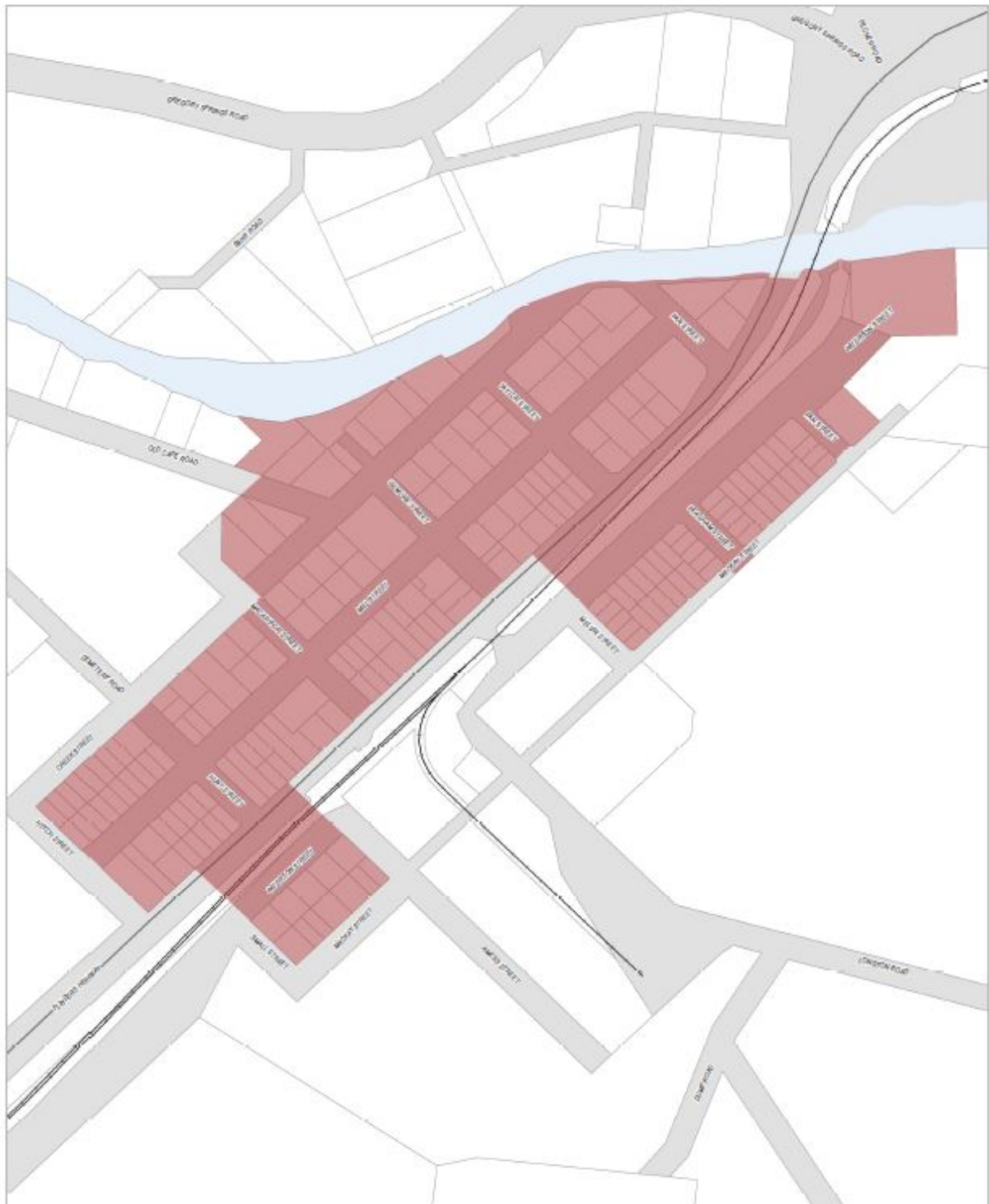




**Hervey Range  
Designated Town Area**









**Subordinate Local Law No. 2  
(Animal Management) 2011**

	Designated Town Areas
	Other Map Layers
	Council Boundary
	Roads
	Waterway
	Railway Network
	Major Roads

**DISCLAIMER**  
Based on information data provided by the State of Queensland (Department of Natural Resources and Mines) (2018), in consultation with the State permitting use of the data you acknowledge and agree that the State gives no warranty in relation to the data including accuracy, reliability, completeness, currency or suitability and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or for use in breach of the privacy laws.

Copyright footprints as at June 2018 sourced from Citycat  
Geometric Datum of Australia (GDA94)



**Pentland  
Designated Town Area**

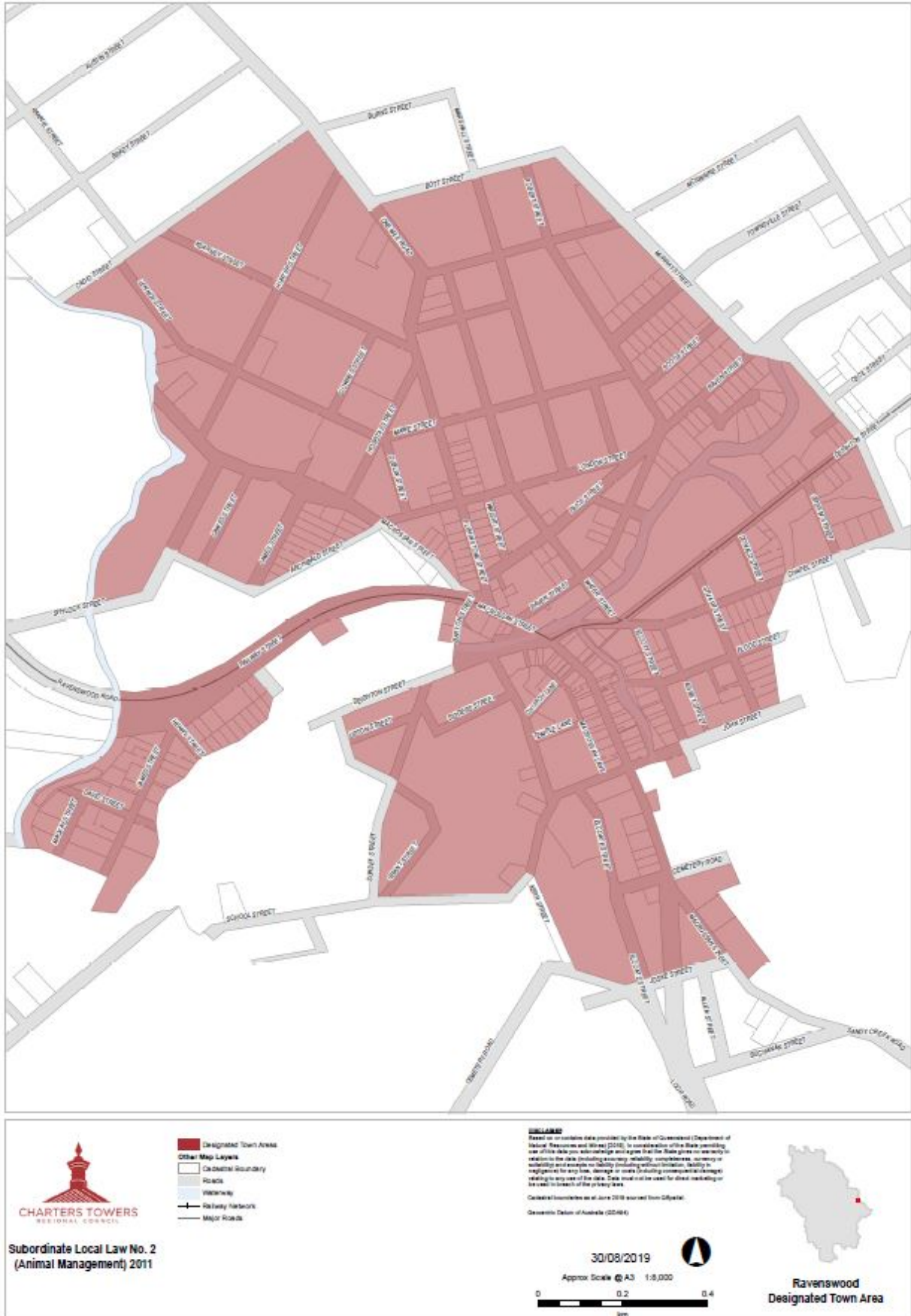
30/08/2019

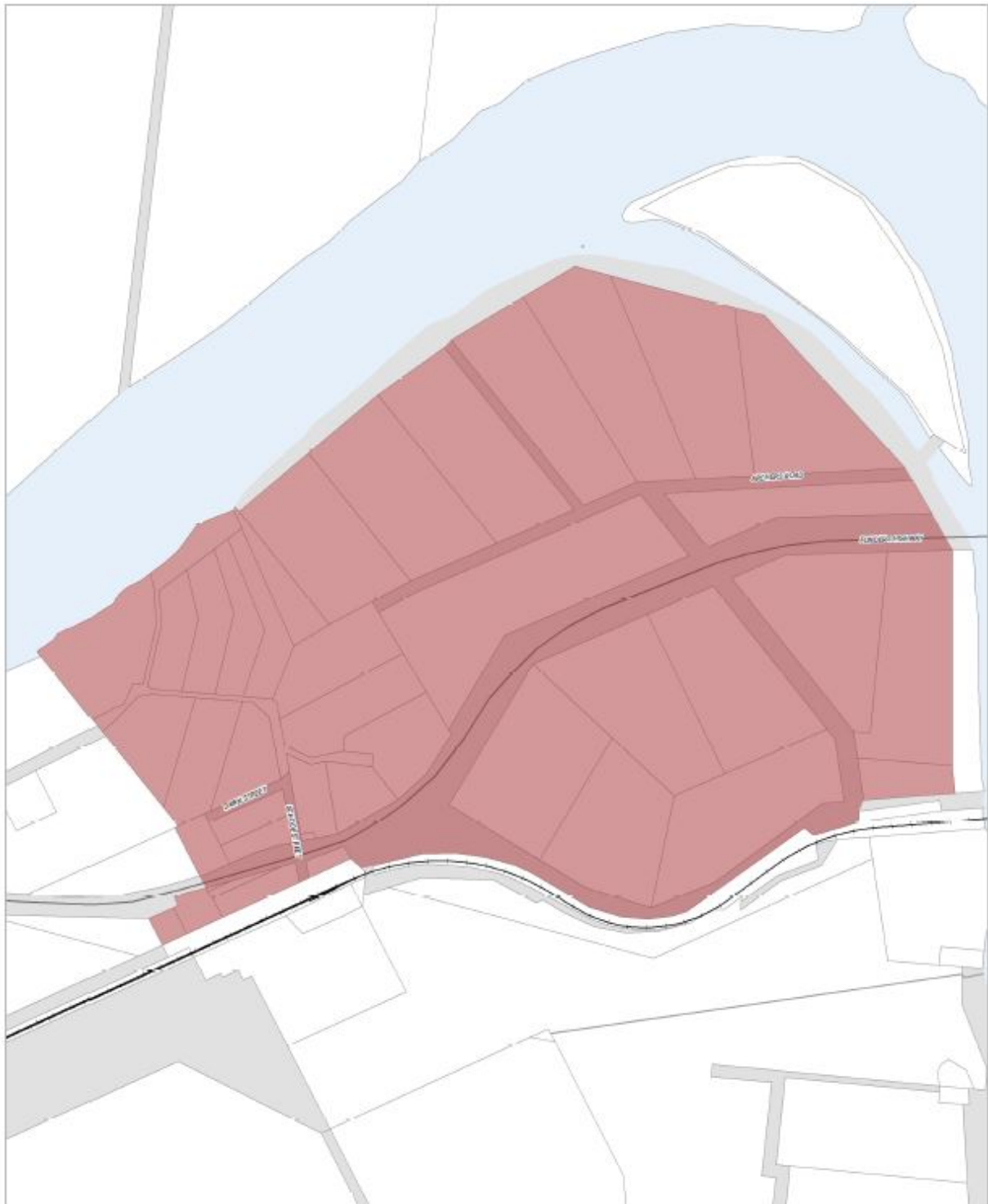
Approx. Scale @ A3 1:5,000



0 0.15 0.3 km









**CHARTERS TOWERS**  
REGIONAL COUNCIL

**Subordinate Local Law No. 2**  
**(Animal Management) 2011**

**Legend**

- Designated Town Areas
- Other Map Layers**
- Cadastral Boundary
- Roads
- Waterways
- Railway Network
- Major Roads

**DISCLAIMER**

Based on information data provided by the State of Queensland (Department of Natural Resources and Mines) (2018), in consideration of the State providing use of this data for administrative purposes that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including economic, personal, bodily or property) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data may not be used for direct marketing or for sale in breach of the privacy laws.

Cartorial boundaries as at June 2018 sourced from QGeoportal.  
Demarcate Datum of Australia (2016)

30/08/2019

Approx. Scale @ A3 1:12,000






**Sellheim**  
Designated Town Area

## Schedule 15 Dictionary

### Section 4

**allotment** means a single parcel of land, or several contiguous parcels of land where all of the contiguous parcels of land are in —

- (a) the same ownership; or
- (b) the same occupation.

**Animal Management Act** means the *Animal Management (Cats and Dogs) Act 2008*.

**cat**—

- (a) has the meaning given in section 11 of the Animal Management Act; and
- (b) includes a kitten regardless of age.

**cattery** has the meaning given in the planning scheme of the local government.

**city area** means the area which is indicated on the map contained in schedule 13.

**designated playground area** means an area which is—

- (a) physically defined; and
- (b) constructed by the local government for recreational use by minors; and
- (c) provided with 1 or more items of playground apparatus.

*Example*—

A designated playground area may be an area which is—

- (a) enclosed by a fence or some other barrier; and
- (b) covered by bark chips or similar material; and
- (c) equipped with a swing, see-saw or similar playground apparatus.

**designated town area** means the area which is indicated on a map contained in schedule 14.

**dog**—

- (a) has the meaning given in section 11 of the Animal Management Act; and
- (b) includes a puppy regardless of age.

**horse** includes a pony and a miniature horse.

**keep (an animal)**—

- (a) includes board, breed and train; and
- (b) in the absence of evidence to the contrary, a person is presumed to keep an animal on land if the person —
  - (i) feeds and cares for the animal on the land; and
  - (ii) the animal is observed by an authorised person on the land on more than 1 occasion during a month.

**kennel** has the meaning given in the planning scheme of the local government.

**local government public health risk** has the meaning given in the *Public Health Act 2005*.

**multi-residential premises** means —

- (a) a residence which forms part of a group of 2 or more residences in circumstances where 2 or more of the residences of the group are directly adjacent to each other and share—
  - (i) a common wall; or
  - (ii) a ceiling in circumstances where 1 residence is directly under the floor of another residence; and
- (b) a residence situated on a lot which forms part of a community titles scheme as defined in the *Body Corporate and Community Management Act 1997*.

*Examples of multi-residential premises —*

Flats, boarding houses, tenement buildings, home units, townhouses and duplexes.

**non-residential premises** means premises other than residential premises.

**occupier**, of premises—

- (a) means the person who has the control or management of the premises; and
- (b) includes the owner of the premises where there is no person in apparent occupation of the premises.

**pet shop** has the meaning given in the planning scheme of the local government.

**premises** means any land, building or structure and includes any part thereof.

**registered** has the meaning given in the *Animal Management (Cats and Dogs) Act 2008*.

**residence** means a building, or part of a building, that is—

- (a) fixed to land; and
- (b) a self-contained unit used by, or intended for the exclusive residential use of, one household.

**residential premises** means premises used, or intended to be used, predominantly as a place of residence.

**sewerage system** has the meaning given in the *Plumbing and Drainage Act 2018*.

**stallion** means an uncastrated adult male horse.

**structure** has the meaning given in the *Local Government Act 2009*.

**urban area** has the meaning given in *Subordinate Local Law No. 3 (Community and Environmental Management) 2011*.

**vehicle** has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

**vermin** means—

- (a) reptiles, bed bugs, lice, fleas, parasites and cockroaches; and
- (b) guinea pigs and other rodents capable of carrying or transmitting a notifiable disease; but
- (c) does not include—
  - (i) a protected animal within the meaning of the *Nature Conservation Act 1992*; or
  - (ii) a local government public health risk.

**waste** has the meaning given in the *Environmental Protection Act 1994*.

## Endnotes

### 1 Date to which amendments incorporated

This consolidated version includes all amendments that commenced operation on or before [INSERT DATE].

### 2 Table of consolidated versions

Consolidated Version No.	Amendments included	Effective	Notes
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### 3 List of amending local laws

date notified in the gazette [INSERT DATE]  
commenced on date of notification

### 4 List of annotations

**(Note: The Endnotes will be drafted once the Amending Local Law has been adopted and gazetted).**

# **Charters Towers Regional Council**

## **Subordinate Local Law No. 3 (Community and Environmental Management) 2011**

**CONSOLIDATED VERSION NO. 1**

As in force on [INSERT DATE]

Adopted by Charters Towers Regional Council on [INSERT] pursuant to section 32 of the *Local Government Act 2009*

# Subordinate Local Law No. 3 (Community and Environmental Management) 2011

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## Part 1 Preliminary

### 1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 3 (Community and Environmental Management) 2011*.

### 2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 3 (Community and Environmental Management) 2011*, which provides for protecting the environment and public health, safety and amenity within the local government's area.
- (2) The purpose is to be achieved by providing for—
  - (a) declaration of local pests; and
  - (b) prohibition of lighting or maintaining certain fires; and
  - (c) declaration of fire hazards; and
  - (d) declaration of community safety hazards; and
  - (e) prescribed requirements for owners of land containing community safety hazards; and
  - (f) declaration of noise standards.

### 3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 3 (Community and Environmental Management) 2011* (the **authorising local law**).

### 4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 7 defines particular words used in this subordinate local law.

## Part 2 Declared local pests

### 5 Declaration of local pests—Authorising local law, s 6(1)

For section 6(1) of the authorising local law, the animal or plant prescribed in column 2 of schedule 1 is a declared pest in the corresponding part of the local government's area mentioned in column 1 of schedule 1.

## **6 Persons exempted from selling a declared local pest— Authorising local law, s 11(2)**

For section 11(2) of the authorising local law, a person mentioned in column 1 of schedule 2 is exempt from section 11(1) of the authorising local law in relation to selling or supplying a declared local pest or offering or displaying a declared local pest for sale or supply for the declared local pest mentioned in the corresponding part of column 2 of schedule 2.

## **7 Persons exempted from introducing etc a declared local pest— Authorising local law, s 12(2)**

For section 12(2) of the authorising local law, a person mentioned in column 1 of schedule 3 is exempt from section 12(1) of the authorising local law in relation to introducing, propagating, breeding or providing harbour to a declared local pest mentioned in the corresponding part of column 2 of schedule 3.

## **Part 3 Overgrown and unsightly allotments**

*This part in the authorising local law does not contain any matters to be provided for by subordinate local law.*

## **Part 4 Fires and fire hazards**

### **8 Prohibition on lighting or maintaining fires—Authorising local law, s 15(2)**

- (1) This section applies to the following fires<sup>1</sup>—
  - (a) a fire in which neither the height, width nor length of the material to be consumed exceeds 2 metres;
  - (b) a fire lit for the purpose of burning the carcass of a beast;
  - (c) a fire lit at a sawmill for the purpose of burning sawdust or other residue resulting from the operation of a sawmill;
  - (d) a fire lit out-doors, if enclosed in a fireplace so constructed as to prevent the escape of fire or any burning material therefrom.
- (2) For section 15(2) of the authorising local law, lighting or maintaining a fire described in column 2 of schedule 4 is declared to be prohibited in the corresponding part of the local government's area mentioned in column 1 of schedule 4.

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<sup>1</sup> Pursuant to a notification by the Fire and Emergency Services Commissioner published in the gazette on 6 August 2004 under section 63 of the *Fire and Emergency Services Act 1990*, the listed fires can generally be lit without a permit issued by a fire warden, provided adequate precautions are taken to prevent the spread of fire and the fire confirms with any local law. Local laws can therefore regulate these types of fire, which is the purpose of this subordinate local law.

**9 Fire hazards—Authorising local law, s 16(3)(b)**

For section 16(3)(b) of the authorising local law, the following are declared to be fire hazards—

- (a) live cinders or hot ash that is not enclosed in a fireplace so constructed as to prevent the escape of cinders or ash; and
- (b) a substantial accumulation of grass clippings that is liable to spontaneous combustion; and
- (c) dry vegetation that could be easily ignited or other flammable materials.

**Part 5 Community safety hazards****10 Community safety hazards—Authorising local law, s 17(c)**

For section 17(c) of the authorising local law, the following are declared to be community safety hazards—

- (a) Wells (including disused wells); and
- (b) A tree or other vegetation that—
  - (i) is located on land adjoining a local government-controlled area or road; and
  - (ii) poses a risk of causing injury to a person using the area or road or damage to property located on the area or road.
- (c) A dead animal on premises which is not buried to a depth of at least 1 metre, or —
  - (i) is dangerous or attracts vermin; or
  - (ii) has caused, or is, in the opinion of an authorised person, likely to cause—
    - (A) personal injury or property damage; or
    - (B) a negative impact on the amenity of the surrounding area; and

**11 Prescribed requirements for community safety hazards—Authorising local law, s 20(1)**

For section 20(1) of the authorising local law, a responsible person for a community safety hazard listed in column 1 of schedule 5 must meet the requirements prescribed in the corresponding part of column 2 of schedule 5.

## **Part 6 Noise standards**

### **12 Prescribed noise standards—Authorising local law, s 21(2)**

- (1) For section 21(2) of the authorising local law, the noise standard in column 2 of schedule 6 is prescribed for the section of the *Environmental Protection Act 1994*, chapter 8, part 3B, division 3 stated in column 1 of schedule 6.
- (2) For section 21(2) of the authorising local law, the noise standard in column 2 of schedule 6 applies in the corresponding part of the local government's area mentioned in column 3 of schedule 6.

## **Part 7 Miscellaneous**

*This part in the authorising local law does not contain any matters to be provided for by subordinate local law.*

**Schedule 1      Declared local pests**

## Section 5

<b>Column 1</b> <b>Applicable part of local government's area</b>	<b>Column 2</b> <b>Declared local pest</b>
Entire local government area.	<i>Leucaena (Leucaena leucocephala (ssp leucocephala and ssp glabrate))</i>

## Schedule 2      Persons exempted from offence of selling etc declared local pest

Section 6

<b>Column 1</b> <b>Exempt person</b>	<b>Column 2</b> <b>Declared local pest</b>
Each responsible person for land who grows leucaena ( <i>Leucaena leucocephala</i> ) on the land in compliance with the requirements of the Leucaena Growers Code of Conduct.	<i>Leucaena (Leucaena leucocephala)</i> .

**Schedule 3      Persons exempted from offence of  
introducing etc declared local pest**

Section 7

<b>Column 1</b> <b>Exempt person</b>	<b>Column 2</b> <b>Declared local pest</b>
Each responsible person for land who grows leucaena ( <i>Leucaena leucocephala</i> ) on the land in compliance with the requirements of the Leucaena Growers Code of Conduct.	<i>Leucaena (Leucaena leucocephala).</i>

**Schedule 4 Prohibited fires**

Section 8(2)

	<b>Column 1</b> <b>Applicable part of local government's area</b>	<b>Column 2</b> <b>Prohibited fire</b>
1	Entire local government area	A fire lit out-doors, unless the fire is enclosed in a fireplace so constructed as to prevent the escape of fire or any burning material therefrom.
2	Local government controlled areas	A fire that is not in a fireplace or barbeque constructed by the local government.



## Schedule 5 Prescribed requirements for community safety hazards

### Section 11

Column 1 Community safety hazard	Column 2 Prescribed requirements to be met by responsible person
1 Barbed wire fencing	<ul style="list-style-type: none"> <li>(a) Fencing not to be installed along a boundary adjoining a public park;</li> <li>(b) Barbed wire to be used in urban areas only in a security fence with the barbed wire to be more than 2 metres off the ground.</li> </ul>
2 Electric fencing	<ul style="list-style-type: none"> <li>(a) Fencing installed in an urban area that adjoins any road or public land to have warning signs of a size that can be read from a distance of 5 metres and fixed at 5 metre intervals along the fence;</li> <li>(b) Fencing installed in an urban area must be situated at least 1500mm from a fence located on or within the boundary of the premises OR such that if the fencing is installed on the boundary of the premises the lowest point of the fencing capable of imparting an electric shock when touched is at least 2000 mm in height;</li> <li>(c) Fencing must be installed, operated and maintained in accordance with AS/NZS 3014:2003;</li> <li>(d) Fencing for security must be installed, operated and maintained in accordance with AS/NZS 3016:2002.</li> </ul>
3 Roof sheeting, guttering, sheet metal, fencing and other materials that may become airborne during high winds	Any materials not fixed to a structure to be weighted down or tied down to prevent them from becoming airborne during high winds or removed and disposed of at a facility which is designed for the disposal of the materials.

4	Any fencing which adjoins a local government controlled area and is, because of its nature or its position, a significant risk of causing injury to a person (other than barbed wire fencing or electric fencing)	The fencing must be constructed and maintained so as not to cause or pose a risk of causing injury to a person.
5	Vegetation which overhangs a local government controlled area which, because of its nature or its position, poses a significant risk of causing injury to a person	The vegetation must be trimmed or removed to an extent that the vegetation does not pose a risk of causing injury to a person.
6	A disused well	The disused well must be filled in, barricaded or otherwise made safe.

**Schedule 6 Prescribed noise standards**

Section 11

<b>Column 1</b> <b>Section of the</b> <b><i>Environmental</i></b> <b><i>Protection Act 1994,</i></b> <b>chapter 8, part 3B,</b> <b>division 3</b>	<b>Column 2</b> <b>Prescribed noise standard</b>	<b>Column 3</b> <b>Applicable part of local</b> <b>government's area</b>
No noise standard is prescribed.		

## Schedule 7      Dictionary

### Section 4

***local government public health risk*** has the meaning given in the *Public Health Act 2005*.

***urban area*** means an area forming the whole or part of an urban district.

***urban district*** has the meaning given in the *Fire and Rescue Service Act 1990*.

***vermin*** means—

- (a) reptiles, bed bugs, lice, fleas, parasites and cockroaches; and
- (b) guinea pigs and other rodents capable of carrying or transmitting a notifiable disease; but
- (c) does not include—
  - (i) a protected animal within the meaning of the *Nature Conservation Act 1992*; or
  - (ii) a local government public health risk.

# Endnotes

**1 Date to which amendments incorporated**

This consolidated version includes all amendments that commenced operation on or before [INSERT DATE].

**2 Table of consolidated versions**

Consolidated Version No.	Amendments included	Effective	Notes
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**3 List of amending local laws**

date notified in the gazette [INSERT DATE]  
commenced on date of notification

**4 List of annotations**

**(Note: The Endnotes will be drafted once the Amending Local Law has been adopted and gazetted).**

# **Charters Towers Regional Council**

## **Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011**

### **CONSOLIDATED VERSION NO. 1**

As in force on [INSERT DATE]

Adopted by Charters Towers Regional Council on [INSERT] pursuant to section 32 of the *Local Government Act 2009*

# Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011

## Contents

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## Part 1 Preliminary

### 1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011*.

### 2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2011* in order to protect the health and safety of persons using local government controlled land, facilities, infrastructure and roads and preserve features of the natural and built environment and other aspects of the amenity of local government controlled land, facilities, infrastructure and roads.
- (2) The purpose is to be achieved by providing for—
  - (a) the regulation of access to local government controlled areas; and
  - (b) the prohibition or restriction of particular activities in local government controlled areas or roads.

### 3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2011* (the *authorising local law*).

### 4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 7 defines particular words used in this subordinate local law.

## Part 2 Use of local government controlled areas, facilities and roads

### 5 Prohibited and restricted activities—Authorising local law, s 5(1)

- (1) For section 5(1)(a) of the authorising local law, the activities prescribed in column 2 of schedule 1 are declared to be prohibited in the corresponding local government controlled area or road (or part thereof) mentioned in column 1 of schedule 1.
- (2) For section 5(1)(b) of the authorising local law, the activities prescribed in column 2 of schedule 2 are declared to be restricted in the corresponding local government controlled area or road (or part thereof) mentioned in column 1 of schedule 2, to the extent described in column 3 of schedule 2.



**6 Motor vehicle access in local government controlled areas—Authorising local law, s 6(1)(b)**

For section 6(1)(b) of the authorising local law, the areas prescribed in column 1 of schedule 3 are declared to be motor vehicle access areas.

**7 Prohibited vehicles—Authorising local law, s 6(3)**

For section 6(3) of the authorising local law, the specific types of motor vehicle prescribed in column 2 of schedule 3 are declared to be prohibited vehicles in the corresponding specified motor vehicle access area in column 1 of schedule 3.

**8 Opening hours for local government controlled areas—Authorising local law, s 7(1)**

- (1) For section 7(1) of the authorising local law, the times prescribed in column 2 of schedule 4 are declared to be the opening hours for the local government controlled areas mentioned in column 1 of schedule 4.
- (2) However, the local government may, from time to time, by resolution, declare other times when a local government controlled area is open to the public.

**9 Permanent closure of local government controlled area—Authorising local law, s 8(3)**

For section 8(3) of the authorising local law, the local government controlled areas described in schedule 5 are permanently closed to public access.

**Part 3 Matters affecting roads****10 Notice requiring owner of land adjoining road or local government controlled area to fence land—Authorising local law, s 9(3)**

For section 9(3) of the authorising local law, the minimum standards for a fence that is the subject of a compliance notice under section 9(2) of the authorising local law are as follows—

- (a) the fence must be constructed of materials which are of sufficient strength to—
  - (i) restrain the types of animals to be contained in the area adjacent to the fence; and
  - (ii) stop the animals from escaping over, under or through the fence; and
- (b) the height of the fence must be sufficient to restrain the types of animals to be contained in the area adjacent to the fence from jumping or climbing over the fence; and
- (c) if an animal to be contained in the area adjacent to the fence has the ability to dig — the fence must include a barrier installed directly below the fence to prevent the animal digging its way underneath the fence; and

- (d) if the fence includes a gate — the gate must be kept closed and latched except when in immediate use by a person entering or leaving the area adjacent to the fence.

## Schedule 1 Prohibited activities for local government controlled areas or roads

Section 5(1)

	<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Local government controlled area or road</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Prohibited activity</b></p>
1	All local government controlled areas and roads within the local government area	<ul style="list-style-type: none"> <li>(a) Carrying or displaying a placard or other sign bearing an offensive or threatening message or image;</li> <li>(b) Interfering with any tree, shrub or plant or any turf, sand, clay, soil or other material;</li> <li>(c) Injuring, misusing, defacing, marking or otherwise damaging a building, structure, notice, sign, equipment or property owned operated or maintained by the local government in a local government controlled area or road;</li> <li>(d) Entering or interfering with a building or structure associated with the water supply system, stormwater drain system or sewerage system of the local government unless the person entering or interfering with the building or structure is an emergency services officer entering or interfering with the building or structure in the course of his or her duties as an emergency services officer;</li> <li>(e) Parking or standing a vehicle bearing a sign or advertisement that the vehicle is offered for sale or hire;</li> <li>(f) Parking or leave standing, an unregistered vehicle on a local government controlled area or road;</li> </ul>

		(g) Camping, sleeping, occupying or remaining overnight in a vehicle on a local government controlled area or road that is not a designated camping area. <sup>1</sup>
2	All roads within the local government area	(a) Causing an offensive liquid, sediment or substance to be discharged onto a road; (b) Intentionally or negligently damaging a road or a structure associated with a road; (c) Carry out domestic tasks, including ablutions, cooking and washing.
3	All local government cemeteries within the local government area	(a) Interfering with a funeral or commemorative service lawfully conducted in a local government cemetery; (b) Taking part in any meeting other than a meeting of a religious or commemorative nature; (c) Damaging or disturbing or interfering with any memorial, inscription plaque, epitaph or inscription, or any flowers or tokens placed on or adjacent to a grave or niche; (d) Bringing an animal into or allowing an animal to be within a local government cemetery (other than for the purposes of a funeral or commemorative service).
4	All parks and reserves within the local government area	(a) Damaging or interfering with vegetation; (b) Discharging or carrying a firearm or other weapon or any kind of explosive device;

<sup>1</sup> See definition in Dictionary.

		<p>(c) Leaving an object in a park or reserve that could create a hazard. <i>For example, placing, throwing or leaving rocks or other hard objects on grassed areas that are mown by local government employees.</i></p> <p>(d) Hitting a golf ball unless the park or reserve is recognised by the local government as being set aside for the purposes of a golf club course or a golf range;</p> <p>(e) Bathing in any ornamental pond or lake;</p> <p>(f) Using a boat, canoe, craft, surf ski, surf board or other recreational floating device in an ornamental pond or lake;</p> <p>(g) Any activity which fouls, litters, pollutes or interferes with a park or reserve or a facility in a park or reserve;</p> <p>(h) Permitting or allowing a water tap in a park or reserve to run water to waste;</p> <p>(i) Removing any timber or wood provided by the local government for use as firewood;</p> <p>(j) If the park or reserve is identified in schedule 6 for this provision — camping, sleeping, occupying or remaining overnight in the park or reserve.</p>
5	All local government caravan parks within the local government area	<p>(a) Disposing of liquid waste other than at a drainage point provided for that purpose;</p> <p>(b) Disposing of waste other than in a waste container provided for that purpose;</p> <p>(c) Using facilities in a way that makes them unclean or insanitary;</p> <p>(d) Carrying out an activity or behaving in a manner reasonably</p>

		<p>likely to injure, endanger, obstruct, inconvenience or cause fear or excessive annoyance to another person;</p> <p>(e) Use hand washing facilities for purposes other than their intended use.</p> <p>(f) Park a caravan or erect in a tent in a place that is not allotted by caravan park manager</p> <p>(g) Lay down floor covering on the ground surface.</p>
6	All boat ramps and landings within a local government controlled area including, but not limited to, each boat ramp and landing identified in schedule 6	<p>(a) Carrying out maintenance or repairs to a ship on a boat ramp;</p> <p>(b) The activity of a person carrying out maintenance or repairs to a ship in the water around a boat ramp or landing unless the person has a reasonable excuse;</p> <p>(c) Wilfully breaking, destroying, damaging, defacing, disfiguring or writing upon a boat ramp, landing or a notice erected or displayed by the local government at a boat ramp or landing;</p> <p>(d) Wilfully damaging any lighting upon a boat ramp or a landing;</p> <p>(e) Riding an animal on a boat ramp or a landing;</p> <p>(f) Fishing from a boat ramp or a landing in a manner that obstructs or impedes, or is likely to obstruct or impede, ship, vehicular or pedestrian traffic on the boat ramp or landing;</p> <p>(g) Carrying a loaded or cocked spear gun on a boat ramp or a landing;</p> <p>(h) Lighting a fire on a boat ramp or a landing, whether in a container or otherwise;</p> <p>(i) Diving off a boat ramp or a landing;</p>

		<ul style="list-style-type: none"> <li>(j) Obstructing another person's use of a boat ramp or landing;</li> <li>(k) Using a boat ramp or landing in a manner which is inconsistent with — <ul style="list-style-type: none"> <li>(i) the safe, secure and efficient operation of the boat ramp or landing; or</li> <li>(ii) the protection of the environment at the boat ramp or landing; or</li> <li>(iii) the maintenance or improvement of the convenience of users of the boat ramp or landing;</li> </ul> </li> <li>(l) Anchoring, mooring or placing a ship in the water around a boat ramp or a landing in a way that obstructs other users of the boat ramp or landing.</li> </ul>
7	All local government swimming pools within the local government area, including, but not limited to, each local government swimming pool identified in schedule 6	<ul style="list-style-type: none"> <li>(a) Bringing any glass or any item made from glass onto the pool deck surrounding the swimming pool or into the swimming pool;</li> <li>(b) Engaging in conduct which is dangerous or which creates a risk to the safety of other users of the swimming pool;</li> <li>(c) Causing wilful damage to the swimming pool or any facilities at the swimming pool;</li> <li>(d) If a person is more than 5 years of age — entering any building or area which is set apart for the exclusive use of the opposite sex, other than for the purpose of rendering emergency assistance;</li> <li>(e) Entering the land on which the swimming pool is located whilst intoxicated or under the influence of a stupefying drug;</li> <li>(f) Entering the swimming pool whilst carrying or having</li> </ul>

		<p>possession of any alcohol or a stupefying drug;</p> <p>(g) Disposing of waste other than in a waste container provided by the local government for the purpose of the collection of waste;</p> <p>(h) Entering the water in the swimming pool if the person has an infectious or contagious disease or illness or a skin complaint;</p> <p>(i) Entering the land on which the swimming pool is located unless the person has paid the entrance fee prescribed by the local government from time to time for entry to the swimming pool;</p> <p>(j) Leaving a child or children under the age of 10 at the land on which the swimming pool is located otherwise than under the direct supervision of a person who is a parent or guardian of the child or children that is at least 16 years of age.</p>
8	All local government camping grounds within the local government area including, but not limited to, each local government camping ground identified in schedule 6	<p>(a) Disposing of liquid waste other than at a drainage point provided for that purpose;</p> <p>(b) Disposing of waste other than in a waste container provided for that purpose;</p> <p>(c) Using facilities in a way that makes them unclean or unsanitary;</p> <p>(d) Carrying out an activity or behaving in a manner reasonably likely to injure, endanger, obstruct, inconvenience or cause fear or excessive annoyance to another person;</p>
9	All local government offices within the local government area	<p>(a) Obstructing or interfering with a person who is a local government employee or a contractor of the</p>



		<p>local government in the performance of the duties to be performed by the person at the local government office;</p> <p>(b) Disposing of waste other than in a waste container provided for that purpose;</p> <p>(c) Using facilities in a way that makes them unclean or unsanitary;</p> <p>(d) Wilfully breaking, destroying, damaging, defacing, disfiguring or writing upon any part of the local government office or a notice erected or displayed by the local government at the local government office;</p>
10	<p>Footpaths on each of the following roads—</p> <p>(a) Gill Street, Charters Towers, but only from the intersection with Mosman Street to the intersection with Boundary Street;</p> <p>(b) Mosman Street, Charters Towers, but only from the intersection with Mary Street to the intersection with Hodgkinson Street</p>	<p>(a) Riding a bicycle, wheeled recreational device or wheeled toy, as defined in the <i>Transport Operations (Road Use Management) Act 1995</i>;</p>

## Schedule 2 Restricted activities for local government controlled areas or roads

Section 5(2)

	<b>Column 1 Local government controlled area or road</b>	<b>Column 2 Restricted activity</b>	<b>Column 3 Extent of restriction</b>
1	All local government controlled areas and roads	(a) A person must not camp, sleep, occupy or remain overnight on any local government controlled area or road.	(a) The activity is permitted if – <ul style="list-style-type: none"> <li>(i) Authorised by a sign exhibited in the local government area; or</li> <li>(ii) Authorised by an authorised person; or</li> <li>(iii) Authorised under the conditions of an approval for a prescribed activity.</li> </ul>
		(b) Repairing of vehicles on a road.	(b) The activity is permitted if – <ul style="list-style-type: none"> <li>(i) The vehicle is temporarily disabled with minor fault; and</li> <li>(ii) The driver of the vehicle stops for no longer than is necessary for the performance of maintenance work limited to the minimum necessary to allow the vehicle to be moved from the road.</li> </ul>

2	All local government cemeteries within the local government area	Carrying out maintenance or repair work on a memorial to a deceased person in a local government cemetery.	The activity is permitted only – (a) by a member of the family of the deceased person, or another person who has a proper interest in the maintenance of the memorial to the deceased person; and (i) with the written approval of the sexton; and (ii) subject to conditions about how the work is to be carried out as are included in the written authorisation of the sexton.
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3	All parks and reserves within the local government area	Operating a model aircraft propelled by a motor.	The activity is permitted if the written authorisation of the chief executive officer of the local government is obtained
4	All boat ramps and landings within a local government controlled area including, but not limited to, each boat ramp and landing identified in schedule 6	(a) Launching or retrieving a ship at a boat ramp.	The activity is permitted if the person launching or retrieving the ship does so as quickly as is reasonably possible.
		(b) Carrying out the rigging of a sailing ship on a boat ramp or landing.	The activity is permitted if the carrying out of the rigging does not, or is not likely to, impede access to the boat ramp or landing.

		<p>(c) Taking or driving a vehicle onto a boat ramp.</p>	<p>Driving a vehicle on a boat ramp is permitted if:</p> <ul style="list-style-type: none"><li>(a) the driving of the vehicle on a boat ramp is to launch or retrieve a ship from the boat ramp; or</li><li>(b) a sign erected by the local government permits the vehicle to drive on the landing for another purpose; and</li><li>(c) the vehicle moves on wheels fitted with pneumatic or rubber tyres; and</li><li>(d) the mass of the vehicle and its load (if any), together with any trailer that the vehicle is towing and its load (if any), is not more than—<ul style="list-style-type: none"><li>(i) 5 tonnes; or</li><li>(ii) if the local government erects a sign displaying a greater mass – the greater mass.</li></ul></li></ul>
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5	All local government swimming pools within the local government area, including, not but limited to, each local government swimming pool identified in schedule 6	Bringing an object (including water sports equipment) into a swimming pool if the object is dangerous or may be used in a dangerous way.	The activity is permitted if the written authorisation of an authorised person is obtained
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<p>6 All local government camping grounds within the local government area including, but not limited to, each local government camping ground identified in schedule 6</p>	<p>(a) Camping, sleeping, occupying or remaining overnight at a camping site at a local government camping ground.</p>	<p>The activity is permitted if:</p> <ul style="list-style-type: none"> <li>(a) the person undertaking the activity maintains the camping site, and any tent or other accommodation on the camping site, in a clean and sanitary condition; and</li> <li>(b) the person deposits all waste in a waste container, or a waste disposal system, provided by the local government for the purpose; and</li> <li>(c) the person does not use facilities at the local government camping ground in a way that makes them unclean or unsanitary; and</li> <li>(d) the person who occupies the camping site allows onto the site no more persons than the limit fixed under a relevant approval or as notified by notice displayed by the local government at the local government camping ground; and</li> <li>(e) the person pays all fees for use of the camping site in advance to the local government; and</li> <li>(f) required by the local government or an Act—the person enters into a written agreement with the local government about undertaking the activity at the local government camping ground; and</li> <li>(g) at the end of the period of occupation of the camping site — the person vacates and leaves the camping site in a clean and tidy condition; and</li> </ul>
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			<ul style="list-style-type: none"><li>(h) the person ensures that the camping site, tent or other accommodation is not let or hired to another person; and</li><li>(i) the person ensures that the camping site is kept and maintained in good repair and clean, tidy and sanitary condition; and</li><li>(j) the person ensures that not more than 1 tent or other accommodation occupies a camping site at the camping ground; and</li><li>(k) the person ensures that the activity does not cause a nuisance, annoyance, disturbance or inconvenience to other persons using the local government camping ground; and</li><li>(l) the person undertakes the activity at the local government camping ground for a period not longer than as authorised by a notice displayed by the local government at the local government camping ground.</li></ul>
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7	All local government offices within the local government area	Entering or remaining at a local government office or a part of a local government office	The activity is permitted if— <ul style="list-style-type: none"><li>(a) the local government office or relevant part of the local government office is a public place; and</li><li>(b) the local government erects on or near the local government office or the relevant part of the local government office, a notice that is approved by the local government which authorises entry to the local government office or the relevant part of the local government office—the person complies with the requirements of the notice.</li></ul>
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### Schedule 3      **Motor vehicle access areas in local government controlled areas**

Sections 6 and 7

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Motor vehicle access areas</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Prohibited vehicles</b></p>
<p>Centenary Park, Hackett Terrace, Charters Towers (L61-62/SP250466)</p>	<p>(a) A vehicle with a mass weight together with any trailer that the vehicle is towing and its load (if any), is not more than—</p> <ul style="list-style-type: none"> <li>(i) 5 tonnes; or</li> <li>(ii) if the local government erects on or near the boat ramp a notice approved by the local government and displaying a greater mass—the greater mass.</li> </ul> <p>(b) A vehicle with more than 3 axles.</p>

## Schedule 4      Opening hours for local government controlled areas

### Section 8

	<b>Column 1</b> <b>Local government controlled area</b>	<b>Column 2</b> <b>Opening hours</b>
1	Rotary Lookout, Fraser Street, Charters Towers (L12/DV840956)	6.00am to 6.00pm daily
2	Weir Park, Burdekin River (216/DV6)	7.00am to 7.00pm daily
	Towers Hill, Towers Hill Road, Charters Towers (L35/DV376)	6.00am to 7.00pm daily

## **Schedule 5      Permanent closure of local government controlled areas**

### Section 9

*This schedule has been intentionally left blank.*

## **Schedule 6 Identification of local government controlled areas**

### **Section 5**

#### **Boat ramps and landings**

The boat ramp at Burdekin Weir Park, Burdekin Weir Boat Ramp Road (L216/DV6).

#### **Local government swimming pools**

1. Greenvale Pool, Greenvale (L127/RP895225).
2. Kennedy Regiment Memorial Pool, Charters Towers (L299/DV445).
3. Pentland Pool, Pentland (L1/MPH1677).
4. Ravenswood Pool, Ravenswood (L11/GS1095).

#### **Local government camping grounds**

1. Fletcher Creek Camping Ground, Lynd Highway (L24/DV840973 and adjacent road reserve).
2. Macrossan Park, Flinders Highway, Sellheim (L26/BKN137)
3. Ravenswood Showgrounds, Ravenswood (L11/GS1095)

#### **Parks and reserves where camping, sleeping, occupying or remaining overnight is a prohibited activity — Schedule 1, item 4(r)**

1. Brownson Park, Flinders Highway, Charters Towers (L219/DV475)
2. Rotary Lookout, Fraser Street, Charters Towers (L12/DV840956)
3. Centenary Park, Hackett Terrace, Charters Towers (L61-62/SP250466)
4. Dar Rin Park, Kirrima Court, Charters Towers (L4/DV712)
5. Elizabeth Park, Gill Street, Charters Towers (Road Reserve)
6. Lissner Park, Mary Street, Charters Towers (L230/DV444)
7. Towers Hill, Blackjack Road, Charters Towers (L35/DV276)
8. Venus Battery Park, Broughton Road, Charters Towers (L33/DV480)
9. Weir Park, Burdekin River, Charters Towers (216/DV6)

## Schedule 7 Dictionary

### Section 4

**camping**, at a place—

- (a) means physically occupying the place, whether in a caravan, motorhome, motor vehicle, tent, swag or otherwise for 3 hours or more on any day after 9.00pm but before 7.00am; and
- (b) for the purpose of determining whether a place is physically occupied by a person, a minor interruption to the physical occupation of the place by the person is to be disregarded; but
- (c) does not include the parking of a motor vehicle by a person at the place if the person leaves the motor vehicle unattended at the place.

**camping site** means a part of a camping ground which is designated for occupation by a tent, inclusive of ropes, poles, supports and pegs incidental to the erection and use of the tent.

**caravan site**, at a local government caravan park, means a part of the local government caravan park which is designated for a single accommodation of a particular type.

**footpath** has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

**landing** includes jetty, pontoon and wharf.

**motorhome** means a motor vehicle which is used, or intended to be used, as a place of residence, or mainly as a place of residence.

**motor vehicle** has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

**plant** has the meaning given in the *Land Protection (Pest and Stock Route Management) Act 2002*.

**sewerage system** has the meaning given in the *Plumbing and Drainage Act 2002*.

**ship** has the meaning given in the *Transport Operations (Marine Safety) Act 1994*.

**stormwater drain** has the meaning given in the *Local Government Act 2009*.

**structure** has the meaning given in the *Local Government Act 2009*.

**swimming pool** has the meaning given in the *Building Act 1975*.

**unregistered**, for a vehicle that is required to be registered under the *Transport Operations (Road Use Management – Vehicle Registration) Regulation 1999*, means that the vehicle is not a registered vehicle.

**utility installation** means—

- (a) the supply of water, hydraulic power, electricity or gas; or
- (b) the provision of sewerage or drainage services; or
- (c) the provision of telecommunications services.

**utility maintenance** means the maintenance of—

- (a) water, hydraulic power, electricity or gas services; or
- (b) sewerage or drainage services; or
- (c) telecommunications services.

**vehicle** has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

**waste** has the meaning given in the *Environmental Protection Act 1994*.

**water supply system** has the meaning given in the *Standard Plumbing and Drainage Regulation 2003*.

## Endnotes

### 1 Date to which amendments incorporated

This consolidated version includes all amendments that commenced operation on or before [INSERT DATE].

### 2 Table of consolidated versions

Consolidated Version No.	Amendments included	Effective	Notes
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### 3 List of amending local laws

date notified in the gazette [INSERT DATE]  
commenced on date of notification

### 4 List of annotations

**(Note: The Endnotes will be drafted once the Amending Local Law has been adopted and gazetted).**



# **Charters Towers Regional Council**

## **Subordinate Local Law No. 5 (Parking) 2011**

### **CONSOLIDATED VERSION NO. 1**

As in force on [INSERT DATE]

Adopted by Charters Towers Regional Council on [INSERT] pursuant to section 32 of the *Local Government Act 2009*

# Subordinate Local Law No. 5 (Parking) 2011

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## Part 1 Preliminary

### 1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 5 (Parking) 2011*.

### 2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 5 (Parking) 2011*, which provides for the exercise of local government powers authorised under the TORUM Act.
- (2) The purpose is to be achieved by providing for—
  - (a) the establishment of traffic areas and off-street regulated parking areas; and
  - (b) the persons that may be issued with a parking permit; and
  - (c) the vehicles that may be issued with a commercial vehicle identification label; and
  - (d) the infringement notice penalty amounts for minor traffic offences.

### 3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 5 (Parking) 2011* (the **authorising local law**).

### 4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 4 defines particular words used in this subordinate local law.

## Part 2 Declaration of parking areas for the TORUM Act

### 5 Declaration of traffic areas—Authorising local law, s 5

- (1) For section 5(1) of the authorising local law, the whole local government area is declared to be a traffic area.
- (2) For section 5(2) of the authorising local law, the boundaries of each traffic area are indicated by bold lines circumscribing the hatched areas on the map in schedule 1.

**6 Declaration of off-street regulated parking areas—Authorising local law, s 6**

- (1) For section 6(1) of the authorising local law, each area of land indicated by hatching in the map in schedule 2 is declared to be an off-street regulated parking area.
- (2) For section 6(2) of the authorising local law, the boundaries of each off-street regulated parking area are indicated by bold lines circumscribing the hatched areas on the map in schedule 2.

**Part 3 Parking contrary to parking restriction****7 Parking permits issued by local government—Authorising local law, s 7(2)**

- (1) For section 7(2) of the authorising local law, the following persons may be issued with a parking permit mentioned in section 7(1) of the authorising local law—

**Temporary Parking Permit**

- (a) the applicant is engaged in some temporary activity affecting premises immediately adjacent to the designated parking space or spaces to which the application relates; or
- (b) the applicant has been granted approval under another local law for a temporary entertainment event, where the permit is necessary for the purposes of holding the temporary entertainment event; or
- (c) the applicant has been granted approval under another local law for the commercial use of a local government controlled area, where the permit is necessary to undertake this commercial use;

**Works Zone Parking Permit**

- (d) the part of the road to which the application relates is adjacent to a site at which the person is proposing to undertake building or construction work.

**8 Commercial vehicle identification labels—Authorising local law, s 8(2)**

- (1) For section 8(2) of the authorising local law, the following vehicles may be issued with a commercial vehicle identification label mentioned in section 8(1) of the authorising local law and described in the definitions section of this subordinate local law—
- (2) A vehicle may be issued with a commercial vehicle identification label if the vehicle—
  - (a) is used for carrying on a business that requires the regular use of loading zones.

## Part 4                      **Minor traffic offence infringement notice penalties**

### **9      Infringement notice penalty amounts—Authorising local law, s 9**

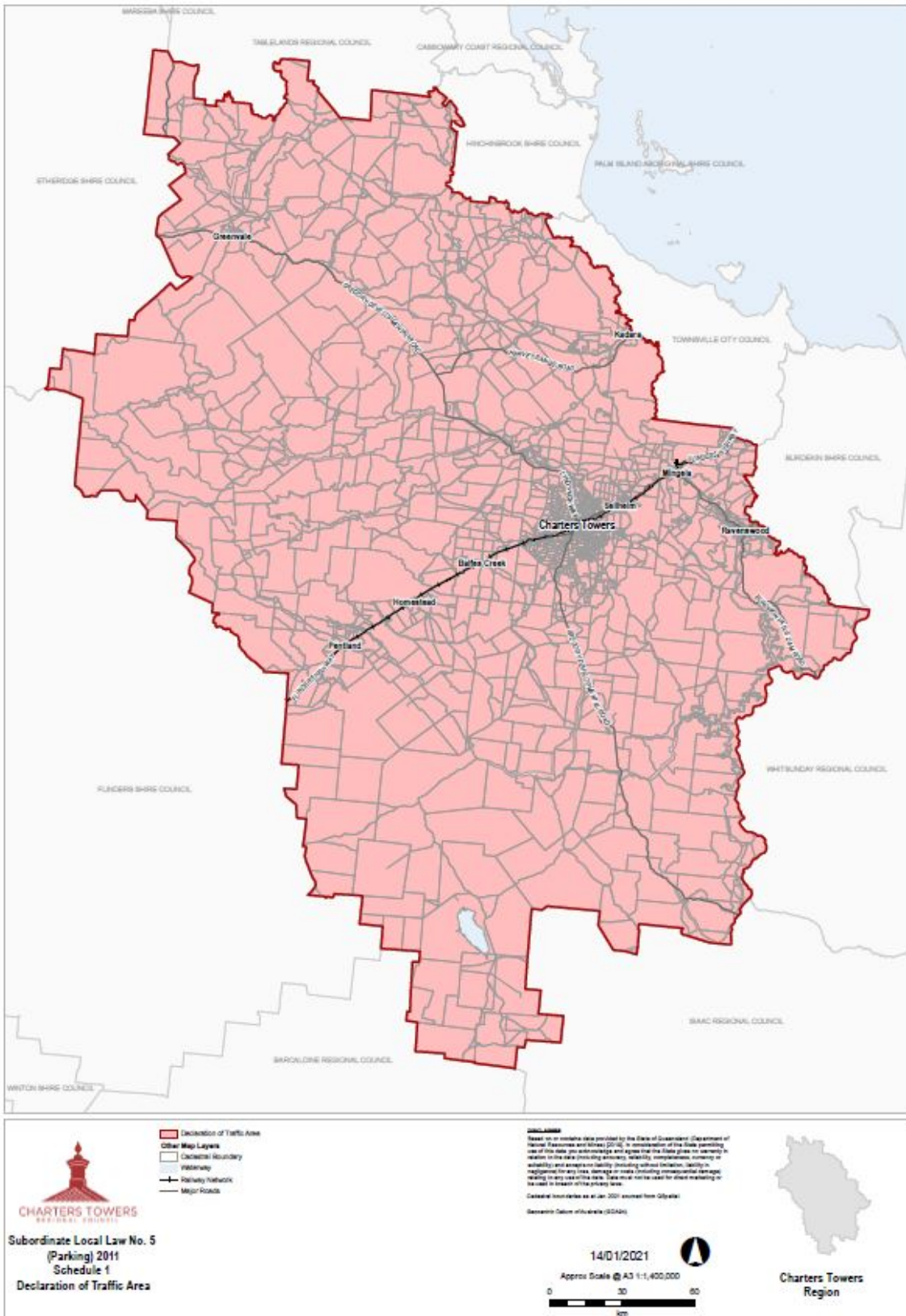
For section 9 of the authorising local law, the infringement notice penalty amount<sup>1</sup> for an offence mentioned in column 1 of schedule 3 is the corresponding amount stated in column 2 of schedule 3.

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<sup>1</sup> See section 5 of the *Penalties and Sentences Act 1992*. The value of a penalty unit is, for a local law, or an infringement notice under the *State Penalties Enforcement Act 1999* for an offence against a local law—the amount, not more than \$100.00, prescribed under a regulation. See section 2A of the *Penalties and Sentences Regulation 2005*. The value of the penalty unit for a local law made by a local government mentioned in schedule 2 of the Regulation, or an infringement notice under the *State Penalties Enforcement Act 1999* for an offence against a local law made by a local government mentioned in schedule 2 of the Regulation is \$75.00. The value of a penalty unit for a local law made by a local government not mentioned in schedule 2 of the Regulation, or an infringement notice under the *State Penalties Enforcement Act 1999* for an offence against a local law made by a local government not mentioned in schedule 2 of the Regulation, is \$100.00.

# Schedule 1 Declaration of traffic area

## Section 5



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# Schedule 2 Declaration of off-street regulated parking areas

## Section 6





**CHARTERS TOWERS**  
REGIONAL COUNCIL

Subordinate Local Law No. 5  
(Parking) 2011  
Schedule 2  
Declaration of Off-street  
Regulated Parking Areas

**Legend**

- Off-street Regulated Parking Areas
- Other Map Layers
- Cadastral Boundary
- Roads

DISCLAIMER

Based on or contains data provided by the State of Queensland (Department of Urban Resources and Works (DUROW)) in recognition of the State's ownership of this data you acknowledge and agree that the State does not warrant or liability, and accepts no liability, including without limitation, liability in negligence for any loss, damage or costs (including consequential damage) relating to any use of this data. Data error or omissions cannot be held responsible for or result in breach of the privacy laws.

Cadastral boundaries as at Jan 2021 sourced from Qldstate.  
Demographic Data of Queensland (DGAQ)

14/01/2021

Approx Scale @ A3 1:1,000

0 0.025 0.05 km




Charters Towers

### Schedule 3      Infringement notice penalty amounts for certain minor traffic offences

## Section 9

Column 1		Column 2
<i>Transport Operations (Road Use Management) Act 1995 provision</i>	Minor Traffic Offence	Infringement notice penalty amount
106(1)(a)(i)	Parking a vehicle in a designated parking space unless a parking meter or parkatarea installed for the space indicates that the parking fee has been paid	0.5 penalty units
106(1)(a)(ii)	Parking a vehicle in a designated parking space unless the person has done what is required by an authorised system that applies in relation to the space	0.5 penalty units
106(1)(b)	Parking a vehicle in a designated parking space for a time longer than the maximum time indicated on the official traffic sign installed for the space	0.5 penalty units
106(1)(c)	Parking a vehicle in a designated parking space if another vehicle is parked in the space	0.5 penalty units
106(1)(d)	Parking a vehicle in a designated parking space so that the vehicle is not wholly within the space	0.5 penalty units

Column 1		Column 2
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	Minor Traffic Offence	Infringement notice penalty amount
167	Stopping on a length of road or in an area to which a no stopping sign applies	0.5 penalty units
169	Stopping at the side of a road marked with a continuous yellow edge line	0.5 penalty units



<b>Column 1</b>		<b>Column 2</b>
<b><i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i></b>	<b>Minor Traffic Offence</b>	<b>Infringement notice penalty amount</b>
170(1)	Stopping in an intersection	0.5 penalty units
170(2)	Stopping within 20m of an intersection with traffic lights unless permitted by a sign	0.5 penalty units
170(4)(a)	Stopping within 10m of an intersection without traffic lights unless permitted by a sign	0.5 penalty units
172(1)	Stopping within 20m before a pedestrian crossing that is not at an intersection otherwise than as permitted by a sign	0.5 penalty units
172(1)	Stopping within 10m after a pedestrian crossing that is not at an intersection otherwise than as permitted by a sign	0.5 penalty units
176(1)	Stopping on a road contrary to a clearway sign	0.5 penalty units
179(1)	Stopping an unauthorised vehicle in a loading zone	0.5 penalty units
179(2)(a)	Authorised driver stopping in a loading zone for longer than 30 mins	0.5 penalty units
179(2)(b)	Authorised driver stopping in a loading zone for longer than permitted by a sign	0.5 penalty units
181	Unauthorised driver stopping in a works zone	0.5 penalty units
182(1)	Stopping an unauthorised vehicle in a taxi zone	0.5 penalty units
183(1)	Stopping an unauthorised vehicle in a bus zone	0.5 penalty units

<b>Column 1</b>		<b>Column 2</b>
<b><i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i></b>	<b>Minor Traffic Offence</b>	<b>Infringement notice penalty amount</b>
183(1)	Stopping a bus in a bus zone contrary to a bus zone sign	0.5 penalty units
185(1)	Stopping an unauthorised vehicle in a permit zone	0.5 penalty units
186(1)	Stopping in a mail zone	0.5 penalty units
189(1)(a)	Stopping on a two way road between the centre of the road and another vehicle parked at the side of the road	0.5 penalty units
191	Stopping on a road so as to obstruct traffic	0.5 penalty units
195(1)	Stopping within 20m before a bus stop unless permitted by a sign	0.5 penalty units
195(1)	Stopping within 10m after a bus stop unless permitted by a sign	0.5 penalty units
197(1)	Stopping on a bicycle path, footpath, shared path or dividing strip or a nature strip adjacent to a length of road in a built-up area unless permitted by a sign	0.5 penalty units
198(2)	Stopping on or across a driveway unless dropping off or picking up, passengers	0.5 penalty units
199	Stopping near a postbox	0.5 penalty units
202	Stopping contrary to a motorbike parking sign	0.5 penalty units
203(1)	Stopping contrary to a people with disabilities parking sign	1 penalty unit
205(1)(a)	Parking for longer than the period indicated on a permissive parking sign	0.5 penalty units

<b>Column 1</b>		<b>Column 2</b>
<b><i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i></b>	<b>Minor Traffic Offence</b>	<b>Infringement notice penalty amount</b>
208(1)	Parking on a two way road other than parallel and as near as practicable to the far left side of the road	0.5 penalty units
208(1)	Parking on a one way road other than to the far left or far right of the road unless permitted by a sign	0.5 penalty units
208(1)	Parking within 3m of a continuous dividing line or dividing strip unless permitted by a sign.	0.5 penalty units
210(1)	Angle parking - failing to properly position the vehicle.	0.5 penalty units
211(2)	Parking otherwise than completely within the confines of a parking bay	0.5 penalty units
Part 12	Other parking offences provided for in Part 12 (Restrictions on stopping and parking)	0.5 penalty units

## Schedule 4      Dictionary

### Section 4

*local government works parking permit* see section 7(5).

*temporary parking permit* see section 7(2).

*works zone parking permit* see section 7(4).

## Endnotes

### 1 Date to which amendments incorporated

This consolidated version includes all amendments that commenced operation on or before [INSERT DATE].

### 2 Table of consolidated versions

Consolidated Version No.	Amendments included	Effective	Notes
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### 3 List of amending local laws

date notified in the gazette [INSERT DATE]  
commenced on date of notification

### 4 List of annotations

**(Note: The Endnotes will be drafted once the Amending Local Law has been adopted and gazetted).**

# **Charters Towers Regional Council**

**Repealing Local Law No. 1 (Miscellaneous  
Local Laws) 2021**

# Repealing Local Law No. 1 (Miscellaneous Local Laws) 2021

## Summary of Provisions

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## **Part 1 Preliminary**

### **1 Short title**

This local law may be cited as *Repealing Local Law No. 1 (Miscellaneous Local Laws) 2021*.

### **2 Object**

The object of this local law is to repeal the following local laws—  
*Local Law No 1 (Meetings) 2008*; and  
*Local Law (Gates and Grids) 1995*.

### **3 Commencement**

This local law commences on the date that notification of making the Repealing Local Law No. 1 (Miscellaneous Local Laws) 2021 published in the gazette.

## **Part 2 Repeal of Miscellaneous Local Laws**

### **4 Local laws repealed**

This part repeals the following local laws on the date of commencement of this local law—

*Local Law No 1 (Meetings) 2008*;

*Local Law (Gates and Grids) 1995*.

## **Part 3 Expiry**

### **5 Expiry**

This local law expires on the day after the commencement of this local law.



## Charters Towers Regional Council

### Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2021

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## **Part 1 Preliminary**

### **1 Short Title**

This local law may be cited as *Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2021*.

### **2 Subordinate Local Law amended**

This subordinate local law is made pursuant to –

- (a) for part 2, *Local Law No. 2 (Animal Management) 2011*;
- (b) for part 3, *Local Law No. 3 (Community and Environmental Management) 2011*;
- (c) for part 4, *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011*; and
- (d) for part 5, *Local Law No. 5 (Parking) 2011*.

### **3 Commencement**

This local law commences upon publication of the notice of *Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2021* in the Gazette.

## **Part 2 Amendment of Subordinate Local Law No. 2 (Animal Management) 2011**

### **4 Local law amended**

This part amends *Subordinate Local Law No. 2 (Animal Management) 2011*.

### **5 Replacement of s9 (Identification for dogs in certain circumstances – Authorising local law, s 9)**

Section 9 –  
*omit, insert –*

**6 Identification for dogs in certain circumstances – Authorising local law, s9**

For section 9 of the authorising local law, the identification required for a dog is a tag for the collar of a dog.

**7 Amendment of s17 (Animals that may be disposed of without auction or tender – Authorising local law, s31(1)(b))**

- (1) Section 17 (1)(a) – ‘a buffalo’  
*omit*
- (2) Section 17 (1)(b) – ‘a camel’  
*omit*
- (3) Section 17 (1)(d) – ‘a cow or bull’  
*omit*
- (4) Section 17 (1)(f) – ‘a donkey’  
*omit*
- (5) Section 17 (1)(h) – ‘a horse’  
*omit*
- (6) Section 17 (1)(c) to (e), (g) and (i) to (k)–  
*renumber* as section 17 (1)(a) to (f)

**8 Amendment of schedule 1 (Prohibition on keeping animals)**

- (1) Section 1 (Column 2) – ‘city and environs area’  
*omit, insert –*  
city area
- (2) Section 2 (Column 2) – ‘4’  
*omit, insert –*  
3

- (3) Section 3 (Column 2) – from ‘an animal’ to ‘applies’  
*omit, insert –*  
a horse (including a racehorse), mule, ass, donkey, cow, bull, buffalo or camel
- (4) Section 4 (Column 2) – from ‘an animal’ to ‘applies’  
*omit, insert –*  
a sheep, goat, alpaca, llama, ostrich or emu
- (5) Section 6 (Column 2 (a)) – from ‘to’ to ‘applies’  
*omit*
- (6) Section 6 (Column 2 (b)) – from ‘to’ to ‘applies’  
*omit*

## **9 Amendment of schedule 1 (Prohibition on keeping animals)**

Below table – all the words from ‘a prohibition’

*omit*

## **10 Amendment of schedule 2 (Requirement for approval to keep animal)**

- (1) Section 1 (Column 2) – before ‘3 dogs’  
*insert –*  
(a)
- (2) Section 1 (Column 2) – ‘city and environs area’  
*omit, insert –*  
city area
- (3) Section 1 (Column 2) – after ‘(a) 3 dogs over the age of 3 months on an allotment in the city area or a designated town area’  
*insert –*  
(b) Any of the following breeds anywhere in an allotment in the city area with an area less than 4,000m<sup>2</sup>: Maremano-Abruzzese Sheepdog
- (4) Section 2 (Column 2) – ‘4’  
*omit, insert –*  
3

- 
- (5) Section 3 (Column 2 (a)) – before ‘2 animals’  
*insert –*  
more than
- (6) Section 3 (Column 2 (a)) – from ‘to’ to ‘applies’  
*omit*
- (7) Section 3 (Column 2) – (b)  
*omit*
- (8) Section 4 (Column 2 (a)) – from ‘to’ to ‘applies’  
*omit*
- (9) Section 4 (Column 2) – (b)  
*omit*
- (10) Section 5 (Column 2) – before ‘1 bird’  
*insert –*  
more than
- (11) Section 5 (Column 2) – from ‘to’ to ‘applies’  
*omit*
- (12) Section 6 (Column 2) – from ‘to’ to ‘applies’  
*omit*

**11 Amendment of schedule 4 (Minimum standards for keeping animals generally)**

- (1) Section (d) – after ‘maintained’  
*insert –*  
to the satisfaction of an authorised person
- (2) Section (i) –  
*omit*

**12 Amendment of schedule 5 (Minimum standards for keeping particular animals)**

- (1) Section 5 (Column 1) – after ‘poultry including’  
*insert –*  
chicken
- (2) Section 5 (Column 2) – (b)  
*omit*
- (3) Section 5 (Column 2) – (c)  
*omit*
- (4) Section 5 (Column 2) – (d) to (f)  
*renumber* as (b) to (d)
- (5) Section 5 (Column 2) – (g)  
*omit*
- (6) Section 5 (Column 2) – (h)  
*renumber* as (e)

**13 Amendment of schedule 6 (Prohibition of animals in public places)**

- (1) Section 2 (Column 1) – ‘Hodgkinson’  
*omit, insert –*  
Jackson
- (2) Section 3 (Column 1 (a)) – after ‘Charters Towers’  
*insert –*  
(L219/DV475)
- (3) Section 3 (Column 1 (c)) – ‘(L61-62/CT18241)’  
*omit, insert –*  
(L61-62/SP250466)
- (4) Section 3 (Column 1) – (g)  
*omit, insert –*  
(g) Pan Australian Mining Pty Park (L1/DV840972)

- (5) Section 3 (Column 1 (j)) – ‘(L104/DV323)’  
*omit, insert –*  
(L216/DV6)
- (6) Section 3 (Column 1 (k)) – ‘(L/233/CT18251)’  
*omit, insert –*  
(L233/SP300390)

**14 Amendment of schedule 7 (Dog off-leash areas)**

Section 11 –  
*omit, insert –*  
Lissner Park, Mary Street, Charters Towers (L230/DV444)

**15 Amendment of schedule 9 (Requirements for keeping a dog in a koala area)**

Section 14(1) –  
*omit, insert –*  
This schedule has been intentionally left blank

**16 Amendment of schedule 10 (Koala areas)**

Section 14(2) –  
*omit, insert –*  
This schedule has been intentionally left blank

**17 Amendment of schedule 11 (Criteria for declared dangerous animals)**

Section 15 –  
*omit, insert –*  
The criteria for making a dangerous animal declaration are that the animal –

- (a) has attacked, or acted in a way that caused fear to, a personal or another animal; or



- (b) may, in the opinion of an authorised person having regard to the way the animal has behaved towards a person or another animal, attack, or act in a way that causes fear to, the person or animal.

## 18 Amendment of schedule 12 (Conditions for sale of animals)

Section 19 –

*omit, insert –*

	<b>Column 1 Species or breed of animal</b>	<b>Column 2 Conditions that must be complied with when offering animal for sale</b>
1	Cat	<p>(1) The cat is to be desexed unless the circumstances in paragraph (2) apply.</p> <p>(2) The circumstances for the purposes of paragraph (1) are —</p> <p>(a) The purchaser holds a signed veterinary surgeon’s certificate for the cat stating that desexing is likely to be a serious risk to the health of the animal; or</p> <p>(b) The animal is under 16 weeks of age and the purchaser provides the supplier with a veterinary surgeon’s voucher to the equivalent monetary value of the full cost of desexing the animal upon the desexing age.</p>

## 19 Amendment of schedule 15 (Dictionary)

- (1) Schedule 15 – definition *bathing reserve*—  
*omit*
- (2) Schedule 15 – definition *building*—  
*omit*

- (3) Schedule 15 – definition *destroy*—  
*omit*
- (4) Schedule 15 – definition *domestic purposes* —  
*omit*
- (5) Schedule 15 – definition *foreshore*—  
*omit*
- (6) Schedule 15 – definition *land*—  
*omit*
- (7) Schedule 15 – definition *bathing reserve*—  
*omit*
- (8) Schedule 15 – from ‘this’ to ‘Chief Executive Officer’  
*omit*

### **Part 3                   Amendment of Subordinate Local Law No. 3 (Community and Environmental Management) 2011**

#### **20           Local law amended**

This part amends *Subordinate Local Law No. 3 (Community and Environmental Management) 2011*.

#### **21           Amendment of section 8 (Prohibition on lighting or maintaining fires — Authorising Local Law, s 15(2))**

- (1)           Section 8(1), footnote 1— ‘Rescue’  
  
*Omit, insert*  
  
Emergency
- (2)           Section 8(1), footnote 1— ‘Fire and Rescue Service Act 2004’  
  
*Omit, insert*

## Fire and Emergency Services Act 1990

**22 Amendment of section 10 (Community safety hazards – Authorising local laws, s 17 (c))**

- (3) Section 10 – all words before ‘a dead animal on premises which’  
*omit, insert –*
- For section 17(c) of the authorising local law, the following are declared to be community safety hazards –
- (a) Wells (including disused wells); and
- (b) A tree or other vegetation that –
- i. is located on land adjoining a local government- controlled area or road; and
  - ii. poses a risk of causing injury to a person using the area or road or damage to property located on the area or road.
- (4) Section 10 – after ‘a dead animal on premises which’  
*insert –*
- is not buried to a depth of at least 1m, or
- (5) Section 10 – all words after ‘a negative impact on the amenity of the surrounding area’  
*omit*

**23 Amendment of schedule 7 (Dictionary)**

- (1) Schedule 7 – definition *plant* –  
*omit*
- (2) Schedule 7 – from ‘this’ to ‘Chief Executive Officer’ –  
*omit*

## **Part 4      Amendment of Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2011**

### **24      Local law amended**

This part amends *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011*.

### **25      Amendment of schedule 1 (Prohibited activities for local government-controlled areas or roads)**

- (1)      Section 1 (Column 1) – after ‘all local government controlled areas’  
*insert –*  
and roads
- (2)      Section 1 (Column 2) – (a)  
*omit*
- (3)      Section 1 (Column 2) – (b)  
*renumber as (a)*
- (4)      Section 1 (Column 2) – after (a)  
*insert –*
  - (b)      Interfering with any tree, shrub or plant or any turf, sand, clay, soil or other material.
- (5)      Section 1 (Column 2) – after (c)  
*omit, insert –*

Injuring, misusing, defacing, marking or otherwise damaging a building, structure, notice, sign, equipment or property owned, operated or maintained by the local government in a local government controlled area or road.
- (6)      Section 1 (Column 2(f)) – after ‘local government controlled area’  
*insert –*  
or road
- (7)      Section 1 (Column 2) – (g)  
*omit*

- 
- (8) Section 2 (Column 2) – (d) to (f)  
*omit*
- (9) Section 2 (Column 2) – after (c)  
*omit, insert –*  
Carry out domestic tasks, including ablutions, cooking, and washing.
- (10) Section 3 (Column 2) – (b) to (d)  
*omit*
- (11) Section 3 (Column 2) – (e)  
*renumber as (b)*
- (12) Section 3 (Column 2) – (f)  
*omit*
- (13) Section 3 (Column 2) – (g)  
*renumber as (c)*
- (14) Section 3 (Column 2) – (h) to (j)  
*omit*
- (15) Section 3 (Column 2) – (k)  
*renumber as (d)*
- (16) Section 3 (Column 2) – (l) to (m)  
*omit*
- (17) Section 4 (Column 2(c)) – from ‘throwing’ to ‘missile’  
*omit, insert –*  
Leaving an object in a park or reserve that could create a hazard. *For example, placing, throwing or leaving rocks or other hard objects on grassed areas that are mown by local government employees.*
- (18) Section 4 (Column 2) – (d)  
*omit*
- (19) Section 4 (Column 2) – (e)  
*renumber as (d)*

- 
- (20) Section 4 (Column 2) – (f) to (k)  
*omit*
- (21) Section 4 (Column 2) – (q)  
*omit*
- (22) Section 4 (Column 2) – (l), (m), (n), (o), (p) and (r)  
*renumber* as (e), (f), (g), (h), (i), and (j)
- (23) Section 5 (Column 2) – (d)  
*omit*
- (24) Section 5 (Column 2) – (e)  
*renumber* as (d)
- (25) Section 5 (Column 2) – (f) to (h)  
*omit*
- (26) Section 5 (Column 2(d)) – after ‘another person’  
*insert* –
- (a) use hand washing facilities for purposes other than their intended use;
  - (b) park a caravan or erect in a tent in a place that is not allotted by caravan park manager;
  - (c) lay down floor covering on the ground surface.
- (27) Section 6 (Column 2) – (j)  
*omit*
- (28) Section 6 (Column 2) – (k), (l) and (m)  
*renumber* as (j), (k) and (l)
- (29) Section 6 (Column 2) – after ‘(l)’  
*omit, insert* –
- Anchoring, mooring or placing a ship in the water around a boat ramp or a landing in a way that obstructs other users of the boat ramp or landing.
- (30) Section 7 (Column 2) – (b)  
*omit*
- (31) Section 7 (Column 2) – (c) and (d)  
*renumber* as (b) and (c)

- 
- (32) Section 7 (Column 2) – (e)  
*omit*
- (33) Section 7 (Column 2) – (f), (g), (h), (i) and (j)  
*renumber* as (d), (e), (f), (g) and (h)
- (34) Section 7 (Column 2(d)) – from ‘part’ to ‘swimming pool’  
*omit, insert* –  
building of area
- (35) Section 7 (Column 2) – (k)  
*omit*
- (36) Section 7 (Column 2) – (m)  
*Omit*
- (37) Section 7 (Column 2) – (n)  
*omit*
- (38) Section 7 (Column 2) – (l) and (o)  
*renumber* as (i) and (j)
- (39) Section 7 (Column 2 (j)) – after ‘children’  
*omit, insert* –  
that is at least 16 years of age.
- (40) Section 8 (Column 2 (c)) – ‘insanitary’  
*omit, insert* –  
unsanitary
- (41) Section 8 (Column 2) – (d)  
*omit*
- (42) Section 8 (Column 2) – (e)  
*renumber* as (d)
- (43) Section 8 (Column 2) – (f) and (g)  
*omit*
- (44) Section 9 (Column 2 (c)) – ‘insanitary’  
*omit, insert* –  
unsanitary

(45) Section 9 (Column 2) – (d) to (h)

*omit*

(46) Section 9 (Column 2) – (i)

*renumber* as (d)

(47) Section 9 (Column 2) – (j)

*omit*

(48) Section 10 (Column 2) – (b)

*omit*

**26 Amendment of schedule 2 (Restricted activities for local government-controlled areas or roads)**

(1) Section 1 (Column 1) – from ‘within’ to ‘area’

*omit, insert* –

and roads.

(2) Section 1 (Column 2) – ‘busking’

*omit, insert* –

(a) A person must not camp, sleep, occupy or remain overnight on any local government controlled area or road;

(b) Repairing of vehicles on a road.

(3) Section 1 (Column 3) – from ‘permitted’ to ‘activity’

*omit, insert* –

(a) The activity is permitted if –

(i) Authorised by a sign exhibited in the local government area; or

(ii) Authorised by an authorised person; or

(iii) Authorised under the conditions of an approval for a prescribed activity.

(b) The activity is permitted if –

(i) The vehicle is temporarily disabled with minor fault; and

(ii) The driver of the vehicle stops for no longer than is necessary for the performance of maintenance work



limited to the minimum necessary to allow the vehicle to be moved from the road.

- (4) Section 2 (Column 1, Column 2 and Column 3) –  
*omit*
- (5) Section 3 –  
*renumber as ‘2’*
- (6) Section 2 (Column 2) – (a) to (g)  
*omit*
- (7) Section 2 (Column 3) – (a) to (g)  
*omit*
- (8) Section 2 (Column 2) – ‘(h)’  
*omit*
- (9) Section 2 (Column 3) – ‘(h)’  
*renumber as (a)*
- (10) Section 2 (Column 3 (a)) – from ‘(a)’ to ‘to’  
*omit, insert –*  
The activity is permitted only
- (11) Section 4 –  
*renumber as ‘3’*
- (12) Section 3 (Column 2) – (a) to (d)  
*omit*
- (13) Section 3 (Column 3) – (a) to (d)  
*omit*
- (14) Section 3 (Column 2) – ‘(e)’  
*omit*
- (15) Section 3 (Column 3) – (e)  
*renumber as (a)*
- (16) Section 3 (Column 3 (a)) – ‘(a)’ to ‘local government’  
*omit, insert –*

The activity is permitted if the written authorisation of the chief executive officer of the local government is obtained.

- 
- (17) Section 3 (Column 2) – (f)  
*omit*
- (18) Section 3 (Column 3) – (f)  
*omit*
- (19) Section 5 –  
*renumber as ‘4’*
- (20) Section 4 –  
*omit*
- (21) Section 6 –  
*renumber as ‘4’*
- (22) Section 4 (Column 2) – (a)  
*omit*
- (23) Section 4 (Column 3) – (a)  
*omit*
- (24) Section 4 (Column 2) – (b)  
*renumber as (a)*
- (25) Section 4 (Column 3) – (b)  
*renumber as (a)*
- (26) Section 4 (Column 3 (a)) – from ‘(a)’ to ‘possible’  
*omit, insert –*  
The activity is permitted if the person launching or retrieving the ship does so as quickly as is reasonably possible.
- (27) Section 4 (Column 2) – (c)  
*omit*
- (28) Section 4 (Column 3) – (c)  
*omit*
- (29) Section 4 (Column 2) – (d)  
*renumber as (b)*
- (30) Section 4 (Column 3) – (d)  
*renumber as (b)*

- (31) Section 4 (Column 3 (b)) – from ‘(b)’ to ‘landing’  
*omit, insert –*  
The activity is permitted if the carrying out of rigging does not, or is not likely to, impede access to the boat ramp or landing.
- (32) Section 4 (Column 2) – (e)  
*renumber as (c)*
- (33) Section 4 (Column 3) – (e)  
*renumber as (c)*
- (34) Section 4 (Column 3 (c)) – from ‘(c)’ to ‘the greater mass’  
*omit, insert –*  
Driving a vehicle on a boat ramp is permitted if:
- (a) the driving of the vehicle on a boat ramp is to launch or retrieve a ship from the boat ramp; or
  - (b) a sign erected by the local government permits the vehicle to drive on the landing for another purpose; and
  - (c) the vehicle moves on wheels fitted with pneumatic or rubber tyres; and
  - (d) the mass of the vehicle and its load (if any), together with any trailer that the vehicle is towing and its load (if any), is not more than –
    - (i) 5 tonnes; or
    - (ii) if the local government erects a sign displaying a greater mass – the greater mass.
- (35) Section 4 (Column 2) – (f)  
*omit*
- (36) Section 4 (Column 3) – (f)  
*omit*
- (37) Section 4 (Column 2) – (g)  
*omit*
- (38) Section 4 (Column 3) – (g)  
*omit*
- (39) Section 7 –  
*renumber as ‘5’*

- (40) Section 5 – (Column 2) – (a)  
*omit*
- (41) Section 5 – (Column 3) – (a)  
*omit*
- (42) Section 5 – (Column 2) – ‘(b)’  
*omit*
- (43) Section 5 – (Column 3(b)) – from ‘(b)’ to ‘person’  
*omit, insert –*  
The activity is permitted if the written authorisation of an authorised person is obtained.
- (44) Section 8 –  
*renumber as ‘6’*
- (45) Section 6 – (Column 2) – (a)  
*omit*
- (46) Section 6 – (Column 3) – (a)  
*omit*
- (47) Section 6 – (Column 2) – (b)  
*renumber as ‘(a)’*
- (48) Section 6 – (Column 3(b)) – from ‘(b)’ to ‘if’  
*omit, insert –*  
The activity is permitted if
- (49) Section 6 – (Column 3) – (i) to (xii)  
*renumber as (a) to (l)*
- (50) Section 6 – (Column 3(f)) – ‘if’  
*omit*
- (51) Section 9 –  
*renumber as ‘7’*
- (52) Section 7 – (Column 2) – (a)  
*omit*
- (53) Section 7 – (Column 3) – (a)  
*omit*

- (54) Section 7 – (Column 2) – ‘(b)’  
*omit*
- (55) Section 7 – (Column 3(b)) – from ‘(b)’ to ‘if’  
*omit, insert –*  
The activity is permitted if
- (56) Section 7 – (Column 3(ii)) – ‘if’  
*omit*

**27 Replacement of schedule 3 (Motor vehicle access areas in local government controlled areas)**

Sections 6 and 7 –

*omit, insert –*

<b>Column 1</b> <b>Motor vehicle access areas</b>	<b>Column 2</b> <b>Prohibited vehicles</b>
Centenary Park, Hackett Terrace, Charters Towers (L61-62/SP250466)	<p>(a) A vehicle with a mass weight together with any trailer that the vehicle is towing and its load (if any), is more than –</p> <p>(i) 5 tonnes; or</p> <p>(ii) if the local government erects a sign displaying a greater mass – the greater mass.</p> <p>(b) A vehicle with more than 3 axles.</p>

**28 Replacement of schedule 4 (Opening hours for local government controlled areas)**

Section 8 –

*omit, insert –*

<b>Column 1</b>	<b>Column 2 Local government controlled area</b>	<b>Column 3 Opening hours</b>
1	Rotary Lookout, Fraser Street, Charters Towers (L12/DV840956)	6:00 am to 6:00 pm daily
2	Weir Park, Burdekin River (216/DV6)	7:00 am to 7:00 pm daily
3	Towers Hill, Towers Hill Road, Charters Towers (L35/DV276)	6:00 am to 8:30 pm daily

**29 Amendment of schedule 5 (Permanent closure of local government controlled areas)**

Section 9 –

*omit, insert –**This schedule has been intentionally left blank.***30 Amendment of schedule 6 (Identification of local government controlled areas)**

(1) Section 5 – (Boat ramps and landings) – after ‘Road’

*insert –*

(L206/DV6)

- 
- (2) Section 5 – (Local government swimming pools (1)) – after ‘Greenvale’  
*insert –*  
(L127/RP895225)
- (3) Section 5 – (Local government swimming pools (2)) – after ‘Charters Towers’  
*insert –*  
(L299/DV445)
- (4) Section 5 – (Local government swimming pools (3)) – after ‘Pentland’  
*insert –*  
(L1/MPH1677)
- (5) Section 5 – (Local government swimming pools (4)) – after ‘Ravenswood’  
*insert –*  
(L11/GS1095)
- (6) Section 5 – (Local government camping grounds (1)) – after ‘Highway’  
*insert –*  
(L24/ DV840973 and adjacent road reserve)
- (7) Section 5 – (Local government camping grounds (2)) – after ‘Sellheim’  
*insert –*  
(L26/BKN137)
- (8) Section 5 – (Local government camping grounds) – after (2)  
*insert –*  
3. Ravenswood Showgrounds, Ravenswood (L11/GS1095)
- (9) Section 5 – (Parks and reserves where camping, sleeping, occupying or remaining overnight is a prohibited activity (1)) – after ‘Charters Towers’  
*insert –*  
(L219/DV475)
- (10) Section 5 – (Parks and reserves where camping, sleeping, occupying or remaining overnight is a prohibited activity) – (2)  
*omit, insert –*  
2. Rotary Lookout, Fraser Street, Charters Towers (L12/DV840956)

- (11) Section 5 – (Parks and reserves where camping, sleeping, occupying or remaining overnight is a prohibited activity (3)) – ‘(L61-62/CT18241)’  
*omit, insert –*  
(L61-62/SP250466)
- (12) Section 5 - (Parks and reserves where camping, sleeping, occupying or remaining overnight is a prohibited activity) – (7)  
*omit*
- (13) (Parks and reserves where camping, sleeping, occupying or remaining overnight is a prohibited activity) – (8), (9) and (10)  
*renumber as (7), (8) and (9)*
- (14) (Parks and reserves where camping, sleeping, occupying or remaining overnight is a prohibited activity (9)) – ‘(L104/DV323)’  
*omit, insert –*  
(216/DV6)

### **31 Amendment of schedule 7 (Dictionary)**

- (1) Schedule 7 – definition *accommodation*—  
*omit*
- (2) Schedule 7 – definition *animal*—  
*omit*
- (3) Schedule 7 – definition *assistance dog*—  
*omit*
- (4) Schedule 7 – definition *authorized person*—  
*omit*
- (5) Schedule 7 – definition *bathing reserve*—  
*omit*
- (6) Schedule 7 – definition *building*—  
*omit*
- (7) Schedule 7 – definition *busking*—  
*omit*
- (8) Schedule 7 – definition *camping ground*—  
*omit*



- 
- (9) Schedule 7 – definition *caravan*—  
*omit*
- (10) Schedule 7 – definition *caravan park*—  
*omit*
- (11) Schedule 7 – definition *complementary accommodation*—  
*omit*
- (12) Schedule 7 – definition *emergency services officer*—  
*omit*
- (13) Schedule 7 – definition *goods*—  
*omit*
- (14) Schedule 7 – definition *guide dog*—  
*omit*
- (15) Schedule 7 – definition *handler*—  
*omit*
- (16) Schedule 7 – definition *hearing dog*—  
*omit*
- (17) Schedule 7 – definition *interfere*—  
*omit*
- (18) Schedule 7 – definition *local government camping ground*—  
*omit*
- (19) Schedule 7 – definition *local government caravan park*—  
*omit*
- (20) Schedule 7 – definition *local government cemetery*—  
*omit*
- (21) Schedule 7 – definition *local government employee*—  
*omit*
- (22) Schedule 7 – definition *local government office*—  
*omit*
- (23) Schedule 7 – definition *local government swimming pool*—  
*omit*

- (24) Schedule 7 – definition *memorial*—  
*omit*
- (25) Schedule 7 – definition *non-public place*—  
*omit*
- (26) Schedule 7 – definition *park*—  
*omit*
- (27) Schedule 7 – definition *public office*—  
*omit*
- (28) Schedule 7 – definition *public place*—  
*omit*
- (29) Schedule 7 – definition *reserve*—  
*omit*
- (30) Schedule 7 – definition *road*—  
*omit*
- (31) Schedule 7 – definition *sexton*—  
*omit*
- (32) Schedule 7 – definition *vegetation*—  
*omit*
- (33) Schedule 7 – from ‘this’ to ‘Chief Executive Officer’  
*omit*

## **Part 5      Amendment of Subordinate Local Law No. 5 (Local Government Controlled Areas, Facilities and Roads) 2011**

### **32      Local law amended**

This part amends *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011*.

**33 Amendment of section 5 (Declaration of traffic areas – Authorising local law, s5)**

Section (5)(1) – from ‘each’ to ‘schedule 1’

*omit, insert –*

the whole local government area

**34 Amendment of section 6 (Declaration of off-street regulated parking areas – Authorising local law, s6)**

Section (6)(2) –

*omit, insert –*

(2) For section 6(2) of the authorising local law, the boundaries of each off-street regulated parking area are indicated by bold lines circumscribing the hatched areas on the map on schedule 2.

**35 Replacement of section 7 (Parking permits issued by local government – Authorising local law, s7(2))**

Section 7 –

*omit, insert –*

For section 7(2) of the authorising local law, the following persons may be issues with a parking permit mentioned in section 7(1) of the authorising local law —

**Temporary Parking Permit**

- (a) the applicant is engaged in some temporary activity affecting premises immediately adjacent to the designated parking space or spaces to which the application relates; or
- (b) the applicant has been granted approval under another local law for a temporary entertainment event, where the permit is necessary for the purposes of holding the temporary entertainment event; or
- (c) the applicant has been granted approval under another local law for the commercial use of a local government controlled area, where the permit is necessary to undertake this commercial use;

**Works zone parking permit**

- (d) the part of the road to which the application relates is adjacent to a site at which the person is proposing to undertake building or construction work.

---

**36 Amendment of section 8 (Commercial vehicle identification labels – Authorising local law, s8(2))**

- (1) Section 8 (1) – from ‘this’ to ‘identification label’

*omit, insert –*

the following vehicles may be issued with a commercial vehicle identification label mentioned in section 8(1) of the authorising local law and described in the definitions section of this subordinate local law –

- (2) Section 8 (2)(a) – ‘and’

*omit*

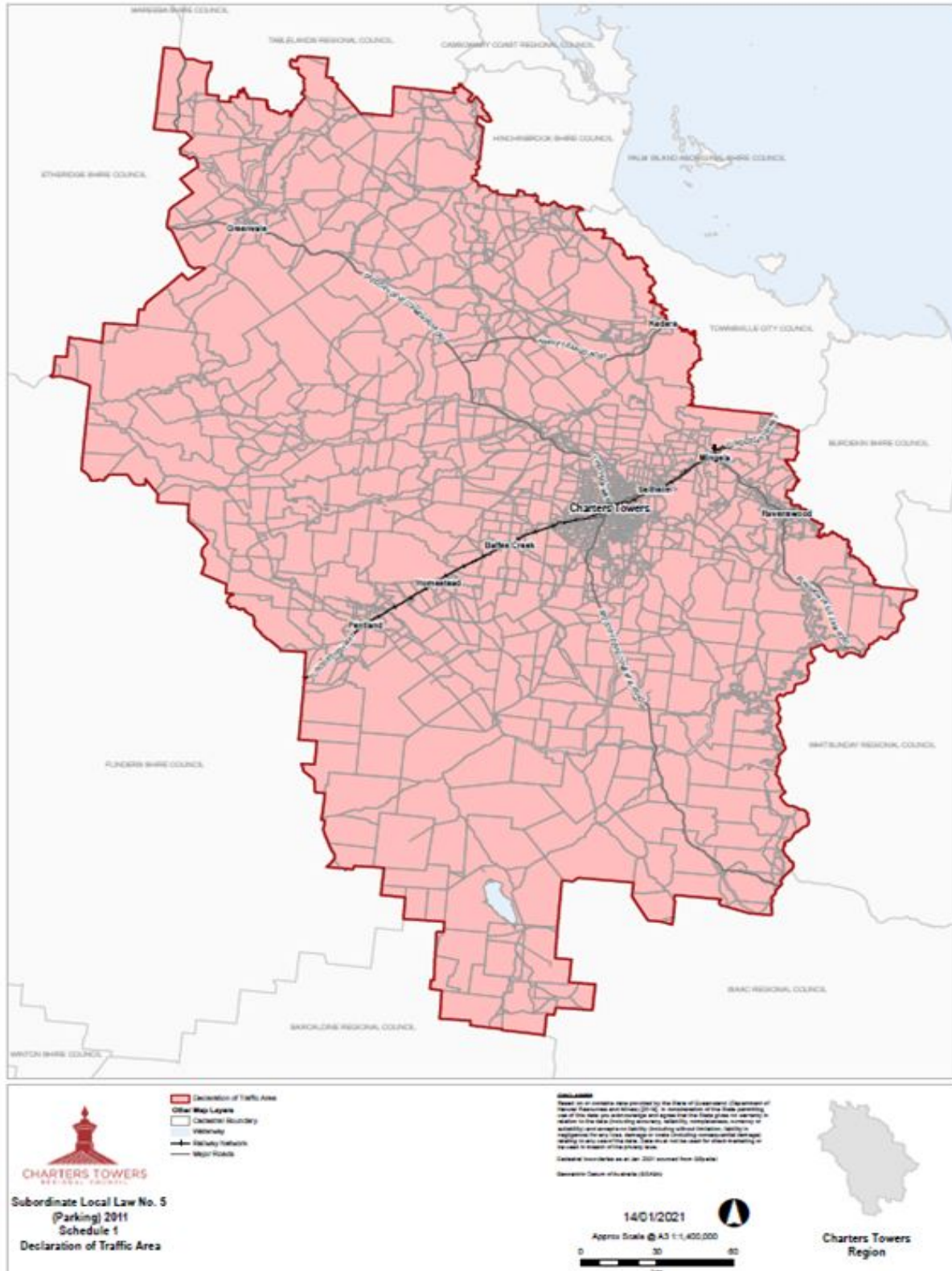
- (3) Section 8 (2) – all of the words from ‘zones’

*omit*

### 37 Replacement of schedule 1 (Declaration of traffic area)

Schedule 1 from 'no' to 'declared'

*omit, insert –*



**38 Replacement of schedule 2 (Declaration of off-street regulated parking areas)**

Section 5 – (1) and (2)

*omit, insert –*





**CHARTERS TOWERS**  
COUNCIL

Subordinate Local Law No. 5  
(Parking) 2011  
Schedule 2  
Declaration of Off-street  
Regulated Parking Areas

Off-street Regulated Parking Areas

Other Map Layers

Electoral boundary

Roads

**DISCLAIMER**

Based on information provided by the State of Queensland (Department of Transport and Main Roads (DTMR)), in recognition of the State permitting use of this data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability) in respect of any loss, damage or costs (including consequential damage) resulting in any way from the data. Use this data for other purposes or to build on the data is at your own risk.

Cartorial Information as at Jan 2021 sourced from QGIS.org

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**Charters Towers**

14/01/2021

Approx Scale @ A3 1:1,000

0 0.025 0.05 0.1 km



**39 Amendment of schedule 4 (Dictionary)**

Schedule 4 – from ‘this’ to ‘Chief Executive Officer’

*omit*

# **Charters Towers Regional Council**

## **Review of Anti-Competitive Provisions Proposed Local Laws 2021**



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# Anti-Competitive Provisions in proposed Local Laws 2021: Introduction

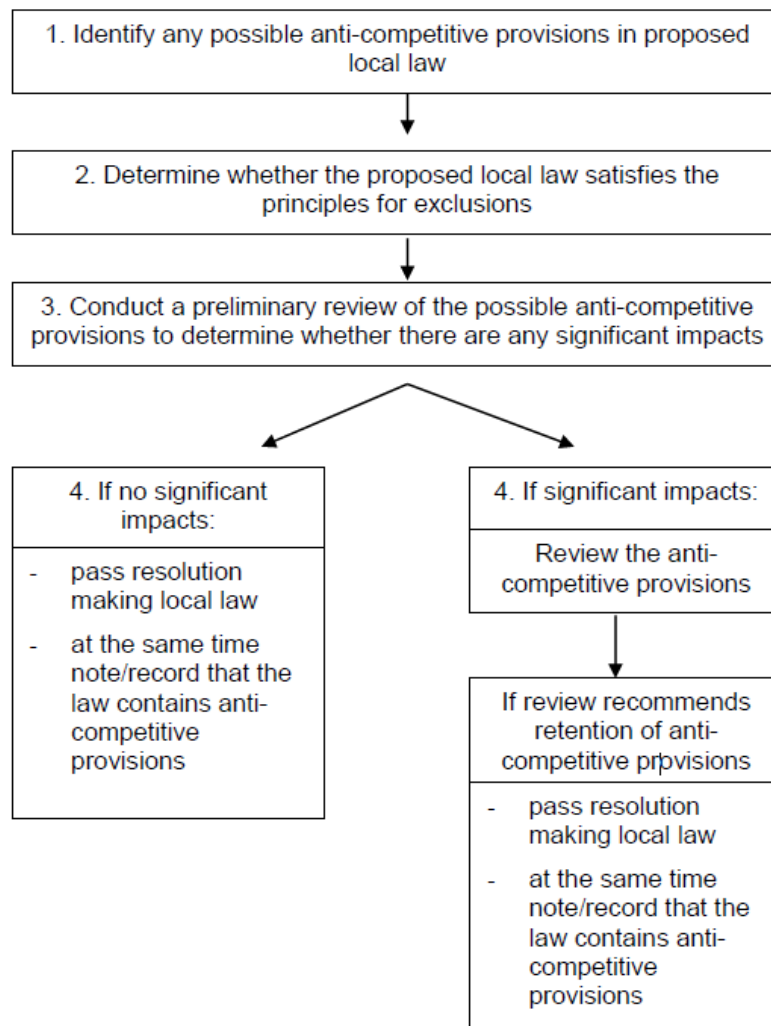
## Preliminary Assessment

Regulation 15 of the *Local Government Regulation 2012* (“Regulation”) requires Charters Towers Regional Council (“Council”) to undertake a review of its local laws regarding anti-competitive provisions in accordance with the “National Competition Policy – Guidelines for Conducting Reviews on Anti-Competitive Provisions in Local Laws – Version 1”, (“Guidelines”).

An anti-competitive provision in Local Laws (“anti-competitive provision”) means provision that a regulation identifies as creating barriers to –

- (a) Entry to a market; or
- (b) Competition within a market.<sup>1</sup>

The process for undertaking a review of anti-competitive provisions in a local law is set out in the Guidelines and shown below.



<sup>1</sup> *Local Government Act 2009* (Qld), Schedule 4 – Dictionary

## Step 1 – Identification of Anti-Competitive Provisions

### Barriers to Entering the Market

This type of anti-competitive provision in a local law involves either prohibiting particular business activities or placing obligations on the operators of business activities.

### Restricting Competition in the Market

This type of anti-competitive provision in a local law involves giving some benefit or imposing some hindrance on particular business operators.

## Step 2 – Determination of Exclusions

In some cases, a local law that is considered necessary has some unintended impact on businesses that inadvertently create barriers from entering the market or restricts competition. Depending on the nature of the local law, in some cases, the local government may not be required to conduct a review of any anti-competitive provisions.

The particular types of local laws excluded from the review of anti-competitive provisions are: -

1. Local Laws regulating the behaviour of individuals;
2. Local Laws dealing solely with internal administrative procedures of a local government;
3. Local Laws intended as a legitimate measure to combat the spread of pest and disease;
4. Local Laws to ensure accepted public health and safety standards are met; and
5. Repealing Local Laws.

## Application of Steps 1 and 2

This document identifies any anti-competitive provisions and determines whether any exclusion applies.

If any identified anti-competitive provisions are not excluded by Step 2, a preliminary assessment and outcome of that assessment will be created for each provision.

Council is making *Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2021* which amends

- *Subordinate Local Law No. 2 (Animal Management) 2011;*
- *Subordinate Local Law No. 3 (Community and Environmental Management) 2011;*
- *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011; and*
- *Subordinate Local Law No. 5 (Parking) 2011.*

Council is also repealing and consolidating a number of Subordinate Local Laws into a new local law *Subordinate Local law No.1 (Administration) 2021*. The new local law is similar to the repealed local laws. The provisions of the primary local laws are not being amended at this stage, and are substantially similar to the Model Local Laws.

However, it is appropriate to consider the primary local laws when reviewing the subordinate local laws and Council also considers it appropriate to review the whole of the local laws for anti-competitive provisions.

## Local Law No. 1 (Administration) 2011

### Purpose

1. The purpose of the Local Law is to provide a legal and procedural framework for the administration, implementation and enforcement of government's local laws, subordinate local laws and specific regulatory powers under legislation, and to provide for miscellaneous administrative matters.
2. The purposes are to be achieved by providing for-
  - (a) consistent and comprehensive processes for local government to grant and regulate approvals to undertake the prescribed activities; and
  - (b) authorised persons from enforcing local laws; and
  - (c) review of certain decisions made under local laws; and
  - (d) enforcement of local laws; and
  - (e) matters relating to legal proceedings; and
  - (f) miscellaneous administrative matters relating to meetings, fees, abandoned goods and seizure and impounded items.

### Identification of anti-competitive provisions

Possible Anti-Competitive Provision	Explanatory Comments	Determination of Exclusions
<i>Section 6 – Offence to Undertake local law prescribed activity without approval</i>	Imposes a requirement to obtain an approval in respect of the undertaking of a prescribed activity and may create barriers to entering the market. This section is of general application and could be considered anti-competitive.	This provision is of general application and cannot be reviewed for anti-competitive provisions without considering each prescribed activity.  Each prescribed activity has been reviewed under Subordinate Local Law 1.
<i>Section 9(1) and (2) – Local government's discretion in granting approvals</i>	Regulates the process for granting an approval by constraining the Council's discretion. The granting of approvals is likely to be anti-competitive.	Clause 9(1)(b) ensures accepted public health and safety standards are met and therefore is excluded under step 2.  Clause 9(2) solely deals with internal administrative procedures for a local government and is excluded under step 2.

		The balance of the provision is of general application and cannot be reviewed for anti-competitive provisions without considering each prescribed activity. Each prescribed activity has been reviewed under Subordinate Local Law 1.
<i>Section 10 – Conditions of approval</i>	Placing conditions on approval may create barriers to entering a market or restrict competition in the market. The provision could be considered anti-competitive.	<p>Clause 10(2)(a) ensures acceptable public health and safety standards are met and is excluded for a review under step 2</p> <p>The other provisions are of general application and cannot be reviewed for anti-competitive provisions without considering each prescribed activity. Each prescribed activity has been reviewed under Subordinate Local Law 1.</p>

The balance of the local law does not create barriers to entering the market or restrict competition in the market. In any event, it deals solely with the internal administrative procedures of a local government and would be excluded from a review if any anti-competitive provisions were identified.

## Subordinate Local Law No. 1 (Administration) 2021

### Purpose

1. The purpose of this subordinate local law is to supplement Local Law No. 1 (Administration) 2011 which provides for the legal and procedural framework for the administration, implementation and enforcement of local governments local laws, subordinate local laws and other regulatory powers, and for miscellaneous administrative matters.
2. The purpose is to be achieved by providing for-
  - (a) various matters regarding the granting of approvals for prescribed activities; and
  - (b) further specifications of the definitions relevant to various prescribed activities.

Possible Anti-Competitive Provision	Explanatory Comments	Determination of Exclusions
<i>Schedule 7 - Alteration or improvement to local government controlled areas and roads</i>	Businesses' undertaking alteration or improvements of local government controlled areas and roads will require an approval which creates a barrier to entering the market. The provision could be considered anti-competitive.	No exclusions apply. Possible anti-competitive provision.

<p><i>Schedule 8 - Commercial use of local government controlled areas and roads</i></p>	<p>Businesses wishing to use local government controlled areas and roads for commercial use will require an approval which will create a barrier to entering the market and could potentially restrict competition in the market. The provision could be considered anti-competitive.</p>	<p>No exclusions apply. Possible anti-competitive provision.</p>
<p><i>Schedule 9 - Establishment or occupancy of a temporary home</i></p>	<p>This prescribed activity could arguably affect businesses that offer temporary accommodation and therefore could be considered anti-competitive.</p>	<p>This prescribed activity solely regulates individuals and does not apply to businesses. The criteria for granting approvals and conditions that will ordinarily be imposed on approvals deals directly with measures to combat the spread of pests and disease and ensure accepted public health and safety standards are met. The local law is excluded under step 2.</p>
<p><i>Schedule 10 - Installation of advertising devices</i></p>	<p>This subordinate local law may restrict a business's ability to advertise, that alone would not create barriers to entering the market. However, it could be argued that placing restrictions on advertising could provide an unfair advantage to a competing business and be anti-competitive.</p> <p>The law creates barriers for advertising companies entering the market and therefore could be considered anti-competitive.</p>	<p>No exclusions apply. Possible anti-competitive provision.</p>
<p><i>Schedule 11 – Keeping of animals</i></p>	<p>Restricting the type and number of animals that are able to be kept on land within Council's local government area only applies to individuals keeping animals on private land.</p> <p>Commercial pet shops, catteries or piggeries operating within the local government area will be regulated under the <i>Planning Act</i> and Council's Planning Scheme. Section 6 of <i>Local Law No. 2 (Animal Management) 2011</i> and section 6(3) <i>Local Law No. 2 (Animal Management) 2015</i> relevantly provides that approval for keeping animals is not required on land that is authorised by a development approval under the <i>Planning Act</i>.</p> <p>Businesses that do not require approval under the <i>Planning Act</i> to operate a business will be required to obtain a permit. The provision could be considered anti-competitive.</p>	<p>The criteria and conditions proposed in approvals deals directly with measures to combat the spread of pest and disease and ensure acceptable public health and safety standards are met.</p> <p>The Local Law is intended to regulate the behaviour of individuals.</p> <p>The Local Law is excluded from a review of anti-competitive provisions.</p>

<i>Schedule 12 – Operation of camping grounds</i>	Requiring an approval for the operation of camping grounds creates barriers to entering the market. The schedule could be considered anti-competitive.	The criteria and conditions proposed in approvals deals directly with measures to combat the spread of pest and disease, the behaviour of people and ensure acceptable public health and safety standards are met.  The Local Law is excluded from a review of anti-competitive provisions.
<i>Schedule 14 – Operation of caravan parks</i>	Requiring an approval for the operation of caravan parks creates barriers to entering the market. The schedule could be considered anti-competitive.	The criteria and conditions proposed in approvals deals directly with measures to combat the spread of pest and disease and ensure acceptable public health and safety standards are met.  The Local Law is excluded from a review of anti-competitive provisions.
<i>Schedule 15 – Operation of cemeteries</i>	Requiring an approval for the operation of cemeteries creates barriers to entering the market.  The schedule could be considered anti-competitive.	The criteria and conditions proposed in approvals deals directly with measures to combat the spread of pest and disease and ensure acceptable public health and safety standards are met.  The Local Law is excluded from a review of anti-competitive provisions.
<i>Schedule 16 – Operation of public swimming pools</i>	Schedule 16 is a prescribed activity which regulates swimming pools operated by a business for public use. Requiring an approval for the operation of a public swimming pool creates a barrier to entering the market.  The schedule could be considered anti-competitive.	The criteria and conditions proposed in approvals deals directly with measures to combat the spread of pest and disease and ensure acceptable public health and safety standards are met.  The Local Law is excluded from a review of anti-competitive provisions.
<i>Schedule 17 - Operation of Shared Facility Accommodation</i>	Requiring an approval for the operation of shared facility accommodation creates barriers to entering the market.  The schedule could be considered anti-competitive.	No exclusions apply. Possible anti-competitive provision
<i>Schedule 18 – Operation of Temporary Entertainment Events</i>	Requiring an approval for the operation of temporary entertainment events creates barriers to entering the market.  The schedule could be considered anti-competitive.	No exclusions apply. Possible anti-competitive provision.



<p><i>Schedule 19– Undertaking regulated activities regarding human remains</i></p>	<p>Requiring an approval for the disturbance of human remains is not anti-competitive. The local law does not regulate a business, it regulates the activity of disturbing human remains buried outside a cemetery or in a local government cemetery which is required under relevant legislation.</p> <p>The provision is unlikely to be considered anti-competitive.</p>	<p>If it was considered anti-competitive, provisions directly relate to ensuring acceptable public health and safety standards are met.</p> <p>The Local Law is excluded from a review of anti-competitive provisions.</p>
<p><i>Schedule 20– Undertaking Regulated Activities on Local Government Controlled Areas and Roads – Driving and Leading Animals to Cross a Road</i></p>	<p>The prescribed activity creates barriers to business entering the market requiring them to obtain an approval and placing restrictions on the conduct of the business of driving or leading animals to cross a road.</p> <p>The schedule could be considered anti-competitive.</p>	<p>The local law is to ensure the acceptable public health and safety standards are met.</p> <p>The Local Law is excluded from review of anti-competitive provisions.</p>
<p><i>Schedule 21– Undertaking Regulated Activities on Local Government Controlled Areas and Roads –(b) depositing of goods or materials.</i></p>	<p>The prescribed activity creates barriers to business entering the market requiring them to obtain an approval and placing restrictions on the conduct of the business of placing goods and materials on roads.</p> <p>The schedule could be considered anti-competitive.</p>	<p>The local law is to ensure the acceptable public safety standards are met, particularly traffic safety.</p> <p>The Local Law is excluded from review of anti-competitive provisions.</p>
<p><i>Schedule 22 – Undertaking Regulated Activities on Local Government Controlled Areas and Roads – (c holding of a public place activities prescribed by subordinate local law)</i></p>	<p>The prescribed activity creates barriers to business entering the market by requiring a business to hold a permit, and by placing restrictions on the conduct of the business.</p> <p>The schedule could be considered anti-competitive.</p>	<p>No exclusions apply. Possible anti-competitive provision.</p>
<p><i>Schedule 23 – Undertaking Regulated Activities on Local Government Controlled Areas and Roads – (c – Film and television activities</i></p>	<p>The requirement for film and television production activities to obtain an approval will place barriers to entering the market on the operators conducting those types of business activities.</p> <p>The schedule could be considered anti-competitive.</p>	<p>No exclusions apply. Possible anti-competitive provision.</p>

<p><i>Schedule 24 - Bringing or Driving Motor Vehicles onto a Park or Reserve</i></p>	<p>This local law is intended to regulate the behaviour of individuals however it also regulates businesses conducting activities on parks or reserves.</p> <p>The schedule could be considered anti-competitive.</p>	<p>No exclusions apply. Possible anti-competitive provision.</p>
<p><i>Schedule 25 - Bringing or Driving Motor Vehicles onto a Park or Reserve</i></p>	<p>This local law is intended to regulate the behaviour of individuals however it also regulates businesses conducting activities on parks or reserves.</p> <p>The schedule could be considered anti-competitive.</p>	<p>No exclusions apply. Possible anti-competitive provision.</p>
<p><i>Schedule 26 - Parking contrary to an indication on an official traffic sign regulating parking by time or payment of a fee. (Local Law No.5 (Parking) 2011, section 7(1)).</i></p>	<p>This local law is intended to regulate the behaviour of individuals however it also regulates businesses conducting activities in areas where parking is regulated.</p> <p>The schedule could be considered anti-competitive.</p>	<p>No exclusions apply. Possible anti-competitive provision.</p>
<p><i>Schedule 27 – Parking in a Loading Zone by displaying a Commercial Vehicle Identification Label</i></p>	<p>This local law places an obligation on businesses to obtain from local government and display a commercial vehicle identification label before operating or using certain parking spaces which places a barrier to entering the market.</p> <p>The schedule could be considered anti-competitive.</p>	<p>No exclusions apply. Possible anti-competitive provision.</p>
<p><i>Schedule 28 – Carrying out works on a road or interfering with a road or its operation</i></p>	<p>Businesses conducting these activities are required to obtain an approval which would create barriers to entering the market.</p> <p>The schedule could be considered anti-competitive.</p>	<p>The local law solely provides a process to obtain an approval under section 75 of the Local Government Act 2009, it also ensures acceptable safety standards are met and therefore it is excluded from a review of anti-competitive provisions.</p>

## Local Law No. 2 (Animal Management) 2011

### Purpose

1. The purpose of this Local Law is to regulate and manage the keeping and control of animals in the local government's area in a way that:-
  - (a) balances community expectations with the rights of individuals; and
  - (b) protects the community against risks to health and safety; and
  - (c) prevents pollution and other environmental damage; and
  - (d) protects the amenity of the local community and environment.
  
2. The purpose is to be achieved by providing for:
  - (a) the regulation of the keeping of animals in terms of how many, what type, how, and where the animals can be kept; and
  - (b) the prescription of minimum standards for keeping animals; and
  - (c) the proper control of animals in public places and koala conservation areas; and
  - (d) the management of dangerous and aggressive animals other than dogs; and
  - (e) the seizure and destruction of animals in certain circumstances; and
  - (f) the establishment and administration of animal pounds.

Clause 6.2 relates to requirements for approvals under the local laws which could be considered anti-competitive.

Section 6(3) relevantly provides that an approval is not required under this section if the keeping of animals is authorised by a development approval or under the Planning Act.

Restrictions are intended to be placed on individuals, not on businesses.

Businesses that do not require approval under the Planning Act to operate a business will be required to obtain a permit.

### Exclusions

Its purpose is to ensure acceptable public health and safety standards are met.

The local law is intended to regulate the behaviour of individuals, not businesses.

The local law is a legitimate measure to combat the spread of pests and disease and to ensure acceptable public health and safety standards are met.

The local law amendments are excluded from a review of any anti-competitive provisions.

*Subordinate Local Law No. 2 (Animal Management) derives its authority from Local Law No. 2 (Animal Management). The same exclusions that apply to the authorising local law apply to the subordinate, no additional anti-competitive provisions have been identified. The Subordinate is excluded from a review of anti-competitive provisions under this part.*

## Local Law No. 3 (Community and Environmental Management) 2011

### Purpose

1. The purpose of this Local Law is to protect the environment and public health, safety and amenity within the local government's area.
2. The purpose is to be achieved by providing for the elimination or reduction of risks and threats to the environment and public health and safety and amenity resulting from: -
  - (a) inadequate protection against animal and plant pests; and
  - (b) vegetation overgrowth; and
  - (c) visual pollution resulting from accumulation of objects and materials; and
  - (d) fires and fire hazards not regulated by State law; and
  - (e) community safety hazards; and
  - (f) noise that exceeds noise standards.

The local law does not create a barrier to entering the market, nor restrict competition in the market.

The Local law is not Anti-Competitive.

### Exclusions

If the local law was considered anti-competitive, the local law would be excluded under Step 2.

The purpose of the local law is to regulate the behaviour of individuals, combat the spread of pest and disease, and to ensure accepted public health and safety standards are met.

*Subordinate Local Law No. 3 (Community and Environmental Management) 2015* derives its authority from the local law. No anti-competitive provisions were identified in the subordinate local law.

## Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011

### Purpose

1. The purpose of this Local Law is to:-
  - (a) protect the health and safety of persons using local government controlled land, facilities, infrastructure and road; and
  - (b) preserve features of a natural and built environment and other aspects of the amenities of local government controlled land, facilities, infrastructure and roads.
2. The purpose is to be achieved by:
  - (a) regulating access to local government controlled areas;
  - (b) prohibiting or restricting particular activities in local government controlled areas or roads.

The purpose of the local law does create barriers to entering the market and possibly restrict competition in the market.

Section 5 prohibits and restricts activities, which could be seen as anti-competitive. Analysis of the restrictions will occur in relation to the types of activities that are restricted, which are contained in the Subordinate Local Law.

## Subordinate Local Law No. 4 (Local Government Controlled Area, Facilities and Roads) 2011

### Purpose

1. The purpose of the Subordinate Local Law is to supplement *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011* in order to protect the health and safety of persons using local government-controlled land, facilities, infrastructure and roads and preserve features of the natural and built environment and other aspects of the amenity of local government controlled land, facilities, infrastructure and roads.
2. The purpose is to be achieved by providing for:
  - (a) the regulation of access to local government controlled areas; and
  - (b) the prohibition or restriction of particular activities in local government controlled areas or roads.

Possible Anti-Competitive Provisions	Explanatory Comments	Determination of Exclusions
<i>Schedule 1 – Prohibited Activities for Local Government Controlled Areas or Roads</i> item 1(e) Parking or standing a vehicle bearing a sign or advertisement that the vehicle is offered for sale or hire	item 1(e) could be considered anti-competitive.	The provision would be excluded from anti-competitive provisions because it is in the interests of regulating the behaviour of individuals for public health and safety purposes.
<i>Schedule 1 – Prohibited Activities for Local Government Controlled Areas or Roads</i> item 1(g) Camping, sleeping, occupying or remaining overnight in a vehicle on a local government controlled area or road that is not a designated camping area	item 1(g) could be considered anti-competitive.  The subordinate local law regulates the behaviour of individuals, namely where an individual may or may not camp or sleep overnight in local government controlled areas or roads.  The provision may be considered anti-competitive.	The provision would be excluded from anti-competitive provisions because it is regulating the behaviour of individuals for public health and safety purposes.  Camping is allowed in some areas. However, The local government is offering a controlled area for a limited time for all people to camp, which is regulating the behaviour of individuals and therefore excluded.
<i>Schedule 2 – Restricted Activities for Local Government Controlled Areas or Roads</i> <i>Restricted Activity:</i> A person must not camp, sleep, occupy or remain overnight on any local government controlled area or road	The subordinate local law regulates the behaviour of individuals namely where an individual may or may not camp or sleep overnight in local government controlled areas or roads.  The provision may be considered anti-competitive.	The local government is not operating a business. The local government is offering a controlled area for a limited time for all people to camp, which is regulating the behaviour of individuals and therefore excluded.

No other anti-competitive provisions were identified.

## Local Law No. 5 (Parking) 2011

### Purpose

1. The purpose of the local law is to complement the regulated parking provisions in Chapter 5, Part 6 of the *Transport Operations (Road Use Management Act 1995 (Qld)* (“TORUM Act”) by providing for the exercise of local government powers authorised under that Act.
2. The purpose is achieved by providing for:
  - (a) The establishment of traffic areas and off-street regulated parking area; and
  - (b) lawfully parking contrary to an indication on an official traffic sign with a parking permit or in a loading zone with a commercial vehicle identification label; and
  - (c) the prescribing of infringement notice penalties for minor traffic offences.

Possible Anti-Competitive Provisions	Explanatory Comments	Determination of Exclusions
<i>Section 7 – Parking contrary to a parking restriction – parking permits</i>	This requires a person engaged in business to obtain a parking permit in order to park contrary to an indication on an official traffic sign. The requirement to obtain a parking permit is likely to create a barrier to entering the market.	No exclusions apply. Possible anti-competitive provision.
<i>Section 8 – Parking contrary to a parking restriction - Commercial Vehicle Identification Labels</i>	Vehicles may obtain a Commercial Vehicle Identification Label to lawfully park in a loading zone. The TORUM Act defines certain vehicles as commercial vehicles, see schedule 4, definition, commercial vehicle. Vehicles which are not designated as commercial vehicles but are used for business require a permit to access commercial loading zones, which creates a barrier to entering the market and is also likely to restrict competition in the market. This local law benefits those businesses operating relevant commercial vehicles and creates a barrier to those businesses operating non-commercial vehicles that require the use of commercial loading zones.	No exclusions apply. Possible anti-competitive provision.

## Subordinate Local Law No. 5 (Parking) 2011

### Purpose

1. The purpose of the local law is to supplement *Local Law No. 5 (Parking) 2011*.
2. The purpose is achieved by providing for:
  - (a) The establishment of traffic areas and off-street regulated parking areas; and
  - (b) The persons who may be issued with parking permits and the terms and conditions of such permits; and
  - (c) The vehicles that can be issued with commercial vehicle identification labels; and
  - (d) The infringement notice penalty amounts for minor traffic offences.

Possible Anti-Competitive Provisions	Explanatory Comments	Determination of Exclusions
<i>Section 7 – Parking contrary to a parking restriction – parking permits</i>	This requires a person engaged in business to obtain a parking permit in order to park contrary to an official traffic sign. The requirement to obtain a parking permit is likely to create a barrier to entering the market.	No exclusions apply. Possible anti-competitive provision.

### Preliminary Review of Anti-Competitive Provisions for Local Laws – Step 3

Under the guidelines, if an anti-competitive provision has been identified as not excluded under Steps 1 and 2, the local government must undertake an assessment of the anti-competitive provisions to determine whether significant impacts will exist if the provisions are adopted – Step 3.

In determining whether significant impacts exist, Council must consider the following factors:-

1. The probability of impacts occurring;
2. The size and characteristics of the affected businesses;
3. The intensity of the potential impact on affected business;
4. Whether particular businesses will incur a disproportionate impact;
5. The duration of the impact (for example ongoing or “one off”).

Examples of potentially significantly impacts include:

- Where a local law will impact on a relatively significant number of business;
- Where a local law will impose significant restrictions on business operating in the local governments area;
- Where businesses will be required to pay a substantial yearly licencing fee to operate;
- Where one type of business will be regulated to a lesser degree than other businesses providing the same or similar products.

## Step 4 – Outcome of the Preliminary Assessment

Where no significant impacts are identified from the anti-competitive provisions, a local government is not required to undertake any further review but notify the community of the existence of the anti-competitive provisions when making the local law.

If significant impacts are identified the local government is required to review the anti-competitive provisions in line with the guidelines developed by the Department of Infrastructure, Local Government and Planning for conducting public benefit tests for legislation.

This document is in response to Step 3, the preliminary assessment of the local laws that were identified as an anti-competitive provision in Step 1 and 2.

A total of 1073 businesses operate in the Charters Towers local government area and are categorised as follows:

Registered businesses by industry								
Charters Towers Regional Council	-2020			2019			change	
total registered businesses								
Industry	Number	%.	% Queensland	Number	%.	% Queensland	2019	to 2020
Agriculture, Forestry and Fishing	430	40.1	8.8	427	38.5	8.8	3	
Mining	18	1.7	0.4	20	1.8	0.4	-2	
Manufacturing	29	2.7	3.6	28	2.5	3.6	1	
Electricity, Gas, Water and Waste Services			0.3			0.3		
Construction	143	13.3	16.6	151	13.6	16.6	-8	
Wholesale Trade	14	1.3	2.9	8	0.7	2.9	6	
Retail Trade	59	5.5	5.5	66	6	5.5	-7	
Accommodation and Food Services	48	4.5	3.8	46	4.1	3.8	2	
Transport, Postal and Warehousing	61	5.7	7.6	69	6.2	7.6	-8	
Information Media and Telecommunications	5	0.5	0.7	5	0.5	0.7		
Financial and Insurance Services	37	3.4	8.3	32	2.9	8.3	5	
Rental, Hiring and Real Estate Services	69	6.4	11.4	76	6.9	11.4	-7	
Professional, Scientific and Technical Services	24	2.2	11.6	33	3	11.6	-9	
Administrative and Support Services	20	1.9	4.2	23	2.1	4.2	-3	
Public Administration and Safety	3	0.3	0.3	3	0.3	0.3		
Education and Training	13	1.2	1.5	16	1.4	1.5	-3	
Health Care and Social Assistance	30	2.8	6.3	37	3.3	6.3	-7	
Arts and Recreation Services	8	0.7	1.2	7	0.6	1.2	1	
Other Services	58	5.4	4.9	56	5	4.9	2	
Industry not classified	4	0.4	0.1	6	0.5	0.1	-2	
<b>Total business</b>	<b>1073</b>	<b>100</b>	<b>100</b>	<b>1109</b>	<b>100</b>	<b>100</b>	<b>-36</b>	

Source: Australian Bureau of Statistics, Counts of Australian Businesses, including Entries and Exits, 2016 to 2020  
 Note: Non-employed businesses includes sole proprietors where the proprietor does not receive a wage or salary separate to the business income. Please refer to specific data notes for more information

Charters Towers Regional Council has a population of about 11,700 people as at 30 June 2019 with a population decline of 0.93%



## Local Law No. 1 (Administration) 2011 – Section 6

### Context

Section 6 makes it an offence to undertake a local law prescribed activity without an approval granted by Council.

The current suite of local laws that Council has requires approval under each local law. This Local Law creates an offence to conduct a prescribed activity, as defined in Schedule 2 of the Local Law.

Approvals are issued under sections 7 to 19, and in accordance with the requirements contained in the relevant schedule of the *Subordinate Local Law No.1 (Administration) 2021*.

The effect section 6 is likely to have on business is considered below, and again when considering the impact of regulating each Prescribed Activity identified in *Subordinate Local Law No.1 (Administration) 2021*.

### The factors that must considered

Consideration	Impact, rating and rationale
<b>Probability of impacts occurring</b>	The local law is identical to the existing local law being replaced and therefore there will be no impacts on businesses by the introduction of this local law. The probability of impacts occurring is considered low.
<b>The size and characteristics of the affected businesses</b>	The nature of section 6 is such that it applies to all prescribed activities. The size and characteristics of the affected businesses are potentially great. The impacts of each prescribed activity are considered later in this document.
<b>The intensity of the potential impact on affected businesses</b>	The intensity of the potential impact on affected businesses can only be considered in accordance with each prescribed activity. The impacts of each prescribed activity are considered later in this document.
<b>Where particular businesses will incur disproportionate impact</b>	The local law is applied to all businesses and no disproportionate impacts were found.
<b>Duration of the impact</b>	The impact on businesses will be ongoing as approval allows for the approval and <b>management</b> of the activity.

### Conclusion

In assessing the anti-competitive provision, it is determined later in this document that that no significant impacts will exist in relation to each prescribed activity if the provisions are adopted. The local laws that are proposed to be adopted are generally substantially similar to the existing local laws that Council operates under.

No significant impacts were identified.

## Subordinate Local Law No. 1 (Administration) 2021 — Schedule 7 — Alteration or Improvement to local government controlled areas and roads

### Context

The prescribed Activity includes an alteration or improvement to local government controlled areas and roads. This does not include an alteration or improvement that is regulated under section 75 of the *Local Government Act 2009* (Qld) (“LGA”). Schedule 30 deals with approvals under section 75 of the LGA. Whether the new law is anti-competitive is considered below.

### The factors that must be considered

Consideration	Impact, rating and rationale
<b>Probability of impacts occurring</b>	Although this provision potentially imposes additional requirements on businesses that wish to make alterations or improvements to local government controlled areas or roads, the impacts are not considered significant as they are only minor procedural requirements that reflect existing practices. . The probability of impacts occurring are considered low.
<b>The size and characteristics of the affected businesses</b>	The landscape gardeners or contractors undertaking works on local government parks are not affected by this local law. Businesses wishing to place signage on local government controlled areas and roads may be affected however the impact to these groups is considered reasonable management action and not substantial. Community Groups and Not for Profit's wishing to install community infrastructure may be affected by this local law however the impact to these groups is considered reasonable management practice and not substantial. No other businesses were identified as being directly affected by this local law in the local government area.
<b>The intensity of the potential impact on affected businesses</b>	Businesses operate under a similar approval process at present.  There is only a minor potential impact on businesses in applying for an approval, the regulation constitutes reasonable management action to ensure compliance with public safety requirements and amenity issues.
<b>Where particular businesses will incur disproportionate impact</b>	The local law is applied to all businesses and no disproportionate impacts were found.
<b>Duration of the impact</b>	The impact on businesses will be ongoing as the schedule allows for the approval and management of the activity

### Conclusion

In assessing the anti-competitive provision, it is determined that no significant impacts will exist if the provisions are adopted. Given the existing regulatory regime is substantially similar to the proposed local law and the impact on businesses is not substantial. All businesses will be regulated to the same extent. The requirement to obtain approval from Council prior to making alterations or improvements to local government controlled areas and roads constitutes reasonable management approach to public areas.

No significant impacts were identified.

## Subordinate Local Law No. 1 (Administration) 2021 — Schedule 8 – Commercial use of local government controlled areas and roads.

### Context

The Prescribed Activity regulates the use of local government controlled areas or roads. There are a number of exclusion activities which, while conducted on local government controlled areas or roads, are regulated by State legislation or other local law provisions. Examples include the provision of a public passenger service under the *Transport Operations (Passenger Transport) Act 1994* and the operation of a temporary entertainment event.

Examples of activities that would be covered by this Prescribed Activity are footpath dining, roadside vending (e.g. fruit and vegetables stalls), mobile vending, market stalls and parks and busking in public places. Whether the new law is anti-competitive is considered below.

### The factors that must be considered

Consideration	Impact, rating and rationale
<b>Probability of impacts occurring</b>	Businesses must obtain approval to operate, however, the approval is substantially similar to the existing approval requirements. The application of the local law constitutes reasonable management action taken by Council to ensure that commercial activities on government controlled areas and roads are consistently regulated. The probability of impacts occurring are considered low.
<b>The size and characteristics of the affected businesses</b>	Market stalls are operated in the local government area and Mobile food vending trucks have also been identified as operating in the local government area.  Restaurants offering Curb-side dining will be affected by the local law, however there are only a relatively small number of restaurants in the local government area that may be affected by this local law.
<b>The intensity of the potential impact on affected businesses</b>	Businesses operate under a similar approval process at present. There is only a minor potential impact on businesses in applying for an approval and approval fees are not substantial.
<b>Where particular businesses will incur disproportionate impact</b>	The local law is applied to all businesses and no disproportionate impacts were found.
<b>Duration of the impact</b>	The impact on businesses will be ongoing.

## Conclusion

In assessing the anti-competitive provision, it is determined that no significant impacts will exist if the provisions are adopted. The proposed local law is substantially similar to the existing regime. Relatively few businesses will be affected. The existing local law has not discouraged businesses to operate and existing businesses will not notice any impact once the local laws come into effect. The benefits of the restriction to the community as a whole outweigh the costs, and the objectives of the law could only be achieved by restricting competition. No significant impacts on current or potential businesses were identified.

## Subordinate Local Law No. 1 (Administration) 2021 — Schedule 10 – Installation of advertising devices.

### Context

The Prescribed Activity regulates the installation of advertising devices. Approval of an advertising device is not required under this local law if the installation of the advertising device is regulated under the local government's planning scheme or if the installation is a permitted advertising device. A permitted advertising device includes objects that businesses would commonly place onto Council controlled land for convenience such as a real estate agent advertising sign, a garage sale sign, a lost pet sign and an event sign.

Examples of activities that would be covered by this Prescribed Activity are farmers who may wish to advertise their produce for sale, businesses that operate from home and wish to install signage on their or neighbouring property. The local law contains approval requirements that are in the interest of safety and reasonable management of community advertising. For example, the local law stipulates that any advertising device must be structurally sound and, if illuminated, must be shielded to prevent the illumination of any road or road-related area.

### The factors that must be considered

Consideration	Impact, rating and rationale
<b>Probability of impacts occurring</b>	Businesses must obtain approval to install advertising, however, the approval is substantially similar to the existing approval requirements. The application of the local law constitutes reasonable management action taken by Council to ensure that advertising is consistently regulated. The probability of impacts occurring are considered low.
<b>The size and characteristics of the affected businesses</b>	Many of these businesses have installed advertising materials on properties that are adjacent to council roads. However, only signs that could pose a threat to health, safety and amenity are regulated. Business may continue to advertise with signs that do not require approval under the local law.
<b>The intensity of the potential impact on affected businesses</b>	Businesses operate under a similar approval process at present. There is only a minor potential impact on businesses in applying for an approval and approval fees are not substantial.
<b>Where particular businesses will incur disproportionate impact</b>	The local law is applied to all businesses and no disproportionate impacts were found.
<b>Duration of the impact</b>	The impact on businesses will be ongoing.

## Conclusion

In assessing the anti-competitive provision, it is determined that no significant impacts will exist if the provisions are adopted. The proposed local law is substantially similar to the existing regime. Council did not identify any businesses that may be affected. No significant impacts on current or potential businesses were identified.

## Subordinate Local Law No. 1 (Administration) 2021 — Schedule 17 – Operation of Shared Facility Accommodation

### Context

The Prescribed Activity regulates the operation of shared facility accommodation. Approval is not required for the operation of shared facility accommodation in a private home in which accommodation is provided for not more than 3 holiday makers or travellers.

Examples of activities that would be covered by this Prescribed Activity include Air B&B, hostel and share house accommodation and Willing Workers on Organic Farms Accommodation (WWOFing) volunteers/employees who are residing at a property.

### The factors that must be considered

Consideration	Impact, rating and rationale
<b>Probability of impacts occurring</b>	Applicants are required to provide details of shared facilities amenities as well as a report from an appropriately qualified professional that the fire and safety provisions of the <i>Building Act 1975</i> have been complied with. The approval is substantially similar to the existing approval requirements. The application of the local law constitutes reasonable management action taken by Council to ensure that the operation of shared facility accommodation is regulated and that prospective operators entering the market are doing so in a way that promotes health, safety and tourism to the region. The probability of impacts occurring are considered low.
<b>The size and characteristics of the affected businesses</b>	Operators of Air B&B or B&B accommodation may be affected and may need to make improvements to the accommodation that they are offering in order to comply with the local law.
<b>The intensity of the potential impact on affected businesses</b>	Businesses operate under a similar approval process at present. There is only a minor potential impact on businesses in applying for an approval and approval fees are not substantial.
<b>Where particular businesses will incur disproportionate impact</b>	The local law is applied to all businesses and no disproportionate impacts were found.
<b>Duration of the impact</b>	The impact on businesses will be ongoing.

## Conclusion

In assessing the anti-competitive provision, it is determined that no significant impacts will exist if the provisions are adopted. The proposed local law is substantially similar to the existing regime. Relatively few businesses will be affected. The existing local law has not discouraged businesses to operate and existing businesses will not notice any impact once the local laws come into effect.

No significant impacts on current or potential businesses were identified.

## Subordinate Local Law No. 1 (Administration) 2021 — Schedule 18 – Operation of temporary entertainment events

### Context

The Prescribed Activity regulates the operation of temporary entertainment events. Events that are attended by less than 50 people do not require approval.

Examples of activities that would be covered by this Prescribed Activity include all temporary entertainment events be they country fairs, music concerns, sporting events, etc.

### The factors that must considered

Consideration	Impact, rating and rationale
<b>Probability of impacts occurring</b>	Applicants are required to provide thorough details about how they will manage the event. The approval is substantially similar to the existing approval requirements. The application of the local law constitutes reasonable management action taken by Council to ensure that the operation of temporary entertainment events are suitable. The probability of impacts occurring are considered low.
<b>The size and characteristics of the affected businesses</b>	Charters Towers is a regional centre with a diverse range of community groups that, from time to time, offer a wide range of temporary entertainment events.
<b>The intensity of the potential impact on affected businesses</b>	Entertainment event providers operate under a similar approval process at present. There is only a minor potential impact on businesses in applying for an approval and approval fees are not substantial.
<b>Where particular businesses will incur disproportionate impact</b>	The local law is applied to all businesses or community event operators and no disproportionate impacts were found.
<b>Duration of the impact</b>	The impact on businesses will be ongoing.

## Conclusion

In assessing the anti-competitive provision, it is determined that no significant impacts will exist if the provisions are adopted. The proposed local law is substantially similar to the existing regime. Relatively few businesses will be affected. The existing local law has not discouraged businesses to operate and existing businesses will not notice any impact once the local laws come into effect.

## Subordinate Local Law No. 1 (Administration) 2021 – Schedule 22 – Undertaking regulated activities on Local Government Controlled Areas and Roads – (c) undertaking of a public place activity prescribed by Subordinate Local Law

### Context

This activity relates to the following events as listed in Schedule 6:-

- (a) the placing of a display or information booth;
- (b) conducting a social gathering meeting, sporting activity or any activity that involves more than 50 people participating in, or watching the activity, gathering, meeting or sporting activity;
- (c) an invitation-only ceremony, party or celebration attended by more than 50 people; or
- (d) a cake stall, sausage sizzle, car wash or similar fundraiser; or
- (e) a training event held on no more than 1 day; or
- (f) a training event held on more than 1 day without payment of a fee; or
- (g) film and television production activities for which a development application is not required under the local government’s planning scheme;

A cake stall, sausage sizzle, car wash or similar fundraising activity held on no more than 1 day is not subject to this review of anti-competitive provisions as they are excluded under Schedule 22 from obtaining approval.

Examples of activities that would be covered by this Prescribed Activity include private events not open to the public, or an information booth or marketing stall in a public place.

### Factors that must be considered

Consideration	Impact, rating and rationale
<b>Probability of impacts occurring</b>	Low – Businesses operating an information booth for profit must obtain an approval, however the approval process is not substantial and likely to cause any significant impacts on a business. The probability of impacts occurring are considered low.
<b>The size and characteristics of the affected businesses</b>	Businesses operating an information booth on local government controlled areas and roads are some of the businesses that may be affected by this local law. It is likely that a very small number of businesses would be affected by this local law.
<b>The intensity of the potential impact on affected businesses</b>	The conditions placed on approval can create a minor potential impact on businesses. At present, business conducting a commercial activity on local government controlled areas and roads must obtain approval under a similar local law.
<b>Where particular businesses will incur disproportionate impact</b>	The local law applied to all businesses and no disproportionate impacts were found.
<b>Duration of the impact</b>	The impact will only occur when the operation is being undertaken on local government controlled areas and roads and therefore the impact will be intermittent and unlikely to have an impact on existing businesses in the local government area.

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## Conclusion

In assessing the anti-competitive provision, it is determined that no significant impacts will exist if the provisions are adopted. The existing local law does not discourage businesses operating and this local law is substantially similar to existing local laws.

## Subordinate Local Law No. 1 (Administration) 2021 – Schedule 23 – Undertaking regulated activities on local government controlled areas and roads – (c) – Film and Television Activities

### Context

The Prescribed Activity regulates film and television production activities for which a development application is not required under the local government's planning scheme. Filming or photography undertaken only for personal use does not require approval.

Examples of activities that would be covered by this Prescribed Activity include commercial filming/photography which including taking photographs for a business, organisation, wedding or other entertainment event.

### The factors that must considered

Consideration	Impact, rating and rationale
<b>Probability of impacts occurring</b>	Applicants are required to provide details regarding the location where the activity will be carried out and a certificate of currency for the applicant's public liability insurance for the activity. The approval is substantially similar to the existing approval requirements. The application of the local law constitutes reasonable management action taken by Council to ensure that the operation of film and television production activities ensure safety or pedestrians and vehicles. The probability of impacts occurring are considered low.
<b>The size and characteristics of the affected businesses</b>	All businesses that operate film and television services will be affected. Council could not identify any current business operating in the area that may be affected. It is possible that film and television activities would be a one- off occurrence and not affect a significant number of businesses
<b>The intensity of the potential impact on affected businesses</b>	Film and television production providers operate under a similar approval process at present. There is only a minor potential impact on businesses in applying for an approval and approval fees are not substantial.
<b>Where particular businesses will incur disproportionate impact</b>	The local law is applied to all businesses or community operators and no disproportionate impacts were found.
<b>Duration of the impact</b>	The impact on businesses will be ongoing.



## Conclusion

In assessing the anti-competitive provision, it is determined that no significant impacts will exist if the provisions are adopted. The proposed local law is substantially similar to the existing regime. Relatively few businesses will be affected. The existing local law has not discouraged businesses to operate and existing businesses will not notice any impact once the local laws come into effect.

## Subordinate Local Law No. 1 (Administration) 2021 — Schedule 26 – Bringing or driving motor vehicles onto a park or reserve

### Context

The Prescribed Activity regulates the bringing of a motor vehicle onto or driving a motor vehicle on a place that is within a local government controlled area and not within a motor vehicle access area. Access to a local government controlled area by an authorised contractor for the purposes of repairing or maintaining a local government facility, or persons holding an approval under another local law permitting the bringing or driving of motor vehicles onto local government controlled areas do not require approval under the authorising local law.

Examples of activities that would be covered by this Prescribed Activity include hire and contractor businesses that are engaged to supply equipment or services at temporary entertainment events.

### The factors that must be considered

Consideration	Impact, rating and rationale
<b>Probability of impacts occurring</b>	Applicants are required to provide details regarding the need and reason for bringing the motor vehicle onto the local government controlled area, the parts of the area where the motor vehicle will be driven and the type of motor vehicle. The approval is substantially similar to the existing approval requirements. The local law stipulates that vehicle access should be required for construction, repair and maintenance work, access to temporary, ceremony or competition events. The local law provides strict regulations that access by a vehicle must not impact on the natural resources and native wildlife of the area or cause damage. The application of the local law constitutes reasonable management action taken by Council to ensure that motor vehicles being driven onto a park or reserve is not done so unnecessarily. The probability of impacts occurring are considered low.
<b>The size and characteristics of the affected businesses</b>	All businesses that may have need to bring a motor vehicle onto or drive a motor vehicle on a place that is within a local government controlled area will be affected. However, any business operating on a local government controlled area would have an approval that would include approval to bring a vehicle onto the area, if required to operate a business.
<b>The intensity of the potential impact on affected businesses</b>	Businesses that operate a motor vehicle operate under a similar approval process at present. There is only a minor potential impact

	on businesses in applying for an approval and approval fees are not substantial.
<b>Where particular businesses will incur disproportionate impact</b>	The local law is applied to all businesses and community operators and no disproportionate impacts were found.
<b>Duration of the impact</b>	The impact on businesses will be ongoing.

## Conclusion

In assessing the anti-competitive provision, it is determined that no significant impacts will exist if the provisions are adopted. The proposed local law is substantially similar to the existing regime. Relatively few businesses will be affected. The existing local law has not discouraged businesses to operate and existing businesses will not notice any impact once the local laws come into effect.

## Subordinate Local Law No. 1 (Administration) 2021 — Schedule 26 — Parking contrary to an indication on an official traffic sign regulating parking by time or payment of a fee.

### Context

Section 7 of the local law and section 7 of the *Subordinate Local Law No. 5 (Parking) 2011* relate to the same restriction and will be considered together.

The provision requires a person engaged in business to obtain a parking permit in order to park contrary to an official traffic sign.

Section 102(1)(a) of the *Transport Operations (Road Use Management) Act 1995* (“TORUM Act”) enables Council to regulate parking in is declared traffic area by placing approved signs.

These provisions enable a business to obtain a permit to park contrary to a traffic sign.

### Factors that must be considered

Consideration	Impact, rating and rationale
<b>Probability of impacts occurring</b>	Low –businesses may be required to obtain a permit to park in certain area. It is unlikely that a business will be significantly impacted by this local law given that parking restrictions in the township areas are not significant.
<b>The size and characteristics of the affected businesses</b>	All businesses that operate vehicles could potentially be affected by this local law. No businesses were identified that would require a permit under this provision.
<b>The intensity of the potential impact on affected businesses</b>	Businesses are not required to obtain a permit to carry on a business. Given the rural nature of the local government area, only a minor impact on any business would result. The approval process and approval fees are not substantial if a business is required to obtain a

	permit.
<b>Where particular businesses will incur disproportionate impact</b>	The local law is applied to all businesses and no disproportionate impacts were found.
<b>Duration of the impact</b>	Businesses will only be affected if parking in restricted area. The impact will only be noticeable within those times. .

## Conclusion

In assessing the anti-competitive provision, it is determined that no significant impacts will exist if the provisions are adopted. Given the regional location of the local government area, this local law is unlikely to create a significant impact on any of the businesses currently operating.

## Subordinate Local Law No. 1 (Administration) 2021 — Schedule 27 — Parking in a loading zone by displaying a commercial vehicle identification label Local Law No.5 (Parking) 2011, section 8(1).

The Prescribed Activity regulates parking in a loading zone by displaying a commercial vehicle identification label. An application for a parking permit must be accompanied by the name, home address, telephone number and email address of the applicant. Vehicles that are already considered commercial vehicles under the *Transport Operations (Road Use Management-Road Rules) Regulation 1999* TORUM Act are excluded from this local law.

Examples of activities that would be covered by this Prescribed Activity include any vehicle that is a non-commercial vehicle which for any reason is required to park in a loading zone.

## The factors that must considered

Consideration	Impact, rating and rationale
<b>Probability of impacts occurring</b>	The approval is substantially similar to the existing approval requirements. The application of the local law constitutes management action taken by Council to ensure that vehicles parking in a loading zone are displaying a correct commercial vehicle identification label. The probability of impacts occurring are considered low.
<b>The size and characteristics of the affected businesses</b>	All businesses that may have need to park in a loading zone that is within a local government controlled area will be affected.
<b>The intensity of the potential impact on affected businesses</b>	Businesses that park in loading zones operate under a similar approval process at present. There is only a minor potential impact on businesses in applying for an approval and approval fees are not substantial.
<b>Where particular businesses will incur disproportionate impact</b>	The local law is applied to all businesses and community operators and no disproportionate impacts were found. The purpose of the local law is to ensure Council can identify vehicles that are used by a business are the only vehicles using a commercial loading zone. Therefore, the local law has been enacted to encourage businesses. A

	commercial vehicle is not restricted from using commercial loading zones and therefore very few business will be affected (only those business operating a non-commercial vehicle will be affected).
<b>Duration of the impact</b>	The impact on businesses will be ongoing.

## Conclusion

In assessing the anti-competitive provision, it is determined that no significant impacts will exist if the provisions are adopted. The proposed local law is substantially similar to the existing regime. Relatively few businesses will be affected. The existing local law has not discouraged businesses to operate and existing businesses will not notice any impact once the local laws come into effect.

## Local Law No. 5 (Parking) 2011 and Subordinate Local Law No. 5 (Parking) 2011

### Section 7 — Parking contrary to a parking restriction – parking permits

#### Context

Section 7 of the local law and section 7 of the *Subordinate Local Law No. 5 (Parking) 2011* relate to the same restriction and will be considered together.

The provision requires a person engaged in business to obtain a parking permit in order to park contrary to an official traffic sign.

Section 102(1)(a) of the *Transport Operations (Road Use Management) Act 1995* (“TORUM Act”) enables Council to regulate parking in is declared traffic area by placing approved signs.

These provisions enable a business to obtain a permit to park contrary to a traffic sign.

#### Factors that must be considered

Consideration	Impact, rating and rationale
<b>Probability of impacts occurring</b>	Low –businesses may be required to obtain a permit to park in certain area. It is unlikely that a business will be significantly impacted by this local law given that parking restrictions in the township areas are not significant.
<b>The size and characteristics of the affected businesses</b>	All businesses that operate vehicles could potentially be affected by this local law. No businesses were identified that would require a permit under this provision.
<b>The intensity of the potential impact on affected businesses</b>	Businesses are not required to obtain a permit to carry on a business. Given the rural nature of the local government area, only a minor impact on any business would result. The approval process and approval fees are not substantial if a business is required to obtain a permit.
<b>Where particular businesses will incur disproportionate impact</b>	The local law is applied to all businesses and no disproportionate impacts were found.

<b>Duration of the impact</b>	Businesses will only be affected if parking in restricted area. The impact will only be noticeable within those times. .
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## Conclusion

In assessing the anti-competitive provision, it is determined that no significant impacts will exist if the provisions are adopted. Given the regional location of the local government area, this local law is unlikely to create a significant impact on any of the businesses currently operating.

## Local Law No. 5 (Parking) 2011 and Subordinate Local Law No. 5 (Parking) 2011 Section 8 — Commercial Vehicle – Parking Permits

### Context

Section 8 of the local law and section 8 of the *Subordinate Local Law No. 5 (Parking) 2011* relate to the same restriction and will be considered together.

The provision requires a person engaged in business to obtain a parking permit in order to park a car that is not defined as a commercial vehicle in a commercial loading zone.

### Factors that must be considered

Consideration	Impact, rating and rationale
<b>Probability of impacts occurring</b>	<p>Low –Businesses will be required to obtain a permit to park in a non-commercial vehicle in a commercial parking zone. It is unlikely that a business will be significantly impacted by this local law.</p> <p>The purpose of this local law is to ensure commercial loading zones are only used by people conducting commercial activities, if this local law was not made it would be difficult for Council to regulate parking in these zones, that are established to assist commerce in the local government area.</p>
<b>The size and characteristics of the affected businesses</b>	<p>Only businesses that operate non-commercial vehicles could potentially be affected by this local law. No permits would be required if a business parked a commercial vehicle in a commercial parking loading zone.</p>
<b>The intensity of the potential impact on affected businesses</b>	<p>Businesses are not required to obtain a permit to carry on a business. Given the rural nature of the local government area, only a minor impact on any business would result. The approval process and approval fees are not substantial if a business is required to obtain a permit in the future.</p>
<b>Where particular businesses will incur disproportionate impact</b>	<p>The local law is applied to all businesses that operate a vehicle that is not a commercial vehicle.</p>
<b>Duration of the impact</b>	<p>Businesses will only be affected if parking in a commercial loading zone with a vehicle that is not a commercial vehicle.</p>

## Conclusion

In assessing the anti-competitive provision, it is determined that no significant impacts will exist if the provisions are adopted. The provision will have no impact on businesses when it is introduced.

Given the rural location of the local government area, this local law is unlikely to create a significant impact on any of the business if commercial loading zones are created in the future. The benefits of the restriction to the community as a whole outweigh the costs, and the objectives of the law could only be achieved by restricting competition.

No significant impacts were identified.

## Conclusion

No significant impacts on businesses have been identified in this review.

30 March 2021

**EXECUTIVE SUMMARY**

Approval is requested for the Council 2021 Christmas closedown for the Administration Centre and other non-essential services across Council, where partial or complete closedown is possible.

**OFFICER’S RECOMMENDATION**

*That Council:*

- ***Confirm the Christmas 2021 closedown period for the Administration Centre and other non-essential services will be from close of business on Thursday 23 December 2021 to Monday 3 January 2022 inclusive with the Administration Centre to re-open on Tuesday 4 January 2022.***

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**BUDGET & RESOURCE IMPLICATIONS**

There are no budget or resource implications as staff will be required to take annual leave for those days during the shutdown period outside of any public holidays.

**BACKGROUND**

The Council Administration Centre and some non-essential service areas close over the Christmas period, with staff required to take annual leave during this time on those days that are not public holidays.

An official notification, providing details of the on-call staff plus relevant contact telephone numbers for urgent matters, is issued by the Office of the CEO in the lead-up to closedown. Additionally, the relevant advertising requirements for the closedown period will be undertaken by the Governance and Communications Team.

**LINK TO CORPORATE PLAN**

Corporate Plan 2021-2025

- Priority No 5 Transparency & Accountability
- Priority No 8 Customer Service

**CONSULTATION (Internal/External)**

Internal: Executive Leadership Team

**LEGAL CONSIDERATIONS**

There are no legal implications that warrant the recommendation being declined.

**POLICY IMPLICATIONS**

There are no policy implications that warrant the recommendation being declined.

**RISK IMPLICATIONS**

The public relations risk is mitigated with early communication to the community on Council’s closedown period during the Christmas/New Year period. There are consequently no political, public relations, financial or workplace health and safety risk implications that warrant the recommendation being declined.

<b>Report Prepared by:</b> KATHY THORLEY <b>Customer Service Team Leader</b> Date: 22 June 2021	<b>Report Authorised by:</b> HAYLEY THOMPSON <b>Manager Community Services</b>
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**ATTACHMENTS**

- Not applicable

**REFERENCE DOCUMENT**

- Officer’s Report Document No. 4506103

## 13. REPORTS FOR CONSIDERATION – OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 13.1 Fourth Quarter Progress Report – CTRC Operational Plan 2020/2021

#### EXECUTIVE SUMMARY

*Local Government Regulation 2012 s174 (3)* requires a progress report on the implementation of Council's Operational Plan to be tabled for Council at quarterly intervals.

#### OFFICER'S RECOMMENDATION

*That Council:*

- **Receive and note the Fourth Quarter Progress Report against the 2020/2021 CTRC Operational Plan, covering the quarter April - June 2021.**

#### **BUDGET & RESOURCE IMPLICATIONS**

There are no budget or resource implications arising from noting the report.

#### **BACKGROUND**

The *Local Government Regulation 2012 s174(3)* requires Council to report at quarterly intervals on its progress towards implementing the Operational Plan.

The 2020/2021 Operational Plan was adopted at the Budget Meeting on 18 June 2020. It was based on seven major strategic priorities identified in Council's 2018-2023 Corporate Plan, now superseded by the 2021-2025 Corporate Plan adopted by Council in May 2021 under Resolution No. 3616.

Where Projects and Programs were expanded into Key Measures, input was sought from the CEO, Directors, and relevant staff on progress towards achieving each of the Key Measures within the life of the Plan.

The table below summarises progress for 2020/2021 at the end of Quarter 4:

Priority Focus Area	Projects Completed	Projects in Progress	Projects Yet to Commence	TOTAL 2020/2021
Economic Development	10	1	0	11
Tourism	7	0	0	7
Infrastructure & Sustainability	19	4	0	23
Water	7	7	0	14
Community	23	5	0	28
Advocacy	4	0	0	4
Our Organisation	29	16	0	45
<b>Total</b>	<b>99</b>	<b>33</b>	<b>0</b>	<b>132</b>

It is recommended that Council receive and note the Q4 progress report against the 2020/2021 Operational Plan as final status of all projects at the end of the reporting period.

#### **LINK TO CORPORATE PLAN**

2018-2023 Corporate Plan: Priority Area 7 – Our Organisation

#### **CONSULTATION (Internal/External)**

Internal: Chief Executive Officer - Aaron Johansson  
Director Corporate & Community Services - Kim Hargreaves  
Director Infrastructure Services - John Teague  
Tourism, Trade & Investment Advisor - Melanie Lavelle-Maloney  
Executive Assistant to the CEO - Amy Russell  
Executive Assistant to the Director Infrastructure Services - Kelie Standfast  
Executive Assistant to the Director Corporate & Community Services - Jasmine Orwe  
Management Leadership Team

External: N/A



### **LEGAL CONSIDERATIONS**

There are no legal implications that warrant the recommendation being declined.

### **POLICY IMPLICATIONS**

The Corporate and Operational Plans provide the strategic and operational basis for determining Council's future priorities which are underpinned by all of Council's policies. There are no policy implications that warrant the recommendation being declined.

### **RISK IMPLICATIONS**

The risk associated with non-compliance of legislation (as set out at *Local Government Regulation 2012* s174 (3)) is a low risk, due to the monitoring and reporting process in place and does not warrant the recommendation being declined.

<b>Report Prepared by:</b> KIM HARGREAVES <b>Director Corporate &amp; Community Services</b> Date: 8 July 2021	<b>Report Authorised by:</b> AARON JOHANSSON <b>Chief Executive Officer</b>
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### **ATTACHMENTS**

- Quarterly Progress Report – CTRC Operational Plan 2020/21. Document No. 1359124

### **REFERENCE DOCUMENT**

- CTRC 2020/2021 Operational Plan, Document No. 1335625 (S0071)
  - Officer's Report, Document No. 4512130
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# Operational Plan 2020/2021

## Quarterly Progress Report – Apr/May/June 2021



## Introduction

The Operational Plan is one of the important strategic documents in relation to the Integrated Planning Framework that Council operates within under legislation. The Operational Plan is a requirement under the *Local Government Regulation 2012* and this plan has been prepared in accordance with those requirements.

The Operational Plan must –

- a) Be consistent with the annual budget; and
- b) State how the local government will-
  - I. Progress the implementation of the 5-year corporate plan during the period of the annual operational plan; and
  - II. Manage operational risks; and
- c) Include an annual performance plan for each commercial business unit of the local government (Charters Towers Regional Council does not have any commercial business units).

*Local Government Regulation 2012 s174 (3)* requires that Council receive a quarterly progress report regarding the implementation of the strategies contained in the Operational Plan.

The Plan incorporates seven major strategic initiatives, which have been identified in the Corporate Plan and highlighted as being the Council's priority for the next five years.

This report evidences progress achieved on the targets set in terms of “How We Will Measure Our Performance” during the April to June quarter of 2021.

Aaron Johansson  
Chief Executive Officer

**PRIORITY FOCUS AREA: ECONOMIC DEVELOPMENT**

To be a premier rural service-centre offering traditional and innovative opportunities to work, live, play and invest

Objective	Deliverable	Ref No.	Key Measure	Responsibility	Progress	Reporting – First Quarter Jul-Sept 2020	Progress	Reporting – Second Quarter Oct-Dec 2020	Progress	Reporting – Third Quarter Jan-Mar 2021	Progress	Reporting – Fourth Quarter Apr-Jun 2021
Provide a strategic approach to Economic Development that enhances the region's liveability and drives industry expansion	Facilitate long-term economic growth by promoting innovation and supporting new and existing businesses	ED1.1.1	Adopt an Economic Development Strategy 2020-2024	Tourism, Trade and Investment	Complete	Economic Development & Innovation Strategy was finalised and adopted by Council at the September General Meeting.						
	Engage with key stakeholders and develop strategies to support local business, provide commercial activation for the town centre and encourage investment across the region	ED1.2.1	Adopt an Investment Incentive Policy	Tourism, Trade and Investment	Yet to commence		Yet to commence		Complete	Deferred to 2021/2022 Operational Plan		
Promote the region as a business, tourism, lifestyle and cultural destination	Engage with key stakeholders and develop strategies to support local business, provide commercial activation for the town centre and encourage investment across the region	ED1.2.2	Adopt a Local Business Support Strategy Action and Implementation Plan including 'prioritisation of projects' to enable a staged approach for implementation	Tourism, Trade and Investment	In progress	Council adopted the Street Façade Program at the July 2020 General Meeting.	In progress	Draft document underway.	In progress	Four applications lodged this quarter.	Complete	5 applications and 5 approvals this quarter. Overall Council has received 11 applications with 9 being approved and 1 still under assessment. Budget Request submitted for 2021/22 financial year to continue program.
		ED1.3.1	Develop a Master Plan for Council-owned land that is industry/community viable (e.g. land on Stock Route Road)	Tourism, Trade and Investment	In progress	Initial investigations and development of publication underway.	In progress	Draft document underway.	In progress	Draft document completed and continuing to work with State Government regarding the onsite vegetation management scheme.	Complete	Publication completed and available in hard copy and digital print on Council's website.
	ED1.3.2	Produce a Portfolio of Industrial Land and develop a Prospectus for Investment purposes incorporating Cunningham Estate and Charters Towers Land Parcels (Stockroute Road).	Office of the CEO	In progress	Initial investigations and development of publication underway.	In progress	To be actioned next quarter.	Complete	Prospectus completed and available on Council's website.			
	ED1.3.3	Distribute Industrial Land Investment Prospectus throughout Chamber and Real Estate networks to assist in promoting the sale of land and lease of land for industrial development	Office of the CEO	In progress	Initial investigations and development of publication underway.	In progress	To be actioned next quarter.	Complete	Prospectus completed and available on Council's website.			
Adopt a Charters Towers Region Liveability Prospectus	ED1.4.1	Prepare and develop a Charters Towers Liveability Prospectus to attract new residents and increase our region's population	Tourism, Trade and Investment	In progress	Liveability draft document underway.	In progress	Draft document underway.	In progress	Draft document underway. This project will be finalised in 2021/2022 due to unsuccessful EOI with DESBT grant. Budget request submitted for 2021/2022 financial year.	In progress	This project will be finalised in 2021/2022 due to unsuccessful EOI with DESBT grant. Budget request submitted for 2021/2022 financial year.	

CTRC 2020/2021 Operational Plan adopted 18 June 2020

									2021/2022 financial year.			
	Encourage and promote regional innovative practices	ED1.5.1	Identify and pursue opportunities to use technology as an asset for the region	Tourism, Trade and Investment	Yet to commence		In progress	Opportunities identified in Careers Day planned for early 2021.	In progress	Opportunities identified in Careers Day planned for next quarter.	Complete	
	Collaborate with Schools, Agricultural Sector and Reef partners to package and promote Regional Edutourism and Study Tours	ED1.6.1	Produce and market a package throughout networks to secure increased tour bookings	Tourism, Trade and Investment	Yet to commence		Yet to commence		Complete	Deferred to 2021/2022 Operational Plan	Complete	Operators attended a Bookeasy workshop 16 June 2021 presented by Townsville Enterprise and Council to engage operators for the packaging of tour bookings and accommodation.
	Coordinate and progress Communities in Transition Project	ED1.7.1	Investigate and secure funding opportunities to progress 'Making Water Work' and 'Dynamic Business' projects	Tourism, Trade and Investment	In progress	Governance Groups established and first meeting held and discussions continuing to source appropriate funding.	In progress	Funding opportunities to be identified as and when available.	In progress	EOI lodged for the NQ Economic Diversification Grant.	Complete	Funding opportunities to be identified as and when available. No update for EOI lodged for the NQ Economic Diversification Grant this quarter.
Advocate for Charters Towers Regional Council to become a partner in the Hells Gate Dam project	Pending a favourable business case, advocate for the Charters Towers Regional Council to be appointed as the project management proponent of the 'Big Rocks Weir' project	ED2.1.1	Submission of a tender for awarding of the project to Charters Towers Regional Council as the construction proponents	Office of the CEO	In progress	Council resolved at a Special Meeting of Council on 29 September 2020 to be appointed as Proponent, Developer, Owner and Operator of the Big Rocks Weir facility.	In progress	Council endorsed a Governance Structure at the December 2020 General Meeting. Application lodged for Council to be the Proponent.	In progress	Draft funding agreement received.	Complete	Draft funding agreement to be presented to the July General Meeting for endorsement.

**CTRC 2020/2021 Operational Plan adopted 18 June 2020**

**PRIORITY FOCUS AREA: TOURISM**  
To be a destination of choice for new and repeat regional, intrastate, interstate and international visitors, known for our unique and authentic experiences derived from our natural and historical assets

Objective	Deliverable	Ref No.	Key Measure	Responsibility	Progress	Reporting – First Quarter Jul-Sept 2020	Progress	Reporting – Second Quarter Oct-Dec 2020	Progress	Reporting – Third Quarter Jan-Mar 2021	Progress	Reporting – Fourth Quarter Apr-Jun 2021
Promote the Charters Towers Region as a lifestyle and recreational destination of choice	Towers Hill is well utilised and opportunities for use are realised	T1.1.1	Develop and implement a Master Plan for Towers Hill	Regional Development	In progress	Project and fee scoping currently underway with discussions occurring with the A/Director Corporate and Community Services prior to engaging a preferred consultant.	In progress	Project inception and Councillor Workshop held in November. Draft Master Plan being prepared.	In progress	Draft Master Plan to be presented at the 21 April Councillor Workshop followed by public display.	Complete	Towers Hill Master Plan adopted at the 16 June General Meeting. Master Plan published on Council's website.
Promote the Charters Towers Region as a tourism destination	Review the current visitor engagement platform that measures visitor numbers and visitor satisfaction	T2.1.1	Create a visitor survey that captures visitor information, including, but not limited to: number of visitors, frequency of travel (both in and out of region) and satisfaction with our region and what we have on offer from a tourism perspective	Community Services	Yet to commence	Work on this project will commence in Q2.	In progress	Discussions have commenced regarding existing data collection with the current survey to be reviewed by Tilma Group in Qtr 3. Council will continue to participate in the Townsville Region Visitor Survey for 2021 in partnership with James Cook University.	In progress	Work underway to have survey ready by 30 April.	Complete	Survey has been established, data collection has commenced and will be collated on regular basis. Bookmarks with QR code for visitor to take the survey online have been printed and are being distributed from the VIC and caravan parks.
	Source and develop new advertising opportunities to market the region	T2.2.1	Promotional opportunities identified and pursued	<ul style="list-style-type: none"> <li>Community Services</li> <li>Tourism, Trade and Investment</li> </ul>	In progress	Opportunities identified in Destination Management Plan.	In progress	New Tourism Guide being prepared in preparation for 2021 Tourist Season.	Complete	New Tourism Guide printed and ready for distribution.		
		T2.2.2	Produce and distribute marketing material to organisers of inter/intra-state travel shows and exhibitions to maintain a presence in the broader tourism industry, together with increased attendance at travel shows	<ul style="list-style-type: none"> <li>Community Services</li> <li>Tourism, Trade and Investment</li> </ul>	In progress	Opportunities identified in Destination Management Plan.	In progress	Limited opportunities due to COVID.	In progress	New Tourism Guide has been prepared and will be printed and ready for distribution in April.	Complete	Increase in trade show attendance has occurred with the Tourism, Trade & Investment Advisor and Economic Development Administration Officer attending Townsville and Mackay shows in the last quarter.
	Review and update Ghosts of Gold production	T2.3.1	Participation increase and positive feedback and promotion from community and tourists across media platforms	Tourism, Trade and Investment	Yet to commence		Yet to commence		Complete	Deferred to 2021/2022 Operational Plan. Budget Request lodged for this to be completed in 2021/2022 financial year.		
Reignite the Sister Cities relationship between the Charters Towers Regional Council and Daqing Municipal	Maintain communication with Daqing Municipal Government to enhance tourism and economic development opportunities	T3.1.1	Re-establishment of communication with Daqing Municipal Government	Office of the CEO	Yet to commence		Yet to commence		In progress	Contact has been made with Daqing to re-establish the communication. The current agreement is to be uploaded to the Department of Foreign Affairs Portal. Once uploaded and a response from the	Complete	Email communications had with Daqing. Formal online meetings will commence.

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Government (China)										Minister for Foreign Affairs, Minister for Women, Senator Hon Marise Payne MP has been received, Council will again contact Daqing to further communications already commenced.		
A considered and appropriate Destination Management Plan that promotes and supports our region	Adopt a Destination Management Plan 2020 - 2024 including Tourism Strategy, Tourism Rebrand and Action and Implementation Plan including 'prioritisation of projects' to enable a staged approach for implementation	T4.1.1	Adopt the Tourism Strategy in accordance with the Building Better Regions Round 3 (Tourism) funding which meets the needs of our region	Tourism, Trade and Investment	Complete	Destination Management Plan was finalised and adopted by Council at the September General Meeting.						

**PRIORITY FOCUS AREA: INFRASTRUCTURE & SUSTAINABILITY**  
 To create a sustainable future for the Region through the maintenance, enhancement and protection of our built and natural environment

Objective	Deliverable	Ref No.	Key Measure	Responsibility	Progress	Reporting – First Quarter Jul-Sept 2020	Progress	Reporting – Second Quarter Oct-Dec 2020	Progress	Reporting – Third Quarter Jan-Mar 2021	Progress	Reporting – Fourth Quarter Apr-Jun 2021
Provide services and local infrastructure that meet community expectations, support growth, build resilience and provide for the needs of our community	Maintain road infrastructure and essential public assets in accordance with Maintenance Plans and best practice standards	IS1.1.1	Adopt Strategic Asset Management Plans for urban and rural road networks and associated infrastructure	Operations - Roads Construction and Maintenance	In progress	Assessment of assets being undertaken for road network to assist with the changes to the AMP.	In progress	Assessment of assets being undertaken for road network to assist with the changes to the AMP.	In progress	This work is being done in conjunction with asset data cleansing. With current limited resources this project may not be fully completed this year.	In progress	Data collection and cleansing in progress. Plans to be developed from collected data. Expected completion second half of 2021.
		IS1.1.2	Adopt a Maintenance Management Plan that has a primary focus on assessing structural integrity as its core component. The plan will incorporate all road structures, including bridges, culverts and crossings, footpaths and lighting	Operations - Roads Construction and Maintenance	In progress	Being undertaken in conjunction with the AMP.	In progress	Being undertaken in conjunction with the AMP.	In progress	This work is being done in conjunction with asset data cleansing. With current limited resources this project may not be fully completed this year.	In progress	Road and bridge Plans to be completed in second half of 2021. Data collection for associated infrastructure, including culverts, footpaths, kerb and channel, etc to be undertaken after road data collection has been completed, with Plans to be completed in 2021/22 FY.
		IS1.1.3	Adopt a Mitigation Strategy for recurring impacts of flooding on road assets	Operations - Roads Construction and Maintenance	In progress	Using QRA hotspot mapping to assist, identify and develop addressing key assists requiring investigation and funding.	In progress	Using QRA hotspot mapping to assist identify and develop addressing key assists requiring investigation and funding.	In progress	Using the QRA tool Council will prioritise a concrete causeway construction program.	Complete	Strategy developed to use QRA tool and be integrated with road/traffic data and customer requests to develop a prioritised future works program.
		IS1.1.4	Complete a comprehensive assessment of all gravel pits throughout the region including inventory, condition assessment, compliance status and rehabilitation plan	Operations Delivery - Roads Construction and Maintenance	Complete	Gravel pit assessment and registration undertaken in conjunction with DRFA works and Quarry Management Plan developed.						
Council managed airstrips are compliant with all relevant aviation regulations	Complete the Capital Works Program in relation to road infrastructure within each financial year	IS1.2.1	Undertake a compliance audit of Council managed airstrips	Council Facilities	In progress	Compliance Audit quotations received and project to commence in November 2020.	Complete	Compliance Audit 100% complete. Remedial actions 10% complete and awaiting outcome of airport funding applications.				
		IS1.3.1	All capital works scheduled to be delivered are complete by end of Q4 each financial year	• Operations - Roads Construction and Maintenance • Council Facilities	In progress		In progress	Water Street complete Mosman Street complete Black Jack culvert complete World Theatre air conditioning Controller Unit and acoustic works complete Animal Pound refurbishment complete	In progress	Racecourse Road/Paradise Street Intersection Upgrade practicably completed. Racecourse Road/Peek Street Roundabout to commence April 2021. Gill Street and Mosman Street Footpath refurbishments to	Complete	98% of Facilities Capital Works projects completed. Minor number of carry over projects to be completed in 1st Quarter 2021/22. Racecourse Road/Peek Street Roundabout in final construction phase expected to be completed end of July



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Objective	Deliverable	Ref No.	Key Measure	Responsibility	Progress	Reporting – First Quarter Jul-Sept 2020	Progress	Reporting – Second Quarter Oct-Dec 2020	Progress	Reporting – Third Quarter Jan-Mar 2021	Progress	Reporting – Fourth Quarter Apr-Jun 2021
								Library Fire Panel replacement complete Equestrian Centre amenities refurbishment complete Saleyards water infrastructure study 80% complete Charters Towers airport runway linemarking complete Repainting of Ravenswood and Greenvale pools complete		commence April 2021. Saleyards – nine new Cattle Pens complete Saleyards – Hay feeders purchased and in place (Stage 1) Equestrian Centre – amenities refurbishment complete Harte Street Concrete Causeway construction to commence following DRFA crew completion of WP13.		with asphalt programmed 9 August
	Undertake and complete the 'Works for Queensland' maintenance and construction projects within each financial year	IS1.4.1	Program works are planned and completed according to agreed schedule	• Operations - Roads Construction and Maintenance • Council Facilities	In progress		In progress	Facilities scheduled maintenance program 45% complete	In progress	All works complete, with the exception of the CCTV on the solar lights on Towers Hill which has an order to complete and Dalrymple Stadium Refurbishment – Sun blinds and roof fan installed.	Complete	Facilities maintenance program completed for 2020/21.  Operations 2020/21 W4Q completed
Provide Council buildings and facilities that are safe, smart, accessible, secure, fit-for-purpose and sustainable	Complete Asset Management Plans for identified classes of assets	IS2.1.1	Finalise the two Asset Management and Service Level Plans yet to be adopted: - Saleyards - Equestrian Centre	Council Facilities	Yet to commence		In progress	Initial asset register established; consultant engaged. Incorporated in full Facilities asset management planning project.	In progress	Preliminary meetings held TechOne Training underway (Asset Module).	In progress	Development of Asset Management Plans will continue into 1st Quarter 2021/22. Commitments in place for these projects - consultant appointed.
	Delivery of the Annual Facilities Maintenance Program	IS2.2.1	Undertake regular facility condition inspections to plan and schedule routine, cyclic and responsive maintenance to provide well-maintained, safe and quality facilities	Council Facilities	In progress	Ongoing assessment of buildings for maintenance schedule and budget planning.	In progress	Condition audits commencing January 2021	In progress	Facilities condition Audits are in progress - to be completed by 30 June 2021.	In progress	Condition audits continuing and being utilised to populate TechOne Asset Module - Consultant appointed.
	Maintenance and improvement to heritage listed facilities is undertaken to enhance the character and heritage of our built environment	IS2.3.1	Maintenance and improvements to heritage listed facilities are identified and incorporate heritage liaison, planning and compliance with heritage legislation and guidelines	Council Facilities	In progress	Ongoing assessment of buildings for maintenance schedule and budget planning. Rotary Centenary Foundation to be workshopped with Council to determine future actions.	In progress	Council resolved to demolish Rotary Centenary Fountain, funding to be sought in 2021/22 budget, community consultation to commence. Heritage approval gained. Planned Facilities condition audit will identify maintenance needs.	In progress	Heritage Maintenance is in progress per IS2.2.1.	Complete	Facilities maintenance program completed for 2020/21.
Recognise and support the agricultural industry to	Develop a Saleyards Master Plan that is attractive for potential investors	IS3.1.1	Development of a long term infrastructure strategy for the Dalrymple Saleyards	Council Facilities	In progress	Short term planning commenced including highway entrances, light vehicle carpark and water supply	In progress	Masterplanning commencing January 2021. Facilities Asset Management Plan	In progress	Preliminary Master plan drafted. Masterplan Committee being established.	Complete	Masterplan Committee in place to consider upgrade options for saleyards during 1st and 2nd Quarters of 2021/22

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Objective	Deliverable	Ref No.	Key Measure	Responsibility	Progress	Reporting – First Quarter Jul-Sept 2020	Progress	Reporting – Second Quarter Oct-Dec 2020	Progress	Reporting – Third Quarter Jan-Mar 2021	Progress	Reporting – Fourth Quarter Apr-Jun 2021	
assist with prosperity	and growth for the region					needs. Long term planning Fee Proposal being prepared.		development will incorporate Saleyards.				(resolved by Council 16 June 2021).	
Provide fleet that is fit for purpose, safe, reliable and cost-effective	Ensure fleet is operational and maintained according to legislation, regulation and manufacturer's specification	IS4.1.1	Undertake repair and maintenance activities according to manufacturer's specifications	Fleet Services	In progress	Ongoing - monitored per Fleet R&M activity.	In progress	Ongoing - monitored per Fleet R&M activity. Scheduled maintenance activities for Q2 approx. 68%.	In progress	R&M budget 86% YTD. Scheduled maintenance @ 72% for Q3 2020/21.	Complete	R&M budget 86% YTD. Scheduled maintenance @ 76% for Q4 (to date.) Annual scheduled maintenance @ 71%	
		IS4.1.2	Ensure fleet are safe, compliant and fit for operation	Fleet Services	In progress	Commenced - various safety requirements are being investigated for further consultation. Compliance requirements are addressed as required and in accordance with identified timeframes.	In progress	Testing options in January 2021	In progress	Report approved by ELT, some devices delivered and in trial stage. 50% complete.	Complete	Trial phase commenced. Results and determination expected Q2 2021/22. Fleet are safe, compliant and fit for operation.	
Ensure Fleet Assets are providing best value for money for Council		IS4.2.1	Undertake rationalisation of Fleet assets ensuring service deliverables can be met	Fleet Services	In progress	Ongoing - evaluations undertaken when proposing fleet replacement (including budget processes), renewal or additional fleet requested.	In progress	Ongoing	Complete	Rationalisation of existing financial fleet assets complete. Future fleet requirements determined on a business case basis and budget approval.			
		IS4.2.2	Develop targets and monitor utilisation to ensure fleet are providing value for money	Fleet Services	In progress	Commenced - draft targets being developed for further consultation. Current utilisation monitoring occurs adhoc, however TechOne reporting options being investigated and tested.	In progress	Reviewing street sweeper	In progress	Targets Developed, to be implemented and rolled out for 2021/22 FY (75% complete). Fleet average utilisation @ 67% YTD. Current recoveries 93.5% YTD budget.	Complete	Data ready for uploading into One Council for 2021/22.	
		IS4.2.3	Monitor fleet asset expenditure to ensure value for money	Fleet Services	In progress	Budgets in place and monitoring currently occurring per pay period to ensure reporting is appropriate and correct. Once confident, monitoring will be extended to monthly.	In progress	Budgets in place and monitoring currently occurring per pay period to ensure reporting is appropriate and correct. Once confident, monitoring will be extended to monthly.	In progress	Budgets and targets developed, strategy to ascertain data to be developed and then evaluation to be undertaken.	Complete	Data ready for uploading into One Council for 2021/22. Reports being developed to monitor expenditure, manual analysis available upon data upload and prior to report availability.	
		IS4.2.4	Undertake analysis on sourcing of fleet and develop strategy to ensure suitable fleet are available to deliver services	Fleet Services	Yet to commence		Complete	Analysis complete, existing sourcing of Fleet is meeting value for money, as a result no strategic process change is recommended.					
		IS4.2.5	Establish a robust system for corporate management of travel relating to fleet vehicles, by critically reviewing current travelling trends across the region to	Fleet Services	Yet to commence	Review of existing vehicle monitoring systems being undertaken prior to commencing critical review of travelling trends.	In progress	Testing options in January 2021	In progress	Report approved by ELT, some devices delivered and in trial stage. 50% complete.	Complete	Trial phase commenced. Results and determination expected Q2 2021/22. Fleet are safe, compliant and fit for operation.	

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Objective	Deliverable	Ref No.	Key Measure	Responsibility	Progress	Reporting – First Quarter Jul-Sept 2020	Progress	Reporting – Second Quarter Oct-Dec 2020	Progress	Reporting – Third Quarter Jan-Mar 2021	Progress	Reporting – Fourth Quarter Apr-Jun 2021
			inform current practices/focus areas									
Development of long-term strategies to reduce Council's carbon footprint	Investigate solar energy for all appropriate Council facilities	IS5.1.1	Funding opportunities are researched to subsidise solar installations on Council facilities	Council Facilities	Yet to commence		In progress	Research commenced to identify State and Federal funding subsidies - 20% complete.	In progress	Research continuing. No funding opportunities identified as yet.	Complete	Research continuing. No funding opportunities identified yet. Investigation will continue in 2021/22 as a business as usual focus to seek funding benefits.
	Future planning for Charters Towers waste management and implementation of a regional Waste Management Strategy and Trade Waste Management Plan	IS5.2.1	Develop options for the future of waste management in the region in conjunction with the State Government	Operations - Roads Construction and Maintenance	In progress	Working with DES to identify future of landfill sites for Townships.	In progress	Working with DES to identify future of landfill sites for Townships.	In progress	Working with DES to identify future of landfill sites for Townships.	Complete	Options have been developed. A new waste transfer station is planned to be built at Ravenswood in FY 2021-22. Funding is currently being sought for Pentland and Greenvale waste transfer stations.
		IS5.2.2	Implement a regional Waste Management Strategy pending release of the Queensland Government's Draft Waste Management and Resource Recovery Strategy	Operations - Roads Construction and Maintenance	In progress	Working with DES to identify future of landfill sites for Townships.	In progress	Working with DES to identify future of landfill sites for Townships.	In progress	Working with DES to identify future of landfill sites for Townships. Awaiting Townsville trial results for FOGO.	Complete	Waste Management Strategy has been developed in collaboration with NQROC and has since been adopted and being implemented.
		IS5.2.3	Continued input and consultation to achieve the outcomes of the NQ Regional Waste Reduction and Recycling Plan	Operations - Roads Construction and Maintenance	In progress	Moving forward with NQROC Waste and Resource Recovery Strategy 2020-30, currently determining waste priorities for the region over next ten years.	In progress	Strategy completed, awaiting NQROC recommendation.	In progress	The NQROC Waste Management Working Group has recommended Council target FOGO component of recycling as the best option. Awaiting Townsville trial results for FOGO.	Complete	Consultations have commenced in accordance with the adopted strategy and will continue until 2030.
		IS5.2.4	Implementation of a Trade Waste Management Plan, including consultation with impacted businesses for compliance by June 2022	Regional Development	In progress	Consultation with 89 effected trade waste generators is taking place with applications being lodged, assessed, and decided. Trade Waste Register being developed.	In progress	Consultation with trade waste generators taking place with applications being received, assessed, and approved.	Complete	Applications being assessed and approved. Ongoing education occurring with trade waste generators.		

**PRIORITY FOCUS AREA: WATER**  
To provide water security that supports community lifestyle, development attraction and agricultural expansion

Objective	Deliverable	Ref No.	Key Measure	Responsibility	Progress	Reporting – First Quarter Jul-Sept 2020	Progress	Reporting – Second Quarter Oct-Dec 2020	Progress	Reporting – Third Quarter Jan-Mar 2021	Progress	Reporting – Fourth Quarter Apr-Jun 2021
Commit to enhancing water security to support lifestyle, development, and agriculture	Development of a "Water Demand" Strategy	W1.1.1	Critically review demand management arrangements including the application of water restrictions, to inform development of a "Water Demand" Strategy	Water and Wastewater	Yet to commence	Low level water restrictions are currently in place. Require completion of Customer Service Plan as a driver for implementation of restrictions.	In progress	Review of Customer Service Statement in progress. Will use experience from recent dry spell and implementation of restrictions.	In progress	Continuing review of Customer Service Statement. Difficulties arise in implementing Demand Management when most consumers purchase a bulk supply. Demand management may only be effective during dry periods when there is a clear need to reduce consumption.	In progress	As for previous quarter. Continuing review of Customer Service Statement. To be completed as resources become available.
	Adopt a Total Water Cycle Plan	W1.2.1	Develop a Total Water Cycle Plan for Charters Towers and each township	Water and Wastewater	Yet to commence	To be developed as above.	Yet to commence	Plan to include improved use of recycled water	In progress	Drinking Water Quality Management Plan now reviewed and other components of Total Management Plan to be reassessed.	In progress	Recycled water agreements to be in place by end of FY. Will then progress to Water Cycle Management.
	Development of a Strategic Asset Management Plan	W1.3.1	Adopt a Strategic Asset Management Plan for Charters Towers and each township	Water and Wastewater	In progress	Has been considered and commenced, however requires a dedicated resource. Recruitment challenges have delayed further progression.	In progress	Awaiting recruitment of skilled staff.	In progress	Recruitment of Engineer in progress. Some Preventive Maintenance plans developed as preliminary activities.	In progress	Awaiting recruitment of Senior Officer. Working with technical staff on preventive maintenance plans as initial actions.
	Development of a Maintenance Management Plan	W1.4.1	Adopt a Maintenance Management Plan for water and wastewater assets to change focus from reactive to proactive maintenance	Water and Wastewater	In progress	Preventative Maintenance Plans in progress for Charters Towers WTP and STP. Other assets to be included as resources are available.	In progress	To be developed in conjunction with Strategic Asset Management Plan	In progress	Recruitment of Engineer in progress. Some Preventive Maintenance plans developed as preliminary activities.	In progress	Awaiting recruitment. Working with technical staff on preventive maintenance plans.
	Development of a Network Pressure and Leak Program	W1.5.1	Adopt a water supply network pressure and leak management program to reduce system losses	Water and Wastewater	In progress	Consultancy performing preliminary network analysis to improve supply for Highway Depot and Saleyards. This will be extended across the city as resources are available.	In progress	Water Network Analysis now available and being used to deal with urgent flow/pressure issues. Pressure and Leak Management program to follow.	In progress	Work on network pressure and leak management currently focussed on problem areas. System wide issues to be addressed when fully staffed.	In progress	Focus remains on problem areas. Works scheduled for 2021/22 Financial Year should result in improved supply to Range Rd area and Industrial area. Will seek support for Network Analysis in 21/22
	Determine the applicability of a Class A Treated Effluent Plan	W1.6.1	Investigate the potential to introduce Class A treated effluent for community and educational users	Water and Wastewater	Yet to commence	To be investigated as component of upgrade to STP.	In progress	Discussions with existing and potential customers to be commenced in January	Complete	Recycled Water agreements being updated. The availability of water for recycling is near its limit and the cost of treatment to achieve Class "A" is not justified in view of the end applications of the water.	Complete	Council has four recycled water agreements in place with commercial users.

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	Develop a plan to augment rising mains and reservoirs to match upgraded Water Treatment Plant capacity	W1.7.1	Water options to be presented to Council and a Plan adopted	Water and Wastewater	Yet to commence	Further information and data on demands and water sources required.	Yet to commence	Exploring water source options	In progress	Projects Manager developing program of works to upgrade treated water delivery system.	In progress	Projects manager reviewing water supply delivery system after completion of WTP upgrade. Work in progress.
		W1.7.2	Develop and implement a management strategy	Water and Wastewater	In progress	Drinking Water Quality Management Plan completed and operational. Bulk water supply and demand management to be commenced.	In progress	To be developed in conjunction with Strategic Asset Management Plan	In progress	Projects Manager developing program of works to upgrade treated water delivery system.	In progress	Projects manager reviewing water supply delivery system after completion of WTP upgrade. Work in progress.
Provide, maintain, and upgrade water infrastructure that will support a high standard of living	Ensure safe, reliable, and high-quality water services to the community	W2.1.1	Compliance with Australian Drinking Water Guidelines	Water and Wastewater	In progress	Annual Drinking Water Quality Management Plan Report to be submitted to DLGME by end of October.	In progress	DWQMP Report submitted. Monitoring of water supply systems ongoing	In progress	Review of DWQMP submitted end of February. Revised plan submitted for Regulator review end March.	Complete	Completed and submitted now waiting response from the Regulator.
	Maintain service levels provided for reactive maintenance work on water and wastewater infrastructure	W2.2.1	Respond and resolve Customer Requests within stipulated timeframes for customer service response standards	Water and Wastewater	In progress	Timeframes and response requirements yet to be finalised.	In progress	Workshop to be convened to develop timeframes and action requirements for customer service	In progress	Review of Customer Service Standards underway and inclusion of response times and actions.	Complete	New Customer Service Statement being developed for 2021/22
	Completion of the Capital Works Program in relation to water and wastewater within each financial year	W2.3.1	All capital works scheduled to be delivered are complete by end of Q4 each financial year	Water and Wastewater	In progress	WIUP complete. Delivery pipelines replacement works ongoing but on schedule. AVData works delayed by supplier issues, but substantially complete.	In progress	Currently reviewing outstanding capital works items to meet completion deadlines	In progress	Major Items completed, ongoing activity for minor works.	Complete	Major items complete. Minor tidy up under way
	Coordinate and deliver the 'Works for Queensland' water and wastewater project works in each financial year	W2.4.1	Program works are planned and completed according to agreed schedule	Water and Wastewater	In progress	Weir repair works completed as scheduled. Repairs to scour hatch to be completed in September/October.	In progress	Scour hatch repairs complete. Further works to repair penstock gates to be completed after wet season. Further works required to replace Raw Water Flowmeter and failed raw water valve at pump station.	In progress	Introduction of electronic metering for standpipes completed. Replacement and upgrade of water mains continuing and will be an ongoing activity.	Complete	Final works include Jackson Street main replacement and HDD boring. Now complete and awaiting financial settlement.
Support a locally-led, risk informed process to identify disaster resilience gaps and opportunities	Develop and implement a Burdekin and Haughton River Flood Resilience Strategy	W3.1.1	Development of a fit-for-purpose governance structure for project delivery of a Burdekin and Haughton Flood Resilience Strategy	Office of the CEO	In progress	Council continuing to partner with Queensland Reconstruction Authority. Draft strategic pathways have been developed and need to be workshopped with Council.	In progress	This will evolve out of the strategy document that is being developed.	In progress	Council has reviewed the first draft of the Burdekin Haughton Flood Resilience Strategy as developed by the Queensland Reconstruction Authority and provided feedback to QRA.	Complete	Multi Hazards Workshop to take place as part of the action plans arising out of the strategy. This workshop will assist in the completion of part of the Queensland Emergency Risk Framework.
		W3.1.2	Prepare the Burdekin and Haughton River Flood Resilience Strategy	Office of the CEO	In progress	Council continuing to partner with Queensland Reconstruction	In progress	Face to face workshops have now been completed and the Queensland Reconstruction	In progress	Council has reviewed the first draft of the Burdekin Haughton Flood Resilience Strategy as developed	Complete	Strategy has been finalised and officially released to the public by the Minister on 11th June 2021

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Objective	Deliverable	Ref No.	Key Measure	Responsibility	Progress	Reporting – First Quarter Jul-Sept 2020	Progress	Reporting – Second Quarter Oct-Dec 2020	Progress	Reporting – Third Quarter Jan-Mar 2021	Progress	Reporting – Fourth Quarter Apr-Jun 2021
						Authority. Strategy still being developed.		Authority is working towards a draft publication for review by the eight Councils that have been involved in the collaboration of this strategy throughout 2020.		by the Queensland Reconstruction Authority and provided feedback to QRA.		

**PRIORITY FOCUS AREA: COMMUNITY**

To be an inclusive and engaged resilient community, with access to services and facilities that enable a safe and healthy lifestyle

Objective	Deliverable	Ref No.	Key Measure	Responsibility	Progress	Reporting – First Quarter Jul-Sept 2020	Progress	Reporting – Second Quarter Oct-Dec 2020	Progress	Reporting – Third Quarter Jan-Mar 2021	Progress	Reporting – Fourth Quarter Apr-Jun 2021
Improve the vibrancy of the region by supporting the community's access to, and participation in, a range of artistic, cultural, sporting and entertainment activities	Continued support of the development of arts and cultural-based programs through funds, grants, and joint initiatives	C1.1.1	Continue to support the Regional Arts Development Fund (RADF) program and encourage arts and culture as part of the program	Community Services	In progress	RADF Committee and Community Training offered in September. 12 out of 13 Committee members completed their induction with the final member undertaking training in October. 9 Community members attended the community training. No grant applications received. Waiting on 2020-2021 funding release from Arts Queensland. All existing applications delayed due to COVID-19 restrictions.	In progress	Round 1 2020/2021 funding offered. One application was received and funding in the amount of \$1,558 was granted to the application. Round 2 2019-2020 projects can now progress following easing of COVID-19 restrictions. Two projects are complete, three are in progress and two will commence in Term One.	In progress	Final round of funding closes 16 April 2021 and applications will be endorsed by Council at May Meeting. No foreseeable concerns/issues with this deliverable being achieved by <b>May GM</b> .	Complete	Round 2 2020-2021 funding offered. Eight applications were received, and six applications were funded in the amount of \$40,352 was granted to the successful applications.
		C1.1.2	Increase in groups and individuals lodging applications for support and assistance to develop arts and cultural activities, projects, and events	Community Services	In progress	Project Collaboration Workshop offered to increase collaborative project applications. 11 community members attended the Collaboration training session.	In progress	The new RADF Committee discussed ways to increase the take up of the RADF program. Committee members will directly target individuals and groups in their area of representation in the new year.	Complete	Committee members directly targeted individuals and groups in their area of representation to promote a diverse range of applications. Final round of funding closes <b>16 April 2021</b> .	Complete	Six of the eight applicants for Round 2 were first time applicants.
		C1.1.3	90% acquittal of funding applications approved	Community Services	In progress	100% of due acquittals approved.	In progress	100% of due acquittals approved.	In progress	100% of due acquittals approved. There is no foreseeable concern/issue with this deliverable continuing to be achieved above target measure before <b>30 June 2021</b> .	Complete	100% of due acquittals approved.
	Explore opportunities to provide support to events, sporting, community groups and businesses throughout the region	C1.2.1	Ongoing support for community events to enhance a vibrant, resilient, and active community and promote social cohesion and community spirit	Community Services	In progress	Arts and cultural activity communications review underway to assist in understanding how the community access events information in order for Council to better meet community needs. Once-off Resilience Grants funded by Northern Queensland Primary Health Network funded five (5) projects/activities to	In progress	Remaining balance from the Resilience Grant funding from Northern Queensland Primary Health Network is \$25,240 (ex GST). The funding is to support activities and/or events staged prior to 30 June. Upcoming events being reviewed to determine suitability for funding. The Twilight Markets and Towers Rush continued as planned	In progress	RADF Strategic Initiative Funds to be utilised for mural to meet these key measures. Project to be completed by mid-2022. The Move It Programme continued offering water polo, basketball, general fitness, and dance. Delivery of the program will be completed soon.	Complete	Strategic funding was approved to be utilised to engage a mural artist to create a mural celebrating the 150 years of Charters Towers on the Arthur Titley Centre wall with a total budget of \$39,045. Project expected to be completed by mid-2022 and will value add to the planned 150-year celebrations. Finalised and completed the Community

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						the combined value of \$24,760 (ex GST).		with extra procedures implemented due to COVID-19. Council Community Christmas Markets cancelled due to bad weather.				Resilience Grants - total value \$50,000
		C1.2.2	Conduct workshops to assist the community to recover from shutdown and isolation	Community Services	Yet to commence	This project will be reviewed in Q2.	Yet to commence	No progress.	Complete	There is no evidence to suggest that this specific deliverable is required although other community activity/programs have focused on addressing isolation within our community.		
	Planning for the Region's 150 year anniversary in 2022	C1.3.1	Event team convenes on a frequent basis to ensure appropriate planning	Community Services	In progress	Community Consultation via Digital Media due to COVID-19 has been conducted.	In progress	On hold due to COVID-19 & current events and activities. Will proceed in Q3.	In progress	150 Year Committee established and meets monthly to progress event planning. There is no foreseeable concern/issue with this deliverable being achieved by <b>30 June 2021</b> .	Complete	150 Year Committee will continue to meet monthly to progress event planning.
		C1.3.2	Prepare a draft Event Plan for consideration by Council	Community Services	In progress	Results of community consultation to be collated and reviewed. Draft event plan to be presented to Council for consideration in Q3.	In progress	Draft plan to be presented to Council for consideration in Q3.	In progress	Draft 150 Years Event Calendar to be presented to Council as a workshop at May GM. There is no foreseeable concern/issue with this deliverable being achieved by <b>May GM</b> .	Complete	Draft 150 Years Event Calendar presented to Council at May Workshop.
	Adopt a Community Engagement Policy and Guidelines, and a program for tailored engagement	C1.4.1	Develop and implement a Community Engagement Policy	Community Services	In progress	Policy currently being drafted.	In progress	Policy drafted and awaiting review. Will be finalised in Q3.	In progress	Draft to be edited and finalised before ELT endorsement for MLT roll out. There is no foreseeable concern that the policy will not be adopted by end of financial year.	In progress	Unspent funds (due to COVID) are available to develop a comprehensive Community Engagement Strategy. The development work for a strategy will occur in the first quarter of 21/22 and the policy will form part of the strategy.
		C1.4.2	Prepare and implement Community Engagement Guidelines	Community Services	In progress	Guidelines currently being drafted.	In progress	Policy drafted and awaiting review. Will be finalised in Q3.	In progress	Draft to be edited and finalised before ELT endorsement for MLT roll out. There is no foreseeable concern that the policy will not be adopted by end of financial year.	In progress	As above with the guidelines will form part of the strategy.
		C1.4.3	Adopt a program of community engagement activities that are tailored to	Community Services	In progress	Activities being reviewed as part of policy and guideline drafting.	In progress	To be developed once policy and guidelines are finalised.	In progress	To be informed by policy and guidelines. Improved community engagement approaches are	In progress	The development of the strategy will be undertaken as a community engagement activity. A program of



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			specific community groups/areas							already featuring in core business activity.		activities will follow the adoption of the strategy.
	Review the policy framework for expenditure on sponsorships, grants, and events to ensure that investment is consistent, and activities and programs provide mutual leverage towards a common objective for the community	C1.5.1	Review existing sponsorship and grants policy to improve consistency of decision making throughout the process	Community Services	In progress	Policy review in this quarter resulted in adoption of Sporting and Recreation COVID Support Program. Community Grant Policy to be reviewed and workshop with Council in Q3.	In progress	Community Grant Policy to be reviewed and workshop with Council in Q3.	Complete	Amended policy adopted by Council at March Meeting.		
		C1.5.2	Identify key community events that require funding on an annual basis and enter into arrangements with community groups to fund these over the long term, providing certainty to applicants	Community Services	Yet to commence	Community Grant Policy to be reviewed and workshop with Council in Q3.	Yet to commence	Community Grant Policy to be reviewed and workshop with Council in Q3.	In progress	Scheduled for a Councillor Workshop. There is no foreseeable concern/issue with achieving completion by <b>30 June 2021</b> .	In progress	
		C1.5.3	Review the existing grants and sponsorship acquittal process to streamline and ensure compliance within agreed time frames	Community Services	Yet to commence	Community Grant Policy to be reviewed and workshop with Council in Q3.	Yet to commence	Community Grant Policy to be reviewed and workshop with Council in Q3.	Complete	Recording spreadsheet regularly monitored to ensure compliance with acquittal dates. Reminder letters issued each quarter.		
Our community acknowledges and celebrates our Aboriginal and Torres Strait Islander residents and visitors	Establish meaningful indigenous relations and practices, including effective protocols, programs, projects, and cultural awareness training as part of a broader Reconciliation Action Plan	C2.1.1	Develop a Reconciliation Action Plan - Reflect	Regional Development	In progress	Draft RAP - Reflect prepared. Internal consultation to occur with Officers who have deliverables. Once agreed, a workshop to occur with ELT and Councillors.	In progress	Draft RAP agreed to by Officers with deliverables under the RAP. Next step is to progress through to ELT and Councillors.	In progress	Draft RAP with reconciliation Australia for review.	Complete	The Reflect Reconciliation Action Plan (RAP) was adopted at the 16 June General Meeting. The RAP has been published on both Council's and Reconciliation Australia's websites.
	Update and review existing Indigenous Relations policies, practices, and agreements to ensure they meet contemporary government practices	C2.2.1	Review existing materials and agreements (including Indigenous Land Use Agreements [ILUA's]) and prepare an implementation plan that provides a scope for what action is required	Regional Development	In progress	Preliminary review completed of current ILUA's. Discussion with Native Title expert required as to current format and structure.	In progress		In progress	Review and implementation plan is scheduled to be ready for an ELT meeting in April.	Complete	A review of all ILUAs has taken place with actions by responsible Officer's identified. Actions will be delivered through the RAP during the 2021/22 financial year.
	Explore opportunities to display local and Indigenous art collections in library space, engage with local First Australian	C2.3.1	Completion of Deadly Digital Program	Community Services	In progress	Interrupted by Covid-19	In progress	Interrupted by Covid-19	In progress	Interrupted by Covid-19 Will continue into the next financial year.	In progress	Interrupted by Covid-19 Will continue into the next financial year.
		C2.3.2	Continue to engage in and support NAIDOC and National	Community Services	In progress	Community grant support provided to local group to support	In progress	NAIDOC Celebrations held in November 2020 and well supported.	In progress	Planning underway for activities at Library during Reconciliation Action Week.	Complete	Reconciliation Action Week 2021 activities were held at the Excelsior Library. The

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	groups to investigate collaborative cultural learning opportunities		Reconciliation Week celebrations			NAIDOC Celebrations in November 2020		Planning for Reconciliation Action Week to commence.				newly adopted Reflect Reconciliation Action Plan also has clear actions for both NAIDOC and National Reconciliation Week celebrations.
Support The World Theatre to become a vibrant entertainment hub	Facilitate a diverse range of events, shows and activities at the World Theatre	C3.1.1	Performing Arts & Cultural Advisory Committee to meet quarterly and identify opportunities/initiatives	Community Services	In progress	Interrupted by Covid-19. Theatre closed on 23 March 2020 and re-opened 10 July 2020 in line with State Government restrictions. Next Committee meeting to be scheduled.	In progress	Next meeting to be scheduled Feb/Mar 2021 to review options for 2022 touring and new opportunities for 2021 to fill gaps in calendar and genres. 2021 Calendar booked with 21 different producers (hires & buys) with 31 performances + Eisteddfod.	In progress	Next meeting date will be proposed once we have content to consider. COVID has impacted availability.	Complete	Morning Melodies voting conducted via email with Committee.
Promote and increase library services to enhance and support all communities within the region	Re-establish library services to outlying townships, build relationships with Progress Associations and explore service delivery options to meet community needs	C4.1.1	Increase in attendance at library program visits	Community Services	In progress	Interrupted by Covid-19	In progress	Holiday programs not offered during December due to previous lack of attendance. Full program offered during January 2021 with a noted increase in interest as COVID restrictions begin to ease.	In progress	Easter School Holiday program delivered at the library. Library are also presenting Gallery of Modern Art - Kids on Tour program.	Complete	April program well received with very good attendance.
		C4.1.2	Increase in new memberships and loans	Community Services	In progress	Increased mail deliveries to Greenvale members	In progress	Greenvale remains the only outlying township making use of library services.	In progress	Library received enquiries for Hervey Range members - exploring delivery logistics.	Complete	Engagement with all outlying townships has occurred with marginal uptake of library services to date. Engagement will continue and alternative options to promote services explored in the 2021/22 year.
	Explore new funding opportunities to increase digital literacy programs– Tech Savvy Seniors & Public Library Strategic Priorities Grant	C4.2.1	Successful grant applications	Community Services	In progress	Commenced TSS in July - 15 sessions with a total of 57 participants	In progress	Continuing the Tech Savvy Program - 10 sessions with a total of 53 participants	In progress	Continuing Tech Savvy Seniors Program - 10 sessions with 28 participants.	Complete	Tech Savvy Seniors Grant acquitted. 164 participants - 50 sessions held. Request has been made to retain remaining \$570 for continued TSS programs.
		C4.2.2	Attendance at program sessions	Community Services	In progress	Re-introduced library holiday program to limited numbers sessions were well attended	In progress	Promoted the Summer Reading Club offered by State Library Queensland and developed holiday program activities around the theme "Tales of Wonder".	In progress	Easter Library Program offered.	Complete	April program well received with very good attendance. Final holiday program to commence last week of June.
	Continue to support the Fun Palace program	C4.3.1	Increase attendance and positive feedback at Fun Palace Event	Community Services	Cancelled due to Covid	Cancelled due to Covid-19						

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Strengthen disaster management arrangements	Identify and research recovery initiatives to facilitate community resilience	C5.1.1	Recovery initiatives developed to address community resilience	Office of the CEO	In progress	Recovery Plan development in progress.	In progress	Recovery and Evacuation Plans to be finalised in early 2021.	In progress	Executive Officer, LDMG has met with Emergency Management Coordinator to ascertain suitable dates to commence project.	Complete	Updated Recovery Plan Template from Queensland Reconstruction Authority provided to Council. Disaster Management Officer working with Emergency Management Coordinator and Deputy Chair of the Local Disaster Management Group in respect to the completion of a draft document.
A platform for the youth of our region which provides an opportunity for them to understand the role of local government and to have a voice to raise issues and plan for future growth in our community	Establish a Charters Towers Youth Council as an Advisory Committee, with their primary role being to represent the youth of the region	C6.1.1	Develop a Charters Towers Youth Council Terms of Reference and coordinate establishment of a committee that will report quarterly to Council	Office of the CEO	Complete	Terms of Reference developed and adopted by Council at the August 2021 General Meeting.						
		C6.1.2	Engage with the community, including local educational institutions for expression of interests	Office of the CEO	In progress	Expressions of Interest (EOI) and application forms sent to all local High Schools. EOI closes on 30 October 2020.	In progress	Expressions of Interest (EOI) advertised this quarter and members endorsed at the November General Meeting of Council.	Complete	Meeting schedule set for 2021 and first meeting held with members this quarter.		
Ensure community legislative compliance and promote sustainable business and living practices	Protect and strengthen the health, safety, and amenity of the community	C7.1.1	Regulate via education, compliance, and enforcement methods the keeping of animals to protect the community and animals from harm	Regional Development	In progress	Educational flyers were distributed with animal registration notices. Procedures have been developed for the issue of regulatory notices, assessment of third dog and fourth cat applications, annual registration renewals, animal impounding and barking dogs.	In progress	This remains ongoing with weekly meetings being held with the Regulatory Services Section on how educational awareness can be improved. Improvements to Council's website will be made in January with respect to pool compliance.	Complete	This is an ongoing deliverable across the financial year.		
		C7.1.2	Be responsive to public and environmental health, local laws, and compliance matters through the delivery of services incorporating education programs/campaigns, compliance and enforcement of State laws and local laws, proactive patrols, and complaint handling	Regional Development	In progress	All applications, licences, permits and Customer Requests have been assessed, decided, and responded to without escalation or internal review. Members of the community are continually educated throughout all investigations and assessment processes.	In progress	As per July-September 2020 however it is noted that a very small number of investigations are being referred to the Executive or Councillors for action. This continues to show improvements within this area of the organisation.	Complete	This is an ongoing deliverable across the financial year.		

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**PRIORITY FOCUS AREA: ADVOCACY**  
To be a strong and respected regional Local Government voice to promote and facilitate growth on behalf of our community

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Maximise opportunities for economic growth by building and maintaining effective partnerships to secure priority projects for the region	Deliver on a "Priority Projects Prospectus" and advocate for commitment from State and Federal Governments as well as private proponents to secure funding to deliver on region-specific priority projects	A1.1.1	Prepare a "Priority Projects Prospectus"	Office of the CEO	Complete	Priority Projects Prospectus developed and adopted by Council at the September General Meeting.						
		A1.1.2	Engage with key members of Parliament to secure partnerships and support for key projects.	Office of the CEO	In progress	Engagement continuing with State & Federal members.	In progress	Opportunities of engagement with Federal and State Members of Parliament occurs whether it be by electronic means or face to face either for a specific purpose or at the request of Council.	In progress	Engagement continuing with State & Federal members.	Complete	Engagement continuing. Advocacy Plan distributed to all State & Federal members. Live Export Forum held to advocate for key issues impacting this sector.
	Produce an Advocacy Plan that provides a strong and respected regional local government voice to promote and facilitate growth on behalf of our community	A1.2.1	Develop an Advocacy Plan targeted at Federal and State Government for 2021/22	Office of the CEO	Yet to commence		Yet to commence		In progress	Draft Plan underway. Plan to be adopted by Advocacy Committee and presented to General Meeting of Council next quarter.	Complete	Advocacy Plan completed and adopted at May General Meeting.
Encourage and assist local businesses to participate in tendering for government business opportunities		A1.3.1	Explore options and implement an Action Plan to assist local businesses to participate in tendering for government business opportunities	<ul style="list-style-type: none"> <li>Office of the CEO</li> <li>Corporate Solutions</li> </ul>	In progress	Procurement in process of exploring options. Next step is to draft an action plan.	In progress	Procurement is investigating the Vendor Panel Contractors Portal (benefit for large projects).	In progress	Action Plan to be presented to ELT in 4th quarter. Action Plan to include business engagement workshops for 2021/22. Will also include a recommendation on Vendor Panel Contractors Portal.	Complete	Action Plan to assist local businesses to participate in tendering for government business opportunities presented to ELT in June 2021

**PRIORITY FOCUS AREA: OUR ORGANISATION**  
To be an efficient and effective organisation underpinned by a customer-service centric culture

Objective	Deliverable	Ref No.	Key Measure	Responsibility	Progress	Reporting – First Quarter Jul-Sept 2020	Progress	Reporting – Second Quarter Oct-Dec 2020	Progress	Reporting – Third Quarter Jan-Mar 2021	Progress	Reporting – Fourth Quarter Apr-Jun 2021
Be a valued and committed employer who provides a productive, safe, inclusive, and respectful environment for staff and the community	Establish a "Transition to Retirement" program	O1.1.1	Develop and implement an effective "Transition to Retirement" program	People and Performance	Yet to commence		Yet to commence		In progress	Initial discussions held with CEO & DCCS regarding scope of program. A number of factors have been identified for further consideration prior to program being implemented, including succession planning & workforce demographics. Working paper being prepared for DCCS.	In progress	A review of workforce demographics was undertaken and indicated a key organisational risk of program implementation at this time. Further work will be undertaken to progress this initiative in 2021/2022.
	Establish a Workplace Consolidation Strategy that provides for better utilisation of facilities and staff resources	O1.2.1	Develop a plan to facilitate the amalgamation of the Highway Depot and Airport Depot	Infrastructure Services	In progress	Funding has placed this project on hold, it is proposed to roll these works out over a number of years due to the cost and complexity of the works.	Yet to commence	On hold.	Complete	Removed at the direction of the Chief Executive Officer due to lack of efficiency gains and limited funding opportunities to progress.		
Prepare a Work Health and Safety Strategy that is comprehensive and legislatively compliant		O1.3.1	Develop and implement the WHS System Plan ensuring that it meets the legislative requirements of the <i>Work Health and Safety Act 2011</i>	Work Health and Safety	In progress	WHS Management Plan has been developed. ELT brief in October 2020 prior to implementation.	In progress	WHS Management Plan presented to ELT meeting on 08.12.2020 for consideration. Await feedback.	In progress	Significant revision required to the document. Awaiting new WHS Manager to progress further but will be completed by end of quarter four.	In progress	A draft WHS Management plan is under development to ensure that the requirements of legislation and the self-insurance licencing requirements are met, and to develop the skills, knowledge, and abilities of workers.
		O1.3.2	Adopt Key Performance Indicators in the WHS System Plan and utilise these as a measurement for compliance	Work Health and Safety	In progress	KPI have been developed as part of the WHS Management Plan. ELT brief in October 2020 prior to implementation.	In progress	WHS Management Plan presented to ELT meeting on 08.12.2020 for consideration. Await feedback.	In progress	Significant revision required to the document. Awaiting new WHS Manager to progress further but will be completed by end of quarter four.	In progress	Revised KPI's will be proposed as part of the draft WHS Management plan.
Develop a mature safety culture that contributes to strong safety performance		O1.4.1	Development of a safety culture program as part of the Council's Leadership Development Framework.	Work Health and Safety	In progress	Safety culture program developed. Rollout is proposed to commence in Q4.	In progress	Safety culture program developed. Rollout is proposed to commence in Q4.	In progress	Significant revision required to the document. Awaiting new WHS Manager to progress further but will be completed by end of quarter four.	In progress	Developing a Safety Culture will be a key focus of the 2021-2022 operational plan and based on actions in the draft WHS Management plan. Training in due diligence and safety leadership are part of the draft WHS Management plan.
		O1.4.2	Targeted employee attendance and successful completion of program	Work Health and Safety	In progress	All people managers have been identified for participation in training commencing in Q4.	In progress	All people managers have been identified for participation in training commencing in Q4.	In progress	Pending the revised safety culture program being developed and endorsed.	In progress	Safety culture development will form part of the ongoing application of this training and

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												measurement of performance through KPI's, audits and observations
	Deliver a Workplace Rehabilitation and Injury Management Strategy that supports early intervention and proactive rehabilitation outcomes	O1.5.1	Develop and implement a Workplace Rehabilitation and Injury Management Strategy	Work Health and Safety	In progress	Strategy developed. Rollout to commence in October 2020 upon commencement of Health and Wellness Advisor.	In progress	Strategy has been reviewed in conjunction with the commencement of the health and wellness advisor. Strategy to be tabled at the January ELT meeting for consideration.	In progress	Strategy requires further review to ensure consistency with other Council policies and procedures.	In progress	Aspects of this strategy will be incorporated into the draft WHS Management plan.
		O1.5.2	Return on investment (ROI) against defined injury management Key Performance Indicators	Work Health and Safety	In progress	Current early intervention strategies (as part of the injury management strategy) have so far resulted in no lost time injuries since 1 July 2020 and no workers compensation claims since 1 July 2020.	In progress	Significant reduction in days lost and statutory costs in FYTD 2020-21. The implementation of the rehabilitation strategy shall further provide support to continued reductions.	In progress	Following review of the above strategy, a review and identification of appropriate KPI's will be required.	In progress	Revised KPI's will be proposed as part of the draft WHS Management plan.
		O1.5.3	Targeted at risk employee completion of program	Work Health and Safety	In progress	At risk employees identified either at commencement of employment (via the pre-employment medical and functional assessment), through discussions with supervisors with regard to injury concerns or post incident.	In progress	The implementation of the pre-employment assessments has ensured that appropriately fit prospective candidates are progressed through the recruitment stages to ensure fitness for work.	In progress	Strategy and processes implemented through pre-employment medicals.	In progress	Ongoing - Training for people managers to ensure they understand their role in the Rehabilitation and Return to Work process and training for employees to ensure they understand their obligations related to work related injuries and recovery will be introduced as part of the WHS Management plan and broader strategy.
	Develop a comprehensive and legislatively compliant employee health monitoring program	O1.6.1	Initiate a health monitoring program that meets the legislative requirements of the <i>Work Health and Safety Regulation 2011</i>	Work Health and Safety	In progress	Health monitoring contract in place. Year 1 program to commence in November 2020.	In progress	Occupational hygiene monitoring to commence in January 2021 to further assist in the rollout of the monitoring and surveillance program.	In progress	Program initiated with ongoing monitoring and review ensuring compliance with relevant Acts and Regulations.	Complete	A health monitoring program has been initiated for vaccinations and the monitoring of health exposures in high-risk areas as required under legislation. This will now be incorporated into business-as-usual processes for ongoing compliance.
Council's plans, decisions and priorities reflect the strategic direction of Council as informed by identified	Review and align vision, mission, and core value statements to ensure they are reflective of the organisation's growth and vision	O2.1.1	Review and develop the statements for adoption, incorporating significant stakeholder engagement	Office of the CEO	In progress	Community & staff engagement commenced to identify and develop new vision and mission statements. New core values adopted by Council at the September General Meeting.	Complete					

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community needs and expectations	Deliver the Charters Tower Regional Council Corporate Plan 2021-2026	O2.2.1	Engage with internal stakeholders to review and develop Council's Corporate Plan for 2021-2026	• Office of the CEO • Governance and Communication	In progress	Community & staff engagement commenced this quarter.	In progress	Version 1 drafted for review and further consultation with elected members and staff.	In progress	Draft Corporate Plan finalised. Draft plan to be presented to Council for review next quarter.	Complete	Corporate Plan adopted at the May General Meeting.
		O2.2.2	Council adopts the Corporate Plan for 2021-2026	• Office of the CEO • Governance and Communication	In progress	Initial engagement and works commenced by Consultants.	In progress	Initial engagement and works commenced by the consultants.	In progress	Draft Corporate Plan finalised. Draft plan to be presented to Council for review next quarter.	Complete	Corporate Plan adopted at the May General Meeting.
Commitment to risk management and good governance in accordance with industry best practice	Adopt a robust Risk Management Framework that incorporates both a strategic and operational focus	O3.1.1	Revise, adopt and implement Council's Risk Management Framework and Policy, and establish reporting guidelines and where required risk management procedures	Governance and Communication	In progress	Risk Management Framework and Policy have been reviewed and are to go to the Audit & Risk Committee in October 2020 for approval. If approval provided will then require Council approval.	In progress	The Risk Management Framework and the Risk Management Policy were adopted at the General Meeting of Council on 18 November 2020.	In progress	Baseline reporting guideline options to be sourced and then put to ELT for consideration. Draft reporting guidelines/procedures to MLT for consultation; Whole of staff rollout by 30 June.	In progress	Risk Framework and Risk Policy revised and adopted. Risk Reporting Guidelines will be developed as the organisational risk appetite, risk profile, risk definition and categorisation is confirmed. These elements are to be outsourced to an expert to assist Council in progressing implementation of a robust risk framework.
		O3.1.2	Revise and adopt Council's strategic risk register and develop operational risk registers to be implemented across the organisation, including incorporation of a hierarchical focus	Governance and Communication	In progress	Corporate Risk Register is currently under review, and development of departmental operational registers has commenced from a WH&S context which will form the base for all of council context for the departmental registers.	In progress	Departmental Risk Registers are almost complete from a WH&S context. Once complete these will be reviewed to include risks that are general in nature not WH&S oriented. It is likely majority will be the same or similar for indoor and outdoor workforce.	In progress	External assistance sought for delivery of Risk Registers. The Corporate (Strategic) Risk Register to be reviewed and put to Council for workshop in May if required or otherwise adoption in June. Departmental (Operational) Risk Registers to be finalised by each Department following finalisation of the Corporate Risk Register.	In progress	This function will be outsourced in conjunction with the reporting guidelines and risk management procedures as required.
A contemporary Policy Framework that accords with Council and community expectations that informs and improves Council service delivery	Adopt a comprehensive Policy Framework that aligns with industry best practice	O4.1.1	Develop, adopt, and implement a coordinated policy regime that incorporates creation, revision and adoption of Council policies, procedures guidelines and other like documents	Governance and Communication	In progress	Review of policy framework is underway.	In progress	Review of policy framework is underway.	In progress	Draft policy process document completion by mid-May before its put to MLT for consideration on 27 May and finalised for Council adoption in June.	Complete	An updated Policy Framework and associated documentation will be presented to Council at the August GM meeting.
		O4.1.2	Review Council's current policies, procedures, and other guiding material for relevance in the new regime and further	Governance and Communication	Yet to commence		Yet to commence		In progress	Review of current policies/procedures and their relevance is underway, as is an analysis of what gaps	In progress	A review of key policy and procedures commenced during the ERP project. With OneCouncil now part of business as usual, such

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			research, identify and develop policies or procedures for inclusion							in policies, though both are in the early stages. Anticipated completion by 30 June.		documents will be reviewed in line with the Policy Framework once adopted.
Council undertakes contemporary governance practices and adheres to statutory requirements	Establish a comprehensive Critical Documents Register that captures high value and high risk documents	O5.1.1	Define and collate documents to be included in the Critical Documents Register, identifying gaps and missing critical documents	Governance and Communication	In progress	Definition and collation of documents to be included in the Register has/is occurring. Identification of gaps and missing documents is occurring on an ad hoc basis.	In progress	Definition and collation of documents to be included in the Register has/is occurring. Identification of gaps and missing documents is occurring on an ad hoc basis.	Complete	Critical Instruments are contained within the Legal Documents Register. Identification of gaps for what documents are/are not being registered will be ongoing and Records will facilitate a compliance monitoring process once P&R and ECM are rolled out/upgraded. Further the retention and disposal function of ECM will itemise documents by its value in terms of period required to keep stored in Council's document management system.		
	Delivery of contemporary regulatory compliance management via Council Local Laws	O5.2.1	Systematically review all Local Laws to determine relevance and adequacy and pursue amendments where identified through the appropriate process	<ul style="list-style-type: none"> <li>Regional Development</li> <li>Governance and Communication</li> </ul>	In progress	Local Laws Review Project workshop held 1 September with amendments to Local and Subordinate Local Laws currently underway.	In progress	Amendments to all Subordinate Local Laws have been received with Officers currently reviewing and providing comments to the solicitor.	In progress	It is expected that the draft Local Laws will be presented to the Councillors at the 21 April Councillor Workshop followed by public notification and state interest review.	Complete	The amended Local Laws and Subordinate Local Laws have been presented at the July General Meeting for adoption.
High level engagement with council staff on matters relevant to the organisation	Development of an Internal Communications Plan that facilitates evolution of interaction between staff and the organisation	O6.1.1	Research, develop, adopt and implement an internal communications plan that provides for how best to conduct internal communication, including encouragement of personal communications such as face to face or telephone rather than email, promotion and awareness campaigns and use of well-established communication tools such as intranet and noticeboards	Governance and Communication	In progress	Draft internal communications plan is under development.	In progress	Draft internal communications plan is still in development but is progressing.	In progress	Draft internal communications plan is under review. Anticipate the draft to be presented to the ELT late April and MLT in May.	Complete	Internal comms plan was endorsed by ELT on 13 June
Records Management practices are in accordance	Improve awareness and diligence of recordkeeping	O7.1.1	Establish an employee awareness campaign regarding recordkeeping	Governance and Communication	Yet to commence		Yet to commence		In progress	This is currently in place as part of the induction pack for new starters. A Records Management Policy	Complete	CCC Guide issued to all staff on 30 April 2021



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with legal obligations and Council's policy requirements	practices across the organisation		compliance and good practice obligations							and Procedure was also adopted and rolled out as a Toolbox Topic in June 2020. For a refresher a CCC developed, best practice guide will be issued to all staff next quarter to complete this deliverable.		
		07.1.2	Establish a reporting regime to monitor records management practices within Council	Governance and Communication	Yet to commence		Yet to commence	This will be considered with the ECM upgrade project and what analytics can be delivered utilising the system.	In progress	Fortnightly ECM Task List reports are provided to the ELT around task completion including the registration of documents. Completion of this deliverable will fall in line with the ECM upgrade with the dashboards for analytics and reporting on system operation.	In progress	The TechOne ECM upgrade identified limitations in the system's ability to produce reports for records management compliance. Note this is an issue that all LG clients have experienced with no resolution within the product identified to date.
Effective financial management that achieves sustainable and accountable financial outcomes across the organisation	Adopt long term financial strategies, supported by robust modelling, and endorsed through Policy, to support decision making and ensure the effectiveness of the organisation	08.1.1	Develop and adopt a comprehensive financial planning model including integration of asset management plans into the financial plan	Corporate Solutions	In progress	The framework / structure for Financial Strategy is being created. Asset Management Plans require update.	In progress	The LTFP model for the 2021/22 budget preparation to include integration with the long term capital works plan	In progress	The LTFP model for the 2021/22 budget preparation to include integration with the long term capital works plan. Anticipated completion in conjunction with Annual Budget adoption.	Complete	Long Term Financial Plan draft prepared as part of the 2021/22 budget to be adopted on 28 July 2021.
		08.1.2	Review, amend and adopt where required, Council's relevant financial policies	Corporate Solutions	Yet to commence	Review planned with 2021/22 budget preparation	In progress	Review planned with 2021/22 budget preparation	In progress	Review planned with 2021/22 budget preparation. Anticipated completion in conjunction with Annual Budget adoption.	Complete	Revenue Policy, Revenue Statement, Investment Policy and Debt Policy drafts prepared as part of the 2021/22 budget to be adopted on 28 July 2021
		08.1.3	Improve Council's financial reporting regime (which may include periodic external review) by establishing the most appropriate method of reporting and the appropriate forum	Corporate Solutions	In progress	OneCouncil project team is creating a financial reporting regime. Reports tailored for ELT/MLT (management reports for each directorate/section) and Council agenda (higher level).	In progress	Monthly financial management reports developed and MLT now reporting on monthly budget vs actuals. A Mid-Year Review Budget Forecast also commenced in December using November month end figures	In progress	Incremental improvement in progress and is a continuous improvement item.	Complete	All departments are reporting regularly on actual vs budget performance including commentary. ELT regularly reviewing actual vs budget performance.
	Establish a robust system for corporate management of cost control and procurement practices	08.2.1	Critically review cost control reporting and seek to leverage with a view to containing costs	Corporate Solutions	Yet to commence	Cost control review to follow ELT/MLT management reports analysis and LTFP analysis.	In progress	Monthly financial management reports developed and MLT now reporting on monthly budget vs actuals. A Mid-Year Review	In progress	20/21 Amended Budget adopted in March 2021. Mid-year review process arrived at savings of \$500k due to critical review cost control reporting	Complete	All departments are reporting regularly on actual vs budget performance including commentary. ELT regularly reviewing

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Objective	Deliverable	Ref No.	Key Measure	Responsibility	Progress	Reporting – First Quarter Jul-Sept 2020	Progress	Reporting – Second Quarter Oct-Dec 2020	Progress	Reporting – Third Quarter Jan-Mar 2021	Progress	Reporting – Fourth Quarter Apr-Jun 2021
								Budget Forecast also commenced in December using November month end figures		containing costs. Incremental improvement in progress and is a continuous improvement item.		actual vs budget performance.
		O8.2.2	Develop and implement a process of aggregating expenditure for better procurement outcomes	Corporate Solutions	In progress	Procurement reviewing options including communication and engagement across business.	In progress	2020/21 capital works program reviewed to assess aggregation. Next steps - engagement discussion with project managers	In progress	Next Gen Project (CTRC, Vendor Panel & Local Buy) includes procurement dashboards. Currently data cleansing to categorise Council spend with aim of aggregating spend across Council. A high-level procurement plan for the 2021/22 Capital Works Program to be developed and agreed to by DIS, CFO & PC. This can achieve a coordinated aggregated spend for the 21/22 capital works procurement requirements.	Complete	2020/21 activities completed.  2021/22 activities include high-level procurement plan for 2021/22 capital works program. This will commence following adoption of the 2021/22 budget on 28 July 2021.
A comprehensive and effective project management framework that rigorously identifies successes and areas for improvement	Establish a Project Gateways Framework to manage prioritisation and progress of significant projects	O9.1.1	Review of major capital expenditure project management policy, structure, skills, and practices to inform development (and implementation) of a project gateways framework	<ul style="list-style-type: none"> <li>Corporate and Community Services</li> <li>Infrastructure Services</li> </ul>	Yet to commence	The two major capital expenditure projects are only now reaching final completion with last claims, acquittals, and reports. Once the required resources are available reviews will be undertaken.	In progress	Review officer nominated to undertake review.	In progress	Projects have not been fully acquitted, and meetings have not progressed.	In progress	Water Infrastructure Upgrade Project (WIUP) complete and capitalised. ERP (OneCouncil) project has taken precedence over this project, so the review has not been undertaken.
		O9.1.2	Produce quarterly reports on project delivery, incorporating physical completion and financial factors	<ul style="list-style-type: none"> <li>Corporate and Community Services</li> <li>Infrastructure Services</li> </ul>	Yet to commence		Yet to commence		Yet to commence	Awaiting implementation of TechOne to see what functionality is available.	In progress	TechOne is now live with functionality being tested.
Actively seek funding in a precise and professional manner that optimises Council's potential for funding opportunities	Implement a standardised approach to seeking and acquitting external funding	O10.1.1	Establish an external grant register to monitor progress of grant applications from application to acquittal	<ul style="list-style-type: none"> <li>Office of the CEO</li> <li>Corporate and Community Services</li> </ul>	In progress	Draft developed and will proceed with internal stakeholder consultation.	In progress	Further amendments required following internal consultation.	In progress	Draft register completed and to be presented to ELT for endorsement next quarter.	Complete	Adopted at the June General Meeting of Council.
		O10.1.2	Develop a procedure for preparation and submission of grant applications	<ul style="list-style-type: none"> <li>Office of the CEO</li> <li>Corporate and Community Services</li> </ul>	In progress	Draft developed and will proceed with internal stakeholder consultation.	In progress	Further amendments required following internal consultation.	In progress	Draft directive completed and to be presented to ELT for endorsement next quarter.	Complete	Adopted at the June General Meeting of Council.
		O10.1.3	Conduct a periodic program to raise awareness of grant opportunities and maintain/increase skills of those responsible for grant applications	<ul style="list-style-type: none"> <li>Office of the CEO</li> <li>Corporate and Community Services</li> </ul>	Yet to commence	This will be dependent on the O10.1.1 and O10.1.2 being implemented.	Yet to commence	This deliverable is dependent on the implementation of O10.1.1 and O10.1.2.	In progress	Review underway.	Complete	Adopted at the June General Meeting of Council.

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Objective	Deliverable	Ref No.	Key Measure	Responsibility	Progress	Reporting – First Quarter Jul-Sept 2020	Progress	Reporting – Second Quarter Oct-Dec 2020	Progress	Reporting – Third Quarter Jan-Mar 2021	Progress	Reporting – Fourth Quarter Apr-Jun 2021
Recruitment and retention of employees who embody the values and principles of Council and deliver on excellence	Develop a robust, diverse, and contemporary recruitment, selection and onboarding process	O11.1.1	Introduction of Key Performance Indicators for the recruitment process	People and Performance	Complete	KPI data being monitored through TechOne Recruitment module. KPI dashboard to be developed as part of phase two recruitment implementation for BAU review.						
		O11.1.2	Review onboarding, induction and exit processes, including incorporation of a mechanism to identify, capture and carry-over knowledge of incumbents in the event they exit the organisation, particularly key knowledge holders	People and Performance	Complete	Review of onboarding and induction processes is now complete. The successful trialling of an appropriate Learning Management System (LMS) platform has identified the mechanism to capture and carry-over corporate knowledge. Once activated, the LMS will push inductions and onboarding online and will therefore be automated. Note - this item was reported as being completed as part of the ODP Quarterly Progress Report April/May/June 2020.						
		O11.1.3	Review Council's Equal Opportunity Policy to identify and include opportunities to increase diversity within Council's workforce	People and Performance	Yet to commence		Yet to commence		In progress	Draft policy in review stage.	Complete	EEO policy requirements broadly addressed through Code of Conduct & Anti-discrimination policies. Further EEO work is covered in the 2021/22 Reflect Reconciliation Action Plan.
Asset management is optimised to ensure a systematic approach to the governance and realisation of value of Council assets	Formulate an Asset Management Plan that drives a strategic approach, aligning corporate asset management, asset coordination expectations and financial forecasts	O12.1.1	Resource the Asset Management Function adequately to ensure dedicated custodians are appointed and accountable for good asset management	<ul style="list-style-type: none"> <li>Corporate and Community Services</li> <li>Infrastructure Services</li> </ul>	In progress	Recruitment processes are underway.	In progress	Position Description under review for GIS specialist for mapping of assets. Water and Wastewater recruitment is under review.	In progress	Water and Wastewater recruitment in process.	In progress	Recruitment of position within Water and Wastewater has been problematic. However, works have been ongoing to get system and workflows developed across Infrastructure assets
		O12.1.2	Reinvigorate the asset management project ensuring ownership and successful delivery	<ul style="list-style-type: none"> <li>Corporate and Community Services</li> <li>Infrastructure Services</li> </ul>	In progress		In progress	This is pending successful recruitment of all asset management positions in Council.	In progress	Until resources are secured this project remains unable to be completed by the end of the year.	In progress	Asset custodians are working in TechOne module with final asset custodian to be in place pending recruitment of position within Water and Wastewater.
		O12.1.3	Establish an Asset Management Group to	Corporate and Community	In progress	Asset Management Group identified,	In progress		In progress	Until resources are secured this project	Complete	Staffing in this area has been problematic with

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Objective	Deliverable	Ref No.	Key Measure	Responsibility	Progress	Reporting – First Quarter Jul-Sept 2020	Progress	Reporting – Second Quarter Oct-Dec 2020	Progress	Reporting – Third Quarter Jan-Mar 2021	Progress	Reporting – Fourth Quarter Apr-Jun 2021
			facilitate ongoing discussion and development of the asset management within the organisation, including defining and demarcating of the following roles - Enterprise Asset Manager, Asset Custodians and Asset Users	Services • Infrastructure Services		completed capitalisation process, yet to fully discuss organisation roles.				remains unable to be completed by the end of the year.		the transition into TechOne taking priority to set up correct data field structure, data pick up and cleansing the Team's priority has been changed to getting the base information correct before they move into the development of management strategies.
Maximise information technology to offer contemporary service delivery models, increased staff capability and value for money	Establish an IT Strategy that advances Council's information technology infrastructure towards a sophisticated service delivery for internal and external stakeholders	O13.1.1	Adopt and implement a comprehensive IT Strategy, including review of enterprise architecture, business applications and platforms	Corporate Solutions	In progress	Draft IT Strategy in review stage.	In progress	Draft IT Strategy prepared. Next step is to convene new IT Steering Committee and to review endorse IT Strategy	In progress	IT Strategy has been endorsed by ELT. IT Steerco inaugural meeting planned for 4th quarter to adopt the Governance Framework. There are no foreseeable issues/concerns that will prevent this from being delivered by 30 June 2021.	Complete	IT Steerco established and inaugural meeting held in 4th quarter. IT Steerco adopted IT Strategy at its first meeting
		O13.1.2	Establish an IT Steering Group to engage users and contribute to Council's strategic direction	Corporate Solutions	Yet to commence	IT Steering Group is a recommendation of the draft IT Strategy; draft IT Strategy adoption creates IT Steering Group.	In progress	Draft IT Steering Committee Charter prepared, next step is to convene IT Steering Committee for first meeting including review and endorsement of Charter	In progress	IT Steerco inaugural meeting planned for 4th quarter to adopt the Governance Framework and Terms of Reference. There are no foreseeable issues/concerns that will prevent this from being delivered by 30 June 2021.	Complete	IT Steerco established and inaugural meeting held in 4th quarter.
Excellence in customer service - providing a consistent, knowledgeable, and professional customer experience	Establish contemporary models of service delivery and customer contact to meet community expectations and e-business practices	O14.1.1	Review the customer contact/customer service function, including review of customer contact policies/procedures, and ensure relevance and adoption	Community Services	In progress	Customer Access Protocol developed and adopted. Further review of policies and procedures underway.	In progress	Review of policies and procedures continuing. Attention to relevance and connection to TechOne system procedures.	In progress	Likely to roll over to the next FY in line with the implementation and familiarisation of the TechOne P&R Module.	Complete	Customer Service Standards and Charter adopted by Council at June Meeting.
		O14.1.2	Promote a customer focussed ethos to all staff incorporating emphasis on the use of customer service and workflow systems	Community Services	In progress	Inter-departmental communications underway to improve internal and external customer service.	In progress	Inter-departmental communications continuing to improve internal and external customer service.	In progress	Likely to roll over to the next FY in line with the implementation and familiarisation of the TechOne P&R Module.	Complete	Customer Service Standards and Charter adopted by Council at June Meeting.
		O14.1.3	Develop and implement service level driven 'Customer Service Charter/Standards'	Community Services	Yet to commence	Discussions to commence in Quarter 2.	In progress	Discussions commenced with neighbouring Councils who are also looking at reviewing standards.	In progress	Likely to roll over to the next FY in line with the implementation and familiarisation of the TechOne P&R Module.	Complete	Customer Service Standards and Charter adopted by Council at June Meeting.
Acquire operational improvements and cost and	Implement an ongoing continuous improvement program	O15.1.1	Promote a continuous improvement culture within the organisation through the development of a	Office of the CEO	In progress	Commenced this quarter with the launch of the Employee Branding initiative.	In progress	Continuing culture change through the Employee Branding initiative.	In progress	Continuing culture change through the Employee Branding initiative.	Complete	Continuing culture change through the Employee Branding initiative.

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Objective	Deliverable	Ref No.	Key Measure	Responsibility	Progress	Reporting – First Quarter Jul-Sept 2020	Progress	Reporting – Second Quarter Oct-Dec 2020	Progress	Reporting – Third Quarter Jan-Mar 2021	Progress	Reporting – Fourth Quarter Apr-Jun 2021
productivity benefits with a realistic continuous improvement focus			continuous improvement program									
		O15.1.2	Establish a working group/s to consider specific areas that an improvement initiative may benefit the organisation	Office of the CEO	Yet to commence		In progress	Terms of Reference for IT Strategy & Asset Management Committee drafted.	In progress	IT Strategy & Asset Management Committee established.	Complete	IT Strategy & Asset Management Committee established and continuing.



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### EXECUTIVE SUMMARY

This report recommends the appointment of GHD Pty Ltd as the designer for Big Rocks Weir utilising the Localbuy Register of Pre-qualified Suppliers BUS262-0317.

### OFFICER'S RECOMMENDATION

#### *That Council:*

- ***Award the contract for the design of Big Rocks Weir to GHD Pty Ltd, subject to adequate funding from the Federal and State Governments; and***
- ***Authorise the Chief Executive Officer to sign and vary the terms and conditions of the contract as necessary.***

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### **BUDGET & RESOURCE IMPLICATIONS**

Big Rocks Weir is being funded jointly by the Federal and State Governments. The pre-construction phase is subject to a deed granting \$3M from each party. This is sufficient to fund the GHD design cost along with all other activities which are to be completed during this phase.

### **BACKGROUND**

GHD was the design consultant for the Big Rocks Weir business case developed by Townsville Enterprise Limited. As such, they developed the following:

- Engineering reference design;
- Design quantities and cost estimates;
- Asset operation and maintenance schedule;
- Land acquisition and regulatory approval requirements;
- Environmental impact assessment (including EPBC referral, native title and cultural heritage considerations, ecological surveys and preparation of an initial advice statement);
- Social impact evaluation;
- Liaison with project stakeholders; and
- GHD established a Cultural Heritage Management Agreement with the Ngrragoonda Aboriginal Corporation.

GHD is currently engaged by Sunwater to deliver detailed design and secondary environmental approvals for the Rookwood weir – thereby having established current relationships with the Queensland Government and Sunwater.

Bowen River Utilities has engaged GHD to provide engineering planning and design services for the new Urannah dam and water scheme in the Whitsunday Region.

GHD has a range of staff across the country with the skills required to deliver this project. The key staff for Big Rocks Weir are located in the Townsville office.

With their experience to date in this project, GHD has considerable advantage in terms of knowledge of the site, understanding of the basis of design and has established relationships with Council, landowners and the government agencies involved. Engaging a designer other than GHD would result in a considerable delay in the program and it could be expected that there would be additional cost for another designer to pick up the project at this time. Due to the late delivery of the funding deed, the project is already behind in the program. If pre-construction is not complete by October 2022 then there is little probability of the weir being able to be constructed in 2023.

Seeking competitive offers would require council to prepare a full specification and conduct an extensive assessment of offers. The consultants would bear considerable cost in preparing their offers even though it is likely that GHD has competitive advantage in their offer.

A Localbuy panel constitutes a purchasing exception under s.234 of the Local Government Regulation, whereby open tenders do not need to be called. Appointment of a contractor under the panel is only

conditional on Council considering the offer to be good value for money and that the company is considered to be capable of delivering the contracted work.

GHD has prepared an offer which covers the following areas:

- Project Management
- Environmental Impact Statement
- Detailed design and construction costing
- Water pricing and funding requirements
- Engagement with potential customers
- Assistance with Cultural Heritage and Land Access Agreements

### **START COMMERCIAL IN CONFIDENCE**

### **END COMMERCIAL IN CONFIDENCE**

#### **LINK TO CORPORATE PLAN**

Corporate Plan 2021-2025

- Priority No 1 Economic Prosperity
- Priority No 7 Assets & Infrastructure

#### **CONSULTATION (Internal/External)**

Internal: Chief Executive Officer - Aaron Johansson  
Project Manager - Mark Harvey

External: Nil

#### **LEGAL CONSIDERATIONS**

There are no legal implications that warrant the recommendation being declined.

#### **POLICY IMPLICATIONS**

There are no policy implications that warrant the recommendation being declined.

#### **RISK IMPLICATIONS**

There are no political, public relations, financial or workplace health and safety risk implications that warrant the recommendation being declined.

<b>Report Prepared by:</b> MARK HARVEY <b>Water Projects Manager</b> Date: 22 June 2021	<b>Report Authorised by:</b> AARON JOHANSSON <b>Chief Executive Officer</b>
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#### **ATTACHMENTS**

- Nil

#### **REFERENCE DOCUMENTS**

- GHD Offer of Service – Big Rocks Weir Document No. 4506051
  - Officer's Report Document No. 4508460
-



**EXECUTIVE SUMMARY**

This report recommends the acceptance of the State funding deed for the Big Rocks Weir Pre-construction phase.

**OFFICER’S RECOMMENDATION**

*That Council:*

- **Authorise the Chief Executive Officer to execute the funding deed with the State Government for the Pre-Construction phase of the Big Rocks Weir Project.**
- **Authorise the Chief Executive Officer to approve variations to the Big Rocks Weir Pre-construction funding deed as necessary.**

**BUDGET & RESOURCE IMPLICATIONS**

Big Rocks Weir is being funded jointly by the Federal and State Governments. The pre-construction phase is subject to a deed granting \$3M from each party. This is sufficient to fund the activities which are to be completed during this phase. The pre-construction activities are currently estimated at \$5.8M.

The funding schedule states that any costs incurred before the execution of the specific funding schedule are not claimable unless specifically approved. All eligible costs incurred since Council became the proponent will be presented for approval.

**BACKGROUND**

The State and Federal Governments have committed to funding Big Rocks Weir with \$30M from each party. The pre-construction phase was estimated as costing \$6M, with the intent that there would be \$3M from each party.

The State Government requires that at the end of the pre-construction phase, a report be produced providing evidence that the project is still technically and economically viable. Based on that report, the Government will decide if the project should proceed to construction. The remaining money (\$27M) is therefore conditional on the project viability.

The Federal Government has not specifically imposed a condition on the funding and therefore is committed to providing the full \$30M. There has to be a bilateral funding schedule between the two levels of Government, which has proven difficult with the different funding conditions.

The State is providing the funding under the State Head Funding Agreement which was executed in February 2020. This agreement specifies general terms applicable to any State funding.

The Project Schedule specifies the specific details and milestones for the Big Rocks Weir Pre-construction funding. This document has been written to account for the fact that the bilateral schedule has not yet been finalised. The deed specifies that there are two stages, with the first stage being the \$3M from the State, and *“Phase two funding is subject to securing further funds via the execution of a funding schedule between the Queensland and Australian Governments and consideration of the outcomes of phase one milestones.”*

The schedule recognises that the full pre-construction budget requirement is \$6M. The Phase one milestones are shown in Table 1. Once the phase two funding is finalised, the schedule would be amended to reflect the phase 2 milestones.

Milestone No	Milestone Date	Milestone Requirements	Milestone Amount
1.	The Project Funding Agreement Commencement Date	(a) Provision of this Project Funding Agreement to the Recipient; (b) Draft Project Management Plan	25% of the Phase One Project Funding

2.	13/08/21	Review and Acceptance of Basis of Design (a) Basis of design report	25% of the Phase One Project Funding
3.	26/10/21	Geotechnical Investigation Complete (a) Geotechnical Investigation Report	25% of the Phase One Project Funding
4.	02/03/22	Design Review and Hydrological Assessment Report Completed (a) Detailed Design of the weir and ancillary works – Design report (b) Hydrological Report (c) P90 cost estimate – Report	25% of the Phase One Project Funding

The funding schedule contains specific conditions:

- SC1 relates to the formation of a Technical Review Panel to review the weir design
- SC2 relates to having to form an opinion on the viability and progression of the project at the end of Phase 2.

There are not conditions in the deed or the associated documents which are considered to be unacceptable.

#### **LINK TO CORPORATE PLAN**

Corporate Plan 2021-2025

- Priority No 1 Economic Prosperity
- Priority No 7 Assets & Infrastructure

#### **CONSULTATION (Internal/External)**

Internal: Chief Executive Officer - Aaron Johansson  
Project Manager - Mark Harvey

External: GHD Design Engineer - Nick Thomas-Kinsella

#### **LEGAL CONSIDERATIONS**

There are no legal implications that warrant the recommendation being declined.

#### **POLICY IMPLICATIONS**

There are no policy implications that warrant the recommendation being declined.

#### **RISK IMPLICATIONS**

There are no political, public relations, financial or workplace health and safety risk implications that warrant the recommendation being declined.

<b>Report Prepared by:</b> MARK HARVEY <b>Water Projects Manager</b> Date: 22 June 2021	<b>Report Authorised by:</b> AARON JOHANSSON <b>Chief Executive Officer</b>
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#### **ATTACHMENTS**

- Nil

#### **REFERENCE DOCUMENTS**

- Qld Government Head Funding Agreement Document No. 4506298
- Big Rocks Weir Pre-Construction Funding Schedule Document No. 4506295
- Big Rocks Weir Pre-Construction Funding Guidelines Document No. 450296
- Officer's Report Document No. 4508459

**EXECUTIVE SUMMARY**

The report recommends that Council award Tender T024/21 Big Rocks Weir Geotechnical Drilling to Saxon Drilling Pty Ltd.

**OFFICER'S RECOMMENDATION*****That Council:***

- ***Award the contract for the Big Rocks Weir Geotechnical Drilling (T024/21) to Saxon Drilling Pty Ltd; and***
- ***Authorise the Chief Executive Officer to sign and vary the terms and conditions of the contract as necessary.***

**BUDGET & RESOURCE IMPLICATIONS**

Council has entered into a Deed of Agreement with the State for the grant of up to \$6M to carry out the pre-construction works for Big Rocks Weir. The draft budget only provisioned \$400,000 for the contract. Given the importance of the geotechnical information to the design, the budget has been adjusted such to make the funds available. A \$500,000 option to construct a physical model of the weir has been removed from the budget at this time. If required, this physical model would most likely be constructed after the end of the pre-construction period, in which case it would be funded from the construction budget.

**BACKGROUND**

The geological formation of the Big Rocks area has long been identified as being a suitable location for a weir. In 1994 McIntyre & Associates carried out some geotechnical investigation and produced a preliminary design report. Townsville Enterprise Limited produced a Big Rocks Weir business case in 2020 which contained a reference design, however no further geotechnical investigation was carried out as part of that design.

In order to proceed with the detailed design, geotechnical investigation is required for the weir location, the saddle dam location and the proposed location of a causeway at the Big Bend Recreation Area.

Tender T024/21 was called via the Council VendorPanel website on 17 May 2021. The original tender closing date was 15 June 2021. This was extended to 22 June 2021 when the date of the site visit was changed. The closing date was subsequently extended again to 29 June 2021 on request from tenderers who were still trying to price the work.

A site visit to Big Rocks Weir was conducted on 16 June 2021. Whilst the site visit was highly recommended, it was not compulsory. Due to the possibility of there being a low number of tenderers, making the site visit compulsory could have placed Council in a difficult position if only one tenderer attended the visit as they would then know that they were the only contender.

**COMMERCIAL IN CONFIDENCE****END COMMERCIAL IN CONFIDENCE****Tender Assessment**

Tenders were evaluated via a staged approach:

- Stage 1 All required documentation provided, completed and signed as required.
- Stage 2 Non-weighted criteria were assessed as to whether it met the minimum requirements.
- Stage 3 Weighted criteria were assessed and scored through Vendor Panel's multiparty evaluation tool.

<b>Criteria</b>	<b>Weighting</b>
Value for money	55%
Previous experience/personnel provided	25%
Program of works/delivery timeframe	10%
Local content	10%

The Tender assessment panel consisted of:

- Mark Harvey – Project Manager, CTRC
- Nick Thomas-Kinsella – Dam Design Engineer, GHD
- Paul Weston, Procurement Coordinator, CTRC

Paul Weston attended the site visit to obtain an appreciation of the work required under this tender.

Both tenders met the Stage 1 and Stage 2 requirements.

Both tenderers utilised the same local sub-contractor to price the access tracks, being Hammer & Co Earthmoving.

The scoring of the tenders was made difficult by Geodrill having presented a non-conforming tender. The tender process conditions did not prevent this and did not require them to have submitted a conforming tender in order to submit a non-conforming tender.

## **COMMERCIAL IN CONFIDENCE**

## **END COMMERCIAL IN CONFIDENCE**

### **LINK TO CORPORATE PLAN**

2021-2025 Corporate Plan

- Priority No 2 Environmental Health

### **CONSULTATION (Internal/External)**

Internal: Procurement & Depot Coordinator (Evaluation Panel) - Paul Weston  
Water Projects Manager (Evaluation Panel) - Mark Harvey

External: GHD (Evaluation Panel) - Nick Thomas-Kinsella  
Dams Engineer, GHD - David Brooks

### **LEGAL CONSIDERATIONS**

There are no legal implications that warrant the recommendation being declined.

### **POLICY IMPLICATIONS**

There are no policy implications that warrant the recommendation being declined.

### **RISK IMPLICATIONS**

There are no political, public relations, financial or workplace health and safety risk implications that warrant the recommendation being declined.

<b>Report Prepared by:</b> MARK HARVEY <b>Water Projects Manager</b> Date: 8 July 2021	<b>Report Authorised by:</b> AARON JOHANSSON <b>Chief Executive Officer</b>
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### **ATTACHMENTS**

- Nil

### **REFERENCE DOCUMENT**

- VendorPanel Multi party evaluation report
- Officer's Report Document No. 4512361

### **EXECUTIVE SUMMARY**

The Coordinator General has declared Big Rocks Weir to be a coordinated project for which an Environmental Impact Statement (EIS) is required.

The Terms of Reference (TOR) for the EIS went to public consultation and now the final version of the TOR has been issued to Council.

This report presents the TOR for Council endorsement.

### **OFFICER'S RECOMMENDATION**

*That Council:*

- ***Endorse the Department of State Development, Infrastructure, Local Government and Planning Terms of Reference for an Environmental Impact Statement for the Big Rocks Weir Project, as tabled.***

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### **BUDGET & RESOURCE IMPLICATIONS**

Big Rocks Weir is being fully funded by grants from the State and Federal Governments.

### **BACKGROUND**

At Council's General Meeting on 18 June 2020, Council resolved to be the proponent, developer, owner and operator of the Big Rocks Weir facility subject to a favourable business case.

At the General Meeting on 9 December 2020, Council endorsed the proposed project governance structure, with the key groups managing the project on behalf of Council being the Project Steering Committee and the Project Leadership Team.

At the 19 May 2021 General Meeting, Council endorsed the Big Rocks Weir Governance Framework.

Council is now presented with the State Development, Infrastructure, Local Government and Planning Terms of Reference for an Environmental Impact Statement (EIS) for the Big Rocks Weir Project.

The proponent of a 'coordinated project' must prepare an EIS. The EIS is prepared in accordance with the terms of reference.

### **LINK TO CORPORATE PLAN**

CTRC Corporate Plan 2021-2025

- Priority No 1 Economic Prosperity
- Priority No 2 Environmental Health
- Priority No 7 Assets & Infrastructure

### **CONSULTATION (Internal/External)**

Internal: Chief Executive Officer – Aaron Johansson  
Water Projects Manager – Mark Harvey

External: Department State Development, Infrastructure, Local Government and Planning  
Steering Committee Document Reviewers

### **LEGAL CONSIDERATIONS**

There are no legal implications that warrant the recommendation being declined.

### **POLICY IMPLICATIONS**

There are no policy implications that warrant the recommendation being declined.

### **RISK IMPLICATIONS**

There are no political, public relations, financial or workplace health and safety risk implications that warrant the recommendation being declined.

<b>Report Prepared by:</b> AMY RUSSELL <b>Executive Assistant to the CEO</b> Date: 14 July 2021	<b>Report Authorised by:</b> AARON JOHANSSON <b>Chief Executive Officer</b>
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#### **ATTACHMENTS**

- Terms of Reference for an Environmental Impact Statement for the Big Rocks Weir Project Document No. 4514184

#### **REFERENCE DOCUMENT**

- State Development, Infrastructure, Local Government and Planning project page [Big Rocks Weir project | State Development, Infrastructure, Local Government and Planning](#)
  - Officer's Report Document No. 1452397
-

# Terms of reference for an environmental impact statement

## Big Rocks Weir project

July 2021

The Department of State Development, Infrastructure, Local Government and Planning improves productivity and quality of life in Queensland by leading economic strategy, industry development, infrastructure and planning, for the benefit of all.

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## Part A About these terms of reference

### 1. Introduction

- 1.1 This document outlines the terms of reference (TOR) for the Big Rocks Weir project (the project) proposed by Charters Towers Regional Council (the proponent) and being assessed under the *State Development and Public Works Organisation Act 1971* (SDPWO Act).
- 1.2 The proposed project is to construct a new weir and comprises the following:
  - (a) a 13 metre (m) high and 188 m long uncontrolled gravity broad crested weir with a storage capacity of 10,000 megalitres (ML), constructed using conventional concrete
  - (b) an uncontrolled gravity broad crested saddle-dam on the right bank high flow channel
  - (c) weir outlet works and a stilling basin to reduce turbulent flow and erosion
  - (d) a fishway structure to maintain fish passage
  - (e) access tracks to the project site, including a concrete floodway and culverts to ensure ongoing public access to the adjacent Big Bend recreation reserve.
- 1.3 Pipelines and other water distribution infrastructure are not included in the scope of the declared coordinated project.
- 1.4 The purpose of the project is to establish a new water source that provides additional water supply security for the township of Charters Towers and supports the further development of existing irrigated agriculture in the region. Other potential uses include to support future industry and recreational opportunities.
- 1.5 The project is located approximately 26 kilometres (km) north of Charters Towers and 24 km upstream of the existing Charters Towers Weir within the Charters Towers Regional Council local government area.

### 2. Statutory basis

- 2.1 The Coordinator-General has declared the Big Rocks Weir project to be a 'coordinated project for which an environmental impact statement (EIS) is required' under section 26(1)(a) of the SDPWO Act. This declaration initiates the statutory environmental impact assessment procedure of Part 4 of the SDPWO Act, which requires a proponent to prepare an EIS for the project.
- 2.2 This TOR set out the matters the proponent is to address in an EIS for the project and are approved by the Coordinator-General under section 30 of the SDPWO Act.

### 3. Accredited EIS process for controlled actions under Commonwealth legislation

- 3.1 On 29 January 2021, the delegate for the Commonwealth Minister for the Environment determined the project is a 'controlled action' under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) (Cth), due to the likely potential impacts on matters of national environmental significance (MNES) (reference number EPBC2020/8831).
- 3.2 The EIS process has been accredited under the Assessment Bilateral Agreement between the Commonwealth and the State of Queensland under section 45 of the EPBC Act relating to Environmental Assessment (Bilateral Agreement). Accordingly, the EIS is to state the controlling

provisions for the project and describe the particular aspects of the environment that led to the controlled action decision. The relevant MNES controlling provisions are:

- (a) World heritage properties (sections 12 and 15A)
- (b) National heritage places (sections 15B and 15C)
- (c) Listed threatened species and communities (sections 18 and 18A)
- (d) Great Barrier Reef Marine Park (GBRMP) (sections 24B and 24C).

3.3 Each of the controlling provisions are to be described and illustrated in a stand-alone report (MNES section) in the EIS.

3.4 Requirements for MNES are set out in Section 16 of this TOR.

## 4. EIS guidelines

4.1 This TOR is to be read in conjunction with the Coordinator-General's *Preparing an environmental impact statement: Guideline for proponents* (see Appendix 1), which provides guidance on the following:

- (a) participants in the EIS process
- (b) consultation requirements
- (c) EIS format and copy requirements.

4.2 In addition, subject-specific policies and guidelines are referenced throughout this TOR and are listed in Appendix 1.

## 5. More information

5.1 For information about the project or the EIS process conducted under the SDPWO Act, visit [www.statedevelopment.qld.gov.au/cg](http://www.statedevelopment.qld.gov.au/cg).

# Part B General approach and requirements for an EIS

## 6. General approach

6.1 This TOR has been prepared to be consistent, where relevant, with the TORs for other bulk water infrastructure projects that are subject to EIS processes in the Burdekin Basin Catchment; these are the Burdekin Falls Dam Raising project and the Urannah Project.

6.2 It is recognised that there are differences in the scale of the Big Rocks Weir project in comparison to the other projects proposed within the Burdekin Basin Catchment. The detail at which the EIS deals with matters relevant to the project is to be proportional to the nature and extent of the potential impacts on environmental values. When determining the nature and extent of an impact, consideration is to be given to its intensity, duration, cumulative effect, irreversibility, the risk of environmental harm, the effectiveness of any proposed management strategies to avoid, minimise or at least mitigate impacts and the ability to offset any residual impacts.

6.3 The objectives of the EIS are to:

- (a) provide a detailed description of the proposed project
- (b) ensure that all relevant environmental, social and economic impacts of the project are identified and assessed

- (c) detail the management and mitigation measures proposed to avoid, minimise and/or mitigate any adverse impacts including proposed ongoing monitoring
  - (d) demonstrate that the project is based on sound environmental principles and practices.
- 6.4 For the purposes of the EIS process, 'environment' is defined in Schedule 2 of the SDPWO Act and includes:
- (a) ecosystems and their constituent parts, including people and communities
  - (b) all natural and physical resources
  - (c) the qualities and characteristics of locations, places and areas, however large or small, that contribute to their biological diversity and integrity, intrinsic or attributed scientific value or interest, amenity, harmony and sense of community
  - (d) the social, economic, aesthetic and cultural conditions that affect, or are affected by, things mentioned in paragraphs (a) to (c).
- 6.5 The EIS must address other matters not covered in the TOR in the following circumstances where:
- (a) studies reveal a matter that had not been foreseen when the TOR was finalised
  - (b) an issue not previously identified but is in the public interest to be addressed
  - (c) the Coordinator-General directs the proponent in writing to address a matter as an information request under section 34B of the SDPWO Act
  - (d) new or amended legislation or policies come into effect after the TOR has been finalised, regardless of whether or not the legislation or policies have been listed in the TOR. Transitional arrangements or exemptions may apply for individual projects
  - (e) the proponent makes amendments to the proposed project that would result in a change in the nature, timing or location of any impacts<sup>1</sup>.

## 7. Requirements of an EIS

- 7.1 The EIS is to:
- (a) be prepared in accordance with, and meet the minimum requirements of, Schedule 1 of the State Development and Public Works Organisation Regulation 2020
  - (b) be prepared in accordance with relevant policies, standards and guidelines, including but not limited to those listed in Appendix 1. Application of such guidelines, standards and policies will be confirmed throughout the development of the EIS in consultation between the Coordinator-General, the proponent and advisory agencies
  - (c) be prepared and completed by suitably qualified and experienced professionals, relevant to the field of expertise required for each subject matter
  - (d) use sufficient site-specific baseline data or other information relevant to the environmental risks of the project including seasonal and long-term variations
  - (e) provide details about the quality of the information provided, in particular: the source of the information; how recent the information is; how the reliability of the information was tested, and any assumptions, exclusions and limitations

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<sup>1</sup> The proponent is to notify the Coordinator-General of any amendments to the proposed project as described in the project's initial advice statement.

- (f) present the feasible project options that were considered in selecting the preferred option including the consequences of not proceeding with the project (the 'do nothing' option). Demonstrate why the preferred option has been selected by summarising the comparative environmental, social and economic impacts of each project option, with particular regard to the principles of ecologically sustainable development
- (g) provide detailed strategies regarding all matters for the protection, or enhancement (as desirable), of all relevant environmental values in terms of outcomes and possible conditions that can be measured and audited. In general, the preferred hierarchy for managing likely impacts is: (a) to avoid; (b) to minimise or otherwise mitigate; (c) remedy and (d) if necessary, and possible, to offset
- (h) include a consolidated commitment register that lists all measures (including monitoring programs and management plans) demonstrated in the EIS assessment to avoid, minimise or otherwise mitigate, remedy or offset project impacts and that would need to be implemented during construction and operation, to meet the predicted project outcomes
- (i) include environmental management plans (EMP) for both the construction and operation phases of the project. The EMP should be developed from, and be consistent with, the information in the EIS and set specific commitments to implement best practice environmental management in order to protect the identified environmental values. The EMP is to be presented as a stand-alone document without reference to other parts of the EIS.

7.2 The contents of the EMP are to comprise:

- (a) the project's commitments to acceptable levels of environmental performance, including environmental objectives (i.e. levels of expected environmental harm, performance standards and associated measurable indicators, including progressive and final rehabilitation, performance monitoring and reporting)
- (b) impact prevention and control strategies to satisfy the commitments
- (c) corrective actions to rectify any deviation from performance standards.

7.3 Each matter assessed in the EIS (as described in sections 15 and 16 of this TOR) is to:

- (a) include a concise description of the potential impacts of the project
- (b) describe the measures proposed to avoid, minimise or otherwise mitigate, or remedy impacts to meet environmental standards and acceptable outcomes, and where necessary to offset those impacts
- (c) demonstrate how monitoring will confirm environmental outcomes, including using baseline data to track environmental outcomes.

7.4 Assess the extent to which the construction, operation and decommissioning (to the extent known) of the project meets all statutory and regulatory requirements of the State and Commonwealth and that the intended outcomes are consistent with current State and Commonwealth legislation, policies (including passed and uncommenced legislation) and guidelines. If there is a conflict, explain how the project can be approved.

7.5 For all the relevant matters, identify and describe the environmental values that are to be protected. Environmental values are specified in the *Environmental Protection Act 1994*<sup>2</sup> (EP

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<sup>2</sup> Part 3, Division 2, Subdivision 1, section 9.

Act), the Environmental Protection Regulation 2019 (EP Regulation), environmental protection policies (EPPs), State Planning Policy 2017 (SPP) and relevant guidelines<sup>3</sup>.

- 7.6 Include, as an appendix to the EIS, a table cross-referencing where each requirement of Part C of the TOR is addressed in the EIS, to the lowest available subsection.
- 7.7 Describe the stakeholder engagement activities that have occurred during the preparation of the EIS, identify the issues raised during consultation, and explain how the responses from the community and agencies have and will be incorporated into the design and outcomes of the project.
- 7.8 The EIS is to be prepared and submitted on a universal serial bus (USB), inclusive of all plans and documents that form the EIS. The electronic documents submitted are to satisfy the criteria detailed in Table 1 below.

**Table 1 Format requirements**

<b>Format requirements</b>	
Document size	The EIS and accompanying appendices are to be produced on A4 size and are to be capable of being photocopied. Each PDF file should not be larger than 10 MB and must meet the accessibility requirements described in the <i>Adobe Acrobat X Pro Accessibility Guide: PDF Accessibility Overview</i> , available at: <a href="http://www.adobe.com/accessibility/products/acrobat/training.html">www.adobe.com/accessibility/products/acrobat/training.html</a>
Format and style	The format and style of the document is to be appropriate for publication on the Internet.
Plans, maps, diagrams and other illustrative material	All plans, maps, diagrams, and other illustrative material is to be provided at a suitable scale and must be included in a PDF format so that they are legible and easily understood.
	Plans, maps and diagrams are to be located within the appropriate EIS chapter/s, as close as possible to where referenced in the text.
	Plans, maps and diagrams are to be to scale on A4 or A3 size with the scale clearly displayed on each. The plan, map or diagram is also to state the original size (e.g. A1). Each should be in colour, where possible, and have a resolution between 300 and 900 dpi.
Locations	All geographical coordinates throughout the EIS are to be provided in latitude and longitude against the Geocentric Datum of Australia 2020 (GDA2020).
Elevations	Elevations detailed within the EIS are to be provided to Australian Height Datum (AHD). Plans, maps and diagrams included in the EIS should have contours at suitable increments relevant to the scale, location, potential impacts and component of the project.
References	All sources must be appropriately referenced using the Harvard standard. The reference list should include the address of any Internet webpages used as data sources.
<b>Spatial data file format requirements</b>	
File names	File names are to be descriptive and provided in one of the following formats: ESRI file geodatabase (.GDB) - preferred ESRI Shapefiles. GDB/shape
<b>Data attributes</b>	

<sup>3</sup> Examples are included in Appendix 1.

Data attributes	All data is to contain descriptive attributes or columns, including but not limited to the following: Date data was created Version number Who created the data (i.e. the company name) Datum (e.g. GDA2020) Category or Stage
<b>Projection</b>	
Data can be provided in any projection; however Geo-graphics is preferred. The datum shall be GDA2020.	
<b>Metadata</b>	
Use standards	ISO 19115:2015 ANZLIC ISO 1.1

## Part C EIS content and suggested structure

### 8. Executive summary

- 8.1 The executive summary is to describe the project and convey the most important aspects and environmental management options in a concise form. It is to use plain English, avoid jargon, be written as a stand-alone document and structured to align with the EIS.

### 9. Introduction

- 9.1 The introduction is to clearly explain the function of the EIS, why it has been prepared and what it sets out to achieve. The introduction is also to include an overview of the structure of the document.

#### Project proponent

- 9.2 Describe the following:
- the proponent's full name, postal address and Australian Business Number, and details of any joint venture partners
  - the nature and extent of business activities
  - the proponent's experience in developing major projects
  - the proponent's (including directors) environmental record in Australia, including a list of any breach of, or proceedings against the proponent under a law of the Commonwealth or State, for the protection of the environment or the conservation and sustainable use of natural resources (an environmental law), during the previous ten years
  - the proponent's environmental, health, safety and community policies
  - experience, qualifications and certification of all suitably qualified consultants and sub-consultants engaged by the proponent to complete the EIS.

#### The environmental impact assessment process

- 9.3 Provide an outline of the environmental impact assessment process, including the role of the EIS in the Coordinator General's decision-making process, noting which milestones have been completed, and an estimated timeframe for completing each remaining EIS stage(s). The



information in this section is required to ensure readers are informed of the process to be followed and are aware of any opportunities for input and participation.

- 9.4 Inform the reader how and when properly made public submissions on the EIS are to be addressed and considered in the assessment and decision-making processes under the SDPWO Act, the *Planning Act 2016* and any other relevant legislation.
- 9.5 Describe the assessment process under the EPBC Act, pursuant to the Assessment Bilateral Agreement between the Commonwealth government and the State of Queensland.

## 10. Project description

### Proposed development

10.1 The EIS is to describe and illustrate the following about the project:

- (a) project title
- (b) nature, location and scale of all project components and activities, including but not limited to:
  - (i) survey/assessment/feasibility works, permanent infrastructure, construction areas, access requirements and boundaries of the project's footprint
  - (ii) the full supply level (FSL) inundation area and flood margin, including identification of the waterways upstream of the existing inundation area that will be inundated by the raised FSL (including AHD levels)
  - (iii) all infrastructure elements and development necessary to deliver the project
  - (iv) locations where waterway barrier works constitute assessable development requiring a development approval or accepted development for operational work that is constructing or raising waterway barrier works
  - (v) location of diversions or interception of overland flow and other water-related infrastructure, including watercourse diversion design and operation
  - (vi) water supply volumes required on-site, including a breakdown between potable and non-potable and their respective sources, during both the construction and operational phases
  - (vii) proposed on-site water storage and treatment for use by the site workforce during the construction phase
  - (viii) proposed sewage infrastructure relevant to environmentally relevant activity (ERA) 63, including wastewater treatment and any proposed irrigation
  - (ix) other utility requirements including electricity, gas, and telecommunications
- (c) transport requirements
- (d) expected capital expenditure
- (e) regional and local infrastructure context of the project's footprints, including water supply infrastructure in the Burdekin catchment (with maps at suitable scales)
- (f) relationship to other major projects and/or development (of which the proponent should reasonably be aware)
- (g) workforce numbers to be employed by the project during its various phases, expressed as annual average full-time equivalent positions created during each phase.

- (h) where personnel are to be accommodated during construction and operation of the project and the likely recruitment and rostering arrangements to be adopted
- (i) proposed travel arrangements of the workforce to and from work, including use of fly-in-fly-out workforce or drive-in-drive-out workforce
- (j) activities or proposals related to the project but outside the scope of this EIS process (e.g. how water is expected to be distributed to end users).

## Design of infrastructure

### Water storage infrastructure

#### 10.2 Describe the process and criteria used to select the preferred design and construction techniques, including:

- (a) FSL and details of any staging or prospects for future expansion showing site boundaries, development sequencing and timeframes
- (b) maximum (final) height and width (including height above stream bed) of all water storage infrastructure including the broad crested weir, spillway and saddle dam
- (c) details of the weir operation including the minimum operating level; likely fluctuations and in weir water levels and likely extraction regime (e.g. when water will be sourced and expected demands versus yield); likely release timings, volumes, frequencies and durations
- (d) storage capacity, maximum depth, average depth, area of inundation at FSL, dead storage level, the extent of any buffer and management areas required, including a description of the flood margin and means of its determination, length of beds of rivers (and tributaries) inundated
- (e) modelled headwater and tailwater levels at the site at different flows and extraction rates
- (f) general design of outlet works including siting, capacity, off-take level, location, screening and ability to regulate flows, aquatic fauna exclusion and protection systems and location of outlet in relation to any fauna passage device
- (g) spillway design including spillway gate design and operation (e.g. if relevant, spillway face finish and gradient, spillway crest design) and capacity, including gauge specification and operation
- (h) details of how the designs of the spillway and dissipators or other fishway adequately provide for safe downstream passage of all species and how the designs of all infrastructure will minimise injury and mortality to fish or other aquatic fauna, including turtles, passing over the spillway during and outside spillway flows
- (i) details and effectiveness and risk of fish injury and mortality of any energy dissipaters and apron at the downstream foot of the weir, including environmental requirements
- (j) location and details, rationale and likely effectiveness of any provision for incorporating appropriate fauna passageways (e.g. fishway and/or turtleway or stream diversions) in the design and the effect on the viability of the proposed project<sup>4</sup>.

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<sup>4</sup> Persons who are suitably qualified and experienced in biology, and fauna passage design and construction are to be engaged to advise regarding: (i) whether upstream passage of fish (including eels) is required, (ii) provision and adequacy of downstream fish passage, and (iii) oversee the design, construction and commissioning of any fauna passage.

- (k) details of the physical form of the stream beds within 1000 m of the downstream foot of the weir (e.g. presence of natural features likely to be impacted, deep pools, riffles and other refugia for upstream moving fauna) and the project's impacts on stream bed morphology, and bank and channel stability
- (l) a description of the physical form of the stream bed upstream of the barrier, including AHD levels (e.g. presence of natural features likely to be impacted) including:
  - (i) impounding bank and basalt wall with erosion in a geo-water section
  - (ii) the potential for Lolworth Creek to be impacted by rubble and mud
- (m) details of associated instream structures including any upstream or downstream permanent or temporary waterway barrier works (e.g. for access, water delivery or water storage purposes)
- (n) estimated water yields and their associated performance/reliability (with appropriate allowances for environmental requirements)
- (o) proposed system of allocation of water from the project and any proposed high and medium priority allocations to specific urban, rural or industrial users and allocations for environmental requirements
- (p) details of proposed remote operation, design and location of automated component control housings in relation to flood levels and relevant environmental conditions
- (q) construction methods and materials for structures (e.g. earthen/sand, concrete, rock and/or sheet pile, location, volume, tonnage and quality of natural resources required)
- (r) a description of how water from the weir is proposed to be delivered to end users, including the method of extracting and/or releasing water from the storage, a map and description showing the location of any new water distribution infrastructure (e.g. pump stations, pipelines), and details of how water will be sourced (e.g. direct pumping from impounded waters, downstream releases and direct pumping, downstream releases to another/series of water storage infrastructure).

#### Ancillary infrastructure requirements

- 10.3 Detail the location of works to be undertaken, with concept and layout plans, requirements for new infrastructure, or the upgrading, retention, relocation and/or decommissioning of existing infrastructure to service the project. Infrastructure to be considered is to include, but is not limited to:
- (a) resource extraction areas
  - (b) transport and utility infrastructure and corridors, including necessary access roads and tracks
  - (c) site construction facilities including workforce accommodation, water supply and treatment, energy supply from the grid, generators and fuels, telecommunications, solid waste disposal, wastewater treatment and disposal, and sewerage systems
  - (d) infrastructure for recreational and tourist purposes
  - (e) on-farm infrastructure (such as buildings, yards, pumps, fences, dips) affected by the project.
- 10.4 Detail whether the infrastructure is permanent or temporary and nominate if it constitutes waterway barrier works.

- 10.5 Nominate the building and construction standards for the works.
- 10.6 Describe the timing of requirements for this infrastructure and detail the decommissioning schedule for all project-related infrastructure.
- 10.7 Include names of the required infrastructure service providers as appropriate, together with evidence as to whether discussions have been held with these providers, regarding the capacity of existing or proposed infrastructure to accommodate/or not accommodate project requirements.
- 10.8 Identify any ancillary infrastructure alternatives considered and justify selected options.

## Project staging

- 10.9 Provide a detailed description of the proposed project activities (pre-construction, construction, rehabilitation and operation), including scope of works (on the project site and required infrastructure – new and upgraded), disturbance area, physical layout of the project over time, likely timing of the project including any stages and the sequencing of these stages.

### Pre-construction

- 10.10 Identify if any land acquisition is proposed.
- 10.11 Describe the pre-construction activities, including the location with appropriate scaled maps, including:
  - (a) the consents and approvals required to access or purchase land or obtain easements
  - (b) licences and permits required for the construction works
  - (c) pre-disturbance surveys, including geotechnical, topographic, flora and fauna, water quality, hydraulics and hydrology, cultural heritage and how this information will be used in the final design and construction of the project<sup>5</sup>
  - (d) the sequencing/stage, location and extent of vegetation clearing associated with all components of the works (including firebreaks and fire management lines), including proposed retention and disposal of timber and processes for relocation of fauna
  - (e) interference with watercourses, waterways providing for fauna (including fish) passage, wetlands and floodplains
  - (f) any required preparatory activities on existing structures (if applicable) including recreational infrastructure, and upstream and downstream, instream and floodplain infrastructure
  - (g) any land decontamination
  - (h) establishment of construction site facilities and services
  - (i) for all components, the proposed earthworks, construction methods, associated equipment and techniques.

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<sup>5</sup> Water quality and aquatic ecosystem health monitoring at all stages of the project to be undertaken in accordance with the Monitoring and Sampling manual (Queensland Government, 2019).

## Construction

- 10.12 Identify the extent and nature of construction activities required for the water storage and each component of ancillary infrastructure and the weir construction ancillary area.<sup>6</sup>
- 10.13 Illustrations showing site boundaries, buffer zones, development sequencing and timeframes and the layout of construction facilities to be used.
- 10.14 Describe the nature, sources, location and quantities of all materials to be handled, including the storage and stockpiling of raw material.
- 10.15 Describe proposals to divert waterways during construction, how fauna (terrestrial and aquatic) passage would be provided through any diversions and, if applicable, proposals for the reinstatement of the waterways after construction has ceased. Reference should be made to DAF's Guidelines for Fish Salvage (e.g. if any dewatering is required).
- 10.16 Describe changes to watercourses, the change in hydrology upstream and downstream of any construction site for any component of the project, including flooding and overland flow on or off the site, including crossings, spillway, fishways, downstream barriers, flood levees, water off-takes and, locations of any proposed water discharge points.
- 10.17 Demonstrate that the construction of the various project components will achieve functioning, healthy and resilient riverine, floodplain and wetlands ecosystems with enhanced environmental outcomes.
- 10.18 The general description of construction activities is to include:
  - (a) the construction standards, methods and site management arrangements and the environmental and safety management procedures to apply
  - (b) any new electricity transmission infrastructure, routes and easements required
  - (c) timetable for construction, including days and hours of operation for proposed construction works, including night-time works and work rosters
  - (d) nature and location of workforce accommodation and means of transporting workers at shift change
  - (e) location of construction laydown areas
  - (f) the capacity of high-impact plant and equipment, their chemical and physical processes, and chemicals or hazardous materials to be used
  - (g) any activity that is a prescribed ERA
  - (h) general construction requirements including blasting, excavation, dredging, haul road establishment, bed-levelling, crushing, screening, concrete batching, fuel and chemical storage, workshop facilities, office facilities, on-site mess and ablutions facilities
  - (i) location and access to any new or established quarry operations, borrow pits or stream bed excavations the project may source materials from
  - (j) the source of materials and infrastructure for the project, their nature and mode of delivery
  - (k) works needed within the site and off-site to protect downstream water quality and environmental values (e.g. sediment and erosion control measures, fencing)

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<sup>6</sup> Note that the weir construction ancillary area does not comprise water distribution infrastructure (since it is outside the project scope) and does comprise site office, accommodation camp and associated facilities, laydown areas, material stockpiles, machinery workshop, fuel supply, parking, etc.

- (l) details of handling flood and bushfire events during construction
- (m) any potential disruption to flows in waterways and tributaries during construction and any diversion works required including coffer dams, temporary diversions and cut off-drains
- (n) management of fauna and vegetation material generated by clearing for construction and the inundation area
- (o) the number, capacity and type of vehicles, machinery, plant and equipment used for construction activities and including the method of transport of construction machinery and materials to and within the site(s). Full details of transport volumes, modes and routes are to be provided in accordance with Section 15 – Transport
- (p) a water balance for the water supply requirements. For each component of the works, potable, dust suppression and ablutions are to be identified and quantified. For each water requirement, the source, volume, means of access and transport, treatment processes and storage method are to be provided
- (q) any take or interference with water in a watercourse, lake or spring, overland flow water, and underground water (both direct and in-direct)
- (r) stormwater drainage systems and the proposed treatment, disposal and/or re-use arrangements, including any off-site services
- (s) capture, containment/disposal and quantity of construction spoil. Full details of physical and chemical properties of soils and spoil are to be provided in accordance with Section 15 – Land
- (t) solid and liquid waste management (full details of the waste volumes, characteristics and management strategies) are to be provided in accordance with Section 15 – Waste management
- (u) public and workforce safety, medical facilities to be provided on site and provision for access to emergency services
- (v) security services
- (w) construction site demobilisation.

## Rehabilitation

10.19 Describe the following rehabilitation activities to be undertaken during and after construction, providing maps where required, including:

- (a) site restoration actions, closure and decommissioning works for removal of infrastructure
- (b) the options, strategies, methods and management for the progressive rehabilitation of the environment disturbed by construction. A preferred rehabilitation strategy is to be developed with a view to minimising the amount of land disturbed at any one time
- (c) the final topography of any quarries, borrow areas, trenches, sediment control structures, waste areas, temporary waterway barrier sites, construction areas and all other forms of landform impact is to be described and identified on maps at a suitable scale
- (d) any proposals to reinstate fish, turtle or other aquatic fauna passage and waterways impacted or diverted during construction.

## Operation

10.20 Describe how the project would be operated, including the following:

- (a) the infrastructure commissioning process
- (b) provision for the potential necessary structural and operating adjustments relating to fauna passage, fauna exclusion devices, approach channels, screens, etc. that will be identified during post-commissioning monitoring
- (c) landscaping and the rehabilitation of affected areas after construction
- (d) arrangements for administration and control of the works (weir, saddle-dam, any fauna passage, roads, recreational facilities and all other components)
- (e) operational arrangements for the project including, but not limited to:
  - (i) outlet works including details of remote operation and administration
  - (ii) on-site staffing, access for staff during wet season events, safety requirements for staff and the public
  - (iii) routine maintenance
- (f) proposed access points associated with the storage and weir wall, for weir operations and maintenance, including infrastructure for recreational purposes
- (g) use and management of surrounding land and any obligations or restrictions thereon
- (h) any restrictions on access or land usage within any buffer zones, of land exposed at water levels below FSL or within the storage
- (i) energy and telecommunications requirements and sources
- (j) solid, liquid and gaseous waste generated and proposed methods of treatment and disposal
- (k) transport needs and expected traffic
- (l) the expected life of the infrastructure and any anticipated major maintenance periods
- (m) demonstrate the effectiveness, operational range and frequency of any proposed fauna passageway and/or spillway providing upstream and downstream aquatic fauna passage, including detailed consideration of any relevant Resource Operation Licence conditions
- (n) the proposed recreational use of the weir.

10.21 Explain how the project will address potential ongoing impacts on practicable all-season, safe access to the Queensland Department of Resources Recreation Reserve known as Big Bend Recreation Park. Describe proposed processes for consultation and engagement with the Department of Resources to meet this requirement.

### Decommissioning

10.22 It is recognised that project is anticipated to have a long operational life spanning many decades and there is less expectation of detailed decommissioning strategies in the EIS for this project than for other types of projects. This section is to present general strategies and methods for decommissioning and rehabilitation of the project should it ever be required.

## 11. Site description

11.1 Provide all property descriptions for land impacted by the project area, and adjacent properties. Provide details of proposed tenure arrangements for all properties impacted by the project. Provide all property descriptions for land impacted by the project area, and adjacent properties. Include details of any easements, roads and railways (existing and/or proposed, public and

private), leases, reserves, unallocated state land, Native Title land (claims under consideration and decided) and cultural practice areas, approved Indigenous Land Use Agreements, permits to occupy, mining tenures, stock routes, conservation tenures, state forest, native forest and timber reserves, and approved state and/or biodiversity offset strategies.

- 11.2 Describe and illustrate with suitably scaled maps all transport corridors, private roads, local and state-controlled roads, pipelines, private and government owned corporation energy infrastructure, rail, air services<sup>7</sup>, maritime and other infrastructure or services in the region relevant to or impacted by the project (permanently or temporarily), including its construction and operation activities.
- 11.3 Describe and illustrate the topography of the project area and surroundings on maps and highlight any significant features. Include and name rivers and creeks.
- 11.4 Map the location and boundaries of each component of the project, including inundation areas and all infrastructure elements and development necessary for the project. Show all key aspects including excavations, stockpiles, areas of fill, subsidence areas, services infrastructure, plant locations, water storages, buildings, bridges and culvert, haul and access roads, causeways, stockpile areas, loading facilities and any areas of dredging for waterway management. Include discussion of any environmental design features of these facilities, including bunding of storage facilities.
- 11.5 Describe and illustrate specific information about each component of the project including the precise location of the project area and construction activities in relation to any waterbodies, waterways providing for fish passage, protected areas (e.g. conservation parks, nature refuges, forest reserves, state forests, National Parks), matters of national and state significance, relevant mapped areas identified in the North Queensland Regional Plan (e.g. strategic environmental areas (SEAs), regional biodiversity corridors and regional biodiversity value areas), the location of any proposed buffers surrounding the working areas, lands identified for conservation (either through retention in their current natural state or to be rehabilitated) and Traditional Owner land and cultural practice areas. Include maps at a catchment scale illustrating the relationship between the project location and upstream and downstream riverine, estuarine and coastal ecosystems.
- 11.6 Describe and map in plan and cross-sections the geology and landforms, including the boundaries of water catchment areas, of the project area and surrounds. Show geological structures, such as aquifers, faults and economic resources (such as agricultural and mining projects) that could have an influence on, or be influenced by, the project and its construction and operational activities.
- 11.7 Describe, map and illustrate soil types and profiles of the project area including added fill and/or exposed ground surface at appropriate scales and in accordance with relevant guidelines. Identify soils that would require specific management due to wetness, erodibility, depth, acidity, salinity or other features.
- 11.8 Describe the findings of the agricultural land audit and any land identified as strategic cropping land, priority agricultural area, priority living area or SEA for the project area.

## Climate

- 11.9 Describe the current climate characteristics that are relevant to the environmental assessment, with particular regard to discharges to water and air, the water related effects of climate change

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<sup>7</sup> As defined in the State Development Assessment Provisions



on water availability and the propagation of noise. Climate information is to be presented in a statistical form including long-term averages and extreme values reflecting extreme weather events (e.g. droughts, floods and bushfires), as necessary.

- 11.10 Describe the rainfall patterns (including magnitude and seasonal variability of rainfall), air temperatures, humidity, evaporation, wind (direction and speed) and any other special factors (e.g. temperature inversions) and subsequent effects on runoff, irrigation demand and water availability that may affect management or viability of the project under climate change.
- 11.11 Describe the extremes of climate (e.g. drought, floods and bushfires) relevant to the project area including under climate change scenarios.

## 12. Project rationale and alternatives

- 12.1 Demonstrate the need and scale of the project including in a regional, state and national context. The demonstrated need should also take into account existing water entitlement holders and other major water infrastructure projects also proposed for the region.
- 12.2 Describe the objectives and rationale for the project, including strategic, economic, environmental and social implications, technical feasibility and commercial drivers.<sup>8</sup>
- 12.3 Present feasible alternatives of the project's configuration including conceptual, technological, scale and locality alternatives that may improve environmental outcomes. Detail the criteria used to determine the alternatives. Provide sufficient detail to enable an understanding for preferred option/s.
- 12.4 Describe how the selected project configuration results in best-case outcomes for each impact to the most important environmental values over alternative project configurations.
- 12.5 Present alternatives to development of the project, including construction of water efficiency measures for existing users. Describe how these alternatives have been considered and why the project is the preferred option.
- 12.6 Justify the preferred option, including using a cost-benefit analysis as described at section 15.137. Identify and describe interdependencies of each component of the project, particularly in regard to how infrastructure requirements relate to the viability of the project.
- 12.7 Discuss the consequences of not proceeding with the project.

## 13. Planning and legislative requirements

- 13.1 Identify all government approvals required for the project and detail all approvals for which conditions are being sought through this EIS process. Sufficient information and assessment are required for conditions of approval to be drafted and for the administering authority to decide whether an approval is to be granted. Explain how the EIS process (and the EIS itself) informs the issue of leases/licences/permits/consents required for the project.
- 13.2 Provide an assessment against the relevant planning schemes, regional plans, state policies and government priorities for the project area and the region. Consider the provisions relative to the project and address where required, providing evidence where provisions do not apply.
- 13.3 Consider the provisions of the *Regional Planning Interests Act 2014* (RPI Act) and whether a regional interests development approval (RIDA) is required pursuant to the RPI Act. The EIS is to provide, where relevant, the information necessary and in sufficient detail to support an

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<sup>8</sup> Note that approvals required for irrigated agriculture are the responsibility of entities developing those projects.

application for a RIDA. The assessment and supporting information, where relevant, is to be sufficient for the administering authority to decide whether a RIDA could be granted. Assessment criteria, environmental attributes, information and approval requirements are specified in the North Queensland Regional Plan, the RPI Act, the Regional Planning Interests Regulation 2014 and relevant guidelines.

- 13.4 Describe any approvals or entitlements required under the *Water Act 2000* and Water Plan (Burdekin Basin) 2007 (Water Plan)<sup>9</sup> and address relevant legislative requirements and water volume limitations.
- 13.5 Describe any legislative requirements that would need to be met in relation to the project's potential impacts on protected areas and national parks. If the project's potential impacts are considered to be inconsistent with the values of these areas, include a description of the revocation process for changing the boundaries of national parks and other protected areas.
- 13.6 The SPP and the State Development Assessment Provisions (SDAP) prescribed in the Planning Regulation 2017 (Planning Regulation) set out the matters of interest to the State for development assessment. The EIS is to:
  - (a) identify the SPP and SDAP state codes relevant to the project
  - (b) demonstrate the project's consistency with the relevant SPP
  - (c) demonstrate the project satisfies the information requirements by providing an assessment against the most up to date version of the relevant SDAP state codes. Further information on SDAP requirements can be accessed from:  
<https://planning.dsdmip.qld.gov.au/planning/better-development/the-development-assessment-process/the-states-role/state-development-assessment-provisions>.
- 13.7 The EIS is to provide, where relevant, the information required under section 125 of the EP Act in support of the project's application for any required ERAs. Any ERA to be conducted as part of the project should be listed separately with the appropriate ERA number, activity name and required threshold (see EP Regulation, Schedule 2 for a list of ERAs). The assessment and supporting information, where relevant, is to be sufficient for the administering authority to decide whether an approval should be granted.<sup>10</sup> Environmental values, information and approval requirements are specified in the EP Act, the EP Regulation, EPP and relevant guidelines.
- 13.8 Describe the assessment process under the Assessment Bilateral Agreement between the Commonwealth and the State of Queensland.
- 13.9 Describe the approvals process under the EPBC Act.
- 13.10 Identify the name of the local government and planning scheme area traversed by the project, any proposed material changes of use and operational works assessment benchmarks for all activities associated with this project under the scheme during pre-construction, construction and operation of the project.

## 14. Stakeholder consultation

- 14.1 In preparing the EIS, consult with directly affected landholders, relevant stakeholders including local, state and Commonwealth government agencies, Aboriginal and Torres Strait Islander

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<sup>9</sup> Water Plan refers to the Water Plan (Burdekin Basin) 2007 and any draft plan.

<sup>10</sup> For technical information requirements see <https://www.business.qld.gov.au/running-business/environment/licences-permits/applying/technical>

peoples<sup>11</sup> and potentially affected communities, directly affected communities<sup>12</sup> and indirectly affected key stakeholders.<sup>13</sup>

- 14.2 Describe in a stakeholder engagement report, the stakeholder engagement activities that have occurred during the preparation of the EIS, identify the issues raised during the consultation, and explain how the responses from stakeholders have been incorporated into the design and outcomes of the project.

## 15. Assessment of project specific matters

- 15.1 This section sets out the scope of project-specific matters that are to be given detailed treatment in the EIS. Assessment of each matter is to consider the potential direct and indirect impacts of the project at the local and/or regional scale.
- 15.2 The EIS is to assess the potential catchment-wide impacts, including upstream and downstream, where relevant.
- 15.3 The proponent is to engage with the Office of the Coordinator-General throughout the development of the EIS to clarify the scope of assessment of each project specific matter.

### Water resources

#### Objectives

The construction and operation of the project are to:

- (a) avoid, minimise and/or mitigate adverse impacts to water resources and Indigenous water resources
- (b) use water resources and riverine quarry material in an equitable, sustainable and efficient manner
- (c) ensure equitable, sustainable and efficient use of water resources
- (d) maintain statutory environmental flows, water quality objectives, in-stream habitat diversity, and naturally occurring inputs from riparian zones to support aquatic biotic communities
- (e) protect or enhance the condition, environmental values and natural functions of waterways, watercourses, lakes, springs, aquifers and other natural water systems and watercourses—including the stability of beds and banks of waterways and watercourses
- (f) protect the volumes and quality of water resources so that current lawful users of water (such as entitlement holders and stock and domestic users) and other beneficial uses of water (such as spring flows, wetlands and groundwater-dependent ecosystems) are not adversely impacted by the development.

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<sup>11</sup> This includes Aboriginal and Torres Strait Islander peoples with interest in land directly affected by the proposal as well as those that could be potentially impacted (i.e. downstream Traditional Owners). In developing an engagement plan for consulting with Aboriginal and Torres Strait Islander peoples, input from relevant government agencies such as the Department of Regional Development, Manufacturing and Water is required.

<sup>12</sup> Potentially affected communities are those local and/or regional communities that may be directly or indirectly affected by the project, whether negatively or positively.

<sup>13</sup> Refer to Appendix 1 of the Coordinator-General's social impact assessment Guideline for a list of key stakeholders.

## Surface water

### *Existing environment*

- 15.4 Provide maps of existing waterways or water features as shown on the Queensland Government's Watercourse Identification Map. Identify:
- (a) waterways providing for fish passage, drainage channels, wetlands, flood-prone or low-lying land within and adjacent to the project area
  - (b) waterways and water features including any waterway barriers
  - (c) the position of the weir and ancillary works
  - (d) existing water supply schemes within and adjacent to the project area
  - (e) the Burdekin drainage basin and its sub-basins and associated sub-catchments.
- 15.5 Describe the pre-development (without current water resource development), current and full entitlement flow characteristics including seasonal flow patterns, flow volumes and duration using relevant indicators from the Water Plan and others such as sediment loads, bed and bank stability and ecological impacts as appropriate to this project after consultation with fluvial geomorphologists and ecologists. Graphical representations at a range of nodes are to be included.
- 15.6 Describe the existing hydrologic regime of the Burdekin River and its tributaries, and the Burdekin Basin. Include a description of the hydrologic regimes of any waterways providing for fish passage, creeks and streams within the project area and external to the project area impacted by the project.
- 15.7 Describe existing surface drainage patterns and flows in major streams including seasonal variations using suitable locations between identified stream nodes.
- 15.8 Discuss the history of flooding including extent, levels and frequency (upstream and downstream).
- 15.9 Describe the operation and management of the water storage and distribution system, including yield, operating strategy, supply reliability, allocation and use of water supplies, water use efficiency and the environmental flow regime. Include a description of the existing Water Plan, the resource operations plan/s, water allocation security objectives and environmental flow objectives.
- 15.10 Provide an assessment against SDAP state code 18: Constructing or raising waterway barrier works in fish habitats (see Appendix 1) for any assessable waterway barrier works required for the project, including construction activities.
- 15.11 Detail diversion or interception of overland flow. Include maps of suitable scale showing the location of diversions and other water-related infrastructure.
- 15.12 Describe the relevant environmental values defined in section 9 of the EP Act and water quality objectives identified in the EPP (Water and Wetland Biodiversity) 2019.

### *Impact assessment and mitigation measures*

- 15.13 Discuss the changes in the stream flows and eco-hydraulic indicators from pre-development to current conditions, and the corresponding changes that may be anticipated or have occurred in:
- (a) in-stream and off-stream wetland inundation frequency timing and duration, including instream pools as dry season refugia

- (b) sediment/nutrient/energy processes in the catchments, including delivery to the coastal and near shore environment.

15.14 Provide modelling outputs including hydrographs of predicted changes in flow regime and potential impacts to environmental flows at a range of locations representative of key habitats and biota under the current and full entitlement scenarios.

15.15 Address and include clear descriptions of the following:

- (a) a level of service analysis (based on the severity, frequency and duration of restriction)
- (b) the effects of drainage or dewatering works, excavation, placement of fill, clearing or any other alterations to existing topography and landform on the hydrology of works sites including any alteration to drainage patterns, fluvial processes and the water table and secondary influence on flooding. If levee banks or stream diversion constructions are proposed, the effects on neighbouring landholders are to be considered
- (c) the extent and location of any inundation area that is located within SEAs mapped in the North Queensland Regional Plan and potential impacts to the relevant listed environmental attributes
- (d) proposed drainage structures for all aspects of the project, including supporting infrastructure such as access roads
- (e) timing of the construction works relative to likely period of flooding and proposals to minimise the risk of flood damage
- (f) changes in flood regimes including frequency and duration of floodplain/wetland inundation, and potential impacts on flood levels upstream and downstream of the storage area and at any new crossing of watercourses. The extent of flood modelling will be to the points at which no significant impact occurs. Flood studies are to include a range of annual exceedance probabilities. Use hydrographs to represent flood levels at different locations
- (g) changes to sediment transport, potential erosion/scouring and changes in deposition upstream and downstream bank and channel morphology, instream habitats and stability of riparian vegetation
- (h) alterations to riparian vegetation, and bank and channel morphology
- (i) any potential implications of climate change as determined in Section 15 – Hazard, health and safety
- (j) any potential impacts the construction and operation of the project may have on downstream water users and infrastructure (e.g. pump stations) with respect to water quality, potential changes in flow regime and availability of water for extraction.

15.16 Describe the following with regard to operational impacts:

- (a) the effect of environmental flow requirements on weir reliability and water availability for consumptive use
- (b) how the project will conform to the Water Plan and how impacts will be mitigated. Use hydrological modelling to inform the assessment of impacts on:
  - (i) the general, specific and ecological outcomes of the Plan
  - (ii) strategies to meet the outcomes
  - (iii) unallocated water rules

- (iv) processes and volumes
  - (v) downstream users and environment
  - (vi) overland flow provisions
  - (vii) plan implementation (i.e. water management protocol)
- (c) impacts of the project on flow regime indicators (water allocation security objectives and environmental flow objectives in accordance with the Water Plan and stipulation of the assumptions made (e.g. extraction patterns, release patterns, release capacity, consumptive uses)
  - (d) the effect of water storages, water harvesting (losses) and operational releases on environmental flow requirements, weir reliability and water availability for consumptive use
  - (e) changes in the reliability of supply to current water entitlement holders and any impacts on the operation of existing water extraction
  - (f) changes in flow patterns including changes in the magnitude of flow events, flow frequency and timing of flows, volumes and duration, connectivity, and changes in flows reaching estuarine waters, when compared at a meaningful scale with pre-development and current flows in the system
  - (g) natural recharge via flooding or elevated flow events
  - (h) natural recharge via environmental flow events
  - (i) changes in the reliability of water supply and changes in flow patterns and water levels in aquifers which are upstream and downstream from the project
- 15.17 Provide information on the project's water usage, including details about the source, quality and quantity of all water required for the project and its construction activities.
- 15.18 For each source of water supply (surface and groundwater) for the project, address the quality and quantity, security of supply and resource availability.
- 15.19 Determine the potable water demand for the project, including the temporary demands during the construction period. Include details of any existing town water supply to meet such requirements. Detail should also be provided to describe any proposed on-site water storage and treatment for use by the site workforce during the construction phase.
- 15.20 Provide detailed designs for all infrastructure utilised in the treatment of onsite water including how any onsite water supplies are to be treated, contaminated water is to be disposed of and any decommissioning requirements and timing of temporary water supply/treatment.
- 15.21 Identify the quantity, quality and location of all potential discharges of water and contaminants by project, including treated wastewater and sewage. Describe whether the discharges would be from point sources (whether uncontrolled and controlled discharges) or diffuse sources (such as irrigation to land of treated wastewater/sewage effluent) and describe the receiving environment (such as land or surface waters).
- 15.22 Provide details on the proposed sewage collection and treatment infrastructure and the reuse and/or disposal of treated wastewater and sewage wastes generated.
- 15.23 Describe and map any diversions or interception of overland flow. Detail the relevant impacts of any proposed watercourse diversions and describe watercourse diversion design, operation, monitoring regime, and measures to be implemented to avoid impacts on local wetlands, streams, groundwater dependent ecosystems and waterways.

## Groundwater

### *Existing environment*

15.24 Describe the historic and existing environment for hydrogeology resources that may be affected by the project (including the Lower Burdekin delta, Bowling Green Bay, and the Great Barrier Reef lagoon) and the possible significance of the project to groundwater depletion or recharge, or potential saltwater intrusion of existing aquifers. The review is to include a survey of existing groundwater supply facilities (i.e. bores, wells or excavations) within the project area and adjacent to the project area. Describe:

- (a) the proximity of groundwater supply facilities to the project and value of these facilities for rural, industrial and/or domestic use
- (b) the quality, quantity and significance of groundwater in the project area and any surrounding area potentially affected by the project's activities
- (c) the current use and volume of groundwater for irrigated agriculture within any potential area of impact
- (d) the known nature of the aquifers at and near the sites, geology/stratigraphy, aquifer type, depth to and thickness of the aquifer, hydrogeology of the aquifers, depth to water level and seasonal changes in levels, groundwater flow directions
- (e) interaction with surface water in each sub-catchment and possible sources and volumes of recharge
- (f) basic water quality of the aquifer and its vulnerability to pollution
- (g) groundwater resources proposed to be used by the project, including a description of the quality, quantity, usage rate and required location of those resources
- (h) the characteristics of target aquifers, including seasonal variability, value as water supply sources, capacity to provide the required volumes of water at the expected usage rate, recharge potential and profile of existing extraction.

### *Impact assessment and mitigation measures*

15.25 Matters to be addressed are to include descriptions of the following:

- (a) if relevant, an assessment of the potential impacts on the objectives and requirements of any underground water management area or Water Plan regulating underground water
- (b) the inputs, movements, exchanges and outputs of surface water and groundwater that would or may be affected by the project
- (c) the project's impacts at the local scale and in a regional context including:
  - (i) changes in flow regimes from diversions, water take and discharges
  - (ii) groundwater draw-down and recharge
  - (iii) alterations to riparian vegetation and bank and channel morphology
  - (iv) direct and indirect impacts arising from the development
- (d) the impacts of the project on groundwater dependant ecosystems, including impacts on stygofauna and proposed mitigation measures
- (e) effect of dewatering of weir and water storage foundations

- (f) effect of weir wall construction and grouting on the availability and quality of groundwater resources downstream
- (g) impacts of vegetation clearing, sedimentation, salinity and depth below natural surface level of local groundwater resources
- (h) extent of the area within which groundwater resources are likely to be affected by the proposed operations of any component of the project, including effects of water storage, presence of the weir wall and downstream flow releases
- (i) impacts of the project on the outcomes of the Water Plan including how the project will conform to the Plan and how any impacts will be mitigated. In the assessment of impacts, hydrogeological modelling is to be used to inform the assessment, the general, specific and ecological outcomes of the Plan, indicators and objectives, strategies to meet the outcomes, unallocated water rules, processes and volumes, downstream users and environment, overland flow provisions and Plan implementation (i.e. water management protocol)
- (j) impacts of any required extraction of groundwater resources and proposed mitigation measures to reduce the impact of the project on groundwater quality including the potential for interconnection between the target and underlying aquifers
- (k) decommissioning of any temporary groundwater bores.

## Indigenous water resources of Aboriginal and Torres Strait Islander peoples

### *Existing environment*

- 15.26 Describe the social, economic, cultural, spiritual and environmental values, uses and aspirations of water resources for Aboriginal and Torres Strait Islander peoples relevant to the project.
- 15.27 Discuss the importance of cultural values and uses of water of local Aboriginal and Torres Strait Islander peoples including information regarding economic development opportunities and methods proposed to protect these values.

### *Impact assessment and mitigation measures*

- 15.28 Detail the project's potential impacts on social, economic, cultural, spiritual and environmental values, uses and aspirations of water resources for Aboriginal and Torres Strait Islander peoples.
- 15.29 Detail how social, economic, cultural, spiritual and environmental values, uses and aspirations of water resources for Aboriginal and Torres Strait Islander peoples will be protected and/or promoted through water allocation and management strategies, relevant to the project.
- 15.30 Where country may be affected by existing or future water infrastructure projects in the area, assess the cumulative impacts of these projects on the cultural, spiritual, environmental, social and economic values, uses and aspirations linked to water for Aboriginal and Torres Strait Islander peoples.



## Water quality

### Objective

The construction and operation of the project are to:

- (a) avoid, minimise and/or mitigate adverse impacts to water quality
- (b) protect environmental values of Queensland waters and maintain or enhance water quality to achieve water quality objectives
- (c) protect the environmental values of groundwater and any associated surface ecological systems
- (d) protect the environmental values of receiving marine waters and wetlands.

### Existing environment

- 15.31 Describe the existing water quality (surface and groundwater) of the local and regional water catchment that may be affected by any component of the project.
- 15.32 With reference to the EPP (Water and Wetland Biodiversity) and section 9 the EP Act, identify the current water quality environmental values and water quality objectives of surface and ground waters within the project area and surrounds, and immediately downstream that may be affected by the project activities, including any human uses and cultural values of water.
- 15.33 Describe historic and existing surface water and groundwater quality in terms of physical, chemical and biological characteristics within the existing water storage area, upstream and downstream of the area, including consideration of seasonal or flow variations where applicable. Off-stream water bodies and existing water storage areas are to be included where relevant.
- 15.34 The basis for this assessment is to include a literature review supplemented by a suitable sampling program supported by sufficient site-specific baseline data. The following matters are to be discussed:
  - (a) the relationship of water quality to flow, using local catchment examples
  - (b) water quality issues (such as stratification, eutrophication and deoxygenation) within and downstream from existing storages in the system
  - (c) the confirmed or likely causes of present water quality impacts
  - (d) the suitability of existing raw water quality for proposed on-site uses and any treatment required
  - (e) current water quality issues related to specific uses of water as related to the project (e.g. potable supply, agricultural water)
  - (f) correlate groundwater quality results with surface water data to define interactions
  - (g) identify any water quality variations along the length of any alluvium upstream and downstream of the weir or other infrastructure
  - (h) water quality samples must include as a minimum, electrical conductivity, pH, dissolved oxygen and major anions and cations.

## Impact assessment and mitigation measures

- 15.35 Describe the quantity, quality, location, duration and timing of all potential and/or proposed releases of contaminants to waters. Releases may include controlled water discharges to surface water streams, uncontrolled discharges when the design capacity of storages is exceeded, spills of products during loading or transportation, contaminated run-off from construction, operational decommissioning areas of the project and surround, or run-off from disturbed acid sulfate, sodic or dispersive soils.
- 15.36 Demonstrate how the project will protect relevant environmental values and meet relevant water quality objectives and outcomes of the Burdekin basin as described in the Great Barrier Reef end-of-basin water quality objectives (under the EPP (Water and Wetland Biodiversity) 2019) for fine sediments and dissolved inorganic nitrogen and the objectives of the Reef 2050 Water Quality Improvement Plan during construction, operation and decommissioning.
- 15.37 Describe the impacts of the project on upstream and downstream water quality, environmental values and the water quality objectives of the *Burdekin Region Water Quality Improvement Plan*, the *Reef 2050 Water Quality Improvement Plan*, the relevant environmental attributes (listed in Appendix A of the North Queensland Regional Plan) and policies and guidelines outlined in Appendix 1. Information is to be supported with references to relevant legislation, policies and guidelines.
- 15.38 Where the use of water is proposed for irrigation projects, complete a risk assessment for salinity following the protocols of the *Salinity Management Manual* and the *Salinity Risk Assessment Guidelines for Queensland* (in press) (see Appendix 1).
- 15.39 Matters to be addressed are to include clear descriptions of the following:
- the possible sources of water contamination or other changes in water quality during specific construction activities such as sand and gravel extraction, site clearing, excavation, dewatering of foundations, temporary or permanent road construction and related drainage, wastewater from concrete batching plants, vehicle and equipment wash down activities, sewage or grey water treatment and disposal, use of chemicals in foundation cleaning, grouting or testing and accidents or spillage
  - the likely quality of water leaving construction sites taking into account the management and mitigation measures proposed
  - the quality of water within the impoundment during the first filling phase and for the period of the subsequent decomposition of drowned vegetation
  - the quality of water within the impoundment under projected operating conditions including annual seasonal variation, extended wet or dry period, the effects of inundated soil types and wind driven re-suspension, impacts of surrounding or upstream land uses
  - the effects of depth and holding time within the water storage area, particularly on turbidity, conductivity, stratification, temperature, dissolved oxygen and the quality of operational water releases
  - potential for stratification and 'turn-over' of the water storage (including potential for blue-green algae blooms) and implications for water quality management, supply and use (including for stock and domestic users, industrial users, urban potable use or recreational use of the storage)
  - the potential effect of algae and macrophytes on water quality and vice versa

- (h) the effects on downstream water quality under varying scenarios of flow release including potential impacts on instream pools (dry season refugia), estuarine and near shore environments
- (i) the management of nutrients and oxygen levels from decomposition of drowned vegetation within the impounded waters in any discharge or releases from the weir.

15.40 Describe and include in the EMP avoidance, mitigation strategies and contingency plans for:

- (a) potential accidental discharges of contaminants, nutrients and sediments during construction and operation
- (b) stormwater run-off, erosion and sedimentation from the construction of the project with reference to the International Erosion Control Association's *Best Practice Erosion and Sediment Control* and the former Department of Environment and Resource Management's *Urban Stormwater Quality Planning Guidelines 2010* (see Appendix 1)
- (c) flooding of relevant river systems, the effects of tropical cyclones and other extreme events
- (d) management of acid sulfate, sodic and dispersive soils
- (e) impacts to other properties and the environment during flood events
- (f) the treatment and disposal processes for all wastewater produced as a result of the project, including construction activities.
- (g) the management of nutrients and oxygen levels from decomposition or drowned vegetation within the impounded waters in any discharges or releases from the weir.

15.41 Describe how monitoring would be used to demonstrate that objectives were being assessed, audited and met. For example, provide measurable criteria, standards and/or indicators that will be used to assess the condition of the ecological values and health of surface water environments. Propose corrective actions to be used if objectives are not likely to be met.

## Coastal processes

### Objectives

The construction and operation of the project are to:

- (a) avoid, minimise and/or mitigate adverse impacts on the environmental values of the Lower Burdekin delta, Burdekin-Haughton floodplain, Cape Bowling Green and Bowling Green Bay
- (b) ensure coastal processes along the eastern Lower Burdekin delta are maintained including flood dominated delivery of coarse sediment, beach replenishment, foreshore progradation and northward longshore drift of sediment
- (c) align with the outcomes sought by the Reef 2050 Water Quality Improvement Plan, particularly the target to decrease end-of-catchment fine sediment loads
- (d) ensure the replenishment of the Lower Burdekin delta groundwater resource is not compromised by the operation of the project.

### Existing environment

15.42 Describe the environmental values of the Lower Burdekin delta, Burdekin-Haughton floodplain, Cape Bowling Green and Bowling Green Bay.

- 15.43 Describe the coastal zone of the Lower Burdekin delta in terms of the morphology, physical features and integrity, condition and historical context of landforms created or modified by coastal processes (e.g. tides, rivers, estuaries, floods, coastal currents, major storms, beaches, dunes, saltmarshes, intertidal mudflats, mangroves, seagrass beds, wetlands, rocky headlands, islands, nearshore and offshore marine habitats). Discuss the degree of reliance of these processes on flood dominated delivery of coarse sediment.
- 15.44 Describe historic and existing sediment transport dynamics across the catchment and sub-catchment, including sediment budgets (inputs and yields) for fine and coarse sediment, the role of existing water storages in sediment capture and the importance of flood flows in the delivery of sediment to the coastal zone.

### ***Impact assessment and mitigation measures***

- 15.45 Assess and describe the potential impacts of the project on sediment discharge in the Burdekin River catchment under a range of flow scenarios relevant to the operation of the proposed weir. Develop sediment rating curves for the proposed reservoir and estimate downstream sediment discharge with and without the project.
- 15.46 Assess and describe any potential impacts of the project and project infrastructure upon existing coastal processes within the catchment, including impacts to the Lower Burdekin delta, Burdekin-Haughton floodplain, Bowling Green Bay and Cape Bowling Green. The assessment must address the:
- (a) potential impacts of the project on sediment discharge within the Burdekin River catchment and downstream impacts on sediment delivery to the coast
  - (b) potential impacts of the project on the capacity of natural and assisted recharge of the Lower Burdekin delta aquifer/s
  - (c) potential for the project to influence long term sediment transport and coastal processes downstream of the Burdekin River estuary, including on Cape Bowling Green and within Bowling Green Bay.
- 15.47 Describe measures proposed to avoid, minimise and/or mitigate potential impacts on environmental values and coastal processes on the Lower Burdekin delta, Burdekin-Haughton floodplain Cape Bowling Green and Bowling Green Bay.
- 15.48 Describe how operation of the weir and associated infrastructure would be optimised to maintain flood flows and downstream sediment discharge.
- 15.49 Develop and describe suitable indicators to monitor the effectiveness of mitigation and management measures.

## Land

### Objectives

The construction and operation of the project are to:

- (a) avoid, minimise and/or mitigate any serious environmental harm on areas sensitive land uses and sensitive receptors
- (b) minimise changes to land tenure
- (c) avoid or minimise reduction of priority agricultural areas and strategic cropping land
- (d) protect the environmental values of land including soils, subsoils, landforms and associated flora and fauna.

### Land use and tenure

#### *Existing environment*

15.50 Describe the following:

- (a) the landscape and existing and proposed land uses, in and around the project area, including numbers of private properties, Traditional Owner land and cultural practice areas, State land, and Reserves impacted by the project
- (b) identify townships and urban areas located near the project area
- (c) any tenures, including conservation parks, nature refuges, national parks, stock routes, overlying and adjacent to the project area
- (d) identify all planning schemes which will affect the project
- (e) any known or potential sources of contaminated land, including any area which has been or is being used for a 'Notifiable Activity' as listed in Schedule 3 of the EP Act, is potentially contaminated, or is on the Environmental Management Register or Contaminated Land Register.

15.51 Describe and map the extent of any known agriculture, horticulture, petroleum, mining and exploration activities or quarries of commercial significance, including, but not limited to:

- (a) petroleum pipeline infrastructure
- (b) registered exploration permits and applications for exploration permits
- (c) mineral development licences and applications for mineral development licences
- (d) mining leases and applications for mining leases, including access arrangements
- (e) known economic resources and their future availability
- (f) active, disused, or abandoned workings within the project area and surrounds
- (g) findings of the Agricultural Land Audit and AgTrends Spatial web mapping app.<sup>14</sup>

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<sup>14</sup> <https://www.business.qld.gov.au/industries/farms-fishing-forestry/agriculture/agribusiness/agtrends-spatial>

## **Impact assessment and mitigation measures**

- 15.52 Identify all state and regional planning interests (e.g. priority agricultural areas, Key Resource Areas, strategic cropping areas and SEAs) potentially impacted by the project, and the source of mapping to identify those interests. Where mapping is not available, identify the methodology followed to prepare the mapping and its scale.
- 15.53 Detail how the construction and operation phases of the project will change existing and potential land uses of the project site(s) and adjacent areas.
- 15.54 Present using map/s any proposed lot consolidation.
- 15.55 Demonstrate that the project can meet the environmental objectives and performance outcomes relevant to land in Schedule 8 of the EP Regulation.
- 15.56 Demonstrate that the project can meet the required outcome and prescribed solutions under the regional planning interest's framework for the relevant environmental attributes identified in the North Queensland Regional Plan for the SEA.
- 15.57 Describe potential impacts of the proposed land uses, taking into consideration the proposed measures that would be used to avoid or minimise potential impacts.
- 15.58 Address impacts on any identified agriculture, horticulture, petroleum, mining and exploration activities, including any consultation undertaken with tenement holders, with respect to accessing land, impact assessment and mitigation measures. For any impacts on mining and exploration activities, liaise with any authorised tenement holder whose mining interests overlay the development footprint to advise of the proposal and ascertain any future exploration activities.<sup>15</sup>
- 15.59 If relevant, describe the proposed procedures intended to change the conditions of a state lease to include agricultural activities.
- 15.60 If relevant, describe any proposed tenure to be applied for as part of this project.
- 15.61 Identify any historical mine workings within or adjacent to the project area. Demonstrate how historical mine workings have been avoided where possible. If relevant, describe how the project is to incorporate safety measures to mitigate hazards with abandoned mines and ensure the safety of personnel.
- 15.62 Describe how any proposed land use may result in land becoming contaminated. Describe the actions to be undertaken to avoid, identify, remediate, manage land that is contaminated or becomes contaminated.
- 15.63 Detail proposed measures taken during the construction and maintenance of the project to avoid and minimise land degradation. Land degradation includes but is not limited to soil erosion, the expression of salinity, waterlogging, and mass movement by gravity of soil or rock.
- 15.64 Identify existing and potential Native Title rights and interests impacted by the project and the potential for managing those impacts by Indigenous Land Use Agreements or other measures.
- 15.65 Describe the proposed land acquisition approach/es with stakeholders and State government agencies, including anticipated timelines, necessary to secure tenure for the project. Include any compulsory acquisition process potentially applicable to each tenure impacted. Describe any existing or proposed tenures impacted by the project which will entitle payment of lawfully

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<sup>15</sup> The location of exploration permit and other mining interests can be viewed via GeoResGlobe at: <https://georesglobe.information.qld.gov.au>. Additional information is available online at: [www.qld.gov.au/environment/land/abandoned-mines](http://www.qld.gov.au/environment/land/abandoned-mines).

required compensation and the corresponding parties who will receive or pay compensation for each tenure.

- 15.66 Identify any infrastructure or access tracks associated with the project to be located within, or which may have impacts on, the stock route network managed under the *Stock Route Management Act 2002*. This includes any Reserves which form part of the network (i.e. for water, camping purposes). Demonstrate how the project will maintain the ongoing functionality and connectivity of the stock route network.
- 15.67 Describe, using graphics and figures, temporary and permanent changes to the landscape and the visual impacts of the project on communities, particularly those living in townships. Describe the proposed mitigation measures to avoid or minimise visual impacts.
- 15.68 Include a detailed assessment of the likely potential impacts to agricultural interests, including:
  - (a) agricultural land of SPP significance to the agriculture state interest. This assessment is to demonstrate how the project is consistent (or otherwise) with protecting Agricultural Land Classification Class A and Class B land for sustainable agricultural use, in accordance with state interest – agriculture 2 (a)-(c)
  - (b) how any adverse impacts will be mitigated to ensure there is no net loss in the availability and utility of that land for an agricultural use. This would include land directly impacted by and adjacent to project activities.

## Topography, geology and soils

### **Existing environment**

- 15.69 Describe, including maps, the geology of the project area, with reference to the physical and chemical properties of surface and sub-surface materials and geological structures within the proposed areas of disturbance.
- 15.70 Identify and investigate the soil toposequences associated with water movement, salinity, sodicity and cracking clay soils, as well as areas of potential and actual acid sulfate soils.
- 15.71 Provide details, including maps, existing soil conservation works (contour banks, waterway discharge points etc.) and existing erosion control works, in particular, those approved as project plans or property plans approved under the provisions of the Soil Conservation Act 1986.

### **Impact assessment and mitigation measures**

- 15.72 Where significant earthworks are proposed, assess the impact of these works on affected soils and landscapes. Describe how these works affect land use, land management, agricultural land suitability and associated degradation risks. The investigation of soils, landscapes and agricultural land suitability shall be undertaken in accordance with the latest version of:
  - (a) *Guideline for coordinated projects involving clearing for agriculture (land suitability requirement)*, *Guidelines for Surveying Soil and Land Resources*, *Australian Soil and Land Survey Field Handbook*, *Guidelines for Agricultural Land Evaluation in Queensland*, the Department of Environment and Science (DES) *EIS Information Guideline – Land*
  - (b) where linear features are proposed, *Guidelines for Soil Survey along Linear Features*
  - (c) if any quarry material is needed for construction, the DES *EIS information guideline—Quarry material* (see Appendix 1).
- 15.73 Investigate the risks to the soil and landscape associated with land degradation. This is to include a salinity risk assessment to predict, manage and mitigate salinity risk in accordance with *A risk*

framework for preventing salinity (see Appendix 1). Where irrigation water is applied to land, assess the:

- (a) water balance to assess the impacts of deep drainage
- (b) salt balance
- (c) unsaturated zone.

- 15.74 Investigate land degradation in the form of erosive soil loss associated with increase run-off, clearing or other changes to hydrology in accordance with *Soil Conservation Guidelines for Queensland* and *Best Practice Erosion and Sediment Control* (see Appendix 1).
- 15.75 Where potential and actual acid sulfate soils have been identified, prepare an acid sulfate soil management plan in accordance with accepted industry guidelines and the requirements of the *SPP – State interest guideline emissions and hazardous activities* that appropriately manages the disturbance of acid sulfate soils to avoid or minimise the mobilisation and release of acid, iron, or other contaminants.
- 15.76 Identify activities or operations likely to impact on existing erosion control works and any soil conservation works.
- 15.77 Describe proposed mitigation measures to avoid or minimise project impacts related to land use, soil values, existing conservation works and sediment and erosion control works (e.g. artificial wetlands).
- 15.78 Demonstrate how landforms, during and after disturbance, will meet any requirements of project or property plans approved under the *Soil Conservation Act 1986*.

## Protected areas, National Parks and other lands with environmental significance

### Objectives

The construction and operation of the project are to:

- (a) avoid, minimise and/or mitigate adverse impacts to protected areas, State forests, National Parks and other State or privately-owned lands with nature conservation or forest production values
- (b) protect the environmental and resource values of protected areas, State forests, National Parks and other State or privately-owned lands with particular environmental and forest production values
- (c) ensure the project's design enables operation of the project in accordance with best practice environmental management.

### Existing environment

- 15.79 Illustrate the context of the project in relation to surrounding and impacted protected areas, State forests, timber reserves, privately owned-lands with nature conservation or other forest production values, and National Parks, particularly the Dalrymple National Park. This includes the location of:
- (a) existing and proposed infrastructure
  - (b) the proposed inundation and impoundment area
  - (c) proposed buffers (including firebreaks and safety buffers)



- (d) existing and proposed access tracks required for construction and maintenance, and
- (e) any areas of disturbance required for the establishment of temporary non-resident workforce accommodation and construction laydown areas.

### **Impact assessment and mitigation measures**

- 15.80 Describe the potential direct and indirect impacts on the natural and cultural resources and values of all protected areas, including national parks, in the project area arising from the construction and operation of the project.<sup>16</sup>
- 15.81 Describe alternatives considered to avoid adverse impacts on all protected areas.
- 15.82 Where adverse impacts on all protected areas cannot be reasonably avoided, describe:
- (a) the legislative mechanisms that would need to be followed for approval of these impacts
  - (b) how these impacts would be minimised and mitigated
  - (c) how these impacts would be offset (e.g. what compensatory measures would be provided by the proponent).
- 15.83 Provide a description of how ecological processes and connectivity to habitats, corridors and waterways are maintained between protected areas and adjoining areas where adjoining areas are impacted by the project.

## **Flora and fauna**

### **Objective**

The construction and operation of the project are to:

- (a) avoid, minimise and/or mitigate adverse impacts to flora and fauna
- (b) identify and appropriately safeguard matters of state environmental significance to support healthy and resilient ecosystems
- (c) ensure the sustainable, long-term conservation of biodiversity
- (d) protect all environmental values relevant to adjacent and receiving environmentally sensitive areas
- (e) provides for the conservation of the marine environment, particularly the Great Barrier Reef Marine Park and other marine conservation areas
- (f) ensure waterway barrier works in fish habitats are constructed to maintain connectivity, habitat values and fish passage.

### **Existing environment**

- 15.84 Identify and describe matters of state environmental significance (MSES)<sup>17</sup>, relevant environmental attributes of mapped SEAs<sup>18</sup>, State and regionally significant biodiversity and natural environmental values of the terrestrial and aquatic ecosystems likely to be impacted by

<sup>16</sup> 'Natural resources' and 'cultural resources' within the definitions under the *Nature Conversation Act 1992*. 'Protected areas' within the definition under the Environmental Offsets Regulation 2014.

<sup>17</sup> MSES are a component of the biodiversity state interest that is defined under the State Planning Policy (SPP) and defined under the Environmental Offsets Regulation 2014 (Offset Regulation). MSES includes certain environmental values that are protected under Queensland legislation.

<sup>18</sup> Environmental attributes of SEAs mapped in the region are listed in Schedule A of the North Queensland Regional Plan.

the project. Where MSES have been addressed in the section on MNES, specific cross referencing is appropriate.

- 15.85 The location of fauna and flora of cultural, state and national environmental significance in the project area, and in surrounding areas, are to be shown on maps in relation to their habitat and connectivity in the landscape. Include maps, upstream and downstream of the project, showing areas of:
- (a) regulated vegetation maps showing regional ecosystems, essential habitat, wetlands, watercourse and drainage features (over the project and adjoining areas)
  - (b) protected habitat
  - (c) wetlands of high ecological significance
  - (d) waterways providing for fish passage
  - (e) conservation areas.
- 15.86 Provide evidence of the height of the tallest vegetation adjacent to new building, access tracks, fence lines and permanent structures proposed by the project.
- 15.87 Provide a detailed description of all native fish species:
- (a) known to occur within the area impacted by the project (as identified through on-ground studies), and
  - (b) identified as likely to occur (via desktop assessment).
- 15.88 Describe, using relevant literature and the results of surveys, the natural and existing upstream and downstream movement and habitat requirements of all aquatic and terrestrial flora and fauna in the project area. Identify sensitivity to change of aquatic and terrestrial flora and fauna groups and of significant species.
- 15.89 Describe all flow dependent ecological assets and their critical links to stream flow, including their relevant ecological thresholds.
- 15.90 Describe how the features of the annual flow underpins the structure and function of the aquatic ecosystem including peak wet season flows and their variability; the draw period of flows and flood residence times during wet and dry season transition; low and disconnected flows during the dry season; the initial flushing flows during the dry to wet season transition.

### ***Impact assessment and mitigation measures***

- 15.91 Using maps at suitable scales, illustrate the context of the project in relation to surrounding MSES and SEAs. This includes the location of:
- (a) existing and proposed infrastructure
  - (b) proposed buffers (including firebreak and safety buffers)
  - (c) existing and proposed access tracks required for construction and maintenance, and
  - (d) any other areas of disturbance required to undertake the project.
- 15.92 Demonstrate how the proposal avoids native vegetation clearing, or where avoidance is not reasonably possible, minimises clearing to conserve vegetation, avoid land degradation and maintain ecological processes.
- 15.93 Describe the methodology of constructing the weir (through modelling or any other appropriate method) and demonstrate how the chosen method minimises and mitigates potential impacts on aquatic and riparian habitat and include plans to protect the health and welfare of native fish

species through fish salvage operations in accordance with the Department of Agriculture and Fisheries' *Guidelines for Fish Salvage* (Appendix 1).

15.94 Assess the potential direct and indirect impacts of construction and operation on the biodiversity and natural environmental values. Describe proposed avoidance and/or mitigation measures. The assessment is to include, but not be limited to, the following:

- (a) all significant flora and fauna species (e.g. the endangered northern gastric-brooding frog (*Rheobatrachus vitellinus*), and special least concern platypus (*Ornithorhynchus anatinus*)) and ecological communities in both terrestrial and aquatic environments and in sensitive areas, biodiversity values, connectivity and supporting ecological processes, including MSES and MNES
- (b) data deficient flora and fauna species known to occur in the project area including Irwin's turtle (*Eseya irwini*) and species endemic to the Burdekin Basin such as the neosilurid catfish (*Neosilurus mollespiculum*) and small-headed grunter (*Scortum parviceps*)
- (c) environmental flow requirements for each species (i.e. ecohydrological requirements) and the potential changes to flow regimes, water levels and associated factors upstream and downstream and resultant changes to habitat (in-river and off-stream) and consequential ecological changes (including floristic)
- (d) natural and existing levels of upstream and downstream fish passage. This will inform the movement requirements for the species at the site and the associated fish passage provisions to be incorporated into the design
- (e) address sensitivity of aquatic flora and fauna groups and significant species to change (e.g. specific periods/seasons during which operational water level changes are likely to adversely impact aquatic flora and fauna such as breeding or nesting periods requiring stable water levels)
- (f) the potential impacts of water temperature and oxygen levels on fauna within the impoundment and below the spillway
- (g) flora and fauna of cultural significance to Aboriginal and Torres Strait Islander Peoples
- (h) terrestrial and aquatic ecosystems (including groundwater-dependent ecosystems) and their interaction
- (i) alterations to riparian vegetation, habitat availability, connectivity and bank and channel morphology
- (j) waterways providing for fish and fauna passage (including temporary and permanent impacts), including an assessment against SDAP State code 18
- (k) the existing integrity of ecological processes, including habitats of threatened, near-threatened or special least-concern species
- (l) the quantity and quality of water required to sustain and manage the ecological health of riparian and aquatic ecosystem functions
- (m) direct and indirect impacts of edge effects of cleared vegetation and access to food resources
- (n) actions of the project that require an authority under the *Nature Conservation Act 1992* and *Water Act 2000* (e.g. riverine protection permit), assessable development under the *Planning Act 2016*, *Vegetation Management Act 1999* (VM Act) and *Fisheries Act 1994*, and an authority and/or permit under the EP Act

- (o) biological diversity including listed flora and fauna species and regional ecosystems
  - (p) SEAs identified in the North Queensland Regional Plan and how the required outcome and prescribed solutions are achieved under the regional planning interest's framework
  - (q) conservation, national park tenures, biodiversity offset areas approved by the state or commonwealth governments
  - (r) impacts on native fauna during construction and operation of the project due to their proximity to the project area (e.g. lighting, noise, waste)
  - (s) provide a detailed salvage and relocation plan for impacted species including MSES.
- 15.95 Identify and discuss where proposed vegetation clearing is exempt or considered accepted development for the project under the Planning Regulation. Assess proposed vegetation clearing against SDAP state code 16, addressing the relevant assessment benchmarks for a coordinated project for all other purposes. Note that all vegetation, including Category X areas, on State land tenures is assessable unless an exemption or Acceptable Development Vegetation Clearing Code applies.
- 15.96 Assess the need for safety fire breaks and the need for buffer zones and the retention, rehabilitation or construction of fauna movement corridors, including the role of buffer zones in maintaining and enhancing riparian vegetation and wetlands to promote bank stability, enhance habitat connectivity and provide habitat.
- 15.97 For any infrastructure that constitutes waterway barrier works, provide cross-sections of the waterway that show the barrier in relation to the bed and banks and long-sections that show the barrier in relation to the bed upstream and downstream of the structure. Describe how the barrier and hydrological conditions provide for fish passage.
- 15.98 Demonstrate that the project will avoid the need for waterway barriers or propose measures to mitigate impacts on affected waterways, drainage features and wetlands. Include mitigation strategies for construction and operation stages of the project.
- 15.99 Describe the potential disruption to flows in waterways and tributaries and demonstrate how the chosen method minimises and mitigates potential impacts on aquatic and riparian habitat (including coffer dams, temporary diversions and cut-off drains). Reference is to be made to DAF's *Guidelines for Fish Salvage* (Appendix 1), for example if any dewatering is required. The description is to include:
- (a) proposed fauna passage through any diversions
  - (b) proposals for the reinstatement of the waterways after construction has ceased, if applicable.
- 15.100 Describe, illustrate, and demonstrate how the proposed weir provides safe and adequate upstream and downstream aquatic fauna passage.
- 15.101 Set out a process for the design, construction, and monitoring of any fauna passage device(s) to provide maximum transparency and safe passage at the weir and relevant waterway barriers impacted or installed as a result of the project.
- 15.102 Propose rehabilitation criteria and objectives to be used to measure progressive rehabilitation of disturbed areas. Describe how the achievement of the objectives will be monitored and audited, and how corrective actions will be managed. Proposals for rehabilitation of disturbed areas are to incorporate suitable terrestrial and aquatic habitat as appropriate.

- 15.103 Propose practical measures (based on demonstrated successful methodologies) to avoid, minimise, mitigate and/or offset direct or indirect impacts on ecological environmental values, including measures for protecting or enhancing natural values and assess how the nominated quantitative indicators and standards may be achieved for nature conservation management. In particular, address measures to protect or preserve any listed threatened, near threatened or special least concern species.
- 15.104 Describe how the achievement of the subject matter's objectives is to be monitored and audited, and how corrective actions are to be managed.
- 15.105 After demonstrating that all reasonable on-site avoidance and mitigation measures have been applied, identify whether the project will result in a significant residual impact (SRI) on MSES, requiring an offset with reference to the *Queensland Environmental Offsets Policy*, *Queensland Environmental Offsets Policy: Significant Residual Impact Guideline 2014*, and *Significant Residual Impact Guideline for matters of state environmental significance and prescribed activities assessable under the Sustainable Planning Act 2009* (see Appendix 1) and the *Queensland Environmental Offsets framework*.
- 15.106 Address both State and Commonwealth offset obligations, and clearly identify where there are overlaps across jurisdictions. Identify, describe and illustrate the extent (such as in a map and table) of any SRI overlap between MNES and MSES.
- 15.107 Describe and quantify any SRI and demonstrate any proposed offset sites and their capacity and habitats, or alternative offsets, are consistent with the latest version of the *Queensland environmental offsets policy* (Appendix 1).
- 15.108 For staged offsets, the full extent of potential impacts on prescribed environmental matters from the entire proposal needs to be taken into account as part of the SRI test.
- 15.109 Provide as an appendix to the EIS an offset proposal which outlines the proposed offset delivery approach to address the project's SRI on MSES. The offset delivery approach is to include an assessment of the vulnerability of any proposed offset site/s under climate change scenarios (e.g. reduced water availability, increased bushfire risk).
- 15.110 Describe any active restoration actions that would be undertaken to improve, enhance and manage native vegetation or threatened species habitat on a proposed offset site (note: applying high intensity management to low condition sites is most relevant to habitat reconstruction).

## Biosecurity

### Objectives

The construction and operation of the project are to:

- (a) avoid, minimise and/or mitigate the spread of terrestrial and aquatic weeds, terrestrial and aquatic pest animals, disease, pathogens and contaminants
- (b) control and manage existing terrestrial and aquatic weeds, terrestrial and aquatic pest animals and diseases
- (c) comply with relevant provisions of the *Biosecurity Act 2014*, Commonwealth animal and pest strategies, biosecurity plans, Weeds of National Significance and designated pests under the *Public Health Act 2005*.

### Existing environment

- 15.111 Survey terrestrial and aquatic pest animals and weeds in those areas identified as containing listed flora, fauna and ecological communities of MNES or MSES.
- 15.112 Describe the current distribution and abundance of terrestrial and aquatic pest animals and weeds in the project area and surrounds. This includes restricted matters listed in the *Biosecurity Act 2014* and Biosecurity Regulation 2016, Weeds of National Significance and designated pests under the *Public Health Act 2005*.

### Impact assessment and mitigation measures

- 15.113 Describe the project's construction and operational impacts on the spread of terrestrial and aquatic pest animals, terrestrial and aquatic weed species and disease within the project area construction access routes and into adjoining properties (where relevant).
- 15.114 Propose detailed measures using best practice to control and limit the spread of pests, weeds and diseases surrounding the project area and adjacent areas. Detail any relevant local government area Biosecurity Plans.
- 15.115 All proposed measures are to be in accordance with any relevant biosecurity surveillance or prevention measures authorised under the *Biosecurity Act 2014* and any requirements under the *VM Act/Planning Act 2016*.

## Hazards, health and safety

### Objectives

The design, construction and operation of the project are to:

- (a) avoid, minimise and/or mitigate the risk of, and adverse impacts from, natural and human-made hazards to protect human life and property
- (b) enhance the community's resilience to natural hazards.

### Existing environment

- 15.116 Describe the likelihood and severity of hazards and health and safety risks in the vicinity of the project including, but not limited to cyclone, flooding, bushfire, earthquakes, landslide, heatwave.

## Impact assessment and mitigation measures

### General

- 15.117 Describe the potential risks to people, property, waterways, flora and fauna that may be associated with the project in the form of a preliminary risk assessment for all components of the project and in accordance with relevant standards. The assessment is to include:
- (a) potential hazards, accidents, spillages, fire, structural failure and abnormal events that may occur during all stages of the project, including estimated probabilities of occurrence
  - (b) the identification of all hazardous substances (including hazardous waste) and any explosives to be used, transported, stored, processed or produced and the rate of usage
  - (c) potential hazards posed by wildlife interactions, natural events (for example, cyclone, flooding, bushfire, earthquakes<sup>19</sup>, landslide, heatwave<sup>20</sup>) and implications related to climate change. Identify the cumulative impact of a number of natural hazards occurring at the one time. Describe possible adaptation strategies (preferred and alternative) based on climate change projections for the proposed project site
  - (d) how the project may potentially affect hazards away from the project site (for example, changing flooding characteristics, bushfire, landslide).
- 15.118 Detail measures required to ensure that the proposed project avoids the release of hazardous materials as a result of a natural hazard event/s.
- 15.119 Assess the vulnerability of the area to natural and induced hazards, including drought, floods, thunderstorms, bushfires and cyclones. Consider the relative frequency and magnitude of these events together with the risk they pose to the construction, operation and decommissioning of the proposed project, as well as the rehabilitation of the site. Describe measures that would be taken to minimise the risks of these events.
- 15.120 Assess the proposed project's vulnerabilities to projected climate change (e.g. changing patterns of temperature, rainfall, hydrology, and extreme weather events). The assessment of climate hazards and risks should reference relevant climate projection data (e.g. Queensland Future Climate high-resolution climate projection data<sup>21</sup>) and employ an appropriate climate risk assessment methodology. Describe the adaptation strategies and/or activities designed to minimise climate change impacts to the proposed project, subsequent land uses on that site (e.g. rehabilitation projects) and surrounding land uses. Adaptation activities are to be designed to avoid perverse outcomes, such as increased emissions of greenhouse gases or maladaptive outcomes for surrounding land uses.
- 15.121 Assess potential wildlife hazards, including development of a mosquito management plan in accordance with Queensland Health guidelines, natural events (e.g. cyclone, flooding, earthquake, bushfire) and implications related to climate change and adaptation.
- 15.122 Provide details on the safeguards that will reduce the likelihood and severity of hazards, consequences and risks to persons, waterways, flora and fauna within and adjacent to the project area/s, including any need for safety fire breaks and buffer zones in consideration of fauna movement, riparian and wetland corridors. Identify the residual risk following application of

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<sup>19</sup> The State Earthquake Risk Assessment includes probabilities of major seismic events for all local government areas and is to be used to inform risk consideration and management.

<sup>20</sup> Use State Heatwave Risk.

<sup>21</sup> Available from <https://longpaddock.qld.gov.au/qld-future-climate/dashboard>.

mitigation measures. Present an assessment of the overall acceptability of the impacts of the project in light of the residual uncertainties and risk profile.

- 15.123 Provide an outline of the proposed integrated emergency management planning procedures (including evacuation plans, if required) for the range of situations identified in the risk assessment developed in this section.
- 15.124 Detail any consultation undertaken with the relevant state, district and local emergency response authorities and organisations, including the Local Disaster Management Group.

## Flooding

- 15.125 Provide a hydraulic and hydrological analysis (flood impact assessment) demonstrating the design flood peak discharges for the site and surrounding area which exist in the pre- and post-development scenarios for all flood and stormwater events up to a 1% Annual Exceedance Probability (AEP). This should include at least the following flood and stormwater events: 86%, 63.2%, 50%, 20%, 10%, 5%, 2%, 1% and 0.1% AEP, Probable Maximum Flood and weir failure scenario.
- 15.126 Assess how the project may change flooding characteristics upstream and downstream of the weir. Take into consideration potential sea-level rise scenarios. The flood model needs to adequately encompass existing and future state-controlled transport corridors. Mapping (afflux, water level/depth and velocity) should be provided to clearly illustrate the pre-development scenario, and the post development impacts for all relevant design events. Include a discussion on historical events.
- 15.127 The assessment is to consider all infrastructure associated with the project including levees (if applicable), roads and railway infrastructure, and linear infrastructure and all proposed measures to avoid or minimise risks to people, property (including damage to other properties), flora and fauna and the environment during flood events. Where the development is increasing impervious area, provide a peak discharge analysis with adequate details of the pre and post development impervious area of the site and give adequate consideration to the detention basin requirements of the *Queensland Urban Drainage Manual, Fourth Edition* (see Appendix 1).
- 15.128 Assess the project's vulnerabilities to climate change (e.g. changing patterns of rainfall, hydrology, temperature and extreme weather events). Describe possible adaptation strategies (preferred and alternative) based on climate change projections for the proposed project site. Demonstrate that flood storage capacity is maintained on the site with the development. Overland flow paths/ hydraulic conveyance should be maintained on the site as part of the proposed development. The pre-development flow scenario will need to be replicated in the post development condition. The development design will need to address any concentration of flows, potential for back-up/ponding and scour/erosion which may undermine existing and future State-controlled transport corridors.
- 15.129 Detail how design and management of all stages of the project will mitigate potential impacts on level of flood risk, both upstream and downstream of the weir.



## Economic

### Objectives

The construction and operation of the project are to:

- (a) avoid or mitigate adverse economic impacts arising from the project
- (b) capitalise on opportunities potentially available for capable local businesses and communities
- (c) create a net economic benefit to the region and State.

### Existing environment

15.130 Describe the existing economic environment consistent with the Coordinator-General's *Economic Impact Assessment Guideline* (April 2017) (see Appendix 1). The analysis is to describe the local and regional economies likely to be impacted by the project and identify the relevant stakeholders, and include:

- (a) map/s illustrating the local and regional economies that could be potentially impacted by the project
- (b) population of relevant local government areas
- (c) the regional economy's key industries and their contribution to regional output
- (d) relevant economic indicators (e.g. agriculture, water prices, energy prices)
- (e) existing and proposed water infrastructure in the region.

15.131 Describe the preferred project delivery model (including funding sources) and expected timeframes, outlining assumptions on economic externalities that have the potential to impact on the delivery model and/or expected timeframes.

### Impact assessment and mitigation measures

15.132 Identify the net economic impacts of the project on the local and regional area and the state ensuring the analysis is consistent with the Coordinator-General's *Economic Impact Assessment Guideline* (April 2017).

15.133 The economic impact assessment is to address matters including, but not limited to:

- (a) labour demand, including the ability for labour (including specialists) to be drawn from the existing local, regional and state workforce, and the potential effects this may have on local and regional businesses
- (b) raw input demand, including the ability for existing local, regional and state suppliers to provide relevant raw and manufactured inputs
- (c) anticipated impacts the project will have on water prices, grazing, agriculture, domestic and industrial energy prices, wages, economic growth, renewable energy projects
- (d) the anticipated value of offsets required for all components of the project.

15.134 Provide a demand analysis for current and additional water supply that would be made available as a result of the project as justification for the scale and scope of the project, with emphasis on the following:

- (a) demand for water by urban, industrial, agricultural and irrigation users
- (b) timeframe for uptake of each demand type

- (c) water demand profile to inform detailed modelling against key Water Plan factors such as water allocation security and environmental flow objectives
  - (d) capacity and willingness to pay for both initial allocation purchase and ongoing water charges for urban, industrial and irrigation users under a range of possible future supply scenarios.
- 15.135 Describe the water pricing mechanisms under consideration for the project including the fixed and variable components of water pricing, the expected availability of high and medium priority water and the conversion ratio between the two, and the expected period of cost recovery for the project. Provide a comparison to existing arrangements for current water users in the region.
- 15.136 Quantify the employment and value-added contribution of the project to the local, regional and state economies in a regional impact assessment using computable general equilibrium modelling. The assessment is to estimate the changes in key indicators including:
- (a) gross regional product
  - (b) gross state product
  - (c) employment by industry
  - (d) water prices for residential, mining, agriculture and industrial users
  - (e) gross value added by industry.
- 15.137 Undertake a cost-benefit analysis (CBA) which identifies the structure of the project and the relevant direct costs and benefits from the project.
- (a) The CBA is to consider:
    - (i) key construction inputs and milestones
    - (ii) the project timeline
    - (iii) relevant renewal costs related to the project (including projected repair/replacement of infrastructure)
    - (iv) operational costs, including all input costs of production
    - (v) costs associated with environmental management, monitoring, mitigation and offsets associated with the project
    - (vi) benefits, including revenue projections (and stipulating unit/price assumptions)
    - (vii) expected project life and any residual value over the assessment period.
  - (b) The CBA should also consider all direct private, indirect, and external social costs and benefits. These would include:
    - (i) external net benefits to the project
    - (ii) external net costs (to third parties, community, local and State Government) as a direct result of the project
    - (iii) all beneficiaries (e.g. individuals, the community, local and State Government) of the project. If there are specific issues related to the cost of water, these should be identified as external costs and benefits.

## Social

### Objectives

The construction and operation of the project are to:

- (a) avoid, minimise and/or mitigate adverse social impacts arising from the project
- (b) enhance benefits for potentially affected communities, including Aboriginal and Torres Strait Islander peoples.

### Existing environment

- 15.138 Identify and describe people, communities, and key stakeholders<sup>22</sup> directly or indirectly affected by the project.
- 15.139 Include a social baseline study of the project's potentially affected communities<sup>23</sup> in accordance with the Coordinator-General's *Social Impact Assessment (SIA) Guideline* (March 2018) (see Appendix 1).
- 15.140 Use the latest qualitative and quantitative data in the social baseline study and supplement it through stakeholder engagement processes. Identify and reference relevant data contained in local and state government publications, reports, plans, and documentation, including regional and community plans.

### Impact assessment and mitigation measures

- 15.141 Prepare an SIA for the project that is informed by a consultative and inclusive stakeholder engagement program<sup>24</sup> in accordance with section 14 – Stakeholder consultation and consistent with the relevant requirements of the Coordinator-General's SIA Guideline, having regard to the requirements of Building Queensland's *Social Impact Evaluation Guide* (Appendix 1).
- 15.142 Describe the outcomes of consultation with directly and affected people, communities and key stakeholders including but not limited to landholders, Aboriginal and Torres Strait Islander peoples, local governments, state agencies, local and regional commerce and community development groups, social and public service providers (e.g. Queensland Health and Queensland Emergency Services).
- 15.143 Describe the project's potential social impacts (both beneficial and adverse) on potentially affected people, communities, and key stakeholders.
- 15.144 Describe any potential impacts on the use of and access for recreational, natural and culturally important areas, waterways and landscapes (Aboriginal and non-Aboriginal) potentially affected by the project.
- 15.145 Identify the percentage of workers likely to be sourced from potentially affected communities, including Aboriginal and Torres Strait Islander peoples, for the construction and operational phases and the proposed methodologies for workforce recruitment.
- 15.146 Describe the housing strategy to accommodate construction and operational workers.

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<sup>22</sup> Refer to Appendix 1 of the SIA Guideline for a list of key stakeholders.

<sup>23</sup> Potentially affected communities are those local and/or regional communities that may be directly or indirectly affected by the project, whether negatively or positively.

<sup>24</sup> It is recommended that the proponent is to commence engaging at the earliest possible stage with all potentially affected stakeholders to discuss and explain the project and to identify and respond to issues and concerns identified as social impacts.

- 15.147 Describe the workforce management strategy for a pandemic scenario.
- 15.148 Include a social impact management plan that describes management measures developed in consultation with potentially affected people, communities and key stakeholders to avoid and mitigate the project's potential adverse impacts and enhance the potential benefits.
- 15.149 Describe the framework to monitor the effectiveness of proposed management measures, including timeframes and key performance indicators for implementing these measures. The framework must identify roles and responsibilities, and relevant stakeholders.

## Cultural heritage

### Objective

The construction and operation of the project are to:

- (a) avoid, minimise and/or mitigate adverse impacts on Aboriginal and Torres Strait Islander People's cultural heritage
- (b) avoid, minimise and/or mitigate adverse impacts on the cultural heritage significance of a heritage place or heritage area.

### Existing environment

- 15.150 Identify the Traditional Owners of the land within the project area.
- 15.151 Undertake a cultural heritage assessment and describe the existing cultural heritage values of Aboriginal and Torres Strait Islander peoples that may be affected by the project and the environmental values of the cultural landscapes of the affected area in terms of the physical and cultural integrity of the landforms.
- 15.152 For aspects of non-Indigenous historical heritage identified through the *Queensland Heritage Act 1992*, undertake a study of, and describe, the known and potential historical cultural, archaeological, underwater cultural heritage artefacts and landscape heritage values of the area potentially affected by the project in accordance with the *Non-Indigenous cultural heritage – EIS information guideline* (see Appendix 1). Identify values at local and State thresholds and assess the significance of identified values using recognised criteria.

### Impact assessment and mitigation measures

- 15.153 Unless section 86 of the *Aboriginal Cultural Heritage Act 2003* (ACH Act) applies, the proponent is to develop a Cultural Heritage Management Plan (CHMP) or plans in accordance with the requirements of Part 7 of the ACH Act and any associated agreements that have been reached. The CHMP must be informed by the results of a cultural heritage study.
- 15.154 Provide strategies to mitigate and manage all impacts on cultural heritage values of Aboriginal and Torres Strait Islander peoples and non-Indigenous cultural heritage values. Include a strategy to address unexpected archaeological discoveries and cultural places in accordance with the relevant part of the non-Indigenous cultural heritage guideline in Appendix 1.

## Noise and vibration

### Objective

The construction and operation of the project are to:

- (a) avoid, minimise and/or mitigate adverse noise and vibration impacts to sensitive receivers
- (b) protect the environmental values of the acoustic environment
- (c) avoid, minimise and/or mitigate structural damage to buildings or other infrastructure as a result of construction vibration.

### Existing environment

15.155 Describe and illustrate the locations of any sensitive receptors that are listed in Schedule 1 of the *Environmental Protection (Noise) Policy 2019* (EPP (Noise)). Also describe any other environmental values that could be impacted by emissions from the proposed project.

15.156 Describe the existing noise and vibration sources within the project area.

### Impact assessment and mitigation measures

15.157 Describe the characteristics of noise and vibration sources that would be emitted by the project (point source, fugitive emissions and general emissions) during construction and operational phases.

15.158 Describe the project's noise and vibration impacts on sensitive receivers in accordance with Schedule 1 of the EPP (Noise) and detail the proposed mitigation measures that demonstrate the acoustic quality objectives of Schedule 1 of the EPP (Noise) are achieved during construction and operational phases.

15.159 Describe how the project will be managed and how the acoustic quality objectives will be monitored and audited, and how corrective actions will be managed in accordance with best practice environmental management.

## Air

### Objective

The construction and operation of the project are to:

- (a) avoid, minimise and/or mitigate adverse air impacts to sensitive receivers
- (b) protect the environmental values of the airshed.

### Existing environment

15.160 Describe the existing air quality that may be affected by the project in the context of environmental values.

### Impact assessment and mitigation measures

15.161 Describe the characteristics of any contaminants or materials released that may be released from the project. Emissions (point source and fugitive) during construction, operations and upset conditions are to be described.

- 15.162 Predict the potential impacts of the releases to air from project activities on environmental values of the receiving environment using established and accepted methods and in accordance with the EP Regulation, *Environmental Protection (Air) Policy 2019* (EPP (Air)) and the latest version of the DES's *Air—EIS information guideline* (DES 2020) and *Applications for activities with impacts to air* (ESR/2015/1840). The description of impacts is to take into consideration the sensitivity and assimilative capacity of the receiving environment and the practices and procedures that would be used to avoid or minimise impacts.
- 15.163 Describe the proposed mitigation measures and how the proposed project activities will be consistent with EP Regulation, EPP (Air) and the latest version of the DES's *Air—EIS information guideline* (DES 2020) and *Applications for activities with impacts to air* (ESR/2015/1840). Where a government plan is relevant to the project activities or site where an activity is proposed, describe the activity's consistency with that plan.
- 15.164 Address the compatibility of the proposed project's air emissions with existing or potential land uses in surrounding areas.
- 15.165 Describe how the achievement of this section's objective is to be monitored, audited and reported, and how corrective actions are to be managed.
- 15.166 Provide a Greenhouse Gas Management Plan and Carbon Dioxide (CO<sub>2</sub>) abatement plan and an inventory of project annual emissions for the life of the project for each relevant greenhouse gas, with total emissions expressed in 'CO<sub>2</sub> equivalent' terms for scope 1<sup>25</sup> and scope 2<sup>26</sup> emissions as per the National Greenhouse and Energy Reporting scheme.
- 15.167 The Greenhouse Gas Management Plan and CO<sub>2</sub> abatement plan is to include:
- (a) a description of the proposed preferred and alternative measures to avoid and/or minimise greenhouse gas emissions and an assessment of how the preferred measures minimise and/or avoid emissions, and achieve energy efficiency
  - (b) a comparison of the preferred measures for emission controls and energy consumption with best practice environmental management in the relevant industry sector
  - (c) a description of any proposed plan to purchase carbon credits (e.g. Australian Carbon Credit Units), planned timeframes for purchase and acquittal of the credits
  - (d) a description of any identified opportunities and proposed plans for further offsetting of greenhouse gas emissions through indirect means
  - (e) a description of any annual energy and emissions reporting processes and methodologies, including assurance processes, as well as any commitments to make such reports publicly available.

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<sup>25</sup> 'Scope 1' means direct emissions of greenhouse gases from sources within the boundary of the facility and as a result of the facility's activities (including emission from vegetation clearing).

<sup>26</sup> 'Scope 2' means emissions of greenhouse gases from the production of electricity, heat or steam that the facility will consume, but that are physically produced by another facility.

## Transport

### Objectives

The construction and operation of the project are to:

- (a) avoid, minimise and/or mitigate adverse impacts to the condition and operation of existing and planned transport infrastructure
- (b) maintain the safety, efficiency and operational integrity of all affected transport modes for the project workforce and other transport system
- (c) ensure impact mitigation works are compatible with transport infrastructure planning.

### Existing environment

15.168 Include a description of the existing and future (as planned by State or local government) transport network and corridors including detailed maps to appropriate scales showing relevant:

- (a) construction laydown areas
- (b) road and railway corridors
- (c) road and rail infrastructure
- (d) airports, airstrips
- (e) sea ports.

### Impact assessment and mitigation measures

15.169 Provide a detailed description of the total transport activities associated with all stages of the project, (from pre-construction through operation) background traffic growth, and existing traffic data. The information is to include but not be limited to trips associated with the expected workforce, number and classification of heavy vehicles, haulage of construction equipment and construction materials (material type, volumes and origin and destination). Identify, describe and map the haul routes for equipment, component parts and materials.

15.170 Identify any project site access points to/from public roads including their suitability for the proposed use and required upgrades in accordance with relevant local and/or state policies, standards and manuals.

15.171 Present the transport assessment in separate sections for each project-affected mode (road, rail, air services, port and maritime) as appropriate for each phase of the project.

15.172 Provide a detailed assessment by a Registered Professional Engineer of Queensland engineering consultant of how the existing and future safety, condition and performance of transport infrastructure (e.g. existing and future local and state controlled roads, railway corridors, port and air services) will be impacted by the project's pre-construction, construction and operational phases.

15.173 Include details of the adopted assessment methodology for impacts on roads within the road impact assessment report in accordance with the latest Queensland Department of Transport and Main Roads (DTMR) *Guide to Traffic Impact Assessment* (GTIA) for State-controlled roads) and the local government impact assessment methodology for local government roads. For State-controlled roads, this assessment should ensure that all impact types (road safety, access and frontage, intersection delay, road link capacity, pavement, and transport infrastructure (including

bridges, culverts and grids) and wayfinding and road signs as detailed in the GTIA are considered and mitigated. Particular emphasis is to also be placed on the following sections of the GTIA:

- (a) section 8.4.2 *Heavy Vehicle Routes*
- (b) section 9 *Road Safety*
- (c) section 13 *Pavement*.

15.174 Demonstrate that any necessary transport impact mitigation works will not compromise existing and future transport infrastructure corridors planning and works, with reference to the latest version of DTMR's Queensland Transport and Roads Investment Program and the Development Assessment Mapping System.

15.175 Identify, assess and address the project's impacts on existing and future railway corridors, particularly railway level crossings and any development interfacing or interfering with existing and future railway corridors in accordance with relevant standards and requirements such as the SDAP, the Guide for Development in a Transport Environment: Rail, the Manual of Uniform Traffic Control Devices, Part 7: Railways and railway manager standards. This is to include the construction and operation impacts of the project. Traffic data should be provided for development generated traffic during construction and operation, background traffic growth and timelines for development staging, construction and delivery.

15.176 Demonstrate how project impacts will be mitigated. Mitigation measures are to be prepared in consultation with relevant transport authorities (e.g. local governments, DTMR, Civil Aviation Safety Authority, Maritime Safety Queensland, Aurizon and Queensland Rail).

## Waste management

### Objective

The construction and operation of the project are to:

- (a) avoid, minimise and/or mitigate adverse impacts of hazardous contaminants and waste generated by the project
- (b) manage any waste transported, generated, or received as part of carrying out the activity in a way that protects all environmental values
- (c) ensure upgrades to waste infrastructure are funded by the proponent.

### Existing environment

15.177 Describe existing waste infrastructure including location, capacity and accepted waste streams relevant to the project.

### Impact assessment and mitigation measures

15.178 For wastes other than wastewater, describe all the expected waste streams, including hazardous contaminants, generated by project activities during the construction, operation, rehabilitation and decommissioning.

15.179 Describe the quantity, and physical and chemical characteristics of each significant waste, any attributes that may affect its dispersal in the environment, and its associated risk of causing environmental harm.

15.180 Conduct the impact assessment in accordance with the latest version of the DES's *Waste—EIS information guidelines and Applications for activities with waste impacts (ESR/2015/1836)* (see



Appendix 1). Demonstrate that the proposed project can meet the environmental objectives and performance outcomes in Schedule 8 of the EP Regulation.

- 15.181 Define and describe objectives and practical measures for protecting or enhancing environmental values from impacts from wastes.
- 15.182 Detail the geochemistry of all waste rock, including spoil and rejects. Assess the potential risks associated with this waste stream and describe the management of progressive placement and any disposal strategy to minimise any potential impacts on environmental values of the proposed project area. Detail how high-risk waste material will be managed in the rehabilitation plan.
- 15.183 Detail waste management planning for the project especially how these plans are to be applied to prevent or minimise environmental impacts from waste for each stage of the project, including pre-construction. Waste management planning is to include detail of all identified waste types, waste volumes and proposed locations for waste disposal.
- 15.184 Assess and describe the proposed management measures against the preferred waste management hierarchy, namely: avoid waste generation; cleaner production; recycle; reuse; reprocess and reclaim; waste to energy; treatment; disposal. This includes the generation and storage of waste.
- 15.185 If the production of hazardous contaminants and waste is unavoidable, describe proposed treatment and/or storage of hazardous contaminants until they can be disposed at an approved facility.
- 15.186 Describe how nominated quantitative standards and indicators may be achieved for waste management, and how the achievement of the objectives would be monitored, audited and managed.

## Cumulative impacts

### Objectives

The design, construction and operation of the project are to:

- (a) avoid, minimise and/or mitigate potential adverse impacts arising from the combined effects of past, present and reasonably foreseeable projects on the environmental, social, economic, and cultural values of the Burdekin Basin and the Great Barrier Reef
- (b) ensure that the general and specific ecological outcomes, environmental flow objectives and water allocation security objectives of the Water Plan (Burdekin Basin) 2007 or any draft water plan are met by the project when acting in combination with past, present and reasonably foreseeable projects in the region.

### General requirements

- 15.187 Potential cumulative environmental, social, economic, and cultural impacts are to be considered for the design, construction, and operational phases of the project.
- 15.188 The cumulative impact assessment is to consider the combined effect of potential impacts of different components of the project on the same value (intra-project cumulative impacts) and the impacts of other relevant projects acting in combination on the same value (inter-project cumulative impacts).
- 15.189 The assessment should describe the potential cumulative effects, reversible and irreversible impacts, the risk of environmental harm, management strategies and the ability to offset the impacts of existing and future development projects.

15.190 Values that are to be considered in the intra-project cumulative impact assessment include (but are not limited to):

- (a) terrestrial habitat values, considering the potential impacts of vegetation clearing, edge/barrier effects, fragmentation, weed and pest incursion
- (b) environmental values that are MSES potentially impacted by the project
- (c) aquatic habitat values, considering the potential impacts of inundation, water storage operation, algal blooms, water quality within and downstream of the storage (including temperature), water releases
- (d) terrestrial and aquatic fauna values, considering the potential impacts of habitat loss, noise and vibration (including use of explosives), lighting (especially for night works during construction), waterway diversions and fish passage and pest plant and animal incursions
- (e) surface water values, considering the potential impacts of changes to stream flows and overland flow, flooding regimes and sediment transport
- (f) water quality values, considering the potential impacts of release of contaminants and sediment transport
- (g) groundwater values, considering the potential impacts of pressure from water storage
- (h) landform and land values, considering the potential impacts of earthworks, erosion, contamination, and waste storage and disposal
- (i) human health and wellbeing and community amenity environmental values in the context of the air and acoustic environments
- (j) cultural heritage values impacted by the project
- (k) community values, communities' physical safety, quality of life, access to infrastructure and services, physical and mental health, and social, economic and cultural wellbeing
- (l) cultural, environmental, social, and economic values, uses and aspirations linked to water for Aboriginal and Torres Strait Islander peoples.

15.191 The inter-project cumulative impact assessment is to consider the potential impacts of current and proposed projects acting in combination on:

- (a) hydrological processes supporting aquatic, riparian floodplain, estuarine and coastal ecosystems and processes, primary industries and other anthropogenic water uses in the catchment
- (b) water quality in the Burdekin Basin including sediment, nutrient and pollutant loads
- (c) water quality in the Great Barrier Reef
- (d) fluvial processes supporting and influencing riparian, floodplain, estuarine and coastal ecosystems and processes
- (e) cultural, environmental, social, and economic values, uses and aspirations linked to water for Aboriginal and Torres Strait Islander peoples.

### ***Temporal and spatial extent***

15.192 The spatial extent of the cumulative impact assessment should extend as far as the potential impacts from the project/s and include:

- (a) the proposed impoundment and surrounding areas, upstream to FSL, impoundment shorelines and riparian zone, as well as the downstream river system, including the river channel, riverbanks, floodplains, and the Burdekin coastal region
- (b) any water distribution network for the project, including all ancillary works
- (c) the direct and indirect impacts of any other ancillary works and infrastructure required for the project.

15.193 The cumulative impact assessment must consider impacts during construction and operational impacts for the life of the project.

#### Intra project cumulative impact assessment

##### *Consideration of incremental impacts throughout the EIS*

15.194 The combined incremental impacts of the project should generally be considered throughout the EIS, rather than in a specific cumulative impact assessment. For example, the combined effect of the potential construction dust, noise and blasting of the project on should be considered in the relevant project specific matter sections of the EIS.

15.195 The combined incremental impacts of the project may relate to:

- (a) multiple forms of impact at one location (e.g. the nearest sensitive receiver will probably be impacted by noise and vibration, dust, air quality, traffic, land acquisition)
- (b) a form of impact occurring at several locations (e.g. noise and vibration impacts will occur at a number of construction sites and along transport routes or e.g. use of water for the purpose of agriculture at multiple locations within the catchment)
- (c) an environmental, social or cultural value being impacted at several locations or by a number of forms of impact (e.g. water quality will be impacted by construction activities at a number of locations, by habitat change and by operational activities such as downstream flow regime change and by use of water in the weir, in particular for agriculture)
- (d) the potentially counter-active effects of negative and positive impacts (e.g. loss of income to the local region from loss of agricultural land may be offset by enhanced agricultural productivity elsewhere, or locally by economic benefits derived from construction phase expenditure).

##### *Cumulative impact assessment - weir and water storage construction and operation*

15.196 The cumulative impacts associated with the construction (filling) and operation (flow manipulation) of the proposed weir and water storage area are to be considered in a specific cumulative impact assessment section of the EIS. The assessment is to include the consideration of the weir's proposed impoundment and surrounding areas, tailwater upstream to the FSL, impoundment shorelines and riparian zone, as well as the downstream river systems, including the river channel.

15.197 Present potential impact pathways using cause-effect diagrams (identifying root causes, cause-effect relationships and cumulative environmental effects) to illustrate schematically how the initial filling of the weir and flow manipulation associated with the weir may generate physical, chemical, and biological effects of increasing order through multiple and parallel pathways. Impact pathways generally involving multiple root causes and lower and higher order effects, interlinked by cause-effect relationships. The term 'cause-effect relationship' refers to the

connection between an event and its consequence, e.g. an initial activity (root cause) leading to a first order effect, or multiple lower order effects leading to a higher order effect.

15.198 Using cause-effect diagrams, describe the impact pathways associated with construction of the weir (focussing on filling). These are likely to include (but will not be limited to) the following:

- (a) the existing integrity and connectivity of ecological processes
- (b) cumulative impacts on aquatic and riparian biodiversity within and adjacent to the impoundments arising from the loss of riparian habitats, change from a riverine to lacustrine environment and creation of new riparian habitats around the impoundment because of land inundation
- (c) cumulative impacts on aquatic and riparian biodiversity in downstream river reaches and on the Lower Burdekin delta associated with reduced sediment and bedload content downstream of the weir, and changes to downstream channel morphology
- (d) cumulative impacts on the surface water and groundwater interaction regime including impacts on groundwater dependant ecosystems
- (e) cumulative impacts on biological biodiversity, including habitat of endangered, vulnerable and near-threatened species, special least concern and regional ecosystems.

15.199 Using cause-effect diagrams, describe the impact pathways associated with the weir's operation (excluding use of water). These are likely to include (but will not be limited to) the following:

- (a) cumulative impacts on aquatic, riparian and terrestrial biodiversity downstream of the project associated with flow regulation including reduced groundwater recharge, changed salinity balance on the floodplain, changed channel morphology and other downstream impacts
- (b) deposition of bedload and suspended sediment in the impoundment and subsequent impacts on downstream sediment discharge impacting biodiversity in the river channel and on the Burdekin River floodplain, delta and coastal habitats.

15.200 Using cause-effect diagrams, describe the impact pathways associated with the weir (including associated infrastructure) and operation (including use of water). These are likely to include (but will not be limited to) the following:

- (a) cumulative impacts on water quality (including sediment loads and particulate nutrients) within the Burdekin Basin and in the Great Barrier Reef lagoon associated with new agricultural development
- (b) cumulative impacts on hydrology and hydraulics including impacts on flow regimes and associated impacts on aquatic, riparian, floodplain, estuarine and coastal ecosystems
- (c) if applicable, cumulative impacts on groundwater levels, groundwater quality (including salinity).

## Inter-project cumulative impact assessment

### Scope

15.201 The inter-project cumulative assessment is to be presented in a specific cumulative impact assessment section of the EIS.

15.202 Describe the following as part of the inter project cumulative impact assessment:

- (a) known current and proposed projects (under assessment, approved or under construction) proposing the interference of water within the Burdekin Basin (including projects that include the take or distribution of water)
- (b) existing water users within the Burdekin catchment
- (c) existing water storages within the Burdekin Basin
- (d) existing water allocations and changes to pre-development flows
- (e) current and future projects potentially involving the provision of additional agricultural and energy development, approved or under consideration, within the Burdekin Basin, including below the Clare Weir
- (f) other projects within the region with approved offsets in respect of MSES and/or MNES.

### **Cumulative impacts on hydrology**

- 15.203 Within three months of the finalisation of the TOR, submit the environmental, operational and infrastructure parameters used to run the Integrated Quantity Quality Model (IQQM) for the project to the Department of Regional Development, Manufacturing and Water (DRDMW) and an assessment of the IQQM run against Water Plan (Burdekin Basin) 2007 Environmental Flow Objectives and Water Allocation Security Objectives as well as general and specific ecological outcomes.
- 15.204 DRDMW will compile an IQQM model where the parameters for each project are fixed. The only parameters that can be changed will be those that relate to the proponent's own project unless there is the written advice of the other proponent or DRDMW. In such a case this must be referenced in the EIS. Note: this information will be shared with other project proponents required to undertake cumulative impact assessments in the Burdekin Basin. Other project proponents will be required to provide this information for their projects to DRDMW within the same timeframe.
- 15.205 Include a cumulative impact scenario using the DRDMW Chief Executive approved IQQM which considers the interaction of the project with other current and proposed projects in the Burdekin Basin. Describe the project's contribution to the cumulative impacts of current and proposed water infrastructure projects on catchment hydrology. Present the key inputs, assumptions and outputs of an appropriately calibrated run of catchment modelling (cumulative impact scenario) using the approved IQQM.
- 15.206 Using the outputs of the cumulative impact scenario, describe the level of compliance achieved by the project with general and specific ecological outcomes of the Water Plan (Burdekin Basin) 2007 or any draft water plan, as well as environmental flow objectives and water allocation security objectives of the current and any draft Water Plan for the Burdekin Basin, including an assessment against relevant performance indicators and outcomes.
- 15.207 Describe the combined cumulative impact of current and proposed water infrastructure projects on the Great Barrier Reef and how the project impacts the outcomes, objectives and target of the *Reef 2050 Long-Term Sustainability Plan* and *Reef 2050 Water Quality Improvement Plan*. Describe how the project achieves consistency with the *Reef 2050 Cumulative Impact Management Policy* and the *Reef 2050 Net Benefit Policy*.

### **Cumulative impacts on water quality**

- 15.208 Within 9 months of the finalisation of the TOR, submit to the Office of the Coordinator-General estimates of trap efficiency of the weir, sediment yields, loads and subsequent impacts on sediment discharge. The key assumptions and inputs to any modelling used to generate these

estimates should be described. Note: this information will be shared with other project proponents currently preparing environmental impact statements for projects in the Burdekin region.

- 15.209 Describe the likely impacts of the combined projects on the sediment budget of the Burdekin Basin, with reference to the volume of clay (<4 µm), fine silt (4-16 µm) and coarse (>16 µm) sediment fractions trapped in proposed and likely impacts of the impoundments and downstream flows on downstream sediment (bed load and suspended) transport and end-of-river export.
- 15.210 Describe the project's contribution to the cumulative impacts of current and proposed water infrastructure projects on sediment discharge at the sub-catchment and catchment level. Present sediment rating curves which reflect the likely impacts of weir construction and significant land use changes, including any agricultural development associated with the project.
- 15.211 Describe the project's direct and indirect (through facilitated agriculture) contribution to catchment pollutant loads including dissolved inorganic nitrogen and particulate nutrients and photosystem-II inhibiting herbicides.
- 15.212 Describe the likely impacts of the combined projects on Great Barrier Reef ecosystems associated with sediment entrapment and discharge from the project. The assessment should consider the project's contribution to sediment erosion rates in the sub-catchment and impacts associated with elevated turbidity, sedimentation stress, and potential impacts from the associated nutrients including dissolved inorganic nitrogen. The assessment of impacts on the Great Barrier Reef should focus on the finer clay and silt sediment fractions that are most likely to reach the Great Barrier Reef lagoon and any impacts associated with reduced supply of coarse sediment.

#### ***Cumulative impacts on other values***

- 15.213 The intra-project cumulative impact assessment prepared by each project proponent required to undertake cumulative impact assessments in the Burdekin Basin will be used to inform the Coordinator-General's evaluation of inter-project cumulative impacts on environmental, social, economic, and cultural values not considered by sections 15.201 - 15.212.

## 16. Matters of national environmental significance

### Note

The proposed project was referred on 10 December 2020 to the Australian Government Department of Agriculture, Water and the Environment (DAWE) (EPBC reference number: 2020/8831).

On 29 January 2021, the delegate of the Minister for the Environment determined the proposed project to be a 'controlled action' under section 75 of the Commonwealth EPBC Act.

The controlling provisions for the proposed action are as follows:

- (a) 12 and 15A - World Heritage properties
- (b) 15B and 15C - National Heritage places
- (c) 18 and 18A - Listed threatened species and communities
- (d) 24B and 24C - Great Barrier Reef Marine Park

The project will be assessed by EIS under the assessment bilateral agreement between the Commonwealth and Queensland governments (section 45 of the EPBC Act).

MNES section of the TOR should be a stand-alone chapter that primarily focuses on the MNES listed above. This section (the 'MNES section') is to contain sufficient information to be read alone with reference to technical data or supplementary reports where appropriate. Any detailed technical information to support the text in the MNES section is to be included as appendices to the draft EIS.

### General content

- 16.1 The MNES section is to take into consideration the EPBC Act Significant Impact Guidelines (that can be downloaded from DAWE's website).
- 16.2 The proponent is to ensure that the MNES section assesses compliance of the action with principles of Ecologically Sustainable Development and the objects of the EPBC Act (see Chapter 1 Part 1 of the EPBC Act).

### Specific content

#### General information

- 16.3 Provide the background and context of the action including:
  - (a) the title of the action
  - (b) the full name and postal address of the designated proponent
  - (c) a clear outline of the objective of the action
  - (d) the location of the action
  - (e) the background to the development of the action
  - (f) how the action relates to any other actions (of which the proponent should reasonably be aware) that have been, are currently, or will be, taken or that have been approved in the region affected by the action
  - (g) the current status of the action
  - (h) the consequences of not proceeding with the action.

### **Description of the action**

- 16.4 All components of the action are to be described in detail, including construction, operation, maintenance, decommissioning and rehabilitation. This is to include the precise location of all works to be undertaken, structures to be built or elements of the action that may have impacts on MNES.
- 16.5 The description of the action is to also include details on how the works are to be undertaken (including stages of development and their timing) and design parameters for those aspects of the structures or elements of the action that may have relevant impacts. At a minimum, this section is to also include details of:
- (a) all infrastructure constructed as a result of the action and specific details of construction
  - (b) final total area in hectares of inundation area
  - (c) ancillary infrastructure including new construction and upgrades
  - (d) realignment or replacement of services, structures, access etc. required as a result of the weir and associated infrastructure, and inundation area
  - (e) re-establishment of existing quarries (if applicable) and establishment of new quarries (resource extraction areas) which includes location, size, method of extraction of materials and transport of materials
  - (f) maximum life of the action, including construction, operation, decommissioning and rehabilitation
  - (g) number of jobs for the life of the action, including number of jobs for Aboriginal and Torres Strait Islander employees
  - (h) associated works and supporting infrastructure deemed necessary as part of the action or safety works.
  - (i) other such actions, including but not limited to, changes to hydrological flow, concrete batching plant, material storage, construction camp and facilities, fines and dust control management, waste management generally and management of spills/contaminants/pollutants (e.g. prevention from entering waterways and groundwater).
- 16.6 The description of the action is to provide the total size (in hectares) of the project site and the total size (in hectares) of the disturbance footprint. If the disturbance footprint is the same as the project site, the MNES section is to include a statement to this effect.
- 16.7 The MNES section is to include a map (or maps) which clearly identify all components of the action and their location within the project site.

### **Feasible alternatives**

- 16.8 Outline any feasible alternatives to the action to the extent reasonably practicable, including:
- (a) if relevant, the alternative of taking no action
  - (b) a comparative description of the impacts of each alternative on listed threatened species and communities, GBRMP, Great Barrier Reef World Heritage Area (GBRWHA) and the Great Barrier Reef National Heritage Place (GBRNHP)
  - (c) sufficient detail to make clear why any alternative is preferred to another
- 16.9 Short, medium and long-term advantages and disadvantages of the options is to be discussed.



### **Description of the environment**

- 16.10 Describe the environment of the project site and surrounding areas (i.e. adjacent, upstream and/or downstream) that may be affected by the action. At a minimum, this section is to include details of:
- (a) terrestrial and aquatic ecosystems, including key vegetation communities and relevant watercourses (e.g. Burdekin River catchment area)
  - (b) estuarine and coastal environments, including inshore coastal areas, vegetation, underwater ecological features, key habitats, Burdekin river & catchment areas and inshore reefs
  - (c) native flora and fauna, both terrestrial and aquatic
  - (d) pest species and weeds
  - (e) important habitat areas, recognised populations and habitat, and aggregations of listed species
  - (f) environment and conservation values of the GBRMP, the GBRWHA and the GBRNHP.

### **Relevant impacts**

- 16.11 All relevant impacts of the action are to be assessed in accordance with relevant DAWE policies and guidelines, and information provided in the Species Profile and Threats (SPRAT) Database, including but not limited to habitat clearance, fragmentation and degradation, introduction and increase in numbers of pests, changes to hydrological regimes (including flow changes), impacts, impacts to water quality (including indirect and facilitated impacts), waste and chemical pollution and greenhouse gas emissions.
- 16.12 The MNES section is to include a description of all relevant impacts of the action (direct, indirect, cumulative and facilitated), including the magnitude, duration and frequency of the impacts. Relevant impacts are the impacts that the action will have, or is likely to have, on MNES. All stages and components of the action must be addressed, and the following information provided:
- (a) a detailed assessment of the nature and extent of the likely short-term and long-term relevant impacts
  - (b) a statement, with supporting evidence, whether any relevant impacts are likely to be unknown, unpredictable or irreversible
  - (c) any technical data and other information used or needed to make a detailed assessment of the relevant impacts.
- 16.13 The MNES section is to provide a detailed assessment of any likely impact that the action may have on (at the local, regional, state, national and international scale) the MNES above.
- 16.14 The MNES section is to identify and assess the cumulative impacts on MNES (terrestrial, aquatic and marine) created by the project and the activities of other existing and proposed adjacent, upstream and downstream relevant developments, water users and land users.
- 16.15 Establish and describe clear spatial and temporal boundaries for the assessment of cumulative impacts.
- 16.16 Describe the change in the duration, frequency, magnitude and timing of river flows and releases for current and future water infrastructure projects in the Burdekin Basin and potential influence on aquatic and marine biota and water quality, within and at end of the catchment (i.e. GBRMP, GBRWHA and GBRNHP).

- 16.17 Identify water quality and environmental flow objectives within and at the end of the Burdekin Basin in relation to the GBRMP, GBRWHA and GBRNHP.
- 16.18 Identify and consider current and future projects potentially involving the expansion and intensification of agriculture and other end uses relating to the action, approved or under consideration, within the Burdekin Basin, and wider areas as relevant. Describe the potential area of land that may be subject to land use change as a result of those projects and estimate the potential change in nutrient, sediment and pesticide inputs (including other pollutants) to surface and groundwater that may occur within catchment and wider areas, including end-of-catchment loads.
- 16.19 The MNES section is to address the potential cumulative impact of the action on ecosystem resilience. The cumulative effects of climate change impacts on the environment must also be considered in the assessment of ecosystem resilience. Where relevant to the potential impact, a risk assessment is to be conducted and documented.

### *Greenhouse gas emissions*

- 16.20 The MNES section is to outline the cumulative direct and indirect greenhouse gas emissions (GHG) of the action. An inventory of the projected GHG associated with the action is to be provided. This inventory is to include scope 1 and 2 emissions and, for context, an outline of total global greenhouse gas emissions.

### *Avoidance, mitigation and management measures*

- 16.21 The MNES section is to include detailed descriptions of measures proposed to be undertaken by the proponent to avoid, mitigate and manage relevant impacts of all stages of the **action** on MNES. The proposed measures are to be based on best available practices, appropriate standards and supported by scientific evidence (e.g. outcomes of successful field trials, research papers, other projects, etc.). The MNES section is to include:
- (a) proposed measures to be undertaken to avoid and mitigate the relevant impacts of the action on MNES, including those required by other Commonwealth, State and local government approvals
  - (b) an assessment of the predicted effectiveness of the proposed measures
  - (c) any statutory or policy basis for the proposed measures, including reference to the SPRAT Database and relevant approved conservation advices, and a discussion on whether the proposed measures are not inconsistent with relevant recovery plans and threat abatement plans
  - (d) details of ongoing management, including monitoring programs to support an adaptive management approach and determine the effectiveness of the proposed measures
  - (e) details on measures, if any, proposed to be undertaken by State and local government, including the name of the agency responsible for approving each measure
  - (f) information on the timing, frequency and duration of the measures to be implemented
  - (g) the name of the agency responsible for endorsing or approving each mitigation measure or monitoring program.
- 16.22 The MNES section is to not just state proposed management plans and/or broad objectives to describe avoidance, mitigation and management measures. The MNES section is to include detailed measures that will be implemented to avoid, mitigate and manage impacts on MNES.

Committed language (i.e. 'will') rather than non-committal language (i.e. 'may', 'where possible', 'if required', etc.) must be used.

16.23 The SPRAT Database, and associated statutory documents, may provide some relevant mitigation measures for listed threatened species and ecological communities. All proposed measures for MNES is to consider the 'S.M.A.R.T' principle:

- (a) S – Specific (what and how)
- (b) M – Measurable (baseline information, number/value, auditable)
- (c) A – Achievable (timeframe, money, personnel)
- (d) R – Relevant (conservation advices, recovery plans, threat abatement plans)
- (e) T – Time-bound (specific timeframe to complete).

## Environmental offsets

### Note

According to the EPBC Act *Environmental Offsets Policy* (2012), environmental offsets are measures that compensate for the residual adverse impacts of an action on the environment. Offsets provide environmental benefits to counterbalance the impacts that remain after avoidance and mitigation measures. It is important to consider environmental offsets early in the assessment process and correspondence with the Department regarding offsetting is highly encouraged.

It is DAWE's standard practice that, if environmental offsets are required, a draft Offset Strategy and/or a draft Offset Area Management Plan (OAMP) are included in the assessment documentation for assessment and approval. Further, it is DAWE's expectation that the environmental offset is legally secured under relevant Queensland legislation prior to the commencement of the action. Where this is not achievable, DAWE will recommend to the Minister (or delegate) that the conditions of approval require the environmental offset/s or the OAMP be approved, and legally secured, prior to the commencement of the action.

16.24 The MNES section is to include an assessment of the likelihood of residual significant impacts occurring on MNES after avoidance, mitigation and management measures have been applied. If it is determined that a residual significant impact is likely, include a draft Offset Strategy as an appendix to the EIS that provides, at a minimum:

- (a) details of the environmental offset/s<sup>27</sup> (in hectares) for SRI of the action on relevant MNES, and/or their habitat
- (b) details of how the environmental offset/s meets the principles of the EPBC Act *Environmental Offsets Policy* (2012) (EPBC Act Offset Policy), including the Offsets Assessments Guide, in particular how the proposed environmental offset/s will achieve an overall conservation outcome for the EPBC protected matter
- (c) details of a strategy for the staging of environmental offset/s for each project stage (if proposed)

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<sup>27</sup> The Department expects that an EPBC Act protected matter is present in the proposed environmental offset/s if it is present in the project site to align with the EPBC Act Offsets Policy

- (d) details of appropriate offset area/s (including a map) to compensate for the SRI on relevant MNES, and/or their habitat
- (e) the methodology, with justification and supporting evidence, used to inform the inputs of the Offsets Assessment Guide in relation to the project site for each relevant MNES, including:
  - (i) quantum of impact – area (in hectares)
  - (ii) quantum of impact – quality (e.g. using the *Queensland Guide to determining terrestrial habitat quality: A toolkit for assessing land-based offsets under the Queensland Environmental Offsets Policy* [Version 1.2, April 2017], or subsequent revision).
- (f) the methodology, with justification and supporting evidence, used to inform the inputs of the Offsets Assessment Guide in relation to each potential offset area/s for each relevant MNES, including:
  - (i) time over which loss is averted (maximum 20 years)
  - (ii) time until ecological benefit
  - (iii) risk of loss (percentage) without offset
  - (iv) risk of loss (percentage) with offset
  - (v) confidence in result (percentage)
- (g) evidence that the relevant MNES, and/or their habitat, can be present in the potential offset area/s
- (h) information about how the proposed offset/s area provides connectivity with other relevant habitats and biodiversity corridors
- (i) details of the mechanism to legally secure the environmental offset/s (under Queensland legislation or equivalent) to provide protection for the offset area/s against development incompatible with conservation.

16.25 Where offset area/s have been nominated, include a draft OAMP as an appendix to the EIS which includes information to demonstrate how the environmental offset/s compensate for residual significant impacts of the action on relevant MNES, and/or their habitat, in accordance with the principles of the Offsets Policy and all requirements of the Offsets Assessment Guide. The draft OAMP is to include:

- (a) a description of the environmental offset/s, including location, size, condition, environmental values present and surrounding land uses
- (b) baseline data, including from field validation surveys, and quantifiable ecological data on habitat quality and other supporting evidence that documents the presence of the relevant MNES, and the quality of their habitat within the environmental offsets
- (c) an assessment of the site habitat quality for the offset area/s using an appropriate methodology, with justification and supporting evidence, (e.g. using the *Queensland Guide to determining terrestrial habitat quality: A toolkit for assessing land based offsets under the Queensland Environmental Offsets Policy* [Version 1.2, April 2017], or subsequent revision
- (d) details of how the environmental offset/s will provide connectivity with other habitats and biodiversity corridors and/or will contribute to a larger strategic offset for the relevant listed threatened species and communities

- (e) maps and shapefiles to clearly define the location and boundaries of the environmental offset/s, accompanied by the offset attributes (e.g. physical address of the offset area/s, coordinates of the boundary points in decimal degrees, the listed threatened species and communities that the environmental offset/s compensates for, and the size of the environmental offset/s in hectares)
- (f) specific offset completion criteria derived from the site habitat quality to demonstrate the improvement in the quality of habitat in the environmental offset/s over a specified timeframe
- (g) details of the management actions, and timeframes for implementation, to be carried out to meet the offset completion criteria
- (h) interim milestones that set targets at 5-yearly intervals for progress towards achieving the offset completion criteria
- (i) details of the nature, timing and frequency of monitoring to inform progress against achieving the 5-yearly interim milestones (the frequency of monitoring must be sufficient to track progress towards each set of milestones, and sufficient to determine whether the environmental offset/s are likely to achieve those milestones in adequate time to implement all necessary corrective actions)
- (j) proposed timing for the submission of internal monitoring reports which provide evidence demonstrating whether the interim milestones have been achieved
- (k) timing for the implementation of corrective actions if monitoring activities indicate the interim milestones will not or have not been achieved
- (l) risk analysis and a risk management and mitigation strategy for all risks to the successful implementation of the OAMP and timely achievement of the offset completion criteria, including a rating of all initial and post-mitigation residual risks in accordance with an appropriate risk assessment matrix
- (m) if proposed for listed threatened species and communities, evidence of how the management actions and corrective actions take into account relevant approved conservation advices and are consistent with relevant recovery plans and threat abatement plans
- (n) details of the legal mechanism for legally securing the proposed offset area/s, such that legal security remains in force over the offset area/s for at least 20 years to provide enduring protection for the offset area/s against development incompatible with conservation.

16.26 The draft OAMP must be prepared by a suitably qualified person and in accordance with DAWE's *Environmental Management Plan Guidelines* (2014)<sup>28</sup>.

16.27 The draft OAMP is to provide evidence, derived from field validation surveys and vegetation assessments, to demonstrate that an EPBC Act protected matter (e.g. listed threatened species or ecological community) is or can be present in the proposed environmental offset/s. Field validation surveys are to be undertaken in accordance with Commonwealth guidelines, State guidelines and/or best practice survey methodologies.

16.28 Supporting evidence is to be included in the draft OAMP to justify how proposed management action/s are additional to the existing requirements of the landholder in managing their land (e.g.

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<sup>28</sup> DAWE expects that an EPBC Act protected matter is present in the proposed environmental offset/s if it is present in the project site to align with the EPBC Act Offsets Policy.

weed and pest management requirements under the Queensland *Biosecurity Act 2014*, existing grazing regimes, etc.) as required by the principles of the EPBC Act Offsets Policy.

- 16.29 The draft OAMP is to include robust scientific evidence (e.g. published research, pilot studies, previously successful projects/programs, etc.) to demonstrate the success of proposed measures to create, revegetate, regenerate and/or improve habitat (e.g. tree planting, nest boxes, artificial hollows, etc.) in the proposed environmental offset/s for a listed threatened species or ecological community.
- 16.30 Where the proposed environmental offset/s supports an offset for multiple MNES, proposed management action/s for one EPBC Act protected matter must not be detrimental (i.e. have an impact) to other EPBC Act protected matters.
- 16.31 Where an environmental offset/s is proposed, with a completed Offsets Assessment Guide<sup>29</sup> calculation, all inputs must be supported by robust scientific evidence and/or supporting evidence (e.g. historical grazing regimes, satellite imagery, statements from landholders, etc.).

### Listed threatened species and communities (sections 18 and 18A)

- 16.32 The MNES section is to address, at a minimum, impacts on listed threatened species and communities in listed below<sup>30</sup>:
- (a) Greater Glider (*Petauroides Volans*) – Vulnerable
  - (b) Koala – combined populations of QLD/NSW and ACT (*Phascolarctos cinereus*) – Vulnerable
  - (c) Squatter Pigeon (southern) (*Geophaps scripta scripta*) – Vulnerable.

### Information requirements

- 16.33 The assessment of listed threatened species and communities in the MNES is have the following structure and detail:
- (a) Description
  - (b) Desktop analysis
  - (c) Survey effort
  - (d) Survey outcomes
  - (e) Habitat assessment
  - (f) Impact assessment<sup>31</sup>
  - (g) Avoidance, mitigation and management<sup>32</sup>
  - (h) Statutory requirements
  - (i) Significant impact assessment.<sup>33</sup>

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<sup>29</sup> It is DAWE's expectation that the agreed inputs into the Offsets Assessment Guide are specified in the conditions of approval (if the action is approved, subject to conditions, under the EPBC Act).

<sup>30</sup> This may not be a complete list of listed threatened species and ecological communities that will or are likely be impacted by the action. It is the proponent's responsibility to ensure that any listed threatened species and ecological communities at the time of the controlled action decision, which will or are likely to be impacted by the project, are assessed for the Minister's consideration. Any listing events (e.g. the listing or up-listing of a species) that occur after the controlled action decision do not affect the assessment and approval process.

<sup>31</sup> The impact assessment must meet the requirements outlined in the 'Relevant Impacts' sections 16.11 – 16.19 above.

<sup>32</sup> As outlined at the 'Avoidance, Mitigation and Management Measures' sections 16.21 – 16.23 above.

<sup>33</sup> As outlined at the 'Environmental Offsets' sections 16.24 – 16.31 above.

### **Description**

16.34 Describe each listed threatened species and ecological communities (including EPBC Act listing status, distribution, habitat, life history, etc.); these descriptions are to align with the information in the SPRAT Database and relevant DAWE documents<sup>34</sup>.

### **Desktop analysis**

16.35 Describe the desktop assessment methodology used to inform the field surveys within, adjacent to, downstream and upstream of the project site.

16.36 The MNES section is to identify and describe known historical records of listed threatened species and ecological communities in the broader region (this may also include downstream of the project site). All known records are to be supported by an appropriate source (i.e. Commonwealth and State databases, published research, publicly available survey reports, etc.), the year of the record and a brief description of the habitat in which the record was identified.

### **Survey effort**

16.37 Provide details of the scope, methodology, timing and effort of field surveys (which is to be undertaken by qualified species experts with demonstrated experience in detecting the relevant listed threatened species and ecological communities) within, adjacent to, downstream and upstream of the project site. Provide details of:

- (a) how surveys were undertaken in accordance with relevant Commonwealth and State guidelines or best practice survey guidelines at the time of the surveys; and
- (b) if relevant, the justification for divergence from relevant Commonwealth and State guidelines or best practice survey guidelines at the time of the surveys.

16.38 Surveys are to be of a suitable standard, including the scope, timing and spatial and temporal replication, to be able to detect cryptic or difficult to detect terrestrial and aquatic species. Surveys are to also target areas upstream, downstream and adjacent to the project site, particularly for species which regularly disperse through the landscape or aquatic environments (particularly seasonally) and/or have large home ranges.

### **Survey outcomes**

16.39 State the total number of records (individuals and evidence of presence) of listed threatened species and ecological communities within, adjacent to, upstream and/or downstream of the project site. All records are to include the year of the record and a brief description of the habitat in which the record was identified.

### **Habitat assessment**

16.40 Provide a robust assessment of the potential habitat available within, adjacent to, upstream and/or downstream of the project site for listed threatened species and ecological communities. This is to include the assessment of specific habitat requirement/s relevant to each listed threatened species and ecological community (e.g. breeding, foraging, dispersal, important habitat, roosting, etc.).

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<sup>34</sup> DAWE strongly recommends that the habitat assessment is undertaken in line with the habitat descriptions outlined in SPRAT Database and relevant DAWE documents. However, the proponent may deviate from the information available in the SPRAT Database when undertaking the habitat assessments if appropriate. Any variation in habitat assessment approach must be discussed with DAWE prior to the submission of the preliminary documentation and must be supported by scientific evidence including published research, independent expert advice and information derived from field surveys (DAWE does not accept the consideration of Queensland Regional Ecosystem (RE) mapping to determine habitat for listed threatened species).

- 16.41 Habitat assessments are to be derived from information obtained from:
- (a) field surveys and vegetation assessments (e.g. hollow-bearing tree surveys)
  - (b) the SPRAT Database
  - (c) relevant DAWE documents (e.g. approved conservation advices, recovery plans, listing advices, draft referral guidelines, etc.)
  - (d) published research and other relevant sources (where relevant).
- 16.42 Detailed mapping of habitat type/s for relevant listed threatened species and ecological communities that are found to be, or may potentially be, present within, adjacent to, upstream and/or downstream of the project site are to be included in the MNES section, and must:
- (a) be specific to the habitat assessment undertaken for each listed threatened species and ecological community
  - (b) include an overlay of the disturbance footprint
  - (c) include known records of individuals (or evidence of individuals) derived from desktop analysis and/or field surveys.
- 16.43 The MNES section must not just consider Queensland Regional Ecosystem (RE) mapping to determine habitat for listed threatened species; habitat assessments are to consider and align with the information in the SPRAT Database and relevant DAWE documents. However, some Queensland REs align with the descriptions for some ecological communities and therefore the use of Queensland REs is acceptable in these cases.
- 16.44 Provide the total amount of each type of habitat (in hectares) within, adjacent to, upstream and downstream of the project site for each listed threatened species and ecological community.
- 16.45 The MNES section is to also include a detailed habitat assessment for the listed threatened species and communities in section 16.32 and any other listed threatened species and/or ecological communities identified during desktop analysis and/or field surveys.
- 16.46 DAWE considers it is not unreasonable that a species may use a project site at some point in time if the vegetation and/or habitat feature/s to support its requirements are present. As such, even if a listed threatened species and/or community is not recorded during field surveys, the potential for occurrence of listed threatened species and communities is to also be considered and assessed in the MNES section.

### **Impact assessment<sup>35</sup>**

- 16.47 Describe and assess all relevant impacts (direct, indirect, facilitated and cumulative) to listed threatened species and ecological communities and any other listed threatened species and communities that are found to be or may potentially be present in areas that may be impacted by the action<sup>36</sup>.
- 16.48 Identify which component/s and stage/s of the action and/or consequential actions are of relevance to each listed threatened species and/or ecological community.
- 16.49 For threatened ecological communities, the total direct impact (in hectares) to each identified patch within and adjacent to the project site is to be provided in the MNES section compared to

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<sup>35</sup> Impact assessment must include the indirect, facilitated and cumulative impacts the action will have on listed threatened species and ecological communities in downstream catchment areas and wetlands, including estuarine, coastal and marine environments. (e.g. the lower Burdekin catchment area and inshore reefs).

<sup>36</sup> The impact assessment must meet the requirements outlined in the 'Relevant Impacts' sections 16.11 to 16.19



its current extent. Further, the impact assessment for ecological communities is to include a discussion on the post-impact viability of each individual patch within and adjacent to the project site to be directly impacted from fragmentation as a result of vegetation clearance.

- 16.50 Provide the total amount of each type of habitat (in hectares) in the disturbance footprint for each listed threatened species and ecological community.
- 16.51 Assess how the action impacts the outcomes, objectives, and targets of relevant reports and documents including, but not limited to:
- (a) *The Reef 2050 Long-Term Sustainability Plan (2018)*
  - (b) *Reef 2050 Water Quality Improvement Plan 2017-2022 (2018)*
  - (c) *Cumulative Impact Management Policy (2018)*
  - (d) *Net Benefit Policy (2018)*.

### **Avoidance, mitigation and management**

- 16.52 Describe all relevant species-specific measures proposed to avoid, mitigate and manage potential impacts on listed threatened species and ecological communities<sup>37</sup>.
- 16.53 The MNES section must not just state proposed management plans and/or broad objectives to describe avoidance, mitigation and management measures<sup>38</sup>. The MNES section is to include detailed measures that will be implemented to avoid, mitigate and manage impacts on listed threatened species and ecological communities. Committed language (i.e. 'will') rather than non-committal language (i.e. 'may', 'where possible', 'if required', etc.) must be used.

### **Statutory requirements**

- 16.54 Where relevant, discuss how the proponent has had regard to relevant approved conservation advice/s.
- 16.55 The MNES section is to demonstrate, with supporting evidence, that the action will not be inconsistent with Australia's obligations under:
- (a) the Biodiversity Convention
  - (b) the Convention on Conservation of Nature in the South Pacific (Apia Convention)
  - (c) the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
  - (d) a recovery plan or threat abatement plan.

### **Significant impact assessment<sup>39</sup>**

- 16.56 After consideration of proposed avoidance, mitigation and management measures, provide an assessment of the likelihood of residual significant impacts on relevant listed threatened species and ecological communities. The significant impact assessment is to consider the DAWE's *Significant impact guidelines 1.1 (2013)*.
- 16.57 The MNES section must provide a clear and definitive conclusion (i.e. 'likely' or 'unlikely'), including the extent and nature, of residual significant impacts on relevant listed threatened

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<sup>37</sup> As outlined at the 'Avoidance, Mitigation and Management Measures' sections 16.21 to 16.23 above.

<sup>38</sup> Appropriate measures may be detailed on the SPRAT Database for relevant listed threatened species and ecological communities. All proposed measures must consider the 'S.M.A.R.T.' principle.

<sup>39</sup> As outlined at the 'Environmental Offsets' sections 16.24-16.31 above.

species and ecological communities to align with the EPBC Act *Environmental Offsets Policy* (2012).

## Great Barrier Reef Marine Park (sections 24B and 24C)

16.58 The GBRMP is a marine protected area which is recognised to have a high conservation value. Assessments of impacts are to be discussed with reference to the environment of the GBRMP, which includes social, economic and cultural aspects of the environment.

### Information requirements

#### Note

Environment means (as per section 528 of the EPBC Act):

- (a) ecosystems and their constituent parts, including people and communities; and
- (b) natural and physical resources; and
- (c) the qualities and characteristics of locations, places and areas; and
- (d) heritage values of places; and
- (e) the social, economic and cultural aspects of a thing mentioned in paragraph (a), (b), (c) or (d).

#### Description

16.59 The MNES section is to describe the current pressures on the GBRMP and the environmental values within the GBRMP, including Upstart Bay and surrounds in the context of (but not limited to):

- (a) water quality
- (b) freshwater wetlands, mangrove forests, coral reefs and sea grass meadows
- (c) bony fish/shellfish (i.e. the river system has been identified as an important fish habitat area)
- (d) biodiversity (i.e. Dugong feeding ground and coral reproduction)
- (e) significant cultural heritage items and areas in lower Burdekin Basin area and Upstart Bay (i.e. ship and plane wrecks in upstart Bay).

16.60 Overall, the MNES section is to demonstrate how, with detailed supporting justification, the integrity of the GBRMP will be maintained throughout the undertaking of the proposed action and after the action has been decommissioned.

16.61 The description of the environmental values<sup>40</sup> within and surrounding the GBRMP is to be supported by baseline data derived from field surveys, scientific evidence derived from research papers and expert advice, public consultation, other approval processes, and information collected from desktop research (e.g. Commonwealth and State government databases/websites [including CSIRO], universities, outcomes of previous field surveys, modelling, scientific investigations, etc.).

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<sup>40</sup> It is the proponent's responsibility to ensure that any listed species at the time of the controlled action decision, which will or are likely to be impacted by the action, are assessed for the Minister's consideration. Any listing events that occur after the controlled action decision (29 January 2021) do not affect the assessment and approval process.

## Desktop analysis

16.62 Describe the desktop assessment methodology used to inform the field surveys within, adjacent to, downstream and upstream of the project site.

## Survey effort

16.63 Provide details of the scope, methodology, timing and effort of field surveys (which is to be undertaken by qualified species experts with demonstrated experience in detecting the relevant listed threatened species and ecological communities) within, adjacent to, downstream and upstream of the project site. Provide details of:

- (a) how surveys were undertaken in accordance with relevant Commonwealth and State guidelines or best practice survey guidelines at the time of the surveys; and
- (b) if relevant, the justification for divergence from relevant Commonwealth and State guidelines or best practice survey guidelines at the time of the surveys.

16.64 Surveys are to be of a suitable standard, including the scope, timing and spatial and temporal replication, to be able to detect cryptic or difficult to detect terrestrial and aquatic species. Surveys are to also target areas upstream, downstream and adjacent to the project site, particularly for species which regularly disperse through the landscape or aquatic environments (particularly seasonally) and/or have large home ranges.

## Survey outcomes

16.65 Describe the values of the GBRMP identified through surveys undertaken. This may include the total number of records of species that are values of the GBRMP. All records must be supported by the year of the record and a brief description of the habitat in which the record was identified.

## Impact assessment<sup>41</sup>

16.66 Describe and assess all impacts (direct, indirect, facilitated and cumulative) to the environment of the GBRMP, including for listed threatened species and listed marine species and cetaceans in the GBRMP.

16.67 Describe the relevant impacts of the action on the values and/or integrity of the GBRMP including, but not limited to:

- (a) nutrient and sediment from catchment runoff
- (b) pesticide and herbicide from catchment runoff
- (c) other pollutants (e.g. pharmaceuticals, chemicals, heavy metals, increased salinity) from catchment runoff
- (d) barriers to water flow (including reduced water flow)
- (e) modification of Coastal habitats
- (f) increase of erosional and depositional processes from alteration to hydrological regime
- (g) known or potential pest species being introduced or established (including existing pest species being spread or increased in numbers)

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<sup>41</sup> Impact assessment is to include the indirect, facilitated and cumulative impacts the action will have on listed threatened species and listed marine species and cetaceans in downstream catchment areas and wetlands, including estuarine, coastal and marine environments (e.g. the lower Burdekin catchment area and inshore reefs) as well as meet the impact assessment outlined in the 'Relevant Impacts' sections 16.11 – 16.19 above.

- (h) nuisance algal growth
- (i) impacts on listed threatened and marine species
- (j) greenhouse gas emissions.

16.68 Assess the impacts of the action against relevant reports and documents including, but not limited to:

- (a) *The Reef 2050 Long-Term Sustainability Plan (2018)*
- (b) *Reef 2050 Water Quality Improvement Plan 2017-2022 (2018)*
- (c) *Cumulative Impact Management Policy (2018)*
- (d) *Net Benefit Policy (2018)*
- (e) Great Barrier Reef Strategic Assessment Reports
- (f) Great Barrier Reef Outlook Reports
- (g) *Threat abatement plan for the impacts of marine debris on the vertebrate wildlife of Australia's coasts and oceans (2018)*
- (h) *Recovery plan for marine turtles in Australia (2018).*

16.69 Demonstrate how the action contributes to an overall or 'net' improvement to ecosystem health, water quality and the condition of the affected values, consistent with *The Reef 2050 Long-Term Sustainability Plan (2018)*.

#### Avoidance, mitigation and management<sup>42</sup>

16.70 Describe all relevant species-specific measures proposed to avoid, mitigate and manage potential impacts on listed threatened species and ecological communities.

16.71 The MNES section must not just state proposed management plans and/or broad objectives to describe avoidance, mitigation and management measures. The MNES section is to include detailed measures that will be implemented to avoid, mitigate and manage impacts on listed threatened species and ecological communities. Committed language (i.e. 'will') rather than non-committal language (i.e. 'may', 'where possible', 'if required', etc.) must be used.

#### Significant impact assessment<sup>43</sup>

16.72 After consideration of proposed avoidance, mitigation and management measures, provide an assessment of the likelihood of residual significant impacts on the environment of the GBRMP. The significant impact assessment must consider the Department's *Significant impact guidelines 1.1 (2013)*.

16.73 Provide a clear and definitive conclusion (i.e. 'likely' or 'unlikely'), including the extent and nature, of residual significant impacts on the GBRMP to align with the EPBC Act *Environmental Offsets Policy (2012)*.

### World heritage properties (sections 12 and 15A)

16.74 The primary purpose of management of natural heritage and cultural heritage of a declared World Heritage property must be, in accordance with Australia's obligations under the World Heritage

<sup>42</sup> As outlined at the 'Avoidance, Mitigation and Management Measures' sections 16.21 – 16.23 above.

<sup>43</sup> As outlined at the 'Environmental Offsets' sections 16.24 – 16.31 above.

Convention, to identify, protect, conserve, present, transmit to future generations and, if appropriate, rehabilitate the World Heritage values of the property.

- 16.75 The assessment of the GBRWHA in the MNES section is to have the following structure and detail.
- (a) Description
  - (b) Impact assessment<sup>44</sup>
  - (c) Avoidance, mitigation and management<sup>45</sup>
  - (d) Statutory requirements
  - (e) Significant impact assessment.<sup>46</sup>

### **Description**

- 16.76 Identify and describe the world heritage values of the GBRWHA that are likely to be impacted by the action. The relevant world heritage values are those described in *Statement of outstanding universal value for the Great Barrier Reef World Heritage Area*.

### **Impact assessment<sup>47</sup>**

- 16.77 Describe and assess all relevant impacts (direct, indirect, facilitated and cumulative) of the action on the values and/or integrity of the GBRWHA including, but not limited to:
- (a) nutrient and sediment from catchment runoff
  - (b) pesticide and herbicide from catchment runoff
  - (c) other pollutants (e.g. pharmaceuticals, chemicals, heavy metals) from catchment runoff
  - (d) barriers to water flow
  - (e) modification of coastal habitats
  - (f) increase of erosional and depositional processes from alteration to hydrological regime
  - (g) known or potential pest species being introduced or established (including existing pest species being spread or increased in numbers)
  - (h) impacts on listed threatened and marine species
  - (i) greenhouse gas emissions.
- 16.78 Assess the impacts of the action against relevant reports and documents including, but not limited to:
- (a) EPBC Act referral guidelines for the Outstanding Universal Value of the Great Barrier Reef World Heritage Area (2014)
  - (b) *The Reef 2050 Long-Term Sustainability Plan* (2018)
  - (c) *Reef 2050 Water Quality Improvement Plan 2017-2022* (2018)
  - (d) *Cumulative Impact Management Policy* (2018)

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<sup>44</sup> The impact assessment must meet the requirements outlined in the 'Relevant Impacts' sections 16.11 – 16.19 above.

<sup>45</sup> As outlined at the 'Avoidance, Mitigation and Management Measures' sections 16.21 – 16.23 above.

<sup>46</sup> As outlined at the 'Environmental Offsets' sections 16.24 – 16.31 above.

<sup>47</sup> The impact assessment must meet the requirements outlined in the 'Relevant Impacts' sections 16.11 to 16.19

- (e) *Net Benefit Policy* (2018)
- (f) Great Barrier Reef Strategic Assessment Reports
- (g) Great Barrier Reef Outlook Reports.

16.79 The MNES section is to demonstrate how the action contributes to an overall or 'net' improvement to ecosystem health, water quality and the condition of the affected values, consistent with *The Reef 2050 Long-Term Sustainability Plan* (2018).

### **Avoidance, mitigation and management**

16.80 Describe all relevant measures proposed to avoid, mitigate and manage potential impacts on the GBRWHA.<sup>48</sup>

### **Statutory requirements**

16.81 Demonstrate that the action will not be inconsistent with:

- (a) Australia's obligations under the World Heritage Convention
- (b) the Australian World Heritage management principles
- (c) a plan that has been prepared for the management of a declared World Heritage property under section 316 or as described in section 321 of the EPBC Act.

### **Significant impact assessment**

16.82 After consideration of proposed avoidance, mitigation and management measures, provide an assessment of the likelihood of residual significant impacts on the GBRWHA. The significant impact assessment is to consider the DAWE's *Significant impact guidelines 1.1* (2013).

16.83 The MNES section must provide a clear and definitive conclusion (i.e. 'likely' or 'unlikely'), including the extent and nature, of residual significant impacts on the GBRWHA to align with the EPBC Act *Environmental Offsets Policy* (2012).

16.84 Overall, the MNES section is to demonstrate how, with detailed supporting justification, the integrity of the outstanding universal value of the GBRWHA will be maintained throughout the undertaking of the proposed action and after the action has been decommissioned.

### **National Heritage places (sections 15B and 15C)**

16.85 The objective in managing National Heritage places is to identify, protect, conserve, present and transmit, to all generations, their National Heritage values.

16.86 The assessment of the GBRNHP in the MNES section must have the following structure and detail, at a minimum.

- (a) Description
- (b) Impact Assessment
- (c) Avoidance, mitigation and management
- (d) Statutory requirements
- (e) Significant impact assessments.

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<sup>48</sup> As outlined at the 'Avoidance, Mitigation and Management Measures' sections 16.21 to 16.23 above.

### Description

16.87 Identify and provide a comprehensive description of the place, including information about its location, physical features, condition, historical context and current uses; and describe the national heritage values of the GBRNHP that are likely to be impacted by the action.

### Impact assessment<sup>49</sup>

16.88 Describe and assess all relevant impacts (direct, indirect, facilitated and cumulative) of the action on the values and/or integrity of the GBRNHP including, but not limited to:

- (a) nutrient and sediment from catchment runoff
- (b) pesticide and herbicide from catchment runoff
- (c) other pollutants (e.g. pharmaceuticals, chemicals, heavy metals) from catchment runoff
- (d) barriers to water flow
- (e) modification of coastal habitats
- (f) increase of erosional and depositional processes from alteration to hydrological regime
- (g) known or potential pest species being introduced or established (including existing pest species being spread or increased in numbers)
- (h) impacts on listed threatened and marine species
- (i) greenhouse gas emissions.

16.89 Assess the impacts of the action against relevant reports and documents including, but not limited to:

- (a) *The Reef 2050 Long-Term Sustainability Plan* (2018)
- (b) *Reef 2050 Water Quality Improvement Plan 2017-2022* (2018)
- (c) *Cumulative Impact Management Policy* (2018)
- (d) *Net Benefit Policy* (2018)
- (e) Great Barrier Reef Strategic Assessment Reports
- (f) Great Barrier Reef Outlook Reports.

16.90 The MNES section is to demonstrate how the action contributes to an overall or 'net' improvement to ecosystem health, water quality and the condition of the affected values, consistent with *The Reef 2050 Long-Term Sustainability Plan* (2018).

### Avoidance, mitigation and management

16.91 Describe all relevant measures proposed to avoid, mitigate and manage potential impacts on the GBRNHP.<sup>50</sup>

### Statutory requirements

16.92 Demonstrate that the action will not be inconsistent with:

- (a) the National Heritage management principles

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<sup>49</sup> The impact assessment must meet the requirements outlined in the 'Relevant Impacts' sections 16.11 to 16.19

<sup>50</sup> As outlined at the 'Avoidance, Mitigation and Management Measures' sections 16.21 to 16.2316.23 above.

- (b) an agreement to which the Commonwealth is party in relation to a National Heritage place
- (c) a plan that has been prepared for the management of a National Heritage place under section 324S or as described in section 324X of the EPBC Act.

### **Significant impact assessment<sup>51</sup>**

- 16.93 After consideration of proposed avoidance, mitigation and management measures, provide an assessment of the likelihood of residual significant impacts on the GBRNHP. The significant impact assessment is to consider the DAWE's *Significant impact guidelines 1.1* (2013).
- 16.94 The MNES section must provide a clear and definitive conclusion (i.e. 'likely' or 'unlikely'), including the extent and nature, of residual significant impacts on the GBRNHA to align with the EPBC Act *Environmental Offsets Policy* (2012).
- 16.95 Overall, the MNES section is to demonstrate how, with detailed supporting justification, the integrity of the outstanding heritage value of the GBRNHP will be maintained throughout the undertaking of the action and after the action has been decommissioned.

### **Other approvals and conditions**

- 16.96 The MNES section is to include information on any other approvals or requirements for approvals and any conditions that apply, or that the proponent reasonably believes are likely to apply, to the proposed action. This is to include:
- (a) details of any local or State Government planning scheme, or plan or policy under any local or State Government planning system that deals with the proposed action, including:
    - (i) what environmental assessment of the proposed action has been, or is being, carried out under the scheme, plan or policy
    - (ii) how the scheme provides for the prevention, minimisation and management of any relevant impacts
  - (b) a description of any approval that has been obtained from a State, Territory or Commonwealth agency or authority (other than an approval under the EPBC Act), including any conditions that apply to the action
  - (c) a statement identifying any additional approval that is required
  - (d) a description of the monitoring, enforcement and review procedures that apply, or are proposed to apply, to the action.

### **Environmental record of person(s) proposing to take the action**

- 16.97 The information provided is to include details of any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against:
- (a) the person proposing to take the action
  - (b) for an action for which a person has applied for a permit, the person making the application.
- 16.98 If the person proposing to take the action is a corporation, details of the corporation's environmental policy and planning framework must also be included.

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<sup>51</sup> As outlined at the 'Environmental Offsets' sections 16.24 to 16.31 above.



## Economic and social matters

- 16.99 The economic and social impacts of the action, both positive and negative, are to be analysed in the MNES section. Matters of interest may include:
- (a) details of any public consultation activities undertaken, including any consultation with Aboriginal and Torres Strait Islander stakeholders, and their outcomes
  - (b) projected economic costs (e.g. capital investment) and benefits of the action, including the basis for their estimation through cost/benefit analysis or similar studies
  - (c) employment opportunities expected to be generated by the action (including construction and operational phases), including number of jobs for Aboriginal and Torres Strait Islander employees.
- 16.100 Consultation with Aboriginal and Torres Strait stakeholders must be undertaken in accordance with the Engage Early – Guidance for proponents on best practice Indigenous engagement for environmental assessments under the EPBC Act (2016).
- 16.101 Economic and social impacts are to be considered at the local, regional and national levels. Details of the relevant cost and benefits of alternative options to the action, as identified above, are to also be included.

## Ecologically Sustainable Development (ESD)

- 16.102 Provide a discussion of how the project will conform to the principles of ESD. To assist you, the *National Strategy for Ecologically Sustainable Development* (1992) is available at: <https://environment.gov.au/about-us/esd>.

## Information sources provided in the MNES section

- 16.103 For information given in the MNES section, the MNES section is to state:
- (a) the source of the information
  - (b) how recent the information is
  - (c) how the reliability of the information was tested
  - (d) what uncertainties (if any) are in the information.

## 17. Appendices to the EIS

- 17.1 Appendices are to provide the complete technical evidence used to develop assumptions, statements and findings in the main text of the EIS.
- 17.2 No significant issue or matter is to be mentioned for the first time in an appendix—it is to be addressed in the main text of the EIS.
- 17.3 Include a table listing the section and sub-section of the EIS where each requirement of the TOR is addressed.
- 17.4 Include a list citing all reference material used or relied on in the EIS.
- 17.5 Include a glossary of terms and a list of acronyms and abbreviations.

## Part D Acronyms and abbreviations

The following acronyms and abbreviations have been in this document.

Acronym/abbreviation	Definition
ACH Act	<i>Aboriginal Cultural Heritage Act 2003</i>
AEP	Annual exceedance probability
AHD	Australian Height Datum
ASS	Acid sulfate soil
BRW	Big Rocks Weir
CBA	Cost benefit analysis
CHMP	Cultural Heritage Management Plan
Cth	Commonwealth
CO <sub>2</sub>	Carbon dioxide
DAF	Department of Agriculture and Fisheries
DAWE	Commonwealth Department of Agriculture, Water and Environment
DES	Department of Environment and Science
DRDMW	Department of Regional Development, Manufacturing and Water
DTMR	Department of Transport and Main Roads
EIS	environmental impact statement
EMP	environmental management plan
EP Act	<i>Environmental Protection Act 1994</i>
EP Regulation	Environmental Protection Regulation 2019
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999 (Cwth)</i>
EPP	Environmental Protection Policy (under the EP Act)
ERA	environmentally relevant activity
ESD	ecologically sustainable development
FSL	full supply level
GBR	Great Barrier Reef
GBRMP	Great Barrier Reef Marine Park
GBRNHA	Great Barrier Reef National Heritage Area
GBRNHP	Great Barrier Reef National Heritage Place
GBRWHA	Great Barrier Reef World Heritage Area
GDA2020	Geocentric Datum of Australia 2020
GHG	Greenhouse gases
GTIA	Guide to Traffic Impact Assessment
IQQM	Integrated Quantity Quality Model
km	kilometres
m	metres
ML	megalitres

<b>Acronym/abbreviation</b>	<b>Definition</b>
MNES	matters of national environmental significance
MSES	matters of state environmental significance
OAMP	Offset Area Management Plan
RE	Regional ecosystem
RIA	Regional impact analysis
RIDA	Regional interests development approval
RPI Act	<i>Regional Planning Interests Act 2014</i>
SDAP	State Development Assessment Provisions
SDPWO Act	<i>State Development and Public Works Organisation Act 1971</i>
SEA	Strategic environmental area
SIA	Social impact assessment
SIMP	Social Impact Management Plan
SPP	State Planning Policy 2017
SPRAT	Species Profile and Threats
SRI	Significant residual impact
TOR	Terms of reference
USB	Universal serial bus
VM Act	<i>Vegetation Management Act 1999</i>

# Appendix 1. Policies and guidelines

## General

Queensland Government, *Preparing an environmental impact statement: Guideline for proponents*, 2015, The Coordinator-General, Department of State Development, Manufacturing, Infrastructure and Planning, 2020, viewed 11 March 2021, [https://www.statedevelopment.qld.gov.au/data/assets/pdf\\_file/0027/33498/preparing-an-eis-guideline-for-proponents.pdf](https://www.statedevelopment.qld.gov.au/data/assets/pdf_file/0027/33498/preparing-an-eis-guideline-for-proponents.pdf)

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Queensland Government, *North Queensland Regional Plan*, 2020, Department of State Development, Manufacturing, Infrastructure and Planning, viewed 16 April 2021, <https://planning.dsdmip.qld.gov.au/planning/better-planning/state-planning/regional-plans/north-queensland-regional-plan>

Queensland Government, *Spatial information submission*, Department of Environment and Science, 2019, viewed 8 March 2021, [https://environment.des.qld.gov.au/data/assets/pdf\\_file/0027/90288/rs-gl-spatial-information.pdf](https://environment.des.qld.gov.au/data/assets/pdf_file/0027/90288/rs-gl-spatial-information.pdf)

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## Water

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Queensland Government, *Queensland Water Quality Guidelines*, Version 3, Department of Environment and Heritage Protection, 2013, viewed 8 March 2021, <https://www.qld.gov.au/environment/library>

NQ Dry Tropics, *Burdekin Region Water Quality Improvement Plan 2016*, NQ Dry Tropics, 2016, viewed 8 March 2021, <https://www.nqdrytropics.com.au/wqip2016/>

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Queensland Government, *Great Barrier Reef end-of-basin loads water quality objectives*, Department of Environment and Science, 2020, viewed 11 March 2021, <https://environment.des.qld.gov.au/management/water/policy/gbr-water-quality-objectives>

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Queensland Government, *Accepted development requirements for operational work that is constructing or raising waterway barrier works*, Department of Agriculture and Fisheries, 2018, viewed 11 March 2021, [https://www.daf.qld.gov.au/data/assets/pdf\\_file/0006/1476888/adr-operational-waterway-barrier-works.pdf](https://www.daf.qld.gov.au/data/assets/pdf_file/0006/1476888/adr-operational-waterway-barrier-works.pdf)

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**Queensland**  
Government

**EXECUTIVE SUMMARY**

The current contract for the External Chair of the Audit & Risk Committee is due to expire on 30 September 2021 but contains provision to extend the contract. Council is requested to endorse an extension of the current External Member for a further two (2) years.

**OFFICER'S RECOMMENDATION*****That Council:***

- ***Offer an extension of contract for the Charters Towers Regional Council External Chair of the Audit & Risk Committee to the current incumbent for a further two (2) years; and***
- ***Authorise the Chief Executive Officer to vary the terms of the contract as required and/or proceed to tender should the offer of extension not be accepted.***

**BUDGET & RESOURCE IMPLICATIONS**

The costs associated with the current contract for the external member for the Audit and Risk Committee are already budgeted against GL 10-1001-1001-63002 to a value of \$15,000 per annum. A contract extension or change in provider may have minor implications for the budget due to a revised schedule of fees.

**BACKGROUND**

The current External Chair/Member of the Audit & Risk Committee has been the position holder since 1 October 2018 with the contract due to expire on 30 September 2021.

The Letter of Appointment (Resolution No. 2733) specifies that the term of the contract may be extended up to a maximum of six (6) years by mutual agreement in accordance with Council's Audit & Risk Committee Charter. Council is therefore requested to consider offering an extension of contract for a further two (2) years from 1 October 2021 to 30 September 2023 subject to a renegotiation of the schedule of fees.

**LINK TO CORPORATE PLAN**

Governance (OFA2.1) – We will work to continuously review, revise and improve our governance framework.

**CONSULTATION (Internal/External)**

Internal: Chief Executive Officer – Aaron Johansson  
Director Corporate & Community Services – Kim Hargreaves

External: n/a

**LEGAL CONSIDERATIONS**

*Local Government Act 2009 s105* articulates the requirement for large local governments to establish an audit committee and defines an audit committee at s105(4) as a committee that:

- (a) monitors and reviews—
  - (i) the integrity of financial documents; and
  - (ii) the internal audit function; and
  - (iii) the effectiveness and objectivity of the local government's internal auditors; and
- (b) makes recommendations to the local government about any matters that the audit committee considers need action or improvement.

*Local Government Regulation 2012; s210*; sets out the audit committee composition and states the audit committee of a local government must—

- (a) consist of at least 3 and no more than 6 members; and
- (b) include—
  - (i) 1, but no more than 2, councillors appointed by the local government; and
  - (ii) at least 1 member who has significant experience and skills in financial matters.

The Queensland Audit Office (QAO) recommends that an audit committee have an independent member for the purpose of effectiveness with objectivity through their relevant experience as required under the Regulations.

## **POLICY IMPLICATIONS**

This recommendation is in accordance with Statutory Policy, S0038, Audit Committee Policy and Administrative Directive, D0062, Audit & Risk Committee Terms of Reference so there are no policy implications that warrant the recommendation being declined.

## **RISK IMPLICATIONS**

There are potential risks associated with the renegotiation of the contract as Council has not yet advised in writing of its intention to either advertise the position or offer the Chair re-appointment for the position and on what terms. The incumbent is then required to advise Council no later than six (6) months prior to the date of termination of their acceptance of re-appointment. Should the current incumbent not wish to extend their current contract they may seek remedy for a period equivalent to 9 months' notice from when the advice is provided.

<b>Report Prepared by:</b> KIM HARGREAVES <b>Director Corporate &amp; Community Services</b> Date: 9 July 2021	<b>Report Authorised by:</b> AARON JOHANSSON <b>Chief Executive Officer</b>
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## **ATTACHMENTS**

- Not applicable

## **REFERENCE DOCUMENT**

- Letter of Appointment External Chair Position, Document No. 1210498
- Statutory Policy, S0038, Audit & Risk Committee Policy
- Administrative Directive, D0062, Audit & Risk Committee Terms of Reference
- Officer's Report Document No. 4512588

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## **13.7 Invitation to nominate a Show Holiday for 2022 for the whole of the Charters Towers Region**

### **EXECUTIVE SUMMARY**

Council has been invited to nominate a date in 2022, in accordance with the *Holiday's Act 1983*, for the purpose of holding its annual Show Holiday.

### **OFFICER'S RECOMMENDATION**

***That Council:***

- ***Endorse the nomination of the Show Holiday for Tuesday, 3 August 2022 for the whole of the Charters Towers Region.***

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### **BUDGET & RESOURCE IMPLICATIONS**

There are no budget or resource implications.

### **BACKGROUND**

In accordance with the *Holiday's Act 1983*, Council is invited on an annual basis, to nominate a date in the following year to hold its annual Show Holiday for the whole of the Charters Towers Region.

Contact is made with the local show committee to ensure that the correct date is nominated.

### **LINK TO CORPORATE PLAN**

Our Priorities for 2021-2025

- Priority No. 3 Social Cohesion

### **CONSULTATION (Internal/External)**

Internal: Chief Executive Officer – Aaron Johansson  
Manager Community Services – Hayley Thompson  
External: Charters Towers Show Secretary - Cheryl Boundy

## **LEGAL CONSIDERATIONS**

There are no legal implications that warrant the recommendation being declined.

## **POLICY IMPLICATIONS**

There are no policy implications that warrant the recommendation being declined.

## **RISK IMPLICATIONS**

There are no political, public relations, financial or workplace health and safety risk implications that warrant the recommendation being declined.

<b>Report Prepared by:</b> AMY RUSSELL <b>Executive Assistant to the CEO</b> Date: 9 July 2021	<b>Report Authorised by:</b> AARON JOHANSSON <b>Chief Executive Officer</b>
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## **ATTACHMENTS**

- Nil

## **REFERENCE DOCUMENT:**

- Correspondence from the Office of Industrial Relations, Queensland Treasury – Document No. 4512517
- Officer's Report Document No. 4512398

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## **14. REPORTS FOR CONSIDERATION - CONFIDENTIAL**

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### **CLOSE OF MEETING FOR CONFIDENTIAL REPORTS**

In accordance with the *Local Government Regulation 2012 254*, (f) matters that may directly affect the health and safety of an individual or a group of individuals; the meeting will be closed to discuss the following confidential reports:

Item 14.1      Work Health & Safety Report – June 2021

In accordance with the *Local Government Regulation 2012 254*, (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government; the meeting will be closed to discuss the following confidential reports:

Item 14.2      Request to endorse the hire of Lot 5 on SP296521 for a Temporary Workers Camp

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### **CORPORATE & COMMUNITY SERVICES**

**14.1      Work Health & Safety Report – June 2021**

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### **OFFICE OF THE CHIEF EXECUTIVE OFFICER**

**14.2      Request to endorse the hire of Lot 5 on SP296521 for a Temporary Workers Camp**

**THE MEETING WILL BE OPENED FOR THE TAKING OF RESOLUTIONS.**

**15. CLOSE OF MEETING**

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**CHARTERS TOWERS  
REGIONAL COUNCIL**

**MINUTES  
of the  
GENERAL MEETING  
of  
CHARTERS TOWERS REGIONAL COUNCIL  
held  
Wednesday 16 June 2021  
Commencing at 9:00am**

**Contents**

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## 1. OPENING OF MEETING

The Meeting was opened at **9:00am** by Deputy Mayor S Bennetto

## 2. ATTENDANCE/APOLOGIES

### Councillors:

Cr S Bennetto (Deputy Mayor)  
Cr AP Barr  
Cr GJ Lohmann  
Cr KF Hastie  
Cr JD Mathews  
Cr BP Robertson

### Officers:

Mr A Johansson – Chief Executive Officer  
Ms K Hargreaves – Director Corporate & Community Services  
Mr J Teague – Director Infrastructure Services  
Mrs A Russell – Executive Assistant to the Chief Executive Officer  
Mr P Watling - Manager Council Facilities  
Mr P Clarke - Manager Water & Wastewater  
Mr S Cagney – Chief Financial Officer  
Mr M Kelly – Manager Regional Development  
Ms M Lavelle-Maloney – Tourism, Trade & Investment Advisor

Father Emmanuel, of the Catholic Church, attended on behalf of the Ministers' Fraternal.

### Apology:

Cr FC Beveridge (Mayor)

Resolution No.: 3624

Moved: Cr S Bennetto  
Seconded: Cr GJ Lohmann

That Mayor FC Beveridge's apology be accepted.

**CARRIED**

### Members of the Gallery:

Trudy Brown, Townsville Bulletin

## 3. PRAYER

Father Emmanuel delivered an opening prayer. Father Emmanuel departed the meeting at **9:02am**.

## 4. CONDOLENCES

Condolences were offered for:

Robert Chapman  
Alexis Jones  
Eric Brown  
Eunice Schneider

## 5. DECLARATIONS OF INTEREST

Deputy Mayor S Bennetto called for Declarations of Interest listed on the Agenda.

### Item 12.8 – Community Grants

I, Councillor S Bennetto, inform the meeting that I have a declarable conflict of interest as I am a member of the ICPA.

As a result of my conflict of interest, I will leave the meeting room while the matter is considered and voted on.

### Item 12.8 – Community Grants

I, Councillor BP Robertson, inform the meeting that I have a declarable conflict of interest as my daughter is a member of both the Ewan Amateur Turf Club Inc & ICPA Committee.

As a result of my conflict of interest, I will leave the meeting room while the matter is considered and voted on.

### Item 12.8 – Community Grants

I, Councillor KF Hastie, inform the meeting that I have a declarable conflict of interest as I have provided a letter of support to the Ewan Amateur Turf Club Inc Committee & I am a member for Charters Towers Rugby League Ltd.

As a result of my conflict of interest, I will leave the meeting room while the matter is considered and voted on.

## 6. DEPUTATIONS

There were no deputations scheduled.

## 7. CONFIRMATION OF MINUTES

- ❖ Minutes of General Meeting held 19 May 2021.

Resolution No.: 3625

Moved: Cr AP Barr

Seconded: Cr GJ Lohmann

That the Minutes of the General Meeting held 19 May 2021 be confirmed.

**CARRIED**

## 8. BUSINESS ARISING FROM PREVIOUS MEETING MINUTES

There were no matters arising.

**9. MAYOR'S AND COUNCILLORS' REPORTS**

Mayor FC Beveridge 's report:

<b>Date</b>	<b>Details</b>
19/05/2021	Photograph with Councillors and CEO – Corporate Plan and Advocacy Plan – Media Team
19/05/2021	Chaired May General Meeting
19/05/2021	Participated in Councillor Workshops
19/05/2021	Media announcement – Charters Towers Airport
19/05/2021	Hosted Live Export Forum held at the World Theatre
20/05/2021	Recording of Mayoral Minute from May General Meeting with Media team
20/05/2021	Regional Development Australia Chair duties – RDA Chair induction workshop (online)
20/05/2021	Attended Careers Expo at Dalrymple Trade Training Centre with Deputy Mayor and attended Careers Expo Dinner in the evening with other elected members
21/05/2021	Attended Careers Expo
21/05/2021	Attended Catholic Debutante Ball with my wife Sharon as part of the Official Party
22/05/2021	Attended Gold City Campdraft
23/05/2021	Attended Centenary Park Markets with Councillors
24/05/2021	Weekly meeting with Chief Executive Officer
24/05/2021	Meeting with representative Charters Towers Chamber of Commerce and Mines Inc.
24/05/2021	Weekly meeting with Executive Assistant
24/05/2021	COVID Injection
25/05/2021	RDA Chair duties- Townsville
25/05/2021	Meeting with Mining Company Community Consultation Group (Townsville)
25/05/2021	Telephone meeting with Mayor of Richmond Shire Council
27/05/2021	Meeting with Emergency Services representatives and Queensland Health representatives
28/05/2021	Telephone meeting with Department of Defence representative in respect to Exercise Talisman Sabre
28/05/2021	Attended Volunteers Week afternoon tea
29/05/2021	Attended All Souls St Gabriels Gala Ball with wife Sharon as part of Centenary celebrations
31/05/2021	Participated in Councillor Workshop
31/05/2021	Weekly meeting with Chief Executive Officer
01/06/2021	Meeting with Central Queensland University and Regional Development Australia – STEM Outreach Centre
01/06/2021	Attended on-site meeting with constituent, Council's Chief Executive Officer, Cr Mathews and Planning staff
02/06/2021	Meeting with Deputy Mayor
02/06/2021	Meeting with Deputy Mayor and Chief Executive Officer
02/06/2021	RDA Chair duties in Townsville
03/06/2021	RDA Chair duties in Townsville – new RDA Committee Governance Workshop and Training
04/06/2021	RDA Chair duties in Townsville – Committee Meeting
05/06/2021 – 15/06/2021	Annual Leave

Cr S Bennetto reported on:

Date	Details
19/05/2021	Live Export Forum
20/05/2021	Careers Day Careers Expo Dinner
21/05/2021	Careers Day
26/05/2021	Update on Genex Kidston Project
28/05/2021	Women Leading in Local Government Program: One on One Session Volunteers Week Afternoon Tea
31/05/2021	Councillor Workshops
01/06/2021	Meeting with CQU and RDA re funding programs for STEM in the regions
02/06/2021	Meetings with Mayor and CEO
03/06/2021	Burdekin Falls Dam Community Reference Group
04/06/2021	Community Grants Review
06/06/2021	Media Interview with media officer – live export forum update NQS Development Committee Meeting
07/06/2021	Mayor and CEO weekly meeting
09/06/2021	Founders Day at Columba Catholic College
10/06/2021	Prizes to Careers Day competition winners Columba Board Meeting
14/06/2021	Mayor and CEO weekly meeting Meeting with Cr Hastie and CEO re Audit & Risk Meeting Show Committee Meeting
15/06/2021	Audit & Risk Committee Meeting NWGA Visit to Big Rocks Weir site.

Cr AP Barr reported on:

Date	Details
19/5/2021	General Meeting of Council Councillor Workshops
31/05/2021	Councillor Workshops
26/05/2021	Update of Genex Kidston Project
31/05/2021	Councillor Workshop
01/06/2021	Meeting at Ravenswood with CEO & constituent
04/06/2021	Community Grant Application Meeting

Cr KF Hastie reported on:

Date	Details
19/05/2021	Monthly Council Meeting/Workshops
19/05/2021	Photo – Corporate Plan
19/05/2021	Fed Minister Hogan/Sen McDonald – aviation funding announcement
19/05/2021	Live Export Forum – World Theatre
20/05/2021	Careers Dinner
21/05/2021	Careers Day
21/05/2021	Provided gifts/merchandise for kids at SDE Camp at Ewan
24/05/2021	Photo promotion for skateboard competition on 19th June
24/05/2021	Womens Forum 1.5hrs networking other councillors
26/05/2021	Update on Genex Kidston Dam
27/05/2021	Women leading in Local Govt modules
28/05/2021	Volunteers Week Afternoon Tea
29/05/2021	Centenary Ball All Souls St Gabriels School
31/05/2021	Workshops – 150 celebrations/mine memorial/operational plan
1/06/2021	Module – women leading in LG
4/06/2021	Community Grant Applications meeting
8/06/2021	Module – women leading in LG
14/06/2021	Meeting with Aaron & Sonia re Audit & Risk Meeting

15/06/2021	Audit & Risk Meeting
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Cr GJ Lohmann reported on:

Date	Details
19/05/2021	Councillor Workshop Live export forum
20/05/2021	Community Advisory Network [CAN] meeting Careers Expo Careers Expo dinner
23/05/2021	Centenary Park Markets
26/05/2021	Update on Genex Kidstone Project
27/05/2021	Panel member meeting – Qld Health Meeting to discuss high risk Community Events and Emergency Services
28/05/2021	Panel Member meeting – QPS Volunteers afternoon tea
31/05/2021	Councillor workshop
2/06/2021	Community Advisory Council meeting Townsville Panel member moderation meeting QPS
3/06/2021	Review of LDMP & Sub Plans
4/06/2021	Review of LDMP & Sub Plans Review of Community Grant Applications
5/06/2021	Northern Beef Producers Expo
6/06/2021	Swap Meet & Car Show
8/06/2021	Media – Excelsior Library
9-11/06/2021	LGAQ Disaster Management Conference Brisbane

Cr JD Mathews reported on:

Date	Details
19/5/2021	General Meeting of Council Councillor Workshops
31/05/2021	Councillor Workshops
20/6/2021	Meeting with John Riley Ratepayer Inquiries
	Webinar – Women leading in Government
9/06/2021	Mining Resources Forum

Cr BP Robertson reported on:

Date	Details
19/05/2021	General Meeting of Council Councillor Workshops Live Export Forum
23/05/2021	Centenary Park Markets

## ATTENDANCE

Mr Peter Watling, Manager Council Facilities entered the meeting at **9:23am**.

Mr Peter Clark, Manager Water & Wastewater entered the meeting at **9:23am**.

## 10. MAYORAL MINUTE

Nil

## 11. REPORTS FOR CONSIDERATION – INFRASTRUCTURE SERVICES

### 11.1 Membership – Dalrymple Saleyards Master Plan Advisory Committee

#### EXECUTIVE SUMMARY

Council adopted the Dalrymple Saleyards Master Plan Advisory Committee Terms of Reference at the May 2021 General Meeting. Recommended membership following receipt of expressions of interest are now presented for Council consideration.

#### OFFICER'S RECOMMENDATION

##### *That Council:*

- ***Endorse the membership of the Dalrymple Saleyards Master Plan Advisory Committee as follows:***
  - ***Peter Glenwright – Quadrant 1 representative;***
  - ***Josephine Heading – Quadrant 2 representative;***
  - ***Neil Angus – Quadrant 3 representative;***
  - ***Brian Smith – Transporter's representative;***
  - ***Shaun Flanagan – Selling Agents representative; and***
  - ***Leeanne Philipson – Saleyards Contractor representative.***

Resolution No.: 3626

Moved: Cr JD Mathews  
Seconded: Cr BP Robertson

##### *That Council:*

- ***Endorse the membership of the Dalrymple Saleyards Master Plan Advisory Committee as follows:***
  - ***Peter Glenwright – Quadrant 1 representative;***
  - ***Josephine Heading – Quadrant 2 representative;***
  - ***Neil Angus – Quadrant 3 representative;***
  - ***Brian Smith – Transporter's representative;***
  - ***Shaun Flanagan – Selling Agents representative; and***
  - ***Leeanne Philipson – Saleyards Contractor representative.***

**CARRIED**

#### **REFERENCE DOCUMENT**

- Officer's Report Document No. 1459008

#### **ATTENDANCE**

Mr Peter Watling, Manager Council Facilities departed the meeting at **9:27am**

## 11.2 Amend the 2021/22 Recycled Water unit price in Council's Fees and Charges

### EXECUTIVE SUMMARY

Recent changes to the energy tariff used for pumping recycled water have resulted in increased pumping costs that will have to be passed on to the organisations receiving the recycled water. To remain cost neutral, an adjustment to the 2021/22 Recycled Water unit price is required.

### OFFICER'S RECOMMENDATION

#### *That Council:*

- ***Amend the 2021/22 Fees & Charges Schedule for the unit cost for Recycled Water from \$0.17 per kilolitre to \$0.19 per kilolitre.***

Resolution No.: 3627

Moved: Cr JD Mathews

Seconded: Cr GJ Lohmann

#### *That Council:*

- ***Amend the 2021/22 Fees & Charges Schedule for the unit cost for Recycled Water from \$0.17 per kilolitre to \$0.19 per kilolitre.***

**CARRIED**

### REFERENCE DOCUMENT

- Officer's Report Document No. 1458982

### ATTENDANCE

Mr Peter Clark, Manager Water & Wastewater departed the meeting at **9:29am**.

Mr Shane Cagney, Chief Financial Officer entered the meeting at **9:27am**.

## 12. REPORTS FOR CONSIDERATION – CORPORATE & COMMUNITY SERVICES

### 12.1 Monthly Financial Report

#### EXECUTIVE SUMMARY

Council's monthly financial report in relation to the 2020/21 adopted amended budget is presented for consideration, together with the Income Statement, Balance Sheet and Cash Flow as at 31 May 2021.

#### OFFICER'S RECOMMENDATION

##### *That Council:*

- ***Receive the monthly financial report presenting the progress made as at 31 May 2021 in relation to the 2020/21 adopted amended budget and including the:***
  - ***Consolidated Income Statement***
  - ***Consolidated Balance Sheet***
  - ***Consolidated Cashflow Statement***

Resolution No.: 3628

Moved: Cr BP Robertson  
Seconded: Cr KF Hastie

**That Council:**

- **Receive the monthly financial report presenting the progress made as at 31 May 2021 in relation to the 2020/21 adopted amended budget and including the:**
  - **Consolidated Income Statement**
  - **Consolidated Balance Sheet**
  - **Consolidated Cashflow Statement**

**CARRIED**

**REFERENCE DOCUMENT**

- Officer's Report Document No. 1458357

**12.2 2021/2022 Sole Suppliers**

**EXECUTIVE SUMMARY**

The *Local Government Regulation 2012* provides exemptions for Council to enter medium or large-sized contracts without the need for written quotes or tenders. One such exemption requires Council to resolve that there are no other suppliers reasonably available. This report identifies suppliers and the rationale for recommending them for sole supplier exemption under the regulation.

**OFFICER'S RECOMMENDATION**

**That Council:**

- **In accordance with Section 235(a) of the Local Government Regulation 2012, resolve to apply sole supplier status to the following suppliers identified for the period 1 July 2021 to 30 June 2022.**

Supplier		
Ergon Energy	Peters Ice Cream	SAI Global
NQ Newspaper Company Ltd	Superpop Pty Ltd	Alliance Safety Equipment
Ravenswood Gold Pty Ltd	Pentland Service Station	Vendor Panel
Hanson Construction Materials Towers Concrete	Greenvale Roadhouse	Evoqua Water Technologies Australia and Trility Pty Ltd
Coca-Cola Amatil (Aust) Pty Ltd	Ravenswood Store	ESRI Australia
Asset Edge Pty Ltd	CR Kennedy Survey Solutions	Liquitech Pump & Power Equipment
QIT Plus Pty Ltd	Civica	Aleis
Ajax Systems Pty Ltd	Navman Wireless	RB Communications Pty Ltd
Edge Digital Technology	Chemicals Australia Operations (Ixom)	Belyando Crossing Service Station (Belyando Operations)



Supplier		
<ul style="list-style-type: none"> <li>• OneMusic</li> <li>• Independent Cinemas Assoc</li> <li>• Narpaca Inc</li> <li>• Performing Arts Connections Aust.</li> <li>• Regional Galleries Assn Qld</li> </ul>	Resonate Broadcasting 4GC/Hot FM and The Bull FM88.	<ul style="list-style-type: none"> <li>• Rocket Run</li> <li>• Killameter Couriers</li> <li>• Fastway Couriers</li> <li>• Westons Carrying</li> <li>• Gulf Western Followmont</li> </ul>
<ul style="list-style-type: none"> <li>• The Walt Disney Company (Australia) Pty Ltd.</li> <li>• Universal Pictures International Australasia Pty Ltd.</li> <li>• Roadshow Films Pty Ltd.</li> <li>• Aust National Theatre Live.</li> <li>• The Backlot Films Pty Ltd.</li> <li>• Bonsai Films Pty Ltd.</li> <li>• Cinema Live.</li> <li>• Sony Pictures Releasing Pty Ltd.</li> <li>• Entertainment One Films Australia Pty Ltd.</li> <li>• ICON.</li> <li>• Madman Entertainment Pty Ltd.</li> <li>• Park Circus Limited.</li> <li>• Sharmill Films.</li> <li>• Studiocanal Pty Ltd.</li> <li>• Transmission Films Pty Ltd.</li> <li>• Umbrella Studios.</li> <li>• Paramount Pictures Pty Ltd.</li> <li>• R&amp;R Films.</li> <li>• Becker Film Group.</li> </ul>	<ul style="list-style-type: none"> <li>• Hastings Deering</li> <li>• Komatsu</li> <li>• CJD Equipment</li> <li>• Honeycombes</li> <li>• Tony Ireland</li> <li>• Superior Pak</li> <li>• Tracpower NQ</li> <li>• RGM Maintenance</li> <li>• Charters Towers Toyota</li> <li>• Bucher Municipal</li> <li>• Townsville Auto Group</li> <li>• Penske Power Systems</li> <li>• Towers Power Equipment</li> <li>• Gold City Motorcycles</li> <li>• McDonald Murphy</li> <li>• MAK Diesel</li> <li>• RDO Equipment</li> <li>• Haulmark Trailers</li> <li>• Toyota Manual Handling</li> <li>• Flocon</li> <li>• Conplant (Ammann)</li> <li>• Tutt Bryant (Bomag)</li> <li>• Wirtgen (Hamm)</li> </ul>	Gold City Mini Bins
Golden Link	Technology One	Quality Stone International
Plant Assessor	AvData	Invarion (RapidPlan)
Chemalert	Copyright Agency Limited	Redman Solutions
Pentland Rural Fire Brigade	Qld Water Directorate	12D
Pirtek Charters Towers	Aquatec Maxcon	Envisionware
Datafuel	Challenger Valves	Shirley Technical Services
Taggle Systems Pty Ltd	Gemu Australia Pty Ltd	North Queensland Cultural Heritage
LGAQ	KSB Australia	

Resolution No.: 3629

Moved: Cr GJ Lohmann  
Seconded: Cr JD Mathews

**That Council:**

- ***In accordance with Section 235(a) of the Local Government Regulation 2012, resolve to apply sole supplier status to the following suppliers identified for the period 1 July 2021 to 30 June 2022.***

Supplier		
Ergon Energy	Peters Ice Cream	SAI Global
NQ Newspaper Company Ltd	Superpop Pty Ltd	Alliance Safety Equipment
Ravenswood Gold Pty Ltd	Pentland Service Station	Vendor Panel
Hanson Construction Materials Towers Concrete	Greenvale Roadhouse	Evoqua Water Technologies Australia and Trility Pty Ltd
Coca-Cola Amatil (Aust) Pty Ltd	Ravenswood Store	ESRI Australia
Asset Edge Pty Ltd	CR Kennedy Survey Solutions	Liquitech Pump & Power Equipment
QIT Plus Pty Ltd	Civica	Aleis
Ajax Systems Pty Ltd	Navman Wireless	RB Communications Pty Ltd
Edge Digital Technology	Chemicals Australia Operations (Ixom)	Belyando Crossing Service Station (Belyando Operations)
<ul style="list-style-type: none"><li>• OneMusic</li><li>• Independent Cinemas Assoc</li><li>• Narpaca Inc</li><li>• Performing Arts Connections Aust.</li><li>• Regional Galleries Assn Qld</li></ul>	Resonate Broadcasting 4GC/Hot FM and The Bull FM88.	<ul style="list-style-type: none"><li>• Rocket Run</li><li>• Killameter Couriers</li><li>• Fastway Couriers</li><li>• Westons Carrying</li><li>• Gulf Western Followmont</li></ul>
<ul style="list-style-type: none"><li>• The Walt Disney Company (Australia) Pty Ltd.</li><li>• Universal Pictures International Australasia Pty Ltd.</li><li>• Roadshow Films Pty Ltd.</li><li>• Aust National Theatre Live.</li><li>• The Backlot Films Pty Ltd.</li><li>• Bonsai Films Pty Ltd.</li><li>• Cinema Live.</li><li>• Sony Pictures Releasing Pty Ltd.</li><li>• Entertainment One Films Australia Pty Ltd.</li><li>• ICON.</li><li>• Madman Entertainment Pty Ltd.</li><li>• Park Circus Limited.</li><li>• Sharmill Films.</li><li>• Studiocanal Pty Ltd.</li><li>• Transmission Films Pty Ltd.</li><li>• Umbrella Studios.</li><li>• Paramount Pictures Pty Ltd.</li><li>• R&amp;R Films.</li><li>• Becker Film Group.</li></ul>	<ul style="list-style-type: none"><li>• Hastings Deering</li><li>• Komatsu</li><li>• CJD Equipment</li><li>• Honeycombes</li><li>• Tony Ireland</li><li>• Superior Pak</li><li>• Tracpower NQ</li><li>• RGM Maintenance</li><li>• Charters Towers Toyota</li><li>• Bucher Municipal</li><li>• Townsville Auto Group</li><li>• Penske Power Systems</li><li>• Towers Power Equipment</li><li>• Gold City Motorcycles</li><li>• McDonald Murphy</li><li>• MAK Diesel</li><li>• RDO Equipment</li><li>• Haulmark Trailers</li><li>• Toyota Manual Handling</li><li>• Flocon</li><li>• Conplant (Ammann)</li><li>• Tutt Bryant (Bomag)</li><li>• Wirtgen (Hamm)</li></ul>	Gold City Mini Bins
Golden Link	Technology One	Quality Stone International
Plant Assessor	AvData	Invarion (RapidPlan)

**CARRIED**

**REFERENCE DOCUMENT**

- Officer's Report Document No. 1459412

## 12.3 Extension of Contract for Insurance Services

### EXECUTIVE SUMMARY

Council approval is sought to extend the current contractual arrangements for insurance services for fifteen months from 1 July 2021 to 30 September 2022. This will move the insurance cover commencement date to 1 October each year and ensure a reasonable timeframe between completion of the annual review of the fixed asset register for year-end auditing purposes and the commencement date for annual insurance cover of Council's assets.

### OFFICER'S RECOMMENDATION

#### ***That Council:***

- ***Extend the current suppliers' contractual arrangements for insurance services for a period of fifteen months from 1 July 2021 to 30 September 2022.***
- ***Authorise the Chief Executive Officer to execute the contractual arrangements required to extend the insurance services for the fifteen-month period.***

Resolution No.: 3630

Moved: Cr KF Hastie  
Seconded: Cr GJ Lohmann

#### ***That Council:***

- ***Extend the current suppliers' contractual arrangements for insurance services for a period of fifteen months from 1 July 2021 to 30 September 2022.***
- ***Authorise the Chief Executive Officer to execute the contractual arrangements required to extend the insurance services for the fifteen-month period.***

**CARRIED**

### REFERENCE DOCUMENT

- Officer's Report Document No. 123456

### ATTENDANCE

Mr Matt Kelly, Manager Regional Development entered the meeting at **9:37am**.

## 12.4 Tender Award – PSA006/21 Contract to Perform Internal Audit Services

### EXECUTIVE SUMMARY

The *Local Government Act 2009* and *Local Government Regulation 2012* require Council to maintain an efficient and effective internal audit function. This report recommends engaging an experienced and qualified contractor to carry out this service for Council.

### OFFICER'S RECOMMENDATION

#### ***That Council:***

- ***Accept the tender from KPMG in accordance with the specifications submitted for PSA006/21, Internal Audit Services, for a period of three years commencing 1 July 2021 and concluding 30 June 2024.***

Resolution No.: 3631

Moved: Cr BP Robertson

Seconded: Cr JD Mathews

***That Council:***

- ***Accept the tender from KPMG in accordance with the specifications submitted for PSA006/21, Internal Audit Services, for a period of three years commencing 1 July 2021 and concluding 30 June 2024.***

**CARRIED**

**REFERENCE DOCUMENT**

- Officer's Report Document No. 1458079
- 

**ATTENDANCE**

Mr Shane Cagney, Chief Financial Officer departed the meeting at **9:41am**.

---

**12.5 Request to adopt the Towers Hill Master Plan**

**EXECUTIVE SUMMARY**

Council is requested to endorse the adoption of the Towers Hill Master Plan (the Master Plan). The Master Plan provides a vision for future improvements with the purpose to increase visitation and tourist spend across Charters Towers City and the greater Region.

**OFFICER'S RECOMMENDATION**

***That Council:***

- ***Adopt the Towers Hill Master Plan.***
- 

Resolution No.: 3632

Moved: Cr GJ Lohmann

Seconded: Cr JD Mathews

***That Council:***

- ***Adopt the Towers Hill Master Plan.***

**CARRIED**

**REFERENCE DOCUMENT**

- Officer's Report Document No. 1453279
-

## 12.6 Request to waive Adopted Infrastructure Charges Notice for RL21/51

### EXECUTIVE SUMMARY

An Adopted Infrastructure Charges Notice dated 27 April 2021 was issued in relation to RL21/51 for the Reconfiguration of a Lot (One into Four Lots) at 18 High Street, Charters Towers City QLD 4820. As there already exists four Dwelling Houses over this property, it is requested that the Adopted Infrastructure Charges Notice be waived in this instance.

### OFFICER'S RECOMMENDATION

#### ***That Council:***

- ***Waive Adopted Infrastructure Charges Notice dated 27 April 2021 in relation to RL21/51 being a Development Permit for a Reconfiguration of a Lot (One into Four Lots) at 18 High Street, Charters Towers City QLD 4820 more formally described as Lot 4 on CT18211.***

Resolution No.: 3633

Moved: Cr KF Hastie  
Seconded: Cr GJ Lohmann

#### ***That Council:***

- ***Waive Adopted Infrastructure Charges Notice dated 27 April 2021 in relation to RL21/51 being a Development Permit for a Reconfiguration of a Lot (One into Four Lots) at 18 High Street, Charters Towers City QLD 4820 more formally described as Lot 4 on CT18211.***

**CARRIED**

### REFERENCE DOCUMENT

- Officer's Report Document No. 1453622

## 12.7 Request to adopt Reflect Reconciliation Action Plan

### EXECUTIVE SUMMARY

Council is requested to adopt its first Reflect Reconciliation Action Plan (RAP). The Reflect RAP will help prepare the organisation for reconciliation initiatives in successive RAPs.

### OFFICER'S RECOMMENDATION

#### ***That Council:***

- ***Adopt the Reflect Reconciliation Action Plan.***

Resolution No.: 3634

Moved: Cr GJ Lohmann  
Seconded: Cr AP Barr

#### ***That Council:***

- ***Adopt the Reflect Reconciliation Action Plan.***

**CARRIED**

### REFERENCE DOCUMENT

- Officer's Report Document No. 145239

## ATTENDANCE

Mr Matt Kelly, Manager Regional Development departed the meeting at 9:47am.

### 12.8 Round One 2021/2022 Community Grants Programme

#### EXECUTIVE SUMMARY

Council received 14 applications for assistance under Round One – 2021/2022 of the Community Grants Programme. Applications were assessed by a panel in accordance with the criteria specified in the policy.

#### OFFICER'S RECOMMENDATION

##### *That Council:*

- *Approve the community grant application by Pentland Race Club Inc for family entertainment at the 2021 Pentland Races in the amount of \$4,500 (ex GST);*
- *Approve the community grant application by Greenvale Horse Sports Club Inc to host a community BBQ in the amount of \$1,000 (ex GST);*
- *Approve the community grant application by Charters Towers Isolated Childrens and Parents Association (auspiced by Isolated Children's Parents' Association – Qld Inc) to hold the Fit for Rural Futures Sports Camp 2021 in the amount of \$5,000 (ex GST);*
- *Approve the community grant application by Charters Towers Amateur Swimming Club Inc to upgrade existing race semi-automatic timers and base unit in the amount of \$5,000 (ex GST);*
- *Approve the community grant application by Charters Towers Rugby League Ltd to upgrade the main water line in the amount of \$5,000 (ex GST);*
- *Approve the community grant application by Charters Towers Performing Arts Festival Association Inc for the 2021 Eisteddfod in the amount of \$5,000 (ex GST);*
- *Approve the community grant application by Dalrymple Country Music Club Inc for the 2021 Dalrymple Country Music Festival in the amount of \$999 (ex GST);*
- *Decline to support the community grant application by Pentland Parents and Citizens Association;*
- *Decline to support the community grant application by Charters Towers Choristers Inc;*
- *Decline to support the community grant application by Gold City Bowls Inc;*
- *Decline to support the community grant application by Ewan Amateur Turf Club Inc;*
- *Decline to support the community grant application by North Queensland Reining and Performance Horse Club Inc;*
- *Decline to support the community grant application by Towers Kart Racing Club Inc; and*
- *Decline to support the community grant application by Charters Towers Tennis Club Inc.*

Resolution No.: 3635

Moved: Cr GJ Lohmann  
Seconded: Cr AP Barr

**That Council:**

- **Approve the community grant application by Pentland Race Club Inc for family entertainment at the 2021 Pentland Races in the amount of \$4,500 (ex GST).**

**CARRIED**

Resolution No.: 3636

Moved: Cr AP Barr  
Seconded: Cr BP Robertson

**That Council:**

- **Approve the community grant application by Greenvale Horse Sports Club Inc to host a community BBQ in the amount of \$1,000 (ex GST).**

**CARRIED**

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**ATTENDANCE**

In accordance with the Declaration of Interest at Item 12.8 (ICPA application), Cr S Bennetto & Cr BP Robertson departed the meeting at **9:50am**. Cr GJ Lohmann assumed the Chair.

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Resolution No.: 3637

Moved: Cr AP Barr  
Seconded: Cr KF Hastie

**That Council:**

- **Approve the community grant application by Charters Towers Isolated Childrens and Parents Association (auspiced by Isolated Children's Parents' Association – Qld Inc) to hold the Fit for Rural Futures Sports Camp 2021 in the amount of \$5,000 (ex GST).**

**CARRIED**

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**ATTENDANCE**

Cr S Bennetto returned to the meeting at **9:50am** and resumed Chair.  
Cr BP Robertson returned to the meeting at **9:50am**.

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Resolution No.: 3638

Moved: Cr AP Barr  
Seconded: Cr KF Hastie

**That Council:**

- **Approve the community grant application by Charters Towers Amateur Swimming Club Inc to upgrade existing race semi-automatic timers and base unit in the amount of \$5,000 (ex GST).**

**CARRIED**

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**ATTENDANCE**

In accordance with the Declaration of Interest at Item 12.8 (Charters Towers Rugby League application), Cr KF Hastie departed the meeting at **9:51am**.

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Resolution No.: 3639

Moved: Cr BP Robertson  
Seconded: Cr AP Barr

**That Council:**

- **Approve the community grant application by Charters Towers Rugby League Ltd to upgrade the main water line in the amount of \$5,000 (ex GST).**

**CARRIED**

---

**ATTENDANCE**

Cr KF Hastie returned to the meeting at **9:52am**.

---

Resolution No.: 3640

Moved: Cr GJ Lohmann  
Seconded: Cr JD Mathews

**That Council:**

- **Approve the community grant application by Charters Towers Performing Arts Festival Association Inc for the 2021 Eisteddfod in the amount of \$5,000 (ex GST).**

**CARRIED**

---

Resolution No.: 3641

Moved: Cr AP Barr  
Seconded: Cr KF Hastie

**That Council:**

- **Approve the community grant application by Dalrymple Country Music Club Inc for the 2021 Dalrymple Country Music Festival in the amount of \$999 (ex GST).**

**CARRIED**



Resolution No.: 3642

Moved: Cr JD Mathews

Seconded: Cr AP Barr

**That Council:**

- ***Decline to support the community grant application by Pentland Parents and Citizens Association.***

**CARRIED**

Resolution No.: 3643

Moved: Cr GJ Lohmann

Seconded: Cr KF Hastie

**That Council:**

- ***Decline to support the community grant application by Charters Towers Choristers Inc.***

**CARRIED**

Resolution No.: 3644

Moved: Cr GJ Lohmann

Seconded: Cr AP Barr

**That Council:**

- ***Decline to support the community grant application by Gold City Bowls Inc.***

**CARRIED**

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**ATTENDANCE**

In accordance with the Declaration of Interest at Item 12.8 (Ewan Amateur Turf Club Inc application), Cr KF Hastie & Cr BP Robertson departed the meeting at **9:56am**.

---

Resolution No.: 3645

Moved: Cr JD Mathews

Seconded: Cr GJ Lohmann

**That Council:**

- ***Decline to support the community grant application by Ewan Amateur Turf Club Inc.***

**CARRIED**

---

**ATTENDANCE**

Cr KF Hastie & CR BP Robertson returned to the meeting at **9:58am**.

---

Resolution No.: 3646

Moved: Cr GJ Lohmann  
Seconded: Cr AP Barr

**That Council:**

- ***Decline to support the community grant application by North Queensland Reining and Performance Horse Club Inc.***

**CARRIED**

Resolution No.: 3647

Moved: Cr KF Hastie  
Seconded: Cr GJ Lohmann

**That Council:**

- ***Decline to support the community grant application by Towers Kart Racing Club Inc.***

**CARRIED**

Resolution No.: 3648

Moved: Cr GJ Lohmann  
Seconded: Cr KF Hastie

**That Council:**

- ***Decline to support the community grant application by Charters Towers Tennis Club Inc.***

**CARRIED**

**REFERENCE DOCUMENT**

- Officer's Report Document No. 1459596

**12.9 Adoption of Employee Code of Conduct**

**EXECUTIVE SUMMARY**

The *Public Sector Ethics Act 1994* requires Council to have an Employee Code of Conduct (the Code) which sets out the principles and standards of behaviour expected of Charters Towers Regional Council employees. The Code has been updated and is now presented for adoption of Council.

**OFFICER'S RECOMMENDATION**

**That Council:**

- ***Adopt the updated Employee Code of Conduct; and***
- ***Authorise the Chief Executive Officer to amend the Employee Code of Conduct as required.***

Resolution No.: 3649

Moved: Cr AP Barr  
Seconded: Cr GJ Lohmann

***That Council:***

- ***Adopt the updated Employee Code of Conduct; and***
- ***Authorise the Chief Executive Officer to amend the Employee Code of Conduct as required.***

**CARRIED**

**REFERENCE DOCUMENT**

- Officer's Report Document No. 1458580
- 

Resolution No.: 3650

Moved: Cr BP Robertson  
Seconded: Cr AP Barr

***That Council:***

- ***Adjourn the meeting for morning tea at 10:03am.***

**CARRIED**

Resolution No.: 3651

Moved: Cr GJ Lohmann  
Seconded: Cr KF Hastie

***That Council:***

- ***Resume the meeting at 10:27am.***

**CARRIED**

## 13. REPORTS FOR CONSIDERATION – OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 13.1 2021/2022 Operational Plan

#### EXECUTIVE SUMMARY

In accordance with s104(5) of the *Local Government Act 2009* and s174 and s175 of the *Local Government Regulation 2012* Council must prepare and adopt an operational plan for each financial year.

#### OFFICER'S RECOMMENDATION

**That Council:**

- **Adopt the 2021/2022 Operational Plan, as tabled.**

Resolution No.: 3652

Moved: Cr GJ Lohmann  
Seconded: Cr AP Barr

**That Council:**

- **Adopt the 2021/2022 Operational Plan, as tabled.**

**CARRIED**

#### REFERENCE DOCUMENT

- Officer's Report Document No. 1456606

### 13.2 Local Government Remuneration Commission Report 2020 and Councillor Remuneration from 1 July 2021

#### EXECUTIVE SUMMARY

A local government must consider the remuneration payable to Councillors from 1 July of a particular year, before 1 July of that year, based on the recommendations for Councillor Remuneration contained in the annual Local Government Remuneration Commission Report.

#### OFFICER'S RECOMMENDATION

**That Council:**

- **Adopt the recommendations of the Local Government Remuneration Commission's Councillors' Remuneration from 1 July 2021 as follows:**

<b>Mayor</b>	<b>\$108,222</b>
<b>Deputy Mayor</b>	<b>\$62,435</b>
<b>Councillor</b>	<b>\$54,110</b>

**with a base payment of \$36,073.28 payable for the 12 months and a meeting fee of \$1,503.06 per calendar month payable for attendance at scheduled meetings (listed below); and**

- **Determine that Councillors' meeting fees (with the exclusion of the Mayor and Deputy Mayor) will apply to the following meetings between 1 July 2021 to 30 June 2022:**

- 1. General Meetings of Council (12 meetings);**
- 2. Special Meetings of Council (as determined);**
- 3. Statutory Budget Meeting (One meeting);**
- 4. Budget Workshops (as determined); and**
- 5. Monthly Workshops (12 workshops and /or as determined).**

Resolution No.: 3653

Moved: Cr AP Barr  
Seconded: Cr BP Robertson

**That Council:**

- **Adopt the recommendations of the Local Government Remuneration Commission's Councillors' Remuneration from 1 July 2021 as follows:**
  - Mayor \$108,222
  - Deputy Mayor \$62,435
  - Councillor \$54,110**with a base payment of \$36,073.28 payable for the 12 months and a meeting fee of \$1,503.06 per calendar month payable for attendance at scheduled meetings (listed below); and**
- **Determine that Councillors' meeting fees (with the exclusion of the Mayor and Deputy Mayor) will apply to the following meetings between 1 July 2021 to 30 June 2022:**
  1. **General Meetings of Council (12 meetings);**
  2. **Special Meetings of Council (as determined);**
  3. **Statutory Budget Meeting (One meeting);**
  4. **Budget Workshops (as determined); and**
  5. **Monthly Workshops (12 workshops and /or as determined).**

**CARRIED**

**REFERENCE DOCUMENT**

- Officer's Report Document No. 1456633

**13.3 STRAT0080/OCEO External Grants & Funding Policy**

**EXECUTIVE SUMMARY**

In accordance with Council's 2020/2021 Operational Plan objective O10.1.1 & 10.1.2, Council is presented with a policy to give guidance for applying for external grants and funding opportunities.

**OFFICER'S RECOMMENDATION**

**That Council:**

- **Adopt STRAT0080/OCEO External Grants & Funding Policy as tabled.**

Resolution No.: 3654

Moved: Cr AP Barr  
Seconded: Cr KF Hastie

**That Council:**

- **Adopt STRAT0080/OCEO External Grants & Funding Policy as tabled.**

**CARRIED**

**REFERENCE DOCUMENT**

- Officer's Report Document No. 1457937

### 13.4 STRAT0078/OCEO Financial Support for a Junior Athlete

#### EXECUTIVE SUMMARY

Council has established a policy to allow further funding opportunities for individual athletes. STRAT0078/OCEO Financial Support for a Junior Athlete is presented for Council's consideration.

#### OFFICER'S RECOMMENDATION

***That Council:***

- ***Adopt STRAT0078/OCEO Financial Support for a Junior Athlete as tabled; and***
- ***Authorise the Chief Executive Officer to approve applications that meet the eligibility criteria.***

Resolution No.: 3655

Moved: Cr KF Hastie  
Seconded: Cr JD Mathews

***That Council:***

- ***Adopt STRAT0078/OCEO Financial Support for a Junior Athlete as tabled; and***
- ***Authorise the Chief Executive Officer to approve applications that meet the eligibility criteria.***

**CARRIED**

#### **REFERENCE DOCUMENT**

- Officer's Report Document No. 1457963

### 13.5 Adoption of amended Statutory Policy STRAT0060/OCEO Customer Service Standards and STRAT0061/OCEO Customer Service Charter

#### EXECUTIVE SUMMARY

Council has reviewed the current Customer Service Standards and Charter to capture Council's new vision & mission statements and the updated organisational values.

#### OFFICER'S RECOMMENDATION

***That Council:***

- ***Adopt STRAT0060/OCEO Customer Service Standards as tabled; and***
- ***Adopt STRAT0061/OCEO Customer Service Charter (as annexed to STRAT0060/OCEO) as a publicly available document.***

Resolution No.: 3656

Moved: Cr GJ Lohmann  
Seconded: Cr BP Robertson

***That Council:***

- ***Adopt STRAT0060/OCEO Customer Service Standards as tabled; and***
- ***Adopt STRAT0061/OCEO Customer Service Charter (as annexed to STRAT0060/OCEO) as a publicly available document.***

**CARRIED**

#### **REFERENCE DOCUMENT**

- Officer's Report Document No. 1459128

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## ATTENDANCE

Ms Melanie Lavelle-Maloney, Tourism, Trade & Investment Advisor entered the meeting at **10:42am**.

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### 13.6 Request for Membership – Regional Queensland Council of Mayors

#### EXECUTIVE SUMMARY

An invitation has been received for Council to agree to become a member and financial member of the Regional Queensland Council of Mayors.

#### OFFICER'S RECOMMENDATION

***That Council:***

- ***Agree to become a member and financial member of the Regional Queensland Council of Mayors, and***
  - ***Membership fees be included in Council's 2021/2022 and 2022/2023 budgets.***
- 

Resolution No.: 3567

Moved: Cr KF Hastie

Seconded: Cr JD Mathews

***That Council:***

- ***Agree to become a member and financial member of the Regional Queensland Council of Mayors, and***
- ***Membership fees be included in Council's 2021/2022 and 2022/2023 budgets.***

**CARRIED**

#### REFERENCE DOCUMENT

- Officer's Report Document No. 1456911
- 

### 13.7 Charters Towers Regional Council Tourism Advisory Committee

#### EXECUTIVE SUMMARY

Due to unforeseen circumstances, two members of the recently endorsed committee have resigned from the Committee. Council is presented with two applicants to replace representation for 'Edu Tourism' and 'Ravenswood Community'.

#### OFFICER'S RECOMMENDATION

***That Council:***

- ***Endorse the following membership for the Charters Towers Tourism Advisory Committee:***
    - ***Michael Fletcher – Edu Tourism representative***
    - ***Ravenswood Gold Community Liaison Advisor – Ravenswood representative***
-

Resolution No.: 3658

Moved: Cr GJ Lohmann  
Seconded: Cr JD Mathews

**That Council:**

- **Endorse the following membership for the Charters Towers Tourism Advisory Committee:**
- **Michael Fletcher – Edu Tourism representative**
  - **Ravenswood Gold Community Liaison Advisor – Ravenswood representative**

**CARRIED**

**REFERENCE DOCUMENT**

- Officer's Report Document No. 1459844

**14. CONFIDENTIAL REPORTS**

**CLOSE OF MEETING**

Resolution No.: 3659

Moved: Cr BP Robertson  
Seconded: Cr GJ Lohmann

That in accordance with Chapter 8, Part 2 of the *Local Government Regulation 2012*, the General Meeting be closed to the public at 10:49am for discussion of the following matters:

- b) industrial matters affecting employees; (Item 14.2)
- f) matters that may directly affect the health and safety of an individual or a group of individuals; (Item 14.1)

**CARRIED**

**ATTENDANCE**

Mrs Trudy Brown, Townsville Bulletin departed the meeting at **10:49am**.

Ms Melanie Lavelle-Maloney, Tourism, Trade & Investment Advisor departed the meeting at **10:49am**.

Mr Simon Faber, Manager Work Health & Safety entered the meeting at **10:50am** and departed the meeting at **11:17am**.

Mr John Teague, Director Infrastructure Services departed the meeting at **11:17am** and returned to the meeting at **11:42am**.

Ms Kim Hargreaves, Director Corporate & Community Services departed the meeting at **11:17am** and returned to the meeting at **11:42am**.

Mrs Amy Russell, EA to the CEO departed the meeting at **11:17am** and returned to the meeting at **11:42am**.



## OPENING OF MEETING

Resolution No.: 3660

Moved: Cr KF Hastie  
Seconded: Cr GJ Lohmann

That the meeting be opened at **11:43am** the taking of resolutions.

**CARRIED**

## CORPORATE & COMMUNITY SERVICES

### 14.1 Work Health & Safety Report – May 2021

#### EXECUTIVE SUMMARY

The Work Health and Safety Report for May 2021 is presented to Council for consideration. Details on injuries, claims, and risk management initiatives are contained in the report.

#### OFFICER'S RECOMMENDATION

***That Council:***

- ***Notes the monthly Work Health and Safety report for May 2021.***

Resolution No.: 3661

Moved: Cr BP Robertson  
Seconded: Cr GJ Lohmann

***That Council:***

- ***Notes the monthly Work Health and Safety report for May 2021.***

**CARRIED**

#### REFERENCE DOCUMENT

- Officer's Report Document No. 1459459

## OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 14.2 Chief Executive Officer's Performance Review

#### EXECUTIVE SUMMARY

The Mayor and Deputy Mayor conducted the Chief Executive Officer's (CEO's) annual performance appraisal on 2 June 2021. The CEO's Performance Review is tabled for Council's endorsement together with the performance goals set for the 2021/2022 performance review.

#### OFFICER'S RECOMMENDATION

***That Council:***

- ***Endorse the actions of the Mayor and Deputy Mayor in undertaking the Chief Executive Officer's performance review;***
- ***Endorse the Chief Executive Officer's performance review for 2020/2021; and***
- ***Endorse the performance goals set for the 2021/2022 review.***

Resolution No.: 3662

Moved: Cr KF Hastie  
Seconded: Cr JD Mathews

***That Council:***

- ***Endorse the actions of the Mayor and Deputy Mayor in undertaking the Chief Executive Officer's performance review;***
- ***Endorse the Chief Executive Officer's performance review for 2020/2021; and***
- ***Endorse the performance goals set for the 2021/2022 review.***

**CARRIED**

**REFERENCE DOCUMENT**

- Officer's Report Document No. 1457978

**15. CLOSE OF MEETING**

There being no further business, the General Meeting closed at **11:45am**.

CONFIRMED BY COUNCIL AT THE GENERAL MEETING HELD ON 21 JULY 2021.

Mayor

Date

UNCONFIRMED