

MEETING BOOK

Northern Peninsula Area Regional Council

Ordinary Council Meeting #31

To commence at 9.00am

On

Tuesday 22nd November 2022

Bamaga Boardroom

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- 1. Welcome and Opening of Meeting
- 2. Acknowledgement of Traditional Owners
- 3. Present
- 4. Apologies
- 5. Declarations of Conflicts of Interest



Meeting Minutes
ORDINARY COUNCIL MEETING #30
Friday 21st October 2022
Cairns

Agenda Item 1. Welcome and Opening of Meeting

Mayor welcomed attendees and opened the meeting at 9:05am with a prayer by Cr Whap.

Agenda Item 2. Acknowledgement of Traditional Owners

Agenda Item 3. Present

Mayor & Councillors

Mayor Patricia Yusia District Mayor Cr Kitty Gebadi Division 3

Cr Gina Nona Division 1

Cr Robert Tamwoy Division 2 (Arrived at 9.20am)

Cr Mabelene Whap Division 5
Cr Eric Cottis Division 4

Other Attendees

Kate Gallaway Acting CEO

Rachel Yusia Executive Assistant/Minute Taker

Agenda Item 4. Apologies

Nil

Agenda Item 5. Declarations of Conflicts of Interest

Nil

Agenda Item 6. Confirmation of Minutes of Previous Meeting

Resolution:

That Council: Notes and confirm the minutes from the previous Ordinary Council Meeting held Wednesday, 28th September 2022.

Moved: Cr Gebadi Seconded: Cr Nona

Vote: 5/0 Resolution: C6 – 21102022



Meeting Minutes
ORDINARY COUNCIL MEETING #30
Friday 21st October 2022
Cairns

Agenda Item 7. Business Arising from Previous Meeting

Cr Tamwoy arrived in to meeting at 9:20am

Agenda Item 8. Mayoral Report

Resolution:

That Council: Note and accept the Mayor's verbal report held Friday 21st October 2022.

Moved: Cr Cottis Seconded: Cr Whap

Vote: 6/0 Resolution: C8 – 21102022

Cr Gebadi left the meeting at 10.34am
Cr Gebadi returned to meeting at 10:39am

Agenda Item 9. Acting CEO Report

Resolution:

That Council: Note the Report.

Moved: Cr Nona Seconded: Cr Nona

Vote: 6/0 Resolution: C9 -21102022

Break for morning tea at 10:48am

Return from morning tea break at 11:05am

Agenda Item 11. Finance Reports

Resolution:

That Council:

1. That Council note and accept the Finance Report for the period ending 30th September 2022.

Moved: Cr Tamwoy Seconded: Cr Cottis

Vote: 6/0 Resolution: C11 – 21102022



Meeting Minutes
ORDINARY COUNCIL MEETING #30
Friday 21st October 2022
Cairns

Agenda Item 12. Other Business

Agenda Item 12.1 Bamaga Horse & Pound Paddock

Resolution:

That Council

- 1. Note the report.
- 2. Requests that the Executive Manager Operations and Manager of Regulatory Services develop a cost estimate to undertake the identified works required to convert this area into an appropriate horse paddock.
- 3. Requests that the Executive Manager Operations and Manager of Regulatory Services develop a cost estimate to undertake a euthanasia program.
- 4. Request Sky Dog Vets and Manager of Regulatory Services to deputise to Council at the November 2022 Council Meeting on the feedback of the options.

Moved: Cr Tamwoy Seconded: Cr Gebadi

Vote: 6/0 Resolution: C12.1 – 21102022

Agenda Item 12.2 Somerset Heritage Registration Request

Resolution:

That Council:

- 1. Notes the advice contained in this report, and
- 2. Requests Mr Morrison to obtain a letter of support from the Apudthama Land Trust to place the section of road reserve containing the cannons and Memorial on the QLD Heritage Register prior to Council considering to provide a letter of support, and
- 3. Provide a response to Mr Morrison containing the decision above and advice regarding his communications.

Moved: Cr Tamwoy Seconded: Cr Whap

Vote: 6 /0 Resolution: C12.2 – 21102022

Agenda Item 12.3 Internal Audit Committee Member

Resolution:

That Council:

- 1. Note the Report
- 2. Appoint Heather Kelly and Harish Nair as independent members to the Northern Peninsula Area Regional Council Internal Audit Committee

Moved: Cr Tamwoy Seconded: Cr Gebadi Vote: 6 /0 Resolution: C12.3 – 21102022

Cr Tamwoy left the meeting at 12:20pm Cr Tamwoy returned to the meeting at 12:33pm

UNCONFIRMED



Meeting Minutes UNCONFIRMED ORDINARY COUNCIL MEETING #30 Friday 21st October 2022 Cairns

Cr Cottis left the meeting at 12:38pm Cr Cottis returned to the meeting at 12.45pm

Agenda Item 12.4 2022-23 Operational Plan Update

Resolution:

That Council:

1. Note the report

Moved: Cr Whap Seconded: Cr Tamwoy

Vote: 6/0 Resolution: C12.4 - 21102022

Resolution:

That Council:

This matter is considered to be confidential under s.254J(3)(g) of the Local Government Regulations 2012, and the Council is satisfied that the discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a legal matter involving the Local Government where a public discussion would be likely to prejudice the interests of the Local Government.

Moved: Cr Tamwoy Seconded: Cr Nona

Vote: 6/0 Resolution: C12.5.1-21102022

Resolution:

That Council:

Resolves to open the meeting to the public.

Moved: Cr Tamwoy Seconded: Cr Nona

Vote: 6/0 Resolution: C12.5.2-21102022

Agenda Item 12.5 Torres Strait Region Proceedings

Resolution:

That Council:

- 1. Note the Report
- 2. That the Mayor and Chief Executive Officer be authorised to agree to any minor amendments required to be agreed prior to the determination hearing on 30 November 2022;
- 3. Subject to (2) above that Andrew Kerr from Moray & Agnew Lawyers be authorised to sign the 3 agreements under section 87 and 87A on Council's behalf.

Moved: Cr Gebadi **Seconded: Cr Tamwoy**

Vote: 6/0 Resolution: C12.5.3-21102022

UNCONFIRMED



Meeting Minutes
ORDINARY COUNCIL MEETING #30
Friday 21st October 2022
Cairns

Mayor Yusia left the meeting at 1:00pm Cr Gebadi to Chair during the absence of Mayor Yusia from the meeting.

Mayor Yusia returned to the meeting at 1:07pm

Agenda Item 10. Executive Reports

Agenda Item 10.1 - Acting Executive Manager - Business Enterprises

Resolution:

That Council: Notes the information provided in report from Acting Executive Manager of Business

Enterprises.

Moved: Cr Gebadi Seconded: Cr Whap

Vote: 6/0 Resolution: C10.1 – 21102022

Cr Gebadi left the meeting at 1:13pm

Cr Gebadi returned to the meeting at 1:15pm

Agenda Item 10.2 - Executive Manager - Operations

Resolution:

That Council: Notes the information provided in report from Executive Manager of Operations.

Moved: Cr Tamwoy Seconded: Cr Whap

Vote: 6/0 Resolution: C10.2 – 21102022

Agenda Item 13. General Business

Agenda Item 14. Close of Meeting

Meeting Closed at 1:55pm with a prayer by Cr Whap.

Action Compliance workshop for Councillors on required Compliance workshop for Councillors on required policies Define clearly the roles of Parks and Garden & Roads Look at no standing zone on Anu St Look at no standing zone on Anu St 14.10.2022 Sgt Eaton advised if councillors on parking signs implement 20/09/2022 Vehicles parked on footpath 12.08.2022 August Harining held with and temp preston Law. Organising on how to complete in piliting in hilling the parking in hilling the policies parked in hilling on how to complete in piliting in hilling temp preston Law. Organising on how to complete in hilling temp preston Law and the preston Law and the preston Law organising temp preston Law organism preston Law	ig held with QTC and raining held with DSDILGP ent of new Project Manager en requested from a local ved is excessive and an be will be developed ed if council designates as ainting yellow lines and ing signs, QPS will sponse received from Sense received from Follow up email sent	A/CEO A/CEO A/CEO A/CEO, EMO	Date of Meeting 15.06.2022 15.06.2022
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12.08.2022			
	Meeting heid and templates provided by A/V	A/CEO, EMO	15.06.2022
	Preston Law. Organising training for staff		
	on how to complete notices		
	Audit completed in Injinoo		
Local laws staff have sti	Local laws staff have started talking to		
owners	owners		
14/10/2022 Ongoing	Ongoing		
16/11/2022 Owners will be encoura	Owners will be encouraged to remove		
vehicles as part of the p	vehicles as part of the pre wet clean up. To		
be supported by new IIi	be supported by new Illegal Dumping		
Officer	Officer		
Upkeep plan for New Mapoon Park 14.07.2022 WIP – Plan to be develo	WIP – Plan to be developed by new Project EM	EMO, WM	15.06.2022
Manager	Manager		
23/09/2022 Maintenance planned f	Maintenance planned for early October		

	14/10/2022 16/11/2022	Works commenced in early October additional materials have been ordered Works able to be completed in October were completed. Materials ordered in October arrived in mid-November		
Tender for old vehicles stored next to the Police Station	14.07.2022 15.08.2022 20/09/2022 14/10/22 16/11/2022	Currently listing old vehicles for Tender Ongoing Disposal tender being drafted in September Still in draft Draft advert will be provided to the CEO for approval in November	Fleet Manager	15.06.2022
Special meeting to be held to update previous council meetings	16/11/2022	To be scheduled	A/CEO	25.05.2022
Name change of Airport and Acknowledgement of Country by Rex Flights	23.06.2022	Rex confirmed they can add wording for acknowledgement to country as part of the standard script for hostess. Draft wording provided to Cr Nona for comment	A/CEO	25.05.2022
Horse Management	14.07.2022 18.08.2022 20/09/2022 14/10/2022	On HOLD further discussions for holding horses required. Not supported given likely out-sourcing of this service. Sourcing management plans developed for other communities Yarrabah Horse Management plan provided to NPARC Health sought advice from FNQROC rehorse management was advised by FNQROC that they can only assist member Councils Report in this meeting to discuss the option of a Bamaga Paddock presented to this council meeting	EMO, MRS	15.06.2022

	16/11/2022	Further report submitted to November		
		Council meeting for consideration		
Illegal dumping & Patterson Area signage	15.07.2022	Details TBC. Illegal Dumping funding	EMO, WM- MRS	15.06.2022
		submission made		
	15/08/2022	Awaiting outcome of illegal dumping Grant		
		application		
	20/09/2022	Still awaiting outcome of grant application		
	14/10/2022	As above		
	16/11/2022	Council has been advised that the grant for		
		the Illegal dumping officer has been		
		successful		
Pump shed being used for drinking in poor condition	15.07.2022	Under consideration for 22-23 budget	EMO, FM, MRS	15.06.2022
	15/08/2022	Options being investigated		
	20/09/2022	Carpenters have been tasked with making		
		the shed secure		
	16/11/2022	Carpenters will demolish the shed in		
		December		
New Mapoon Subdivision Costs	12.08.2022	Letter has been sent. Waiting timeframe	A/CEO	15.06.2022
		from DATSIP. Request for item at next TWG		
	20/09/2022	DATSIP are assisting Council with preparing		
		planning DA's for subdivisions in each		
		community		
		New Mapoon Subdivision updated. Waiting		
		on DSDSATSIP		
	14.10.2022	DSDASTIP has commenced working on		
		Planning DA's, DATSIP only has funding for		
		two DA's this FY		
	16/11/2022	Provided to WCCCA		
Umagico Football field lights	22.09.2022	Lights have been unplugged awaiting	PFM	15.06.2022
		Dennis Getawan to return to community		
	14/10/2022	CEO is following up with Mr Getawan		
	16/11/2022	Completed 9/11/2022		

Replace gravel with concrete between Fred Williams	15.08.2022	To be actioned	WM & PM	20.07.2022
house and Pensioner units	20/09/2022	Will be programmed with other concrete		
		works in October		
	14/10/2022	As Above		
	16/11/2022	No residual funds were available to		
		undertake these works		
Review of Rangers Grass Program to ensure it is	15.08.2022	Ranger coordinator returned from leave on	EMO, Ranger	20.07.2022
meeting requirements		15/08. EMO to raise	Coordinator	
	20/09/2022	All spray units are inoperable		
		Quotes for a new spray unit are being		
		sourced		
	14/10/2022	As above		
	16/11/2022	Rangers are currently undertaking weed		
		mapping		
		Existing trailer is being taken to a local		
		workshop for repairs		
Develop Burial Policy and register of burials	22.09.2022	Meeting held with Preston Law and draft	A/CEO	20.07.2022
		policy received.		
Introduce people count at Jardine Ferry	22.09.2022	Staff have started completing but not	EME	20.07.2022
		consistently. Ongoing training with staff.		
	16/11/2022	Continuing issue with staff working		
Include before and after photos of Roads and Parks & Garden Works	15.08.2022	Ongoing	WW	20.07.2022
Look to extend fuel cards to whole fleet	23.09.2022	Current cards are now operational and	Fleet Manager	20.07.2022
		being trialled. Systems being resolved to		
		address gaps before rolling out to all cars		
Request Public Health / DoE to undertake Public	15.08.2022	To be commenced. Visiting week	EMO	20.07.2022
Health sampling from Mosby Creek		commencing 29/8		
	20/09/2022	NPARC to undertake sampling for DES		
	14/10/2022	Programmed to be completed by		
		21/10/2022		
	16/11/2022	Samples were taken in late October and		
		sent to the lab.		

		DES is awaiting results		
Review Jardine River Deed w/ ALT	22.09.2022	Under the existing deed, there are no	A/CEO, FM	20.07.2022
		review options, only if the nature of		
		operations change for example through a		
		divestment process		
Meeting w/ Cr Whap to scope works for Foreshore to	15.08.2022	Draft scope being prepared considering the	A/CEO, EMO, PM	20.07.2022
identify any funds remaining for Seisia Hall works		works identified in the Grant applications		
	14/10/2022	Ongoing		
	16/11/2022	Draft Scope is costed and a meeting will be		
		arranged to discuss reducing the scope to		
		meet the budget with Cr Whap in		
		December		
Fix gate at Seisia oval and remove windmill	15.08.2022	Works confirmed with Football club staff	MM	20.07.2022
		Works programmed for September		
	23/09/2022	Material to be ordered		
		Works Commenced in Late September		
	16/11/2022	Completed		
Clean up at Umagico Lookout	15.08.2022	Works programmed for August	MM	20.07.2022
	23/09/2022	Works to Commence		
	14/10/2022	As above		
Water Education for children	20/09/2022	Commenced planning with Veolia	EMO	17.08.2022
	14/10/2022	Discussed with Veolia Senior Exec staff.		
		Will commence next Calendar year		
	16/11/2022	Councillors invited to WTP in December		
Investigate track over hills at white posts at turn off	23/09/2022	To be actioned	WM	17.08.2022
	14/10/2022	Works to be programmed		
	16/11/2022	As above		
Review Travel Allowance rates to check in line with ATO	17/11/2022	Latest travel allowance ratesTax	FM	29.09.2022
Determination		Determination TD 2021/6. Copy has been		
		provided to CEO's PA and to relevant		
		Finance staff. Back pay being calculated		
Review closure of New Mapoon playground and toilet	14/10/2022	Repairs to playground fence is	EMO	29.09.2022
		programmed		

	16/11/2022	Toilet to be raised with BCM on return to work Fence repairs were completed in early November Playground entrances have been modified to stop children running onto the road Public toilets in the playground were fully repaired in July they have been re		
		vandalised since, there is no current plan to repair these facilities		
Follow up issues at Seisia Wharf with TMR Increased signage	14/10/2022	Offer to supply signs has been received back from TMR. Ops to install signs on	EMO	29.09.2022
 Higher fencing to prevent access during SeasSwift unloading 	16/11/2022	arrival Awaiting delivery of signs supplied by TMR		
Install signage at Injinoo Lookout r.e. use of BBQs	14/10/2022	Sign wording in draft quote to be requested Awaiting signage to arrive	EMO	29.09.2022
Follow up Torres Shire for helicopter landing within Torres Shire Boundary	14.10.2022	Response provided from Torres Shire they are awaiting legal advice	A/CEO	29.09.2022
Installation of blind spot mirror at Injinoo Service Station	13/10/2022	The mirrors have been ordered through Stores Awaiting delivery	EME	29.09.2022
Fencing at Red Point	14/10/2022 16/11/2022	Works have been programmed Programmed for the week of the $21^{\rm st}$ – $25^{\rm th}$ of November	Ranger Coordinator	29.09.2022
Firebreak not maintained at Virrillya and Atambaya	14/10/2022	Works have been programmed Firebreak and maintenance completed at Atambaya by Friday 18 th November Vrilia point works programmed for the week of the 21 st – 25 th of November.	Ranger Coordinator	29.09.2022
Replace Basketball fencing	14/10/2022 16/11/2022	Fencing Materials ordered Materials arrived in mid-November Works will be programmed for December	ЕМО, WM	29.09.2022

Injinoo New Cemetery Gate is broken	14/10/2022	Yet to commence	EMO	29.09.2022
	16/11/2022	Repairs programmed for November for		
		tombstone		
Resolve duplicate invoice for Apudthama Agay	14/10/2022	A/CEO has emailed Gavin to resolve the	Finance Manager	29.09.2022
Curk & Channel – if there can be some maintenance	17/11/2022	Tacked to D&G and Boads craw	ENAO MANA	21 10 2022
for the ground and leaf blow	1//11/2075	i askeu to P.Q.O. aliu noaus ci ew	EIVIO, WIVI	21.10.2022
Heavy machinery is driving through the back of drains / footnath	17/11/2022	Request for details on location	ЕМО, WM	21.10.2022
Mayor car hasn't been serviced during term	17/11/2022	Service completed	EMO, Fleet Manager	21.10.2022
Ranger staff posting inappropriate things about Council	17/11/2022	Investigated by HR no posts were able to	EMO, Ranger	21.10.2022
on Facebook		be located. Ranger Coordinator has tool	Coordinator	
		box with rangers facebook comments with all rangers		
Email the Ranger Workplan to the Council. Including	17/11/2022	Included in November Council report	EMO, Ranger	21.10.2022
photos etc of what they are doing			Coordinator	
Rangers w/ blue cards doing programs at the school	17/11/2022	Four Rangers have blue cards and these	EMO, Ranger	21.10.2022
		are the only rangers that undertake school	Coordinator	
		based activities. There are no current		
		school based programs being delivered.		
		Planning in place for 2023		
Staff taking more pride in their uniform – not wearing	17/11/2022	Raised with all Ops managers to discuss	EMO	21.10.2022
ripped shirts		with their staff and managers have raised		
		with staff. Process implemented for stores		
		to replace uniforms in future when an old		
		uniform is returned		
Confusion regarding casual vacancies at Umagico	17/11/2022	3 new casuals appointed. Sign placed at	EME	21.10.2022
Supermarket		supermarket		
Middle section of service station to be cleaned as it is	17/11/2022	Cleaning was undertaken. Stock Storage	EME	21.10.2022
visible to the roadside.		limitations impacting on ability to finalise		
		cleaning.		

Seisia boat ramp – consideration that the other ramp	17/11/2022	/11/2022 The Barge ramp will be cleaned and made	EMO	21.10.2022
be available for use while repairs are undertaken		available for use when repairs are		
		undertaken on the boat ramp		

Resolutions				
Resolution	Updated	Update	Person	Date of
			Responsible	Meeting
Bamaga Horse & Pound Paddock	17.11.2022	Report to November Council Meeting	EMO	21.10.2022
Somerset Heritage Registration Request	17.11.2022	Response provided to applicant	EMO	21.10.2022
Internal Audit Committee Member	17.11.2022	Terms of Engagement provided to both applicants. Planning for	A/CEO	21.10.2022
		Internal Audit Committee in December		
2022-23 Operational Plan Update	17.11.2022	Feedback provided to Executive and Level 3 Managers	A/CEO	21.10.2022
Torres Strait Region Proceedings	17.11.2022	Consent provided. No further amendments to the proposed determination	A/CEO	21.10.2022
Compensation Agreement with Ipima Ikaya	14.10.2022	Moray and Agnew has provided draft agreement to IIAC for	A/CEO	29.09.2022
Aboriginal Corporation RNTBC		consideration.		
	16.11.2022	Waiting on IIAC		
Report into the EOI for the Jardine		Further information requested (Sept Council Mtg)	A/CEO, EME	29.09.2022
Iviaintenance		iniormation received and being reviewed		
	13/10/2022	Completed contract offered		
Constitution of the state of th	42/42/2022	7		2000
Report into the EULIOF the Gym	13/10/5055	Review of requirements and contract conditions being assessed	A/CEO, EIVIE	77.03.60.67
		Negotiations underway – building repairs being undertaken		
	16/11/2022			
NPARC Report into Operations of the Injinoo	22.09.2022	Management report being implemented as per council	EME	17.08.2022
Service Station		resolution		
	16/11/2022	As per Council request, further report due in December		
NDARC Camping Dolicy	22 09 2022	On hold as nor request of council due to boundary with Torres	V/CEO	17.08.2022
	7707:60:77	Shire Options	7,5	17.00.71
		Joint enforcement policy with Torres Shire		
		- Only enforce on part of land within NPARC boundary.		
		This will be tricky given it is not an exact boundary		
NPARC Operations into the Pool	22.09.2022	One EOI received but did not include specific details. Details	EME	20.07.2022
		being finalised for October Meeting		
		Report on progress to be submitted in October Council Meeting		
	13/10/2022	Contract negotiations being finalised		

	16/11/2022			
Batching Plant Divestment	15.08.2022	EOI closed 23.09.2022. Multiple submissions being assessed for EME	EME	25.05.2022
		decision at October Council Meeting		
		Report on progress to be submitted in October Council Meeting		
	13/10/2022	As per submitted enterprise Council report update		
	16/11/2022			





8. Mayor Verbal Report





`Title of Report CEO Report

Agenda Item: 9

Classification: For Noting

Author Acting Chief Executive Officer

Attachments Grants Register Update

Aged Care Report

Officers Recommendation:

That Council:

- Note the Report
- Appoint Cr xxx to be on the recruitment panel for Executive Manager Regulatory and Community Services and Executive Manager – Finance and Corporate Services

PURPOSE OF REPORT

To provide a status update for Council from the Acting Chief Executive Officer

CORPORATE PLANNING

Under the Local Government Act, Council needs to have a Corporate Plan, as well as adopt the annual operational plan and budget with a number of policies each year.

Corporate Plan

The Corporate Plan has been finalised and published on the NPARC website. The Corporate Plan was presented to community at August Community Meetings.

Annual Operational Plan and Budget

The Annual Operational Plan and Budget was adopted on 27th July 2022. A report on all line items will be presented at this business.

The operational budget is currently being loaded into PCS System. Once this has been loaded and due diligence completed, amended budget will be presented to Council at the December Meeting.

Community Safety Plan

The Community Safety Plan has been finalised and a copy provided to DSDSATSIP. The Implementation Plan has been provided to the Department. There is work being undertaken to identify where previous funds have been paid, and approval to roll over funds.

Local Thriving Communities

\$10 000 was provided in 2021-22 for the development of a LTC framework and relative consultation. Approval was provided to roll this over to 2022-23 and a consultant has been engaged to complete these works.





GOVERNANCE

Compliance

Key policies to be reviewed have been identified. These are currently being reviewed for necessary updates. The initial review has been completed and all finance policies has been confirmed and updated. There is a number of other policies that need to be reviewed, but the current vacancy in the Governance Officer has caused a delay. A policy framework is provided to this meeting for endorsement.

Two key governance policies need to be rewritten following the Local Government Amendments in 2020, so this is being progressed with priority.

There is also the outstanding matter regarding the vote count. A special meeting needs to be organised so relevant resolutions can be passed to make a note to previous minutes. However, there is a delay in this work due to competing priorities and the vacancy of the Governance Officer.

Grants

An updated grants register is attached. There has been significant progress in rectifying outstanding grants and ensuring we have a framework to monitor compliance.

Some Key Hightlights

- Covid Works for Queensland closed. Completion payment made
- Letter of successful grant application QCOAST Coastal Hazard shore erosion study.
- Health and Wellbeing Queensland supported Dan Ropeyarn Cup.
- New First Program agreement being executed.
- IEDG,SGFA,RRP paid.
- Successful claim 1 for NIAA 1000 jobs.
- Ranger Program has been brought up to date.
- Progress made with TSRA legacy grants first submission lodged
- Scope changes required for W4Q New Mapoon (lodged), Ferry Road NP1 & NP2, WCCCA Multipurpose Hall.
- Commenced negotiations for a funding agreement for illegal dumping partnership with DES.

New applications:

- Community Benefit Fund applied for marquees and chairs
- 1000 Jobs Tranche 2 new positions
- Festivals Australia & Arts Council Dance of Two Cultures
- Rio Tinto New Mapoon Community Plan
- NADC Australia Day 2023
- Queensland Remembers Memorial Board Anzac Park
- CBF radio grant equipment

HUMAN RESOURCES

Recruitment

The current vacancies have been advertised on our website and Facebook and closed

- Community Services Manager
- Community Services Supervisor

ORDINARY COUNCIL MEETING # 31 Agenda Item 9 Tuesday 22nd November Bamaga Boardroom



- Events Coordinator
- Senior Administration Officer
- Human Resources Advisor
- Ranger (Identified Position)

There were minimal applicants to some positions, however, interviews and recruitment are being progressed. There was an unexpected absence within the HR team, but a casual person has been appointed.

Organisational Structure

At the September Council Meeting, a structure for the council was endorsed. Within the report included consultation and deliverable timelines as below.

Date	Description	Responsible Person	Status
30/09/2022	Letter sent to 2 x Unions information of	HR Manager	Completed – no feedback received
	minor changes to		тееараск гесеілеа
	Structure		
30/09/2022	Finalise PD for 2 x	A/CEO	Completed
	Executive Managers		
TBC by 05/10/22	Consultation with	HR Manager, A/CEO,	Completed – no
	Impacted Staff	EMO	concerns raised by staff
05/10/2022	Consultation with	A/CEO	Completed – no
	Level 3 Managers		concerns raised by staff
07/10/2022	Consultation with all	A/CEO	Completed – no
	staff		concerns raised by
			staff. A copy of the
			structure emailed to
TBC by 14/10/22	Recruitment of vacant	A/CEO	all staff Delayed due to nil
1BC by 14/10/22	Community Services	AJCEO	applicants.
	Positions		Recruitment and
	1 031010113		interviews have been
			completed
TBC by 14/10/22	1000 Jobs application	A/CEO	Completed
TBC by 28/10/2022	Remaining new PDs completed	A/CEO, EME, EMO	Completed
TBC by 30/11/2022	Recruitment of new	HR Manager	EM positions closed
	positions		14/11. Casual HR
			Advisor engaged to
			progress the other
			requirements

Panel is being finalised for the 2 x EM positions. It would be preferable to have a councillor representation to ensure community feedback.



UPCOMING MEETINGS & VISITS

The following upcoming visits and meetings are scheduled

Date	Time	Purpose	Venue
28/11/2022	All Day	Local Buy Visit	New Mapoon Hall
29/11 – 2/12	All Day	TCICA Delegation	Canberra
5-/12 - 8/12	As per report	Community Meetings	Various
6/12	10am – 2pm	LGAQ Elected Member Update	Bamaga Boardroom
7/12	All day	Cost of Living Summit	Thursday Island
9/12	All day	NPARC Christmas	Seisia Hall
		Party	
11/12 – 16/12	All day	Council Business	Cairns
		 Capital 	
		Housing	
		Worksop	
		Trustee	
		Meeting	
		 Council 	
		Meeting	

CORPORATE SERVICES

The Executive Manager – Corporate Services position remains vacant, so these functions are being fulfilled by the CEO.

Aged Care and Community Care

Consultant Barbara Schmidt visited to continue providing support to the Aged Care Manager with addressing long outstanding issues and this contract from DoH has now finalised. Quote being obtained to continue support until EOFY. The major issue of DEX Access has been resolved. There is an eTools issue which is being priorities.

The Aged Care Act requires that the organisation has effective organisation wide governance systems relating to regulatory compliance. The status of compliance requirements is reported to Council via the Aged Care Compliance Report. The monthly report is attached to inform council of this status.

A blessing and official opening of the HACC centre was held on 04/11/2022.

There is an underspend from the previous financial years for the training component of grant received by Commonwealth. Quotes are being obtained so these funds can be fully expended to support Certificate training for staff and marketing program.

Community Services

The recruitment for the vacant Community Services Supervisor position is ongoing as we attempt to source the right candidate for the position. Feedback regarding the IKCs was provided to the Manager. There continues to be poor staff attendance which is impact on the operation of the IKCs and needs





focus and support from the Supervisor and Manager. Infrastructure grants for the IKCs being progressed.

Sports and Recreation

A new funding model for the Sports and Recreation program has started 1 July 2022. A work plan is currently being completed under the new funding model by the staff member before input from the Manager and CEO to ensure it aligns with the operational and corporate plans. There is a focus on support is see more programs for vulnerable groups.

Infrastructure grants open in Feb 23 and the necessary preparations has continued.

Art Centre

The Festival Coordinator position funding was ceased at 30 June 2022. The role has been repurposed to manage the Art Centre. The Art Centre has extended opening hours to include Saturday Morning. There has been good activity and a number of promotions happening for the art centre on the Facebook and Radio. There are currently a variety of workshops being undertaken at the Art Centre.

Events

Council provided support for the Apudthama Sporting Indigenous Corporation for the Dan Ropeyarn Cup on 28-30 October. A total of \$20k cash was provided from council in addition to in-kind support, with \$10k from events budgets and \$10k secured and auspiced from Health and Wellbeing QLD on their behalf. Funds were used in the following way

- Ref payment \$7000
- Ref Catering \$1000
- Sports Trainer Payment \$1800
- Ice \$200
- Community Bus \$1500
- Cleaning Products \$1000
- Water Truck \$1320
- Wire and bunting flags \$700
- Michael Solomon Securities \$1400
- ice for teams 10 bags per teams \$1200
- strapping \$2220
- Welcome to country \$250.00
- fastest men \$200
- fastest women \$200

Receipts and reporting being completed for the acquittal to Health and Wellbeing QLD.

Leasing

Currently, the Commercial Leasing Manager is working on documenting the lease, tenure and landuse status of each block within the DOGIT area and following through on actions required. There is significant work required to resolve long-term lease matters and that relevant agencies (especially State Government) are paying appropriate lease and service fees. Work is also being done to finalise processes for the Home Ownership Program and 2 workshops have been held with community.

Funding body	Grant Source	CAT	Status	Reason	Scope	Program name	CMCT Date	COMP Date	Amount
Queenslan	Queensland Government	Operations			2022-23 State Government Financial Aid	2022-23 Indigenous Councils Grant Programs	07/01/2022	30/06/23	4,881,490.00
Queenslan	Queensland Government	Operations			2022-23 Revenue Replacement Program	2022-23 Indigenous Councils Grant Programs	01/07/2022	30/06/23	29,800.00
Queenslan	Queensland Government	Operations			2022-2023 Indigenous Economic Development Grant	2022-23 Indigenous Councils Grant Programs	07/01/2022	30/06/2023	160,000.00
Queenslar	Queensland Government	Operations			Seisia Boat Ramp Maintenance	Small Scale Minor Works Contract	20/09/2022	31/12/2022	64,634.69
Health and Wellbeing Qld Queenslan	Queensland Government	ED		Final report and claim due	Dan Ropeyarn Cup 2022 sponsorship	N/A	26/10/22	25/11/2022	11,000.00
Queenslan	Queensland Government	Operations		Finanace Mg working with RECS to update	All active programs	DFRA			
Queenslan	Queensland Government	Executive			Funding contribution to assist the NPARC to develop the NPA Community Safety Plan (Alcohol Management)	NPARC Community Safety Plan		30/06/2023	Phase 1 \$50,000 Phase 2 \$185,000
Australian	Australian Government	ED		Cover Sheet due, issue with BAS	Health and Wellbeing Expo	Healthy Communities Programme	18/02/2019	11/09/2019	5,500.00
Queenslan	Queensland Government	ED			To provide free access to early literacy programming for children aged 0-5 and their families which strive to meet or exceed the Fist 5 Forever Guidelines.	First 5 Forever Family Literacy Initiative	07/01/2022	30/06/2024	
Queenslan	Queensland Government	HR			To provide young people and disadvantaged job seekers with opportunities to gain a nationally recognised qualification and 12 months paid employment by undertaking a subsidised traineeship with a local council, statutory authority or an incorporated not-for-profit organisation.	First Start Program			15,000.00
Queenslan	Queensland Government	Operations		Handed back to state for project management.	Re-establish old bores at Bamaga, Injinoo and Umagico. Replace fencing to Umagico/Injinoo Ponds and solid waste facility. Replace clear water tank. Replace CMF 3	Indigenous Councils Critical Infrastructure Program	۷A	VΑ	2,662,500.00
Australian	Australian Government	насс			To provide funding for the employment of Aboriginal and/or Torres Strait Islander people in Commonwealth funded aged care services throughout Australia.	Indigenous Employment initiative Program	01/07/2020	30/06/2023	1,326,240.00
Queenslan	Queensland Government	Finance			To improve the financial capacity of councils and support the provision of council services to Aboriginal and Torres Strait Islander communities	FAG IRG financial assistance grant	01/07/2022	30/06/2023	274,311.00
Queenslan	Queensland Government	Finance			To improve the financial capacity of councils and support the provision of council services to Aboriginal and Torres Strait Islander communities	FAG GPG financial assistance grant	01/07/2022	30/06/2023	5,054,714.00
State capital Refundable Grants	tal e Grants	ED			To support the development of and the provision of library resources to IKC services and to refresh agreed proportions of this stock at regular intervals.	Public Library Grant	07/01/2022	30/06/2024	
Commonw Non-refun	Commonwealth operational Non-refundable grants	Operations		Acquittal submitted	NPA Public Facility Upgrade	Healthy Communities Programme	01/07/2018	11/09/2019	
Commonw Non-refun	Commonwealth operational Non-refundable grants	Operations		Acquittals overdue	VARIOUS inc. To upgrade, repair and/or replace the current pumps, switchboards and alert system at various pump stations including onsite alarm/alert system repair.	Healthy Communities Programme	01/07/2018	11/09/2019	125,000.00
Commonw Non-refun	Commonwealth operational Non-refundable grants	Operations		Acquittals overdue	To upgrade street lighting including repairs to existing lighting and adding further lighting to improve public safety.	Safe Communities Programme	01/07/2018	11/09/2019	171,700.00
Commonw Non-refun	Commonwealth operational Non-refundable grants	Operations		Acquittals overdue	VARIOUS inc. To construct a solid waste Transfer station at Seisia that will allow solid waste to be managed and transferred to the new landfill site being constructed under MIP6	Healthy Communities Programme	01/07/2018	11/09/2019	90,955.00
State operational Non-refundable g	State operational Non-refundable grants	насс		DEX reporting issue	To support the development of the home support aged care service system that meets the aims of the Commonwealth Home Support Programme and broader aged care system.	Commonwealth Home Support Programme		31/07/2023	1,844,455.61
State operationa	rational	Operations			To assist the cost of transporting recycables to secondary markets.	RRTAP	خ	خ	ć
The Campervan and Motorhome Private Club of Australia		Operations		Photo and locatin to be sent to club - waiting for sigange	To install a motorhome caravan dump point. CMCA provide the infrastructure and COuncil are required to install and maintain.	CMCA KEA Dump Point Subsidy Program	14/7/2022	3 months from receipt	
State operational	ational	Operations			NPARC Water Demands Situation Analysis	Building our Regions (BoR) Round6		12/02/2024	300,000.00

Funding body	Grant Source		Status	Reason	Scope	Program name	CMCT Date	COMP Date	Amount
DES	Queensland Government	Operations		Final Report overdue	To install community education signage to prevent littering.	Littering and Illegal Dumping			7,000.00
NIAA	Australian Government	HR		Claims overdue	16 Jobs within Council	Indigenous Advancement Strategy - Jobs Land and Economy Propgram (1000 jobs)	07/07/2021	31/12/2023	917,220.80
NIAA	Australian Government	Operations		20/21 financial acquittal overdue	NPA Indigenous Rangers	Indigenous Rangers Grants - Jobs Land and Economy Program		31/10/2028	12,749,203.66
Australia Council of Arts	Australian Government	ED		New agreement for carry over being developed	Cultural Festival Funding	5			110,000.00
DSDSATSIP	Queensland Government	Operations			NPARC Youth Hub Project (Social Reinvestment Initiative)	Aboriginal and Torres Strait Islander Partnerships	15/06/2022	30/06/2023	165,000.00
WCCCA	Private	Operations		Council wish for building to be enclosed but building is not designed for enclosure. Outsourced to RPS	New Mapoon Multi Purpose Facility	Western Cape Communities Trust (WCCA) Northern Sub Regional Trust (NSRT)			506,000.00
DAWE	Australian Government	Operations			Coordination and Equipment - 4- H8QEADF	Indigenous Rangers Coastal Clean Ups Project	06/06/2022	30/06/2022	165,000.00
QRAM	Queensland Remote Aboriginal Media	Corp Affairs		New MoU to be developed.	Wage support for 1.5 FTE	Queensland Remote Aboriginal Media			88,572.14
DAWE	Australian Government	Operations			Apudthama Activity Plan 2021-2022	Indigenous Biosecurity Rangers Program		16/10/22	259,037.50
DCHDE	Queensland Government	Operations			5 new houses	Interim Remote Capital Program	10/12/2019	NA	2,352,941.00
рснре	Queensland Government	Operations			15 new 3 bedroom dwellings	Forward Remote Capital Program	09/09/2022	NA	8,385,607.00
DSDILGP	Queensland Government	Operations			NPA Water Supply System	Minor Capital Works	21/09/2020	30/06/2030	4,000,000.00
DTMR	Queensland Government	Operations			Airport runway repairs	ATSI TIDS 19 - 22		30/06/2022	
DTMR	Queensland Government	Operations		Delivery delayed	NP1 Jardine Ferry Road - Bitumen Seal	CYRP2 CARP	01/07/2021	20/12/2021	6,500,000.00
DTMR	Queensland Government	Operations		Delivery delayed	NP2 Jardine Ferry Road - Bitumen Seal	CYRP2 CARP			5,500,000.00
DTMR	Queensland Government	Operations		Pole installed, lighting head lost.	Seisia Boat Ramp Solar Light	Marine Structures			
DTMR	Queensland Government	Operations		Costs not captured adequately	Injinoo Boat Ramp Parking Area & Jackey Jackey boat ramp parkign area (CN15828	Marine Structures	2017	2023	433,000.00
DSDILGP	Queensland Government	Operations		EoT and budget variation required.	various (INjinoo foreshore, NPA footpath, Umagico park upgrade) eGrants	Works for Queensland 2019-2021		30/09/2022	1,780,000.00
DSDILGP	Queensland Government	Operations		New Mapoon scope change submitted	various - eGrants	Works for Queensland 21-24		30/09/2024	1,740,000.00
Queensland Health	Queensland Government	Operations		_	Implement annual work plan.	ATSI Public Health Program	01/07/2022	30/06/2025	3610775 inc extensions
DITRDC	Australian Government	Operations		Overdue reports, no expenditure	Footpath	LRCI Stage 2			
DITRDC	Australian Government	Operations		Overdue reports, no expenditure	Footpath	LRCI Stage 3			
DTMR	Queensland Government	Operations		Project significant delay	Injinoo Road, Umagico to Addi Street constrution shared path.	Cycle Network Local Government Grants Program	25/11/2021	24/11/2023	800,000.00
DTIS	Queensland Government	Executive			Collaborative Partnership with Gudang Yadhaykenu Aboriginal Corporation - Pajinka Commercial Activiation Proposal.	Collaborative Project	30/06/2022	31/12/2024	2,235,000.00
DAF	Queensland Government	Operations			To build infrastructure at Seisia Beaachfront to enhance visitor experience and amenities.	Queensland Fishing Infrastructure Grant	07/08/2022	9/01/2023	100,000.00
DSDSATSIP	Queensland Government	Executive				Local Thriving Communities		30/06/2022	10,000.00
QRA	Queensland Government	Operations		Add info submitted. Contract with ergon.	Bamaga Airport Power Reticulation	خ			800,000.00
DTIS	Queensland Government	ED			Coordinate and facilitate physical activity opportunities (employment, equipment, programs, capacity building)	Deadly Active Sport and Recreation Program	29/06/2022	30/06/2025	652,445.00
QRA	Queensland Government	Operations			Contractor to clean up hard waste from kurbside collection or illegal dumping site.	Get Ready		30/06/2023	8,720.00
DSDILGP	Queensland Government	Executive			Develop and Asset Management Framework and Plans inc condition assessment.	TGGSP TGGSP	28/07/2022	30/09/2024	250,000.00
SES	Origensland Government	Operations			16 cultiply to officet operational costs	SECTOR Government Cultridy			13 550 60

MONTHLY AGED CARE COMPLIANCE REPORT

REPORT TO	Northern Peninsula Area Regional Council
REPORT MONTH	October 2022
REPORT DATE	14/10/22
REPORT FROM	Patricia Nona

AGED CARE SERVICE DELIVERY

Summary of client status over the past month

Reporting item	Number	Comment						
HCP Clients	0	Level 1:	Level 2:	Level 3:	Level 4:			
New HCP Clients	0	Level 1:	Level 2:	Level 3:	Level 4:			
HCP Enquires		Referred fo	r assessment					
Referrals for	10	Waiting on a	Waiting on approval letters for 2 clients for HCP					
assessment or								
reassessment								

Summary of CHSP client status and activity

Reporting item	Number	Comment	
Number of clients	28	10 clients ha	ve been assessed and now registered as CHSP
Number of new clients	4		
Clients on waiting list	0		
Number of clients			
transitioned to HCP			
CHSP Hours	Monthly target	Hours delivered	Comment
Social Support Group	546	369	
Transport	63	105	
Meals	223	320	
Domestic Assistance	135	47	
Social Support	78	52	
Individual			
Personal Care	25	0	
Flexi Respite	7	0	
Home maintenance	11	0	
Home Modifications	0	0	

Aged care legislative compliance status report

Compliance requirement	Number of clients	Overdue	Action taken
Charter of aged care rights explained	23	23	
Signed aged care agreements	23	23	
Signed current care plans	23	23	
Advanced health directives completed (HCP clients only)	1	0	

Aged care activity reporting

Agency	Report submitted in the past month	Date due	Date Submitted
Department of Health	Dex Monthly reporting	14/10/22	16/08/22

STAFF MANAGEMENT

Staff changes over the past month

Staff	Staff establishment	Current number of staff	Number of resignations	Number of new staff
Total staff	14	14	0	0
Carers	8	8	0	0

HR Management

Reporting item	No of staff	Overdue	Action required
Current Police checks	13	4	To completed by 1 st December
Current Drivers licence	12	0	All have current Driver's licence
Performance review	13	9	Progressively working through the PA for all staff
Annual Flu vax	13	4	These 4 have missed the dates for Flu Vax for this year
COVID Immunisation	13	2	Waiting on Booster 3 rd injection no vaccines present at Hospital and Health Centres was asked if they can order some.

Status of Core training

Mandatory training	No of staff	Overdue	Action Required
Orientation	14	14	
Fire Safety	14	0	Enquiring about next Fire safety session
First Aid	14	6	Next review September 2022
Manual Handling	14	14	Computers arrive will start online training
Infection control			u u
Elder Abuse	14	14	и
Food Safety	14	14	"
Open disclosure	14	14	"

Training attended over the last month

Waiting on Quote for Cert 3 in ageing training for staff (TAFE Cairns)

QUALITY IMPROVEMENT

Progress against Plan for Continuous Improvement

• Commenced performance appraisals

• Organising Feedback to Community elders

Feedback/complaints management

Complaints	Total		Туре	of incident	
	No	Employee	Service	Facilities	Other
Number of Complaints in					
the reporting period					
% Investigations completed					
within 5 days					

Key issues and action taken

•

Incident/near miss management

Incidents	Total	Type of Investigation			
	No	Employee	Equipment	Facility	Medication
Number of Incidents in	0				
the reporting period					
% Investigations					
completed within 5 days					

Key Issues & action taken



ORDINARY COUNCIL MEETING # 31
Agenda Item 10.1
Tuesday 22nd November 2022
Bamaga Boardroom

Title of Report: Update on NPARC Business Enterprises

Agenda Item: 10.1

Classification: For Noting

Author: Acting Executive Manager - Business Enterprises

Attachments: N/A

Officers Recommendation:

That Council: Note the report

PURPOSE OF REPORT

This report provides the Councillors with an update of NPARC Business Enterprises activities. Submitted 15/11/2022

UPDATE

Enterprises EOI report:

- The Pool initial contract proposal is being reviewed
- The Bamaga Council Stores (C11.4 20042022)
 - The initial assessment for the divestment of commercial store operations, specifically hardware products, has been undertaken
 - After reviewing Council requirements and plans for the Stores to become a Council Procurement hub, the current Stores location will be retained by Council
 - Due to the above, a potential new location for a likely Hardware Store Location will need to be identified before continuation of the EOI process
- Injinoo Batching Plant (C10.2 25052022)
 - The initial EOI responses have been assessed and an invitation only tender with specific requirements is now being undertaken with interested parties

Umagico Supermarket:

- A new ALPA manager planned for mid to long term placement has been identified and will start in November (arrived week ending 11th)
- Due to constant turnover with the ALPA site manager, the Monthly Management Meeting was rescheduled for November
- Continuing HR issues (attendance) have impacted operational efficiency

Injinoo Fuel Station:

- General
 - Damage to equipment was caused to the 24-hour service and impacted fuel/shop delivery services for three days
 - A fuel pump issue has impacted the ULP delivery, and we are investigating if this may have been a result of the damage to the Service Station equipment
- Fuel Sales:
 - ULP 14,306 litres
 - Diesel –32,288 litres
- General sales shop \$50,800 (currently no nett figure)



General Stores Bamaga:

- Sales Values:
 - o Internal \$45,157
 - o Other \$37,317

Jardine River Ferry:

- General
 - o New EPOS system has been installed and basic training has been undertaken
 - Staff attendance has improved to approx. 70%, though this is still poor

Ve	Vehicle count October:		This Month	Last month
	0	Residents (cars only) –	197	228
	0	Pedestrians/bicycles –	0	2 (bikes)
	0	Motorbikes –	202	291
	0	Single Cars & w/trailers –	676	1981
	0	Tour buses –	9	27
	0	Other vehicle (trucks) -	53	36

• Ferry was available for work 98% (4 hours maintenance)

Injinoo Batching Plant:

• Total concrete production 128 m³

Airport:

- General
 - o Runway surface failures have been identified and repairs are planned

0

• Aircraft movements (in/out)

tot	tals -	September 330	July 322
0	REX –	106	104
0	Skytrans –	22	36
0	Other –	202	182
0	PAX September	2283	(2152)

Fuel sales

0	Jet A1 – litres	31,757	23,379
0	AVGAS – litres	9,602	14,717

Property & Housing:

- Staff housing 28
 - Tenanted 22
 - 4 Available immediately for positions (identified)
 - 2 unavailable works being undertaken
- Social Housing 49
 - o Tenanted 45
 - Vacant 2
 - To be demolished 2
- Rental arrears review is continuing





Title of Report: November Operations Update Report

Agenda Item: 10.2

Classification: For information

Author Executive Manager, Operations

Attachments Nil

Officers Recommendation:

That Council:

Note the Report

PURPOSE OF REPORT

To provide Councillors with an outline of monthly activities undertaken by Operation Department sections.

BACKGROUND AND CONTEXT

Works undertaken by the various sections making up the operations department for the month of October are as follows:

Building Construction and Maintenance

During July, August and September Housing inspections resulted in a significant number of job cards. For the month October NPARC have been receiving 20 Job Cards a day. NPARC currently has 700 active jobs in the portal which have been shared out to Contractors. There are currently 638 aged job cards > that are presently over 60 days, NPARC is working with contractors and Qbuild on completing these jobs.

Current QBuild upgrades being delivered.

- 10 x Bathrooms
- 8 x Floors
- 10 x Carports
- 10 x Kitchens
- 6 x Laundry's
- 5 x DISMODs
 - o 2 x large DISMODs out for tender
- 5 x reroofs

NPARC carpenters working on various vacant maintenance tasks for both QBuild and Council works, and on the Bamaga Youth Center Capital project.

Interim Capital Works Housing Progress





- 173 Elu St Bamaga / House is Completed. Inspector was happy with works, just waiting on Certifier to hand over Building forms. This house is expected to be handed over for tenanting during November. Dept of Housing sorting out relevant paper works to tenant mid-December.
- Lot 146 Injinoo / House is complete. Ergon will be hooking up power late in November. Inspector was happy with works, just waiting on Certifier to hand over Building forms. This house is expected to be handed over for tenanting in Early December Housing sorting out relevant paper works to tenant mid-December.
- Lot 89 Luff St / House is complete. Inspector was happy with works, just waiting on Certifier to hand over Building forms. This house is expected to be handed over for tenanting during November Housing sorting out relevant paper works to tenant mid-December.
- Lot 214 Horseman Rd Umagico / Block walls are up, frame and Roof trusses are completed.
 Roof sheeting will be completed by end of November.

Umagico park upgrade is on project on track to be completed by the end of November.

- Civil works are 95% completed will just need to fill sand pit,
- Footpath and BBQ shelter are all completed
- Painting of the Basketball courts will begin in late November.

Bamaga HACC refurbishment to Youth enter, works are programmed to be finished in November.

- Works have commenced and are progressing well.
 - o Plumbing works 100%
 - Carpentry
 - o Painting 95%
 - o Electrical and Airconditioning 100%

Injinoo Look out

- The exercise equipment supplier has advised of a further delay in delivery
- Equipment is expected to be dispatched from the supplier's factory in mid-December
- Delivery is not expected until January 2023 with installation after it arrives

RV Dump point

• Signage has been ordered for the Bamaga RV Dump Point and will be installed when it arrives

Works

Testuo Nakachi resigned during October, Robert Neville is acting in the Works manager position on higher duties whilst the recruitment process is undertaken.

Roads

- Set up concrete blocks at Injinoo look out equipment access
- Completed earthworks on the Jacky Jacky Boat ramp car park project.
- Completed earthworks for the Umagico Park W4Q project.
- Continued with the repair and replacement of roadside furniture in the five communities
- · Completed light grade of ferry road
- Cleaned roadside drains Injinoo Umagico
- Delivered sand to local builders on request (PO)
- Line marked carpark bays at various locations





Parks & Gardens

- Assisted with preparations for the land handover at the Injinoo lookout.
- General clean-ups in the 5 communities
 - Rubbish and green waste
- Bamaga Oval preparations for Dan Ropeyarn Cup
- Completed repairs and painting of New Mapoon central Park
- Completed fence repairs at Seisia oval
- Litter collection from roadsides and parks
- Community grass cutting Umagico and New Mapoon

Water

The plant operated and performed steadily during the month of October.

Significant water consumption Issues were experienced on the 26, 27,28 and 29 of October due to very hot weather ($>35^{\circ}$ C) and in conjunction with the Dan Ropeyarn Cup. Despite the average plant production of 5.2 ML/d, existing water restrictions signage, and door-to-door notifications to enforce water restriction, water to the communities had to be shut down overnight between 0000 hrs and 0600 hrs on the 28/10 and 29/10 to allow refilling of the reservoirs and avoid the risk of major disruptions during the daytime peak demands. The regulator was notified, and an incident was logged in RIVO Incident #17924378.

Rainfall in Bamaga was recorded at 25.9 mm which is above average for the October mean rainfall of 13.4 mm

The total water production (filtrate) volume for Bamaga WTP for the month was 162.96 ML, averaging 5.256 ML/day

7 leaks were repaired in the distribution network during the period. 1 Main Leak occurred on 16/10 downstream from the Bamaga reservoir. The water supply to Bamaga and to the hospital had to be suspended for approximately 3 hours to complete the repairs.

There were 3 new service installations completed in the period.

There were 1 OHS incident, 0 environmental incidents, 0 water quality incidents and exceedance during the month of October. Some community complaints were recorded following the service disruption on 29/10.

The mobilisation and transition from the Interim operator, Simmonds & Bristow is 85% complete with this period of implementation proceeding smoothly without interruption to the day to day operation of the Water Treatment Plant and Reticulation Network. The Veolia Operations team is in full control with only 1 further position for the second Assistant Operator to be filled and with only 1 MTI and no LTI despite 3,196-man hours worked. The Always Safe Site System is in place with the audit schedule to be implemented within the next month. As part of this, a Training Gap analysis is being conducted with the 3 new local staff members already completing their onboarding into the Veolia Water Safety, Health, Environment & Quality, Business Management, Operating and Asset Maintenance systems. The Procurement Plan has been initiated and 90% of vendors uploaded into the Felix Supply System with the majority of these being local suppliers. The Veolia Asset Management System is now live with all assets uploaded and automatic preventative maintenance work orders being generated. The processing of monthly invoices has been seamless with good



communication on how this is to be managed going forward. The Department of State Development, Infrastructure, Local Government and Planning has been engaged and an introductory tri-party meeting was held to discuss the scope and execution of capital works projects to be completed.

The total water production (filtrate) volume for Bamaga WTP for the month of October 2022 was 162.96 ML, averaging 5.256 ML/day



		Raw Water	Production	Consumption			
Year 22	Month	Feed Vol(ML) Efficiency	Filtrate Vol(M	L) Hi-Lift Vol (ML)	YTD F	eed 22	YTD Prod
2022	Sept	171,973.60 90.85%	156,238.40	154,023.30	521,070.70	469,87	6.80
2022	Oct	180,288.60 90.39%	162,965.80	160,380.40	692,359.30	632,842	2.60

Workshop

- Continuing with servicing and repairs of Council fleet as problems arise
 - o Services completed on 8 vehicles
 - Minor repairs to 13 fleet items
 - o Major repairs to 20 fleet items
 - Small plant repairs 20
 - o Tyre repairs 20
- Vehicle stickers have been installed on new fleet items.
- New tyre changing machine installed in October.
- Quotes are being sought for a wheel balancer machine
- Recruitment of a new Fleet and workshop manager is ongoing.
- Recruitment for a Diesel Fitter and Automotive mechanic is ongoing.
- Recruitment of a Tyre fitter is ongoing.





Rangers

Below is the rangers work calendar for October and some representative photos of works undertaken at Atambaya homestead.

at Atambaya homes Monday	Tuesday	Wednesday	Thursday	Friday
31 Empty Bins Road Check/clear Clean Toilets	1 Fee for Service- LT Weed Mapping	2 Weed Mapping	3 Empty Bins Road Check/clear Fee for Service- LT	4 Clean Ranger Base Wash/Clean Vehicles
7 Empty Bins Clean toilets Road Check/clear Fee For Service- AQCS	8 Prep – Atambaya Home stead clean up Fee for Service- VM Weed Mapping – Neem Tree Seisia	9 Prep – Atambaya Home stead clean up	10 Empty Bins Road Check/clear Drop Tractor at Atambaya	11 Clean Ranger Base Wash/Clean Vehicles
Empty Bins Clean toilets Road Check/clear Atambaya Home Stead Clean up and weed mapping	Atambaya Home Stead Clean up and weed mapping Fee For Service- CAHV & MPM	Atambaya Home Stead Clean up and weed spraying Fee for Service-CS Weed Mapping – Neem Tree Seisia	Empty Bins Road Check/clear Move tractor from Atambaya to Vrilya Point Check Mango Bins-Jardine Ferry	18 Clean Ranger Base Wash/Clean Vehicles Prep – Vrilya Point fencing, clean up and weed spraying
Empty Bins Clean Toilets Road Check/clear Vrilya Point fencing, clean up and weed mapping Fee For Service CS, GN & beach clean-up transect	Vrilya Point fencing, clean up and weed mapping Fee For Service CS, GN & marine debris beach clean up	23 Vrilya Point fencing, clean up and weed spraying	24 Empty Bins Road Check/clear Vrilya Point fencing, clean up and burn	25 Clean Ranger Base Wash/Clean Vehicles
28 Empty Bins Clean Toilets Road Check/clear	29 Pre-wet clean up	30 Pre-wet Clean up		





Regulatory Services Animal Control

- Vector (mosquito) trapping in the NPA, sites are located at
 - Loyalty Beach
 - Piggery 10km north of Loyalty beach
 - o Piggery 13km South of Injinoo community
 - The team have administered many tick and flea treatments for dogs and horses.
 - Ten (10) dogs were impounded for the month of October
 - Animal control officers worked over the Dan Cup weekend an additional six dogs were impounded during Dan cup.
 - Ten dogs were euthanised during October
 - Two horses were transported out of the community due to poor condition and concerns of potential cruelty.
 - SKYDOG Vets visited the NPA in October, 7 days were worked on site, during the visit:
 - o 24 dogs were desexed
 - o 5 cats were desexed
 - o 143 dogs were wormed
 - o 162 dogs were seen at clinics
 - 38 household visits for vet related issues





Illegal Dumping

Council has been advised in early November that the grant application submitted to the Dept of Environment and Science for funding to cover the employment of an illegal dumping officer has been approved and is a funding agreement is being signed off. The cleaning up of existing illegal dump sites and purchasing additional monitoring cameras is being considered as part of a broader grant opportunity including metal waste transfer to Cairns.

Solid Waste

- Kerbside collection has occurred with minimal disruptions
- Transfer station and landfill operations are operating normally
- A replacement skip truck driver was sourced through internal transfer of staff
- 31 skip bin collections were undertaken from 11 sites during the month of October.
- Staff worked over the Dan Cup weekend to service the grounds as necessary.

Food Licencing

Food licencing inspections were undertaken at the following venues during October:

- Bamaga Bakery
- BP Bamaga
- Cape Yorke Peninsula Lodge
- Seisia Kiosk

Wastewater

- Scheduled servicing and maintenance activities have been undertaken at the 6 pump stations and lagoons.
- Public toilet cleans have been completed at all public toilets in the NPA communities and portaloo's at Muttee Heads and Pajinka
- Far North Plumbing completed repairs at the Bamaga oval and the Umagico oval public toilet
- B&B electrics completed repairs at the Bamaga, Umagico and Seisia pump stations during the month of October

Capital projects update

- New Mapoon Multi-Purpose facility
 - Quote for project management / designer has been received from a Local Buy registered company.
 - Scoping quote against the design prepared by Gordon Gould Ipson Architects is significantly higher than the WACCA approved budget
 - Options and scope are being considered moving forward with ongoing engagement with the councillor planned.
- Rangers' vehicle and vessel shed
 - Quote for project management / designer has been received from a Local Buy registered company.
 - Project scope is to be confirmed through December with works planned for after the
 wet
- Fleet
 - Quotes for replacement light truck were received and PO are being raised in late
 October





- Jacky Jacky Boat ramp car park
 - o Earthworks were completed in October
 - o Bitumen seal will be undertaken with another project later
- Umagico Park Upgrade
 - o Community and Councillor input was sought and agreed on the scope of works
 - o Concrete and building works continued through October
 - o All hardscaping works are expected to be finalised November
 - Spreading of grass seed will occur once storms become regular
- Seisia boat ramp (TMR third Party works)
 - o Contract for works has been received
 - o Works to be programmed after the tourist season with considerations of the tides.
 - o Further faults at the bottom of the ramp has been reported to TMR
- Jardine River Ferry
 - Selected tenderers inspecting the vessel on the 21st of October,
 - Scopes are being collated and negotiated with the selected tenderers and Ferry management.
 - Works will be programmed, and purchase orders raised once the final scope has been agreed upon
- Injinoo Umagico Footpath
 - Two bridges have been ordered to span the existing links
 - One bridge arrived in mid late October, the second will arrive in mid late November.
 - Quotes for footings and concrete footpath links to sealed footpaths have been requested from local suppliers, one supplier has returned a quote the second did not.
- Umagico Bamaga cycleway
 - Concept design was submitted to TMR in late September
 - o Feedback was received October, REC's are preparing responses to the requests
 - o Detailed design is progressing with reference to feedback received from TMR
- Seisia esplanade
 - A draft scope has been compiled by operations staff and a meeting is to be scheduled with Cr Whap in December so that the final scope can be agreed upon.
- Bamaga youth centre
 - Works have progressed through October and are expected to be completed in mid-November
- Adidi Street collapsed culvert
 - o Purchase order for culverts has been raised in October
 - Culvert components are expected to be delivered in December.
 - Estimate to complete works is being developed
 - o TMR are being requested to assist with funding the works

CRITICAL DATES

N/A.

OTHER OPTIONS CONSIDERED

N/A.





LEGAL AND LEGISLATION CONSIDERATIONS

N/A

POLICY CONSIDERATIONS

N/A.

CORPORATE AND OPERATIONAL PLAN CONSIDERATIONS

This report is in line with the following sections of the Operational Plan 2020-2021: 1 Reliable and Affordable essential Services

- 1.1 Water
- 1.2 Landfill
- 1.3 Access
- 2 Safe, clean and attractive physical environments
 - 2.1 Animal Management
 - 2.2 Clean and tidy public areas in each Community

FINANCIAL AND RESOURCE CONSIDERATIONS

Operational budget expenditure

CONSULTATION

Building Construction and Maintenance Manager Works Manager Ranger Coordinator A/ Workshop Manager Manager Regulatory Services NPARC Project Manager.





Title of Report: October 2022 Finance Report

Agenda Item: 11.1

Classification: For Noting

Author Acting Manager Finance

Attachments Statement of Comprehensive Income

Enterprise Financial Summary

Cash Position Summary

Statement of Financial Position Debtors and Creditors Outstanding

Officers Recommendation:

That Council:

Note and accept the Finance Report for the period ending 31 October 2022

PURPOSE OF REPORT

To provide Councillors with a status update on the Council's financial position in accordance with the requirements of the Local Government Act 2009 and s204 of the Local Government Regulations 2012.

BACKGROUND AND CONTEXT

Overall position

Financials current year

The Council's financial position as at the end of October 2022 remains challenging.

Current obligations (liabilities) are at \$8.78M compared to a cash position at the end of October being at 10.59M. Unrestricted cash is estimated at \$0, as many Grant funded projects are currently well underspent.

Operating grants received for the October month have been \$12K for SES Subsidy, \$144K for ATSI Public Health program, \$29K for CHSP Aged Care funding \$24K Social Reinvestment Initiative \$113K for DASRP; Capital grants received for October include QRA's REPA program funding of \$1.024M, and \$163K for projects under the Covid-W4Q 2020-21 program.

In October, QBuild was invoiced for \$900K for work on upgrades and maintenance to Community housing.



ORDINARY COUNCIL MEETING # 31

Agenda Item 11.1

Tuesday 22nd November 2022

Bamaga Boardroom

Revenue

Operational Revenue for the period to 31 October 2022 is tracking unfavourably with budgeted revenues received at 23% compared to 33% of the year elapsed.

Expenses

Operational Expenditure is tracking favourably at 35% of Budget compared to 33% of the year elapsed.

Materials and Services comprises half of Councils Operational Expenditure at \$8.2M, and almost half of this (3.4M) is payments to contractors and consultants for the upkeep of Council assets. A further \$1.2M is for the various Insurances that Council is required to hold and almost \$2M for the purchase of stock for the various Enterprises.

Employee benefits are lower compared with previous year as positions are still being recruited and have not been filled to-date.

Cash Position

The Council has a tight cash position although further FAGS and SGFA quarterly grant receipts will help to ease the position.

At end of October 2022, after allowing for the end of month creditors, total staff leave liabilities, grants contracts obligations, Council available unrestricted cash is at \$0.00, due to early receipt of Capital grants and unspent commitments related to those grants.

Enterprises

This October, all business enterprises are showing a surplus. Jardine Ferry Roadhouse continues to be the most profitable. For every dollar spent, the enterprise brings in \$0.41 of surplus.

Audit last financial year ending 30 June 2022

Council has had to seek an extension of time from the Minister (for Local Government) for the completion of the audit of the 2021/22 Annual Financial Statements. The Queensland Audit Office (QAO) is continuing to work with Council on progressing the audit as the necessary work is completed

Budget and Management Reporting

Work to break the budget in greater details with a view to upload in Council PCS finance system so that all managers are provided their own budget that was earlier approved by Council has been completed by the consultant Gavin Amarasiri.





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N/A.

OTHER OPTIONS CONSIDERED

N/A.

LEGAL AND LEGISLATION CONSIDERATIONS

N/A

POLICY CONSIDERATIONS

N/A.

CORPORATE AND OPERATIONAL PLAN CONSIDERATIONS

Operational Plan – 2. FISCAL MANAGEMENT

FINANCIAL AND RESOURCE CONSIDERATIONS

N/A.

CONSULTATION

N/A.

Statement of Comprehensive Income

Percentage of year elapsed as at 31-October-2022

33%

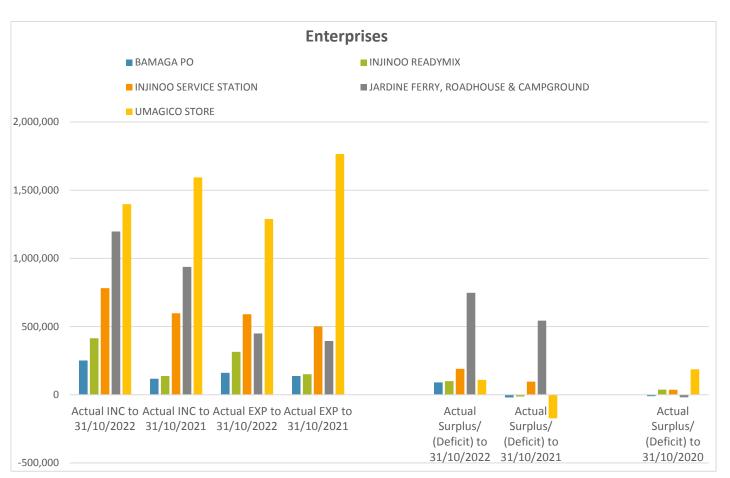
The Statement of Comprehensive Income is often referred to as the Profit and Loss Statement. This statement shows what Council has earned (revenue) and what costs Council has incurred (expenses) for the year to date.

Northern Peninsula Area Regional Council Statement of Comprehensive Income For the period ended 31-October-2022

	Period End	Period End	Annual	% Actual vs
	31/10/2022	31/10/2021	<u>Annuar</u> Budget	Budget
	01/10/2022	01/10/2021	2022-23	Duager
Income				
Recurrent Revenue				
Rates, levies and charges		- 10,938	3,300,000	0%
Fees and charges	190,833	209,872	1,000,000	19%
Rental income	842,110	742,037	1,800,000	47%
Interest received	19,141	5,684	75,000	26%
Sales revenue	2,434,163	2,396,920	8,500,000	20%
Enterprise revenue	4,346,568	3,491,255	9,500,000	46%
Other income	170,617	100,388	1,000,000	17%
Grants, subsidies, contributions and donations		4,946,373	15,000,000	13%
Total recurrent revenue	10,002,201	11,881,591	40,175,000	25%
Capital revenue				
Grants, subsidies, contributions and donations	4,009,926	-	7,500,000	53%
Loss on sale Assets	-	-	-	
Total capital revenue	4,009,926	-	7,500,000	53%
Total revenue	14,012,127	11,881,591	47,675,000	29%
_				
Expenses				
Recurrent expenses				
Employee benefits	(4,510,766)	(5,164,629)	(16,468,000)	27%
Materials and services	(8,223,076)	(8,246,878)	(19,000,000)	43%
Finance costs	(11,443)	(30,994)	(65,000)	18%
Depreciation and amortisation	(3,592,000)	(3,559,529)	(11,000,000)	33%
Total recurrent expenses	(16,337,285)	(17,002,030)	(46,533,000)	35%
Capital Expenses	-	-	(900,000)	0%
Total Capital Expenses	-	-	(900,000)	0%
Total expenses	(16,337,285)	(17,002,030)	(47,433,000)	34%
Result from ordinary activities	(2,325,158)	(5,120,439)	242,000	-961%
OPERATING RESULT				
Operating Revenue	10,002,201	11,881,591	40,175,000	25%
Operating Expenses	(16,337,285)	(17,002,030)	(46,533,000)	35%
Operating Surplus/(Deficit)	(6,335,084)	(5,120,439)	(6,358,000)	100%
operating our plus/(Delicit)	(0,333,004)	(3,120,433)	(0,336,000)	100/0

Northern Peninsula Area Regional Council Enterprise Financial Summary As of 31-October-2022

ENTERPRISES	Actual INC to 31/10/2022	Actual INC to 31/10/2021	Actual EXP to 31/10/2022	Actual EXP to 31/10/2021	Actual Surplus/ (Deficit) to 31/10/2022	Actual Surplus/ (Deficit) to 31/10/2021	Actual Surplus/ (Deficit) to 31/10/2020
BAMAGA PO	251,164	117,207	160,433	136,914	90,730	(19,707)	(10,430)
INJINOO READYMIX	414,672	137,702	314,906	150,188	99,766	(12,486)	37,776
INJINOO SERVICE STATION	781,308	596,847	590,718	500,580	190,590	96,267	35,867
JARDINE FERRY, ROADHOUSE & CAMPGROUND		938,168	449,285	394,509	748,085	543,658	(18,533)
NPARC STORES	294,552	193,129	277,425	349,653	17,127	(156,525)	(34,081)
UMAGICO STORE	1,397,799	1,593,485	1,288,055	1,765,360	109,744	(171,875)	186,760
Total Enterprises	4,336,864	3,576,537	3,080,822	3,297,203	1,256,042	279,333	197,358



Cash Position Summary

This attachment shows the cash flow position of NPARC and the activities year to date - October 2022

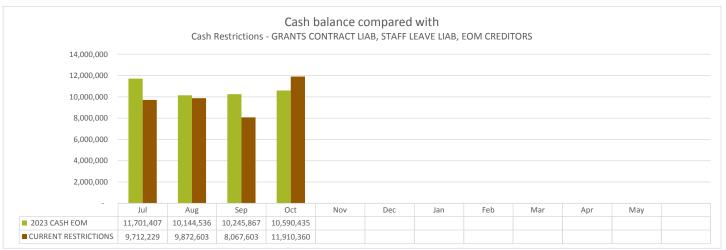
The estimated net cash position is \$10.59M as of 31 October 2022. Estimated known restrictions at end of October 2022 are liabilities for staff leave liabilities during the next 12 months: \$1.5M, creditors liabilities at end of month \$0.9M, grants project deliveries \$8 M.

Cash balances total at 31-October-2022 was	5	10.71M
Of this		
NPARC CBA General Account		\$ 6,655,729
NPARC Cash Floats		\$ 11,535
NPARC Cash on hand-ATM Umagico Store		\$ (7,591)
DHPW Trust Account	^ 5 new houses	\$ 557,284
NPARC QTC Investment	^ effective rate 1.94%	\$ 3,488,364

Northern Peninsula Area Regional Council Statement of Cash Position As at 31-October-2022

	\$
Cash flows from operating activities:	
Receipts from customers	9,442,717
Payments to suppliers and employees	(13,822,923)
	(4,380,206)
Interest received	19,141
Rental Income	842,110
Non-capital grants and contributions	1,998,769
Finance costs	(11,443)
Net cash inflow (outflow) from operating activities	(1,531,629)
Cash flows from investing activities Payments for property, plant and equipment Grants, subsidies, contributions and donations	(2,133,729) 4,009,926
Net cash inflow (outflow) from investing activities	1,876,197
rect cash innow (outflow) from investing activities	
	344,568
Net increase (decrease) in cash and cash equivalents held 31-October-20 Cash and cash equivalents at beginning of reporting period	344,568 10,245,867





Statement of Financial Position

The Statement of Financial Position is often referred to as the Balance Sheet and is a snapshot of the financial position of Council at a particular time. It measures what Council owns (Assets) and what Council owes (Liabilities). The difference between these two components is the net wealth (Equity) of Council.

Northern Peninsula Area Regional Council Statement of Financial Position As at 31-October-2022

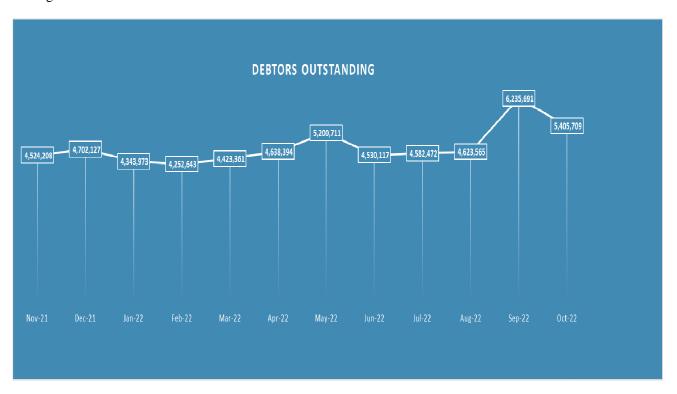
	As at	As at
	31-Oct-2022 -	31-Oct-2021
	Actual	Actual
	\$	\$
Current Assets		
Cash and cash equivalents	10,590,435	7,245,153
Trade and other receivables	2,467,608	1,958,004
Inventories	1,090,132	1,194,444
Other financial assets	767,804	734,915
	14,915,980	11,132,516
Non-current assets classified as held for sale	-	-
Total current assets	14,915,980	11,132,516
Non-current Assets		
Trade and other receivables	-	-
Other financial assets-Leased Assets	14,960,075	15,367,280
Property, plant and equipment	186,746,084	191,367,628
Work in progress	7,523,335	10,592,418
Total Non-current assets	209,229,494	217,327,326
TOTAL ASSETS	224,145,474	228,459,842
Current liabilities		
Trade and other payables	899,966	5,177,396
Borrowings	-	-
Provisions	1,548,571	1,146,133
Other	6,340,244	7,787,664
Total Current liabilities	8,788,781	14,111,193
Non-current liabilities		
Provisions	524,257	1,229,143
Total Non-current liabilities	524,257	1,229,143
TOTAL LIABILITIES	9,313,038	15,340,336
NET COMMUNITY ASSETS	214,832,436	213,119,506
Community Equity	62.626.675	CO 000 5-5
Asset revaluation reserve	62,006,652	62,006,652
Retained surplus/(deficiency) Reserves	152,825,785 -	151,112,853 -
TOTAL COMMUNITY EQUITY	214,832,437	213,119,505

Northern Peninsula Area Regional Council Analysis of Debtors and Creditors Outstanding As of 31-October-2022

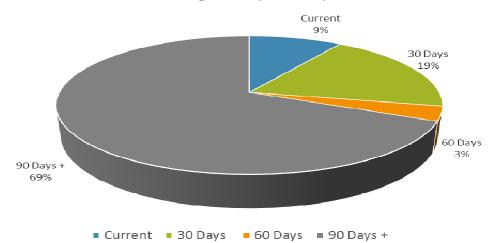
Debtors Outstanding and Recovery

Total debtors outstanding as of 31 Oct 2022 was \$5.4M of which 77% is outstanding over 90 days. Council is continuing efforts to recover debts with legal action being commenced on a number of long outstanding items.

Total bad debt provision as at 31 Oct 2022 continues to be \$3.071M, there being no change from the financial year ending June-2022.



Debtors Age Analysis - Sept-22



Creditors Outstanding

The total Creditors outstanding as of 31 October 2022 was \$659,759.51. The age analysis of the Creditors is as follows.

Description	Current	■ 30 Da	ays 🔼 60	Days 🔼 🤄	00 Days + 🔼	Total 🔼
Oct 2022						
Creditors outstanding	\$209,	542 \$7	282,151	\$3,006	\$165,061	\$659,760
Number of Creditors						E7





Title of Report: Report into the Jardine River Ferry Business & ticket prices review

Agenda Item: 11.3

Classification: For Decision

Author Acting Executive Manager, Enterprises

Attachments Proposed new fees (2023)

Current fees

Officers Recommendation:

That Council:

- 1. Note the report; and
- 2. consider implementing guidelines for charities to request a discount subject to appropriate documents being received; and
- 3. adopt the new fees for the Jardine Ferry with these fees to commence from 1 January 2023 and cover the calendar year to 31 December 2023

PURPOSE OF REPORT

To report on operational effectiveness of the new fee structure implemented in 2022 (resolution C11.2 – 22122021) and to propose new fees for 2023.

BACKGROUND AND CONTEXT

The Jardine River Ferry Crossing is the main gateway for those travelling to the Northern Peninsular Area. The Council operates the ferry service on the river in agreement with the Apudthama Land Trust. The Ferry fees are an important revenue source for the Council and the Trust which receives a percentage of the revenue collected.

Revenue from fees in the Calendar year 2022 are projected to increase and be more than \$1.5 million. Initial review of the increase is the more complete capture of vehicle fees in part due to the new fees structure now in place (entry fees only). Costs have initially been controlled, however during the Wet Season period, revenue will drop drastically and expenses will continue, including major repair work to the Ferry to occur in March/April. Further review of the operations at the Ferry has identified various cost factors which had not been captured, which has a negative impact on the operations of the Ferry and Council. Further improvement of the business at the Ferry will aim to appropriately capture costs for documentation and to improve the ability of Council to correctly identify operational costs.

It is noted that there have been several representations to Council from registered charities on fund aising drives, that have requested discounts to Ferry crossings during these activities. Currently, all of these requests need to be submitted to Council for review. Council may consider placing guidelines for the granting of discounts to Registered Charities, where a registered charity, with the





appropriate documents submitted, may receive a discount (proposed 15%) where the Council is identified as a supporter and receives such recognition.

Council imposes cost-recovery fees for services and facilities supplied by it. The quantum of each fee should reflect, as far as and as reasonably as possible, the actual cost of providing these services and facilities. Pursuant to section 97(4) of the Local Government Act 2009, cost recovery fees must not be more than the cost to Council of taking the action for which the fees are charged. It is noted that the Australian Consumer Price Index (CPI) at the September 2022 quarter was 7.3%. Coupled with the identification of further operational costs that had not been correctly accounted for, the proposed increase to the Ferry fees is 10% of current pricing for Ferry crossing, and 50% increase to camping fees. Current Ferry fee charges are attached as appendix 1 and the proposed new fees are attached as appendix 2.

CRITICAL DATES

N/A

OTHER OPTIONS CONSIDERED

N/A

LEGAL AND LEGISLATION CONSIDERATIONS

The legislative requirements for Fees and Charges are set out in S97 of the Local Government Act 2009.

There are no legislative restrictions on the amendment of Council Fees and Charges provided they are adopted by the Council.

POLICY CONSIDERATIONS

Revenue policy (FIN-005) 2022

CORPORATE AND OPERATIONAL PLAN CONSIDERATIONS

Northern Peninsular Area Regional Council Corporate Plan 2022-2026 Operational Plan item you are reporting against.

FOCUS AREA ONE:

STRONG GOVERNANCE - INNOVATIVE, EFFICIENT AND SUSTAINABLE

Key Objectives:

- We can demonstrate a pathway to financial sustainability
 - o Improve Asset Management Capability
 - Improve repairs, maintenance and renewal against all aged asset classes
 - o Increase available own-source revenue streams

FOCUS AREA THREE:

STRONG ECONOMY - AN ECONOMICALLY VIBRANT AND GROWING COMMUNITY

Key Objectives

- We support and facilitate Indigenous and local employment and business opportunities
 - Review and improve profitability of existing Council Enterprises



ORDINARY COUNCIL MEETING # 31

Agenda Item 11.2

Tuesday 22nd November 2022

Bamaga Boardroom

FINANCIAL AND RESOURCE CONSIDERATIONS

The recommended increase is expected to provide the ability to have a positive impact in both increased revenue and further recover operational costs.

CONSULTATION

N/A

Jardine Ferry Entry into NPA Jan to Dec 2022 - Leaving NPA is free

	THE ASSES	
Pedestrians (hikers with no vehicle)	Entry	Free
Bicycles	Entry	\$25.00
Motor Bike -	Entry	\$50.00
Single vehicles/Cars -	Entry	\$110.00
Vehicles with trailer/van	Entry	\$175.00
Tour bus 10 tonne or less	Entry	\$220.00
Tour bus > 10 tonne	Entry	\$280.00
Other vehicles 10 tonnes or less	Entry	\$220.00
Other vehicles > 10 tonnes	Entry	\$280.00
NPA Residents	Entry	\$55.00
Camping fee/night at Jardine Roadhouse camping ground 13 years and up	Entry	\$10.00
Camping fee/night at Jardine Roadhouse camping ground under 13 years	Entry	\$5.00

2023 PROPOSED JARDINE FERRY CHARGES

	Туре	GST	2023 Inc GST
Pedestrians	Entry	N/A	FREE
Bicycles	Entry	Υ	27.50
Motor bikes	Entry	Υ	55.00
Single Vehicles - cars	Entry	Υ	121.00
Vehicles with Trailer/Van	Entry	Υ	192.50
Tour Bus 10 tonne or less	Entry	Υ	242.00
Tour Bus > 10 tonne	Entry	Υ	308.00
Other vehicles 10 tonne or less	Entry	Υ	242.00
Other vehicles > 10 tonne	Entry	Υ	308.00
NPA residents – Car only	Entry	Υ	60.00
Camping fee/night @ Jardine	Entry	Υ	7.50
Ferry campgrounds Under 13			
Camping fee/night @ Jardine	Entry	Υ	15.00
Ferry campgrounds13 and up			





Title of Report: Request to Write Off Debt

Agenda Item: 11.3

Classification: For Decision

Author Acting Manager Finance

Attachments Nil

Officers Recommendation:

That Council:

Write off Invoice 3041979 and the amount of \$10,370.00 as an uncollectable debt.

PURPOSE OF REPORT

To seek Council approval to write off a debt which has become uncollectable

BACKGROUND AND CONTEXT

As part of the end of financial year processing for audit, the CEO has been working with the Finance team to review the long outstanding debts from customers that NPARC has provided goods or services to, and whose invoices have remained unpaid for some considerable time.

One of these unpaid invoices was for work NPARC did relating to the Bus Shelter Construction and Management project under the Department of Transport & Main Roads 2014 ATSI-TIDS program.

Invoice number 3041979 was issued to the Department on 11th June 2014, however a lack of follow up action by both NPARC and the Department resulted in this invoice not being paid.

The CEO has been in contact with the Department about getting this invoice paid, however the response from the Department is that due to length of time that has expired, the Department returned the funds to the QLD Treasury and they are no longer available to pay the invoice.

The debt is also outside the Statute-Of-Limitations for pursuing legal recovery action, so there is no option available to pursue this through the Courts.

It is therefore recommended that the amount of \$10,370.00 on Invoice 3041979 be written off as an uncollectable debt.





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N/A.

OTHER OPTIONS CONSIDERED

N/A.

LEGAL AND LEGISLATION CONSIDERATIONS

N/A

POLICY CONSIDERATIONS

N/A.

CORPORATE AND OPERATIONAL PLAN CONSIDERATIONS

Operational Plan – 2. FISCAL MANAGEMENT

FINANCIAL AND RESOURCE CONSIDERATIONS

N/A.

CONSULTATION

N/A.



ORDINARY COUNCIL MEETING # 31
Agenda Item 12.1
Tuesday 22nd November 2022
Bamaga Boardroom

Title of Report: Trustee and Council Meeting Dates 2023

Agenda Item: 12.1

Classification: For Decision

Author Acting Chief Executive Officer

Attachments Attachment A. WCCCA Meeting Dates

Attachment B. TCICA & Local Government Meeting Dates

Officers Recommendation:

That Council:

notes and accepts the Ordinary Council meeting dates for 2023 commencing at 9am as per scheduled venue:

- Wednesday 25th January 2023 Bamaga
- Wednesday 15th February 2023 Injinoo
- Wednesday 22nd March 2023 Umagico
- Wednesday 19th April 2023 New Mapoon
- Wednesday 24th May 2023 Seisia
- Wednesday 21st June 2023 Bamaga
- Wednesday 19th July 2023 Injinoo
- Wednesday 23rd August 2023 Umagico
- Wednesday 20th September 2023 New Mapoon
- Wednesday 25th October 2023 Seisia
- Wednesday 15th November 2023 Bamaga
- Wednesday 20th December 2023 Cairns



Officers Recommendation:

That Council:

accepts the dates for the 2023 NPARC Trustees' meeting commencing at 10am at the Bamaga Council Chambers.

- Tuesday 24th January 2023
- Tuesday 14th February 2023
- Tuesday 21st March 2023
- Tuesday 18th April 2023
- Tuesday 23rd May 2023
- Tuesday 20th June 2023
- Tuesday 18th July 2023
- Tuesday 22nd August 2023
- Tuesday 19th September 2023
- Tuesday 24th October 2023
- Tuesday 14th November 2023
- Tuesday 19th December 2023

PURPOSE OF REPORT

To provide a detail for the Council to accept 2023 Council and Trustee Meeting dates.

BACKGROUND AND CONTEXT

Every year Council adopts the meeting dates and venue for the Ordinary Council meeting and the NPARC Trustees' Meetings for the year ahead.

CRITICAL DATES

Critical dates was to ensure that the meetings didn't clash with Public Holiday, scheduled WCCCA, TCICA and LGAQ meetings.

FINANCIAL AND RESOURCE CONSIDERATIONS

NPARC will need to hire a space in Seisia to hold the meetings for the Trustee and Council Meetings in 2023.

WCCCA CALENDAR

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LEGEND



School Holidays



Sub-Committees (E&T, E&H, LR&T)



Sub-Regional Trusts (CSRT, NSRT, SSRT)



Indigenous Directors & Members



Main Trust/Property Trust



Funding Applications Close



Public Holidays



Coordinating Committee



Investment Committee



Western Cape Centre Ltd



AGM's (CSRT, NSRT, SSRT, WCCL, MT, PT)



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Dates to Note in 2023

Forward TCICA Meeting Dates

- 8 March (Cairns), following Qld Police First Nations Mayors Summit
- 9 & 10 May (coinciding with Regional Sitting of Parliament in Cairns 9-11 May)
- 11 May Indigenous Local Government Disaster Resilience Forum (Cairns)
- 4 & 5 July (propose Thursday Island)
- 6 & 7 September (Cairns)
- 8 & 9 November (Cairns)

LGAQ Annual Conference

16 - 18 October (Gladstone)

LGAQ Indigenous Leaders Forum

April?

16 October (Gladstone) tbc

LGAQ Policy Executive

- 17 February
- 21 April
- 23 June
- 18 August
- 15 October
- 8 December

LGMA key events

29 – 31 August Annual Local Government Conference (Caloundra)

FNQROC meeting dates

- 2 February
- 6 April
- 1 June
- 3 August
- 5 October
- 7 December

Queensland School Holidays

- 1 April 16 April
- 24 June 9 July
- 16 September 2 October
- 9 December (Christmas holidays)





Title of Report: December 2022 Community Meetings

Agenda Item: 12.2

Classification: For decision

Author Acting Chief Executive Officer

Attachments Nil

Officers Recommendation:

That Council:

• Note the Report

Approves the proposed dates for Community Meetings

PURPOSE OF REPORT

Provide a schedule of community meeting dates for December 2022 for council approval.

BACKGROUND AND CONTEXT

Under the corporate and operational plan. Council aims for community meetings to be held each quarter. After reviewing Council Calendars, the proposed schedule is to hold the community meetings during the week commencing 5/12. Proposed venues are listed for Council Input

Date	Time	Community	Proposed Venue(s)
5/12	10am – 12pm	Stakeholders	New Mapoon Hall
	2pm – 4pm	NPARC Staff	Bamaga Hall
	5pm – 7pm	Bamaga	Bamaga Hall
6/12	2pm – 4pm	Seisia	Seisia IKC
	5pm – 7pm	Umagico	Umagico Hall
8/12	2pm – 4pm	New Mapoon	New Mapoon Hall
	5pm – 7pm	Injinoo	Injinoo Hall

The purpose of these community meetings will be to provide update on Council operations, provide an opportunity for community to ask questions of Council and brief stakeholder updates. The proposed agenda is presented below

- Opening Prayer
- Acknowledgement of Country
- Community Update (Councillors)
- Presentation of Operational Plan & Key Budget Information (A/CEO)
- Update of current projects (A/CEO)
- Agency Updates
 - o QPS



ORDINARY COUNCIL MEETING # 31

Agenda Item 12.2

Tuesday 22nd November 2022

Bamaga Boardroom

- QHealth
- NPA Family and Community Services
- Housing
- Questions and Answers

It is proposed to have a separate session for people representing organsiations and stakeholders. This is to ensure community sessions are tailored and delivered for community people and not distracted by organisation related queries.

Sandwiches and fruit will be provided at each meeting. The meeting notices will be promoted on social media and across community locations. A/CEO will also ask local organisations to provide the support to their staff to attend.

CRITICAL DATES

NA

OTHER OPTIONS CONSIDERED

NA

LEGAL AND LEGISLATION CONSIDERATIONS

NA

POLICY CONSIDERATIONS

NA

CORPORATE AND OPERATIONAL PLAN CONSIDERATIONS

Focus Area Four - Strong People - An Empowering And Engaging Council

FINANCIAL AND RESOURCE CONSIDERATIONS

Budget will be \$5,000 including staff overtime for night sessions

CONSULTATION

NA



Title of Report – Pajinka Precinct Plan in principle support request

Classification For Decision

Author Executive Manager Operations
Attachments A. RILIPO Formal Notice

B. Pajinka Precinct Plan - Executive Summary

Officers Recommendation:

That Council

- 1. Endorse the NPARC providing RILIPO in principle support for the development of a Precinct Plan for the proposed GYAC Tourism Development project at Pajinka.
- 2. Requests that the CEO provide the necessary letter to the Department of, Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnership (DSDSATIP).

PURPOSE OF REPORT

To request approval for Council to provide in principle support to Department of, Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnership (DSDSATIP), for the development of a Precinct Plan for the proposed GYAC Tourism Development project at Pajinka.

BACKGROUND AND CONTEXT

The Queensland State Government is partnering with GYAC to achieve a shared vision which is to enhance the existing high-profile destination with tourism responsive site management and planning, that will empower GYAC to self-determination by capitalising on tourism opportunities at Pajinka.

The Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP), Remote Indigenous Land and Infrastructure Program Office (RILIPO) is working in partnership with Gudang Yehhedkenu Aboriginal Corporation (GYAC) (who are the landowners and Traditional Owners of the land at Pajinka), the Department of Tourism, Innovation and Sport (DTIS), Torres Shire Council (TSC) and Northern Peninsula Area Regional Council (NPARC), to develop a Precinct Plan to support GYAC achieve their visions for Pajinka and to capitalise and build upon this already popular tourist destination, through appropriate planning and infrastructure development.

The Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP), Remote Indigenous Land and Infrastructure Program Office (RILIPO). Wrote to Council on Monday the 14th of November with a formal notice requesting in principle support for this project (Attachment A). RILIPO also provided a copy of the Pajink Project Plan – Executive Summary document for Council's perusal (Attachment B)

CRITICAL DATES

9th December 2022, DSDSATIP has requested that stakeholder submit their in-principle support by this date to allow them to manage a Queensland Government Procurement tender process for the Precinct Plan by early January 2023.



OTHER OPTIONS CONSIDERED

Ni

LEGAL AND LEGISLATION CONSIDERATIONS

NIL

POLICY CONSIDERATIONS

NIL as the proposed development outside the NPARC jurisdiction

CORPORATE AND OPERATIONAL PLAN CONSIDERATIONS

Focus Area Two

- We respect Native Title and Cultural Heritage rights and interests
 - Build strong relationships with Traditional Owners and representative bodies based on mutual trust and constructive dialogue to facilitate growth of the NPA whilst recognizing and respecting cultural values

Focus Area Three

- We support and facilitate Indigenous and local employment and business opportunities
 - Support new and existing local Indigenous Business to capitalize on business development opportunities

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FINANCIAL AND RESOURCE CONSIDERATIONS

Nil for these works

CONSULTATION

- Kate Gallaway A/Chief Executive Officer Northern Peninsula Area Regional Council
- Donald Hayes A/Program Manager, Department of, Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnership.
- Alex Bowen Principle Project Officer, Department of, Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnership



Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships

Our reference:

DSDSATSIP246

Attn: Kate Galloway
Chief Executive Officer
Northern Peninsula Area Regional Council
PO Box 200
BAMAGA QLD 4876

Via: Kate.Galloway@nparc.qld.gov.au

Dear Kate,

RE: PAJINKA DEVELOPMENT- PRECINCT PLAN

Northern Peninsula Area Regional Council (NPARC) has been identified as a stakeholder with respect to a proposed tourism development project at Pajinka.

The Gudang/Yadhaykenu Aboriginal Corporation holds the land at Pajinka, described as lot 22 on SP309088, lot 2 on SP30988 and lot 8 on SP262590 in trust under the *Aboriginal Land Act 1991*. The land is located within the Torres, Shire Council Local Government Area.

The Department of Tourism, Innovation and Sport secured grant funding to invest in the operational business capacity of GYAC as an operator of a proposed camping and tourism precinct at Pajinka and to develop infrastructure for the site.

In support of this project, the Remote Indigenous Land and Infrastructure Program Office (RILIPO), of the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATIP) is funding and will deliver a Pajinka Precinct Plan (the Precinct Plan) in partnership with identified stakeholders. The Precinct Plan will include thorough stakeholder consultation to capture the vision and scope of the project. It will also include technical analysis and reports to inform the future development requirements for the site. As you are aware, precinct plans are aspirational documents, and required town planning approvals will be sought in due course.

I am writing to you to seek "in-principle" support for the development of the Precinct Plan, prior to going to tender.

I have enclosed a copy of the Pajinka Project Plan- Executive Summary for your perusal.

If you require any further information or assistance in relation to this matter, please contact Alex Bowen, Principal Project Officer- Built Environment, RILIPO, DSDSATSIP on 42525119 or alex.bowen@dsdsatsip.qld.gov.au.

Yours sincerely

Donald Hayes

A/Program Director

Enc: Pajinka Precinct Plan- Executive Summary

14/11/22

Pajinka Precinct Plan

EXECUTIVE SUMMARY- 11 NOVEMBER 22

Overview

The Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP), Remote Indigenous Land and Infrastructure Program Office (RILIPO) is working in partnership with Gudang Yehhedkenu Aboriginal Corporation (GYAC) (who are the landowners and Traditional Owners of the land at Pajinka), the Department of Tourism, Innovation and Sport (DTIS), Torres Shire Council (TSC) and Northern Peninsula Area Regional Council (NPARC), to develop a Precinct Plan to support GYAC achieve their visions for Pajinka and to capitalise and build upon this already popular tourist destination, through appropriate planning and infrastructure development.

Pajinka, also referred to as "the Tip" of Queensland, is mainland Australia's most northern point and a very popular tourist destination. In 2019, GYAC became the trustee of the land located at Pajinka, (described as Lot 22 on SP309088, Lot 2 on SP309088 and Lot 8 on SP262590), as inalienable freehold under the *Aboriginal Land Act 1991* (ALA). When GYAC became the trustee of the land, it also inherited what remains of the once lavish Pajinka Wilderness Lodge (also referred to as the Cape York Eco Resort) and associated buildings and facilities, which are in varying states of disrepair as they were abandoned in the early 2000's. It is understood that minimal operational facilities remain at the site.

The Queensland State Government is partnering with GYAC to achieve a shared vision which is to enhance the existing high-profile destination with tourism responsive site management and planning, that will empower GYAC to self-determination by capitalising on tourism opportunities at Pajinka.

In 2022, DTIS secured grant funding to invest in the operational business capacity of GYAC as an operator of a tourism venture, paired with the infrastructural development of the land. The intended use for the grant is to develop the land at Pajinka on behalf of GYAC, with the focus on GYAC delivering an authentic Indigenous cultural tourism venture which allows for management of the land whilst providing services to tourists that will generate an ongoing revenue stream for the landowners.

In support of the funding grant, NPARC entered an agreement with DTIS and GYAC to be the auspice body to hold the funds on behalf of GYAC and to provide ongoing support for the project. It is noted that the land at Pajinka sits within the TSC Local Government Area (LGA) and that TSC will therefore be responsible for approving any future development of the site.

Remote Indigenous Land and Infrastructure Office commitment

In order to establish the specifics of the overall design and intent of the tourism precinct, prior to the commencement of the formal development process, RILIPO is coordinating the preparation of a 'Pajinka Precinct Plan' in partnership with GYAC, which will highlight the strategic vision of the landowners and identify the technical input required for future development opportunities for the site.

The intent of this project is that the successful contractor, secured through a tender process, will identify and record GYAC's vision, goals and critical success factors, by developing a project plan outlining the schematic design, estimated capital works costings, required Development Approvals, cultural heritage and land tenure requirements, 3D rendering and artistic impressions, development stages, planning ideas and associated timeframes, as well as any other applicable legislative requirements. This will be completed in consultation with GYAC, RILIPO and identified stakeholders.

Key Stakeholders & Strategic Partners

Key Stakeholder and strategic partners identified for this project (but not limited to) are:

- Gudang Yadheykenu Aboriginal Corporation (GYAC) as the Landowner.
- Traditional Owners and family groups as advised by GYAC.
- Department of Tourism, Innovation and Sport.
- Northern Peninsula Area Regional Council.
- Torres Shire Council.
- Northern Peninsula Area community members.
- Key service providers identified by both Councils.
- Identified State Government Departments.
- Any other identified stakeholders.

Vision

The intent of the project is to support the aspirations of GYAC to empower the corporation to develop a tourism product which will create an authentic Indigenous cultural experience for visitors, ensuring that the site is developed in such a way as to protect it from degradation and inappropriate use while generating a sustainable income for GYAC and creating jobs for the local community.

The Pajinka Precinct Plan will guide the landowners and investors in achieving the vision by providing a community-led and Council supported strategy for tourism planning and development at Pajinka.

Scope

The scope of the project is to develop a schematic concept plan for tourism development at Pajinka and to provide an appropriate planned infrastructure which will access to the Tip, ensuring the environmental values (natural and cultural) are protected. The proposed Pajinka Precinct Plan area is located within proximity to the former Pajinka Wilderness Lodge and includes surrounding areas such as the public car parking and headland access. The contractor will ensure to consider the aspirations and requirements of GYAC and the local community as well as visitor requirements. The aim is to ensure that Tourism and access to the Tip is appropriately managed.

The successful contractor will be suitably qualified, resourced and experienced to investigate the opportunities and limitations of the precinct location in a rural and remote context to ensure a cost considerate plan is produced for the staged development of the locality.

Once the successful contractor is engaged, all stakeholders, in particular GYAC, will have the opportunity to engage with the project team in order to produce a well informed and site appropriate document which will guide the future development of the site.

With in-principal approval from, and in consultation with GYAC as the landowner, and in consultation with TSC as the local government authority, NPARC as the auspice body of the DTIS Funding grant, the successful contractor is required to produce robust document which will be utilised to inform the future development of the site.

RILIPO will cover the costs associated with the development of the precinct plan, so that the DTIS grant funding can be utilised for future development of the site and GYAC's operational business capacity development.

Next Steps

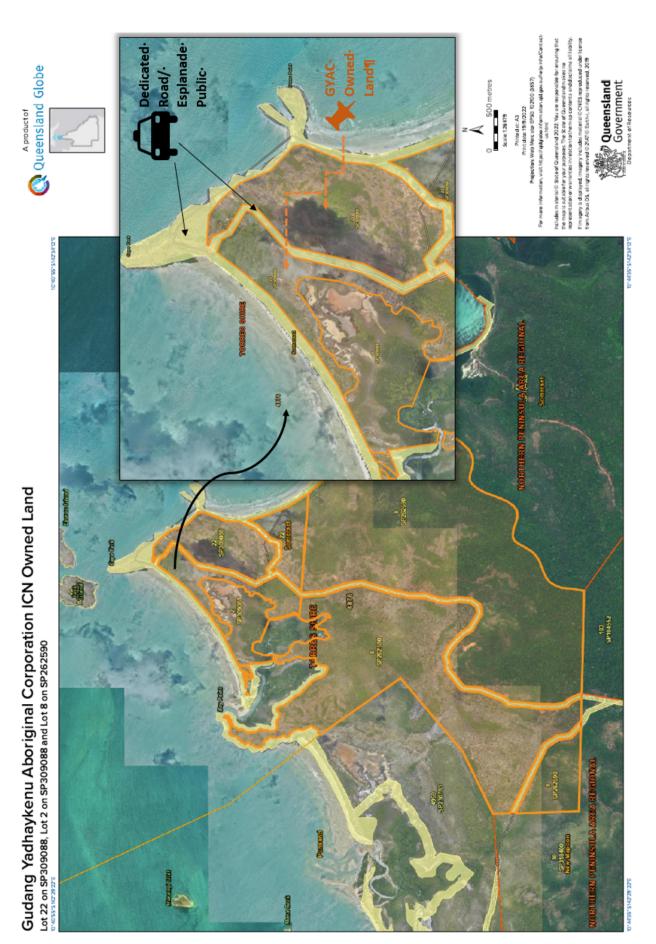
RILIPO will manage a Queensland Government Procurement tender process for the Precinct Plan by early January 2023. To achieve that deadline, in-principal approval from stakeholders is required.

The successful contractor, once engaged, will commence the consultation and planning process.

What is required now?

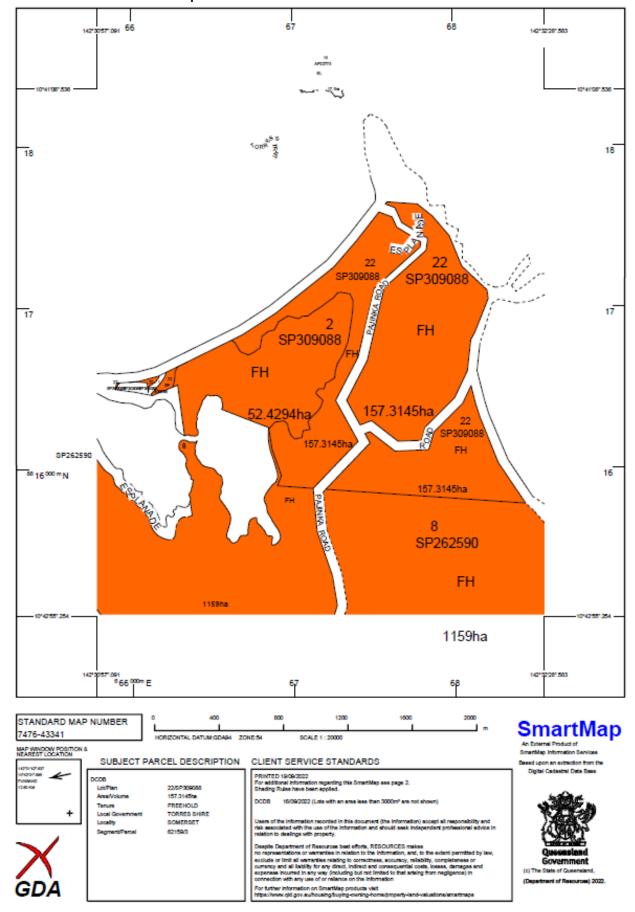
Please submit your in-principle support by 9 December 2022.

Attachment A: Map of GYAC owned land at Pajinka



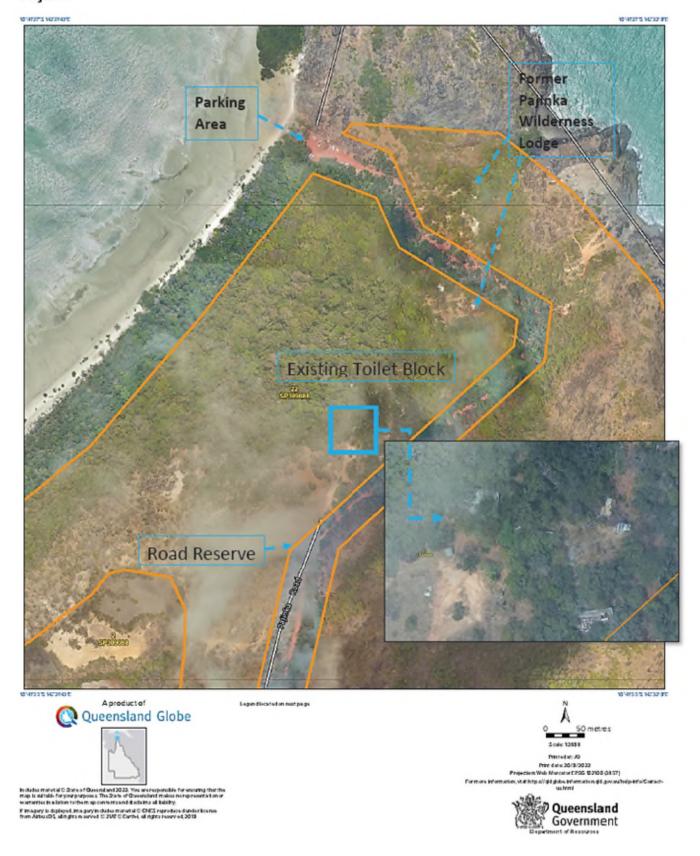
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Attachment B: Smart Map



Attachment C: Pajinka Precinct Locality

Pajinka



Attachment D: Site Photos



Figure 1: Western access to the headland via car park/ mangroves



Figure 2: Pajinka Sign 'You are standing at the northern most point of the Australian Continent'



Figure 3: Pajinka looking north



Figure 5: Access through centre of the headland back to the carpark



Figure 6: Existing toilet block



Figure 7: Proposed location for campground (adjacent to existing toilet block)



Figure 8: Former nature boardwalk entrance point from proposed campground



Figure 9: Former nature boardwalk entrance point from public car park.



Figure 10: Building remaining from the former Pajinka Wilderness Lodge.



ORDINARY COUNCIL MEETING # 31

Agenda Item 12.4

Tuesday 22nd November 2022

Bamaga Boardroom

Title of Report: Development Application Lease B on Lot Plan 89SP243595

Agenda Item: 12.4

Classification: For Decision

Author Executive Manager, Operations

Attachments RPS Covering letter and Development Application



Officers Recommendation:

That Council resolves to

1. Approve the proposed reconfigure a portion of Lot 89 of SP243595 to allow for a lease of greater than ten years (subject to the following conditions):

Administration

- 1.1. The developer is responsible to carry out the approved development and comply with relevant requirements in accordance with:
- 1.2. The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within relevant technical reports;
- 1.3. The development must unless stated, be designed, constructed, and maintained in accordance with relevant Council policies, guidelines, and standards and with the relevant design guidelines in the Far North Queensland Regional Organisation of Councils (FNQROC) Development Manual;
- 1.4. The conditions of approval, the requirements of Council's Planning Scheme and best practice engineering.

Currency Period

2.1 The currency period applicable to the Reconfiguring a Lot is 4 years.

Approved Site Drawings/Plans

3.1 The development of the site is to be generally in accordance with the following plans that are to be the approved Plans of Development, except as altered by any other condition of this approval:

Plan/Document Name	Drawing Number	Date/DWG
Plan of Lease B in Lot 89 on SP24595	49017928	2/12/2020

- 3.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 3.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for endorsement by Council.
- 2. Requests that the CEO & EMO forward the relevant decision notice to the RPS's Ian Doust, within the appropriate time.



ORDINARY COUNCIL MEETING # 31

Agenda Item 12.4

Tuesday 22nd November 2022

Bamaga Boardroom

PURPOSE OF REPORT

To consider and decide on the Development Application, as submitted by RPS AAP Consulting Pty Ltd (RPS) on behalf of Northern Peninsula Area Regional Council (NPARC). Seeking development approval to reconfigure a portion of Lot 89 of SP243595 to allow for a lease of greater than ten years.

BACKGROUND AND CONTEXT

Background

NPARC engaged RPS to assist with Seek development approval to reconfigure a portion of Lot 89 of SP243595 to allow for a lease of greater than ten years.

Lot 89 SP243595 is a State Government Reserve with the purposes of Provision of services beneficial to Torres Strait Islanders particularly concerned with land. The site is generally developed with a range of industrial uses including the ergon power station and Council depot. The Lease B area would contain the existing Ergon Power station and Depot.

Proposal

The subject site is a single irregularly shaped parcel of land located at Lui Street, Bamaga and containing an area of 33,120m2 and with frontage to Lui Street to the north and unnamed road reserves to the east south and west. Primary access to the site is provided from the constructed Lui Street with secondary access provided from the unconstructed road reserve. The site is generally developed with a range of industrial uses including the ergon power station and depot located in the eastern section of the overall site. The southern part of the site has been developed with uses including a vehicle mechanics and builders' yards.

In a wider perspective, the site is located on the eastern edge of the township of Bamaga with the developed areas to the north and west.

It is proposed to lease part of the overall site to Ergon for a period of in excess of 10 years. In accordance with the *Planning Act 2016*, dividing the land by an agreement with a term of in excess of 10 years requires a Development Permit for Reconfiguring a Lot.

The proposal involves creating a lease area of 9,998m², referred to as Lease B, and a balance area of approximately 23,122m². The Lease B area would contain the existing Ergon Power station and Depot with the balance area containing a mix of industry uses.

A plan of the proposed lease area, SP323459, is provided in **figure 1** below. There is no material change to the use of the site, operational characteristics or built form on the site as a part of this application.





Figure 1: Proposed Lease B area

RPS's full report has been attached (attachment A) for Council's consideration and information as necessary.

CRITICAL DATES

N/A.

OTHER OPTIONS CONSIDERED

N/A.

LEGAL AND LEGISLATION CONSIDERATIONS

Planning Act 2016 Planning Regulations 2017 Northern Peninsula Area Regional Council Panning Scheme 2018

POLICY CONSIDERATIONS

N/A.

CORPORATE AND OPERATIONAL PLAN CONSIDERATIONS

Corporate Plan

Focus Area Three – We support and facilitate Indigenous and local employment and business opportunities.



ORDINARY COUNCIL MEETING # 31

Agenda Item 12.4

Tuesday 22nd November 2022

Bamaga Boardroom

FINANCIAL AND RESOURCE CONSIDERATIONS

Nil

CONSULTATION

- RPS AAP Consulting Pty Ltd (RPS)
- Kate Gallaway A/- Chief Executive Officer

Kate Gallaway Chief Executive Officer Northern Peninsula Area Regional Council 180 Adidi Street Bamaga QLD 48767

Dear Ms Galloway,

Application for Reconfiguring a Lot (Lease term exceeding 10 years), Lot 89 SP243595 - Ergon Lease B on SP323459 - Lui Street, Bamaga

RPS AAP Consulting Pty Ltd (RPS) has been engaged by Northern Peninsula Area Regional Council (NPARC) to seek development approval to reconfigure a portion of Lot 89 of SP243595 to allow for lease of greater than ten years.

Site Details

The subject site is a single irregularly shaped parcel of land located at Lui Street, Bamaga and containing an area of 33,120m² and with frontage to Lui Street to the north and unnamed road reserves to the east south and west. Primary access to the site is provided from the constructed Lui Street with secondary access provided from the unconstructed road reserve. The site is generally developed with a range of industrial uses including the ergon power station and depot located in the eastern section of the overall site. The southern part of the site has been developed with uses including a vehicle mechanics and builders yards.

In a wider perspective, the site is located on the eastern edge of the township of Bamaga with the developed areas to the north and west.



Figure 1 : Site Location (Source: Queensland Globe)

Proposed Development

It is proposed to lease part of the overall site to Ergon for a period of in excess of 10 years. In accordance with the *Planning Act 2016*, dividing the land by an agreement with a term of in excess of 10 years requires a Development Permit for Reconfiguring a Lot.

The proposal involves creating a lease area of 9,998m², referred to as Lease B, and a balance area of approximately 23,122m². The Lease B area would contain the existing Ergon Power station and Depot with the balance area containing a mix of industry uses.

A plan of the proposed lease area, SP323459, is provided at **Appendix D** and **figure 1** below. There is no material change to the use of the site, operational characteristics or built form on the site as a part of this application.



Figure 1: Proposed Lease B area

Town Planning Assessment

Under the Northern Peninsula Area Regional Council Planning Scheme, the subject site is within the Industry Zone and subject to the following overlays:

Airport Overlay - Within 8-13km wildlife buffer area to the airport.

Reconfiguring a Lot within the Industry Zone is identified as requiring a Code Assessable application and approval by Council.

As the application is subject to code assessment, the assessment benchmarks, and the matters the assessment manager must have regard to, are those identified in section 45(3) of the *Planning Act 2016* and sections 26 and 27 of the *Planning Regulation 2017*.

State Planning Policy

Section 26(2)(a)(ii) of the *Planning Regulation 2017* requires the assessment manager to assess the application against the assessment benchmarks stated in the State Planning Policy, Part E, to the extent Part E of the State Planning Policy is not identified as being appropriately integrated into planning scheme.

It is understood that the minister has identified that the State Planning Policy has been appropriately integrated into the Northern Peninsula Area Regional Council Planning Scheme 2018 (v.1.1) to the extent relevant to the application and consequently no further assessment is required in this instance.

Regional Plan

The *Planning Regulation 2017* at section 26(2)(a)(i) requires the assessment manager to assess the application against the assessment benchmarks stated in the regional plan, to the extent the Regional Plan is not identified as being appropriately integrated into the planning scheme.

The Minister has identified that the Northern Peninsula Area Regional Planning Scheme 2018 (v.1.1), specifically the strategic framework, appropriately advances the Cape York Regional Plan 2014, as it applies in the planning scheme area, on that basis, no further assessment is required in this instance. Notwithstanding, the relevant parts of the Regional Plan have been assessed in this report for the purpose of completeness.

The purpose of the Cape York Regional Plan is to enhance the quality of life throughout the region by facilitating opportunities for appropriate economic development while recognising the need to protect Cape York's regionally important environmental areas.

The plan achieves this purpose through a combination of:

- regional policies
- regional land use categories
- · regional interest mapping
- supporting information about other matters relevant to land use planning in the region.

Regional policy 1

Provide for economic opportunities and appropriate development by facilitating opportunities for land uses that contribute to diverse economic and employment opportunities in the region.

The proposed lease would provide for the continued operation of a utility service critical to the economic opportunities of the region.

Regional policy 2

Safeguard areas of significant biological diversity and ecological function (Map 1) by protecting the:

- integrity of the Steve Irwin Wildlife Reserve from incompatible activities
- ecological integrity of Strategic Environmental Areas from incompatible development.

The proposed lease would not affect any area of biological diversity or ecological function.

Regional policy 3

Planning schemes provide for potential recreation and commercial development opportunities that complement and contributes to the community value of national parks (Map 1).

Policy 2 is not applicable and relates to the construct of the planning scheme, which has been identified as adequately advancing the Regional Plan.

Regional policy 4

Protect Priority Agricultural Land Uses within Priority Agricultural Areas.

This policy is not applicable to the proposed development as the site is not located within a Priority Agricultural Area.

Regional policy 5

Maximise opportunities for co-existence of resource and agricultural land uses in Priority Agricultural Areas

This policy is not applicable to the proposed development as the site is not located within a Priority Agricultural Area.

Regional policy 6

Safeguard the areas required for the growth of towns through establishment of Priority Living Areas (Maps 3 to 15, Schedule 2).

The proposed development would provide for a utility infrastructure service within a prior ty living area and would facilitate the continued operation of the living area.

Regional policy 7

Provide for resource activities to locate within a Priority Living Area only where it meets the communities' expectations as determined by the relevant local government.

Not applicable as the proposal does not involve a resource activity.

Regional land use categories

The regional plan allows for the allocation of land in the region into the following regional land use categories:

- Strategic Environmental Areas (SEAs) SEAs are areas where high ecological values may occur
 due to the collocation of multiple biodiversity features in conjunction with the landscape's
 topographical and hydrological features. In addition, SEAs can be areas that are recognised for
 specific Indigenous cultural heritage values of regional significance.
- National Parks.

The site is neither a Strategic Environmental Area nor a National Park.

Regional interest mapping

Three areas of regional interest, for the purposes of the RPI Act, are identified in the Cape York region:

- SEAs Strategic Environmental Areas
- PAAs Priority Agricultural Areas
- PLAs Priority Living Areas

The site is not identified in any of these areas on the Regional Interest Mapping.

Development Assessment under Schedule 10 (SDAP)

Schedule 10 of the Planning Regulation 2017 identifies the matters that the assessment manager and/or referral agency assessment must have regard to. The State Development Assessment Provisions (SDAP) nominate applicable State Codes based on the referral triggers. The proposed development does not trigger any assessment against a State Code.

Planning Scheme Assessment Benchmarks

This application is to be assessed against the Northern Peninsula Area Regional Council Planning Scheme 2018 (v.1.1). The assessment benchmarks applicable under the Planning Scheme are the Industry Zone Code and the Reconfiguring a Lot Code.

It is noted that the subject site is located within the 8km wildlife buffer; however, it is not expected that the proposed development would impact upon the operation of the NPA Airport. The proposed development is not considered either a high or moderate risk for increases in wildlife strikes and hazards, in accordance with Table 8.2.6.3.b of the code.

The proposed development is considered to be consistent with the relevant Assessment benchmarks contained within the Northern Peninsula Area Regional Council Planning Scheme July 2018 (v1.1)

A detailed assessment against the relevant Planning Scheme Codes is provided at Appendix E.

Conclusion

This letter supports a development application made on behalf of Northern Peninsula Area Regional Council for the Reconfiguring of a Lot. The lot is located at Lui Street, Bamaga, and is formally described as Lot 89 SP243595. The proposal is to Reconfigure the above lot to allow for part of the site to be lease to a third party. This letter has demonstrated the proposal's consistency with the intents and code requirements of Northern Peninsula Area Regional Council. Approval is sought subject to reasonable and relevant conditions.

We look forward to continuing working with you on this development. In the meantime, if you have any queries please contact the writer (contact details below).

Yours sincerely, for RPS Australia East Pty Ltd

Las Paul

Ian Doust

Senior Principal

lan.doust@rpsgroup.com.au

+61 7 4031 1336

Appendices:

Appendix A – Development Application Form

Appendix B – Certificate of Title

Appendix C – Owners Consent Form (Trustee)

Appendix D - Proposal Plan (SP323459)

Appendix E – Planning Benchmark Assessment

Appendix A

Development Application Form

DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving only building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development** (i.e. material change of use, operational work or reconfiguring a lot), use this form (*DA Form 1*) and parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

Note: All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).

PART 1 - APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Northern Pensinsula Area Regional Council
Contact name (only applicable for companies)	Ian Doust – RPS AAP Consulting Pty Ltd
Postal address (P.O. Box or street address)	PO Box 1949
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Contact number	07 4031 1336
Email address (non-mandatory)	ian.doust@rpsgroup.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	9832

2) Owner's consent
2.1) Is written consent of the owner required for this development application?



PART 2 - LOCATION DETAILS

Note: P	ation of the provide details b	elow and						he development	t application. For further information, see <u>DA</u>
Forms Guide: Relevant plans. 3.1) Street address and lot on plan									
	eet address				at ha liat	an or			
			•	,			cent pi	operty of the	premises (appropriate for development in
	Street address AND lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon. All lots must be listed).								
	Unit No.	Street	No.	Street Nam	ne and	Туре			Suburb
a)			L	Lui Street					Bamaga
a,	Postcode	Lot No	o. F	Plan Type	and Nu	umber (e.g. RF	P, SP)	Local Government Area(s)
	4876	89		SP243595					NPARC
	Unit No.	Street	No. S	Street Nam	ne and	Туре			Suburb
b)									
5)	Postcode	Lot No	o. F	Plan Type	and Nu	umber (e.g. RF	P, SP)	Local Government Area(s)
3.2) C	oordinates c	of prem	ises (appr	ropriate for de	velopme	ent in rem	note area	as, over part of a	a lot or in water not adjoining or adjacent to land
	g. channel dred Place each set o								
	ordinates of				latitud	de			
Longit			Latitude			Datur	n		Local Government Area(s) (if applicable)
_	. ,					□ W	GS84		
							DA94		
			l <u></u>			☐ Ot	her:		
Co	ordinates of	premis	es by eas	sting and r	orthing	g			
Eastin	g(s)	North	ning(s)	Zone Ref. Datum			Local Government Area(s) (if applicable)		
				□ 5	4	☐ W	GS84		
				□ 5			DA94		
				□ 5	6	Ot	her:		
3.3) A	dditional pre	mises							
							plicati	on and the d	etails of these premises have been
_	ached in a so t required	cheaule	to this a	levelopmei	nt appi	ication			
M INO	l lequireu								
4) Ider	ntify any of th	he follo	wing that	t apply to th	ne prer	mises a	nd pro	vide any rele	vant details
	or adjacent t								
	of water boo								
	strategic po	-		•		structur	e Act 1	994	
	plan descrip			•					
ł	of port author		•	, p					
	a tidal area	J,							
	of local gove	ernmer	nt for the	tidal area	if applic	able):			
	of port author					u.c.,.			
	<u> </u>					ıcturina	and D	isposal) Act 2	2008
	of airport:			(

Listed on the Environmental Management Register (EN	IR) under the Environmental Protection Act 1994
EMR site identification:	
Listed on the Contaminated Land Register (CLR) unde	the Environmental Protection Act 1994
CLR site identification:	
5) Are there any existing easements over the premises? Note: Easement uses vary throughout Queensland and are to be identified how they may affect the proposed development, see <u>DA Forms Guide.</u>	ed correctly and accurately. For further information on easements and
Yes – All easement locations, types and dimensions ar application	e included in plans submitted with this development
⊠ No	

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about th	e first development aspect		
a) What is the type of develo	opment? (tick only one box)		
☐ Material change of use	Reconfiguring a lot	Operational work	☐ Building work
b) What is the approval type	? (tick only one box)		
□ Development permit	☐ Preliminary approval	☐ Preliminary approval that	includes a variation approval
c) What is the level of asses	sment?		
□ Code assessment	☐ Impact assessment (requir	res public notification)	
d) Provide a brief description <i>lots</i>):	n of the proposal (e.g. 6 unit apart	ment building defined as multi-unit dv	velling, reconfiguration of 1 lot into 3
Reconfiguring a lot (dividing	the land into parts by agreeme	ent – lease)	
e) Relevant plans Note: Relevant plans are required Relevant plans.	to be submitted for all aspects of this o	development application. For further in	nformation, see <u>DA Forms guide:</u>
Relevant plans of the pro	posed development are attach	ned to the development applica	ation
6.2) Provide details about th	e second development aspect		
a) What is the type of develo	opment? (tick only one box)		
☐ Material change of use	Reconfiguring a lot	Operational work	☐ Building work
b) What is the approval type	? (tick only one box)		
☐ Development permit	☐ Preliminary approval	☐ Preliminary approval that	includes a variation approval
c) What is the level of asses	sment?		
Code assessment	Impact assessment (requir	res public notification)	
d) Provide a brief description lots):	n of the proposal (e.g. 6 unit apart	ment building defined as multi-unit dv	welling, reconfiguration of 1 lot into 3
e) Relevant plans Note: Relevant plans are required to Relevant plans.	o be submitted for all aspects of this d	levelopment application. For further in	oformation, see <u>DA Forms Guide:</u>
Relevant plans of the pro	posed development are attach	ned to the development applica	ation
6.3) Additional aspects of de	evelopment		
	relopment are relevant to this onder Part 3 Section 1 of this fo		

Section 2 – Futther deveic	рптепт а	etalis					
7) Does the proposed develop	oment appl	ication invol	ve any of the follov	ving?			
Material change of use	Yes – complete division 1 if assessable against a local planning instrument						
Reconfiguring a lot							
Operational work	Yes – complete division 3						
Building work	Yes -	- complete I	DA Form 2 – Buildi	ing work de	tails		
Division 1 – Material change Note: This division is only required to b local planning instrument. 8.1) Describe the proposed m	e completed i		e development applicat	ion involves a	material cl	hange of use asse	essable against a
Provide a general description of the proposed use		Provide th	Provide the planning scheme definition (include each definition in a new row)			er of dwelling f applicable)	Gross floor area (m²) (if applicable)
8.2) Does the proposed use in Yes	nvolve the	use of existi	ng buildings on the	premises?			
□ No							
Division 2 – Reconfiguring a Note: This division is only required to b 9.1) What is the total number 1 9.2) What is the nature of the	e completed i of existing	lots making	up the premises?	ion involves re	configuring	g a lot.	
Subdivision (complete 10))			Dividing land i	nto parts by	/ agreem	nent (complete 1	1))
☐ Boundary realignment (complete 12))			Creating or changing an easement giving access to a lot from a constructed road (complete 13))				
10) 0 1 1: : :							
10) Subdivision							
10.1) For this development, h					ided use		
Intended use of lots created	Reside	ential	Commercial	Industrial		Other, please	e specify:
Number of lots created							
10.2) Will the subdivision be s	staged?						
☐ Yes – provide additional d	etails belov	V					
How many stages will the wor	ks include	?					
What stage(s) will this develo							

11) Dividing land int parts?	o parts b	y ag	reement – how	/ mar	ny parts	s are being o	created and wh	at is	the intended use of the	
Intended use of par	ts create	s created Residential		Commercial		Industrial		Other, please specify:		
Number of parts cre	eated						2			
rumos er parte er							1 -			
12) Boundary realig										
12.1) What are the			•	for e	ach lot	comprising			ad lat	
Lot on plan descript	Curre		ea (m²)			Lot on plan description			osed lot Area (m²)	
Lot on plan descript	.1011	Air	sa (III)			Lot on plan	description	'	nea (III)	
12.2) What is the re	ason for	the	boundary reali	gnme	ent?					
12) What are the di	manaiana		d noture of one	ovio	ting on	nomonto boi	ing changed on	d/or	any proposed accoment?	
(attach schedule if there				exis	ung ea	sements bei	ing changed an	a/oi	any proposed easement?	
Existing or	Width (r	m)	Length (m)		oose of	the easem	ent? (e.g.		lentify the land/lot(s)	
proposed?				pede	sulan ac	.0633/		De	enefitted by the easement	
_								<u> </u>		
Division 3 – Operati <u>Note: This division is only</u>			omnleted if any nai	t of the	a develo	nment annlicat	ion involves operat	ional	work	
14.1) What is the na					σασνοιομ	этот арриоан	ion involves operati	onar	work.	
☐ Road work				Stor	mwate	r	☐ Water i	nfra	structure	
☐ Drainage work			☐ Earthwork ☐ Signage							
☐ Landscaping☐ Other – please s	enocify:			Sigr	nage		☐ Clearin	g ve	getation	
14.2) Is the operation		nec	l cessarv to facili	tate t	he crea	ation of new	lots? (e.a. subdi	vision		
Yes – specify nu			-	iaio i		anom or mow	10.01 (0.g. casar	7101011		
□ No										
14.3) What is the m	onetary v	/alu	e of the propos	ed op	peration	nal work? (in	nclude GST, materi	als ar	nd labour)	
\$										
PART 4 – ASSI	ECCIVI	⊏NI	TMANAC	ED	DET	۸۱۱ ۹				
FAINT 4 - ASSI		LIN	I WANAG	LIX		AILO				
15) Identify the asse	essment	man	ager(s) who w	ill be	assess	ing this dev	elopment appli	catio	n	
Northern Peninsula										
16) Has the local go	overnmer	nt ag	reed to apply a	a sup	ersede	d planning s	scheme for this	deve	elopment application?	
Yes – a copy of						•				
The local goverr	ment is t	ake	n to have agre	ed to	the su	perseded pla	anning scheme	requ	uest – relevant documents	
⊠ No										

PART 5 - REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements? Note: A development application will require referral if prescribed by the Planning Regulation 2017.
No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6
Matters requiring referral to the Chief Executive of the Planning Act 2016:
☐ Clearing native vegetation
Contaminated land (unexploded ordnance)
Environmentally relevant activities (ERA) (only if the ERA has not been devolved to a local government)
Fisheries – aquaculture
Fisheries – declared fish habitat area
Fisheries – marine plants
Fisheries – waterway barrier works
Hazardous chemical facilities
Heritage places – Queensland heritage place (on or near a Queensland heritage place)
☐ Infrastructure-related referrals – designated premises
☐ Infrastructure-related referrals – state transport infrastructure
☐ Infrastructure-related referrals – State transport corridor and future State transport corridor
☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
☐ Infrastructure-related referrals – near a state-controlled road intersection
☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
☐ Koala habitat in SEQ region – key resource areas
☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
☐ Ports – Brisbane core port land – hazardous chemical facility
☐ Ports – Brisbane core port land – taking or interfering with water
☐ Ports – Brisbane core port land – referable dams
Ports – Brisbane core port land – fisheries
Ports – Land within Port of Brisbane's port limits (below high-water mark)
☐ SEQ development area
☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
SEQ regional landscape and rural production area or SEQ rural living area – community activity
SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
SEQ regional landscape and rural production area or SEQ rural living area – urban activity
SEQ regional landscape and rural production area or SEQ rural living area – combined use
☐ Tidal works or works in a coastal management district
Reconfiguring a lot in a coastal management district or for a canal
☐ Erosion prone area in a coastal management district
☐ Urban design
☐ Water-related development – taking or interfering with water
☐ Water-related development – removing quarry material (from a watercourse or lake)
☐ Water-related development – referable dams
☐ Water-related development –levees (category 3 levees only)
☐ Wetland protection area
Matters requiring referral to the local government:
☐ Airport land
Environmentally relevant activities (ERA) (only if the ERA has been devolved to local government)

☐ Heritage places – Local heritage places		
Matters requiring referral to the Chief Executive of the di Infrastructure-related referrals – Electricity infrastructur		on entity:
Matters requiring referral to:		
The Chief Executive of the holder of the licence, if	not an individual	
The holder of the licence, if the holder of the licence		
☐ Infrastructure-related referrals – Oil and gas infrastructure	ure	
Matters requiring referral to the Brisbane City Council : ☐ Ports − Brisbane core port land		
Matters requiring referral to the Minister responsible for Ports – Brisbane core port land (where inconsistent with the Ports – Strategic port land		
Matters requiring referral to the relevant port operator , if Ports – Land within Port of Brisbane's port limits (below	• • • • • • • • • • • • • • • • • • • •	
Matters requiring referral to the Chief Executive of the re Ports – Land within limits of another port (below high-water)	-	
Matters requiring referral to the Gold Coast Waterways A Tidal works or work in a coastal management district (in		
Matters requiring referral to the Queensland Fire and Em Tidal works or work in a coastal management district (in		berths))
40\\\		
18) Has any referral agency provided a referral response f ☐ Yes − referral response(s) received and listed below ar ☐ No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed or referral response and this development application, or incl (if applicable).		
PART 6 – INFORMATION REQUEST		
19) Information request under Part 3 of the DA Rules		
☑ I agree to receive an information request if determined	necessary for this development	application
☐ I do not agree to accept an information request for this	development application	
Note: By not agreeing to accept an information request I, the applicant, a		
 that this development application will be assessed and decided bat application and the assessment manager and any referral agencie. Rules to accept any additional information provided by the applical parties 	s relevant to the development applicatio	n are not obligated under the DA

Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.

Further advice about information requests is contained in the <u>DA Forms Guide</u>.

PART 7 – FURTHER DETAILS

20) Are there any associated	development applications or o	current appro	ovals? (e.g. a prelim	inary approval)
Yes – provide details belo	w or include details in a sched	dule to this d	evelopment applic	cation
⊠ No				
List of approval/development	Reference number	Date		Assessment
application references				manager
☐ Approval				
Development application				
Approval				
Development application				
21) Has the portable long ser operational work)	vice leave levy been paid? (on	nly applicable to	o development applicat	tions involving building work or
	oted QLeave form is attached t	to this devel	opment application	n
	rovide evidence that the porta		• • • • • • • • • • • • • • • • • • • •	
assessment manager dec	ides the development applicat	tion. I ackno	wledge that the as	ssessment manager may
	val only if I provide evidence t	•	<u> </u>	
_ 11 10	ng and construction work is les	ss than \$150	, 	,
Amount paid	Date paid (dd/mm/yy)		QLeave levy nur	mber (A, B or E)
\$				
	cation in response to a show o	ause notice	or required as a r	esult of an enforcement
notice?				
Yes – show cause or enfor	rcement notice is attached			
⊠ No				
23) Further legislative require	ements			
Environmentally relevant ac	ctivities			
23.1) Is this development app	olication also taken to be an ap	oplication for	an environmenta	l authority for an
	Activity (ERA) under section 1			
•	ment (form ESR/2015/1791) fo	• •		<u> </u>
	ment application, and details a	are provided	in the table below	V
No No		"EOD/0045/4	70.4"	4 504
	tal authority can be found by searchin to operate. See <u>www.business.qld.go</u>			at <u>www.qld.gov.au</u> . An ERA
Proposed ERA number:			RA threshold:	
Proposed ERA name:		•		
	ble to this development applic	ation and the	e details have bee	en attached in a schedule to
this development applicati		a		
Hazardous chemical facilities	<u>es</u>			
23.2) Is this development app	olication for a hazardous cher	mical facilit	y ?	
Yes – Form 69: Notification	on of a facility exceeding 10% of	of schedule	15 threshold is att	ached to this development
application				
No No	for fronth on information		difficulting -	
Note: See www.business.ald.gov.au	TOT TURNET INTORMATION About hazardo	ius chemical no	าบบาร	

Clearing native vegetation
23.3) Does this development application involve clearing native vegetation that requires written confirmation that the chief executive of the <i>Vegetation Management Act 1999</i> is satisfied the clearing is for a relevant purpose under section 22A of the <i>Vegetation Management Act 1999</i> ?
Yes – this development application includes written confirmation from the chief executive of the <i>Vegetation Management Act 1999</i> (s22A determination)
Note: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development. 2. See https://www.qld.gov.au/environment/land/vegetation/applying for further information on how to obtain a s22A determination.
Environmental offsets
23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a prescribed environmental matter under the <i>Environmental Offsets Act 2014</i> ?
☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter
No Note: The environmental offset section of the Queensland Government's website can be accessed at www.qld.gov.au for further information on environmental offsets.
Koala habitat in SEQ Region
23.5) Does this development application involve a material change of use, reconfiguring a lot or operational work which is assessable development under Schedule 10, Part 10 of the Planning Regulation 2017?
Yes – the development application involves premises in the koala habitat area in the koala priority area
Yes – the development application involves premises in the koala habitat area outside the koala priority area
No Note: If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this development application. See koala habitat area guidance materials at www.des.qld.gov.au for further information.
Water resources
23.6) Does this development application involve taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the <i>Water Act 2000</i> ?
Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the <i>Water Act 2000</i> may be required prior to commencing development
No Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.gld.gov.au for further information.
DA templates are available from https://planning.dsdmip.qld.gov.au/ . If the development application involves:
 Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1 Taking or interfering with water in a watercourse, lake or spring: complete DA Form1 Template 2
Taking overland flow water: complete DA Form 1 Template 3. Waterway barrier works
23.7) Does this application involve waterway barrier works?
☐ Yes – the relevant template is completed and attached to this development application ☐ No
DA templates are available from https://planning.dsdmip.qld.gov.au/ . For a development application involving waterway barrier works, complete DA Form 1 Template 4.
Marine activities
23.8) Does this development application involve aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants?
Yes – an associated <i>resource</i> allocation authority is attached to this development application, if required under
the Fisheries Act 1994

Note: See guidance materials at www.daf.qld.gov.au for further information.

Quarry materials from a watercourse or lake				
23.9) Does this development application involve the remo under the <i>Water Act 2000?</i>	val of quarry materials from	a watercourse or lake		
☐ Yes – I acknowledge that a quarry material allocation r☒ No	notice must be obtained prior to	commencing development		
Note : Contact the Department of Natural Resources, Mines and Energy information.	at <u>www.dnrme.qld.gov.au</u> and <u>www.b</u>	<u>usiness.qld.qov.au</u> for further		
Quarry materials from land under tidal waters				
23.10) Does this development application involve the rem under the <i>Coastal Protection and Management Act 1995?</i>		n land under tidal water		
☐ Yes – I acknowledge that a quarry material allocation r☒ No	notice must be obtained prior to	commencing development		
Note: Contact the Department of Environment and Science at www.des.	<u>qld.gov.au</u> for further information.			
Referable dams				
23.11) Does this development application involve a refera section 343 of the <i>Water Supply (Safety and Reliability) A</i>				
Yes – the 'Notice Accepting a Failure Impact Assessment Supply Act is attached to this development application	ent' from the chief executive a	dministering the Water		
No Note: See guidance materials at www.dnrme.qld.gov.au for further information of the second of t	mation.			
Tidal work or development within a coastal management	ent district			
23.12) Does this development application involve tidal wo	ork or development in a coas	tal management district?		
Yes – the following is included with this development a	• •			
Evidence the proposal meets the code for assessable development that is prescribed tidal work (only required if application involves prescribed tidal work)				
☐ A certificate of title ☐ No				
Note: See guidance materials at www.des.qld.gov.au for further informa	tion.			
Queensland and local heritage places				
23.13) Does this development application propose developmentage register or on a place entered in a local government application propose developmentage register or on a place entered in a local governmentage.				
☐ Yes – details of the heritage place are provided in the t☒ No				
Note: See guidance materials at www.des.qld.gov.au for information req		Queensland heritage places.		
Name of the heritage place:	Place ID:			
<u>Brothels</u>				
23.14) Does this development application involve a mater	ial change of use for a broth	el?		
Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the <i>Prostitution Regulation 2014</i>				
⊠ No				
Decision under section 62 of the Transport Infrastruct	ure Act 1994			
23.15) Does this development application involve new or o	changed access to a state-con	trolled road?		
Yes – this application will be taken to be an application for a decision under section 62 of the <i>Transport Infrastructure Act 1994</i> (subject to the conditions in section 75 of the <i>Transport Infrastructure Act 1994</i> being				
satisfied) No				

Walkable neighbourhoods assessment benchmarks under Schedule 12A of the Planning Regulation
23.16) Does this development application involve reconfiguring a lot into 2 or more lots in certain residential zones (except rural residential zones), where at least one road is created or extended?
☐ Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered
No No
Note : See guidance materials at www.planning.dsdmip.qld.gov.au for further information.

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist		
I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17 Note: See the Planning Regulation 2017 for referral requirements	⊠ Yes	
If building work is associated with the proposed development, Parts 4 to 6 of <u>DA Form 2 – Building work details</u> have been completed and attached to this development application	☐ Yes☒ Not applicable	
Supporting information addressing any applicable assessment benchmarks is with the development application Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see DAForms Guide: Planning Report Template .	⊠ Yes	
Relevant plans of the development are attached to this development application Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see <u>DA Forms Guide: Relevant plans.</u>	⊠ Yes	
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)	☐ Yes☒ Not applicable	
25) Applicant declaration		
By making this development application, I declare that all information in this development application is true and correct		
Where an email address is provided in Part 1 of this form, I consent to receive future electrom the assessment manager and any referral agency for the development application was required or permitted pursuant to sections 11 and 12 of the <i>Electronic Transactions Act</i> Note: It is unlawful to intentionally provide false or misleading information.	here written information	
Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers		

which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, Planning Regulation 2017 and the DA Rules except where:

- such disclosure is in accordance with the provisions about public access to documents contained in the Planning Act 2016 and the Planning Regulation 2017, and the access rules made under the Planning Act 2016 and Planning Regulation 2017; or
- required by other legislation (including the Right to Information Act 2009); or
- otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the Public Records Act 2002.

PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received:	Reference num	nber(s):	
<u> </u>		<u> </u>	
Notification of engagement of	of alternative assessment ma	nager	
Prescribed assessment man	ager		
Name of chosen assessmen	t manager		
Date chosen assessment ma	anager engaged		
Contact number of chosen a	ssessment manager		
Relevant licence number(s)	of chosen assessment		
manager			
QLeave notification and pay	ment		
Note: For completion by assessme	nt manager if applicable		
Description of the work			
QLeave project number			
Amount paid (\$)		Date paid (dd/mm/yy)	
Date receipted form sighted	by assessment manager		

Name of officer who sighted the form

Appendix B

Certificate of Title





Queensland Titles Registry Pty Ltd ABN 23 648 568 101

Title Reference: 49017928

Date Reserve Gazetted: 25/10/1986 Page: 1198 **Search Date:** 31/10/2022 10:21

Request No: 42681109

DETAILS

Opening Ref: B 2971-B-19

Purpose: PROVISION OF SERVICES BENEFICIAL TO TORRES STRAIT ISLANDERS PARTICULARLY CONCERNED

WITH LAND

Sub-Purpose:

Local Name:

Address: LUI ST BAMAGA

County (R) No: R83

File Ref: RES 23559

LAND DESCRIPTION

LOT 89 SURVEY PLAN 243595 AMENDED on 27/06/2013

Local Government: NORTHERN PENINSULA AREA

Area: 3.312000 Ha. (SURVEYED)

TRUSTEES

NORTHERN PENINSULA AREA REGIONAL COUNCIL AMENDED on 15/10/2014

EASEMENTS AND ENCUMBRANCES

1. TRUSTEE LEASE No 721502551 24/02/2022 at 11:15

THE STATE OF QUEENSLAND

(REPRESENTED BY QUEENSLAND FIRE AND EMERGENCY SERVICES)

OF LEASE A ON SP321495

TERM: 01/04/2022 TO 31/03/2052 OPTION NIL

ADMINISTRATIVE ADVICES

NIL

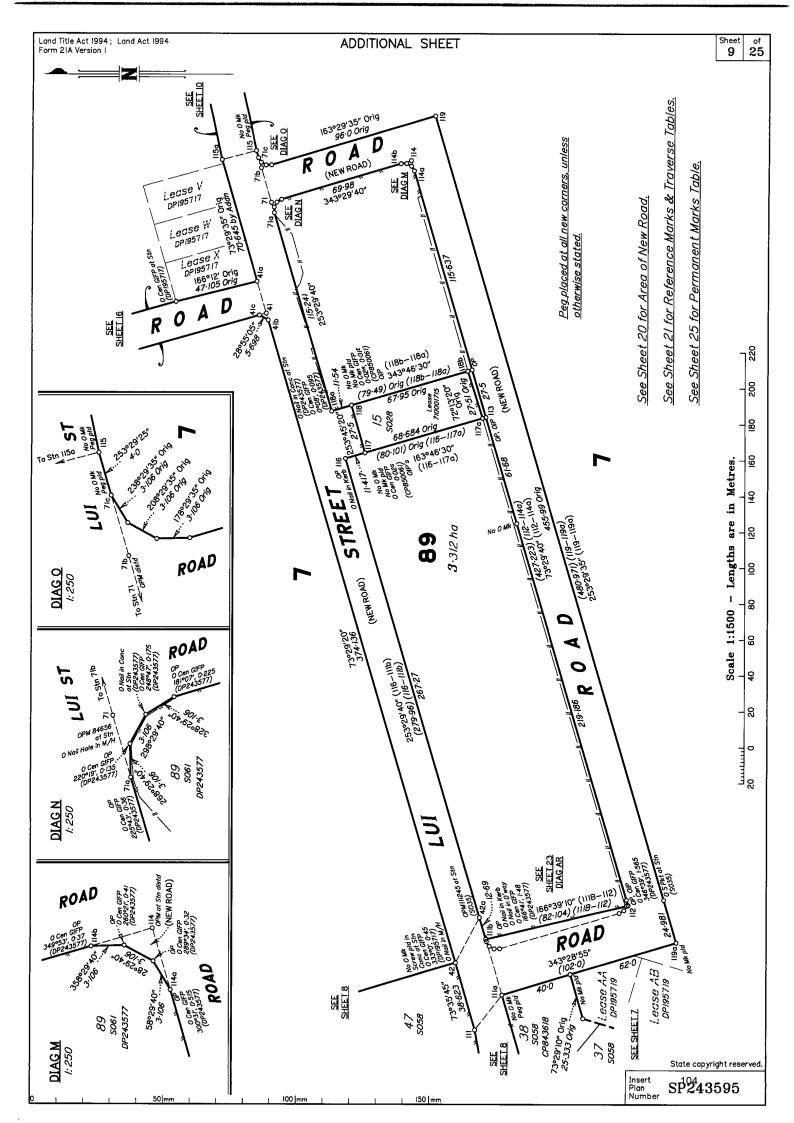
UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Reserve Search **

COPYRIGHT QUEENSLAND TITLES REGISTRY PTY LTD [2022] Requested by: D-ENQ GLOBALX



Appendix C

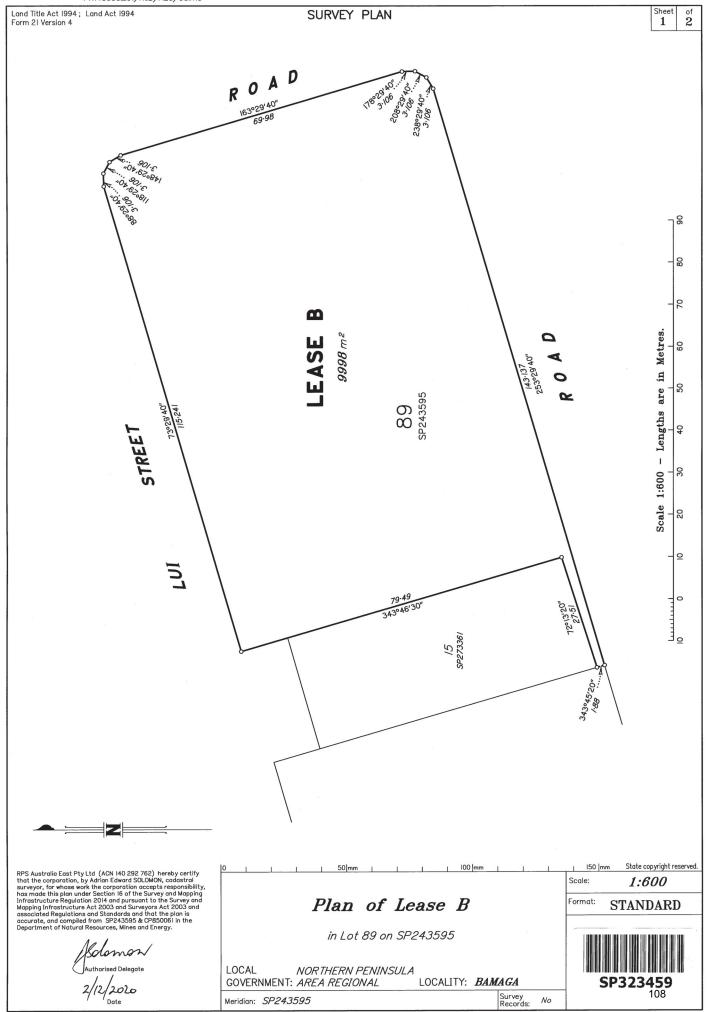
Owners Consent Form (Trustee)

Owner's consent as Trustee to the making of a development application under the *Planning Act 2016*

I, Kate Gallaway
Acting Chief Executive Officer of the Northern Peninsula Area Regional Council mentioned below.
Of the Northern Peninsula Area Regional Council
the Trustee for the land identified as follows:
Lot 89 on SP243595
consent to the making of a development application under the <i>Planning Act 2016</i> by:
Northern Peninsula Area Regional Council
on the premises described above for:
Reconfiguring a Lot (dividing land into parts by agreement) – Ergon Lease, Lui Street Bamaga
Northern Peninsula Area Regional Council
A.B.N 27 853 929 592
Signature of Chief Executive Officer
Date

Appendix D

Proposal Plan



d Title Act 1994; Land Act 1997 n 21B Version 2	4	WARNING : Folded or Mutilated Plans may b Information may not be place	e rolled.
		4. Lodged by	6
	(Dealing No.)	4. Louged by	
		(Include address, phone number, email, reference	ee, and Lodger Code)
	Existing		Created
Title Reference	Description	New Lots	Road Secondary Intere
49017928	Lot 89 on SP243595		Lease B
Lease B does	s not affect any of the other leases lodged		
or registerea	against CT 49017928. Dated 27/11/2020.		
			6. Building Format Plans only.
			I certify that: * As far as it is practical to determine, no
			of the building shown on this plan encroach
			onto adjoining lots or road,
			* Part of the building shown on this plan
			encroaches onto adjoining * lots and road
			Cadastral Surveyor/Director* Date
			#delete words not required
			7. Lodgement Fees:
	1		
			Survey Deposit \$
			Lodgement \$
			New Titles
Lots	Orig		Dht
rig Grant Allocation	•	5. Passed & Endorsed :	Photocopy \$
	•		Postage \$
eferences:		By: RPS Australia East Pty Ltd	TOTAL \$
ept File :		Date: 2/12/2020	
ocal Govt :		Signed: Kolomon	8. Insert
Surveyor:	PRI48555	Designation: Cadastral Surveyor	Plan SP32345909

Appendix E

Planning Benchmark Assessment



.1.3 Industry Zone Code

6.1.3.1 Application

This code applies to assessing Material Change of Use, Reconfiguring a Lot and Operational Works Development where the Industry Zone Code is shown as being applicable in the table of assessment.

When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3, in Part 5.

Editor's Note: All development is mindful of obligations under the provisions of the Aboriginal Cultural Heritage Act 2003 and the Torres Strait Islander Cultural Heritage Act 2003.

6.1.3.2 Purpose

- 1) The purpose of the industry zone is to provide for:
- (a) a variety of industry activities; and
- (b) other uses and activities that:
- support industry activities; and
- ii. do not compromise the future use of the premises for industry activities.
- The local government purpose of the code is to ensure adequate land is made available to establish a range of industrial activities within a consolidated industrial node to support the short, medium and long term economic development of the Northern Peninsula Area. 5
- wellbeing, amenity and safety of communities and individuals from the impacts of air, noise and odour emissions and the impacts of hazardous materials. Consolidating industrial precincts within Bamaga and Seisia ensures industrial uses are sufficiently separated from sensitive uses to protect the health, 3
- 4) The Industry Zone contains three precincts:
- (a) Industry low impact precinct where low impact industry activities are preferred to be located;
- (b) Industry medium impact precinct where medium impact industry activities are preferred to be located; and
- (c) Industry high impact precinct where high impact industry activities are preferred to be located.
- 5) The purpose of the Industry Zone will be achieved through the following overall outcomes:
- Uses and works for industrial purposes are located, designed and managed to maintain safety to people, avoid significant adverse effects on the natural environment and minimise impacts on adjacent non-industrial land.
- Industrial uses (particularly high and medium impact industry) reinforce Seisia and Bamaga's role as the primary centres for industrial activities and are easily accessible to the markets and transportation networks. **a**
- Higher impact industrial activities are encouraged in the Bamaga and Seisia communities to reduce potential land use conflicts, provide benefit from co-location and provide the opportunity for higher impact industrial activities. <u>ပ</u>



- (d) Medium and High Impact Industry Zoned land is protected from encroachment by incompatible development to reduce potential for land use
- Industrial uses primarily support established industries (such as boat servicing and commercial fishing) or provide local service functions (abattoir, mechanic workshops, concrete batching, small scale manufacturing) **(e)**
- Non-industrial uses such as offices, short-term accommodation and retail uses are located only where they directly support and are ancillary to an ndustrial use on the same premises. €
- Permanent residential activities are located in conjunction with low-impact industrial uses only. **6**
- (h) Non-industrial uses do not compromise the efficient use of this limited land resource.
- (i) Development has access to development infrastructure and essential services.
- Development is sited having regard to its servicing capabilities in terms of transport, water, sewerage, electricity, gas, telecommunications infrastructure, and proximity to associated business and sea transport. \odot
- Industrial uses are operated to within acceptable environmental standards that utilise best practice techniques which promote re-use and recycling of waste, reduces potential for contamination through stormwater pollution and minimise impacts upon sensitive land uses and environments. 3

6.1.3.3 Specific benchmarks for assessment

Table 6.1.3.3.a - Benchmarks for development that is accepted subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
Preferred use of land		
PO1	AO1.1	Not Applicable
Industrial land is only used for the following types of uses:	Only industrial uses are established on industrial zoned land.	No change to the use of the site is proposed.
(a) the repair, servicing, assembling and making of a range of products;		
(b) storage and transport logistics activities;		
(c) the supply, repair and service of marine		



Performance outcomes	Acceptable outcomes	Applicant response
and agricultural equipment; (d) value adding or further processing of primary products; (e) transferring, distributing and storing of plant and equipment; (f) manufacturing, producing and processing and recycling and reuse of a range of products and materials; Other uses, which support the primary function of industrial uses, such as offices and retail do not limit the efficient use of industrial land.	A01.2 Land is not reconfigured to less than 1000m^2 .	Complies with AO1.2 The proposed lot is 9,998m².
Site layout, built form and amenity		
Po2 Development is appropriately sited to ensure that: (a) the function of the site is maximised and impacts on adjoining networks are minimised; (b) Adequate manoeuvring areas commensurate with the use, are provided;	 AO2.1 Buildings and structures are setback a minimum of: (a) 10m from the road boundary, or the same distance as the adjoining building; (b) 5m from side boundaries; Note – where there is no surveyed boundary, the side boundaries is a line measured equally between two buildings. A road boundary (where not surveyed) is approximately 4m from the edge of any road pavement. 	Not Applicable The purpose of the application would create a lot/lease. It is not proposed to make any changes to the site layout or built form on the site.
(c) Access to the site does not compromise the function of the road network from which the access is gained;(d) An effective mix of landscaping and	AO2.2 Landscaped buffers are established within the front and side setbacks up to 1.5m in depth and covers a	Not Applicable The purpose of the application would create a lot/lease. It is not proposed to make any changes to the site layout or built form on the

Northern Peninsula Area Regional Council Planning Scheme 2018
Part 6: Zone Codes
Code Compliance Table – 6.1.3 - Industry Zone Code
Page 3 of 5



Performance outcomes	Acceptable outcomes	Applicant response
fencing is established at a suitable scale, having regard to the nature and scale of	minimum of 10% of total site area.	site.
the use, which screens outdoor working and storage areas.	AO2.3 Access to the site ensures the function of the road network from which the access is gained, is not compromised	Not Applicable The purpose of the application would create a lot/lease. It is not proposed to make any changes to the site layout or built form on the site.
	AO2.5 Site coverage does not exceed 80% of total site area, including all hardstand parking and manoeuvring areas.	Not Applicable The purpose of the application would create a lot/lease. It is not proposed to make any changes to the site layout or built form on the site.
Pollution Prevention		
PO3 Development must not result in sensitive land uses being exposed to industrial air, noise and odour emissions.	AO3.1 The use is designed to ensure that: (a) Noise objectives meet the Environmental Protection (Noise) Policy 2008; (b) Air quality objectives meet the Environmental Protection (Air) Policy 2008;	Not Applicable The purpose of the application would create a lot/lease. It is not proposed to change the use of the site.
Cultural Heritage		

Northern Peninsula Area Regional Council Planning Scheme 2018 Part 6: Zone Codes Code Compliance Table – 6.1.3 - Industry Zone Code Page 4 of 5



Performance outcomes	Acceptable outcomes	Applicant response
Po4 Development is located, designed and operated to ensure that any impact on land with known cultural heritage values is appropriately managed. Note – non-indigenous heritage places are registered on Local Heritage Register. For indigenous cultural heritage places, please consult Traditional Owners	A05.1 Development is not undertaken in an area where there is known cultural heritage values, including both physical artefacts and historical significance.	Complies with AO5.1 The subject site is not identified as within a location of known cultural heritage value.
Infrastructure and servicing		
All uses are serviced with appropriate levels and standards of infrastructure that is cost effective and minimises the impacts on the environment.	Ao5.1 Development is provided with the following infrastructure: (a) reticulated water and sewerage supply in accordance with FNQROC Development Manual; (b) energy and telecommunications; (c) constructed road; (d) stormwater and drainage systems that minimise potential for contamination; (e) refuse and recycling facilities; (f) constructed vehicular access in accordance with FNQROC Development Manual; (g) maximise the opportunities to provide or upgrade existing footpaths.	Complies with AO5.1 No changes to the physical aspects of the site are proposed. The existing services on the site are to remain in place.

Northern Peninsula Area Regional Council Planning Scheme 2018
Part 6: Zone Codes
Code Compliance Table – 6.1.3 - Industry Zone Code
Page 5 of 5



3.1 Reconfiguring a Lot Code

.3.1.1 Application

This code applies where identified as assessment benchmarks in the categories of assessment tables in Section 5.6 of the Planning Scheme.

When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3, in Part 5.

Editor's Note: All development is mindful of obligations under the provisions of the Aboriginal Cultural Heritage Act 2003 and the Torres Strait Islander Cultural Heritage Act 2003.

.3.1.2 Purpose

- 1) The purpose of the Reconfiguring a Lot code is to provide detailed standards for assessing reconfiguration, to ensure that development is appropriately located, considers constraints, is able to be efficiently serviced and promotes best practice standards.
- 2) The purpose of the code will be achieved through the following overall outcomes;
- population growth and accommodation requirements; Reconfiguration design creates safe, functional, convenient and attractive neighbourhoods, Reconfiguration development provides a mix of lot sizes of adequate size and configuration suitable for the intended use in response to functional industrial and commercial areas, which meet the diverse and changing needs of the community;
- Lots are designed having regard to efficient servicing capabilities in terms of transport, water, sewerage, electricity, gas and telecommunications infrastructure; **Q**
- Reconfiguration is responsive to environmental features of the site and does not diminish environmental value of the site and adjoining sites; <u>(၁</u>
- Subdivision utilises best practice design, incorporates sustainable practices in relation to stormwater treatment, road design, lot orientation and infrastructure provision; ਰ
- Infill lots (or leases) within the established township to accommodate existing buildings, considers the location of adjoining buildings, ensures setbacks can be achieved; **(e)**
- Road networks are designed to allow for safe passage of vehicles and promote walking and cycling.

9.3.1.3 Specific benchmarks for assessment

Table 9.3.1.3.a – Benchmarks for development that is accepted subject to requirements and assessable development

Applicant response	
Acceptable outcomes	
Performance outcomes	

Site suitability and locational requirements.



Performance outcomes	Acceptable outcomes	Applicant response
Pot Lots are located, designed and constructed to ensure that adverse impacts from emissions that will affect the health and safety, wellbeing and amenity of communities and individuals is avoided or otherwise minimised.	AO1 Lots for sensitive land uses such as residential are adequately separated from lots for industrial activities that have the potential to have adverse impacts on the sensitive land uses.	Complies with AO1 The proposed lot/lease is to be created in an industrial zone. It is surrounded on all sides by either Industrial or Environmental and Conservation Zoning. Therefore, it is unlikely to have any adverse impacts on sensitive land uses.
PO2 Lots are located to reduce risk and exposure of people and property to coastal hazards and ensures development is resilient to climate change impacts;	AO2.1 No new lots are created partially or wholly within a defined Erosion Prone Area as shown on the Natural Hazards (Coastal) Overlay to avoid new lots being impacted by coastal erosion.	Not Applicable The new lot is not located within an Erosion Prone Area or The Natural Hazards Overlay.
	AO2.2 Land within a defined Erosion Prone Area as shown on the Natural Hazards (Coastal) Overlay is excluded from new lot development to maintain public access along the coast	Not Applicable The new lot is not located within an Erosion Prone Area or The Natural Hazards Overlay.
	AO2.3 No new lots are created within the high or medium hazard area as shown on the Natural Hazards (Coastal) Overlay	Not Applicable The new lot is not located within an Erosion Prone Area or The Natural Hazards Overlay.
PO3 Development manages the potential for environmental harm associated with the disturbance of Potential or Actual Acid	A03.1 Where land is located below 20mAHD the disturbance of soils is limited to 100m3 of excavation and 500m3 of	Not Applicable No excavation or filling is prospered as a part of this development.

Northern Peninsula Area Regional Council Planning Scheme 2018
Part 9: Other Development Codes
Code Compliance Table – 9.2.1 Regional Infrastructure Corridors and Substations Overlay Code
Page 2 of 9



Performance outcomes	Acceptable outcomes	Applicant response
Sulfate Soils	filling (excluding top soil dressing)	
PO4 Development is not undertaken on contaminated land;	AO4.1 For residential Development Only: No previous history of industrial activities (including land full have occurred on subject site;	Not Applicable The proposal does not involve residential development.
PO5 Development is located, designed and operated to ensure that any impacts on land with known cultural values can be appropriately managed in collaboration with Traditional Owners	AO5.1 Development is not undertaken on land with known cultural values (including both historical significant and physical artefacts) unless created for cultural protection.	Not Applicable Development is not located in an area that is identified as land with known cultural values.
Lot Design and Amenity Where a lease or lot is created to accommodate an ex	date an existing development	
Each lot contains sufficient area and is located so that: (a) Adequate open space is provided for the existing dwelling; (b) appropriate setbacks between adjacent dwellings or structures are achieved; (c) Adequate fire breaks are established between dwelling and any existing vegetation; (d) Adequate space for vehicle access to a	 AO7.1 Lot/Lease boundaries are established: (a) So that at least 100m² of open space area with a minimum dimension of 6m is included; (b) A minimum 2m from adjacent dwellings and structures; (c) A minimum 20m where the boundary adjoins land included in the Rural Zone or Environmental Management and Conservation Zone; (d) So that an area with a dimension of at least 6m is available at the road frontage to enable vehicle 	Complies with AO7.1 The proposed lease area would provide more than 100m² of open space and the area does not adjoin a residential use or land in the rural zone or environmental management and conservation zone.

Northern Peninsula Area Regional Council Planning Scheme 2018
Part 9: Other Development Codes
Code Compliance Table – 9.2.1 Regional Infrastructure Corridors and Substations Overlay Code
Page 3 of 9



Performance outcomes	Acceptable outcomes	Applicant response
road is provided for within the lease area; (e) The lease area does not contain footpath area or other public thoroughfare; (f) Access to publicly owned infrastructure is uninhibited; (g) Buffers to (and should not include) natural features such as wetlands, waterways and drainage lines;	parking on site; (e) At least 6m from the edge of any constructed road;	
Where involving the create of a vacant lease/s or lot/	s/s or lot/s within established township area	
Each lot has sufficient dimensions and area to accommodate: (a) Intended future use with adequate setbacks; (b) Private open space; (c) Vehicle access and/or parking area; and Appropriate infrastructure, such as on site effluent disposal	AO8.1 Allotment Sizes comply with the minimum areas set out below: Township Zone and Residential Precinct dwellings and dual occupancy. Industry Zone and Industry Low, Medium or High Impact Precinct (a) 1500m2 minimum for Low or Medium Impact (b) 4000m2 minimum for High Impact Precinct Industry Zone (a) 4000m2 minimum Rural Zone	Not applicable The proposal would not create a vacant lease or lot.
	100 hectare minimum	

Northern Peninsula Area Regional Council Planning Scheme 2018
Part 9: Other Development Codes
Code Compliance Table – 9.2.1 Regional Infrastructure Corridors and Substations Overlay Code
Page 4 of 9



Performance outcomes	Acceptable outcomes	Applicant response
PO9 Each lot can be adequate and safely accessed by vehicles	Each lot has a frontage and practicable access to a constructed public road via direct road frontage, an access strip (for a rear lot) or an access easement; Where an access strip is required: (a) no more than two access strips are located adjacent to each other; and (b) are at least 5m in width; and (c) do not exceed 40m in length	Not applicable The proposal would not create a vacant lease or lot.
Where involving the creation of more than 1	Where involving the creation of more than 10 vacant leases or lots for residential purposes	
PO10 A mixture of lot sizes is provided to accommodate variety of housing types and styles;	AO10.1 Average allotment size for detached dwellings is 800m2 and minimum allotment size for multiple dwellings and dual occupancy is 800m ² .	Not applicable The proposal would not create a vacant lease or lot.
PO11 The street network is designed to: (a) provide a high level of internal	AO11.1 Use of rear access lots is minimised and does not exceed 1 per standard lot	Not applicable The proposal would not create a vacant lease or lot.
accessibility and appropriate external connections for vehicles, pedestrian and cycle movements; (b) incorporates street junctions and access to lots which are located and spaced to	AO11.2 Roads are designed to follow the natural contours of the land and contain stormwater flows;	Not applicable The proposal would not create a vacant lease or lot.
facilitate safe and convenient vehicle,	A011.3	Not applicable

Northern Peninsula Area Regional Council Planning Scheme 2018
Part 9: Other Development Codes
Code Compliance Table – 9.2.1 Regional Infrastructure Corridors and Substations Overlay Code
Page 5 of 9



Performance outcomes	Acceptable outcomes	Applicant response
pedestrian and cycle movements; (c) provides for street widths and lengths	Intersections are adequately spaced (minimum 40m) to reduce traffic conflicts;	The proposal would not create a vacant lease or lot.
that optimise the cost effectiveness of the network and the provision of public utilities; and (d) allows for efficient and unimpeded movement of emergency services vehicles.	AO11.4 Road widths are constructed in accordance with relevant standards for the relevant area.	Not applicable The proposal would not create a vacant lease or lot.
PO12 Lots are climatically responsive and orientated to facilitate future development that takes advantage of prevailing breezes and sunlight relevant for local climate;	No Acceptable Outcome is prescribed	Not applicable The proposal would not create a vacant lease or lot.
PO13 Lots are within 400m of, or incorporate formed pedestrian access to, existing public open space and recreational facilities;	No Acceptable Outcome is prescribed	Not applicable The proposal would not create a vacant lease or lot.
PO14 Land must be dedicated for sufficient public open space to:	No Acceptable Outcome is prescribed	Not applicable The proposal would not create a vacant lease or lot.
 Meet the needs of the future residents and provide opportunity for active living for the community; Link with existing public space and create a network for the urban area 		

Northern Peninsula Area Regional Council Planning Scheme 2018
Part 9: Other Development Codes
Code Compliance Table – 9.2.1 Regional Infrastructure Corridors and Substations Overlay Code
Page 6 of 9



Performance outcomes	Acceptable outcomes	Applicant response
PO15 Active public parks and recreational spaces are provided that enhance opportunities for community interaction, meets recreational needs and have appropriate equipment, furniture sun and safety protection that	A015.1 Parks and recreational spaces which provide active areas for children's recreation are co-located with other community facilities to promote casual surveillance of the area.	Not applicable The proposal would not create a vacant lease or lot.
enhances amenity and useability.	AO15.2 The following equipment is included in all active spaces: (a) art features and play equipment; (b) seating; (c) shelters and sun protection; and (d) water taps/bubblers.	Not applicable The proposal would not create a vacant lease or lot.
For all new lots or lease		
All development is capable of being provided with infrastructure relevant for its purpose and includes – (a) Water supply; (b) Sewerage treatment; (c) stormwater and drainage systems that maximise the use of permeable surfaces to allow stormwater infiltration or run off and minimises erosion;;	Each new lot is provided with: (a) connection to a potable water supply or alternative water source (rainwater/bore water) in accordance with FNQROC Development Manual: (b) connection to the reticulated sewerage system or on-site effluent disposal system; and (c) stormwater drainage to a lawful point of discharge; (d) connection to the electricity network; and	Complies with AO16 No changes to the physical aspects of the site are proposed. The existing services on the site are to remain in place.



Performance outcomes	Acceptable outcomes	Applicant response
(d) Energy and telecommunications; (e) Access and parking.	connection to a telecommunication provider.	
Development is separated from any incompatible use having regard to: (a) The location of existing facilities and established development; (b) The health and safety of people; (c) The safe and efficient operation of the major infrastructure; and (d) The amenity of the locality.	AO17.1 Residential leases are not created within 1 kilometre of: (a) an existing industrial use (including quarry); (b) a sewerage treatment facility; (c) airport runway; (d) landfill or transfer	Not Applicable The proposal is not for a residential lease.
PO18 Development maintains and enhances opportunities for public access and use of natural areas, rivers, dams, creeks and the coastal foreshore.	No Acceptable Outcome is prescribed	Complies with PO18. The proposed creation of a Lease would not impact access to the surrounding bushland.
Fire Services in developments access by common private title	ommon private title	
PO19 Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	AO19.1 Residential streets and common access ways within a common private title should have hydrants placed at intervals of no more than 120 metres and at each intersection. Hydrants may have a single outlet and be situated above or below ground.	Not Applicable Application does not involve development in a common private title.

Northern Peninsula Area Regional Council Planning Scheme 2018
Part 9: Other Development Codes
Code Compliance Table – 9.2.1 Regional Infrastructure Corridors and Substations Overlay Code
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Performance outcomes	Acceptable outcomes	Applicant response
	AO19.2 Commercial and industrial streets and access ways within streets serving commercial properties such as factories, warehouses and offices should be provided with above or below ground fire hydrants at not more than 90 metre intervals and at each street intersection. Above ground fire hydrants should have dual valved outlets.	Not Applicable Application does not involve development in a common private title.
PO20 Road widths and construction within the development are adequate for fire emergency vehicles to gain access to a safe working area close to dwellings and near water supplies whether or not on-street parking spaces are occupied.	AO20.1 Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for safe passage of emergency vehicles.	Not Applicable Application does not involve development in a common private title.
PO21 Hydrants are suitably identified so that fire services can locate them at all hours.	AO21.1 Hydrants are identified as specified in 'Identification of street hydrants for fire fighting purposes' available under 'Publications' on the Department of Transport and Main Roads website www.tmr.qld.gov.au/~/media/busind/techstdpubs/trum/1 25Amend18.pdf	Not Applicable Application does not involve development in a common private title.

Northern Peninsula Area Regional Council Planning Scheme 2018
Part 9: Other Development Codes
Code Compliance Table – 9.2.1 Regional Infrastructure Corridors and Substations Overlay Code
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ORDINARY COUNCIL MEETING # 31

Agenda Item 12.5

Tuesday 22nd November 2022

Bamaga Boardroom

Title of Report: Development Application Leases 1091 and 1081

Agenda Item: 12.5

Classification: For Decision

Author Executive Manager, Operations

Attachments RPS Covering letter and Development Application



Officers Recommendation:

That Council resolves to

1. Approve (subject to the following conditions):

Administration

- 1.1. The developer is responsible to carry out the approved development and comply with relevant requirements in accordance with:
- 1.2. The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within relevant technical reports;
- 1.3. The development must unless stated, be designed, constructed, and maintained in accordance with relevant Council policies, guidelines, and standards and with the relevant design guidelines in the Far North Queensland Regional Organisation of Councils (FNQROC) Development Manual;
- 1.4. The conditions of approval, the requirements of Council's Planning Scheme and best practice engineering.

Currency Period

2.1 The currency period applicable to the Reconfiguring a Lot is 4 years.

Approved Site Drawings/Plans

3.1 The development of the site is to be generally in accordance with the following plans that are to be the approved Plans of Development, except as altered by any other condition of this approval:

Plan/Document Name	Drawing Number	Date/DWG
Proposed Lease Plan 9832-75E	9832-75E	10/11/2022
Lease A in Lot 109 SP288881	SP339699	8/11/2022
and Lease B in Lot 108 SP28881		

- 3.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 3.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for endorsement by Council.
- 2. Requests that the CEO & EMO forward the relevant decision notice to the RPS's Ian Doust, within the appropriate time.



ORDINARY COUNCIL MEETING # 31

Agenda Item 12.5

Tuesday 22nd November 2022

Bamaga Boardroom

PURPOSE OF REPORT

To consider and decide on the Development Application, as submitted by RPS AAP Consulting Pty Ltd (RPS) on behalf of Northern Peninsula Area Regional Council (NPARC). Seeking development approval to reconfigure a portion of Lots 108 and 109 of SP288881 to allow for a lease of greater than ten years.

BACKGROUND AND CONTEXT

Background

NPARC engaged RPS to assist with Seek development approval to reconfigure a portion of Lots 108 and 109 of SP288881 to allow for a lease of greater than ten years.

Proposal

The subject site is located within the Northern Peninsula Area Regional Council and is described as Lot 108 and Lot 109 on SP288881. Lot 108 and Lot 109 have an approximate area of 15,940m² and 26,280m², respectively, and have a combined frontage to Airport Road of approximately 230 metres. Access to the site is provided from Airport Road, which is a constructed and council maintained road.

The site is currently used for mixed industrial purposes, predominantly storage, and includes several large warehouse/shed type buildings and non-covered storage areas. Development is concentrated to the north of the site towards the frontage to Airport Road with the south of the site being generally vacant.

In a wider perspective, the site is located on the eastern side of the township of Bamaga with the surrounding lots featuring a mix of vegetation and small scale development..

It is proposed to create two lease areas on the subject site, being lease area 1091 on Lot 109 and lease area 1081 on Lot 108.

Lease 1091 would have an area of 8,902m² leaving a balance of 17,378m². The Lease Area 1091 would contain the industrial buildings on the site with the balance containing largely vegetation. Lease 1081 would have an area of 5,736m² leaving a balance of 10,204m². Lease 1081 would contain buildings located towards the road frontage the balance of the site being predominantly vacant. There would be no material change to the use of the site, operational characteristics or built form on the site as a part of this application.

Both leases would be for a period exceeding 10 years and in accordance with the *Planning Act 2016,* dividing the land by an agreement with a term of in excess of 10 years requires a Development Permit for Reconfiguring a Lot.

RPS's full report has been attached (attachment A) for Council's consideration and information as necessary.

CRITICAL DATES

N/A.



ORDINARY COUNCIL MEETING # 31

Agenda Item 12.5

Tuesday 22nd November 2022

Bamaga Boardroom

OTHER OPTIONS CONSIDERED

N/A.

LEGAL AND LEGISLATION CONSIDERATIONS

Planning Act 2016 Planning Regulations 2017 Northern Peninsula Area Regional Council Panning Scheme 2018

POLICY CONSIDERATIONS

N/A.

CORPORATE AND OPERATIONAL PLAN CONSIDERATIONS

Corporate Plan

Focus Area Three – We support and facilitate Indigenous and local employment and business opportunities.

FINANCIAL AND RESOURCE CONSIDERATIONS

Nil

CONSULTATION

- RPS AAP Consulting Pty Ltd (RPS)
- Kate Gallaway A/- Chief Executive Officer



135 Abbott Street Cairns QLD 4870 T +61 7 4031 1336

Date: 02 November 2022

Kate Gallaway Chief Executive Officer Northern Peninsula Area Regional Council 180 Adidi Street Bamaga QLD 48767

Dear Ms Galloway,

Application for Reconfiguring a Lot (Lease term exceeding 10 years), Lots 108 & 109 SP288881 -Williams Lease 1081 and 1091 on 9832-75E - Airport Road, Bamaga

RPS AAP Consulting Pty Ltd (RPS) has been engaged by Northern Peninsula Area Regional Council to seek development approval to reconfigure a portion of Lots 108 and 109 of SP288881 to allow for a lease of greater than ten years.

Site Details

The subject site is located within the Northern Peninsula Area Regional Council and is described as Lot 108 and Lot 109 on SP288881. Lot 108 and Lot 109 have an approximate area of 15,940m² and 26,280m², respectively, and have a combined frontage to Airport Road of approximately 230 metres. Access to the site is provided from Airport Road, which is a constructed and council maintained road.

The site is currently used for mixed industrial purposes, predominantly storage, and includes several large warehouse/shed type buildings and non-covered storage areas. Development is concentrated to the north of the site towards the frontage to Airport Road with the south of the site being generally vacant.

In a wider perspective, the site is located on the eastern side of the township of Bamaga with the surrounding lots featuring a mix of vegetation and small scale development.



Figure 1 : Site Location (Source: Queensland Globe)

JOB NO: 9832 - RPS AAP Consulting Pty Ltd. Registered in Australia No. 97 117 883 173

Proposal

It is proposed to create two lease areas on the subject site, being lease area 1091 on Lot 109 and lease area 1081 on Lot 108.

Lease 1091 would have an area of 8,902m² leaving a balance of 17,378m². The Lease Area 1091 would contain the industrial buildings on the site with the balance containing largely vegetation. Lease 1081 would have an area of 5,736m² leaving a balance of 10,204m². Lease 1081 would contain buildings located towards the road frontage the balance of the site being predominantly vacant. There would be no material change to the use of the site, operational characteristics or built form on the site as a part of this application.

Both leases would be for a period exceeding 10 years and in accordance with the *Planning Act 2016*, dividing the land by an agreement with a term of in excess of 10 years requires a Development Permit for Reconfiguring a Lot.

A plan of the proposed lease area, 9832-75E, is provided at **Appendix D** and **figure 2** below.



Figure 2: Proposed Lease 1081 and 1091 area

Town Planning Assessment

Under the Northern Peninsula Area Regional Council Planning Scheme, the subject site is within the Industry Zone and is subject to the following overlays:

- Natural Hazard (Bushfire) Overlay
 - o Potential Bushfire Impact Buffer
- Airport Overlay
 - Within 8-13km wildlife buffer area to the airport.

Reconfiguring a Lot within the Industry Zone is identified as requiring a Code Assessable application and approval by Council.

rpsgroup.com

As the application is subject to code assessment, the assessment benchmarks, and the matters the assessment manager must have regard to, are those identified in section 45(3) of the *Planning Act 2016* and sections 26 and 27 of the *Planning Regulation 2017*.

State Planning Policy

Section 26(2)(a)(ii) of the *Planning Regulation 2017* requires the assessment manager to assess the application against the assessment benchmarks stated in the State Planning Policy, Part E, to the extent Part E of the State Planning Policy is not identified as being appropriately integrated into planning scheme.

It is understood that the minister has identified that the State Planning Policy has been appropriately integrated into the Northern Peninsula Area Regional Council Planning Scheme 2018 (v.1.1) to the extent relevant to the application and consequently no further assessment is required in this instance.

Regional Plan

The *Planning Regulation 2017* at section 26(2)(a)(i) requires the assessment manager to assess the application against the assessment benchmarks stated in the regional plan, to the extent the Regional Plan is not identified as being appropriately integrated into the planning scheme.

The Minister has identified that the Northern Peninsula Area Regional Planning Scheme 2018 (v.1.1), specifically the strategic framework, appropriately advances the Cape York Regional Plan 2014, as it applies in the planning scheme area, on that basis, no further assessment is required in this instance. Notwithstanding, the relevant parts of the Regional Plan have been assessed in this report for the purpose of completeness.

The purpose of the Cape York Regional Plan is to enhance the quality of life throughout the region by facilitating opportunities for appropriate economic development while recognising the need to protect Cape York's regionally important environmental areas.

The plan achieves this purpose through a combination of:

- regional policies
- regional land use categories
- regional interest mapping
- supporting information about other matters relevant to land use planning in the region.

Regional policy 1

Provide for economic opportunities and appropriate development by facilitating opportunities for land uses that contribute to diverse economic and employment opportunities in the region.

The proposed lease would not alter the continued operation of the existing use on the site, which would contribute to the economic opportunities of the region.

Regional policy 2

Safeguard areas of significant biological diversity and ecological function (Map 1) by protecting the:

- integrity of the Steve Irwin Wildlife Reserve from incompatible activities
- ecological integrity of Strategic Environmental Areas from incompatible development.

The proposed lease would not affect any area of biological diversity or ecological function.

Regional policy 3

Planning schemes provide for potential recreation and commercial development opportunities that complement and contributes to the community value of national parks (Map 1).

Policy 2 is not applicable and relates to the construct of the planning scheme, which has been identified as adequately advancing the Regional Plan.

Regional policy 4

Protect Priority Agricultural Land Uses within Priority Agricultural Areas.

This policy is not applicable to the proposed development as the site is not located within a Priority Agricultural Area.

Regional policy 5

Maximise opportunities for co-existence of resource and agricultural land uses in Priority Agricultural Areas

This policy is not applicable to the proposed development as the site is not located within a Priority Agricultural Area.

Regional policy 6

Safeguard the areas required for the growth of towns through establishment of Priority Living Areas (Maps 3 to 15, Schedule 2).

The subject site is located within the Priority Living Area of Bamaga and no change is proposed to its existing use. The proposed development would not impact on the long term intent for the Priority Living Areas.

Regional policy 7

Provide for resource activities to locate within a Priority Living Area only where it meets the communities' expectations as determined by the relevant local government.

Not applicable as the proposal does not involve a resource activity.

Regional land use categories

The Regional Plan allows for the allocation of land in the region into the following regional land use categories:

- Strategic Environmental Areas (SEAs) SEAs are areas where high ecological values may occur
 due to the collocation of multiple biodiversity features in conjunction with the landscape's
 topographical and hydrological features. In addition, SEAs can be areas that are recognised for
 specific Indigenous cultural heritage values of regional significance.
- National Parks.

The site is neither a Strategic Environmental Area nor a National Park.

Regional interest mapping

Three areas of regional interest, for the purposes of the RPI Act, are identified in the Cape York region:

- SEAs Strategic Environmental Areas
- PAAs Priority Agricultural Areas
- PLAs Priority Living Areas

The site is not identified in any of these areas on the Regional Interest Mapping.

Development Assessment under Schedule 10 (SDAP)

Schedule 10 of the Planning Regulation 2017 identifies the matters that the assessment manager and/or referral agency assessment must have regard to. The State Development Assessment Provisions (SDAP) nominate applicable State Codes based on the referral triggers. The proposed development does not trigger any assessment against a State Code.

Planning Scheme Assessment Benchmarks

This application is to be assessed against the Northern Peninsula Area Regional Council Planning Scheme 2018 (v.1.1). The assessment benchmarks applicable under the Planning Scheme are the Industry Zone Code, Reconfiguring a Lot Code and Natural Hazards Overlay Code – Bushfire.

It is noted that the subject site is located within the 8km wildlife buffer; however, the development does not involve a material change of use and would not comprise either a high or moderate risk for increases in wildlife strikes and hazards, in accordance with Table 8.2.6.3.b of the code. The NPA Airport Code is not considered relevant to the proposed development.

The proposed development is considered to be consistent with the relevant Assessment benchmarks contained within the Northern Peninsula Area Regional Council Planning Scheme July 2018 (v1.1)

A detailed assessment against the relevant Planning Scheme Codes is provided at **Appendix E**.

Conclusion

This letter supports a development application made on behalf of Northern Peninsula Area Regional Council for the Reconfiguring of a Lot. The lots are located at Airport Road, Bamaga, and are formally described as Lots 108 and 109 SP288881. The proposal is to Reconfigure the above lots to allow for the sites to be leased to a third party. This letter has demonstrated the proposal's consistency with the intents and code requirements of Northern Peninsula Area Regional Council. Approval is sought subject to reasonable and relevant conditions.

We look forward to continuing working with you on this development. In the meantime, if you have any queries please contact the writer (contact details below).

Yours Sincerely,

Ian Doust

Senior Principal Surveyor lan.doust@rpsgroup.com.au +61 7 4031 1336

In Pourt

Appendices:

Appendix A – Development Application Form

Appendix B – Owners Consent Form

Appendix C - Site Related Search Results

Appendix D - Proposal Plan (9832-75E)

Appendix E - Benchmark Assessment

Appendix A

Development Application Form

DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving only building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development** (i.e. material change of use, operational work or reconfiguring a lot), use this form (*DA Form 1*) and parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

Note: All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).

PART 1 - APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Northern Peninsula Area Regional Council
Contact name (only applicable for companies)	RPS AAP Consulting Pty Ltd, Ian Doust
Postal address (P.O. Box or street address)	PO Box 1949
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Contact number	07 4031 1336
Email address (non-mandatory)	ian.doust@rpsgroup.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	9832

2) Owner's consent
2.1) Is written consent of the owner required for this development application?



PART 2 - LOCATION DETAILS

3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable) Note: Provide details below and attach a site plan for any or all premises part of the development application. For further information, see <u>DA Forms Guide: Relevant plans.</u>									
3.1) Street address and lot on plan									
Street address AND lot on plan (all lots must be listed), or									
Street address AND lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon. All lots must be listed).									
	Unit No.	Street	No.	Stree	t Name and	Туре			Suburb
->				Airpo	rt Road				Bamaga
a)	Postcode	Lot No	٥.	Plan Type and Number (e.g. RP, SP)				Local Government Area(s)	
	4876	108		SP28	88881				NPARC
	Unit No.	Street	No.	Stree	t Name and	Туре			Suburb
				Airpo	rt Road				Bamaga
b)	Postcode	Lot No	٥.	Plan	Type and Nu	ımber ((e.g. RF	P, SP)	Local Government Area(s)
	4876	109		SP28	88881		-		NPARC
Note: P	 3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay) Note: Place each set of coordinates in a separate row. Coordinates of premises by longitude and latitude 								
Longit	ude(s)		Latitud	de(s)		Datu	m		Local Government Area(s) (if applicable)
				☐ WGS84					
				☐ GDA94					
☐ Co	ordinates of	premis	es by e	asting	and northing		ther:		
Coordinates of premises by easting and northing Easting(s) Northing(s) Zone Ref. Datum						Local Government Area(s) (if applicable)			
Laouiii	9(0)	11011	9(0)	□ 54 □ WGS84					
					□ 54 □ 55		DA94		
					☐ 56	_ o	ther:		
3.3) A	dditional pre	mises							
 3.3) Additional premises Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application Not required 									
4) 1 1								., .	
								vide any rele	vant details
. —	•		•		itercourse or	in or a	bove a	n aquirer	
	of water bo				-	. ((1 -1 4	100.4	
					nsport Infras	structur	e Act 1	994	
	plan descrip	-	Ŭ	•	land:				
	of port auth	ority foi	the lot:						
_	a tidal area								
-	_				area (if applica	able):			
	of port auth								
	•	under	the Airp	ort As	sets (Restru	cturing	and D	isposal) Act 2	2008
Name	of airport:								

Listed on the Environmental Management Register (EN	IR) under the Environmental Protection Act 1994					
EMR site identification:						
Listed on the Contaminated Land Register (CLR) unde	the Environmental Protection Act 1994					
CLR site identification:						
5) Are there any existing easements over the premises? Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see <u>DA Forms Guide</u> .						
Yes – All easement locations, types and dimensions are included in plans submitted with this development application						
⊠ No						

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the	first development aspect						
a) What is the type of develop	ment? (tick only one box)						
☐ Material change of use	Reconfiguring a lot	Operational work	☐ Building work				
b) What is the approval type?	(tick only one box)						
□ Development permit	☐ Preliminary approval	☐ Preliminary approval that	includes a variation approval				
c) What is the level of assessment?							
	☐ Impact assessment (require	es public notification)					
d) Provide a brief description of the proposal (e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):							
Reconfiguring a lot (dividing the	he land into parts by agreeme	ent – 2 x lease areas)					
e) Relevant plans Note: Relevant plans are required to Relevant plans.	be submitted for all aspects of this d	levelopment application. For further in	nformation, see <u>DA Forms guide:</u>				
Relevant plans of the prop	osed development are attach	ed to the development applica	ation				
6.2) Provide details about the	second development aspect						
a) What is the type of develop	ment? (tick only one box)						
☐ Material change of use	Reconfiguring a lot	Operational work	☐ Building work				
b) What is the approval type?	(tick only one box)						
☐ Development permit	☐ Preliminary approval	☐ Preliminary approval that	includes a variation approval				
c) What is the level of assessi	ment?						
☐ Code assessment	☐ Impact assessment (require	es public notification)					
d) Provide a brief description (lots):	of the proposal (e.g. 6 unit apartr	ment building defined as multi-unit dv	velling, reconfiguration of 1 lot into 3				
e) Relevant plans Note: Relevant plans are required to a Relevant plans.	be submitted for all aspects of this de	evelopment application. For further in	oformation, see <u>DA Forms Guide:</u>				
Relevant plans of the prop	osed development are attach	ed to the development applica	ation				
6.3) Additional aspects of dev	relopment						
	lopment are relevant to this d der Part 3 Section 1 of this for						

Section 2 - Further development details

Occilon 2 Tartifici acvelopi	mont ac	rans					
7) Does the proposed developm	nent appli	cation invol	ve any of the follow	ving?			
Material change of use	Yes -	- complete	division 1 if assessa	able agains	t a local	planning instru	ument
Reconfiguring a lot	⊠ Yes -	- complete	division 2				
Operational work	Yes -	- complete	division 3				
Building work	Yes -	- complete	DA Form 2 – Buildi	ng work de	tails		
Division 4 Metavial above at							
Division 1 – Material change of Note: This division is only required to be of		f any nart of th	e develonment annlicati	ion involves a	material cl	nange of use asse	essahle anainst a
local planning instrument.			о четогорители арриеви	on mivolico a	natorial of	iango or doo dood	ocabio againot a
8.1) Describe the proposed mat		nge of use					
Provide a general description of proposed use	the		ne planning scheme The definition in a new rov			er of dwelling f applicable)	Gross floor area (m²) (if applicable)
8.2) Does the proposed use inve	olve the ι	use of existi	ng buildings on the	premises?			
Yes							
□ No							
Division C. Describeration of le	1						
Division 2 – Reconfiguring a lo Note: This division is only required to be c		any part of the	e develonment annlicati	on involves re	configuring	r a lot	
9.1) What is the total number of					somigami	, a 10t.	
2							
9.2) What is the nature of the lo	t reconfig	juration? (tid	ck all applicable boxes)				
Subdivision (complete 10))			□ Dividing land i	nto parts by	agreen	nent (complete 1	1))
☐ Boundary realignment (comple	ete 12))		Creating or ch	anging an e	asemen	t giving acces	s to a lot
			from a constru	cted road (d	complete 1	(3))	
10) Subdivision							
10.1) For this development, how	many lo	ts are being	g created and what	is the inten	ded use	of those lots:	
Intended use of lots created	Reside	ntial	Commercial	Industrial		Other, please	e specify:
Number of lots created							
10.2) Will the subdivision be sta	ged?						
☐ Yes – provide additional deta☐ No	ails below	I					
How many stages will the works	include?	}					
What stage(s) will this developm apply to?	nent appli	ication					
			i e				

11) Dividing land int parts?	o parts b	y ag	reement – how	many pa	rts are being	created and wha	t is the intended use of the	
Intended use of par	ts create	d	Residential	Coi	mmercial	Industrial	Other, please specify:	
Niverban of parts and	or of parts greated							
Number of parts cre	eated					2		
12) Boundary realig	ınment							
12.1) What are the current and proposed areas for each lot comprising the premises?								
	Curre	1					posed lot	
Lot on plan descript	ot on plan description Area (m ²		ea (m²)	L		n description	Area (m²)	
12.2) What is the re	eason for	the l	boundary reali	gnment?				
,			·					
40) \\				. ,.				
13) What are the di				existing 6	easements be	eing changed and	I/or any proposed easement?	
Existing or proposed?	Width (r	m)	Length (m)	Purpose pedestrian	of the easem	ent? (e.g.	Identify the land/lot(s) benefitted by the easement	
							·	
Division 3 – Operational work								
Note : This division is only			ompleted if any par	t of the deve	elopment applica	tion involves operatio	onal work.	
14.1) What is the na	ature of th	ne o	perational work	< ?				
Road work				Stormwa			frastructure	
☐ Drainage work☐ Landscaping			<u> </u>] Earthwo] Signage	KS	☐ Sewage infrastructure☐ Clearing vegetation		
Other – please s	specify:			Oignage			y vogotation	
14.2) Is the operation		nec	essary to facili	tate the c	eation of nev	v lots? (e.g. subdivi	ision)	
Yes – specify nu	ımber of ı	new	lots:					
□ No								
14.3) What is the m	onetary v	/alue	e of the propos	ed operat	ional work? (i	nclude GST, materia	ls and labour)	
\$								
PART 4 – ASSI	ESSMI	EN.	T MANAG	FR DF	TAILS			
		,		,	.,0			
15) Identify the asse	essment	man	ager(s) who w	ill be asse	ssing this dev	velopment applic	ation	
Northern Peninsula	Area Re	gion	al Council					
16) Has the local go	overnmer	nt ag	reed to apply a	a superse	ded planning	scheme for this o	development application?	
Yes – a copy of					•			
The local govern	nment is t	aker	n to have agre	ed to the s	superseded p	ianning scheme i	request – relevant documents	
⊠ No								

PART 5 - REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements? Note: A development application will require referral if prescribed by the Planning Regulation 2017.
No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6
Matters requiring referral to the Chief Executive of the Planning Act 2016:
☐ Clearing native vegetation
Contaminated land (unexploded ordnance)
Environmentally relevant activities (ERA) (only if the ERA has not been devolved to a local government)
Fisheries – aquaculture
Fisheries – declared fish habitat area
☐ Fisheries – marine plants
☐ Fisheries – waterway barrier works
☐ Hazardous chemical facilities
☐ Heritage places – Queensland heritage place (on or near a Queensland heritage place)
☐ Infrastructure-related referrals – designated premises
☐ Infrastructure-related referrals – state transport infrastructure
☐ Infrastructure-related referrals – State transport corridor and future State transport corridor
☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
☐ Infrastructure-related referrals – near a state-controlled road intersection
☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
Koala habitat in SEQ region – key resource areas
Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
Ports – Brisbane core port land – environmentally relevant activity (ERA)
Ports – Brisbane core port land – tidal works or work in a coastal management district
Ports – Brisbane core port land – hazardous chemical facility
Ports – Brisbane core port land – taking or interfering with water
Ports – Brisbane core port land – referable dams
Ports – Brisbane core port land – fisheries
Ports – Land within Port of Brisbane's port limits (below high-water mark)
☐ SEQ development area
 SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
SEQ regional landscape and rural production area or SEQ rural living area – community activity
☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
SEQ regional landscape and rural production area or SEQ rural living area – urban activity
☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use
☐ Tidal works or works in a coastal management district
Reconfiguring a lot in a coastal management district or for a canal
☐ Erosion prone area in a coastal management district
☐ Urban design
☐ Water-related development – taking or interfering with water
Water-related development – removing quarry material (from a watercourse or lake)
Water-related development – referable dams
Water-related development –levees (category 3 levees only)
Wetland protection area
Matters requiring referral to the local government:
☐ Airport land
☐ Environmentally relevant activities (ERA) (only if the ERA has been devolved to local government)

☐ Heritage places – Local heritage places							
Matters requiring referral to the Chief Executive	of the distribution entity or trans	smission entity:					
☐ Infrastructure-related referrals – Electricity in	frastructure						
Matters requiring referral to:							
The Chief Executive of the holder of the	licence, if not an individual						
The holder of the licence, if the holder of the licence is an individual							
Infrastructure-related referrals – Oil and gas infrastructure							
Matters requiring referral to the Brisbane City Council:							
Ports – Brisbane core port land							
Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994:							
Ports – Brisbane core port land (where inconsis	tent with the Brisbane port LUP for transport	reasons)					
Ports – Strategic port land							
Matters requiring referral to the relevant port of		ator:					
Ports – Land within Port of Brisbane's port lir	nits (below high-water mark)						
Matters requiring referral to the Chief Executive	of the relevant port authority:						
Ports – Land within limits of another port (belo	ow high-water mark)						
Matters requiring referral to the Gold Coast Waterways Authority:							
☐ Tidal works or work in a coastal managemen	t district (in Gold Coast waters)						
Matters requiring referral to the Queensland Fir	e and Emergency Service:						
☐ Tidal works or work in a coastal managemen		vessel berths))					
18) Has any referral agency provided a referral i	esponse for this development applic	cation?					
Yes – referral response(s) received and lister							
⊠ No	·						
Referral requirement	Referral agency	Date of referral response					
	,	<u> </u>					
Identify and describe any changes made to the	proposed development application the	nat was the subject of the					
referral response and this development applicat							
(if applicable).	,						
PART 6 – INFORMATION REQUES	ST						
19) Information request under Part 3 of the DA F	Rules						
☑ I agree to receive an information request if defeated and the property of the property	etermined necessary for this develop	oment application					
☐ I do not agree to accept an information reque	est for this development application						
Note: By not agreeing to accept an information request I, the	- · ·						
 that this development application will be assessed and application and the assessment manager and any reference to accept any additional information provided by 	erral agencies relevant to the development ap	oplication are not obligated under the DA					

Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.

Further advice about information requests is contained in the <u>DA Forms Guide</u>.

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)						
Yes – provide details below or include details in a schedule to this development application						
⊠ No						
List of approval/development	Reference number	Date		Assessment		
application references				manager		
☐ Approval						
Development application						
Approval						
Development application						
21) Has the portable long ser operational work)	vice leave levy been paid? (on	nly applicable to	o development applicat	tions involving building work or		
	oted QLeave form is attached t	o this devel	opment application	n		
	rovide evidence that the portal		•			
assessment manager dec	ides the development applicat	tion. I ackno	wledge that the as	ssessment manager may		
give a development approval only if I provide evidence that the portable long service leave levy has been paid						
_ 11 10	ng and construction work is les	ss than \$150	<u>, </u>	,		
Amount paid	Date paid (dd/mm/yy)		QLeave levy nur	mber (A, B or E)		
\$						
	cation in response to a show c	ause notice	or required as a r	esult of an enforcement		
notice?						
Yes – show cause or enfor	rcement notice is attached					
⊠ No						
23) Further legislative require	aments					
Environmentally relevant ac						
		anlication for	on environmente	Loutharity for an		
23.1) Is this development application also taken to be an application for an environmental authority for an Environmentally Relevant Activity (ERA) under section 115 of the <i>Environmental Protection Act 1994</i> ?						
	ment (form ESR/2015/1791) fo					
•	ment application, and details a	• •				
⊠ No		·				
	tal authority can be found by searchin			at <u>www.qld.gov.au</u> . An ERA		
	to operate. See <u>www.business.qld.go</u>					
Proposed ERA number:		Proposed E	RA threshold:			
Proposed ERA name:						
Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.						
Hazardous chemical facilities						
23.2) Is this development application for a hazardous chemical facility?						
Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development						
application						
⊠ No						
Note: See www.business.ald.gov.au for further information about hazardous chemical notifications.						

Clearing native vegetation
23.3) Does this development application involve clearing native vegetation that requires written confirmation that the chief executive of the <i>Vegetation Management Act 1999</i> is satisfied the clearing is for a relevant purpose under section 22A of the <i>Vegetation Management Act 1999</i> ?
Yes – this development application includes written confirmation from the chief executive of the <i>Vegetation Management Act 1999</i> (s22A determination)
Note: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development. 2. See https://www.qld.gov.au/environment/land/vegetation/applying for further information on how to obtain a s22A determination.
Environmental offsets
23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a prescribed environmental matter under the <i>Environmental Offsets Act 2014</i> ?
☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter
No Note: The environmental offset section of the Queensland Government's website can be accessed at www.qld.gov.au for further information on environmental offsets.
Koala habitat in SEQ Region
23.5) Does this development application involve a material change of use, reconfiguring a lot or operational work which is assessable development under Schedule 10, Part 10 of the Planning Regulation 2017?
Yes – the development application involves premises in the koala habitat area in the koala priority area
Yes – the development application involves premises in the koala habitat area outside the koala priority area
No Note: If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this development application. See koala habitat area guidance materials at www.des.qld.gov.au for further information.
Water resources
23.6) Does this development application involve taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the <i>Water Act 2000</i> ?
Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the <i>Water Act 2000</i> may be required prior to commencing development
No Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.gld.gov.au for further information.
DA templates are available from https://planning.dsdmip.qld.gov.au/ . If the development application involves:
 Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1 Taking or interfering with water in a watercourse, lake or spring: complete DA Form1 Template 2
Taking overland flow water: complete DA Form 1 Template 3. Waterway barrier works
23.7) Does this application involve waterway barrier works?
☐ Yes – the relevant template is completed and attached to this development application ☐ No
DA templates are available from https://planning.dsdmip.qld.gov.au/ . For a development application involving waterway barrier works, complete DA Form 1 Template 4.
Marine activities
23.8) Does this development application involve aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants?
Yes – an associated <i>resource</i> allocation authority is attached to this development application, if required under
the Fisheries Act 1994 No

Note: See guidance materials at www.daf.qld.gov.au for further information.

Quarry materials from a watercourse or lake					
23.9) Does this development application involve the removal ounder the <i>Water Act 2000?</i>	of quarry materials from a	watercourse or lake			
☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development ☐ No					
Note : Contact the Department of Natural Resources, Mines and Energy at www.information.	Note : Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au and www.business.qld.gov.au for further information.				
Quarry materials from land under tidal waters					
23.10) Does this development application involve the removal under the <i>Coastal Protection and Management Act 1995?</i>	of quarry materials from	land under tidal water			
☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development ☒ No					
Note : Contact the Department of Environment and Science at <u>www.des.qld.gov.au</u> for further information.					
Referable dams					
23.11) Does this development application involve a referable dam required to be failure impact assessed under section 343 of the <i>Water Supply (Safety and Reliability) Act 2008</i> (the Water Supply Act)?					
☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the Water Supply Act is attached to this development application					
No Note: See guidance materials at www.dnrme.qld.gov.au for further information.					
Tidal work or development within a coastal management d	district				
23.12) Does this development application involve tidal work or development in a coastal management district?					
☐ Yes – the following is included with this development application:					
 Evidence the proposal meets the code for assessable development that is prescribed tidal work (only required if application involves prescribed tidal work) 					
A certificate of title					
No No					
Note: See guidance materials at www.des.gld.gov.au for further information.					
Queensland and local heritage places					
23.13) Does this development application propose development on or adjoining a place entered in the Queensland heritage register or on a place entered in a local government's Local Heritage Register?					
Yes – details of the heritage place are provided in the table	below				
No Note: See guidance materials at www.des.gld.gov.au for information requirem	nents regarding development of Qu	ueensland heritage places.			
	ace ID:	3 /			
Brothels Prothels					
23.14) Does this development application involve a material change of use for a brothel?					
☐ Yes – this development application demonstrates how the proposal meets the code for a development					
application for a brothel under Schedule 3 of the <i>Prostitution Regulation 2014</i> ☑ No					
Decision under section 62 of the <i>Transport Infrastructure Act 1994</i>					
23.15) Does this development application involve new or changed access to a state-controlled road?					
☐ Yes – this application will be taken to be an application for a decision under section 62 of the <i>Transport</i>					
Infrastructure Act 1994 (subject to the conditions in section 75 of the Transport Infrastructure Act 1994 being satisfied)					
∑ No					

Walkable neighbourhoods assessment benchmarks under Schedule 12A of the Planning Regulation
23.16) Does this development application involve reconfiguring a lot into 2 or more lots in certain residential zones (except rural residential zones), where at least one road is created or extended?
☐ Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered
No No
Note : See guidance materials at www.planning.dsdmip.qld.gov.au for further information.

PART 8 - CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist	
I have identified the assessment manager in question 15 and all relevant referral	_
requirement(s) in question 17	⊠ Yes
Note: See the Planning Regulation 2017 for referral requirements	
If building work is associated with the proposed development, Parts 4 to 6 of <u>DA Form 2</u> –	☐ Yes
Building work details have been completed and attached to this development application	Not applicable
Supporting information addressing any applicable assessment benchmarks is with the	
development application	
Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report	⊠ Yes
and any technical reports required by the relevant categorising instruments (e.g. local government planning	
schemes, State Planning Policy, State Development Assessment Provisions). For further information, see <u>DA</u> Forms Guide: Planning Report Template.	
Relevant plans of the development are attached to this development application	
Note: Relevant plans are required to be submitted for all aspects of this development application. For further	
information, see <u>DA Forms Guide: Relevant plans.</u>	_
The portable long service leave levy for QLeave has been paid, or will be paid before a	Yes
development permit is issued (see 21)	Not applicable Not applicable
25) Applicant declaration	
, 11	
Ry making this development application. I declare that all information in this developmen	t application is true and
By making this development application, I declare that all information in this developmen correct	t application is true and
correct	
correct Where an email address is provided in Part 1 of this form, I consent to receive future electrical contents of the content of the con	ctronic communications
correct	ctronic communications where written information
correct Where an email address is provided in Part 1 of this form, I consent to receive future electrom the assessment manager and any referral agency for the development application of the development application app	ctronic communications where written information
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 Correct Where an email address is provided in Part 1 of this form, I consent to receive future electrom the assessment manager and any referral agency for the development application was required or permitted pursuant to sections 11 and 12 of the <i>Electronic Transactions Action Note: It is unlawful to intentionally provide false or misleading information.</i> Privacy − Personal information collected in this form will be used by the assessment manager assessment manager, any relevant referral agency and/or building certifier (including any provide may be engaged by those entities) while processing, assessing and deciding the devention of the engaged by this development application may be available for inspection and propublished on the assessment manager's and/or referral agency's website. Personal information will not be disclosed for a purpose unrelated to the <i>Planning Act 2016</i>, Regulation 2017 and the DA Rules except where: such disclosure is in accordance with the provisions about public access to documents of <i>Act 2016</i> and the Planning Regulation 2017, and the access rules made under the <i>Planning Act 2016</i>, and the Planning Regulation 2017, and the access rules made under the <i>Planning Act 2016</i>. 	ctronic communications where written information at 2001 ger and/or chosen ofessional advisers elopment application. burchase, and/or Planning contained in the Planning
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correct Where an email address is provided in Part 1 of this form, I consent to receive future electrom the assessment manager and any referral agency for the development application of is required or permitted pursuant to sections 11 and 12 of the <i>Electronic Transactions Actorial Mote: It is unlawful to intentionally provide false or misleading information.</i> Privacy – Personal information collected in this form will be used by the assessment manager assessment manager, any relevant referral agency and/or building certifier (including any propose which may be engaged by those entities) while processing, assessing and deciding the development application may be available for inspection and published on the assessment manager's and/or referral agency's website. Personal information will not be disclosed for a purpose unrelated to the <i>Planning Act 2016</i> , Regulation 2017 and the DA Rules except where: • such disclosure is in accordance with the provisions about public access to documents of <i>Act 2016</i> and the Planning Regulation 2017, and the access rules made under the <i>Planning Regulation 2017</i> ; or	ctronic communications where written information at 2001 ger and/or chosen ofessional advisers elopment application. ourchase, and/or Planning contained in the Planning aning Act 2016 and

PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received:	Reference numb	per(s):	
Notification of engagement of	of alternative assessment man	nager	
Prescribed assessment man	ager		
Name of chosen assessmen	ıt manager		
Date chosen assessment ma	anager engaged		
Contact number of chosen a	ssessment manager		
Relevant licence number(s)	of chosen assessment		
manager			
QLeave notification and pay			
Note: For completion by assessmen	nt manager if applicable		
Description of the work			
QLeave project number			
Amount paid (\$)		Date paid (dd/mm/yy)	
Date receipted form sighted	by assessment manager		

Name of officer who sighted the form

Our ref: 9832 - L81708 - ID/SL

Appendix B

Certificate of Title

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Current Reserve Search

Queensland Titles Registry Pty Ltd ABN 23 648 568 101

Title Reference: 49017931

Date Reserve Gazetted: 25/10/1986
Page: 1199

Search Date: 31/10/2022 10:24

Request No: 42681150

DETAILS

Opening Ref: B 2971-B-19

Purpose: PROVISION OF SERVICES BENEFICIAL TO TORRES STRAIT ISLANDERS PARTICULARLY CONCERNED

WITH LAND

Sub-Purpose:

Local Name:

Address: BAMAGA

County (R) No: R87

File Ref: RES 23563

LAND DESCRIPTION

LOT 108 SURVEY PLAN 288881 AMENDED on 27/10/2016

Local Government: NORTHERN PENINSULA AREA

Area: 1.594000 Ha. (SURVEYED)

TRUSTEES

NORTHERN PENINSULA AREA REGIONAL COUNCIL GAZETTED ON 04/04/1996 PAGE 1490.93

EASEMENTS AND ENCUMBRANCES

NIL

ADMINISTRATIVE ADVICES

 Dealing
 Type
 Lodgement Date
 Status

 718154867
 NT DETERM
 14/07/2017 15:13
 CURRENT

NATIVE TITLE ACT 1993 (CTH)

UNREGISTERED DEALINGS

NIL

** End of Current Reserve Search **



Current Reserve Search

Queensland Titles Registry Pty Ltd ABN 23 648 568 101

Title Reference: 49017932

Date Reserve Gazetted: 25/10/1986 Page: 1199 **Search Date:** 31/10/2022 10:25

Request No: 42681192

DETAILS

Opening Ref: B 2971-B-19

Purpose: PROVISION OF SERVICES BENEFICIAL TO TORRES STRAIT ISLANDERS PARTICULARLY CONCERNED

WITH LAND

Sub-Purpose:

Local Name:

Address: BAMAGA

County (R) No: R88

File Ref: RES 23564

LAND DESCRIPTION

LOT 109 SURVEY PLAN 288881 AMENDED on 27/10/2016

Local Government: NORTHERN PENINSULA AREA

Area: 2.628000 Ha. (SURVEYED)

TRUSTEES

NORTHERN PENINSULA AREA REGIONAL COUNCIL GAZETTED ON 04/04/1996 PAGE 1490.93

EASEMENTS AND ENCUMBRANCES

NIL

ADMINISTRATIVE ADVICES

 Dealing
 Type
 Lodgement Date
 Status

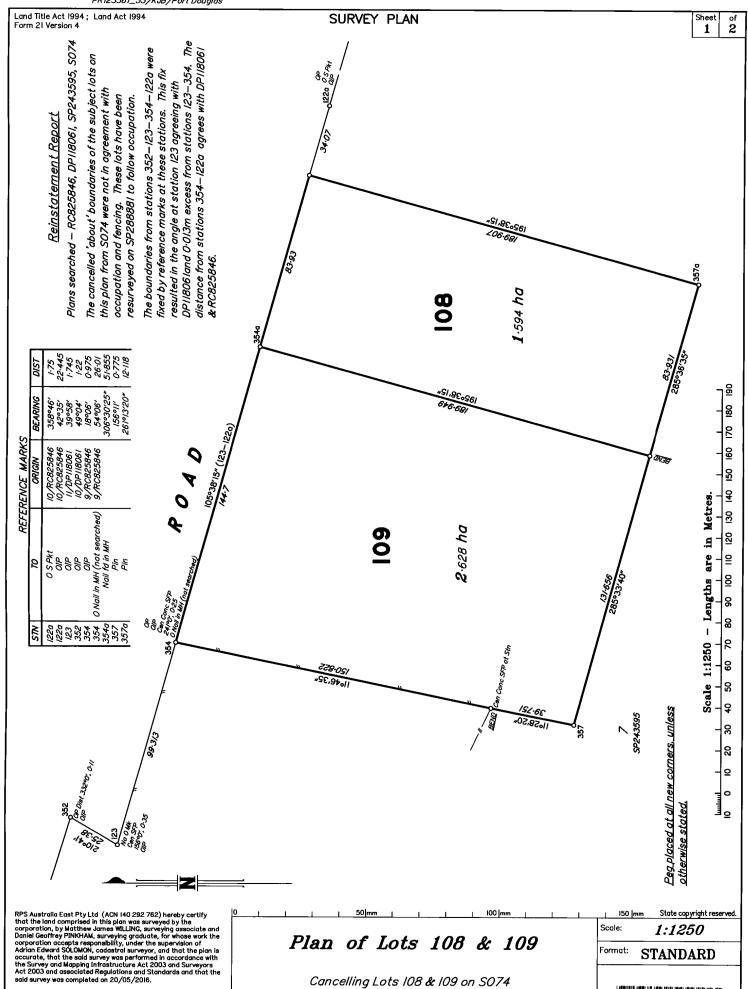
 718154867
 NT DETERM
 14/07/2017 15:13
 CURRENT

NATIVE TITLE ACT 1993 (CTH)

UNREGISTERED DEALINGS

NIL

** End of Current Reserve Search **



ussociated Regulations and Standards and that the a completed on 20/05/2016.

S. Rudgurum

9.6.2016

. 6 . 7016 Date NORTHERN
LOCAL PENINSULA AREA

GOVERNMENT: REGIONAL LOCALITY: BAMAGA

Meridian: MGA Zone 54 vide DP1/806/

Survey Records: No

SP288881

150

Land Title Act 1994; Land Act 1994 Form 21B Version I		WARNING	: Folded or Mutila	ated Plans will ay be rolled.	not be a	accepted. Sheet 2 2
	717593173	Inform	ation may not be	placed in the	outer ma	argins.
CS 495	NO FEE 20/10/2016 15:40		Taylah Hop SLAM PO BOX 937	, Cairns.		CS 2340
		(Include add	ress, phone number, referenc	ce, and Lodger Code)	9016	/004392.
ı. Certificate of Registered Owners		6. Title	Existing		Created	T
		Reference 49017931 49017932	Description Lot 108 on S074 Lot 109 on S074	New Lots 108 & 109 108 & 109	Road	Secondary Interests
(Names in full) *as Registered Owners of this land agr Land as shown hereon in accordance w *as Lessees of this land agree to this p	ee to this plan and dedicate the Public Use ith Section 50 of the Land Title Act 1994. olan.					
Signature of *Registered Owners *Le	ssees					
≭ Rule out whichever is inapplicable						
2. Planning Body Approval. * hereby approves this plan in accordance %	e with the :					
Dated this	day of			I certify the * As far as of the build onto adjoin * Part of it encroaches	nt: it is practical ing shown on ing lots or roone building sho conto adjoinir	own on this plan ng*lots and road cctor* Date

* Insert the name of the Planning Body.
Insert designation of signatory or delegation % Insert applicable approving legislation.

3. Plans with Community Management Statement:

CMS Number:

Name:

4. References:

Dept File :

Local Govt :

Surveyor: PRI2336I-2

7. Orig Grant Allocation:

Orig

Lots

8. Passed & Endorsed:

By: RPS Australia East Pty Ltd
Date: 9.6.2016
Signed: S. Rubgrand
Designation: Cadestral Surveyor

Lodgement Fees:	557
Survey Deposit	\$
Lodgement	\$ 40a c
New Titles	\$
Photocopy	\$

\$ \$402.00

Postage TOTAL

II. Insert Plan Number SP288881 Our ref: 9832 - L81708 - ID/SL

Appendix C

Owners Consent Form (Trustee)

Owner's consent as Trustee to the making of a development application under the *Planning Act 2016*

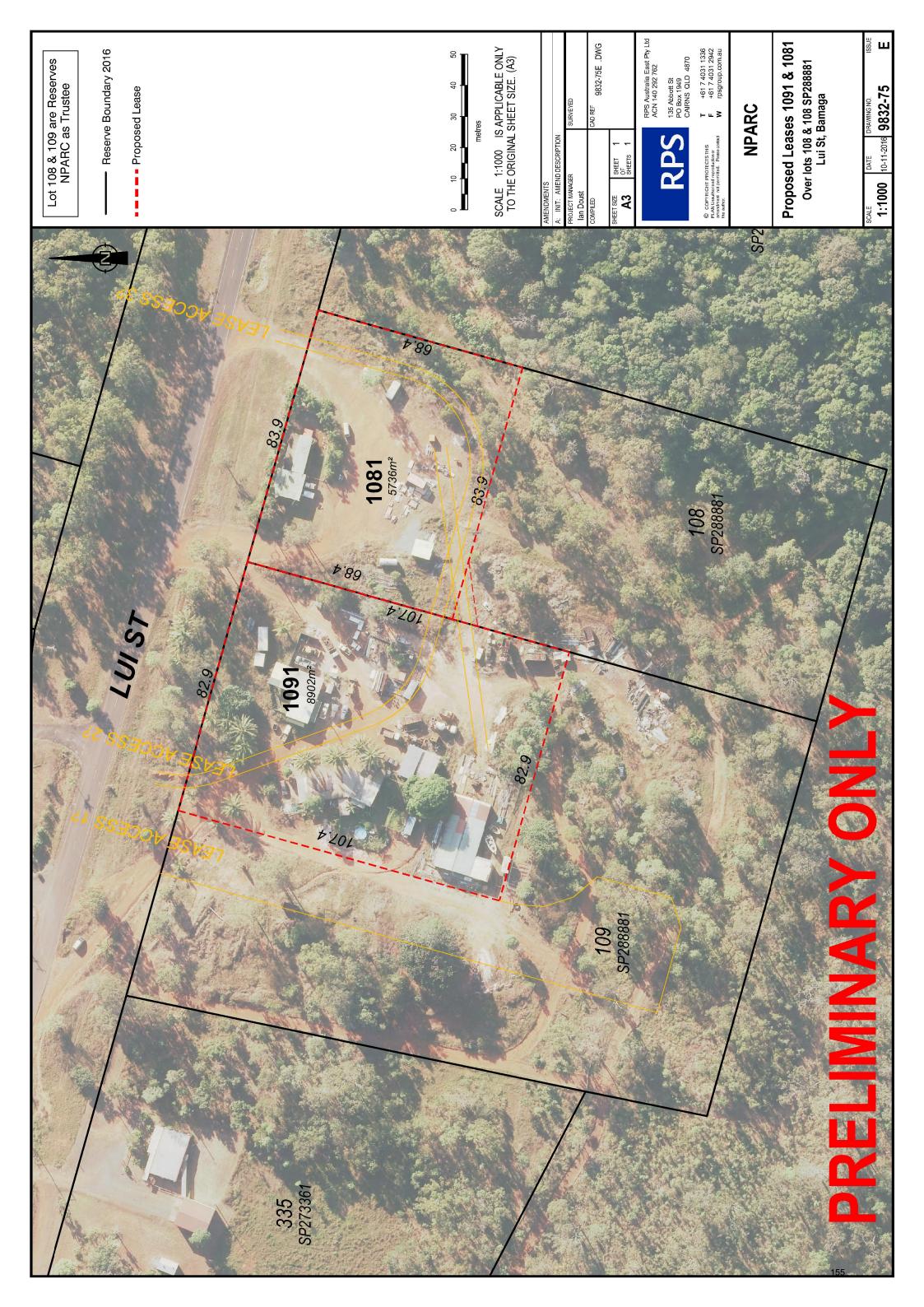
I, Kate Gallaway
Acting Chief Executive Officer of the Council mentioned below.
Of the Northern Peninsula Area Regional Council, being
the Trustee for the land identified as follows:
Lots 108 and 109 of SP288881
consent to the making of a development application under the <i>Planning Act 2016</i> by:
Northern Peninsula Area Regional Council
on the premises described above for:
Reconfiguring a Lot (dividing land into parts by agreement) – William's Lease, Airport Road Bamaga
Northern Peninsula Area Regional Council
A.B.N 27 853 929 592
Signature of Chief Executive Officer
Date

The Planning Act 2016 is administered by the Department of Local Government, Infrastructure and Planning, Queensland Government.

Our ref: 9832 - L81708 - ID/SL

Appendix D

Proposal Plan (9832-75E)



Our ref: 9832 - L81708 - ID/SL

Appendix E

Planning Benchmark Assessment

rpsgroup.com 156ge 10



.1.3 Industry Zone Code

6.1.3.1 Application

This code applies to assessing Material Change of Use, Reconfiguring a Lot and Operational Works Development where the Industry Zone Code is shown as being applicable in the table of assessment.

When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3, in Part 5.

Editor's Note: All development is mindful of obligations under the provisions of the Aboriginal Cultural Heritage Act 2003 and the Torres Strait Islander Cultural Heritage Act 2003.

6.1.3.2 Purpose

- 1) The purpose of the industry zone is to provide for:
- (a) a variety of industry activities; and
- (b) other uses and activities that:
- support industry activities; and
- ii. do not compromise the future use of the premises for industry activities.
- The local government purpose of the code is to ensure adequate land is made available to establish a range of industrial activities within a consolidated industrial node to support the short, medium and long term economic development of the Northern Peninsula Area. 5
- wellbeing, amenity and safety of communities and individuals from the impacts of air, noise and odour emissions and the impacts of hazardous materials. Consolidating industrial precincts within Bamaga and Seisia ensures industrial uses are sufficiently separated from sensitive uses to protect the health, 3
- 4) The Industry Zone contains three precincts:
- (a) Industry low impact precinct where low impact industry activities are preferred to be located;
- (b) Industry medium impact precinct where medium impact industry activities are preferred to be located; and
- (c) Industry high impact precinct where high impact industry activities are preferred to be located.
- 5) The purpose of the Industry Zone will be achieved through the following overall outcomes:
- Uses and works for industrial purposes are located, designed and managed to maintain safety to people, avoid significant adverse effects on the natural environment and minimise impacts on adjacent non-industrial land.
- Industrial uses (particularly high and medium impact industry) reinforce Seisia and Bamaga's role as the primary centres for industrial activities and are easily accessible to the markets and transportation networks. **a**
- Higher impact industrial activities are encouraged in the Bamaga and Seisia communities to reduce potential land use conflicts, provide benefit from co-location and provide the opportunity for higher impact industrial activities. <u>ပ</u>



- (d) Medium and High Impact Industry Zoned land is protected from encroachment by incompatible development to reduce potential for land use
- Industrial uses primarily support established industries (such as boat servicing and commercial fishing) or provide local service functions (abattoir, mechanic workshops, concrete batching, small scale manufacturing) **(e)**
- Non-industrial uses such as offices, short-term accommodation and retail uses are located only where they directly support and are ancillary to an ndustrial use on the same premises. €
- Permanent residential activities are located in conjunction with low-impact industrial uses only. **6**
- (h) Non-industrial uses do not compromise the efficient use of this limited land resource.
- (i) Development has access to development infrastructure and essential services.
- Development is sited having regard to its servicing capabilities in terms of transport, water, sewerage, electricity, gas, telecommunications infrastructure, and proximity to associated business and sea transport. \odot
- Industrial uses are operated to within acceptable environmental standards that utilise best practice techniques which promote re-use and recycling of waste, reduces potential for contamination through stormwater pollution and minimise impacts upon sensitive land uses and environments. 3

6.1.3.3 Specific benchmarks for assessment

Table 6.1.3.3.a - Benchmarks for development that is accepted subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
Preferred use of land		
P01	AO1.1	Not Applicable
Industrial land is only used for the following types of uses:	Only industrial uses are established on industrial zoned land.	No change to the use of the site is proposed.
(a) the repair, servicing, assembling and making of a range of products;	A01.2	Complies with AO1.2
(b) storage and transport logistics activities;(c) the supply, repair and service of marine	Land is not reconfigured to less than 1000m².	The proposed lease areas are $8,902m^2$ and $5,736m^2$.



Performance outcomes	Acceptable outcomes	Applicant response
and agricultural equipment; (d) value adding or further processing of primary products; (e) transferring, distributing and storing of plant and equipment; (f) manufacturing, producing and processing and recycling and reuse of a range of products and materials; Other uses, which support the primary function of industrial uses, such as offices and retail do not limit the efficient use of industrial land.		
Site layout, built form and amenity		
Po2 Development is appropriately sited to ensure that: (a) the function of the site is maximised and impacts on adjoining networks are minimised; (b) Adequate manoeuvring areas commensurate with the use, are provided; (c) Access to the site does not compromise the function of the road network from which the access is gained; (d) An effective mix of landscaping and	Buildings and structures are setback a minimum of: (a) 10m from the road boundary, or the same distance as the adjoining building; (b) 5m from side boundaries; Note – where there is no surveyed boundary, the side boundaries is a line measured equally between two buildings. A road boundary (where not surveyed) is approximately 4m from the edge of any road pavement. AO2.2 Landscaped buffers are established within the front and side setbacks up to 1.5m in depth and covers a	Not Applicable No buildings are proposed as part of this application. Not Applicable No change to the site layout or built form are proposed as part of this application.

Northern Peninsula Area Regional Council Planning Scheme 2018 Part 6: Zone Codes Code Compliance Table – 6.1.3 - Industry Zone Code Page 3 of 5



Performance outcomes	Acceptable outcomes	Applicant response
fencing is established at a suitable scale, having regard to the nature and scale of	minimum of 10% of total site area.	
the use, which screens outdoor working and storage areas.	AO2.3 Access to the site ensures the function of the road network from which the access is gained, is not compromised	Not Applicable No changes are proposed to the access as part of this application.
	AO2.5 Site coverage does not exceed 80% of total site area, including all hardstand parking and manoeuvring areas.	Not Applicable No change to the site layout or built form are proposed as part of this application.
Pollution Prevention		
PO3 Development must not result in sensitive land uses being exposed to industrial air, noise and odour emissions.	AO3.1 The use is designed to ensure that: (a) Noise objectives meet the Environmental Protection (Noise) Policy 2008; (b) Air quality objectives meet the Environmental Protection (Air) Policy 2008;	Not Applicable No additional or change of use is proposed.
Cultural Heritage		
PO4 Development is located, designed and operated to ensure that any impact on land with known cultural heritage values is appropriately managed.	AO5.1 Development is not undertaken in an area where there is known cultural heritage values, including both physical artefacts and historical significance.	Complies with AO5.1 The subject site is not identified as within a location of known cultural heritage value.

Northern Peninsula Area Regional Council Planning Scheme 2018
Part 6: Zone Codes
Code Compliance Table – 6.1.3 - Industry Zone Code
Page 4 of 5



Performance outcomes	Acceptable outcomes	Applicant response
Note – non-indigenous heritage places are registered on Local Heritage Register. For indigenous cultural heritage places, please consult Traditional Owners		
Infrastructure and servicing		
PO5	A05.1	Complies with AO5.1
All uses are serviced with appropriate levels and standards of infrastructure that is cost	Development is provided with the following infrastructure:	No changes to the existing services are proposed.
effective and minimises the impacts on the environment.	(a) reticulated water and sewerage supply in accordance with FNQROC Development Manual;	
	(b) energy and telecommunications;	
	(c) constructed road;	
	(d) stormwater and drainage systems that minimise potential for contamination;	
	(e) refuse and recycling facilities;	
	(f) constructed vehicular access in accordance with FNQROC Development Manual;	
	(g) maximise the opportunities to provide or upgrade existing footpaths.	



2.2 Natural Hazards Overlay Code – Bushfire

.2.2.1 Application of the Code

This code is applicable to all development referenced in the Overlays Categories of Assessment Table 5.10.1 and involving land wholly or partially within the Bushfire Hazard Area and/or Potential Bushfire Impact Buffer in the Natural Hazards Overlay - Bushfire.

When using this code, reference should be made to section 5.3.2 and where applicable, section 5.3.3 located in Part 5.

8.2.2.2 Purpose

- 1) The purpose of the Natural Hazards Overlay Code Bushfire is to ensure that risk to life, property, and the environment as a result of bushfire is mitigated to an acceptable or tolerable level.
- The purpose of the code will be achieved through the following overall outcomes:
- (a) development avoids the establishment or intensification of vulnerable uses within or near areas that are subject to bushfire hazard;
- development is designed and located to minimise risks to people and property from bushfires;
- bushfire risk mitigation treatments are accommodated in a manner that avoids or minimises impacts on the natural environment and ecological processes; <u>ပ</u>
- development involving the manufacture or storage of hazardous materials does not increase the risk to public safety or the environment in a bushfire event; ਓ
- development contributes to effective and efficient disaster management response and recovery capabilities. **(e)**

Note: A site based assessment may ground-truth the extent of hazardous vegetation and extent and nature of the bushfire hazard area (bushfire prone area).

8.2.2.3 Specific benchmarks for assessment

Table 8.2.2.3.a – Benchmarks for development that is accepted subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
Compatible development		
PO1 A vulnarable use is not established or	A01.1 Not Applicable Vulnarable uses are not established or expanded within Novulnerable uses are proposed	Not Applicable
materially intensified within a bushfire hazard a bushfire hazard area (bushfire prone area)	a bushfire hazard area (bushfire prone area).	No validado asos are proposes.

Northern Peninsula Area Regional Council Planning Scheme 2018

Part 8: Overlay Codes
Code Compliance Table – 8.2.2 – Natural Hazards Overlay – Bushfire Code



Performance outcomes	Acceptable outcomes	Applicant response
area (bushfire prone area) unless there is an overriding need or other exceptional circumstances.		
PO2 Emergency services and uses providing community support services are able to function effectively during and immediately after a bushfire hazard event.	AO2 Emergency Services and uses providing community support services are not located in a bushfire hazard (bushfire prone) area and have direct access to low hazard evacuation routes.	Not Applicable No emergency services or community support services are proposed.
PO3 Development involving hazardous materials manufactured or stored in bulk is not located in bushfire hazard area (bushfire prone area).	AO3 The manufacture or storage of hazardous material in bulk does not occur within bushfire hazard area (bushfire prone area).	Not Applicable The proposal does not involve hazardous materials manufacturing or storage.
Development design and separations from bushfire ha	ushfire hazard – reconfiguration of lots.	
PO4 Where reconfiguration is undertaken in an urban area or is for urban purposes or smaller scale rural residential purposes, a	AO4.1 No new lots are created within the bushfire prone area. OR	Complies with AO4.2 Refer below.
separation distance from hazardous vegetation is provided to achieve a radiant heat flux level of 29kW/m2 at the edge of the proposed lot(s). Note: "Urban purposes" and "urban area" are defined in the Sustainable Planning Regulations 2009. Reconfiguration will be taken to be for rural residential purposes where proposed lots are between 2000m2 and 2ha in area. "Smaller scale" rural residential purposes	A04.2 Lots are separated from hazardous vegetation by a distance that: 1) achieves radiant heat flux level of 29kW/m2 at all boundaries; and	Complies with AO4.2 The proposed lease areas would be located in the potential impact buffer and separated from the hazardous vegetation by a reasonable distance.

Northern Peninsula Area Regional Council Planning Scheme 2018
Part 8: Overlay Codes
Code Compliance Table – 8.2.2 – Natural Hazards Overlay – Bushfire Code
Page 2 of 10



Performance outcomes	Acceptable outcomes	Applicant response
will be taken to be where the average proposed lot size is 6000m2 or less. Note: The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.	2) is contained wholly within the development site. Note: Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation. For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages. Note: The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.	
Mhere reconfiguration is undertaken for other purposes, a building envelope of reasonable dimensions is provided on each lot which achieves radiant heat flux level of 29kW/m2 at any point.	No acceptable outcome is proposed	Not Applicable Not applicable, the proposal involves land identified for urban purposes.
Where reconfiguration is undertaken in an urban area or is for urban purposes, a constructed perimeter road with reticulated water supply is established between the lots and the hazardous vegetation and is readily accessible at all times for urban fire fighting vehicles. The access is available for both fire fighting and maintenance/defensive works.	Ao6.1 Lot boundaries are separated from hazardous vegetation by a public road which: 1) has a two lane sealed carriageway; 2) contains a reticulated water supply; 3) is connected to other public roads at both ends and at intervals of no more than 500m; 4) accommodates geometry and turning radii in accordance with Qld Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; 5) a minimum of 4.8m vertical clearance above the	Complies with AO6.1 The boundaries of the lease areas would be separated from the hazardous vegetation by the balance of the lots and have direct access to airport road can accommodate fire fighting vehicles.

Northern Peninsula Area Regional Council Planning Scheme 2018
Part 8: Overlay Codes
Code Compliance Table – 8.2.2 – Natural Hazards Overlay – Bushfire Code
Page 3 of 10



Performance outcomes	Acceptable outcomes	Applicant response
	road; 6) is designed to ensure hydrants and water access points are not located within parking bay allocations; and 7) incorporates roll-over kerbing.	
	A06.2 Fire hydrants are designed and installed in accordance with AS2419.1 2005, unless otherwise specified by the relevant water entity. Note: Applicants should have regard to the relevant standards set out in the reconfiguration of a lot code and works codes in this planning scheme.	Not Applicable No new lots would be created and the existing lots are understood to have been accepted by Council.
Where reconfiguration is undertaken for smaller scale rural residential purposes, either a constructed perimeter road or a formed, all weather fire trail is established between the lots and the hazardous vegetation and is readily accessible at all times for the type of fire fighting vehicles servicing the area. The access is available for both fire fighting and maintenance/hazard reduction works.	Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has: 1) a reserve or easement width of at least 20m; 2) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; 3) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; 4) a minimum of 4.8m vertical clearance; 5) turning areas for fire-fighting appliances in accordance with Qld Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; 6) a maximum gradient of 12.5%;	Not Applicable The reconfiguration is not associated with a smaller scale rural residential purpose.

Northern Peninsula Area Regional Council Planning Scheme 2018
Part 8: Overlay Codes
Code Compliance Table – 8.2.2 – Natural Hazards Overlay – Bushfire Code



Performance outcomes	Acceptable outcomes	Applicant response
	 7) a cross fall of no greater than 10 degrees; 8) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; 9) vehicular access at each end which is connected to the public road network at intervals of no more than 500m; 10) designated fire trail signage; 11) if used, has gates locked with a system authorised by Qld Fire and Emergency Services; and 12) if a fire trail, has an access easement that is granted in favour of council and Qld Fire and Emergency Services. 	
Where reconfiguration is undertaken for other purposes, a formed, all weather fire trail is provided between the hazardous vegetation and either the lot boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area. However, a fire trail will not be required where it would not serve a practical fire management purpose.	Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has: 1) a reserve or easement width of at least 20m; 2) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; 3) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; 4) a minimum of 4.8m vertical clearance; 5) turning areas for fire-fighting appliances in accordance with Qld Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;	Not Applicable The proposal related to land identified for an urban purpose.

Northern Peninsula Area Regional Council Planning Scheme 2018
Part 8: Overlay Codes
Code Compliance Table – 8.2.2 – Natural Hazards Overlay – Bushfire Code
Page 5 of 10



Performance outcomes	Acceptable outcomes	Applicant response
	 6) a maximum gradient of 12.5%; 7) a cross fall of no greater than 10 degrees; 8) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; 9) vehicular access at each end which is connected to the public road network; 10) designated fire trail signage; 11) if used, has gates locked with a system authorised by Qld Fire and Emergency Services; and 12) if a fire trail, has an access easement that is granted in favour of council and Qld Fire and Emergency Services. 	
The development design responds to the potential threat of bushfire and establishes clear evacuation routes which demonstrate an acceptable or tolerable risk to people	The lot layout: 1) minimises the length of the development perimeter exposed to, or adjoining hazardous vegetation; 2) avoids the creation of potential bottle-neck points in the movement network; 3) establishes direct access to a safe assembly /evacuation area in the event of an approaching bushfire; and 4) ensures roads likely to be used in the event of a fire are designed to minimise traffic congestion.	The proposed lease areas would minimise the extent of boundary exposed to hazardous vegetation and would have direct access to Airport Road.
	Note: For example, developments should avoid finger-like or hourglass subdivision patterns or substantive vegetated corridors between lots. In order to demonstrate compliance with the performance	

Northern Peninsula Area Regional Council Planning Scheme 2018
Part 8: Overlay Codes
Code Compliance Table – 8.2.2 – Natural Hazards Overlay – Bushfire Code
Page 6 of 10



Performance outcomes	Acceptable outcomes	Applicant response
	outcome, a bushfire management plan prepared by a suitably qualified person may be required. The bushfire management plan should be developed in accordance with the Public Safety Business Agency (PSBA) guideline entitled "Undertaking a Bushfire Protection Plan Advice from the Queensland Fire and Emergency Services (QFES) should be sought as appropriate.	
PO10 Critical infrastructure does not increase the potential bushfire hazard.	AO10 Critical or potentially hazardous infrastructure such as water supply, electricity, gas and telecommunications are undergrounded.	Not Applicable No critical infrastructure is proposed as a part of this application.
Development design and separation from bushfire hazard – material change of use	ushfire hazard – material change of use	
≥ ≥ ≥ ≥ ≥ ≥ ≥ ≥ ≥ ≥	Buildings or building envelopes are separated from hazardous vegetation by a distance that: 1) achieves a radiant heat flux level of at any point on the building or envelope respectively, of 10kW/m2 for a vulnerable use or 29kW/m2 otherwise; and 2) is contained wholly within the development site. Note: Where a separation distance is proposed to be achieved by	The development does not involve a material change of use.
2) 29kW/m2 otherwise. The radiant heat flux level is achieved by separation unless this is not practically achievable. Note: The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.	utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation. For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages. Note: The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.	

Northern Peninsula Area Regional Council Planning Scheme 2018
Part 8: Overlay Codes
Code Compliance Table – 8.2.2 – Natural Hazards Overlay – Bushfire Code
Page 7 of 10



P012	A012	Not Applicable
o)	Development sites are separated from hazardous vegetation by a public road or fire trail which has:	The development does not involve a material change of use.
site boundary or building envelope, and is readily accessible at all times for the type of	1) a reserve or easement width of at least 20m;	
	2) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation;	
red	 no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; 	
a development site involves less than	4) a minimum of 4.8m vertical clearance;	
2.5ha.	5) turning areas for fire-fighting appliances in accordance with Qld Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;	
	6) a maximum gradient of 12.5%;	
	7) a cross fall of no greater than 10 degrees;	
	b drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;	
	9) vehicular access at each end which is connected to the public road network which is connected to the public road network at intervals of no more than 500m;	
	10) designated fire trail signage;	
	 if used, has gates locked with a system authorised by Qld Fire and Emergency Services; and 	
	12) if a fire trail, has an access easement that is granted in favour of council and Qld Fire and Emergency	

Northern Peninsula Area Regional Council Planning Scheme 2018
Part 8: Overlay Codes
Code Compliance Table – 8.2.2 – Natural Hazards Overlay – Bushfire Code
Page 8 of 10



Performance outcomes	Acceptable outcomes	Applicant response
	Services.	
All development		
PO13	A013	Not applicable
All premises are provided with vehicular access the enables safe evacuation for occupants and easy access by fire fighting	Private driveways: 1) do not exceed a length of 60m from the street to the building;	The driveways currently existing on site and no new buildings are proposed as part of this application.
appliances.	2) do not exceed a gradient of 12.5%;	
	3) have a minimum width of 3.5m;	
	4) have a minimum of 4.8m vertical clearance;	
	 accommodate turning areas for fire-fighting appliances in accordance with Qld Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and 	
	6) serve no more than 3 dwellings or buildings.	
P014	A014	Not Applicable
Development outside reticulated water supply areas include a dedicated static	A water tank is provided within 10m of each building (other than a class 10 building) which:	No new buildings are proposed as part of this application.
supply that is available solely for fire fighting purposes and can be accessed by fire fighting appliances	is either below ground level or of non flammable construction;	
	2) has a take off connection at a level that allows the following dedicated, static water supply to be left available for access by fire fighters: (a) 10,000l for residential buildings; (b) 45,000l for industrial buildings; and (c) 20,000l for other buildings;	

Northern Peninsula Area Regional Council Planning Scheme 2018
Part 8: Overlay Codes
Code Compliance Table – 8.2.2 – Natural Hazards Overlay – Bushfire Code
Page 9 of 10



Performance outcomes	Acceptable outcomes	Applicant response
	 3) includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank; 4) is provided with fire brigade tank fittings – 50mm ball valve and male camlock coupling and, if underground, an access hole of 200mm (minimum) to accommodate suction lines; and 	
	 is clearly identified by directional signage provided at the street frontage. 	
PO15	A015	Complies with PO15
Landscaping does not increase the potential bushfire risk.	Landscaping uses species that are less likely to exacerbate a bushfire event, and does not increase fuel loads within separation areas.	No new vegetation is proposed as a part of this application.
P016	A016	Not Applicable
The risk of bushfire and the need to mitigate that risk is balanced against other factors (such as but not limited to, biodiversity or scenic amenity).	Bushfire risk mitigation treatments do not have a significant impact on the natural environment or landscape character of the locality where this has value.	No Bushfire risk mitigate treatments are proposed or required.



3.1 Reconfiguring a Lot Code

.3.1.1 Application

This code applies where identified as assessment benchmarks in the categories of assessment tables in Section 5.6 of the Planning Scheme.

When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3, in Part 5.

Editor's Note: All development is mindful of obligations under the provisions of the Aboriginal Cultural Heritage Act 2003 and the Torres Strait Islander Cultural Heritage Act 2003.

.3.1.2 Purpose

- 1) The purpose of the Reconfiguring a Lot code is to provide detailed standards for assessing reconfiguration, to ensure that development is appropriately located, considers constraints, is able to be efficiently serviced and promotes best practice standards.
- 2) The purpose of the code will be achieved through the following overall outcomes;
- population growth and accommodation requirements; Reconfiguration design creates safe, functional, convenient and attractive neighbourhoods, Reconfiguration development provides a mix of lot sizes of adequate size and configuration suitable for the intended use in response to functional industrial and commercial areas, which meet the diverse and changing needs of the community;
- Lots are designed having regard to efficient servicing capabilities in terms of transport, water, sewerage, electricity, gas and telecommunications infrastructure; **Q**
- Reconfiguration is responsive to environmental features of the site and does not diminish environmental value of the site and adjoining sites; <u>(၁</u>
- Subdivision utilises best practice design, incorporates sustainable practices in relation to stormwater treatment, road design, lot orientation and infrastructure provision; ਰ
- Infill lots (or leases) within the established township to accommodate existing buildings, considers the location of adjoining buildings, ensures setbacks can be achieved; **(e)**
- Road networks are designed to allow for safe passage of vehicles and promote walking and cycling.

9.3.1.3 Specific benchmarks for assessment

Table 9.3.1.3.a – Benchmarks for development that is accepted subject to requirements and assessable development

Applicant response	
Acceptable outcomes	
Performance outcomes	

Site suitability and locational requirements.



Performance outcomes	Acceptable outcomes	Applicant response
Pot Lots are located, designed and constructed to ensure that adverse impacts from emissions that will affect the health and safety, wellbeing and amenity of communities and individuals is avoided or otherwise minimised.	AO1 Lots for sensitive land uses such as residential are adequately separated from lots for industrial activities that have the potential to have adverse impacts on the sensitive land uses.	Not applicable The proposed development does not involve a sensitive land use.
Po2 Lots are located to reduce risk and exposure of people and property to coastal hazards and ensures development is resilient to climate change impacts;	AO2.1 No new lots are created partially or wholly within a defined Erosion Prone Area as shown on the Natural Hazards (Coastal) Overlay to avoid new lots being impacted by coastal erosion.	Not Applicable The site is not located within an Erosion Prone Area or the Natural Hazards (Coastal) Overlay.
	AO2.2 Land within a defined Erosion Prone Area as shown on the Natural Hazards (Coastal) Overlay is excluded from new lot development to maintain public access along the coast	Not Applicable The site is not located within an Erosion Prone Area or the Natural Hazards (Coastal) Overlay.
	AO2.3 No new lots are created within the high or medium hazard area as shown on the Natural Hazards (Coastal) Overlay	Not Applicable The site is not located within the Natural Hazards (Coastal) Overlay.
PO3 Development manages the potential for environmental harm associated with the disturbance of Potential or Actual Acid	A03.1 Where land is located below 20mAHD the disturbance of soils is limited to 100m ³ of excavation and 500m3 of	Not Applicable No excavation or filling is prospered as a part of this development.

Northern Peninsula Area Regional Council Planning Scheme 2018
Part 9: Other Development Codes
Code Compliance Table – 9.2.1 Regional Infrastructure Corridors and Substations Overlay Code
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Performance outcomes	Acceptable outcomes	Applicant response
Sulfate Soils	filling (excluding top soil dressing)	
PO4 Development is not undertaken on contaminated land;	AO4.1 For residential Development Only: No previous history of industrial activities (including land full have occurred on subject site;	Not Applicable The application does not involve residential development.
Po5 Development is located, designed and operated to ensure that any impacts on land with known cultural values can be appropriately managed in collaboration with Traditional Owners	AO5.1 Development is not undertaken on land with known cultural values (including both historical significant and physical artefacts) unless created for cultural protection.	Not Applicable The site is not identified as land with known cultural values.
Lot Design and Amenity Where a lease or lot is created to accommodate an existing development	late an existing development	
Each lot contains sufficient area and is located so that: (a) Adequate open space is provided for the existing dwelling; (b) appropriate setbacks between adjacent dwellings or structures are achieved; (c) Adequate fire breaks are established between dwelling and any existing vegetation; (d) Adequate space for vehicle access to a	 AO7.1 Lot/Lease boundaries are established: (a) So that at least 100m² of open space area with a minimum dimension of 6m is included; (b) A minimum 2m from adjacent dwellings and structures; (c) A minimum 20m where the boundary adjoins land included in the Rural Zone or Environmental Management and Conservation Zone; (d) So that an area with a dimension of at least 6m is available at the road frontage to enable vehicle 	Complies with AO7.1 The lease areas would contain a minimum of 100m² of open space and all lease boundaries would be a minimum of 2 metres from existing structures. All vehicle parking is able to be accommodated within the lease area and the lease boundary frontage would be consistent with the existing lot front boundary.

Northern Peninsula Area Regional Council Planning Scheme 2018
Part 9: Other Development Codes
Code Compliance Table – 9.2.1 Regional Infrastructure Corridors and Substations Overlay Code
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Performance outcomes	Acceptable outcomes	Applicant response
road is provided for within the lease area; (e) The lease area does not contain footpath area or other public thoroughfare; (f) Access to publicly owned infrastructure is uninhibited; (g) Buffers to (and should not include) natural features such as wetlands, waterways and drainage lines;	parking on site; (e) At least 6m from the edge of any constructed road;	
Where involving the create of a vacant lease/s or lot/s	s/s or lot/s within established township area	
PO8	A08.1	Not applicable
Each lot has sufficient dimensions and area to accommodate:	Allotment Sizes comply with the minimum areas set out below:	No new lots are proposed.
 (a) Intended future use with adequate setbacks; (b) Private open space; (c) Vehicle access and/or parking area; and Appropriate infrastructure, such as on site effluent disposal 	Township Zone and Residential Precinct (a) 800m² minimum for detached dwellings, multiple dwellings and dual occupancy. Industry Zone and Industry Low, Medium or High Impact Precinct (a) 1500m² minimum for Low or Medium Impact (b) 4000m² minimum for High Impact Precinct Industry Zone (a) 4000m² minimum Rural Zone	

Northern Peninsula Area Regional Council Planning Scheme 2018
Part 9: Other Development Codes
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Performance outcomes	Acceptable outcomes	Applicant response
Po9 Each lot can be adequate and safely accessed by vehicles	Each lot has a frontage and practicable access to a constructed public road via direct road frontage, an access strip (for a rear lot) or an access easement; Where an access strip is required: (a) no more than two access strips are located adjacent to each other; and (b) are at least 5m in width; and (c) do not exceed 40m in length	Not applicable No changes to the access of the lot are proposed and no vacant leases are proposed.
Where involving the creation of more than 10 vacant	0 vacant leases or lots for residential purposes	
PO10 A mixture of lot sizes is provided to accommodate variety of housing types and styles;	AO10.1 Average allotment size for detached dwellings is 800m2 and minimum allotment size for multiple dwellings and dual occupancy is 800m ² .	Not Applicable Only two lease areas are proposed.
PO11 The street network is designed to: (a) provide a high level of internal	AO11.1 Use of rear access lots is minimised and does not exceed 1 per standard lot	Not Applicable Only two lease areas are proposed.
accessibility and appropriate external connections for vehicles, pedestrian and cycle movements; (b) incorporates street junctions and access to lots which are located and spaced to	AO11.2 Roads are designed to follow the natural contours of the land and contain stormwater flows;	Not Applicable Only two lease areas are proposed.
facilitate safe and convenient vehicle,	A011.3	Not Applicable

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Performance outcomes	Acceptable outcomes	Applicant response
pedestrian and cycle movements; (c) provides for street widths and lengths	Intersections are adequately spaced (minimum 40m) to reduce traffic conflicts;	Only two lease areas are proposed.
that optimise the cost effectiveness of the network and the provision of public utilities; and (d) allows for efficient and unimpeded movement of emergency services vehicles.	AO11.4 Road widths are constructed in accordance with relevant standards for the relevant area.	Not Applicable Only two lease areas are proposed.
PO12 Lots are climatically responsive and orientated to facilitate future development that takes advantage of prevailing breezes and sunlight relevant for local climate;	No Acceptable Outcome is prescribed	Not Applicable Only two lease areas are proposed.
PO13 Lots are within 400m of, or incorporate formed pedestrian access to, existing public open space and recreational facilities;	No Acceptable Outcome is prescribed	Not Applicable Only two lease areas are proposed.
 PO14 Land must be dedicated for sufficient public open space to: Meet the needs of the future residents and provide opportunity for active living for the community; Link with existing public space and create a network for the urban area 	No Acceptable Outcome is prescribed	Not Applicable Only two lease areas are proposed.

Northern Peninsula Area Regional Council Planning Scheme 2018
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Performance outcomes	Acceptable outcomes	Applicant response
Active public parks and recreational spaces are provided that enhance opportunities for community interaction, meets recreational needs and have appropriate equipment, furniture sun and cafety protection that	AO15.1 Parks and recreational spaces which provide active areas for children's recreation are co-located with other community facilities to promote casual surveillance of the area.	Not Applicable Only two lease areas are proposed.
enhances amenity and useability.	AO15.2 The following equipment is included in all active spaces: (a) art features and play equipment; (b) seating; (c) shelters and sun protection; and (d) water taps/bubblers.	Not Applicable Only two lease areas are proposed.
For all new lots or lease		
Po16 All development is capable of being provided with infrastructure relevant for its purpose and includes – (a) Water supply; (b) Sewerage treatment; (c) stormwater and drainage systems that maximise the use of permeable surfaces to allow stormwater infiltration or run off and minimises erosion;;	 AO16.1 Each new lot is provided with: (a) connection to a potable water supply or alternative water source (rainwater/bore water) in accordance with FNQROC Development Manual: (b) connection to the reticulated sewerage system or on-site effluent disposal system; and (c) stormwater drainage to a lawful point of discharge; (d) connection to the electricity network; and 	Complies with AO16 No changes to the physical aspects of the site are proposed. The existing services on the site are to remain in place.

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Performance outcomes	Acceptable outcomes	Applicant response
(d) Energy and telecommunications;(e) Access and parking.	connection to a telecommunication provider.	
Po17 Development is separated from any incompatible use having regard to: (a) The location of existing facilities and established development; (b) The health and safety of people; (c) The safe and efficient operation of the major infrastructure; and (d) The amenity of the locality.	AO17.1 Residential leases are not created within 1 kilometre of: (a) an existing industrial use (including quarry); (b) a sewerage treatment facility; (c) airport runway; (d) landfill or transfer	Not Applicable The proposed lease is not for a residential use.
Po18 Development maintains and enhances opportunities for public access and use of natural areas, rivers, dams, creeks and the coastal foreshore.	No Acceptable Outcome is prescribed	Complies with PO18. The proposed creation of a Lease would not impact access to the surrounding bushland.
Fire Services in developments access by common private title	ommon private title	
PO19 Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	AO19.1 Residential streets and common access ways within a common private title should have hydrants placed at intervals of no more than 120 metres and at each intersection. Hydrants may have a single outlet and be situated above or below ground.	Not Applicable The application does not involve development in a common private title.

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Performance outcomes	Acceptable outcomes	Applicant response
	AO19.2 Commercial and industrial streets and access ways within streets serving commercial properties such as factories, warehouses and offices should be provided with above or below ground fire hydrants at not more than 90 metre intervals and at each street intersection. Above ground fire hydrants should have dual valved outlets.	Not Application does not involve development The application does not involve development in a common private title.
Road widths and construction within the development are adequate for fire emergency vehicles to gain access to a safe working area close to dwellings and near water supplies whether or not on-street parking spaces are occupied.	AO20.1 Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for safe passage of emergency vehicles.	Not Application does not involve development in a common private title.
Po21 Hydrants are suitably identified so that fire services can locate them at all hours.	AO21.1 Hydrants are identified as specified in 'Identification of street hydrants for fire fighting purposes' available under 'Publications' on the Department of Transport and Main Roads website www.tmr.qld.gov.au/~/media/busind/techstdpubs/trum/1 25Amend18.pdf	Not Application does not involve development in a common private title.

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Title of Report: Bamaga Horse & Pound Paddock

Agenda Item: 12.6

Classification: For Information

Author Executive Manager Operations
Attachments A. Map of Horse Paddock

Officers Recommendation:

That Council:

- 1. Note the cost estimate to undertake the identified works required to convert this area into an appropriate horse paddock.
- 2. Note the cost estimate to undertake a horse euthanasia program
- 3. Note the open discussion with NPARC animal management and Skydog vet staff
- 4. Commence public consultation with owners regarding a horse euthanasia program

PURPOSE OF REPORT

To provide information requested as part of the October ordinary council meeting regarding horse management options for the NPA area.

BACKGROUND AND CONTEXT

There are about 80+ uncontrol domestic horses roaming the communities and roads of the Northern Peninsula Area.

Cost estimate options

Public consultation costs have not been allowed for in any of the below estimated costs as similar costs are expected for both or a mixed option.

Horse paddock to the south of Bamaga township between the pipeline track and Airport Road.

Option 1

Full paddock as per October Council meeting, (Attachment A):



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Bamaga Boardroom

Activity	Activity Description	Unit	QTY	Unit Rate	Total
Option 1 - 270 H	lectares (135 - 200 horses)				
1.00	Planning & permits	L/S	1	\$20,125.00	\$20,125.00
2.00	Fenceline clearing	m	9400	\$10.10	\$94,909.92
3.00	Fence supply and install	m	9400	\$22.32	\$209,798.60
4.00	Water supply & troughs	L/S	1	\$6,452.00	\$6,452.00
5.00	Select clearing	hectares	10	\$9,530.25	\$95,302.50
	Subtotal				\$426,588.02
	Contingency	5	5%	\$21,329.40	\$21,329.40
	Total	Total \$4 ⁴		\$447,917.42	

The overall size of this proposed paddock is 270 hectares, carrying capacity for horses will range between 135 and 200 horses depending on the area of clearing undertaken.

Option 2
Half paddock Eastern end of paddock identified in October meeting, (Attachment A):

Activity Activity Description Unit QTY	Unit Rate	Total
Option 2 - 121 Hectares (60 - 100 horses)	'	
1.00 Planning & permits L/S 1	\$20,125.00	\$20,125.00
2.00 Fenceline clearing m 4600	\$10.10	\$46,445.28
3.00 Fence supply and install m 4600	\$22.32	\$102,667.40
4.00 Water supply & troughs	\$6,452.00	\$0.00
5.00 Select clearing hectares 6	\$9,530.25	\$57,181.50
		0000 110 10
Subtotal		\$226,419.18
Contingency 5%	\$11,320.96	\$11,320.96
Total		\$237,740.14

The overall size of this proposed paddock is 121 hectares, carrying capacity for horses will range between 60 and 100horses depending on the area of clearing undertaken.

Water Troughs will not be required in this option.

Option 3
One Third paddock Western end of paddock identified in October meeting, (Attachment A):

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Activity	Activity Description	Unit	QTY	Unit Rate	Total
Option 3 - 57 H	ectares (28 - 50 horses)			'	
1.00	Planning & permits	L/S	1	\$20,125.00	\$20,125.00
2.00	Fenceline clearing	m	3700	\$10.10	\$37,358.16
3.00	Fence supply and install	m	3700	\$22.32	\$82,580.30
4.00	Water supply & troughs	L/S	1	\$6,452.00	\$6,452.00
5.00	Select clearing	hectares	2.5	\$9,530.25	\$23,825.63
	Subtotal				\$170,341.09
	Contingency	50	%	\$8,517.05	\$8,517.05
	Total				\$178,858.14

Euthanasia Cost Estimate

enasia Op	otion					
6.00	Euthenasia in urban area		each	80	\$1,730.12	\$138,409.60
7.00	Euthenasia in rural area		each	500	\$121.10	\$60,550.0
		Subtotal				\$198,959.60
	Con	tingency	5	%	\$9,947.98	\$9,947.9
		Total				\$208,907.58





Notes provided by SKYDOG Vets for open discussion.

Horse Management

As per point 2 of the resolution.

The management of horses in and around the NPARC community areas has been an issue over the last decade. The number of vehicles in town across the tourist season has increased since COVID19 and conflicts between vehicles and horses has become more common.

I am not aware of a census being performed, but I would estimate that there are at least 300-700 horses living North of the Jardine and Escape river systems. Around 80 horses are closely associated with the 5 communities. Some are confined and owned, others are wild.

Key points for effective horse management:

- 1. Access to clean water is important, either via streams, dams or troughs. Horses drink 25-30 litres per day. Without it they cannot sweat or digest food properly. Wild horses will remain close to fresh water sources such as settlement, dams, rivers and water troughs.
- 2. Horses in light work need 7.5 12.5 kg pasture per day. Pasture grazing alone meets this requirement in horses with free access to grass. This is why the wild horses of the NPA look good most of the year.
- 3. They will seek out areas of fresh new growth grass. This is why horses are frequently seen in and around the cleared road areas between communities in the NPA. They will avoid old dry growth.
- 4. Ideally horses need open paddocks with some shade, with free access to a reticulated water system. Open pasture is able to be topped with a mower to maintain short high quality feed. The NPA has tropical grass species. These exhibit very high growth rates in warm/wet conditions and become unpalatable (lose their tastiness!)... pastures longer than half shin height needs to be mown/topped. Topped pastures continue to grow and provide excellent quality feed.
- 5. Uncontrolled burning of areas around the communities on multiple occasions each year remains an issue. Horse paddocks with short green grass would act as natural firebreaks. A managed paddock could be burnt early to manage fire risk later in the dry season.

Horse Control

As per point 3 of the resolution.

Euthanasia Program:

Ground based



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The Environmental Health Team and Veterinarian already euthanise horses that are injured or sick as part of the existing veterinary program. David Tyson has put work into formalising the access that NPARC staff have to firearms for this purpose.

Euthanasia of horses with Lethabarb is only possible when the animal is well handled or is immobilised by an accident (Councillor Gebadi was involved in an incident where this occurred on the road outside the Peninsula lodge recently). It is not suitable for the control of feral/wild horses.

Horses cannot be darted with the medications available in Australia.

A ground based programme would involve shooting horses largely from the roadside, outside the occupied areas. The carcasses would need to removed and buried. This shooting could be carried out by council staff or the veterinarian.

Costs of this could be adsorbed using the existing veterinary programme and/or NPARC staff and part moving equipment.

Aerial Control

Alan Rogers of Australian Wildlife Management Solutions conducts annual feral animal control at Holroyd Station. he has provided some guideline figures for consideration. He has a shooter that is familiar with the NPA.

Using an R22 helicopter based out of NPA airport \$985 per hour for helicopter, pilot and shooter. 2-3 hours shooting per day across 2 days, expect 100-200 horses culled.

Budget \$8000 per annum to allow for positioning costs, these could be reduced by sharing costs with Holroyd Station or National Parks.

The political/ emotional issues with a ground or aerial based program would need to be carefully managed.

CRITICAL DATES

2022-2023 NPARC operational plan has two actions with estimated completion dates of the 31/12/2022, which this or similar works will be required to achieve, deliverables as follows:

- Investigate opportunities to lease areas for agistment of horses.
- Develop a short-term horse reduction plan.

OTHER OPTIONS CONSIDERED

Nil

LEGAL AND LEGISLATION CONSIDERATIONS

NIL





POLICY CONSIDERATIONS

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CORPORATE AND OPERATIONAL PLAN CONSIDERATIONS

Key Objective Four: We have a safe community able to be enjoyed by all

- Investigate opportunities to lease areas for agistment of horses.
- Develop a short-term horse reduction plan.

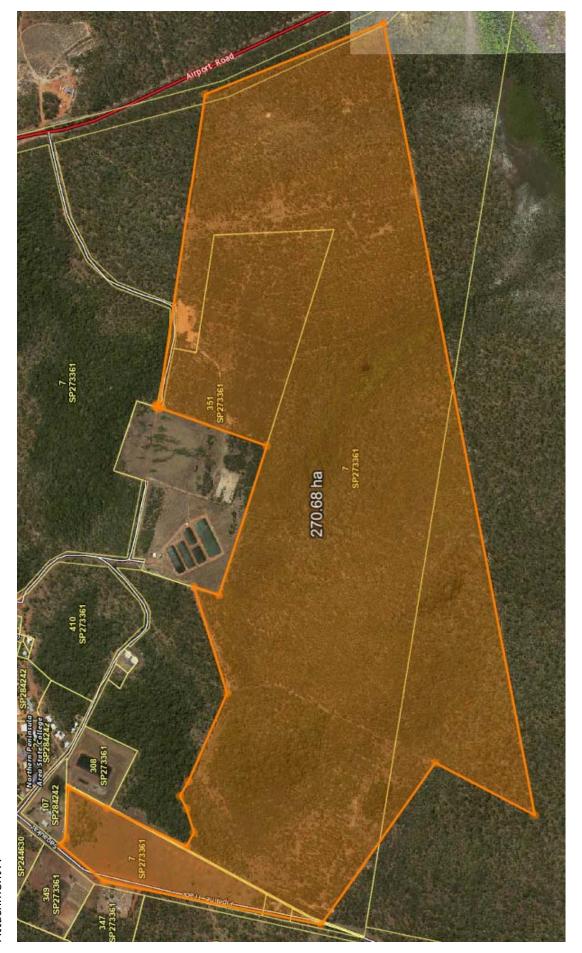
FINANCIAL AND RESOURCE CONSIDERATIONS

The materials, plant hire and consultants time required to complete these works is currently unfunded, Grant opportunities can be monitored and applied for as they arise.

The majority of labour costs could be absorbed by the Regulatory Services budget by utilising existing staff to undertake the fencing works.

CONSULTATION

Sky Dogs Vets Manager Regulatory Services



Attachment A





Title of Report: NPARC Policy Framework

Agenda Item: 12.7

Classification: For Decision

Author Manager of Corporate Affairs
Attachments CG_001: POLICY FRAMEWORK

Officers Recommendation:

That Council:

endorse the Policy Framework attached to this report.

PURPOSE OF REPORT

The Policy framework provides guidance for the development, classification and categorisation of policy documents. This document aims to provide a framework that will encourage consistency, control, clarity, and quality in the development, approval and review processes associated with policies by:

- a. setting out the types and categories of policies;
- b. providing guidelines on compliance and the clarity of writing used;
- c. setting out the policy cycle, implementation process and review guidelines.

BACKGROUND AND CONTEXT

A review of the NPARC policies shows a selection of documents across the areas of:

- Corporate Governance;
- Asset Management;
- Information Management;
- Finance;
- Internal Audit;
- Human Resources; and
- General.

There were multiple versions saved in variable formats used in the policy documents, evidence of different people being involved in writing policy for example

- variable file naming conventions and formats;
- key information is missing from some of the documents;
- many are unsigned;
- some refer to resolutions that cannot be found in minutes;
- often there was a later version saved on the website than in Content Manager or vise versa;
- there were multiple copies on the website;
- some date back to 2009;



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Many policies are due for a review for currency and possible revision, before commencing this process a policy framework will provide a clear format for how policy documents should be written, the format and naming convention to be used, responsible officers etc. Any staff member will be able to use the framework to produce policies that are consistent and correctly named and coded.

CRITICAL DATES

N/A.

OTHER OPTIONS CONSIDERED

N/A.

LEGAL AND LEGISLATION CONSIDERATIONS

The Policy Framework should improve adherence to legislation compliance.

POLICY CONSIDERATIONS

The Policy Framework will improve the management of NPARC policies.

CORPORATE AND OPERATIONAL PLAN CONSIDERATIONS

Focus Area One: Strong Governance – Innovative, Efficient and Sustainable Key Objective Four: We have a comprehensive and compliant governance framework

FINANCIAL AND RESOURCE CONSIDERATIONS

N/A.

CONSULTATION

Consultation with CEO and HR Manager.



NORTHERN PENINSULA AREA REGIONAL COUNCIL POLICY FRAMEWORK CG 001

Policy Title	POLICY FRAMEWORK
Policy Number	CG_001
Business Unit	CORPORATE SERVICES / CORPORATE AFFAIRS
Policy Type	STARTEGIC POLICY
Responsible Officer	CHIEF EXECUTIVE OFFICER
Date of Adoption	
Resolution Number	
Review Date	
Date Repealed	

Document History	Date	Council Resolution Number	Notes (including the prior Policy number, details of change/s, etc)
Original	27/01/2016	8.2-270115	GP_001 Policy Framework

1. POLICY SUMMARY

This Policy Framework is designed to assist and to guide the adoption of all new Northern Peninsula Area Regional Council (NPARC) policies.

2. POLICY OBJECTIVES

The Policy framework provides guidance for the development, classification and categorisation of policy documents. This document aims to provide a framework that will encourage consistency, control, clarity, and quality in the development, approval and review processes associated with policies by:

- a. setting out the types and categories of policies;
- b. providing guidelines on compliance and the clarity of writing used;
- c. setting out the policy cycle, implementation process and review guidelines.

3. SCOPE

This policy applies to all Councillors and Council employees of NPARC.

4. POLICY STATEMENT

a. Types of Policy

- i. Statutory
 - Statutory policies are those policies that are adopted by Council due to a legislative requirement. These policies influence the strategic direction of Council's business and are a guide for Council officers in implementing the administration of the Local Government.
 - Examples include the borrowing, workplace health and safety and revenue policies.

ii. Strategic

- Strategic policies are those policies that are adopted by Council due to its desire to
 influence the direction of an issue or assist in the delegated decision making for
 Council officers. Strategic policies should follow the jurisdiction provided to Council
 through its corporate plan.
- Examples include the cultural, arts, economic development policies of Council.

iii. Administrative

SEISIA NEW MAPOON BRAMAGA UMAGICO INININO NPARC NORTHERN PENINGULA AREA REGIGNAL COUNCIL

NORTHERN PENINSULA AREA REGIONAL COUNCIL POLICY FRAMEWORK CG 001

- These policies or procedures are approved by the Chief Executive Officer and outline the way operational issues should or may occur. They influence the day to day operations of the Council.
- These policies and procedures might include use of communication between Councillors and staff, use of Council vehicles, taking of leave, and drugs and alcohol in the workplace.

b. Policy Categories

Within these statutory, strategic and administrative policies, the can be grouped into these common categories

- i. Corporate Governance
- ii. Finance
- iii. General
- iv. Human Resources

c. Compliance

Policies must comply with all relevant legislation or Codes of Practice (eg Local Government Act 2009, Local Government Regulation 2012, Work Health and Safety Act 2010, etc).

d. Clarity of writing

- i. All policy documents should contain plain, clear, concise English, enabling a wide range of users to understand the content.
- ii. Where prescribed terminology or acronyms are (eg extracted from legislation) a clear description of the terminology must also be included in the "Definitions" section.

e. Stages of Policy - Policy Cycle

The five stages of policy development are (refer Attachment 2):

- i. Needs Identification
 - This includes identifying the matter to be addressed, seeking authority to proceed, and selection of the appropriate policy level which will contribute to achievement of Corporate Plan objectives.
- ii. Policy Development
 - This stage incorporates the identification of appropriate stakeholders, commencement of the consultation process, gathering relevant background information, and authoring the policy document, as well as incorporating feedback.
- iii. Policy Consideration and Approval
 - This stage includes notifying the appropriate officers, or Council, of the requirement to evaluate the policy document, and submitting the policy for consideration and approval.
- iv. Policy Implementation
 - This is the final stage in the policy process, but is ongoing. It includes such activities as activating the policy, notification, distribution, awareness and education.
- v. Policy Review
 - During the policy drafting stage, consideration will be given as appropriate timelines for review of the policy. A review schedule will be incorporated into the policy document, which will commence once implementation has occurred.

f. Policy Template

- i. The policy template is at Attachment 1.
- ii. By necessity there will be some variations required by some policies. However, the standard format should be followed except in exceptional circumstances.
- iii. Policies will be numbered according to order of development. And use the following codes from the policy categories:
 - Corporate Governance: CG_***
 - Finance: FIN_***General: GP ***

NORTHERN PENINSULA AREA REGIONAL COUNCIL POLICY FRAMEWORK CG_001



Human Resources: HR_***

g. Implementation

All policies will be promulgated within NPARC to at least Executive Managers for their education of staff members. Some policies will require formal induction of staff.

h. Policy Review

- i. Performance measures for monitoring the effectiveness of the Council Policy and Procedures Framework are:
 - Extent to which the programmed policy initiatives are delivered;
 - Availability and currency of strategy and Council policy documents covering all the major areas of interest on the Northern Peninsula Area Regional Council web site;
 - Availability and currency on the intranet policy database of all operating procedures necessary to give effect to Council strategies and policies; and
 - Consistency of terminology and format of policy documents.
- ii. The policy is to be reviewed whenever legislation changes, OR every two years if no changes have been required to be enacted, OR at the direction of the Chief Executive Officer.
- iii. A spreadsheet detailing numbering, naming and review dates will be maintained by the Governance Office with assistance of the Manager of Corporate Affairs to ensure the processes described above are followed.

5. LEGISLATION

Nil

6. **DEFINITIONS**

- a. Councillors: the Mayor, Deputy Mayor and Councillors as elected representatives of Northern Peninsula Area Regional Council.
- b. CEO: Chief Executive Officer of NPARC, including people temporarily acting in the role
- c. Councillor Administrative Support Staff (Support Staff): an NPARC employee who assists the Mayor and Councillors in meeting the responsibilities of their roles and delivery of important services and infrastructure for local communities.
- d. NPARC Employee: all persons employed by NPARC on a permanent, temporary or casual basis and includes persons engaged under a contract of service, and volunteers.
- e. NPARC: Northern Regional Area Regional Council.

7. EVALUATION AND REVIEW

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

- a. The related legislation or governing documents are amended or replaced; or
- b. Other circumstances as determined by resolution of Council or the CEO.

8. OTHER RELATED NPARC POLICIES

a. Corporate Plan 2022-2026

9. HUMAN RIGHTS COMPATABILITY STATEMENT

This policy has been assessed as compatible with the Human Rights protected under the Human Rights Act 2019.



NORTHERN PENINSULA AREA REGIONAL COUNCIL POLICY FRAMEWORK CG_001

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

Kate Gallaway
ACTING CHIEF EXECUTIVE OFFICER
__/__/___



NORTHERN PENINSULA AREA REGIONAL COUNCIL POLICY FRAMEWORK CG 001

Attachment 1: Policy Template

Policy Title	ACCEPTABLE REQUEST GUIDELINES POLICY
Policy Number	CG_006
Business Unit	CORPORATE SERVICES / CORPORATE AFFAIRS
Policy Type	STATUTORY or STARTEGIC or ADMINISTRATIVE POLICY
Responsible Officer	CHIEF EXECUTIVE OFFICER
Date of Adoption	
Resolution Number	
Review Date	
Date Repealed	

Document	Date	Council Resolution	Notes (including the prior Policy number, details
History		Number	of change/s, etc)
Original	30/07/2013	2.7.300713	GP_006_Acceptable_Request_Guidelines_Policy

1. POLICY SUMMARY

a. Insert 1-2 paragraphs

2. POLICY OBJECTIVES

The objectives of this Policy are to:

a.

3. SCOPE

This policy applies to all Councillors and Council employees of NPARC.

4. POLICY STATEMENT

How the policy will work – for example –

Council officers must have regard to the following procurement principles in all purchasing activities:

a. Value for money

Council must harness its purchasing power to achieve the best value for money. The concept of value for money is not restricted to price alone. The value for money assessment, in line with council's vision of quadruple bottom Line (Social / Environment / Economic / Civic Leadership) must include consideration of:

- i. contribution to the advancement of Council's priorities; and
- ii. fitness for purpose, quality, services and support; and
- iii. whole-of-life costs including costs of acquiring, using, maintaining and disposal; and
- iv. internal administration costs; and
- v. technical compliance issues; and
- vi. risk exposure; and,
- vii. the value of any associated environmental benefits.

b. Open and effective competition

Purchasing should be open and result in effective competition in the provision of goods and services. Council must give fair and equitable consideration to all prospective suppliers.

5. LEGISLATION



NORTHERN PENINSULA AREA REGIONAL COUNCIL POLICY FRAMEWORK CG_001

List the legislation that relates to the policy or the policy from which it is drawn.

6. **DEFINITIONS**

- a. Councillors: the Mayor, Deputy Mayor and Councillors as elected representatives of Northern Peninsula Area Regional Council.
- b. CEO: Chief Executive Officer of NPARC, including people temporarily acting in the role.
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8. OTHER RELATED NPARC POLICIES

a. List

9. HUMAN RIGHTS COMPATABILITY STATEMENT

This policy has been assessed as compatible with the Human Rights protected under the Human Rights Act 2019.

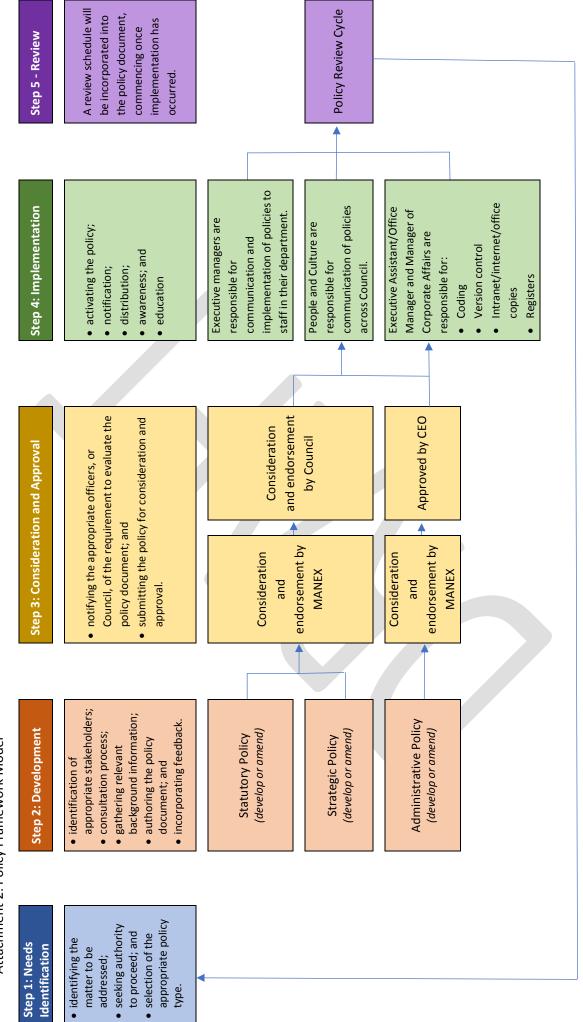
When an individual feels that they are the subject of NPARC's failure to act compatibly with human rights, they can make a complaint directly to NPARC. These complaints will be assessed against the Human Rights Act 2019.

Chief Executive Officer	
//	

NORTHERN PENINSULA AREA REGIONAL COUNCIL POLICY FRAMEWORK CG 001



Attachment 2: Policy Framework Model







Title of Report: Masig Statement

Agenda Item: 12.8

Classification: For Decision

Author Acting Chief Executive Officer

Attachments Nil

Officers Recommendation:

That Council:

 Affirm their support to form the ROC (Regional Organisations of Councils) made up of Torres Shire Council, Northern Peninsula Area Regional Council and Torres Strait Island Regional Council

Officers Recommendation:

That Council:

- Affirm their support to form an Interim Local Thriving Communities Board made up of Torres Shire Council, Northern Peninsula Area Regional Council, Torres Strait Island Regional Council, Torres Strait Regional Authority, Gur A Baradharaw Kod Sea and Land Council Torres Strait Islander Corporation and Ipima Ikaya Aboriginal Corporation RNTBC
- Nominate the following two councillors to be the representation of Northern Peninsula Area Regional Council
 - o Councillor Kitty Gebadi
 - Councillor Robert Tamwoy

PURPOSE OF REPORT

To provide an update on progressing the objectives of the MASIG Statement.

BACKGROUND AND CONTEXT

NPARC met with Torres Shire Council and Torres Strait Island Regional Council on 9/11. At this meeting, it was agreed to progress the objectives of the MASIG statement and improve regional council, the 3 councils would form a ROC for regional advocacy.

NPARC met with Torres Shire Council, Torres Strait Island Regional Council, Torres Strait Regional Authority, and Gur A Baradharaw Kod Sea and Land Council Torres Strait Islander Corporation on 11/11 to discuss Regional Governance. At this meeting, DSDSATSIP proposed formation of an Interim Local Thriving Communities Board to progress this agenda and provide funds for its establishment over two years. It was agreed each party would have 2 representatives and NPARC requested Ipima Ikaya Aboriginal Corporation RNTBC be a member which was agreed to.



ORDINARY COUNCIL MEETING # 31

Agenda Item 12.8

Tuesday 22nd November 2022

Bamaga Boardroom

CRITICAL DATES

NA

FINANCIAL AND RESOURCE CONSIDERATIONS

Travel to support both agendas are currently budgeted for





Title of Report: User Agreement for Youth Hub

Agenda Item: 12.9

Classification: For decision

Author Acting Chief Executive Officer

Draft User Agreement

Officers Recommendation:

That Council:

Endorse entering into a User Agreement with NPA Family and Community Services until 30
 June 2024 for the delivery of a youth hub

PURPOSE OF REPORT

Provide an update on the Youth Hub.

BACKGROUND AND CONTEXT

NPARC received funding from DSDSATSIP to upgrade the old HACC building into a Youth Hub. These works are scheduled to be completed by 30 November.

NPA Family and Community Services have secured funding until June 2024 to employ a youth coordinator for the Youth Hub.

It is proposed to enter into a User Agreement for the Youth Hub. This will allow NPAFACS the necessary access to the building, but provide flexibility for other agencies to deliver youth services and programs from the building as well as greater control of the arrangements.

CRITICAL DATES

NA

OTHER OPTIONS CONSIDERED

A Lease or Licence Agreement could be entered into

LEGAL AND LEGISLATION CONSIDERATIONS

NA



ORDINARY COUNCIL MEETING # 31

Agenda Item 12.9

Tuesday 22nd November 2022

Bamaga Boardroom

POLICY CONSIDERATIONS

NA

CORPORATE AND OPERATIONAL PLAN CONSIDERATIONS

Focus Area Four - Strong People - An Empowering And Engaging Council

FINANCIAL AND RESOURCE CONSIDERATIONS

Grant Funding from DSDSATSIP

CONSULTATION

NPAFACS

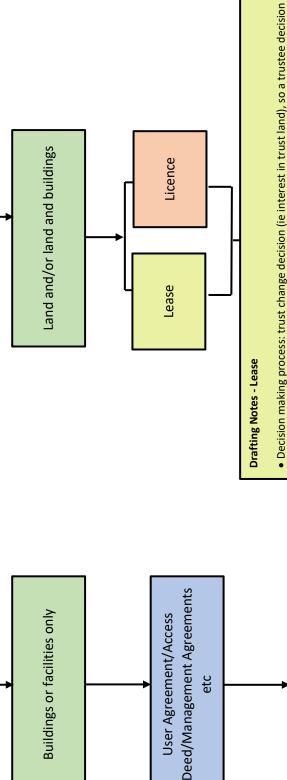
FLOWCHART FOR PARTICULAR TYPES OF AGREEMENTS

Does the arrangement relate to land, land and buildings, or use of buildings/facilities only?



General Drafting Notes – For all documents

- Document must contain certainty about obligations including term (start and end date for obligations/occupancy
- Insurances, indemnities and releases are of <u>vital importance</u> to all arrangements if there's risk/compromise, they should be included and carefully tailored to respond to the risk/compromise
- Consider if default contracting procedures in LG Reg are triggered by user agreements or management agreements (ie medium-sized contractual arrangement \$15,000 or more but less than \$200,000, largesized CA \$200,000 or more) if quotes or tenders not obtained, does an exception apply?
 - Disposal of valuable noncurrent asset (ie lease) does not trigger procurement obligations on DOGIT – but EOI process is helpful for transparency
- Take care to ensure discussions proper to Council intending to be legally bound are framed as such ie, Council confirms it is not to be legally bound until a



Drafting Notes - User Agreements

- Decision making process: Council as local government, facility owner and operator etc (not trustee).
- Council will typically maintain the land (eg gardening etc) given the right to occupy is for the building/facilities only
- Consider rights of common users are other users able to use the same or neighbouring areas (eg footpaths, car parks, toilet blocks, etc)? What needs to be done to manage that?
- Specific times for use might be for very short windows (eg one event only)
 Will Council allow multiple potential users to
 - Will Council allow multiple potential users to book the same use area but at different times?
- document is finalised and signed

 Need to manage risk: indemnities, releases etc

Drafting Notes - Licence

• If Council requires particular termination or entry rights (eg in the event of emergency or to take

• Lease requires validation under NPA ILUA (or otherwise under Native Title Act 1993)

• A lease gives a right of exclusive possession

Lease requires a survey

Consider rent reviews, including intervals and method

back possession of premises in certain circumstances) these should be carefully defined

- Decision making process: trust change decision (ie interest in trust land), so a trustee decision
- "Licence" used as a broad term that can include management agreements, permit agreements etc fundamentally describes the same thing, which is a lesser occupancy right than a lease
 - Generally a non-exclusive possession right
- Licences are generally easier to terminate and for shorter terms. Long term licences consider why a lease isn't being used
- Licence does not necessarily require a survey but area of land being licensed still needs to be precisely defined
 - May not be a "future act" for which Native Title approval is needed



User Agreement

Northern Peninsula Area Regional Council

("Council")

NPA Family and Community Services Aboriginal and Torres Strait Islander Corporation ICN 1933

("User")

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PARTIES

Northern Peninsula Area Regional Council

(Council)

NPA Family and Community Services Aboriginal and Torres Strait Islander Corporation ICN 1933

(User)

RECITALS

- A. Council is the owner of the Complex.
- B. Council agrees to grant this Agreement to the User to occupy the Use Area pursuant to the terms and conditions contained in this Agreement.
- C. The User agrees to enter into this Agreement in accordance with the terms and conditions contained in this Agreement.

OPERATIVE PROVISIONS

1. REFERENCE SCHEDULE

ITEM NO.	REFERENCE	DATA
1.	User	NPA Family and Community Services Aboriginal and Torres Strait Islander Corporation
		ICN 1933
2.	Council Address for Service	Address: Council Chambers, 180 Adidi Street, Bamaga QLD 4876
		Email: ceo@nparc.qld.gov.au
3.	User Address for Service	Address: Lot 10 Adidi Street, Bamaga QLD 4876
		Email: ceo@npaws.com.au
4.	Land	The land situated at the corner of Injinoo Road and Sagaukaz Street, Bamaga, located at Lot 345 on SP 273361, and which contains the Complex
5.	Use Area	The whole of the Complex located on the Land, as shown hatched in the plan attached to the Schedule
6.	Commencement Date	The date both parties sign this Agreement
7.	Expiry Date	30 June 2024

8.	Option to Renew	Nil
9.	User Fee	\$1.00 per annum if demanded
10.	Permitted Use	For the delivery of a youth "drop in" centre and associated community activities directed towards the development of youth activities for the benefit of young persons in the Northern Peninsula Area

2. DEFINITIONS AND INTERPRETATION

2.1 Definitions

In this Agreement, unless inconsistent with the context or subject matter:

- (a) **Agreement** means this User Agreement as varied or amended from time to time.
- (b) **Commencement Date** means the date referred to in Item 6 of the Reference Schedule.
- (c) **Common Areas** means those areas on the Land allowed or designated by the Council from time to time for use by other users of the Land and their respective employees, invitees and tenants in common with each other and includes the walkways, passageways, verandah, car parking and garden areas (if any).
- (d) **Complex** means the building located on the Land known as the "HACC Centre". All parts of the Complex are owned by Council.
- (e) Council means Northern Peninsula Area Regional Council, its successors and assigns.
- (f) **Event of Default** means:
 - (i) failure by the User to pay to Council the User Fee when due and payable;
 - (ii) failure by the User to perform, keep or fulfil any other covenant, undertaking, obligation or condition in this Agreement; or
 - (iii) failure by Council to perform, keep or fulfil any covenant, undertaking, obligation or condition in this Agreement, where such failure has a material effect on the ability of the User to undertake the Permitted Use on the Use Area in the manner permitted under this Agreement.
- (g) **Expiry Date** means the date referred to in Item 7 of the Reference Schedule and, where applicable, includes the last day of any further term if this Agreement contains an Option to Renew, and the Option to Renew is exercised.
- (h) **Fixtures** means all improvements and installations contained in the Use Area which are the property of Council. The Fixtures include the Complex and any parts of it. The Fixtures are and shall remain the property of Council.
- (i) Land means the land described in Item 4 of the Reference Schedule.
- (k) **Option to Renew** means the option or options, exercisable by the User in accordance with this Agreement, to renew this Agreement for a further term or terms, but only if an Option to Renew is specified in the Reference Schedule.

- (I) **Party** means the Council and the User individually and **Parties** means the Council and the User collectively.
- (m) **Permitted Use** means the use of the Use Area for the use described in Item 10 of the Reference Schedule, and no other uses whatsoever.
- (n) **Reference Schedule** means the table contained in Clause 1 of this Agreement.
- (o) **Security Interest** has the meaning given to that term in the *Personal Property Securities Act 2009* (Cth).
- (p) **Term** means the period commencing on the Commencement Date and ending on the Expiry Date.
- (q) **User Fee** means the sum referred to in Item 9 of the Reference Schedule.
- (r) **Use Area** means that part of the Complex described in Item 5 of the Reference Schedule, as identified on the plan attached to this Agreement as Schedule 1.
- (s) **User** means the party described in Item 1 of the Reference Schedule, the User under this Agreement, and includes their successors and assigns.
- (t) **Utilities** means the services to the Use Area provided by Council or others including water, electricity, gas, telephone and other communication services.

2.2 Interpretation

In this Agreement unless inconsistent with the context or subject matter:

- (a) a reference to a person includes any other legal entity;
- (b) a reference to a legal entity includes a person;
- (c) words importing the singular number include the plural number;
- (d) words importing the plural number include the singular number;
- (e) a reference to one gender shall include other genders;
- (f) a reference to a Party includes the Party's heirs, executors, successors and permitted assigns;
- (g) headings are for reference purposes only and must not be used in interpretation;
- (h) where any word or phrase is given a defined meaning any other part of speech or other grammatical form concerning the word or phrase has a corresponding meaning;
- (i) a reference to a statute includes all regulations and subordinate legislation and amendments;
- (j) references to writing include any mode of representing or reproducing words in tangible and permanently visible form, and includes e-mail and fax;
- (k) a reference to a monetary amount is a reference to an Australian currency amount;
- (I) an obligation of two or more Parties binds them jointly and each of them severally;

- (m) an obligation incurred in favour of two or more Parties is enforceable by them severally;
- (n) where time is to be reckoned from a day or event, the day or the day of the event must be excluded;
- (o) a reference to a business day means any day which is not a public holiday in Bamaga;
- (p) if any time period specified in this Agreement expires on a day which is not a business day, the period shall expire at the end of the next business day;
- (q) a reference to a month means a calendar month.

3. AGREEMENT AND TERM

Council grants the User a non-exclusive licence to use the Use Area for the Permitted Use in for the Term, and the User accepts such grant upon and subject to the terms and conditions of this Agreement.

4. FEES PAYABLE TO COUNCIL

4.1 User Fee

The User shall pay the User Fee to Council annually in advance if demanded

4.2 Utilities

- (a) All Utilities incurred by the User or levied separately to the Use Area shall be borne wholly by the User and shall be paid promptly as requested either by Council or the provider.
- (b) If the Use Area does not have a separate meter for the supply of electricity to the Use Area at the Commencement Date, the User shall not be responsible for payment of any electricity consumption until three months after the date that the relevant utility has been separately metered.

4.3 Costs of notices, re-entry and consents

The User must, upon demand by the Council, pay all costs (on a solicitor and own client basis) and expenses incurred by the Council in relation to:

- (a) any notice lawfully given to the User pursuant to this Agreement and any actions taken to enforce the performance of the User's obligations under this Agreement;
- (b) the lawful determination or attempted determination of this Agreement, or the lawful reentry or attempted re-entry by the Council into the Use Area;
- (c) the surrender of this Agreement (including any duty);
- (d) the consideration of any consents by the Council requested by the User pursuant to the terms of this Agreement; and
- (e) the Council, without fault, being made a party to litigation commenced by or against the User (other than litigation between the parties), and arising directly or indirectly from the User's occupation of the Use Area.

4.4 No Set Off

The User must make payments under this Agreement to Council by the method which Council reasonably requires without set—off, counterclaim, withholding or deduction.

5. MANAGEMENT AND OPERATION

5.1 Permitted Use

- (a) The User will occupy the Use Area and use it for the Permitted Use only, and for no other purposes whatsoever.
- (b) If the User wishes to use the Use Area for a purpose other than the Permitted Use, then the User must seek Council's written consent, which may be given or withheld by Council in its absolute discretion.
- (c) Council does not warrant that the Use Area is, or will be, suitable for the User's use and any warranties as to the suitability of the Use Area implied by law are negatived.

5.2 Positive Obligations

The User must:

- (a) conduct the Permitted Use at the Use Area in good faith, in a professional and competent way, to a standard expected of a first class business associated with the Permitted Use, and offer to its customers the highest standards of service, courtesy, visual appeal and efficiency;
- (b) comply on time with all laws, and obtain and maintain all Agreements and approvals required at law to carry on the User's business from the Use Area;
- (c) ensure that no liquor or other intoxicating or stupefying substance is stored, sold, supplied or consumed upon the Use Area;
- (d) promptly notify the Council in writing of any damage sustained to the Use Area or defective operation of the Fixtures;
- (e) promptly, when asked by the Council, do everything necessary for the User to do to enable the Council to exercise its rights under this Lease;
- (f) participate in emergency fire or safety drills of which the Council or any relevant Authority gives reasonable notice;
- (g) notify the Council before installing any surveillance equipment and/or CCTV within the Use Area and comply with all Laws in relation to the use of surveillance equipment and/or CCTV;
- (h) maintain a key register that details all persons possessing keys or other means of access to the Use Area and provide a copy of the key register to the Council upon request;
- (i) comply with any rules that the Council may make in connection with the operation, use (including occupant safety), management and occupation of the Use Area.

5.3 Negative obligations

The User must not:

- (a) cease operating from the Use Area for any period with the Council's prior written consent;
- (b) erect any signs, placards, notices or posters to the Use Area that are visible from the exterior of the Use Area without the Council's prior written consent (other than signage prescribed by law);
- (c) use any form of light, power or heat (other than an apparatus for heating beverages, auxiliary power during any power failure or, electricity or gas supplied through meters);
- (d) misuse or do anything to overload the Use Area's Fixtures;
- (e) interfere with the Fixtures, or use them for any purpose other than those for which they were constructed;
- (f) carry on or permit to be carried on any offensive or illegal act, or any act which may void or invalidate any insurances effected by the Council in respect of the Complex and Council's Fixtures or any other part of the Use Area;
- (g) store or use inflammable, volatile or explosive substances on the Use Area except when the substances are required for the Permitted Use;
- (h) engage in, and must ensure that its employees and agents do not engage in:
 - (i) public criticism of the Council concerning the Use Area, or criticism of the Use Area, unless obliged by law to do so;
 - (ii) anything that is, or may be, dangerous, annoying or offensive to, or that may interfere with, the Council or other tenants or people using the Use Area, the Land or in the adjacent lots or buildings;
 - (iii) anything that might adversely affect, or reflect unfavourably upon, the Council's business or reputation or that of the Use Area or that might confuse, mislead or deceive the public.

5.4 Maintenance of Use Area

- (a) The User is required to maintain the Use Area, including the Fixtures, in good and tenantable condition at its own cost at all times throughout the Term, fair wear and tear excepted.
- (b) The User must also:
 - (i) keep the Use Area (including the external surfaces) clean and tidy;
 - (ii) keep the Use Area free from useless property and rubbish. In particular, the User must supply and maintain sufficient and suitable refuse bins upon the Use Area and arrange for the regular collection, storage and removal of all refuse, waste and rubbish from the Use Area at its own cost to the satisfaction of the Council; and
 - (iii) keep the Use Area free of rodents, cockroaches and other pests and vermin (including by undertaking a pest eradication program no less than annually) and comply with the Council's reasonable directions in that regard; and

(c) If Council, acting reasonably, considers that the Use Area, including the Fixtures, is not being maintained in a good and tenantable condition, Council may enter the Use Area and effect any repairs or maintenance required to ensure that the Use Area is in good and tenantable condition, with all costs of such repairs or maintenance to be wholly recoverable from the User.

5.5 Council's rights of entry etc

- (a) Without limiting any other provisions of this Agreement, Council may at any time:
 - enter the Use Area without notice to the User if Council wishes to use the Use Area for access;
 - (ii) access any existing Fixtures located on the Use Area.
- (b) When accessing the Use Area pursuant to sub-clause (a) of this clause, Council shall take all reasonable steps to minimise interference with the User's use of the Use Area for the Permitted Use.

5.6 Alterations, Additions or Improvements

- (a) Council may at any time enter the Use Area to make alterations, additions or improvements to any existing infrastructure contained on the Use Area.
- (b) In carrying out any alterations, additions or improvements, Council shall take all reasonable steps to minimise interference with the User's use of the Use Area for the Permitted Use.
- (c) The User may not make any alterations, additions or improvements (including the erection of signage) to the Use Area unless the User has first obtained Council's prior written consent to the proposed alteration, addition or improvement, which consent may be given in Council's absolute discretion and may be conditional upon the User providing Council with anything that Council may require for the purpose of giving the consent (including but not limited to work plans and drawings).

5.7 Common Areas

- (a) Council permits the User in common with others having the like rights, to:
 - (i) pass and repass on foot through all vestibules, passages and stairways in the Common Areas; and
 - (ii) use any toilets, washrooms and other facilities provided by the Council for the tenants of the Complex together with adequate means of access to those facilities.
- (b) Council may in its absolute discretion restrict access to all or part of the Common Areas during the periods outside the normal trading hours from time to time prevailing in the Complex.
- (c) The User must keep and maintain in good order and repair and in a clean and tidy condition all Common Areas to the satisfaction of the Council.
- (d) The User must prohibit its employees and others over whom it has control, from parking vehicles or otherwise obstructing the entrances, exits and driveways in and to the Common Areas.

- (e) The User and any person under its control must not interfere with the airconditioning equipment, appurtenances or Services within or about the Common Areas.
- (f) Any directory boards, provided by Council, are under the sole control of the Council, who may allot space for the names and descriptions of the tenants of the Complex.
- (g) Council may, by giving written notice to the User and others with access to the Common Areas, formulate and enforce rules and regulations relating to the Common Areas not inconsistent with the rights of the User.
- (h) The User, at its cost, is responsible for any repairs where damage is caused to the Common Areas either deliberately, negligently or as a result of neglect, by the User or its guests.

6. INSURANCE

- (a) The User shall, at its cost, from the date of this Agreement provide and maintain:
 - (i) public liability insurance having a minimum limit of twenty million dollars (\$20,000,000.00) for each and every occurrence against all claims; and
 - (ii) plate glass insurance, against the breakage of all plate and other glass in the Use Area;
 - (iii) workers' compensation insurance effected in accordance with laws for the time being requiring such insurances, arising out of the User's use of the Use Area (if applicable);
 - (iv) any other insurance reasonably required by the Council.
- (b) All insurances shall be in such form and for such amounts and with such companies as approved by Council, which approval shall not be unreasonably withheld.
- (c) The User assumes all risks in connection with the adequacy of any insurance and waives any claim against Council (in the absence of negligence of Council) for any liability, cost or expense arising out of any uninsured claims, in part or in full, of any nature whatsoever.
- (d) Prior to the Commencement Date, and on further occasions upon request of Council, the User must provide evidence satisfactory to the Council of the terms and currency of each of the insurance policies referred to in this clause.

7. RISK AND INDEMNITY

- (a) Council (including its employees, representatives, contractors or any associated entity who performs services on behalf of Council hereunder) is not liable to the User in contract, tort or otherwise whatsoever for any loss or damage (including consequential loss) to any person or property arising from the occupation and use of the Use Area by the User or others, save to the extent the loss or damage is a consequence of the negligent acts or omissions of Council (or Council's employees, representatives, contractors or associated entities).
- (b) The User:
 - (i) acknowledges that the Use Area is provided on an "as is where is" basis, and the User uses and occupies the Use Area at its sole risk;
 - (ii) shall be liable for claims of third parties for personal injury and property damage not covered by the insurance required under Clause 6 which result from the

negligence of the User having due regard to the standards set out in this Agreement provided that the User shall not assert any claims against Council and Council shall not be liable to the User for any losses, damages, liabilities or expenses (including legal costs) incurred or sustained by the User;

(iii) indemnifies Council from and against any claim, damage, loss or expense suffered by Council or others as a result of the use of the Use Area by the User or the User's employees and agents or as a result of or arising out of the grant of, or the exercise of, this Agreement, save to the extent the loss or damage is a consequence of the negligent acts or omissions of Council.

8. EVENTS OF DEFAULT AND TERMINATION

8.1 Termination on notice

Council may at any time and without cause, terminate this Agreement upon the provision of no less than three (3) months' written notice to the User.

8.2 Termination for default

- (a) If an Event of Default occurs, the non-defaulting Party shall give the defaulting Party a notice in writing requesting that the Event of Default be remedied.
- (b) If the Event of Default is not remedied within fourteen (14) days of the date of the notice provided pursuant to paragraph (a) of this clause, the non-defaulting Party may give to the defaulting Party notice of its intention to terminate its obligations under this Agreement after the expiration of fourteen (14) days from the date such notice is served.
- (c) Upon the expiration of such period referred to in sub-clause (b) of this clause, the Party serving the notice shall (without prejudice to any rights arising prior to such date) have no further obligations to the other under this Agreement and this Agreement shall be deemed to be terminated.
- (d) Subject to subclause (e), if upon receipt of such notice the defaulting Party cures the default within the said fourteen (14) day period then such notice shall be of no force and effect.
- (e) Subclause (d) does not apply, and the notice shall remain effective even if the default is cured, if the notice relates to a default that has occurred more than once in the six (6) months preceding the date of the notice.

8.3 Rights in Addition to Other Remedies

The rights contained in this clause shall be in addition to any and all rights and remedies for breach of contract or otherwise available to either Party.

9. END OF AGREEMENT

9.1 The User to yield up Use Area

When this Agreement ends, either at the end of the Term or termination pursuant to this Agreement, the User must peacefully yield up the Use Area in good condition, fair wear and tear excepted, and return to Council all keys and security devices relating to the Use Area.

9.2 Removal of improvements etc.

- (a) The User must during the last fourteen (14) days of the Term remove any chattels, fixtures, fittings, additions, signage and other branding it has stored on, erected or affixed to the Use Area during the Term, and the User must make good any damage caused by the removal.
- (b) Any items not removed from the Use Area under sub-clause (a) of this clause shall be deemed abandoned and will become the property of Council.
- (c) If the User's property becomes the property of Council in accordance with subclause (b) of this clause, then Council may, in its absolute discretion:
 - (i) retain the property;
 - (ii) dispose of the property, with the costs of such disposal to be wholly recoverable from the User as a debt immediately due and owing.

10. OPTION TO RENEW

- (a) This clause applies if an Option to Renew is specified in the Reference Schedule.
- (b) If the User punctually and properly performs its obligations under this Agreement, the User has the option, which must be exercised by notice in writing to Council no earlier than six (6) months prior to the Expiry Date and no later than three (3) months prior to the Expiry Date, to renew this Agreement for the option period first specified in the Reference Schedule, commencing on the day after the Expiry Date and continuing on the same terms as this Agreement, except that this clause has no further effect unless the Reference Schedule refers to more than one option period, in which case the number of remaining option periods shall be reduced by one upon each occasion on which the User exercises an option to renew.

11. HOLDING OVER

- (a) If the User remains in occupation of the Use Area after the expiration of the Term with the consent of Council, the User may continue using the Use Area on a month-to-month basis. The User must continue to pay the same amount of the User Fee and other money under this Agreement in accordance with this Agreement.
- (b) The monthly use right created under sub-clause (a) will continue on the same terms of this Agreement (so far as the terms can be applied to a monthly use right) until either party gives the other party one month's written notice terminating this Agreement. However, if the User is in default, Council may give 72 hours written notice to the User terminating this Agreement.

12. GENERAL

12.1 Assignment and other dealings

(a) Parting with possession and encumbering

The User must not without Council's prior written consent (which may be withheld or given on such conditions required by Council in its absolute discretion):

- (i) in any manner part with possession of the Use Area; or
- (ii) mortgage or otherwise encumber the User's interest in this Agreement.

(b) Assignment

The User must not assign this Agreement without the prior written consent of Council provided that such consent will not be unreasonably withheld if:

- (i) the User has, at least thirty (30) days before the proposed assignee intends to take possession of the Use Area pursuant to an assignment, makes a written request for the Council's consent together with:
 - A. in relation to each proposed assignee:
 - I their full names and addresses;
 - II an up-to-date summary of assets and liabilities prepared by and signed by an accountant;
 - III any other information reasonably required by the Council to establish the proposed assignee's financial position; and
- (ii) the User proves to Council's reasonable satisfaction that:
 - A. the proposed assignee is respectable, suitably qualified and capable of carrying on the Permitted Use and performing the obligations on the part of the User under this Agreement; and
 - B. the proposed assignee is of sufficiently substantial financial standing, having regard to both its net assets and revenue, that a reasonable person would consider that the proposed assignee is able to meet the User's payment obligations under this Agreement for the entire duration of the unexpired Term.

(c) Council's consent

Any consent by the Council to a proposed assignment given under this clause is conditional upon each of the following occurring before the proposed assignee takes possession of the Use Area:

- (i) the User and the proposed assignee entering into a deed of consent with the Council in the form reasonably required by the Council;
- the proposed assignee providing the Council with a guarantee and indemnity signed by the proposed guarantor in favour of the Council in the form required by the Council;
- (iii) the User and the proposed assignee complying with the Council's reasonable requirements in relation to the documentation of the intended assignment;
- (iv) any default by the User under this Agreement arising up to the date of completion of the proposed assignment being remedied; and
- (v) the User paying to the Council the Council's reasonable legal costs of the giving of its consent.

(d) Change of Control

If the User is a corporation (which is neither listed nor wholly owned by a corporation whose shares are listed on the official list of the Australian Stock Exchange Limited), a

change in the effective control of the corporation is deemed to be an assignment of this Agreement and the User may not make that change unless it obtains the Council's prior written consent and complies with subclauses (b) and (c) (except for subclause (c)(i)) of this clause.

12.2 Native Title

The Parties acknowledge and agree that nothing contained in this Agreement constitutes a future act for the purposes of the *Native Title Act 1993* (Cth).

12.3 No Security Interest

The Parties agree and acknowledge that no Security Interest is created or contemplated by virtue of this Agreement.

12.4 Goods and Services Tax

(a) In this clause:

"GST" means the same as in the GST Law; and

"GST Law" means the same as "GST law" means in A New Tax System (Goods and Services Tax) Act 1999 (Cth).

- (b) A recipient of a taxable supply made under this Agreement must pay to the supplier, in addition to the consideration for the taxable supply, any GST paid or payable by the supplier in respect of the taxable supply.
- (c) The recipient must pay the GST to the supplier:
 - (i) if there is a due date for the consideration for the taxable supply, either on that date or within fourteen (14) days of receiving a tax invoice for the taxable supply whichever is the later; or
 - (ii) if there is no due date, within fourteen (14) days of receiving a tax invoice for the taxable supply.
- (d) A Party's obligation to reimburse another Party for an amount paid or payable to a third party (for example a Party's obligation to pay another Party's legal costs) includes GST on the amount paid or payable to the third Party except to the extent that the Party being reimbursed is entitled to claim an input tax credit for that GST.
- (e) Each Party making a taxable supply under this document must issue a tax invoice to the other Party for each taxable supply within fourteen (14) days after the due date for payment of the consideration of the supply under this Agreement.
- (f) Each Party must issue an adjustment note to the other Party as soon as it becomes aware of an adjustment event relating to a taxable supply by it under this document.

12.5 Notices

- (a) A notice required to be given by one party to another under this Agreement is effectively served, if it is in writing and:
 - (i) served personally or left for the User at the Use Area;
 - (ii) sent by email to the email address of the party in the Reference Schedule;

- (iii) left at or posted by post to the address of the party in the Reference Schedule.
- (b) A notice is taken to be given:
 - (i) if served personally, on the day the notice is delivered if given by 4.00pm on that day, or if given after 4.00pm, the notice will take effect from the next Business Day.
 - (ii) if posted, on the third day after posting.
 - (iii) if sent by email, at the time the email was transmitted by the sender, provided the sender does not immediately indicate a malfunction in the transmission.
- (c) A Party may only change their address for service by no less than 5 business days' notice to the other Party.

12.6 Governing Law

The laws of Queensland (and so far as applicable of the Commonwealth of Australia) shall govern this Agreement and each Party hereby expressly accepts and acknowledges the jurisdiction of the Courts of Queensland and of Australia and all Courts to which appeals from those Courts may be taken.

12.7 Further Instruments

Council and the User shall execute and deliver all such further agreements and other instruments, do all things and take any other action necessary to make this Agreement fully effective, binding and enforceable as between them and as against third Parties.

12.8 Headings

Headings are inserted for convenience only and are not intended to govern the meaning of any of the provisions of this Agreement.

12.9 Waiver

The waiver of any term or condition on any occasion shall not be deemed a waiver of such term or condition on any other occasion.

12.10 Severance

If a provision of this Agreement is void or unenforceable it must be severed from this Agreement and the provisions that are not void or unenforceable are unaffected by the severance.

12.11 Whole Agreement

This Agreement constitutes the whole of the agreement between the Parties relating to the subject matter hereof.

12.12 Amendment

This Agreement can only be amended, supplemented, replaced or novated by another document signed by the Parties.

12.13 Liability for Expenses

(a) Each Party must pay its own expenses subject to sub-clause (b) of this Clause.

(b) The User must pay the total legal costs incurred by Council on a solicitor and own client basis as a result of the negotiation, preparation and execution of this Agreement.

12.14 Counterparts

This Agreement may be executed in any number of counterparts and when executed communication of the fact of execution to the other parties may be made by sending evidence of execution by email.



SIGNED by the CHIEF EXECUTIVE OFFICER for and on behalf of the NORTHERN PENINSULA AREA REGIONAL COUNCIL in the presence of:)) Chief Executive Officer
Signature of Witness)))
Print Name)))
Date	
SIGNED by NPA FAMILY AND COMMUNITY SERVICES ABORIGINAL AND TORRES STRAIT ISLANDER CORPORATION ICN 1933 in accordance with the Corporations)))
(Aboriginal and Torres Strait Islander) Act 2006:) Director
) Director/Secretary
Date)))





Title of Report: Presentation of Torres and Cape Indigenous Council Alliance Financials

Agenda Item: 12.10
Classification: For noting
Author Mayor

Attachments Audited Financials

Management Letter

Officers Recommendation:

That Council:

Note the audited financial statements of Torres and Cape Indigenous Council Alliance

PURPOSE OF REPORT

Provide a schedule of community meeting dates for December 2022 for council approval.

BACKGROUND AND CONTEXT

Torres and Cape Indigenous Council Alliance (TCICA) is a controlled entity under the Local Government Act being an entity subject to control of one or more local governments. Section 213B of the Local Government Regulation 2012 requires that

- the local government must obtain a copy of the audited financial statements of the controlled entity.
- the mayor must present the copy of the audited financial statements at the next ordinary meeting of the local government.
- within 14 days after the copy of the audited financial statements is presented at the meeting, the copy, or a link to the copy, is published on the local government's website.

The AGM of TCICA was held on the 15/11 and the financials were adopted by the members. Two issues were raised in the management letter and discussed at the AGM.

The financials are attached to this report for presentation to the Council.

CRITICAL DATES

NA

OTHER OPTIONS CONSIDERED

NA



ORDINARY COUNCIL MEETING # 31
Agenda Item 12.10
Tuesday 22nd November 2022
Bamaga Boardroom

LEGAL AND LEGISLATION CONSIDERATIONS

Local Government Act and Regulations

POLICY CONSIDERATIONS

NA

CORPORATE AND OPERATIONAL PLAN CONSIDERATIONS

NA

FINANCIAL AND RESOURCE CONSIDERATIONS

NA

CONSULTATION

NA

Financial Statements
For the year ended 30 June 2022

ABN: 34 409 793 644

Contents

For the year ended 30 June 2022

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Statement of Changes in Equity	4
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Statement by members of committee	11

ABN: 34 409 793 644

Committee's report

For the year ended 30 June 2022

Your committee members submit the financial report of Torres Cape Indigenous Council Alliance (TCICA) Inc. for the financial year ended 30 June 2022.

Committee members

The names of the committee and members throughout the year and at the date of this report are:

Robbie Sands (Chair) Cameron Hudson (Deputy Chair) Peter Scott (Secretary/Treasurer) Aurukun Shire Council Cook Shire Council Hope Vale Aboriginal Council Kowanyama Aboriginal Shire Council Lockhart River Aboriginal Shire Council Mapoon Aboriginal Shire Council Mornington Shire Council Napranum Aboriginal Shire Council Northern Peninsula Area Regional Council Pormpuraaw Aboriginal Shire Council Torres Shire Council Weipa Town Authority Wujal Wujal Aboriginal Shire Council

Principal activities

The principal activities of the Association during the financial year were:

To foster cooperation and resource sharing between Member Councils in the Torres Strait, Cape York and Gulf region and advocate on agreed regional positions and priorities.

Significant changes

No significant change in the nature of these activities occurred during the year.

Operating result

Dated / /

Fhe surplus of the Association for the financial year after \$172,022.87)	r providing for income tax amounted to \$102,366. (2021: defici
Robbie Sands (Chair)	_

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ABN: 34 409 793 644

Balance sheet

As at 30 June 2022

	Note	2022	2021
		\$	\$
Current assets			
Cash and cash equivalents	3	222,142.58	120,081.55
Trade and other receivables	4	12,206.95	153,996.26
Other current assets	5	-	4,013.40
Total current assets	-	234,349.53	278,091.21
Non-current assets			
Property, plant and equipment	6	742.00	1,253.64
Total non-current assets	-	742.00	1,253.64
Total assets	-	235,091.53	279,344.85
Current liabilities			
Trade and other payables	7	60,484.22	207,103.14
Total current liabilities	-	60,484.22	207,103.14
Total liabilities	-	60,484.22	207,103.14
Net assets	-	174,607.31	72,241.71
Members' funds	=		
Retained earnings		174,607.31	72,241.71
Total members' funds	-	174,607.31	72,241.71
	=		

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The accompanying notes form part of these financial statements.

These statements should be read in conjunction with the attached audit report.

ABN: 34 409 793 644

Income statement

For the year ended 30 June 2022

Income		2022 \$	2021 \$
Co-Contributions and Sponsorships 1,849.21 4,653.35 Department Of Transport And Main Roads Funding - 219.75 Donations Received 155,216.15 2,178.18 Interest Received 52.07 123.90 Membership Fees 130,000.00 130,000.00 QRA - Regional Resilience Project 86,209.19 - QRA - TCICA Regional Dashboard Project Grant 86,551.18 - QRA Project Grant 102,000.00 99,000.00 RAB Project Grant 102,000.00 99,000.00 Expenses Advertising & Promotion 938.00 460.00 Bank Charges 184.75 27.60 Conferences and Seminars 3,615.32 - Consulting and Accountancy 17,969.98 3,349.08 Depreciation Expenses 638.00 940.00 General Expenses 1,234.42 274.70 Insurance 4,013.40 - Interest 57.50 - Meeting Expenses 13,500.45 11,151.13 Printing & Statione		•	•
Department Of Transport And Main Roads Funding - 219.75 Donations Received - 10.00 Grants Received 155,216.15 2,178.18 Interest Received 52.07 123.90 Membership Fees 130,000.00 130,000.00 ORA - Regional Resilience Project 86,299.19 - QRA - TCICA Regional Dashboard Project Grant 66,299.19 - QRA Project Grant 102,000.00 99,000.00 RAB Project Grant 102,000.00 99,000.00 Expenses Advertising & Promotion 938.00 460.00 Bank Charges 184.75 27.60 Conferences and Seminars 3,615.32 - Consulting and Accountancy 17,969.98 3,349.08 Depreciation Expense 638.00 940.00 General Expenses 1,234.42 274.70 Insurance 4,013.40 - Interest 57.50 - Reting Expenses 13,500.45 11,151.13 Printing & Stationery 349.40 <td></td> <td>4.040.04</td> <td>4.050.05</td>		4.040.04	4.050.05
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Grants Received 155,216.15 2,178.18 Interest Received 52.07 123.90 Membership Fees 130,000.00 130,000.00 QRA - Regional Resilience Project 86,299.19 - QRA - TCICA Regional Dashboard Project Grant - 50,121.48 RAB Project Grant 102,000.00 99,000.00 Expenses Advertising & Promotion 938.00 460.00 Bank Charges 184.75 27.60 Conferences and Seminars 3,615.32 - Consulting and Accountancy 17,969.98 3,349.08 Depreciation Expense 638.00 940.00 General Expenses 1,234.42 274.70 Insurance 4,013.40 - Interest 57.50 - Meeting Expenses 13,500.45 11,151.13 Printing & Stationery 349.40 1,066.50 QRA Regional Resilience Project 24,907.35 5,069.71 RAB Consultants and Project Costs 25,144.25 251,302.74 Superannuation		-	
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General Expenses 1,234.42 274.70 Insurance 4,013.40 - Interest 57.50 - Meeting Expenses 13,500.45 11,151.13 Printing & Stationery 349.40 1,066.50 QRA Regional Disaster Dashboard 92,209.19 - QRA Regional Resilience Project 24,907.35 5,069.71 RAB Consultants and Project Costs 25,144.25 251,302.74 Superannuation 21,213.97 16,445.39 Superannuation - QRA Funded Regional Resilience Coordinator 12,973.01 4,653.76 Travel - National 8,578.06 3,202.97 Wages 124,076.62 120,468.24 Wages - QRA Regional Resilience Coordinator 107,631.59 39,509.62 Website Hosting 276.94 408.09	Depreciation Expense	638.00	940.00
Interest 57.50 - Meeting Expenses 13,500.45 11,151.13 Printing & Stationery 349.40 1,066.50 QRA Regional Disaster Dashboard 92,209.19 - QRA Regional Resilience Project 24,907.35 5,069.71 RAB Consultants and Project Costs 25,144.25 251,302.74 Superannuation 21,213.97 16,445.39 Superannuation - QRA Funded Regional Resilience Coordinator 12,973.01 4,653.76 Travel - National 8,578.06 3,202.97 Wages 124,076.62 120,468.24 Wages - QRA Regional Resilience Coordinator 107,631.59 39,509.62 Website Hosting 276.94 408.09		1,234.42	274.70
Meeting Expenses 13,500.45 11,151.13 Printing & Stationery 349.40 1,066.50 QRA Regional Disaster Dashboard 92,209.19 - QRA Regional Resilience Project 24,907.35 5,069.71 RAB Consultants and Project Costs 25,144.25 251,302.74 Superannuation 21,213.97 16,445.39 Superannuation - QRA Funded Regional Resilience Coordinator 12,973.01 4,653.76 Travel - National 8,578.06 3,202.97 Wages 124,076.62 120,468.24 Wages - QRA Regional Resilience Coordinator 107,631.59 39,509.62 Website Hosting 276.94 408.09	Insurance	4,013.40	-
Printing & Stationery 349.40 1,066.50 QRA Regional Disaster Dashboard 92,209.19 - QRA Regional Resilience Project 24,907.35 5,069.71 RAB Consultants and Project Costs 25,144.25 251,302.74 Superannuation 21,213.97 16,445.39 Superannuation - QRA Funded Regional Resilience Coordinator 12,973.01 4,653.76 Travel - National 8,578.06 3,202.97 Wages 124,076.62 120,468.24 Wages - QRA Regional Resilience Coordinator 107,631.59 39,509.62 Website Hosting 276.94 408.09	Interest	57.50	-
QRA Regional Disaster Dashboard 92,209.19 - QRA Regional Resilience Project 24,907.35 5,069.71 RAB Consultants and Project Costs 25,144.25 251,302.74 Superannuation 21,213.97 16,445.39 Superannuation - QRA Funded Regional Resilience Coordinator 12,973.01 4,653.76 Travel - National 8,578.06 3,202.97 Wages 124,076.62 120,468.24 Wages - QRA Regional Resilience Coordinator 107,631.59 39,509.62 Website Hosting 276.94 408.09 459,512.20 458,329.53	Meeting Expenses	13,500.45	11,151.13
QRA Regional Disaster Dashboard 92,209.19 - QRA Regional Resilience Project 24,907.35 5,069.71 RAB Consultants and Project Costs 25,144.25 251,302.74 Superannuation 21,213.97 16,445.39 Superannuation - QRA Funded Regional Resilience Coordinator 12,973.01 4,653.76 Travel - National 8,578.06 3,202.97 Wages 124,076.62 120,468.24 Wages - QRA Regional Resilience Coordinator 107,631.59 39,509.62 Website Hosting 276.94 408.09 459,512.20 458,329.53	Printing & Stationery	349.40	1,066.50
RAB Consultants and Project Costs 25,144.25 251,302.74 Superannuation 21,213.97 16,445.39 Superannuation - QRA Funded Regional Resilience Coordinator 12,973.01 4,653.76 Travel - National 8,578.06 3,202.97 Wages 124,076.62 120,468.24 Wages - QRA Regional Resilience Coordinator 107,631.59 39,509.62 Website Hosting 276.94 408.09		92,209.19	-
RAB Consultants and Project Costs 25,144.25 251,302.74 Superannuation 21,213.97 16,445.39 Superannuation - QRA Funded Regional Resilience Coordinator 12,973.01 4,653.76 Travel - National 8,578.06 3,202.97 Wages 124,076.62 120,468.24 Wages - QRA Regional Resilience Coordinator 107,631.59 39,509.62 Website Hosting 276.94 408.09	· · · · · · · · · · · · · · · · · · ·	24,907.35	5,069.71
Superannuation 21,213.97 16,445.39 Superannuation - QRA Funded Regional Resilience Coordinator 12,973.01 4,653.76 Travel - National 8,578.06 3,202.97 Wages 124,076.62 120,468.24 Wages - QRA Regional Resilience Coordinator 107,631.59 39,509.62 Website Hosting 276.94 408.09 459,512.20 458,329.53	·	25,144.25	251,302.74
Travel - National 8,578.06 3,202.97 Wages 124,076.62 120,468.24 Wages - QRA Regional Resilience Coordinator 107,631.59 39,509.62 Website Hosting 276.94 408.09 459,512.20 458,329.53	Superannuation	21,213.97	
Wages 124,076.62 120,468.24 Wages - QRA Regional Resilience Coordinator 107,631.59 39,509.62 Website Hosting 276.94 408.09 459,512.20 458,329.53	Superannuation - QRA Funded Regional Resilience Coordinator	12,973.01	4,653.76
Wages - QRA Regional Resilience Coordinator 107,631.59 39,509.62 Website Hosting 276.94 408.09 459,512.20 458,329.53	Travel - National	8,578.06	3,202.97
Website Hosting 276.94 408.09 459,512.20 458,329.53	Wages	124,076.62	120,468.24
459,512.20 458,329.53	Wages - QRA Regional Resilience Coordinator	107,631.59	39,509.62
	Website Hosting	276.94	408.09
Net surplus/deficit 102,365.60 (172,022.87)		459,512.20	458,329.53
	Net surplus/deficit	102,365.60	(172,022.87)

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The accompanying notes form part of these financial statements.

These statements should be read in conjunction with the attached audit report.

ABN: 34 409 793 644

Statement of Changes in Equity

For the year ended 30 June 2022

	2022 \$	2021 \$
Opening Balance 1 July 2021 Surplus/Deficit	72,241.71	244,264.58
Surplus/Deficit from Operating activities	102,365.60	(172,022.87)
Balance at 30 June 2022	174,607.31	72,241.71

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ABN: 34 409 793 644

Statement of Cash Flows

For the year ended 30 June 2022

	2022	2021
	\$	\$
Cash flows from operating activities		
Surplus/Deficit before taxation	102,365.60	(172,022.87)
Adjustments for:		
Depreciation	638.00	940.00
	103,003.60	(171,082.87)
Movement in trade and other receivables	141,789.31	(54,259.14)
Movement in other assets	4,013.40	(4,013.40)
Movement in trade and other payables	(146,618.92)	170,585.28
Net cash inflow (outflow) from operating activities	102,187.39	(58,770.13)
Cash flows from investing activities		
Purchase of property, plant and equipment	(126.36)	(2193.64
Net cash used in investing activities	(126.36)	(2,193.64)
Net increase / (decrease) in cash and cash equivalents	102,061.03	(60,963.77)
Cash and cash equivalents at beginning of the financial year	120,081.55	181,045.3.2
Cash and cash equivalents at the end of the financial year	222,142.58	120,081.55

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ABN: 34 409 793 644

Notes to the financial statements

For the year ended 30 June 2022

The financial statements cover Torres Cape Indigenous Council Alliance (TCICA) Inc. as an individual entity. Torres Cape Indigenous Council Alliance (TCICA) Inc. is a not-for-profit association incorporated in Queensland under the Associations Incorporation Act 1981 (Qld) ('the Act') as amended by the Associations Incorporation and Other Legislation Amendment Act 2020.

The principal activities of the Association for the year ended 30 June 2022 were:

To foster cooperation and resource sharing between Member Councils in the Torres Strait, Cape York and Gulf region and advocate on agreed regional positions and priorities.

1 Basis of preparation

In the opinion of the Committee of Management, the Association is not a reporting entity since there are unlikely to exist users of the financial statements who are not able to command the preparation of reports tailored so as to satisfy specifically all of their information needs. These special purpose financial statements have been prepared to meet the reporting requirements of the Act.

The financial statements have been prepared in accordance with the recognition and measurement requirements of the Australian Accounting Standards and Accounting Interpretations, and the disclosure requirements of AASB 101 Presentation of Financial Statements.

Significant accounting policies adopted in the preparation of these financial statements are presented below and are consistent with prior reporting periods unless otherwise stated.

The financial statements have been prepared on an accruals basis and are based on historical costs modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and financial liabilities.

The following significant accounting policies, which are consistent with the previous period unless stated otherwise, have been adopted in the preparation of this financial report.

2 Summary of significant accounting policies

Income tax

The Association is exempt from income tax under Division 50 of the Income Tax Assessment Act 1997.

Revenue and other income

Revenue arises mainly from grant funding that is received through the Torres Cape Indigenous Council Alliance (TCICA) Inc. Revenue from contracts with customers is recognised by reference to each distinct performance obligation in the contract with the customer. Revenue from contracts with customers is measured at its transaction price, being the amount of consideration which the Association expects to be entitled to in exchange for transferring promised goods or services to a customer, net of goods and services tax, returns, rebates and discounts. The transaction price is allocated to each performance obligation on the basis of the relevant standalone selling price of each distinct good or service promised in the contract. Depending on the substance of the contract, revenue is recognised when the performance obligation is satisfied, which may be at a point in time or over time.

These notes should be read in conjunction with the attached audit report.

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Notes to the financial statements

For the year ended 30 June 2022

These notes should be read in conjunction with the attached audit report.

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Notes to the financial statements

For the year ended 30 June 2022

The Association recognises other revenue when the amount of revenue can be reliably measured, it is probable that future economic benefits will flow to the Association and specific criteria have been met for each of the Association's activities. The Association bases its estimates on historical results, taking into consideration the type of customer, the type of transaction and the specifics of each arrangement. Revenue is recognised for the major business activities using the methods outlined below.

Contributions from members:

Assets arising from contributions from members are in the scope of AASB 1058 and are recognised at the assets' fair values when the assets are received. Any related liability or equity items associated with the asset are recognised in accordance with the relevant accounting standard. Once the asset and any related liability or equity items have been recognised, then income is recognised for any remaining asset value at the time the asset is received.

Interest revenue

Interest is recognised using the effective interest method.

Rendering of services

Revenue in relation to rendering of services is recognised depending on whether the outcome of the services can be estimated reliably. If the outcome can be estimated reliably then the stage of completion of the services is used to determine the appropriate level of revenue to be recognised in the period.

If the outcome cannot be reliably estimated then revenue is recognised to the extent of expenses recognised that are recoverable.

Revenue from training services is generally recognised once the training has been delivered.

Goods and services tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST.

Cash and cash equivalents

Cash and cash equivalents comprises cash on hand, demand deposits and short-term investments which are readily convertible to known amounts of cash and which are subject to an insignificant risk of change in value.

Property, plant and equipment

Each class of property, plant and equipment is carried at cost or fair value less, where applicable, any accumulated depreciation and impairment.

Property, plant and equipment is depreciated over the asset's useful life to the Association, commencing when the asset is ready for use.

At the end of each annual reporting period, the depreciation method, useful life and residual value of each asset is reviewed. Any revisions are accounted for prospectively as a change in estimate.

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ABN: 34 409 793 644

Notes to the financial statements

For the year ended 30 June 2022

Impairment of non-financial assets

At the end of each reporting period, the Association determines whether there is an evidence of an impairment indicator for non-financial assets.

Where this indicator exists and regardless for goodwill, indefinite life intangible assets and intangible assets not yet available for use, the recoverable amount of the assets is estimated.

Where assets do not operate independently of other assets, the recoverable amount of the relevant cash-generating unit (CGU) is estimated.

The recoverable amount of an asset or CGU is the higher of the fair value less costs of disposal and the value in use. Value in use is the present value of the future cash flows expected to be derived from an asset or cash-generating unit.

Where the recoverable amount is less than the carrying amount, an impairment loss is recognised in income.

Reversal indicators are considered in subsequent periods for all assets which have suffered an impairment loss, except for goodwill.

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ABN: 34 409 793 644

Notes to the financial statements

For the year ended 30 June 2022

	Note	2022 \$	2021 \$
3 Cash and cash equivalents			
TCICA Cash Management Account CBA 064-804 13948831		212,386.58 9,756.00	120,081.55 -
	- =	222,142.58	120,081.55
4 Trade and other receivables			
Current Trade Receivables Provision for GST		12,605.84 (398.89)	154,872.89 (876.63)
	-	12,206.95	153,996.26
5 Other current assets			
Current Prepayments		<u> </u>	4,013.40
	=	-	4,013.40
6 Property, plant and equipment			
Plant and equipment Plant & Equipment - at Cost Less: Accumulated Depreciation	- -	2,320.00 (1,578.00) 742.00	2,193.64 (940.00) 1,253.64
7 Trade and other payables			
Current Deferred Revenue ANZ Commercial Card Account Trade Creditors Accrued Expenses	- =	21,574.66 3.00 29,200.30 9,706.26 60,484.22	140,000.00 568.13 - 66,535.01 207,103.14

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ABN: 34 409 793 644

Notes to the financial statements

For the year ended 30 June 2022

Note 2022 2021 \$ \$

8 Events occurring after the reporting date

No matter or circumstances have arisen since the end of the financial year which significantly affected or may significantly affect the operations of the association, the results of those operations or the state of affairs of the Association in future financial years.

9 Statutory information

The registered office and principal place of business of the Association is:

Torres Cape Indigenous Council Alliance (TCICA) Inc. 28 Scott Street PARAMATTA PARK QLD 4870

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ABN: 34 409 793 644

Statement by members of committee

The committee has determined that the Association is not a reporting entity and that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 2 to the financial statements.

In the opinion of the committee the financial report:

- 1. Presents fairly the financial position of Torres Cape Indigenous Council Alliance (TCICA) Inc. as at 30 June 2022 and its performance for the year ended on that date.
- 2. At the date of this statement, there are reasonable grounds to believe that Torres Cape Indigenous Council Alliance (TCICA) Inc. will be able to pay its debts as and when they fall due.

This statement is made in accordance with a resolution of the committee and is signed for and on behalf of the committee by:

Robbie S	Sands	(Chair)		
Dated	/	/		

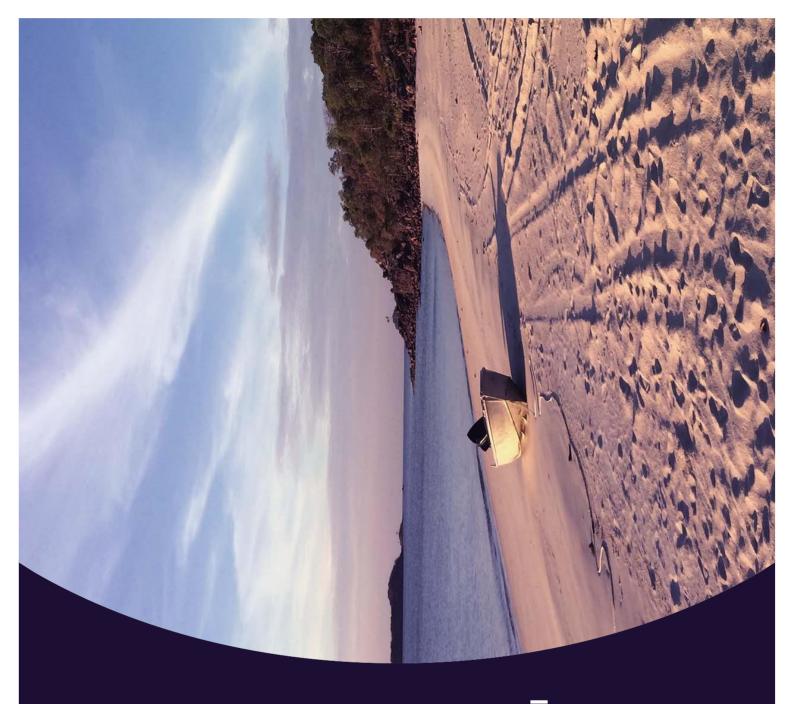
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Audit Findings Report

Torres Cape Indigenous Council Alliance (TCICA) Inc.

Year ended 30 June 2022







Torres Cape Indigenous Council Alliance (TCICA) Inc The Management Committee Cairns North QLD 4870 PO Box 355

10 November 2022

Dear Committee Members

AUDIT FINDINGS REPORT FOR THE YEAR ENDED 30 JUNE 2022

Please find attached our Report to the Committee for the year ended 30 June 2022.

We have substantially completed our audit work, with only the following matters outstanding

- subsequent events review;
- receipt of management's representation letter (attached); and
- receipt of signed Directors' Declaration and Directors' Report.

We expect to sign an unqualified audit report after these matters are completed. We take this opportunity to extend our appreciation to the finance team for their assistance and cooperation during the course of the audit.

without our prior written consent. No warranty is given to, and no liability will be accepted This report has been prepared for the Committee of Torres Cape Indigenous Council Alliance (TCICA) Inc only. It should not be quoted or referred to, in whole or in part, from, any party other than Torres Cape Indigenous Council Alliance (TCICA) Inc. This report should be read in conjunction with our audit engagement letter and any other formal correspondence addressed to the Committee regarding this

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Cairns QLD 4870

relationships we maintain with our clients. We want to hear feedback from our clients, both positive and negative, to ensure the services we provide exceed expectations.

If you receive our Client Voice Engagement Survey, we would greatly appreciate you taking the time to provide your feedback. We trust that you find this report informative and we appreciate the opportunity to be of If you have any queries or wish to discuss any issues further, please do not hesitate to service to you.

GRANT THORNTON AUDIT PTY LTD Yours faithfully

contact either Nick Rogers or me.

Hule Colles

Partner, Audit & Assurance Helen Wilkes

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Nick Rogers

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Manager D +61 7 4046 8878 E nick.rogers@au.gt.com

Areas of audit focus – summary

Revenue recognition Significant risk Yes Yes -	Focus area	Risk*	Management judgement	Material adjustments	Control recommendation	Control deficiency classification	Pending matters
	Revenue recognition	Significant risk	Yes	Yes	-		

Risk refers to Significant Risk or Other Risk (per Australian Auditing Standard ASA 315 Identifying and Assessing the Risks of Material Misstatement through Understanding the Entity and Its Environment)

Audit materiality

Materiality is the magnitude of a misstatement or omission from the financial report or related disclosures that the audit team believes would misstatement or omission. Our audit will be conducted based on a quantitative materiality. Materiality benchmarks are selected to represent make it probable that the judgement of a reasonable person relying on the information would have been changed or influenced by the the measure which is more relevant to users of the financial report.

Basis

Revenue

Legend

Significant deficiency

A significant deficiency is a deficiency, or combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those responsible for oversight of the association's financial reporting.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect, misstatements on a timely basis.

Represents process recommendations identified from our procedures which are not categorised as control gaps. Management recommendation

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Grant Thornton Australia | Audit Findings Report (AFR)



Revenue recognition

Account description	Туре	2022 \$000	2021 \$000	Risk	Management judgement
Revenue	Income	562	286	Significant risk	Yes

Details of risk

Presumed fraud risk

Significant balance

How our audit addressed the key audit matter

Key procedures included:

- We obtained an understanding of and evaluated the design and implementation of key controls
- We performed test of detail procedures over significant revenue streams by agreeing to supporting documentation (e.g. contract, receipt in the bank or remittance advice)
- We performed an analytical review of significant revenue streams
- We performed cut off testing
- We assessed the recoverability of receivables
- We assessed compliance with the recognition
 measurement and disclosure requirements of AASB 15
 Revenue from Contracts with Customers and AASB 1058
 Income of Not-for-profit Entities

Conclusions

Revenue has been recognised and disclosed in accordance with AASB 15 Revenue from Contracts with Customers and 1058 Income of Not-for-profit Entities.

Current year recommendations

The following recommendations have been made which identified potential control weakness for consideration but also identified opportunities for future efficiencies and strengthening of controls.

Area	Control deficiency classification	Observation and implication	Recommendation
Lack of access to CBA bank account	•	During the year management identified the existence of a Commonwealth Bank account with an estimated value of \$9,756 that was not recorded within the Association's general ledger. Management have subsequently recognised this estimated amount within the general ledger.	Management should take immediate steps to gain access to this account to ensure that all funds are accounted for and recognised within the Association's books and records.
		As at the date of this report management have been unable to access this account or obtain bank statements for the account.	
		Without adequate support to substantiate this account it is not possible to determine the accuracy of the account balance.	

Legend

Significant deficiency

A significant deficiency is a deficiency, or combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those responsible for oversight of the association's financial reporting.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect, misstatements on a timely basis.

9

Current year recommendations

The following recommendations have been made which identified potential control weakness for consideration but also identified opportunities for future efficiencies and strengthening of controls.

Area	Control deficiency classification	Observation and implication	Recommendation
Opening balances	•	The Association's accounts are maintained in Xero with year end and other adjustments being recorded and maintained by the contract accountants in a ledger separate to Xero.	Management should ensure that once the adjustments for the financial year are finalised these are entered in Xero to ensure that opening balances in the ledger are accurate at
		We identified that the year end adjustments were not recorded in Xero, and therefore the opening balances in Xero do not agree to the signed 2021 financial statements. We note however that the opening balances are correct in the financial statements.	the beginning of each year.
		As a result of the use of two separate systems there is a risk that not all transactions are being captured correctly in the Xero file.	

Legend

Significant deficiency

A significant deficiency is a deficiency, or combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those responsible for oversight of the association's financial reporting.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect, misstatements on a timely basis.

Grant Thornton Australia | Audit Findings Report (AFR)

Prior year recommendations

No prior year recommendations were identified by the previous auditors.

Legend

Significant deficiency
 A significant deficiency is a deficiency, or combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those responsible for oversight of the association's financial reporting.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect, misstatements on a timely basis.

Represents process recommendations identified from our procedures which are not categorised as control gaps.



Schedule of uncorrected misstatements

No uncorrected misstatements were noted in our audit of the financial statements.

Disclosure deficiencies

No material disclosure deficiencies were noted in our audit of the financial statements.

Grant Thornton Australia | Audit Findings Report (AFR)

Schedule of corrected misstatements

o N	No. Description	DR \$	CR \$
_	Wages and salaries expense Superannuation expense Accrued expenses To recognise accrued wages and salaries expenditure at 30 June 2022.	8,666.30 1,039.96	9,706.26
8	QRA – Regional Resilience Project JCU Grant Deferred revenue To recognise contract liabilities at 30 June 2022.	12,790.81 8,783.85	21,574.66



Developments in financial reporting

Listed below are new accounting standards that may impact on the Association in future reporting periods.

Standard	Application from annual periods beginning on or after	Links for further information
AASB 1060 General Purpose Financial Statements – Simplified Disclosures for For-Profit and Not- for-Profit Tier 2 Entities	1 July 2021	
AASB 2020-1 Amendments to Australian Accounting Standards –	1 January 2022*	
Classification of Liabilities as current or Non-current	* The mandatory effective date has been deferred to 1 January 2023 by AASB 2020-6	
IFRS 17 Insurance Contracts	1 January 2023	TA Alert 2017-03 Get ready for IFRS 17 (June 2017)

Technical Accounting (TA) Alerts and other technical resources

We understand the task of keeping up with changes can be daunting, particularly given the length of some of the new standards; to assist you with this we publish TA Alerts on our website: www.grantthornton.com.au.

TA Alerts also cover some contentious / difficult accounting concepts which the technical teams of both Grant Thornton International and Grant Thornton Australia have received a number of queries requiring guidance or clarification.

In addition, there are a range of other IFRS / technical resources available on our website, including:

- Impairment of Assets A guide to applying IAS 36 in practice
- In practice
 Under control? A Practical guide to applying IFRS 10 consolidated Financial Statements
- Deferred tax: A Chief Financial Officer's guide to avoiding the pitfalls

Navigating the accounting for business combinations: Applying IFRS 3 in practice

- AASB 107: Statement of Cash Flows A guide to avoiding common pitfalls and application issues
- AASB 132: Financial Instruments Presentation Liability or equity?
- Intangible Assets in a Business Combination Identifying and Valuing Intangibles under IFRS/AASB 3: Business Combinations
- Example financial statements
- Insights into IFRS 15

Grant Thornton also has dedicated technical resources / National Assurance Quality which you can get in touch with via your local audit contact or directly by email: National.Assurance.Quality@au.gt.com.



Introduction of Simplified Disclosures Removal of Special Purpose and

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In March 2020, the AASB issued AASB 2020-2 Amendments to Australian Accounting Standards - Removal of Special Purpose Financial Statements for Certain for-Profit Private Sector Entities and AASB 1060 General Purpose Financial Statements – Simplified Disclosures for For-Profit and Not-for-Profit Tier 2 Entities. Both of these standards are effective (and mandatory) for annual periods beginning on or after 1 July 2021.

This is a major reform of the Australian financial reporting framework and a number of companies (including all those reporting under the requirements of the Corporations Act 2001) will now need to prepare general purpose financial statements (GPFS) that comply with all the recognition and measurement requirements in Australian Accounting Standards, including:

- Consolidation
- Equity-method accounting
- Fair value of investments (esp. equities)
- Share-based payments
- Debt/equity accounting for compound financial inchanges.
- es) Impairment of goodwill

Entities affected by the removal of SPFS

The removal of the reporting entity concept applies to:

- for-profit private sector entities that are required by legislation to prepare financial statements that comply with either Australian Accounting Standards (AAS) or accounting
- other for-profit private sector entities that are required only by their constituting document
 or another document to prepare financial statements that comply with AAS, provided that
 the relevant document was created or amended on or after 1 July 2021; and
 - other for-profit entities (private sector or public sector) that elect to prepare GPFS.

Effective date & transition

This standard applies to annual reporting periods beginning on or after 1 July 2021 (meaning that it is first mandatory for full years ending on or after 30 June 2022).

Early adoption is permitted with transitional concessions available for entities adopting for financial periods ending before 30 June 2022. We recommend that early adoption be contemplated, given the benefit of spreading the additional transition reporting effort over multiple periods rather than incurring all effort in a single period.

Simplified disclosure framework

In conjunction with the removal of SPFS the AASB has further simplified Tier 2 requirements as the issuance of AASB 1060.

Key highlights under this new disclosure regime:

- New single stand-alone standard replacing RDR (with minor reduction in disclosures);
- Applies to all Tier 2 entities, including NFPs and Public Sector;
- Based on IFRS for SMEs, but retains recognition and measurement requirements of full IFRSs: and
- Statement of Changes in Equity optional in certain circumstances.

It is important to note that AASB 1060 does not change (1) which entities are permitted to apply Tier 2 reporting requirements; or (2) the recognition and measurement requirements of Tier 2 (which remains the same as for Tier 1).

Potential impacts, high level summary

The following are examples as to the high level impact of these changes:

- Various changes to disclosures in your financial report (including information such as disclosing related party transactions and total remuneration of KMP);
- For some, it may represent the first time application of consolidation and equity-method accounting at the parent entity level, and these consolidated financial statements becoming publicly available for the first time;

Grant Thornton is available to assist you through this transition.

Regulation of auditing in Australia

ASIC audit inspections and reporting

percentage of the key audit areas that ASIC reviewed where ASIC's focus is on listed companies and its selection of files interest entities. This surveillance led to material changes to misstatement. ASIC's findings do not necessarily mean that hat the audit opinion was incorrect. Rather, in ASIC's view, financial reporting surveillance reviews which is a separate hese reviews have moved to a 12 month reporting period. he financial reports audited were materially misstated nor he auditor may not have a sufficient basis to support their assurance that the financial report was free from material is risk based. ASIC presents its inspection findings as a ASIC undertakes periodic inspections of the audit firms, it considers that an audit firm did not obtain reasonable isk-based surveillance of the financial reports of public 4 - 5% of these financial reports reviewed for financial opinion on the financial report. ASIC also undertakes reporting periods in the 12 months to 30 June 2020.

Across the firms inspected overall, the largest numbers of our findings were in the following areas:

- the audit of asset values, particularly impairment of nonfinancial assets—especially challenging the reasonableness of any forecasts, key assumptions, and the basis of valuation; and
- the audit of revenue—including accounting policy choices, substantive analytical procedures and tests of actoria

Regulation of auditing in Australia

In November 2020, the parliamentary joint committee released their final report. The recommendations included:

- Revising ASIC's framework for reporting inspection findings, with a focus on transparency and relative severity of identified audit deficiencies;
 - Making all inspection reports for the Largest 6 firms publicly available;
- Refining the independence regulations to include a list of prohibited non audit services;
- Requiring the auditors independence declaration to specifically indicate no non-audit services were performed;
- Revising the ethical code to include safeguards that preclude incentives for audit partners to sell non-audit services:
- Requiring audit tenure disclosure in the annual reports; Implementing a mandatory tendering regime, such that a public tender process is undertaken every 10 years at a

minimum:

- Initiating formal review of the reporting requirements relating to going concern and detection and prevention of fraud;
- Strengthening the reporting requirements relating to the internal control frameworks for both management and auditors; and
- Making digital financial reporting a standard practice within Australia.

Inspection or surveillance of your accounts and audit

Your audit has not been subject to ASIC inspection during the past year.

Our focus on audit quality

Grant Thornton is driving audit quality through initiatives such as:

- 01 Investing in new technologies
- More rigorous client acceptance and re-acceptance processes
- 03 More rigorous root cause analysis
- 04 Further enhancing our own internal quality monitoring programs
- Re-balancing our training to ensure more face-to-face, partner-led, case study workshop style sessions in conjunction with our online modules and on the job training

Further information can be found in our annual transparency report – Click Here.

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Fraud risk

Scope of audit services regarding fraud

In accordance with Auditing Standard ASA 240, our required objectives with regards to fraud are:

- to identify and assess the risks of material misstatement of the financial report due to fraud;
 - to obtain sufficient appropriate audit evidence regarding fraud, through designing and implementing appropriate the assessed risks of material misstatement due to responses; and
 - to respond appropriately to fraud or suspected fraud identified during the audit

Risk of management override of controls

nevertheless present in all entities. Due to the unpredictable material misstatement due to fraud and thus a significant way in which such override could occur, it is a risk of Although the level of risk of management override of controls may vary from entity to entity, the risk is

Responsibility of the Committee and management

maintaining a system of internal control to prevent, or detect risk of fraud within the Association, and are responsible for Committee and management are required to consider the material misstatements to the financial statements arising from instances of fraud.

How serious are risks of fraud?

The 2018 Global Fraud Survey conducted by the Association of Certified Fraud Examiners demonstrates the risk and impact of fraud:

\$152,000

misappropriation of assets Median loss from schemes

\$1,067,000 Median loss from financial statement fraud schemes

16 months Median duration of a fraud scheme

Cases initially detected by tips

What have we done in our audit to address the risk of fraud?

- Considered conditions present that increase the risk
- regarding the risk or existence of fraud, policies and Conducted planning discussions with management procedures in place to prevent and detect fraud.
- regard to the risk of fraud, noting revenue recognition is Planned the nature and extent of our audit tests having required to be an assumed fraud risk.
 - Reviewed accounting estimates for management bias.
 - Evaluated the business rationale for unusual transactions.
- Maintained professional scepticism throughout the audit.
 - Reviewed the appropriateness of journal entries and year-end accounting adjustments.
 - Evaluated if any identified audit misstatements are indicative of fraud.
- Incorporated unpredictable audit procedures into our audit plan and testing.

Conclusion

and belief there have been no instances of fraud during the Management confirmed that to the best of its knowledge period, and our procedures did not uncover any matters to report. 14

Related party transactions

Matters for Grant Thornton to consider	Description	Exceptions
The policies and practices management uses to account for related party transactions	The quality of the Association's policies and practices over identifying related parties and evaluating related party transactions is sound.	No
Related party transactions that have not been authorised or approved We have in accordance with the Association's policies and practices	We have not become aware of any such transactions.	No
Related party transactions for which exceptions to the Association's policies and practices were granted	We have not become aware of any such transactions.	No
Evidence obtained by the audit team to support or contradict management's disclosure that transactions with related parties were conducted on terms equivalent to those prevailing in an arm's-length transaction	No non-arm's length related party transactions were identified.	N
Related party transactions that appear to lack business purpose	We have not become aware of any such transactions.	No

Grant Thornton Australia | Audit Findings Report (AFR)



Communication of audit matters with those charged with governance

In accordance with Auditing Standards, we are required to communicate a number of matters with those charged with governance which is covered by our Audit Planning Memorandum, within this Audit Findings Report, and in the table below.

Matters for Grant Thornton to consider	Description	Exceptions
Irregularities and illegal acts	We have not become aware of any material irregularities or illegal acts	•
Non-compliance with laws and regulations	We have not become aware of any material non-compliance with laws and regulations	•
Access to books and records, and conduct of audit	We have been presented with all the necessary books and records and explanations requested of management	•
Appropriateness of accounting policies	We have not detected any material deficiencies in the accounting policies disclosed. There have been no significant changes in significant accounting policies or their application during the year.	•
Material uncertainties and going concern	We have not detected any material deficiencies in management's assessment of the going concern assumption	•
Disagreements with management	We have had no disagreements with management. No exceptions	•
Difficulties encountered during the audit	There were no difficulties encountered during the audit	•
Consultation with other accountants	We are not aware of any consultations about accounting or auditing matters between management and other independent public accountants, nor are we aware of opinions obtained by management from other independent public accountants on the application of generally accepted accounting principles.	•
Expected modifications / exceptions to the audit report	No exceptions	•

^{*} Reference to 'material' implies the exception would cause the financial report to be materially misstated

Grant Thornton Australia | Audit Findings Report (AFR)

Communication of audit matters with those charged with governance

independence and the provision of non-audit

regarding independence. All relationships and other matters firm, as appropriate, the firm, and when applicable, network firms have complied with the relevant ethical requirements We confirm that the engagement team and others in the auditor's professional judgement, may reasonably be Indigenous Council Alliance (TCICA) Inc. that in the between the firm, network firms and Torres Cape hought to bear on independence are on the right.

Council Alliance (TCICA) Inc. has access to our firm's wide Although we, the firm and our network firms, have provided no other services during the year, Torres Cape Indigenous ranging suite of services. All other services will be pre approved by the Audit Partner and those charged with governance as appropriate. The relevant rules and regulations regarding independence

- Section 307C of the Corporations Act 2001
- APES 110 Code of Ethics for Professional Accountants (including Independence Standards)



ASIC focus areas

COVID-19

- Asset valuation
- Impairment of non-financial assets
 - Value property assets
- Expected credit losses on loans and receivables
 - Value of other assets
- Provisions
- Assessments to solvency and going concern
 - Events occurring after year end and before completing the financial report

Accounting policy choices

- Revenue recognition, ensuring that it is reflective of the substance of the transaction.
- expensing of costs that should not be included in asset values, and only including items in other comprehensive income where permitted.
- Off-balance sheet arrangements, especially in relation to joint arrangements and disclosure relating to structured entities.
- Tax accounting.

Technical accounting alert

- For additional Grant Thornton insights on ASIC focus areas, refer to Grant Thornton Technical Publications.
- Grant Thornton Technical Publications.

Key disclosures

- Operating and financial review (OFR) should provide meaningful information about underlying drivers of results, business strategies and prospects.
- Non-IFRS financial information in the OFR or other documents outside the financial report should be in line with RG 230.
- Disclosures on estimation uncertainty and significant judgements should be tailored and adequate.
- Increase in surveillance for AASB 15, 9 and 16 disclosure requirements.

New financial reporting reforms for charities registered with the ACNC

On 30 June 2021, the Assistant Treasurer announced new financial reporting reforms for charities registered with the ACNC. In summary, the reforms announced are:

Reporting thresholds (from FY22)

\$250,000 to under \$500,000 and medium charities from under \$1 million to under \$3 million from A lifting of the financial reporting tier annual revenue thresholds for small charities under the 2021-22 financial year onwards.

Key management personnel compensation (from FY22)

remuneration paid to those personnel on an aggregated basis in their Annual Information Large charities with two or more key management personnel will be required to report Statement from the 2021-22 financial year onwards.

Related party transactions (from FY23)

All charities will be required to report related party transactions in their annual reporting to the ACNC from the 2022-23 financial year onwards.

Further details of the media release are available in the link below.

https://ministers.treasury.gov.au/ministers/michael-sukkar-2019/media-releases/cutting-red-tapecharities

Grant Thornton also has dedicated technical resources / National Assurance Quality which you can get in touch with via your local audit contact or directly by email: National. Assurance. Quality @au.gt.com.



Your business deserves the best support.

At Grant Thornton, care is just as important as capability because we believe that your experience is as important as the outcome.

We strive to provide a strikingly different experience – one that's more personal, proactive, authentic and agile. To achieve that, we focus on investing in and building our relationship with you.

With our values at the core, we seek out diverse perspectives and challenge when necessary to deliver positive progress for your business. No matter your industry, business lifecycle stage, market or growth plans, our experienced professionals are dedicated to achieving the best outcome for you and your stakeholders.

Values-led for better outcomes for you and the community

Together, our purpose and values serve as our driving force and guidepost for all our interactions so that your business, our wider community and people within our own organisation have a strikingly different experience.

Our purpose and values articulate what is important to us and how to shape a better future.



at 30 September 2021

at 30 June 2020



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- **13. General Discussion**
- 14. Close of Meeting