

Date: 11 May 2024

COMPLAINT: Regarding Mareeba Shire Council's handling of my Topic

My Details: Joanna Martin, 451 Oak Forest Road. Kuranda, jo@ojoonline.com, 0401 423 573

My Topic: Anzac Park, Kuranda (AKA Rotary Park, Botanical Garden, Hidden Jewel, Green Jewel)

My Documents:

All correspondence – starting at the bottom 27 October 2023, in date order

- **9 May 2024:**
 - [Email to Council re Tender for works](#)
- **7 May 2024:**
 - [Email to Council asking about engagement re project](#)
- **26 April 2024:**
 - [Email reply to Council regarding misunderstanding about safety of vertical rock wall](#)
- **24 April 2024:**
 - [Call from Council to provide clarification for “large rocks will remain and will be re-arranged”](#)
 - [Email to Council asking for clarification on the phrase “large rocks will remain and will be re-arranged”](#)
- **14 – 24 April 2024:**
 - [Email thread with Council regarding retaining the vertical rock wall](#)
 - [KRPG Anzac Park / Village CBD Kuranda April 2024 DRAFTv1.0](#)
- **3 April 2024:**
 - [Letter to Councilors, RE: Anzac Park, Kuranda \(AKA Rotary Park, Botanical Garden, Hidden Jewel, Green Jewel\)](#)
- **25 January 2024:**
 - [Email to MSC, RE Kuranda “Anzac Park” Fountain to be demolished](#)
- **27 October 2023:**
 - [List from MSC, RE: Kuranda Community Engagement RE: Anzac Park/ Therwine Street](#)

SOURCE: <https://kurandaregion.org/anzac-park-kuranda/>

** My complaint below requires that readers open and read each of the correspondence links above to provide context, before continuing.**

Overview

Community consultation undertaken by council October 2023 regarding the topic ‘Anzac Park’ did not include a) the demolishing of the fountain or b) tearing up the paved pathways to replace with concrete. These components of the project were declared a *fait accompli* at the beginning of the community consultation period and were not up for explanation or discussion with community members at the sessions provided by council.

The legislation below gives an outline for how local government should act as elected representatives on behalf of communities. In my experience, regarding the community consultation on this project, I am disappointed council has been unable to address my considerations and, in fact, has avoided dealing at all with the logical compromise I provided, at length.

**Your Document,
The Local Government Principles and Values**

Page 4: The legislation is founded on five local government principles with which councillors must comply while performing their roles as elected representatives. These principles are listed below:

	Local Government Principles and Values	My Comment
1.	Transparent and effective processes, and decision making in the public interest	The public interest is The Rotary Club of the previous generation (individuals now passed on) started a project on park land (1990s) and I feel we are now being remiss to not treat the site with respect for what came before these later proposed works (now). <i>ie. We can't be ripping up and replacing what came before, every generation, to spend funding dollars. We need to look at longer timeframe maintenance schedules for public assets and infrastructure.</i>
2.	Sustainable development and management of assets and infrastructure, and delivery of effective services	Number 2 is used by council to counteract anything that is not according to their own plans, eg. "delivery of effective services" is interpreted by council as [cost effective] every time. <i>ie. In this instance my compromise proposal is more cost effective, ie. it's cheaper to not demolish the fountain in full.</i>
3.	Democratic representation, social inclusion and meaningful community engagement.	My original email to all councillors was replied to by the Mayor only. No other councillor's comments were received by me - so I have no idea if anyone else agrees with my proposal, parts thereof, or can add any additional comments or suggestions to continue with a meaningful engagement. <i>ie. I don't feel that the councillors have been given any leverage on my topic as elected representatives.</i>
4.	Good governance of, and by, local government	This point alludes to 1,2 and 3 above being executed correctly. <i>ie. I have not been provided with any rebuttal information, at all, to my proposed compromise – I have only been ignored – see correspondence.</i>
5.	Ethical and legal behaviour of councillors and local government employees.	See above.

This Code of Conduct provides a set of values that describe the types of conduct councillors should demonstrate to ensure their compliance with the local government principles. These values are listed below:

1. In making decisions in the public interest, councillors will:

• make decisions in open local government meetings	I have not been privy to any discussion / decisions on my topic.
• properly inform relevant personnel of all required information	I have not been given any reason why my compromise has not been accepted by council.
• make decisions in accordance with law and policy	Unknown. I am a member of the General Public.
• commit to exercising proper diligence, care and attention.	I don't feel myself or my topic has been dealt with diligence, care or attention by council.

2. To ensure the effective and economical delivery of services, councillors will:

• manage local government resources effectively, efficiently and economically	More economical for council to adopt my proposed compromise.
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<ul style="list-style-type: none"> • foster a culture of excellence in service delivery. 	I don't believe council is service delivery oriented, excellence or otherwise, in this instance.
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3. In representing and meaningfully engaging with the community, councillors will:

<ul style="list-style-type: none"> • show respect to all persons 	I know councillors are <i>just doing their job</i> but I feel the lack of engagement *allowed for councillors is not part of the process.
<ul style="list-style-type: none"> • clearly and accurately explain the local government's decisions 	Hasn't happened in regard to my proposed compromise.
<ul style="list-style-type: none"> • accept and value differences of opinion. 	Hasn't happened in regard to my proposed compromise.

4. In exercising good governance, councillors are committed to:

<ul style="list-style-type: none"> • the development of open and transparent processes and procedures 	Has been nothing open or transparent about the processes and procedures of my topic.
<ul style="list-style-type: none"> • keeping clear, concise and accessible records of local government decisions. 	I am waiting to see the records (with reasons) of why my proposed compromise has not been accepted by council.

5. To meet the community's expectations for high level leadership, councillors will:

<ul style="list-style-type: none"> • be committed to the highest ethical standards while performing their official duties 	Alludes to points 1 – 4 above being met satisfactorily.
<ul style="list-style-type: none"> • uphold the system of local government and relevant laws applicable to it. 	Alludes to points 1 – 4 above being met satisfactorily.

This Code of Conduct also sets out standards of behaviour aimed at helping councillors understand how the principles and values are put into practice while performing their official duties as elected representatives.

In Summary

Unfortunately I have been put in an unenviable situation where I, as a community member, am trying to defend the intention of the previous generation, ie. The Rotary Club, on this historical project on public land. While council readily spouts "safety" and "low maintenance" as incontestable reasons for all their decisions, good or bad, in this instance I must insist that we address my compromise that has been thoughtfully and reasonably submitted to council.

It may not seem like much to people working in offices but for our community this park forms our ongoing commitment to heritage; and the intention to make our public spaces more scenic and enjoyable for all.