



Ordinary Meeting

Council Chambers
Date: 25 January 2017
Time: 9:00am

AGENDA

THE ORDINARY MEETING OF THE MAREEBA SHIRE COUNCIL WILL BE HELD AT COUNCIL CHAMBERS, ON WEDNESDAY, 25 JANUARY 2017 AND THE ATTENDANCE OF EACH COUNCILLOR IS REQUESTED.

PETER FRANKS
CHIEF EXECUTIVE OFFICER

ORDER OF BUSINESS

MEMBERS IN ATTENDANCE

APOLOGIES/LEAVE OF ABSENCE/ABSENCE ON COUNCIL BUSINESS

BEREAVEMENTS/CONDOLENCES

DECLARATION OF ANY MATERIAL PERSONAL INTERESTS/CONFLICTS OF INTEREST

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CHIEF EXECUTIVE OFFICER

ITEM-1 **REEDLODGE PTY LTD'S REQUEST TO PURCHASE A PORTION OF THE RESERVE FOR LOCAL GOVERNMENT PURPOSES (AGED HOUSING) LOT 320NR7137**

MEETING: Ordinary

MEETING DATE: 25 January 2017

REPORT OFFICER'S TITLE: CEO

DEPARTMENT: Office of the Chief Executive Officer

EXECUTIVE SUMMARY

The Council was approached in June 2016 by Mr Pietro Girgenti, acting on behalf of his client, Reedlodge Pty Ltd, requesting that Council reconsiders its position regarding their request to purchase a portion of the Reserve for Aged Housing (Lot 20NR7137). Council had been approached in January 2015 and had determined that it did not support the sale of this land set aside specifically for Aged Housing.

At the November 2016 Council meeting consideration of a report providing Council with a summary, in chronological order, of documentation and events related to Reedlodge Pty Ltd's request to purchase a portion of the Reserve for Aged Housing (Lot 20NR7137) was deferred to the January 2017 meeting. The report is attached (Attachment 4) for Council's reference. The attachments to this report were deemed Confidential and remain so.

Councils determination is restricted to whether or not it requires the said portion of land, either now or at some time in the future for Aged Housing.

Council is not in a position to determine whether or not the use of the land should be changed from residential to some other use, i.e. commercial. For such a process to occur a Material Change of Use (Impact Accessible) application would have to be lodged, formal advertising done - giving submitters legal appeal rights, a detailed officer assessment and full report prepared Councils consideration.

OFFICER'S RECOMMENDATION

"That Council determine if they wish to change their position regarding the request by Reedlodge Pty Ltd to purchase a portion of the Reserve for Aged Housing (Lot 20NR7137)."

BACKGROUND

The Council was approached in January 2015 by Mr Pietro Girgenti, acting on behalf of his client, Reedlodge Pty Ltd, essentially requesting that Council supports their request to purchase a portion of the Reserve for Aged Housing (Lot 20NR7137). The actual request was for written input and reply to four questions. These questions related to Council's view on the revocation of the reserve, what Council's immediate plans were for the use of the reserve, if DNRM sold them the land would Council agree to the amalgamation of the said land with lot 78SP152626 and finally if Council had undertaken public works on Lot 20 as defined in the Native Title Act 1993. A copy of the letter is attached as Attachment 1.

The request was discussed by Councillors at a workshop at the beginning of February 2015 and the view of the Councillors was that the Reserve should be retained for its intended purposes and would not support its freeholding.

Mr Girgenti was written to on 4 February 2015 and informed of this. The specific questions were not responded to as they were not pertinent given Council's position was that it wished to retain trusteeship the land and did not support its freeholding and sale. (Attachment 2)

A series of correspondences then ensued and these are detailed in the previous report (Attachment 4.)

On 1 June 2016 Mr Girgenti again approached Council and requested that they reconsider their position with regard to this portion of the Reserve for Aged Housing (Lot 20NR7137). It was determined that before a decision would be made certain information would be required. This information was to be sourced from Reedlodge's solicitors and from various State Government departments. Girgenti Lawyers responded providing information on 12 September 2016. The information from the State Government Departments had to be sought through a formal Request For Information (RTI) process. To date the majority of the State Government Departments have responded and certain information supplied. This was provided to Council in the November 2016 report. However some information is still outstanding and in addition certain matters have been referred to the Information Commissioner for review.

For Councillors reference attached is a plan of the said lot with an indicative layout for the development of three (3) further aged housing units on the said lot (Attachment 3).

Council's determination is restricted to whether or not it requires the said portion of land for Aged Housing or some other public purpose, either now or at some time in the future.

Council is not in a position to determine whether or not the use of the land would be better utilized if changed from residential to some other use, i.e. commercial. For such a process to occur a Material Change of Use (Impact Accessible) application would have to be lodged which would then involve, amongst other steps, the formal advertising done - giving submitters legal appeal rights, a detailed officer assessment and full report prepared Council's consideration.

LINK TO CORPORATE PLAN

N/A

CONSULTATION*Internal*

Councillors

Executive Management Team

External

Preston Law

King and Company

Department Transport and Main Roads

Department of Natural Resources and Mines

Department of Infrastructure Local Government and Planning

LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS*Capital*

Nil

Operating

Nil

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

1. Letter from Girgenti Lawyers 6 January 2015
2. Councils response to Girgenti Lawyers letter
3. Map of said portion with indicative layout of 3 Units
4. November 2016 Council Report
- 5.

Date Prepared: 05/01/2017

ATTACHMENT 1



freecall: 1800 123 LAW
www.girgentilawyers.com.au

Our Ref: PAG:YCR:EAB:142047 M
Your Ref:

6 January 2015

The Chief Executive Officer
Mareeba Shire Council
65 Rankin Street
MAREEBA QLD 4880

COMMERCIAL IN CONFIDENCE

Dear Sir/Madam

APPLICATION TO PURCHASE STATE LAND - LOT 20 ON NR7137

We refer to the above matter and advise that we act on behalf of Reedlodge Pty Ltd ACN 089 077 403 (hereafter "Reedlodge") in relation to various matters.

Reedlodge has made application with the Department of Natural Resources and Mines (hereafter "DNRM") to purchase part of Lot 20 on NR7137 (hereafter "Lot 20"). It is intended that the land to which the application relates, and other lands, be amalgamated with Lot 78 on SP152626.

Please find **enclosed** a survey plan showing the areas the subject of the application.

In considering the application and other matters, the Department has requested our office write to seek Council's input and reply.

Lot 20 on NR7137

Lot 20 is a reserve held by the Mareeba Shire Council for the purposes of Aged Persons Homes. The development of Aged Persons Homes on the land is complete.

The triangular part of Lot 20, to which the application relates, is bordered to the east and west by Department of Transport and Main Roads rail and former rail corridor land.

It is noted that the roadways and houses within Lot 20 have been constructed in a manner which land locks and isolates that part of Lot 20 to which the application relates. Public vehicular access to the area cannot be constructed to that part of the lot, nor would that part of the lot be suitable for the construction of Aged Person Homes, as designated.

Brisbane Central Office
622 Wickham Street | PO Box 342
Fortitude Valley, Qld 4006
p 1800 123 529 | f 07 4051 4533

Cairns Office
14B Aplin Street | PO Box 6995
Cairns, Qld 4870
p 07 4051 3833 | f 07 4051 4533

Mareeba Office
222 Byrnes Street | PO Box 2086
Mareeba, Qld 4880
p 07 4092 3555 | f 07 4092 3455

Liability limited by a scheme approved under professional standards legislation.

Document Set ID: 3023693
Version: 1, Version Date: 06/01/2015

The applicant is therefore of the view that the triangular part of Lot 20 as surplus to the needs of the reserve. Further, given that the area is isolated, land locked, relatively small and oddly shaped, it is also not suitable for any other community purpose.

We seek your written input and reply to the following questions:

1. What is Council's view on the potential revocation of that part of the reserve?;
2. Does Council have any immediate plans to use that part of the reserve for any community purpose?;
3. If the application is considered favourably by DNRM, does the Council agree with the amalgamation of the land with Lot 78 on SP 152626?; and
4. Has the Council carried out any valid public works on Lot 20 as defined in the *Native Title Act 1993* (Cth)? If so, please provide evidence to support same.

We note the above is sensitive to both time and commercial confidentiality. In the interests of expediting this matter, please do not hesitate to contact the writer directly by email or telephone with any queries you may have.

We confirm your reply will be forward to the DNRM for their consideration.

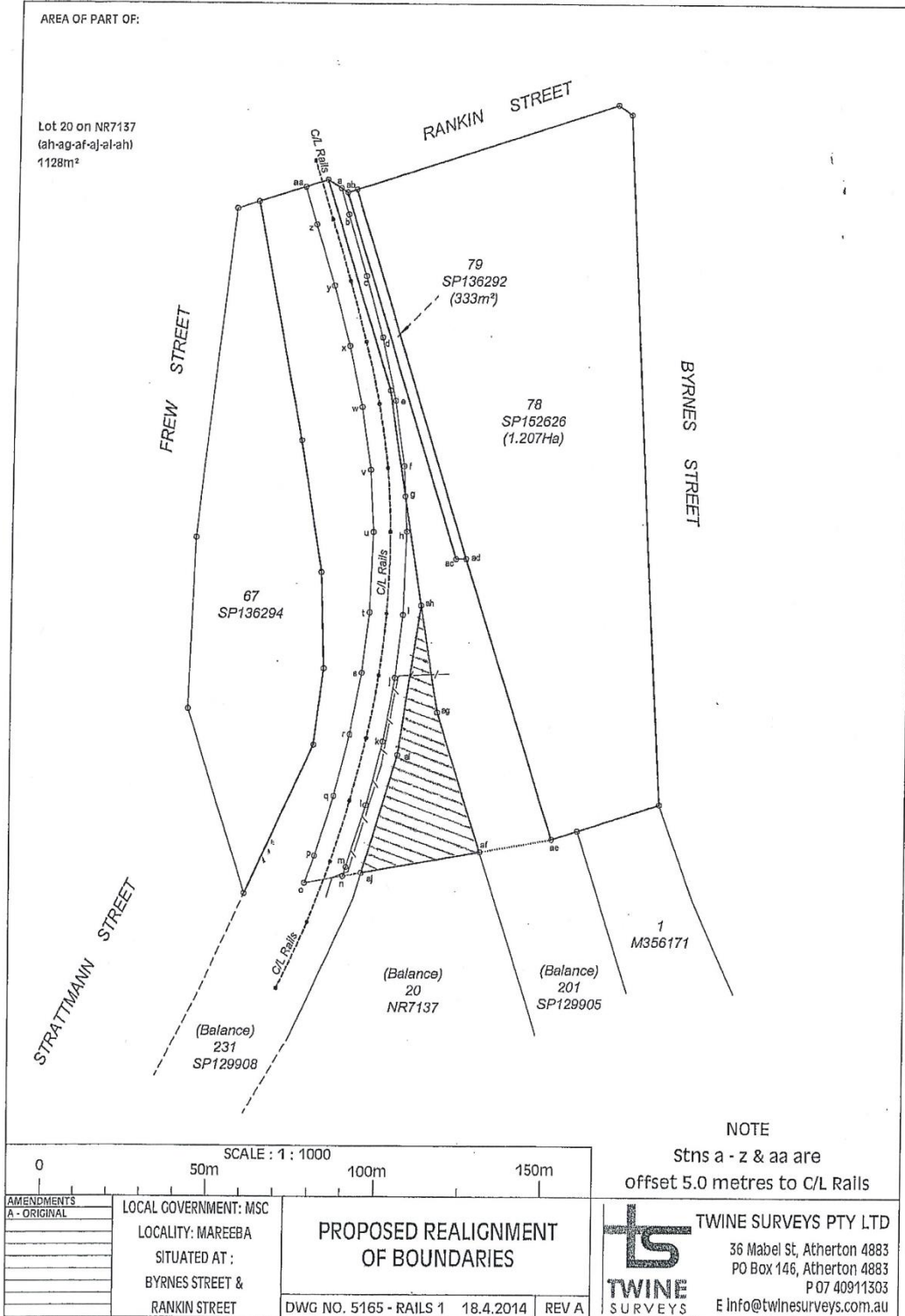
Thank you in advance for your timely reply.

Yours faithfully
Girgenti Lawyers



Pietro Girgenti | Legal Practitioner Director
pietro@girgentilawyers.com.au

Encl.



Document Set ID: 3023693
Version: 1, Version Date: 06/01/2015

ATTACHMENT 2

65 Rankin Street
PO Box 154 MAREEBA QLD 4880

P: 1300 308 461
F: 07 4092 3323

W: www.msc.qld.gov.au
E: info@msc.qld.gov.au

Council Ref: FAC-P&R-ACQ 3023691 PF:CB

Your Ref: PAG:YCR:EAB:142047 M

4 February 2015

Mr Pietro Girgenti
Legal Practitioner Director
Girgenti Lawyers
PO Box 2086
MAREEBA QLD 4880

Dear Mr Girgenti

APPLICATION FOR PURCHASE OF PART OF RESERVE LAND - MAREEBA

I refer to your letter to Council dated 6 January 2015 on behalf of Reedlodge Pty Ltd with regard to your enquiry about the possible acquisition of an area of Reserve land under the control of Council, namely Lot 20 NR7137, Parish Tinaroo.

I advise that Council wishes to retain this area of land and as a consequence will not support its freeholding.

Should you wish to discuss any aspect of this matter further, please contact me on 4086 4611.

Yours faithfully



PETER FRANKS
CHIEF EXECUTIVE OFFICER

ATTACHMENT 3



ATTACHMENT 4

Mareeba Shire Council

OFFICER'S REPORT

SUBJECT: A SUMMARY, IN CHRONOLOGICAL ORDER, OF DOCUMENTATION AND EVENTS RELATED TO REEDLODGE PTY LTD'S REQUEST TO PURCHASE A PORTION OF THE RESERVE FOR LOCAL GOVERNMENT PURPOSES (AGED HOUSING) (LOT 20NR7137)

MEETING: Ordinary

MEETING DATE: 16 November 2016

REPORT OFFICER'S TITLE: CEO

DEPARTMENT: Office of the Chief Executive Officer

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with a summary, in chronological order, of documentation and events related to Reedlodge Pty Ltd's request to purchase a portion of the Reserve for Aged Housing (Lot 20NR7137).

OFFICER'S RECOMMENDATION

"That Council receive the report."

BACKGROUND

While the purpose of the report is to cover the request to purchase a portion of the Reserve for Aged Housing (Lot 20NR7137), it should be noted that Reedlodge has been offered to purchase the portions of the rail corridors that boarder two sides this triangular portion of land they wish to acquire and that they own, in freehold lot 78SP152626 (232 Byrnes St). It should also be noted that Council has previously approved the development of a shopping centre on this later lot on two previous occasions as well as approving its subdivision. The later approval still being current.

Below, in a date order, is a list of events that have occurred. Where there has been correspondence involved this is included as attachments circulated separately to the Agenda;

Date	Details	Attachment
06.01.2015	Girgenti Lawyers, on behalf of Reedlodge Pty Ltd submit request for Council's views and input regarding an application made to DNRM to purchase state land, being a part of Lot 20 on NR7137 Reserve for Local Government - Aged Persons Housing - Mareeba	06.01.2015 Reedlodge writes to CEO regarding purchase of Lot 20 on NR7137.pdf
04.02.2015	Officers presented a brief at a workshop on this date	04.02.2015 Councillor Workshop Brief 04 02 2015 - Application.docx
04.02.2015	Letter to Girgenti Lawyers, on behalf of Reedlodge Pty Ltd response to request to acquire part of Lot 20 NR7137 (Aged Person Housing Reserve Mareeba) - advising Council wishes to retain land and will not support freeholding	04.02.2015 Response to correspondence received 06.01.2015.pdf
09.02.2015	Girgenti Lawyers, on behalf of Reedlodge Pty Ltd request further response to address initial queries regarding their application to DNRM to purchase state land - Lot 20 on NR7137 - (Aged Person Housing Reserve Mareeba)	09.02.2015 Girgenti Requests further information regarding correspondence received 04.02.2015.pdf
11.02.2015	Response to Girgenti Lawyers, on behalf of Reedlodge Pty Ltd regarding their request for further information surrounding Council's decision to retain Lot 20 on NR7137 - (Aged Person Housing Reserve Mareeba)	11.02.2015 Response to Girgenti Lawyers (acting for Reedlodge regarding correspondence received 09.02.2015).pdf
12.06.2015	Girgenti Lawyers, on behalf of Reedlodge Pty Ltd submit Right To Information Application regarding (a) planned use and future development of Lot 20 NR7137 (excl related to existing structures) and (b) planning for development of road on part of Lot 201 SP129905 Lot 78 SP152626	11.06.2015 Girgenti request RTI.pdf
12.06.2015	Council advises Girgenti Lawyers, on behalf of Reedlodge Pty Ltd that the Right To Information Application has deemed properly made with acknowledgement of their request to amend 2 of application as they are now not seeking access on someone's behalf. Advised that the decision date is 17/07/2015.	12.06.2015 Acknowledgement of RTI Application.docx
14.07.2015	Council advises Girgenti Lawyers, on behalf of Reedlodge Pty Ltd, that as per Section 37 of the Right to Information Act, Council will be consulting with a third party in relation to their Right To Information Application - RTI1506/01	14.07.2015 Girgenti Lawyers Advised of Progress of RTI Application and third party consultation.docx
29.07.2015	Council advises Girgenti Lawyers, on behalf of Reedlodge Pty Ltd of the outcome of their Right To Information Application - RTI1506/01	30.07.2015 Correspondence to Girgenti Lawyers regarding Decision Notice - RTI application.docx
29.07.2015	Information provided to Girgenti Lawyers, on behalf of Reedlodge Pty Ltd under their Right To Information Application	29.07.2015 Pdf final for release - RTI Application.pdf
03.09.2015	Letter from Department of Natural Resources and Mines to Girgenti Lawyers, on behalf of Reedlodge Pty Ltd regarding their request to purchase of land Lot 20 NR7137	03.09.2015 Letter from DNRM to Girgenti regarding purchase of land Lot 20 NR7137.pdf
02.10.2015	Email and attachments from Department of Natural Resources and Mines with request for submission by Council in relation to Reedlodge Pty Ltd acquiring Lot 20 NR7137	02.10.2015 email and attachments from DNRM with request for submission by Council - includes Girgenti submission.pdf
12.10.2015	Senior Planner Email to Manager Development and Governance Regarding Lot 20 NR7137	12.10.2015 Senior Planner Email to Manager Development and Governance regarding Lot 20 NR7137.pdf

Date	Details	Attachment
02.11.2015	Council responds to request for submission by DNRM with request for submission by Council in relation to Reedlodge Pty Ltd acquiring Lot 20 NR7137	02.11.2015 letter emailed to DNRM - response to Girgenti Submission.pdf
09.12.2015	Girgenti Lawyers submits complaint on behalf of Reedlodge Pty Ltd concerning the conduct of Council's Chief Executive Officer	09.12.2015 Girgenti Lawyers lodge complaint against CEO.pdf
09.12.2015	Mayor responds to Girgenti Lawyers in relation to their complaint on behalf of Reedlodge Pty Ltd concerning the conduct of Council's Chief Executive Officer	09.12.2015 Mayor responds to complaint regarding CEO and requests further information.pdf
12.12.2015	Department of Natural Resources and Mines response to Girgenti Lawyers, on behalf of Reedlodge Pty Ltd in relation to purchase part of Lot 20 NR7137	11.12.2015 DNRM response to Girgenti Lawyers in relation to purchase part of Lot 20 on MN7137 Reserve for Local Government (Aged Persons Home) Purposes (combined file).pdf
16.12.2015	Correspondence forwarded to King & Co Solicitors relevant to submission to the Mayor lodging a formal complaint concerning the conduct of the CEO relative to the acquisition by Reedlodge Pty Ltd of a portion of Lot 20 Nr7137 Aged Housing Reserve Mareeba	16.12.2015 Information sent to King and Co regarding complaint made against CEO.pdf
11.01.2016	Response to Girgenti Lawyers regarding their complaint Alleged unprofessional conduct of Council's CEO relative to acquisition by Reedlodge Pty Ltd of portion of land at Lot 20 NR7137 aged housing reserve	11.01.2016 Response to Girgenti Lawyers regarding complaint made against the CEO -.pdf
01.06.2016	Pietro Girgenti addressed the Councillors at a workshop	
11.07.2016	Preston Law Advises that all Council's Right To Information applications have been made	11.07.2016 Preston Law advises all RTI applications have been made.msg
12.07.2016	CEO advises no objection to Mareeba Shire Council being identified on Right To Information Applications	12.07.2016 CEO advises Preston Law no objection to being identified on RTI applications.msg
19.07.2016	Former Manager Development and Governance provides information including map outlining the current requests for land made by Girgenti Lawyers, on behalf of Reedlodge Pty Ltd, to the Department of Natural Resources and Mines.	19.07.2016 Former Manager Development and Governance regarding Girgenti - Rail Corridor.msg
20.07.2016	Preston Law provides an update on Right to Information Application	20.07.2016 Preston Law provides an update in relation to Right to Information Applications.msg
25.07.2016	Girgenti Lawyers forward follow-up email following a conversation with the CEO concerning a determination on the request of Reedlodge Pty Ltd to support the disposal of part of Aged Housing Reserve - Lot 20 NR7137 - Downs Street Mareeba and requests a response	21.07.2016 Girgenti confirms topic of conversation regarding decision to relinquish Lot 20 on NR7137.pdf
26.07.2016	CEO responds to Girgenti Lawyers regarding their correspondence 25/07/2016 in relation to Lot 20 NR7137 and advises that no time frame had been established as to when Council would make its decision in relation to Lot 20 NR7137	26.07.2016 Letter of response to Girgenti Lawyers regarding Lot 20 NR 7137.pdf
01.08.2016	Preston Law provides an update on Right to Information Application	01.08.2016 Preston Law provides an update on Right to Information Application (combined file).pdf

Date	Details	Attachment
02.08.2016	Preston Law advises Right to Information Access Application - Consultation Notice - 135/04316 - Department Transport and Main Roads has decided to consult with third party in relation to the application.	02.08.2016 RE Right to Information Application TMR (combined file).pdf
03.08.2016	Correspondence between Department Natural Resources and Mines and CEO regarding timeframes for a decision on Lot 20 NR7137	03.08.2016 Correspondence between DNRM and CEO regarding timeframes for a decision on Lot 20 NR7137.msg
09.08.2016	CEO writes to Girgenti Lawyers, on behalf of Reedlodge Pty Ltd following up on correspondence sent 26/07/2016 in relation to Lot 20 NR7137	09.08.2016 Follow up letter to Girgenti in relation to correspondence sent 26.07.2016.pdf
12.09.2016	Girgenti Lawyers, on behalf of Reedlodge Pty Ltd writes to CEO responding to request for information 26/07/2016	12.09.2016 Correspondence received from Girgenti Lawyers regarding Lot 20 NR7137 (combined file).pdf
12.09.2016	Preston Law provide an update on Department Natural Resources and Mines Right To Information Application	12.09.2016 DNRM Right to Information Application update (combined file).pdf
13.09.2016	CEO writes to Girgenti Lawyers, on behalf of Reedlodge Pty Ltd confirming correspondence and information has been forwarded to the Councillors	13.09.2016 CEO emails Girgenti Lawyers in response to their email received 12.09.2016.msg
14.09.2016	Preston Law Provides an update to Right To Information Applications	14.09.2016 RE Right to Information Application DNRM.msg
20.09.2016	Preston Law advises of the Decision Notice in relation to the Right To Information Application made to Department of Transport and Main Roads	20.09.2016 Preston Law advises of Right to Information Access application 13504316 - Decision Notice TMR (combined file).pdf
23.09.2016	Girgenti Lawyers acting on behalf of Reedlodge Pty Ltd submits response to email of 13/09/2016 and submit information request for material relative to Council's decision	23.09.2016 Girgenti Lawyers response to CEO's email 13.09.2016.pdf
27.09.2016	Girgenti Lawyers submit request for update on complaint lodged on behalf of Reedlodge Pty Ltd on 12/09/2016	27.09.2016 Girgenti Lawyers submit request for update on complaint made 23.09.2016.pdf
30.09.2016	CEO responds to Girgenti Lawyers acting on behalf of Reedlodge Pty Ltd submits response to email of 13/09/2016 and submit information request for material relative to Council's decision	30.09.2016 CEO responds to Girgenti Lawyers correspondence 23.09.2016.pdf
04.10.2016	Request by Girgenti Lawyers and Response by CEO advising Council's solicitors handling Right To Information Applications	04.10.2016 Request from Girgenti Lawyers and Response by CEO regarding solicitors handling RTI requests.pdf
09.10.2016	Preston Law provides update on Right To Information Application made to Department of Natural Resources and Mines	09.10.2016 Preston Law provides and update on Right to Information Application DNRM (combined file).pdf
12.10.2016	Correspondence between CEO and Preston Law in relation to Right To Information Applications	12.10.2016 correspondence between CEO and Preston Law in relation to RTI.msg
17.10.2016	Preston Law provides an update on Right to Information Application made to Department of Transport and Main Roads	17.10.2016 Preston Law provides and update in relation to RTI TMR.msg
18.10.2016	Department of Infrastructure, Local Government and Planning submits Notice of intent to consult with third party.	18.10.2016 Fw Notice of intent to consult - Right to information access application RTIP1617-017.msg
19.10.2016	Girgenti Lawyers, on behalf of Reedlodge Pty Ltd voices their concern about Council Right To Information requests made with various State Departments	19.10.2016 Girgenti Lawyers voice concern over Council RTI requests.pdf
31.10.2016	Preston Law provides and update in relation to Right To Information Applications	31.10.2016 Preston Law provides and updated in relation to Right to Information Applications (combined file).pdf

In addition to the information above the following information that has been requested and is still outstanding at the time of writing this report is as follows;

1. Department of State Planning – Third Party Consultation is being undertaken and a response is not due until 15 November 2016.
2. Department of Natural Resources and Mines – We have been advised that the decision has been finalised but requires approval from a supervisor who had to take unexpected leave. This decision is due to be provided to our solicitors office on 25 November 2016.
3. Department of Local Government, Infrastructure and Planning – a decision has been made and documents will be provided to Council in the next few days.
4. Application for review to the Office of the Information Commissioner regarding the Decision of Department of Transport and Main Roads. This application has been acknowledged by the OIC and will be processed and reviewed in due course. Unfortunately these matters can take months to process and an update will be provided to Council as soon as possible.

LINK TO CORPORATE PLAN

N/A

CONSULTATION

Internal

Councillors
Executive Management Team

External

Preston Law
King and Company
Department Transport and Main Roads
Department of Natural Resources and Mines
Department of Infrastructure Local Government and Planning

LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)

Given the majority of the correspondence from Girgenti Lawyers is marked as "Commercial - in - Confidence" these letters cannot be made public even though the information they contain is already in the public realm.

Secondly should Council wish to make the other attachments public certain correspondences and references to these in the report, between the CEO and our solicitors would have to be removed as they contain information that is protected under legal privilege.

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS*Capital*

Nil

Operating

Nil

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

1. Circulated separately to the Agenda

Date Prepared: 08/11/2016

CORPORATE AND COMMUNITY SERVICES

REGIONAL LAND USE PLANNING

ITEM-2 **CHANGE OF DEVELOPMENT APPROVAL - PRIME CONSTRUCTIONS QLD PTY LTD - MCU - BUSINESS (MEDICAL CENTRE) SHOPS (2 SPECIALTY STORES & 1 SUPERMARKET) & RESTAURANT - KAROBEAN DRIVE, MAREEBA - DA/13/0164**

MEETING: Ordinary

MEETING DATE: 25 January 2017

REPORT OFFICER'S TITLE: Senior Planner

DEPARTMENT: Corporate and Community Services

APPLICATION		PREMISES	
APPLICANT	Prime Constructions Qld Pty Ltd	ADDRESS	2-8 & 10 Karobean Drive, Mareeba
DATE REQUEST FOR CHANGE TO DEVELOPMENT APPROVAL LODGED	30 November 2016	RPD	Lot 1 & 2 on SP273691
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Business (medical centre), Shops (2 specialty shops and 1 supermarket) and Restaurant (café/restaurant)		

FILE NO	DA/13/0164	AREA	Lot 1 - 1,338m2 Lot 2 - 8,662m2
LODGED BY	Freshwater Planning Pty Ltd	OWNER	Lot 1 - MJ Services Pty Ltd Lot 2 - BTM&S Stankovich Pty Ltd
PLANNING SCHEME	Mareeba Shire Planning Scheme 2004 (amendment no. 01/11)		
ZONE	Hastie Road Business zone (Preliminary Approval REC/08/0012)		
LEVEL OF ASSESSMENT	Code Assessment		
SUBMISSIONS	n/a		

ATTACHMENTS:

1. Decision Notice dated 21 February 2014
2. Applicant's request to change development approval dated 30 November 2016

EXECUTIVE SUMMARY

Council approved a development application described in the above application details at its meeting held on 19 February 2014, subject to conditions.

The application was code assessable and was not required to undergo public notification.

Freshwater Planning Pty Ltd on behalf of the applicant has subsequently lodged an application to change the development approval with regard to the approved plans and makeup of Stages 2 and 3 of the Amaroo Village Shopping Centre.

The amended Stage 2 would provide additional business (medical support uses) floor space, a café and one (1) specialty shop (pharmacy) and would develop the Amaroo Village Shopping Centre into a full service health care precinct.

Amended Stage 3 would consist of the 600m² supermarket, 300m² restaurant, and one (1) specialty shop.

Statutory Guideline 06/09 (Substantially different development when changing applications and approvals) provides assistance to the assessment manager in determining if a proposed change constitutes a substantially different development. It is considered that the proposed change/s will not result in a substantially different development and constitute a permissible change under section 367 of SPA.

It is recommended that the application be approved in full and an amended Adopted Infrastructure Charges Notice (AICN) be issued in replacement of the existing AICN.

OFFICER'S RECOMMENDATION

"1. That in relation to the application to change the following development approval:

APPLICATION		PREMISES	
APPLICANT	Prime Constructions Qld Pty Ltd	ADDRESS	2-8 & 10 Karobean Drive, Mareeba
DATE REQUEST FOR CHANGE TO DEVELOPMENT APPROVAL LODGED	30 November 2016	RPD	Lot 1 & 2 on SP273691
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Business (medical centre), Shops (2 specialty shops and 1 supermarket) and Restaurant (café/restaurant)		

and in accordance with the Sustainable Planning Act 2009,

(A) The description of the approved development of Council's Decision Notice issued on 21 February 2014 be amended as follows:

Development Permit for Material Change of Use - Business, Shops and Restaurant in three (3) stages.

- (B) The approved plan/s of Council's Decision Notice issued on 21 February 2014 be amended as follows:

The approved plans and/or documents for this development approval area listed in the following table:

<i>Plan/Document Number</i>	<i>Plan/Document Title</i>	<i>Prepared by</i>	<i>Dated</i>
<i>TP6 A.1</i>	<i>Master Plan</i>	<i>Hunt Design</i>	<i>29/11/2016</i>
<i>TP6 A.2</i>	<i>Floor Plan</i>	<i>Hunt Design</i>	<i>29/11/2016</i>
<i>TP6 A.3</i>	<i>Roof Plan</i>	<i>Hunt Design</i>	<i>29/11/2016</i>
<i>TP6 A.4</i>	<i>Roof Plan</i>	<i>Hunt Design</i>	<i>29/11/2016</i>
<i>TP6 A.5</i>	<i>Roof Plan</i>	<i>Hunt Design</i>	<i>29/11/2016</i>
<i>DA-100A</i>	<i>Cover Sheet</i>	<i>TRG</i>	<i>23/08/13</i>
<i>DA-110A</i>	<i>3D Perspectives</i>	<i>TRG</i>	<i>27/09/13</i>
<i>DA-120A</i>	<i>3D Perspectives</i>	<i>TRG</i>	<i>30/09/13</i>
<i>DA-200A</i>	<i>Site Plan</i>	<i>TRG</i>	<i>25/09/13</i>
<i>DA-300A</i>	<i>Floor Plan</i>	<i>TRG</i>	<i>25/09/13</i>
<i>DA-400A</i>	<i>Elevations</i>	<i>TRG</i>	<i>21/08/13</i>
<i>DA-450A</i>	<i>Elevations</i>	<i>TRG</i>	<i>30/09/13</i>
<i>DA-500A</i>	<i>Roof Plan</i>	<i>TRG</i>	<i>27/09/13</i>
<i>SD.001</i>	<i>Cover Sheet - New Medical Centre</i>	<i>Peddle Thorp</i>	<i>13/06/13</i>
<i>SD.002</i>	<i>Site Plan</i>	<i>Peddle Thorp</i>	<i>13/06/13</i>
<i>SD.003</i>	<i>Ground Floor Plan</i>	<i>Peddle Thorp</i>	<i>13/06/13</i>
<i>SD.004</i>	<i>Roof Plan</i>	<i>Peddle Thorp</i>	<i>13/06/13</i>
<i>SD.005</i>	<i>Building Elevations</i>	<i>Peddle Thorp</i>	<i>13/06/13</i>
<i>SD.006</i>	<i>Building Elevations - Sheet 2</i>	<i>Peddle Thorp</i>	<i>13/06/13</i>
<i>SD.007</i>	<i>Building Sections</i>	<i>Peddle Thorp</i>	<i>13/06/13</i>
<i>SD.008</i>	<i>Artists Impression</i>	<i>Peddle Thorp</i>	<i>13/06/13</i>
<i>SD.009</i>	<i>Artists Impression</i>	<i>Peddle Thorp</i>	<i>13/06/13</i>
<i>DA-200 - Staging</i>	<i>Stage: Supermarket</i>	<i>TRG</i>	<i>25/09/13</i>
<i>DA-200 - Staging</i>	<i>Stage: Café/Restaurant</i>	<i>TRG</i>	<i>25/09/13</i>
<i>DA-200 - Staging</i>	<i>Stage: Medical Centre</i>	<i>TRG</i>	<i>25/09/13</i>

- (C) Condition 3.8 of Council's Decision Notice issued on 21 February 2014 be amended as follows:

3.8 Trolley Bays

For the Stage 3, adequate trolley bay areas must be provided on the site.

- (D) Condition 4.4 of Council's Decision Notice issued on 21 February 2014 be amended as follows:

4.4 Car Parking/Internal Driveways

The developer must ensure that the development is provided with 100 on-site car parking spaces which are available solely for the parking of vehicles associated with the use of the premises.

If the development is carried out in stages, the following minimum number of car parking spaces must be provided for the relevant stage:

- Stage 1 – 24 spaces
- Stage 2 – 80 spaces
- Stage 3 – 100 spaces

All car parking spaces must be sealed, line-marked and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.

Prior to the issue of a development permit for operational works and/or works commencing, the developer must submit engineering plans and specifications for the construction of proposed car parking facilities and internal driveways demonstrating:

Compliance with Australian Standard AS2890:1 Off-Street Parking – Car Parking Facilities;
Compliance with Australian Standard AS2890.3 Bicycle Parking Facilities;
Compliance with Australian Standard AS1428:2001 – Design for Access and Mobility.

- (E) Condition 2.3 of Council's Decision Notice issued on 21 February 2014 remain unchanged.

2. That an amended Adopted Infrastructure Charges Notice be issued for the following infrastructure Charges for:

Development Type	Rate	Measure	Charge	Credit	Credit Detail	Balance
	\$ per EDC/m ²	EDC/m ²				
Stage 1 - Medical Centre - contributions paid on 9/1/2015						
Water	\$3,790.00	1.156 EDC	\$4,820.50	\$4,820.50	Paid 9/1/2015	\$0.00
Sewerage	\$3,790.00	1.156 EDC	\$4,820.50	\$4,820.50	Paid 9/1/2015	\$0.00
Roads	\$34.193	318m ²	\$10,843.00	\$10,843.00	Paid 9/1/2015	\$0.00
Total for Stage 1						\$0.00

Stage 2						
Water	\$4,425.00	2.578 EDC	\$11,407.65	Nil	N/A	\$11,407.65
Sewerage	\$4,425.00	2.578 EDC	\$11,407.65	Nil	N/A	\$11,407.65
Roads	\$34.193	709m2	\$24,242.80	Nil	N/A	\$24,242.80
Total for Stage 2						\$47,058.10
Stage 3						
Water	\$4,425.00	3.545 EDC	\$15,686.60	Nil	N/A	\$15,686.60
Sewerage	\$4,425.00	3.545 EDC	\$15,686.60	Nil	N/A	\$15,686.60
Roads	\$34.193	1,000m2	\$34,193.00	Nil	N/A	\$34,193.00
Total for Stage 3						\$65,566.20

THE SITE

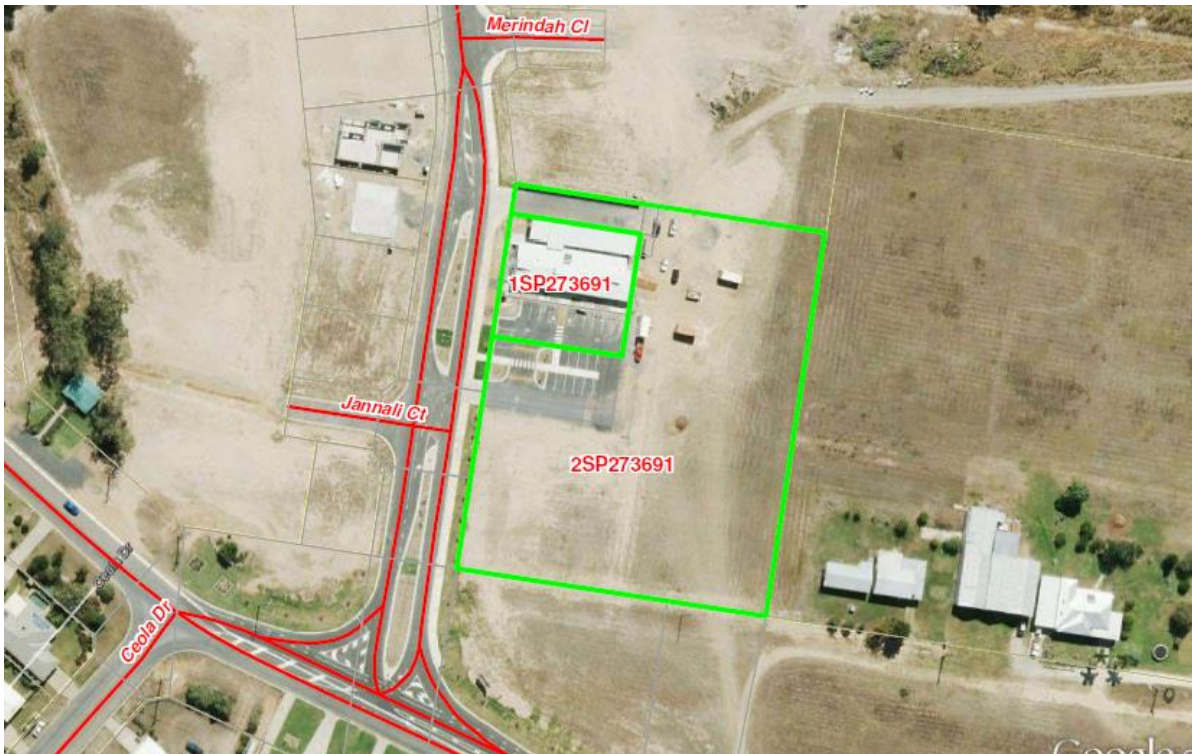
The subject land is described as Lot 1 & 2 on SP273691, Parish of Tinaroo, County of Nares, having a combined area of one (1) hectare and frontages of approximately 111 metres to Karobean Drive and 90 metres to Hastie Road.

The section of Karobean Drive fronting the subject land is two (2) lane median divided, asphalt sealed with layback kerbing. Hastie Road fronting the subject land is bitumen sealed with kerbing. A concrete footpath is constructed along the entire Karobean Drive frontage.

Access to the land is obtained from Karobean Drive via two (2) concrete commercial crossovers. No access is obtained from Hastie Road.

The subject land is flat and has been cleared of any notable vegetation. A medical centre and associated car parking infrastructure are established over the north-western corner of the subject land. All urban services are provided to each allotment.

Surrounding land is zoned Low Density Residential and being developed as a continuation of Amaroo Park estate.



Map Disclaimer:

Based on or contains data provided by the State of Queensland (Department of Environment and Resource Management) (2009). In consideration of the State permitting use of this data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws.



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BACKGROUND AND CONTEXT

On 11 February 2009, Council approved application REC/08/0012 made by Tableland Earthmoving and Raw Materials Pty Ltd (TERM) for preliminary approval for material change of use to vary the effect of the planning scheme and development permit for reconfiguring a lot - 1 lot into 1 business lot and 135 residential lots of land described as Lot 11 on SP211136, situated on Hastie Road and Emerald End Road, Mareeba, subject to conditions.

The preliminary approval component of REC/08/0012 establishes the Hastie Road Business Zone Code which guides the future development of Lot 1 & 2 on SP273691, including the assessment of this current request to for a permissible change.

On 19 February 2014, Council approved the application (DA/13/0164) made by Twine Surveys Pty Ltd on behalf of BTM & S Stankovich Pty Ltd for a development permit for Material Change of Use - Business (medical centre), Shops (2 specialty shops and 1 supermarket) and Restaurant (café/restaurant) over land described as Lot 1 & 2 on SP273691 (formerly part of Lot 111 on SP257031).

The decision notice was issued on 21 February 2014 (**Attachment 1**).

Freshwater Planning Pty Ltd, on behalf of Prime Constructions Qld Pty Ltd have subsequently lodged an application to change the development approval with regard to the approved plans and makeup of Stages 2 and 3. (**Attachment 2**).

Stage 1, comprising the medical centre and associated car parking infrastructure has been completed and is known as the Amaroo Village Shopping Centre.

Proposed Stage 2 comprising a supermarket and two (2) specialty shops, and Stage 3 comprising a restaurant are yet to be developed.

The applicant is proposing to change Stage 2 to provide additional business (medical support uses) floor space, a café and one (1) specialty shop (pharmacy). The amended Stage 2 would develop Amaroo Village Shopping Centre into a full service health care precinct.

Amended Stage 3 would consist of the 600m² supermarket, 300m² restaurant, and one (1) specialty shop.

Under the Hastie Road Business Zone Code, cumulative business/shop floor area up to 3,000m² GFA remains code assessable development.

ASSESSMENT AND DECISION REQUIREMENTS

Permissible change for a development approval

The requested changes to the development approval must constitute a *permissible change* under section 367 of SPA. For deciding whether a change is a permissible change, the planning instruments in force at the time of the request apply. A permissible change to the approval would not:-

- *result in a substantially different development*

Statutory Guideline 06/09 (Substantially different development when changing applications and approvals) provides assistance to the assessment manager in determining if a proposed change constitutes a substantially different development.

The following list provided in the Statutory Guideline identifies changes that may result in a substantially different development and would therefore not be a permissible change under SPA. The list is intended as a guide and is not intended to be exhaustive.

A change may result in a *substantially different development* if the proposed change:

- Involves a new use with different or additional impacts
- Results in the application applying to a new parcel of land
- Dramatically changes the built form in terms of scale, bulk and appearance
- Changes the ability of the proposal to operate as intended
- Removes a component that is integral to the operation of the development
- Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site
- Introduces new impacts or increases the severity of known impacts
- Removes an incentive or offset component that would have balanced a negative impact of the development
- Impacts on infrastructure provision, location or demand

It is considered that the proposed change will not result in a substantially different development.

- *require referral to additional concurrence agencies*

The proposed change does not result in a development requiring referral to additional concurrence agencies.

- *for an approval for assessable development that previously did not require impact assessment – require impact assessment*

The proposed change does not result in a change to the level of assessment.

- *for an approval for assessable development that previously required impact assessment – be likely, in the responsible entity's opinion, to cause a person to make a properly made submission objecting to the proposed change if the circumstance allowed*

The proposed change does not give rise to matters which may have attracted further submissions. Nor does the proposed change lessen or delete conditions which were imposed to mitigate impacts of the development.

- *cause development to which the approval relates to include any prohibited development.*

The proposed change does not include any prohibited development.

The proposed change to the development approval constitutes a *permissible change* to the approval.

Assessment rules

Section 374 of SPA requires that Council must assess the proposed change having regard to:

- *the information the person making the request included with the request*

The details of the request to change the approval were provided by the applicant in a letter to Council dated 30 November 2016. The proposed changes and response are addressed in the body of this report.

- *the matters the responsible entity would have regard to if the request were a development application*

If a new application was lodged for this proposal, it would be assessed against the same planning instruments (Preliminary Approval REC/08/0012) as was the original development application.

- *if submissions were made about the original application – the submissions*

The original development application was Code Assessable and therefore was not subject to public notification.

- *any notice about the request given under section 373 (notices from Concurrence Agencies) to the entity*

The original application did not trigger referral to any Concurrence Agencies.

- *any pre-request response notice about the request*

No pre-request response notices were received.

REQUEST TO CHANGE THE DEVELOPMENT APPROVAL

Description of approved development

1. *Details of the approval -*

- *Development Permit for Material Change of Use - Business (medical centre), Shops (2 specialty shops and 1 supermarket) and Restaurant (café/restaurant)*

Request by Applicant

The details of the approval should be amended to reflect the revised development.

Response

Section 1 of the decision notice should be amended as follows:

Development Permit for Material Change of Use - Business (~~medical centre~~), Shops (~~2 specialty shops and 1 supermarket~~) and Restaurant (~~café/restaurant~~) in three (3) stages.

Approved Plan/s

8. Approved Plans -

The approved plans and/or documents for this development approval area listed in the following table:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
DA-100A	Cover Sheet	TRG	23/08/13
DA-110A	3D Perspectives	TRG	27/09/13
DA-120A	3D Perspectives	TRG	30/09/13
DA-200A	Site Plan	TRG	25/09/13
DA-300A	Floor Plan	TRG	25/09/13
DA-400A	Elevations	TRG	21/08/13
DA-450A	Elevations	TRG	30/09/13
DA-500A	Roof Plan	TRG	27/09/13
SD.001	Cover Sheet - New Medical Centre	Peddle Thorp	13/06/13
SD.002	Site Plan	Peddle Thorp	13/06/13
SD.003	Ground Floor Plan	Peddle Thorp	13/06/13
SD.004	Roof Plan	Peddle Thorp	13/06/13
SD.005	Building Elevations	Peddle Thorp	13/06/13
SD.006	Building Elevations - Sheet 2	Peddle Thorp	13/06/13
SD.007	Building Sections	Peddle Thorp	13/06/13
SD.008	Artists Impression	Peddle Thorp	13/06/13
SD.009	Artists Impression	Peddle Thorp	13/06/13
DA-200 - Staging	Stage: Supermarket	TRG	25/09/13
DA-200 - Staging	Stage: Café/Restaurant	TRG	25/09/13
DA-200 - Staging	Stage: Medical Centre	TRG	25/09/13

Request by Applicant

The details of the approved plans should be amended to reflect the revised development.

Response

Section 8 of the decision notice should be amended as follows:

8. Approved Plans -

The approved plans and/or documents for this development approval area listed in the following table:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
<i>TP6 A.1</i>	<i>Master Plan</i>	<i>Hunt Design</i>	<i>29/11/2016</i>
<i>TP6 A.2</i>	<i>Floor Plan</i>	<i>Hunt Design</i>	<i>29/11/2016</i>
<i>TP6 A.3</i>	<i>Roof Plan</i>	<i>Hunt Design</i>	<i>29/11/2016</i>
<i>TP6 A.4</i>	<i>Roof Plan</i>	<i>Hunt Design</i>	<i>29/11/2016</i>
<i>TP6 A.5</i>	<i>Roof Plan</i>	<i>Hunt Design</i>	<i>29/11/2016</i>
<i>DA-100A</i>	<i>Cover Sheet</i>	<i>TRG</i>	<i>23/08/13</i>
<i>DA-110A</i>	<i>3D Perspectives</i>	<i>TRG</i>	<i>27/09/13</i>
<i>DA-120A</i>	<i>3D Perspectives</i>	<i>TRG</i>	<i>30/09/13</i>
<i>DA-200A</i>	<i>Site Plan</i>	<i>TRG</i>	<i>25/09/13</i>
<i>DA-300A</i>	<i>Floor Plan</i>	<i>TRG</i>	<i>25/09/13</i>
<i>DA-400A</i>	<i>Elevations</i>	<i>TRG</i>	<i>21/08/13</i>
<i>DA-450A</i>	<i>Elevations</i>	<i>TRG</i>	<i>30/09/13</i>
<i>DA-500A</i>	<i>Roof Plan</i>	<i>TRG</i>	<i>27/09/13</i>
<i>SD.001</i>	<i>Cover Sheet - New Medical Centre</i>	<i>Peddle Thorp</i>	<i>13/06/13</i>
<i>SD.002</i>	<i>Site Plan</i>	<i>Peddle Thorp</i>	<i>13/06/13</i>
<i>SD.003</i>	<i>Ground Floor Plan</i>	<i>Peddle Thorp</i>	<i>13/06/13</i>
<i>SD.004</i>	<i>Roof Plan</i>	<i>Peddle Thorp</i>	<i>13/06/13</i>
<i>SD.005</i>	<i>Building Elevations</i>	<i>Peddle Thorp</i>	<i>13/06/13</i>
<i>SD.006</i>	<i>Building Elevations - Sheet 2</i>	<i>Peddle Thorp</i>	<i>13/06/13</i>
<i>SD.007</i>	<i>Building Sections</i>	<i>Peddle Thorp</i>	<i>13/06/13</i>
<i>SD.008</i>	<i>Artists Impression</i>	<i>Peddle Thorp</i>	<i>13/06/13</i>
<i>SD.009</i>	<i>Artists Impression</i>	<i>Peddle Thorp</i>	<i>13/06/13</i>
<i>DA-200 - Staging</i>	<i>Stage: Supermarket</i>	<i>TRG</i>	<i>25/09/13</i>
<i>DA-200 - Staging</i>	<i>Stage: Café/Restaurant</i>	<i>TRG</i>	<i>25/09/13</i>
<i>DA-200 - Staging</i>	<i>Stage: Medical Centre</i>	<i>TRG</i>	<i>25/09/13</i>

Condition 2.3

2.3 *Prior to the commencement of use, the applicant must provide a letter from the Department of Transport and Main Roads/ or other Concurrence agency confirming that the department is satisfied their conditions for Development Approval REC/08/0012 are complied with and/or that the department has no objections to the commencement of the use.*

Request by Applicant

As the proposed Development has completed Stage 1, being the original Medical Centre it is considered that this Condition is no longer relevant and requests that it be Deleted. It is requested that Condition 2.3 be Deleted.

Response

As the applicant suggests, Condition 2.3 has been satisfied by the commencement of Stage 1. There is no need to delete this condition and it should remain.

Condition 3.8

3.8 Trolley Bays

For the Supermarket stage, adequate trolley bay areas must be provided on the site generally in accordance with Drawing No. DA-200.

Request by Applicant

It is requested that Council Amend this Condition to remove the Drawing No. DA-200 as this drawing may be redundant with the proposed Change to the Development Approval. It is accepted that the requirement for the provision of adequate trolley bay areas is appropriate.

Response

Agreed. Condition 3.8 should be amended as follows:

3.8 Trolley Bays

*For the ~~Supermarket stage~~ **Stage 3**, adequate trolley bay areas must be provided on the site ~~generally in accordance with Drawing No. DA-200~~.*

Condition 4.4

4.4 Car Parking/Internal Driveways

The developer must ensure that the development is provided with 78 on-site car parking spaces which are available solely for the parking of vehicles associated with the use of the premises.

If the development is carried out in stages, the following minimum number of car parking spaces must be provided for the relevant stage:

- Medical Centre Stage – 24 spaces
- Cafe/Restaurant Stage – 35 spaces
- Supermarket Stage – 78 spaces

All car parking spaces must be sealed, line-marked and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.

Prior to the issue of a development permit for operational works and/or works commencing, the developer must submit engineering plans and specifications for the construction of proposed car parking facilities and internal driveways demonstrating:

Compliance with Australian Standard AS2890:1 Off Street Parking – Car Parking Facilities;
Compliance with Australian Standard AS2890.3 Bicycle Parking Facilities;
Compliance with Australian Standard AS1428:2001 – Design for Access and Mobility.

Request by Applicant

It is requested that Council please Amend this Condition to reflect the new proposed Plans, Staging, and Overall on-site car parking spaces. It is considered appropriate that the condition be amended to nominate the following:

- ~~Medical Centre Stage Stage 1 – 24 spaces~~
- ~~Cafe/Restaurant Stage Stage 2 – 35 spaces~~ 80 spaces
- ~~Supermarket Stage Stage 3 – 78 spaces~~ 100 spaces

The provision of 100 parking spaces over the site provides a parking rate of approximately 1 space per 20 m² which is more than acceptable and appropriate for the Commercial Development. Additionally, each Stage will ensure that an oversupply of parking is provided for the Commercial Development. It is considered that the abovementioned amendments to Condition 4.4 Car Parking/Internal Driveways is appropriate.

Response

The car parking rates applied by Council for the original development were:

- Business - 1 space per 30m²
- Shop - 1 space per 25m²
- Restaurant - 15 spaces per 100m²

The acceptable car parking rate for restaurant/cafes has been considerably revised under the Mareeba Shire Council Planning Scheme - July 2016. The new planning scheme rate for restaurant/cafes outside the Centre zone is:

- One space per 25m² or part thereof of GFA up to 400m² GFA and one space per 10m² or part thereof of GFA above 400m².

It is considered reasonable to apply the new rate for the future restaurant/café development within Amaroo Village Shopping Centre.

The revised development will consist of the following land use components spread across the three stages:

- Business uses - 770m² GFA - **25.67** car parking spaces
- Shop uses - 892m² GFA - **35.68** car parking spaces
- Restaurant/café uses - 365m² GFA - **14.6** car parking spaces

The completed development must be provided with a minimum of 76 car parking spaces.

The applicant is proposing to supply a total of 100 car parking spaces, with 80 spaces being available for Stage 2 and the remaining 20 spaces being supplied during Stage 3.

The car parking numbers being proposed by the applicant are reasonable, and therefore no objection is raised to the amendment of Condition 4.4 as follows:

4.4 Car Parking/Internal Driveways

*The developer must ensure that the development is provided with ~~78~~ **100** on-site car parking spaces which are available solely for the parking of vehicles associated with the use of the premises.*

If the development is carried out in stages, the following minimum number of car parking spaces must be provided for the relevant stage:

- ~~Medical Centre Stage~~ Stage 1 – 24 spaces
- ~~Cafe/Restaurant Stage~~ Stage 2 – ~~35 spaces~~ **80 spaces**
- ~~Supermarket Stage~~ Stage 3 – ~~78 spaces~~ **100 spaces**

All car parking spaces must be sealed, line-marked and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.

Prior to the issue of a development permit for operational works and/or works commencing, the developer must submit engineering plans and specifications for the construction of proposed car parking facilities and internal driveways demonstrating:

- Compliance with Australian Standard AS2890:1 Off Street Parking – Car Parking Facilities;*
- Compliance with Australian Standard AS2890.3 Bicycle Parking Facilities;*
- Compliance with Australian Standard AS1428:2001 – Design for Access and Mobility.*

Adopted Infrastructure Charges Notice

An Adopted Infrastructure Charges Notice (AICN) for development approval DA/13/0164 was issued on 24 February 2014. Due to the changes proposed by the applicant, an amended AICN will be required to be issued.

The following amended AICN reflects the three (3) amended stages and also acknowledges that all infrastructure charges have been paid for Stage 1 (medical centre).

Development Type	Rate	Measure	Charge	Credit	Credit Detail	Balance
	\$ <i>per</i> <i>EDC/m2</i>	<i>EDC/m2</i>				
Stage 1 - Medical Centre - contributions paid on 9/1/2015						

Water	\$3,790.00	1.156 EDC	\$4,820.50	\$4,820.50	Paid 9/1/2015	\$0.00
Sewerage	\$3,790.00	1.156 EDC	\$4,820.50	\$4,820.50	Paid 9/1/2015	\$0.00
Roads	\$34.193	318m2	\$10,843.00	\$10,843.00	Paid 9/1/2015	\$0.00
Total for Stage 1						\$0.00
Stage 2						
Water	\$4,425.00	2.578 EDC	\$11,407.65	Nil	N/A	\$11,407.65
Sewerage	\$4,425.00	2.578 EDC	\$11,407.65	Nil	N/A	\$11,407.65
Roads	\$34.193	709m2	\$24,242.80	Nil	N/A	\$24,242.80
Total for Stage 2						\$47,058.10
Stage 3						
Water	\$4,425.00	3.545 EDC	\$15,686.60	Nil	N/A	\$15,686.60
Sewerage	\$4,425.00	3.545 EDC	\$15,686.60	Nil	N/A	\$15,686.60
Roads	\$34.193	1,000m2	\$34,193.00	Nil	N/A	\$34,193.00
Total for Stage 3						\$65,566.20

Date Prepared: 10 January 2017

ATTACHMENT 1**Mareeba**
Shire CouncilPO Box 154
Mareeba QLD 488065 Rankin Street
Mareeba QLD 4880**Development and Community Services**
Brian Millard
Senior Planner, Regional Land Use Planning
Group
Telephone: (07) 4086 4657
Facsimile: (07) 4086 4733
Email: brianm@msc.qld.gov.auFile Ref: DA/13/0164
Our Ref: BM:kt

21 February 2014

BTM & S Stankovich Pty Ltd
C/ Twine Surveys Pty Ltd
PO Box 146
ATHERTON QLD 4883**Decision Notice**
Approval*Sustainable Planning Act 2009 s334 and s335*

Dear Applicant/s

APPLICATION FOR MATERIAL CHANGE OF USE - BUSINESS (MEDICAL CENTRE) AND SHOP (2 SPECIAL STORES AND 1 SUPERMARKET) AND RESTAURANT (CAFE/RESTAURANT)
LOT 111 SP 257031
SITUATED AT HASTIE ROAD, MAREEBA

I wish to advise that, at Council's Ordinary Meeting held on 19 February 2014, the above development application was -

- Approved in full with conditions.

The conditions relevant to this approval are detailed in **section 6** of this notice. These conditions are clearly identified to indicate whether the Assessment Manager or a Concurrence Agency imposed them.**Approval under Section 331**This application **has not** been deemed to be approved under Section 331 of the Sustainable Planning Act 2009 (SPA).**1. Details of the approval -**

- Development Permit for Material Change of Use - Business (medical centre), Shops (2 specialty shops and 1 supermarket) and Restaurant (café/restaurant)

2. Other necessary development permits and/or compliance permits -

Listed below are other development permits and/or compliance permits that are necessary to allow the development to be carried out:

- Development Permit for Building Work
- Development Permit for Operational Works

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21 February 2014**3. Other approvals required from Council -**

- Compliance Permit for Plumbing and Drainage Work

4. Submissions -

Not applicable

5. Conflict with a relevant instrument and reasons for the decision despite the conflict -

The assessment manager does not consider that the assessment manager's decision conflicts with a relevant instrument.

6. Conditions -**(A) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)****(a) Development assessable against the Planning Scheme**

1. Development must be carried out substantially in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:
 - found necessary by Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
 - to ensure compliance with the following conditions of approval.
2. Timing of Effect
 - 2.1 The conditions of the development permit, as applicable to the relevant stage, must be complied with to the satisfaction of Council's delegated officer prior to the commencement of the use except where specified otherwise in these conditions of approval.
 - 2.2 Prior to the commencement of use, the applicant must notify Council that all the conditions of the development permit, as applicable to the relevant stage, have been complied with, except where specified otherwise in these conditions of approval.
 - 2.3 Prior to the commencement of use, the applicant must provide a letter from the Department of Transport and Main Roads/ or other Concurrence agency confirming that the department is satisfied their conditions for Development Approval REC/08/0012 are complied with and/or that the department has no objections to the commencement of the use.
3. General
 - 3.1 The development approval would not have been issued if not for the conditions requiring the construction of infrastructure or the payment of infrastructure charges within the conditions of approval or the Adopted Infrastructure Charges Notice.
 - 3.2 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.

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3.3 All payments or bonds, as applicable to the relevant stage, required to be made to the Council pursuant to any condition of this approval must be made prior to commencement of the use of the relevant stage and at the rate applicable at the time of payment.

3.4 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.

3.5 Noise Nuisance

Refrigeration equipment, pumps, compressors and mechanical ventilation systems must be located, designed, installed and maintained to achieve a maximum noise level of 3dB(A) above background levels as measured from noise sensitive locations and a maximum noise level of 8dB(A) above background levels as measured from commercial locations.

The applicant is required to install and maintain suitable screening to all air conditioning, lift motor rooms, plant and service facilities located at the top of or on the external face of the building. The screening structures must be constructed from materials that are consistent with materials used elsewhere on the facade of the building. There are to be no individual external unscreened air conditioning units attached to the exterior building facade.

3.6 Waste Management

On site refuse storage area must be provided and be screened from view from adjoining properties and road reserve by 1 metre wide landscaped screening buffer or 1.8m high solid fence.

Where bulk bins are used and are to be serviced on site, certification by a Registered Professional Engineer of Queensland (RPEQ) must be provided to Council prior to the issue of a building permit which demonstrates that internal access is of adequate design and construction to allow waste collection/delivery vehicles to enter and exit the site in a forward gear.

3.7 Signage

Signage is to be generally in accordance with:

- (1) The approved plans.
- (2) The signage must be kept clean, in good order and safe repair for the life of the approval.
- (3) The signage must be removed when no longer required.
- (4) The erection and use of the signage must comply with the Building Act and all other relevant Acts and Regulations, and these approval conditions.
- (5) The lighting in all illuminated signage must be turned off each evening within 30 minutes of the last business closing.

3.8 Trolley Bays

For the Supermarket stage, adequate trolley bay areas must be provided on the site generally in accordance with Drawing No. DA-200.

3.9 Rubbish Bins

Waste bins must be provided at each pedestrian entrance to the proposed development.

4. Infrastructure Services and Standards

4.1 Access

All Commercial access crossovers must be constructed (from the edge of the road pavement of Moondani Avenue to the property boundary of the proposed Lot 133) in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

4.2 Easements (infrastructure & drainage within balance of Lot 111)

Where the services for the proposed business development (Lot 133) traverse the balance area of Lot 111, these services must be covered by a registered easement, to the satisfaction of Council's delegated officer. All documentation leading to the registration of the easement must be completed at no cost to Council.

Where Council is party to a proposed easement and/or if the proposed easement is in favour of Council the applicant/developer is to pay all costs (including Council's legal expenses) to prepare and register the easement documents, using Council's standard form of easement. The approved easement documents must be lodged and registered in the Department of Natural Resources & Mines prior to commencement of the use.

4.3 Stormwater Drainage/Water Quality

- (a) The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.
- (b) Prior to the issue of a development permit for operational works and/or the works commencing the applicant must submit a Stormwater Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual to the satisfaction of Council's delegated officer.
- (c) Prior to the issue of a development permit for operational works and/or works commencing the applicant must submit a Stormwater Quality Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) that meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline to the satisfaction of Council's delegated officer.
- (d) The Stormwater Quality Management Plan must include an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia) to the satisfaction of Council's delegated officer.
- (e) The applicant/developer must construct the stormwater drainage infrastructure in accordance with the approved Stormwater

Management Plan and/or Stormwater Quality Management Plan and Report.

- (f) Temporary drainage is to be provided and maintained during the construction phase of the development, discharged to a lawful point and not onto the construction site.
- (g) All stormwater channels through private property must be registered, with an easement for drainage purposes in favour of Council. All documentation leading to the registration of the easement must be completed at no cost to Council.
- (h) The applicant (at their cost) must video all stormwater lines and submit the video for inspection by Council's delegated officer prior to the development being taken "off maintenance" to ensure that no defects have occurred during the 12 month maintenance period.
- (i) All stormwater drainage must be collected from site and discharged to an approved legal point of discharge.

4.4 Car Parking/Internal Driveways

The developer must ensure that the development is provided with 78 on-site car parking spaces which are available solely for the parking of vehicles associated with the use of the premises.

If the development is carried out in stages, the following minimum number of car parking spaces must be provided for the relevant stage:

- Medical Centre Stage – 24 spaces
- Cafe/Restaurant Stage – 35 spaces
- Supermarket Stage – 78 spaces

All car parking spaces must be sealed, line-marked and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.

Prior to the issue of a development permit for operational works and/or works commencing, the developer must submit engineering plans and specifications for the construction of proposed car parking facilities and internal driveways demonstrating:

Compliance with Australian Standard AS2890:1 Off Street Parking – Car Parking Facilities;
Compliance with Australian Standard AS2890.3 Bicycle Parking Facilities;
Compliance with Australian Standard AS1428:2001 – Design for Access and Mobility.

4.5 Landscaping and Fencing

- (a) Prior to the issue of the Development Permit for Building Works, a landscape plan must be prepared for the site and submitted to Council's delegated officer for consideration and approval. The plan is to include the following:
 - Landscaping strips a minimum of three (3) metres in width are provided on the site adjacent to all road frontages and for the full width of the frontages (excepting building footprints and driveway and pedestrian access points)

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- Landscaping strips a minimum of 1.5 metres in width are provided adjacent to side boundaries from the main street frontage to the line of the building alignment (excepting building footprint areas)
 - Vehicle parking shall incorporate areas of landscaping, particularly for vehicle parking located between buildings and the main street frontage.
 - For the first stage, a 1 metre wide landscaping strip is to be established within the Hastie Road road reserve, immediately adjacent to and for the entire length of the southern boundary of proposed Lot 133. Species used to form this strip should reach an average mature height of one (1) metre.
 - For the first stage, a solid 1.8 metre high Colorbond fence of neutral colour is to be erected along the full length of the northern and eastern boundaries of proposed Lot 133, to the satisfaction of Council's delegated officer.
 - For all stages, no fencing is to be erected along the Moondani Avenue frontage of the site.
- (b) The landscaping of the site, as applicable to the relevant stage, must be carried out in accordance with the endorsed landscaping plan, and irrigated, mulched and maintained to the satisfaction of Council's delegated officer prior to the commencement of use of the relevant stage.

4.6 Lighting

The developer shall locate, design and install lighting to operate from dusk to dawn within all areas where the public will be given access (between dusk to dawn), which prevents the potential for light spillage to cause nuisance to neighbours and must be provided in accordance with Australian Standard 1158.1 – Lighting for Roads and Public Spaces.

Illumination resulting from direct, reflected or other incidental light emanating from the subject land does not exceed 8 lux when measured at any point 1.5m outside the property boundary of the subject site. The lighting fixtures installed on site must meet appropriate lux levels as documented within Australian Standard 4282 – Control of the Obtrusive Effects of Outdoor Lighting.

All lighting except for security lighting, internal lighting and street lighting must be turned off no later than an hour after the close of trading.

NOTE: The design is to integrate the principles of Crime Prevention through Environmental Design (CPTED) theory. Lighting design is to illuminate potential areas of concealment and is to project illumination so that a human face is easily discernible from 15 metres and there is to be sufficient night lighting, which renders people, colours, vegetation and objects correctly. i.e. 'white' light. Particular attention should be given to pathways, driveways and common external spaces.

4.7 Frontage Works

- (a) The developer is required to construct the following works, designed in accordance with FNQROC Development Manual standards to the satisfaction of Council's delegated officer:

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- Kerb and channelling for the full frontage of proposed Lot 133 to Moondani Avenue;
 - Footpath minimum of 2.0m width must be constructed along the full frontage of Lot 133 to Moondani Avenue, finishing at the new Hastie Road kerb and channel required under Condition 4.8(a);
 - Signage and line marking as per the Department of Transport and Main Roads Manual of Uniform Traffic Control Devices (MUTCD);
 - Footpath earthworks, topsoiling and turfing reinstatement of all disturbed footpath areas;
 - Adjustments and relocations necessary to public utility services resulting from these works.
- (b) The applicant must construct Moondani Avenue from Hastie Road for the full frontage of proposed Lot 133 to Minor Collector Road standard with 10 metre wide carriageway, in accordance with FNQROC Development Manual standards to the satisfaction of Council's delegated officer.
- (c) The works required under Condition 4.7 must be completed prior to the commencement of the use of the first stage.
- (d) Prior to works commencing, plans for the works described above must be approved as part of an Operational Works application.
- 4.8 Roadworks – External Construction
- (a) The applicant is to construct kerb and channel on Hastie Road for the full frontage of Lot 111 on SP257031 in accordance with FNQROC Development Manual standards to the satisfaction of Council's delegated officer.
- (b) The applicant is to widen the existing bitumen on Hastie Road by a minimum of three (3) metres, to the new kerb and channel as required by (a) above, for the full frontage of Lot 111 on SP257031 in accordance with FNQROC Development Manual standards to the satisfaction of Council's delegated officer.
- (c) The works required under Condition 4.8 must be completed prior to the commencement of the use of the first stage.
- (d) Prior to works commencing, plans for the works described above must be approved as part of an Operational Works application.
- 4.9 Water Supply
- (a) Where the existing reticulated water supply does not currently service the site or is not at an adequate capacity, the developer is required to extend or upgrade the reticulated water supply infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards (as amended).
- (b) A water service connection must be provided to the proposed development in accordance with FNQROC Development Manual standards to the satisfaction of Council's delegated officer.

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- (c) Prior to works commencing, plans for the works described above must be approved as part of an Operational Works application.
- (d) As part of the application for operational works approval, the developer must submit the modelling results and evidence to support their water infrastructure design.

4.10 Sewerage Connection

- (a) The developer must connect the proposed development to Council's reticulated sewerage system via the Yarrabee Close pump station in accordance with FNQROC Development Manual standards to the satisfaction of Council's delegated officer.
- (b) Where sewerage connections are not available to the site, or where existing connections are not satisfactory for the proposed development, the developer is required to extend or upgrade the reticulated sewerage infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards.
- (c) Prior to works commencing, plans for the works described above must be approved as part of an Operational Works application.
- (d) As part of the application for operational works approval, the developer must submit the modelling results and evidence to support their sewerage infrastructure design.

(B) ASSESSMENT MANAGER'S ADVICE

- (a) An Adopted Infrastructure Charges Notice has been issued with respect to the approved development. The Adopted Infrastructure Charges Notice details the type of infrastructure charge/s, the amount of the charge/s and when the charge/s are payable.
- (b) The Adopted Infrastructure Charges Notice does not include all charges or payments that are payable with respect to the approved development. A number of other charges or payments may be payable as conditions of approval. The applicable fee is set out in Council's Fees & Charges Schedule for each respective financial year.
- (c) Easement Documents

The Mareeba Shire Council has developed standard easement documentation to assist in the drafting of formal easement documents for Council easements. Please contact the Regional Land Use Planning Group for more information regarding the drafting of easement documents for Council easements.
- (d) Endorsement Fees

Please be advised that Council charges a fee for the endorsement of Community Management Statements, easement documents, and covenants. The fee is set out in Council's Fees & Charges Schedule applicable for each respective financial year.
- (e) Food Premises

Premises proposed for the storage and preparation, handling, packing or service of food must comply with the requirements of the Food Act 2006.
- (f) A Trade Waste Permit will be required prior to the commencement of use.

(g) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

(h) Compliance with Acts and Regulations

The erection and use of the building must comply with the Building Act and all other relevant Acts, Regulations and Laws, and these approval conditions.

(i) Environmental Protection and Biodiversity Conservation Act 1999

The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from www.environment.gov.au.

(j) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the "cultural heritage duty of care"). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.datsima.qld.gov.au.

7. IDAS referral agencies -

The application did not require referral to any Referral Agency.

8. Approved Plans -

The approved plans and/or documents for this development approval area listed in the following table:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
DA-100A	Cover Sheet	TRG	23/08/13
DA-110A	3D Perspectives	TRG	27/09/13
DA-120A	3D Perspectives	TRG	30/09/13
DA-200A	Site Plan	TRG	25/09/13
DA-300A	Floor Plan	TRG	25/09/13
DA-400A	Elevations	TRG	21/08/13
DA-450A	Elevations	TRG	30/09/13
DA-500A	Roof Plan	TRG	27/09/13
SD.001	Cover Sheet - New Medical Centre	Peddle Thorp	13/06/13
SD.002	Site Plan	Peddle Thorp	13/06/13

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SD.003	Ground Floor Plan	Peddle Thorp	13/06/13
SD.004	Roof Plan	Peddle Thorp	13/06/13
SD.005	Building Elevations	Peddle Thorp	13/06/13
SD.006	Building Elevations - Sheet 2	Peddle Thorp	13/06/13
SD.007	Building Sections	Peddle Thorp	13/06/13
SD.008	Artists Impression	Peddle Thorp	13/06/13
SD.009	Artists Impression	Peddle Thorp	13/06/13
DA-200 - Staging	Stage: Supermarket	TRG	25/09/13
DA-200 - Staging	Stage: Café/Restaurant	TRG	25/09/13
DA-200 - Staging	Stage: Medical Centre	TRG	25/09/13

9. When approval lapses if development not started (s341)

This development approval will lapse in accordance with Section 341 of the Sustainable Planning Act 2009 if development does not start within relevant period as stated below:

- Material Change of Use – four (4) years (starting the day the approval takes effect);

If there is one (1) or more subsequent related approvals' for a development approval for a Material Change of Use or a reconfiguration, the relevant period for the approval will be taken to have started on the day the latest related approval takes effect.

10. Appeal rights –

Applicant may make representations about decision

The applicant may make written representations to the assessment manager about: -

- a matter stated in the decision notice, other than a refusal or a matter about which a concurrence agency told the assessment manager under section 287(1) or (5); or
- the standard conditions applying to a deemed approval.

However, the applicant can not make representations under subsection (1)(a) about a condition attached to an approval under the direction of the Minister.

Attachment 2 is an extract from SPA which contains details regarding making representations about the decision.

Appeals by applicants

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal, or refusal in part of the development application
- any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242 of SPA
- the decision to give a preliminary approval when a development permit was applied for
- the length of a period mentioned in section 341
- a deemed refusal of the development application.

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The timeframes for starting an appeal in the Planning and Environment Court are set out in section 461(2) of SPA.

Applicants may also have a right to appeal to the Building and Development Dispute Resolution Committee. For more details, see SPA, chapter 7, part 2.

Appeals by submitters

A submitter for a development application may appeal to the Planning and Environment Court against:

- the part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment
- the part of the approval relating to the assessment manager's decision under section 327.

Details about submitter appeal rights for the Planning and Environment Court are set out in sections 462, 463 and 464 of SPA.

Submitters may also have a right to appeal to the Building and Development Dispute Resolution Committee. For more details, see SPA, chapter 7, part 2.

Attachment 3 is an extract from SPA which details the applicant's appeal rights and the appeal rights of any submitters regarding this decision.

11. When the development approval takes effect –

This development approval takes effect –

- from the time the decision notice is given, if there is no submitter and the applicant does not appeal the decision to the court

OR

- subject to the decision of the court, when the appeal is finally decided, if an appeal is made to the court.

Should you require any further information please contact Council's **Senior Planner, Brian Millard** on the above telephone number.

Yours faithfully

BRIAN MILLARD
SENIOR PLANNER

Enclosures:

- Attachment 1 - Approved Plans of Development**
- Attachment 2 - SPA Extract - Making Representations about Decision**
- Attachment 3 - SPA Extract on Appeal Rights**

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ATTACHMENT 1 - APPROVED PLANS OF DEVELOPMENT (DWS VS 3471736)

trg
Brisbane + Melbourne

15 Shalby Street
Windsor QLD 4101
P: +61 7 3962 2200
F: +61 7 3962 2200
M: +61 7 3962 2200
www.trg.com.au

PROPOSED DEVELOPMENT
AMAROO VILLAGE SHOPPING CENTRE
HASTIE ROAD, MAREEBA, QLD 4880

SHEET NAME
COVER SHEET

1 SITE PERSPECTIVE (N.T.S)

LOCALITY PLAN (N.T.S)

Sheet Name	Sheet Number	Drawn By	Designed By	Control Revision
COVER SHEET	DA-100	DV	DN	A
PROPOSED DEVELOPMENT	DA-100	DV	DN	A
PROPOSED DEVELOPMENT	DA-100	DV	DN	A
SITE PLAN	DA-100	DV	DN	A
SECTION	DA-100	DV	DN	A
ELEVATIONS	DA-100	DV	DN	A
COVER SHEET	DA-100	DV	DN	A

DEVELOPMENT APPLICATION

SCALE: 1:500

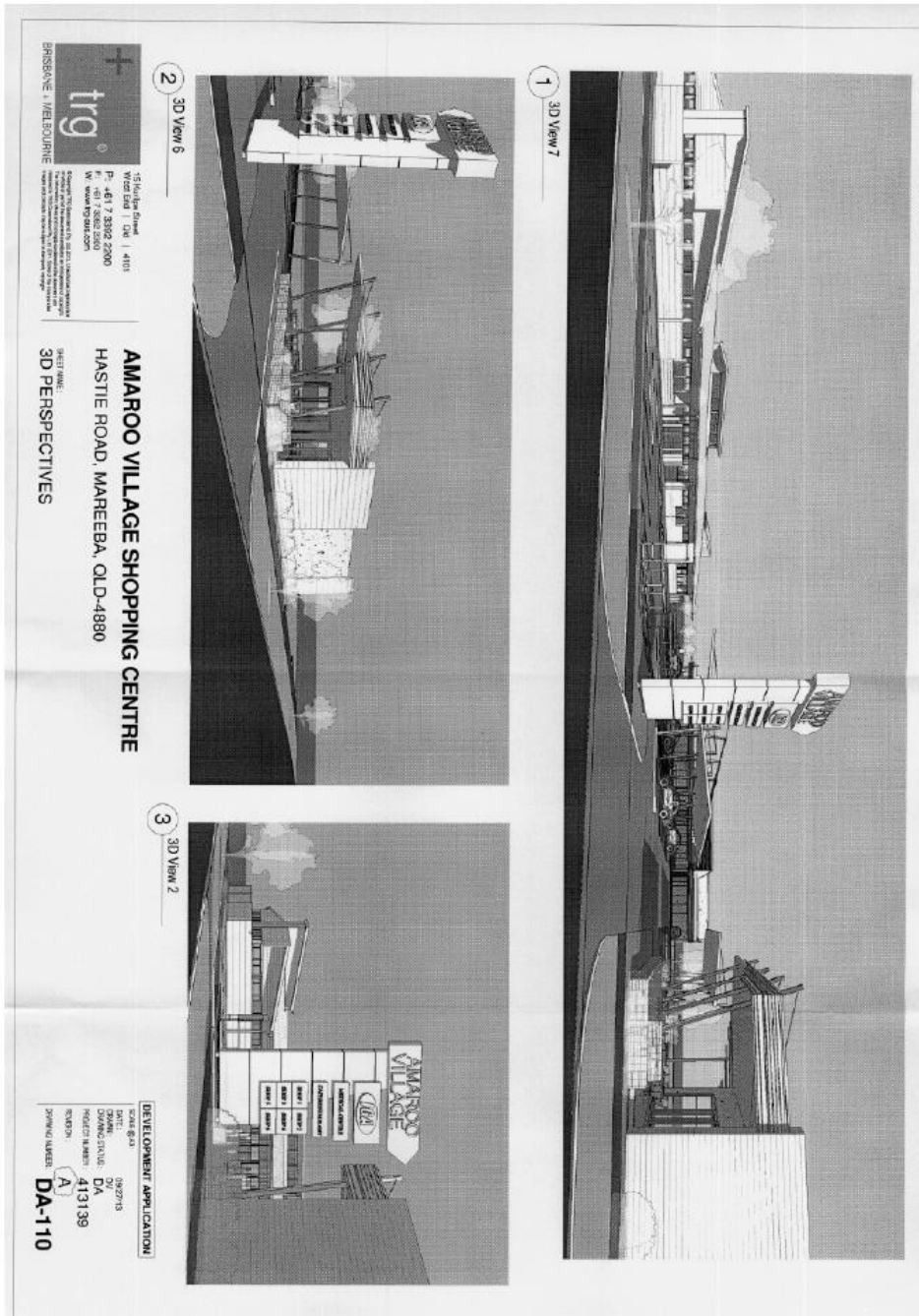
DATE: 22/08/13

PROJECT: AMAROO VILLAGE SHOPPING CENTRE

PROJECT NUMBER: DA 413139

APPROVED BY: DA-100

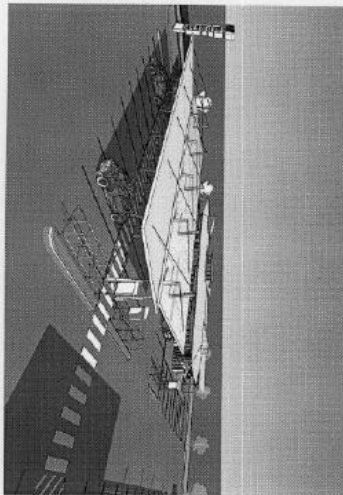
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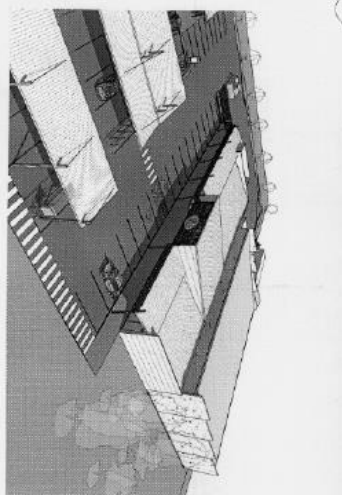
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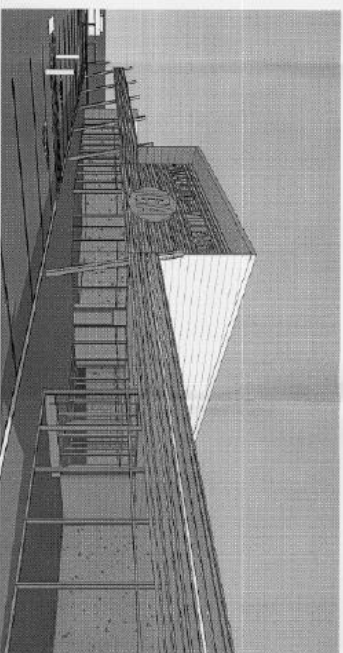
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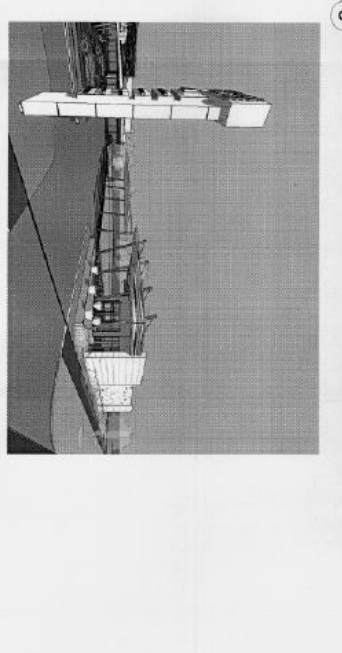
2 3D View 3



5 3D View 9



6 3D View 10



AMAROO VILLAGE SHOPPING CENTRE
HASTIE ROAD, MAREEBA, QLD 4890

3D PERSPECTIVES

trg
BENSON & MCDONNELL
ARCHITECTS

70 Mareeba Street | A101
P: +61 7 3892 2200
F: +61 7 3892 2200
W: www.trg.com.au

Developed by: Mareeba Shire Council
Approved by: Mareeba Shire Council
Approved on: 21 February 2014

DEVELOPMENT APPLICATION

SCALE: AS SHOWN

DATE: 09/20/13

DRAWN BY: DA

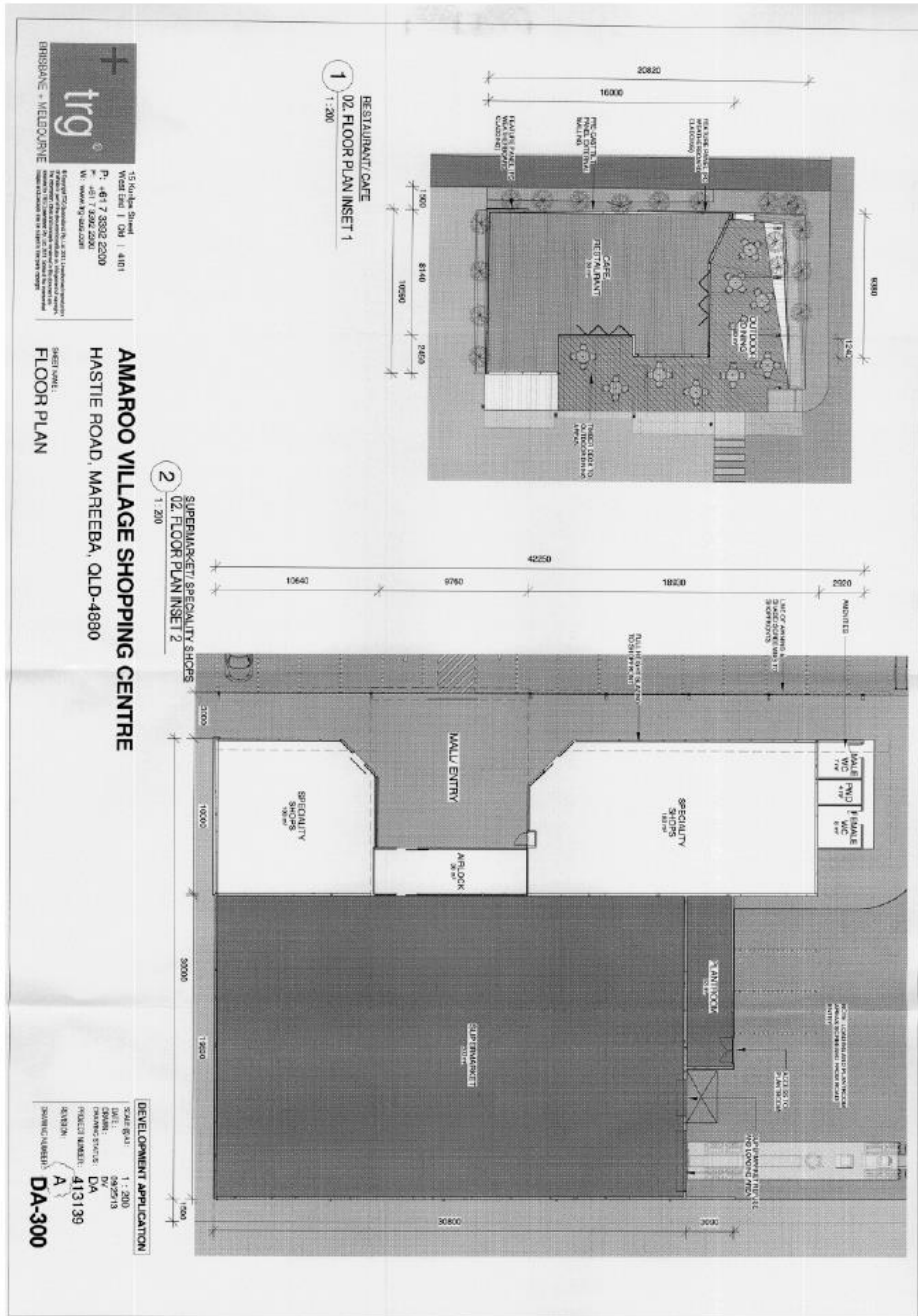
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REVISION: A

DRAWING NUMBER: **DA-120**

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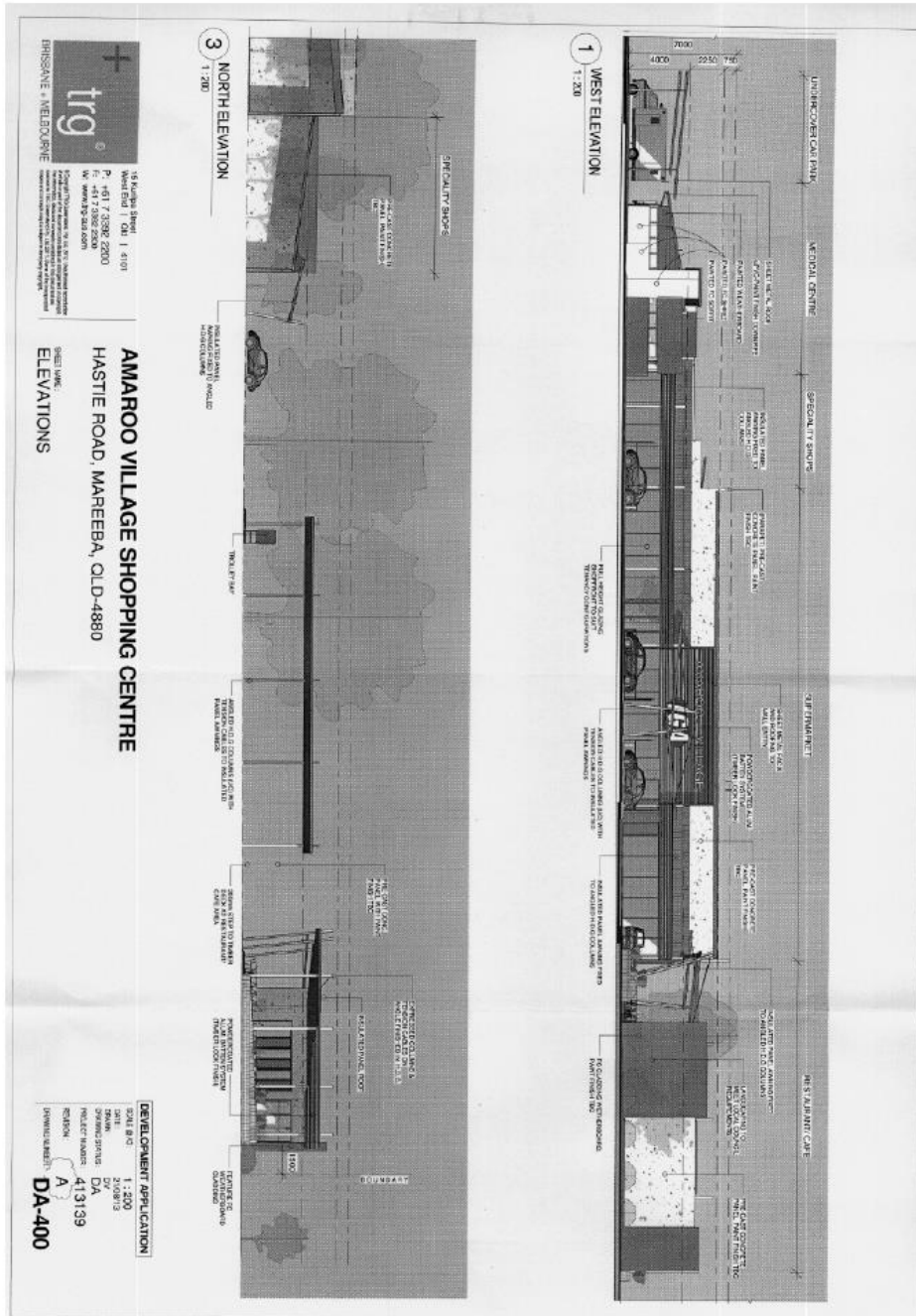
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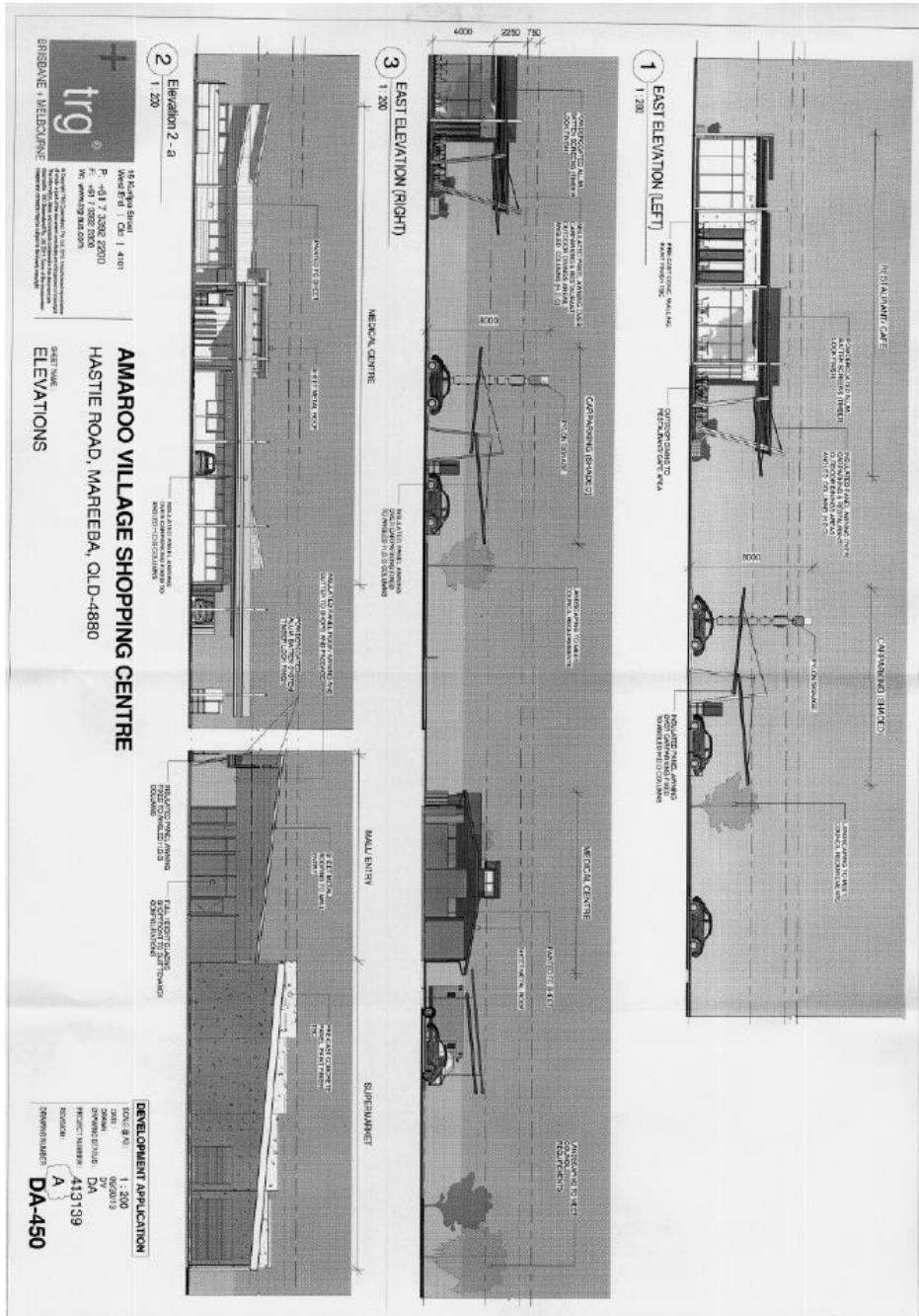
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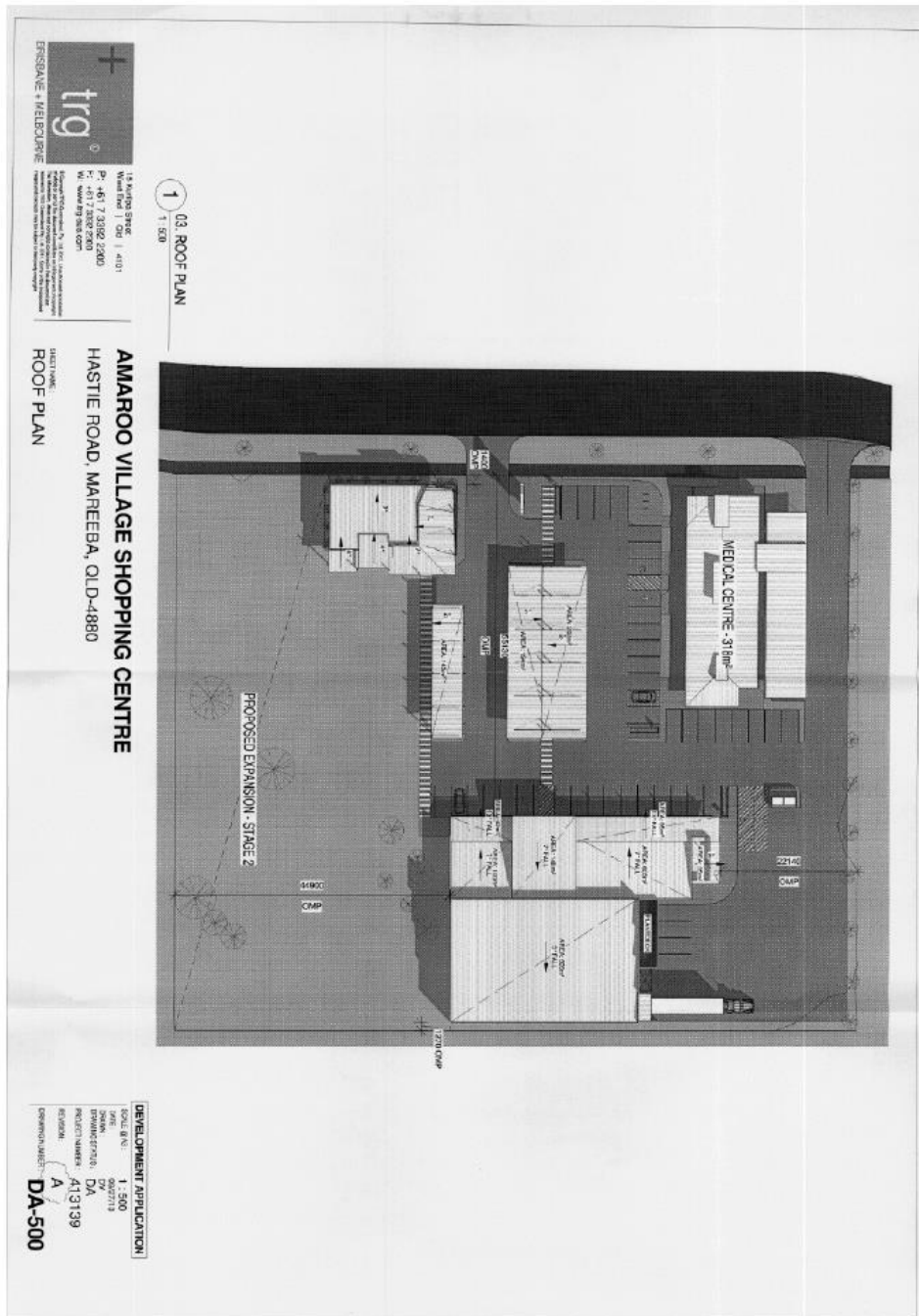
Mareeba Shire Council


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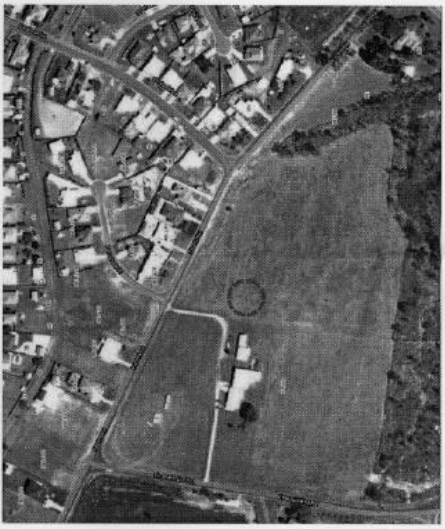
Mareeba Shire Council





PEDDLE THORP

Project Name: **New Medical Centre, Amaroo Park**
 Project Number: **132589**
 Client Name: **Dr Cheryl Harnischfeger**

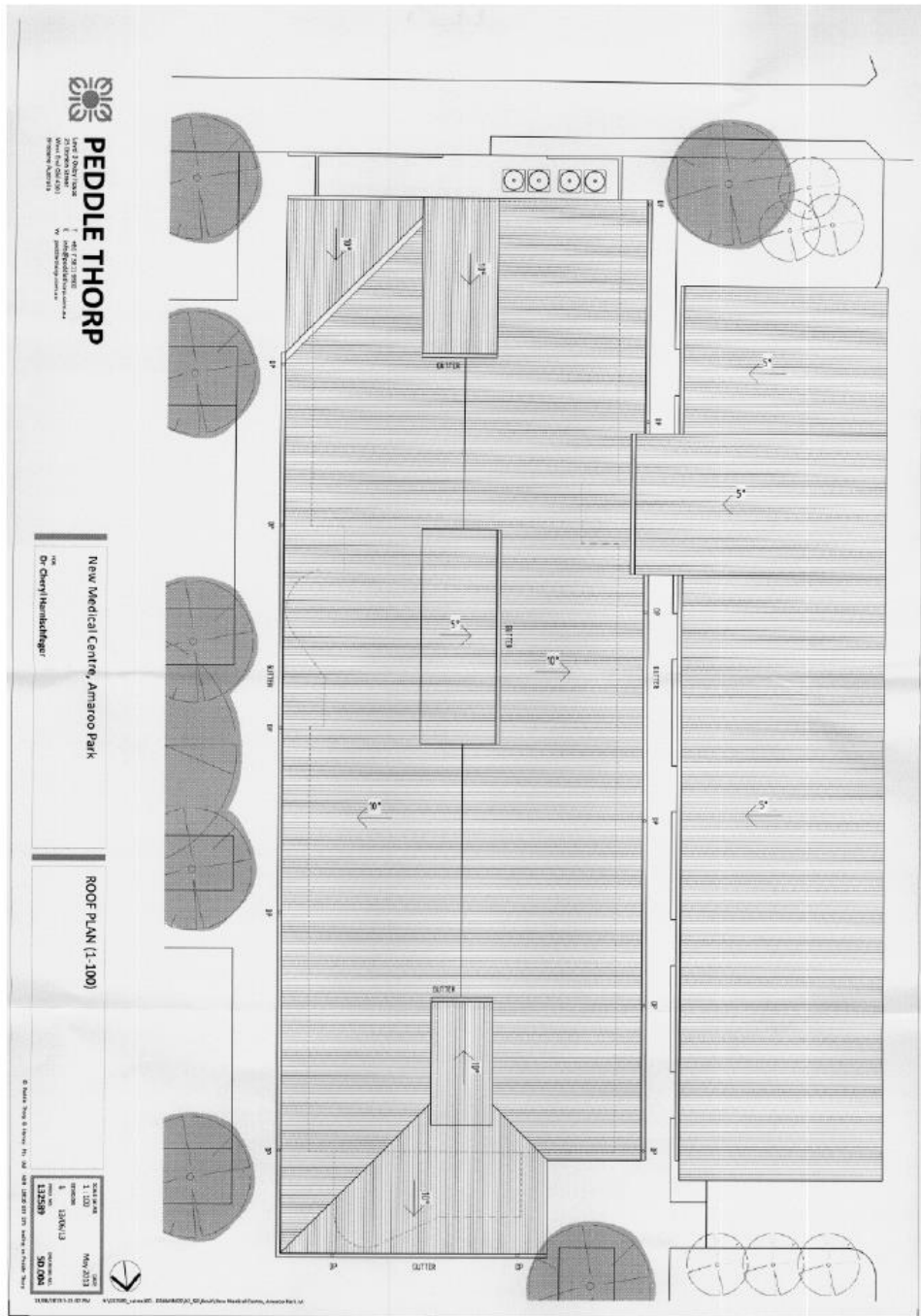


Sheet List

Sheet Number	Sheet Name	Current Revision	Current Revision Date	Drawn By	Checked By
S0.001	SPEAKERS SHEET	1	13/08/13	JH	PW
S0.002	SITE PLAN	1	13/08/13	JH	PW
S0.003	GROUND FLOOR PLAN (1:100)	1	13/08/13	JH	PW
S0.004	ROOF PLAN (1:100)	1	13/08/13	JH	PW
S0.005	Building Elevations (1:100)	1	13/08/13	JH	PW
S0.006	BUILDING ELEVATIONS, sheet 2	1	13/08/13	JH	PW
S0.007	Building Sections (1:200)	1	13/08/13	JH	PW
S0.008	ARTISTS IMPRESSION	1	13/08/13	JH	PW
S0.009	ARTISTS IMPRESSION	1	13/08/13	JH	PW

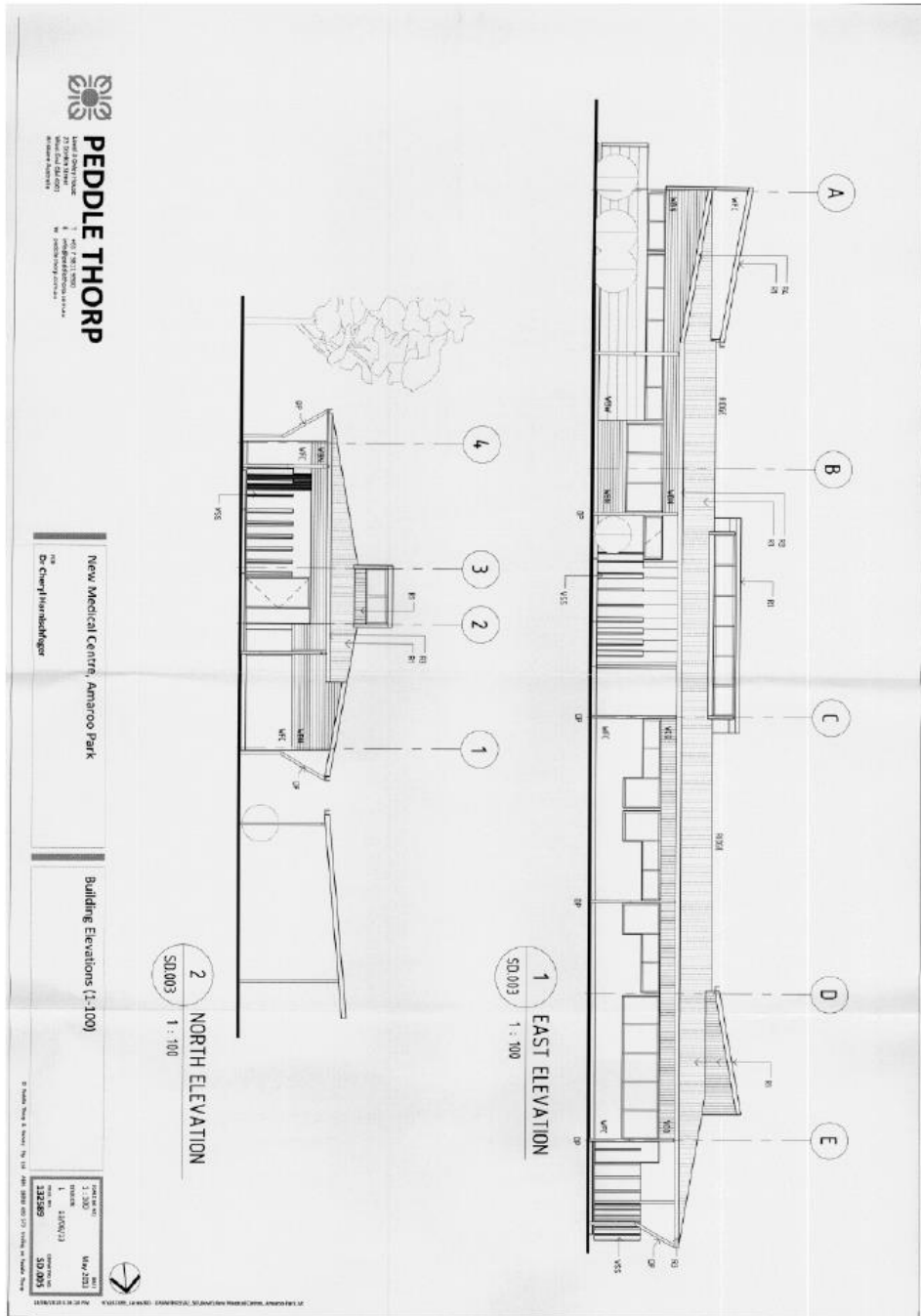
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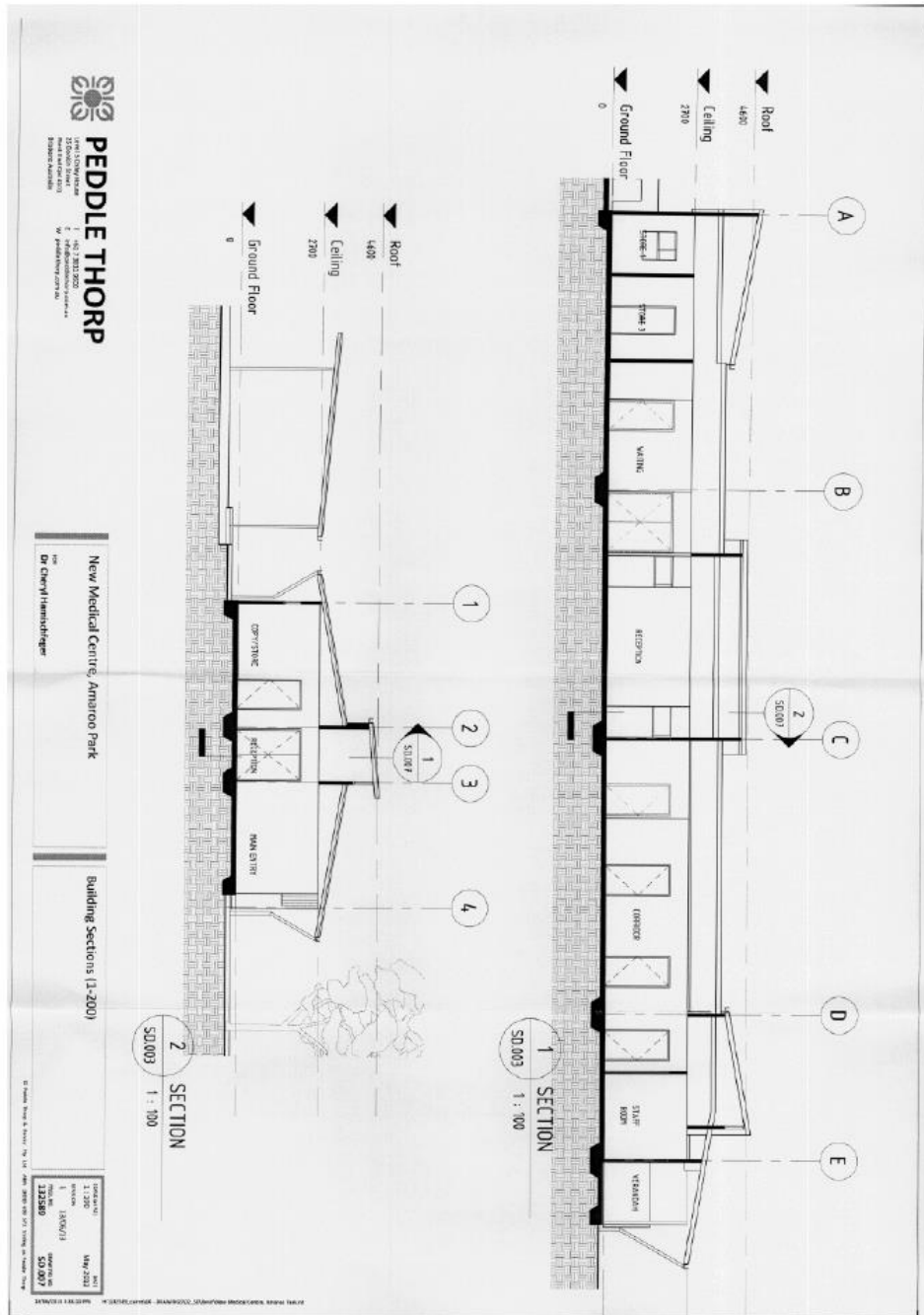
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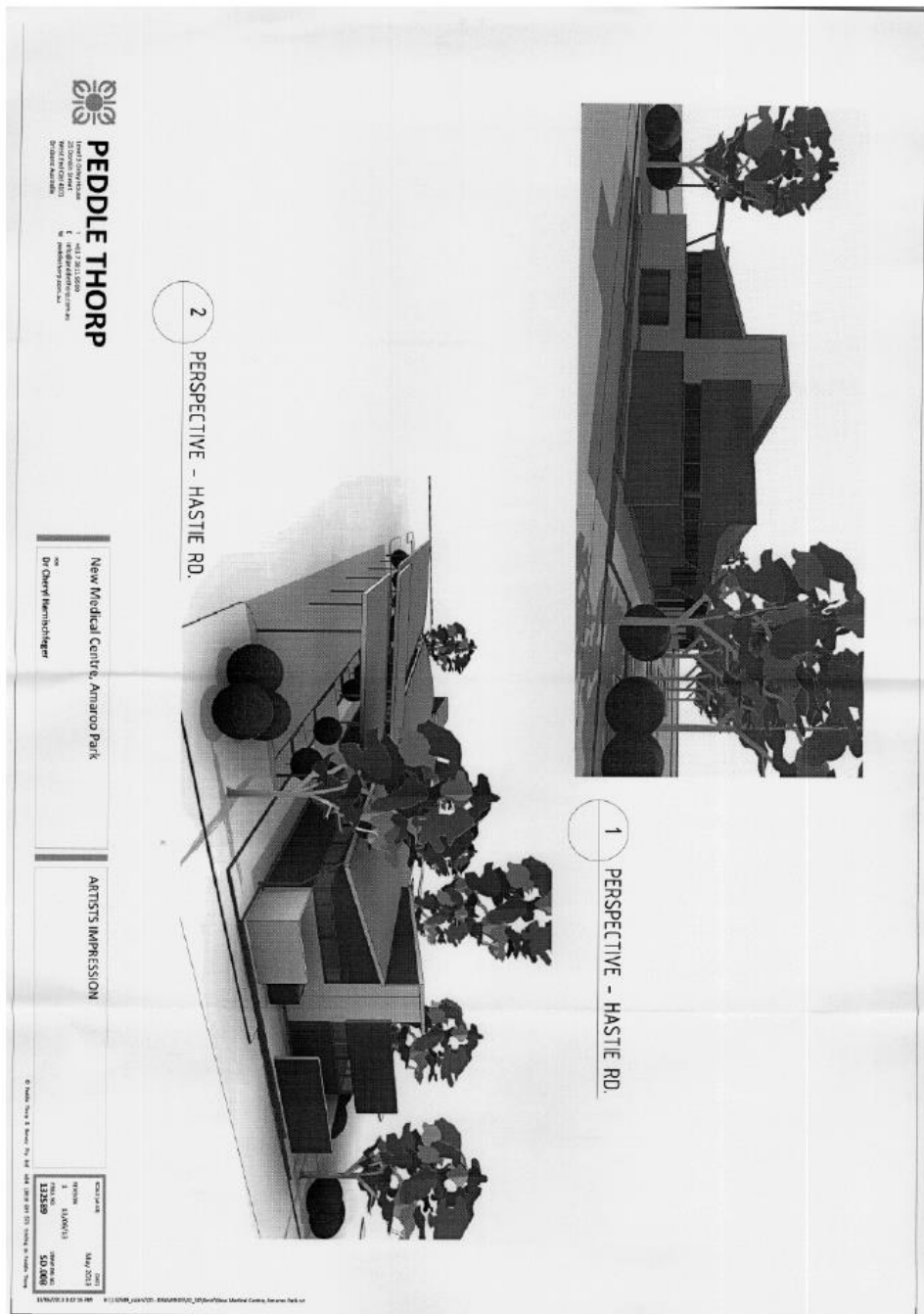
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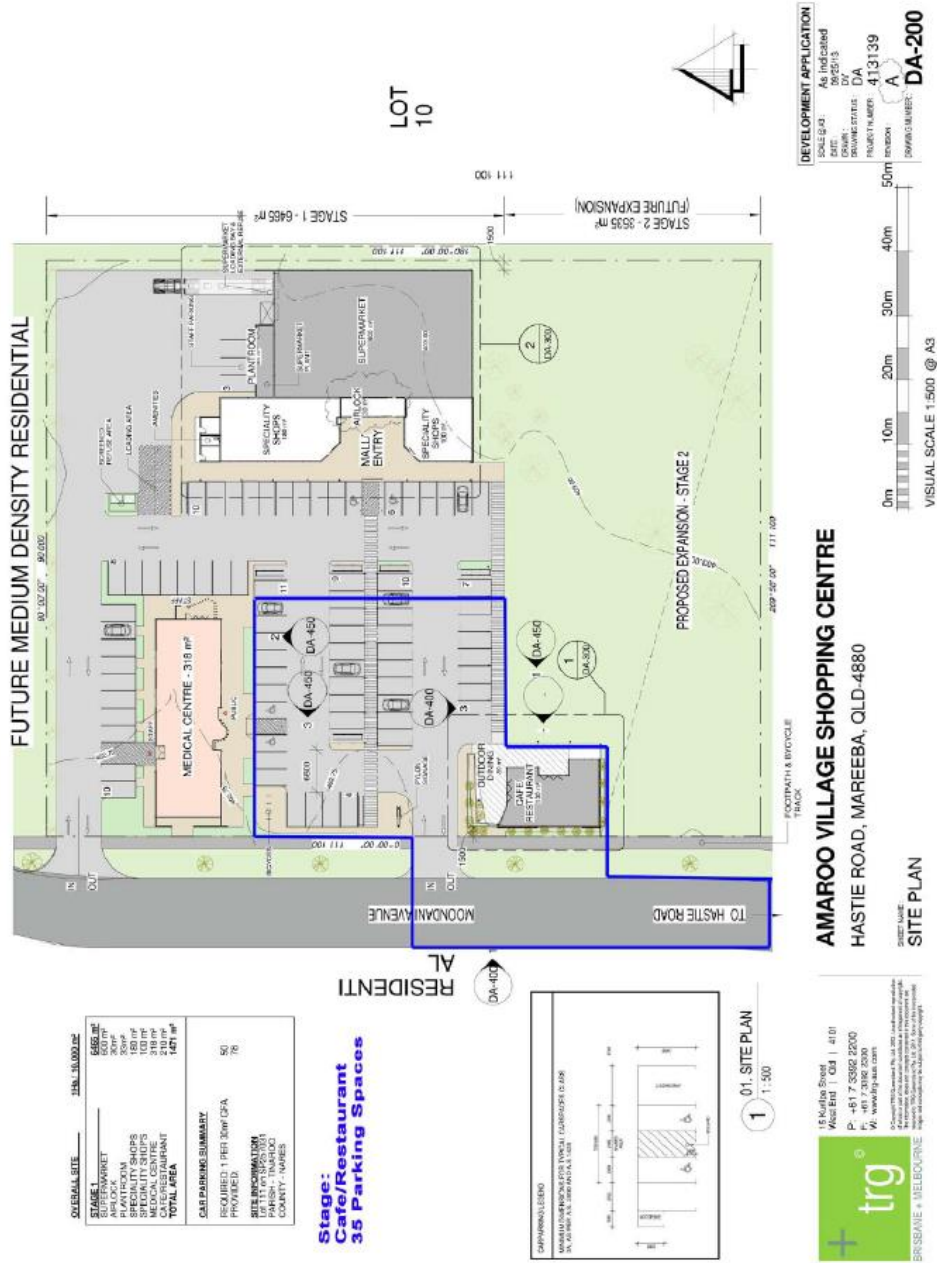
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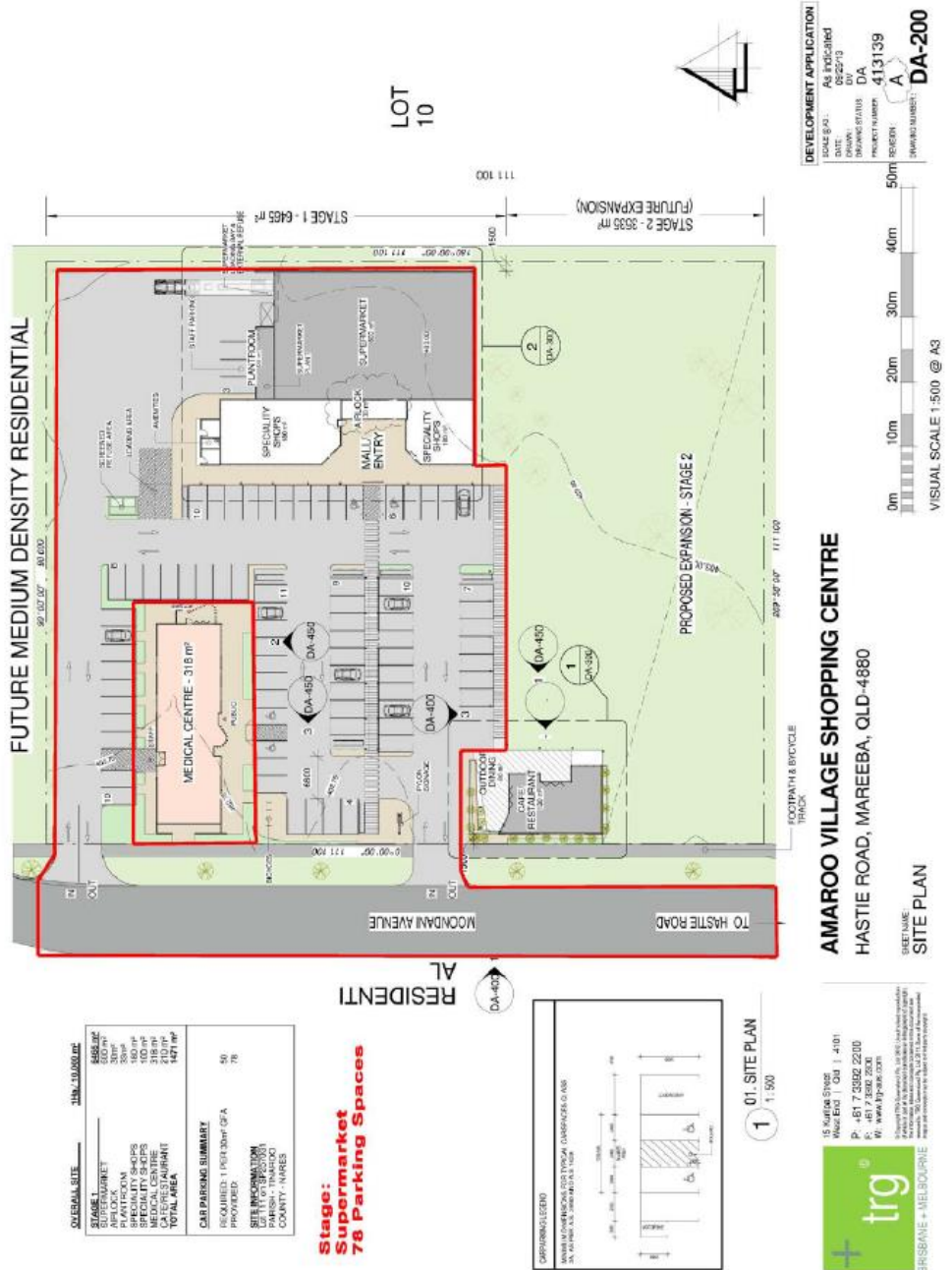
28
21 February 2014



DECISION NOTICE - APPROVAL

29
21 February 2014



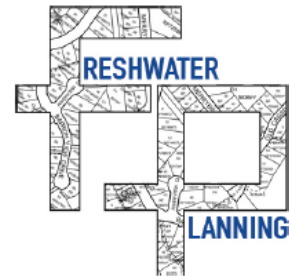


ATTACHMENT 2

Your Ref: DA/13/0164
Our Ref: F16/033

30 November, 2016

Chief Executive Officer
Mareeba Shire Council
PO Box 154
MAREEBA QLD 4880



Attention: Brian Millard
Regional Planning Group

Dear Sir,

**RE: DEVELOPMENT APPLICATION DA/13/0164
REQUEST TO CHANGE DEVELOPMENT APPROVAL - SECTION 369 SUSTAINABLE PLANNING ACT
2009. DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE – BUSINESS (MEDICAL
CENTRE) AND SHOP (2 SPECIALITY STORES AND 1 SUPERMARKET) AND RESTAURANT
(CAFÉ/RESTAURANT). THEN LOT 111 ON SP257031, NOW LOTS 1 & 2 ON SP273691. THEN
HASTIE ROAD, MAREEBA, NOW 2 – 8 AND 10 KAROBEAN DRIVE, MAREEBA.**

This request for a Change to Development Approval DA/13/0164 for a Material Change of Use – Business (Medical Centre) and Shop (2 Speciality Stores and 1 Supermarket) and Restaurant (Café/Restaurant) over land then described as Lot 111 on SP257031 and situated on Hastie Road, Mareeba and now Lots 1 and 2 on SP273691 and situated at 2 – 8 and 10 Karobean Drive, Mareeba is made on behalf of Prime Constructions Qld Pty Ltd.

This Change to Development Approval is provided in response to the current economic trends and market along with the need for the provision of necessary services to service the ever-growing Mareeba Shire population. Details of the requested to Change to the Approval and of the reasons for these are set out below in accordance with *Section 369 of the Sustainable Planning Act 2009*.

The Approval

The Mareeba Shire Council Approved a Material Change of Use – Business (Medical Centre) and Shop (2 Speciality Stores and 1 Supermarket) and Restaurant (Café/Restaurant) over land then described as Lot 111 on SP257031 and situated on Hastie Road, Mareeba at Council's Ordinary Meeting held on 19 February, 2014. Since this time development over the site has occurred with the completion of the original Stage 1 Development, being the Medical Centre Stage.

Changing the Approval

Changes are sought to Conditions of the Approval to amend the staged Commercial Development and in particular allowing for the provision of the required necessary community and residential services for an ever-growing population. The proposal does not alter the existing Approved Uses that provide for Business, Shop and Restaurant Uses however, rearranges these services over the site. The proposed Changes allow for the provision

Freshwater Planning Pty Ltd
t/e The Freshwater Trust
ACN 603 020 220 | ABN 31 187 983 959

P: 0402729004
E: FreshwaterPlanning@outlook.com
A: 17 Barron View Drive, FRESHWATER QLD 4870

of additional necessary community services to cater for the ever-growing population including the provision of additional Medical Centre Uses to encompass a Pathology, X-Ray, Dentist, Optometrist and Allied Health Services along with nominating a Pharmacy within one of the Speciality Shops. These additional community and residential services will be provided within Stage 2 along with a Café with the Supermarket, other Speciality Store and Restaurant provided within Stage 3. While the proposed Change to the Development Approval increases the GFA of the site by approximately 556 m² the alterations do not propose any additional Uses that doesn't already exist. The Business (Medical Centre) Uses increase by approximately 452 m², the Restaurant (Café/Restaurant) Uses increasing by 155 m² and the Shop (2 Speciality Stores and 1 Supermarket) reducing in size by 51 m². The proposed amendments to the Prime Constructions Plans include the provision of 22 parking spaces to cover the increase in the Approved Uses. Details of the existing Conditions, the Representations for the requested change and alternative wording are provided below.

Attached to this Change to Development Approval is an Amended set of Plans provided by Hunt Design for the Prime Group demonstrating the outlined changes and staging. It is requested that Council please amend the Decision Notice – Approval to reflect the attached Prime Constructions Plans. It is understood that section **8. Approved Plans** will require to be updated.

Decision Notice - Approval

6. Conditions –

(A) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

As a result of the Amended Prime Constructions Plans altering the staging and providing additional necessary services to the site, the Decision Notice – Approval will need to amend the following Conditions:

Condition 2 Timing of Effect

2.3 Prior to the commencement of use, the applicant must provide a letter from the Department of Transport and Main Roads/ or other Concurrence agency confirming that the department is satisfied their conditions for Development Approval REC/08/0012 are complied with and/or that the department has no objections to the commencement of the use.

Representation and Requested Action

As the proposed Development has completed Stage 1, being the original Medical Centre it is considered that this Condition is no longer relevant and requests that it be Deleted. It is requested that Condition 2.3 be Deleted.

Condition 3.8 Trolley Bays

For the Supermarket stage, adequate trolley bay areas must be provided on the site generally in accordance with Drawing No. DA-200.

Representation and Requested Action

It is requested that Council Amend this Condition to remove the Drawing No. DA-200 as this drawing may be redundant with the proposed Change to the Development Approval. It is accepted that the requirement for the provision of adequate trolley bay areas are appropriate.

Condition 4.4 Car Parking/Internal Driveways

The developer must ensure that the development is provided with 78 on-site car parking spaces which are available solely for the parking of vehicles associated with the use of the premises.

If the development is carried out in stages, the following minimum number of car parking spaces must be provided for the relevant stage:

- *Medical Centre Stage – 24 spaces*
- *Cafe/Restaurant Stage – 35 spaces*
- *Supermarket Stage – 78 spaces*

All car parking spaces must be sealed, line-marked and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.

Prior to the issue of a development permit for operational works and/or works commencing, the developer must submit engineering plans and specifications for the construction of proposed car parking facilities and internal driveways demonstrating:

Compliance with Australian Standard AS2890:1 Off Street Parking – Car Parking Facilities;
Compliance with Australian Standard AS2890.3 Bicycle Parking Facilities;
Compliance with Australian Standard AS1428:2001 – Design for Access and Mobility.

Representation and Requested Action

It is requested that Council please Amend this Condition to reflect the new proposed Plans, Staging and Overall on-site car parking spaces. It is considered appropriate that the condition be amended to nominate the following:

- *Medical Centre Stage Stage 1 – 24 spaces*
- *Cafe/Restaurant Stage Stage 2 – ~~35 spaces~~ 80 spaces*
- *Supermarket Stage Stage 3 – ~~78 spaces~~ 100 spaces*

The provision of 100 parking spaces over the site provide a parking rate of approximately 1 space per 20 m² which is more than acceptable and appropriate for the Commercial Development. Additionally, each Stage will ensure that an oversupply of parking is provided for the Commercial Development. It is considered that the abovementioned amendments to Condition 4.4 Car Parking/Internal Driveways is appropriate.

Lastly, the Amended Prime Constructions Plan may directly affect the provided Adopted Infrastructure Charges Notice as the Approval provides an additional area for the Business and Restaurant Uses while reducing the Shop Uses. It is requested that Council please amend the Adopted Infrastructure Charges Notice, if required.

This completes this Request to Change the Development Approval. Please do not hesitate to contact me, in the first instance, should you require further information in relation to the matter. If Council is to require any further elaboration of any of the items/representations provided above please do not hesitate to contact me directly.

It is requested that Council Officers please provide a Draft of the proposed Change to the Approval with sufficient time for review before any final decision is provided.

Yours faithfully,



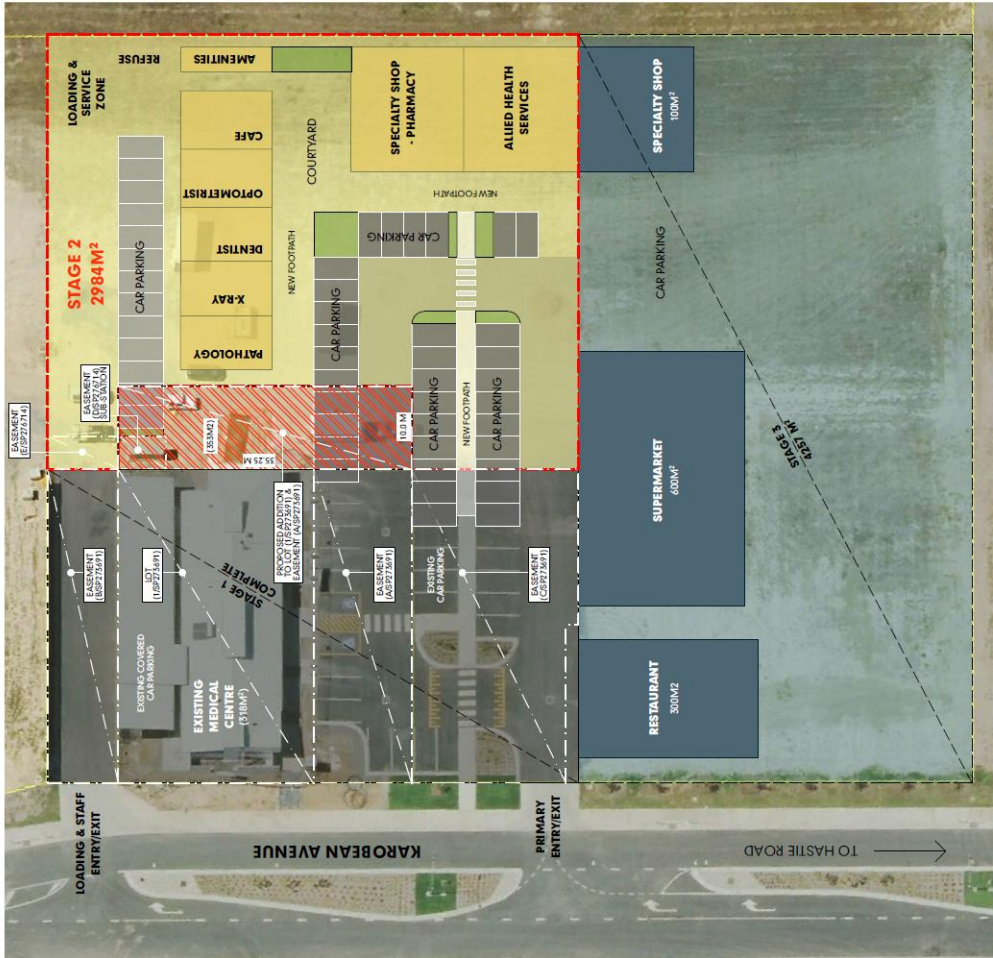
MATTHEW ANDREJIC

FRESHWATER PLANNING PTY LTD

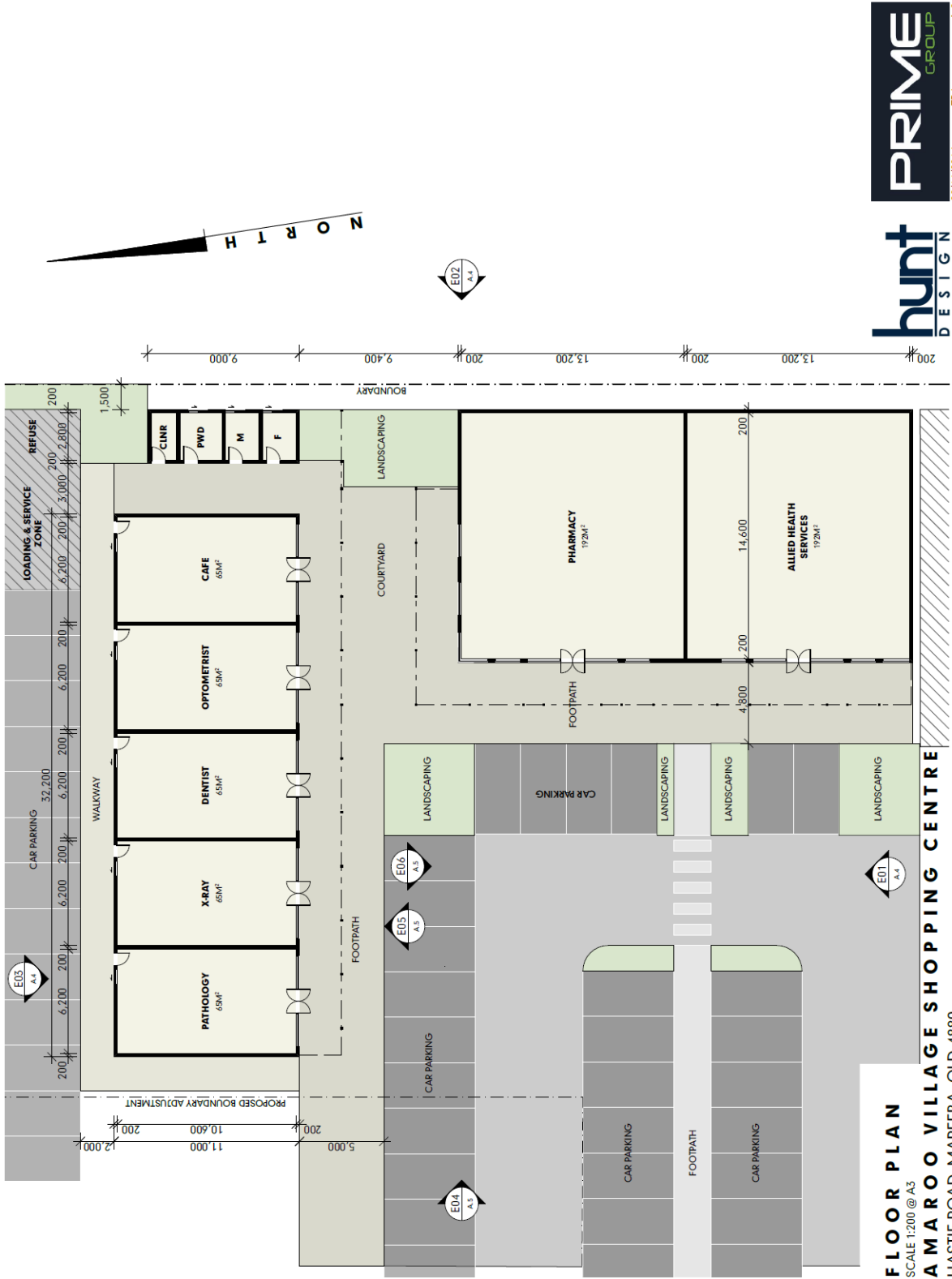
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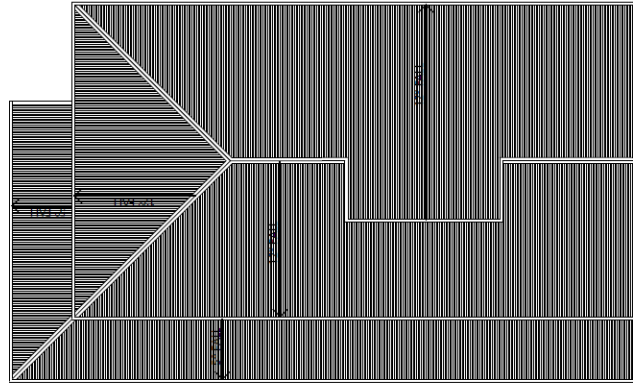
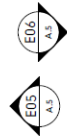
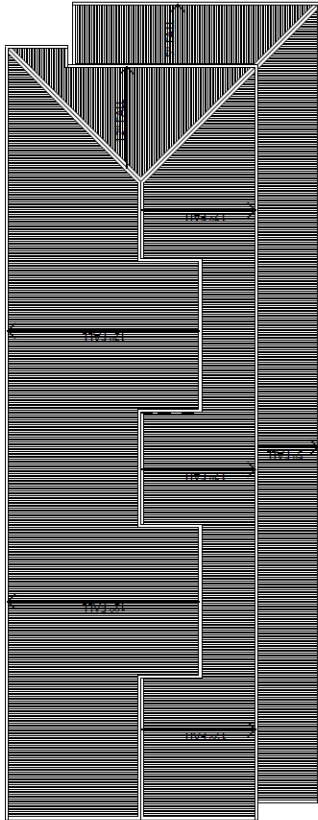
E: FreshwaterPlanning@outlook.com

17 Barron View Drive, FRESHWATER QLD 4870



MASTER PLAN
SCALE 1:500 @ A3
AMARO VILLAGE SHOPPING CENTRE
HASTIE ROAD, MAREEBA, QLD-4880





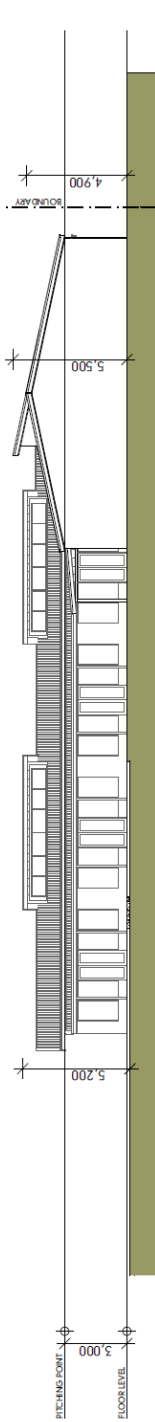
ROOF PLAN

SCALE 1:200 @ A3

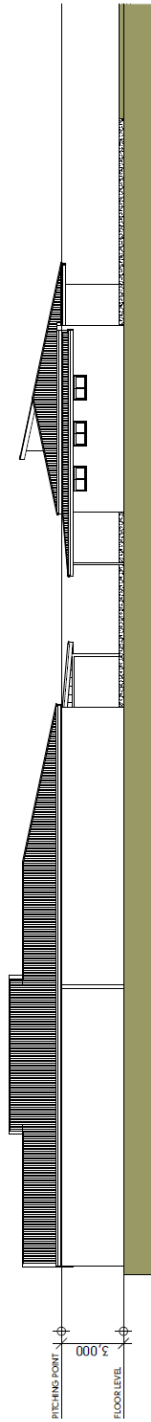
AMARO VILLAGE SHOPPING CENTRE

HASTIE ROAD, MAREEBA, QLD-4880

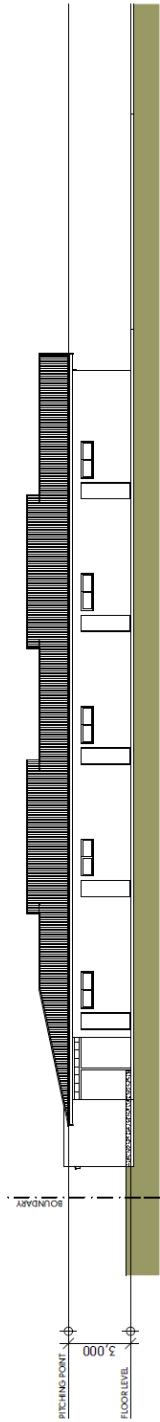




ELEVATION 1
SCALE 1:200 @ A3



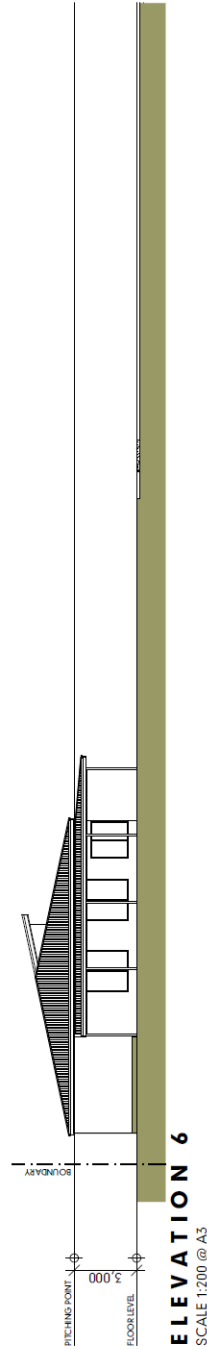
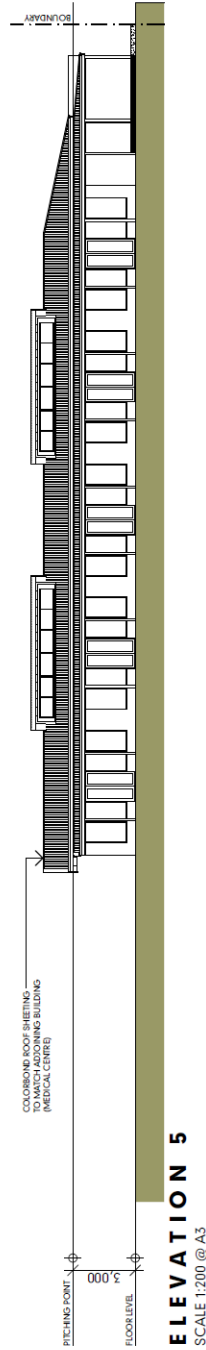
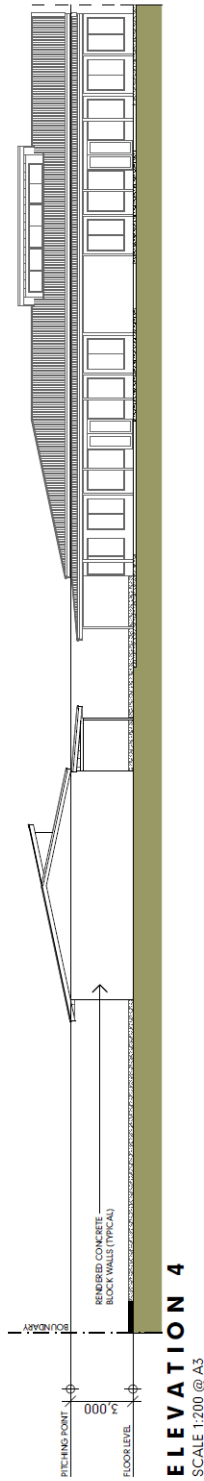
ELEVATION 2
SCALE 1:200 @ A3



ELEVATION 3
SCALE 1:200 @ A3

ROOF PLAN
SCALE 1:200 @ A3
AMARO VILLAGE SHOPPING CENTRE
HASTIE ROAD, MAREEBA, QLD-4880





ROOF PLAN
SCALE 1:200 @ A3
AMARO VILLAGE SHOPPING CENTRE
HASTIE ROAD, MAREEBA, QLD-4880

**ITEM-3 APPLICATION FOR PERMIT TO OCCUPY OVER LAND
WITHIN LOT 20 K4931, KOORBOORA**

MEETING: Ordinary

MEETING DATE: 25 January 2017

**REPORT OFFICER'S
TITLE:** Senior Planner

DEPARTMENT: Corporate and Community Services

EXECUTIVE SUMMARY

Application has been made to the Department of Natural Resources and Mines (DNRM) for the issue of a permit to occupy over land within the boundaries of Lot 20 on K4931 being Koorboora Township Reserve R78, situated on the Burke Developmental Road, Koorboora.

The application covers Lot 20 on K4931 and reserves, State land and road reserves within the boundaries of Lot 20 on K4931. Council is trustee of two reserves covered by the application, specifically Reserve R8 (Koorboora Cemetery) and Reserve R51 (Rubbish Depot).

Should the application be successful, it is proposed that the land be used for grazing purposes.

DNRM seeks Council's views on the issue of the permit to occupy.

OFFICER'S RECOMMENDATION

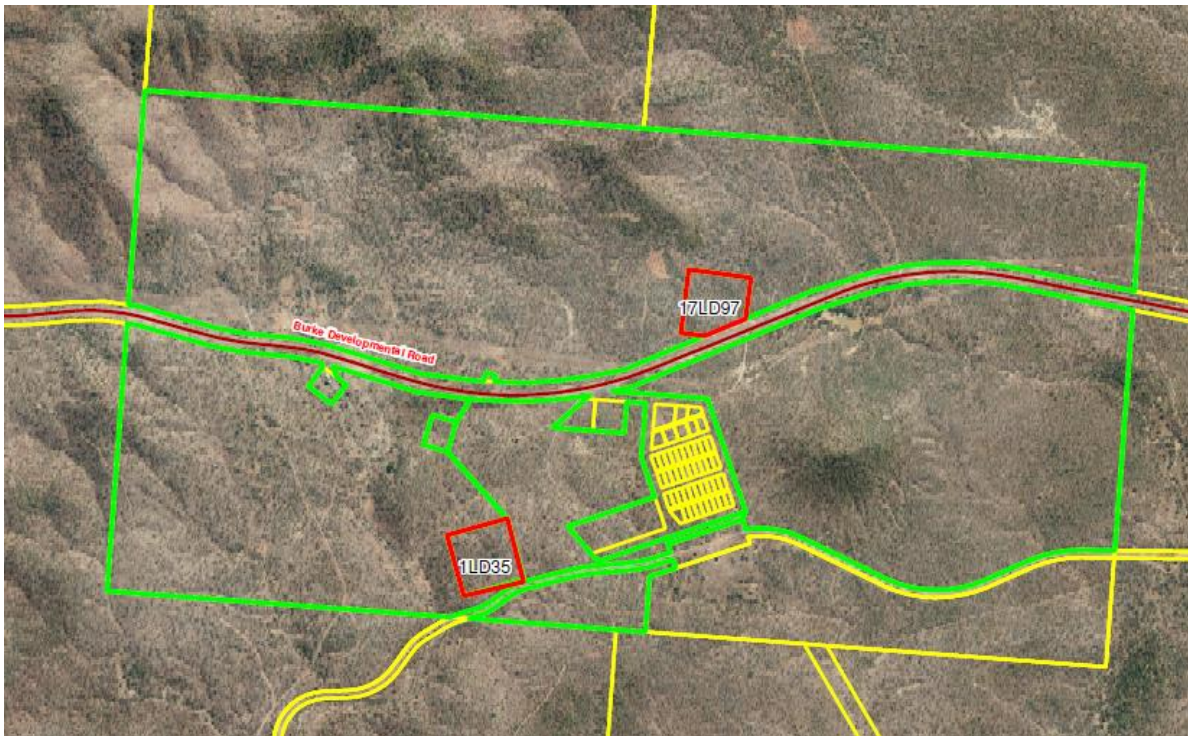
"That Council offer no objection to the issue of a permit to occupy for grazing purposes over land within the boundaries of Lot 20 on K4931, being Koorboora Township Reserve R78, subject to the permit to occupy excluding Lot 17 on LD97 (Koorboora Cemetery), which must be kept open to the community."

BACKGROUND

DNRM is currently considering an application for the issue of a permit to occupy over land within the boundaries of Lot 20 on K4931 being Koorboora Township Reserve R78, situated on the Burke Developmental Road, Koorboora.

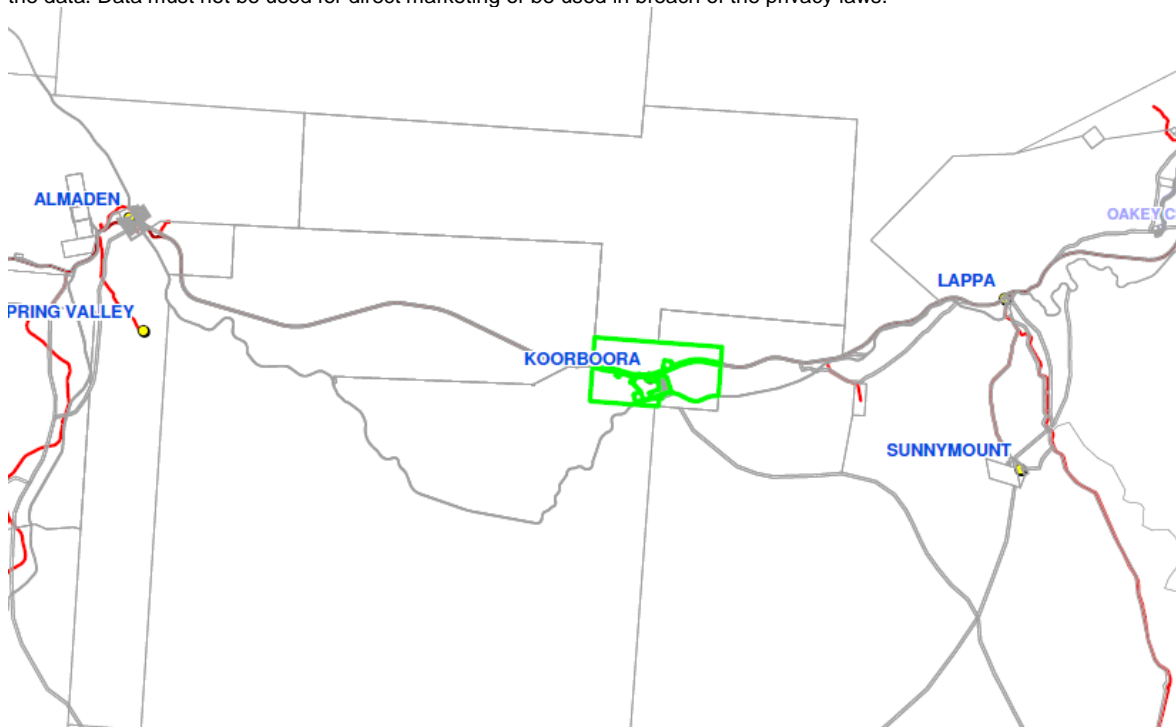
Lot 20 on K4931 has an area of 471 hectares and is situated approximately halfway between Lappa and Almaden. The Burke Developmental Road bisects Lot 20 into a northern and southern portion.

Council at its ordinary meeting held on 6 May 2015 resolved to advise DNRM that it did not want trusteeship of Lot 20 on K4931 and suggested that consideration be given to the leasing of the reserve for grazing purposes.



Map Disclaimer:

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The permit to occupy application also covers multiple reserves, State land and road reserves within the boundaries of Lot 20. Council is the trustee of two of the 'internal' reserves, specifically Lot 17 on LD97 being Reserve R8 (Koorboora Cemetery) and Lot 1 on LD35 being Reserve R51 (Rubbish Depot).

Community access to the Koorboora Cemetery should be maintained by excluding this reserve (Lot 17 on LD97) from the permit to occupy.

The remaining State land, reserves and road reserves appear to be unused.

LINK TO CORPORATE PLAN

Nil

CONSULTATION

Internal

Nil

External

Nil

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

Nil

POLICY IMPLICATIONS

The subject land is zoned Rural under the Mareeba Shire Council Planning Scheme - July 2016.

Community access to the Koorboora Cemetery should be maintained by excluding this reserve (Lot 17 on LD97) from the permit to occupy.

There is no objection to the balance of the land being used for grazing purposes.

FINANCIAL & RESOURCE IMPLICATIONS

Capital

Nil

Operating

Nil

Is the expenditure noted above included in the 2016/2017 budget?

Nil

If not you must recommend how the budget can be amended to accommodate the expenditure

Nil

IMPLEMENTATION/COMMUNICATION

The Department of Natural Resources and Mines will be informed of Council's decision by letter.

ATTACHMENTS

1. Department of Natural Resources and Mines letter of 3 January 2017.

Date Prepared: 10 January 2017

ATTACHMENT 1

Author Kellie Swaffer
File / Ref number 2016/003817 & 2016/003818
Directorate / Unit State Land Asset Management
Phone (07) 4222 5427

3 January 2017

The Chief Executive Officer
Mareeba Shire Council
info@msc.qld.gov.au



Department of
Natural Resources and Mines

Dear Sir/Madam,

Applications for permits to occupy for grazing purposes over Township Reserve R78 Koorboora (Title Reference 49007170), described as Lot 20 on Plan K4931 (including reserves and State land and local roads within the boundaries of Lot 20 on Plan K4931), intersected by the Burke Development Road, locality of Petford.

The Department has received the above applications. The proposed use is for grazing purposes. The enclosed Smart map shows the subject lands and the surrounding locality, and Drawing CNS16/016 showing the local road area for your information.

It has been identified the proposed permits areas also include Reserve (R8) (Koorboora Cemetery), described as Lot 17 on LD97, and Reserve (R51) (Rubbish Depot), described as Lot 1 on LD35. Mareeba Shire Council is trustee to both of the reserves.

Please advise the Department of any views or requirements that the Department should consider when assessing this proposal. Objections to the proposal, and any views or requirements that may affect the future use of the land must be received by close of business on **28 February 2017**. If Council offers an objection to the proposal, a full explanation stating the reason for the objection should be forwarded to this Office.

If Council wish to provide a response but is unable to do so before the due date, please contact the Department before the due date to arrange a more suitable timeframe.

This information has been provided in confidence for the purpose of seeking Council's views on this matter. It is not to be used for any other purpose, or distributed further to any person, company, or organisation, without the express written permission of the Department unless required.

If you wish to discuss this matter please contact the Department on (07) 4222 5427.

All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to Townsville.SLAMS@dnrm.qld.gov.au. Any hard copy correspondence received will be electronically scanned and filed. For this reason, it is recommended that any attached plans, sketches or maps be no larger than A3-sized.

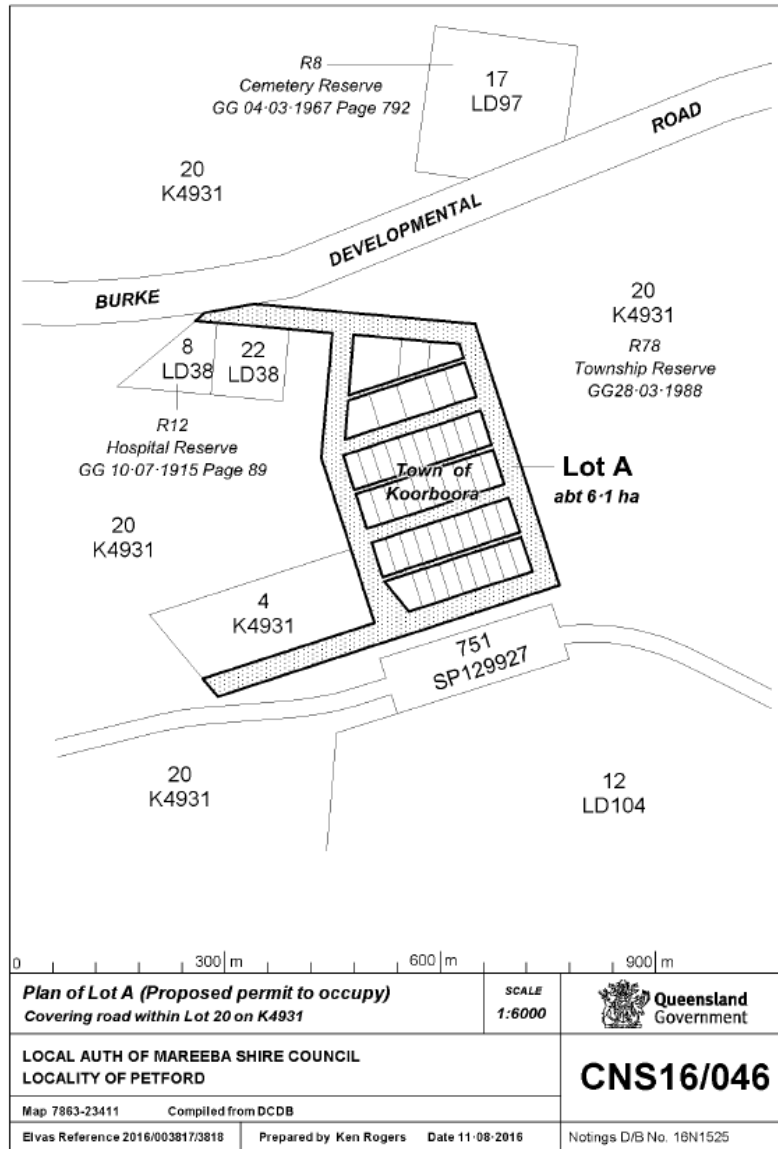
Please quote reference number 2016/003817 and 2016/003818 in any future correspondence.

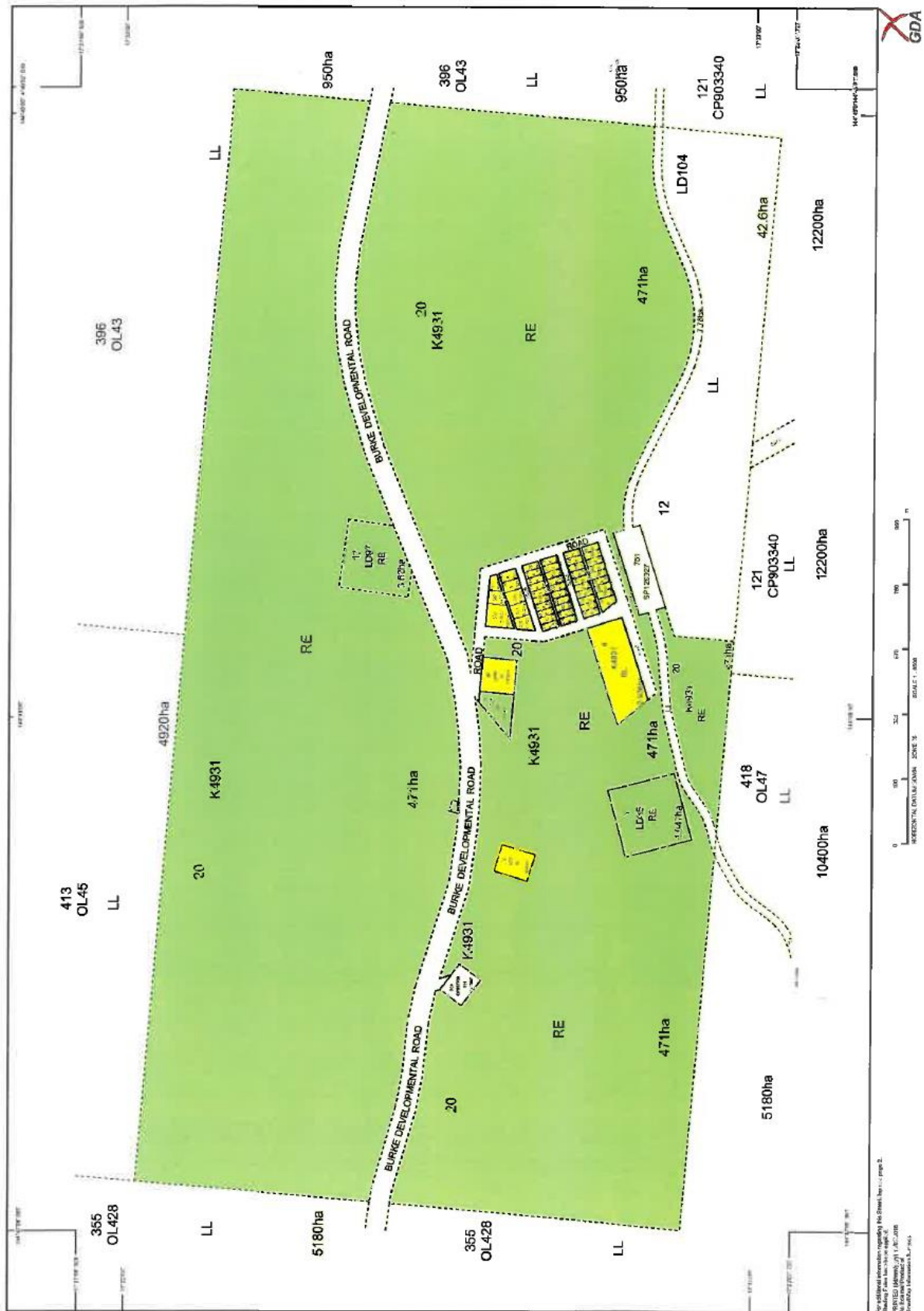
Yours sincerely

Kellie Swaffer
Land Administration Officer



Postal :
DNRM Cairns
PO Box 5318
Townsville QLD 4810

Telephone : (07) 4222 5427
Fax: (07) 4447 9199





Additional Information Page**Shading Rules**

-  Tenure = SL
-  Tenure = RE

BACKGROUND



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Secret Recipe Pty Ltd has made application to the Office of Liquor and Gaming Regulation for a Commercial Other - Subsidiary on Premises liquor licence over premises described as Lot 16 on RP718966, situated at 210 Byrnes Street, Mareeba.

The applicant intends to open a new Thai restaurant in the vacant shop formerly occupied by McCrackens. The liquor licence will complement the service of meals in the new restaurant.

The proposed liquor trading hours are 10:00am to 12:00am - Monday to Sunday. The liquor licence may extend over a footpath dining area, subject to the applicant obtaining the necessary outdoor dining approval from Council.

LINK TO CORPORATE PLAN

Nil

CONSULTATION

Internal

Nil

External

Nil

LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)

Nil

POLICY IMPLICATIONS

Lot 16 on RP718966 has a total area of 1,214 square metres and is zoned Centre under the Mareeba Shire Council Planning Scheme - July 2016. Lot 16 contains three tenancies fronting Byrnes Street.

The proposed Commercial Other - Subsidiary on Premises Licence would cover the southern-most tenancy and the use of this tenancy as a Food and Drink Outlet is exempt development under the planning scheme.

The Queensland Government provides the following description of Commercial Other - Subsidiary on Premise Licence:

Service summary

A commercial other (subsidiary on-premises) licence is required when selling liquor for on-premises consumption is a 'subsidiary' activity of your business (i.e. it is not the main activity of your business).

Types of businesses that may be licensed under subsidiary on-premises licence include restaurants, cafes, nightclubs, vessels, indoor sporting centres, theatres, amusement parks, resorts, motels and function centres.

Trading conditions

Generally between the hours of 10am and 12 midnight - or during approved extended trading hours - liquor may be sold:

- for consumption on the licensed premises
- for consumption off the licensed premises (i.e. if stated in the licence) in the course of the licensee catering to a function.

If the main activity of your business includes any of the following, specific conditions will apply:

- providing entertainment (e.g. nightclub, cabaret)
- providing meals prepared, and served to be eaten, on the premises (e.g. restaurants, cafes)
- providing accommodation (e.g. motel, resort).

It is recommended that Council offers no objection to the granting of a Commercial Other - Subsidiary on Premises licence to Secret Recipe Pty Ltd.

FINANCIAL & RESOURCE IMPLICATIONS

Capital
Nil

Operating
Nil

Is the expenditure noted above included in the 2016/2017 budget?
Nil

If not you must recommend how the budget can be amended to accommodate the expenditure
Nil

IMPLEMENTATION/COMMUNICATION

The Department of Justice and Attorney General will be informed of Council's decision by letter.

ATTACHMENTS

1. Department of Justice and Attorney General letter dated 5 January 2017

Date Prepared: 10 January 2017

ATTACHMENT 1

Please quote: 945081/LAB12
Contact officer: Customer Support Team
Contact Number: (07) 3224 7131

Chief Executive Officer
Mareeba Shire Council
Email: info@msc.qld.gov.au



Office of Liquor and Gaming Regulation

Department of
Justice and Attorney-General

Dear Sir/Madam

SECRET RECIPE PTY LTD - MAREEBA
Application for a Commercial Other Subsidiary On Premises licence
Real Property Description: Lot 16 on RP 718966
Applicant's contact details: Mr. Nicholas Taft, Lanza Legal, Phone: (07) 4031 6676, Email: nick@lanzalegal.com.au

An application for a liquor licence for a premises within your area of authority has been received at this office. Details of the application are as follows:

<i>Applicant:</i>	Secret Recipe Pty Ltd
<i>Name of premises:</i>	Secret Recipe Pty Ltd
<i>Street address:</i>	210 Byrnes Street, Mareeba
<i>Proposed trading hours:</i>	10:00AM to 12:00AM - Monday to Sunday
<i>Type of licence:</i>	Commercial Other Subsidiary On Premises (provision of meals)

If this licence is granted it would enable the holder to sell liquor for consumption on the premises where the principal activity is provision of meals prepared and served to be eaten on the premises (however, liquor may be sold to patrons who are non-diners i.e. only there to have a drink).

The applicant has also indicated their intention to include a footpath dining area as part of their proposed licensed area.

By law, the relevant local government authority for the locality must be informed of the application and afforded the opportunity to:

- Comment on the reasonable requirements of the public in the locality.
- Object to the grant of the application on the grounds that the amenity, quiet or good order of the locality would be lessened.

Please advise whether you have any comments on, or objections to, the grant of the application. In accordance with section 117 of the *Liquor Act 1992* your comments or objection must be given to this office on or before the last day for filing objections. To comply with section 117 of the Act, your comments or objection should be received by **19 January 2017**.

Office of Liquor and Gaming Regulation
33 Charlotte Street
BRISBANE QLD 4000
Locked Bag 180
CITY EAST QLD 4002

Telephone +61 7 3224 7131
Facsimile +61 7 3227 7047
Email liquorandgaminglicensing@justice.qld.gov.au
Website www.business.qld.gov.au/liquor-gaming
ABN 13 846 673 994

If you do not support the application, your comments or objection should include full particulars of:

- The grounds upon which the objection is made.
- The facts, evidence or reasons upon which it is based.

It is important to note that less weight will be given to statements that merely indicate that the Chief Executive Officer does not support, or objects to the application. Accordingly, any objection to this application should be supported by documentary evidence on the specific trading history of this venue and include incidents directly linked to the operation of the premises and the conduct of the licensee and their management.

If this application relates to a new licensed premises and there is no trading history to rely on, your objection may be based on anecdotal evidence, particularly in relation to the reasonable requirements of the public.

In the interests of natural justice, any comment or objection you provide may be referred to the applicant.

In considering your comments, including the likelihood of adverse health, public safety and amenity issues, the Commissioner for Liquor and Gaming may also impose licence conditions to mitigate any risk posed by the application.

The Commissioner's decision may be subject to review by the independent Queensland Civil and Administrative Tribunal. Substantiating any comments or objections as requested will ensure the Commissioner's decision is appropriately evidence-based and more capable of withstanding scrutiny in any subsequent review.

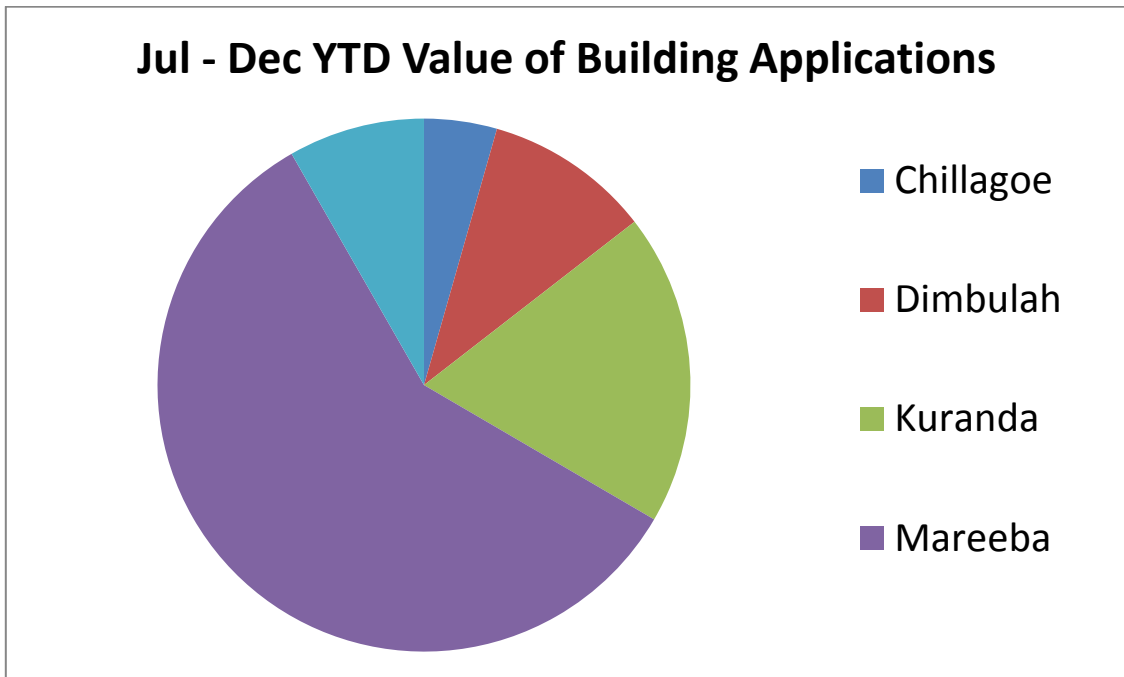
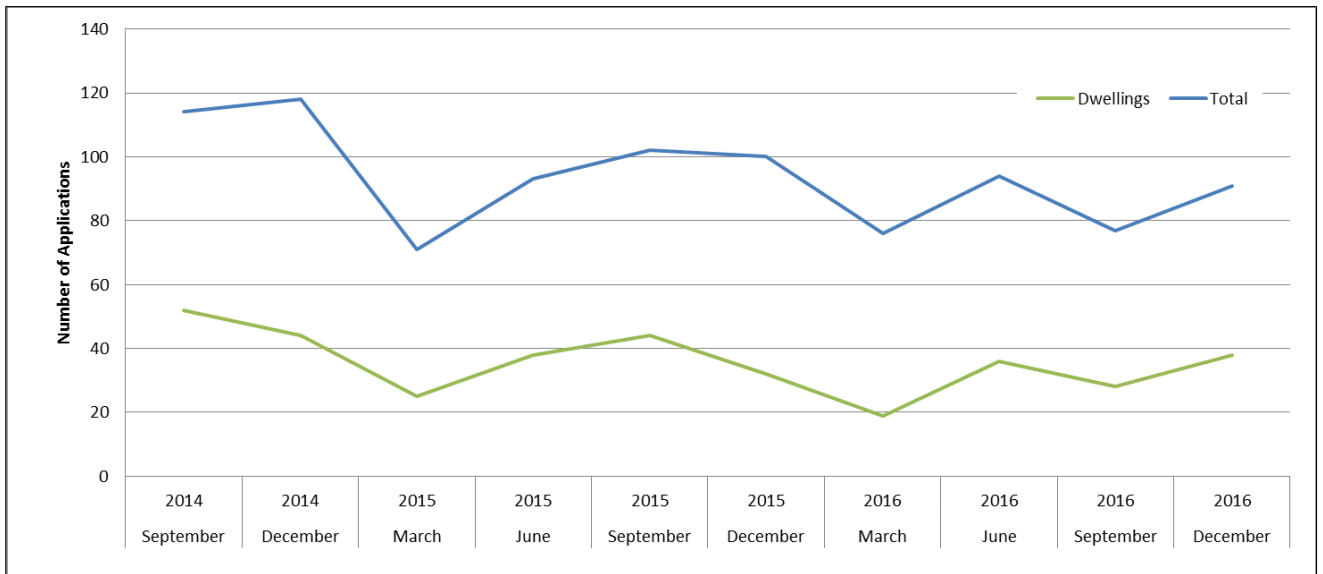
If you require clarification on any of these matters, please do not hesitate to contact the Customer Support Team on telephone (07) 3224 7131.

Yours sincerely

p.p.



MICHAEL SARQUIS
Executive Director
05 / 01 / 2017



REGIONAL LAND USE PLANNING

New Development Applications

12 development applications were lodged in the December quarter 2016 compared to 12 lodged in the December quarter 2015. Total applications lodged in 2016 was 74 compared to a total of 64 applications for 2015.

Development Applications received/approved during the quarter:

	4th Quarter 2016	4 th Quarter 2015
New Development Applications lodged	12	12
Decision Notices issued under delegated authority	6	5
Negotiated Decision Notices issued under delegated authority	Nil	Nil
Decision Notices issued (from Council Minutes)	5	6
Negotiated Decision Notices issued (from Council Minutes)	Nil	Nil
Extensions to relevant period issued	Nil	1
Change to existing Development Approval issued	1	4
Building Work approvals issued under delegated authority	4	1
Survey Plans endorsed	7	7
Notices issued under SPA	Nil	Nil
Planning Appeals and other Court proceedings	Nil	Nil

LOCAL LAWS AND ENVIRONMENTAL HEALTH

Environmental Health

The Environmental Health section responded to a total of 88 enquiries, complaints and service requests for the quarter relating to the following matters:

	2 nd Quarter 2016	YTD 2016	YTD 2015
Nuisances (air, noise)	13	22	33
Bats or Flying Foxes	4	8	10
Food Business Complaint	5	7	3
Food Business Enquiry	28	69	86
General Service Requests	8	11	6
Health Enquiry	3	6	16
Illegal Dumping of Waste	12	17	17
Temporary Event Enquiry	0	1	2
Public Health Complaints	14	21	25
Public Health Enquiry	1	2	4
Untidy Property & Accumulation of Items	0	1	3
Total	88	165	205

Notices Issued, Inspections Carried Out, Applications Processed
Environmental Health

	2nd Quarter 2016	YTD 2016	YTD 2015
Licensed premises inspected	17	107	133
New Food applications	15	28	27
Compliance Notice	0	1	1

Local Laws

	2nd Quarter 2016	YTD 2016	YTD 2015
Penalty Infringement Notices Issued	70	410	764
Warning Letters issued	69	163	109
Compliance Notices issued	23	36	73

Local Laws

Local Laws Officers dealt with a total of 373 complaints and enquiries during the quarter relating to the following matters

Complaints and Enquiries relating to Animals			
	2nd Quarter 2016	YTD 2016	YTD 2015
Enquiries, Cruelty, Noise, Restrained for Collection	96	218	487
Dangerous Aggressive Dogs	29	80	33
Missing/Lost/Found Animals	46	83	25
Property - Hygiene (animal related)	3	8	2
Request for Council Animal Trap	39	96	30
Straying Animal	99	217	84
Too many Animals	9	15	7
Unleashed, Not Restrained Dog & unregistered Animal	12	34	8
Complaints and Enquiries relating to all other areas			
Abandoned vehicles	7	10	29
Air & Noise Nuisance - Backyard Burning & Music/Busking	3	10	14
Commercial Use of roads & parks enquiries	5	6	20
General Service Request	9	14	18
Illegal Camping & Parking & Signs	13	21	12
Parking	0	5	16
Obstruction of Footpath	2	3	0
Overgrown	1	1	7
Total	373	821	796

Impoundments

	2nd Quarter 2016	YTD 2016	YTD 2015
Cats	41	116	89
Dogs	68	213	196
Other	2	10	26

LINK TO CORPORATE PLAN

GOV 5 - Conduct a work management systems and procedures review to develop an efficient organisation supported by cost effective work practices and systems

ENV 2 - Maintain a proactive response to public health and safety matters including incorporating CPTED principles in town centres and commercial developments

ENV 3 - Appropriate consideration is given to planning and development controls, design guidelines, traditional ownership and sustainable development principles when making planning decisions

CONSULTATION

Internal
Senior Planner
Senior Building & Plumbing Officer
Coordinator Environmental Health & Local Laws
Governance & Compliance Adviser

External
Nil

LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital
Nil

Operating
Nil

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

1. Nil

Date Prepared: 16 January 2017

LINK TO CORPORATE PLAN

ECON 2: In partnership with local business, industry groups and economic and regional development organisations, continue to develop strategies to assist, strengthen, develop and promote existing and new businesses and industries.

CONSULTATION*Internal*

Manager Development and Governance
Planning Section

External

North Queensland Concrete Co Pty Ltd
Preston Law

LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)

Interest has already been expressed by other parties for the potential utilisation of this lease/purchase arrangement for acquiring land in the Mareeba Industrial Park. Granting of this further application may create a precedent. While Council has the final determination as to whether it wishes to offer this type of lease/purchase arrangement it also has option to consider other factors such as the nature of the proposed business and can the land be easily rehabilitated/restored and/or structures removed should the lease/purchase arrangement fall through. Additionally, Council has the option to consider financial and other information which may support the granting of a lease/purchase arrangement.

POLICY IMPLICATIONS

Proposal does satisfy the Strategic marketing Action Plan for the Industrial Park previously endorsed by Council.

FINANCIAL & RESOURCE IMPLICATIONS*Capital*

If the lease/purchase arrangement is granted by Council there is a likely sale realisation, albeit anything up to 5 years from now for \$119,790 (plus GST).

Operating

There will be legal fees for the preparation of the lease and call option documentation which is reasonably expected to be no more than \$2,000.

Is the expenditure noted above included in the 201/2017 budget?

Yes.

If not you must recommend how the budget can be amended to accommodate the expenditure

N/A

IMPLEMENTATION/COMMUNICATION

Applicants will be advised of the terms and conditions approved by Council.

ATTACHMENTS

Nil

Date Prepared: *17 January 2017*

OFFICER'S RECOMMENDATION

"That:

1. In relation to the Council resolution of 17 August 2016 consenting to the transfer of Lease H at the Mareeba aerodrome from P & M Cox to the North Queensland Aero Club, in the event that the transfer of the lease does proceed, either to the North Queensland Aero Club as an existing not for profit company limited by guarantee or to a wholly owned subsidiary company established by the Aero Club, Council not insist on the provision of personal guarantees by the Directors of the Club as provided for under Clause 2.08.1 of the existing lease agreement.
2. Authority be delegated to the Chief Executive Officer to make variations in future airport leases after consultation with the Council on the proposed variations.
3. In relation to the request by the Aero Club to acquire a lease over the area between the northern edge of the tarmac fronting Lease H and Vicary Road for the purpose of parking aircraft and erecting a shade cover over same, Council agree to the incorporation of this area into any new lease offered to the Club over existing Lease H, subject to the Club meeting all costs involved including survey."

BACKGROUND

The North Queensland Aero Club currently sub-leases Lease H at the Mareeba Aerodrome from the head lessees, P & M Cox.

Advice was previously received from the Club that they are intending to purchase the hangar constructed on the lease from the current lessees, which will entail the transfer of the lease into the Club's name, and this transfer was consented to by Council at its meeting held on 17 August 2016.

Correspondence has now been received from the Club's Solicitors, Williams Graham Carman, advising that because of taxation, banking and accounting considerations, it is the Club's preference not to acquire the lease through their existing entity but rather through a wholly owned subsidiary company that has now been established by the Club and in respect of which the North Queensland Aero Club is the sole shareholder.

The North Queensland Aero Club is a not for profit company limited by guarantee and advice received from the President of the Aero Club is that the subsidiary company that has now been established (NQAC Limited) has also been structured as a not for profit entity.

Under the existing lease agreement (Clause 2.08.1), Council is entitled to require, as a condition of its consent to the lease transfer, that the Directors of the assignee (the Aero Club) each provide a personal written guarantee. Williams Graham Carman have submitted that given the not for profit nature of the Club, it would not be appropriate for Council to insist on the provision of personal guarantees by the Directors on the basis that directors of a not for profit organisation would not wish to incur personal liability under a lease where they derive no personal benefit.

It is recommended that Council agree to the request by Williams Graham Carman and not insist on the provision of personal guarantees by the Directors of the Aero Club.

A request has also been received from Mr Ray Fry on behalf of the Management Committee of the Aero Club seeking approval to erect a metal shade cover over the area between the northern edge of the tarmac that fronts Lease H and Vicary Road (refer plan of the area attached). The Club presently uses this area for the parking of Club aircraft. Mr Fry has also enquired as to the possibility of the Club obtaining a lease over this area. The area of land involved is approximately 440m² - 500m².

Assuming an area of 450m² and at the rate of \$6.00 per square metre that is currently being considered for new leases at the aerodrome, the Club would be paying an initial annual lease fee of \$2,700. At the moment, any aircraft that are parked on the proposed lease area are not included in the monthly report that gets sent to Avdata for the charging of parking fees and consequently, the Club and/or Club members pay no fee for the use of the area. This is apparently in line with current Council practice of only charging parking fees where tie-downs are provided. It might then be argued that as the proposed use is not going to change i.e. parking of aircraft, and as the Club is only erecting a shade shelter to protect the aircraft from the sun and weather, no lease fee should apply.

Advice from Mr Fry is that the Club expects to house 5 aircraft under the proposed shade shelter and if parking fees were to be charged at the annual rate of \$400 per aircraft under 5700kg, the annual cost would be \$2,000. However, by granting the Club a lease over the area, the Club will have exclusive use of the area and it will enable them to erect structures such as the shade shelter for exclusive use by Club members. The issue of only charging for parking where tie-downs are provided is also something that needs to be reviewed and charges implemented regardless of where the aircraft are parked on non-leased areas. For these reasons, it is considered that normal lease charges should apply to the proposed parking area.

Advice from Council's Aerodrome Reporting Officer is that the parking area also contains a drainage path that takes water from the tarmac to the drain along Vicary Road and any lease or other arrangement entered into with the Club would need to contain appropriate conditions relating to the maintenance of this drainage path.

It is recommended that Council agree to the Club obtaining a lease over the subject area and the simplest means of dealing with this issue is to incorporate the area into any new lease offered to the Club over existing Lease H.

LINK TO CORPORATE PLAN

ECOM 2: In partnership with local business, industry groups and economic and regional development organisations, continue to develop strategies to assist, strengthen, develop and promote existing and new businesses and industries. (*The Shire's airports, particularly the Mareeba airport, continue to be developed, encouraging aviation related industry and spillover from Cairns airport.*)

CONSULTATION

Internal

Chief Executive Officer

External

Williams Graham Carman acting on behalf of North Queensland Aero Club
President of the North Queensland Aero Club

LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)

The giving of personal guarantees by the Directors of the Aero Club provides additional surety to Council in the event of default by the Club on any of the lease conditions in that the Directors could be held personally responsible to rectify any breaches of the lease, including payment of any unpaid lease rental, interest etc. The lease itself contains provisions to enable Council to deal with any breaches of the lease, including the ability to terminate the lease if necessary. It is considered that the likelihood of the Club defaulting on the lease conditions is fairly small and the risk of not having the Directors sign personal guarantees is also low. However, to further ensure that Council is adequately protected, Preston Law will be requested to review the draft aerodrome lease that they have prepared for Council and tighten up existing provisions or insert additional provisions so that Council is not financially disadvantaged in the event of a breach of a lease by a not for profit entity.

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS*Capital*

Nil

Operating

The North Queensland Aero Club will be responsible for reimbursing Council for any costs incurred in the transfer of the existing lease and for the incorporation of the proposed parking area into any new lease.

Is the expenditure noted above included in the 2016/2017 budget?

N/A

If not you must recommend how the budget can be amended to accommodate the expenditure

N/A

IMPLEMENTATION/COMMUNICATION

Williams Graham Carman and the Aero Club will be formally advised of Council's decision following the Council meeting.

ATTACHMENTS

1. Plan showing proposed parking area lease.

Date Prepared: 11 January 2017



FINANCE

ITEM-8 FINANCIAL STATEMENTS FOR PERIOD ENDING 31 DECEMBER 2016

MEETING: Ordinary

MEETING DATE: 25 January 2016

REPORT OFFICER'S TITLE: Manager Finance

DEPARTMENT: Corporate and Community Services

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with an overview of financial matters for the period 1 July 2016 to 31 December 2016.

OFFICER'S RECOMMENDATION

"That Council note the financial report for the period ending 31 December 2016."

BACKGROUND

Financial Summary

Each month, year to date financial statements are prepared in order to monitor actual performance against budgets.

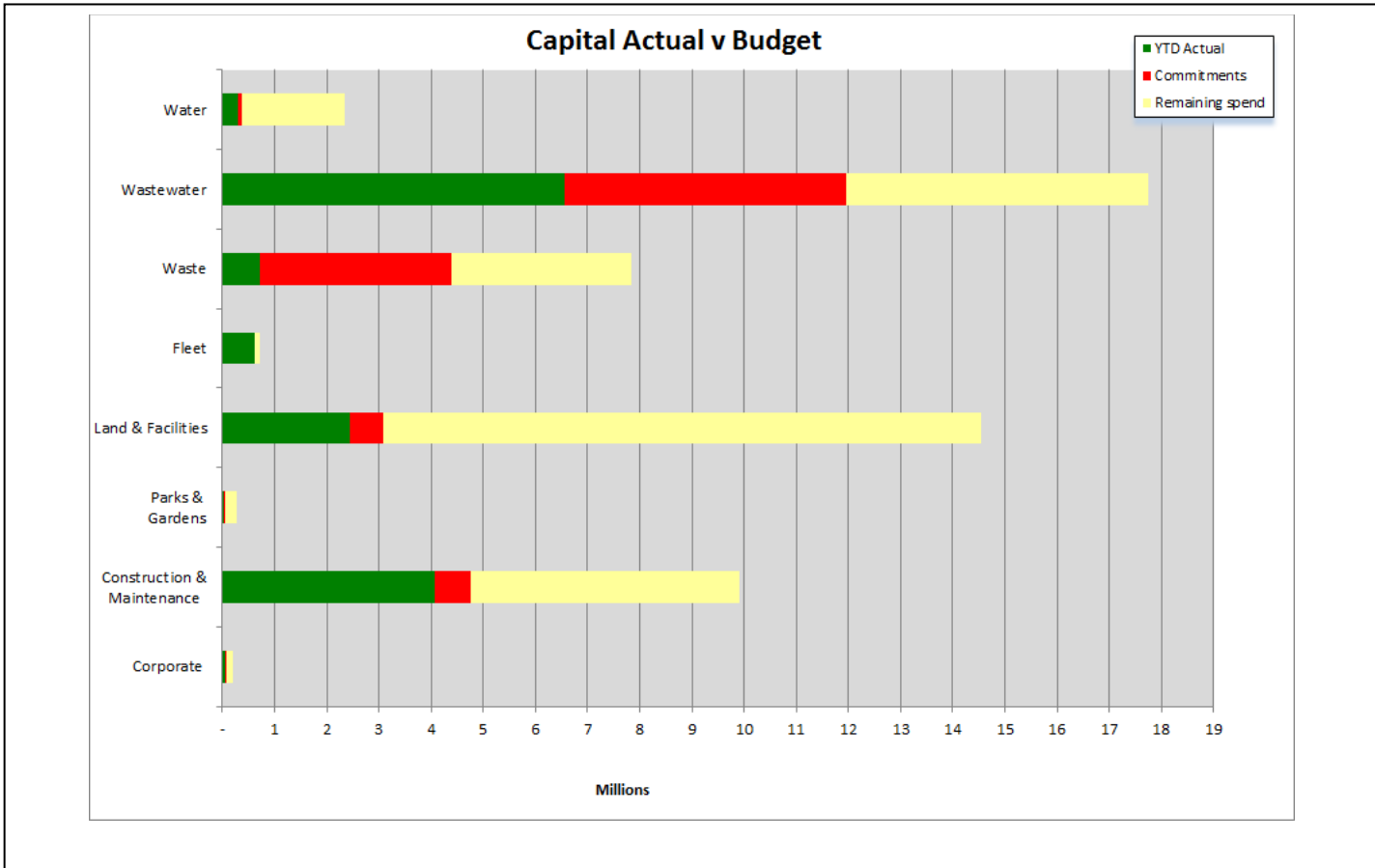
For the period ending 31 December 2016, Council shows an operational surplus of \$4,129,983 compared to a budgeted surplus of \$1,790,427. The budget reflects the 2016/17 Budget as adopted by Council at the 15 June 2016 meeting. A four month review was undertaken across all sections, however as there were no material changes, the original budget figures will remain as originally adopted. Any significant changes or budget variances that may arise will be reported to Council. At this point in time though, there are no significant changes to report.

December 2016 - Snapshot

Total Operating Income	\$	23,333,530
Total Operating Expenditure	\$	19,203,547
Operating Surplus	\$	4,129,983
Total Capital Income (grants, developer contributions)	\$	4,516,296
Net Result - Surplus	\$	8,646,279

Capital Expenditure

Total capital expenditure of \$28,265,262 (including commitments) has been spent for the period ending 31 December 2016 against the 2016/17 annual capital budget of \$53,585,546. This budget figure now includes carry overs from 2015/16 and new capital items as per the Three Month Capital Review Report that was adopted on 16 November 2016.



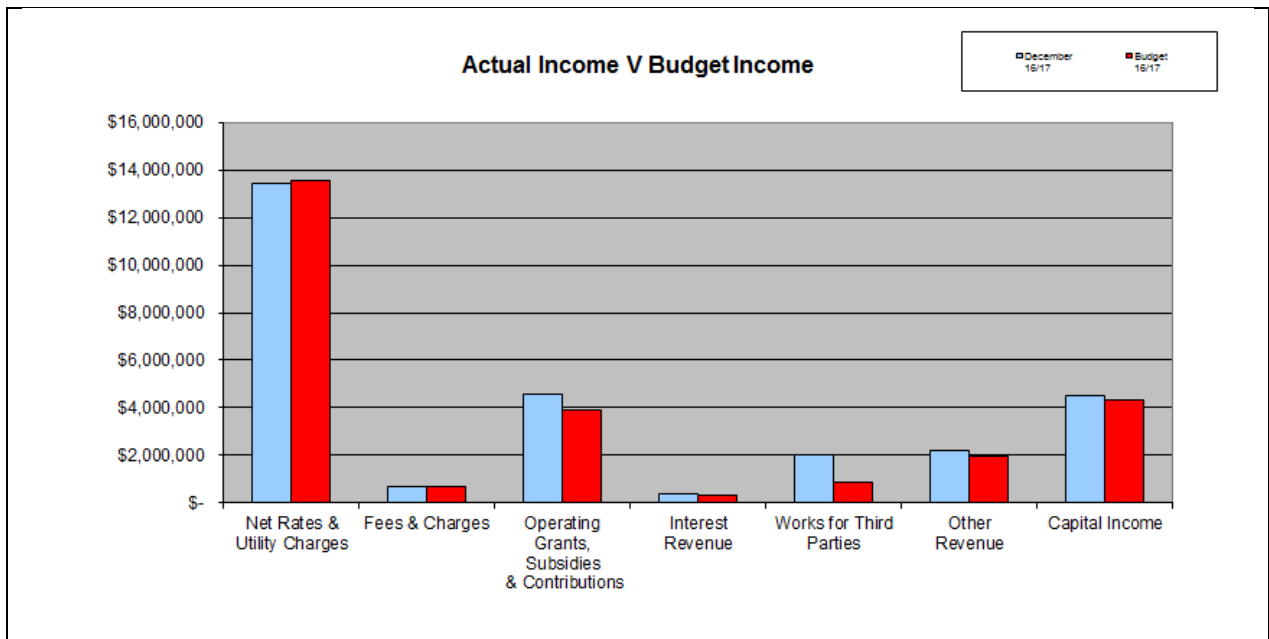
The significant remaining spend in the Land and Facilities section relates to the Mareeba Airport Re-development. It is anticipated that commitments will be made throughout the remainder of the financial year with the Works being completed by the end of the calendar year.

Other capital projects are currently tracking well against budgets.

Income Analysis

Total income (including capital income of \$4,516,296) for the period ending 31 December 2016 is \$27,849,825 compared to the YTD budget of \$25,657,570.

The graph below shows actual income against budget for the period ending 31 December 2016.



Description	Actual YTD	Budget YTD	Note
Net Rates & Utility Charges	13,423,476	13,520,370	
Fees & Charges	697,941	671,613	1
Operating Grants, Subsidies & Contributions	4,600,383	3,938,560	2
Interest Received	369,344	340,164	
Works for Third Parties	2,025,140	884,725	3
Other Revenue	2,217,246	1,973,932	4
Capital Income	4,516,296	4,328,206	5

Notes:

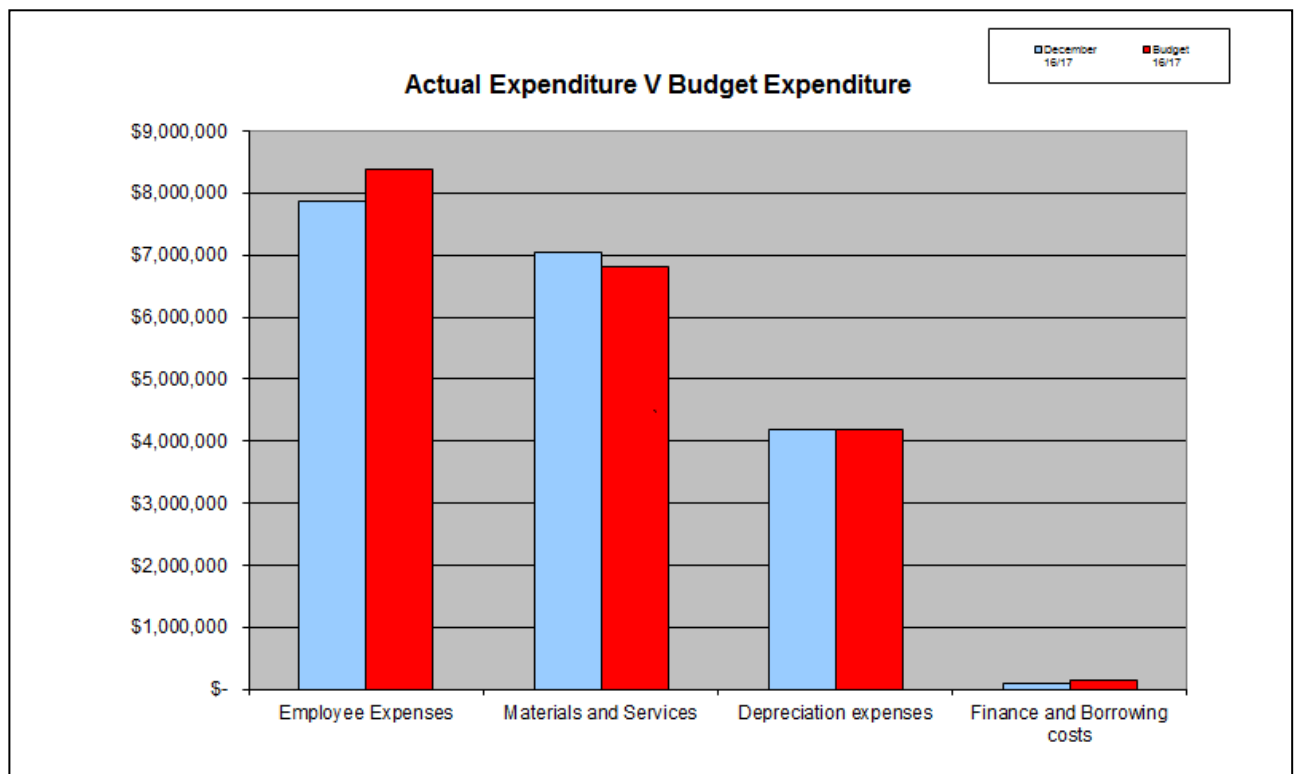
1. Current YTD actuals are trending higher than budget for cemetery services (\$80k), Trade Waste (\$10k), Local Laws - dog fines (\$27k) and permits, licences and registrations for regulatory services (\$20k). Revenue from building applications (\$58k) and planning applications (\$49k) are below budget.
2. Council has received an initial prepayment for NDRRA 2016 of \$957k. As the restoration works has no budget allocated, there will be an equivalent offset in expenditure.
3. Majority relates to the timing of the budget for RMPC income, and additional works of \$100k being approved on the Mossman-Mt Molloy roads and \$576k for the BDR Gravel re-sheet works.
4. Favourable variance relates to the sale of industrial land blocks (\$202k).

5. First milestone claim for the Mareeba Airport upgrade of \$1.3M received, along with \$900k for Mareeba WWTP upgrade, \$968k for Roads to Recovery capital grant (R2R), \$425k for Bridges Renewal Program and \$542k for developer contributions.

Expenditure Analysis

Total expenses for the period ending 31 December 2016 is \$19,203,547 compared to the YTD budget of \$19,538,937.

The graph below shows actual expenditure against budget for the period ending 31 December 2016.



Description	Actual YTD	Budget YTD	Note
Employee expenses	7,876,453	8,394,313	
Materials & Services	7,033,996	6,807,625	
Depreciation expenses	4,183,117	4,181,349	
Finance & Borrowing costs	109,981	155,650	

There are no significant variances to report.

Loan Borrowings

Council's loan balance as at 31 December 2016 is as follows:

QTC Loans \$6,706,111

Rates and Sundry Debtors Analysis

Rates and Charges

The total rates and charges payable as at 31 December 2016 is \$2,370,872. As compared to the same time last year, the total rates and charges payable as at 31 December 2015 was \$1,900,112. This reflects the change in rating methodology for unused land (Category N). The total outstanding rates for this category are \$1,011,011.

Work has commenced on the next rates levy. It is anticipated Rate Notices will be issued around 14 February 2017 with the discount due date being 17 March 2017.

On 2 November 2016, 363 properties were sent to Collection House with a combined value of \$439,477.

Collection House collected \$94,238 for the month of December. The outstanding amount for properties currently with debt collection is \$459,576.

Council has 139 properties with approved payment arrangements, totalling \$60,626.

The Sale of Land process is now underway, with \$210,837 likely to be collected over the coming 6 months. Two of the properties have already paid their outstanding balance in full.

Sundry Debtors

The total outstanding for Sundry Debtors as at 31 December 2016 is \$803,443 which is made up of the following:

Current	30 days	60 days	90 + days
\$988,391	\$192,650	\$14,526	\$63,884
79%	15%	1%	5%

LINK TO CORPORATE PLAN

Nil

CONSULTATION

Internal

Director Corporate & Community Services
 Financial Accountant

External

Nil

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

Section 204 of the Local Government Regulation 2012 requires the financial report to be presented to local government if the local government holds its ordinary meetings more frequently (than once per month) - to a meeting in each month.

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital

Nil

Operating

Nil

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

1. Financial Statements

Date Prepared: 11 January 2017

INFRASTRUCTURE SERVICES

ITEM-9 **PROPOSED SALE OF ROCKS ADJACENT TO MAREEBA AIRPORT**

MEETING: Ordinary

MEETING DATE: 25 January 2017

REPORT OFFICER'S TITLE: Director Infrastructure Services

DEPARTMENT: Infrastructure Services

EXECUTIVE SUMMARY

There is currently approximately 5,000 cubic metres of granite cobbles and boulders (rocks) stockpiled on Council land south of the Mareeba Airport. This material has been excavated from previous works associated with Mareeba Airport and is surplus to Council's needs.

OFFICER'S RECOMMENDATION

"That Council sell the rocks and boulders adjacent the Mareeba Airport at a set price of \$100 per load (ex GST) under Section 236 of the Local Government Regulations 2012."

BACKGROUND

There is currently approximately 5,000 cubic metres of granite cobbles and boulders (rocks) stockpiled on Council land south of the Mareeba Airport. This material has been excavated from previous works associated with Mareeba Airport, including excavation of the airport drain and excavation for trenches for the recent water main upgrade. Further rock is expected to be excavated as part of the early works for the Airport Aviation Commercial Precinct (Western Lease Area) and remaining airside infrastructure work.

Council has limited, if any, use for the rock in its present form, and would eventually need to relocate this rock if further expansion of the Airport Aviation Commercial Precinct occurs in the future. Council officers have investigated the option of crushing this rock to enable its re-use, however, initial quotes have indicated that this will be costly, and Council has no immediate use identified for crushed rock.

Council's cost to remove or relocate the rock would be substantial.

Although these rocks are of no value to Council, and in fact would be a cost to dispose of, they are considered "non-current valuable assets" under the Local Government Act and Regulations. Under Section 236 of the Regulations, Council may dispose of a valuable non-current asset other than by tender or auction if the disposal is in accordance with sound contracting principals and Council has decided, by resolution, that the exception applies.

It is proposed to publicise the sale of the rocks through the Public Notices section of local newspapers and on Council's website. Rocks would be sold only to businesses with an ABN and appropriate insurances. Purchasers will be required to operate under the requirements of Council's WH&S management system. Purchasers would be responsible for supplying all plant, undertaking loading of the rock themselves and advising Council officers of the quantity of rock taken for invoicing purposes.

LINK TO CORPORATE PLAN

GOV 5: Conduct a work management systems and procedures review to develop an efficient organisation supported by cost effective and safe work practices and systems.

CONSULTATION

Internal
Managers

External
Nil

LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)

Rocks will be sold only to businesses with an ABN and appropriate insurances. Purchasers will be required to operate under the requirements of Council's WH&S management system.

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital
Revenue raised from the sale of the rocks will be added to the budget for the Mareeba Airport Upgrade.

Operating
Nil

IMPLEMENTATION/COMMUNICATION

Sale of the material is to be advertised in the Public Notices section of local newspapers and on Council's website.

ATTACHMENTS

Nil

Date Prepared: 17 January 2017

ITEM-10 TENDER EVALUATION QMSC2016-15 NDRRA 2016 RESTORATION WORKS - PROGRAM DELIVERY

MEETING: Ordinary Meeting

MEETING DATE: 25 January 2017

REPORT OFFICER'S TITLE: Director Infrastructure Services

DEPARTMENT: Infrastructure Services

EXECUTIVE SUMMARY

Council has received grant funding approval from the Queensland Reconstruction Authority to undertake restoration works to essential public assets in the Council area as a consequence of the 2016 NDRRA declared event.

Tender QMSC2016-15 is for the provision of project management services for the restoration of flood damage to Essential Public Assets. The project management services are claimable under the NDRRA funding arrangement.

The report provides a comparison of tenders received and makes a recommendation on the preferred tenderer.

OFFICER'S RECOMMENDATION

"That Council confirm the awarding of Tender QMSC2016-15 NDRRA 2016 Restoration Works Program Delivery to Trinity Engineering and Consulting for an amount of \$242,742.52 (inclusive of GST)."

BACKGROUND

Tender QMSC2016-15 is for the Project Management Services for the restoration works to essential public assets in the Council area as a consequence of the 2016 NDRRA declared event. In particular a number of gravel roads west of Chillagoe, damaged by a Monsoon Trough over the Gulf of Carpentaria during the period 20 December 2015 - 03 January 2016. Asset damage was identified and documented and MSC has successfully secured approximately \$3.2 million in NDRRA funding for the reconstruction of the following roads:

Bolwarra Road,
Torwood Road,
Blackdown Road,
Bulimba Road,
Bellview Road,
Mt Mulgrave Road,
Strathleven Road.

Tenders were sent to six Project Managers with the relevant NDRRA experience as noted below:

<u>Project Manager</u>		<u>Contact Name</u>
• Trinity Engineering and Consultants		Rudd Rankine
• GWR Civil Engineering Management		Gerard Read
• Genesis Engineering (NQ) Pty Ltd		Craig Waters
• RECS Consulting Engineers	*	Peter Dutallis
• Mcllveen & Associates	*	Andrew Mcllveen
• Leading Roles	*	Mark Ogston

*RECS Consulting Engineers did not respond, Mcllveen & Associates and Leading Roles declined to tender due to their current work commitments. The tender closed on 23 November 2016.

Tenders were received from the following Project Managers:

• Trinity Engineering and Consultants	\$242,742.50
• Trinity Engineering and Consultants *(Alternative tender)	\$220,742.50
• GWR Civil Engineering Management	\$273,213.00
• Genesis Engineering (NQ) Pty Ltd	\$329,010.00

All prices are GST inclusive.

*The alternative tender provided for \$10M public Liability cover as opposed to the \$20M cover stipulated in the tender document.

TENDER ASSESSMENT

Overview

The tender document advised all tenderers that tenders would be assessed on the following criteria and weightings:

Relevant Experience	20%
Key Personnel and Experience	20%
Respondents Resources	10%
Demonstrated understanding	25%
Price	25%

Price is a calculated formula dependent on the actual tender received against the median of all prices received. Scores for the other criteria are subject to knowledge of the tenderers performance on previous projects.

All tenderers were evaluated on the above criteria, Trinity Engineering and Consultants were deemed to be the preferred option due to:

- previous experience with NDRRA project management,
- knowledge of Local Government, the region
- Cairns based office; and
- the lowest tender price.

LINK TO CORPORATE PLAN

ECOM 3 - Undertake the management of Council's assets in accordance with the long term asset management plans developed for all infrastructure asset classes to ensure the Shire's infrastructure networks are maintained and renewed to maximise their long term benefit to industry and the community.

CONSULTATION

Internal
Council Officers

External
Nil

LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)

The main risk in undertaking NDRRA works under approvals from the Queensland Reconstruction Authority is that of scope creep with consequent problem of not being reimbursed for expenditure incurred due to scope creep. To assist in the alleviation of this risk, all approved work sites are photographed before, during and after works with these photographs then being compared to the submission photographs the Project Manager will manage on behalf of Council the NDRRA process and deliver the program of works associated with the NDRRA 2016 Flood Restoration Program.

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital
Nil

Operating
Nil

Is the expenditure noted above included in the 2016/2017 budget?
Included in the approved 2016 NDRRA Programme.

If not you must recommend how the budget can be amended to accommodate the expenditure
Nil

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

1. Tender Specification QMSC2016-15 NDRRA 2016 Restoration Works Program Delivery

Date Prepared: 4 January 2017



SPECIFICATION

Request for Quotation (RFQ)	NDRRA 2016 Restoration Works - Program Delivery
Closing Time:	11.00 am AEST Wednesday 23 November 2016
RFQ Number:	QMSC2016-15

PART 2**1 INTRODUCTION**

Provide Project Management in relation to the Mareeba Shire Council (MSC) National Disaster Recovery and Relief Arrangements (NDRRA) 2016 Flood Restoration Program

2 BACKGROUND INFORMATION

The 2016 MSC NDRRA Flood Restoration Program results from heavy rain and flood damage to Essential Public Assets, namely a number of gravel roads west of Chillagoe, which was caused by a Monsoon Trough over the Gulf of Carpentaria during the period 20 December 2015 - 03 January 2016. Asset damage was identified and documented for Bolwarra Road, Torwood Road, Blackdown Road, Bulimba Road, Bellevue Road, Mt Mulgrave Road and Strathleven Road. MCS was subsequently successful in securing approx. \$3.2 million in NDRRA funding for the program.

An 'NDRRA Proposed Work Site Locations' map along with a Queensland Reconstruction Authority (QRA) Joint Assessment Worksheet (JAW) spreadsheet have been included with this Request For Quotation (RFQ) and together will form the basis of any response offered.

3 PARTICULARS OF GOOD AND SERVICES

Council are seeking a Certified RPEQ Project Manager, along with their selected Team if necessary, to manage NDRRA process and the delivery of the program of works associated with the NDRAA 2016 Flood Restoration Program. In particular:

1. Develop engineering documentation, including Specification Plans, in line with the QRA approved scope
 - Scope of works to be strictly constrained by the scope as detailed in the QRA JAW. Copy is attached hereto
 - Documentation to reference key QRA requirements
 - 'Like for like' design in correct location
 - Restoration to 'pre-disaster standard'
 - Appropriate level of photographic evidence required before, during and after restoration works
 - Costs incurred to be 'QRA Eligible Expenditure'
 - Documentation to be reviewed by the Principal on completion
2. Develop Tender documentation, for Council to advertise, for the completion of works in line with the QRA approved scope
3. Carry out an analysis of Tender responses received
 - To be assessed based on a weighted score method
 - Analysis process and outcome to be reviewed by the Principal prior to reporting recommendations to Council.
4. Report to the Council with recommendations

PART 2

5. Award Tender

- Produce Letter Of Acceptance for successful respondent and appropriate letters for the remainder of respondents
- Produce relevant contract documentation in line with the Principals' requirements
- Conduct Pre-Start meeting - to include, but not limited to:
 - Time schedule for works
 - Arrangements surrounding variations
 - The Principal requires variations in writing for consideration prior to any approval or change to the approved arrangements
 - Arrangements surrounding delays to works caused by adverse weather
 - Photographic evidence requirements as set out in QRA Guidelines for the pre-construction, construction and post construction phases of associated works.
 - Arrangements surrounding required bank guarantees (5% contract value) and the release of the same. (2.5% - released on practical completion, 2.5% - released at end of defects liability period)

6. Deliver works program in line with QRA approved scope

- Monitor all scheduled works and ensure they are carried out in line with the QRA Joint Assessment Worksheet
- Provide weekly reports on a per road basis to facilitate monitoring
- Report to the Principal, once works for a particular road reaches the 50% completion mark, regarding projected cost status including under-runs/over-runs
- Provide information to assist NDRRA finance officer in monthly reporting to QRA
- Respond to any QRA queries regarding the works phase of the program
- Build and maintain good relationships with internal and external stakeholders, e.g. contractors, and liaise with the same

7. Closeout contract/s in line with QRA process and requirements

- Complete project contract close-outs in accordance with QRA requirements
- Respond to any subsequent QRA queries regarding close-out phase

Note:

The Principal is to provide NDRRA Financial/Accounting Services including:

- Manage Purchase Orders
- Manage Q-Leave Payments
- Manage QRA Progress Payments
- Form 9 Reconciliation / Submission
- Manage Bank Guarantees
- Monthly Reporting to Program Manager
- Final Acquittal Reporting / Submission

The Principal is to provide GIS and Photo Management Services including:

- Map / Collate / Lodge Initial QRA Submission/s
- Manage Photographic Evidence
- Manage Site Photobooks
- Manage Site Mapping
- Ongoing 'Work Location' Audits
- Ongoing mapping and photographic requirements of Council / Program Manager / QRA

PART 2

4 AUSTRALIAN STANDARD

Relevant Australian Standards/Legislation/guidelines include:

- AS2124
- Building and Construction Industry Payments Act 2004 (BCIPA)
- Western Queensland best practice guidelines <http://www.tmr.qld.gov.au/business-industry/Technical-standards-publications/Western-Queensland-best-practice-guidelines>

5 IMPLEMENTATION TIMETABLE

19/10/2016	Forward RFQ offers to potential Candidates
23/11/2016	Close RFQ
21/12/2016	Ratification by Council
9/01/2017	Award Contract

PROJECT MANAGEMENT

ITEM-11 **MAREEBA AIRPORT UPGRADING - DECEMBER 2016 PROGRESS REPORT**

MEETING: Ordinary

MEETING DATE: 25 January 2017

**REPORT OFFICER'S
TITLE:** Contracts and Project Management Officer

DEPARTMENT: Infrastructure Services

EXECUTIVE SUMMARY

Council has received grant funding from the State and Australian Governments towards the upgrading of the Mareeba Airport.

Design and construction of the Mareeba Airport Upgrade Project is underway, this report sets out progress to date.

OFFICER'S RECOMMENDATION

"That Council note the December 2016 progress report on the Mareeba Airport Upgrade Project."

BACKGROUND

Funding

Council has received two (2) grants - \$13M from the Queensland State Government's Royalties for Regions program and \$5M from the Australian Government's National Stronger Regions Fund - towards the upgrading of the Mareeba Airport. Both these grants are for specific aspects of the proposed upgrading project.

The final funding agreements with the Australian Government and State Government have been reviewed, signed and executed. Milestone reporting is being provided to the Australian and State Governments as required under the funding agreements. Council has received the first milestone payment of \$1.3 million from the State Government with further payment due following lodgement of reports in November 2016.

Programme

A programme of works has been prepared which reflects the works and commitment made by Council in the funding agreements. The project is on schedule to meet final completion ahead of the target completion date of August 2018 as set in the funding agreement. Some amendments to intermediate milestone have been requested to reflect the planned cash flow based on wet season and construction timeframe constraints.

Airport Water Supply Upgrade

Tender TMSC2016-07 for upgrade of the water supply services was awarded to FGF Developments Pty Ltd in July 2016 and work commenced from mid-August 2016. The majority of work including cutting-in has now been completed, with commissioning of new booster pumps and back-up generator for the potable and firefighting water supplies planned for late January 2017. All works are scheduled to be closed out by the end of January 2017.

Ray Road and Vicary Road Upgrade

LDI Constructions reached practical Completion in late October 2016 and will return to complete line-marking in January 2017, weather permitting.

Vicary Road Leased Area Pavements

Northern Civil Earthworks were awarded the tender for the Vicary Road leased area pavements in July 2016. Commencement of work was deferred to early 2017 by mutual agreement with the contractor to allow coordination with other contracts and to minimise disruptions to airport users over the Christmas holiday period. The contractor is ready to mobilise to site and will commence work when weather permits.

Airside Infrastructure

Jacobs Engineering Group has been engaged to undertake the detailed design and documentation for the runway, taxiways, airfield lighting and aviation commercial precinct (western lease area). This design work is progressing well, with a 30% design meeting held between Jacobs and Council prior to the Christmas shutdown. The final detailed design is scheduled for delivery at the end of January 2017.

Expressions of Interest (EOIs) have been invited from suitable qualified contractors for construction of the airside infrastructure. EOIs close on 31 January 2017. EOIs will be used to develop a shortlist of tenderers to be invited to tender on construction of the airside infrastructure in early 2017. It is anticipated that a tenderer or tenderers will be awarded the work to construct the airside infrastructure in April 2016 and that work will commence from May 2017.

Stakeholder Engagement

A Communication and Stakeholder Engagement Plan has been developed, which sets out the engagement strategy for delivery phase of the project. The document sets out who their stakeholders are, their levels of interest and influence and how to properly engage them. Some of the engagement activities to be implemented for the project will include:

- Surveying current airport users regarding their usage patterns to help develop Method of Working Plans (MOWP) as per CASA requirements;
- Working with the Department of State Development (DSD) to ensure adequate opportunities are made available for local businesses to gain benefit from the delivery phase of the project;
- Updating Council's website to include a webpage on the Mareeba Airport Upgrade project, including a project fact sheet, newsletter and details on future leasing opportunities.

Expenditure

Expenditure to date of \$2,711,919 comprises survey, design, ground clearing, soil testing, master planning, business planning and construction. This amount includes current committals of \$524,297 which are primarily made up of the purchase orders raised on Northern Civil Earthworks for Contract TMSC2016-04 Mareeba Airport Redevelopment - Construction of Vicary Road Leased Area Pavements (\$160,565), LDI Constructions for Contract TMSC2016-05 Mareeba Airport Redevelopment - Construction of Vicary Road and Ray Road (\$24,249 remaining), FGF Developments for Contract TMSC2016-07 Mareeba Airport Redevelopment - Water Main Upgrade (\$13,849 remaining) and Jacobs Engineering Group for design (\$231,078 remaining).

LINK TO CORPORATE PLAN

ECOM 3 - Undertake the management of Council's assets in accordance with the long term asset management plans developed for all infrastructure asset classes to ensure the Shire's infrastructure networks are maintained and renewed to maximise their long term benefit to industry and the community.

CONSULTATION

Internal

Director Infrastructure Services
Manager Works

External

Commonwealth and State Governments
Jacobs Engineering Group

LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)

As detailed in the funding agreements Council has signed with the State and Australian governments, Council is required to meet various milestone and reporting targets.

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital

The project is to be funded over the 2016/2017 and 2017/2018 financial years. Funding has been made available from the Australian and State Governments for the project.

Operating

To be included in future budgets.

Is the expenditure noted above included in the 2016/2017 budget?

Yes

If not you must recommend how the budget can be amended to accommodate the expenditure

Nil

IMPLEMENTATION/COMMUNICATION

All communications are required to follow set out protocols within the funding agreements between the Commonwealth and State Governments.

ATTACHMENTS

Nil

Date Prepared: 16 January 2017

Primary activities scheduled for January are the completion of concrete works for the bioreactor, digesters and chlorine contact tank, hydrostatic testing of the digesters and SBR, backfilling structures, installation of pipework and other services and construction and fitout of the site buildings. Downer closed the site from 23 December 2016 to 9 January 2017 for the Christmas-New Year period.

Milestone reporting is being provided to the Australian and State Governments as required under the funding agreements. The Australian Government has paid Council \$3 million to date from National Stronger Regions Fund. A payment of \$300,000 has been received from the State Government's Building Our Regions program and a further claim of \$300,000 was lodged in late November 2016.

Additional funding of \$411,000 (60% subsidy) through the Queensland Government's Local Government Grants and Subsidy Scheme was announced in November 2016 for the Mareeba Industrial Waste Receiving Facilities project. This project will allow Council to optimise the new Mareeba Wastewater Treatment Plant's capability to receive and treat industrial waste and leachate from the Mareeba Landfill. Planning and design for this work has commenced.

Expenditure

The expenditure to date of \$15,998,265 includes current committals of \$5,380,079 which is primarily made up of the purchase orders raised on Downer Utilities Australia (balance of committal is \$4,750,975) for Contract TMSC2015-13 Mareeba Wastewater Treatment Plant – Design and Construction and Aqseptence Group (balance of committal is \$626,199) for Contract TMSC2015-09 Mareeba Wastewater Treatment Plant – Inlet Works. Other minor committals and expenditure are also included in the total expenditure to date.

LINK TO CORPORATE PLAN

ECOM 3 - Undertake the management of Council's assets in accordance with the long term asset management plans developed for all infrastructure asset classes to ensure the Shire's infrastructure networks are maintained and renewed to maximise their long term benefit to industry and the community.

CONSULTATION

Internal

Director Infrastructure Services
Manager Water & Waste

External

Contractors

LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)

Council has an agreed TEP with the Department of Environment and Heritage Protection which sets out various milestones for the plant development.

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS*Capital*

The project is to be funded over the 2016/2017 and 2017/2018 financial years. Funding has been made available from the Australian and State governments for the project.

Operating

To be included in future budgets.

Is the expenditure noted above included in the 2016/2017 budget?

Yes

IMPLEMENTATION/COMMUNICATION

All communications are required to follow set out protocols within the funding agreements between the Australian and State governments.

ATTACHMENTS

1. Progress Photographs – December 2016

Date Prepared: 16 January 2016



15 December 2016 - Roof installation to the Admin and MCC Building and concrete slab construction for the biosolids dewatering building.



15 December 2016 - Construction of elevated walkways to sequential batch reactor (SBR) structure.



20 December 2016 - Roof installation to the Admin and MCC Building and the slab has been completed for the blower building and biosolids dewatering building.



20 December 2016 - Filling of the digester cells in the SBR structure with water for hydrostatic testing

TECHNICAL SERVICES

ITEM-13 TENDER EVALUATION TMSC2016-15 TRAFFIC MANAGEMENT STUDY FOR THE MAREEBA CBD AREA

MEETING: Ordinary

MEETING DATE: 25 January 2017

**REPORT OFFICER'S
TITLE:** Manager Technical Services

DEPARTMENT: Infrastructure Services

EXECUTIVE SUMMARY

Action from the Ordinary Meeting held on Wednesday, 20 January 2016 requested "That the motion moved by Councillor Ewin at the Council Meeting of 2 December 2015 to have a report tabled regarding the traffic movements in Walsh Street between Rankin Street and Herberton Street, be expanded to a full Traffic Management Study for the Mareeba CBD area, including vehicle and pedestrian movements, disability access and parking, with a report bringing terms of reference and budget considerations to be tabled before the 2016/17 Budget in this regard. This report is to be developed in conjunction with the Department of Main Roads."

Since this resolution was passed, Council has set aside funds in the 2016/17 budget for the study, Department of Transport and Main Roads (DTMR) have agreed to partner Council in the study and tenders have been called from suitably qualified consultants listed on the DTMR preferred supplier list.

This report provides a comparison of tenders received and makes a recommendation on the preferred tenderer.

OFFICER'S RECOMMENDATION

"That Council award Tender TMSC2016-15 Traffic Management Study for the Mareeba CBD Area to AECOM for a total value of \$77,066.00 (inclusive of GST)."

BACKGROUND

There has been a long term traffic management issue in the Mareeba CBD especially in the Byrnes/Rankin/Walsh Street area during peak hours and involving school traffic between the primary schools in Constance Street and the High School on the opposite side of Byrnes Street.

Issues of queuing, access to shops and businesses and the interaction with pedestrians at this time of day have created a potential safety issue for all road users.

There have also been some ongoing issues with various intersections on Byrnes Street, particularly at Costin, Mareeba Connection, Peters, Basalt and Herberton Streets.

In December 2015, Council resolved to have a report tabled regarding the traffic movements in the Walsh, Rankin and Herberton Streets area, however at a later meeting held in January 2016 it was resolved to undertake a full traffic study of the Mareeba CBD and develop the terms of reference for such a study in conjunction with DTMR. Subsequent meetings were held with DTMR personnel where the terms of reference were developed and agreement reached to share in the cost of the study.

Seven (7) suitably qualified consultants from the DTMR list of preferred suppliers were sent tender documents and five (5) responses were received at close of tenders on 17 November 2016.

Tender responses were assessed by MSC and DTMR staff with the five (5) submissions narrowed down to two (2) companies, Jacobs and AECOM. The primary difference between the two (2) submissions was the use of microsimulation model software by Jacobs, which provides a simulated "video" representation of pedestrian and vehicle movements for the entire CBD area now and in the future.

To build this model there is a significant amount of pedestrian and traffic data required to be collected and adds approximately \$30,000 - \$40,000 to the cost of the study. AECOM'S original tender did not include the microsimulation model, however they acknowledged this in their submission and advised that they did not believe this level of modelling was necessary for this study and that intersection modelling was only required.

While the assessment team from MSC and DTMR agreed with AECOM'S assessment, the team requested AECOM provide an alternative price for microsimulation modelling (shown highlighted below) so as to provide a comparison with the Jacobs submission.

The results shown below show that whether microsimulation modelling is used or not AECOM provide the best price for both options.

The list of tenders received and the tendered amounts excluding GST, is provided in the table below.

Tenderer	Initial Tender Amount	Additional amount for Traffic Count	Total Revised Price	Comments
GHD	\$ 156,740.00	\$ -	\$ 156,740.00	Includes microsimulation model
Jacobs	\$ 99,960.00	\$ 8,640.00	\$ 108,610.00	Includes microsimulation model
Aecom 1	\$ 60,419.00	\$ 9,641.00	\$ 70,060.00	does not include microsimulation model
Aecom 2			\$ 99,080.00	Aecom requested to supply cost to include microsimulation model and traffic count at time of tender evaluation
Flanagan	\$ 118,300.70	\$ -	\$ 118,300.70	does not include microsimulation model
Bitzios	\$ 132,290.00	\$ -	\$ 132,290.00	does include microsimulation model

Documents were also sent to Arup and Aurecon, however no response was received.

The tender documents advised tenderers that all tenders would be assessed on the following criteria and weightings:

Relevant Experience 20%

Key Personnel skills and experience	20%
Tenderer's Resources	10%
Demonstrated Understanding	15%
Price	35%

Price is a calculated formula dependent on the actual tender received against the median of all prices received. Scores for the other criteria are subject to knowledge of the tenderers performance on previous projects. Scores for each criterion are out of 10.

Scoring of the tenderers for this contract resulted in the following (scores out of 100):

GHD	64.67
Jacobs	70.27
AECOM - no microsimulation	83.85
Flanagan	68.80
Bitzios	67.015
Aecom - microsimulation	74.055

The highest scoring tenderer, AECOM, has an office in Cairns and has extensive experience in similar studies. AECOM have indicated that the study will take approximately 18 weeks after the letter of acceptance, which will make the end of May 2017 the delivery date for the final report.

The scoring reflects the opinion that AECOM offers Council and DTMR the best value for money, have the necessary experience with similar projects, provide a sound methodology and have a good local understanding of the area to satisfactorily meet the requirements for the study.

The tendered price is within the available funding as DTMR have offered to match Council funds (\$55,000) already set aside for this project or on a 50/50 basis of the actual cost of the study.

LINK TO CORPORATE PLAN

ECON 3 - Undertake the management of Council's assets in accordance with the long term asset management plans developed for all infrastructure asset classes to ensure the Shire's infrastructure networks are maintained and renewed to maximise their long term benefit to industry and the community.

CONSULTATION

Internal

Director Infrastructure Services

External

DTMR staff

LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS*Capital*

\$55,000 Included in 2016/17 budget and DTMR have offered to match this amount.

Operating

Nil

Is the expenditure noted above included in the 2016/2017 budget?

Yes.

If not you must recommend how the budget can be amended to accommodate the expenditure

Nil

IMPLEMENTATION/COMMUNICATION

As this is a planning study, it is intended that communication will be limited to key stakeholders only including MSC, Police, TMR and the developers of the proposed development opposite Coles.

ATTACHMENTS

1. Tender Specification - TMSC2016-15 Traffic Management Study for the Mareeba CBD Area;
2. Site Plan.

Date Prepared: 4 January 2017



SPECIFICATION

Request for Tender (RFT)	TRAFFIC MANAGEMENT STUDY FOR THE MAREEBA CBD AREA
Closing Time:	11.00 am AEST Thursday 17 November 2016
RFT Number:	TMSC2016-15

1. GENERAL

This Project Brief outlines the requirements for the provision of services to undertake a full Traffic Study including vehicle, and pedestrian movements, disability access and parking within the Mareeba CBD and also including Byrnes Street (Mareeba - Dimbulah Road) from the Kennedy Highway intersection to the Mulligan Highway (Mareeba - Mt Molloy Rd) intersection.

2. BRIEF DOCUMENTS

The successful consultant will comply with the following documents which form part of the Project Brief, listed as follows:

- TMR Road Planning and Design Manual
- Austroads Guide to Road Design
- Manual of Uniform Traffic Control Devices (MUTCD)
- FNQROC Development Manual

3. PROJECT BACKGROUND

The Mareeba CBD bounded by Herberton Street in the South, Lloyd St in the North, Constance Street in the East and Byrnes Street from the Kennedy Highway intersection to the Mulligan Highway intersection has a number of traffic and pedestrian related issues which need to be addressed.

The main area of concern for Council is the congestion at the Rankin / Byrnes Street and Rankin / Walsh Street intersections and the interaction of vehicular and pedestrian (school children) traffic in this vicinity during peak hour particularly before and after school.

Queuing of vehicles, including school busses, through the roundabouts at these two intersections, as well as the nearby Coles and Target carparks, the bakery driveway and McDonalds is a cause of concern by Council.

Intersections on Byrnes Street from the Kennedy Highway to the start of the Mulligan Highway are also of concern, particularly at Costin, Mareeba Connection, Peters, Basalt, Herberton and Rankin Streets.

Intersections which have ongoing safety issues and which will need to be addressed as part of the study include, but not limited to:

- Costin Street - Byrnes St
- Mareeba Connection - Byrnes St
- Peters St - Byrnes St
- Basalt St - Byrnes St
- Herberton St - Byrnes St
- Rankin St - Byrnes St
- Lloyd St - Byrnes St
- Mareeba Dimbulah Rd - Mulligan Hwy
- Herberton St - Constance St
- Rankin St - Walsh St

Refer to attached plan showing extents of project.

4. WORK ORDER OBJECTIVES

The objective of this project is to develop solutions to the issues at the intersections detailed above. The Consultant shall prepare an Options Analysis on assessing upgrade options, including constructability issues, to improve the safety, efficiency and capacity of the intersections. The Options Analysis will also include a review of the need for when the upgrade will be needed.

The objectives of this project include:

- Develop preliminary layouts of possible upgrade options
- Prepare a traffic model for the CBD including adjacent intersections
- Perform an Options Analysis of the upgrade options
- Prepare preliminary Cost Estimates for the preferred options
- Improved safety and capacity through the intersections for light and heavy vehicles, including buses and cyclists
- Improved safety of pedestrians crossing the road at or near the intersections
- Maximise the use of existing infrastructure
- Present the costs, benefits and risks associated with the preferred upgrade options as part of a Planning Report.

5. WORK ORDER DESCRIPTION AND SCOPE

5.1 IN SCOPE

The following items are deemed to be within the scope of the project:

- Prepare a traffic model for the intersections and connecting roads.
- Perform Options Analysis of possible upgrade options;
- Preparation of a schedule of quantities;
- Preparation of a program for when the upgrade will be required;
- Other activities associated with preliminary design development of the preferred upgrade options (safety in design considerations, project risk review, and so on.).

5.2 OUT OF SCOPE

The following activities are deemed to be outside of scope:

- Environmental and cultural heritage assessment and review ;
- Preparation of land requirement plans.

5.3 CONSTRAINTS

There are a number of constraints to the development of this project. These include:

- Reuse of as much of the existing asset as possible;
- Solution must be able to be constructed to minimise traffic disruptions;
- Minimising impacts on major public utility located adjacent to the streets;
- Minimising requirement for land acquisition;

5.4 ASSUMPTIONS/RISKS

No significant assumptions were made in the preparation of this brief.

5.5 COMPLETION DATE

The completion date shall be determined by the Consultant in relation to the defined scope of works, the proposed work program and the actual commencement date. While there is an expectation that all project deliverables will be completed in a timely manner and detailed in the tender submission, final documentation must be completed no later than 26 May 2017.

5.6 PROGRAM OF WORKS AND PROJECT MEETINGS

A detailed program of works shall be submitted within one (1) week of the Acceptance of Offer. This program shall be updated and sent to the Project Manager on a monthly basis. The program shall be in an electronic format or bar chart format and be of sufficient detail to show the critical path so that extensions of time may be assessed.

Progress meetings to monitor/review progress and discuss issues, shall be held on an as required basis but no less than 6 weekly intervals unless agreed otherwise. At all meetings, the Consultant shall be responsible for preparation of a complete set of minutes. The minutes shall be typed up and distributed to all attendees within 2 working days of the meeting.

5.7 RELATED PROJECT/PROPOSALS/PLANNING STUDIES

- Mareeba Traffic and Parking Study (July 1998)

6. DELIVERABLES AND MILESTONES

The Consultant shall develop the following deliverables:

The Planning Report shall include: -

- Layout Plans;
- Preliminary Design Drawings;
- Options Analysis;
- Schedule of Quantities;
- Work program
- Risk Register;
- Cost Estimate.
- Planning Study Report

7. ACCEPTANCE OF DELIVERABLES

The consultant will provide:

- Two (2) bound hard copies of all deliverables
- A digital copy of all deliverables in PDF format;
- A digital copy of all attachments in their original editable form (for example, .dwg, .docx and so on).

8. PRINCIPAL SUPPLIED DOCUMENTS

- Mareeba Traffic and Parking Study (July 1998)

9. ROLES AND RESPONSIBILITIES

Role	Nominee
Project Customer	Chief Executive Officer - Mareeba Shire Council
Project Sponsor/Director	Director Infrastructure Services - Mareeba Shire Council
Project Manager	Manager Technical Services - Mareeba Shire Council

10. SITE INFORMATION

The Consultant shall undertake all necessary inspections of the site to acquaint themselves with all existing conditions which may have an effect on the performance of the contract.

See Paragraph 3 Project Background for location and details of the site.

11. SITE INSPECTION

No formal site inspection shall be arranged. The site is a public site.

12. DOCUMENTS

The Consultant is responsible for requesting from the Client all information required for their documentation to conform to these and any other relevant procedures.

13. PREQUALIFICATION REQUIREMENTS

Suppliers are required to be prequalified to TMR TP3 level to undertake these works.

14. EVALUATION CRITERIA

Offers received will be evaluated against the following criteria:

Selection Criteria	Weighting
Relevant Experience	20%
Key Personnel Skills and Experience	20%
Tenderers' Resources	10%
Demonstrated Understanding	15%
Price	35%

15. OFFER RESPONSE REQUIREMENTS

The offer shall include responses to the selection criteria, CVs and a description of the methodology to carry out the work.

An achievable program of work is to be prepared and submitted with the offer submission. The program shall reflect realistic timings and resource requirements.

The offer shall be no be no more than 15 A4 pages in length (excluding Appendices) with a minimum font size of 11pt Arial (other fonts may be used).

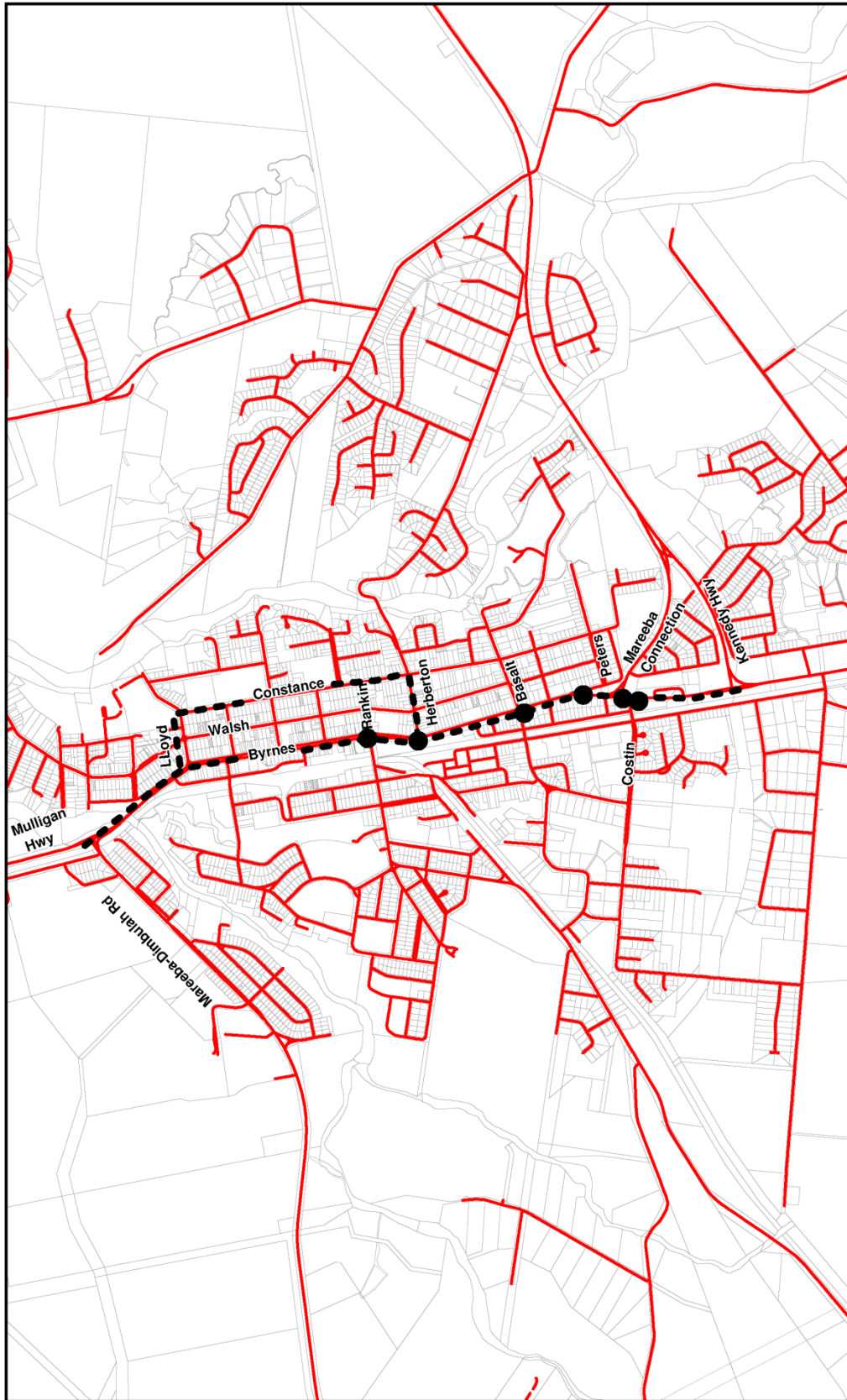
16. INTELLECTUAL PROPERTY

Intellectual Property will vest in the Principal as per clause 9.2 of the General Conditions of Contract – Consultancy Agreement.

17. FEES

The Consultant is required to provide a Schedule of Rates for the services required.

Mareeba Traffic management Study



Scale 1 :25,000 at A4
Map Grid of Australia Zone 55 (GDA94)

©2016 Mareeba Shire Council (MSC). Based on or containing data provided by MSC and the State of Queensland Department of Natural Resources & Mines (DNRM) (2016). In consideration of these agencies permitting use of this data you acknowledge and agree that these agencies give no warranty in relation to the data (including accuracy, reliability, completeness, currency, or suitability) and no liability (including without limitation liability in negligence) for any loss or damage, including consequential or special damages, arising from or in connection with the use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws.

LINK TO CORPORATE PLAN

ECOM 3 - Undertake the management of Council's assets in accordance with the long term asset management plans developed for all infrastructure asset classes to ensure the Shire's infrastructure networks are maintained and renewed to maximise their long term benefit to industry and the community.

CONSULTATION

Internal
Manager Technical Services

External
G Avolio & G Esposito
Shane Smith Builder
Mindil Pty Ltd

LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital
Funding for the project has not been allocated in any budget of Council.

Operating
Nil

Is the expenditure noted above included in the 2016/2017 budget?
No

If not you must recommend how the budget can be amended to accommodate the expenditure
The project is proposed to be listed for consideration in the 2017/2018 budget.

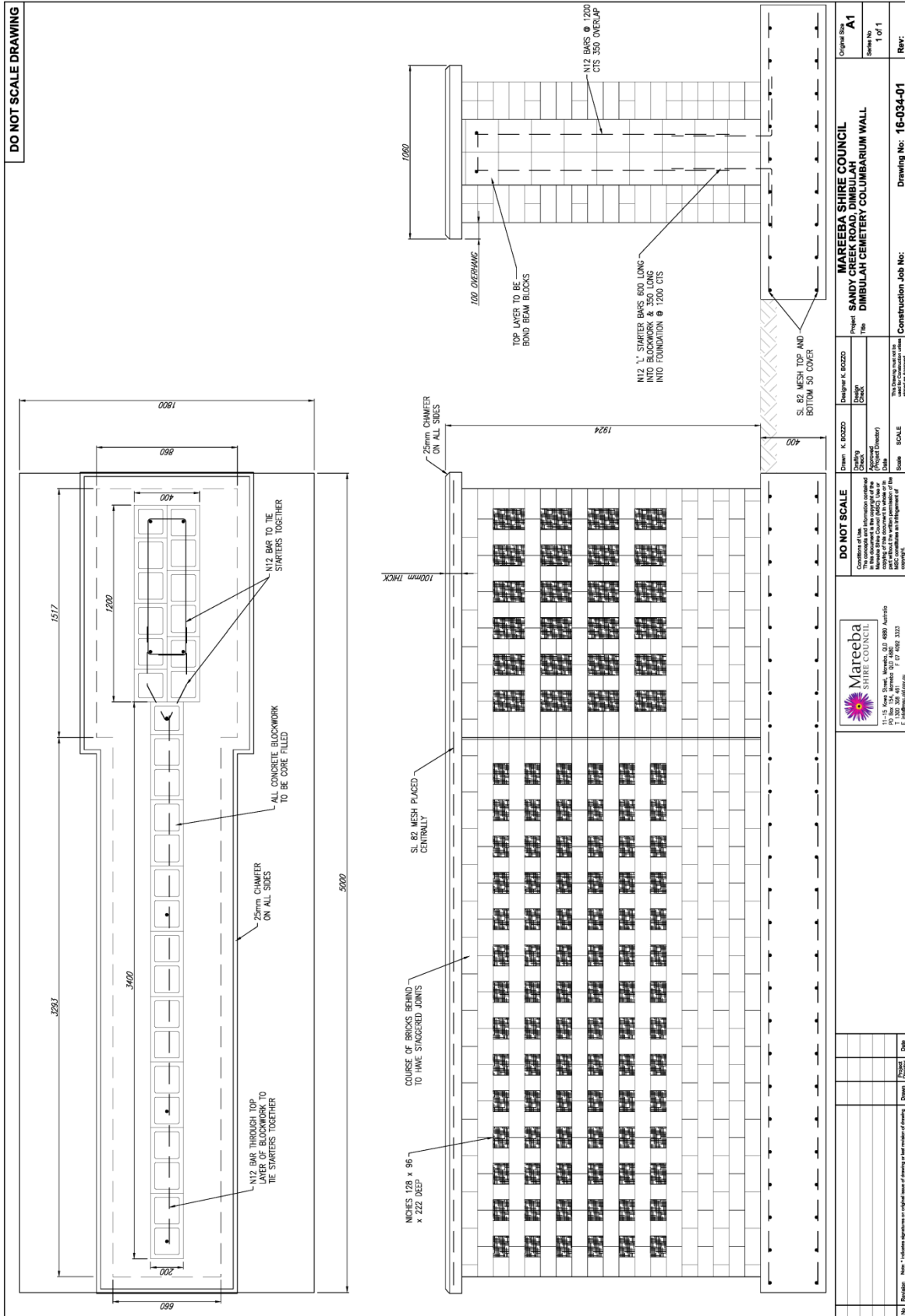
IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

1. Drawing No. 16-034-01.

Date Prepared: 4 January 2017



<p>MAREEBA SHIRE COUNCIL SANDY CREEK ROAD, DIMBULAH DIMBULAH CEMETERY COLUMBARIUM WALL</p>		<p>Project Title MAREEBA SHIRE COUNCIL SANDY CREEK ROAD, DIMBULAH DIMBULAH CEMETERY COLUMBARIUM WALL</p>	<p>Original Size A1</p>
<p>Designer: K. BUZZO Checked: [Signature] Approved: [Signature]</p>		<p>Scale: 1:50</p>	<p>Series No 1 of 1</p>
<p>Construction Job No: 16-034-01</p>		<p>Rev:</p>	

- Leadingham Creek Road, Dimbulah, Bridge Upgrade - GHD have provided MSC with a projected timeframe for completion of Design works end of February
- CBD Traffic Study tender closed

Soils Lab

- External Contractors - Council provided services to 6 external agencies and Councils

Survey

- Surveys were undertaken at:
 - Mareeba Landfill
 - Heritage Centre Lease
 - Myola Road Widening
 - Springmount Road Widening
 - Bowers Street Rehab
 - Kowa Street Widening
 - Sutherland Street Widening and Line marking
 - Iluka Street Widening

GIS

- 2013/2015 imagery received from DNRM and making the high resolution imagery for Mareeba, Kuranda, Irvinebank and Chillagoe available in MapInfo
- Re-segmentation of water pipes layer, so that GIS layer can be matched to asset register for revaluation of water assets
- Matching roads segments in the asset register to the GIS roads layer using chainage from the roads route layer
- Generating GIS ids and creating/matching points for treatment plants in water layers
- Creating MapInfo menu and styling in Geoserver and MapInfo for cemeteries layer
- Mareeba Sewerage Treatment Plant - Producing animation of 3D model generated from UAV photos (photogrammetry technique) for new
- Producing a layer of water points used in road works
- Editing footpaths pickup data
- Adding newly installed rural addresses to system and informing stakeholders (includes sending urban address changes) and internal addressing queries
- MapInfo/GIS queries and training
- Testing Fulcrum app for the collection of spatial and attribute data to be used in asset management
- Roads to recovery maps

Technical Investigations

- Intersection of Costin / Suhle Streets, Mareeba
 - Revised line marking at intersection to alleviate current issues

SUBDIVISIONS AND INVESTIGATIONS

Subdivisions

- Current - Under construction
 - Mt Emerald Wind Farm - Irrigation Pipeline Protection Slab

- Operational Works
 - 112 Barnwell Road - Dam Construction completed

- On Maintenance - Monitoring for 12 months as the Defects Liability Period prior to becoming a Council Asset
 - Wylandra Stage 6B and 6C
 - Howe Farming - Kay Road - Drainage
 - Amaroo Stage 7
 - Amaroo Stage 8
 - Bellevue Estate Stage 1A, 1B, 2 and 3
 - Hoolahan Drive - Construction of easement drainage

- Operational Works
 - 112 Barnwell Road - Dam Construction completed

PROJECT MANAGEMENT

Building

- Koah Hall - Place of Refuge is complete apart from two outstanding minor items which did not get completed in December due to supply problems. These are:
 - water tank which is now on site but has to be connected to the water supply
 - water purifier for the bore which has been delayed due to the holiday period but we have been promised this will be in place by 27 January
- Kuranda SES Shed Extension - Final building inspection and approval received, some concerns raised by SES Volunteers as to slab construction which are being addressed. Electrical contracted engaged and purchase order raised. Completion expected end of January
- Solar Tender - Contract awarded and contractor in negotiations with Ergon

Civil

2016-17 Reseals Bitumen and Asphalt Programs

- Fulton Hogan completed bitumen reseal works 14 December 2016
- Chettle Road line marking only works contractually outstanding
- IMS to complete the balance of line marking works
- Tender Regional Asphalt Overlay Program closed in December
 - Submissions received from; Boral, FGF, Pioneer

2017-18 Reseals Bitumen and Asphalt Program

- FNQROC commencing preliminary procurement processes
- Councils requested to provide indicative programs and budget allocations by early February

FLEET AND WORKSHOP SECTION**Mareeba Workshop**

- | | |
|------------------------------------|----|
| • Routine Vehicle / Plant Services | 24 |
| • Planned routine maintenance | 63 |
| • Breakdowns < 8 hrs Downtime | 7 |
| • Breakdowns > 8 Hrs Downtime | 1 |

Occasional Plant and Truck Hire 2017/2018 - Expressions of Interest - EOI-MSC2017-01

On an annual basis Council invites expressions of interest for the provision of occasional plant and truck hire. Invitations for Tenders from Contractors wishing to be included in Council's Panel of Preferred Providers for Occasional Plant Hire for the period 1 July 2017 to 30 June 2018 will be advertised in the local papers commencing the week of 20 February 2016 and the Cairns Post on Saturday 25 February 2017.

Tenders close on Tuesday 21 March 2017 at 11am. All submissions returned by the due date will be collated and entered into a data spreadsheet and presented to Council at its Ordinary Meeting of 21 June 2017 for consideration.

FACILITIES SECTION**Caravan Parks****Dimbulah Caravan Park**

In December 2016, 1,068 bookings were recorded for Dimbulah Caravan Park. These figures compared to December 2015 have slightly increased by 167.

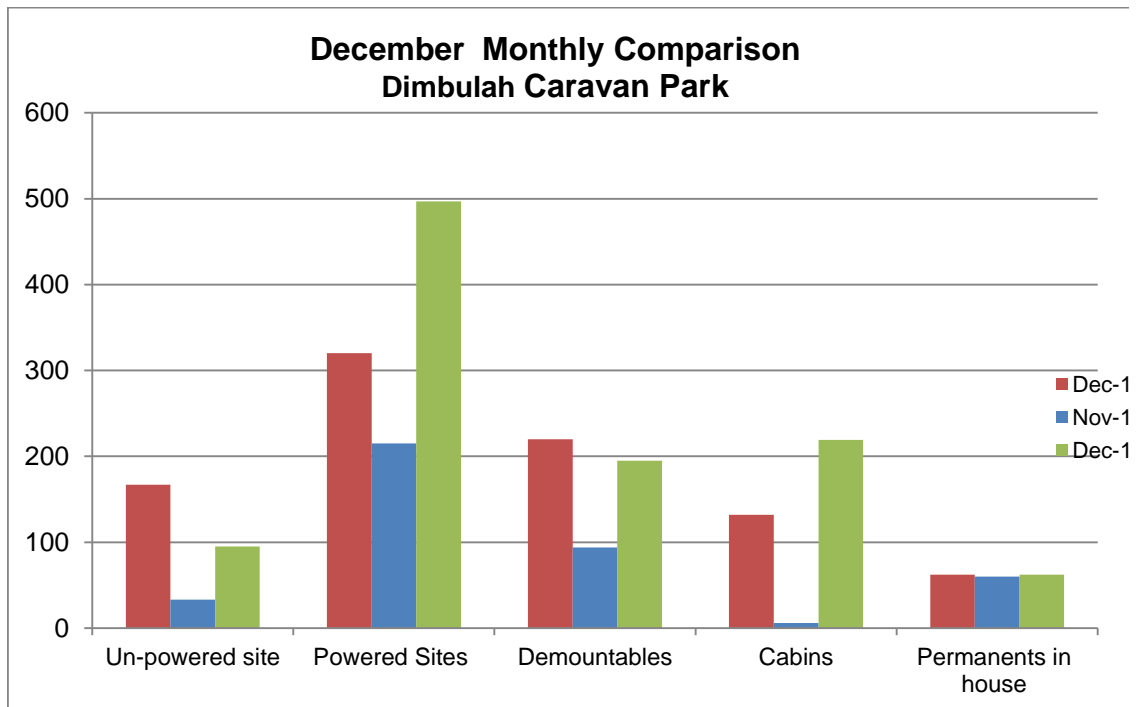


Figure 1. Monthly comparison Dimbulah Caravan Park

Mareeba Riverside Caravan Park

In December 2016, 2,697 bookings were recorded for Mareeba Riverside Caravan Park. December 2016 and December 2015 were identical.

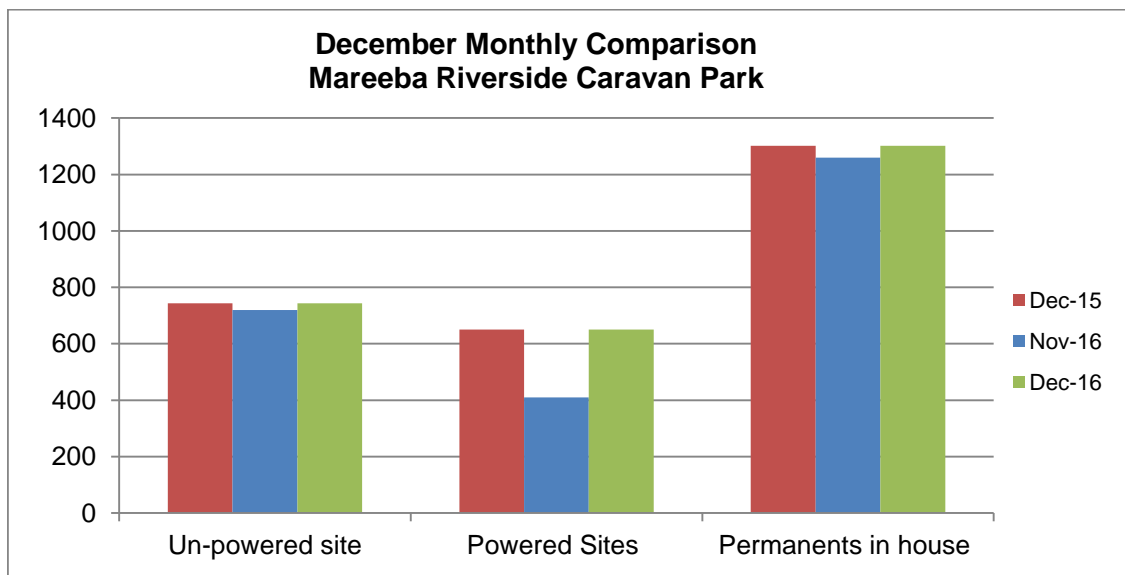


Figure 2. Monthly comparison Mareeba Riverside Caravan Park

Public Halls

The total number of hall bookings in December 2016 has decreased to 75 compared to last month of 116. This is due to the Christmas holidays and all clubs wound down for the year. Bookings have increased compared to December 2015 which was 42.

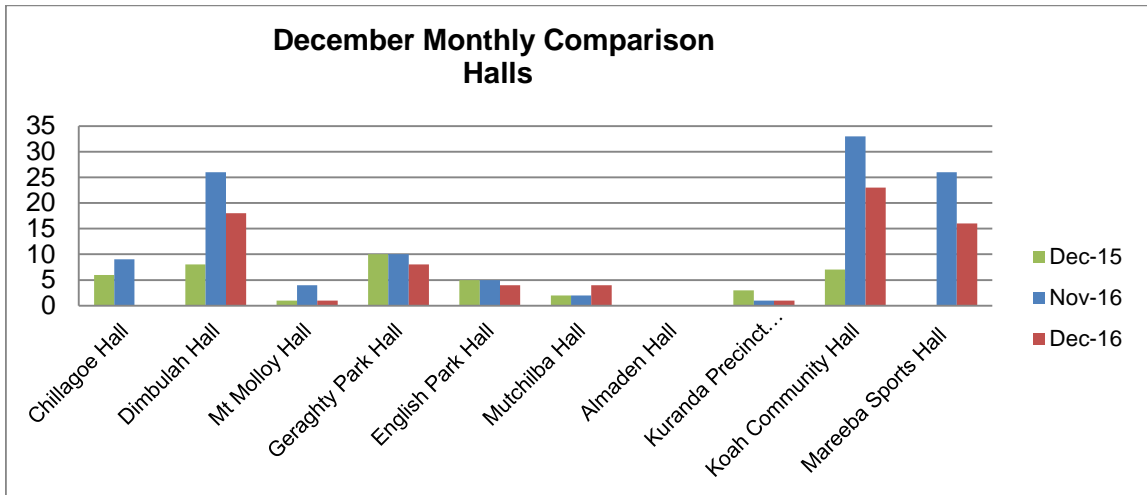


Figure 3. Monthly comparison halls

Swimming Pools

For December 2016, the total number of patrons that used all 3 pools was 7,113. This is an increase of 746 compared to December 2015. Mareeba Pool had 4,848 patrons attend, Kuranda Aquatic Centre had 1,778 while Dimbulah had 487 patrons.

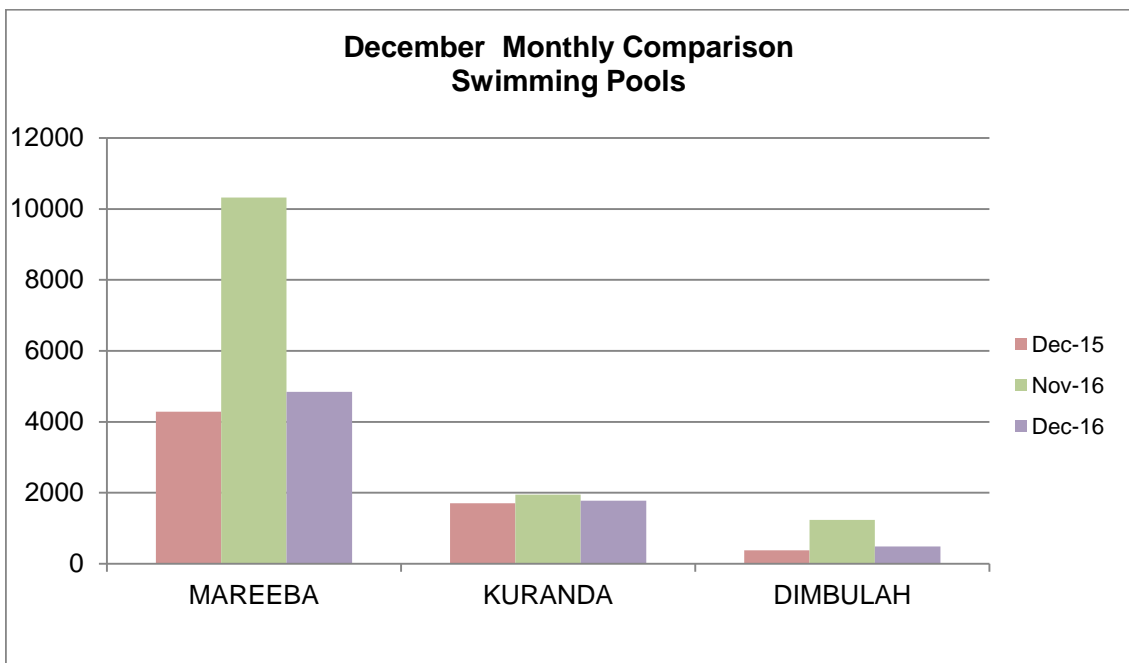


Figure 4. Monthly comparison swimming pools

Park Hire

Council parks recorded 22 bookings for the month of December 2016. This is a slight decrease of 4 from last month.

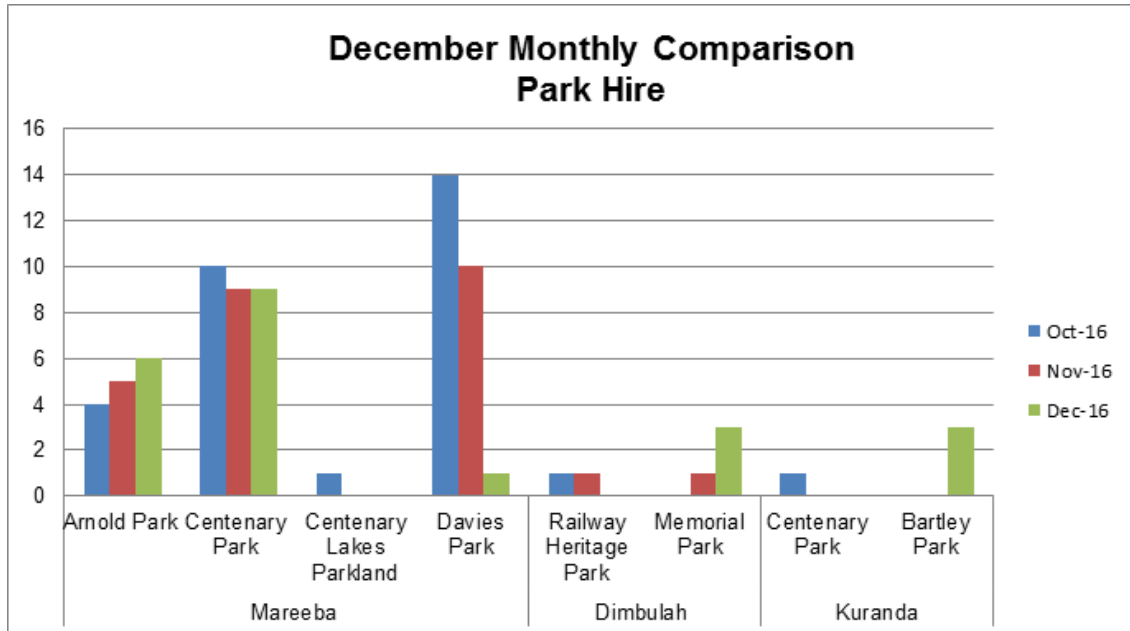


Figure 5. Monthly comparison Park Hire

Vandalism and Graffiti

During December 2016, 5 reports of graffiti and vandalism were reported.

- Mareeba Barron River Toilets - twice vandalised
- Mareeba Old Bowls Club Hall
- Mareeba Rankin Street Carpark
- Kowrowa Playground

Graffiti and Vandalism	Year to date actuals
2015/16	\$2,134
2016/17	\$4,148

Currently there is no allocated budget for graffiti and vandalism; these costs are being booked to operational.

LINK TO CORPORATE PLAN

ECON 3 - Undertake the management of Council's assets in accordance with the long term asset management plans developed for all infrastructure asset classes to ensure the Shire's infrastructure networks are maintained and renewed to maximise their long term benefit to industry and the community.

CONSULTATION

Internal
Nil

External
Nil

LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital
Nil

Operating
Nil

Is the expenditure noted above included in the 2016/2017 budget?
Nil

If not you must recommend how the budget can be amended to accommodate the expenditure
Nil

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

Nil

Date Prepared: *13 January 2017*

WORKS

ITEM-16 INFRASTRUCTURE SERVICES - WORKS SECTION PROGRESS REPORT - DECEMBER 2016

MEETING: Ordinary Meeting

MEETING DATE: 25 January 2017

**REPORT OFFICER'S
TITLE:** Manager Works

DEPARTMENT: Infrastructure Services, Works Group

EXECUTIVE SUMMARY

This report sets out works undertaken by the Transport Infrastructure, Parks and Gardens and Bridge Sections of Infrastructure Services during the month of December 2016.

OFFICER'S RECOMMENDATION

"That Council receive and note the Infrastructure Services, Transport Infrastructure, Parks and Gardens and Bridge Sections, Progress Report for the month of December 2016."

BACKGROUND

Works Group

Maintenance Activities

Maintenance activities accruing more than \$1,000 in expenditure were carried out in December at the following locations:

Description	Activity
Bilwon Road, Biboohra	Bitumen patching
Smelter Road, Chillagoe	Grading unsealed roads
Weir Road, Chillagoe	Grading unsealed roads
Euluma Creek Road, Julatten	Culvert repairs, road furniture, slashing
Mount Lewis Road, Julatten	Grading unsealed roads
Windsor View Road, Julatten	Bitumen patching, culvert repairs, slashing
Black Mountain Road, Julatten	Slashing, road furniture
Koah Road, Koah	Culvert repairs, slashing
Barron Falls Road, Kuranda	Bitumen patching, slashing, tree clearing / vegetation
Mount Haren Road, Kuranda	Clean inlet/outlets culverts, slashing
Oak Forest Road, Kuranda	Clean inlet/outlets culverts, slashing
Rob Veivers Drive, Kuranda	Bitumen patching, general repairs and maintenance, mowing, road furniture, spraying
Windy Hollow Road, Kuranda	Clean inlet/outlets culverts
Atherton Street, Mareeba	Linemarking for Reseals
Chewko Road, Mareeba	Bitumen patching
Herberton Street, Mareeba	Linemarking for Reseals
Jamieson Street, Mareeba	Linemarking for Reseals
East Mary Road, Mt Carbine	Grading unsealed roads

Description	Activity
Mount Spurgeon Road, Mt Carbine	Grading unsealed roads, road furniture
Wessel Road, Mt Molloy	Grading unsealed roads, slashing
Armstrong Road, Mona Mona	Slashing
Mona Mona Road, Mona Mona	Slashing
Springmount Road, Mutchilba	Bitumen patching, line marking for reseals
Springs Road, Paddy's Green	Bitumen patching
Speewah Road, Speewah	Clean inlet/outlets culverts, culvert repairs, road furniture, slashing

The table below shows the current budget position of road maintenance for Mareeba Shire Council.

Annual Budget	Year to Date Budget	Year to Date Actual
\$3,294,997	\$1,643,818	\$1,502,339

Capital Works

Myola Road , Kuranda, Pavement Rehabilitation, Widen and Seal

Pavement rehabilitation and widening works were completed at Myola Road, Kuranda in December. The works also included hydro-mulching of the exposed batters and revegetating of some areas by Kuranda Envirocare. The project is 1,063m in length and extends from Warrill Creek to Barnwell Road.

A small portion of line marking was not completed in December due to rain. This work will be carried out in late January weather permitting.

The project was completed on time and within budget. The funding for the project was 50% R2R and 50% TIDS.



Springmount Road Widening and Pavement Upgrade

Construction work was completed in December on pavement widening and upgrade project at Springmount Road, Arriga. The scope of the project included the widening of the existing formation to 8.0m, increasing the sealed width to 7.0m, reinstating existing driveways, extending existing culverts and the installation of guardrail protection around Ergon infrastructure.

Line marking will be undertaken at the end of January weather permitting.

Works were completed on time and within budget. The funding for the project is 50% TIDS and 50% Heavy Vehicle Safety and Productivity Program.



TMR Burke Developmental Road Grave Resheet

Works were completed in December on the gravel resheeting of 4km of the Burke Developmental Road between Almaden and Chillagoe.

The scope of the project included treatment of the existing subgrade and overlaying with 150mm of running course gravel, cleaning and re-establishing table drains and installing rock check dams to assist in erosion control.

The project was valued at \$630,000 and was completed on time and within budget.



TMR Routine Maintenance Performance Contract (RMPC)

Routine maintenance activities were undertaken during December 2016 at the following location;

Primary Location	Activity Name
Kennedy Highway, Cairns / Mareeba	Rest area servicing
Kennedy Highway, Mareeba / Ravenshoe	Pothole patching, includes traffic control
Mulligan Highway, Mareeba / Mt Molloy	Incident management, recover abandoned vehicles
	Roadside litter collection, rural
	Other culvert, pipe and pit work
	Edge repair (manual) min 1 tonne. includes traffic control
Mulligan Highway, Mareeba / Mt Molloy	Clean and/or paint guide markers
	Install new and/or relocate old signs standard B Size (800x600) and 1 post
	Roadside litter collection, rural
	Repair signs (excluding guide signs)
	Repair guide signs
	Rest area servicing
Mossman / Mt Molloy Road	Repair signs (excluding guide signs)
	Roadside litter collection, rural
Herberton / Petford Road	Other surface drain work
	Other minor culvert pipes and pit work
Mareeba / Dimbulah Road	Edge repair (manual) min 1 tonne. includes traffic control
Burke Developmental Road	Other formation work
	Medium formation grading (western) with extras and 2 watercarts, excludes traffic control

The total claim to DTMR for the works listed above for the month of December 2016 was \$49,105.12.

Parks and Gardens Section

Maintenance Activities

Parks and Gardens maintenance activities accruing more than \$1,000 in expenditure were carried out in December at the following locations:

Location
Basalt Gully and Bi-Centennial Lakes, Mareeba
Mary Andrews Gardens, Mareeba
Arnold Park, Mareeba
Centenary Park, Mareeba
Barron Esplanade, Mareeba
Byrnes Street Medians, Mareeba
Parks, Library, CBD and Streets, Kuranda
Raleigh Street Park, Dimbulah
Borzi Park, Mareeba
Davies Park, Mareeba
P&G Storage Shed, Kuranda
Street Mowing, Mareeba
Nursery, Mareeba
Furniture and Playground Equipment
Pool and Carpark, Kuranda
Sunset /Sunbird Park, Mareeba
Pressure Cleaning Kuranda CBD Footpaths
Erect and Dismantle Christmas Decorations, Mareeba

The table below shows the current budget position of Parks and Gardens maintenance for Mareeba Shire Council.

Annual Budget	Year to Date Budget	Year to Date Actual
\$1,545,967	\$770,409	\$862,511

Bridge Section

Annual Budget	Year to Date Budget	Year to Date Actual
\$514,697	\$256,363	\$130,603

Mareeba Shire Council's bridge inspection program has been formalised and is operating under a works order system. 332 bridges and major culverts have been identified as requiring inspection within our local roads network.

To date 277 inspections have been completed.

Land Protection Section

Annual Budget	Year to Date Budget	Year to Date Actual
\$394,729	\$211,676	\$216,927

Parthenium Weed: All known mapped sites have been revisited to ensure that the landowners are complying with their obligations to remove all plants before flowering. All landowners are winning the war on these weeds.

Several properties have been visited in areas seen to be at risk of Parthenium infestation. No new sites have been confirmed this month.

Miconia spp. Kosters Curse and Brillantaisia: Extended surveys for these Wet Tropics Weeds have been carried out in Julatten and Kuranda. All plants have been removed and the incursions mapped onto Council's GIS.

Thunbergia spp: Sites have been revisited and control work carried out as necessary in Julatten and Kuranda.

Rubber Vine, Belly Ache Bush and Jatropha curcas: Our long running, staged and strategically motivated removal program has continued with follow-up work on the areas from Laheys Creek to the Petford Bridge.

Gamba Grass: This weed of national significance has been treated on roadsides throughout the Paddy's Green area.

Lions Tail: The only known outbreak of this thorny plant from South Africa is present on Wrotham Park Station land and on the Burke Developmental Road. DTMR has allocated a budget for Land Protection crews to treat the weeds on their corridor, and station staff assist Council by working on all outbreaks on their lands.

Vertebrate Pest Work: Coordinated baiting for wild dogs undertaken in various locations within the MDIA. Feral pig trapping, baiting and referring affected landowners to commercial shooters has occurred on cane blocks.

LINK TO CORPORATE PLAN

ECON 3, Undertake the management of Council's assets in accordance with the long term asset management plans developed for all infrastructure asset classes to ensure the Shire's infrastructure networks are maintained and renewed to maximise their long term benefit to industry and the community.

CONSULTATION

Internal
Infrastructure Services staff

External
Nil

LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital
Included in 2016/2017 budget

Operating
Included in 2016/2017 budget

Is the expenditure noted above included in the 2016/2017 budget?
Yes

If not you must recommend how the budget can be amended to accommodate the expenditure
Nil

IMPLEMENTATION/COMMUNICATION

Advice is provided to residents and businesses affected by any activities.

ATTACHMENTS

Nil

Date Prepared: 12 January 2017

WATER & WASTE

ITEM-17 **INFRASTRUCTURE SERVICES - WATER AND WASTEWATER GROUP - MONTHLY OPERATIONS - DECEMBER 2016**

MEETING: Ordinary

MEETING DATE: 25 January 2017

REPORT OFFICER'S TITLE: Manager Water and Waste

DEPARTMENT: Infrastructure Services, Water and Waste Group

EXECUTIVE SUMMARY

The purpose of this report is to summarise Council's Water and Wastewater activities undertaken by the Infrastructure Services Department during the month of December 2016.

OFFICER'S RECOMMENDATION

"That Council receive and note the December 2016 Monthly Water and Wastewater Report."

LINK TO CORPORATE PLAN

GOV 3 Undertake a whole of Council service level review to establish sustainable operational costs across core local government business and consult with communities.

1. Capital and Maintenance Works Projects

- Tender received and assessed for the Kuranda Suburban Water Security Upgrade project.
- The shed extension works for the Kuranda WWTP sludge management facility are now completed.

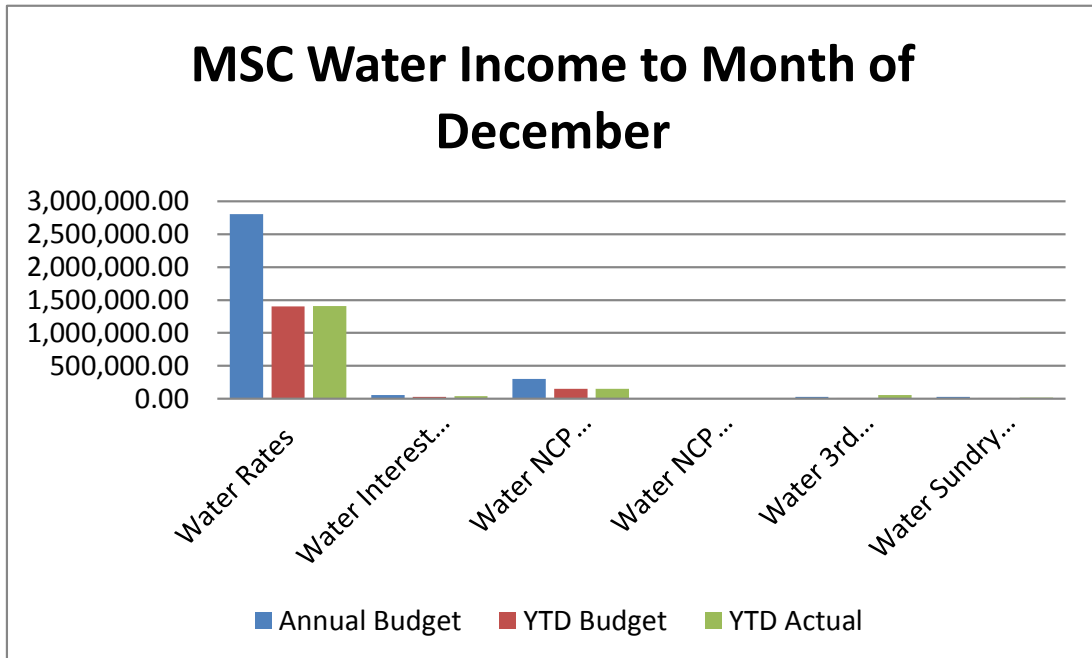


2. Environmental Monitoring - Treatment

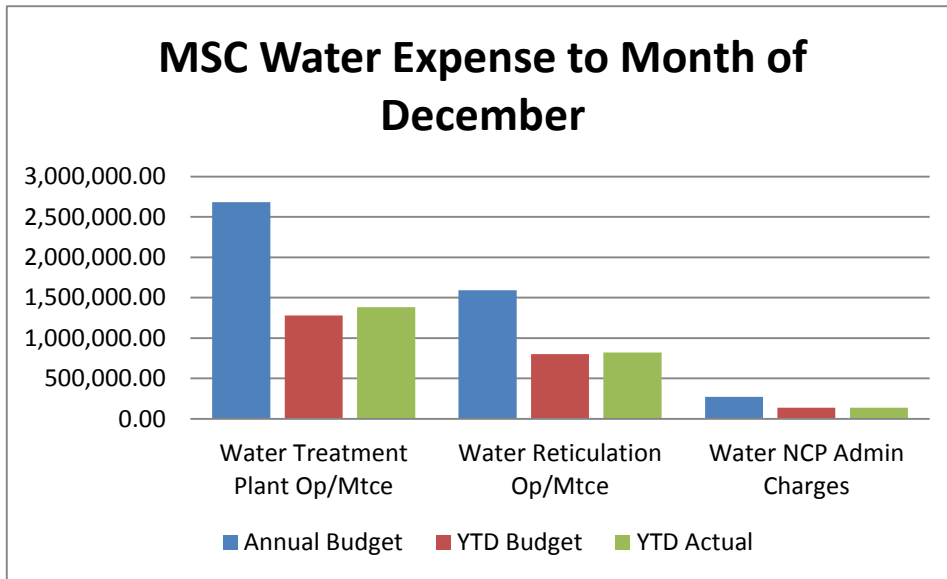
- Mareeba STP compliant with Transitional Environmental Plan (TEP).
- Kuranda STP remains compliant with licence conditions.

3. Budget - Water

Graphical - Revenue

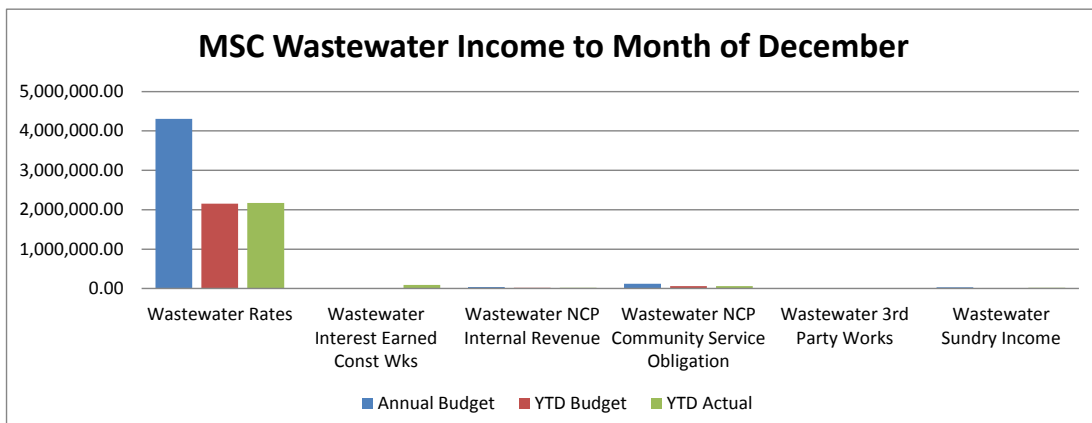


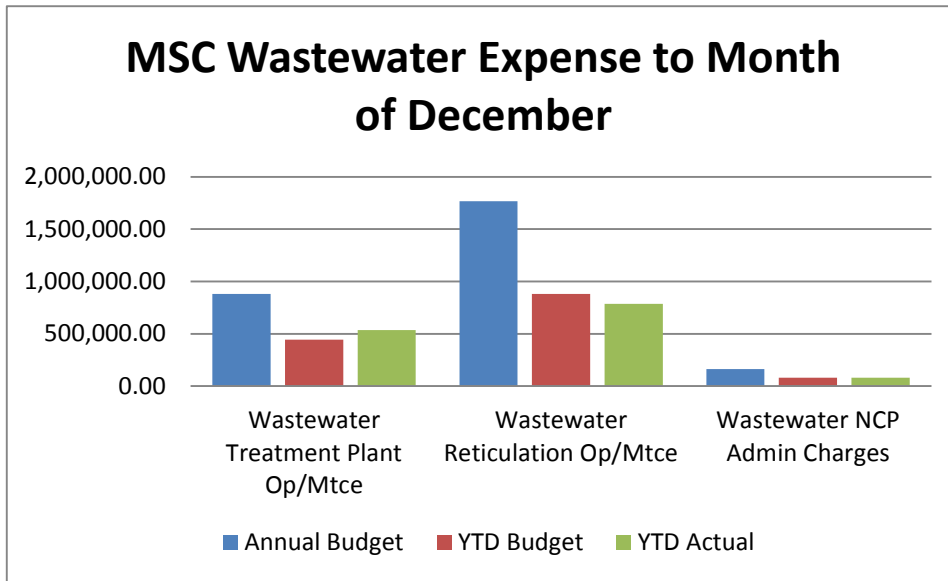
Graphical – Expense



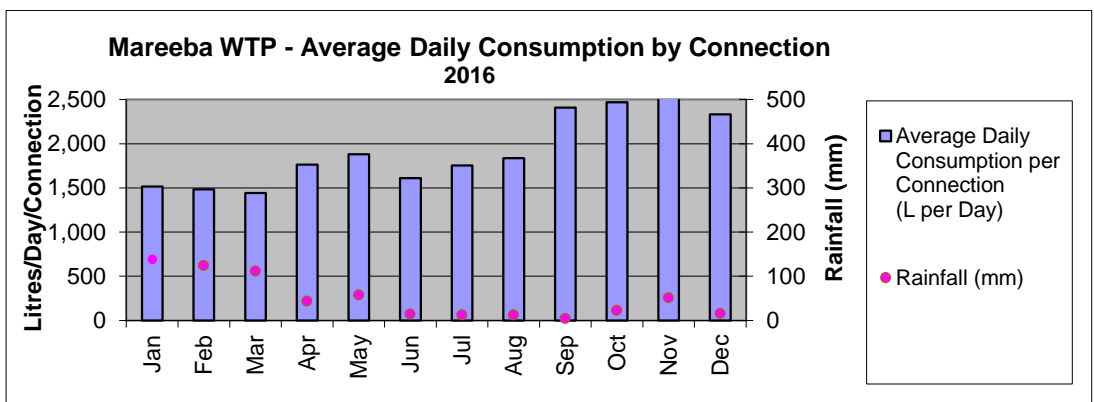
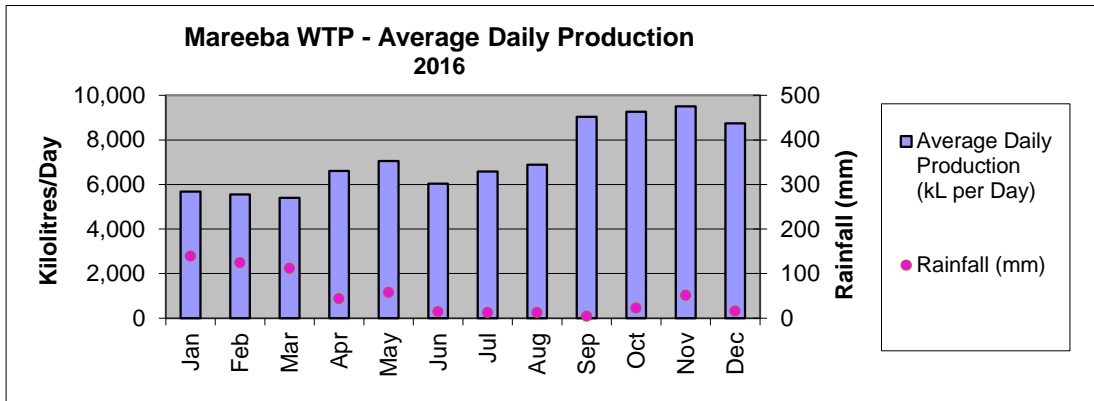
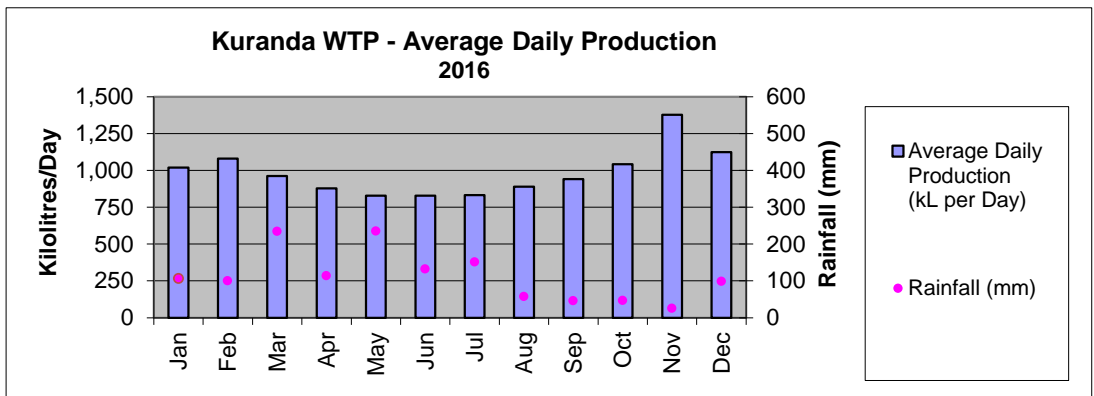
4. Budget - Wastewater

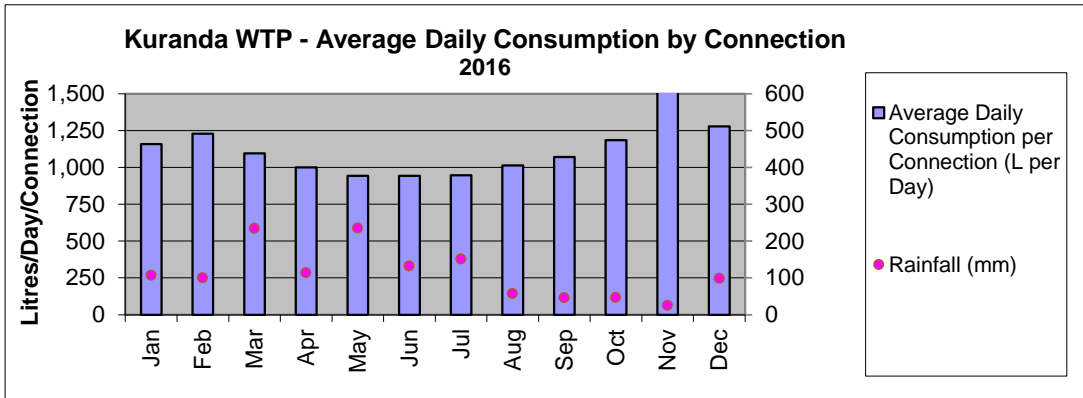
Graphical - Revenue



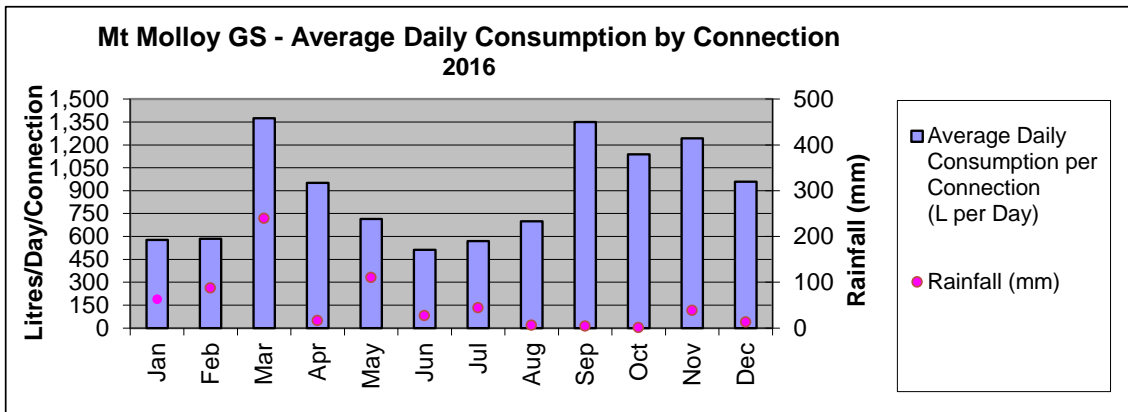
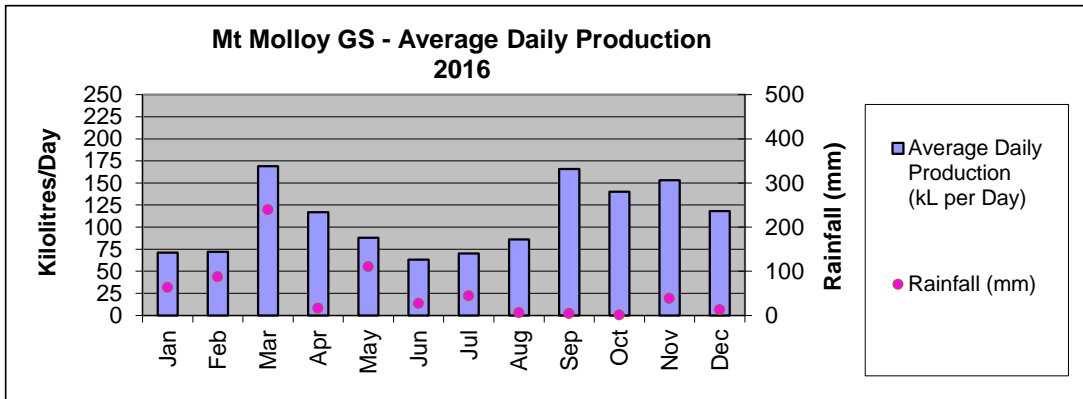
Graphical – Expense

5. Chlorine Residual Readings

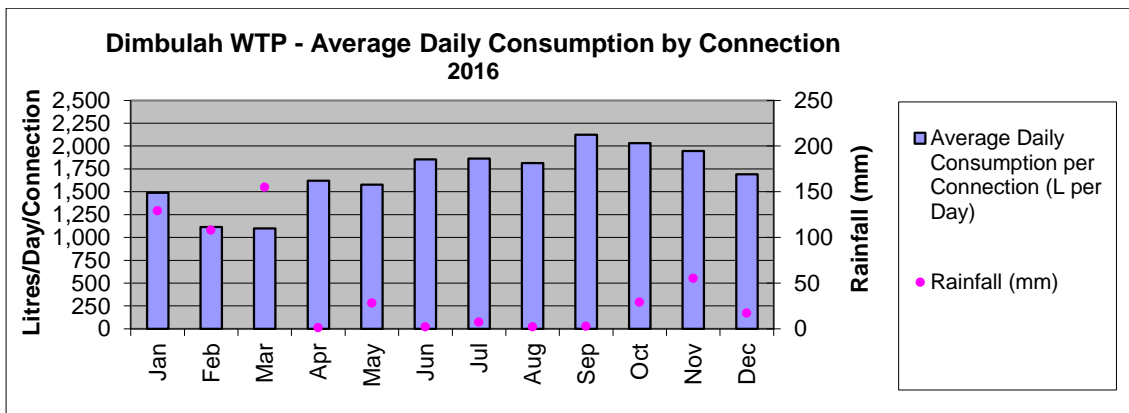
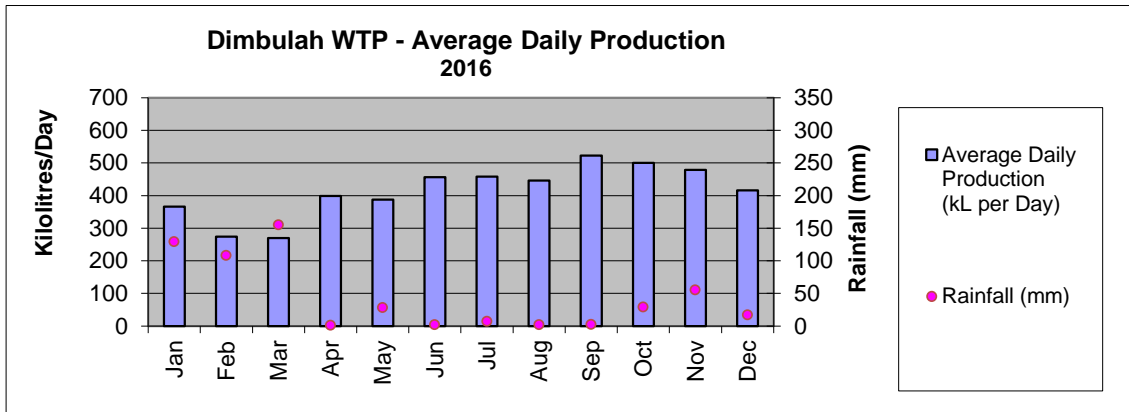
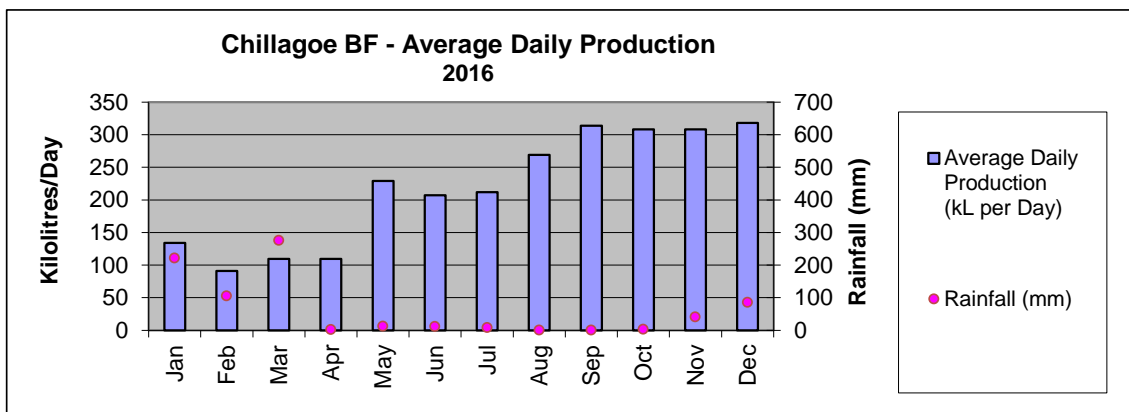
December 2016	Chlorine Residual Readings 2016 Australian Drinking Water Guidelines Maximum 5mg/L												
	Fri 2nd	Mon 5th	Wed 7th	Fri 9th	Mon 12th	Wed 14th	Fri 16th	Mon 19th	Wed 21st	Fri 23rd	Mon 26th	Wed 28th	Fri 30th
	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)
Mareeba Rankine St	1.50	1.42	1.04	1.08	1.33	1.10	1.17	1.26	1.17	1.39	1.12	1.38	1.30
Wylandra Drive Mareeba	0.61	0.89	0.87	0.44	0.50	0.51	0.65	0.58	0.73	0.98	0.81	0.73	0.75
Gregory Terrace Kuranda	0.74	0.91	0.87	0.76	0.43	0.38	0.49	0.94	0.74	0.99	1.11	0.67	0.71
Mason Rd PS Kuranda	1.03	1.07	1.05	0.90	1.05	0.67	1.02	1.36	1.10	1.11	0.87	1.10	0.89
Chillagoe	0.87	1.06	1.17	1.16	1.13	0.95	0.96	0.82	1.03	1.08	1.16	1.20	1.30
Dimbulah	0.74	1.05	1.57	1.30	1.54	1.27	1.18	1.18	1.25	1.26	1.11	1.04	1.10

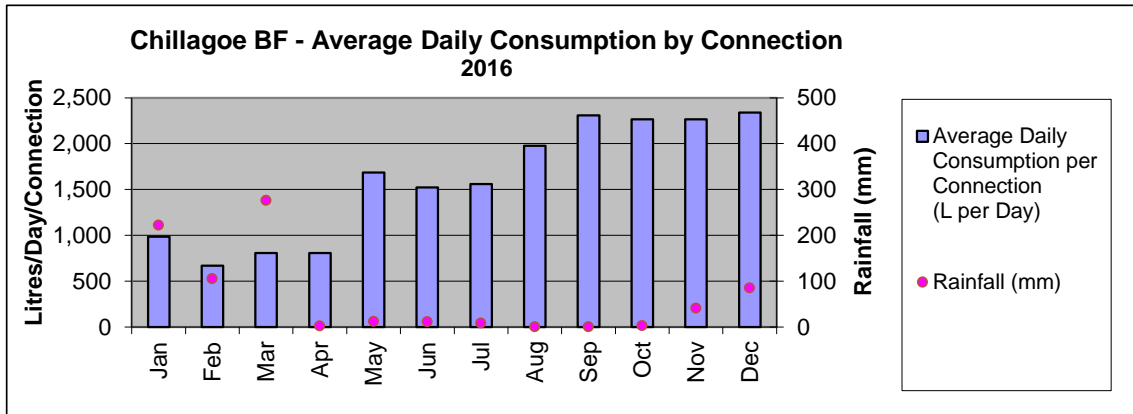
6. Mareeba Water Supply Scheme – Operations Data

7. Kuranda Water Supply Scheme - Operations Data




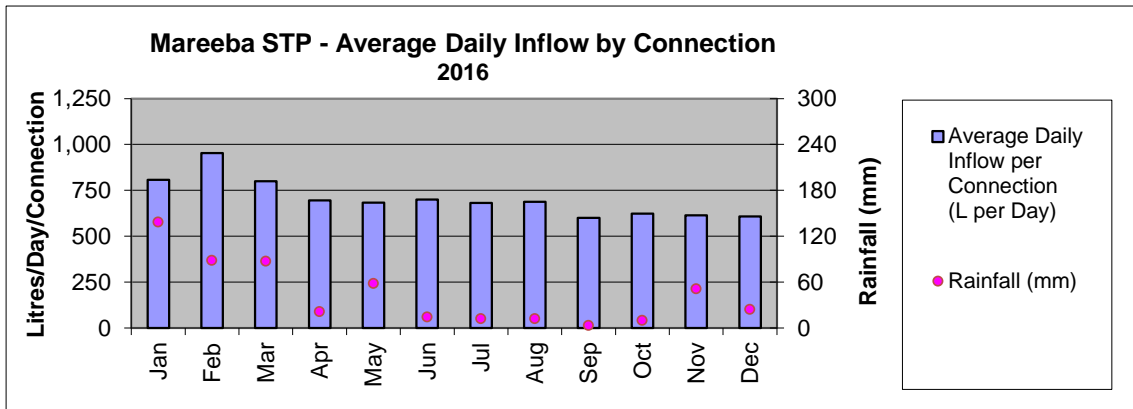
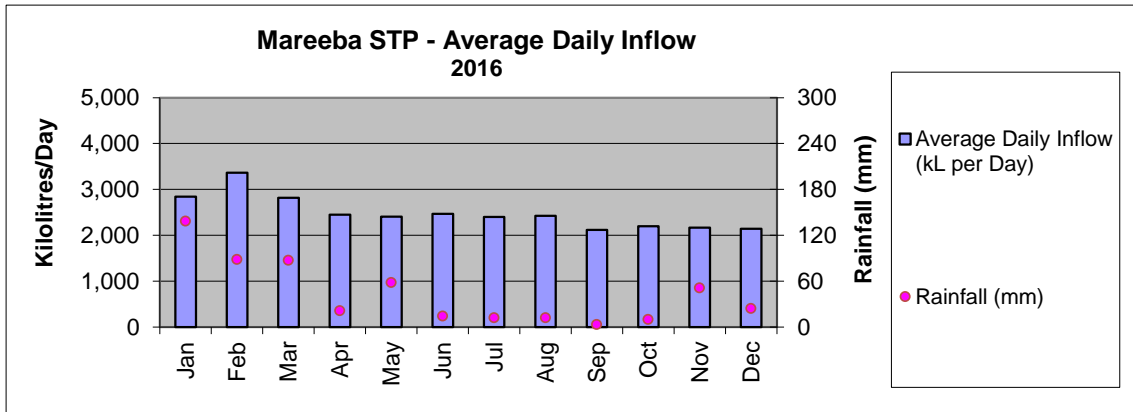
8. Mount Molloy Water Supply Scheme - Operations Data



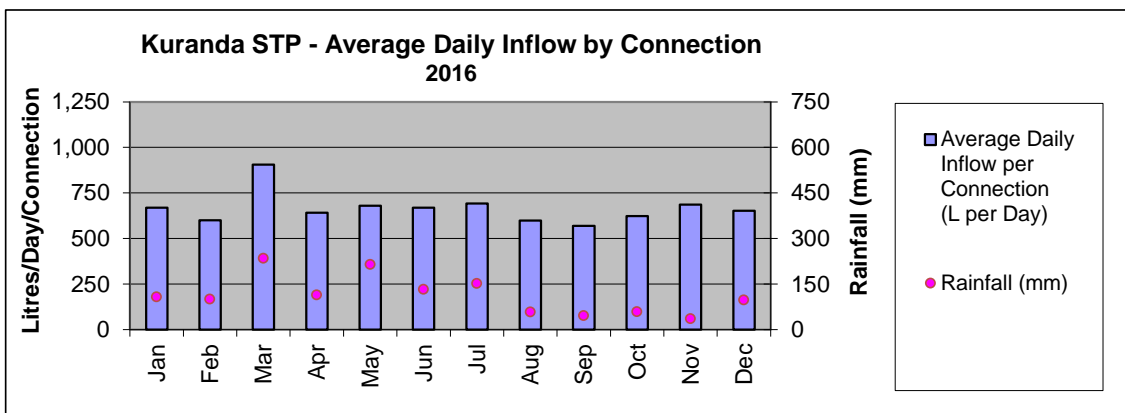
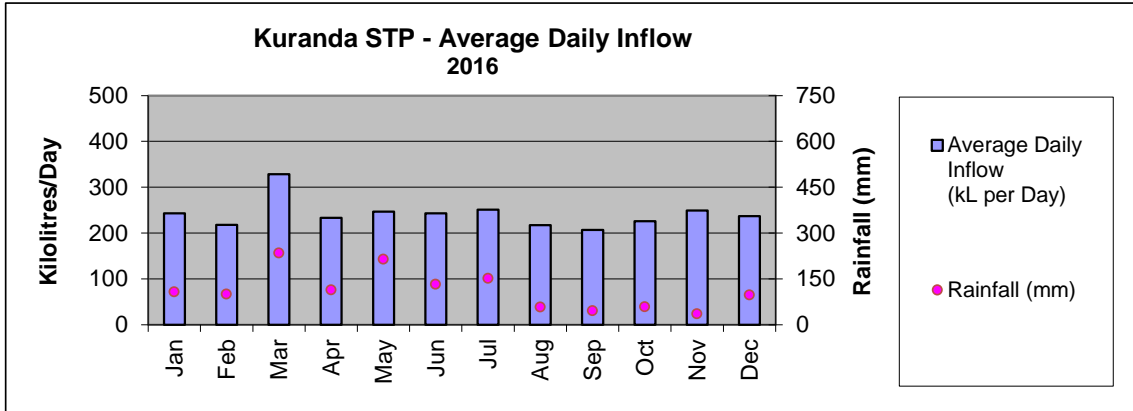
9. Dimbulah Water Supply Scheme - Operations Data

10. Chillagoe Water Supply Scheme - Operations Data




11. Mareeba Wastewater Treatment Plant - Operations Data



12. Kuranda Wastewater Treatment Plant - Operations Data



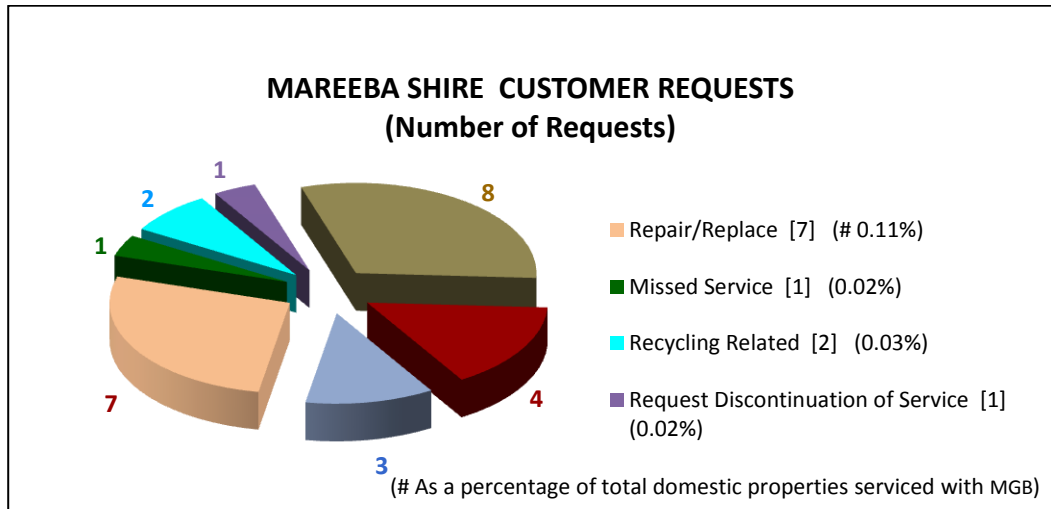
Date Prepared: 9 January 2017

2. Photos of Old Mareeba Landfill Capping Project



3. Customer Service Waste Statistics

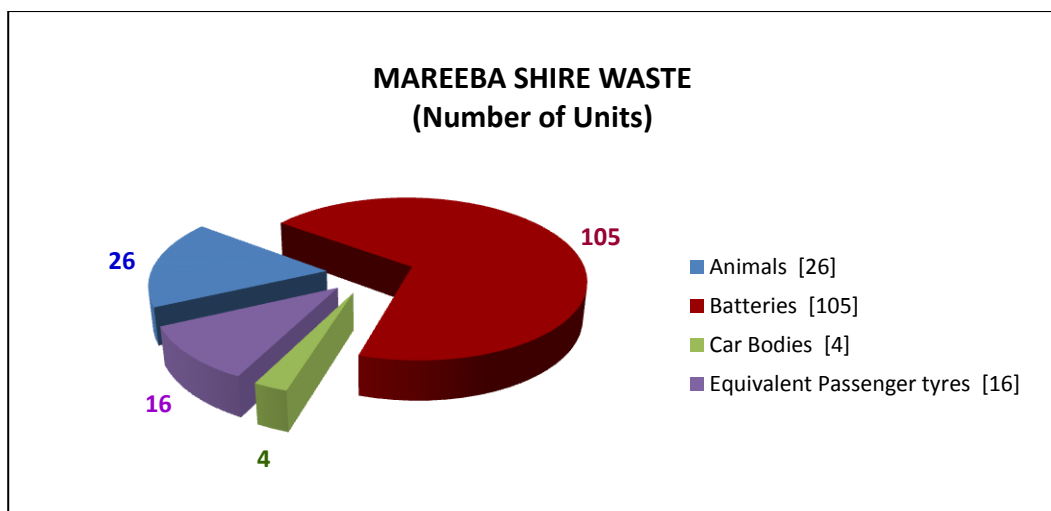
The following graph displays customer requests logged in the Customer Request Management (CRM) system during the month of December 2016.

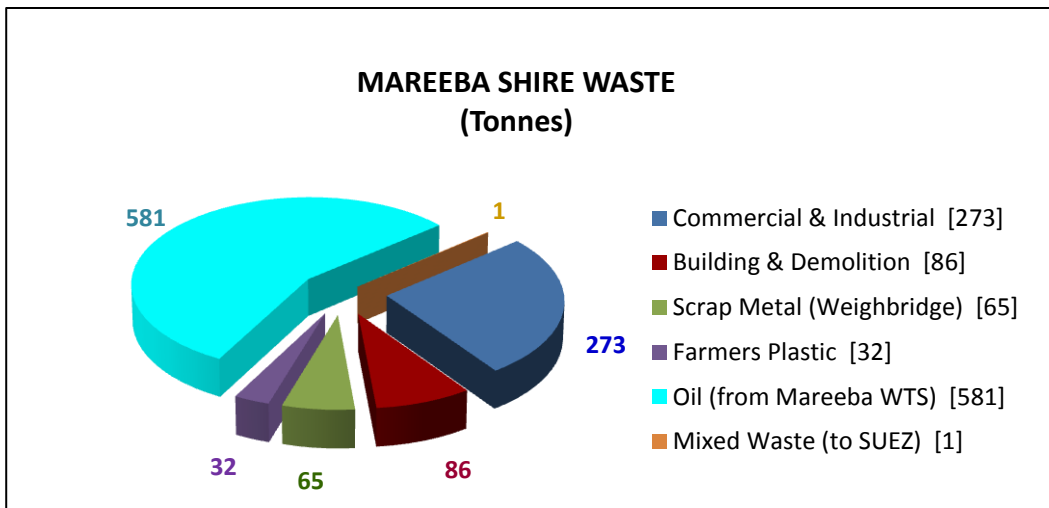


4. Waste Collected at Each of the Transfer Stations

Waste material collected at each of the waste transfer stations is either deposited directly to the Mareeba landfill, recycled or transported to the Suez facility in Cairns for processing.

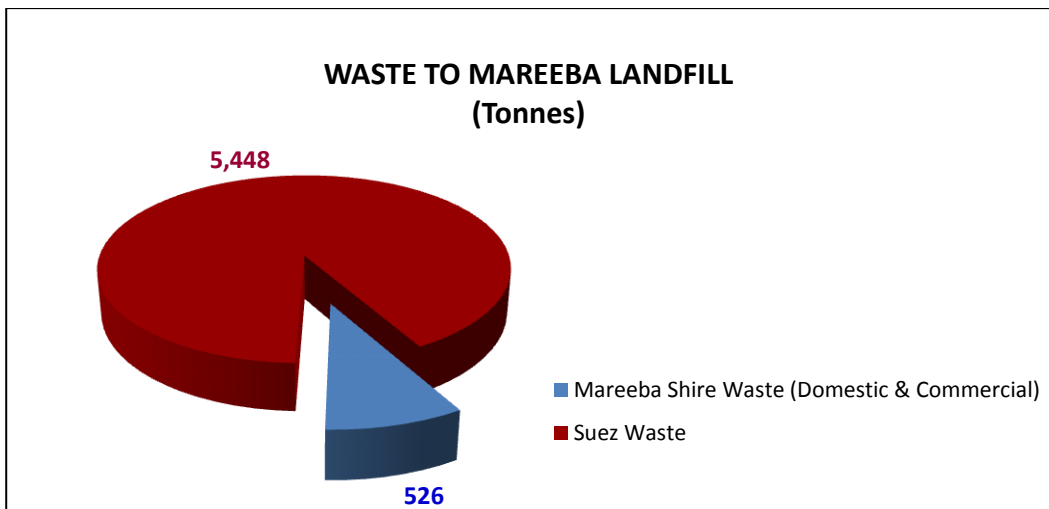
The following pie charts are separated into waste received as whole units and waste received as accrued tonnage.





5. Waste to Mareeba Landfill

The Mareeba Shire waste shown in the pie chart below is the waste collected at each of the waste transfer stations (Mareeba included), and deposited directly to the Mareeba landfill. The commercial waste shown below is derived from the Suez recycling plant in Cairns and deposited into the Mareeba landfill.



6. Revenue

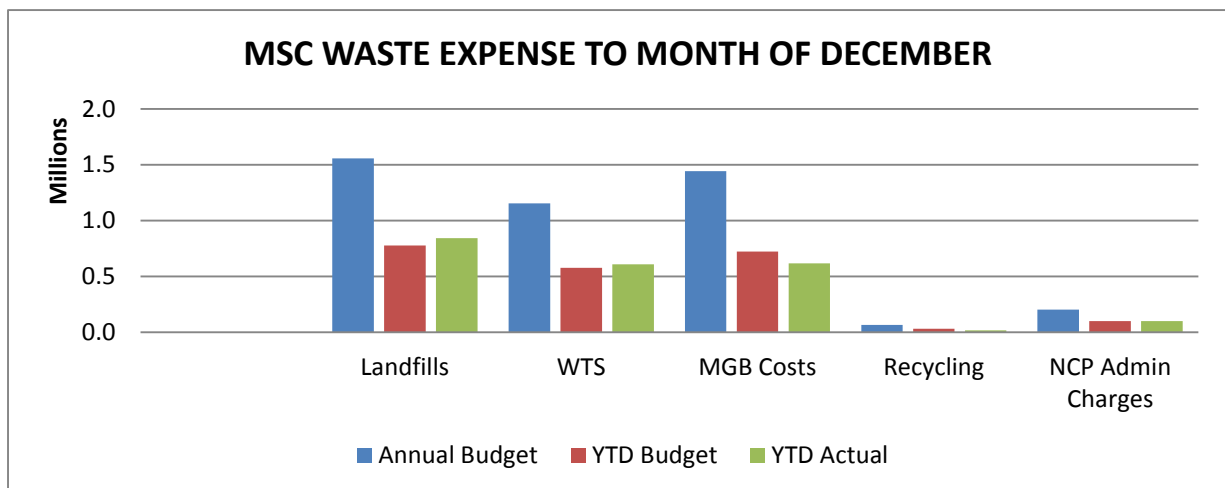
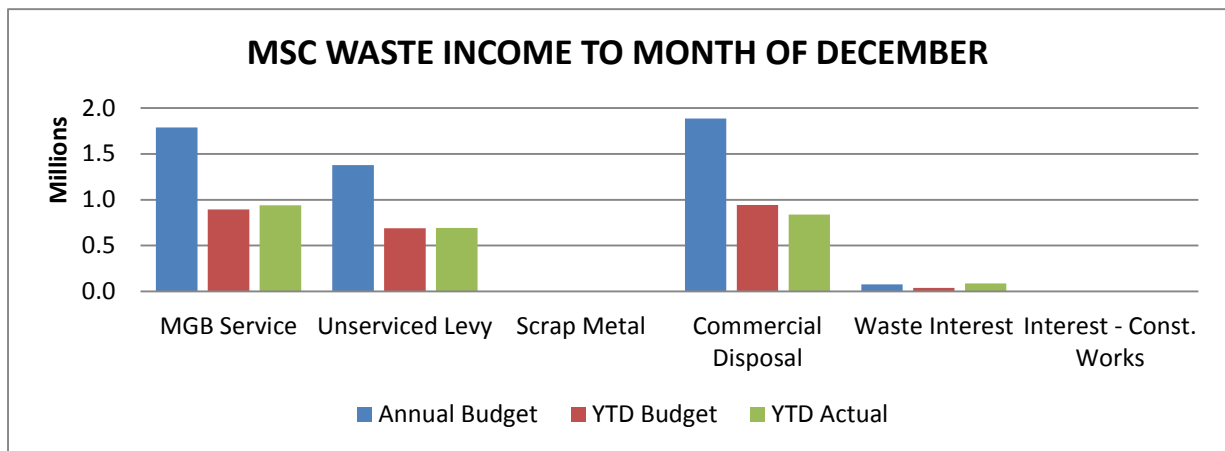
The income is derived from:

- Commercial disposal (predominantly Suez)
- Interest earned
- Interest on Constrained Works
- Recycling (steel, batteries)
- Rates

The expenditure is derived from:

- Waste administration
- Landfill management
- Transfer station management

7. Financial Operational Budget Information Per Budget Section Overall



LINK TO CORPORATE PLAN

ECOM 3 Undertake the management of Council's assets in accordance with the long term asset management plans developed for all infrastructure asset classes to ensure the Shire's infrastructure networks are maintained and renewed to maximise their long term benefit to industry and the community.

GOV 3 Undertake a whole of council service level review to establish sustainable operational costs across core local government business and consult with communities.

CONSULTATION

Internal
 Director Infrastructure Services
 Waste Staff

External
 Nil

LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS*Capital*

Nil

Operating

Nil

Is the expenditure noted above included in the 2016/2017 budget?

Yes

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

Nil

Date Prepared: *12 January 2017*

BUSINESS WITHOUT NOTICE

NEXT MEETING OF COUNCIL

The next meeting of Council will be held at 9:00 am on Wednesday 15 February 2017

FOR INFORMATION

SUMMARY OF NEW PLANNING APPLICATIONS & DELEGATED DECISIONS FOR THE MONTH OF DECEMBER 2016

Summary of new Planning Development Applications and Delegated Decisions for December 2016

New Development Applications					
Application #	Lodgement Date	Applicant/ Address	Property Description	Application Type	Status
DA/16/0065	23/12/2016	Reever and Ocean Pty Ltd Barnwell Road, Kuranda	Lot 22 on N157227	Material Change of Use - Animal Keeping	In acknowledgement stage.

Decision Notices issued under Delegated Authority					
Application #	Date of Decision Notice	Applicant	Address	Property Description	Application Type
DA/16/0061	19/12/2016	D & J Boshammer, c/- Urban Sync	151 Ray Road, Mareeba	Lot 1 on RP720057	Reconfiguring a Lot - Subdivision (1 into 2 lots)

Building Work assessable against the Planning Scheme Decision Notices issued under Delegated Authority					
Application #	Date of Decision	Applicant	Address	Property Description	Application Type
BAP/16/0016	1/12/2016	Mareeba Shire Council	22 Kowa Street, Mareeba	Lot 388 on CP902751	Request for boundary dispensation to allow shed extension 2.4m from Kowa Street frontage.

Survey Plans endorsed					
Application #	Date	Applicant	Address	Property Description	No of Lots
DA/14/0031	13/12/2016	J Portelli	631 Mount Mulligan Road, Dimbulah	Lot 872 on SP280077	2 lots
DA/16/0048	16/12/2016	BTM & S Stankovich Pty Ltd	Karobean Drive & Jannali Court, Mareeba	Lot 200 on SP284130	24 lots

December 2016 (Regional Land Use Planning)