



Ordinary Meeting

Council Chambers

Date: 6 April 2016

Time: 9:00am

AGENDA

THE ORDINARY MEETING OF THE MAREEBA SHIRE COUNCIL WILL BE HELD AT COUNCIL CHAMBERS, ON WEDNESDAY, 06 APRIL 2016 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	
CONFIRMATION OF MINUTES	
BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING	
DEPUTATIONS AND DELEGATIONS	
CORPORATE AND COMMUNITY SERVICES.....	5
REGIONAL LAND USE PLANNING	5
ITEM-1 M Ryan - Reconfiguring a Lot - Subdivision (1 into 2 Lots) - Lot 6 on RP731084 - 120 Ganyan Drive, Speewah - DA/16/0008.....	5
ITEM-2 J & K Parker - Material Change of Use - Residential Units (3 x 2 Bedroom Units) Lot 23 on RP749169 - 15 Tilse Street, Mareeba - DA/16/0006	27
ITEM-3 Application for conversion of Term Lease to Freehold - Lot 144 on HG625, Parish of Dynes.....	49
ITEM-4 S & A Grist - Reconfiguring a Lot - Subdivision (1 into 2 Lots) - Lot 267 on NR6781 - 1 Copland Road, Koah - DA/15/0056	57
ITEM-5 Application for conversion of term lease to freehold - Lot 135 on DA376, Parish of Southedge.....	87
GOVERNANCE AND COMPLIANCE	93
ITEM-6 Mareeba Industrial Estate - Sale or Leasing of Lots on Terms	93
ITEM-7 Nomination for LGAQ Executive District Representative 2016-2020	101
INFRASTRUCTURE SERVICES.....	109
TECHNICAL SERVICES.....	109
ITEM-8 Mareeba Shire Council Infrastructure Services Capital Works 2015/2016 & Committed Works 2016/2017	109
ITEM-9 Keegan Street, Mareeba - Proposed All-Weather Seal	115
ITEM-10 Contract TMSC2015-13 Mareeba Wastewater Treatment Plant - Design and Construction - March 2016 Progress Report	119
ITEM-11 Mareeba Airport Redevelopment - March 2016 Progress Report.....	127
ITEM-12 Traffic Advisory Committee - Minutes of Meeting held 15 March 2016.....	133
BUSINESS WITHOUT NOTICE	143
NEXT MEETING OF COUNCIL.....	143

CORPORATE AND COMMUNITY SERVICES

REGIONAL LAND USE PLANNING

ITEM-1 **M RYAN - RECONFIGURING A LOT - SUBDIVISION (1 INTO 2 LOTS) - LOT 6 ON RP731084 - 120 GANYAN DRIVE, SPEEWAH - DA/16/0008**

MEETING: Ordinary

MEETING DATE: 6 April 2016

REPORT OFFICER'S TITLE: Senior Planner

DEPARTMENT: Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	M Ryan	ADDRESS	120 Ganyan Drive, Speewah
DATE LODGED	11 February 2016	RPD	Lot 6 on RP731084
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot - Subdivision (1 into 2 lots)		

FILE NO	DA/16/0008	AREA	3.002 hectares
LODGED BY	Charles O'Neill Surveyors and Planners	OWNER	M Ryan
PLANNING SCHEME	Mareeba Shire Planning Scheme 2004 (Amendment No. 01/11)		
ZONE	Rural Residential		
LEVEL OF ASSESSMENT	Code Assessment		
SUBMISSIONS	n/a		

ATTACHMENTS: 1. Proposal Plan/s

EXECUTIVE SUMMARY

Council is in receipt of a development application described in the above application details.

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

It has been assessed against the relevant statutory planning instruments, including the Regional Plan and the Planning Scheme and does not conflict with any relevant planning instrument.

The key issue of the proposed development is the size of the proposed allotments. Both proposed allotments would have areas less than the two (2) hectare lot size nominated by 4.46 Reconfiguring a Lot Probable Solution PS1 of the Rural Residential Zone Code. Notwithstanding this, both proposed allotments satisfy Specific Outcome S1 which requires sufficient area and dimensions to suit the intended use. Within 400m of the subject land, there are five existing similarly sized (1.302ha, 1.506ha, 1.514ha, 1.603ha and 1.631ha) allotments.

It is recommended that the application be approved in full with conditions.

OFFICER'S RECOMMENDATION

- That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	M Ryan	ADDRESS	120 Ganyan Drive, Speewah
DATE LODGED	11 February 2016	RPD	Lot 6 on RP731084
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot - Subdivision (1 into 2 lots)		

and in accordance with the Sustainable Planning Act 2009, the applicant be notified that the application for a development permit for the development specified in (A) is:

Approved by Council in accordance with the approved plans/documents listed in (B), subject to assessment manager conditions in (C), assessment manager's advice in (D), relevant period in (E), further permits in (F), and further approvals from Council listed in (G);

And

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

- (A) APPROVED DEVELOPMENT: Development Permit for Reconfiguring a Lot - Subdivision (1 into 2 lots)

- (B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
-	Amended Lot Layout	-	-

- (C) 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 must be complied with to the satisfaction of Council's delegated officer prior to the endorsement of the plan of survey, except where specified otherwise in these conditions of approval.
3. General
 - 3.1 The development approval would not have been issued if not for the conditions requiring the construction of infrastructure or the additional payment condition/s within these conditions of approval.
 - 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.
 - 3.3 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior the endorsement of the plan of survey and at the rate applicable at the time of payment.
 - 3.4 The developer must relocate (in accordance with FNQROC standards) any services such as water, sewer, drainage, telecommunications and electricity that are not wholly located within the lots that are being created/serviced where required by the relevant authority, unless approved otherwise by Council's delegated officer.
 - 3.5 Where approved existing buildings and structures are to be retained, setbacks to any new property boundaries are to be in accordance with Planning Scheme requirements for the relevant structure and/or Queensland Development Code. A plan demonstrating compliance of any existing buildings or structures that are in close proximity to any new property boundary must be submitted prior to endorsement of the plan of survey.
 - 3.6 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements and to the satisfaction of Council's delegated officer.

3.7 Flood Immunity

All new buildings must be located such that the freeboard of the floor levels of all habitable rooms are a minimum of 300mm above the 100 ARI year level.

3.8 No filling is to occur below the 100 ARI flood level unless approved in further Operational Works applications for works associated with the approved conditions of development.

3.9 Building Envelope

For the purposes of protecting remnant ecosystems from vegetation/habitat clearing, the applicant/developer shall prepare and submit a building envelope plan for Lot 62 only. The proposed building envelope must not exceed 2,000m² in area and should be setback a minimum of 10 metres from any new or existing property boundary.

Any new building within Lot 62 must be contained within the building envelope.

3.11 Rural Addressing

The applicant must pay the relevant fee per additional lot for provision of rural addressing at the rate identified in the Fees and Charges Schedule at the time of payment.

3.12 Charges

All outstanding rates, charges and expenses pertaining to the land are to be paid in full.

4. Infrastructure Services and Standards

4.1 Access

Access to all lots shall be constructed/upgraded (from the edge of the road pavement to the property boundary) in accordance with FNQROC Development Manual standards, to the satisfaction of Council's delegated officer.

4.2 Stormwater Drainage

The applicant must ensure a non-worsening effect on surrounding land as a consequence of the development and must take all reasonable and practicable measures to ensure discharge occurs in compliance with the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual.

4.3 Non-reticulated Water Supply

- 4.3.1 Each lot must be provided with a potable water supply in accordance with Planning Scheme Policy No. 1 - Water Supply (Outside Reticulated Water Supply Area).
- 4.3.2 Where a bore is to be used as a source of water, bore installation will be in accordance with the requirements of D6.09 of the FNQROC Development Manual.
- 4.3.3 Where a bore is to be used as a source of potable water, it will be sited in accordance with the setback distances specified in the Queensland Plumbing and Wastewater Code.
- 4.3.4 The applicant/developer must demonstrate that any source of potable water supply can satisfy the standards for drinking water set by the Australian Drinking Water Guidelines 2004 (National Health and Medical Research Council and the National Resource Management Ministerial Council).
- 4.3.5 Rainwater tanks will not be accepted as a means of potable water supply for either allotment.
- 4.3.6 If an existing bore is proposed as a potable water supply for either allotment, this bore must comply with 4.3.2 (minimum sustainable yield only), 4.3.3 and 4.3.4 above.

4.4 On-Site Wastewater Management

At the time of building construction on Lot 62, any associated on-site wastewater disposal system must be constructed in compliance with the latest version On-Site Domestic Wastewater Management Standard (AS/NZS1547), to the satisfaction of Council's delegated officer.

The location of the existing septic trench must be established and if necessary, the lot layout amended, to ensure the existing septic trench is entirely within proposed Lot 61.

4.5 Landslide

For any new buildings on a slope of 15% or greater, the land owner must provide a site-specific geo-technical report prepared by a suitably qualified Registered Professional Engineer of Queensland (RPEQ) that certifies:

- The long term stability of the development site; and
- The development site will not be adversely affected by landslide activity originating on sloping land above the development site.

4.6 Electricity Provision/Supply

The applicant/developer must ensure that an appropriate level of electricity supply is provided to each allotment in accordance with FNQROC Development Manual standards (as amended), to the satisfaction of Council's delegated officer.

Written advice from an Electricity Service Provider is to be provided to Council indicating that an agreement has been made for the provision of power reticulation to each lot.

4.7 Telecommunications

The applicant/developer must enter into an agreement with a telecommunication carrier to provide telecommunication services to each allotment and arrange provision of necessary conduits and enveloping pipes.

5. Additional Payment Condition/s (section 650 of the Sustainable Planning Act 2009)

5.1 The additional payment condition has been imposed as the development will create additional demand on trunk infrastructure which will create additional trunk infrastructure costs for council.

5.2 The developer must pay \$8,630.00 (per additional lot) as a contribution toward trunk infrastructure with the amount of the contribution increased on 1 July each year in accordance with the increase for the PPI index for the period starting on the day the development approval takes effect, adjusted by reference to the 3-yearly PPI index average to the date of payment.

5.3 The trunk infrastructure for which the payment is required is:

- The trunk transport network servicing the land (\$4,315.00)
- The trunk parks and open space network servicing the land (\$4,315.00)

5.4 The developer may elect to provide part of the trunk infrastructure instead of making the payment.

5.5 If the developer elects to provide part of the trunk infrastructure the developer must:

- Discuss with Council's delegated officer the part of the works to be undertaken;
- Obtain the necessary approvals for the part of the works;
- Indemnify the Council in relation to any actions, suits or demands relating to or arising from the works;
- Take out joint insurance in the name of the Council and the developer in the sum of \$20,000,000 in relation to the undertaking of the works;
- Comply with the reasonable direction of Council officers in relation to the completion of the works;
- Complete the works to the standards required by the Council; and
- Complete the works prior to endorsement of the plan of subdivision.

(D) ASSESSMENT MANAGER'S ADVICE

- (a) 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.

(b) Easement Documents

Council has developed standard easement documentation to assist in the drafting of formal easement documents for Council easements. Please contact the Planning Section for more information regarding the drafting of easement documents for Council easements.

(c) Endorsement Fees

Council charges a fee for the endorsement of a Survey Plan, Community Management Statements, easement documents, and covenants. The fee is set out in Council's Fees & Charges Schedule applicable for each respective financial year.

(d) 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.

(e) Notation on Rates Record

A notation will be placed on Council's Rate record with respect to each lot regarding the following conditions:

- an approved building envelope plan
- flood immunity
- at the time of dwelling construction a 22,500L rainwater tank is to be provided in accordance with the Dwelling House Code to the satisfaction of Council's delegated officer
- an on-site effluent disposal system must be constructed in accordance with the approved site and soil evaluation report
- an approved source of water supply via bore

(f) 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.

(g) 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.datsip.qld.gov.au.

(E) RELEVANT PERIOD

When approval lapses if development not started (s.341)

- Reconfiguring a Lot not requiring Operational Works – two (2) years (starting the day the approval takes effect);

(F) OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS

- Nil

(G) OTHER APPROVALS REQUIRED FROM COUNCIL

- Access approval arising from condition number 4.1 (Please contact Planning Section to obtain application form and applicable fee)

THE SITE

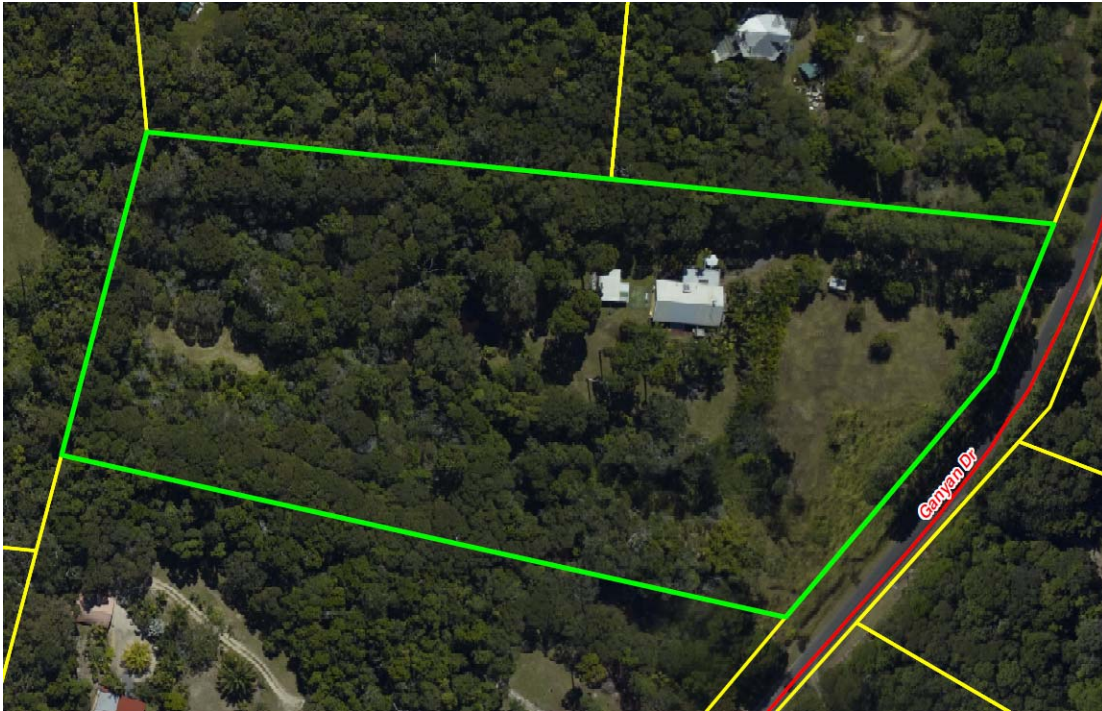
The subject land is described as Lot 6 on RP731084, Parish of Cairns, County of Nares, situated at 120 Ganyan Drive, Speewah.

The land has an area of 3.002 hectares with a frontage of approximately 146.8 metres to Ganyan Drive. Ganyan Drive is formed to bitumen sealed standard for the entire frontage of the subject land.

The land has been previously cleared and currently contains a single dwelling with associated infrastructure including two (2) bores. Significant vegetation regrowth has occurred since 2000. Several clearings suitable for siting a dwelling are located in the western and eastern regions of the site. A seasonal watercourse traverses through the centre of the land in a north to south direction.

Services for the existing dwelling are contained within the area of proposed Lot 61. Electrical and telecommunication connections are available from the Ganyan Road frontage. The site is serviced by an onsite effluent disposal system. Potable water supply is sourced from the existing bores.

All surrounding properties are used for rural residential living purposes and have similar areas and characteristics to the subject land.



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.



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.

BACKGROUND AND CONTEXT

Nil

PREVIOUS APPLICATIONS & APPROVALS

Nil

DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Reconfiguring a Lot - Subdivision (1 into 2 lots) in accordance with the plans shown in **Attachment 1**.

The details of the proposed allotments are as follows:

- Lot 61 - 1.62 hectares, 90.4 metres frontage to Ganyan Drive;
- Lot 62 - 1.382 hectares, 56.4 metres frontage to Ganyan Drive.

Proposed Lot 61 will contain the single established dwelling house, associated onsite effluent disposal system and water bore.

Proposed Lot 62 will be created vacant and will likely accommodate a new dwelling house at some time in the future. One of the existing bores will be located within the confines of Lot 62.

Access to each allotment will be obtained directly off Ganyan Drive. The two (2) existing site accesses will be upgraded to meet the current FNQROC development manual standard.

Both proposed lots have areas less than the minimum area specified for the Rural Residential Zone. The applicant argues that the reduced area of the proposed lots can be sustained on the basis that both proposed lots;

- Substantially comply with the minimum area specified;
- Can accommodate an acceptable area of land suitable for a dwelling with minimal clearing;
- Provide an acceptable supply of potable water via existing bores; and
- Able to contain appropriate onsite wastewater disposal systems;

The proposal facilitates the desired development outcomes for the Rural Residential Zone. The reconfiguration substantiates itself as being an appropriate form to the locality. Council has previously approved reconfigurations in the Rural Residential zone with similar characteristics to this proposal.

REGIONAL PLAN DESIGNATION

The subject site is included within the Rural Living Area land use category in the Far North Queensland Regional Plan 2009-2031. The Regional Plan Map 3 - 'Areas of Ecological Significance' also identifies the site is:

- *Strategic Rehabilitation Area*
 - *State & Regional Conservation Corridors*
 - *Terrestrial Area of High Ecological Significance*
-

- *Terrestrial Area of General Ecological Significance*

PLANNING SCHEME DESIGNATIONS

Strategic Framework:	Kuranda District Growth Node
Zone:	Rural Residential
Overlays:	Significant Vegetation Overlay

RELEVANT PLANNING INSTRUMENTS

Assessment of the proposed development against the relevant planning instruments is summarised as follows:-

(a) Far North Queensland Regional Plan 2009-2031

Assessment against the Regional Plan is required because the plan is not reflected in the planning scheme. The application is assessed as being capable of substantially complying with the relevant provisions of the Regional Plan, provided reasonable and relevant conditions are applied.

The following Desired Regional Outcome Land Use Policies are relevant to the assessment of the application:

DRO 1.1 Biodiversity Conservation		
Land Use Policy	Complies	Comments
1.1.2 <i>Urban development within the urban footprint or rural living area within an area of high ecological significance (see map 3) is located, designed and operated to avoid impacts on ecological values, or where avoidance is not possible, minimise impacts and then offset residual impacts so there is net gain of the impacted values.</i>	✓	<i>The subject land includes State & Regional Conservation Corridor, Terrestrial Area of High Ecological Significance, Terrestrial Area of General Ecological Significance and Strategic Rehabilitation Area.</i> <i>The proposed new internal boundary has been adjusted to ensure it does not fragment the State & Regional Conservation Corridor, Terrestrial Area of High Ecological Significance and Terrestrial Area of General Ecological Significance. All of these areas will be confined within proposed Lot 61..</i> <i>A 2,000 square metre building envelope will apply for proposed Lot 62.</i>
1.1.5 <i>Urban development on a lot that is within a strategic rehabilitation area results in improved ecological connectivity or habitat extent within that lot.</i>	✓	<i>A 2,000 square metre building envelope will apply for proposed Lot 62.</i>

DRO 4.6 Rural Residential Development		
Land Use Policy	Complies	Comments
4.6.1 <i>New rural residential development is located in rural living areas.</i>	✓	The subject land is located within the Rural Living Area as originally designated by the FNQ Regional Plan State Regulatory Provisions (FNQRP SPRP). The FNQRP SPRP were repealed in 2012 and are of no effect.
4.6.2 <i>Future demand for rural residential housing is provided from within the existing stock of land zoned for this purpose.</i>	✓	The subject land is located within the Rural Residential zone of the Mareeba Shire Planning Scheme 2004.
4.6.3 <i>Construction of residential dwellings and ancillary structures within rural residential zoned land is confined to a building footprint which reduces the exposure to natural hazards and avoids and minimises the loss of native vegetation through locating structures in existing cleared areas and co-locating service corridors.</i>	✓	The development will be conditioned to comply.
4.6.4 <i>Rural residential subdivision along watercourses should be designed to minimise the impact of rural residential water use on current and future water resources.</i>	✓	Two (2) bores are established on the subject land. Each of the proposed lots will contain one (1) of these bores The proposed reconfiguration will not increase the number of ground water bores in this locality.

DRO 7.1 Protection of Waterways, Wetlands and Water Quality		
Land Use Policy	Complies	Comments
7.1.1 Development is planned, designed, constructed and managed in accordance with best practice environmental management to protect environmental values and meet water quality objectives of the Environmental Protection Policy (Water) 1997 (EPP Water) for regional surface water, groundwater and wetlands.	✓	The development will not involve significant operational works or result in significant land clearing. The development's likely impact on water quality is expected to be minimal.

(b) State Planning Policy

The Department of State Development, Infrastructure and Planning has introduced a single State Planning Policy (SPP) to replace the various SPP's previously in place. As such, this State Planning Policy is not reflected in the Planning Scheme and is therefore applicable to the assessment of the application.

An officer assessment of the proposed development against the provisions contained within the SPP has been undertaken and it is not considered to be in conflict with any relevant aspect of the SPP.

Queensland State Planning Policy - July 2014		
State Interest	Complies	Assessment Requirements & Comments
<p>Biodiversity</p> <p>A development application where the land relates to a matter of state environmental significance, if the application is for:</p> <p>(a) operational work, or</p> <p>(b) a material change of use other than for a dwelling house, or</p> <p>(c) reconfiguring a lot that results in more than six lots or lots less than five hectares.</p>	<p>✓</p>	<p>Development:</p> <p>(1) identifies any potential significant adverse environmental impacts on matters of state environmental significance, and</p> <p>(2) manages the significant adverse environmental impacts on matters of state environment significance by, in order of priority:</p> <p>(a) avoiding significant adverse environmental impacts, and</p> <p>(b) mitigating significant adverse environmental impacts where these cannot be avoided, and</p> <p>(c) where applicable, offsetting any residual adverse impacts.</p> <p>Comment</p> <p>The subject land is mapped as including MSES - Wildlife Habitat and MSES - Regulated Vegetation.</p> <p>The MSES - Wildlife Habitat is located in the north-western corner of the subject land and immediately around the established dwelling house. The new boundary between proposed Lot 61 and 62 will avoid the MSES - Wildlife Habitat.</p> <p>The MSES - Regulated Vegetation is located in a narrow (10 metres at its widest point) strip along most of the subject land's frontage to Ganyan Drive. The proposed new boundary largely avoids this small area of MSES.</p> <p>Aerial imagery (c 2002) indicates that the subject land was largely cleared some time before 2002. Regrowth has occurred since this time, however several cleared areas remain within proposed Lot 62. These cleared areas are sufficient to accommodate a future dwelling house without further loss of MSES.</p>

<p>Natural hazards</p> <p>A development application for a material change of use, reconfiguring a lot or operational works on land within:</p> <ol style="list-style-type: none"> (1) a flood hazard area, or (2) a bushfire hazard area, or (3) a landslide hazard area, or (4) a coastal hazard area. 	<p>✓</p>	<p>For all natural hazards:</p> <p>Development:</p> <ol style="list-style-type: none"> (1) avoids natural hazard areas or mitigates the risks of the natural hazard, and (2) supports, and does not unduly burden, disaster management response or recovery capacity and capabilities, and (3) directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties, and (4) avoids risks to public safety and the environment from the location of hazardous materials and the release of these materials as a result of a natural hazard, and (5) maintains or enhances natural processes and the protective function of landforms and vegetation that can mitigate risks associated with the natural hazard, and <p>Comment</p> <p>The subject land is not identified as a natural hazard area for bushfire by the Mareeba Shire Planning Scheme 2004 or the proposed Mareeba Shire Council Planning Scheme.</p> <p>The proposed Mareeba Shire Council Planning Scheme identifies areas of 15% or greater slope within the subject land. Proposed Lot 61 will contain the established dwelling house. Proposed Lot 62, the vacant allotment features areas of slope from its centre to the western boundary. The remainder of Lot 62 is not mapped as containing steep slopes.</p> <p>The proposed Mareeba Shire Planning Scheme does not map the subject land as a potential flood hazard area and no flood modelling has been undertaken for this locality.</p>
--	----------	---

(c) Mareeba Shire Planning Scheme 2004 (amendment no. 01/11)

Relevant Desired Environmental Outcomes

Relevant Development Codes

The following Development Codes are considered to be applicable to the assessment of the application:

- | | |
|---------------------|-------------------------------------|
| Part 4, Division 8 | Rural Residential Zone Code |
| Part 5, Division 6 | Significant Vegetation Overlay Code |
| Part 6, Division 12 | Reconfiguring a Lot Code |

The application included a planning report and assessment against the planning scheme. An officer assessment has found that the application satisfies the relevant acceptable solutions (or probable solutions/performance criteria where no acceptable solution applies)

of the relevant codes set out below, provided reasonable and relevant conditions are attached to any approval.

Relevant Codes	Comments
Rural Residential Zone Code	The application complies with applicable acceptable/probable solutions/performance criteria apart from the following: <ul style="list-style-type: none"> ▪ 4.46 Reconfiguring a Lot, PS1 ▪ 4.46 Reconfiguring a Lot, PS6.1 & PS6.2 Refer to planning discussion section of report.
Significant Vegetation Overlay Code	The application complies with applicable acceptable/probable solutions/performance criteria apart from the following: <ul style="list-style-type: none"> ▪ 5.18, PS2.1 Refer to planning discussion section of report.
Reconfiguring a Lot Code	The application complies with applicable acceptable/probable solutions/performance criteria.

(e) Planning Scheme Policies/Infrastructure Charges Plan

The following planning scheme policies are relevant to the application:

No. 1 - Water Supply (Outside Reticulated Water Supply Area)

The subject site is situated outside the reticulated water supply area. Conditions will be attached to any approval requiring the provision of a potable water supply via bore. The two existing bores will require new flow and water quality tests.

No. 4 - Development Manual

Conditions will be attached to any approval requiring development works to be designed and constructed in accordance with the FNQROC Development Manual standards.

(f) Additional Trunk Infrastructure Condition - Road Infrastructure (Section 650 of SPA)

The subject land is located outside the identified Priority Infrastructure Area (PIA).

Section 650 of SPA allows Council to condition additional trunk infrastructure outside the PIA if development is deemed to create additional demand on trunk infrastructure which therefore results in additional trunk infrastructure costs for Council.

The development, creating an additional allotment, is predicted to place additional demand on Council's trunk transport infrastructure (roads) and Council's trunk open space infrastructure (parks).

The developer must pay \$8,630.00 (per additional lot) as a contribution toward trunk infrastructure with the amount of the contribution increased on 1 July each year in accordance with the increase for the PPI index for the period starting on the day the development approval takes effect, adjusted by reference to the 3-yearly PPI index average to the date of payment.

The trunk infrastructure for which the payment is required is:

- The trunk transport infrastructure servicing the land (\$4,315.00)
- The trunk open space infrastructure servicing the land (\$4,315.00)

The developer may elect to provide part of the trunk infrastructure instead of making the payment.

If the developer elects to provide part of the trunk infrastructure the developer must:

- Discuss with Council's delegated officer the part of the works to be undertaken;
- Obtain the necessary approvals for the part of the works;
- Indemnify the Council in relation to any actions, suits or demands relating to or arising from the works;
- Take out joint insurance in the name of the Council and the developer in the sum of \$20,000,000 in relation to the undertaking of the works;
- Comply with the reasonable direction of Council officers in relation to the completion of the works;
- Complete the works to the standards required by the Council; and
- Complete the works prior to endorsement of the plan of subdivision

REFERRALS

Concurrence

This application did not trigger referral to a Concurrence Agency.

Advice

This application did not trigger referral to an Advice Agency.

Internal Consultation

Technical Services

PLANNING DISCUSSION

Non-compliance with the relevant acceptable/probable solutions contained within the Planning Scheme's codes is discussed below:

Rural Residential Zone Code

4.46 Reconfiguring a Lot

S1 *To allow for allotments of sufficient area and dimensions to suit their intended use.*

PS1 *Lots have a minimum area of two (2) hectares and a minimum frontage of eighty (80) metres; or*

Comment

Proposed Lots 61 and 62 would have areas of 1.62 hectares and 1.382 hectares respectively and do not satisfy PS1.

Specific Outcome S1 requires sufficient area and dimensions to suit the intended use, which is to accommodate a single dwelling house.

Within 400m of the subject land, there are five existing similarly sized (1.302ha, 1.506ha, 1.514ha, 1.603ha and 1.631ha) allotments. There are numerous other examples of similarly sized allotments along Ganyan Drive.

The proposed lot sizes are not unusual in this locality and are sufficient to suit the intended use. The proposed lots comply with Specific Outcome S1.

4.46 Reconfiguring a Lot

S6 *Lots are provided with an appropriate level of water infrastructure.*

For Lots below two (2) hectares in area:

PS6.1

- (i) Lots are connected to a reticulated water supply to the standards as stated in Planning Scheme Policy 4 - Development Manual; and*
- (ii) A cash contribution is paid in accordance with the Planning Scheme Policy 2 – Headworks Charges for Water Supply and Sewerage.*

For Lots with areas of two (2) hectares or above:

PS6.2 *Lots are provided with a water supply in accordance with Planning Scheme Policy 1 – Water Supply (Outside Reticulated Water Supply Areas).*

Comment

Proposed Lots 61 and 62 would have areas of 1.62 hectares and 1.382 hectares respectively and do not satisfy PS1.

Two water bores exist on the subject land and each proposed lot will contain a single existing bore. Bore water supply is considered an appropriate level of water infrastructure for Ganyan Drive.

The development complies with Specific Outcome S6.

5.18 Significant Vegetation Overlay

S2 Vegetation is retained outside the immediate area required for development to protect remnant endangered regional ecosystems and wildlife corridors (Wildlife Corridors are shown as Category B on Maps V1 and V2).

PS2.1

In areas identified as Category B on Maps V1 and V2,

- (i) For dwelling houses only

an area of no more than 600m² which includes the dwelling house, areas for infrastructure provision, driveways and effluent disposal/irrigation areas is cleared and fenced; and

(ii) For all developments

All vegetation outside the area required for the approved development is retained.

Comment

The subject land is mapped as Category B under the Significant Vegetation Overlay.

The subject land is mapped as including MSES - Wildlife Habitat and MSES - Regulated Vegetation.

The MSES - Wildlife Habitat is located in the north-western corner of the subject land and immediately around the established dwelling house. The new boundary between proposed Lot 61 and 62 will avoid the MSES - Wildlife Habitat.

The MSES - Regulated Vegetation is located in a narrow (10 metres at its widest point) strip along most of the subject land's frontage to Ganyan Drive. The proposed new boundary largely avoids this small area of MSES.

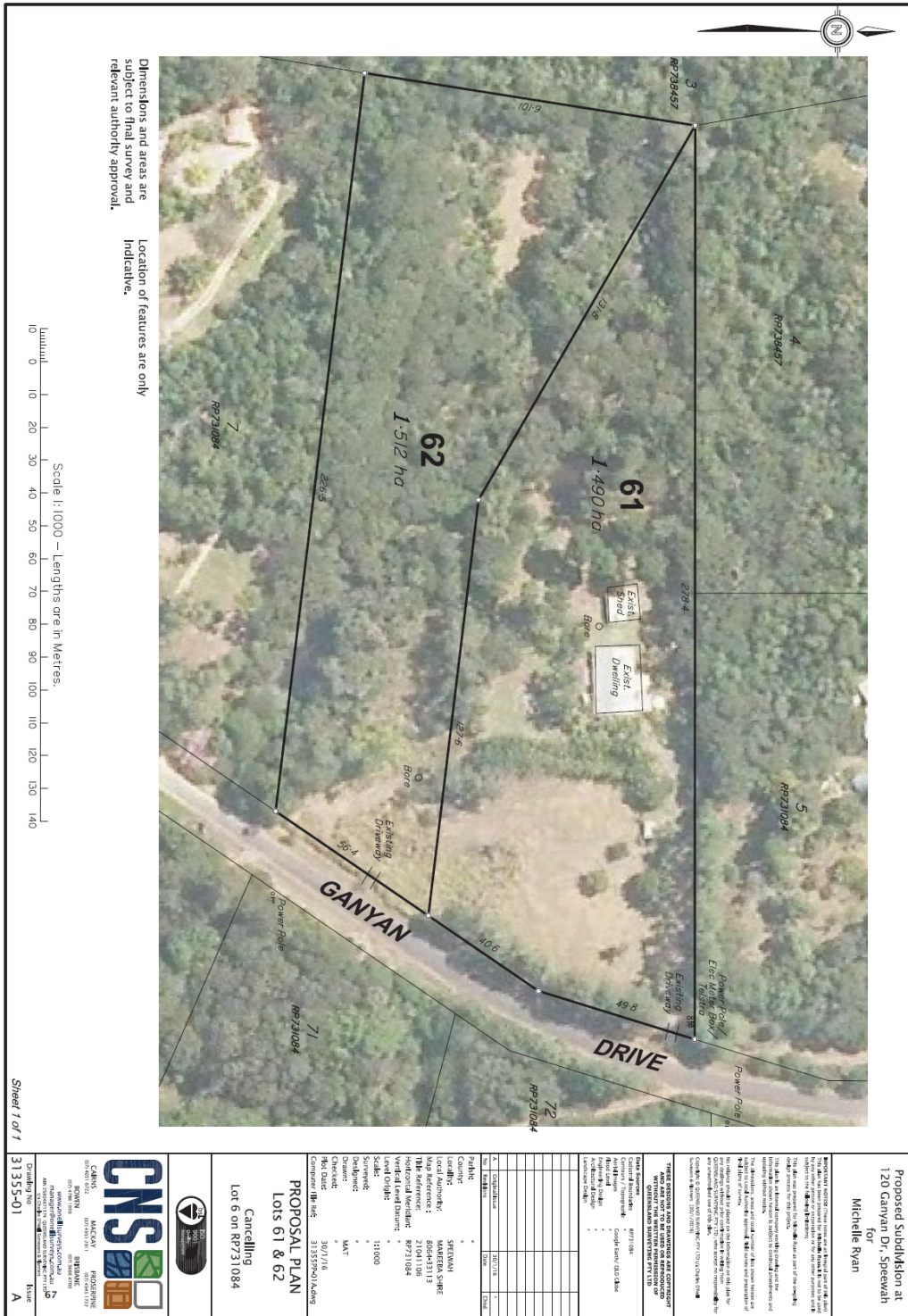
Aerial imagery (c 2002) indicates that the subject land was largely cleared some time before 2002. Regrowth has occurred since this time, however several cleared areas remain within proposed Lot 62. These cleared areas are sufficient to accommodate a future dwelling house without further loss of MSES.

The development complies with Specific Outcome S2.

Date Prepared: 7 March 2016

ATTACHMENT 1

ORIGINAL LOT LAYOUT (ECM VS 3762548)



AMENDED LOT LAYOUT

ATTACHMENT 2





ITEM-2 J & K PARKER - MATERIAL CHANGE OF USE - RESIDENTIAL UNITS (3 X 2 BEDROOM UNITS) LOT 23 ON RP749169 - 15 TILSE STREET, MAREEBA - DA/16/0006

MEETING: Ordinary

MEETING DATE: 6 April 2016

REPORT OFFICER'S TITLE: Planning Officer

DEPARTMENT: Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	J & K Parker	ADDRESS	15 Tilse Street, Mareeba
DATE LODGED	1 February 2016	RPD	Lot 23 on RP749169
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Residential Units (3 x 2 Bedroom Units)		

FILE NO	DA/16/0006	AREA	920m ²
LODGED BY	J & K Parker	OWNER	J & K Parker
PLANNING SCHEME	Mareeba Shire Planning Scheme 2004 (Amendment No. 01/11)		
ZONE	Residential		
LEVEL OF ASSESSMENT	Impact Assessment		
SUBMISSIONS	Nil		

ATTACHMENTS: 1. Proposal Plan/s

EXECUTIVE SUMMARY

Council is in receipt of a development application described in the above application details.

The application is impact assessable and no properly made submissions were received in response to public notification of the application.

The applicants propose the development of the site into a residential unit complex comprising of three x 2 bedroom units (triplex). The proposed unit complex will generally follow the same design and layout as the existing unit complex on the northern adjoining allotment.

The application and supporting material has been assessed against the relevant statutory planning instruments including the FNQ Regional Plan, the State Planning Policy, and the Mareeba Shire Planning Scheme (including codes and policies) and does not conflict with any relevant planning instrument.

The proposed unit complex has been conditioned to ensure minimal impact on surrounding residences. These draft conditions were provided to the applicant and have been agreed to.

It is recommended that the application be approved in full, subject to conditions.

OFFICER'S RECOMMENDATION

- That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	J & K Parker	ADDRESS	15 Tilse Street, Mareeba
DATE LODGED	1 February 2016	RPD	Lot 23 on RP749169
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Residential Units (3 x 2 Bedroom Units)		

and in accordance with the Sustainable Planning Act 2009, the applicant be notified that the application for a development permit for the development specified in (A) is:

Approved by Council in accordance with the approved plans/documents listed in (B), subject to assessment manager conditions in (C), assessment manager's advice in (D), relevant period in (E), further permits in (F), and further approvals from Council listed in (G);

And

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

- (A) APPROVED DEVELOPMENT: Development Permit for Material Change of Use - Residential Units (3 x 2 Bedroom Units)

- (B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
5003A DA.01	Title Sheet/General Info	-	-
5003A DA.02	3D Documents	-	-
5003A DA.08	Landscape Plan	-	-
5003A DA.09	Typical Layout	-	-
5003A DA.13	Building Elevations	-	-

- (C) 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 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 have been complied with, except where specified otherwise in these conditions of approval.

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.

3.3 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to commencement of the use 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 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, 1.8m high solid fence or building.

3.6 Letterbox

Each unit is to be provided with an individual letter box.

3.7 Clothes Drying area

Sufficient area for clothes drying is to be provided in addition to the open space requirements of the units and is to be appropriately screened from view of adjoining properties and the street.

4. Infrastructure Services and Standards

4.1 Access

A **Commercial** access crossover must be constructed (from the edge of the road pavement to the property boundary of the subject lot) in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

The applicant/developer is to make an application for driveway access onto a Council road. The application is to be accompanied by the relevant fee and will be required to certify or be assessed for compliance by Council's delegated officer.

4.2 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 building 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) The Stormwater Management Plan must consider, at minimum, a Q10 weather event.
- (d) The Stormwater Management Plan and Report must include provisions to intercept and control stormwater flows along driveways.
- (e) The applicant/developer must construct the stormwater drainage infrastructure in accordance with the approved Stormwater Management Plan and Report.
- (f) All stormwater drainage must be collected from site and discharged to an approved legal point of discharge.

4.3 Car Parking/Internal Driveways

The applicant/developer must ensure the development is provided with five (5) on-site car parking spaces, comprising of one (1) covered parking space per unit and two (2) visitor parking spaces, which are available solely for the parking of vehicles associated with the use of the premises. All car parking spaces and internal driveways must be concrete, bitumen or asphalt sealed, and appropriately drained prior to the commencement of the use and to the satisfaction of Council's delegated officer.

All car parking spaces and internal driveways must be constructed in compliance with the following standards, to the satisfaction of Council's delegated officer:

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

4.4 Landscaping & Fencing

- (a) The development is to be landscaped generally in accordance with the submitted landscape plan (Drawing No. 5003A - DA.08), to the satisfaction of Council's delegated officer.

Plant species used should be generally native species, and in accordance with Schedule A of Planning Scheme Policy No. 9 - Landscaping. The landscaping of the site must be carried out prior to the commencement of the use and mulched, irrigated and maintained to the satisfaction of Council's delegated officer.

- (b) (i) Prior to the commencement of the use, solid 1.8 metre high timber or colorbond fencing of neutral colour is to be erected along the site's northern, southern and western property boundaries.
- (ii) Prior to the commencement of the use, solid 1.8 metre high timber or colorbond fencing of neutral colour is to be erected between each dwelling unit, separating areas of private open space, as shown on the submitted landscape plan (Drawing No. 5003A - Da.08).

The abovementioned fencing is to be erected and maintained in good order for the life of the development, to the satisfaction of Council's delegated officer.

4.5 Lighting

Where outdoor lighting is required the developer shall locate, design and install lighting to operate from dusk to dawn within all areas where the public will be given access, 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.

4.6 Water Supply

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).

If a new or upgraded water service connection is required to service the development, it must be provided in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

Each dwelling unit is required to be separately metered.

4.7 Sewerage Connection

The developer must connect the proposed development to Council's reticulated sewerage system in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

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 (as amended).

(D) 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) Water Meters/Water Service Connection

Prior to the water service connection works commencing and the installation of the meters by Council, an application for a Plumbing Compliance Permit is required to be submitted with detailed hydraulic drawings. The cost of the required water connection and meter (capping of any existing meter may be required) will be determined based upon the approved hydraulic drawings at the time of lodgement of a Water Quotation Request.

- (d) Property Connection to existing sewer main (house connection branch installation)

Prior to the property connection to the existing sewer main commencing, a request for a Property Connection Quotation must be lodged with Council. The cost of the required property connection will be determined based upon the assessment of the Property Connection Quotation Request.

- (e) 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.

- (f) 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.

- (g) 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

- (h) 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.datsip.qld.gov.au

- (i) Transportation of Soil

All soil transported to or from the site must be covered to prevent dust or spillage during transport. If soil is tracked or spilt onto the road pavements as a result of works on the subject site, it must be removed prior to the end of the working day and within four (4) hours of a request from a Council Officer.

(E) RELEVANT PERIOD

When approval lapses if development not started (s.341)

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

(F) OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS

- Nil

(G) OTHER APPROVALS REQUIRED FROM COUNCIL

- Compliance Permit for Plumbing and Drainage Work
- Access approval arising from condition number 4.1 (Please contact Planning Section to obtain application form and applicable fee).

2. That an Adopted Infrastructure Charges Notice be issued for the following infrastructure charge/s for:

Development Type	Rate	Measure	Charge	Credit Detail	Balance
	\$ per EDC	EDC		EDC	
Augmentation of the Road Network Contributions (Mareeba South)	\$4,315.00	1.5	\$6,472.50	1 (\$4,315.00)	\$2,157.50
Open Space Contributions	\$4,315.00	2.1	\$9,061.50	1 (\$4,315.00)	\$4,746.50
Water Supply Headworks Contributions	\$4,315.00	2.19	\$9,449.85	1 (\$4,315.00)	\$5,134.85
Sewerage Headworks Contributions	\$4,315.00	2.19	\$9,449.85	1 (\$4,315.00)	\$5,134.85
TOTAL CURRENT AMOUNT OF CHARGE					\$17,173.70

THE SITE

The subject site is situated at 15 Tilse Street, Mareeba, and is described as Lot 23 on RP749169, Parish of Tinaroo, County of Nares. The site is regular in shape with a total area of 920m² and is zoned *Residential* under the Mareeba Shire Planning Scheme.

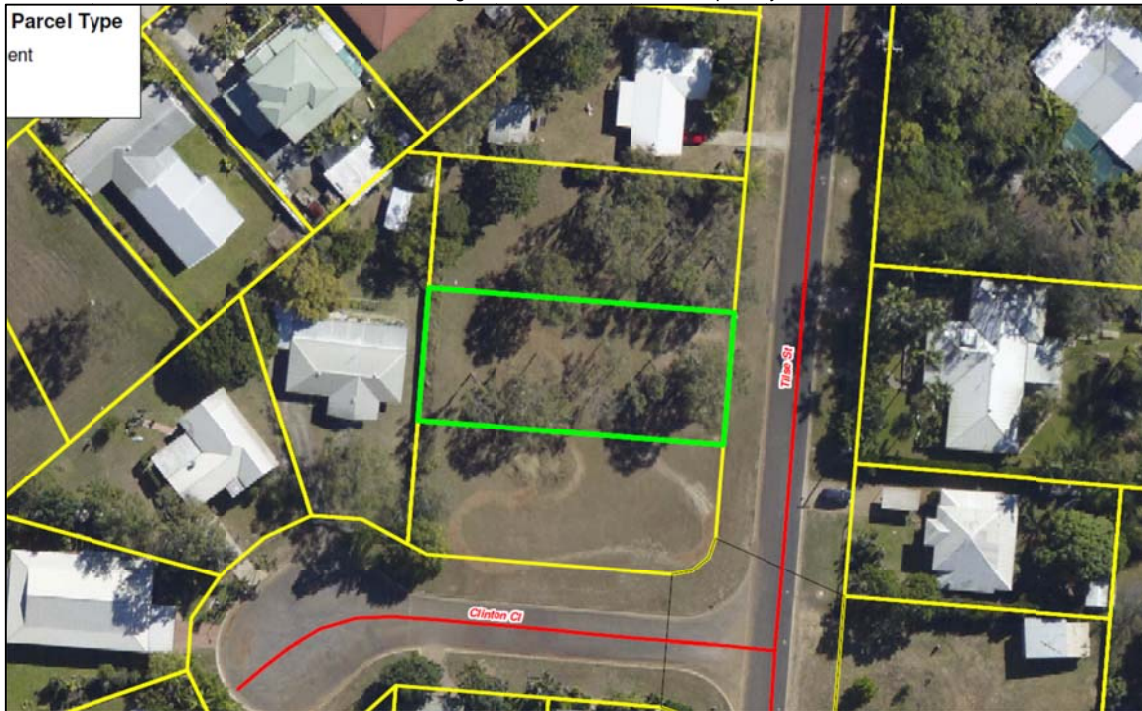
The site contains 20 metres of frontage to Tilse Street which is constructed to bitumen sealed standard for its entire length, including rollover kerbing on both sides. The site is devoid of any vegetation and remains unimproved. The site is connected to all urban services including Council's reticulated water supply and sewerage networks and local area telecommunications and electricity infrastructure.

All surrounding allotments are zoned residential with the majority containing single dwellings. Lot 22 on RP749169 situated adjacent the subject site (to the north) contains a residential unit complex similar to that proposed on the subject site.



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.



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.

BACKGROUND AND CONTEXT

Nil

PREVIOUS APPLICATIONS & APPROVALS

Nil

DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Material Change of Use - Residential Units (3 x 2 Bedroom Units) in accordance with the plans shown in **Attachment 1**.

The applicants propose the development of the site into a residential unit complex comprising of 3 x 2 bedroom units (triplex). The units will be single storey and constructed along the southern property boundary.

A common driveway will be located along the northern property boundary, providing access to a single undercover parking space incorporated into each unit as well as two on-site visitor parking spaces.

Each unit will incorporate:

- *Kitchen, dining and living area;*
- *2 bedrooms;*
- *Patio and open courtyard including wall mounted clothes line;*
- *Additional private grassed area of approximately 30m²;*
- *Single garage.*

Screen fencing of 1.8 metres in height will be provided along the side and rear boundaries of the site as well as in-between the individual units, privatising each unit's private outdoor areas. Landscaping will be incorporated along the frontage of the site. A cordoned off area for wheelie-bin storage will be provided at the rear of the site.

Each unit will be connected to town water and sewer and will be separately metered.

REGIONAL PLAN DESIGNATION

The subject site is included within the Urban Footprint land use category in the Far North Queensland Regional Plan 2009-2031. Mareeba is identified as a Regional Activity Centre in the Regional Plan. The site does not contain any areas of ecological significance.

PLANNING SCHEME DESIGNATIONS

Strategic Framework designation: Major Urban Growth Node (Mareeba)

Zone: Residential

Planning Scheme Definitions

The proposed use is defined as:-

"Residential units mean the use of premises for residential purposes comprising two or more dwelling houses which may be attached or detached."

RELEVANT PLANNING INSTRUMENTS

Assessment of the proposed development against the relevant planning instruments is summarised as follows:-

(a) Far North Queensland Regional Plan 2009-2031

Assessment against the Regional Plan is required because the plan is not reflected in the planning scheme. The application is assessed as being capable of substantially complying with the relevant provisions of the Regional Plan, provided reasonable and relevant conditions are applied.

The following Desired Regional Outcome Land Use Policies are relevant to the assessment of the application:

DRO 4.1 Compact Urban Form			
Land Use Policy		Complies	Comments
4.1.1	<i>Urban development is contained within the urban footprint</i>	✓	Complies - The subject site is situated within the Urban Footprint.
4.1.2	<i>Urban development is sequenced to ensure logical and orderly land use and infrastructure delivery.</i>	✓	Complies - The proposed development will meet a shortfall in unit style housing in the Mareeba Township.
4.1.3	<i>Development within the key regional growth areas achieves the strategic planning intent of the subregional narratives</i>	✓	Complies
4.1.4	<i>Higher dwelling densities are achieved within appropriate areas.</i>	✓	Complies
4.1.6	<i>An increasing proportion of dwellings are supplied from infill and redevelopment within appropriate areas.</i>	✓	Complies

DRO 4.2 Regional Activity Centres			
Land Use Policy		Complies	Comments
4.2.1	<i>Regional activity centres are identified and operate as a network in accordance with the regional hierarchy (see table 6 and map 9).</i>	✓	Complies
4.2.2	<i>Development of regional activity centres results in consolidation in the central core and surrounding frame, is of appropriate type and scale, and is accommodated by efficient use of land and buildings.</i>	✓	Complies

DRO 4.4 Housing Choice & Affordability			
Land Use Policy		Complies	Comments
4.4.1	<i>An appropriate range and mix of dwelling types and sizes are provided in new residential developments.</i>	✓	Complies - Mareeba is identified as a Regional Activity Centre. The proposed development is consistent with Mareeba's position in the Regional Hierarchy.

(b) State Planning Policy

The Department of State Development, Infrastructure and Planning has introduced a single State Planning Policy (SPP) to replace the various SPP's previously in place. As such, this State Planning Policy is not reflected in the Planning Scheme and is therefore applicable to the assessment of the application.

An officer assessment of the proposed development against the provisions contained within the SPP has been undertaken and it is not considered to be in conflict with any relevant aspect of the SPP.

(c) Mareeba Shire Planning Scheme 2004 (amendment no. 01/11)

Relevant Desired Environmental Outcomes

DEO	Complies	Comments
<p>(g) The standard and location of the built environment, particularly in Mareeba and Kuranda, minimise the use of non-renewable resources, having regard to associated wastewater and effluent disposal infrastructure.</p>	✓	<p>The subject land is serviced by existing water, sewerage, electrical and telecommunication infrastructure. Tilse Street is bitumen sealed from kerb to kerb.</p> <p>The proposed development will have a minimal impact on non-renewable resources.</p>
<p>(h) All members of the community have appropriate access to relevant services and facilities that meet their needs and create a sense of community satisfaction.</p>	✓	<p>The proposed development will increase the availability of rental accommodation within Mareeba. The location of the subject land provides good access to existing shops, schools, medical facilities and recreational services.</p>
<p>(i) The efficient use, extension and safe operation of infrastructure are maximised, including roads, rail, aerodromes, water and sewerage systems.</p>	✓	<p>The subject land is serviced by existing water, sewerage, electrical and telecommunication infrastructure. Tilse Street is bitumen sealed from kerb to kerb.</p>

(l) Residential uses are consolidated in identified urban nodes, including the existing townships and settlements and the rural landscape is protected from encroachment of urban uses.	✓	Mareeba is identified as a Major Urban Growth Node. The subject land is located within the Residential zone and within the Mareeba Major Urban Growth Node.
(n) Mareeba's role and identity as the main business, economic centre and regional service centre and gateway to the Cape is consolidated.	✓	The proposed development reinforces Mareeba's intended role.
(o) The Mareeba township and the Myola district, as identified by the Myola Feasibility Study are the primary residential nodes to accommodate future urban growth in accordance with the FNQ Regional Plan.	✓	The application proposes an urban development within the Mareeba township.

Relevant Development Codes

The following Development Codes are considered to be applicable to the assessment of the application:

Part 4, Division 6	Residential Zone Code
Part 6, Division 5	Car Parking Code
Part 6, Division 15	Landscaping Code

The application included a planning report and assessment against the planning scheme. An officer assessment has found that the application satisfies the relevant acceptable solutions (or probable solutions/performance criteria where no acceptable solution applies) of the relevant codes set out below, provided reasonable and relevant conditions are attached to any approval.

Relevant Codes	Comments
Residential Zone Code	The application can be conditioned to comply with the relevant acceptable/probable solutions contained within the code apart from the following: <ul style="list-style-type: none"> ▪ 4.33 Residential Units - Probable Solution PS1.6 (ii) Refer to planning discussion section of report.
Car Parking Code	The application can be conditioned to comply with the relevant acceptable/probable solutions contained within the code.
Landscaping Code	The application can be conditioned to comply with the relevant acceptable/probable solutions contained within the code.

(e) Planning Scheme Policies/Infrastructure Charges Plan

The following planning scheme policies are relevant to the application:

No. 4 - Development Manual

All development works are required to be designed and constructed in accordance with FNQROC Development Manual standards.

(f) Adopted Infrastructure Charges Notice

Water Supply

In accordance with Planning Scheme Policy No. 2 - Headworks Charges for Water Supply and Sewerage, a contribution towards water supply headworks is applicable.

The EDC equivalency rates for water supply are as follows:

- 0.5 EDC per 2 bed unit
- Existing allotment - 1 EDC Credit

The applicable water supply EDC = $(3 \times 0.5) - 1 = \mathbf{0.5}$ EDC

Based on the 2015/2016 water supply headworks contribution rate (see Fees and Charges Schedule), the following contribution is payable:

- $0.5 \text{ EDC} \times \$4,315.00 = \$2,157.50$

Sewerage Supply

In accordance with Planning Scheme Policy No. 2 - Headworks Charges for Water Supply and Sewerage, a contribution towards sewerage headworks is applicable.

The EDC equivalency rates for sewerage are as follows:

- 0.7 EDC per 2 bed unit
- Existing allotment - 1 EDC credit

The applicable sewerage EDC = $(3 \times 0.7) - 1 = \mathbf{1.1}$ EDC

Based on the 2015/2016 sewerage headworks contribution rate (see Fees and Charges Schedule), the following contribution is applicable:

- $1.1 \text{ EDC} \times \$4,315.00 = \mathbf{\$4,746.50}$

Roadworks

In accordance with Planning Scheme Policy No. 6 - Augmentation of the Road Network Contribution, a contribution towards the augmentation of the road network is applicable.

Council has historically used the rate of 0.73 per unit in determining the applicable augmentation of the road network contribution for residential unit development.

- 0.73 per unit
- Existing allotment - 1 credit

The applicable road contribution = $(3 \times 0.73) - 1 = \mathbf{1.19}$ EDC

Based on the 2015/2016 augmentation of the road network contribution rate (see Fees and Charges Schedule), the following contribution is applicable:

- $1.19 \times \$4,315.00 = \mathbf{\$5,134.85}$

Parks

In accordance with Planning Scheme Policy No. 5 - Open Space Contributions, a contribution towards open space is applicable.

Council has historically used the rate of 0.73 per unit in determining the applicable open space contribution for residential unit development.

- 0.73 per unit
- Existing allotment - 1 credit

The applicable open space contribution = $(3 \times 0.73) - 1 = \mathbf{1.19}$ EDC

Based on the 2015/2016 open space contribution rate (see Fees and Charges Schedule), the following contribution is applicable:

- $1.19 \times \$4,315.00 = \mathbf{\$5,134.85}$

REFERRALS

Concurrence

This application did not trigger referral to a Concurrence Agency.

Advice

This application did not trigger referral to an Advice Agency.

Internal Consultation

Development Engineering - Access and Stormwater

PUBLIC NOTIFICATION

The development proposal was placed on public notification from 11 February 2016 to 2 March 2016. The applicant submitted the notice of compliance on 2 March 2016 advising that the public notification requirements were carried out in accordance with the requirements of the Act.

No submissions were received.

PLANNING DISCUSSION

Noncompliance with the relevant acceptable solutions or probable solutions/performance criteria contained within the above Codes are summarised as follows:

Residential Zone Code - 4.33 Residential Units

S1 *Residential units are located close to essential services and do not detrimentally affect the amenity of the locality (Preferred Area No 1, as identified on Planning Scheme Maps Z2 and Z3).*

PS1.6 *Population density does not exceed:*

(ii) *for land outside Preferred Area No 1 - 50 persons per hectare.*

Comment

The proposed development represents an assumed population density of **78.3** persons per hectare. This density would exceed the 50 persons per hectare density nominated by probable solution PS1.6(ii).

The Mareeba Shire Planning Scheme 2004 calculates population density at 2.4 persons per two bedroom unit. This population density assumption is carried over from the 1982 planning scheme and as such, does not reflect the reduction in average household sizes that has occurred over the past 30 years.

Notwithstanding the relatively minor exceedance of the probable solution population density, development which is consistent with Specific Outcome S1 is consistent with the Residential Zone Code.

With regard to Specific Outcome S1, the proposed development is located within reasonable proximity to essential services as well as commercial services. Given the design of the proposed unit complex, as well as the existing adjoining unit complex the development is also not likely to detrimentally affect the amenity of the surrounding area.

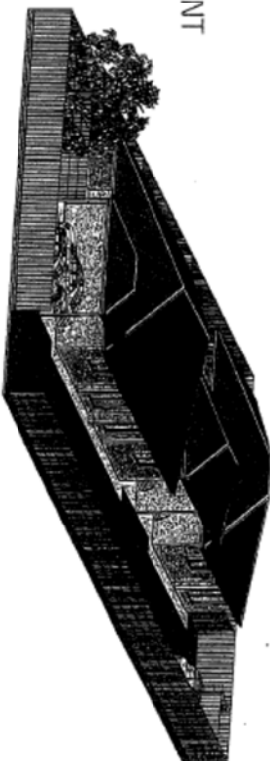
The proposed development is considered to be relatively low intensity and is unlikely to have an adverse effect on the character or amenity of the area.

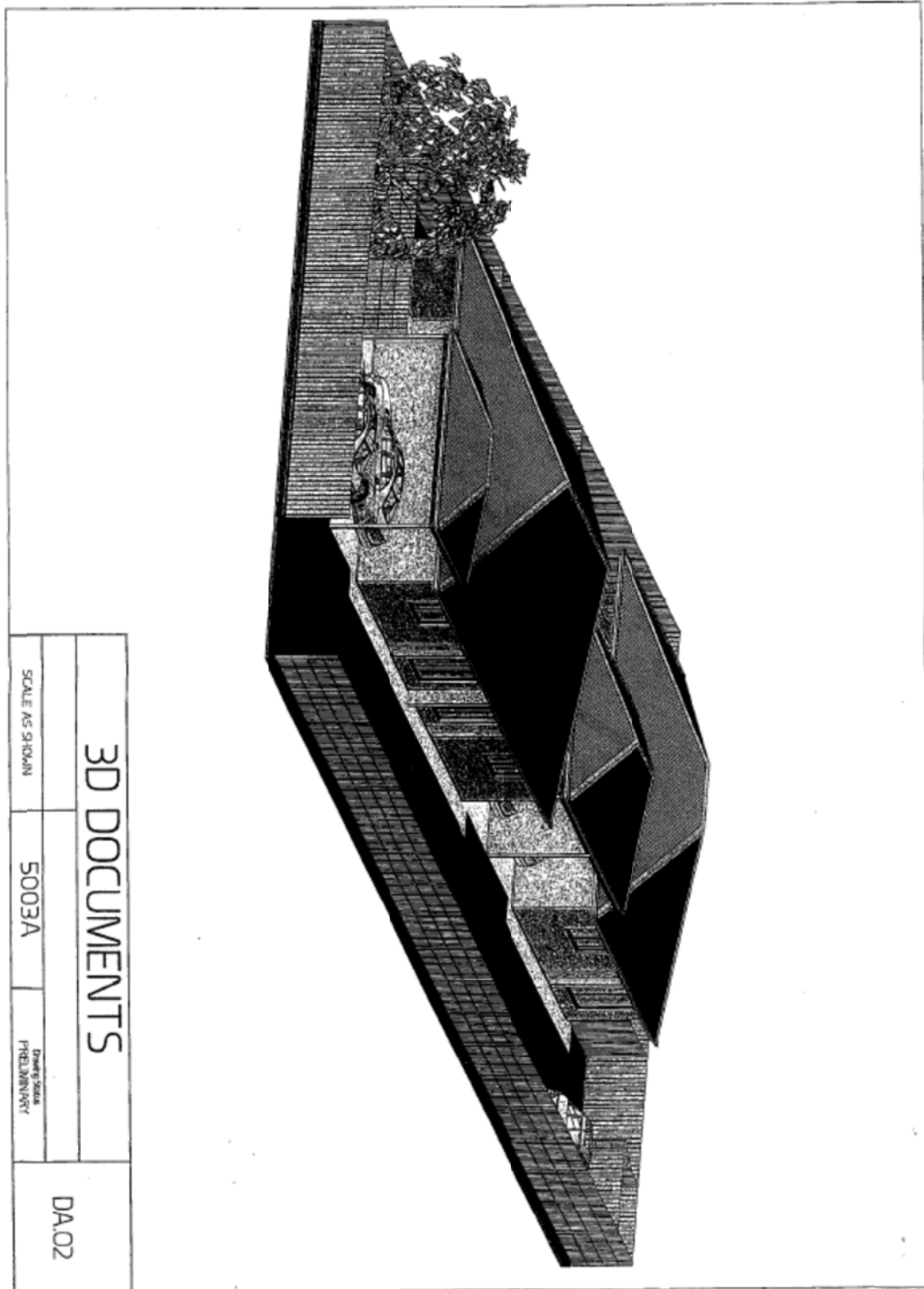
The development satisfies Specific Outcome S6.

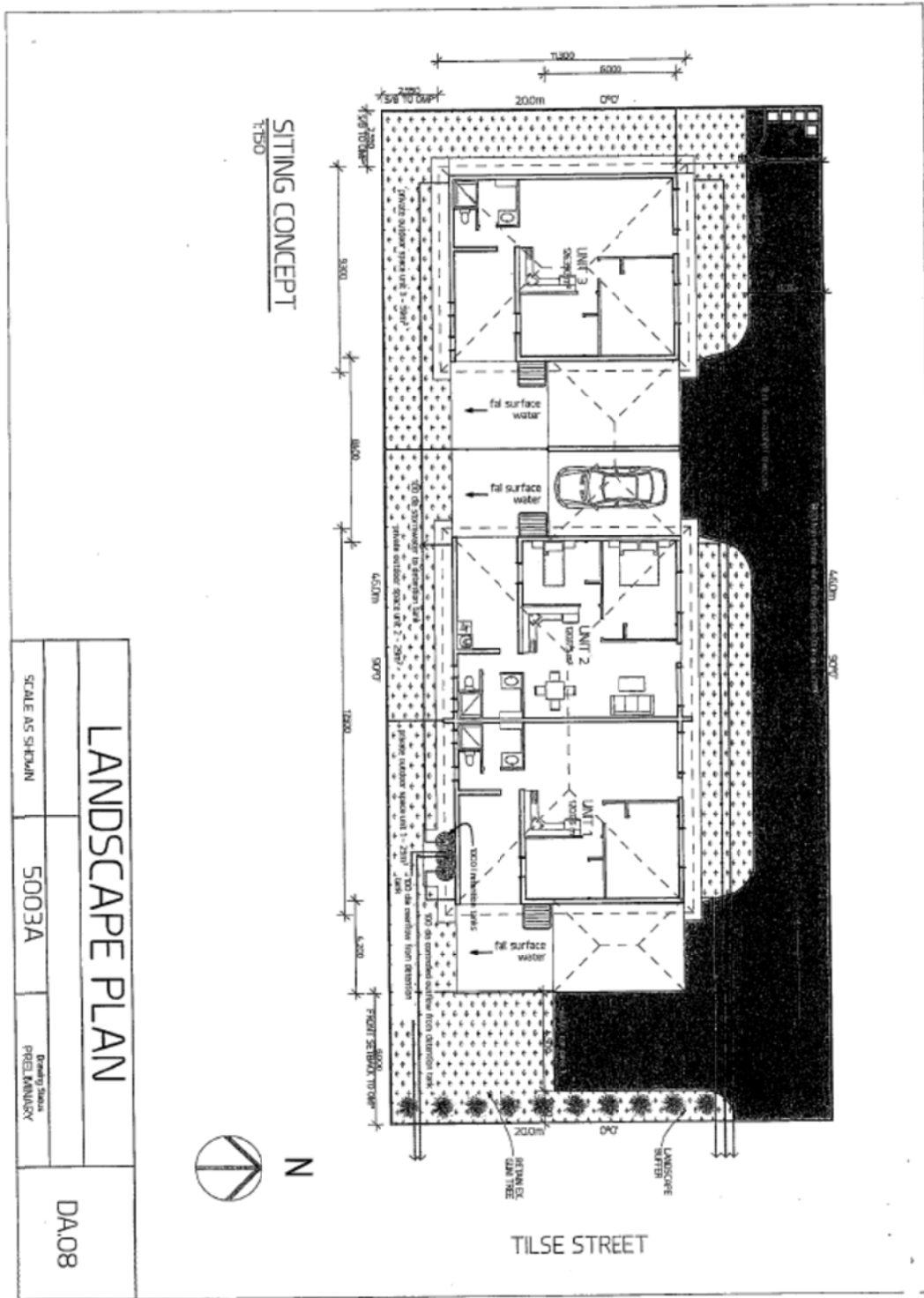
Date Prepared: 4 March 2016

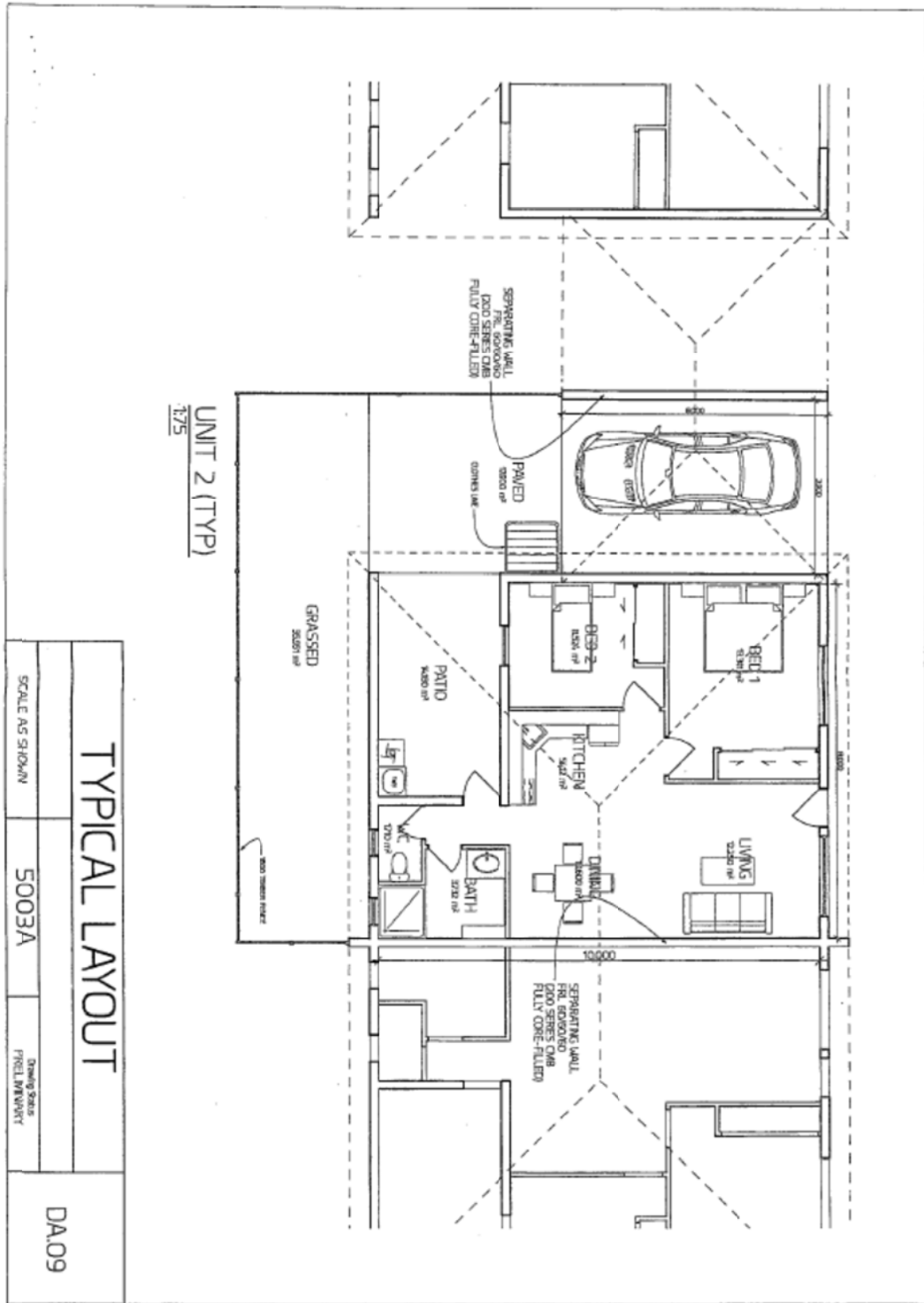
ATTACHMENT 1

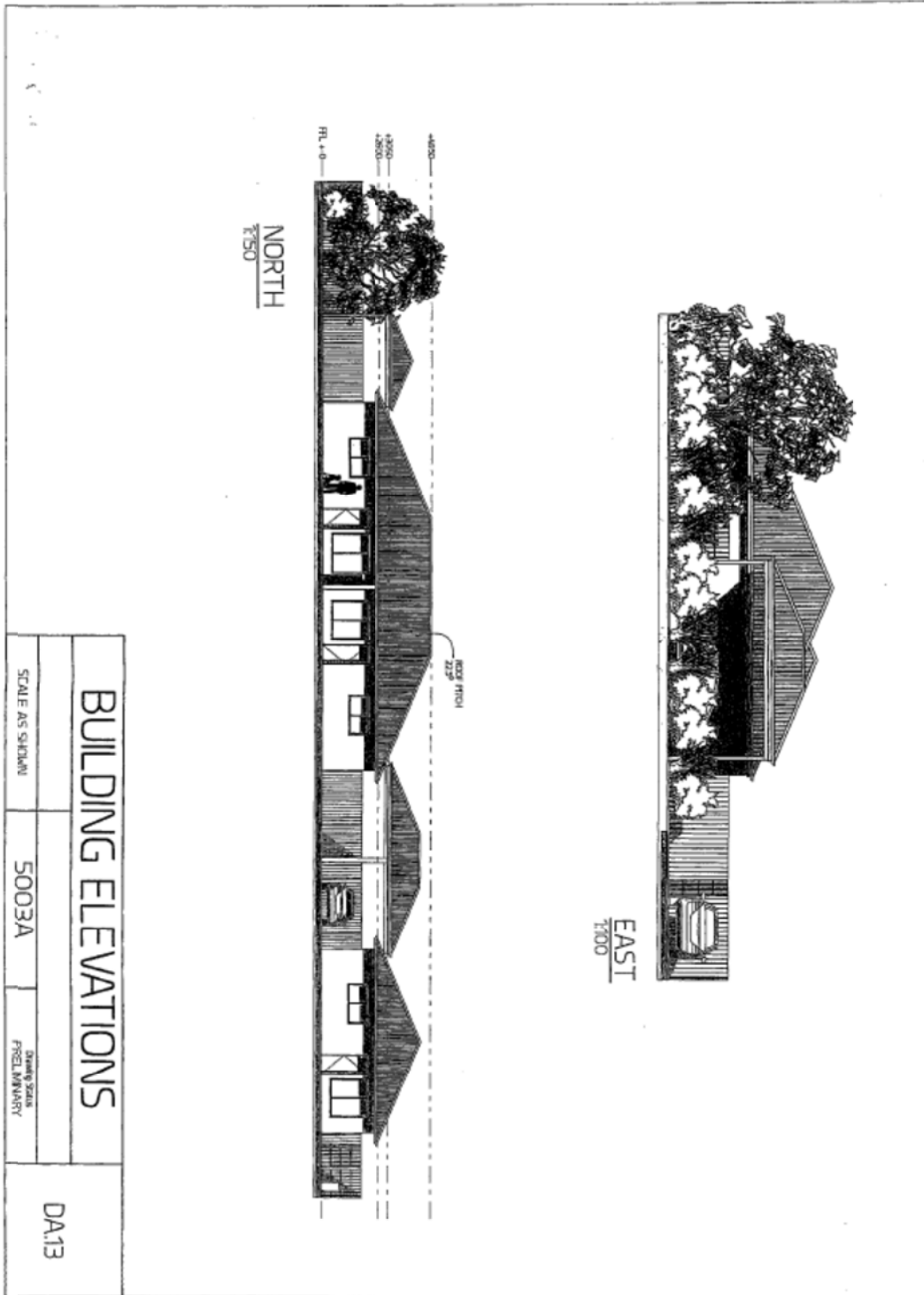
APPROVED PLANS (ECM VS# 3758587)

<p>THREE UNIT RESIDENTIAL DEVELOPMENT for JOHN & KRISTAL PARKER</p> 											
<p>SHEET INDEX</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">SMALL PROJECT SHEET INDEX</td> </tr> <tr> <td>DA.02</td> <td>3D DOCUMENTS</td> </tr> <tr> <td>DA.08</td> <td>LANDSCAPE PLAN</td> </tr> <tr> <td>DA.09</td> <td>TYPICAL LAYOUT</td> </tr> <tr> <td>DA.13</td> <td>BUILDING ELEVATIONS</td> </tr> </table>	SMALL PROJECT SHEET INDEX		DA.02	3D DOCUMENTS	DA.08	LANDSCAPE PLAN	DA.09	TYPICAL LAYOUT	DA.13	BUILDING ELEVATIONS	<p>PROJECT DATA</p> <p>REAL PROP DESCR: Lot 23 RP719169</p> <p>SITE AREA: 922 m²</p> <p>ZONING: RESIDENTIAL</p> <p>BUDG CLASS: CLASS 1A</p> <p>CLIMATE ZONE: CLIMATE ZONE 1</p> <p>SOIL CLASS: CLASS ***</p> <p>WIND CLASS: C2</p>
SMALL PROJECT SHEET INDEX											
DA.02	3D DOCUMENTS										
DA.08	LANDSCAPE PLAN										
DA.09	TYPICAL LAYOUT										
DA.13	BUILDING ELEVATIONS										
<p>GENERAL NOTES</p> <p>ALL DIMENSIONS ARE TO BE CHECKED ON SITE AND VERIFIED BY BUILDER BEFORE WORK COMMENCES.</p> <p>ALL CONTRACTS NOTATED IN TECHNICAL CERTIFICATION ARE TO BE COMPLETED ON SITE AND VERIFIED BY THE BUILDER BEFORE CONSTRUCTION COMMENCES. ANY DISCREPANCIES TO BE REPORTED TO COMPETENT PERSON PRIOR TO PROCEEDING. DIMENSIONS ARE NOT TO BE DERIVED BY SCALING THE STRUCTURAL DRAWINGS.</p> <p>CODE COMPLIANCE - THE PROPOSED DRAWINGS DESIGNED TO MEET THE DEEMED-TO-SAFETY PROVISIONS OF THE BCA AS NOTED. ALL BUILDING WORK IS TO COMPLY WITH THE REQUIREMENTS OF PART 3 OF THE BCA AND ALL RELEVANT ACCEPTED CONSTRUCTION METHODS. NO ALTERNATIVE SOLUTIONS ARE PROPOSED.</p>	<p>GENERAL NOTES</p> <p>APPROVED BY: [Signature]</p> <p>DATE: [Date]</p> <p>LEGISLATION: THIS DEVELOPMENT IS MADE UNDER THE PROVISIONS OF THE SUSTAINABLE PLANNING ACT 2009 AND IS TO COMPLY WITH THE REQUIREMENTS OF THE MAREEBA SHIRE PLANNING SCHEME AND OTHER FEDERAL, STATE AND LOCAL LAWS AS APPLICABLE.</p>										
<p>GENERAL NOTES</p> <p>ALL DIMENSIONS ARE TO BE CHECKED ON SITE AND VERIFIED BY BUILDER BEFORE WORK COMMENCES.</p> <p>ALL CONTRACTS NOTATED IN TECHNICAL CERTIFICATION ARE TO BE COMPLETED ON SITE AND VERIFIED BY THE BUILDER BEFORE CONSTRUCTION COMMENCES. ANY DISCREPANCIES TO BE REPORTED TO COMPETENT PERSON PRIOR TO PROCEEDING. DIMENSIONS ARE NOT TO BE DERIVED BY SCALING THE STRUCTURAL DRAWINGS.</p> <p>CODE COMPLIANCE - THE PROPOSED DRAWINGS DESIGNED TO MEET THE DEEMED-TO-SAFETY PROVISIONS OF THE BCA AS NOTED. ALL BUILDING WORK IS TO COMPLY WITH THE REQUIREMENTS OF PART 3 OF THE BCA AND ALL RELEVANT ACCEPTED CONSTRUCTION METHODS. NO ALTERNATIVE SOLUTIONS ARE PROPOSED.</p>	<p>TECHNICAL CERTIFICATION</p> <p>STRUCTURAL ENGINEER: [Name]</p> <p>REGISTERED PROFESSIONAL ENGINEER: [Name]</p> <p>CONTRACT PHONE: [Number]</p> <p>REPORT NO: [Number]</p> <p>GEOTECHNICAL ENGINEER: [Name]</p> <p>REGISTERED PROFESSIONAL ENGINEER: [Name]</p> <p>CONTRACT LICENSE NO: [Number]</p> <p>PHONE: [Number]</p> <p>REPORT NO: [Number]</p> <p>ENERGY EFFICIENCY ASSESSOR: [Name]</p> <p>REGISTERED PROFESSIONAL ENGINEER: [Name]</p> <p>CONTRACT LICENSE NO: [Number]</p> <p>PHONE: [Number]</p> <p>REPORT NO: [Number]</p>										
<p>TITLE SHEET / GENERAL INFO</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>SCALE AS SHOWN</td> <td>5003A</td> <td>DA.01</td> </tr> </table>		SCALE AS SHOWN	5003A	DA.01							
SCALE AS SHOWN	5003A	DA.01									









**ITEM-3 APPLICATION FOR CONVERSION OF TERM LEASE TO
FREEHOLD - LOT 144 ON HG625, PARISH OF DYNES**

MEETING: Ordinary

MEETING DATE: 6 April 2016

**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 conversion of Term Lease TL0/208111 over land described as Lot 144 on HG625, Parish of Dynes to freehold.

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

DNRM seeks Council's views on the conversion to freehold and also whether Council has knowledge of any local non-indigenous cultural heritage values associated with the land.

OFFICER'S RECOMMENDATION

"That Council offer no objection to the conversion to freehold of the term lease over land described as Lot 144 on HG625, Parish of Dynes and advise the Department of Natural Resources and Mines that Council has no knowledge of any local non-indigenous cultural heritage values associated with the land."

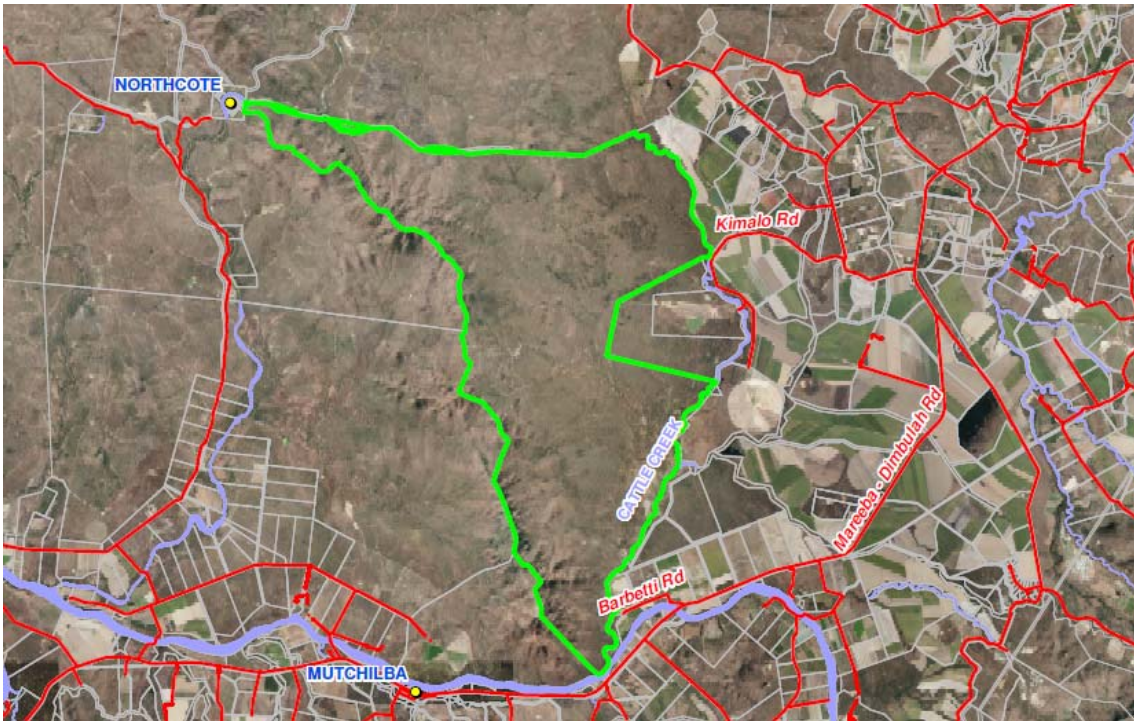
BACKGROUND

DNRM is currently considering an application for the conversion to freehold of Term Lease TL0/208111 over land described as Lot 144 on HG625, Parish of Dynes.

The subject land has an area of 5,550 hectares and is situated between Cattle Creek (eastern boundary) and the McLeod Hills (western boundary). Access is presently obtained via Kimalo Road through the adjoining Kimalo feedlot. Legal access is available via the Barbetti Road.

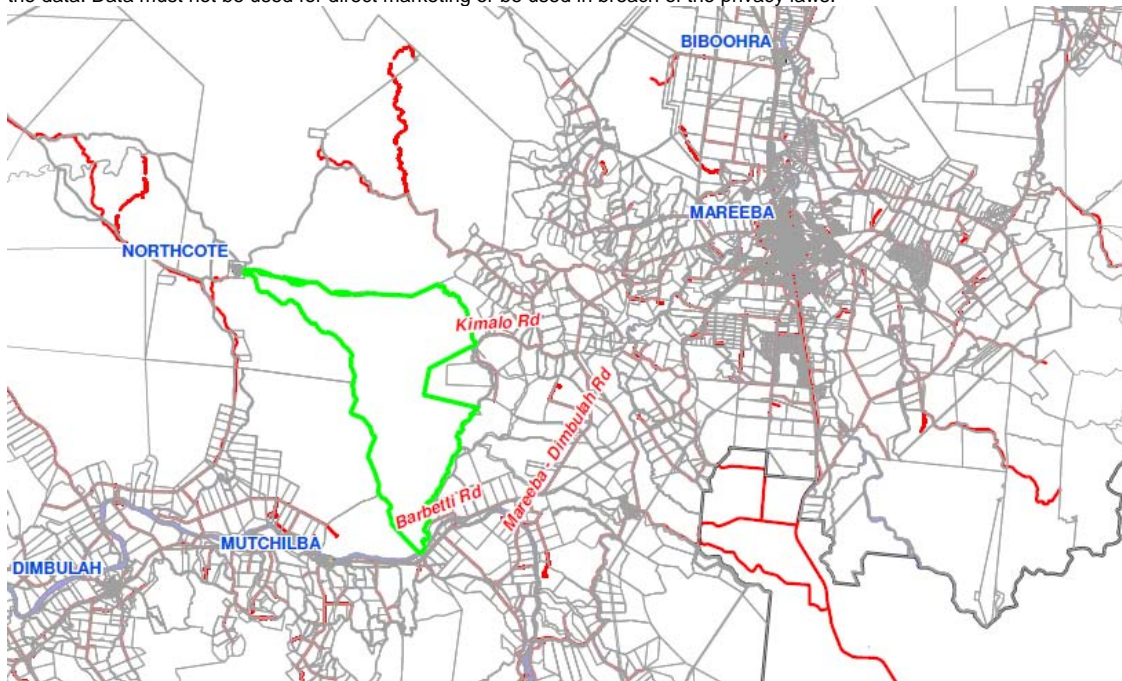
The land is currently used for grazing purposes and it is expected that this use will continue if the conversion is successful. There are no known building improvements on the land.

DNRM seeks Council's views on the conversion to freehold and also whether Council has knowledge of any local non-indigenous cultural heritage values associated with the land.



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.



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.

LINK TO CORPORATE PLAN

NIL

CONSULTATION

Internal

NIL

External

NIL

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

NIL

POLICY IMPLICATIONS

The subject land is zoned Rural under the Mareeba Shire Planning Scheme 2004.

There is no objection to the continued use of the land for grazing purposes.

Council officers have no knowledge of any non-indigenous cultural heritage values associated with the subject land.

FINANCIAL & RESOURCE IMPLICATIONS

Capital

NIL

Operating

NIL

Is the expenditure noted above included in the 2015/2016 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 24 March 2016.

Date Prepared: 29 March 2016

ATTACHMENT 1Department of
Natural Resources and MinesAuthor Stephen Lavery
File / Ref number 2016/001306
Directorate / Unit State Land Asset Management
Phone (07) 4222 5427

24 March 2016

Chief Executive Officer
Mareeba Shire Council
PO Box 154
Mareeba QLD 4880
info@msc.qld.gov.au

Dear Sir/Madam

Application for Conversion of Term Lease TL 0/208111 over Lot 144 on Plan HG625 to Freehold.

The department has received the above application. The proposed use of the land is grazing.

Copies of documents supporting the application are enclosed for your information. The enclosed Smartmap shows the subject land and the surrounding locality.

Please advise the department of any views or requirements including any local non-indigenous cultural heritage values that the department should consider when assessing this application.

Objections to the application, and any views or requirements that may affect the future use of the land should be received by close of business on 26th April 2016. If council offer an objection to the application, a full explanation stating the reason for the objection should be forwarded to this Office.

If council wish to provide a response but are unable to do so before the due date, please contact the author before the due date to arrange a more suitable timeframe. An extension to this due date will only be granted in exceptional circumstances.

If a response is not received by the due date and no alternative arrangements have been made, it will be considered council have no objections or requirements in relation to this matter.

This information has been provided to you in confidence for the purpose of seeking council 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.

Postal :
DNRM Cairns
PO Box 5318
Townsville
4810 QLDTelephone : (07) 4222 5427
Fax: (07) 4799 7533

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

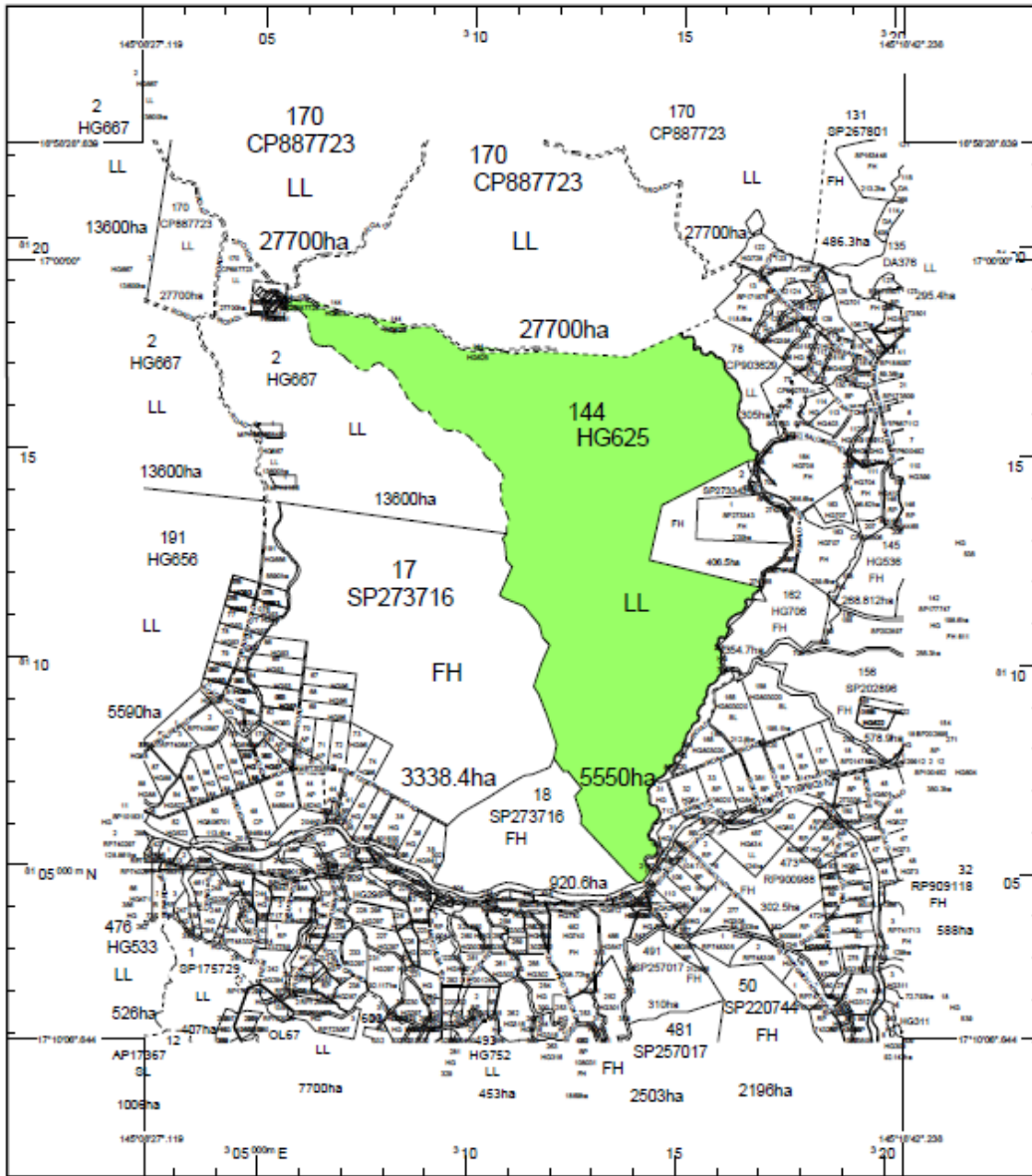
All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to Townsville.SLAMS@dnrm.qld.gov.au. Any hard copy correspondence received will be electronically scanned and filed. For this reason, it is recommended that any attached plans,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

Please quote reference number 2016/001306 in any future correspondence.

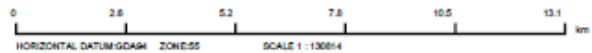
Yours sincerely



Stephen Lavery
Land Administration Officer
Service Delivery – North Region, Cairns

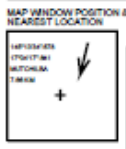


STANDARD MAP NUMBER
7963-41214



SmartMap

An External Product of SmartMap Information Services
Based upon an extraction from the Digital Cadastral Data Base



SUBJECT PARCEL DESCRIPTION

DCDB	No Lot/Plan Selected.
Lot/Plan	No Lot/Plan Selected.
Area/Volume	No Lot/Plan Selected.
Tenure	No Lot/Plan Selected.
Local Government	No Lot/Plan Selected.
Locality	No Lot/Plan Selected.
Segment/Parcel	No Lot/Plan Selected.

CLIENT SERVICE STANDARDS

PRINTED: (ddmm/yyyy) 19/03/2016
For additional information regarding this SmartMap see page 2.
Shading Rules have been applied.
DCDB 17/03/2016 (Lots with an area less than 5.000ha are not shown)

Users of the information recorded in this document (the Information) accept all responsibility and risk associated with the use of the Information and should seek independent professional advice in relation to dealings with property.

Despite Department of Natural Resources and Mines (DNRM)'s best efforts, DNRM makes no representations or warranties in relation to the Information, and, to the extent permitted by law, exclude or limit all warranties relating to correctness, accuracy, reliability, completeness or currency and all liability for any direct, indirect and consequential costs, losses, damages and expenses incurred in any way (including but not limited to that arising from negligence) in connection with any use of or reliance on the Information.


For further information on SmartMap products visit <http://www.qld.gov.au/property/mapping/smartmap>



(c) The State of Queensland, (Department of Natural Resources and Mines) 2016.

Additional Information Page

Shading Rules

 Lot Number - 144 and Plan Number - HG625

ITEM-4 **S & A GRIST - RECONFIGURING A LOT - SUBDIVISION
(1 INTO 2 LOTS) - LOT 267 ON NR6781 - 1 COPLAND
ROAD, KOAH - DA/15/0056****MEETING:** Ordinary**MEETING DATE:** 6 April 2016**REPORT OFFICER'S
TITLE:** Planning Officer**DEPARTMENT:** Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	S & A Grist	ADDRESS	1 Copland Road, Koah
DATE LODGED	22 December 2015	RPD	Lot 267 on NR6781
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot - Subdivision (1 into 2 lots)		

FILE NO	DA/15/0056	AREA	8.431 hectares
LODGED BY	S & A Grist	OWNER	S & A Grist
PLANNING SCHEME	Mareeba Shire Planning Scheme 2004 (Amendment No. 01/11)		
ZONE	Rural zone		
LEVEL OF ASSESSMENT	Code Assessment		
SUBMISSIONS	n/a		

ATTACHMENTS: 1. Proposal Plan/s
 2. Department of Infrastructure, Local Government and Planning
 Referral Agency Response - 16 February 2016

EXECUTIVE SUMMARY

Council is in receipt of a development application described in the above application details.

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

The applicants propose the subdivision of the site into two allotments, these being proposed Lot 671 (2.771 Ha) and proposed Lot 672 (5.66 Ha).

The application and supporting material has been assessed against the relevant statutory planning instruments, including the FNQ Regional Plan, the State Planning Policy, and the Mareeba Shire Planning Scheme 2004 (including codes and policies). The proposed development is in conflict with the rural subdivision provisions contained within the Planning

Scheme as both proposed lots are significantly smaller than the desired minimum resultant lot size of 30 Ha for land within the Rural zone (where not GQAL).

Despite this conflict, the Coty principle (legal precedent) allows Council to give weight to a future planning scheme and its provisions during the assessment of a development application. The draft Mareeba Shire Council Planning Scheme, which is approaching adoption by Council, places the subject site within the Rural Residential zone (2 Ha Precinct). The proposed development is consistent with the intent of the rural residential zone and associated 2 Ha minimum lot size.

In consideration of the Coty principle and the site's future zoning, it is recommended that the application be approved, subject to infrastructure servicing conditions consistent with other 2 Ha rural residential developments across the Shire.

OFFICER'S RECOMMENDATION

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	S & A Grist	ADDRESS	1 Copland Road, Koah
DATE LODGED	22 December 2015	RPD	Lot 267 on NR6781
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot - Subdivision (1 into 2 lots)		

and in accordance with the Sustainable Planning Act 2009, the applicant be notified that the application for a development permit for the development specified in (A) is:

Approved by Council in accordance with the approved plans/documents listed in (B), subject to assessment manager conditions in (C), assessment manager's advice in (D), concurrence agency conditions in (E), relevant period in (F), further permits in (G), and further approvals from Council listed in (H);

And

The assessment manager does consider that the assessment manager's decision conflicts with a relevant instrument.

Details of the conflict with the relevant instrument	Reason for the decision, including a statement about the sufficient grounds to justify the decision despite the conflict
<p>Rural Zone Code:</p> <p>4.80 Reconfiguring a Lot</p> <p>PS1.1 Allotments to have a minimum area of 30 hectares and road frontage of 150 metres if outside the area identified on Agricultural Land Quality Maps S2, S3, S4 and S5.</p>	<p><i>The proposed development is in conflict with the rural subdivision provisions contained within the Planning Scheme as both proposed lots are significantly smaller than the desired minimum resultant lot size of 30 Ha for land within the Rural zone (where not GQAL).</i></p> <p><i>Despite this conflict, the Coty principle (legal precedent) allows Council to give weight to a future planning scheme and its provisions during the assessment of a development application. The draft Mareeba Shire Council Planning Scheme, which is approaching adoption by Council, places the subject site within the Rural Residential zone (2 Ha Precinct). The proposed development is consistent with the intent of the site's future rural residential zoning and associated 2 Ha minimum lot size.</i></p> <p><i>Should Council refuse this development application against the officer's recommendation, the applicant could simply re-apply once the draft Mareeba Shire Council Planning Scheme is in effect. A fresh application for the same proposal would not conflict with the future planning scheme.</i></p> <p><i>Despite the identified conflict, for reasons discussed above, it is recommended that the application be approved.</i></p>

(A) APPROVED DEVELOPMENT: Development Permit for Reconfiguring a Lot - Subdivision (1 into 2 lots)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
7443 - LL2	Proposed Reconfiguration of a Lot (1 Lot into 2 Lots)	Twine Surveys Pty Ltd	9/12/2015

(C) 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 must be complied with to the satisfaction of Council's delegated officer prior to the endorsement of the plan of survey, except where specified otherwise in these conditions of approval.

3. General

3.1 The development approval would not have been issued if not for the conditions requiring the construction of infrastructure or the additional payment condition/s within these conditions of approval.

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.

3.3 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to the endorsement of the plan of survey and at the rate applicable at the time of payment.

3.4 The developer must relocate (in accordance with FNQROC standards) any services such as water, sewer, drainage, telecommunications and electricity that are not wholly located within the lots that are being created/serviced where required by the relevant authority, unless approved otherwise by Council's delegated officer.

3.5 Where approved existing buildings and structures are to be retained, setbacks to any new property boundaries are to be in accordance with Planning Scheme requirements for the relevant structure and/or Queensland Development Code. A plan demonstrating compliance of any existing buildings or structures that are in close proximity to any new property boundary must be submitted prior to endorsement of the plan of survey.

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

3.7 Flood Immunity

All new buildings must be located such that the freeboard of the floor levels of all habitable rooms are a minimum of 300mm above the 100 ARI year level.

3.8 No filling is to occur below the 100 ARI flood level unless approved in further Operational Works applications for works associated with the approved conditions of development.

3.9 Bushfire Management

3.9.1 Any new dwelling erected on Lot 671 shall:

- be sited in locations of lowest hazard within the lot;
- achieve setbacks from hazardous vegetation of 1.5 times the predominant mature canopy tree height or 10 metres, whichever is the greater;
- be provided with a source of water for fire-fighting purposes of not less than 5,000 litres. This may be satisfied by the provision of an accessible dam, swimming pool or tank. In the case of a tank supply, delivery of the water should be provided through a 50mm male Camlock fitting. The outlet from the tank water supply or the dam/pool shall be located within an accessible position within 40 metres from the habitable buildings.

3.9.2 A Bushfire Management Plan must be prepared to the satisfaction of Council's delegated officer. The approved use must comply with the requirements of the Management Plan at all times.

3.10 Rural Addressing

The applicant must pay the relevant fee per additional lot for provision of rural addressing at the rate identified in the Fees and Charges Schedule at the time of payment.

3.11 Charges

All outstanding rates, charges and expenses pertaining to the land are to be paid in full.

4. Infrastructure Services and Standards

4.1 Access

The existing access crossover (servicing Lot 672) shall be constructed/upgraded (from the edge of the road pavement to the property boundary) in accordance with FNQROC Development Manual standards, to the satisfaction of Council's delegated officer.

An access crossover must be constructed to Lot 671 (from the edge of the road pavement to property boundary) in accordance with FNQROC Development Manual standards, to the satisfaction of Council's delegated officer.

4.2 Stormwater Drainage

The applicant must ensure a non-worsening effect on surrounding land as a consequence of the development and must take all reasonable and practicable measures to ensure discharge occurs in compliance with the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual.

4.3 Frontage Works - Koah Road

Prior to the endorsement of a plan of survey, the applicant/developer must widen the development side of Koah Road only by a total of 2 metres (1.25 metre bitumen seal, 0.75 metre gravel shoulder) for the full frontage of Lot 671 in accordance with Table D1.4 (Road Class 100 - 999) of the FNQROC Development Manual.

Prior to works commencing, plans for the works described above must be approved as part of a subsequent application for Operational Works.

4.4 Non-reticulated Water Supply

4.4.1 Each Lot must be provided with a potable water supply via bore or perennial stream in accordance with Planning Scheme Policy No. 1 - Water Supply (Outside Reticulated Water Supply Area).

4.4.2 Where a bore is to be used as a source of water, bore installation will be in accordance with the requirements of D6.07 of the FNQROC Development Manual.

4.4.3 Where a bore is to be used as a source of potable water, it will be sited in accordance with the setback distances specified in the Queensland Plumbing and Wastewater Code.

4.4.4 The applicant/developer must demonstrate that any source of potable water supply can satisfy the standards for drinking water set by the Australian Drinking Water Guidelines 2004 (National Health and Medical Research Council and the National Resource Management Ministerial Council).

4.4.5 Rainwater tanks will not be accepted as a means of potable water supply for either allotment.

4.4.6 If an existing bore is proposed as a potable water supply for either allotment, this bore must comply with 4.3.2 (minimum sustainable yield only), 4.3.3 and 4.3.4 above.

4.5 On-Site Wastewater Management

At the time of building construction on Lot 671, any associated on-site wastewater disposal system must be constructed in compliance with the latest version On-Site Domestic Wastewater Management Standard (AS/NZS1547), to the satisfaction of Council's delegated officer.

4.6 Electricity Provision/Supply

The applicant/developer must ensure that an appropriate level of electricity supply is provided to each allotment in accordance with FNQROC Development Manual standards (as amended), to the satisfaction of Council's delegated officer.

Written advice from an Electricity Service Provider is to be provided to Council indicating that an agreement has been made for the provision of power reticulation to each lot.

4.7 Telecommunications

The applicant/developer must enter into an agreement with a telecommunication carrier to provide telecommunication services to each allotment and arrange provision of necessary conduits and enveloping pipes.

5. Additional Payment Condition/s (section 650 of the Sustainable Planning Act 2009)

5.1 The additional payment condition has been imposed as the development will create additional demand on trunk infrastructure which will create additional trunk infrastructure costs for council.

5.2 the developer must pay \$8,630.00 (per additional lot) as a contribution toward trunk infrastructure with the amount of the contribution increased on 1 July each year in accordance with the increase for the PPI index for the period starting on the day the development approval takes effect, adjusted by reference to the 3-yearly PPI index average to the date of payment.

5.3 The trunk infrastructure for which the payment is required is:

- The trunk transport network servicing the land (\$4,315.00)
- The trunk parks and open space network servicing the land (\$4,315.00)

5.4 The developer may elect to provide part of the trunk infrastructure instead of making the payment.

5.5 If the developer elects to provide part of the trunk infrastructure the developer must:

- Discuss with Council's delegated officer the part of the works to be undertaken;
- Obtain the necessary approvals for the part of the works;
- Indemnify the Council in relation to any actions, suits or demands relating to or arising from the works;
- Take out joint insurance in the name of the Council and the developer in the sum of \$20,000,000 in relation to the undertaking of the works;
- Comply with the reasonable direction of Council officers in relation to the completion of the works;
- Complete the works to the standards required by the Council; and
- Complete the works prior to endorsement of the plan of subdivision.

(D) ASSESSMENT MANAGER'S ADVICE

- (a) 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.

- (b) Easement Documents

Council has developed standard easement documentation to assist in the drafting of formal easement documents for Council easements. Please contact the Planning Section for more information regarding the drafting of easement documents for Council easements.

- (c) Endorsement Fees

Council charges a fee for the endorsement of a Survey Plan, Community Management Statements, easement documents, and covenants. The fee is set out in Council's Fees & Charges Schedule applicable for each respective financial year.

- (d) 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.

- (e) Notation on Rates Record

A notation will be placed on Council's Rate record with respect to each lot regarding the following conditions:

- conditions regarding bushfire management
- an approved bushfire management plan
- flood immunity
- waterway setback
- An on-site effluent disposal system must be constructed in accordance with the approved site and soil evaluation report (Lot 671 only).
- an approved source of water supply via a watercourse (Clohesy River)

- (f) 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.

- (g) 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.datsip.qld.gov.au.

(E) CONCURRENCE AGENCY CONDITIONS

Department of Infrastructure, Local Government and Planning conditions dated 16 February 2016.

(F) RELEVANT PERIOD

When approval lapses if development not started (s.341)

- Reconfiguring a Lot requiring Operational Works – four (4) years (starting the day the approval takes effect);

(G) OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS

- Development Permit for Operational Works

(H) OTHER APPROVALS REQUIRED FROM COUNCIL

- Access approval arising from condition number 4.1 (Please contact Planning Section to obtain application form and applicable fee)

THE SITE

The subject site is situated on the outskirts of the Koah Township at 1 Copland Road, Koah and is described as Lot 267 on NR6781. The site is irregular in shape with a total area of 8.431 Ha and is zoned Rural under the Mareeba Shire Planning Scheme 2004. The draft Mareeba Shire Council Planning Scheme places the subject site into the Rural Residential Zone (2 Ha Precinct).

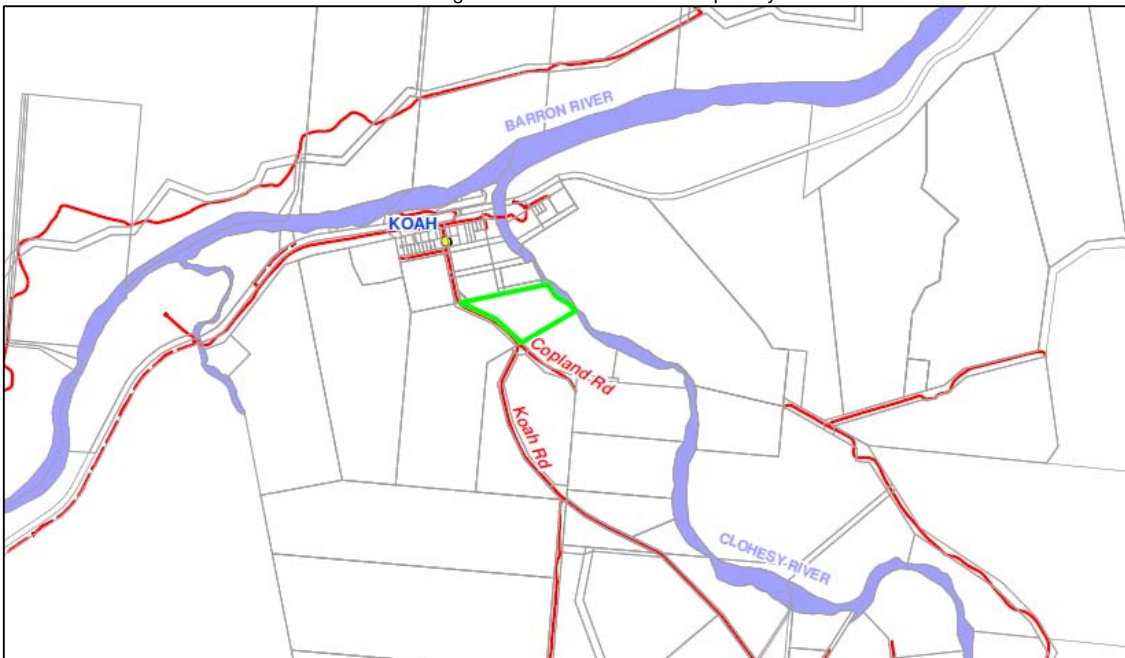
The site is accessed via a single gravel crossover at the intersection of Copland Road and Koah Road and contains approximately 380 metres of frontage to Koah Road which is constructed to 4 metre wide bitumen sealed standard. The site is improved by a single dwelling and multiple outbuildings clustered towards the south-west corner of the site. Topographically, the site slopes gently down to the rear of the property and into the Clohesy River situated immediately behind the site. Approximately 70% of the site is cleared with the other 30% remaining covered by a mixture of mature *Endangered Regional Ecosystem, Of Concern Regional Ecosystem*, and planted non-remnant vegetation. An easement for water supply purposes (Clohesy River) spans the entire northern boundary of the site, benefitting Lot 194 on NR6781, which is located on the western side of Koah Road.

The subject site appears to be used for rural lifestyle purposes only, devoid of any agricultural activity. All surrounding allotments are zoned Rural and contain a mix of rural lifestyle and small scale agricultural uses (hobby farms).



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.



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.

BACKGROUND AND CONTEXT

The draft Mareeba Shire Council Planning Scheme places the subject site within the Rural Residential zone (2 Ha Precinct). This zone allows for the creation of lots with a minimum lot size of 2 Ha and services including on-site water supply (bore/perennial stream), on-site wastewater disposal, electricity, telecommunications and access from a bitumen sealed road.

The proposed development is consistent with the intent of the site's future rural residential zoning and associated 2 Ha minimum lot size.

Despite the proposal's non-compliance with the current Mareeba Shire Planning Scheme 2004, which places the subject site within the Rural Zone, the Coty Principle allows Council's to give weight to a future planning scheme when assessing development applications.

PREVIOUS APPLICATIONS & APPROVALS

Nil

DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Reconfiguring a Lot - Subdivision (1 into 2 lots) in accordance with the plans shown in **Attachment 1**.

The applicants propose the creation of two allotments as follows:

- Proposed Lot 671 - total approx. area of 2.771 ha, approx. 200 metres of frontage to Koah Road; and
- Proposed Lot 672 - total approx. area of 5.66 ha, approx. 180 metres of frontage to Koah Road.

Proposed Lot 671 will remain vacant, will be accessed via Koah Road and will contain riparian access to the Clohesy River for domestic water supply purposes.

Proposed Lot 672 will contain the site's existing improvements and will utilise the existing access adjacent the Koah Road/Copland Road intersection.

The applicants propose to provide a telecommunications connection to vacant Lot 671 and have requested that power reticulation requirements for proposed Lot 671 can be satisfied through the provision of an on-site solar system.

A site and soil evaluation of proposed Lot 671 has been conducted and demonstrates that the allotment can accommodate on-site effluent disposal.

REGIONAL PLAN DESIGNATION

The subject site is included within the Regional Landscape and Rural Production Area land use category in the Far North Queensland Regional Plan 2009-2031. The Regional Plan Map 3- 'Areas of Ecological Significance' also identifies the site as containing:

- *State & Regional Conservation Corridors*
- *Wetland Area of General Ecological Significance*
- *Terrestrial Area of High Ecological Significance*

- *Terrestrial Area of General Ecological Significance*

PLANNING SCHEME DESIGNATIONS

Strategic Framework:	Potential Long Term Growth Area (Clohesy)
Zone:	Rural zone
Preferred Area/Precinct:	Preferred Area No. 3 - Clohesy River Area
Overlays:	Natural & Cultural Heritage Features Overlay Natural Disaster Bushfire Overlay

RELEVANT PLANNING INSTRUMENTS

Assessment of the proposed development against the relevant planning instruments is summarised as follows:-

(a) Far North Queensland Regional Plan 2009-2031

Assessment against the Regional Plan is required because the plan is not reflected in the planning scheme. The application is assessed as being capable of substantially complying with the relevant provisions of the Regional Plan, provided reasonable and relevant conditions are applied.

The following Desired Regional Outcome Land Use Policies are relevant to the assessment of the application:

DRO 1.1 Biodiversity Conservation			
Land Use Policy		Complies	Comments
1.1.1	<i>Urban development within the regional landscape and rural production area is located outside of areas of high ecological significance (see map 3).</i>	✓	<p><i>Both proposed lots will include areas of high ecological significance, however the new boundary will avoid these areas.</i></p> <p><i>The application triggered referral to the Department of Infrastructure, Local Government and Planning for veg clearing matters. The Department's Concurrence agency response dated 16 February 2016 including conditions and an associated Referral Agency Response (Vegetation) Plan (RARP) which restrict the clearing of any significant or remnant veg on the subject land.</i></p>
1.1.3	<i>Urban development adjacent to areas of high ecological significance (see map 3) is located, designed, operated and setback to avoid adverse impacts on the area's ecological values.</i>	✓	<p><i>Both proposed lots will include areas of high ecological significance, however the new boundary will avoid these areas.</i></p> <p><i>The application triggered referral to the Department of Infrastructure, Local Government and Planning for veg clearing matters. The Department's Concurrence agency response dated 16 February 2016 including conditions and an associated Referral Agency Response (Vegetation) Plan (RARP) which restrict the clearing of any significant or remnant veg on the subject land.</i></p>
1.1.4	<i>Urban development in or adjacent to areas of general ecological significance (see map 3) is located, designed and operated to avoid or, where avoidance is not possible, minimise any adverse impacts on ecological values where possible.</i>	✓	<p><i>Both proposed lots will include areas of general ecological significance, however the new boundary will avoid these areas.</i></p> <p><i>The application triggered referral to the Department of Infrastructure, Local Government and Planning for veg clearing matters. The Department's Concurrence agency response dated 16 February 2016 including conditions and an associated Referral Agency Response (Vegetation) Plan (RARP) which restrict the clearing of any significant or remnant veg on the subject land.</i></p>

DRO 2.4 Primary Production & Fisheries			
Land Use Policy		Complies	Comments
2.4.1	<i>Good quality agricultural land is protected from urban development outside the urban footprint.</i>	✓	<p><i>The subject land is not mapped as Good Quality Agricultural Land under the Mareeba Shire Planning Scheme 2004.</i></p> <p><i>The subject land is not identified as Class A or B agricultural land under the proposed Mareeba Shire Council Planning Scheme.</i></p>
2.4.2	<i>Appropriate buffer distances between incompatible uses and agricultural operations on good quality agricultural land are provided through sensitive land use planning in accordance with State Planning Policy 1/92.</i>	n/a	<p><i>The subject land is not mapped as Good Quality Agricultural Land under the Mareeba Shire Planning Scheme 2004.</i></p> <p><i>The subject land is not identified as Class A or B agricultural land under the proposed Mareeba Shire Council Planning Scheme.</i></p>

DRO 2.6 Rural Subdivision		
Land Use Policy	Complies	Comments
2.6.1 <i>Further fragmentation of agricultural land in the regional landscape and rural production area is avoided to maintain economically viable farm lot sizes.</i>	✓	<p><i>The subject land is not mapped as Good Quality Agricultural Land under the Mareeba Shire Planning Scheme 2004.</i></p> <p><i>The subject land is not identified as Class A or B agricultural land under the proposed Mareeba Shire Council Planning Scheme.</i></p> <p><i>The proposed Mareeba Shire Council Planning Scheme includes the subject land within the Rural Residential (2 hectare precinct).</i></p>

DRO 4.6 Rural Residential Development		
Land Use Policy	Complies	Comments
4.6.1 <i>New rural residential development is located in rural living areas.</i>	✓/x	<p><i>The subject land is not located within the Rural Living Area as originally designated by the FNQ Regional Plan State Regulatory Provisions (FNQRP SPRP).</i></p> <p><i>The FNQRP SPRP were repealed in 2012 and are of no effect.</i></p> <p><i>Council has included the subject land within the Rural Residential zone of the proposed Mareeba Shire Council Planning Scheme.</i></p> <p><i>The development is consistent with the proposed Mareeba Shire Council Planning Scheme.</i></p>
4.6.2 <i>Future demand for rural residential housing is provided from within the existing stock of land zoned for this purpose.</i>	✓	<p><i>Council has included the subject land within the Rural Residential zone of the proposed Mareeba Shire Council Planning Scheme.</i></p> <p><i>The development is consistent with the proposed Mareeba Shire Council Planning Scheme.</i></p>
4.6.3 <i>Construction of residential dwellings and ancillary structures within rural residential zoned land is confined to a building footprint which reduces the exposure to natural hazards and avoids and minimises the loss of native vegetation through locating structures in existing cleared areas and co-locating service corridors.</i>	✓	<p><i>Future buildings on proposed Lot 671 will be confined to the identified building envelope.</i></p>
4.6.4 <i>Rural residential subdivision along watercourses should be designed to minimise the impact of rural residential water use on current and future water resources.</i>	✓	<p><i>The development may result in one (1) additional domestic water supply being drawn from the Clohesy River.</i></p>

DRO 7.1 Protection of Waterways, Wetlands and Water Quality			
Land Use Policy		Complies	Comments
7.1.1	Development is planned, designed, constructed and managed in accordance with best practice environmental management to protect environmental values and meet water quality objectives of the Environmental Protection Policy (Water) 1997 (EPP Water) for regional surface water, groundwater and wetlands.	✓	<p><i>The development will not involve significant operational works or result in significant land clearing.</i></p> <p><i>The development's likely impact on water quality is expected to be minimal.</i></p>

(b) State Planning Policy

The Department of State Development, Infrastructure and Planning has introduced a single State Planning Policy (SPP) to replace the various SPP's previously in place. As such, this State Planning Policy is not reflected in the Planning Scheme and is therefore applicable to the assessment of the application.

An officer assessment of the proposed development against the provisions contained within the SPP has been undertaken and it is not considered to be in conflict with any relevant aspect of the SPP.

Queensland State Planning Policy - July 2014		
State Interest	Complies	Assessment Requirements & Comments
<p>Biodiversity</p> <p>A development application where the land relates to a matter of state environmental significance, if the application is for:</p> <p>(a) operational work, or</p> <p>(b) a material change of use other than for a dwelling house, or</p> <p>(c) reconfiguring a lot that results in more than six lots or lots less than five hectares.</p>	<p>✓</p>	<p>Development:</p> <p>(1) identifies any potential significant adverse environmental impacts on matters of state environmental significance, and</p> <p>(2) manages the significant adverse environmental impacts on matters of state environment significance by, in order of priority:</p> <p>(a) avoiding significant adverse environmental impacts, and</p> <p>(b) mitigating significant adverse environmental impacts where these cannot be avoided, and</p> <p>(c) where applicable, offsetting any residual adverse impacts.</p> <p>Comment</p> <p>The development will result in two (2) lots, with one lot having an area less than five (5) hectares.</p> <p>The MSES mapping identifies Wildlife Habitat and Regulated Vegetation on the subject land. The wildlife habitat is contained in a small pocket in the eastern-most corner of the land adjacent to the Clohesy River.</p> <p>The regulated vegetation coincides with the Areas of Ecological Significance.</p> <p>The proposed new boundary and building envelope for Lot 671 will avoid both areas of MSES.</p>

<p>Natural hazards</p> <p>A development application for a material change of use, reconfiguring a lot or operational works on land within:</p> <ol style="list-style-type: none"> (1) a flood hazard area, or (2) a bushfire hazard area, or (3) a landslide hazard area, or (4) a coastal hazard area. 	<p>✓</p>	<p>For all natural hazards:</p> <p>Development:</p> <ol style="list-style-type: none"> (1) avoids natural hazard areas or mitigates the risks of the natural hazard, and (2) supports, and does not unduly burden, disaster management response or recovery capacity and capabilities, and (3) directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties, and (4) avoids risks to public safety and the environment from the location of hazardous materials and the release of these materials as a result of a natural hazard, and (5) maintains or enhances natural processes and the protective function of landforms and vegetation that can mitigate risks associated with the natural hazard, and <p>Comment</p> <p>The subject land fronts the Clohesy River and a narrow strip of land is mapped as being impacted in a Q100 flood event.</p> <p>The impact of the 100 year flood event is confined and proposed Lot 671 is not predicted to be impacted.</p> <p>Slopes of 15% or greater within the subject land correspond with the area of remnant vegetation. No development is intended within the steeper parts of the subject land.</p> <p>The subject land is mapped as a medium hazard bushfire area. The bushfire hazard risk to future development can be managed through appropriate conditions.</p>
--	----------	---

(c) Mareeba Shire Planning Scheme 2004 (amendment no. 01/11)

Relevant Development Codes

The following Development Codes are considered to be applicable to the assessment of the application:

- | | |
|---------------------|---|
| Part 4, Division 8 | Rural Residential Zone Code |
| Part 4, Division 14 | Rural Zone Code |
| Part 5, Division 2 | Natural and Cultural Heritage Features Overlay Code |
| Part 5, Division 8 | Natural Disaster - Bushfire Overlay Code |
| Part 6, Division 12 | Reconfiguring a Lot Code |

The application included a planning report and assessment against the planning scheme.

Relevant Codes	Comments
Rural Residential Zone Code	<p>The application proposes rural residential reconfiguration, therefore assessment against the rural residential zone code is considered necessary.</p> <p>The application can be conditioned to comply with the relevant acceptable/probable solutions contained within the code.</p>
Rural Zone Code	<p>The application can be conditioned to comply with the relevant acceptable/probable solutions contained within the code apart from the following:</p> <ul style="list-style-type: none"> ▪ 4.80 Reconfiguring a Lot - Probable Solutions PS1.2 <p>Refer to planning discussion section of report.</p>
Natural and Cultural Heritage Features Overlay Code	<p>The application can be conditioned to comply with the relevant acceptable/probable solutions contained within the code.</p>
Natural Disaster Bushfire Code	<p>The application can be conditioned to comply with the relevant acceptable/probable solutions contained within the code.</p>
Reconfiguring a Lot Code	<p>The application can be conditioned to comply with the relevant acceptable/probable solutions contained within the code.</p>

(e) Planning Scheme Policies/Infrastructure Charges Plan

The following planning scheme policies are relevant to the application:

No. 1 - Water Supply (Outside Reticulated Water Supply Area)

In accordance with Planning Scheme Policy No.1 - Water Supply (Outside Reticulated Water Supply Area) both lots will contain frontage and associated water rights to the Clohesy River which is considered to be a perennial stream.

No. 4 - Development Manual

Conditions will be attached to any approval requiring all development works be designed and constructed in accordance with FNQROC Development Manual standards.

Proposed Lot 671 is essentially a 2 Ha rural residential allotment. In keeping with other 2 Ha rural residential development throughout the shire, it is considered reasonable that the applicant upgrade the development side of Koah Road to FNQROC Development Manual Standards (100 - 999 VMPD - 6.5m seal, 8m formation) for the entire frontage of proposed Lot 671 (approximately 200 metres).

Proposed balance Lot 672 is well in excess of 2 hectares in area and frontage works are therefore not considered necessary for this additional 180 metre section of Koah Road. If a subsequent application for subdivision of proposed Lot 672 was ever submitted, frontage works could be conditioned at that time.

(f) Additional Trunk Infrastructure Condition - Road Infrastructure (Section 650 of SPA)

The subject land is located outside the identified Priority Infrastructure Area (PIA).

Section 650 of SPA allows Council to condition additional trunk infrastructure outside the PIA if development is deemed to create additional demand on trunk infrastructure which therefore results in additional trunk infrastructure costs for Council.

The development, creating an additional allotment, is predicted to place additional demand on Council's trunk transport infrastructure (roads) and Council's trunk open space infrastructure (parks).

the developer must pay \$8,630.00 (per additional lot) as a contribution toward trunk infrastructure with the amount of the contribution increased on 1 July each year in accordance with the increase for the PPI index for the period starting on the day the development approval takes effect, adjusted by reference to the 3-yearly PPI index average to the date of payment.

The trunk infrastructure for which the payment is required is:

- The trunk transport infrastructure servicing the land (\$4,315.00)
- The trunk open space infrastructure servicing the land (\$4,315.00)

The developer may elect to provide part of the trunk infrastructure instead of making the payment.

If the developer elects to provide part of the trunk infrastructure the developer must:

- Discuss with Council's delegated officer the part of the works to be undertaken;
- Obtain the necessary approvals for the part of the works;
- Indemnify the Council in relation to any actions, suits or demands relating to or arising from the works;
- Take out joint insurance in the name of the Council and the developer in the sum of \$20,000,000 in relation to the undertaking of the works;
- Comply with the reasonable direction of Council officers in relation to the completion of the works;
- Complete the works to the standards required by the Council; and
- Complete the works prior to endorsement of the plan of subdivision

REFERRALS**Concurrence**

The application triggered referral to the Department of Infrastructure, Local Government and Planning as a Concurrence Agency (SARA - Clearing of Vegetation).

That Department advised in a letter dated 16 February 2016 that they require the conditions to be attached to any approval (**Attachment 2**).

Advice

This application did not trigger referral to an Advice Agency.

Internal Consultation

Technical Services/Development Engineering

PLANNING DISCUSSION

Non-compliance with the acceptable/probable solutions contained within the relevant development codes are discussed below:

Rural Zone Code**4.80 Reconfiguring a Lot**

S1 *The viability of the farming industry throughout the shire and including Good Quality Agricultural Land, and future opportunities for farming pursuits are not compromised.*

PS1.1 ...

PS1.2 *Allotments to have a minimum area of 30 hectares and road frontage of 150 metres if outside the area identified on Agricultural Land Quality Maps S2, S3, S4 and S5.*

Comment

Proposed Lots 671 and 672 with areas of 2.771 hectares and 5.66 hectares respectively are significantly smaller than the desired minimum resultant Lot size of 30 Ha for land within the Rural zone (where not GQAL).

Despite this conflict, the Coty principle allows Council to give weight to a future planning scheme and its provisions when assessing a development application. The draft Mareeba Shire Council Planning Scheme, which is approaching adoption by Council, places the subject site within the Rural Residential zone (2 Ha Precinct). The proposed development is consistent with the intent of the future rural residential zone and associated 2 Ha minimum lot size.

In consideration of the Coty principle and the site's future zoning, it is recommended that the application be approved, despite the identified conflict with PS1.2.

Essentially, if Council were to refuse this development application, the applicant could simply re-apply with a fresh compliant application once the draft MSC planning scheme was in effect.

In keeping with the rural residential nature of the proposed subdivision and the future zoning of the site, the applicants have proposed to service the lots to the same standard as other 2 Ha rural residential development, including access, on-site wastewater disposal, on-site water supply (Clohesy River), electricity and telecommunications.

Electricity Supply - Lot 671

The applicants intend to satisfy the code requirement for electricity supply by providing proposed vacant Lot 671 with a free standing 5kW solar system. The application states the following:

"The proponents request to provide each new lot with free standing solar arrays, providing each lot with a 5kW solar array and battery, so that households can generate their own power off grid, and enjoy a further degree of financial security by being free from quarterly power bills."

The applicants also state that the former Mareeba Shire Council (pre amalgamation) did support domestic solar systems in rural or poorly serviced areas, and that solar systems are supported by the draft Mareeba Shire Council Planning Scheme.

Council has in the past approved the creation of rural lifestyle allotments with the requirement to provide standalone power supply, however, in these cases connection to the electricity network was unfeasible. Furthermore, the draft MSC planning scheme does provide for the option of an independent energy system only where a connection to the electricity network is unavailable.

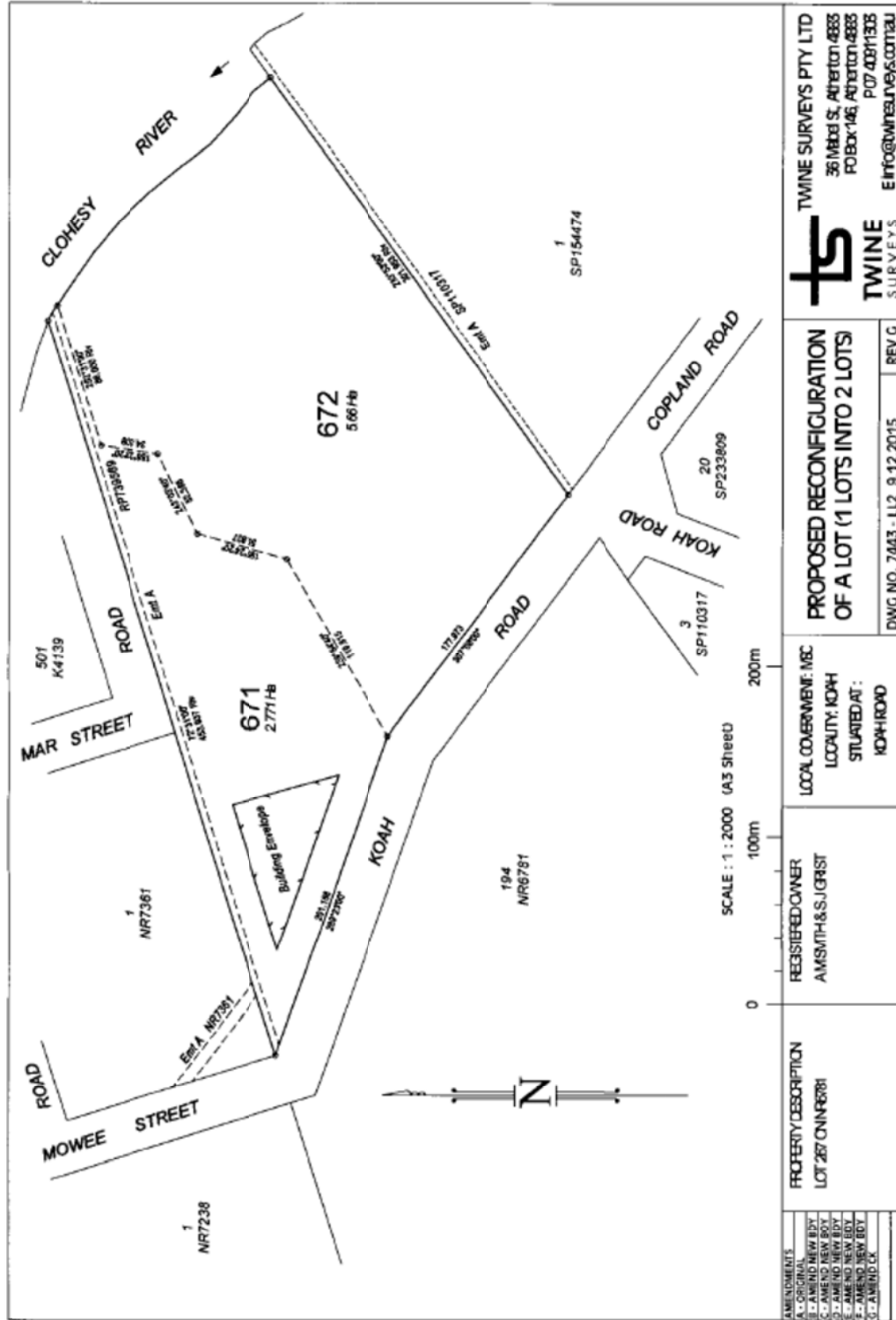
In this case, a connection to the electricity network is easily achievable for proposed Lot 671 as Ergon Energy power lines traverse the front portion of the proposed lot and go on to service the Koah Township.

A connection to the electricity network is still the preferred means of servicing new allotments and it is therefore recommended that Council's standard requirement for reticulated electricity supply be conditioned.

Date Prepared: 7 March 2016

ATTACHMENT 1

APPROVED PLANS (ECM VS# 3748894)



<p>AMENDMENTS</p> <p>A. ORIGINAL</p> <p>B. AMEND NEW BODY</p> <p>C. AMEND NEW BODY</p> <p>D. AMEND NEW BODY</p> <p>E. AMEND NEW BODY</p> <p>F. AMEND NEW BODY</p> <p>G. AMEND CK</p>		<p>PROPERTY DESCRIPTION</p> <p>LOT 257 ON NR2781</p>	<p>REGISTERED OWNER</p> <p>A.M.S.MITH & S.J. CRIST</p>	<p>LOCAL GOVERNMENT: M&C</p> <p>LOCALITY: KOAH</p> <p>SITUATED AT:</p> <p>KOAH ROAD</p>	<p>PROPOSED RECONFIGURATION</p> <p>OF A LOT (1) LOTS INTO 2 LOTS!</p>	<p>TWINE SURVEYS PTY LTD</p> <p>36 Mabel St, Ararat VIC 3488</p> <p>PO Box 146, Ararat VIC 3488</p> <p>PO# 42811308</p> <p>E info@twinesurveys.com.au</p>
<p>SCALE : 1 : 2000 (A3 Sheet)</p> <p>0 100m 200m</p>				<p>DWG NO. 7443 - LL2 9.12.2015</p>	<p>REV C</p>	<p>TWINE SURVEYS</p>

ATTACHMENT 2



Department of Infrastructure,
Local Government and Planning

Our reference: SDA-0116-027474
Your reference: DA/15/0058

16 February 2016

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

Email: info@msc.qld.gov.au

Dear Sir/Madam

Concurrence agency response—with conditions

Development application for a Development Permit – Reconfiguration of a Lot (1 into 2 lot subdivision) on land located at 1 Copland Road, Koah, or otherwise described as Lot 267 on NR6781.

(Given under section 285 of the *Sustainable Planning Act 2009*)

The referral agency material for the development application described below was received and deemed properly referred by the Department of Infrastructure, Local Government and Planning under section 272 of the *Sustainable Planning Act 2009* on 25 January 2016.

Applicant details

Applicant name: Steven John Grist and Amanda Maree Grist
Applicant contact details: 1 Copland Road
Koah QLD 4881

Email: SteveGrist@gmail.com

Site details

Street address: 1 Copland Road, Koah, QLD, 4881
Lot on plan: Lot 267 on NR6781
Local government area: Mareeba Shire Council

SDA-0116-027474

Application details

Proposed development: Development Permit for the Reconfiguration of a Lot – 1 into 2 lot subdivision

Aspects of development and type of approval being sought

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Reconfiguring a Lot	Development Permit	1 into 2 lot subdivision	Code Assessment

Referral triggers

The development application was referred to the department under the following provisions of the *Sustainable Planning Regulation 2009*:

Referral trigger Schedule 7, Table 2, Item 4—Vegetation clearing

Conditions

Under section 287(1)(a) of the *Sustainable Planning Act 2009*, the conditions set out in Attachment 1 must be attached to any development approval.

Reasons for decision to impose conditions

Under section 289(1) of the *Sustainable Planning Act 2009*, the department must set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Further advice

Under section 287(6) of the *Sustainable Planning Act 2009*, the department offers advice about the application to the assessment manager—see Attachment 3.

Approved plans and specifications

The department requires that the following plans and specifications set out below and in Attachment 4 must be attached to any development approval.

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Aspect of development: Development Permit for the Reconfiguration of a Lot (1 into 2 lot subdivision)				
Referral Agency Response (Vegetation) Plan (RARP)	Queensland Government (SAK – stars135)	11 February 2016	RARP SDA-0116-027474 – Sheet 1 of 1	-

A copy of this response has been sent to the applicant for their information.

SDA-0116-027474

For further information, please contact Chris Adamson, Principal Planning Officer, SARA Far North QLD on 4037 3233, or email chris.adamson@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Graeme Kenna
Manager, Planning

cc: Steven John Grist and Amanda Maree Grist, SteveGrist@gmail.com
enc: Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Further advice
Attachment 4—Approved Plans and Specifications

SDA-0116-027474

Our reference: SDA-0116-027474
Your reference: DA/15/0058

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Development Permit for the Reconfiguration of a Lot – 1 into 2 lot subdivision		
Schedule 7, Table 2, Item 4—Vegetation clearing—Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of the Department of Natural Resources and Mines to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	The permit holder is responsible for ensuring that: (a) a full copy of the permit is held by; and (b) that the extent of clearing authorised by this permit is properly understood by, any person(s) engaged or employed to carry out the clearing of the vegetation under this permit.	At all times
2.	a) No clearing as a result of the reconfiguration is to occur within Area A (Parts A1-A4) as shown on the attached Referral Agency Response (Vegetation) Plan (RARP) SDA-0116-027474 dated 11 February 2016. b) No infrastructure, including, but not limited to, buildings, fences and roads is to be established or located within Area A (Parts A1-A4) as shown on the attached Referral Agency Response (Vegetation) Plan (RARP) SDA-0116-027474 dated 11 February 2016. c) No infrastructure except fences, roads and underground services is to be established or located within Area B (Parts B1-B3) as shown on the attached Referral Agency Response (Vegetation) Plan (RARP) SDA-0116-027474 dated 11 February 2016.	At all times

SDA-0116-027474

Our reference: SDA-0116-027474

Your reference: DA/15/0056

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- To ensure the development is carried out generally in accordance with the plans of development submitted with the application.
- To ensure the development minimises the impacts of vegetation clearing associated with the subdivision.
- To ensure that the clearing works are carried out in the location and to the extent specified in the attached Referral Agency Response Plan (RARP).
- To ensure the person undertaking the clearing works is aware of, and understands, all of the requirements and conditions associated with the carrying out the out the works above.
- To ensure the development achieves the applicable provisions and outcomes in the modules 8 of the State Development Assessment Provisions, version 1.7.

SDA-0116-027474

Our reference: SDA-0116-027474

Your reference: DA/15/0058

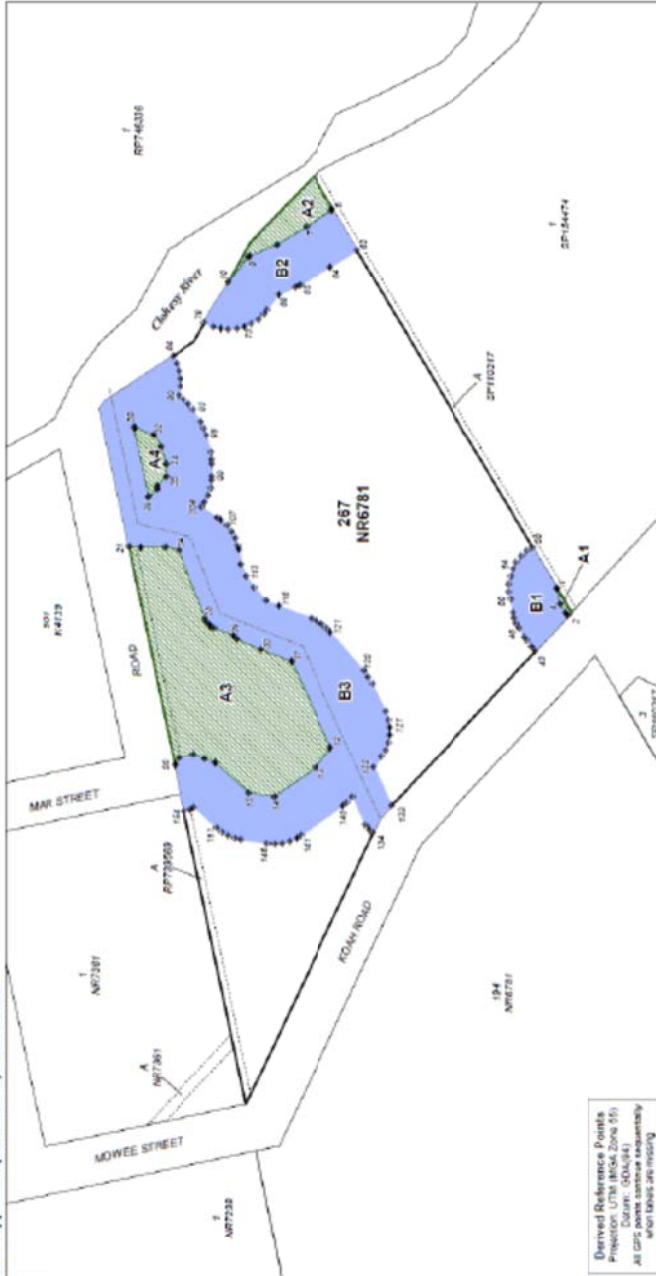
Attachment 3—Further advice

General advice	
Ref.	State Planning Policy
1	Mareeba Shire Council, in its role as assessment manager, must assess the part of the application against the State Planning Policy July 2014, in particular the interim development assessment provisions (such as natural hazards, risk and resilience), to the extent it is relevant to the development and where not appropriately reflected in council's planning scheme.


SDA-0116-027474

Our reference: SDA-0116-027474
Your reference: DA150056

Attachment 4—Approved plans and specifications



Derived Reference Points
Projection: UTM (MGA Zone 55)
Datum: GDA94
All GPS points contain sequentially
which labels are missing

<p>1:2000 @ A3 size</p> <p>0 50 100 150 200 m</p> <p>Projection: UTM (MGA Zone 55) Datum: GDA94</p> <p>Note: Derived Reference Points are provided to assist in the location of the Referral Agency Response boundaries.</p> <p>Responsibility for locating these boundaries lies solely with the landholder and designated contractors.</p> <p>The property boundaries shown on this plan are APPROXIMATE ONLY. They are NOT an accurate representation of the legal boundaries.</p> <p>Note: This plan must be read in conjunction with the Referral Agency Response SDA-0116-027474</p>	<p>LEGEND</p> <ul style="list-style-type: none"> Derived Reference Points for GPS (refer to Attachment to Plan) Subject Limit Area A (Parts A1-A3) Area B (Parts B1-B3) Proposed boundary 	<p>Referral Agency Response (Vegetation) Plan Plan of Area A (Parts A1-A4) and Area B (Parts B1-B3) in Lot 267 on NR6781</p> <p>600CS No. 061000090</p> <p>CENTRE: MAREEBA LOCAL GOVT MAREEBA SHIRE Loc: Mareeba SDA Prepared by: GAK - 30/01/15 Date: 11 February 2015</p>	<p></p> <p>RARP SDA-0116-027474 Sheet 1 of 1</p>
--	---	--	--

SDA-0116-027474

Page 1 of 1

Attachment to Plan: SDA-0116-027474

Derived Reference Points for GPS

Horizontal Datum: GDA04 Projection: Transverse Mercator MGA 04 Zone 55

Notes: Derived Reference Points are provided to assist in the location of the Referral Agency Response boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s). This attachment must be read in conjunction with the accompanying plan and the Referral Agency Response SDA-0116-027474. Derived Reference Points are indicated on the accompanying plan and proceed sequentially if labels are missing.

Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing
A1	1	341827	8138890	B2	82	341889	8138821	B3	123	341871	8138808
A1	2	341810	8138892	B2	83	341842	8138815	B3	124	341888	8138808
A1	3	341811	8138894	B2	84	341822	8138822	B3	125	341840	8138708
A1	4	341817	8138897	B2	85	341820	8138851	B3	126	341844	8138708
A1	5	341827	8138890	B2	86	341810	8138853	B3	127	341830	8138708
A2	6	341889	8138821	B2	87	341819	8138855	B3	128	341834	8138708
A2	7	341857	8138849	B2	88	341814	8138868	B3	129	341820	8138708
A2	8	341848	8138867	B2	89	341804	8138873	B3	130	341824	8138707
A2	9	341830	8138894	B2	90	341801	8138875	B3	131	341820	8138800
A2	10	341822	8138897	B2	91	341798	8138878	B3	132	341813	8138805
A3	11	341880	8138857	B2	92	341795	8138883	B3	133	341800	8138704
A3	12	341828	8138822	B2	93	341793	8138887	B3	134	341827	8138805
A3	13	341813	8138842	B2	94	341792	8138892	B3	135	341823	8138807
A3	14	341804	8138869	B2	95	341792	8138897	B3	136	341825	8138800
A3	15	341807	8138894	B2	96	341792	8138902	B3	137	341827	8138810
A3	16	341815	8138905	B2	97	341793	8138907	B3	138	341824	8138818
A3	17	341819	8138912	B2	98	341795	8138912	B3	139	341820	8138822
A3	18	341821	8138919	B2	99	341822	8138917	B3	140	341818	8138824
A3	19	341819	8138929	B2	100	341838	8138925	B3	141	341820	8138851
A3	20	341815	8138931	B2	101	341845	8138927	B3	142	341818	8138854
A3	21	341804	8138960	B2	102	341857	8138948	B3	143	341805	8138859
A3	22	341803	8138963	B2	103	341867	8138952	B3	144	341805	8138903
A3	23	341853	8138937	B3	104	341775	8138933	B3	145	341804	8138898
A3	24	341801	8138929	B3	105	341771	8138940	B3	146	341805	8138873
A3	25	341807	8138912	B3	106	341765	8138928	B3	147	341807	8138869
A3	26	341804	8138910	B3	107	341761	8138928	B3	148	341808	8138863
A3	27	341802	8138907	B3	108	341756	8138928	B3	149	341807	8138867
A3	28	341807	8138893	B3	109	341750	8138929	B3	150	341822	8138801
A3	29	341804	8138892	B3	110	341747	8138925	B3	151	341825	8138804
A3	30	341808	8138877	B3	111	341744	8138922	B3	152	341818	8138818
A3	31	341800	8138867	B3	112	341741	8138919	B3	153	341810	8138822
A4	32	341725	8138845	B3	113	341733	8138915	B3	154	341805	8138825
A4	33	341717	8138840	B3	114	341729	8138912	B3	155	341815	8138831
A4	34	341700	8138837	B3	115	341724	8138911	B3	156	341819	8138829
A4	35	341693	8138830	B3	116	341713	8138905	B3	157	341821	8138819
A4	36	341682	8138843	B3	117	341708	8138907	B3	158	341819	8138812
A4	37	341680	8138843	B3	118	341700	8138907	B3	159	341810	8138805
A4	38	341685	8138843	B3	119	341693	8138907	B3	160	341807	8138804
A4	39	341730	8138857	B3	120	341690	8138907	B3	161	341804	8138808
A4	40	341725	8138845	B3	121	341681	8138905	B3	162	341813	8138842
B1	41	341610	8138863	B3	122	341680	8138910	B3	163	341825	8138832
B1	42	341557	8138702	B3	123	341682	8138912	B3	164	341800	8138857
B1	43	341590	8138705	B3	124	341679	8138914	B3	165	341808	8138877
B1	44	341804	8138708	B3	125	341672	8138903	B3	166	341804	8138892
B1	45	341599	8138709	B3	126	341670	8138901	B3	167	341807	8138863
B1	46	341801	8138713	B3	127	341667	8138899	B3	168	341802	8138808
B1	47	341805	8138714	B3	128	341663	8138895	B3	169	341803	8138800
B1	48	341803	8138710	B3	129	341659	8138892	B3	170	341800	8138811
B1	49	341811	8138717	B3	130	341654	8138891	B3	171	341801	8138820
B1	50	341820	8138718	B3	131	341652	8138890	B3	172	341803	8138827
B1	51	341825	8138719	B3	132	341643	8138889	B3	173	341803	8138853
B1	52	341830	8138719	B3	133	341635	8138888	B3	174	341804	8138860
B1	53	341835	8138719	B3	134	341629	8138881	B3	175	341805	8138849
B1	54	341839	8138717	B3	135	341619	8138873	B3	176	341800	8138843
B1	55	341844	8138714	B3	136	341613	8138868	B3	177	341802	8138843
B1	56	341849	8138711	B3	137	341608	8138864	B3	178	341808	8138827
B1	57	341851	8138708	B3	138	341605	8138861	B3	179	341708	8138827
B1	58	341853	8138704	B3	139	341604	8138859	B3	180	341717	8138840
B1	59	341827	8138690	B3	140	341602	8138855	B3	181	341725	8138845
B1	60	341817	8138687	B3	141	341600	8138852	B3	182	341720	8138858
B1	61	341811	8138684	B3	142	341575	8138811	B3	183	341685	8138848

**ITEM-5 APPLICATION FOR CONVERSION OF TERM LEASE TO
FREEHOLD - LOT 135 ON DA376, PARISH OF
SOUTHEDGE**

MEETING: Ordinary

MEETING DATE: 6 April 2016

**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 conversion of Term Lease TL0/218088 over land described as Lot 135 on DA376, Parish of Southedge to freehold.

Should the conversion be successful, it is proposed that the land be used for rural residential and grazing purposes.

DNRM seeks Council's views on the conversion to freehold and also whether Council has knowledge of any local non-indigenous cultural heritage values associated with the land.

OFFICER'S RECOMMENDATION

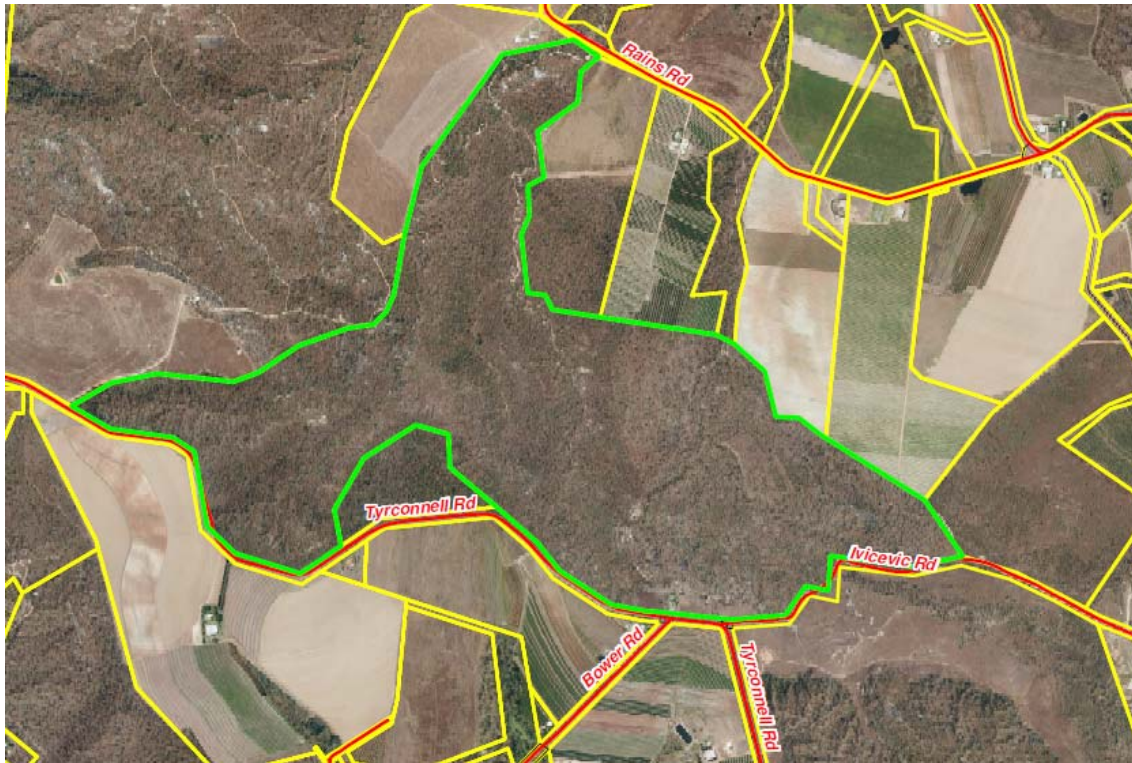
"That Council offer no objection to the conversion to freehold of the term lease over land described as Lot 135 on DA376, Parish of Southedge and advise the Department of Natural Resources and Mines that Council has no knowledge of any local non-indigenous cultural heritage values associated with the land."

BACKGROUND

DNRM is currently considering an application for the conversion to freehold of Term Lease TL0/218088 over land described as Lot 135 on DA376, Parish of Southedge.

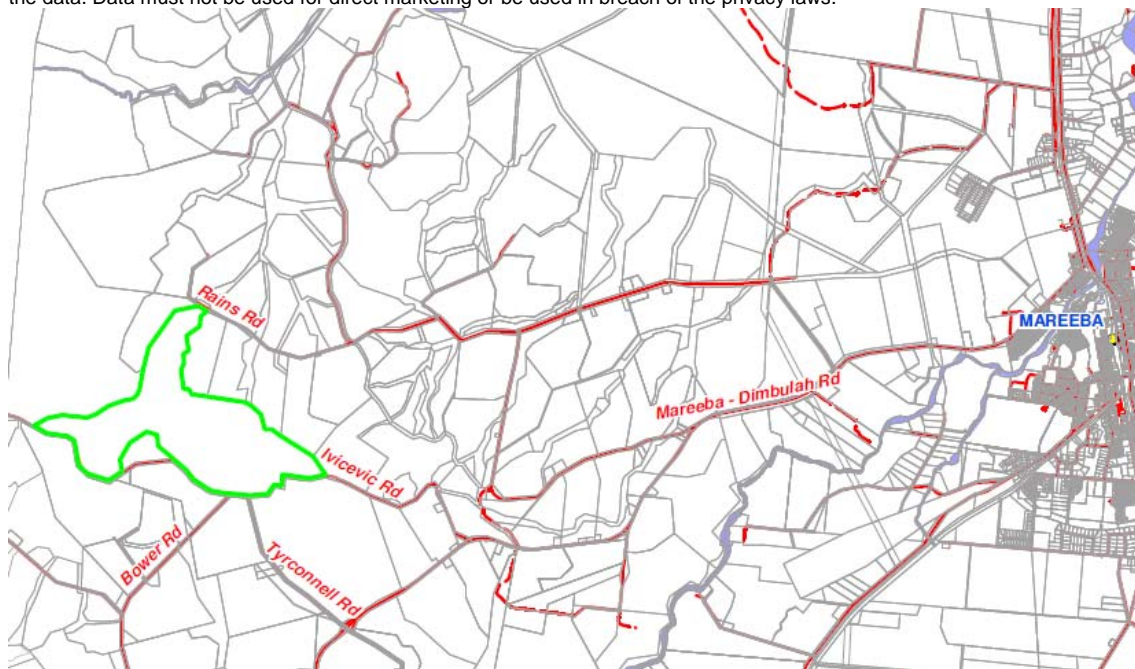
The subject land has an area of 295.4 hectares and is situated at 242 Tyrconnell Road, Mareeba. A dwelling house and farm sheds are established on the land, immediately adjacent to the intersection of Bower Road and Tyrconnell Road. The land is currently used for residential and grazing purposes and it is expected that this use will continue if the conversion is successful.

DNRM seeks Council's views on the conversion to freehold and also whether Council has knowledge of any local non-indigenous cultural heritage values associated with the land.



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.



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.

LINK TO CORPORATE PLAN

NIL

CONSULTATION

Internal

Nil

External

Nil

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

Nil

POLICY IMPLICATIONS

The subject land is zoned Rural under the Mareeba Shire Planning Scheme 2004.

There is no objection to the continued use of the land for rural residential and grazing purposes.

Council officers have no knowledge of any non-indigenous cultural heritage values associated with the subject land.

FINANCIAL & RESOURCE IMPLICATIONS

Capital

Nil

Operating

Nil

Is the expenditure noted above included in the 2015/2016 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 8 March 2016.

Date Prepared: 9 March 2016

ATTACHMENT 1Department of
Natural Resources and Mines

Author Susan Ashley
File / Ref number 2016/000297
Directorate / Unit State Land Asset Management
Phone (07)40957026

8 March 2016

Chief Executive Officer
Mareeba Shire Council
PO Box 154
Mareeba Q 4880

Dear Sir/Madam

APPLICATION FOR CONVERSION TO FREEHOLD TERM LEASE 0/218088 DESCRIBED AS LOT 135 ON DA376

The department has received the above application. The proposed use of the land is residential namely rural residential and grazing purpose .

Copies of documents supporting the application are enclosed for your information. The enclosed Smartmap shows the subject land and the surrounding locality.

Please advise the department of your views or requirements including any local non-indigenous cultural heritage values that the department should consider when assessing this application.

Objections to the application, and any views or requirements that may affect the future use of the land should be received by close of business on 8 April 2016. If you offer an objection to the application, a full explanation stating the reason for the objection should be forwarded to this Office.

If you wish to provide a response but are unable to do so before the due date, please contact the author before the due date to arrange a more suitable timeframe. An extension to this due date will only be granted in exceptional circumstances.

If a response is not received by the due date and no alternative arrangements have been made, it will be assumed you have no objections or requirements in relation to this matter.

This information has been provided to you in confidence for the purpose of seeking your 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.

Postal :
DNRM Atherton
PO Box 5318
Townsville
4810 QLD

Telephone : (07)40957026
Fax: (07)47997533

If you wish to discuss this matter please contact Susan Ashley on (07)40957026.

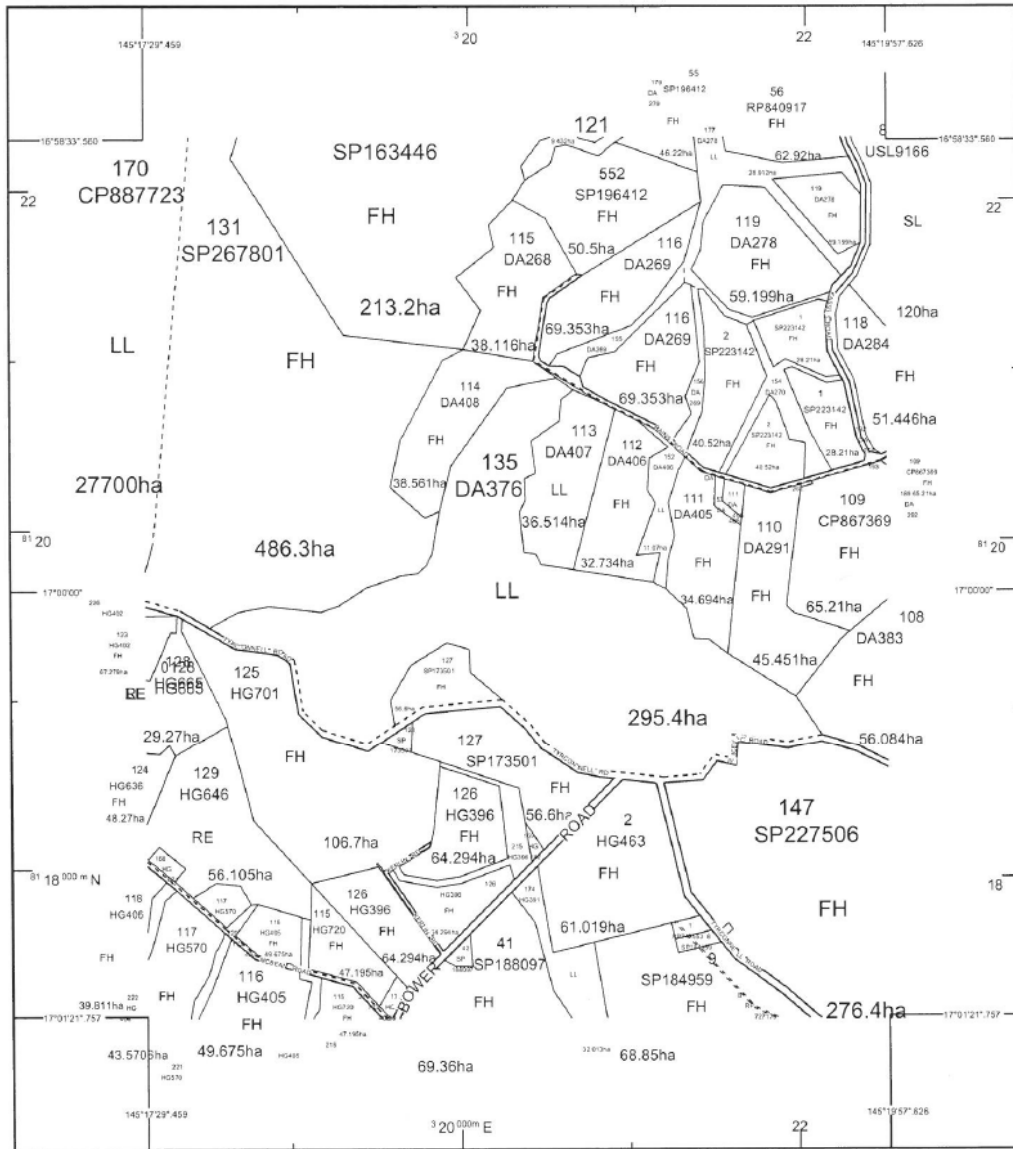
All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to Townsville.SLAMS@dnrm.qld.gov.au. Any hard copy correspondence received will be electronically scanned and filed. For this reason, it is recommended that any attached plans,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

Please quote reference number 2016/000297 in any future correspondence.

Yours sincerely



Susan Ashley
Land Officer
State Land Asset Management
North Region



STANDARD MAP NUMBER
7964-23322



MAP WINDOW POSITION & NEAREST LOCATION


SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	No Lot/Plan Selected
Area/Volume	No Lot/Plan Selected
Tenure	No Lot/Plan Selected
Local Government	No Lot/Plan Selected
Locality	No Lot/Plan Selected
Segment/Parcel	No Lot/Plan Selected

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 08/03/2016

DCDB 07/03/2016 (Lots with an area less than 1,000ha are not shown)

Users of the information recorded in this document (the Information) accept all responsibility and risk associated with the use of the information and should seek independent professional advice in relation to dealings with property.

Despite Department of Natural Resources and Mines (DNRM)'s best efforts, DNRM makes no representations or warranties in relation to the Information, and, to the extent permitted by law, exclude or limit all warranties relating to correctness, accuracy, reliability, completeness or currency and all liability for any direct, indirect and consequential costs, losses, damages and expenses incurred in any way (including but not limited to that arising from negligence) in connection with any use of or reliance on the information.

For further information on SmartMap products visit <http://www.qld.gov.au/property/mapping/bsmap>



SmartMap

An External Product of
SmartMap Information Services
Based upon an extraction from the
Digital Cadastral Data Base



(c) The State of Queensland,
(Department of Natural
Resources and Mines) 2016.

GOVERNANCE AND COMPLIANCE

ITEM-6 MAREEBA INDUSTRIAL ESTATE - SALE OR LEASING OF LOTS ON TERMS

MEETING: Ordinary

MEETING DATE: 6 April 2016

REPORT OFFICER'S TITLE: Manager Development & Governance

DEPARTMENT: Corporate and Community Services

EXECUTIVE SUMMARY

This report follows on from a workshop discussion held with Councillors on 16 March 2016 regarding the offering of land in the Mareeba Industrial Park on lease or extended payment terms, and recommends authority be delegated to the CEO to negotiate such terms with prospective applicants and also seeks formal approval of the offer to North Queensland Haulage Pty Ltd of a short term lease with option to purchase over Lot 46 in the Industrial Park.

OFFICER'S RECOMMENDATION

"That Council:

1. Delegate authority to the Chief Executive Officer to enter into negotiations with applicants for purchase or lease of land in the Mareeba Industrial Park in accordance with the terms and conditions set out in this report, with any negotiated lease or purchase arrangements to be given final approval by Council.
2. Approve the offer of a 5 year lease with option to purchase over Lot 46 on SP198053 in the Industrial Park to North Queensland Haulage Pty Ltd trading as Mareeba Concrete Company."

BACKGROUND

A Council workshop held on 16 March 2016 discussed recent enquiries received regarding the setting up of businesses in the Mareeba Industrial Park and whether Council would be prepared to consider offering extended payment terms or leasing arrangements to allow potential businesses the opportunity to become established and generate a cash flow before having to pay the upfront purchase price of the land.

The former Mareeba Shire, in adopting development conditions applicable to the Mareeba Industrial Park at its meeting held on 3 August 2004, did include the option for an agreement to lease for up to 20 years with the right to purchase at the end of the lease period.

There was general agreement in principle at the workshop to the offering of extended payment terms or a lease/purchase option but only for a period of 5 years, with the lease/purchase option conditions being generally similar (except for the term) to those adopted by the former Mareeba Shire.

It was also proposed that any lease payments made by an applicant under a lease/purchase option arrangement should be offset against the purchase price of the land in the event the purchase option was exercised.

It is also considered that the offering of terms should be solely at Council's discretion and be dependent on the nature of the proposed business/industry to be established and the financial and other information offered by the applicant in support of the application.

Since the above workshop, there have been further discussions with one of the potential applicants, North Queensland Haulage Pty Ltd, regarding the setting up of a concrete batching business in the Industrial Park. NQ Haulage have indicated that they would like to progress the lease/purchase option for Lot 46 in the Industrial Park (Lot 46 on SP198053 fronting Effley Street). Equipment associated with concrete batching is generally portable and could be fairly easily removed in the event the business did not generate sufficient revenue to remain viable in the long term and the applicants decided not to exercise the purchase option. On this basis, the lease/purchase option would seem appropriate and it is therefore recommended that the application be approved.

In general, the offering of lease/purchase terms is one way of providing an incentive for businesses to establish in the Industrial Park and is in line with the Mareeba Industrial Park Strategic Marketing Action Plan that was endorsed by Council on 19 August 2015 (refer copy of page 7 of Strategic Marketing Action Plan attached).

In summary, it is proposed that the following arrangements apply to applications to establish businesses/industries on developed land within the Industrial Park:

1. Council is prepared to enter into negotiations with prospective applicants for land in the Park on the basis of offering an extended purchase payment period not exceeding 5 years or a lease arrangement for a period not exceeding 5 years with the option to purchase at the end of, or at any time during, the period of the lease. The offering of the above terms is purely at the discretion of Council and will be considered on a case by case basis depending on the nature of the development proposal submitted and the supporting financial and other information provided by the applicant.
2. Where a lease/purchase option arrangement is entered into, the annual lease rental payable yearly in advance will be 5% of the market value of the land or \$2.00 per square metre whichever is the greater. If the applicant desires to lock the purchase price in at the market value on commencement of the lease, an additional interest component of 5% of the market value will be payable yearly in advance. If the purchase price is not locked in at the commencement of the lease, the purchase price will be the current market value at the time a contract of sale is entered into.
3. Where land is offered on a lease/purchase option arrangement and the purchase option is exercised at the end of, or at any time during, the period of the lease, the cumulative lease payments made by the applicant will be credited towards the purchase price of the land.
4. Where an option to purchase is not exercised, the lessee shall, at the expiration or sooner termination of the lease, remove any improvements and leave the site in a condition

acceptable to the Council unless other arrangements are negotiated and agreed with Council.

5. Lessees and purchasers are responsible for payment of Council rates and charges during any lease or extended payment period.

6. GST is extra and payable if applicable.

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

Chief Executive Officer

Workshopped with Council on 16 March 2016

External

North Queensland Haulage Pty Ltd

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

Lease agreement to be entered into with North Queensland Haulage Pty Ltd will be prepared by Council's Solicitors and will contain appropriate conditions to mitigate risk to Council.

POLICY IMPLICATIONS

Proposal is in line with the Strategic Marketing Action Plan for the Industrial Park previously endorsed by Council.

FINANCIAL & RESOURCE IMPLICATIONS

Capital

Based on current enquiries, the proposal set out herein has the potential to generate sales of at least two existing developed lots at the Industrial Park with resulting capital revenue of \$239,580.

Operating

There will be some legal fees involved in preparation of lease/contract documents, estimated to be no more than \$2,000 per lot sold or leased.

Is the expenditure noted above included in the 2015/2016 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 the Council.

ATTACHMENTS

1. Copy of extract (page 7) from the Mareeba Industrial Park Strategic Marketing Action Plan.
2. Copy of Industrial Park layout plan showing Lot 46 on SP198043.
3. Copy of original Mareeba Shire Council resolution from meeting held on 3 August 2004

Date Prepared: 24 March 2016

ATTACHMENT 1

Mareeba Industrial Park
Strategic Marketing Action Plan in 5 steps

4. Provide investor incentives to stimulate demand and make the sale

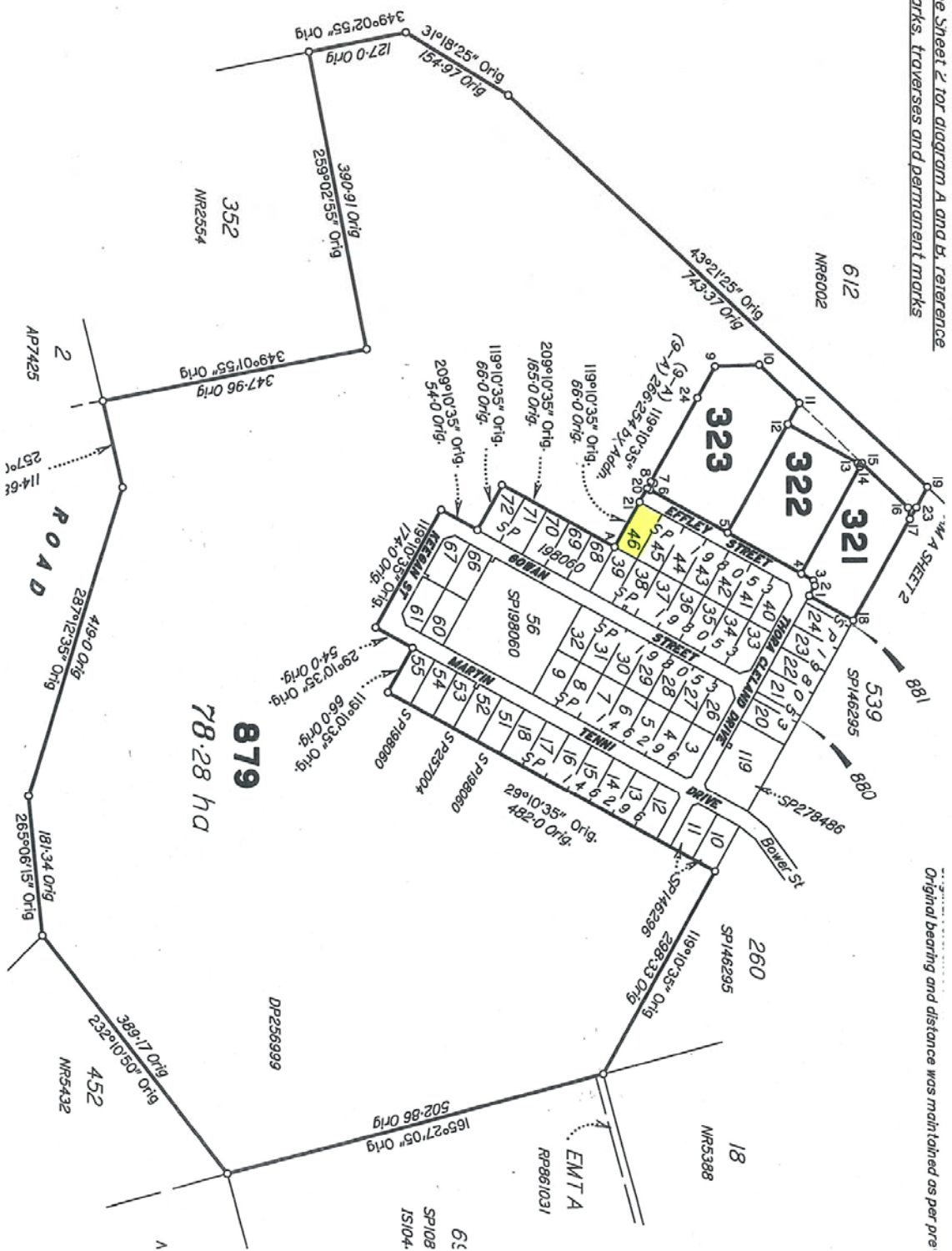
- Analyse Economic Development Queensland's (EDQ) conditions of sale and contract models (e.g. for Woree Business and Industry Park) to determine best practice approach.
- Review current MIP conditions of sale and sales contracts to ensure terms are flexible and attractive for investors. Council needs to be flexible / nimble and not be locked into a position.
For instance: longer / flexible settlement timeframes (currently positive with up to 12 months post fulfilment of development conditions with option to extend); waive or defer development plan approval fees; purchase payment in instalments (current incentive is very positive as it allows for up to 5 years with low interest); low deposit fees (currently 10% of purchase price- consider lowering to 5%).
- Consider how Council can support potential investors by lowering the capital risk for investors.
For example the EDQ has allowed investors to build and trade for up to two years at some industrial estates before requiring purchase payment.
- Consider removal of covenant conditions to make proposition more attractive to investors.
For instance current value of the development clause requires development works to be at least \$35 per square meter of land area.
- Develop strategic investment incentive eligibility criteria to guide case by case assessment for contract negotiations.
For instance criteria to demonstrate the net economic and community benefit of a proposal.
- Ensure new planning scheme (and other strategic processes) "future proof" the MIP to avoid later land use conflicts and maximise long-term viability. For example:
 - Residential encroachment;
 - Identification of future freight routes;
 - Connection to utilities such as trade waste disposal at waste water treatment plant, high speed internet etc.
- Further engagement is required with industry groups and investors to strategically position the MIP, tailor incentives opportunistically and to remove impediments.

4	ACTION: investor incentives	RESPONSIBILITY	TIMELINE	BUDGET
a	Analyse Economic Development Queensland's (EDQ) conditions of sale and contract models and review against MSC MIP standard contract	Manager, Development and Governance	June 2015	-
b	Develop investment incentive eligibility criteria to guide negotiations	Senior Engagement Officer / Manager, Development and Governance	June 2015	-
c	Ensure new planning scheme "future proofs" the MIP	Senior Planner	Jan 2016	-
d	Discussion with NBN Co re opportunities	Senior Engagement Officer	May 2015	
e	Discussion with Mareeba Shire investors (e.g. Mick Cotter, Sam Musmeci – Mareeba Chamber of Commerce, Leanne Kruss) = Canegrowers Assoc., Joe	Senior Engagement Officer	June 2015	

Scale _____ hereby certify that the land comprised in this

ATTACHMENT 2

See Sheet 2 for diagram A and B, reference marks, traverses and permanent marks



Original bearing and distance was maintained as per pre

ATTACHMENT 3**User Instructions**

If necessary to view the original Agenda Item, double-click on 'Agenda Report' blue hyperlink above.

ACTION FROM GENERAL MEETING**Held on Tuesday 3 August 2004**

SUBJECT MAREEBA INDUSTRIAL ESTATE.

Resolved Council adopt the Report tabled by the Mayor dated 30 July 2004 and in particular:-

1. For stage 1 the lots be in a modular configuration of 33m frontage by 66m deep, total area 2178 square metres.
2. An independent valuation be obtained on which Council can base it's decisions on land prices. Unless the valuation is vastly different, the price initially be not less than \$30 per square metre.
3. a) (i) Agreement to Purchase with a down payment of 10% of the price which will be \$30 per square metre or market value based on an independent valuation, whichever is greater;
(ii) The contract of sale will take effect and ownership transferred when development conditions are fulfilled within twelve (12) months
(iii) The balance of the purchase price may be paid outright or subject to a first mortgage to Council, may be paid in five (5) equal annual instalments with interest at 1.5% above the Local Government borrowing rate (to cover administration).
b) Agreement to Lease for up to 20 years with the right to purchase at the then market value determined by an independent valuation and subject to development conditions being fulfilled within twelve (12) months.
i) The lease document, the term of which is effective from the date of the original agreement, will be drawn up and signed when development conditions are fulfilled.
ii) Annual lease rental payable yearly in advance will be 5% of market value of the land or \$2 per square metre whichever is greater, reviewed every five (5) years but cannot be reduced.
iii) At the expiration of the lease if not renewed, the lessee shall remove improvements or may leave them on site if acceptable to Council.
c) Council rates and charges are payable by Lessees and purchasers.
d) GST is extra and payable if applicable.
4. Development conditions. Fixed structural improvements, landscaping and plant and equipment to a minimum total value of \$20 per square metre of land area to be established within twelve (12) months and before either the sale or lease are confirmed.
5. Landscaping of each property to enhance the appearance of the Park is the responsibility of each property owner or lessee.
6. Road names. The principal road be named Martin Tenni Drive and one of the internal roads be named Thora Cleland Circuit.

ITEM-7 NOMINATION FOR LGAQ EXECUTIVE DISTRICT REPRESENTATIVE 2016-2020**MEETING:** Ordinary**MEETING DATE:** 6 April 2016**REPORT OFFICER'S TITLE:** Manager Development and Governance**DEPARTMENT:** Corporate and Community Services

EXECUTIVE SUMMARY

Correspondence has been received from LGAQ to elect an Executive District Representative 2016-2020 for Far North Queensland.

OFFICER'S RECOMMENDATION

"That Council recommend Councillor Bob Manning for nomination as the candidate for the Far North LGAQ Executive position."

BACKGROUND

In accordance with Rule 5.4 of the LGAQ Constitution and Rules, nominations have been called for the election of District Representatives to the Association's Policy Executive for the period 2016-2020.

LINK TO CORPORATE PLAN

COM 3 Encourage the building of strong partnerships with community, private sector and government so as to build community capacity and develop strategies to encourage and support leadership and self-responsibility in the community.

CONSULTATION

Internal
Chief Executive Officer

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 2015/2016 budget?
Nil

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

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

1. Letter and attachments from LGAQ dated 21 March 2016

Date Prepared: *24 March 2016*



21 March 2016

DISTRICT NO.10

THE CHIEF EXECUTIVE OFFICER
ALL MEMBER COUNCILS

ELECTION OF THE LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND'S (LGAQ) POLICY EXECUTIVE DISTRICT REPRESENTATIVES 2016-2020

In accordance with Rule 5.4 of the Association's Constitution and Rules, nominations are hereby called for the election of District Representatives to the Association's Policy Executive for the period 2016-2020.

Please note well, this is not an election for Local Government District Associations. In many cases the District Local Government Association areas and the LGAQ Electoral Districts are not the same.

Councils within an Electoral District are entitled to nominate candidates for election from amongst elected members of the Councils within their District.

If there is more than one nomination per District, an election by postal ballot will apply. If an election is required, the "first past the post" voting system will apply.

- Attachment 1: The Councils within your District.
The votes exercised by each council.
- Attachment 2: Policy Executive Members Information Schedule
LGAQ Corporate Governance Charter
Fees, reimbursements and insurance.
- Attachment 3: Nomination Form for your District.

PLEASE NOTE:

- Nominations close at 5.00pm, **Friday 29 April 2016** and must be actually received by the Chief Executive Officer by that time.
- If you intend to nominate a person, you are encouraged to have the matter considered at your Statutory Meeting following the Quadrennial Elections held on Saturday, 19 March 2016.
- A Ballot Paper (if necessary) will be sent to you immediately upon the close of nominations.

If you have any queries, please do not hesitate to call me.

Yours sincerely


Greg Hallam PSM
CHIEF EXECUTIVE OFFICER

gh:bb
encl.

ATTACHMENT 1

DISTRICT NO 10 - (Far North)

<u>COUNCIL</u>	<u>VOTES</u>
CAIRNS	6
CASSOWARY COAST	2
COOK	2
DOUGLAS	2
MAREEBA	2
TABLELANDS	2
TORRES	2

18

ATTACHMENT 2

POLICY EXECUTIVE MEMBERS INFORMATION SCHEDULE**MEETING OBLIGATIONS**

The Executive currently has six (6) regular meetings each year, however this frequency can be varied by the Policy Executive. With the exception of one regional meeting and the meeting which precedes the Annual Conference, the Policy Executive meets at Local Government House in Brisbane. The dates at present are generally as follows:

- 1) Early February (1 Day)
- 2) Early April (1 Day)
- 3) Late June/Early July – please note in 2016 this will be a two day event – 29 June Policy Executive Induction Day and 30 June Policy Executive meeting day
- 4) Late August (1 Day)
- 5) The day before Annual Conference (1 Day)
- 6) Early December (1 Day)

Special Meetings may be called as required. Meetings by way of telephone hook-up may also be held.

Policy Executive Members may also be appointed to represent the Association on statutory boards and committees as well as ad hoc bodies. These appointments are made by the Policy Executive following consultation with member councils.

Members elected at this time take up their positions on **30 June 2016**, and subject to the Rules, hold office until **mid-June 2020**.

21 March 2016

ATTACHMENT 2

FEES, REIMBURSEMENTS AND INSURANCE

The current payments to Policy Executive Members attending Policy Executive and Committee Meetings and other approved meetings, for which payment is not made by the outside board, committee or body, are as follows:

Daily Allowance	\$443.00
Overnight Allowance	\$255.00

Travel Costs – Actual airfare (economy class), and/or motor vehicle expenses at current ATO rate ie 77c a kilometre, and/or actual taxi fares, and/or actual parking fees.

These rates are reviewed each year in the Budget in May. Payment of fees and reimbursements is usually made at the meeting attended upon completion of a claim form.

A personal accident insurance scheme operates for all Policy Executive Members whilst travelling or involved in Association activity.

21 March 2016

ATTACHMENT 3

LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND POLICY EXECUTIVE 2016-2020

NOMINATION FORM

DISTRICT NO.10

The City/Shire/Regional Council of

Hereby nominates Cr.

To represent District Number 10 on the Association's Policy Executive in accordance with Rule 5.4 of the Constitution and Rules of the Association for the period 2016 - 2020.

Date at this day of 2016

.....
CHIEF EXECUTIVE OFFICER

I hereby accept this nomination

PLEASE RETURN THIS FORM BY POST WITH THE ENCLOSED REGISTERED ENVELOPE TO THE RETURNING OFFICER BY NO LATER THAN 5.00PM FRIDAY 29 APRIL 2016, IF COUNCIL WISHES TO SUBMIT A NOMINATION.

**RETURNING OFFICER: MR GJ HALLAM PSM
RETURNING OFFICER
LOCAL GOVERNMENT ASSOCIATION OF QLD LTD
PO BOX 2230
FORTITUDE VALLEY BC QLD 4006**

N.B FAXED OR EMAILED NOMINATIONS WILL NOT BE ACCEPTED. REGISTERED POST OR BY HAND ONLY.

A separate report on the wastewater treatment plant has been prepared for Council for this meeting.

Mareeba Airport Upgrading

This is an \$18million project to lengthen and strengthen the runway and taxiways, upgrade the adjacent feeder roads and lease area, extend the western lease area, improve water and sewerage services and improve lighting and security services. Funding for the project is being provided through grants from the Commonwealth and State Governments.

A separate report on the airport upgrading has been prepared for Council for this meeting.

Kuranda Wastewater Treatment Plant Sludge Management

This is a \$525,000 project to provide new sludge management services at the Kuranda Wastewater Treatment Plant. It incorporates the provision of a newer belt filter press and building together with associated dosing facilities. Council has let a contract to Abergeldie Constructions Pty Ltd for the works with the initial part of the belt filter press manufacture being underway in Italy. Installation of the press is expected in May / June 2016.

Council has received 40% funding for the project to a maximum of \$160,000 from the State Government.

Mareeba landfill - Capping Old landfill

Council has a long standing commitment to the Department of Environment and Heritage Protection under its environmental authority for the Mareeba landfill to ensure the old Mareeba landfill is capped and sealed.

The works consists of shaping the old landfill and then capping with a clay and geo-synthetic liner.

Tenders for this work will be invited during April 2016.

Balance of 2015/2016 Infrastructure Services Capital Works Budget

Currently the following works remain outstanding from the Transport and Drainage Sections of the Infrastructure Services budget for 2015/2016:

- Part sealing of Cater Road to facilitate better bus transport for the students at St Stephen's Catholic College
- Widen and seal Mclver Road west of Owens Street to Tilse Street including the upgrade of the causeway on Mclver Road
- Upgrading of the Grove Creek Bridge at Speewah with an anticipated practical completion of late April / early May (weather dependent). The commonwealth - Government is providing 50% of the funding for this bridge through the Bridges Renewal Program.
- Reconstruction of the Springmount Road Bridge over the Walsh River to highway loading standard. Works are underway on this project and are expected to be complete in May.
- Improvements to the Anzac Avenue / Ceola Drive intersection Roundabout
- Widening and sealing of sections of Koah Road
- Provision of a bus shelter on the Kennedy Highway at Koah

- Various playground improvements where new soft fall is to be provided
- Small park improvements at Dimbulah, Chillagoe and Irvinebank
- Sunbird Park footpath extension
- Extension of Keegan Street at the Mareeba Industrial Park
- Improve drainage at Coronet Drive
- Continue the rural road gravel resheet works as deemed necessary
- Replacement of damaged sections of paved pathways at Bi-Centennial Lakes
- Widening and sealing of sections of Cobra Road
- Mareeba Swimming Pool Carpark extension

Some of the above works may extend into 2016/2017, depending on committed maintenance activities and weather.

Chillagoe Airstrip Resealing

This a full reseal of the Chillagoe airstrip with 50% funding from the Commonwealth Government Remote Airstrip Program. Works are planned to be completed by the end of May.

Committed Works 2016/2017

Various projects have been committed to by Council which are to be delivered during 2016/2017.

Kuranda Water Supply

This involves the construction of reservoirs at Hilltop Close and Masons Road. Funding assistance for these reservoirs is being provided by the State Government.

Springmount Road Oaky Creek Bridge

This project is for the reconstruction of the bridge to highway loading standards. Council will receive 50% funding from the Commonwealth Government through the Bridges Renewal Program for this work.

State Government Community Resilience Program

Council has received funding towards various projects through the State Government Community Resilience. It is planned to deliver these projects during 2016/2017. The projects are as follows:

Koah Hall Upgrading

This project is to improve the hall for disaster recovery purposes subsequent to a disaster event.

Euluma Creek Road Floodway

This project is to provide a 100metre long concrete floodway on a low section of Euluma Creek Road, Julatten that continually breaks up during the wet season.

Western Causeways

This project is for the provision of nine (9) causeways on western beef roads to facilitate access for beef transport immediately post the wet season. When the application for these causeways was initially made, officers were in significant haste to list the sites. Since the announcement of the grants, officers have researched known trouble spots on the western roads utilising photos and data for the flood events of 2010 through to 2014. This research has provided a valuable data base of sites and after discussions with the State Department of Local Government, it has been approved that alternative sites may be exchanged for the initially submitted sites. Approval has now been received for these new sites.

Bolwarra Road Causeway Tate River

This is for a major upgrade to the existing crossing over the Tate River on Bolwarra Road.

As of the date of this report the funding agreement for this particular project has not been executed by Council or the State Government even though the works have been approved by Council. This non-execution has come about due to the caretaker period which came into existence early February 2016.

Council will receive various progress reports on all the works as they proceed.

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
Officers.

External
Commonwealth and State Governments.

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

Nil.

POLICY IMPLICATIONS

Nil.

FINANCIAL & RESOURCE IMPLICATIONS

Capital
Works from the 2015/2016 capital budget have been approved. Committed works from the 2016/2017 budget will be included in that budget.

Operating
Nil.

*Is the expenditure noted above included in the 2015/2016 budget?
Where applicable.*

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

IMPLEMENTATION/COMMUNICATION

Affected residents in the vicinity of the works will be advised ahead of the works proceeding.

ATTACHMENTS

Nil.

Date Prepared: 28 March 2016

ITEM-9 KEEGAN STREET, MAREEBA - PROPOSED ALL-WEATHER SEAL**MEETING:** Ordinary**MEETING DATE:** 6 April 2016**REPORT OFFICER'S TITLE:** Manager Technical Services**DEPARTMENT:** Infrastructure Services, Technical Services

EXECUTIVE SUMMARY

Parallel streets Martin Tenni Drive and Gowan Street at the Mareeba Industrial Park (MIP) are linked by Keegan Street at the southern end, which is not constructed to an all-weather sealed standard, making it difficult for larger vehicles to negotiate between the two streets, particularly in the wet season.

This issue was recently workshopped with Council where verbal agreement was reached to construct a sealed connection road on Keegan Street which is to be funded from the sale of the two large allotments on Effley Street.

OFFICER'S RECOMMENDATION

"That Council endorse the construction of Keegan Street between Martin Tenni Drive and Gowan Street to bitumen standard and the works be funded from proceeds from the sale of allotments on Effley Street."

BACKGROUND

As the various stages have progressed at the MIP, gravel turnarounds or link roads have been provided at the end of Martin Tenni Drive and Gowan Street as a temporary measure until existing allotments are sold and further stages are developed.

As more allotments have been sold and developed at the MIP, the number of large vehicles using these streets has increased significantly which has now brought about the need to link these two roads.

While these proposed construction works will provide an effective all-weather link between Martin Tenni Drive and Gowan Street, it will also allow four new allotments fronting Keegan Street to be made available for sale. The four allotments are shown on the attached plan, being the two lots shaded green (Lots 61 and 67) and the two lots shaded purple. In relation to the two lots shaded purple, it is intended that the kerbing and bitumen seal will be extended for the full frontage of the lots to Gowan Street and Martin Tenni Drive but only partially along the Keegan Street frontage.

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
Manager Development and Governance

External
Nil

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital
Estimated cost to undertake these works is \$440,000

Operating
Nil

Is the expenditure noted above included in the 2014/2015 budget?
Nil

If not you must recommend how the budget can be amended to accommodate the expenditure
These works be funded from the sale of lots from the MIP

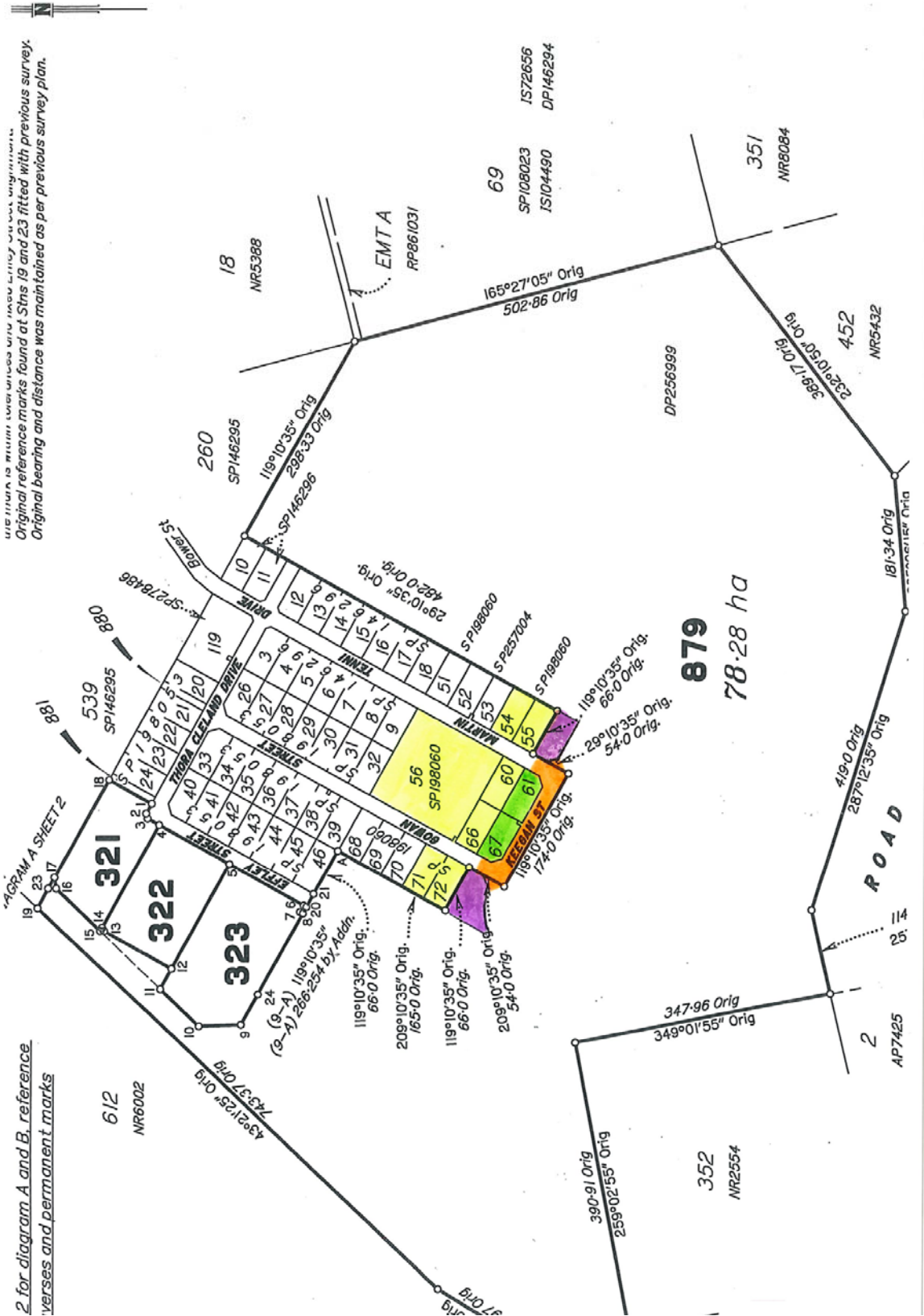
IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

1. Plan showing the section of Keegan Street to be constructed shaded orange and the four lots to be created shaded green and purple.

Date Prepared: 30 March 2016



ITEM-10 CONTRACT TMSC2015-13 MAREEBA WASTEWATER TREATMENT PLANT - DESIGN AND CONSTRUCTION - MARCH 2016 PROGRESS REPORT

MEETING: Ordinary

MEETING DATE: 6 April 2016

REPORT OFFICER'S TITLE: Director Infrastructure Services

DEPARTMENT: Infrastructure Services

EXECUTIVE SUMMARY

Council has accepted an offer from Downer Utilities Australia Pty Ltd for the design and construction of the Mareeba Wastewater Treatment Plant.

Design work has commenced on the plant and this report sets out progress to date,

OFFICER'S RECOMMENDATION

"That Council note the March 2016 progress report on the Mareeba Wastewater Treatment Plant."

BACKGROUND

Council has awarded Contract TMSC2015-13 Mareeba Wastewater Treatment Plant - Design and Construction to Downer Utilities Australia Pty Ltd.

A formal letter of acceptance and purchase order have been issued to the contractor.

The contractor has provided an updated program which indicates mobilisation to site in May 2016 with pre-commissioning checks to commence in December 2016.

During March 2016, Council officers and the contractor held the 30% design meeting. This 30% design meeting checks the plant layout, confirms the location of the various process units and checks the relevance and completeness of the P&ID's (Process and Instrumentation Diagrams). The current adopted plant layout and a sample P&ID is attached to this report for the information of Council. Council will note that the adopted plant layout shows where the future Membrane Bioreactor (MBR) will be located to the west of the main bioreactor tank when the plant is required to be augmented.

Following on from the 30% design meeting, there will be various meeting and workshops held with the contractor:

- HAZOP, HACCP and CHAIR workshops. HAZOP relates to hazards and operability in the design and construction process and the final plant, HACCP relates to health issues and CHAIR relates to safety issues.

- meetings are also being held concurrently with Downer and Bilfinger (inlet works contractor) to ensure coordination issues are resolved so that when site works commence no issues should arise.

The 80% design meeting is programmed for June while the final design will be signed off in July.

Construction may commence prior to final design sign-off.

Works on the pressure main contract have now reached practical completion.

Expenditure

Expenditure to date is \$15,721,962.

This amount includes expenditure from 2013/2014, 2014/2015 and current. It includes committals of \$14,862,262 which is primarily made up of the purchase order raised on Downer Utilities Australia for \$13,724,840 for Contract TMS2015-13 Mareeba Wastewater treatment Plant – Design and Construction, a purchase order on Bilfinger for the Inlet Works for \$732,441 and the balance of the purchase order for Celtic Utilities for the Pressure main contract for \$358,082.

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
Council staff
Hunter H2O.

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 Commonwealth and State Governments for the project.

Operating

To be included in future budgets.

Is the expenditure noted above included in the 2015/2016 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.

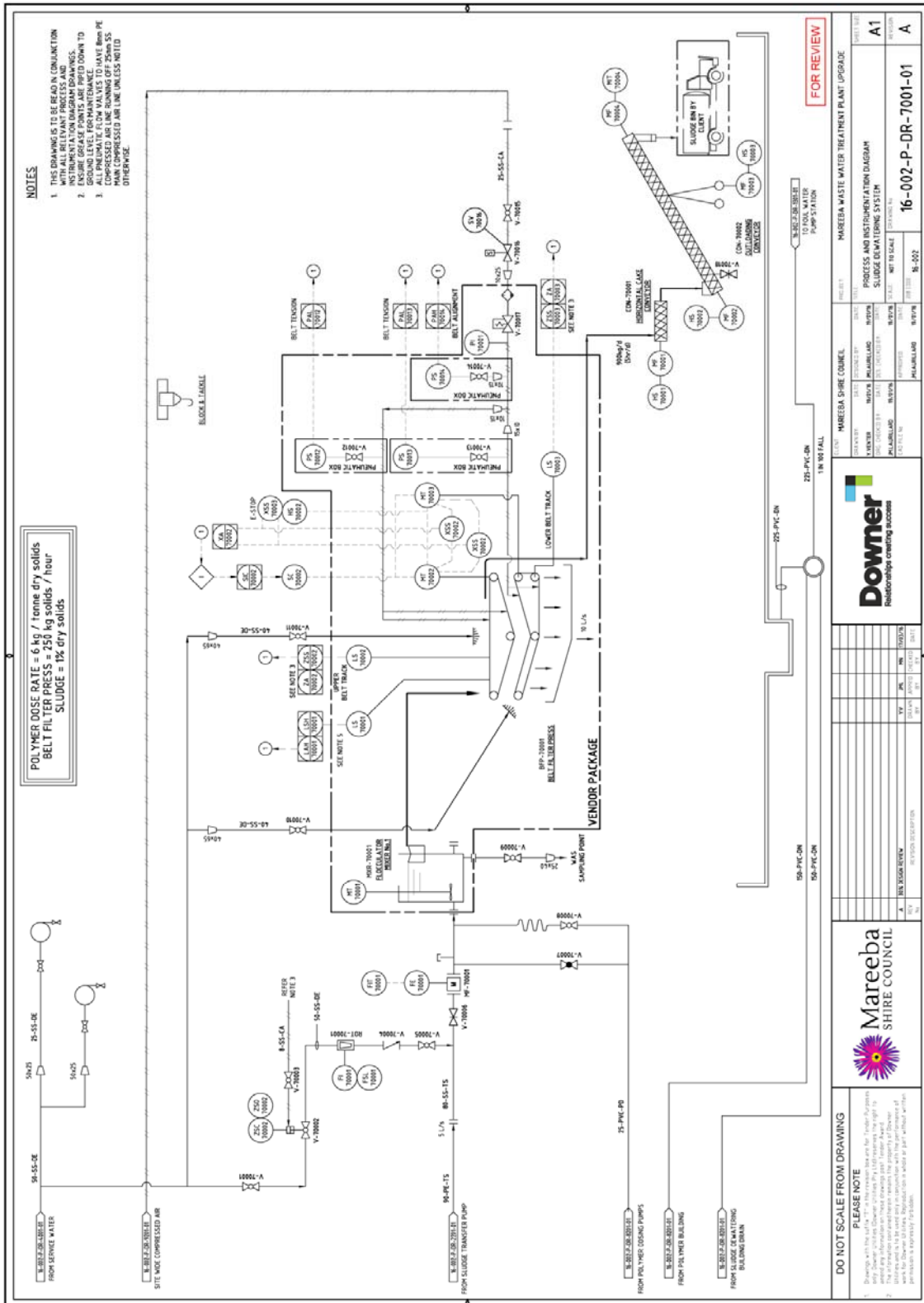
ATTACHMENTS

1. Current plant layout and sample P&ID.

Date Prepared: 26 March 2016

(This page left blank intentionally)

(This page left blank intentionally)



(This page left blank intentionally)

ITEM-11 **MAREEBA AIRPORT REDEVELOPMENT - MARCH 2016
PROGRESS REPORT**

MEETING: Ordinary

MEETING DATE: 6 April 2016

**REPORT OFFICER'S
TITLE:** Director Infrastructure Services

DEPARTMENT: Infrastructure Services

EXECUTIVE SUMMARY

Council has received grant funding from the State and Commonwealth Governments towards the upgrading of the Mareeba airport.

Design work has commenced on the airport upgrading and this report sets out progress to date.

OFFICER'S RECOMMENDATION

"That Council note the March 2016 progress report on the Mareeba Airport Redevelopment."

BACKGROUND

Council has been advised of two (2) grants - \$13M from the Queensland State Government and \$5M from the Commonwealth Government – towards the upgrading of the Mareeba airport. Both these grants are for specific aspects of the proposed upgrading project.

Funding

Council officers have been reviewing draft funding agreements from both Governments and are in discussions with relevant Departments as to the details of the agreement content. The final agreement with the Commonwealth Government has been received, reviewed and signed. This agreement has now been forwarded back to the Commonwealth Government for final execution. The funding agreement with the State Government is expected to be executed by the State Government and Council by mid-April 2016.

Master Concept Layout

The final draft concept layout for the airport upgrading is attached to this report – larger versions will be available for Council at the meeting. The layout incorporates all components within the funding agreements between the Commonwealth and State Governments.

Consultation on the layout has occurred and continues to occur with the Mareeba Airport Users Group and various general aviation groups located in Cairns. Valuable feedback has been provided from the groups as well as information obtained from visits and discussions with the airport manager and staff of Ballina airport in New South Wales.

The layout identifies the main components of the upgrading:

- Runway and taxiway extensions and strengthening
- Upgrading of the existing roadways to the Vicary Road lease areas
- Widening of Vicary and Ray Roads
- Development of the western lease area for the development of additional hangar and taxiway areas

Water supply and sewerage services will also be included in the development along with refurbishment of the lighting and security fencing.

The full extent of the delivery of the master plan will be dependent on the final detailed design and estimates.

Programme

A programme of works has been prepared which reflects the works and wording of the funding agreements.

By the end of May 2016, the upgrade water supply services, widening works to Vicary and Ray Roads and the roadways around the existing Vicary Road lease areas will be designed and documented.

By the end of November 2016 the balance of the works will be designed and documented.

During 2016, construction works will include the water supply services, widening of Vicary and Ray Roads and the roadways around the Vicary Road lease area. Depending on progress and weather, it is hoped to also construct the underground services to the western lease area.

Construction of the balance of the upgrading works will occur post wet season 2017.

Runway

Falling Weight Deflectometer (FWD) testing to the runway and taxiways occurred on 22 March 2016. The Ground Penetrating Radar (GPR) testing will occur during the first week of April 2016. The GPR testing will identify pavement depths and determine the presence of any historical timber culverts. The FWD testing will provide data to enable verification of the required pavement configurations. Various pavement configurations will be tested and costed prior to a final determination being made on the runway capacity to be ultimately provided.

Water Supply

The airport currently sources water from the SunWater system which is not a potable supply.

A water supply concept plan has been developed to provide a potable water supply to the existing and future leases as well as turn the existing SunWater supply into a dedicated fire service. This concept plan is currently under design and documentation.

Expenditure

Expenditure until the end of January 2016 was \$324,963.08.

This expenditure comprises survey, design, ground clearing, soil testing, assistance with concept master planning and various committals for specialist services. Commitments included in the expenditure to date total \$128,056.07.

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
Council staff.

External
Commonwealth and State Governments.
Various user groups.

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

When the funding agreements are signed with the State and Commonwealth Governments, Council will be required to meet various milestones 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 Commonwealth and State Governments for the project.

Operating
To be included in future budgets.

Is the expenditure noted above included in the 2015/2016 budget?
Yes.

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

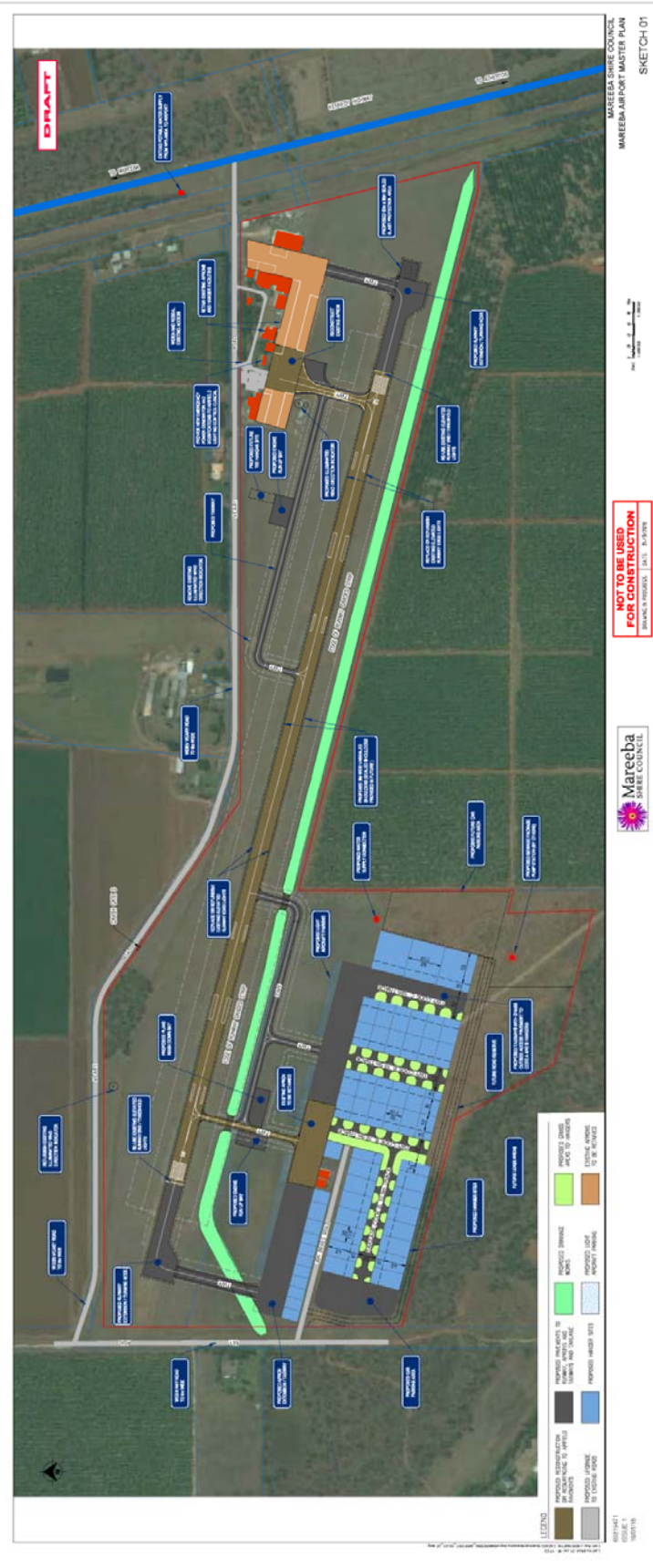
IMPLEMENTATION/COMMUNICATION

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

ATTACHMENTS

1. Final Master Concept Plan.

Date Prepared: 26 March 2016



(This page left blank intentionally)

ITEM-12 **TRAFFIC ADVISORY COMMITTEE - MINUTES OF MEETING HELD 15 MARCH 2016**

MEETING: Ordinary

MEETING DATE: 20 April 2016

REPORT OFFICER'S TITLE: Director Infrastructure Services

DEPARTMENT: Infrastructure Services

EXECUTIVE SUMMARY

Minutes of the Mareeba Shire Council Traffic Advisory Committee Meeting held on Tuesday, 15 March 2016 are presented for Council's information.

The action items presented in the minutes of the Traffic Advisory Committee (TAC) are recommendations to Council. Council's endorsement or contrary view of the recommendations is required.

OFFICER'S RECOMMENDATION

"That Council notes the Traffic Advisory Committee Meeting Minutes of 15 March 2016, and resolves to:

1. In respect to Item 15.12-01, write to the Department of Transport and Main Roads regarding "Give Way" signage and speed zone on the Kennedy Highway as raised by a concerned resident;
2. In respect to Item 16.03-05, write to the Principal of Mareeba State School in response to the concerns raised regarding parents parking on the footpath in Sutherland Street."

BACKGROUND

The Traffic Advisory Committees (TAC) is a consultative committee of Council established to raise community and other representative body concerns in relation to traffic conditions with Council and the Department of Transport and Main Roads.

LINK TO CORPORATE PLAN

COM 3 - Encourage the building of strong partnerships with community, private sector and government so as to build community capacity and develop strategies to encourage and support leadership and self-responsibility in 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
Internal resources for investigation and follow up actions.

Is the expenditure noted above included in the 2015/2016 budget?
Nil

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

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

1. Minutes of Mareeba Shire Council Traffic Advisory Committee Meeting held 15 March 2016

Date Prepared: 22 March 2016

**TRAFFIC ADVISORY COMMITTEE MEETING
MAREEBA BOARDROOM, 65 RANKIN STREET, MAREEBA
TUESDAY, 15 MARCH 2016
9:13AM TO 10:11AM**

**MINUTES****PRESENT:**

Mackay Sugar
QUBE Logistics Queensland
Lindsay Transport
Transport and Main Roads - Transport Services (TS)
Transport and Main Roads - Safety and Regulation Division (SRD)
Transport and Main Roads - Safety and Regulation Division (SRD)
Transport and Main Roads - Manager Project Planning and Corridor Management (TMR)
Queensland Police Service (QPS) - Mareeba
Queensland Police Service (QPS) - Mareeba
St Thomas's P&F Representative
Mareeba Shire Council (MSC) - Councillor
Mareeba Shire Council (MSC) - Manager Technical Services
Mareeba Shire Council (MSC) - Minutes Secretary

Don Fowler
Darren Fuller
Terry Montague
Ray Blain
Alison Barlow
Marita Stecko
Richard Evans
Lester Ah Chee
Derek Garner
Dave Saul
Alan Pedersen (Chair)
Val Shannon
Marjorie Anthony

APOLOGIES:

Mareeba Chamber of Commerce (Promotions)
Queensland Police Service (QPS) - Mareeba

Sam Musumeci
Rolf Straatemeier

1. MINUTES**Tuesday 08 December 2015**

Minutes of the Mareeba Shire Council Traffic Advisory Committee Meeting held on Tuesday, 08 December 2015 were ratified by Council at their Ordinary Meeting of 16 December 2015.

2. BUSINESS ARISING FROM PREVIOUS MEETING

Item	Organisation	Issue	Recommendation / Follow Up Action
13.09-18	Councillor Gaye Taylor	Safety concerns raised by school bus drivers and heavy vehicle operators relating to insufficient clearance from rear of bus / trailer to intersection when stopping at level crossings on roads just off the Mareeba-Dimbulah Road eg Piemonte Road; Craig Road; Walsh Road	<p>TAC resolved to recommend Council write to Queensland Rail regarding open level crossing safety issues ie insufficient queuing distance between rail line and Burke Developmental Road</p> <p>Letter sent to QR 16/12/2013</p> <p>Matter raised at meeting with QR on 30/05/2014. QR checking speed of trains and the possibility of changing STOP signs to GIVE WAY signs to overcome problem.</p> <p>Waiting advice from QR</p> <p>TAC Committee resolved to recommend Council write to QR to follow up on initial letter of 16/12/2013 and meeting of 30/05/2014</p> <p>Letter sent 10/10/2014</p> <p>MSC followed up with Rail Regulator</p> <p>who is still investigating matter however negotiations are underway</p> <p>Meeting also held with Rail Regulator re MSC Interface Agreement</p> <p>Matter with QR, issues raised at a meeting with QR on 03/06/2015</p> <p>QR to progress proposal to change "Stop" to "Give Way" sign and reducing train speed at these crossings</p> <p>Alcam Audit Workshop held 08/07/2015. Joint inspection carried on 20/08/2015 with QR Brisbane.</p> <p>QR Brisbane undertaking an ALCAM audit and will forward findings when complete</p> <p>ALCAM Audit received, no change to 'STOP' signs due to lack of visibility clearance</p> <p>No further action required by this Committee, resolved to remove from the minutes</p>
14.06-02	Kuranda Chamber of Commerce	Seeks more emphasis of the Kuranda Signage on Kennedy Highway (similar to Mission Beach)	<p>Kuranda Chamber to write to TMR with request for review of signage for Kuranda on Kennedy Highway</p> <p>TMR investigating the installation of a sign approximately 180m from the intersection</p> <p>MSC officers to review the current "Welcome to Kuranda" sign on Rob Veivers Drive</p> <p>Photos tabled, no issues with sign on Rob Veivers Drive however requires some vegetation clearing</p> <p>Clearing has been undertaken by MSC</p> <p>Matter pending Kuranda Chamber contacting TMR re location of signage</p> <p>Chamber Representative not in attendance at TAC meeting of 23/09/2015 to ascertain status of action item</p> <p>TMR to follow up with Kuranda Chamber</p> <p>08/12/2016 no attendees from Kuranda Chamber or TMR, however minutes will be sent to TMR for action</p> <p>TMR to follow up with Kuranda Chamber</p>

Item	Organisation	Issue	Recommendation / Follow Up Action
14.12-04	TMR SRD (Alison Barlow)	Met with the Principal and P&C Representative from the Mareeba State Primary School. The school has requested a number of infrastructure improvements such as kerb extension around the intersection on Constance street; additional car parking etc. Funding assistance may be available through Community Road Safety Grants Program under DTMR. Suggested School contact Council for seeking assistance with broader view to issues	MSC Officers to follow up with the school School is applying for SaREST Funding TMR SRD advised SaREST funding no longer available. Community Road Safety funding through Main Roads Application not submitted by school for first round TMR SRD to follow up with school Item pending advice from TMR SRD Future funding dates have not been released No further action required by this Committee, resolved to remove from the minutes
15.03-03	QPS (Rolf Straatemeier)	Overtaking lanes on Kennedy Highway between Mareeba and Kuranda	QPS seeks support of the TAC Committee for additional vehicle overtaking lanes to be constructed, due to increased volume of vehicles and numerous complaints of driver behavior received by QPS. TAC Committee resolved to recommend Council write to Minister Letter forwarded to Minister 28/04/2015 TMR advised an overtaking lane site has been identified Awaiting funding TMR advised funding received for one which is under design, construction to commence early next year Pending further advice from TMR (Brett Martin) Tidhum Creek acceleration lane heading towards Mareeba requires more signage, as it is being used as a passing lane. TMR to advise TMR submitted 3 locations for overtaking lanes, no locations approved Matter pending advice on signage from TMR TMR re de-acceleration lane at Tidhum Creek
15.03-13	TMR (Brett Martin)	TMR is in receipt of a letter from QPS advising of the difficulty experienced by b-double drivers not being able to see the guardrail safety barrier on the Rex Range due to the height of the trucks	TMR investigating the possibility of installing guide posts on the guardrail safety barrier prior to the cane crushing season This matter also dealt with in Item 13.06-11 TMR to respond to QPS, looking to upgrade, funding applied for QUBE advised some upgrades carried out however still waiting further advice from TMR
15.09-05	Cr Mary Graham	Reports and provides photos of type 1 road trains being parked at 40 Avolio Drive	QT (Ray Blain) to investigate MSC to obtain traffic count data for McGrath Road Data collected by MSC and currently being analyzed Traffic survey discussed, TMR to monitor TMR discussed matter with operator and will continue to monitor No further action required by this Committee, resolved to remove from the minutes

Item	Organisation	Issue	Recommendation / Follow Up Action
15.12-01	Graham Sweeper	<p>Please refer to attachment - Graham Sweeper - Traffic Safety Concerns</p> <ol style="list-style-type: none"> 1. Bus zone - Mareeba Primary School Constance Street 2. No parking/standing area Jasper Street at Intersection with O'Donnell Street 3. Signage/Parking Jacobsen Street 4. 40kph zone signage McIver Road 5. Kennedy Highway 'Give Way' Sign 6. Kennedy Highway Speed zone 	<p>Points 1-4 MSC Design Office to investigate</p> <p>Points 5-6 TMR to advise</p> <p>Items 1-4 addressed by MSC</p> <p>TAC Committee resolved to recommend Council forward items 5 and 6 to TMR for addressing</p>
15.12-02	QPS (John Ridgway)	Request for changed traffic speed limits in Mt Carbine	<p>QPS raised with TMR at previous meeting personally, no action has been taken to date. To be raised with TMR</p> <p>Speed zones changes completed 09/03/2016</p> <p>QPS advised southern side complete, northern side sign still to be moved to include truck pads - approximately another 200m</p> <p>TMR to investigate and advise through MSC RMPC</p>
15.12-02	Performance Motors (Kevin Dunn)	BDR - sticks are being placed in bull dust holes as a marker however when trucks are passing they are covered in dust and the visibility of the sticks is very difficult	<p>MSC provided an update on the BDR</p> <p>Appropriate signage in place,</p> <p>however no access due to Trimble's Crossing being flooded</p> <p>No further action required by this Committee, resolved to remove from the minutes</p>
15.12.03	Performance Motors (Kevin Dunn)	Short passing lane on Kuranda range, too short of distance for passing, when wet causing accidents	<p>Funding application made by TMR for upgrading, application unsuccessful</p> <p>TMR investigating changing the short passing lane to an emergency pullover in the vicinity of "The Hole" near Streets Creek</p> <p>Road geometry needs to be reviewed</p> <p>TMR to advise further</p>
15.12.04	Performance Motors (Kevin Dunn)	2hr parking in front of his shop	<p>MSC to follow up on signage</p> <p>Referred to MSC LLO</p> <p>Noted</p>

HEAVY VEHICLE / TRUCK STOP RELATED ISSUES PENDING FURTHER CONSIDERATION		Issue	Recommendation / Follow Up Action
Item	Organisation		
15.09-04	Ray Blain	Complaint received from Speewah resident of Blenners Transport B-Doubles parking on Freedom Close, Speewah. Access to site is Council's responsibility, suggested Council discuss with TMR to destroy site. A number of safety and legal issues for heavy vehicles accessing the site - breach of road rules crossing double white lines. De-gazetting the road not an option?? Is f/g de-acceleration lane an option?	TMR advised no funding resource available for truck pads and reiterated that this is commercial activity not a TMR responsibility QT (Ray Blain) to monitor the situation but can only deal with heavy vehicles being off route which is not a legal issue
13.06-13	Ray Blain	Seeks an update on the current status of the extension of the B-Double route to Koah and de-coupling pad area between Kuranda and Mareeba	It was identified that the main issues outstanding on the agenda all related to the lack of truck stops in the MSC area. Items relating to this issue are all highlighted in yellow Ray Blain to monitor, Ray spoke with Blenners and movement to cease. Chamber advised they are working with transport operators gathering data for a report to be presented to TMR, Email dated 26/09/2013 from Chamber advising they are working with TMR & MP David Kempton to seek responses from Transport Operators Chamber proposes to meet with Transport Operators in February 2014 TMR currently reviewing B-Double Route, TMR does not install truck pads, Fruit & Veggie growers to review options being presented and in particular Speewah turnoff using the old TMR Road Chamber to advise on progress David Kempton is looking into the matter TMR advised operators can apply for a permit but there is no turning area which is a requirement by NHVR Photo taken on 12 June 2015 of truck de-coupled in the deceleration lane on Kennedy Highway in the vicinity of Cardinia Blvd, Speewah TMR advised this is an enforcement issue, MSC to forward information to QT TMR reiterated that de-coupling areas are not provided by TMR, this is the responsibility of the heavy vehicle transport industry B-Doubles can access Kennedy Highway provided transport operators can operate on-site Inspector Ray Blain has talked with Blenners Transport regarding de-coupling at Speewah, De-coupling has ceased. Also a plan has been sent to TMR (Darryl Jones) showing possible locations for de-coupling pads Noted
13.06-14		Truck pad on the Mulligan Highway north of Mareeba	TMR representative advised that the facility is not the responsibility of TMR even though it is located on State Controlled Road, Council has the option to close it as the facility is the responsibility of Council. Matter to be considered at a future meeting TS advised option of Springs Road not suitable due to safety & visibility issues Matter to be brought forward for consideration by Council Mayor advised Biboohra Store proprietors are generally in favour of the proposal of a truck stop. Suggested next steps:

Item	Organisation	Issue	Recommendation / Follow Up Action
14.06-01	Cr Jenny Jensen	TIRC resolved on 05/12/2013 to refer matter to TAC. Concerns raised regarding the safety of the current intersection of Springs Road and the Burke Development Road being used by B-Double transports, and requested that the matter be referred to the Traffic Advisory Committee for their consideration. TAC to consider the need for improvements to the current intersection of Springs / BDR to accommodate the safe use of the intersection by B-Double transports. Request for a truck stop on the southern side of Mareeba, currently where screenings are stock piled	<ul style="list-style-type: none"> Council staff to discuss details with Bilbohra Store proprietors <ul style="list-style-type: none"> Undertake survey and concept design and cost estimate List for future Capital Works consideration Council Officer met with Store proprietors Engineering and survey being undertaken, concept designs to be developed for discussion with TMR and Store owners. Once approved by all parties, cost estimate will be prepared for inclusion on the Capital Works List for consideration. Survey completed, design in progress for review by TMR and Store Owners Funding opportunities available which will be investigated Currently with MSC Design Services section, programmed to commence after completion of 2015/16 capital works design programme later this calendar year <p>MSC to follow up with Design section as to status</p> <p>Pending outcome of investigation of possible alternatives This matter dealt with in Item 13.06-14</p>
15.03-06	Councillor (Mary Graham)		To be investigated further Pending further investigation

3. NEW BUSINESS FOR CONSIDERATION (Incoming Correspondence / Requests)

Item	Organisation	Issue	Recommendation / Follow Up Action
16.03-01	Councillor (Alan Pedersen)	Reports received of motorbikes racing along Mines Road / Railway Corridor from around the kennels to Wylandra - dangerous for other users (cyclists, horses and walkers)	QPS to continue to monitor
16.03-02	Vaughan Street (Mareeba-Dimbulah Rd)	Council requests TMR make available funds or possibly enter a cost sharing agreement to seal between the existing edge of bitumen and the K&C on Vaughan Street to address dust issues	<p>Letter sent 20/10/2014</p> <p>Letter resent via email 22/01/2016</p> <p>Refer to Agenda Attachments for copy of letter and locality map</p> <p>TMR to follow up on letter, consultation with residents in the area to be carried out by MSC, MSC to prepare an indicative cost for TMR</p>

Item	Organisation	Issue	Recommendation / Follow Up Action
16.03-03	Traffic Management Study Mareeba CBD	Council seeks to undertake a full traffic management study for the Mareeba CBD area, including vehicle and pedestrian movements, disability access and parking	Letter to TMR 27/01/2016 Waiting response from TMR
14.12-07	TMR SRD (Alison Barlow)	Bollards on Rankin Street, outside McDonalds Restaurant	MSC advised rectification options being considered Options currently being reviewed by MSC Under design pending allocation of future capital works funding Installation of a concrete median from round-about to round-about is proposed Design still being worked with impacts to parking and PM school bus traffic being addressed Under investigation by MSC MSC Design office to investigate traffic management for Walsh, Rankin Streets including Target and Coles accesses, to be discussed with TMR MSC to commission traffic study of CBD including Rankin Street outside McDonalds Awaiting response from TMR Refer to Item 16.03-03
15.03-01	MSC Mayor (Tom Gilmovre)	The Mayor has requested the Committee consider the removal of at least one (1) car parking space to the RHS of the exit from Target Country building in Walsh Street due to poor visibility; particularly for people in small vehicles. It is considered to be a dangerous situation	MSC advised rectification options being considered Options currently being reviewed by MSC Under design pending allocation of future capital works funding Installation of a concrete median from round-about to round-about is proposed Design still being worked with impacts to parking and PM school bus traffic being addressed Under investigation by MSC MSC Design office to investigate traffic management for Walsh, Rankin Streets including Target and Coles accesses, to be discussed with TMR MSC to commission traffic study of CBD including Rankin Street outside McDonalds Awaiting response from TMR Refer to Item 16.03-03
15.12-01	QPS (Derek Garner)	Byrnes / Rankin Street, one lane people using the backing out area as second lane	To be raised with TMR MSC to commission traffic study of CBD area, Refer to Item 16.03-03
4. GENERAL BUSINESS			
Item	Organisation	Issue	Recommendation / Follow Up Action
16.03-04	St Thomas's P&F Representative (Dave Saul)	St Thomas's P&F seeks approval for the temporary reduction of the speed limit around Centenary Park on Mareeba Market days, similar to the Yungaburra Markets	Locations for temporary signage identified and matter to be dealt with by TMR

Item	Organisation	Issue	Recommendation / Follow Up Action
16.03-05	Principal Mareeba State School (Mandy Whybird)	Concerns raised by the School Principal advising parents are parking on the footpath in Sutherland Street creating a safety issue for children/pedestrians leaving school whereby they are walking on the road. Photos and Transport Operations Part 12 tabled. (Relates to CRM/16/01256)	Reports received by QPS who are policing the area Cautions issued during initial patrol of the area, tickets are now being issued QPS will continue to monitor TAC Committee resolved to recommend Council write to Principal
16.03-06	Safety officer	Community Road Safety Grants are now available, closing 29 March 2016, a total of \$5M available. Any given project can receive up to \$25K - grant not available for infrastructure projects must be community / educational promotions. 100% funding.	Noted
16.03-07	TMR (Ray Blain)	A reminder the cane harvest season is about to commence, road safety initiative promoted by QT and seeks support from MSC by way of slashing verges. Stats from last year on movements and loads provided, a couple of incidents reported however overall a good outcome.	Noted
16.03-08	QPS (Derek Garner)	With the recent commencement of Springmount Raceway activities, concerns were raised regarding the possible conflict of cane hauling trucks and drag strip attendees along Springmount Road. As part of the Development Conditions imposed by Council, Springmount Raceway need to meet a number of requirements such as appropriate sign alerting road users to the upcoming event.	QPS to provide Mackay Sugar with contact details for Springmount Raceway Mackay Sugar to include information in their driver induction alerting drivers to the scheduled raceway meeting dates etc MSC to provide to QPS for their information, a copy of the development conditions issued to Springmount Raceway relating to traffic management

5. FUTURE MEETINGS

Meeting dates for 2016:

- Tuesday, 21 June
- Tuesday, 20 September
- Tuesday, 06 December

6. CLOSURE

10:11am.

BUSINESS WITHOUT NOTICE**NEXT MEETING OF COUNCIL**

The next meeting of Council will be held at Mareeba 9:00 am on Wednesday 20 April 2016

APPENDIX - COMMITTEE MEETING MINUTES

