



Ordinary Meeting

Council Chambers

Date: 21/09/2016

Time: 9:00am

AGENDA

THE ORDINARY MEETING OF THE MAREEBA SHIRE COUNCIL WILL BE HELD AT COUNCIL CHAMBERS, ON **WEDNESDAY, 21 SEPTEMBER 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

CORPORATE AND COMMUNITY SERVICES..... 5

REGIONAL LAND USE PLANNING 5

ITEM-1 H Selita - Reconfiguring a Lot - Subdivision (1 into 2 Lots) Lot 99 SP173505 - 679 Springmount Road, Dimbulah - DA/16/0046 5

ITEM-2 M & L Clayton - Reconfiguring a Lot - Subdivision (1 into 2 Lots) - Lot 107 RP748330 - 475 Pinnacle Road, Julatten - DA/16/0037 17

ITEM-3 S Veivers and B Ferguson - Material Change of Use - Outdoor Sport and Recreation (4WD and ATV Tours) - Lots 1 to 5 on SP155968 - 2735 Kennedy Highway Koah DA/16/0045..... 45

ITEM-4 Extension to Relevant Period - Wong Lau Developments Pty Ltd - Reconfiguring a Lot - Subdivision (2 into 10 Lots) Lot 174 & 175 NR5801 - Fantin Road, Koah - REC/07/0091 75

ITEM-5 Surrender and reissue of Permit to Occupy - Lot A on AP13716, Parish of Tinaroo 91

ITEM-6 Application for Permit to Occupy - Lot 1 on USL21432, locality of Watsonville 99

GOVERNANCE AND COMPLIANCE 105

ITEM-7 Rural Animals in an Urban Environment CONFIDENTIAL 105

FINANCE 107

ITEM-8 Financial Statements for period ending 31 August 2016..... 107

ITEM-9 2016-2017 Fees and Charges for Building File Searches..... 115

INFORMATION SYSTEMS AND CUSTOMER SERVICE 119

ITEM-10 EOI MSC2015-04 - Long Term ICT Strategy 119

INFRASTRUCTURE SERVICES 123

Project Management 123

ITEM-11 Mareeba Swimming Pool Lease and Management of the Kuranda Aquatic Centre 123

ITEM-12 Mareeba Airport Upgrading - August 2016 Progress Report 129

ITEM-13 Contract TMSC2015-13 Mareeba Wastewater Treatment Plant - Design & Construction - August 2016 Progress Report 133

ITEM-14 Mareeba Airport Redevelopment - EOI - Construction of Runway, Taxiways & Airfield Lighting 139

ITEM-15 Mareeba Airport Redevelopment - Design & Construction of the Runway, Taxiways & Aprons..... 143

ITEM-16 Dimbulah Swimming Pool Filtration System..... 147

TECHNICAL SERVICES 151

ITEM-17 "Col Jeanes Place" Kuranda - Request for Signage Approval..... 151

ITEM-18 Request for Additional Street Parking on Rob Veivers Drive, Kuranda..... 159

ITEM-19 Infrastructure Services - Technical Services Monthly Activities Report - August 2016 167

WORKS.....	179
ITEM-20 Mt Spurgeon Road.....	179
ITEM-21 Infrastructure Services - Works Section Progress Report - August 2016	183
WATER & WASTE	195
ITEM-22 Infrastructure Services - Waste Operations Report - August 2016.....	195
ITEM-23 Infrastructure Services - Water and Wastewater Group - Monthly Operations Report - August 2016.....	201
ITEM-24 Kuranda Wastewater Treatment Plant Sludge Dewatering Facility - Additional Funding Approval CONFIDENTIAL.....	211
ITEM-25 Mareeba Wastewater Treatment Plant Upgrade - Variations CONFIDENTIAL.....	213
CHIEF EXECUTIVE OFFICER	215
ITEM-26 Attendance at Annual LGAQ Conference	215
ITEM-27 Christmas Shutdown and Office Closure for Staff Function.....	217
BUSINESS WITHOUT NOTICE.....	219
NEXT MEETING OF COUNCIL	219
SUMMARY OF NEW PLANNING APPLICATIONS & DELEGATED DECISIONS FOR THE MONTH OF AUGUST 2016.....	220

CORPORATE AND COMMUNITY SERVICES

REGIONAL LAND USE PLANNING

ITEM-1 **H SELITA - RECONFIGURING A LOT - SUBDIVISION (1 INTO 2 LOTS) LOT 99 SP173505 - 679 SPRINGMOUNT ROAD, DIMBULAH - DA/16/0046**

MEETING: Ordinary

MEETING DATE: 21 September 2016

REPORT OFFICER'S TITLE: Senior Planner

DEPARTMENT: Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	H Selita	ADDRESS	679 Springmount Road, Dimbulah
DATE LODGED	15 July 2016	RPD	Lot 99 on SP173505
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot - Subdivision (1 into 2 lots)		

FILE NO	DA/16/0046	AREA	47.47 hectares
LODGED BY	Brazier Motti Pty Ltd	OWNER	H & M Selita
PLANNING SCHEME	Mareeba Shire Council Planning Scheme - July 2016		
ZONE	Rural zone		
LEVEL OF ASSESSMENT	Code Assessment		
SUBMISSIONS	n/a		

ATTACHMENTS: 1. Proposal Plan/s
 2. Ergon Energy advice agency response dated 2 August 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.

It has been assessed against the Mareeba Shire Council Planning Scheme and is in conflict with Performance Outcome PO6 of the Agricultural Land Overlay Code and Performance Outcome PO1 and Acceptable Outcome AO1 of the Reconfiguring a Lot Code.

Both proposed allotments are smaller than the desired minimum reconfigured lot size of 60 hectares for land within the Rural zone.

A report tabled at Council's Ordinary Meeting on 17 August 2016 recommended that the application be refused.

At this meeting, Council resolved that it intended to approve this development application and instructed officers to prepare suitable conditions for approval and provide a report to the 21 September 2016 meeting.

The proposed conditions are presented below.

OFFICER'S RECOMMENDATION

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

APPLICATION		PREMISES	
APPLICANT	H Selita	ADDRESS	679 Springmount Road, Dimbulah
DATE LODGED	15 July 2016	RPD	Lot 99 on SP173505
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>1. The proposed development conflicts with Agricultural Land Overlay Code performance outcomes PO6:</p> <p>PO6 Any Reconfiguring a lot in the 'Class A' area, 'Class B' area or the 'Broadhectare rural' area identified on the Agricultural land overlay maps (OM-001a-n), including boundary realignments, only occurs where it:</p> <p>(a) improves agricultural efficiency; or (b) facilitates agricultural activity; or (c) facilitates conservation outcomes; or (d) resolves boundary issues where a structure is built over the boundary line of two lots.</p> <p>AO6 No acceptable outcome is provided.</p> <p>2. The proposed development conflicts with Reconfiguring a Lot Code performance outcome PO1:</p> <p>PO1 Lots include an area and frontage that:</p> <p>(a) is consistent with the design of lots in the surrounding area; (b) allows the desired amenity of the zone to be achieved; (c) is able to accommodate all buildings, structures and works associated with the intended land use; (d) allow the site to be provided with sufficient access; (e) considers the proximity of the land to: (i) centres; (ii) public transport services; and (iii) open space; and (f) allows for the protection of environmental features; and (g) accommodates site constraints.</p> <p>AO1.1 Lots provide a minimum area and frontage in accordance with Table 9.4.4.3B.</p>	<p>The intent of PO6 is to prevent the further fragmentation of good quality agricultural land to ensure agricultural efficiency/viability is maintained or improved.</p> <p>It is acknowledged that proposed Lot 2 does contain several small areas which are mapped as Class A agricultural land, however, in general, proposed Lot 2 is characterised by steep/dissected land, featuring major gullying and intermittent streams.</p> <p>Proposed Lot 2 is physically separated from the balance of Lot 99 by the South Walsh Main Channel, making any efficient agricultural use of proposed Lot 2 impractical.</p> <p>Whilst the area of proposed Lot 2 remains part of Lot 99, it will continue to be an unproductive area and the land owners would be unlikely to expend significant resources/effort to care for this area.</p> <p>The northern area of proposed Lot 2 is degraded and would benefit from a focused rehabilitation effort. This is more likely to occur if proposed Lot 2 is created as a separate allotment.</p> <p>Any future dwelling house on proposed Lot 2 could reasonably be sited at least 100 metres from the nearest agricultural use on any adjoining lot. Most of this 100 metres distance retains a remnant vegetation coverage and because of this there is unlikely to be a conflict created.</p> <p>Land situated immediately to the west of proposed Lot 2 is owned by Ergon Energy and planned for a future substation.</p> <p>Despite the area of proposed Lot 2 being less than that nominated in Table 9.4.4.3B, its dimensions are adequate to reasonably satisfy (a) to (g)</p> <p>Based on the above, Council considers that the subject land is not suitable for agricultural production and there are no incompatible land uses.</p> <p>The proposed development is considered to represent the highest and best use of the subject land.</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
99_001A.dwg	Proposed Reconfiguration Lots 1 & 2 cancelling Lot 99 on SP173505	-	1 June 2016

(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 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 or the Adopted Infrastructure Charges Notice 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 by Council's delegated officer.

- 3.5 Where utilities (such as sewers on non-standard alignments) traverse lots to service another lot, easements must be created in favour of Council for access and maintenance purposes. The developer is to pay all costs (including Council's legal expenses) to prepare and register the easement documents.
- 3.6 Any existing buildings or structures (pools/tennis courts or fences) and/or incidental works that straddle the new boundaries must be altered, demolished or removed, as required, to align with the new property boundaries and/or be wholly contained within a new allotment, unless approved by Council's delegated officer.
- 3.7 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.

3.8 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.

- 3.9 No filling is to occur below the 100 ARI flood level unless approved as part of a subsequent development permit for operational works.

3.10 Bushfire Management

3.10.1 Any new dwelling erected on Lot 1 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.

- 3.10.2 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.

3.11 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

An access crossover must be upgraded/constructed to each lot (from the edge of the road to the property boundary) in accordance with FNQROC Development Manual Standards (as amended), 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 Landslide Hazard

For any new building on the subject lots 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.

4.4 Non-reticulated Water Supply

4.4.1 Lot 2 must be provided with a potable water supply 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 the allotment.

4.4.6 If an existing bore is proposed as a potable water supply, 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 2, any associated on-site wastewater disposal system must be constructed in compliance with the latest version On-Site Domestic Wastewater Management Standard (ASNZ1547), 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 Lot 2 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 the lot.

4.7 Telecommunications

The applicant/developer must enter into an agreement with a telecommunication carrier to provide telecommunication services to Lot 2 and arrange provision of necessary conduits and enveloping pipes.

4.8 Fencing of SunWater Channel

Prior to the occupation of a dwelling house on proposed Lot 2, the land owner must construct a 1.8m high chain wire fence on the common boundary between proposed Lot 2 and Lot 375 on HG389, extending for a minimum length of 30 metres adjacent to the dwelling house.

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 a one-off payment of \$4,425.00 (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 (\$4,425.00 per additional lot)

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) 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.

(c) 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.

(d) 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
- conditions regarding flood immunity
- conditions regarding building on sloped land (>15% gradient)
- conditions regarding on-site wastewater disposal system design (at time of dwelling construction)
- conditions regarding fencing of SunWater channel on proposed Lot 2

(e) 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.

(f) 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)"

Date Prepared: 18 August 2016

ATTACHMENT 1

PROPOSAL PLAN (ECM VS# 3822099)

PROPOSED RECONFIGURATION
 Lots 1 & 2
 Cancelling Lot 99 on SP173505
 Parish of Morterton
 County of Hodgkinson
 Mareeba Shire Council

DATE: 18 June 2016
 SCALE: 1:1,000 @ A3
 PLAN No: 193_2016.DWG




Document Set ID: 3184448
 Version: 1, Version Date: 18/07/2016
 Succession purposes only. All areas, dimensions and line data are preliminary. Subject to investigations, surveys, measurements, and Local Authority and Agency approvals.

ATTACHMENT 2

From: TURTON Ian (ERGON) on behalf of Town Planning
Sent: 2 Aug 2016 04:20:12 +0000
To: Info (Shared)
Cc: charltonbest@hotmail.com
Subject: Ergon Energy submit Advice Agency Response (no objection) - DA/16/0046

(amended version – please disregard earlier advice)

Attention: Brian Millard, MSC
Cc: Charlie Best, Brazier Motti

Ref: DA/16/0046
Our ref: EE16/061692

Dear Brian

I wish to advise that Ergon Energy (in our capacity as an advice agency) has no objection to the proposed reconfiguration. The proposal does not impact on the viability of the future substation site.

I don't intend issuing this response in writing, however I am happy to prepare a letter if its required for Council's file.

Kind Regards,

Ian

Ian Turton

Principal Town Planner
Ergon Energy

825 Ann Street, Fortitude Valley QLD 4006
PO Box 264, Fortitude Valley QLD 4006
P 07 3851 6530 M 0418 980 790 F 07 3851 6335
E ian.turton@ergon.com.au

ergon.com.au



From: Town Planning
Sent: Thursday, 28 July 2016 10:14 PM
To: TURTON Ian (ERGON)
Subject: HPRM: FW: Ergon Energy Referral - 1 into 2 lot subdivision

ITEM-2 **M & L CLAYTON - RECONFIGURING A LOT - SUBDIVISION (1 INTO 2 LOTS) - LOT 107 RP748330 - 475 PINNACLE ROAD, JULATTEN - DA/16/0037**

MEETING: Ordinary

MEETING DATE: 21 September 2016

REPORT OFFICER'S TITLE: Senior Planner

DEPARTMENT: Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	L & M Clayton	ADDRESS	475 Pinnacle Road, Julatten
DATE LODGED	29 June 2016	RPD	Lot 107 on RP748330
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot - Subdivision (1 into 2 lots)		

FILE NO	DA/16/0037	AREA	38.005 hectares
LODGED BY	Freshwater Planning Pty Ltd	OWNER	L & M Clayton
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 - 22 August 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.

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 for the proposed reconfiguration is the area of both proposed allotments and the fact that it is well below the Planning Scheme's acceptable outcome for land mapped as good quality agricultural land (GQAL). Notwithstanding the GQAL mapping and the proposed allotment areas, it is the reporting officer's opinion that the development satisfies the relevant Specific Outcome.

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

OFFICER'S RECOMMENDATION

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

APPLICATION		PREMISES	
APPLICANT	L & M Clayton	ADDRESS	475 Pinnacle Road, Julatten
DATE LODGED	29 June 2016	RPD	Lot 107 on RP748330
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 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
F16/007 ROL1 A	Subdivision of 1 lot into 2 lots Lot 107 on RP748330	Freshwater Planning Pty Ltd	June 2016

(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 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 or the Adopted Infrastructure Charges Notice 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 by Council's delegated officer.
- 3.5 Where utilities (such as sewers on non-standard alignments) traverse lots to service another lot, easements must be created in favour of Council for access and maintenance purposes. The developer is to pay all costs (including Council's legal expenses) to prepare and register the easement documents.
- 3.6 Any existing buildings or structures (pools/tennis courts or fences) and/or incidental works that straddle the new boundaries must be altered, demolished or removed, as required, to align with the new property boundaries and/or be wholly contained within a new allotment, unless approved by Council's delegated officer.
- 3.7 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.
-

3.8 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.

3.9 No filling is to occur below the 100 ARI flood level unless approved as part of a subsequent development permit for operational works.

3.10 Bushfire Management

Any new building erected on the subject land 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.

3.11 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

4.1.1 An access crossover must be upgraded/constructed to each lot (from the edge of the road to the property boundary) in accordance with FNQROC Development Manual Standards (as amended), to the satisfaction of Council's delegated officer.

4.1.2 Alternatively, a single access crossover, servicing both allotments, must be upgraded/constructed (from the edge of the road to the property boundary) in accordance with FNQROC Development Manual Standards (as amended), to the satisfaction of Council's delegated officer. Where required, an access easement is to be dedicated over the internal driveway to allow continued legal access to both allotments.

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 Landslide Hazard

For any new building on the subject lots 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.

4.4 Non-reticulated Water Supply

Each allotment must be provided with a potable water supply in accordance with Planning Scheme Policy No. 1 - Water Supply (Outside Reticulated Water Supply Area), to the satisfaction of Council's delegated officer.

4.5 On-Site Wastewater Management

The on-site wastewater disposal system for each existing dwelling house must be wholly located within the proposed lot on which the respective dwelling house is situated.

4.6 Electricity Provision/Supply

Each proposed allotment must be provided with a separate electricity supply.

4.7 Telecommunications

Each proposed allotment must be provided with a separate telecommunication service.

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 a one-off payment of \$4,425.00 (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 (\$4,425.00 per additional lot)

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) 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.

(c) 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.

(d) 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
- conditions regarding flood immunity
- conditions regarding building on sloped land (>15% gradient)
- conditions regarding on-site wastewater disposal system design

(e) 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.

(f) 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 22 August 2016

(F) 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);

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

- Nil

(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 land is described as Lot 107 on RP748330, Parish of Mowbray, situated at 475 Pinnacle Road, Julatten.

The land has an area of 38.005 hectares with a frontage of approximately 396 metres to Pinnacle Road. Pinnacle Road is formed to a rural road gravel standard for approximately 310 metres of the subject land's frontage. Access to the land is currently obtained via a single crossover located at the very end of the constructed Pinnacle Road formation.

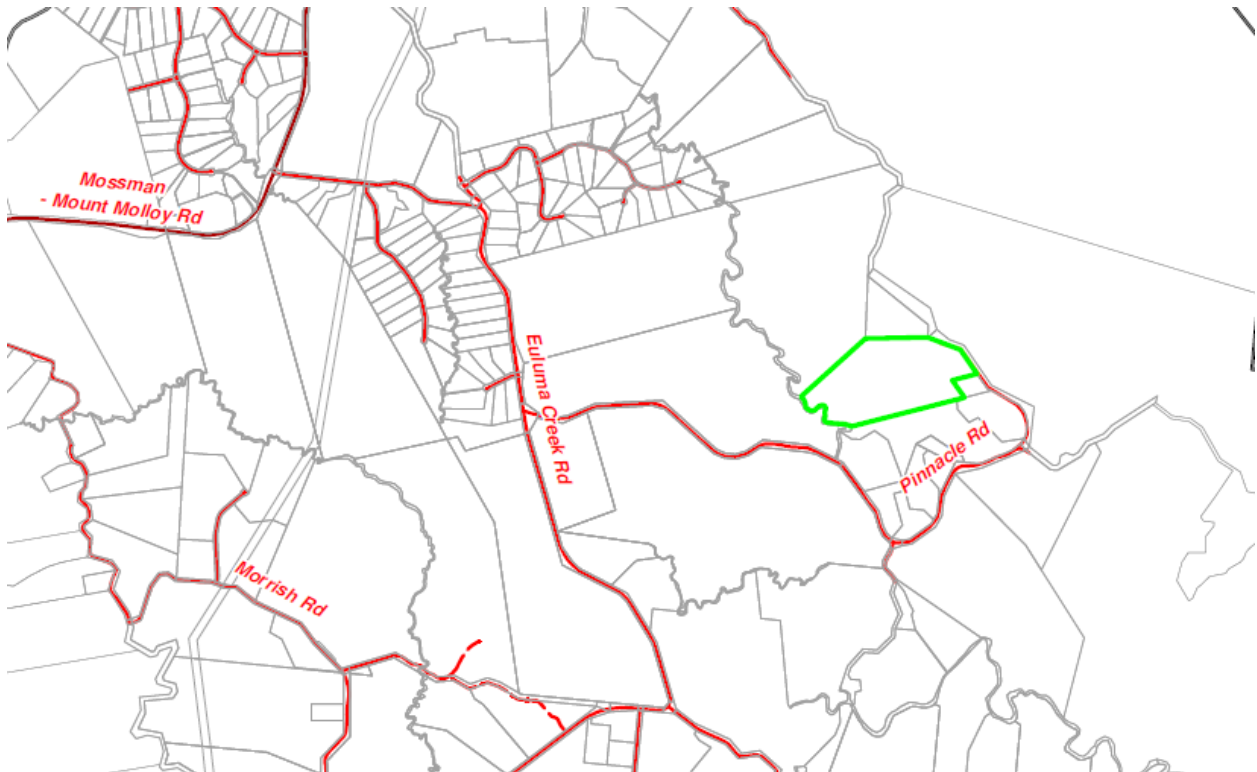
The subject land contains an established dwelling house, caretaker's residence and several sheds. A single dwelling house would be located within the confines of each proposed allotment. Proposed Lot 2 would also contain the sheds.

The land contains a small orchard and multiple small grassed pasture areas. Approximately half of the site retains a dense coverage of remnant vegetation. Flin Creek forms the western boundary of the land, and several unnamed creeks traverse the 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:**

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The Wet Tropics World Heritage Area (National Park) adjoins the northern boundary of the subject land and is also situated immediately to the east on the opposite side of Pinnacle Road.

The subject land is zoned Rural under the Mareeba Shire Planning Scheme. Adjoining allotments are zoned Rural and Conservation zone.

BACKGROUND AND CONTEXT

Nil

PREVIOUS APPLICATIONS & APPROVALS

Reconfiguring a lot application & approval - RC2004/21

Council at its general meeting held on 18 May 2004 resolved to issue a development permit for an application by LW & MF Clayton, for the reconfiguration of land described as Lot 107 on RP748330, Parish of Mowbray, situated at 475 Pinnacle Road, Julatten, into two (2) lots, generally in accordance with current proposed lot layout.

The application was made under the 1982 Planning Scheme and the associated Subdivision Local Law. Council resolved to use its discretionary power under Clause 4(2) of the Subdivision Local Law to permit the reconfiguration of Lot 107 on RP748330, Parish of Mowbray into two (2) lots with areas less than 60 hectares and proposed Lot 1 having a frontage less than 300 metres, on the grounds that:

- (i) The proposed allotments have a similar size and character to other existing allotments in the locality.
- (ii) The lesser areas and frontages will not adversely affect the amenity of the locality.

This approval was not acted upon and has lapsed.

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 proposed allotments are as follows:

- Proposed Lot 1 - an area of 2.641 hectares, frontage of approximately 84 metres to Pinnacle Road; and
- Proposed Lot 2 - an area of 35.36 hectares, frontage of approximately 312 metres to Pinnacle Road.

Each proposed allotment will contain one of the site's existing dwelling houses. Access to both allotments is intended to continue via the existing access off Pinnacle Road, with an access easement over the internal access driveway to allow its shared usage.

Both proposed allotments are currently serviced through the established dwelling houses and these service arrangements are expected to continue.

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:

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

PLANNING SCHEME DESIGNATIONS

Zone:	Rural zone
	Natural & Cultural Heritage Features Overlay
Overlays:	Significant Vegetation 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>	✓	<i>Both established residences are located outside of the area of high ecological significance. No further disturbance to this area would occur as a consequence of the reconfiguration.</i>
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>	✓	<i>Both established residences are located outside of the area of high ecological significance. No further disturbance to this area would occur as a consequence of the reconfiguration.</i>
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>	✓	<i>Both established residences are located outside of the area of general ecological significance. No further disturbance to this area would occur as a consequence of the reconfiguration.</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>	✓	<p><i>Recently proposed changes to the remnant vegetation legislation would have reinstated remnant vegetation protections over an additional 3 hectares of the previously/currently cleared areas within the subject land. Whilst these changes have been defeated in parliament, the State Government remains committed to their introduction, and it is probable that further legislative change will be reintroduced to parliament</i></p> <p><i>The application triggered a concurrence agency referral to the State Assessment and Referral Agency (SARA) for clearing vegetation. SARA have issued a concurrence agency response conditionally approving the proposed development. A referral agency response (vegetation) plan (RARP SDA-0716-032059) has been issued and no further clearing is permitted with the mapped remnant vegetation (Area A).</i></p> <p><i>This RARP provides an increased level of protection over the habitat within this property and is binding on future land owners.</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 largely mapped as GQAL.</i></p> <p><i>The area of the existing allotment of 38.005 hectares is well</i></p>

			<p><i>below the accepted minimum lot size of 60 hectares.</i></p> <p><i>Both proposed allotments would contain an established dwelling house. Therefore, dwelling density would not increase as a consequence of the reconfiguration.</i></p> <p><i>Whilst the subject land is mapped as GQAL, the future opportunities for farming pursuits are already compromised by the extensive remnant vegetation coverage. Recently proposed changes to the remnant vegetation legislation would have reinstated remnant vegetation protections over an additional 3 hectares of the previously/currently cleared areas within the subject land. Whilst these changes have been defeated in parliament, the State Government remains committed to their introduction and it is probable that further legislative change will be reintroduced to parliament.</i></p> <p><i>Any further clearing of proposed Lot 1 and 2 for agricultural purposes would be detrimental to the environment, particularly the adjoining National Park/Wet Tropics World Heritage Area.</i></p> <p><i>In addition to the remnant vegetation constraints, the suitability of proposed Lot 1 for farming and agriculture is further reduced by the slope of the land.</i></p> <p><i>The location of proposed Lot 1, in the north-eastern corner of the subject land, means that there is no prospect of agriculture/farming occurring within 500 metres to the north, east or west of the existing dwelling house (Land immediately to the north and east is National Park/Wet Tropics World Heritage Area). Farming potential to the south is already constrained by the eight (8) existing lots (under ten hectares) within 850 metres of proposed Lot 1.</i></p> <p><i>The proposed development would not represent a loss of further GQAL or future farming potential.</i></p>
2.4.2	<p><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></p>	✓	<p><i>The location of proposed Lot 1, in the north-eastern corner of the subject land, means that there is no prospect of agriculture/farming occurring within 500 metres to the north, east or west of the existing dwelling house (Land immediately to the north and east is National Park/Wet Tropics World Heritage Area). Farming potential to the south is already constrained by the eight (8) existing lots (under 10 hectares) within 850 metres of proposed Lot 1.</i></p>

DRO 2.6 Rural Subdivision			
	Land Use Policy	Complies	Comments
2.6.1	<p><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>	✓	<p><i>The subject land is largely mapped as GQAL.</i></p> <p><i>The area of the existing allotment of 38.005 hectares is well below the accepted minimum lot size of 60 hectares.</i></p> <p><i>Both proposed allotments would contain an established dwelling house. Therefore, dwelling density would not increase as a consequence of the reconfiguration.</i></p> <p><i>Whilst the subject land is mapped as GQAL, the future opportunities for farming pursuits are already compromised by the extensive remnant vegetation coverage. Recently proposed changes to the remnant vegetation legislation would have reinstated remnant vegetation protections over an additional 3 hectares of the previously/currently cleared areas within the subject land. Whilst these changes have been defeated in parliament, the State Government remains committed to their introduction and it is probable that further</i></p>

		<p><i>legislative change will be reintroduced to parliament.</i></p> <p><i>Any further clearing of proposed Lot 1 and 2 for agricultural purposes would be detrimental to the environment, particularly the adjoining National Park/Wet Tropics World Heritage Area.</i></p> <p><i>In addition to the remnant vegetation constraints, the suitability of proposed Lot 1 for farming and agriculture is further reduced by the slope of the land.</i></p> <p><i>The location of proposed Lot 1, in the north-eastern corner of the subject land, means that there is no prospect of agriculture/farming occurring within 500 metres to the north, east or west of the existing dwelling house (Land immediately to the north and east is National Park/Wet Tropics World Heritage Area). Farming potential to the south is already constrained by the eight (8) existing lots (under 10 hectares) within 850 metres of proposed Lot 1.</i></p> <p><i>The proposed development would not represent a loss of further GQAL or future farming potential.</i></p>
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(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>Most of the uncleared parts of the subject land is mapped as MSES - Wildlife Habitat.</p> <p>Both proposed allotments are developed with an established residence and access driveways. There will be no further impact on biodiversity values</p>

		resulting from the proposed reconfiguration.
<p>Natural hazards</p> <p>A development application for a material change of use, reconfiguring a lot or operational works on land within:</p> <p>(1) a flood hazard area, or</p> <p>(2) a bushfire hazard area, or</p> <p>(3) a landslide hazard area, or</p> <p>(4) a coastal hazard area.</p>	✓	<p>For all natural hazards:</p> <p>Development:</p> <p>(1) avoids natural hazard areas or mitigates the risks of the natural hazard, and</p> <p>(2) supports, and does not unduly burden, disaster management response or recovery capacity and capabilities, and</p> <p>(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</p> <p>(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</p> <p>(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> <p>Comment</p> <p>The subject land is mapped as including bushfire, flood and landslide natural hazard areas.</p> <p>The potential flood hazard area is confined to the immediate banks of Flin Creek, which is the western boundary of the subject land. No new buildings are proposed within this area.</p> <p>Landslide (sloped area) hazard area is present in the centre northern part of the subject land. Most of this area remains vegetated, with the exception of the area around the established dwelling house on proposed Lot 1. No additional clearing or new buildings are proposed within these sloped areas.</p> <p>The land is mapped as a combination of low and medium bushfire hazard area.</p> <p>Both proposed allotments contain an established residence and access to Pinnacle Road.</p> <p>The proposed development does not increase the number of people living or working within a bushfire hazard area.</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 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. 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 Zone Code	The application complies with applicable acceptable/probable solutions/performance criteria apart from the following: <ul style="list-style-type: none"> ▪ Rural Zone Code, 4.80 Reconfiguring a Lot, PS1.1 Refer to planning discussion section of this report.
Natural & Cultural Heritage Features Overlay Code	The application complies with applicable acceptable/probable solutions/performance criteria.
Natural Disaster Bushfire Overlay Code	The application complies with applicable acceptable/probable solutions/performance criteria.
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. 4 - Development Manual

All development works will be conditioned to be designed and constructed in accordance with the FNQROC Development Manual.

(f) Additional Trunk Infrastructure Condition (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).

The developer must pay a one-off payment of \$4,425.00 (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 (\$4,425.00 per additional lot)

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 - DNRM).

That Department advised in a letter dated 22 August 2016 that they require the conditions to be attached to any approval (**Attachment 2**).

Advice

This application did not trigger a referral to an Advice Agency.

Internal Consultation

Technical services

PLANNING DISCUSSION

Noncompliance with the relevant acceptable/probable solutions outlined in the table above are summarised as follows:

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 *Allotments to have a minimum area of 60 hectares and road frontage of 300 metres within the area identified on Agricultural Land Quality Maps S2, S3, S4 and S5; or*

Comment

The subject land is largely mapped as GQAL. Therefore, PS1.1 is applicable.

The area of the existing allotment of 38.005 hectares is well below the nominated 60 hectares. The proposed reconfiguration fails to achieve PS1.1.

Specific Outcome S1 requires that the reconfiguration maintains the viability of the farming industry and ensure future opportunities for the use of GQAL are not compromised.

Both proposed allotments would contain an established dwelling house. Therefore, dwelling density would not increase as a consequence of the reconfiguration.

Whilst the subject land is mapped as GQAL, the future opportunities for farming pursuits are already compromised by the extensive remnant vegetation coverage. Recently proposed changes to the remnant vegetation legislation would have reinstated remnant vegetation protections over an additional 3 hectares of the previously/currently cleared areas within the subject land. Whilst these changes have been defeated in parliament, the State Government remains committed to their introduction and it is probable that further legislative change will be reintroduced to parliament.

Any further clearing of proposed Lot 1 and 2 for agricultural purposes would be detrimental to the environment, particularly the adjoining National Park/Wet Tropics World Heritage Area.

In addition to the remnant vegetation constraints, the suitability of proposed Lot 1 for farming and agriculture is further reduced by the slope of the land.

The location of proposed Lot 1, in the north-eastern corner of the subject land, means that there is no prospect of agriculture/farming occurring within 500 metres to the north, east or west of the existing dwelling house (Land immediately to the north and east is National Park/Wet Tropics World Heritage Area). Farming potential to the south is already constrained by the eight (8) existing lots (under ten (10) hectares) within 850 metres of proposed Lot 1.

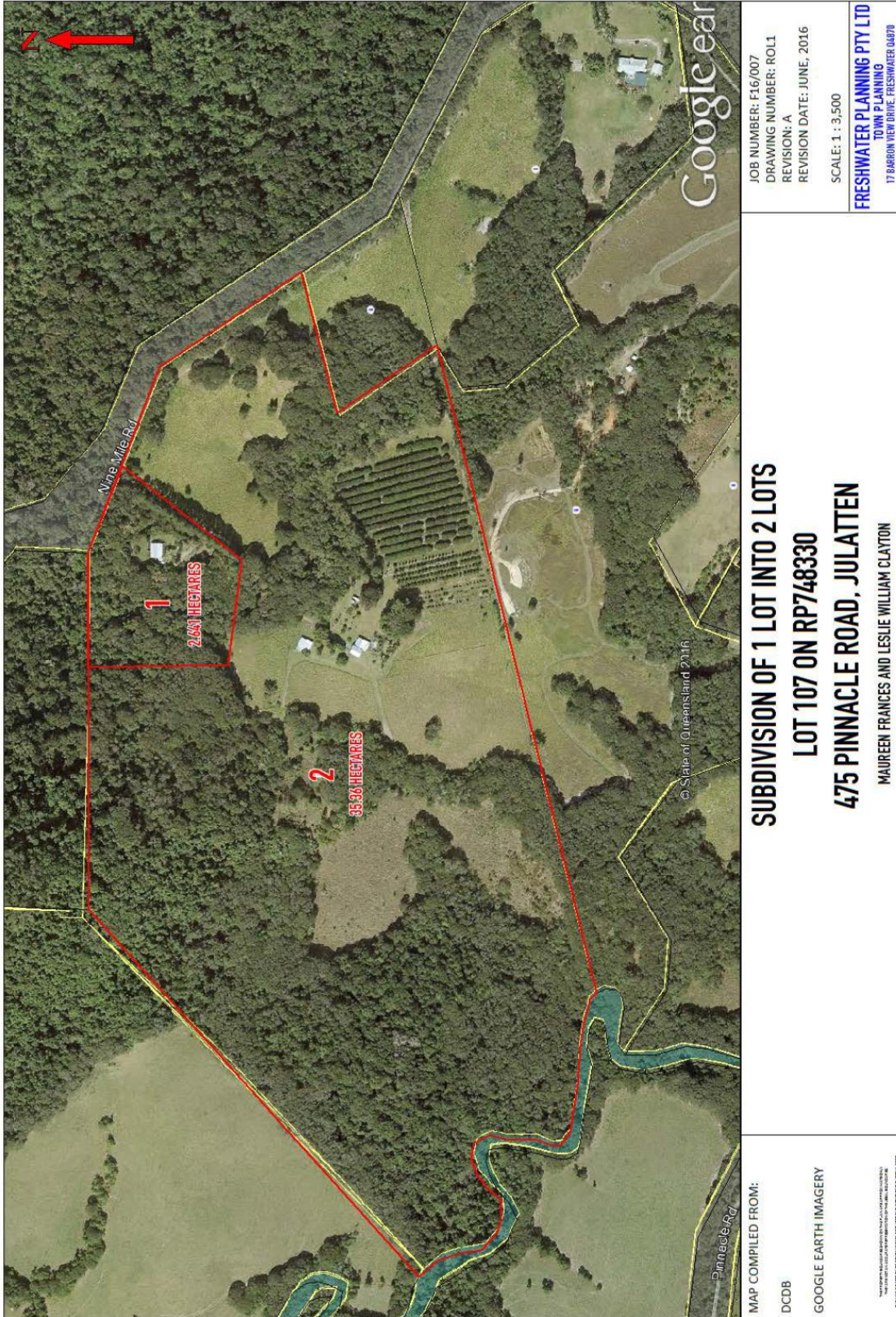
The proposed development would not represent a loss of further GQAL or future farming potential.

The development satisfies the Specific Outcome S1.

Date Prepared: 23 August 2016

ATTACHMENT 1

APPROVED PLANS (ECM VS 3816885)



JOB NUMBER: F16/007
DRAWING NUMBER: ROLL
REVISION: A
REVISION DATE: JUNE, 2016
SCALE: 1 : 3,500
FRESHWATER PLANNING PTY LTD
TOWN PLANNING
17 BARRION VIEW DRIVE, FRESHWATER QLD 4870

SUBDIVISION OF 1 LOT INTO 2 LOTS
LOT 107 ON RP748330
475 PINNACLE ROAD, JULATTEN
MAUREEN FRANCES AND LESLIE WILLIAM CLAYTON

MAP COMPILED FROM:
DCDB
GOOGLE EARTH IMAGERY
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ATTACHMENT 2Department of Infrastructure,
Local Government and PlanningSARA reference: SDA-0716-032059
Council reference: DA/16/0037
Applicant reference: F16/007

22 August 2016

Chief Executive Officer
Mareeba Shire Council
PO Box 154
Mareeba QLD 4880*Attn: Carl Ewin*

Dear Sir / Madam

Concurrence agency response—with conditionsDevelopment application for reconfiguring a lot – subdivision (1 lot into 2 lots) on land situated at 475 Pinnacle Road, Julatten and described as Lot 107 on RP748330
(Given under section 285 of the *Sustainable Planning Act 2009*)The referral agency material for the development application described below was received by the Department of Infrastructure, Local Government and Planning under section 272 of the *Sustainable Planning Act 2009* on 15 July 2016 followed by notification of payment of referral fees on 19 July 2016.**Applicant details**Applicant name: MF & LW Clayton
Applicant contact details: C/- Freshwater Planning
17 Barron View Drive
Freshwater QLD 4870
FreshwaterPlanning@outlook.com**Site details**Street address: 475 Pinnacle Road, Julatten
Lot on plan: Lot 107 on RP748330
Local government area: Mareeba Shire Council

Page 1

Far North Queensland Regional Office
Ground Floor, Cairns Port Authority
PO Box 2358
Cairns QLD 4870

SDA-0716-032059

Application details

Proposed development: Development permit for reconfiguring a lot – subdivision (1 lot into 2 lots)

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	2 Lot Rural 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—Clearing vegetation

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.

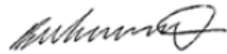
Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Aspect of development: reconfiguring a lot				
Referral Agency Response (Vegetation) Plan	Queensland Government (Department of Natural Resources and Mines)	15 August 2016	RARP SDA-0716-032059	Map Reference: 7964

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

SDA-0716-032059

For further information, please contact Bec Turner, A/ Planning Officer, SARA Far North QLD on 4037 3208, or email bec.turner@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
Manager (Planning)

cc: MF & LW Clayton, FreshwaterPlanning@outlook.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-0716-032059

SARA reference: SDA-0716-032059
 Council reference: DA/16/0037
 Applicant reference: F16/007

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Development Permit for reconfiguring a lot (1 lot into 2 lots)		
<p>Schedule 7, Table 2, Item 4: Clearing vegetation—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):</p>		
1.	<ul style="list-style-type: none"> a) Clearing of assessable vegetation is not permitted in the area identified as Area A (A1-A6) on the attached Referral Agency Response (Vegetation) Plan (RARP) SDA-0716-032059 dated 15 August 2016. b) No infrastructure including, but not limited to buildings, fences and roads is to be established or located within Area A as shown on the attached Referral Agency Response (Vegetation) Plan (RARP) SDA-0716-032059 dated 15 August 2016. c) No infrastructure except fences, roads and underground services is to be established or located within Area B (B1-B2) as shown on the attached Referral Agency Response (Vegetation) Plan (RARP) SDA-0716-032059 dated 15 August 2016. 	a), b) and c): At all times.
2.	<p>The permit holder is responsible for ensuring that:</p> <ul style="list-style-type: none"> (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, <p>any person(s) engaged or employed to carry out the clearing of the vegetation under this permit.</p>	At all times.

SDA-0716-032059

SARA reference: SDA-0716-032059
Council reference: DA/16/0037
Applicant reference: F16/007

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- to ensure the clearing works are carried out in the location and to the extent specified on the approved plans;
- to ensure the person undertaking the clearing works is aware of, and understands, all of the requirements and conditions associated with the carrying out of the works; and
- to ensure the development achieves the applicable provisions and outcomes of Module 8—Native vegetation clearing of the State Development Assessment Provisions, version 1.8.

SDA-0716-032059

SARA reference: SDA-0716-032059
 Council reference: DA/16/0037
 Applicant reference: F16/007

Attachment 3—Further advice

General advice	
Far North Queensland Regional Plan 2009-2031	
1.	In its role as assessment manager, Mareeba Shire Council must assess the development application against the policies of the Far North Queensland Regional Plan 2009-2031, in particular, the Rural subdivision policies, and to the extent the regional plan is not appropriately reflected in the planning scheme.
State Planning Policy 2016 interim development assessment provisions	
2.	Mareeba Shire Council, in its role as assessment manager, must assess the development application against the State Planning Policy July 2016, and in particular the interim development assessment provisions, such as Biodiversity and Natural hazards risk and resilience, and to the extent it is relevant to the proposed development.
Native Vegetation Clearing	
3.	The conditions of this approval do not prevent vegetation being cleared for a purpose described in Schedule 24 of the Sustainable Planning Regulation 2009, or if cleared in accordance with any subsequent development approval.
4.	Clearing of regulated vegetation in areas mapped as Category C may only be undertaken in accordance with exemptions listed in Schedule 24 of the Sustainable Planning Regulation 2009 or a relevant self-assessable vegetation clearing codes ('Managing Category C regrowth vegetation'). Further information can be found at: https://www.qld.gov.au/environment/land/vegetation/codes/

SDA-0716-032059

SARA reference: SDA-0716-032059
Council reference: DA/16/0037
Applicant reference: F16/007

Attachment 4—Approved plans and specifications

Attachment to Plan: SDA-0716-032059
Derived Reference Points for GPS

Horizontal Datum: GDA94 Projection: Transverse Mercator MGA 94 Zone 55

Note: 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-0716-032059. 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	330496	8167329	A3	61	330855	8167375	A4	121	330791	8167557
A1	2	330498	8167320	A3	62	330868	8167375	A4	122	330778	8167539
A1	3	330501	8167299	A3	63	330876	8167366	A4	123	330771	8167535
A1	4	330505	8167297	A3	64	330874	8167358	A4	124	330801	8167573
A1	5	330517	8167302	A3	65	330876	8167233	A4	125	330801	8167573
A1	6	330524	8167298	A3	66	330875	8167235	A4	126	330802	8167574
A1	7	330525	8167289	A3	67	330860	8167245	A4	127	330802	8167576
A1	8	330520	8167277	A3	68	330854	8167256	A5	128	330492	8167383
A1	9	330492	8167248	A3	69	330862	8167274	A5	129	330455	8167375
A1	10	330492	8167235	A3	70	330860	8167282	A5	130	330439	8167382
A1	11	330485	8167224	A3	71	330850	8167290	A5	131	330421	8167383
A1	12	330478	8167219	A3	72	330832	8167291	A5	132	330408	8167381
A1	13	330472	8167204	A3	73	330816	8167316	A5	133	330402	8167374
A1	14	330476	8167183	A3	74	330807	8167317	A5	134	330394	8167354
A1	15	330490	8167153	A3	75	330778	8167334	A5	135	330382	8167341
A1	16	330492	8167136	A3	76	330765	8167334	A5	136	330338	8167344
A1	17	330492	8167135	A3	77	330748	8167319	A5	137	330329	8167343
A1	18	330452	8167125	A3	78	330740	8167322	A5	138	330326	8167340
A1	19	330456	8167131	A3	79	330725	8167315	A5	139	330313	8167340
A1	20	330459	8167149	A3	80	330720	8167308	A5	140	330300	8167351
A1	21	330440	8167174	A3	81	330706	8167298	A5	141	330291	8167353
A1	22	330442	8167218	A3	82	330690	8167302	A5	142	330280	8167346
A1	23	330454	8167229	A3	83	330675	8167310	A5	143	330271	8167346
A1	24	330470	8167259	A3	84	330657	8167334	A5	144	330265	8167341
A1	25	330464	8167270	A3	85	330632	8167377	A5	145	330267	8167315
A1	26	330448	8167266	A3	86	330632	8167413	A5	146	330290	8167266
A1	27	330442	8167272	A3	87	330628	8167434	A5	147	330307	8167243
A1	28	330448	8167319	A3	88	330617	8167449	A5	148	330316	8167239
A1	29	330451	8167327	A3	89	330644	8167446	A5	149	330321	8167223
A1	30	330459	8167329	A3	90	330679	8167443	A5	150	330332	8167210
A1	31	330479	8167327	A3	91	330678	8167441	A5	151	330342	8167209
A1	32	330492	8167330	A3	92	330678	8167436	A5	152	330356	8167218
A1	33	330496	8167329	A3	93	330706	8167409	A5	153	330371	8167211
A2	34	330934	8167373	A3	94	330706	8167400	A5	154	330396	8167218
A2	35	330896	8167363	A3	95	330698	8167381	A5	155	330400	8167216
A2	36	330910	8167386	A3	96	330698	8167372	A5	156	330401	8167212
A2	37	330917	8167391	A3	97	330705	8167368	A5	157	330389	8167194
A2	38	330925	8167389	A4	98	330802	8167576	A5	158	330362	8167172
A2	39	330934	8167375	A4	99	330990	8167388	A5	159	330343	8167148
A2	40	330934	8167373	A4	100	330980	8167389	A5	160	330332	8167140
A3	41	330705	8167368	A4	101	330948	8167425	A5	161	330304	8167099
A3	42	330719	8167368	A4	102	330923	8167469	A5	162	330294	8167091
A3	43	330724	8167380	A4	103	330915	8167497	A5	163	330267	8167081
A3	44	330732	8167382	A4	104	330899	8167502	A5	164	330264	8167077
A3	45	330736	8167380	A4	105	330885	8167491	A5	165	330264	8167077
A3	46	330738	8167372	A4	106	330881	8167491	A5	166	329931	8167236
A3	47	330728	8167354	A4	107	330862	8167509	A5	167	329942	8167233
A3	48	330722	8167351	A4	108	330858	8167508	A5	168	329956	8167241
A3	49	330722	8167345	A4	109	330854	8167507	A5	169	329957	8167242
A3	50	330729	8167344	A4	110	330846	8167509	A5	170	329972	8167262
A3	51	330738	8167351	A4	111	330844	8167513	A5	171	329976	8167262
A3	52	330740	8167356	A4	112	330849	8167521	A5	172	330032	8167316
A3	53	330796	8167401	A4	113	330857	8167521	A5	173	330041	8167330
A3	54	330810	8167410	A4	114	330870	8167533	A5	174	330067	8167356
A3	55	330819	8167410	A4	115	330867	8167540	A5	175	330081	8167366
A3	56	330826	8167400	A4	116	330851	8167536	A5	176	330085	8167373
A3	57	330826	8167382	A4	117	330824	8167537	A5	177	330094	8167375
A3	58	330830	8167365	A4	118	330810	8167558	A5	178	330097	8167383
A3	59	330841	8167359	A4	119	330806	8167560	A5	179	330119	8167404
A3	60	330845	8167360	A4	120	330802	8167562	A5	180	330127	8167406

Attachment to Plan: SDA-0716-032059
Derived Reference Points for GPS

Horizontal Datum: GDA94 Projection: Transverse Mercator MGA 94 Zone 55

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Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing
A5	181	330153	8167433	B2	241	330688	8167464				
A5	182	330174	8167438	B2	242	330688	8167464				
A5	183	330181	8167442	B2	243	330686	8167451				
A5	184	330196	8167457	B2	244	330679	8167443				
A5	185	330205	8167481	B2	245	330644	8167446				
A5	186	330200	8167488	B2	246	330617	8167449				
A5	187	330198	8167500	B2	247	330613	8167454				
A5	188	330195	8167503	B2	248	330604	8167454				
A5	189	330566	8167613	B2	249	330601	8167451				
A5	190	330566	8167463	B2	250	330575	8167454				
A5	191	330567	8167462	B2	251	330575	8167454				
A5	192	330567	8167460	B2	252	330573	8167454				
A5	193	330568	8167458	B2	253	330571	8167455				
A5	194	330569	8167457	B2	254	330570	8167456				
A5	195	330570	8167456	B2	255	330569	8167457				
A5	196	330571	8167455	B2	256	330568	8167458				
A5	197	330573	8167454	B2	257	330567	8167460				
A5	198	330575	8167454	B2	258	330567	8167462				
A5	199	330575	8167454	B2	259	330566	8167463				
A5	200	330601	8167451	B2	260	330566	8167613				
A5	201	330594	8167445	B2	261	330586	8167613				
A5	202	330556	8167428	B2	262	330586	8167603				
A5	203	330535	8167413	B2	263	330586	8167472				
A5	204	330515	8167392	B2	264	330648	8167466				
A5	205	330506	8167392								
A5	206	330492	8167383								
A6	207	330773	8167570								
A6	208	330752	8167544								
A6	209	330751	8167544								
A6	210	330735	8167547								
A6	211	330712	8167568								
A6	212	330697	8167564								
A6	213	330690	8167558								
A6	214	330688	8167546								
A6	215	330691	8167528								
A6	216	330688	8167516								
A6	217	330691	8167494								
A6	218	330690	8167491								
A6	219	330688	8167464								
A6	220	330687	8167462								
A6	221	330648	8167466								
A6	222	330586	8167472								
A6	223	330586	8167603								
A6	224	330586	8167613								
A6	225	330783	8167583								
A6	226	330776	8167575								
A6	227	330773	8167570								
B1	228	330771	8167535								
B1	229	330771	8167535								
B1	230	330752	8167544								
B1	231	330773	8167570								
B1	232	330776	8167575								
B1	233	330783	8167583								
B1	234	330802	8167576								
B1	235	330802	8167574								
B1	236	330801	8167573								
B1	237	330801	8167573								
B1	238	330771	8167535								
B2	239	330648	8167466								
B2	240	330687	8167462								

ITEM-3 S VEIVERS AND B FERGUSON - MATERIAL CHANGE OF USE - OUTDOOR SPORT AND RECREATION (4WD AND ATV TOURS) - LOTS 1 TO 5 ON SP155968 - 2735 KENNEDY HIGHWAY KOAH DA/16/0045

MEETING: Ordinary

MEETING DATE: 21 September 2016

REPORT OFFICER'S TITLE: Planning Officer

DEPARTMENT: Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	S Veivers & B Ferguson	ADDRESS	2735 Kennedy Highway, Koah
DATE LODGED	12 July 2016	RPD	Lots 1 to 5 on SP155968
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Outdoor Sport and Recreation (4wd & ATV Tours)		

FILE NO	DA/16/0045	AREA	Lot 1 - 7.181ha Lot 2 - 15.59ha Lot 3 - 15.02ha Lot 4 - 15.04ha Lot 5 - 15.01ha
LODGED BY	S Veivers & B Ferguson	OWNER	S Veivers & B Ferguson
PLANNING SCHEME	Mareeba Shire Council Planning Scheme - July 2016		
ZONE	Rural zone		
LEVEL OF ASSESSMENT	Impact Assessment		
SUBMISSIONS	One (1)		

- ATTACHMENTS:**
1. Proposal Plan/s
 2. Department of Infrastructure, Local Government and Planning Referral Agency Response - 26 July 2016
 3. Submitter letter

EXECUTIVE SUMMARY

Council is in receipt of an impact assessable development application described in the above application details. Public notification of the application attracted one (1) submission that did not necessarily object to the development but raised safety concerns about the proposed use traversing an access easement.

The proposed 4wd and ATV tour business will be operated by a third party and will provide escorted tours over an existing network of tracks and firebreaks that stretch across the subject land. Tour groups will explore the natural landscape features of the property which include gumtrees/grass trees and termite mounds.

The application and supporting material has been assessed against the Mareeba Shire Council Planning Scheme - July 2016 and does not conflict with any relevant aspect of the planning scheme. A separate assessment of the application against the FNQ Regional Plan and the State Planning Policy is not required as these instruments are adequately reflected in the new planning scheme.

No significant town planning issues have been identified during the assessment of the application.

Draft conditions were provided to the Applicants and have been accepted.

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

OFFICER'S RECOMMENDATION

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

APPLICATION		PREMISES	
APPLICANT	S Veivers & B Ferguson	ADDRESS	2735 Kennedy Highway, Koah
DATE LODGED	12 July 2016	RPD	Lots 1 to 5 on SP155968
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Outdoor Sport and Recreation (4wd & ATV Tours)		

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

(A) APPROVED DEVELOPMENT: Development Permit for Material Change of Use - Outdoor Sport and Recreation (4wd & ATV Tours)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
-	Site Plan	S Veivers & B Ferguson	11/07/2016

(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 within the 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 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.

3.4 Waste Management

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

3.5 Hours of Operation

Normal operating hours shall be between 7am and 6pm. Tours during evening hours are permitted on occasion.

3.6 A maximum number of 14 tours are to be conducted in any given week.

3.7 All scheduled maintenance of the 4wd's or ATV's shall be undertaken off site.

3.8 There shall be no fuel stored on site for the purpose of the 4wd or ATV tour operations, except that stored in each 4wd or ATV's fuel tank.

3.9 The maximum noise level of any 4wd or ATV operated in the conduct of the approved use shall not exceed 63dBA.

3.10 Bushfire Management

A Bushfire Management Plan, incorporating evacuation procedures for tour groups, 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.

3.11 4wd and ATV tour groups are not permitted on the access road contained within Easement A on RP743509 or Easement C on SP155968.

This condition does not affect the landowner's existing rights over either easement.

3.12 Signage

Any signage visible from the Kennedy Highway is to be in accordance with:

- (i) No sign is to be erected unless first approved by the Department of Transport and Main Roads;
- (ii) No more than one (1) sign shall be erected on the site with a maximum sign face area of 2.9m²;
- (iii) The signage must be kept clean, in good order and safe repair for the life of the approval;

- (iv) Signage must be removed when no longer required; and
- (v) The erection and use of the signage must comply with the Building Act and all other relevant Acts, Regulations and these approval conditions.

4. Infrastructure Services and Standards

4.1 Carparking/Internal Driveways

The existing internal driveways and bus turn around area must be maintained to bitumen sealed standard for the life of the development, to the satisfaction of Council's delegated officer.

4.2 Water Quality

4.2.1 Any material likely to degrade the water (e.g. oils, lubricants, solvents, coolants, degreasing agents etc.) must be stored within a bunded area, or an appropriately designed chemical storage container, suitable for preventing the escape of material into surface or underground water resources.

4.2.2 An emergency spill containment kit must be kept on site at all times during the running of tour activities.

4.2.3 Any 4wd or ATV wash down area is to be located so as to prevent the discharge of sediment, contaminants or wastewater to waterways, creeks or watercourses.

4.2.4 All earthworks and tour tracks/roads and the like are to be surface treated and maintained so that the risk and consequence of erosion is minimised, to the satisfaction of Council's delegated officer. All earthworks are to be planted or otherwise protected from scour as soon as possible after works are carried out, to the satisfaction of Council's delegated officer.

4.3 Water Supply

The quality of water provided on site for human contact or consumption must be of a standard 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 On-site Wastewater Management

All on site effluent disposal associated with the approved use must be in compliance with the latest version of On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of the Council's delegated officer.

(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) The change in the use of the building may also require a change in the classification of the building under the Building Act. You are advised to contact a Building Certifier to establish if a change in the classification of the building is required.
- (c) 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.

- (d) 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.

- (e) 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.

- (f) 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 26 July 2016.

(F) RELEVANT PERIOD

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

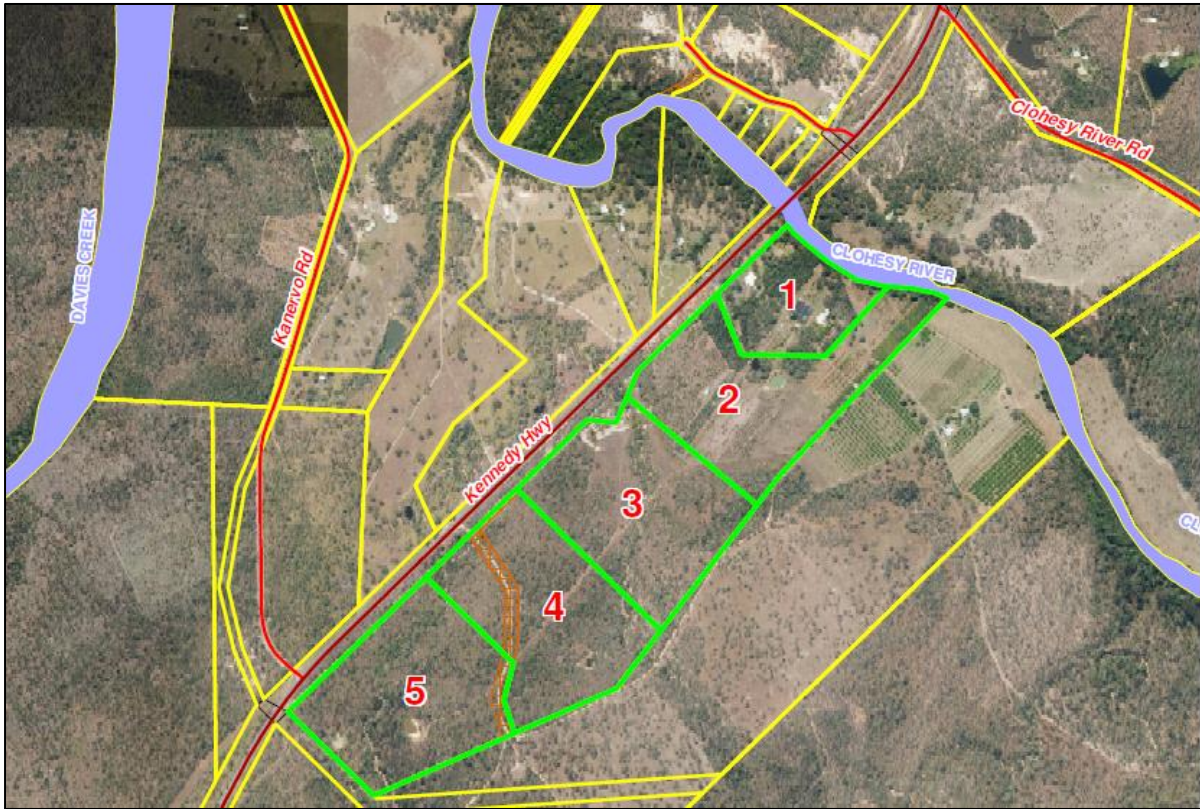
- Material Change of Use – four (4) years (starting the day the approval takes effect).
- (G) OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS
- Nil
- (H) OTHER APPROVALS REQUIRED FROM COUNCIL
- Nil"

THE SITE

The subject land is situated adjacent the Clohesy River at 2735 Kennedy Highway, Koah, and is described as Lots 1 - 5 on SP155968. The subject land, made up of five (5) lots, has a total combined area of 67.841 hectares, is generally regular in shape and is zoned *Rural* under the Mareeba Shire Council Planning Scheme.

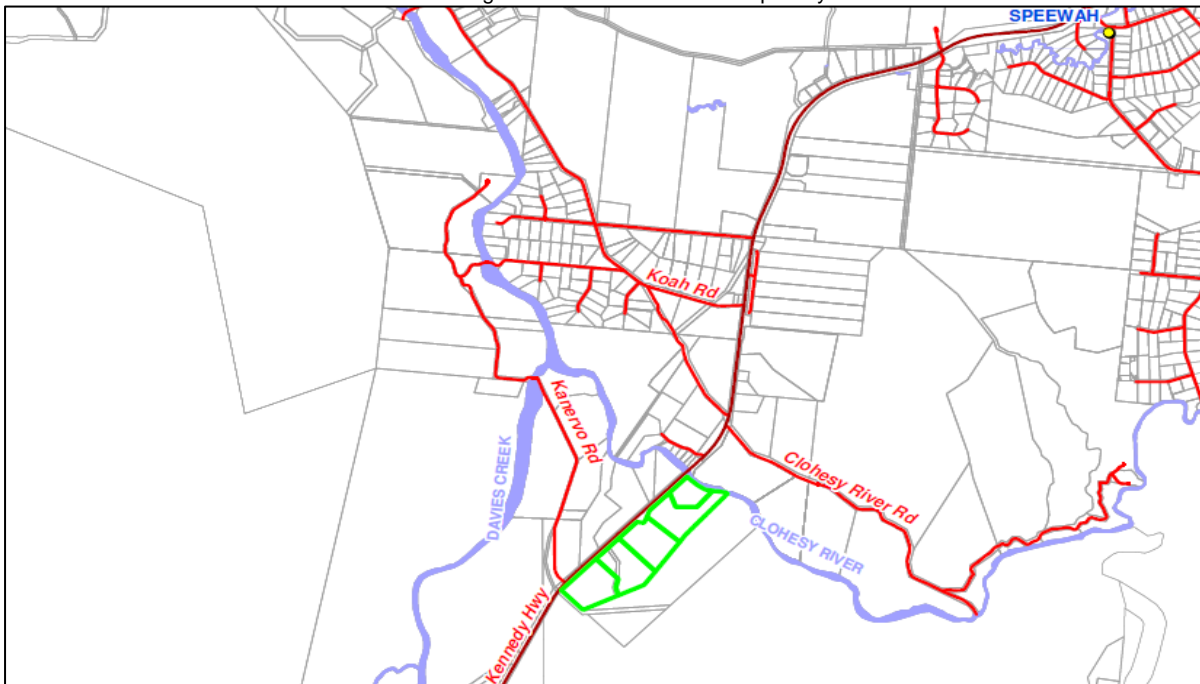
The subject land contains 1.65 kilometres of frontage to the State controlled Kennedy Highway which is constructed to a bitumen sealed standard. The site's primary access is via a bitumen sealed crossover to Lot 1 which has been upgraded to Main Roads standards and includes acceleration/deceleration lanes. A bitumen sealed driveway and loop road extends into Lot 1 to service the established restaurant. A secondary access to the land exists for Lot 4 which services an access easement that traverses both Lots 4 and 5 to benefit adjacent Lot 2 on RP743509. Another access easement exists within Lot 4 to service Lot 3 should the parcels ever be under separate ownership. The access crossover to Lot 4 is constructed to a gravel standard only.

Lot 1 is improved by a dwelling, restaurant (Clohesy Country Gardens Restaurant), a large greenhouse structure and multiple smaller outbuildings. Lot 2 is improved by two outbuildings, two dams, and a small fruit tree orchard. With the exception of several smaller dams, Lots 3 - 5 remain unimproved. The land contains a number of seasonal watercourses which lead under the highway and through neighbouring allotments. The majority of the site is mapped as containing non-remnant vegetation; however significant parts of Lots 4 and 5 are mapped as containing remnant vegetation of both *least concern* and *of concern* regional ecosystem.



Map Disclaimer:

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



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Land surrounding the site is zoned a mix of *Rural* and *Conservation* with the rural zoned land used for a mix of rural lifestyle purposes and fruit farming, and the conservation zoned land (Dinden State Forest) used for conservation purposes and livestock grazing.

BACKGROUND AND CONTEXT

Nil

PREVIOUS APPLICATIONS & APPROVALS

On 21 March 1985, Council approved an application made by S Veivers and B Ferguson for town planning consent for refreshment establishment (restaurant) on land then described as Portion 190, Parish of Formartine.

The establishment, known as Clohesy Country Gardens Restaurant is sited on land now described as Lot 1 SP155968 and is still in use, albeit by booking only.

It is proposed to utilise the restaurant facilities/amenities to provide refreshments to 4wd and ATV tour groups.

DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Material Change of Use - Outdoor Sport and Recreation (4WD & ATV Tours) in accordance with the plans shown in **Attachment 1**.

The proposed 4wd and ATV tour business will be operated by a third party and will provide escorted tours over an existing network of tracks and firebreaks that stretch across the subject land. Tour groups will explore the natural landscape features of the property which include gumtrees/grass trees and termite mounds as well as gain an understanding into Australian farming practices conducted on the property.

Tour groups will be transported from Cairns to the site on a 12 seater commuter bus up to twice daily and the venture will operate up to 7 days per week subject to demand. Tours will operate primarily between the hours of 8am-6pm however occasional night tours may be conducted.

The sites existing restaurant access and parking facilities will be used to drop off and pick up tour groups and the restaurant will be used to provide refreshments to tour groups.

4wd's and ATV's will be stored in an existing shed on the site and will be serviced off-site by a licensed mechanic.

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.

PLANNING SCHEME DESIGNATIONS

Strategic Framework:

Land Use Categories:

- Rural Area (Other)

Natural Environmental Elements:

- Biodiversity Areas (includes Regulated Vegetation, Species Habitat, State Conservation and Wetlands)

Zone:

Rural zone

Overlays:

Bushfire hazard overlay
Environmental significance overlay

Planning Scheme Definitions

The proposed use is defined as:-

Outdoor sport and recreation - Premises used for a recreation or sport activity that is carried on outside a building and requires areas of open space and may include ancillary works necessary for safety and sustainability.

The use may include ancillary food and drink outlet(s) and the provision of ancillary facilities or amenities conducted indoors such as changing rooms and storage facilities.

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

Separate assessment against the Regional Plan is not required because the Mareeba Shire Council Planning Scheme appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies to the planning scheme area.

(b) State Planning Policy

Separate assessment against the State Planning Policy (SPP) is not required because the Mareeba Shire Council Planning Scheme appropriately integrates all relevant aspects of the SPP.

(c) Mareeba Shire Council Planning Scheme - July 2016

Strategic Framework**3.3.11 Element—Rural areas****3.3.11.1 Specific outcomes**

- (1) *Rural areas include rural activities and land uses of varying scale, consistent with surrounding land use, character and site conditions.*

Comment

The proposed use is of a type and scale that is unlikely to detrimentally impact on surrounding land uses or the existing character of the surrounding rural area.

The development complies.

- (3) *Tourism, rural industry, intensive animal industries and outdoor recreation facilities are developed in the rural area in a way which:*
- (a) *does not impede or conflict with agricultural activities and production; and*
 - (b) *does not compromise rural character and scenic qualities; and*
 - (c) *does not adversely impact on ecological and biodiversity values.*

Comment

The proposed use will utilise the sites existing tracks and firebreaks with no further clearing proposed. The proposal relies on the site's rural character, including existing agricultural uses and landscape features and is not likely to compromise the area's rural character, scenic qualities or agricultural land uses.

The development complies.

- (5) *Rural lifestyle, tourism, outdoor recreation, horticultural activities and natural bushland uses may be considered in other rural areas where appropriately located, serviced and otherwise consistent with the Strategic Framework.*

Comment

The proposed use, which is considered a tourism use, is of a scale that is not likely to impact on the surrounding areas existing rural character and is appropriately located adjacent to and accessed from a State controlled road. The proposed development is considered to be consistent with the Strategic Framework's intention to allow tourist development of appropriate type and scale to be sited within the rural zone.

The development complies.

- (6) *Agricultural areas will be retained in viable holdings and not fragmented or compromised by unsuitable development. Uses and development within this precinct will not cause land use conflicts with primary production or will ensure these conflicts are mitigated.*

Comment

The proposed use is reliant on the site's rural character and landscape features and given the nature of the use is not likely to cause land use conflict with surrounding agricultural uses. The proposed development can be easily abandoned and will not compromise the future use of the subject land and any agricultural use.

The development complies.

3.7.7 Element—Tourism

3.7.7.1 Specific outcomes

- (5) *A variety of small-scale, low impact tourist facilities are established across the rural landscape, including:*
- (a) *tourist attractions and facilities within activity centres;*
 - (b) *cultural interpretive tours;*
 - (c) *nature based tourism;*
 - (d) *sports and recreational activities;*
 - (e) *tourist attractions;*
 - (f) *adventure tourism;*
 - (g) *farm based tourism;*
 - (h) *food based tourism;*
 - (i) *bed and breakfasts;*
 - (j) *camping and recreational vehicle facilities;*
 - (k) *cycle tourism.*

Comment

The development complies.

- (6) *Small scale tourism related development is sensitively designed, scaled and located so as to not compromise the natural landscape values and agricultural values of Mareeba Shire.*

Comment

The proposed use is reliant on the site's rural character and natural landscape features, and is of a scale that is not likely to compromise the natural landscape values and agricultural values of the Shire.

The development complies.

Relevant Development Codes

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

- 6.2.9 Rural zone code
- 8.2.3 Bushfire hazard overlay code
- 8.2.4 Environmental significance overlay code
- 9.3.7 Sport and recreation activities code
- 9.4.1 Advertising devices code

- 9.4.2 Landscaping code
- 9.4.3 Parking and access code
- 9.4.5 Works, services and infrastructure code

The application did not include 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 zone code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code.
Bushfire hazard overlay code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code.
Environmental significance overlay code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code.
Sport and recreation activities code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code.
Advertising devices code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code.
Landscaping code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code.
Parking and access code	The application can be conditioned to comply with the relevant acceptable outcomes solutions contained within the code.
Works, services and infrastructure code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code.

(e) Planning Scheme Policies

The following planning scheme policies are relevant to the application:

Planning Scheme Policy 4 - FNQROC Regional Development Manual

All development works will be conditioned to be designed and constructed in accordance with the FNQROC Development Manual.

(f) Additional Trunk Infrastructure Condition (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.

Considering the development accesses directly onto the Kennedy Highway (State controlled road), an augmentation of the road network contribution is not considered necessary in this instance.

REFERRALS

Concurrence

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

That Department advised in a letter dated 26 July 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

PUBLIC NOTIFICATION

The development proposal was placed on public notification from 3 August 2016 to 24 August 2016. The applicant submitted the notice of compliance on 26 August 2016 advising that the public notification requirements were carried out in accordance with the requirements of the Act.

One (1) properly made submission was received.

The grounds for objection/support are summarised and commented on below:

Grounds for objection /support	Comment
The submitters, who are benefitted by access easements that traverse the subject land have safety concerns about 4wd's and ATV's driving onto or along this easement	A condition has been attached to the approval which restricts the use of the road contained within the access easements by 4wd and ATV tour groups.

Submitters

Name of principal submitter	Address
1. J & J Taylor	2735 Kennedy Highway, Koah

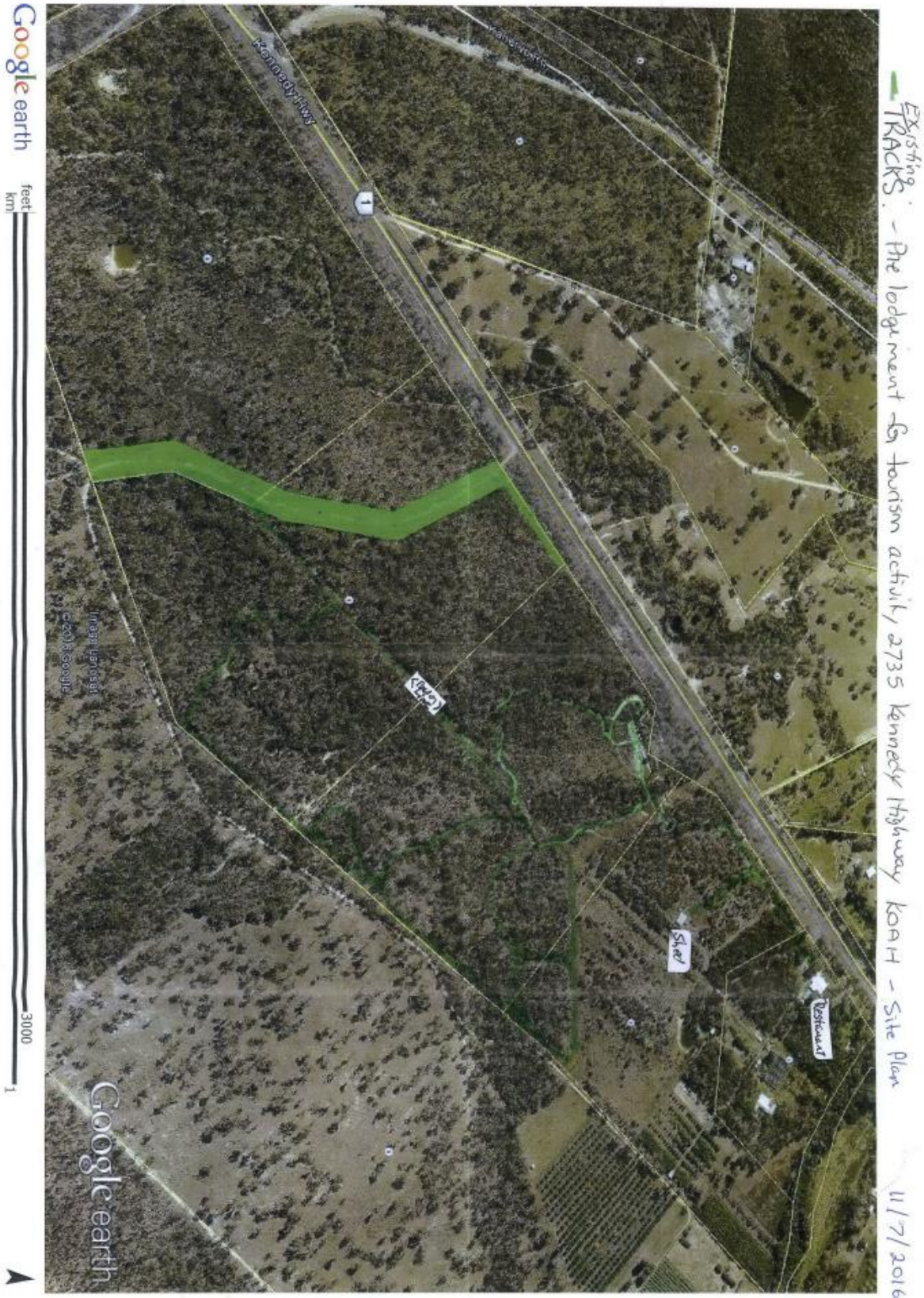
PLANNING DISCUSSION

Nil

Date Prepared: 9 September 2016

ATTACHMENT 1

APPROVED PLANS (ECM Doc Set ID 3183093)



ATTACHMENT 2Department of Infrastructure,
Local Government and PlanningOur reference: SDA-0716-032135
Your reference: DA/16/0045

26 July 2016

The Chief Executive Officer
Mareeba Shire Council
PO Box 154
Mareeba QLD 4880*Attn: Carl Ewin*

Dear Sir / Madam

Concurrence agency response—with conditions

Application for Material change of use (outdoor sport and entertainment – 4WD and ATV tours) on land located at 2735 Kennedy Highway, Koah, described as Lots 1, 2, 3, 4 and 5 on SP155968

(Given under section 285 of the *Sustainable Planning Act 2009*)The referral agency material for the development application described below was received by the Department of Infrastructure, Local Government and Planning under section 272 of the *Sustainable Planning Act 2009* on 19 July 2016.**Applicant details**

Applicant name: Sheree Veivers and Bruce Ferguson
Applicant contact details: 2735 Kennedy Highway
Koah QLD 4881**Site details**

Street address: 2735 Kennedy Highway Koah
Real property description: Lots 1, 2, 3, 4 & 5 on SP155968
Local government area: Mareeba Shire Council

SDA-0716-032135

Application details

Proposed development: Development permit for material change of use (outdoor sport and entertainment – 4WD and ATV tours)

Aspects of development and type of approval being sought

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Material Change of Use	Development permit	Outdoor sports and entertainment (4WD and ATV Tours).	Impact 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 3, Item 1—State-controlled road – Fast track

Conditions

Under section 287(1)(a) of the *Sustainable Planning Act 2009*, the department requires that the conditions set out in Attachment 1 attach to any development approval.

Reasons for decision to impose conditions

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

Approved plans and specifications

The department requires that the following plans and specifications set out below and in Attachment 3 attach to any development approval.

Drawing or document	Reference no.	Version	Date
Existing tracks – pre-lodgement for tourism activity 2735 Kennedy Highway Koah – Site Plan, provided by Sheree Veivers	-	-	11/7/2016
TMR Layout Plan (32A – 27.12km), prepared by Queensland Government Transport and Main Roads	TMR16-17768 (500-1020)	Issue A	25/07/2016
TMR Layout Plan (Development Area Lots 1 – 5)", prepared by Queensland Government Transport and Main Roads	TMR16-17768 (500-1020)	Issue A	25/07/2016
Permitted Road Access Location Decision Notice, prepared by Queensland Government Transport and Main Roads	TMR16-017768 (500-1020)	-	25 July 2016

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

SDA-0716-032135

If you require any further information, please contact Michele Creecy, Senior Planning Officer, on 4037 3206, or via email michele.creecy@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
Manager (Planning)

cc: Sheree Veivers and Bruce Ferguson, clohesy11@bigpond.com
enc: Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Approved Plans and Specifications

SDA-0716-032135

Our reference: SDA-0716-032135

Your reference: DA/16/0045

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Aspect of development: Material change of use		
Schedule 7, Table 3, Item 1 —Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the <i>Sustainable Planning Act 2009</i> nominates the Director-General of Department of Transport and Main Roads 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 development must be carried out generally in accordance with the following plans: <ul style="list-style-type: none"> • “Existing tracks – pre-lodgement for tourism activity 2735 Kennedy Highway Koah – Site Plan” provided by Sheree Veivers, 11/7/2016 • “TMR Layout Plan (32A – 27.12km)”, prepared by Queensland Government Transport and Main Roads, file ref: TMR16-17768 (500-1020), Issue A, dated 25/07/2016 • “TMR Layout Plan (Development Area Lots 1 – 5)”, prepared by Queensland Government Transport and Main Roads, file ref: TMR16-17768 (500-1020), Issue A, dated 25/07/2016. 	At all times
2.	Any works on the land must not: <ol style="list-style-type: none"> i. Create any new discharge points for stormwater runoff onto the state-controlled road ii. interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road; iii. Cause surcharge of any existing culvert or drain on a state-controlled road reduce the quality of stormwater discharge onto the state-controlled road. 	At all times
3.	The permitted road access location, is to be located, designed and constructed in accordance with the Section 62 approval (refer Attachment 3) granted by the Department of Transport and Main Roads dated 25 July 2016 under the <i>Transport Infrastructure Act 1994</i> .	At all times
4.	Direct access is not permitted between the Kennedy Highway and the subject site at any location other than the permitted road access location.	At all times

SDA-0716-032135

Our reference: SDA-0716-032135

Your reference: DA/16/0045

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- **Condition 1** – to ensure the development is carried out generally in accordance with the plans of development submitted with the application
- **Condition 2** – to ensure that the impacts of stormwater events associated with development are minimised and managed to avoid creating any adverse impacts on the state transport corridor.
- **Condition 3** – to ensure access to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road.
- **Condition 4** – to ensure access to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road.

SDA-0716-032135

Our reference: SDA-0716-032135
Your reference: DA/16/0045

Attachment 3—Approved plans and specifications

Existing TRACKS - Fire lodgement for tourism activity, 2735 Kennedy Highway KOAH - Site Plan 11/7/2016



Google earth
feet
km
3000
1



Road Access Junction
Approx: 190m south west of Clohesy River
(27.12km LHS)

Road Access Location
Approx 30m from the south western side boundary of Lot 1SP155968

1SP155968
2735 KENNEDY HIGHWAY

Branch/Unit:	Corridor Management/Far North Region
Projection/ Datum:	Geocentric Datum of Australia (GDA) 1994
 SUBJECT LAND	

**TMR Layout Plan
(32A - 27.12km)**



Queensland Government
Transport and Main Roads

Plan No:	1 / 1	Issue:	A	Date:	25/07/2016
Drawn by:	RPK	File ref:	TMR16-17788 (500-1020)		

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Queensland
Government

Department of
Transport and Main Roads

Our ref TMR16-017768 (500-1020)
Your ref
Enquiries Ronald Kaden

25 July 2016

Sheree Veivers & Bruce Ferguson
2735 Kennedy Highway
Koah QLD 4871

Dear Ms Veivers & Mr Ferguson

Permitted Road Access Location Decision Notice

I refer to your application for approval of a road access location between lot 1 on SP155968 (being 2735 Kennedy Highway, Koah) and Kennedy Highway which was received by the Department of Transport and Main Roads (the department) on 25 July 2016.

Pursuant to sections 62(1) and 33 of the *Transport Infrastructure Act 1994* (TIA), the department has assessed your application, and advises that it has decided to approve the application, subject to the following requirements:

Conditions

1. The Permitted Road Access Location is to be via the existing access located approximately 30m from the south western side boundary of Lot 1SP155968, in accordance with TMR Layout Plan (32A - 27.12km) Issue A dated 25/07/2016.
2. Connection of the access driveway to Kennedy Highway is located approximately 190m south west of Clohesy River (27.12km LHS).
3. The use of Permitted Road Access Location is;
 - a. Commercial use.

Notice of Decision

This decision of approval constitutes notice under section 67 of the TIA of a section 62(1) of the TIA decision about:

- the location at which access between the land and the road is permitted; and
- the conditions on the use of the property access.

In accordance with section 70 of the TIA, you are bound by this decision. A copy of section 70 is attached for your information.

Program Delivery and Operations
Far North Region
Cairns Corporate Tower, 15 Lake Street Cairns Queensland 4870
PO Box 6185 Cairns Queensland 4870

Telephone +61 (07) 4045 7151
Facsimile +61 (07) 40505438
Website www.tmr.qld.gov.au
ABN: 39 407 690 291

Appeal Provisions

Any person whose interests are affected by this decision may—

- i. under section 485 of the *Transport Infrastructure Act 1994*—ask for the decision to be reviewed and appeal against the reviewed decision; and
- ii. under the *Transport Planning and Coordination Act 1994*, part 5—ask for the decision or the reviewed decision to be stayed.

The request for review must be made within 28 days of the date of this notice.

Duration of Decision

There is no guarantee of continuation of road access arrangements, as access is dependent upon ensuring the safety and efficiency of the state-controlled road network.

Important Information for Applicants

Any proposed alteration or variation to the Permitted Road Access Location must be approved by Cairns District Office before any changes are made.

- This document must be retained and provided to the department if requested.

If you require further information about this approval or any other related query, I encourage you to contact Ronald Kaden, Development Control Officer, Corridor Management by email at ron.p.kaden@tmr.qld.gov.au or on (07) 4045 7151.

A copy of this decision has been forwarded to Mareeba Shire Council.

Yours sincerely



Peter McNamara
Principal Engineer (Civil)

Enc.

Section 70 of TIA

TMR Layout Plan (32A - 27.12km) Issue A dated 25/07/2016

Transport Infrastructure Act 1994
Chapter 6 Road transport infrastructure
Part 5 Management of State-controlled roads

[s 70]

70 Offences about road access locations and road access works, relating to decisions under s 62(1)

- (1) This section applies to a person who has been given notice under section 67 or 68 of a decision under section 62(1) about access between a State-controlled road and adjacent land.
- (2) A person to whom this section applies must not—
- (a) obtain access between the land and the State-controlled road other than at a location at which access is permitted under the decision; or
 - (b) obtain access using road access works to which the decision applies, if the works do not comply with the decision and the noncompliance was within the person's control; or
 - (c) obtain any other access between the land and the road contrary to the decision; or
 - (d) use a road access location or road access works contrary to the decision; or
 - (e) contravene a condition stated in the decision; or
 - (f) permit another person to do a thing mentioned in paragraphs (a) to (e); or
 - (g) fail to remove road access works in accordance with the decision.

Maximum penalty—200 penalty units.

- (3) However, subsection (2)(g) does not apply to a person who is bound by the decision because of section 68.

ATTACHMENT 3
V URP - MCU
IT URP

The Assessment Manager
Mareeba Shire Council
65 Rankin Street,
MAREEBA QLD 4880



17 August 2016

Dear Assessment Manager,

RE: DEVELOPMENT APPLICATION DA/16/0045

We refer to the abovementioned Development Application which involves turning fee simple 1-5 on SP155968 (otherwise known as 2735 Kennedy Hwy, Clohesy River) from Rural/Restaurant to Rural/Restaurant/Outdoor Sport & Recreation (4WD & ATV Tours).

We have no objection to the proposed development other than the use of our property's easement for carrying on the activity of 4WD & ATV Tours.

We are farmers and farm our property adjoining the proposed development. There are trucks and vehicles (fruit buyers) using the easement daily throughout the year. To have additional 4WD's and tourists on ATV's would pose a danger to ourselves, other motorists and the 4WD and ATV drivers.

The site plan map indicates the tracks marked in green texter is joining onto the easement which leads to our property and is also marked in green texter.

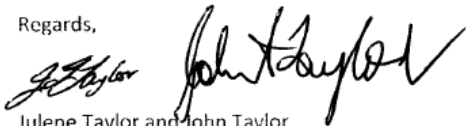
There appears to have no turning area marked in green where the 4WD/ATV bikes could turn, the only option appears to travel out on to the easement. It appears the green penned marked track they propose to use travels along the easement towards our property entrance.

The easement is more like a track than a road. It is a narrow bending gravel road with ruts, water channelling and water pooling. Road users pick their own track depending on the clearance of their vehicle. There is bush on both sides of the road. There is no signage erected to account for speeding, merging traffic, winding road etc.

I am concerned that someone may be killed when a 4WD and ATV driver speeds out onto the easement with a truck or vehicle coming the other way.

I would like you to make a condition of the development that 4WD and ATV's are prohibited from using the easement for these activities.

Regards,

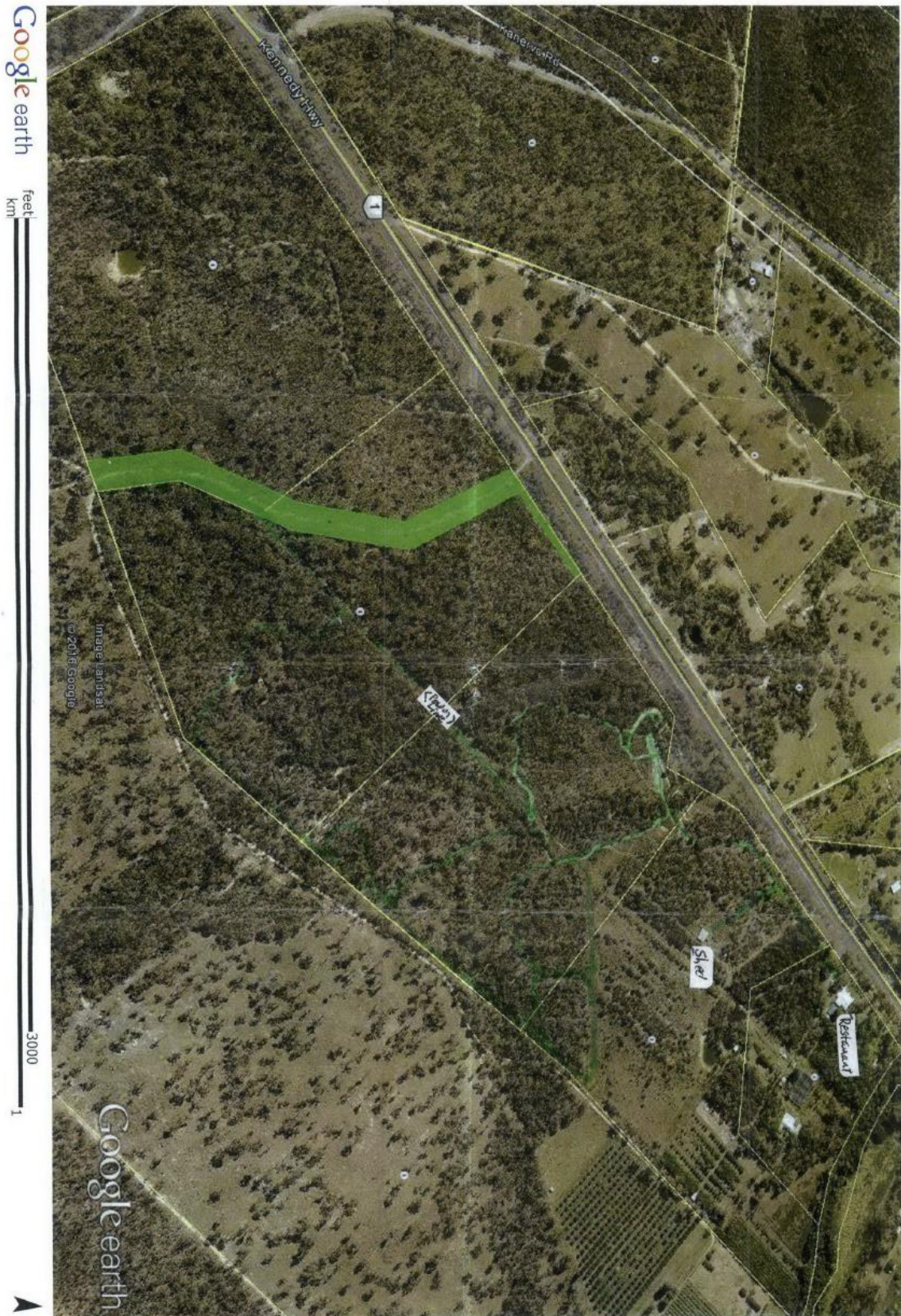


Julene Taylor and John Taylor

2817 Kennedy Highway

Clohesy River

MAREEBA QLD 4880



Existing TRACKS - The lodgement for tourism activity, 2735 Kennedy Highway KOPH - Site Plan
11/7/2016

Document Set ID: 3199212
Version: 1, Version Date: 23/08/2016

EXECUTIVE SUMMARY

Council approved a development application described in the above application details at its Ordinary Meeting held on 16 October 2007, subject to conditions. A subsequent request for a Negotiated Decision Notice was refused by Council at its Ordinary Meeting held on 20 November 2007.

On 7 December 2007 a Planning and Environment Court Appeal was lodged by Miller Bou-Samra Lawyers on behalf of the applicant (Appeal No. 336 of 2007). The Planning and Environment Court denied the applicants appeal and the development approval took effect on 13 August 2008.

Three previous requests to extend the relevant period of the approval have been lodged and approved by Council. The relevant period will have expired on 13 August 2016 if this approval is not issued.

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

To date, no development works have commenced in relation to the development.

*Charles O'Neill Surveyors and Planners, on behalf of the applicant, have subsequently lodged this application to extend the relevant period for a further one (1) year from 13 August 2016 to 13 August 2017 (**Attachment 2**). The applicant's justification for not having completed the development thus far is due to the global financial crisis and subsequent standstill in the property market. The applicant has stated that they are now in a financial position to finalise the development.*

On 1 July 2016, the new Mareeba Shire Council Planning Scheme commenced. While the approved development, which includes lots as small as 30 hectares, was consistent with the former Mareeba Shire Planning Scheme 2004, it is not consistent with the minimum resultant lot size of 60 hectares for rural land contained within the new planning scheme.

Section 95 of the Sustainable Planning Act 2009 (SPA) provides an applicant/developer with a 12-month window (from the date of commencement of a new planning scheme) to apply to Council to have a development application assessed under a superseded planning scheme. This provision exists to minimise Council's risk to compensation which may be payable as a result of changing land use policies under different planning scheme's.

Essentially, should this development approval to lapse, the applicant would have until 30 June 2017 to utilise mechanisms provided under section 95 of the SPA to lodge a fresh application for the same development under the same planning scheme it was originally approved under (Mareeba Shire Planning Scheme 2004).

In consideration of the above, and taking in good faith, the applicant's intentions to complete the development, it is recommended that a further extension be granted to 1 July 2017.

It is further recommended that the applicant be advised that it is unlikely that any further extensions will be granted unless operational works associated with the development have been substantially commenced.

Notwithstanding the officer's recommendation, Council may refuse the request for an extension, at which point the applicant could seek Council approval to lodge a fresh development application under the now superseded 2004 planning scheme.

OFFICER'S RECOMMENDATION

- "1. That in relation to the application to extend the relevant period for the following development approval:

APPLICATION		PREMISES	
APPLICANT	Wong Lau Developments Pty Ltd	ADDRESS	Fantin Road, Koah
DATE REQUEST FOR EXTENSION OF RELEVANT PERIOD LODGED	8 August 2016	RPD	Lot 174 & 175 on NR5801
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot - Subdivision (2 into 10 Lots)		

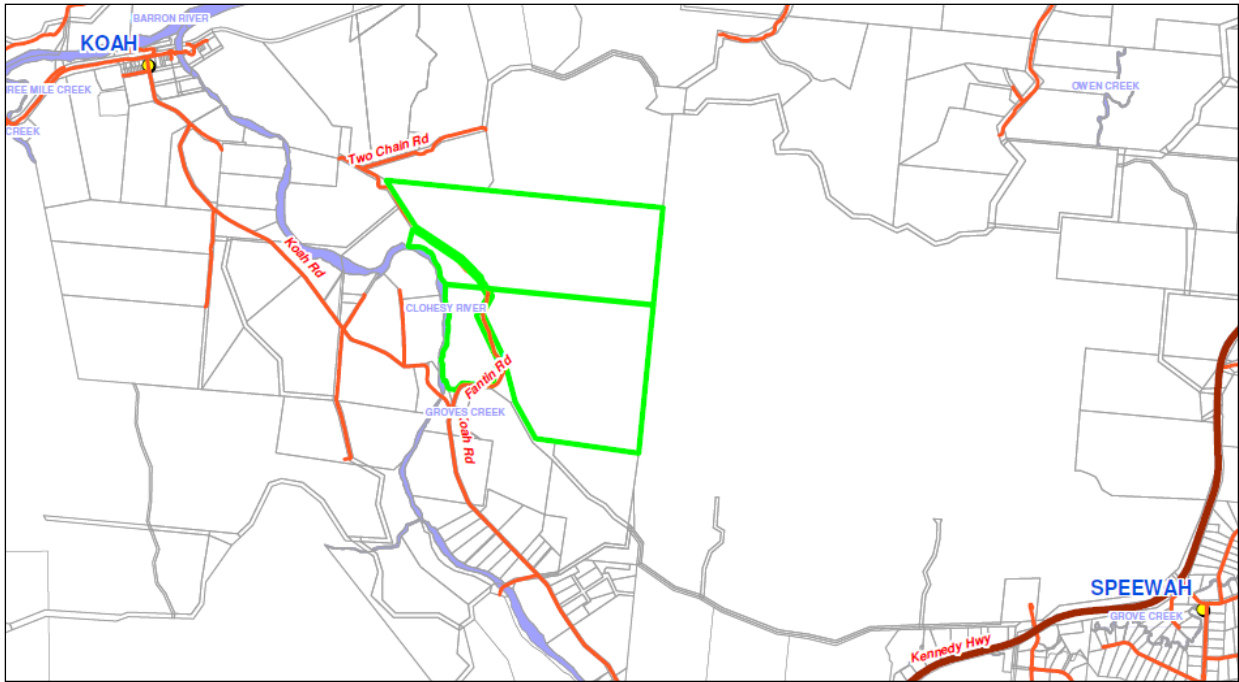
and in accordance with the Sustainable Planning Act 2009, the following

- (A) The relevant period be extended to *1 July 2017*.
- (B) The applicant be advised that it is unlikely that any further extensions will be granted beyond 1 July 2017 unless operational works associated with the development have been substantially commenced.
2. A Notice of Council's decision be issued to the applicant advising of Council's decision."

THE SITE

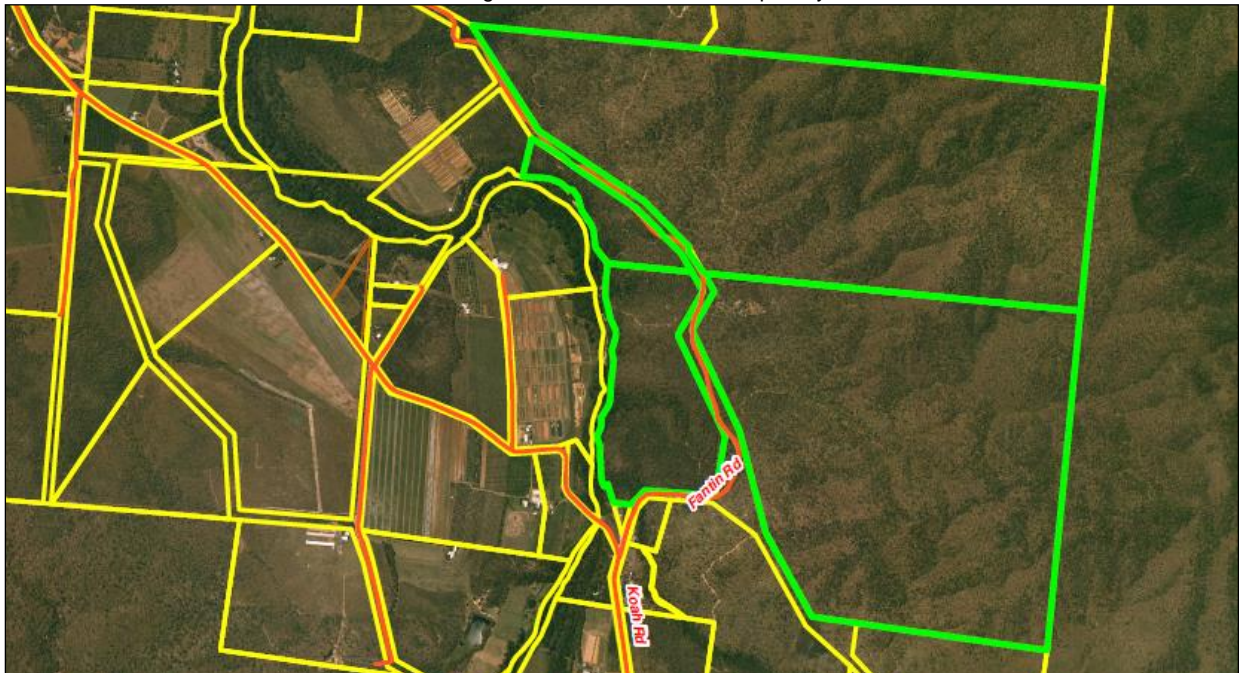
The subject site is located along Fantin Road, Koah and described as Lot 174 and 175 on NR5801. The subject site has a combined area of 148 hectares and is zoned Rural under the Mareeba Shire Planning Scheme. Both allotments are severed by Fantin Road, containing approximately 2.5 kilometres of frontage to Fantin Road which is constructed to an unsealed gravel standard. The western boundary of the smaller, severed portions of both lots 174 and 175 abut the Clohesy River.

The subject site is relatively undeveloped, with the exception of a Caretaker's residence and ancillary buildings located on Lot 175. The land was formerly used for grazing purposes and is vegetated. In terms of topography, the subject land is characterised by well vegetated variable sloping hills and gullies. All surrounding allotments are zoned a mixture of Conservation and Rural.



Map Disclaimer:

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



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BACKGROUND AND CONTEXT

Council at its Ordinary Meeting held on 16 October 2007, issued a development permit for the application made by Charles O'Neill Pty Ltd Surveyors on behalf of Wong Lau Developments Pty Ltd for Reconfiguring a Lot - Subdivision (2 into 10 Lots) on land described as Lot 174 & 175 on NR5801, situated at Fantin Road, Koah.

The approval was granted subject to various conditions, including the upgrading of Fantin Road.

On the 31 October 2007, Charles O'Neill Pty Ltd Surveyors, on behalf of Wong Lau Developments Pty Ltd wrote to Council making representations in relation to the approval and seeking the issue of a negotiated decision notice. Council, at its general meeting, held on 20 November 2007 resolved to confirm the original conditions.

On 7 December 2007 Miller Bou-Samra Lawyers, on behalf of Wong Lau Development Pty Ltd lodged an appeal with the Planning and Environment Court (appeal No. 336 of 2007) seeking an amendment to the decision notice, in particular, the deletion of Condition 3 - Frontage Works (upgrading of Fantin Road to bitumen sealed rural road standard).

An attempt was made by Miller Bou-Samra Lawyers to settle the matter out of the P & E Court; however, their proposed changes were rejected by Council at its Ordinary Meeting held on 16 July 2008. The Planning and Environment Court denied the applicants appeal and the currency period commenced on the 13 August 2008.

Three previous requests to extend the relevant period of the approval have been lodged and approved by Council. The relevant period will have expired on 13 August 2016 if this approval is not issued.

To date, no development works have commenced in relation to the approved development.

Charles O'Neill Surveyors and Planners, on behalf of the applicant, have subsequently lodged this application to extend the relevant period for a further one (1) year from 13 August 2016 to 13 August 2017 (**Attachment 2**). The applicant's justification for not having completed the development thus far is due to the global financial crisis and subsequent standstill in the property market. The applicant has stated that they are now in a financial position to finalise the development.

ASSESSMENT AND DECISION REQUIREMENTS

Assessment rules

Section 388 of SPA requires that Council must have regard to:

- *the consistency of the approval, including its conditions, with the current laws and policies applying to the development, including, for example, the amount and type of infrastructure contributions, or charges payable under chapter 8, part 1.*
- **Mareeba Shire Planning Scheme 2004 (amendment no. 01/11)**

The application was assessed and approved under the Mareeba Shire Planning Scheme 2004. The planning scheme's minimum resultant lot size for rural land (where not GQAL) is 30 hectares.

This planning scheme was superseded by the Mareeba Shire Council Planning Scheme - July 2016 (see below).

- ***Mareeba Shire Planning Council Planning Scheme - July 2016***

The new Mareeba Shire Council Planning Scheme commenced on 1 July 2016. The planning scheme appropriately advances the FNQ Regional Plan and the State Planning Policy which both commenced since the original approval was granted.

The planning scheme's minimum resultant lot size for all rural land (where GQAL or where not GQAL) is 60 hectares. If a fresh application was lodged for the same development under the new planning scheme, the proposal, which includes lots as small as 30 hectares, would conflict with the planning scheme.

Applicable Infrastructure Charges

Development Approval REC/07/0091 is not subject to fixed headworks/contributions. The external road network contribution is payable at the rate applicable at the time of payment.

- *the community's awareness of the development approval*

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

- *whether, if the request were refused –*

- (i) *further rights to make a submission may be available for a further development application; and*
- (ii) *the likely extent to which those rights may be exercised;*

A further development application would be Code Assessable and therefore not subject to public notification.

- *the views of any concurrence agency for the approval given under section 385.*

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

Date Prepared: 5 September 2016

ATTACHMENT 1

Mareeba Shire Council
P.O. Box 154
65 Rankin Street
Mareeba Qld 4880

Telephone (07) 4030 3900
Facsimile (07) 4092 3323
Email ceo@msc.qld.gov.au
Web www.msc.qld.gov.au

Our Ref: REC/07/0091
Item No: 8:16.10.07
BJM:mjn

Wong Lau Developments Pty Ltd
C/- Charles O'Neill Pty Ltd
PO Box 5246
CAIRNS QLD 4880

18 October 2007

Dear Sir

RECONFIGURATION APPLICATION – REC/07/0091

I refer to the Development Application lodged by you on behalf of Wong Lau Developments Pty Ltd.

Please find attached the relevant Decision Notice.

Your attention is drawn to Section 3.5.17 of the Integrated Planning Act, in relation to making representations to the Assessment Manager, about the conditions of the Development Approval (copy attached).

Should you have any queries with regard to the matters raised, please direct them to me on 4030 3959.

Yours faithfully

BJ Millard
SHIRE PLANNER

Attachments

**MAREEBA SHIRE COUNCIL****DECISION NOTICE FOR
DEVELOPMENT APPLICATION**

Development Number:	REC/07/0091
Applicant:	Wong Lau Developments Pty Ltd
Proposal:	Ten (10) Lot Reconfiguration
Property Location:	136 Fantin Road KOAH QLD 4881
Real Property Description:	Lot 174 NR 5801, Lot 175 NR 5801
Referral Agencies:	Nil
Decision Date:	16 October 2007
Decision:	Approved, Subject to Conditions
Type Of Approval:	Development Approval
Assessment Manager Conditions:	See Attached Page
Submitters to the Application:	Nil
Concurrence Agency Conditions:	Nil
Further Development Permits Required:	Nil
Appeal Rights:	Division 8 – Appeals to Court Relating to Development Applications, attached for your information.



Andy L Smith
A/CHIEF EXECUTIVE OFFICER

PAGE 1 OF 5

*Mareeba Shire – a great place to live.
Mareeba - biggest town on the Tablelands of the Cairns Hinterland.*

**MAREEBA SHIRE COUNCIL****DECISION NOTICE FOR
DEVELOPMENT APPLICATION****CONDITIONS**

Resolved that Council:-

A. Issue a Development Permit for the application by Charles O'Neill Pty Ltd Surveyors on behalf of Wong Lau Developments Pty Ltd for the reconfiguration of land described as Lots 174 & 175 on NR5801, Parish of Formartine, situated on Fantin Road, Koah into ten (10) allotments as indicated on Plan No. 7496PER-01, subject to the following conditions:

1. To cover extra traffic movements created by this development, the applicant must contribute per additional allotment towards the augmentation of the road network in accordance with the adopted policy of Council existing at the time of payment. This contribution is to be paid prior to the signing and sealing of the Plan of Survey.

At the same time as the contribution is paid, a copy of the Plan of Survey and the Form 6 that is lodged with the Department of Natural Resources and Water for each permanent survey mark installed must also be lodged with Council prior to the signing and sealing of the Plan of Survey.

2. General

- (i) All operational works relating to this development will be as per the FNQROC Development Manual, including the following.
- (ii) Prior to the submission of any documentation, Council draws your attention to AP 1 Application Procedures with particular reference to:-

AP 1.02	Pre-Lodgment Discussion
AP 1.07	Supporting Information (in particular - 9 (xi) Erosion and Sediment control Strategy (ESCS) - 9 (xvii) Landscaping Design Plan
AP 1.08-1.14	Plan Presentation
AP 1.15-1.31	Design Drawings (including asphalt intersection/cul-de-sac details with bitumen road)



Andy L Smith
A/CHIEF EXECUTIVE OFFICER

PAGE 2 OF 5

*Mareeba Shire – a great place to live.
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**MAREEBA SHIRE COUNCIL****DECISION NOTICE FOR
DEVELOPMENT APPLICATION**

- (iii) Documentation as detailed in AP 1 should be submitted at least one (1) month prior to the proposed starting date for construction.
- (iv) Refer also to associated Mareeba Shire Council Specific Requirements and Standard Drawings including 4% crossfall on all roads.
- (v) All aspects of construction works must be undertaken to the satisfaction of the Manager Civil Works.
- (vi) Council wishes to advise the applicant of the Aboriginal Cultural Heritage Act 2003 and the Environment Protection and Biodiversity Conservation Act 1999 which may impact on this development.
- (vii) No work may commence on site until Council has approved both the:-
 - (a) Erosion and Sediment Control Strategy; and
 - (b) Principal Contractor's Sediment Control Plan.

3. External Works

- (i) Fantin Road, including the intersection of Fantin Road and Koah Road, is to be upgraded to a rural road bitumen standard as per FNQROC Development Manual Table D1.4 from Koah Road to a point twenty (20) metres past the access into proposed Lot 1.

4. Roadworks and Earthworks

- (a) Roadworks are to be designed and constructed in accordance with FNQROC Development Manual with particular reference to the following sections:-

DP 1	Development Principles
D1	Road Geometry
D2	Site Regrading
D3	Road Pavements (Design)
S1	Earthworks
S2	Road Pavements (Specification)
Table D 1.1	Street and Road Hierarchy

- (b) Refer also to associated Mareeba Shire Council Specific Requirements and Standard Drawings.



Andy L Smith
A/CHIEF EXECUTIVE OFFICER

PAGE 3 OF 5

*Mareeba Shire – a great place to live.
Mareeba - biggest town on the Tablelands of the Cairns Hinterland.*

**MAREEBA SHIRE COUNCIL****DECISION NOTICE FOR
DEVELOPMENT APPLICATION****5. Stormwater Drainage**

- (i) Stormwater drainage is to be designed and constructed in accordance with FNQROC Development Manual with particular reference to the following sections.

DP 1	Development Principles
D4	Stormwater Drainage (Design)
D5	Stormwater Quality Management
S4	Stormwater Drainage (Specification)

- (ii) Refer also to Mareeba Shire Council specific requirements and site drawings.
- (iii) For each culvert to be installed, a detail plan and long section (upstream and downstream) of the waterway involved must be submitted as part of the "Detailed Engineering Drawings" to Council. This is to enable Council to ensure the culvert is in the correct location.

6. Access

The applicant is to construct access to the proposed allotments to the Mareeba Shire Access requirements of the FNQROC Development Manual and to the satisfaction of the Manager Civil Works. These accesses must be constructed from the edge of the road pavement to the property boundary.

7. Construction

- (i) As well as the requirements set out in the Design Guidelines and Specifications of the FNQROC Development Manual, Council draws your attention to CP 1 Construction Procedures which details minimum requirements acceptable to Council. Particular reference is made to the following sections.

CP 1.04	Inspection and Test Plan
CP 1.06	Contractors Erosion & Sediment Control Plan
CP 1.08	Notice to Commence Works
CP 1.09	Pre-Start Meeting

- (ii) Refer also to associated Mareeba Shire Council Specific Requirements and Standard Drawings.



Andy L Smith
A/CHIEF EXECUTIVE OFFICER

PAGE 4 OF 5

*Mareeba Shire – a great place to live.
Mareeba - biggest town on the Tablelands of the Cairns Hinterland.*

**MAREEBA SHIRE COUNCIL****DECISION NOTICE FOR
DEVELOPMENT APPLICATION**

- (iii) Before any contractor can proceed on site, the applicant is to complete and submit for signing of approval to the Manager Civil Works, the "Notice of Appointment of Principal Contractor" form, stating who is to be the Principal Contractor for this development.
 - (iv) All construction works are to be carried out to the requirements of the FNQROC Development Manual and the specific Mareeba Shire Council requirements.
8. The floor level of a habitable room in any new dwelling house constructed on the proposed allotments is to be at least 300mm above the Q100 flood level.
9. Any new dwelling erected on the subject land shall be in accordance with State Planning Policy 1/03, in particular:
- (i) Shall achieve a setback from hazardous vegetation of 1.5 times the predominant mature canopy tree height or 10 metres, whichever is greater.
 - (ii) An on-site water storage of not less than 5,000 litres, with a 50mm male camlock fire brigade fitting where necessary, is to be provided at the same time the dwelling is constructed.
 - (iii) The dwelling should be located in the location of lowest hazard within the allotment.
10. The applicant is to prepare a Bushfire Management Plan for the proposed allotments in accordance with the requirements of State Planning Policy 1/03. This management plan is to be submitted to Council for approval prior to the signing and sealing of the new Plan of Survey.
11. Vegetation is to be retained within fifty (50) metres from the high bank of Clohesy River.
- B. Authorise the Mayor and Chief Executive Officer to sign and seal the plan of survey when all of the above conditions have been completed to the satisfaction of the Shire Planner.



Andy L Smith
A/CHIEF EXECUTIVE OFFICER

PAGE 5 OF 5

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ATTACHMENT 2

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

Attention: Planning Department – C. Ewin
Via email: CarlE@msc.qld.gov.au

Our Ref: 7496
Your Ref: REC/07/0097

8 August 2016

Dear Carl,

**Re: Request to Extend Relevant Period
Development Application REC/07/0097
Lots 174 & 175 on NR5801 – Fantin Road, Koah**

I refer to the above approval which was conveyed by Council's original Decision Notice of 16 October 2007 and by the further extension of the relevant period dated 6 August 2015 and advise that we act for the applicants, Wong Lu Developments Pty Ltd, and herein request the Assessment Manager to extend to the relevant period of that Decision Notice for an additional one (1) year, pursuant to the provisions of Section 383 of the Sustainable Planning Act.

Circumstances outside the applicant's control, including the onset of the Global Financial Crisis (GFC) have contributed to the inability of the applicants to complete the development within the life of the approval. The applicants are now in a position to finalise the development.

Council's previous correspondence of 6 August 2015 suggested that further extensions to the currency period may not be supported due to the inconsistency with the new scheme that was recently adopted 1 July 2016.

In view that provisions of Section 95 of the Sustainable Planning Act provides an opportunity for the applicant to request assessment of a fresh application under the superseded scheme resulting in the same development, Council is requested to use its discretion to support the request to extend the currency period.

Cairns
25 Grafton Street
PO Box 7627
Cairns Qld 4870
Phone (07) 4051 6722

Office Locations

- Brisbane
- Mackay
- Proserpine

manager@oneillsurveys.com.au
www.oneillsurveys.com.au
Queensland Surveying Pty Ltd
ABN 25 604 671 374
trading as Charles O'Neill
Surveyors & Planners
an OTOC Limited Company





Upon receiving an extension to currency period, work will be commenced to finalise the engineering design for the project.

We consider the request to be reasonable in the circumstances and reflecting realistic market and development considerations of the land owner, as outlined above. Not only will the project stimulate the local construction sector in works associated with upgrading Fantin Road but will also provide a safer road network for the Council.

In these circumstances, we consider that an extension of one (1) years is warranted. The application fee of \$584.50 associated with assessment of this request will be paid at Council customer service.

We look forward to receipt of Council's favourable decision regarding the above request. If you have any queries or concerns regarding the above, please do not hesitate to contact this office.

Yours faithfully



Michael Tessaro
PLANNER

Bc: Wong Lau Developments Pty Ltd - C. Wong
Enc: Request to change an existing approval template;



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

LINK TO CORPORATE PLAN

Nil

CONSULTATION

Internal

Nil

External

Nil

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

Nil

POLICY IMPLICATIONS

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

There is no objection to the continued use of the land for a water facility (pump site).

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

FINANCIAL & RESOURCE IMPLICATIONS

Capital

Nil

Operating

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 23 August 2016.

Date Prepared: 24 August 2016

ATTACHMENT 1Department of
Natural Resources and Mines

Author: Graeme Geisler
File number: 2016/004128
Directorate / Unit: State Land Asset Management

23 August 2016

Mareeba Shire Council
PO Box 154
Mareeba QLD 4880

Dear Sir

**APPLICATION FOR SURRENDER AND RE-ISSUE OF PERMIT TO OCCUPY ON LAND
DESCRIBED AS LOT A ON CROWN PLAN AP13716**

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

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 **23 October 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.

If you wish to discuss this matter please contact Graeme Geisler on (07)47411657.


Office :
65 Brodie St
Hughenden Qld 4821

Telephone : +61 7 4741 1657
Fax: +61 7 4741 1412
Website: www.dnrm.qld.gov.au
Email: Townsville.SLAMs@dnrm.qld.gov.au

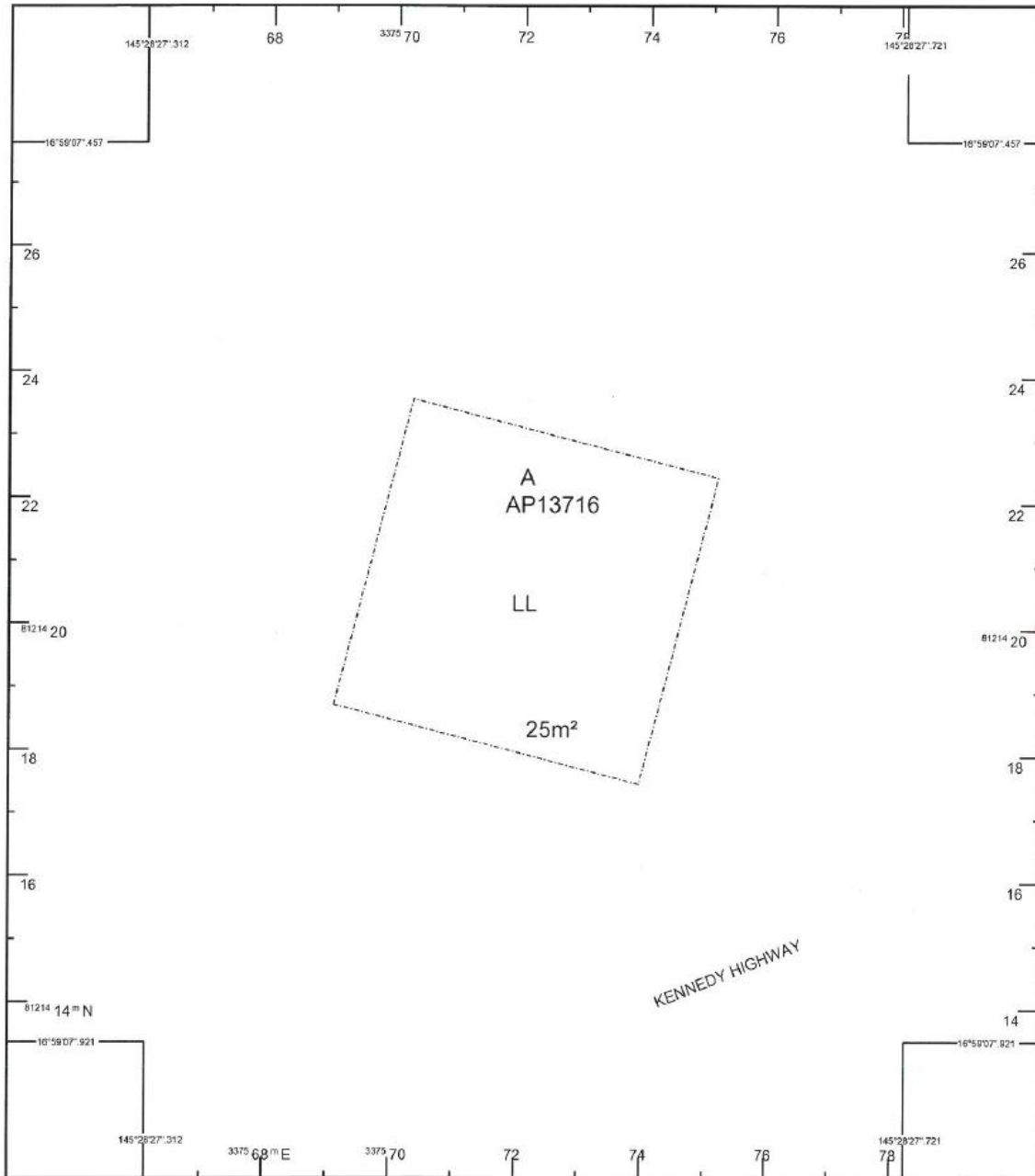
All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to Townsville.SLAMS@dnrm.qld.gov.au. Any hard copy correspondence received will be electronically scanned and filed. For this reason, it is recommended that any attached plans,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

Please quote reference number 2016/004128 in any future correspondence.

Yours sincerely,



Graeme Geisler
Administration Officer
Service Delivery – North Region
Department of Natural Resources and Mines



STANDARD MAP NUMBER
7964-22223



SmartMap

An External Product of
SmartMap Information Services

Based upon an extraction from the
Digital Cadastral Data Base

MAP WINDOW POSITION &
NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	A/AP13716
Area/Volume	25m ²
Tenure	LANDS LEASE
Local Government	MAREEBA SHIRE
Locality	MAREEBA
Segment/Parcel	D14DB2

CLIENT SERVICE STANDARDS

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

DCDB 08/08/2016

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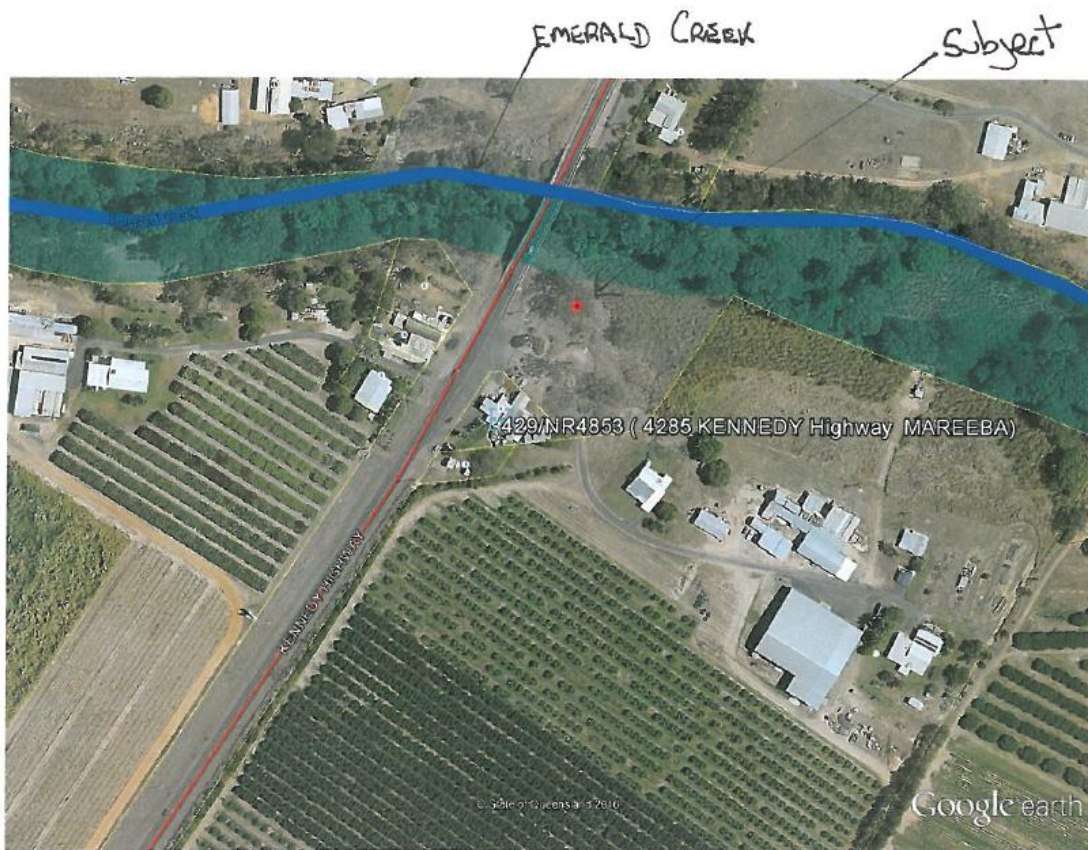
Despite Department of Natural Resources and Mines (DNRM)'s best efforts, DNRM makes no representations or warranties in relation to the Information, and, to the extent permitted by law, exclude or limit all warranties relating to correctness, accuracy, reliability, completeness or currency and all liability 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.

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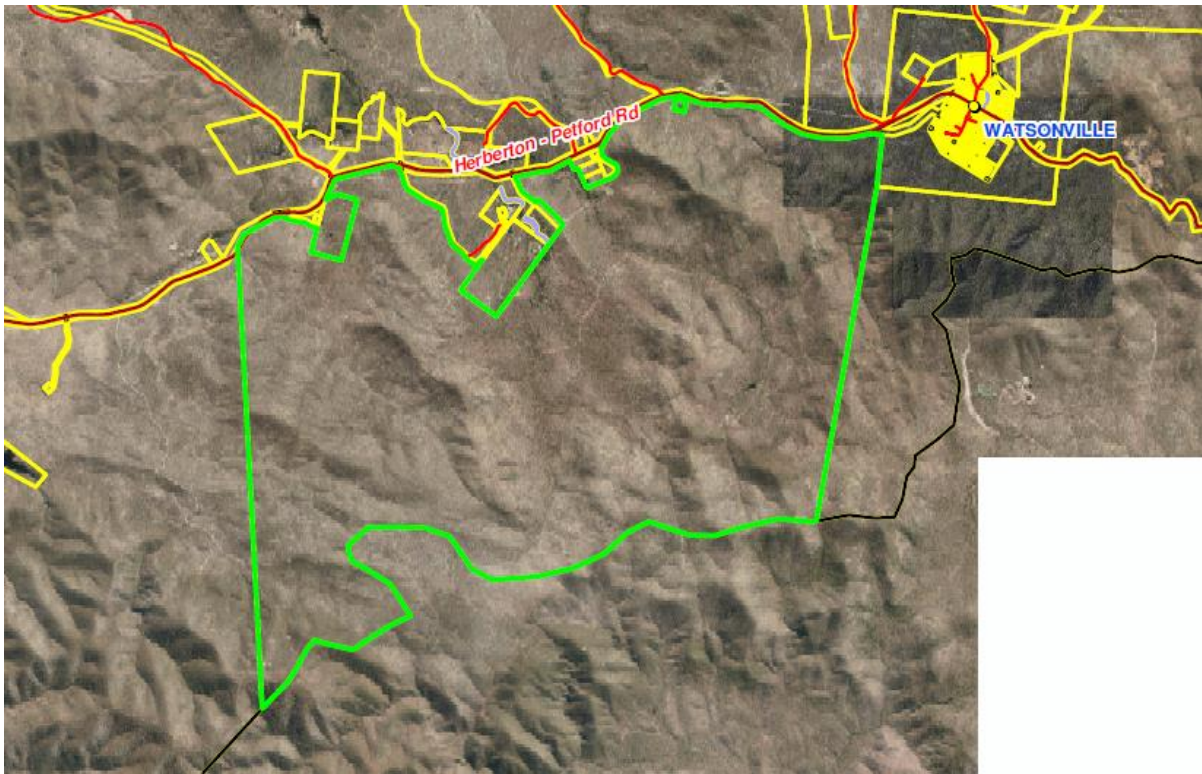




Google earth

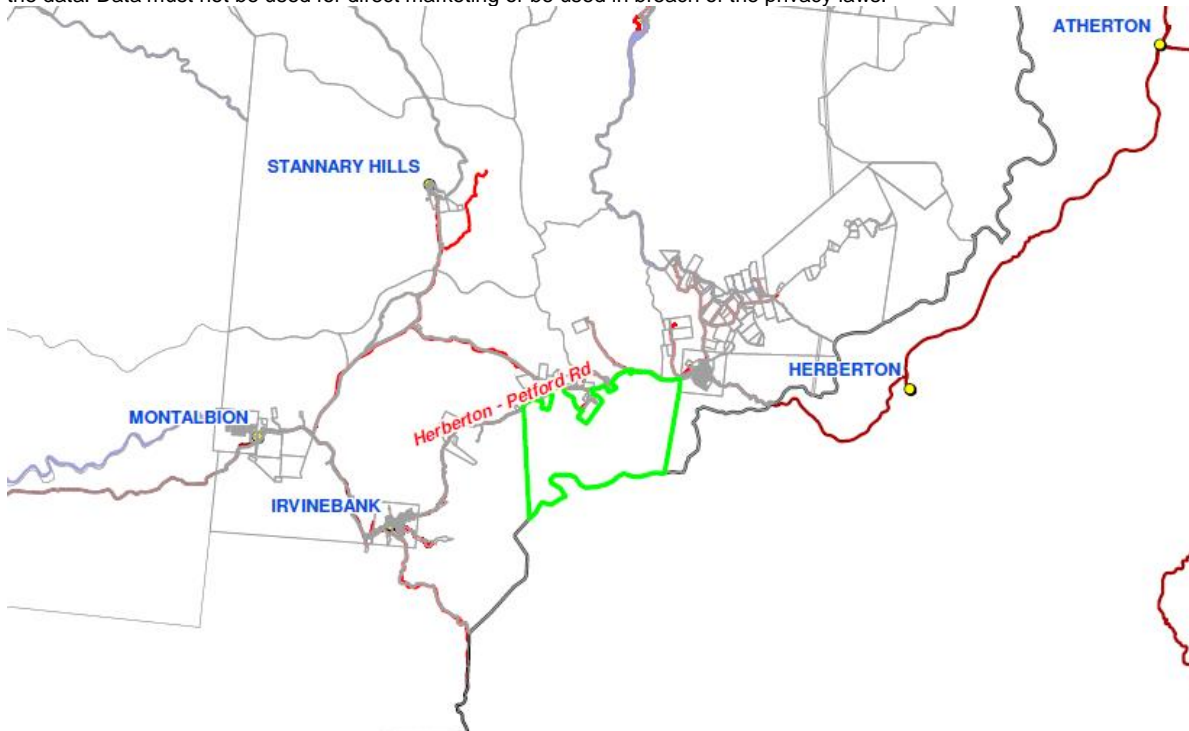
feet 900
meters 200





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LINK TO CORPORATE PLAN

Nil

CONSULTATION

Internal

Nil

External

Nil

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

Nil

POLICY IMPLICATIONS

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

There is no objection to the 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

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 26 August 2016.

Date Prepared: 29 August 2016

ATTACHMENT 1**Queensland**
GovernmentDepartment of
Natural Resources and Mines

Author Inga Kamps
File / Ref number 2016/003525
Directorate / Unit State Land Asset Management
Phone (07) 4222 5122

26 August 2016

The Chief Executive Officer
Mareeba Shire Council
Sent via email to: info@msc.qld.gov.au

Dear Sir

**Application for a Permit to Occupy over unallocated State land described as Lot 1 on
USL21432 – Locality of Watsonville**

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

The enclosed Smartmap shows the subject land and the surrounding locality.

Please advise the department of Council's 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 21 October 2016. If Council offers an objection to the application, a full explanation stating the reason for the objection should be forwarded to this Office.

If Council wishes to provide a response but is 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 Council has no objections or requirements in relation to this matter.

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

Postal :
DNRM
PO Box 5318
Townsville 4810 QLD

Telephone : (07) 4222 5122
Fax: (07) 4447 9199

If Council wishes to discuss this matter please contact Inga Kamps on (07) 4222 5122.

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 2016/003525 in any future correspondence.

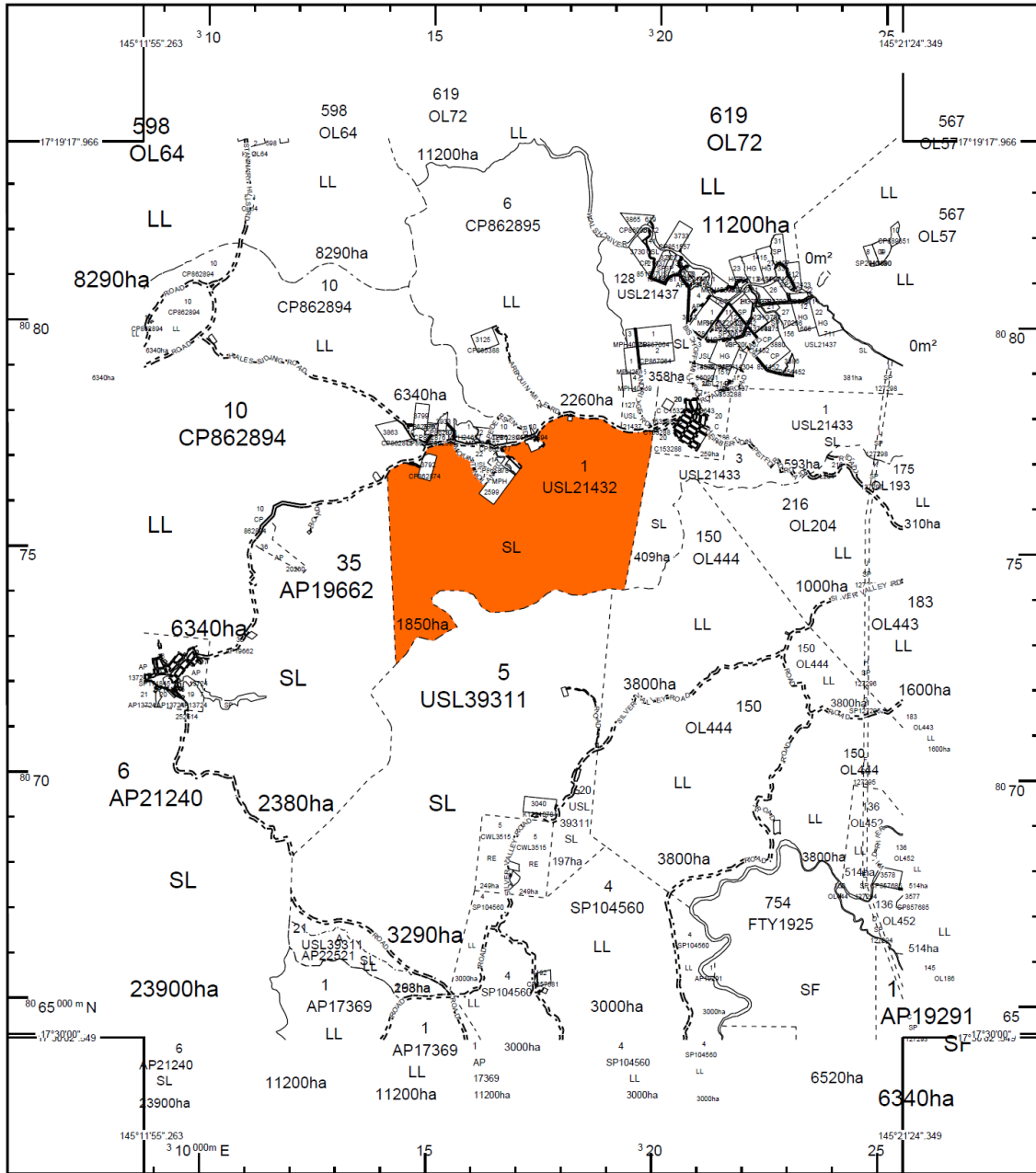
Yours sincerely



Inga Kamps
Land Administration Officer
State Land Asset Management
North Region

Attached:

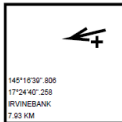
- SmartMap showing Lot 1 on USL21432



STANDARD MAP NUMBER
7963-23431



MAP WINDOW POSITION & NEAREST LOCATION



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 (dd/mm/yyyy) 09/08/2016
For additional information regarding this SmartMap see page 2.
Shading Rules have been applied.

DCDB 08/08/2016 (Lots with an area less than 5,000ha are not shown)

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

SmartMap

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



Queensland
Government

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GOVERNANCE AND COMPLIANCE

ITEM-7

RURAL ANIMALS IN AN URBAN ENVIRONMENT

REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 275(1)(h) of the Local Government Regulation 2012, which permits the meeting to be closed to the public for business relating to the following:

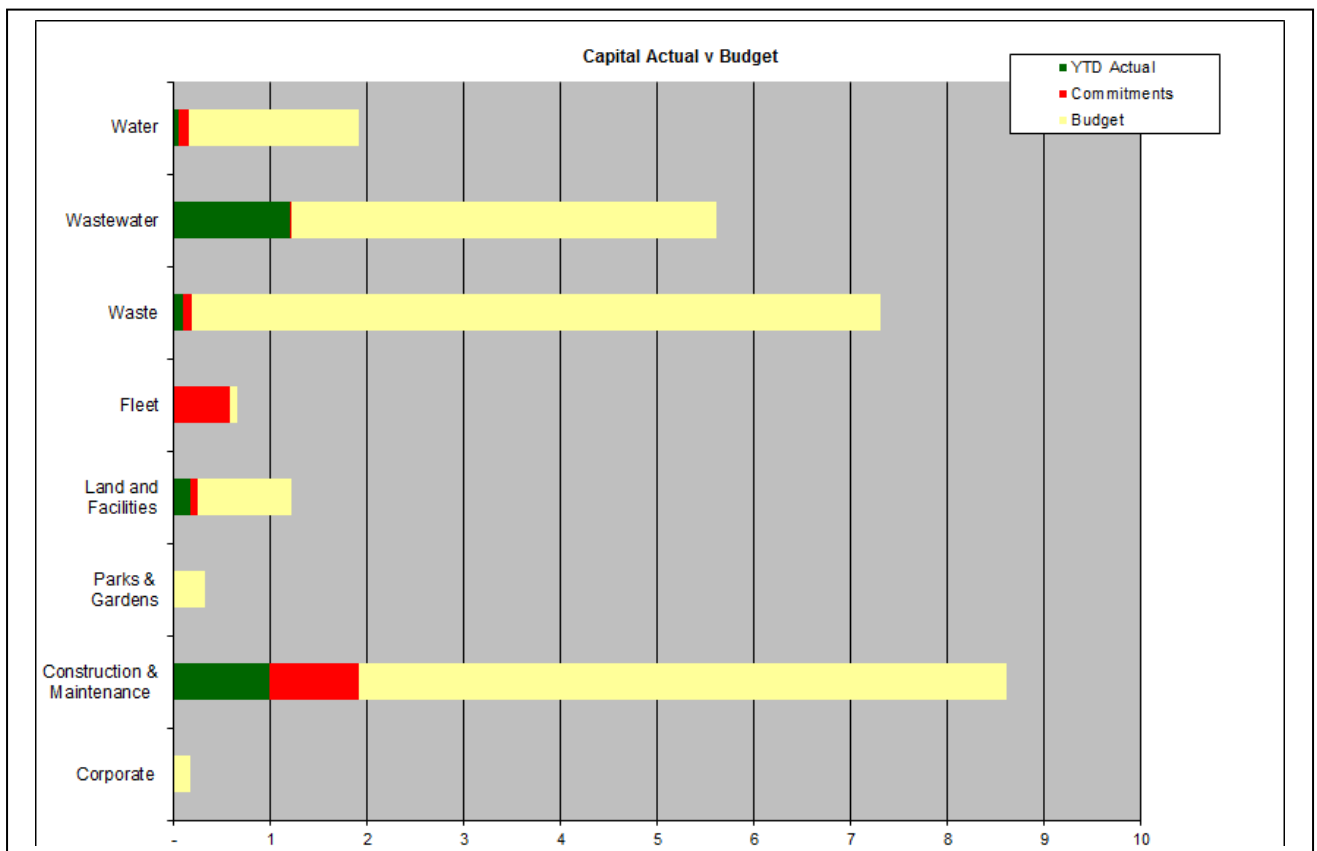
- (h) other business for which a public discussion would be likely to prejudice the interests of Council or someone else, or enable a person to gain a financial advantage.

August 2016 - Snapshot

Total Operating Income	\$	17,697,303
Total Operating Expenditure	\$	6,475,203
Operating Surplus	\$	11,222,100
Total Capital Income (grants, developer contributions)	\$	370,579
Net Result - Surplus	\$	11,592,679

Capital Expenditure

Total capital expenditure of \$4,334,153 (including commitments) has been spent for the period ending 31 August 2016 against the 2016/17 annual capital budget of \$25,756,064.

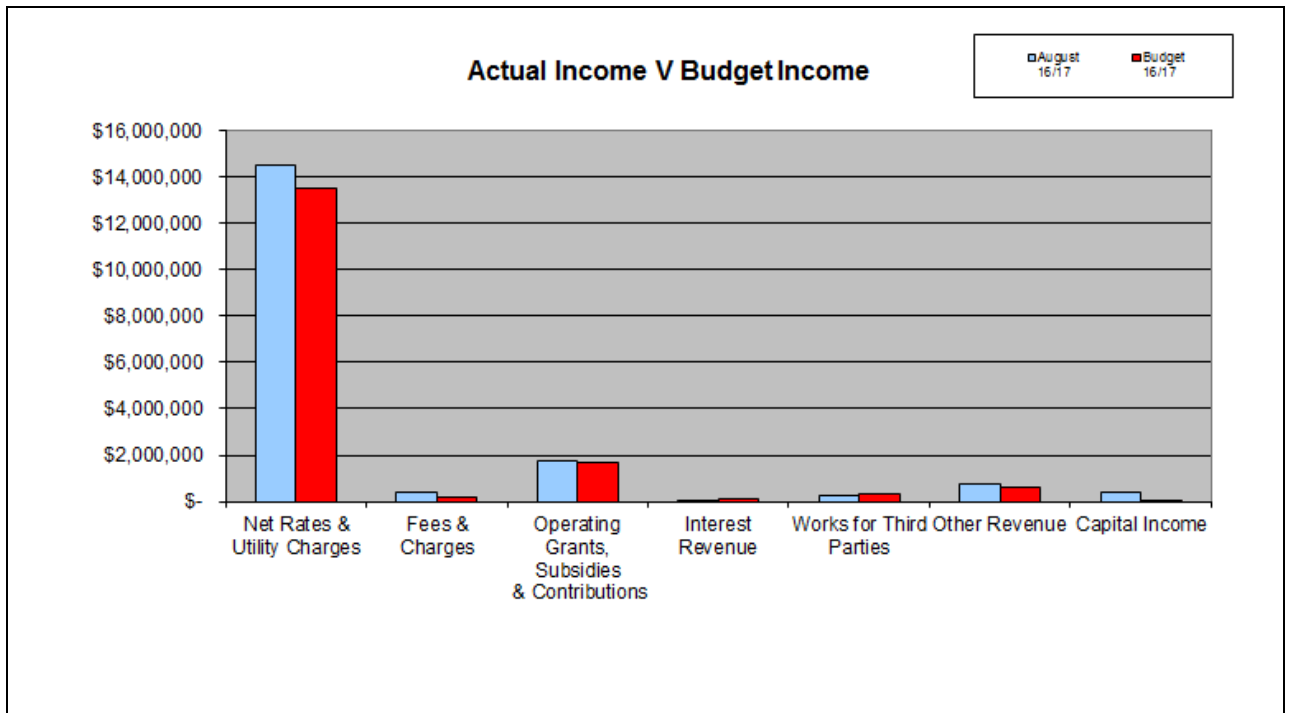


Any 2015/16 capital projects that did not commence or finish will be carried over into the 2016/17 budget. A list of these carry overs will be provided to Council at a three month capital budget review.

Income Analysis

Total income (including capital income of \$370,579) for the period ending 31 August 2016 is \$18,067,882 compared to the YTD budget of \$16,460,375.

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



Description	Actual YTD	Budget YTD	Note
Net Rates & Utility Charges	14,509,015	13,520,370	1
Fees & Charges	383,759	190,238	
Operating Grants, Subsidies & Contributions	1,739,755	1,703,133	
Interest Received	58,879	113,388	2
Works for Third Parties	260,532	294,908	
Other Revenue	745,363	636,538	
Capital Income	370,579	1,800	3

Notes:

1. Rates for the half year 1 July to 31 December 2016 were issued on 16 August. The favourable variance relates to rates discount, which is only recorded when rate payments are made. As more rate payments are received before discount date, this variance will reduce.
2. Council currently has four (4) term deposits maturing at different periods over the next 11 months. Term deposit interest revenue will amount to \$368k.
3. \$45k relates to developer contributions and \$325k for Roads to Recovery capital grant (R2R).

Rates and Sundry Debtors Analysis

Rates and Charges

The total rates and charges payable as at 31 August 2016 is \$12,958,170.

Rates were issued on 16 August for the six (6) months July to December 2016, with the discount closing 16 September. Total Gross Rates and Charges levied for the six (6) month period was \$15,116,928.

Collection House collected \$77,154 for the month of August. The outstanding amount for properties currently with debt collection is \$269,575.

Sundry Debtors

The total outstanding for Sundry Debtors as at 31 August is \$2,906,939 which is made up of the following:

Current	30 days	60 days	90 + days
\$552,530	\$24,464	\$2,318,721	\$11,224
19.01%	0.84%	79.77%	0.38%

LINK TO CORPORATE PLAN

Nil

CONSULTATION

Internal

Director Corporate & Community Services
Financial Accountant

External

Nil

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

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

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital
Nil

Operating
Nil

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

1. Financial Statements

Date Prepared: *8 September 2016*

MAREEBA SHIRE COUNCIL
**Budgeted Income Statement by Fund
For the period ending 31 August 2016**

	Sewerage Services		Water Services		Benefitted Areas	
	Actual YTD	Budget YTD	Actual YTD	Budget YTD	Actual YTD	Budget 2016/17
Revenue						
Rates and utility charges	2,168,712	2,154,326	2,234,701	2,458,158	158,818	160,249
Less Discounts and Pensioner Remissions	-	-	-	-	-	-
Net Rates and Utility Charges	2,168,712	2,154,326	2,234,701	2,458,158	158,818	160,249
Fees and Charges	2,883	5,000	-	0	-	0
Operating Grants and Subsidies	-	-	-	0	-	0
Operating Contributions	-	-	-	0	-	0
Interest Revenue	-	-	-	9,570	-	5,833
Works for Third Parties	1,827	-	21,629	4,950	-	35,000
Other Revenue	-	-	12,462	4,667	-	0
Total Operating Revenue	2,173,422	2,159,326	2,268,792	2,477,345	158,818	1,126,898
Expenditure						
Employee Expenses	53,891	74,828	111,902	123,709	10,792	14,146
Materials and Services	140,045	271,574	430,950	537,804	54,629	75,035
Depreciation expense	149,508	149,508	205,521	205,521	23,575	23,575
Finance and Borrowing costs	-	-	-	-	-	-
Total Operating Expenses	343,444	495,910	748,373	867,034	88,996	112,756
Operating Surplus/(Deficit)	1,829,978	1,663,416	1,520,419	1,610,311	69,822	59,493
Capital Income						
Capital Contributions	1,999	-	5,805	0	-	-
Capital Grants and Subsidies	-	-	-	0	-	-
Profit/(Loss) on Sale of Asset	-	-	222	-	-	-
Net Result	1,831,977	1,663,416	1,526,446	1,610,311	69,822	59,493
						690,637

LINK TO CORPORATE PLAN

GOV 1 - Develop an achievable long-term financial plan that underpins Council's long-term financial sustainability.

CONSULTATION*Internal*

Manager Finance

Manager Development and Governance

External

Nil

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

Council must be able to demonstrate that the cost recovery fees are no more than the cost of providing the service. Council is able to set a fee that is lower than the calculated cost where it is deemed appropriate.

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS*Capital*

Nil

Operating

Nil

IMPLEMENTATION/COMMUNICATION

On adoption of the adjusted building record search fee, the schedule of fees and charges will be updated. The charge controls in the Council's corporate system (Property & Rating) will need to be updated prior to the commencement of the use of this new fee scheme. The website will also need to be updated to reflect the new fees.

ATTACHMENTS

1. Building Information Request Form

Date Prepared: 13 September 2016


MAREEBA SHIRE COUNCIL
01/07/2016 - 30/06/2016
BUILDING INFORMATION REQUEST FORM

A NON-REFUNDABLE SEARCH FEE \$50.00 IS TO BE PAID AND PHOTO ID OR AUTHORISATION TO BE PRESENTED PRIOR TO THIS SEARCH BEING CONDUCTED

If the plans are found, to retrieve and/or copy plans, you may be required to pay additional costs. The cost varies dur to the location and size of the original file. The fees are as follows:

- Building File Information Only (Building File Search and Summary) - \$50.00
- Building and Plumbing Plans (Building File Search, Summary and Plans - \$130.00
- Full Building File Information (Building File Search, Summary, Plans and an Inspection) - \$330.00

*Please note: No building information will be given verbally - only written advice is available.
Please allow 5 - 10 business days for Council to produce this information.*

ALL DETAILS TO BE COMPLETED BY APPLICANT:

Date Requested: _____

Location: Lot No. _____ House No. _____ Plan No. _____

Street Name: _____

Suburb: _____

Requestor Name: _____

Requestor Postal Address: _____

 Type of Search (eg: dwelling/additions/etc or all that are available).

Contact Name: _____

Contact Numbers: _____

Home: _____ Work: _____ Mobile: _____

Customer Service Use Only:

Date: _____ Search Fee: \$50 \$130 \$330 Receipt No. _____ Officer Ints: _____

SECURITY CHECKS ✓ **PHOTO ID OR AUTHORISATION TO BE PRESENTED WITH THIS APPLICATION**

 Requestor ID Check: Contract of Sale:

Officer Initials: _____

Office use only - Total cost of retrieved and copied plans to be paid on collection
Mareeba Shire Council - Information Privacy Statement

Your personal information has been collected for the purpose of assessing your application for building plans. You are providing personal information which will be used for the purpose of delivering services and carrying out Council business. Your personal information is handled in accordance with the *Information Privacy Act 2009* and will be accessed by persons who have been authorised to do so. Your information will not be given to any other person or agency unless you have given Council permission or the disclosure is required by law.

INFORMATION SYSTEMS AND CUSTOMER SERVICE

ITEM-10 EOI MSC2015-04 - LONG TERM ICT STRATEGY

MEETING: Ordinary

MEETING DATE: 21 September 2016

**REPORT OFFICER'S
TITLE:** Manager Systems and Customer Service

DEPARTMENT: Corporate & Community Services

EXECUTIVE SUMMARY

Council is seeking to implement a long term strategy to ensure the continuity of delivery of ICT services beyond the expected end of life of the current data centre infrastructure. This strategy is intended to embrace the 'ICT as a Service' ethos, and make use of Cloud service models to the maximum extent permissible.

EOI MSC2015-04 Long Term ICT Strategy was issued in November 2015, with a clarification addendum released in June 2016.

This report provides a comparison of the submissions received and makes a recommendation on the preferred supplier.

OFFICER'S RECOMMENDATION

"That Council award EOI MSC2015-04 Long Term ICT Strategy to Gravelroad Group Pty Ltd."

BACKGROUND

The EOI was initially called in November 2015 with a deliberately broad specification; the intention being to elicit a wide range of options by not constraining business with a pre-determined direction. Submissions to this initial EOI were received from the following businesses:

- Telstra Corporation Limited
- Resolute Information Technology Pty Ltd
- Gravelroad Group Pty Ltd
- BTAS Pty Ltd
- Dialog Information Technology
- Information Professionals Holdings Pty Ltd
- Open Windows Software

A subsequent Addendum was released in June 2016 in an attempt to focus the scope of the EOI. This was deemed necessary due to the somewhat ambiguous nature of many of the

submissions, some of which did not include a dollar value, making the evaluation process difficult.

The addendum set out the following guidelines:

The intent of the EOI is to provide business with the opportunity to recommend a long term solution that matches the capacity of industry with the needs of Council, with scope to recommend alternative options based on known limitations or opportunities. It is anticipated that each respondent will adopt a vendor/solution agnostic approach.

Individual implementation components of the proposed strategy should be tailored to ensure that where possible they are:

Innovative. *Increase customer experience, productivity and efficiency by exploiting new innovations in cloud services, and allowing them to become more accessible at any time, any location and on any device.*

Sustainable. *Costs and risks can be monitored and managed to ensure the long term achievement of business outcomes.*

Secure. *Ensure the confidentiality, security and privacy of information is maintained.*

Respondents to the EOI are expected to quote on the delivery of an implementation Strategy that fulfils these requirements.

Based on this clarification, all respondents were invited to re-evaluate their initial submissions. Responses were received from the following businesses:

- Telstra Corporation Limited
- Resolute Information Technology Pty Ltd
- Gravelroad Group Pty Ltd
- BTAS Pty Ltd
- Dialog Information Technology ¹

¹ The revised submission from Dialog Information Technology was e-mailed directly to Manager Systems and Customer Service and subsequently received by post after the closure date, and was therefore exempt from the evaluation process.

EOI ASSESSMENT

Overview

The EOI documents advised respondents that all submissions would be assessed on the following criteria and weightings:

Relevant Experience	30%
Key personnel skills and experience	10%
Respondent's resources	20%
Demonstrated understanding	40%

Summary

All responses were assessed on the above criteria resulting in the following scoring (out of a maximum possible ten points):

Gravelroad Group Pty Ltd	6
Telstra Corporation Limited	6
Information Professionals Holdings Pty Ltd	5.85
Dialog Information Technology	5.65
Resolute Information Technology Pty Ltd	5.2
BTAS Pty Ltd	3.15
Open Windows Software ¹	0

¹ The solution proposed by Open Windows Software centred on the supply of 'Contract, Procurement and Project Management' software which was deemed out of scope for the EOI.

The submission provided by Gravelroad Group Pty Ltd was evaluated as the best combination of industry experience coupled with a vendor/solution agnostic approach.

LINK TO CORPORATE PLAN

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

CONSULTATION

Internal
Council Officers

External
Nil

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital
FY17 budget allocation of \$50,000 - CP00207

Operating
Significant input will be required by Council officers, notably those in ICT and Business Systems.

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

Yes

IMPLEMENTATION/COMMUNICATION

Nil

Date Prepared: *6 September 2016*

INFRASTRUCTURE SERVICES

PROJECT MANAGEMENT

ITEM-11 **MAREEBA SWIMMING POOL LEASE AND
MANAGEMENT OF THE KURANDA AQUATIC CENTRE**

MEETING: Ordinary

MEETING DATE: 21 September 2016

**REPORT OFFICER'S
TITLE:** Project Manager Building

DEPARTMENT: Infrastructure Services, Project Management

EXECUTIVE SUMMARY

The current lease for the Mareeba Swimming Pool and the Kuranda Aquatic Centre expired on 1 September 2016.

A public invitation to tender was advertised in the Cairns Post, Tablelands Advertiser and The Mareeba Express for suitable qualified persons to tender an annual rental price including proposed entrance fees over a three (3) year period for the Mareeba Swimming Pool and the Kuranda Aquatic Centre.

The compulsory site meeting at both pools was attended by representatives of two (2) interested groups with council receiving only one (1) tender submission from June and Sydney Cotter T/A Cotter's Aquatics Swim and Fitness.

June and Sydney Cotter lodged two (2) tenders, one (1) conforming tender (refer Attachment A) and one (1) non-conforming tender (refer Attachment B).

OFFICER'S RECOMMENDATION

"That Council approve the non-conforming tender and proposed entrance fees (outlined in Attachment B of the report) submitted by June and Sydney Cotter T/A Cotter's Aquatic Swim and Fitness to;

1. lease the Mareeba Pool for \$14,300 (inclusive of GST) for the first year with additional CPI increases for the remaining two (2) years.
2. manage the Kuranda Aquatic Centre where Council provide an amount of \$65,000 (inclusive of GST) for the first year with additional CPI increases for the remaining two (2) years."

BACKGROUND

A public invitation to tender was advertised in the Cairns Post, Tablelands Advertiser and The Mareeba Express for suitable qualified persons to tender an annual rental price including proposed entrance fees over a three (3) year period for the Mareeba Swimming Pool and the Kuranda Aquatic Centre.

The compulsory site meeting at both pools was attended by representatives of two (2) interested groups, June and Sydney Cotter T/A Cotter's Aquatics Swim and Fitness and Belgravia Leisure which currently operate the new Tobruk Pool at Cairns; however Council only received the one (1) tender from June and Sydney Cotter.

June and Sydney Cotter T/A Cotter's Aquatics Swim and Fitness have leased the Mareeba Swimming Pool for the previous eight (8) years and have managed the Kuranda Aquatic Centre for the previous three (3) years.

The Mareeba Pool is currently operated as a lease agreement with Council and the Kuranda Aquatic Centre is operated under a management agreement with Council where financial assistance from Council is provided to operate the centre.

Attached to the report (refer Attachment C) is a detailed list of responsibilities for the Trustee and the Trustee Lessee for the maintenance type, supply and delivery of services / consumables and equipment used for the maintenance of the pools, buildings and surrounding lawns and gardens.

LINK TO CORPORATE PLAN

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

CONSULTATION

Internal

Manager Infrastructure Services
Senior Facilities Officer
Budget Officer

External

June and Sydney Cotter
Belgravia Leisure

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS*Capital*

Nil

Operating

Nil

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

Nil

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

Nil

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

1. Attachment A - Conforming Tender Submission - June and Sydney Cotter;
2. Attachment B - Non-conforming Tender Submission - June and Sydney Cotter;
3. Attachment C - Detailed list of responsibilities for the Trustee and the Trustee Lessee.

Date Prepared: 7 September 2016

Attachment A

June and Sydney Cotter Tender Submitted - Conforming

Mareeba - Annual Rental Tendered

SUBMITTED BY	YEAR	TENDER OFFER PER ANNUM RENTAL (Exclusive of GST)
June and Sydney Cotter Trading as Cotters Aquatic Swim and Fitness	Year 1	\$13,000 (ex GST)
	Year 2	\$13,000 (ex GST) + CPI
	Year 3	Total Year 2 + CPI

Mareeba - Details of Fees Proposed

SUBMITTED BY COTTERS	CURRENT FEE Per Person	PROPOSED FEE Per Person
Entrance - Adults	\$3.50	\$3.80
Entrance Children 2 to 15 years and Pensioners	\$2.50	\$2.50
Pensioners	\$2.50	\$2.80
Spectators and Children to 2 years	\$1.50	\$1.00

Kuranda - Annual Rental Tendered

Nil - No Annual Rental Tender Submitted.

Kuranda - Details of Fees Proposed

SUBMITTED BY COTTERS	CURRENT FEE Per Person	PROPOSED FEE Per Person
Entrance - Adults	\$3.50	\$3.80
Entrance Children 2 to 15 years and Pensioners	\$2.50	\$2.50
Pensioners	\$2.50	\$2.80
Spectators and Children to 2 years	\$1.50	\$1.00
Family	\$9.50	\$9.50

Attachment B

June and Sydney Cotter Tender Submitted - Non Conforming

Mareeba - Annual Rental Tendered

SUBMITTED BY	YEAR	TENDER OFFER PER ANNUM RENTAL (Exclusive of GST)
June and Sydney Cotter Trading as Cotters Aquatic Swim and Fitness	Year 1	\$13,000
	Year 2	\$13,000 + CPI
	Year 3	Total Year 2 + CPI

Mareeba - Details of Fees Proposed

SUBMITTED BY COTTERS	CURRENT FEE Per Person	PROPOSED FEE Per Person
Entrance - Adults	\$3.50	\$3.80
Entrance Children 2 to 15 years and Pensioners	\$2.50	\$2.50
Pensioners	\$2.50	\$2.80
Spectators and Children to 2 years	\$1.50	\$1.00

Kuranda - Annual Management Fee

SUBMITTED BY	YEAR	ANNUAL MANAGEMENT FEE (Exclusive of GST)
June and Sydney Cotter Trading as Cotters Aquatic Swim and Fitness	Year 1	\$65,000
	Year 2	\$65,000 + CPI
	Year 3	Year 2 + CPI

Kuranda - Details of Fees Proposed

SUBMITTED BY COTTERS	CURRENT FEE Per Person	PROPOSED FEE Per Person
Entrance - Adults	\$3.50	\$3.80
Entrance Children 2 to 15 years and Pensioners	\$2.50	\$2.50
Pensioners and Seniors	\$2.50	\$2.80
Spectators and Children under 2 years	\$1.50	\$1.00
Family	\$9.50	\$9.50

Attachment C

Maintenance Type - Consumables - Equipment Mareeba and Kuranda	Responsibility Trustee Lessee	Responsibility- Trustee Mareeba Shire Council
Mowing all lawns and keeping the same neat and tidy including inside the perimeter fence lines	<input checked="" type="checkbox"/>	
Weeding all gardens and landscaped areas	<input checked="" type="checkbox"/>	
Keep free from mould and lime build up all concreted, tiled and/or paved footpaths	<input checked="" type="checkbox"/>	
Telephone usage charges	<input checked="" type="checkbox"/>	
Telephone rental charges		<input checked="" type="checkbox"/>
Plant and Equipment - Clean and tidy and in good order	<input checked="" type="checkbox"/>	
Plant and Equipment - Repair all plant and equipment unless damage is caused by negligent or wilful conduct from the Trustee Lessee		<input checked="" type="checkbox"/>
Retractable Sail Shade Mareeba 50 meter pool - Operation, maintenance, removal and installation		<input checked="" type="checkbox"/>
Fixed Sail Shade wading pool Mareeba and Kuranda- Maintenance, removal and installation		<input checked="" type="checkbox"/>
Cleaning equipment (e.g. pool vacuums) supplied and maintained		<input checked="" type="checkbox"/>
Supply of tools, brooms, brushes, hoses, disinfectants, soaps and cleaners required for use on the premises		<input checked="" type="checkbox"/>
Pool blankets - supplied and maintained		<input checked="" type="checkbox"/>
Chlorination and disinfection of water to be used in both Mareeba and Kuranda pools	<input checked="" type="checkbox"/>	
Record of operations and use of chemicals	<input checked="" type="checkbox"/>	
Rescue equipment - Supply and maintain		<input checked="" type="checkbox"/>
Licences and Permits - Obtain, maintain, renew	<input checked="" type="checkbox"/>	
Annual report	<input checked="" type="checkbox"/>	
Security	<input checked="" type="checkbox"/>	
Emptying and filling pools	<input checked="" type="checkbox"/>	
Supply of chemicals and gases for pool chlorination and disinfection		<input checked="" type="checkbox"/>
Kiosk - Repair or replace all broken, cracked or damaged plate glass or other glass, doors, locks, frames and windows	<input checked="" type="checkbox"/>	
Toilets/showers- damage to toilets/showers and associated fittings and equipment	<input checked="" type="checkbox"/>	
Pool heating systems - service and maintain		<input checked="" type="checkbox"/>
Rodents and Vermin - maintain and clear rodents, termites, cockroaches and other vermin	<input checked="" type="checkbox"/>	
Rubbish removal and sanitary collection service		<input checked="" type="checkbox"/>
Water - All water consumed or used in connection with the operation of the Premises		<input checked="" type="checkbox"/>
Electricity - Mareeba		<input checked="" type="checkbox"/>
Electricity- Kuranda other than pool heating	<input checked="" type="checkbox"/>	
Structural Repairs - Pools/ Buildings Trustee owned infrastructure		<input checked="" type="checkbox"/>

PROVISION OF EQUIPMENT BY TRUSTEE

The Trustee shall supply and maintain the following plant and equipment necessary to maintain the grounds and other internal areas at the Premises.

Plant/ Equipment	Mareeba	Kuranda
Public address system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Backstroke poles and flags	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Starting blocks (removable)		<input checked="" type="checkbox"/>
Lane rope reels x 2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Storage shed x 2		<input checked="" type="checkbox"/>
Lap clock	2 x <input checked="" type="checkbox"/>	1 x <input checked="" type="checkbox"/>
Defibrillator		1 x <input checked="" type="checkbox"/>
Public notice board		1 x <input checked="" type="checkbox"/>
Oxy Viva		1 x <input checked="" type="checkbox"/>
Spinal board	1 x <input checked="" type="checkbox"/>	1 x <input checked="" type="checkbox"/>
First Aid Table		1 x <input checked="" type="checkbox"/>
Leaf blower	1 x <input checked="" type="checkbox"/>	
Push lawnmower	1 x <input checked="" type="checkbox"/>	1 x <input checked="" type="checkbox"/>
Brush cutter	1 x <input checked="" type="checkbox"/>	1 x <input checked="" type="checkbox"/>
Edge Trimmer	1 x <input checked="" type="checkbox"/>	

tendered and contractors were appointed to these projects in July 2017. The delivery of these projects has been coordinated to ensure efficient delivery of each project and minimise impacts on road and airport users.

FGF Developments commenced water main upgrade works from mid-August 2016 and are scheduled for completion by the end of October 2016. LDI Constructions commenced roadworks on Vicary Road in early September 2016 and are scheduled for completion by mid-November 2016. Northern Civil Earthworks will commence work on the Vicary Road leased area pavements from late October 2016, and are scheduled for completion by early December 2016.

Construction works scheduled for September 2016 includes continuation of the water main upgrade by FGF Developments and installation of culverts and road widening on Vicary Road by LDI Constructions.

Western Lease Area

Jacobs has been commissioned to undertake the detailed design and documentation for the western lease area. This incorporates the design of aprons, road, car parking, services and lighting. Consideration has been given to provision of a mix of lease sizes and types to cater for aircraft storage and aircraft-based businesses when developing the draft layout. Jacobs have reviewed the draft layout for compliance against International Civil Aviation Organization (ICAO) and Civil Aviation Safety Authority (CASA) requirements. Council officers have reviewed these recommendations and have authorised Jacobs to prepare the final concept design for the Western Lease Area. Full detailed design of the Western Lease Area is scheduled for completion by the end of November 2016 with construction work to be undertaken from early 2017.

Runway, Taxiways and Lighting

Design of the runway, taxiways and airfield lighting is being progressed to meet the requirements of the funding agreements. Engagement of Jacobs to undertake this design is proposed under a separate report being presented at this meeting. The design and documentation for construction of the runway, taxiways and airfield lighting is to be completed by the end of November 2016, so that construction can commence post wet season 2017.

Expenditure

This expenditure comprises survey, design, ground clearing, soil testing and assistance with concept master planning. This amount includes current committals of \$1,888,040 which are primarily made up of the purchase orders raised on Northern Civil Earthworks for Contract TMSC2016-04 Mareeba Airport Redevelopment - Construction of Vicary Road Leased Area Pavements (\$160,565), LDI Constructions for Contract TMSC2016-05 Mareeba Airport Redevelopment - Construction of Vicary Road and Ray Road (\$762,471) and FGF Developments for Contract TMSC2016-07 Mareeba Airport Redevelopment - Water Main Upgrade (\$678,411).

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*

A/Director Infrastructure Services
Manager Works

External

Commonwealth and State Governments
Jacobs

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

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

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS*Capital*

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

Operating

To be included in future budgets.

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

Yes

IMPLEMENTATION/COMMUNICATION

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

ATTACHMENTS

1. Progress Photographs – August 2016

Date Prepared: 9 September 2016

17 August 2016 - Installation of new Fire Main on Vicary Road



6 September 2016 - Installation of new Fire Main on southern side of Runway



8 September 2016 - Vicary Road Widening



Primary activities scheduled for September are the continuation of concrete works for the bioreactor and chlorine contact tank, services installation and construction of the site buildings.

Expenditure

The expenditure reporting period has been amended from previous months to include only amounts from 2014/15 to current. It includes current committals of \$12,254,204 which is primarily made up of the purchase order raised on Downer Utilities Australia (balance of committal is \$11,483,671) for Contract TMSC2015-13 Mareeba Wastewater Treatment Plant – Design and Construction and a purchase order of \$732,441 against Bilfinger for Contract TMSC2015-08 Mareeba Wastewater Treatment Plant – Inlet Works. Other minor committals and expenditure are also included in the total expenditure to date.

LINK TO CORPORATE PLAN

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

CONSULTATION

Internal

A/Director Infrastructure Services
Manager Water & Waste

External

Contractors

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

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

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital

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

Operating

To be included in future budgets.

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

Yes

IMPLEMENTATION/COMMUNICATION

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

ATTACHMENTS

1. Progress Photographs – August 2016

Date Prepared: *09 September 2016*

16 August 2016 - Installation of reinforcement for bioreactor (SBR) base slab



23 August 2016 - Excavation for chlorine contact tank (CCT)



24 August 2016 - Aerial photograph of project site



31 August 2016 - Concrete pour No. 2 for bioreactor (SBR) base slab



Due to airport operational restrictions, the contractor will be responsible for planning of airside works, including the development of Method of Working Plans (MOWP) for approval by Council and lodgement with the Civil Aviation Safety Authority (CASA). In addition, higher standards and quality requirements exist for airport pavements compared with road pavements. Engagement of a contractor with relevant airport experience and sound construction practices will help to mitigate Council's risk of extended disruption to airport users, and help ensure that the works are completed within the required timeframes and engineering tolerances.

Inviting expressions of interest before inviting written tenders from short-listed, suitably-qualified contractors will help ensure that the selected tenderers dedicate appropriate resources to their tender as they would assess their chances of success as higher than in an open tender. Negotiation with a smaller number of tenderers also allows Council greater flexibility to negotiate, manage risk and deliver best value for money from tenders than in a larger and more disparate field of tenderers.

LINK TO CORPORATE PLAN

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

CONSULTATION

Internal

A/Director Infrastructure Services
Manager Works

External

Commonwealth and State Governments
Jacobs

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

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

To ensure that a suitably qualified contractor is engaged to undertake construction of the runway, taxiways and airfield lighting, and minimise impacts on operation of the airport during construction, it is proposed that expressions of interest are called for this work, with short-listed contractors invited to tender on the work in early 2017.

POLICY IMPLICATIONS

Procurement Policy

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 2016/2017 budget?

Yes

IMPLEMENTATION/COMMUNICATION

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

ATTACHMENTS

Nil

Date Prepared: *8 September 2016*

As Jacobs have already undertaken a significant part of the Mareeba airport design it is considered to be economically and practically sensible to extend their engagement to include the design and documentation of the main runway, taxiways and aprons and not have a two consultants engaged on the one project.

While Jacobs are listed with Council under its Preferred Supplier Arrangement (PSA), they are also listed as a preferred supplier under Local Buy. This listing requires them to submit a formal tender and that tender be assessed before they can achieve the Local Buy PSA status.

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

Chief Executive Officer
Manager Works
Contracts & Project Management Officer

External

Jacobs

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital

Jacobs fee proposal

Operating

Nil

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

Yes

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

Nil

IMPLEMENTATION/COMMUNICATION

Nil

Date Prepared: *8 September 2016*

ITEM-16 DIMBULAH SWIMMING POOL FILTRATION SYSTEM**MEETING:** Ordinary**MEETING DATE:** 21 September 2016**REPORT OFFICER'S
TITLE:** Project Manager Building**DEPARTMENT:** Infrastructure Services, Project Management

EXECUTIVE SUMMARY

The Dimbulah Swimming Pool's filtration system operates where the pool water is circulated through a sand media encased in two (2) filtration tanks and then pumped back to the pool.

During the previous pool opening season it had been identified that the sand media from the pool filters is flowing back into the swimming pool through the filtration pipe infrastructure.

Contractors were engaged and the problem was identified where the lateral underdrain assembly in one (1) of the filter tanks was badly corroded and the assembly had collapsed allowing the sand to enter the filtration pool return pipe.

NQEA, an engineering firm from Cairns, was also engaged to carry out and provide a report for the ultrasonic testing for thickness and integrity of both tanks. The report indicates a wide variation of material wall thickness ranging from the 8.00mm down to 2.5mm.

The faulty tank has been decommissioned so for the current season the pool will be operating on a single filter tank which is not sufficient to treat the volume of pool water and the lessee will have to manage the water quality by hand dosing the pool with chemicals as required.

The sand media entering the pool will cause a range of problems including water quality issues, reduced filtration efficiency and damage to the robotic pool cleaning system. Eventually the safe operation of the pool will not be attainable using the existing filter.

OFFICER'S RECOMMENDATION

"That Council obtain quotes to replace the existing pool filters at the Dimbulah Swimming Pool and the required funds be provided at the next budget review."

BACKGROUND

The Dimbulah Swimming Pool has been in service for 40 years and the existing pool filter system and components have not been upgraded in that time.

Repairs on the existing tanks require the sand media be removed and disposed as contaminated waste, the internal of the tanks be de-scaled (remove rust), patch tanks where thinning of the steel walls has occurred, provide rust treatment to the internal walls of the

filter tanks, manufacture and replace the lateral underdrain assemblies, supply and install new sand media.

Testing and repairs were completed on the Mareeba pool filtration tanks, which only required minor patching to keep them serviceable in the short to medium term. However due to more severe deterioration of the internal walls of the filter tanks at the Dimbulah pool, Council's pool service contractor has recommended both filter tanks at the Dimbulah pool be replaced rather than be repaired.

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

Senior Facilities Officer
Manager Technical Services

External

H2O Warehouse
NQEA Cairns
Council's maintenance contractor

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital

To be finalised

Operating

Nil

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

No

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

To be considered in next budget review

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

Nil

Date Prepared: *12 September 2016*

TECHNICAL SERVICES

ITEM-17 "COL JEANES PLACE" KURANDA - REQUEST FOR SIGNAGE APPROVAL

MEETING: Ordinary

MEETING DATE: 21 September 2016

REPORT OFFICER'S TITLE: Acting Director Infrastructure Services

DEPARTMENT: Infrastructure Services, Technical Services

EXECUTIVE SUMMARY

A written request has been received from Mr Ken Wright to name the open section of footpath outside the Anglican Church in Coondoo Street, Kuranda as "Col Jeanes Place" as a mark of respect to Col who sold joke books and pens from his wheel chair to raise funds for local Lions Club for thirty years.

Mr Wright and Fr Chris Wright, the Anglican Minister at St Saviours Church, would like to erect a carved timber sign reading "Col Jeanes Place" in the stone walled garden bed on the footpath outside the church as well as a brass plaque attached to the stone wall, providing a brief commentary about Col.

OFFICER'S RECOMMENDATION

"That Council approve the installation of the carved wooden sign and brass plaque naming the open footpath area outside St Saviours Church in Kuranda as "Col Jeanes Place."

BACKGROUND

Col Jeanes spent the last thirty years or more in a wheel chair following a hang gliding accident in the 1980's, however he continued to take an active role in the Kuranda community by selling joke books and pens to raise money for the local Lions Club. Col became a permanent fixture outside the Church and entertained tourists and locals who stopped to talk with him in his wheel chair.

Following the receipt of a written request from Mr Ken Wright of Koah requesting approval from Council to name the open footpath space outside St Saviours Church Kuranda as "Col Jeanes Place" Mr Wright and the Manager Technical Services met on site to discuss details of the proposal.

Mr Wright advised that he would like to install a carved timber sign in the stone walled garden bed located on the southern side of the open footpath space in front of the church. He also advised that Fr Chris Wright, Archdeacon of the Anglican Church would like to install

a brass plaque on the stone wall explaining who Col was and why this area is named after him.

While both Mr Wright and Fr Wright are prepared to supply the signage at their own cost they may need some assistance with the erection of the timber sign and the installation of the plaque on the stone wall, however this should involve minimal input from Council.

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
Mayor

External
Mr Ken Wright

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital
Nil

Operating
Some help may be required with sign installation

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

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

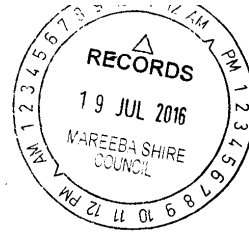
IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

1. Letter from Mr Ken Wright received 19 July 2016
2. Photographs

Date Prepared: *7 September 2016*



2 FAC - P+R - GEN
AI MAYOR .

To The Mayor Councillor Tom Gilmore

PO Box 154 Mareeba 4880

Ken Wright

426 Koah Road Koah 4881

Dear Mr Gilmore,

Thank you for taking the time to consider my proposal. Recently I lost the most genuine friend a man could ever hope to have. It is my understanding that Col Jeanes a quadriplegic gentleman from Kuranda was also a friend of yours. Col's untimely death from bladder cancer has been deeply felt by our small community.

As you are aware Col parked his wheel chair in front of the Anglican Church bell tower for more than three decades selling his pens and joke books to locals and tourists alike. Col served our community by selling raffle tickets to raise funds for his beloved Lions Club. Col raised countless thousands of dollars over many years for Kuranda Lions projects that benefitted our local primary school, local sporting clubs and community enhancement projects. Col has been honoured with the title "The local legend" and when you have listened to his story which is a story of humiliating struggle, Pain, selfless courage and great charity, you get the sense that somehow, we, the Kuranda Community need to remember this wonderful gentleman for the contribution he made to the life of our village.

May I suggest a way we may be able to achieve this desire. Col was parked more often than not as I have already stated in front of St Saviours Bell tower. This area is part of a larger rectangular portion of public space that fronts the entire St Saviours church. I would like to propose that council officially name this area of public space "Col Jeanes Place". Appropriate signage to this effect to be erected by council in recognition of the value of the contribution our mutual friend made to the life of our village.

I have consulted Rev Cris Wright of the Kuranda Anglican Church and he has agreed to supply a brass plaque in dedication to Col which could possibly be fitted to the

stone retaining wall next to the public seat at the western end of this public space.

I have also run this proposal by Col's Wife, Carol and she would be delighted if Mareeba council was to approve this plan to honour her late husband.

If you need any clarification or need to discuss with me how I might proceed with regard to this proposal you may contact me by phone on 40937028. I would be more than happy to take on board any advice or discuss any concerns you may have.

Kind Regards Ken Wright.







immediately north of the crossing and replace it with three (3) 30 minute car parking spaces (Refer to attachment 4 for a plan detailing this option).

Following investigations by Technical Services staff this proposal was not considered to be the most suitable option as it would not benefit all stakeholders. An alternate option was put forward to the business owners whereby two (2) 30 minute parking bays would be created by reducing both the loading bay and the bus parking bay. Reducing the bus parking bay while still ensuring its functionality was one way Technical Services staff saw of achieving a more suitable solution (Refer to attachment 3 for a plan detailing this option).

The Bitzios Kuranda Pedestrian, Traffic and Parking Study of 2012 recommended a number of strategies to create a more effective, coherent layout of the Kuranda CBD for both residents and tourists visiting the area. This recent request was not listed in the study.

If approved, the estimated cost of making the proposed changes for either option would be relatively insignificant due to the minimal amount of materials and labour required to undertake the works.

This report recommends option 1 as the most suitable treatment for the parking issues in Rob Veivers Drive.

LINK TO CORPORATE PLAN

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

CONSULTATION

Internal

Manager Technical Services
Coordinator Technical Services

External

Portfolio Manager - Body Corporate Services Cairns
Business Owner - Kuranda Village Accountancy and Spokesperson for Kuranda Settlement Body Corporate
Business Owner - Claire Souter Art Gallery and Spokesperson for Kuranda Settlement Body Corporate
Chairman, Capta Group - Owner of Australian Butterfly Sanctuary and Tropic Wings Coach Tours
Business Owner - Cyber Café

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS*Capital*

Nil

Operating

This will be covered under the road maintenance budget.

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

N/A

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

Nil

IMPLEMENTATION/COMMUNICATION

Advise the relevant stakeholders of Council's decision following the publication of the meeting minutes.

ATTACHMENTS

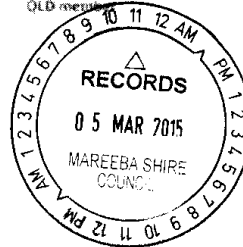
1. Initial request for changes to the parking layout in Rob Veivers Drive from Body Corporate Services Cairns ;
2. Plan detailing existing parking layout in Rob Veivers Drive, between Coondoo and Therwine Streets;
3. Plan detailing changes to the existing layout - Option 1 Council Concept;
4. Plan detailing changes to the existing layout - Option 2 Property Owner Concept.

Date Prepared: 17 August 2016

BODY CORPORATE SERVICES PTY LTD
ABN 82010120144

PO Box 5134 Cairns Qld 4870
bcs_cairns@bcsm.com.au
www.bcsm.com.au

Ph. 07 4040 4000
Fax. 07 4031 1877



Mareeba Shire Council
PO Box 154
Mareeba QLD 4880

27 February 2015

Dear Sir/Madam,

**RE: KURANDA SETTLEMENT CTS 18391
12 ROB VEIVERS DRIVE KURANDA QLD 4881
PARKING IMPROVEMENT PROPOSAL**

We are writing because we wish to improve the parking area on Rob Veivers Drive directly in front of the Kuranda Settlement Building. This body corporate is situated at 12 Rob Veivers Drive. We are five shops outlined as following:

Kuranda Village Accountancy – Owner/Operator accounting business.

Professionals Kuranda – Owner/Operator real estate business.

Kuranda Bookkeeping – Owner/Operator bookkeeping business (opening soon)

Claire Souter Art Gallery – Owner/Operator art gallery and art school business

Cyber Café – Café and takeaway business

We currently have on the roadway directly in front of the building one loading zone (15 minutes maximum) and one bus zone (10 minutes maximum). The five businesses cater to local's needs. None of the businesses have any need for a bus zone. The Cyber Café has very little business from the bus zone and in fact when a bus is parked there the view of the café is blocked entirely actually reducing business. The loading zone is rarely used as a loading zone and in fact is frequented by buses. The bus drivers incorrectly believe that they can use the loading zone to park in.

The buses using the bus zone and the loading zone often stay for well over the time limits and leave their engines running. This is very noisy and smelly and the exhaust fumes permeate our businesses. Upon being asked courteously to turn the engine off or leave, the responses from the bus drivers range in the extreme from an apology and leave immediately to very abusive language in front of tourists and a refusal to turn the engine off or leave.

All five businesses cater to locals and have needs for clients and customers to drop off and pick up documents, pay fees and rents, drop off art gear for lessons and collect takeaways. When the three hour car parks opposite are full, which is usually the case from 10.00am to 3.00pm, there is nowhere for our clients and customers to park. We often hear of this complaint from local clients and customers.

We are proposing that the loading zone and the bus zone be converted into car parks with a maximum time of 30 minutes. We note that other businesses in Kuranda who cater to locals such as the supermarket, post office and chemist have similar parks outside of their businesses.

Branches:

(NSW): Sydney, Central Coast, Forster – Tuncurry, Miranda, Mona Vale, Newcastle, Nelson Bay, Tweed Heads, Willoughby, Wollongong, Nelson Bay

(QLD): Brisbane, Cairns, Coolangatta, Gold Coast, Mackay, Noosa, Port Douglas, Townsville

(VIC): Melbourne, Hawthorn

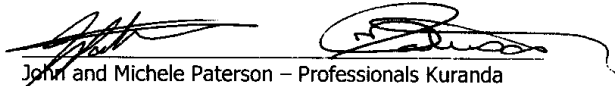
We would be most appreciative if you could consider this proposal. We suggest a meeting on site would be helpful.

If you require any further information about this proposal to improve parking at 12 Rob Veivers Drive please do not hesitate to contact us.

Yours faithfully
for and on behalf of the plan
KURANDA SETTLEMENT CTS 18391



Fay Allen – Kuranda Village Accountancy



John and Michele Paterson – Professionals Kuranda



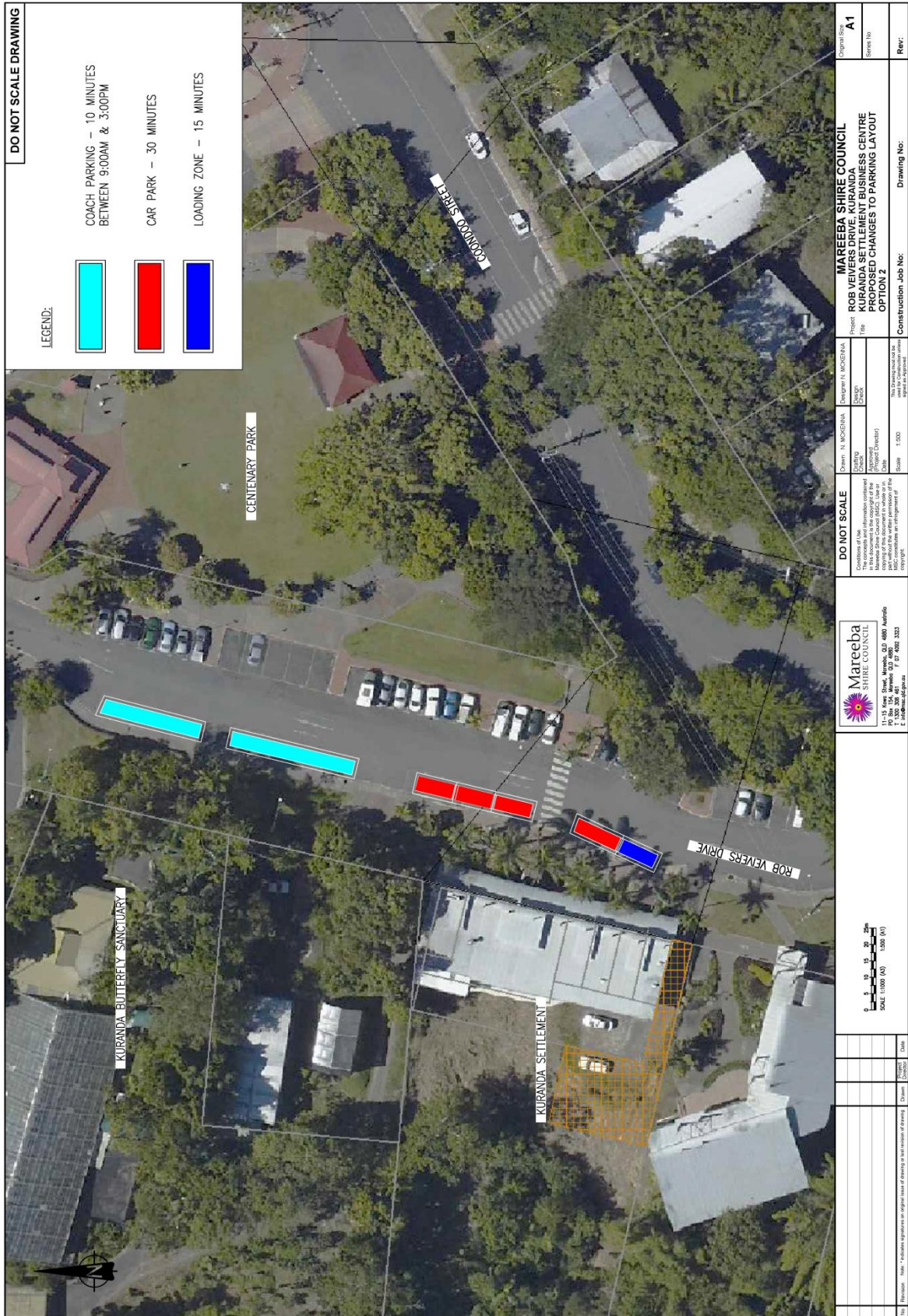
Linda Davis – Kuranda Bookkeeping



Claire Souter – Claire Souter Art Gallery



John Darbyshire and Mandy Shield – Cyber Café



Survey

- Mareeba Landfill - Monthly Survey
- Keegan Street, Mareeba - Set out for construction
- Raleigh Street, Dimbulah – Detailed survey works complete
- Rob Veivers Drive, Kuranda – Detailed survey works commenced
- Mareeba Mausoleum - Lease area setout
- Chettle Road, Mareeba - Detailed survey works complete
- Lawson Street Footpath, Mareeba - Detailed survey works complete
- Kowa Street, Mareeba - Detailed survey works commenced
- Bowers Street, Mareeba - Detailed survey works complete
- Telstra services pick up for Soils investigations

GIS

- Picking up footpath road data with new GNSS receiver for GIS (MSC Zeno 20 unit) including Dimbulah footpaths, Sunbird, Bicentennial Lakes and Anzac Avenue. Setting up pickup geodatabases and projects for asset pickup and editing into GIS geodatabase

SUBDIVISIONS AND INVESTIGATIONS**Subdivisions**

- Current - Under construction
 - Christensen Road, Kuranda Stage 2 - Currently on hold
 - Amaroo Stage 8 (40% completed)
- On Maintenance - Monitoring for 12 months as the Defects Liability Period prior to becoming a Council Asset
 - Wylandra Stage 6B and 6C
 - Howe Farming - Kay Road - Drainage
 - Amaroo Stage 7
 - Bellevue Estate
 - Blacks Road
- Off Maintenance - Council Asset
 - Rhane (Keegan Road)
 - Bright Acquisitions (Tinaroo Creek Road)

PROJECT MANAGEMENT**Civil**

- 2016-17 Bitumen Reseal Programme
 - 60% complete - expected to be completed by 17 September
 - Chettle Road aggregate stripping due to combination HV cane hauling and speed
 - Chettle Road defects liability rectification works pending
- 2016-17 Asphalt Programme
 - MSC program submitted to FNQROC for tendering purposes
 - FNQROC proposed to call for Tenders in October 2016

- Oakey Creek Bridge Replacement
 - Currently out to Tender - closes 27 September 2016
 - Work scheduled to commence after completion of cane harvest November
 - Springmount Road will be closed to through traffic

Building

- Kuranda SES Shed - Purchase Order has been issued to Randbuild and shed ordered. Waiting for state approval (QAS) to relocate existing fence to accommodate proposed shed extensions
- Soils Lab - Purchase Order issued to Marcello Pendenza to install concrete slab
- Kuranda Pool - Purchase Order issued to H2O Warehouse to install new heat pumps
- Kowa Street Office refurbishment - Completed, Community Services relocated to Kowa Street
- Arnold Park Sail Shade - Completed
- Koah Hall Place of Refuge - Purchase Order issued proposed start early October

FLEET AND WORKSHOP SECTION

- | | |
|----------------------------------|----|
| • Routine Vehicle/Plant Services | 25 |
| • Planned routine maintenance | 69 |
| • Breakdowns < 8 hrs Downtime | 9 |
| • Breakdowns > 8 Hrs Downtime | 0 |

FACILITIES SECTION

Caravan Parks

Dimbulah Caravan Park

In August 2016, 671 total bookings were recorded for Dimbulah Caravan Park, showing a decrease of 169 compared to last month. The total figures this year compared to August 2015 has slightly increased by 64. The decrease is due to the grey nomads leaving the area after the Xmas in July celebrations and the weather starting to warm up.

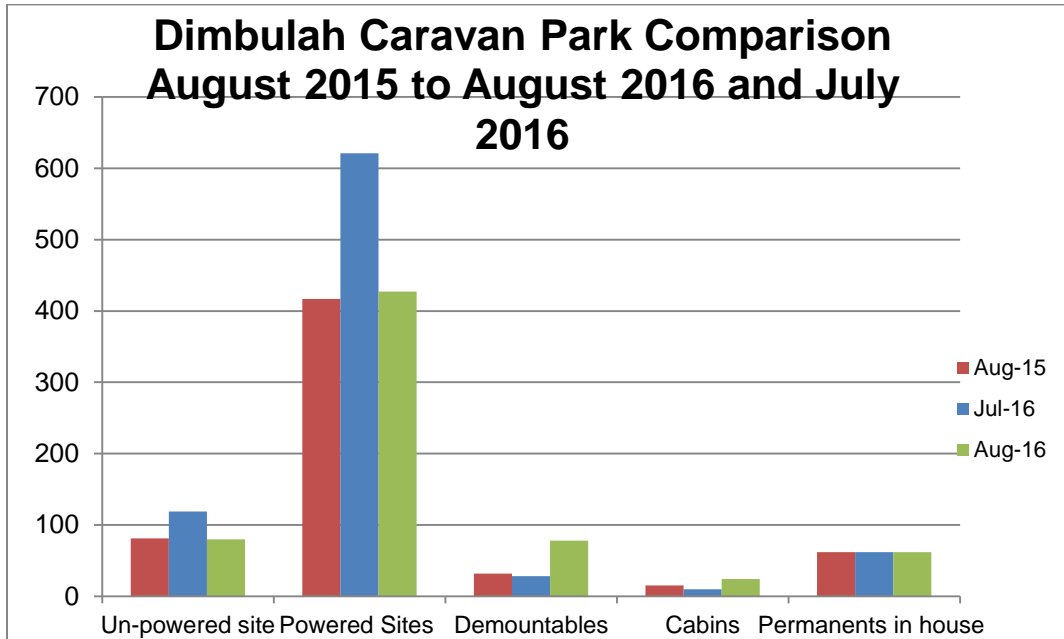


Figure 1. Monthly comparison Dimbulah Caravan Park

Mareeba Riverside Caravan Park

August has continued to be busy for the Mareeba Riverside Caravan Park. The upgrade to the powered sites has continued which is still causing the unavailability of some of the sites. Backpackers have started coming to the park a little earlier than other years. Overall numbers have slightly increased which has been identified in the permanents in house tenants.

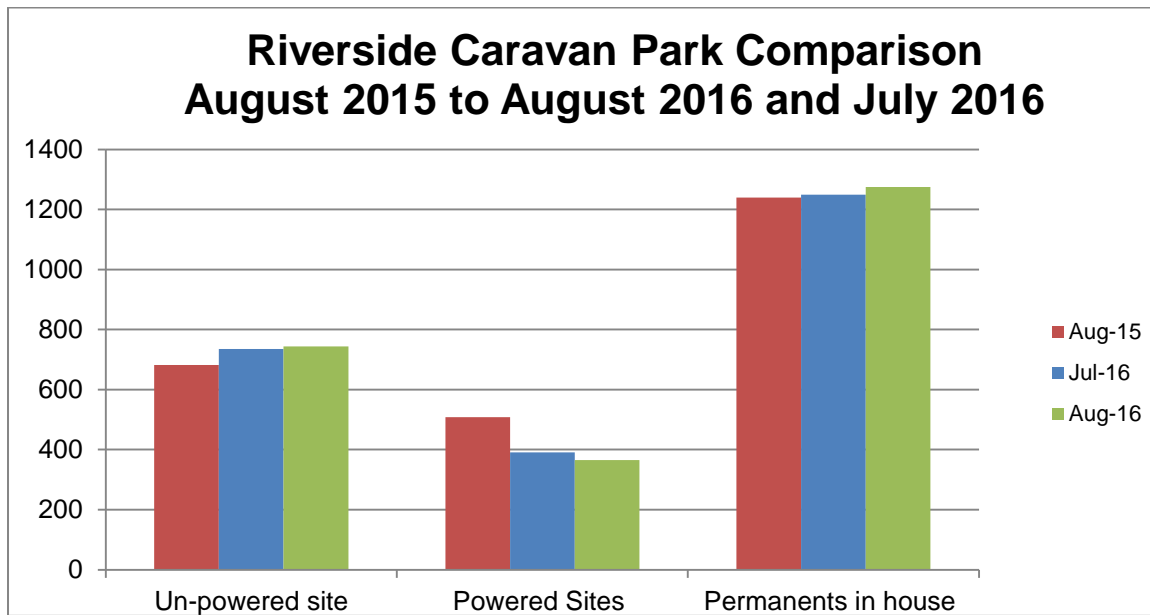


Figure 2. Monthly comparison Mareeba Riverside Caravan Park

Public Halls

The total number of hall bookings in August 2016 has increased to 157 compared to last month of 129. Bookings have also increased compared to August 2015 which was 52.

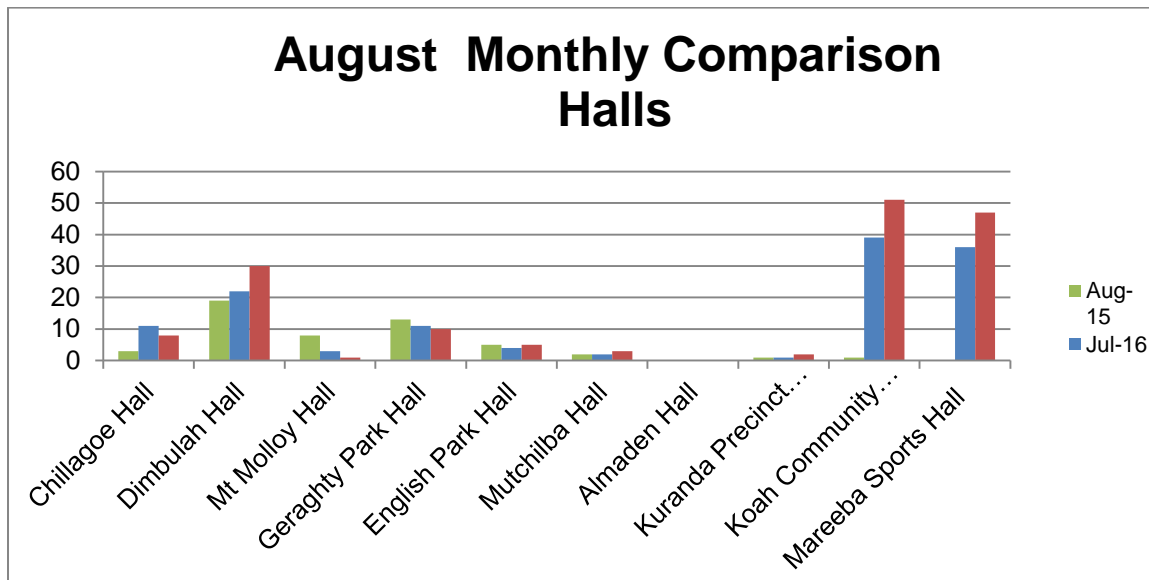


Figure 3. Monthly comparison halls

Swimming Pools

The Mareeba Pool and Kuranda Aquatic Centre re - opened in August from their shutdown period. Therefore no figures recorded for July 2016. A total of 1085 patrons were recorded in August.

Mareeba recorded a total of 919 patrons, while Kuranda recorded 166. As the water is still cool the attendance is low and it is anticipated that more patrons will return when the weather warms up.

Dimbulah pool remains closed for August.

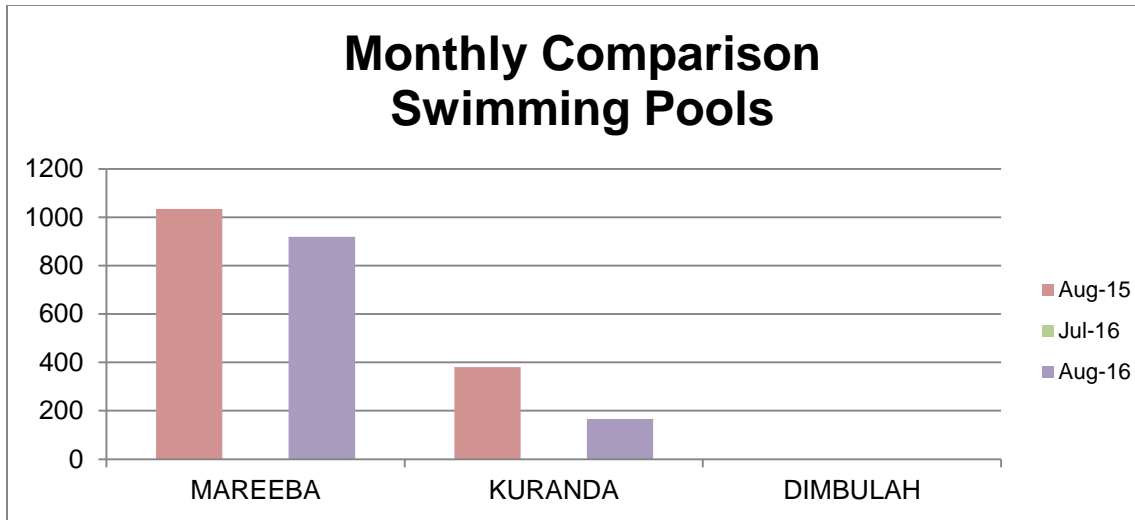


Figure 4. Monthly comparison swimming pools

Park Hire

Council parks recorded 17 bookings for the month of August. This is a slight decrease from 20 last month.

Mareeba's Arnold and Centenary Parks were both hired for Exercises in the Park for a gold coin donation fundraising for Domestic Violence. Mareeba Arnold Park was also hired for the annual Multicultural Festival and the Lions Club Family Metrogainie.

Dimbulah Railway Heritage Park was used for the monthly market day.

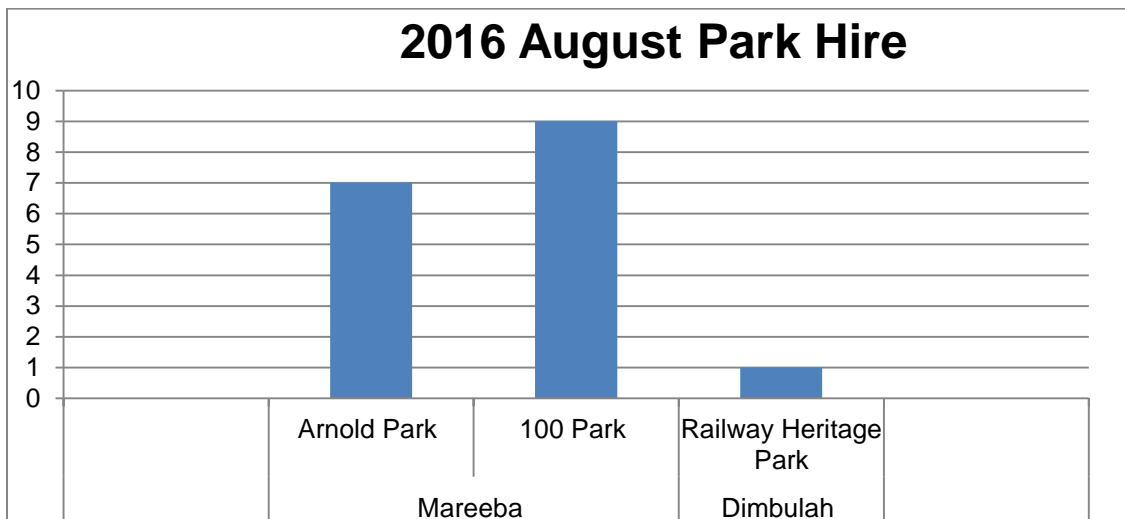


Figure 5. Monthly comparison Park Hire

Mareeba Davies Park Power Supply

Davies Park is split into two (2) reserves, one (1) for the Mareeba Leagues Club which includes the grandstand, kiosk and the female toilets and the second reserve under Mareeba Shire Council which includes all the playing fields, the new netball/basketball courts and two toilet blocks.

Davies Park previously had only one electricity supply and the electricity account was the responsibility of the Mareeba Leagues Club. However in March 2015 it was identified that there was a fault with the power supply to both playing fields as well as the main switch board.

Works commenced on replacing electrical cables and conduits to the lights on field 1 as well as the replacement of the power supply and lighting to field 2. As part of the power supply upgrade it was identified that there should be a separate power supply for each reserve, one supply for the Mareeba Leagues Club and associated infrastructure and a separate supply for the remainder of Davies Park.

As a result of the upgrade, the Mareeba Leagues Club and the playing fields are now metered separately with the Leagues club responsible for the buildings etc. and the playing fields the responsibility of Council. The new netball/basketball courts and canteen have been fitted with sub-meters so that Council can invoice those clubs for their component of the usage.

Since this upgrade has occurred the power usage for playing fields 1 and 2 has come at a cost to Council in excess of over \$5,000 for the period from March to end August and includes a connection fee of \$550.

The current users of these fields are:

- Mareeba Senior Rugby Union Club
- Mareeba Junior Rugby League
- Mareeba Touch Association
- Relay for Life (one off event)
- Christmas in July (one off event)

Vandalism and Graffiti

During August 2016, 7 reports of graffiti and vandalism were reported.

OLD Kuranda Library

The sliding door glass panel was smashed and the door handle was broken. This has been repaired.



Mt Molloy Rifle Creek - Notice Board

The sliding glass window on the notice board has graffiti over it, and a key had been broken of inside the lock. Repairs have commenced and will include replacing the broken locks, replacing the perplex sliding door and give the board a paint.

Kuranda Visitor Information Centre

Reports of graffiti on the external walls of the centre and mud balls had been thrown at the windows and walls.



Mareeba Sports Hall

There was graffiti and vandalism reported over the Sports Hall building. Clean up still required.



Mareeba Arnold Park Toilets

Graffiti reported to the toilets internal and external walls. This has been cleaned off.



Mareeba Arnold Park Rotunda

Graffiti reported throughout the rotunda poles and concrete floor. This has been cleaned off.

Mareeba Theatre Hall (Old Bowls Club)

Graffiti and vandalism reported to the external walls of the building and a hole to an external wall. Clean up still required.





LINK TO CORPORATE PLAN

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

CONSULTATION

Internal
Nil

External
Nil

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital
Nil

Operating
Nil

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

Nil

Date Prepared: *7 September 2016*

WORKS

ITEM-20 MT SPURGEON ROAD

MEETING: Ordinary

MEETING DATE: 21 September 2016

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

DEPARTMENT: Infrastructure Services, Works Group

EXECUTIVE SUMMARY

The Mt Spurgeon Road at Mt Carbine is a steep and often dangerous road which provides access to the National Park and two (2) privately owned properties.

This road is also used by 4WD enthusiasts who cause damage to the road surface and severe erosion to the road formation after rainfall.

Council undertake a yearly maintenance grade on the road, however this is not sufficient to keep the road in a safe and trafficable condition.

Due to safety concerns it is recommended that the road be closed to all traffic except to authorised persons.

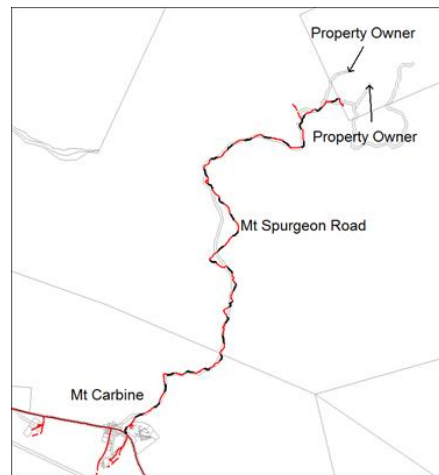
OFFICER'S RECOMMENDATION

"That Council close Mt Spurgeon Road by erecting a gate at a suitable location and access be granted by permit only."

BACKGROUND

Mt Spurgeon Road intersects with the Mulligan Highway at Mt Carbine just east of Manganese Creek and heads north for approximately 16.4km and is classified as a Minor Rural Access Road under Mareeba Shire Council's Road Asset Hierarchy.

Mt Spurgeon Road is used to service two (2) properties and by research organisations undertaking fauna and flora surveys at Mt Spurgeon National Park in the Daintree Range.



Mt Spurgeon Road is unsealed and is formed predominantly of decomposed rock material and boulders and is highly erodible and very susceptible to rainfall and vehicular traffic.

Excessive use of Mt Spurgeon Road by recreational four wheel drivers, campers and tourists continually leave the road in an extremely dangerous and impassable condition effectively isolating the property owners until council can carry out maintenance repairs.



The Travel NQ Facebook page rates this area in their top 10 Creekside Camping Spots in NQ. It also notes that the area is "for adventurous 4WDers" and "these places are wild and unengineered (sic) so you need to be responsible for your own safety."

Due to the road's remoteness, steep geometry, tight configuration and the type of existing natural material on which the road is constructed, maintenance activities are very expensive requiring dozers and other track mounted equipment. Costs are typically between \$20,000 and \$30,000 per repair. To maintain the road in a safe and trafficable condition it would require at least five (5) maintenance treatments a year.

It is considered that Mt Spurgeon is likely in a dangerous condition within a short period of time after maintenance repairs have been carried out because of the regular rainfall and constant use the road receives. It is recommended that the road be closed and access is granted by permit only.

The Local Government Act 2009 Part 3 - Roads and other infrastructure - Clause 69 Closing roads Section (2) states;

"Also, the local government may close a road to all traffic or traffic of a particular class-
(b) if it is in the interest of public safety;"

At Ch 2.5 on Mt Spurgeon Road there is a suitable spot to erect a gate with a steep, rocky, timbered drop on the left hand side and very steep bank on the right hand side. The location also has an area for vehicles to turn around although it would be difficult if towing a trailer.



It is estimated that the gate and lock, a short section of fencing and advanced warning signage would cost approximately \$7,000 to supply and install.

LINK TO CORPORATE PLAN

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CONSULTATION

Internal
Manager Technical Services

External
Nil

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital
Nil

Operating
\$7,000

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

No

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

Anticipated savings in operational budget due to reduced service level

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

Nil

Date Prepared: 08 September 2016

Description	Activity
Kondaparinga Road, Mt Carbine	Grading unsealed roads
Pump Road, Mt Carbine	Grading unsealed roads
Carbine Cemetery Access, Mt Carbine	Grading unsealed roads
Carbine Landfill Access, Mt Carbine	Grading unsealed roads
No Name Road 112 opposite Mt Spurgen, Mt Carbine	Grading unsealed roads, road inspections
Tye Road, Southedge	Grading unsealed roads

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

Annual Budget	Year to Date Budget	Year to Date Actual
\$3,294,997	\$545,435	\$701,378

The above figures include a cost of \$131,222 for preparation and line marking of reseals which will be transferred to the 2016/17 Reseals budget at a later date.

Capital Work

\$600,000 Gravel Resheet Program

The Gravel Resheet Program will commence again in mid-September in the Mt Molloy/Julatten area. It is proposed to resheet sections of following roads.

Road	Area of Resheet	Total Length of Resheeting
Fraser Road	700m ²	140m
Black Mountain Road	8,340m ²	1,390m
Norris Road	400m ²	100m
Quinn Road	160m ²	40m
Wetherby Road	10,560m ²	1,760m
Morrish Road	1,620m ²	270m
Mt Perseverance Road	2,480m ²	620m

Keegan Street, Mareeba Industrial Park

Construction of Keegan Street at the Mareeba Industrial Park was completed in late August and provides a sealed link road between Gowan Street and Martin Tenni Drive.

Works included underground stormwater drainage, subsoil drainage, extension of Ergon conduit, kerb and channel installation, roadworks, asphalt sealing and road furniture. An asphalt turn around area was also constructed at the southern end of Effley Street under the same project number.



Sunbird Park Footpath Extensions

Concrete footpath works have been completed at Sunbird Park, Mareeba providing a link between the existing concrete footpaths at Sunbird Parade and the park adjacent to Ceola Drive.

The scope of works included the installation of 363m of 2m wide concrete footpath, the construction of a 1200mm \varnothing RCP with concrete headwalls and wingwalls and the fitting of 100m of pedestrian hand rails.





Grove Creek Bridge

The final close out with the funding organisation for the upgrade and widening of Grove Creek Bridge in Speewah has revealed a total project cost overrun of \$155,494.45. The grant received from the federally funded Bridges Renewal Program was \$425,000, being 50% of the estimated project cost of \$850,000.

A breakdown of the final costs are;

Description	Cost
Civform Bridge Construction costs	\$673,018.22
Bridge Construction Project Management costs	\$16,831.25
Bridge design and inspection costs	\$26,865.00
Bridge approaches and guard rail construction costs	\$288,779.98
TOTAL	\$1,005,494.45

Not included in the above figures are design and construction costs of \$40,046.69 associated with the propping of the existing bridge in March/April 2015 to temporarily obtain a bridge load limit of 20T allowing garbage trucks and other heavy vehicles access to Speewah.

Western Beef Causeways

The construction of nine new causeways on western beef roads commenced on 08 August 2016.

The causeways are located as follows:

Road Name	Chainage
Hurricane Road	15.92km from Mulligan Highway intersection
Fossilbrook Road	70km from BDR intersection
Crystalbrook Road	11.17km from BDR intersection
Bolwarra Road (1)	8.35km from BDR intersection
Bolwarra Road (2)	9.3km from BDR intersection
Blackdown Road	20.8km from BDR intersection
Bulimba Road	3.55 km from Blackdown Road intersection
Nychum Road	2.579km from BDR intersection
Bellevue Road	16.54km from BDR intersection

At the end of August the Hurricane Road, Fossilbrook Road, and Crystalbrook Road causeways were completed.



Hurricane Road



Fossilbrook Road



Crystalbrook Road

TMR Routine Maintenance Performance Contract (RMPC)

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

Primary Location	Activity Name
Burke Developmental Road	Medium Formation Grading (Western) with Extras and 2 watercarts - excludes traffic control
	Emergency call out / traffic accident
	Heavy formation grading
	Replace guardrail delineators
	Other culvert, pipe and pit work
Kennedy Highway - Cairns / Mareeba	Rest area servicing
	Other vegetation control works
Mareeba / Dimbulah Road	Pothole patching, includes traffic control
	Pothole patching, includes traffic control
Mossman / Mt Molloy Road	Roadside litter collection, rural
	Herbicide spraying, includes traffic control
	Repair signs (excluding guide signs)
	Other surface drain work
	Slashing, boom slashing, includes traffic control
Mulligan Highway - Mareeba / Mt Molloy	Clean and/or paint guide markers
	Pothole patching, includes traffic control
	Other surface drain work
	Rest area servicing
	Roadside litter collection, rural

The total claim to DTMR for the works listed above for the month of August 2016 was \$335,193.68

Parks and Gardens Section

Maintenance Activities

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

Location
Parks and Gardens, Chillagoe
Arnold Park, Mareeba
Barron Esplanade, Mareeba
Byrnes Street Medians, Mareeba
Jensen Park, Mareeba
Kuranda Parks, Library, CBD and Streets
Kuranda Esplanade
Wetherby Park, Mt Molloy
Borzi Park, Mareeba
Davies Park, Mareeba
Bartley Park, Kuranda
Recreational Reserves including Tennis Court, Chillagoe
Mareeba Streets
Pressure Cleaning ,CBD Footpaths, Kuranda
Mowing and Maintenance, Irvinebank

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

Annual Budget	Year to Date Budget	Year to Date Actual
\$1,545,967	\$268,695	\$230,517

Bridge Section

Maintenance Activities

Bridge maintenance activities accruing more than \$1,000 in expenditure were carried out in August at the following locations:

Location
Inspections - various locations

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

To date, one hundred and fifty-eight (158) inspections have been completed.

Annual Budget	Year to Date Budget	Year to Date Actual
\$514,697	\$84,746	\$27,854

Land Protection Section

Annual Budget	Year to Date Budget	Year to Date Actual
\$394,729	\$60,099	\$81,827

Yellow Crazy Ants and Electric Ants

MSC Land Protection section has assisted researchers by cutting tracks through the jungle so sites can be accessed. Land Protection has surveyed for a burn or slashing job in a cattle paddock adjacent to YCA site. This job will be done in the new year in time for the next ant baiting round. Council's Land Protection Officer attended the YCA Reference Group meeting.

Roadside weed Control on Council and Main Roads

Supervised contractors on the Mossman-Mt Molloy Road and the Mulligan Highway in control of Navua Sedge.

Gamba Grass control on various Council roadsides. Goat head burr control on Gilmore Road and Chillagoe township roads and parks.

Brillantaisia removal from Rex Range Road.

Steam Weeder

MSC took delivery of the unit on 24 August. Operators from Transport Infrastructure, Parks and Gardens and Land Protection received training in the operation, safe use and maintenance of the unit and Land Protection operators have used it to control Singapore Daisy on the Barron River Esplanade tidy up program.

Rubber Vine and Belly Ache Bush

This control program that works in with partners from the Mitchell River Watershed Management Group, affected landowners and NRM groups has continued to remove these weeds in a strategically managed way.

Siam Weed

The Infestation on Back Creek at Petford is being monitored. All plants that have been found have been removed, their seeds stripped off and deep buried in Council landfill. The sites are all mapped on to Council GIS. Prevention of weed seed spread is a major component of this work. This work will carry forward until eradication is achieved. This is an important project as the site is all on the Walsh/Mitchell catchment so any lack of commitment to the project will see these catchments infested with what some scientists have called "The World's Worst Weed".

Vertebrate Pests

Rabbits have been trapped, poisoned, burrows fumigated and the Callisivirus has been introduced into larger populations.

Feral pigs have been baited and trapped and professional shooters have referred to affected landowners. The Land Protection Section promotes the use of exclusion fences to landowners in the Wet Tropics and we continue to collaborate with community pig trapping land care groups.

Wild dogs - MSC Land Protection section have coordinated landowner groups throughout the Mareeba Dimbulah Irrigation Area and as well our broad acre primary production blocks in 1080 baiting programs. This work will increase as we enter into the drier end of the year.

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
Infrastructure Services staff

External
Nil

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital
Included in 2016/2017 budget

Operating
Included in 2016/2017 budget

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

Yes

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

Nil

IMPLEMENTATION/COMMUNICATION

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

ATTACHMENTS

Nil

Date Prepared: *07 September, 2016*

WATER & WASTE

ITEM-22 INFRASTRUCTURE SERVICES - WASTE OPERATIONS REPORT - AUGUST 2016

MEETING: Ordinary

MEETING DATE: 21 September 2016

**REPORT OFFICER'S
TITLE:** Manager Water and Waste

DEPARTMENT: Infrastructure Services, Water and Waste Group

EXECUTIVE SUMMARY

This report summarises Council's Waste activities undertaken by the Infrastructure Services Department during the month of August 2016.

OFFICER'S RECOMMENDATION

"That Council receive and note the Infrastructure Services, Waste Operations Progress Report, August 2016."

BACKGROUND

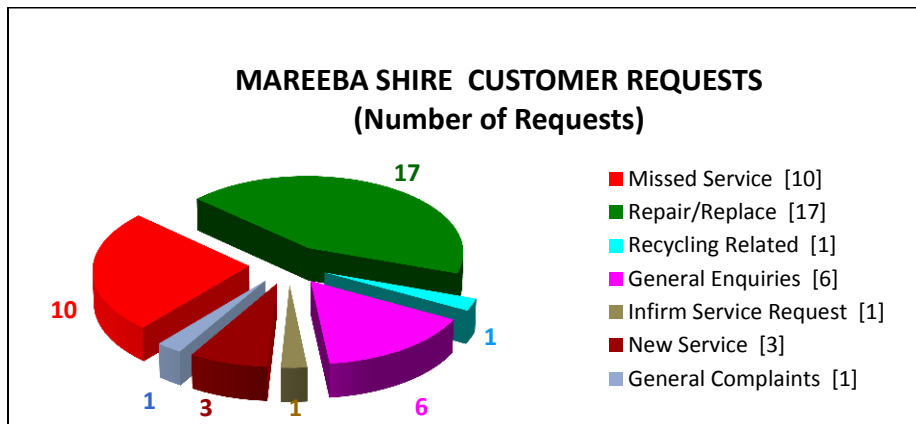
The following is a summary of the waste activities undertaken during the month of August 2016.

1. Waste Operations

- 3,370 vehicles entered Mareeba waste facility (to drop off or pick waste)
- 546 vehicles deposited waste to Mareeba Landfill (total)
- 302 Suez vehicles deposited waste to Mareeba Landfill
- 49 Suez vehicles removed waste from Mareeba WTS to recycling facility in Cairns
- 123 m³ of mulch sold (59 in bulk sales and 64 in small lots less than 3 m³)
- Regional kerbside collection procurement tender released 27 August 2016, tender briefing was held on 8 September at CRC offices Spence Street, Cairns
- All transfer stations and Mareeba landfill are currently operational.

2. Customer Service Waste Statistics

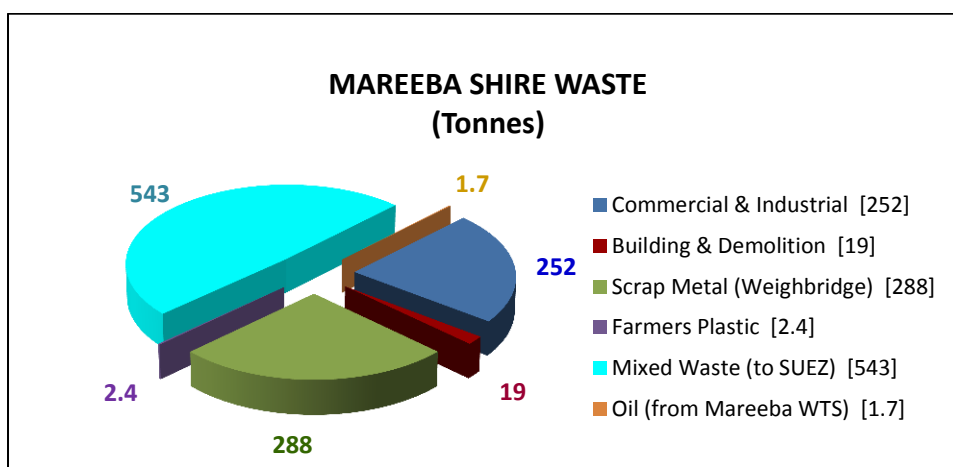
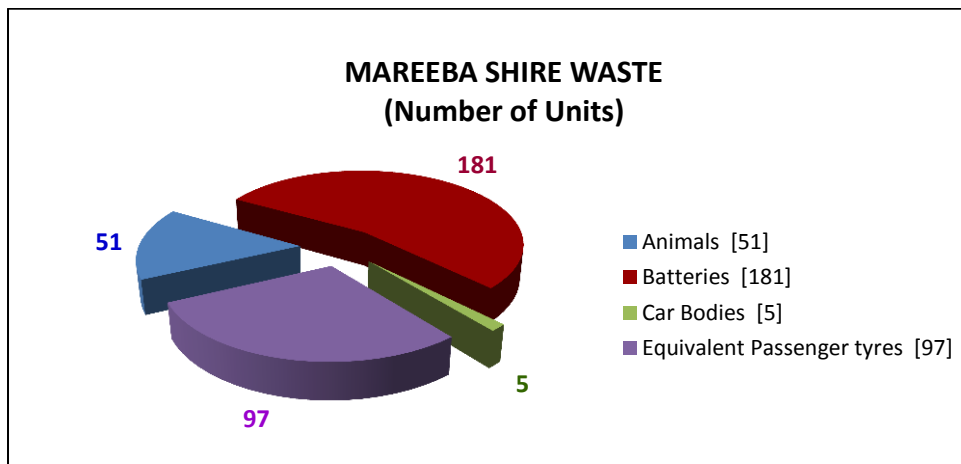
The following graph displays customer requests logged in the Customer Request Management (CRM) system during the month of August 2016.



3. Waste Collected at Each of the Transfer Stations

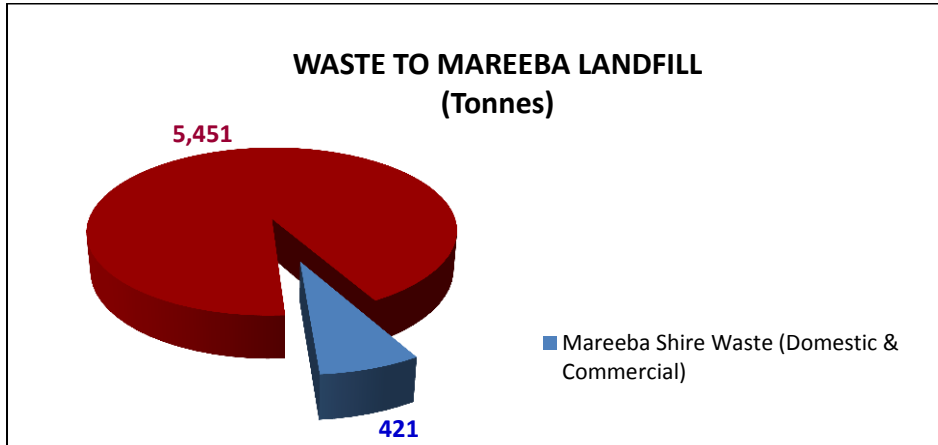
Waste material collected at each of the waste transfer stations is either deposited directly to the Mareeba landfill, recycled or transported to the Suez facility in Cairns for processing.

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



4. Waste to Mareeba Landfill

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



5. Revenue

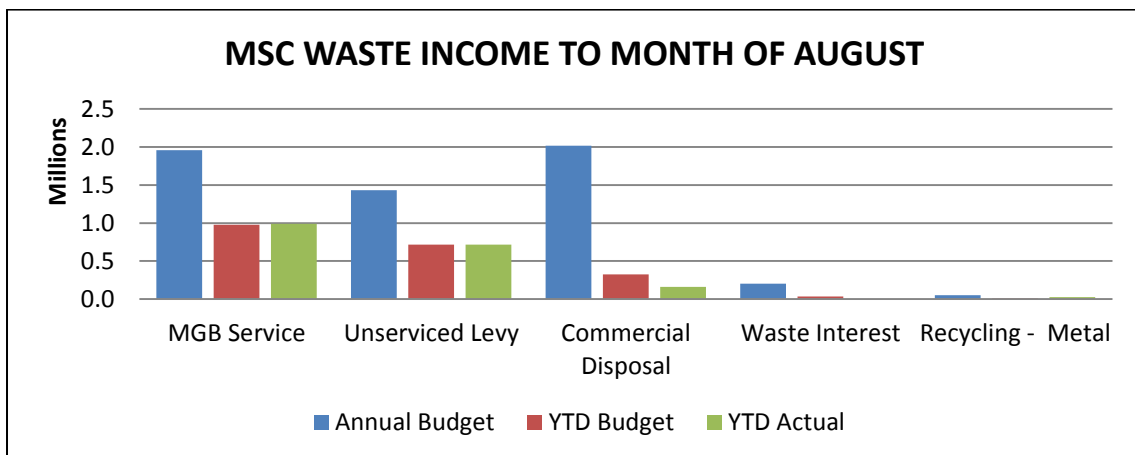
The income is derived from:

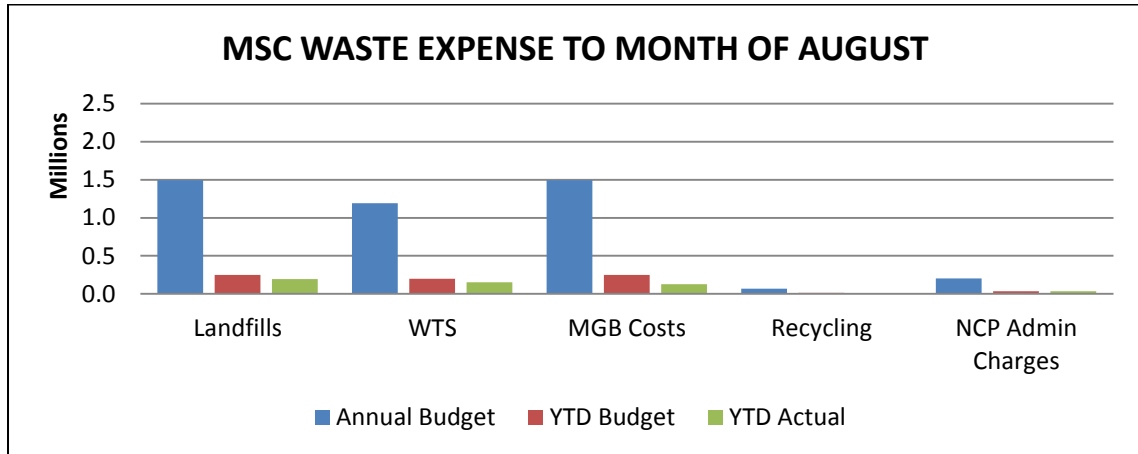
- Commercial disposal (predominantly Suez)
- Interest earned
- Interest on Constrained Works
- Recycling (steel, batteries)
- Rates

The expenditure is derived from:

- Waste administration
- Landfill management
- Transfer station management

6. Financial Operational Budget Information Per Budget Section Overall





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.

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

CONSULTATION

Internal
 Acting Director Infrastructure Services
 Waste Staff

External
 Nil

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital
 Nil

Operating
 Nil

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

Yes

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

Nil

Date Prepared: *6 September 2016*

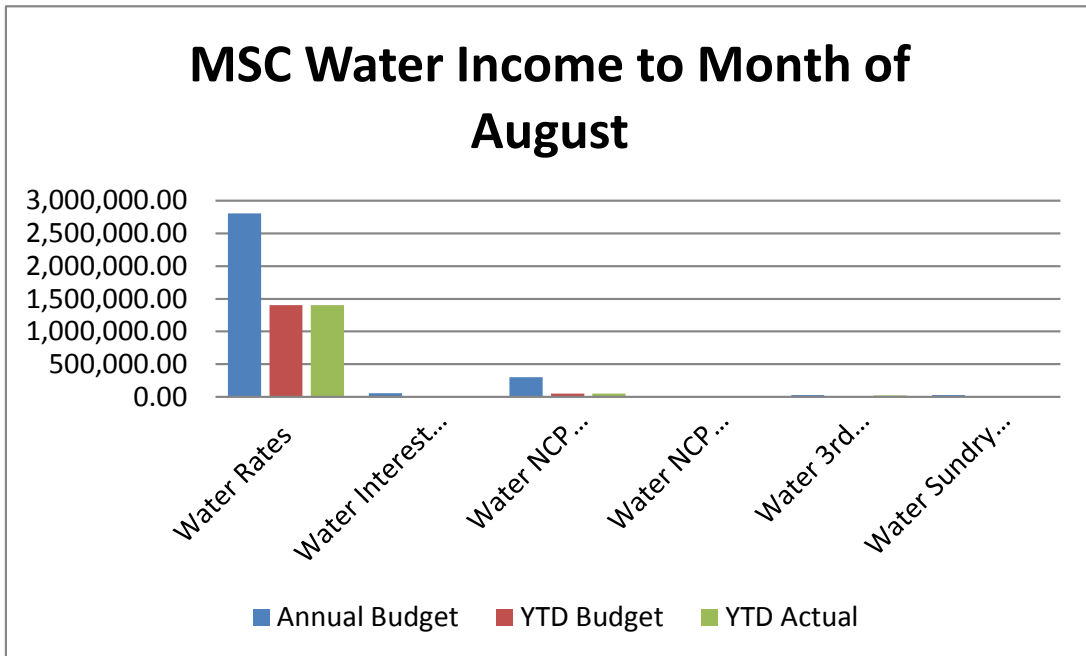


2. Environmental Monitoring - Treatment

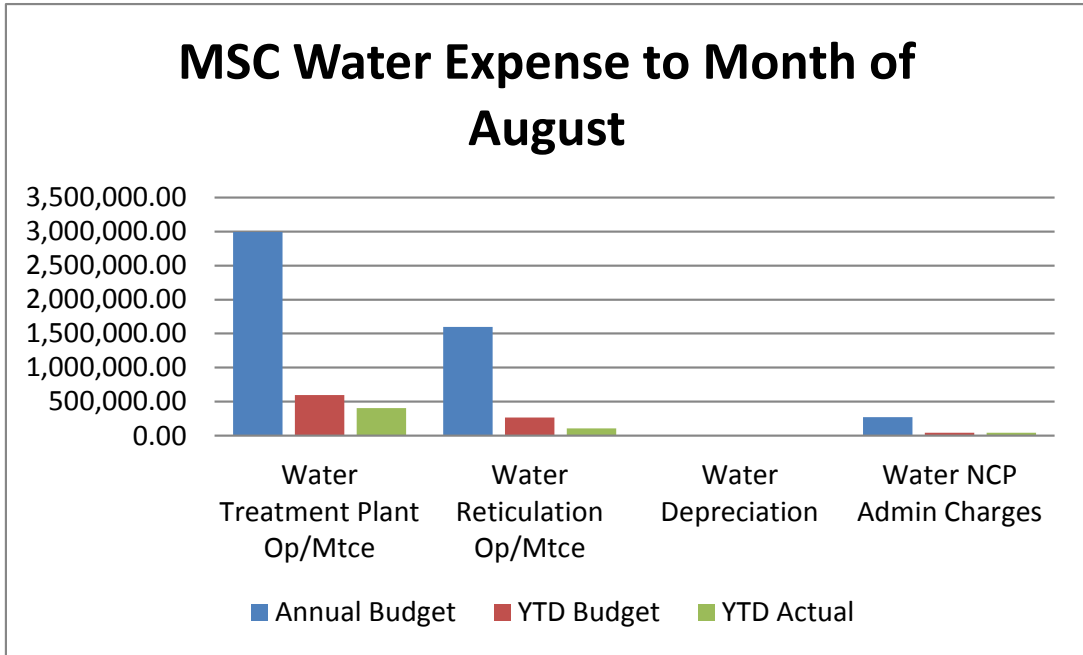
- Mareeba STP non-compliant, exceedance on Ammonia
- Kuranda STP remains compliant with licence conditions

3. Budget - Water

Graphical - Revenue

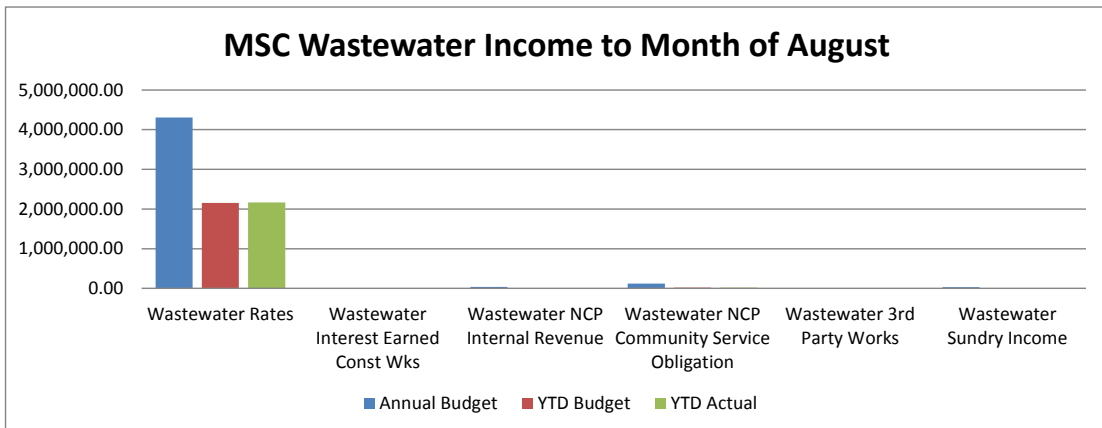


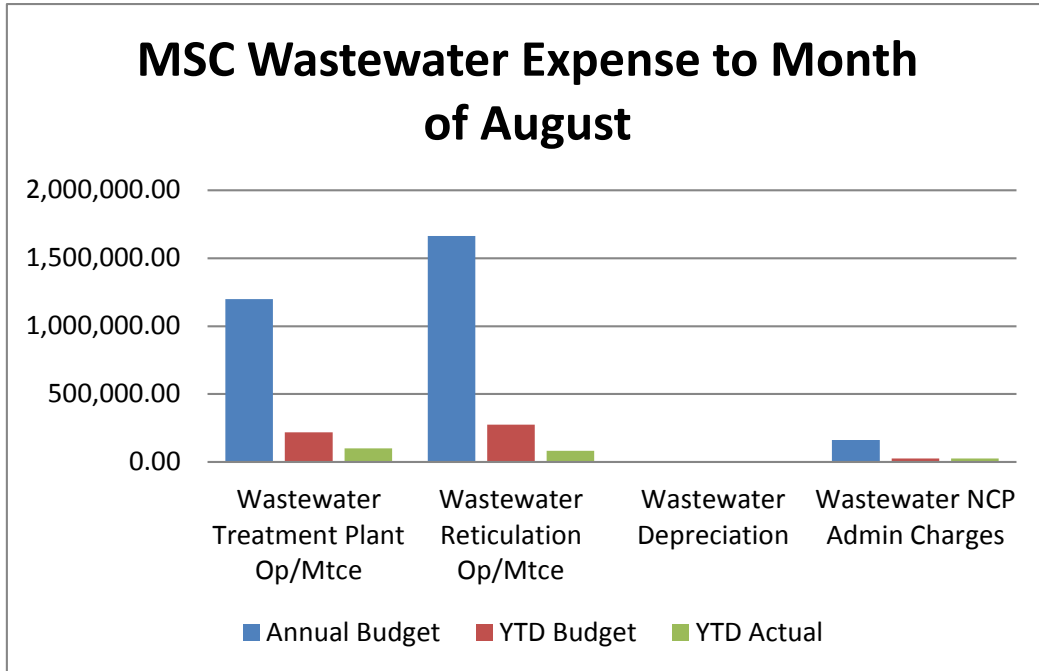
Graphical – Expense



4. Budget - Wastewater

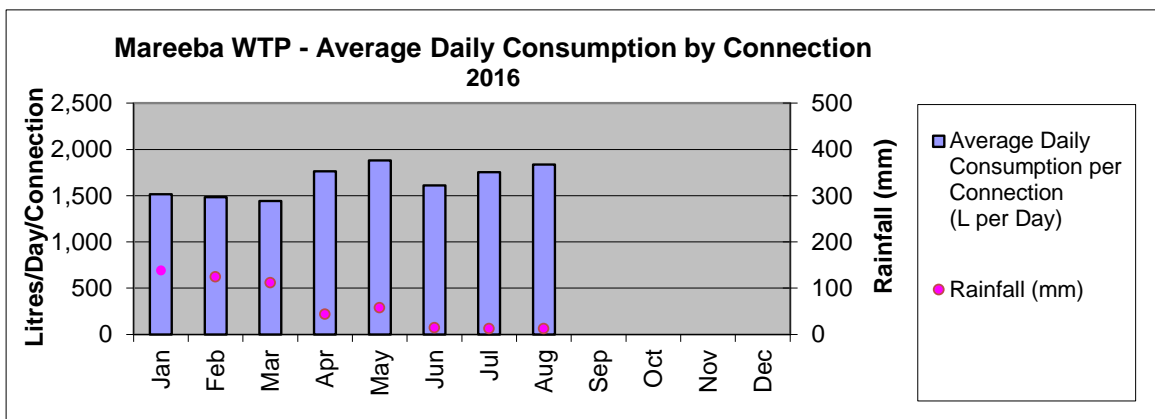
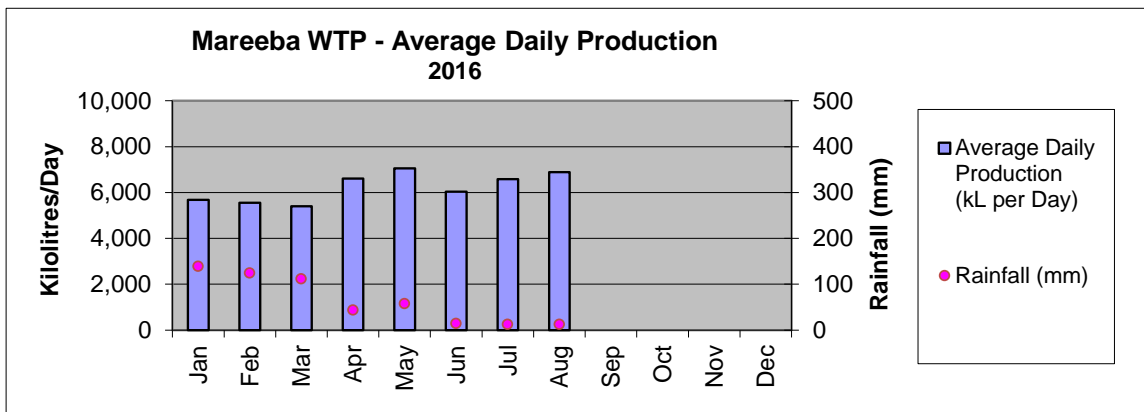
Graphical - Revenue



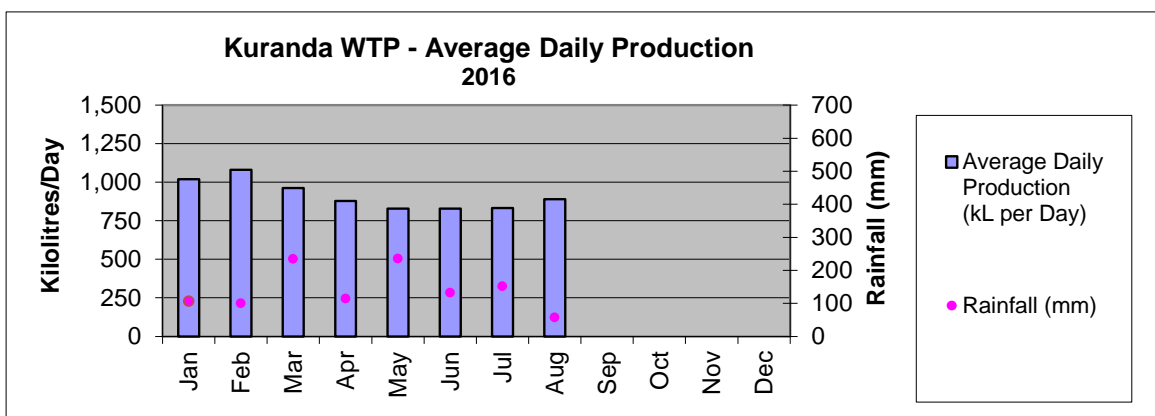
Graphical – Expense

5. Chlorine Residual Readings

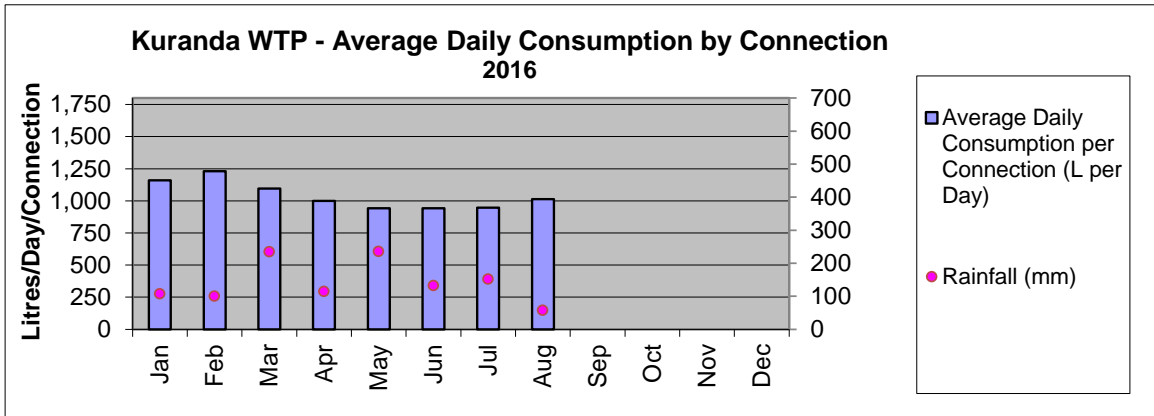
August 2016	Chlorine Residual Readings 2016													
	Australian Drinking Water Guidelines Maximum 5mg/L													
	Mon 1st	Wed 3rd	Fri 5th	Mon 8th	Wed 10th	Fri 12th	Mon 15th	Wed 17th	Fri 19th	Mon 22nd	Wed 24th	Fri 26th	Mon 29th	Wed 31st
Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)
Mareeba Rankine St	1.13	1.07	1.00	1.26	1.35	1.35	1.04	1.01	1.09	1.34	1.31	0.97	1.08	1.08
Wylandra Drive Mareeba	0.92	0.85	0.72	0.57	0.60	0.93	0.89	0.83	0.80	0.89	1.03	0.85	0.83	0.83
Gregory Terrace Kuranda	0.71	0.82	1.00	0.93	1.00	0.99	0.96	1.10	1.04	1.06	0.83	0.76	1.06	1.05
Mason Rd PS Kuranda	0.93	1.30	1.10	1.05	1.15	1.10	1.14	1.20	1.15	0.93	0.91	0.93	1.05	1.09
Chillagoe	1.02	0.91	0.96	0.91	0	1.04	1.04	1.30	1.13	1.12	1.17	1.15	1.24	1.03
Dimbulah	1.29	1.12	1.11	1.21	1.25	1.21	0.97	1.12	1.41	1.04	1.08	0.89	1.07	1.30

6. Mareeba Water Supply Scheme – Operations Data

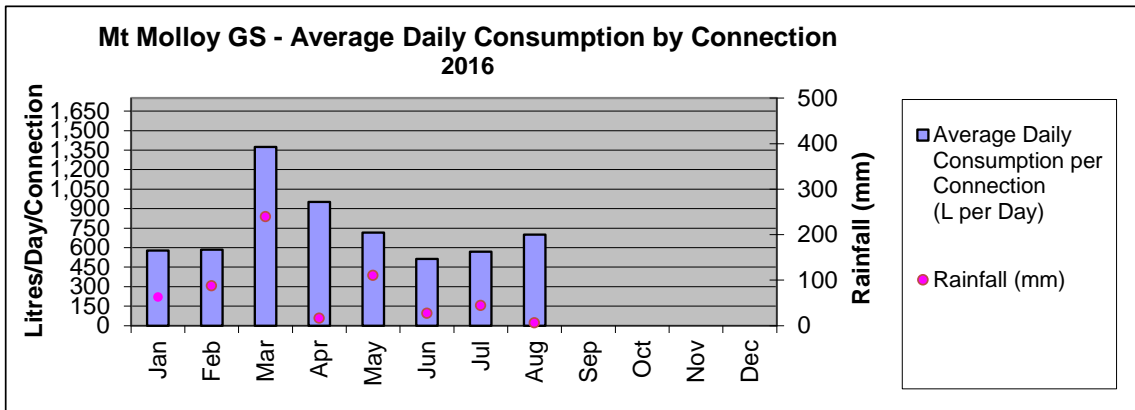
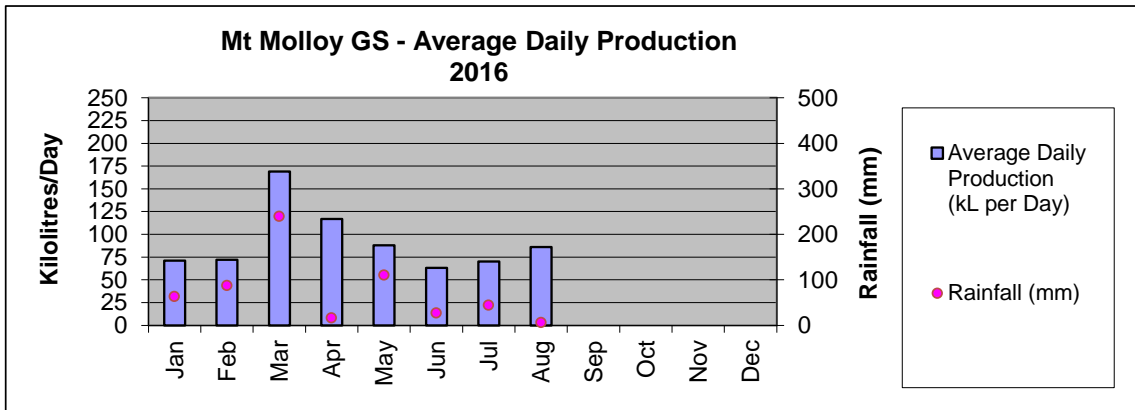


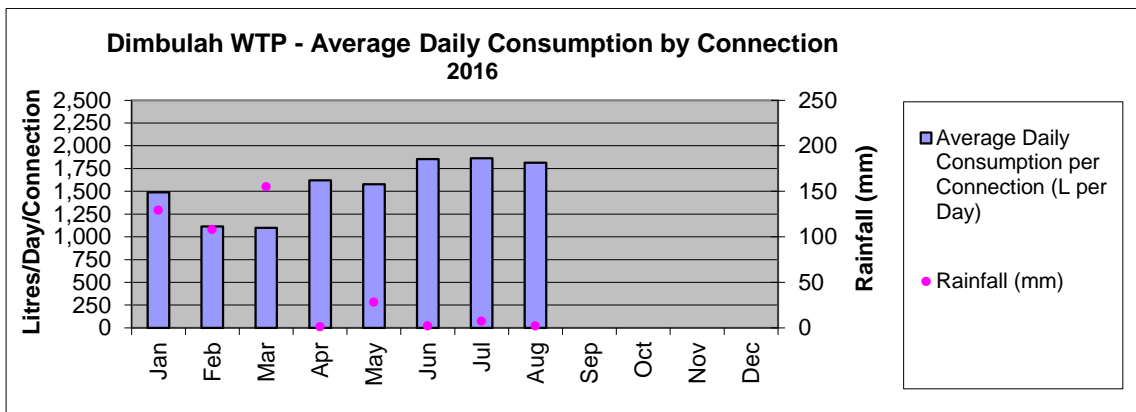
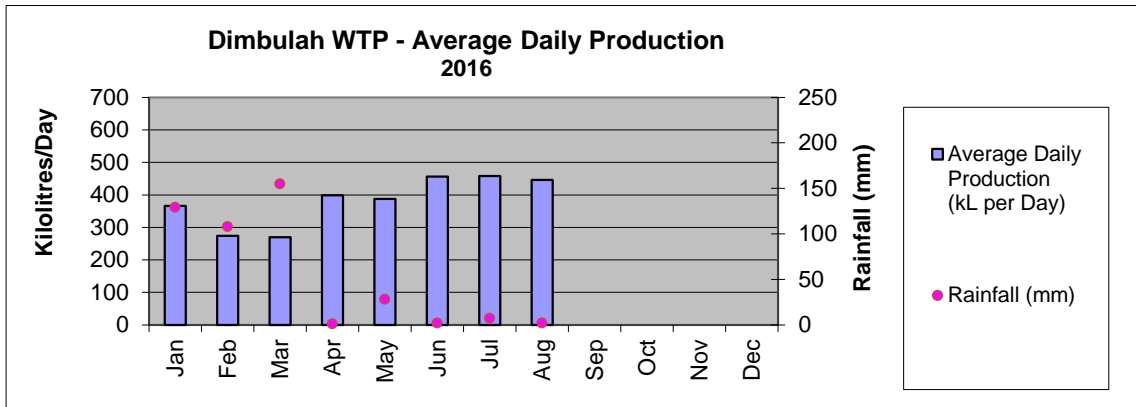
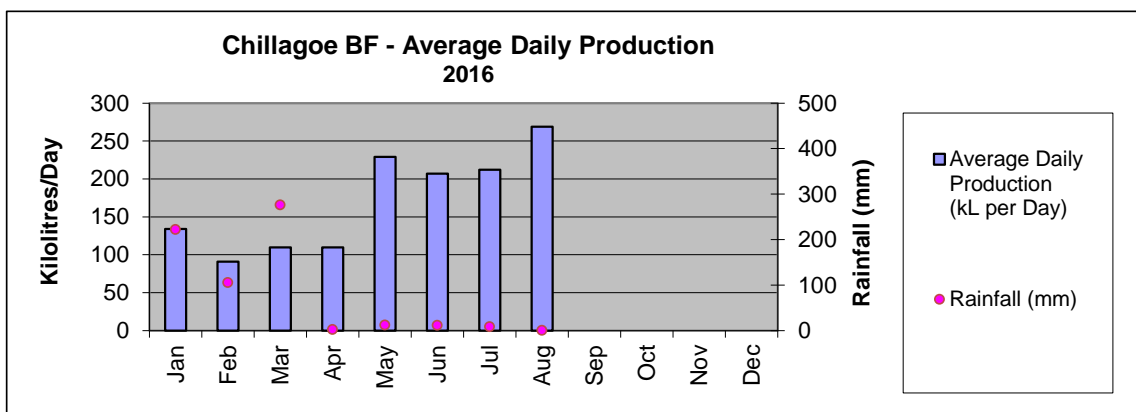
7. Kuranda Water Supply Scheme - Operations Data

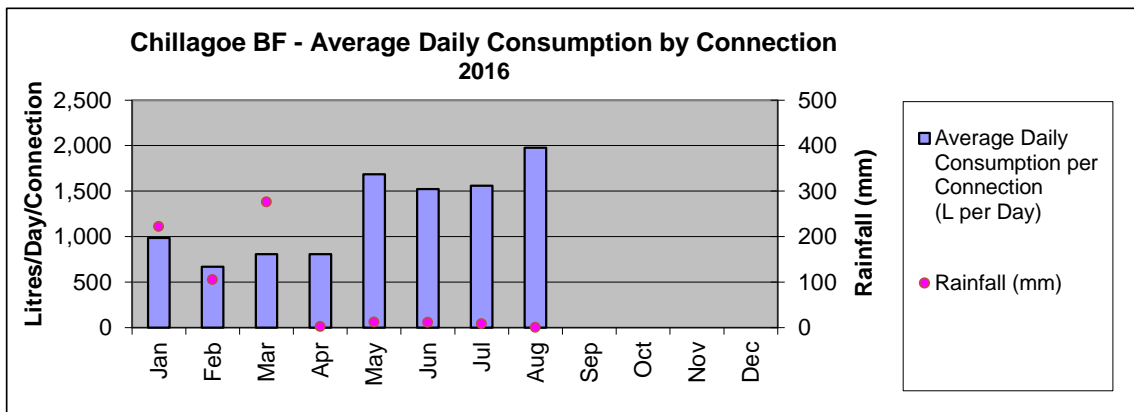




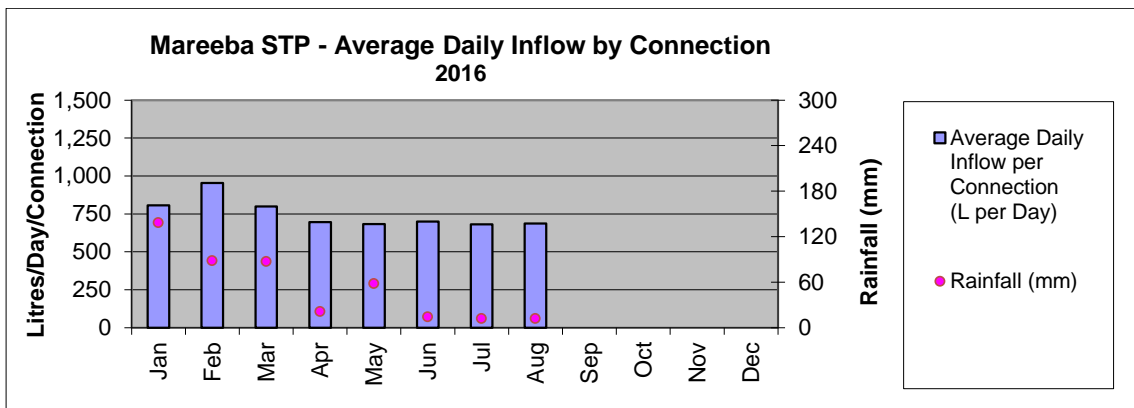
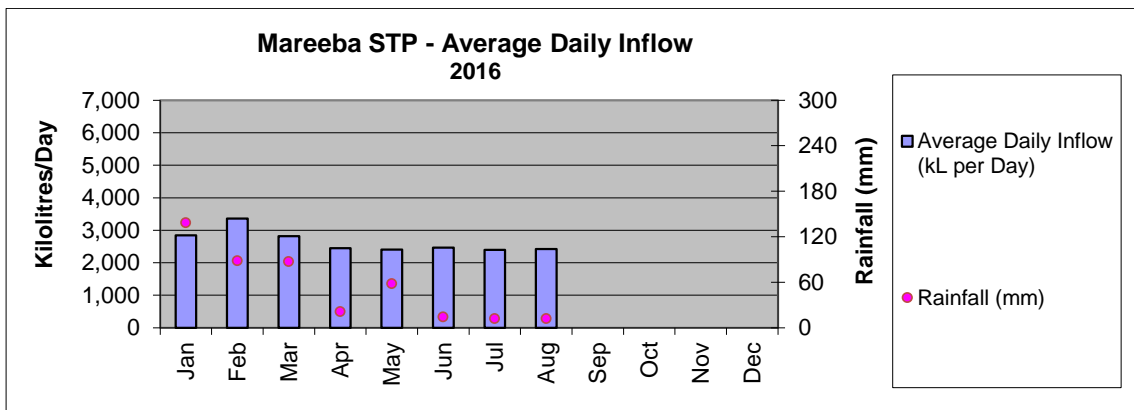
8. Mount Molloy Water Supply Scheme - Operations Data



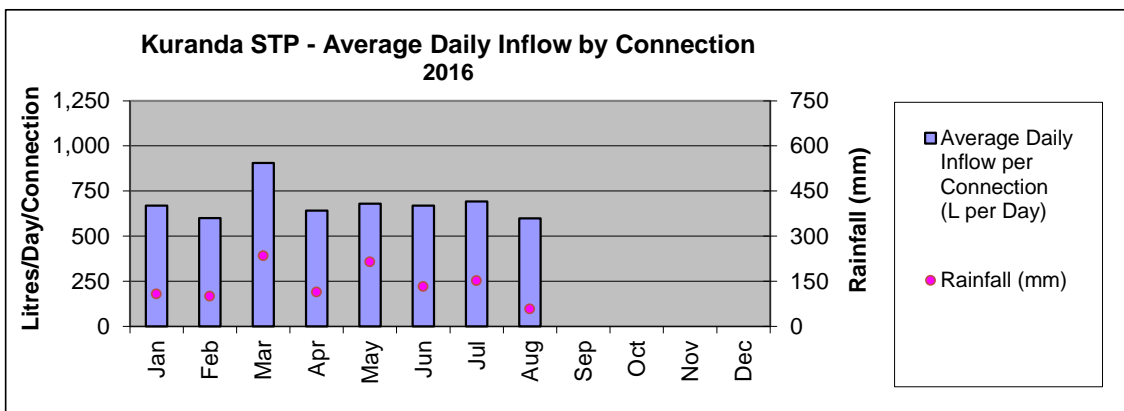
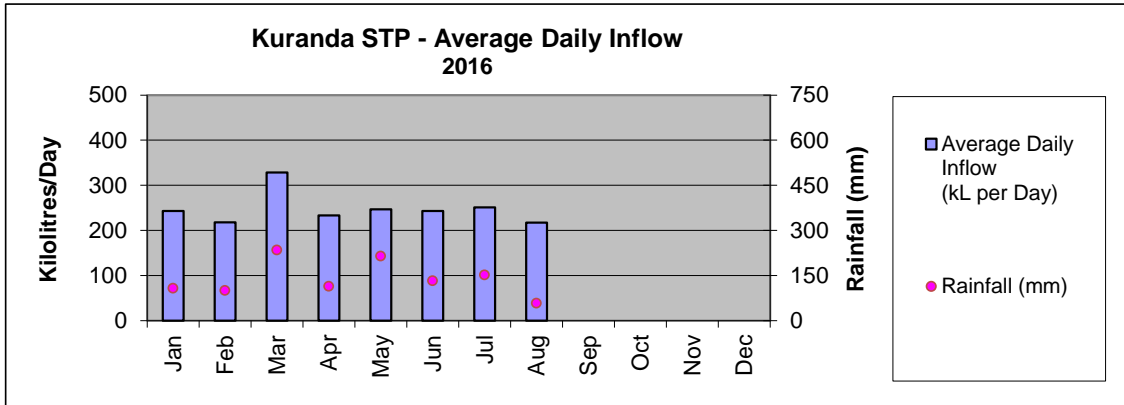
9. Dimbulah Water Supply Scheme - Operations Data

10. Chillagoe Water Supply Scheme - Operations Data




11. Mareeba Wastewater Treatment Plant - Operations Data



12. Kuranda Wastewater Treatment Plant - Operations Data



Date Prepared: 5 September 2016

ITEM-25**MAREEBA WASTEWATER TREATMENT PLANT
UPGRADE - VARIATIONS CONFIDENTIAL****REASON FOR CONFIDENTIALITY**

This report is **CONFIDENTIAL** in accordance with Section 275(1) (e) and (h) of the Local Government Regulation 2012, which permits the meeting to be closed to the public for business relating to the following:

- (e) contracts proposed to be made by Council.
- (h) other business for which a public discussion would be likely to prejudice the interests of Council or someone else, or enable a person to gain a financial advantage.

CHIEF EXECUTIVE OFFICER

ITEM-26 ATTENDANCE AT ANNUAL LGAQ CONFERENCE

MEETING:	Ordinary
MEETING DATE:	21 September 2016
REPORT OFFICER'S TITLE:	CEO
DEPARTMENT:	Office of the Chief Executive Officer

EXECUTIVE SUMMARY

The Local Government Association Queensland (LGAQ) holds an annual conference and the 2016 event will be held at the Gold Coast 18-20 October 2016. The conference is targeted at Mayors, Councillors and CEO's.

The purpose of this report is to obtain Council approval for the attendance of the Mayor and Cr Toppin at the Annual LGAQ Conference.

OFFICER'S RECOMMENDATION

"That Council approves the attendance of the Mayor and Cr Toppin at the 2016 Annual LGAQ Conference."

BACKGROUND

As stated above the LGAQ holds an annual conference. The 2016 event will be held at the Gold Coast 18-20 October 2016. The conference is targeted at Mayors, Councillors and CEO's.

It should be noted that Cr Toppin's travel and part of her accommodation will likely be covered by Reef Guardians as she holds their meeting at the conference and pay the costs for Councils representative to attend the meeting.

The Mayors and Cr Toppin's costs for the conference itself are covered as part of Councils membership of the LGAQ.

LINK TO CORPORATE PLAN

ECON2: 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
Councillors
CEO

External
Nil

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital
Nil

Operating
The cost for this conference is catered for in the 2016/17 Budget

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

Nil

Date Prepared: *31 August 2016*

ITEM-27 CHRISTMAS SHUTDOWN AND OFFICE CLOSURE FOR STAFF FUNCTION

MEETING: Ordinary

MEETING DATE: 21 September 2016

REPORT OFFICER'S TITLE: CEO

DEPARTMENT: Office of the Chief Executive Officer

EXECUTIVE SUMMARY

This report is presented to Council to confirm the Christmas/New Year shutdown period for 2016/17.

Further, authorisation is sought to close service centres for a staff meeting.

OFFICER'S RECOMMENDATION

"That Council:

1. Endorse the 2016/17 Christmas/New Year closure from 5pm on Friday 23 December 2016 and reopen Tuesday 3 January 2017;
2. Approve the early closure of service centres from 12pm on Friday 16 December 2016 for a staff function."

BACKGROUND

Council service centres are open to the public throughout the whole of the year, excluding public holidays. The two (2) service centres are Mareeba (65 Rankin Street) and Kuranda (18-22 Arara Street).

For the 2016/17 Christmas/New Year period, gazetted public holidays fall on Monday 26 December 2016, Tuesday 27 December 2016 and Monday 2 January 2017.

It is recommended that closure of the administration centres be effective from close of business on Friday 23 December 2016 and reopen Tuesday 3 January 2017. In accordance with the Enterprise Bargaining Agreement, staff are to utilise leave entitlements for any absences during this period. As in previous years, appropriate arrangements will be put in place to have skeleton staff available to work through the closure period or be on stand-by in the event of any emergencies.

As the end of the third year of Mareeba Shire Council operations comes to a close, staff ought to be acknowledged for their tremendous efforts and as a token of appreciation, management would like to take this opportunity to thank staff for their dedication and hard work throughout this period.

The management team have worked very closely with staff to maintain a positive culture and are recommending that service centres close at 12pm on Friday 16 December 2016 to allow all staff to attend an end of year staff function at the Mareeba Amenities Hall.

The reason for a 12pm closure is that the majority of outdoor staff finish work at 3pm and by commencing at 12pm we can ensure the staff attend this important meeting at which the Mayor and CEO can address the staff.

Councils after hours service will operate during the afternoon and staff will be available to deal with critical and emergency issues.

LINK TO CORPORATE PLAN

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

CONSULTATION

Internal
EMT

External
Nil

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

Risks associated with responding to emergency issues will be managed by having skeleton staff available to work through the closure period or be on stand-by in the event of any emergencies.

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Nil

IMPLEMENTATION/COMMUNICATION

Communications will be provided both internally and externally advising of the closure period for Christmas/New Year.

ATTACHMENTS

Nil

Date Prepared: 13 September 2016

BUSINESS WITHOUT NOTICE

NEXT MEETING OF COUNCIL

The next meeting of Council will be held at 9:00 am on Wednesday 12 October 2016

APPENDIX FOR INFORMATION

Council Meeting Agenda Master 21/09/2016 ORD

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

New Development Applications					
Application #	Lodgement Date	Applicant/ Address	Property Description	Application Type	Status
DA/16/0049	2/08/2016	W & R Blundell 37 & 50 Cobra Road, Mareeba	Lot 20 on SP184955 & Lot 22 on SP227510	Reconfiguring a Lot - Boundary Realignment	Approved on 15 August 2016.
DA/16/0050	10/08/2016	Cleangen Projects Pty Ltd 584 Henry Hannam Drive, Mareeba	Lot 413 on NR4876	Material Change of Use - Utility Installation (Solar Farm)	In acknowledgement stage.
DA/16/0051	16/08/2016	R Neate & D Pregl 21-31 Keeble Street, Mareeba	Lots 56 on RP749632	Reconfiguring a Lot - Subdivision (1 into 3 lots)	In decision making stage.
DA/16/0052	18/08/2016	M & G Crushing and Materials Pty Ltd Burke Developmental Road, Rookwood	Lot 4 on BW18	Material Change of Use - Extractive Industry	In referral stage.
OW/16/0008	19/08/2016	BTM & S Stankovich Pty Ltd Karobean Drive, Mareeba	Lot 200 on SP284130	Operational Works - Roadworks, Stormwater, Water Infrastructure, Sewerage Infrastructure, Drainage and Earthworks)	Approved on 30 August 2016.

Decision Notices issued under Delegated Authority					
Application #	Date of Decision Notice	Applicant	Address	Property Description	Application Type
DA/16/0047	3/08/2016	M Cotter	1-3 Gowan Street, Mareeba	Lots 26 & 27 on SP198053	Material Change of Use - Low Impact Industry & Warehouse

August 2016 (Regional Land Use Planning)

DA/16/0029	4/08/2016	Christensen Family Trust	Christensen Road & Myola Road, Kuranda	Lot 12 on SP218651 & Lot 13 on SP103852	Reconfiguring a Lot - Subdivision (2 into 9 lots in 2 stages)
DA/16/0042	4/08/2016	Stelbay Pty Ltd & S & P Murat	259 Mclver Road, Mareeba	Lots 1 & 2 on RP720121 and Lot 7 on RP857695	Reconfiguring a Lot - Boundary Realignment (3 into 3 lots)
DA/16/0043	11/08/2016	F Koenig & K Schmidt	Vallely Road, Bibohra	Lot 111 on N157489	Reconfiguring a Lot - Subdivision (1 into 2 lots)
DA/16/0039	16/08/2016	S & J Royster	46 Cadagi Drive, Kuranda	Lot 35 on RP727449	Material Change of Use - Bed and Breakfast Accommodation
DA/16/0049	16/08/2016	W & R Blundell	37 & 50 Cobra Road, Mareeba	Lot 20 on SP184955 & Lot 22 on SP227510	Reconfiguring a Lot - Boundary Realignment
DA/16/0038	18/08/2016	Christensen Family Trust	Christensen Road, Kuranda	Lot 12 on SP218651	Reconfiguring a Lot - Subdivision (4 into 7 lots)
OW/16/0008	31/08/2016	BTM & S Stankovich Pty Ltd	Karobean Drive, Mareeba	Lot 200 on SP284130	Operational Works - Roadworks, Stormwater, Water Infrastructure, Sewerage Infrastructure, Drainage and Earthworks)

Building Work assessable against the Planning Scheme Decision Notices issued under Delegated Authority

Application #	Date of Decision	Applicant	Address	Property Description	Application Type
BAP/16/0009	10/08/2016	P & H Miller	9 Sandelewood Close, Kuranda	Lot 38 on SP187435	New Dwelling House - Assessment against Hill and Slope Overlay.
BAP/16/0010	15/08/2016	W & I McDermott	32 Herberton Street, Mareeba	Lot 28 on RP719252	Request for GFA dispensation to allow construction of a skillion roof over existing concrete slab, increasing shed

August 2016 (Regional Land Use Planning)

					GFA to 168m2.
BAP/16/0011	18/08/2016	K Shaban	4 River Road, Bibohra	Lot 26 on SP282405	Request for GFA dispensation to allow construction of a 180m2 shed on 3,426m2 allotment.

Survey Plans endorsed					
Application #	Date	Applicant	Address	Property Description	No of Lots
REC/07/0052	3/08/2016	Hockey Machinery Sales	Summer Street, Mareeba	Lot 99 on SP289709	2 lots
REC/11/0012	15/08/2016	D Abiad	903 Euluma Creek Road, Julatten	Lot 1 on GTP70192	2 lots
DA/16/0005	17/08/2016	B & F Copland	38 Copland Road, Koah	Lot 64 on N157400	2 lots
DA/14/0062	22/08/2016	M & J Peters	Pickford Road, Bibohra	Lots 33 & 34 on SP230966	2 lots
REC/08/0110	25/08/2016	Comaray Pty Ltd	Country Road, Mareeba	Lot 100 on SP287196	3 lots
DA/16/0026	30/08/2016	L & S Gould & B Weaver	352 & 360 Chewko Road, Mareeba	Lots 5 & 6 on SP175438	2 lots

August 2016 (Regional Land Use Planning)

