



Ordinary Meeting

Council Training Room

Date: 21 February 2018

Time: 9:00am

AGENDA

THE ORDINARY MEETING OF THE MAREEBA SHIRE COUNCIL WILL BE HELD IN THE COUNCIL TRAINING ROOM, ON **WEDNESDAY, 21 FEBRUARY 2018** 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 P English - Material Change of Use - Air Services (Private Airstrip) Lot 1 RP746336 - 343 Fantin Road, Koah - DA/17/0029..... 5

ITEM-2 S & M Land and M Cordingley - Reconfiguring a Lot - Subdivision (1 into 2 Lots) - Lot 97 SP202902 - McMillan Road, Paddy's Green - RAL/18/0003 61

ITEM-3 Negotiated Decision Notice - Reedlodge Pty Ltd - Material Change of Use - Shopping Centre - Lot 78 on SP152626 - 232 Byrnes Street, Mareeba - MCU/17/0011 75

GOVERNANCE AND COMPLIANCE 105

ITEM-4 Body Worn Camera Policy..... 105

ITEM-5 Far North Sports and Pistol Club - Request to amend hours of operation..... 111

ITEM-6 Delegations Update February 2018 117

ITEM-7 Mareeba Industrial Park - Sale of Land CONFIDENTIAL..... 123

LOCAL LAWS 125

ITEM-8 Selective Approved Animal Inspection Program - Mareeba 2018 125

FINANCE 131

ITEM-9 Financial Statements for period ending 31 January 2018 131

COMMUNITY WELLBEING 139

ITEM-10 Government Grant Program 139

ITEM-11 Kuranda Recreation Centre 143

INFRASTRUCTURE SERVICES 147

TECHNICAL SERVICES 147

ITEM-12 Tender Evaluation TMSC2017-23 Therwine Street Redevelopment, Kuranda 147

ITEM-13 Chillagoe Retransmission Site - Shutdown of Site and Sale of Equipment..... 153

ITEM-14 Application for Permanent Road Closure of an Area of Road Reserve Abutting Lot 2 on MPH32528 - 4 Plowman Street, Mareeba..... 157

ITEM-15 Application for Permanent Road Closure of an Area of Road Reserve Abutting Lot 3 on RP728071 - RA 50 Mount Haren Road, Kuranda 167

ITEM-16 Application for Permanent Road Closure of an Area of Road Reserve Abutting Lot 122 on SP295178 - RA 760 Leadingham Creek Road, Dimbulah..... 175

ITEM-17 Application for Temporary Road Closure of an Area of Road Reserve Abutting Lot 2 on RP732204 - RA 21 Pike Road Mareeba 179

ITEM-18 Traffic Advisory Committee - Minutes of Meeting held 5 December 2017 197

ITEM-19 Infrastructure Services - Technical Services Monthly Activities Report - January 2018..... 205

WORKS 213

ITEM-20	Infrastructure Services - Works Section Activity Report - January 2018.....	213
WATER & WASTE		221
ITEM-21	Infrastructure Services - Water and Wastewater Group Monthly Operations Report - January 2018	221
ITEM-22	Infrastructure Services - Waste Operations Report - January 2018	231
CHIEF EXECUTIVE OFFICER		237
ITEM-23	Councillor Attendance at Conferences 2018.....	237
BUSINESS WITHOUT NOTICE		239
NEXT MEETING OF COUNCIL		239
SUMMARY OF NEW PLANNING APPLICATIONS & DELEGATED DECISIONS FOR THE MONTH OF JANUARY 2018		240

CORPORATE AND COMMUNITY SERVICES**REGIONAL LAND USE PLANNING**

ITEM-1 **P ENGLISH - MATERIAL CHANGE OF USE - AIR SERVICES (PRIVATE AIRSTRIP) LOT 1 RP746336 - 343 FANTIN ROAD, KOAH - DA/17/0029**

MEETING: Ordinary

MEETING DATE: 21 February 2018

REPORT OFFICER'S TITLE: Planning Officer

DEPARTMENT: Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	P English	ADDRESS	343 Fantin Road, Koah
DATE LODGED	23 June 2017	RPD	Lot 1 on RP746336
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Air Services (Private Airstrip)		

FILE NO	DA/17/0029	AREA	73.637 ha
LODGED BY	Liz Taylor Town Planner	OWNER	P, S & C English
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Rural Zone		
LEVEL OF ASSESSMENT	Impact Assessment		
SUBMISSIONS	182		

ATTACHMENTS:

1. Proposal Plan/s
2. Noise Impact Assessment prepared by Dedicated Acoustics dated 3 November 2017
3. Submitter letters (distributed separately)

EXECUTIVE SUMMARY

Council is in receipt of an impact assessable development application described in the above application details. The subject site contains an existing private grassed airstrip and aircraft hangar with existing use rights to conduct up to 52 flights per annum (approved by Council on 19 May 2010 – MCU/09/0050). The landowner/applicant now proposes to increase the total number of flights per annum to 365 flights, averaging 1 flight per day, with the ability to conduct up to 6 flights per day if desired.

During public notification of the application, 182 submissions were received by Council, of which 169 objected to the proposed development, while 13 were in support.

The application and supporting material has been assessed against the Mareeba Shire Council Planning Scheme 2016 and is not considered to conflict with any relevant aspect of the Planning Scheme. In terms of land use suitability, a private airstrip within the Rural zone is not considered to be an inconsistent use, however, this airstrip is situated in proximity to the Koah Township and is surrounded by a mix of residential and rural residential/lifestyle lots. As such, noise impacts as a result of the proposed increased use of the airstrip and the potential resultant loss of amenity are the primary planning consideration when assessing the application.

In order comply with the relevant aspects of the Planning Scheme, it had to be demonstrated that the proposed intensification or increased use of the airstrip would not cause unacceptable noise impacts and loss of amenity for surrounding residences. 'Amenity' in itself is highly subjective and usually interpreted differently depending on an individual's viewpoints regarding environmental qualities. This is evidenced by a combination of support and opposition for the proposed development from a number of different landowners sited immediately adjacent the airstrip who would be expected to be impacted the greatest. For this reason, Council officers requested that the applicant commission a noise impact assessment (NIA) to assist in determining the level of noise impact associated with the development.

The NIA included calibrated noise readings at three (3) different locations for all three (3) planes owned by the applicant, and all three (3) test locations were in proximity to immediate adjoining dwellings. Based on the readings documented within the NIA, the planes created a noise disturbance (increase in noise) of between 20 – 50 decibels, depending on test location and background noise levels. Considering the airstrip can currently lawfully be used by two (2) of the three (3) planes involved in the assessment for up to 52 flights per year, the proposed increase in the frequency of flights becomes integral when determining if the developments level of noise nuisance/impact is unacceptable. Also measured was the noise levels of the three (3) planes when flying over the site (overflights) which has also been flagged by submitters as a noise nuisance.

The NIA concluded that some noise impacts will be felt by surrounding residences based on an average usage of one (1) flight per day and up to six (6) flights in any given day, however the level of impact is relatively minor and limited to a sparsely populated area. Noise impacts are also lessened due to the fact that flights only occur during the less sensitive daylight hours, are very short in duration (average of 34 seconds) and affected landowners are provided with substantial respite between each flight. Furthermore, overflight noise levels were considerably less than that of commercial passenger jets which fly over the Koah area on a daily basis.

In order to help minimise noise and amenity impacts associated with the proposed development, it is recommended that conditions be attached to any approval limiting the

frequency of flights to a maximum of seven (7) flights in any given calendar week. This will ensure the 365 flights applied for are spread over the course of a year, and if more than one (1) flight is carried out on any given day during that week (allowable maximum of six (6) flights) there will be resultant day/s within that same week where flying would not be permitted as the seven (7) flight weekly limit will still apply.

Based on the above considerations and with the inclusion of conditions that will limit flight frequency, it is considered that the proposed intensification of the airstrip use could proceed without causing unacceptable noise impacts and loss of amenity for surrounding residential uses.

Draft conditions were provided to the applicant care of their consultant and have been agreed to.

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

OFFICER'S RECOMMENDATION

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

APPLICATION		PREMISES	
APPLICANT	P English	ADDRESS	343 Fantin Road, Koah
DATE LODGED	23 June 2017	RPD	Lot 1 on RP746336
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use – Air Services (Private Airstrip)		

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

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

And

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

(A) **APPROVED DEVELOPMENT:** Development Permit for Material Change of Use – Air Services (Private Airstrip)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
32301-01 Sheet 1 of 2	Flight Plan For Take Off to South	Veris	1/06/2017
32301-01 Sheet 2 of 2	Flight Plan For Take Off to North	Veris	1/06/2017

(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**

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.

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/landowner 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 **Hours of Operation**

The permitted hours for machinery to be used for maintaining the airstrip, for unscheduled aircraft maintenance, and for aircraft to take-off and land shall be between 7am and 6pm Monday to Sunday except for emergency use, which can be whenever necessary.

3.5 Permitted Flights

Recreational aircraft flights shall be limited as follows unless approved otherwise by Council:

- seven (7) flights per calendar week (Monday to Sunday), totalling 365 flights per normal calendar year, inclusive of the 52 flights per calendar year permitted under development permit MCU/09/0050;
- A maximum of six (6) flights are permitted on any given day over the course of a calendar week, subject to the abovementioned limit of seven (7) flights per calendar week;
- A maximum of 12 flights for visitor pilots over the course of a calendar year, subject to the abovementioned limits of seven (7) flights per calendar week and up to six (6) flights in any given day over the course of a calendar week.

Note: 1 “flight” includes one (1) take-off movement and 1 landing movement, or vice-versa for “visitor flights” as visitor flights do not commence from the site.

3.6 Flight Logbook

The applicant/landowner must, for the life of the development, maintain a flight logbook, which contains records of all flight movements to and from the approved airstrip, including visitor flights. Flight records must include the aircraft used, and the date in which the flight/s was carried out.

At the request of Council officers, the logbook must be made available to Council for review.

3.7 Permitted Aircraft

Use of the airstrip is to be limited to Cessna 172, replica Spitfire MK5 and Glassair II aircraft, or other non-commercial aircraft with similar impact approved by Council’s delegated officer. This excludes the use of the airstrip by emergency flights, which are permitted to use whatever aircraft necessary.

3.8 Flight Paths

When safe to do so, any aircraft taking off in a southerly direction (where not involving a circuit), must turn to the east immediately after take-off, preferably following the Fantin Road road reserve in a south-east direction in order to avoid flying over Lot 201 on NR3170.

Any circuit after take-off must be carried out to the east of the site.

Note: A circuit as depicted on the submitted plans is not mandatory during take-off or landing.

3.9 All scheduled maintenance of aircraft shall be undertaken off-site.

3.10 Water Supply for Fire Fighting Purposes

The development is to 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 Camlock fitting. The outlet from the tank water supply or the dam/pool shall be located in an accessible position within 40 metres of the existing building.

3.11 Fuel Storage

Any fuel stored on site associated with the approved use must be kept in a sealed, bunded area with a storage capacity of at least 150% of the storage capacity of any fuel storage tanks/containers.

4. Infrastructure Services and Standards

4.1 Access

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

4.2 Stormwater Drainage/Water Quality

4.2.1 Any material likely to degrade 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 and used when a spill occurs to prevent the escape of any contaminants off-site.

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

(D) ASSESSMENT MANAGER'S ADVICE

(a) 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.

(b) 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.

(c) 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

(d) 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)

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

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

- Nil

(G) OTHER APPROVALS REQUIRED FROM COUNCIL

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

THE SITE

The subject site is situated just to the south-east of the Koah Township at 343 Fantin Road, Koah and is described as Lot 1 on RP746336. The site is irregular in shape with a total area of 73.637 hectares and is zoned Rural under the Mareeba Shire Council Planning Scheme 2016. The site is accessed from Fantin Road which terminates at the site boundary and is constructed to a formed gravel standard for its entire length. The site also contains frontage to multiple sections of undeveloped road reserve in its north-east corner as well as approximately 470 metres of frontage to the Mareeba - Kuranda railway line at the northern end of the property.

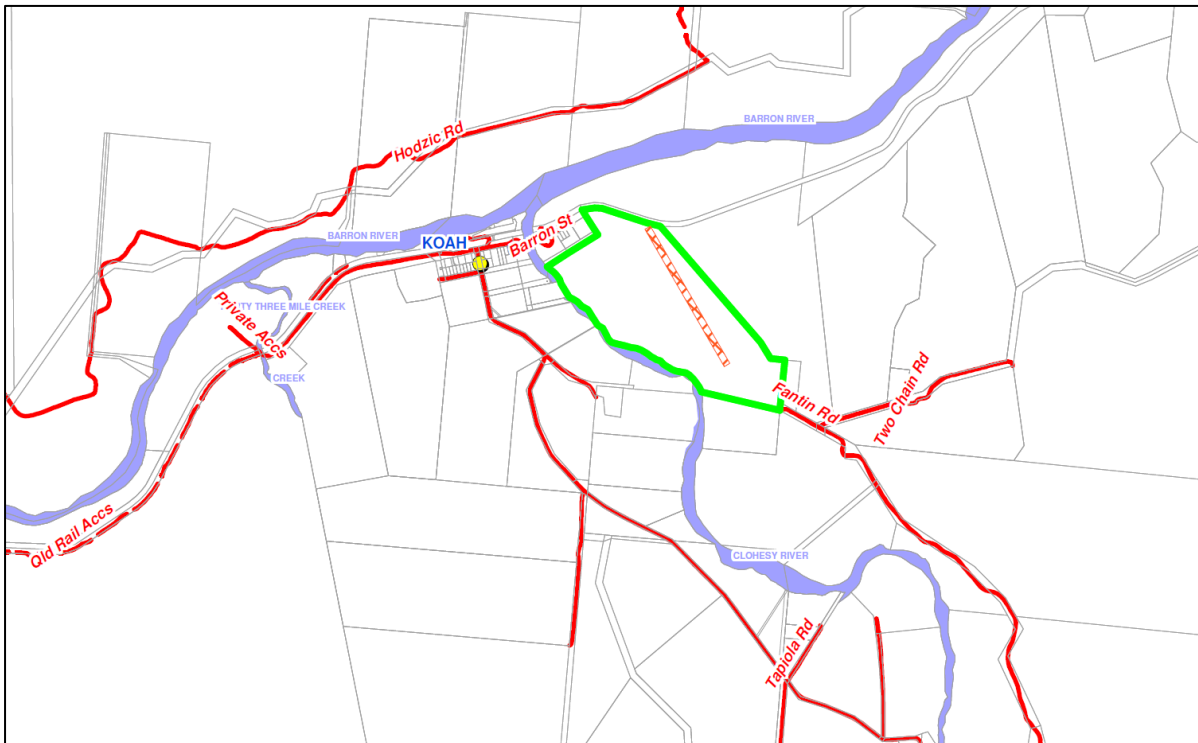
The site is improved by an aircraft hangar/storage and maintenance shed situated approximately 500 metres into the site from Fantin Road as well as a grassed airstrip approximately 900 metres in length which runs in a north-west to south-east direction. The airstrip is operational and supports up to 52 flights per annum, approved under Development Permit MCU/09/0050. Two (2) dams are also present at opposite ends of the site. The majority of the site has been cleared of vegetation while the western edge remains vegetated with mature riparian vegetation pertaining to the Clohesy River which runs along the western edge of the site. Scattered mature vegetation is also present over the northern end of the site. The location of the existing airstrip is shown on the below maps in orange hatching.

Lots to the north and north-west of the site make up the Koah Township and are zoned a mix of Low Density Residential and Rural Residential and contain a mix of dwelling house uses and rural lifestyle uses. Lots to the south, east and west of the site are predominantly Rural zoned properties and are used as a mix of both rural lifestyle lots and grazing properties.



Map Disclaimer:

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

**Map Disclaimer:**

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

PREVIOUS APPLICATIONS & APPROVALS/BACKGROUND AND CONTEXT

MCU/09/0050

Council, at its Ordinary Meeting on 19 May 2010, approved an application made by Planning Far North on behalf of P English (the landowner) for a material change of use – aircraft facility (private airstrip) over land described as Lot 1 on RP746336, situated at 343 Fantin Road, Koah. Development approval MCU/09/0050 authorised the use of the private airstrip to conduct up to 52 flights per year using a Cessna 172 or similar aircraft with the same or lesser impact.

In July/August of 2012, Council received several complaints advising that the landowner had started operating a replica spitfire from the airstrip. In response to these complaints, the landowner submitted a formal request to Council for approval to operate the replica spitfire arguing that it had the same or lesser impact than the approved Cessna 172 aircraft. Council, at its Ordinary Meeting on 20 September 2012, resolved to approve the landowner's request to operate the replica Spitfire aircraft from the airstrip.

P English, the landowner, now wishes to conduct up to 365 flights per year from the approved airstrip. This activity constitutes an intensification of the use, triggering the requirement for this fresh application for material change of use – air services (private airstrip).

Noise Complaints

Between September 2012 after Council approved the use of the replica Spitfire aircraft from the approved airstrip and June 2017 when the current development application was lodged,

Council has no record of any complaints being received about the existing approved airstrip activity (taking off and landing of planes on site), or about any noise nuisance with regards to flying over the Koah/Speewah/Kuranda area.

DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Material Change of Use – Air Services (Private Airstrip) in accordance with the plans shown in **Attachment 1**.

Use of the sites existing airstrip for up to 52 flights per year is authorised under development permit MCU/09/0050 which was approved by Council on 19 May 2010.

The landowner/applicant proposes the following flight activity from the existing airstrip:

- A maximum of 365 flights per year, averaging 1 flight per day; and
- The ability to conduct a maximum of 6 flights on any given day, with these flights to be included in the annual maximum 365 flight limit; and
- A maximum of 12 individual visitor flights per year (pilots other than the landowner/applicant) permitted to use the airstrip, whilst still adhering to the maximum daily flight limit of 6 flights, and to be included in the annual maximum 365 flight limit.

Under any arrangement of flights, it is not proposed to exceed 365 flights per annum.

It should be noted that a 'flight' refers to one (1) take-off and one (1) landing or vice-versa for visitor flights (one (1) landing and one (1) take-off).

Aircraft primarily using the airstrip will be owned by the landowner/applicant and include a replica Spitfire MK5, a Cessna 172 Skyhawk and a Glassair II. Visitor planes using the airstrip will be of similar size and nature.

It is proposed that the hours of operation for both the machinery used to maintain the airstrip and for aircraft using the airstrip will be between 7 am and 6 pm, except for emergency use.

Aircraft using the airstrip have the option to take-off in both a northern and southerly direction, however the primary take-off direction will be to the south due to predominant wind direction in the area. The flight paths submitted with the application include circuits to the east of the site however these circuits are rarely required and are sometimes not desirable depending on wind direction, topography and speed.

REGIONAL PLAN DESIGNATION

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

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

PLANNING SCHEME DESIGNATIONS

Strategic Framework:	Land Use Categories - Rural Other Natural Environment Elements - Biodiversity Areas
Zone:	Rural Zone
Overlays:	- Environmental significance overlay - Flood hazard overlay - Hill and slope overlay - Transport infrastructure overlay

Planning Scheme Definitions

The proposed use is defined as:-

Column 1 Use	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
Air Services	Premises used for any of the following: <ul style="list-style-type: none"> • The arrival and departure of aircraft • The housing, servicing, refueling, maintenance and repair of aircraft • The assembly and dispersal of passengers or goods on or from an aircraft • Any ancillary activities directly serving the needs of passengers and visitors to the use • Associated training and education facilities • Aviation facilities 	Airport, airstrip, helipad, public or private airfield	

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 2016 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 2016 appropriately integrates all relevant aspects of the SPP.

(c) Mareeba Shire Council Planning Scheme 2016

Strategic Framework

3.3 Settlement pattern and built environment

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 airstrip land use is not an inconsistent use within the Rural zone, however the subject site is adjoined by land within the Low density residential zone and is surrounded by sensitive land uses.

As discussed in the body of this report, it is considered that provided reasonable conditions are attached to any approval limiting flight frequency, the proposed intensification of the airstrip use could proceed without causing unacceptable noise impacts and loss of amenity for surrounding residential uses.

The proposed development is not considered to conflict with Specific Outcome 1.

3.4 Natural resources and environment

3.4.4 Element – Biodiversity areas

3.4.4.1 Specific outcomes

- (1) *Development avoids adverse impacts on the ecological values of biodiversity areas and where avoidance is not possible the adverse impacts are minimised and, for an area of high ecological significance, no net loss in biodiversity values is achieved.*

- (2) *Development on lots containing biodiversity areas ensures their ongoing protection and retention through application of conservation covenants or dedication for public use.*
- (3) *Biodiversity areas that are considered to be of regional, state or higher levels of significance are awarded levels of protection commensurate with these values.*
- (4) *The ecological values of biodiversity areas which have been degraded are rehabilitated as part of the development, and commensurate with the scale of development.*

Comment

The proposed development is for the intensification of an existing lawfully established airstrip use within the Rural zone. No vegetation clearing, or habitat destruction will occur as a result of the development and the intensification of the use is unlikely to impact on ground and surface water resources (Clohesy/Barron Rivers). Native wildlife living on or in proximity to the site are subject to aircraft noise at present and the intensification of the use (i.e. increase frequency of flights from 1 per week to 7 per week) is not likely to have a significant impact on this native wildlife. The proposed development is not considered to conflict with Specific Outcomes 1, 2, 3 and 4.

3.4.8 Element – Air and noise quality

3.4.8.1 Specific Outcomes

- (1) *The health, well-being, amenity and safety of the community and the environment is protected from the impacts of air emissions, noise and odour through appropriate management and adequate separation distances.*
- (3) *Land uses which emit high level of noise, including for example motor sports, gun clubs and the like will be appropriately located and managed to mitigate acoustic impacts.*
- (4) *Sensitive land uses are appropriately separated from areas containing or designated for activities that generate noise and air emissions.*

Comment

Refer to Planning Discussion section of report. Council officers acknowledge that some noise nuisance/impact is likely to be felt by surrounding residences as a result of the increased use of the airstrip, however provided reasonable conditions are attached to any approval limiting flight frequency, the proposed intensification of the airstrip use could proceed without causing unacceptable noise impacts and loss of amenity for surrounding residential uses.

The proposed development is not considered to conflict with Specific Outcomes 1, 3 and 4.

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
- 8.2.6 Flood hazard overlay code
- 8.2.8 Hill and slope overlay code
- 8.2.11 Transport infrastructure overlay code
- 9.3.6 Rural activities code
- 9.4.2 Landscaping code
- 9.4.3 Parking and access code
- 9.4.5 Works, services and infrastructure 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 outcomes or performance outcomes where no acceptable outcome is provided) 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 or performance outcomes (where no acceptable outcome is provided) contained within the code. Further discussion is warranted with regards to the following: <ul style="list-style-type: none"> ▪ Performance Outcome PO6 (a) - noise Refer to planning discussion section of report.
Bushfire hazard overlay code	The application can be conditioned to comply with the relevant acceptable outcomes or performance outcomes (where no acceptable outcome is provided) contained within the code.
Environmental significance overlay code	The application can be conditioned to comply with the relevant acceptable outcomes or performance outcomes (where no acceptable outcome is provided) contained within the code.
Flood hazard overlay code	The application can be conditioned to comply with the relevant acceptable outcomes or performance outcomes (where no acceptable outcome is provided) contained within the code.
Hill and slope overlay code	The application can be conditioned to comply with the relevant acceptable outcomes or performance outcomes (where no acceptable outcome is provided) contained within the code.
Transport infrastructure overlay code	The application can be conditioned to comply with the relevant acceptable outcomes or performance outcomes (where no acceptable outcome is provided) contained within the code.
Rural activities code	The application can be conditioned to comply with the relevant acceptable outcomes or performance outcomes (where no acceptable outcome is provided) contained within the code.
Landscaping code	Refer to development code assessment document. Given the nature of the use, landscaping is not considered reasonable or necessary.
Parking and access code	Refer to development code assessment document. Given the nature of the use, formal car parking is not considered reasonable or necessary.
Works, services and Infrastructure code	The application can be conditioned to comply with the relevant acceptable outcomes or performance outcomes (where no acceptable outcome is provided) contained within the code.

(e) Planning Scheme Policies/Infrastructure Charges Plan

The following planning scheme policies are relevant to the application:

Planning Scheme Policy 4 - FNQROC Regional Development Manual

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

REFERRALS

Concurrence

This application did not trigger referral to a Concurrence Agency.

Advice

This application did not trigger referral to an Advice Agency.

Internal Consultation

Nil

PUBLIC NOTIFICATION

The development application was originally placed on public notification from 8 November 2017 to 29 November 2017. During this initial public notification period, various community members expressed concern and confusion regarding the flight parameters applied for (number of flights per year/day, who would be permitted to use the airstrip etc.). As a result, further information and clarity was sought from the applicant regarding the requested flight parameters and Council officer advised the applicant to restart the public notification stage of the application process.

The development application was placed on public notification for the second time from 25 November 2017 to 15 December 2017. The applicant submitted the notice of compliance on 18 December 2017 advising that the public notification requirements were carried out in accordance with the requirements of the Act. Submissions from both public notification periods were accepted as property made submissions.

182 submissions were received during both public notification periods, of which 169 objected to the proposed development, while 13 were in support of the proposed development.

The applicants planning consultant has reviewed the submissions lodged and has provided the following commentary in relation to the submitters:

"While it is acknowledged that anyone can make a submission, in this instance the only direct impact associated with this development will be felt by those properties immediately adjoining or in close proximity to the existing airstrip. On that basis the submissions have been grouped into place of origin of the submitter, with Mr English providing comments based on how he uses the airstrip and flight paths taken from the airstrip, as the plane noise is loudest at take-off not landing.

In summary, based on Mr English's observations, I advise as follows:

- *83 submissions/objections (46.11%) are from Koah residents who are not located adjoining or in close proximity to the existing airstrip and would not be subjected to any significant noise disturbance due to the height of the aircraft (2500ft) passing overhead in relation to their house, in some instances and/or the fact that the aircraft rarely fly's over some areas of Koah, in other instances;*
- *42 submissions/objections (23.33%) are from Kuranda residents who would not be impacted by additional flights from the airstrip;*
- *23 submissions/objections (12.77%) are from Speewah residents who would not be impacted by additional flights from the airstrip;*

- *15 submissions/objections (8.33%) are from residents from other localities (Smithfield x 2, Trinity Park/Beach x 2, Mareeba x 1, Bungalow x 1, Cairns/Cairns North x 3, Paddys Green x 1, Myola x 3, Keperra x 1, Walkamin x 1) not remotely located anywhere near the existing airstrip and therefore not impacted by additional flights from the airstrip.*
- *13 submission/in support (7.22%) are from 9 Koah residents (of whom 2 would be directly impacted and 7 would not be significantly impacted), 1 Kuranda resident, 1 Mareeba resident, 1 Stratford resident, and 1 Chapel Hill resident.*
- *4 submissions/objections (2.22%) are from 2 Koah residents who reside together on the property adjoining the existing airstrip and would potentially be subjected to an average 23 seconds of aircraft noise once a day if additional flights from the airstrip were to be approved by MSC.”*

The assessing officer has reviewed the submissions lodged and the grounds for objection/support are summarised and commented on below:

Noise and subsequent amenity impacts

A common concern amongst nearly all objecting submitters was the noise and amenity impact the additional flights would have on surrounding residents.

Comment

Refer to below Planning Discussion section of report for commentary on noise and amenity impact.

Domestic animals, wildlife and stock

Submitters believe that the intensification of the use of the airstrip will negatively impact on native wildlife and domestic/stock animals.

Comment

The proposed increase in flight activity is not likely to impact on native wildlife or domestic/stock animals any more than some 'as of right' land uses would such as farm machinery noise, motorbikes and plane overflights associated with aerial spraying. As discussed in the report, wildlife moving throughout the area will have considerable respite from any take-off or landing noise with an average of only 1 flight per day proposed. Noise relating to overflights is negligible and below that of commercial aircraft that fly over the Koah area multiple times daily.

Contrary to what submitters have stated, Council has no record of any complaints lodged regarding the existing airstrip operations and its startling effect on domestic/stock animals.

Privacy

There is concern with regards to the loss of or intrusion on privacy by aircraft flying low over properties. Aircraft taking off also pass low over neighbouring properties.

Comment

The primary take-off direction is to the south of the airstrip over a more sparsely populated area of Koah. During take-off and climb the pilots primary focus is on instruments and flying

the aircraft, not observing neighbouring properties. The altitude at which the planes fly, combined with the speeds at which the planes are travelling make particular details on neighbouring properties, including people, almost undetectable. For this reason, the loss of privacy associated with the intensification of the use is likely to be negligible and has not been a substantial consideration during the assessment of this application.

Contrary to what submitters have stated, Council has no record of any complaints lodged regarding a loss of privacy from low flying aircraft over the Koah area and surrounds.

Extra pilots using the airstrip

Submitters are concerned that up to 12 extra pilots might be using the aircraft facility. Furthermore, there are concerns about what aircraft they will be using or how loud these aircraft will be compared to those of the landowner/applicants which were included in the noise impact assessment.

Comment

Should Council approve the use of the airstrip for up to 12 visitor flights per year, these visitor flights will be inclusive in the 365 flights per year limit as well as the recommended seven (7) flights per week limit and the maximum six (6) flights per day limit. The visitor planes will also have to be of similar size and have the same or lesser impact than the applicant/developers three (3) planes used to conduct the noise assessment.

If visitor flights are approved and carried out from the airstrip, it may result in more than one (1) aircraft flying over the Koah area at any one time, however it is acknowledged that any plane from any airstrip could fly over the Koah area at any time, and the overflight noise outputs from the smaller aircraft in question are lessor than that of commercial aircraft that fly over the Koah area multiple times daily.

The use of the airstrip by up to 12 visitor planes/pilots over the year will have a negligible impact on the amenity of surrounding residents.

Non-compliance with development approval MCU/09/0050

There is community concern that the applicant/landowner is not adhering to the conditions previously imposed under development approval MCU/09/0050 which authorises the use of the airstrip for up to 52 flights per year. Submitters are concerned that if Council cannot enforce the conditions imposed on this approval Council may not be able to adequately enforce the conditions imposed on any future development approval.

Comment

Any alleged non-compliance with a previous development approval is not a relevant consideration during the assessment of this application.

Prior to the lodgement of this development application Council had no record of any complaints being received about the existing airstrip activity.

Notwithstanding this, any reported non-compliance with development approval conditions are investigated by Council officers in due course.

Safety

Submitters are concerned about the increased risk of crash incidents as a result of the intensification of the use. Furthermore, the isolation of the Koah Township and the site itself would significantly increase emergency services response times if an incident was to ever occur.

Comment

Although it is acknowledged that an increase in flight activity from the airstrip would result in some increase in risk of crash incidents, it is also acknowledged that the applicant/landowner or any other party using the airstrip would take every precaution to ensure the risk of incident is minimised.

The increased risk of plane crash incidents as a result of the increased use of the airstrip and long response times from emergency services personnel is not sufficient grounds to recommend that the development application be refused.

Commercial activity

Submitters are concerned the airstrip will be used for commercial purposes, or that the proposed intensification of the use is a precursor to future commercial development (joy flights, skydiving).

Comment

Should the landowner/applicant propose any commercial use of the airstrip, a fresh material change of use development application will be required to be submitted to Council for assessment as this activity did not form part of this development application.

Proposed reason/s for the increased flights

Submitters have questioned the validity of the applicants stated reasoning for the request to increase flight numbers, which was to allow him to fly Cairns every day for work. Submitters also stated that the airstrip was originally approved because he intended on using the airstrip to muster livestock on his property and that, in fact, livestock has never been grazed on the airstrip property.

Comment

The particular reasons as to why the applicant/landowner wishes to intensify the use of the existing airstrip is irrelevant to the assessment of the application. This officer assessment is based on the flight parameters applied for and the potential impacts of that scale of development.

Overflight altitude

Submitters are concerned that the applicant currently flies his three (3) planes below the minimum required height of 500ft.

Comment

Any flying of aircraft below 500 feet is the responsibility of the Civil Aviation Safety Authority. Non-compliance with this requirement is not a relevant consideration during the assessment of this application.

Prior to the lodgement of this development application Council had no record of any complaints being received about low flying aircraft associated with the existing airstrip use.

Odour and emissions (excluding noise)

Increasing the number of flights from the airstrip will increase levels of aircraft exhaust. Aircraft exhaust particles settle on house roofs which then flow into rainwater tanks causing a health issue.

Comment

It is unlikely that the exhaust from the aircraft would cause any contamination of local water supplies. Cars and trucks driving along the gravel roads in the area and other permitted rural uses involving machinery or aerial spraying would pose a greater contamination risk than aircraft exhaust.

Clohesy River water contamination

Submitters are concerned about the developments impacts on the Clohesy River, in particular from water runoff from the site which may contain contaminants such as oils and fuels.

Comment

A condition will be attached to any approval requiring any fuel and oil storage associated with the airstrip use to be contained in a bunded area to minimise risk of contamination. Given the proposed scale of the use and the anticipated number of planes to be stored on site, the risk of run-off and contamination to the Clohesy River is negligible.

Designated flight paths

Submitters state that the landowner/applicant does not adhere to the designated flight paths submitted and approved under MCU/09/0050. Submitters have concerns that if this application is approved, the landowner/applicant will continue to disregard designated flight paths.

Comment

Any non-compliance with conditions attached to development approval MCU/09/0050 do not form part of the assessment of this application. Council's control over the flight paths of aircraft using the airstrip is strictly limited to the flight paths used during the taking off and land of aircraft. Due to the predominant wind direction over the site, the predominant take off direction is to the south over the less densely populated areas of Koah. Despite the application including specific flight paths that include a circuit to the east of the site, Council officers consider it reasonable to allow aircraft using the site to avoid this circuit (if possible) as it will likely result in a net decrease in noise impact as the aircraft will not be flying twice in close succession over properties immediately adjoining the subject site (see Condition 3.8).

Future growth of Koah

Koah has been identified as a future growth area in the Planning Scheme. The inconsistency and impacts of the airstrip use will only increase as the population of Koah increases.

Comment

Any significant growth of the Koah area is dependent on a number of factors which include a major Planning Scheme amendment. Under the current Mareeba Shire Council Planning Scheme 2016, the only growth potential (that is consistent with the Planning Scheme) in the

surrounds of the subject site is limited to six (6) lots on the southern edge of the Koah Township which are zoned Rural Residential (2-hectare precinct). The noise impact of the proposed development at these locations is not considered significant in any way.

Property devaluation

The proposed increased air traffic from the airstrip will cause property valuations to fall.

Comment

The potential for a development to devalue land is not a valid town planning consideration. Notwithstanding this, as discussed in the Planning Discussion section of this report, the proposed intensification of the existing airstrip use is not likely to have an unacceptable impact on amenity surrounding the subject site.

Monitoring flight numbers

Submitters have concerns that Council will be unable to monitor the additional flights for compliance if approved.

Comment

A condition will be attached to any approval requiring the applicant/landowner to keep a logbook of all flight activity from the airstrip. It is understood any pilot using the airstrip is required by law to maintain a flight logbook.

Community benefit

The proposed intensification of the airstrip use provides no community benefit, instead solely benefits the landowner/applicant.

Comment

The degree in which a development provides benefits to the wider community is generally only a consideration when that development significantly conflicts with the relevant planning instruments/provision, and is used as a means to justify approval, despite the conflicts. As discussed in the body of this report, the proposed development is not considered to conflict with any relevant aspect of the Mareeba Shire Council Planning Scheme 2016, in that Council officers consider that the scale of the proposed use, being an average of 1 flight per day, will not cause an unacceptable noise nuisance and loss of amenity to surrounding residents.

KUR-World

The proposed intensification of the airstrip use is directly related to the KUR-World development.

Comment

The assessing officer is unaware of any link between the proposed intensification of the airstrip use and the KUR-World Coordinated Project.

Cairns & Mareeba Airports

Submitters argue that the site is in proximity to both the Cairns and Mareeba Airports and that the landowner/applicant should move all flight activity to either of these locations as an alternative to protect the threatened amenity.

Comment

Use rights are already established over the subject site for a private airstrip. The application proposes the intensification of the use by increasing flight numbers from an average of one (1) flight per week to one (1) flight per day. Although there may be alternate locations to operate the proposed use (i.e. Mareeba/Cairns Airports), this is not sufficient grounds to recommend the application be refused, particularly considering the proposed development is not considered to conflict with the Planning Scheme. As discussed in the body of this report, Council officers consider that the scale of the proposed use, being an average of 1 flight per day, will not cause an unacceptable noise nuisance and loss of amenity to surrounding residents.

Noise impact assessment

There is a concern that the noise impact assessment that was conducted does not include adequate findings and does not consider all flight scenarios and should therefore be rejected by Council.

Comment

Council officers have reviewed the submitted Noise Impact Assessment and accept its findings in the context of providing a true representation of expected noise impacts associated with the proposed intensification of the airstrip use. If the application is approved by Council, submitters are able to engage their own suitably qualified professional to conduct a peer review of the noise impact assessment prior to the submitter appeal period ending.

Increased vehicle traffic

Submitters are concerned the development will increase vehicle traffic to and from the site.

Comment

The proposed intensification of the airstrip use is not likely to result in an increase in vehicle traffic to and from the subject site. The standard vehicle movements associated with a residential use on a rural property are 10 vehicle movements per day.

Submitters

Record of Submissions received for DA/17/0029		
Name	Address 1	Address 2
Natalie Waller	31 Douglas Track	Speewah QLD 4881
Warren Pine	37 Douglas Track	Speewah QLD 4881
Samantha Smeaton	245 Koah Road	Koah Qld 4881
Narelle Ross	9 Bolton Road	Koah Qld 4881
Anonymous (Katie)	Kennedy Highway	Walkamin QLD 4872
Jaide Stronggrove	1058 Koah Road	Koah Qld 4881
Phil Simpson C/- Liz Taylor	Koah Road	Koah Qld 4881
Mike Prien C/- Liz Taylor	Two Chain Road	Koah Qld 4881
Richard Copland	38 Copland Road	Koah Qld 4881
Anonymous (Rebecca)	9 Brickworks Road	Koah Qld 4881
Priscilla Ralph	8 Barron Street	Koah Qld 4881
Nadine O'Brien	345 Fantin Road	Koah Qld 4881
Jo Martin	451 Oak Forest Road	Kuranda QLD 4881
Seanne Mcarthur	392 Oak Forest Road	Kuranda QLD 4881
Marc Jaschok	1248 Koah Road	Koah Qld 4881
Yamuna Sztraka	1063 Koah Road	Koah Qld 4881
Sarah Baxter	235 Palm Valley Road	Koah Qld 4881
William Johnston	24 Clohesy Street	Koah Qld 4881
Ruth Young	None provided	
Syd Walker	PO Box 774	Kuranda QLD 4881
Bruce Copland	PO Box 171	Smithfield Qld 4878
Fay Copland	38 Copland Road	Koah Qld 4881
Steven Nowakowski	29 Black Mountain Road	Kuranda QLD 4881
E.Heather Price	7 Melaleuca Close	Koah Qld 4881
Hans Zehntner	81 Kuranda Heights Road	Kuranda QLD 4881
Cathy Retter	19 Kullaroo Close	Kuranda QLD 4881
Linda Snart	7 Greenhills Road	Kuranda QLD 4881
Toni Rogers	11 Punch Close	Kuranda QLD 4881
Alison Kempe	3 Punch Close	Kuranda QLD 4881
Garth Owen	19 Kullaroo Close	Kuranda QLD 4881
Gabriela Schierenbeck	102 Koah Rd/PO Box 741	Koah Qld 4881
Cheryl Tonkin	76 High Chapparal Road	Kuranda QLD 4881
Maria Feliz Newman	4 Clohesy Street	Koah Qld 4881
Patricia Zehntner	81 Kuranda Heights Road	Kuranda QLD 4881
Andrew Hodgetts	33 Brockman Way	Smithfield Qld 4878
Bill Sokolich	283 Speewah Road	Speewah QLD 4881
Maree Kerr	2 Meeroo Street	Kuranda QLD 4881
Sharon Shone	235 Koah Road	Koah Qld 4881
Emma Ewing	Clohesy Street	Koah Qld 4881
Bonnie Riley	1087 Barron Street	Koah Qld 4881
Ashleigh Thorne	14 Barron Street	Koah Qld 4881
Jamie Lee Thorne	14 Barron Street	Koah Qld 4881
Vickie Harris	1078 Koah Road	Koah Qld 4881
Peggy S Martin	1078 Koah Road	Koah Qld 4881
Christine Van Koeverden	31 Natasha Close	Koah Qld 4881
P Wyatt	599 Koah Road	Koah Qld 4881
Matthew Webb	15 Northcote Street	Trinity Park Qld 4878
Michelle Webb	8 Mar Street	Koah Qld 4881

Tyronne Samson	8 Mar Street	Koah Qld 4881
Jacqui Hammond	6 Masons Road	Kuranda QLD 4881
Aaron Hobbler	1099 Koah Road	Koah Qld 4881
Rosalyn A Wyatt	599 Koah Road	Koah Qld 4881
Byron Campbell	64 Barron Street	Koah Qld 4881
Tania Tutton	12 Clohesy Street	Koah Qld 4881
Neal Martin	1079 Koah Road	Koah Qld 4881
Ian Brouff	12 Clohesy Street	Koah Qld 4881
John Lindsay	Lot 685 Koah Road	Koah Qld 4881
Gordon Bartlett	685 Koah Road	Koah Qld 4881
Amadeus Lang	24 Clohesy Street	Koah Qld 4881
Michael and Joanne Gunzburg	38 Tapiola Road	Koah Qld 4881
Beverley Anne Adamson	62 Barron Street	Koah Qld 4881
Hannah Wattel	PO Box 473	Kuranda QLD 4881
Shanna Janz	149 McCorry Road	Kuranda QLD 4881
Chloe McKay	149 McCorry Road	Kuranda QLD 4881
Kerry Geck	PO Box 401	Kuranda QLD 4881
Ian Hainsworth	30 Enigma Close	Speewah QLD 4881
Kaya Wilson	3338 Kennedy Highway	Mareeba Qld 4880
Paul M Maxwell	200 Cedar Park Road	Koah Qld 4881
Chris Hannam	53 William Smith Drive	Speewah QLD 4881
Miira Kostava	922 Koah Road	Koah Qld 4881
Julie Brunt	922 Koah Road	Koah Qld 4881
Nadine O'Brien x 2 Submission	345 Fantin Road	Koah Qld 4881
Jimi Hannam	53 William Smith Drive	Speewah QLD 4881
Scott Morrison & Sajidah Abdullah	961 Koah Road	Koah Qld 4881
Carole Myee Maxfield	442 Speewah Road	Speewah QLD 4881
Dorothy Clews	374 Ganyan Drive	Speewah QLD 4881
John & Susan Fraser	PO Box 274	Kuranda QLD 4881
Judith Bell	8 Clohesy Street	Koah Qld 4881
Linda Guy	516 Koah Road	Koah Qld 4881
Russell James	516 Koah Road	Koah Qld 4881
Aeron Holzhauser	450 Koah Road	Koah Qld 4881
Susan Tullipan	11 Dominikovic Close	Koah Qld 4881
Sam Conomo	9 Bolton Road	Koah Qld 4881
Narelle Ross x 2 Submission	9 Bolton Road	Koah Qld 4881
Tonia Rose	Lot 12 Dominikovic Close	Koah Qld 4881
Matthew Cole	6 Natasha Close	Koah Qld 4881
Muriel Richardson	16 Barron Street	Koah Qld 4881
David Pickering	Lots 1 & 2 Barron Street	Koah Qld 4881
Stuart Biggs	382 Ganyan Drive	Speewah QLD 4881
Aneta Thomsen	21 William Smith Drive	Speewah QLD 4881
Alison Ylstra	90 Veivers Drive	Speewah QLD 4881
Arnold Erber	117 William Smith Drive	Speewah QLD 4881
Steven and Amanda Grist	1 Copland Road	Koah Qld 4881
William Wilson	457 Speewah Road	Speewah QLD 4881
Matthew Yates	48 Sanctuary Close	Speewah QLD 4881
Guy Summer and Suzanne Cove	222 Stoney Creek Road	Speewah QLD 4881
Yvonne House	9 Koah Road	Koah Qld 4881
Harry Dick	65 Palm Valley Road	Koah Qld 4881

Sam Musumeci	367 Koah Road	Koah Qld 4881
Gillian Louise Whitehead	3 Natasha Close	Koah Qld 4881
Nicola Cunningham	2413 Kennedy Hwy & 8 Marr St	Koah Qld 4881
Andrew Jowett	8 Tamarix Street	Chapel Hill Qld 4069
Richard Hunt	13 Edgar Street	Bungalow Qld 4870
Mick & Diane Mosch	PO Box 1490	Mareeba Qld 4880
Chris Jaschok	1248 Koah Road	Koah Qld 4881
Tracy Rusch	408 Koah Road	Koah Qld 4881
Sarah Smits	15 Law Street	Cairns North Qld 4870
B Dalla Costa	170 McBean Road	Paddys Green Qld 4880
Mark Chirio	441 Koah Road	Koah Qld 4881
Sophie McGrath	Koah Road	Koah Qld 4881
Irma Mikacaicunas	20 Weld Crescent	Trinity Beach Qld 4878
J Garbellini	516 Koah Road	Koah Qld 4881
Chris Van Koeverden	102 Koah Road	Koah Qld 4881
Rohan Rusch	408 Koah Road	Koah Qld 4881
Blake Hudson	118 Greenforest Road	Myola Qld 4881
Pat Storey	Fallon Road	Kuranda QLD 4881
Michelle Weeks	110 Clohesy River Road	Koah Qld 4881
M Kenny	14 Barron Street	Koah Qld 4881
Calvin Baker	15 William Smith Drive	Speewah QLD 4881
Justine Schlicht	22 Freedom Close	Speewah QLD 4881
Jemma Shelton	102 Koah Road	Koah Qld 4881
Noah Sailer	15 Law Street	Cairns North Qld 4870
Rohan Rusch	408 Koah Road	Koah Qld 4881
H Voogt	91 Scenic Drive	Speewah QLD 4881
Riette Voogt	Scenic Drive	Speewah QLD 4881
John & Kathryn Edwards	28 Monaro Close	Kuranda QLD 4881
Mark Bishop	2326 Kennedy Highway	Koah Qld 4881
Rob Stephenson	24 William Smith Drive	Speewah QLD 4881
Nadine O'Brien x 3rd objection	345 Fantin Road	Koah Qld 4881
Sarah Isaacs	345 Fantin Road	Koah Qld 4881
Nykea Ralston & Anthony Johnson	520 Koah Road	Koah Qld 4881
Kirsty Stephens	8 Gregory Terrace	Kuranda QLD 4881
Rozana Wright	426 Koah Road	Koah Qld 4881
Ken Wright	426 Koah Road	Koah Qld 4881
Adrian Church	7 Scrub Street	Kuranda QLD 4881
Keila Waksvik	6 Meeroo Street	Kuranda QLD 4881
Steven Nowakowski x 2nd objection	PO Box 4761	Cairns Qld 4870
Julie Cohen	2 Punch Close	Kuranda QLD 4881
Robert Edwards	28 Monaro Close	Myola Qld 4881
Rosemary Marks	165 Boyles Road	Kuranda QLD 4881
Heinz Mullert	11 Harriman Street	Kuranda QLD 4881
Bob Madden	81 Veivers Drive	Speewah QLD 4881
Duncan Stebbing	None provided	Keperra Qld 4054
Jeffrey Hunt	414 Koah Road	Koah Qld 4881
Michael Douglass	9 Jarawee Road	Kuranda QLD 4881
Jon Trapnell	58 Barron Falls Road	Kuranda QLD 4881
Ashley & Annmaree Sloan Coleman	PO Box 829	Kuranda QLD 4881
Geoffrey & Joy Stannett	1227 Koah Road	Koah Qld 4881

John Todd	PO Box 685	Kuranda QLD 4881
Nico Wouterse	4 Fairyland Road	Kuranda QLD 4881
Iveta Svihla	143 Oak Forest Road	Kuranda QLD 4881
Suzanne Bartlett	26 Mount Haren Road	Kuranda QLD 4881
Bruce Campbell	64 Barron Street	Koah Qld 4881
Belinda Fry	63 Masons Road	Kuranda QLD 4881
Matthew Fry	PO Box 132	Kuranda QLD 4881
Zalan Glen	13 Fairyland Road	Kuranda QLD 4881
Peter Cohen	40 Punch Close	Kuranda QLD 4881
Helen Downie	17 McKenzie Street	Myola Qld 4881
Suzy Grinter	70 Veivers Drive	Speewah QLD 4881
Brian Prove	Lot 198 Popovic Road	Koah Qld 4881
Tanya Vickers	RP 65 Greenforest Road	Kuranda QLD 4881
Ken Parsons	11 Shane Court	Kuranda QLD 4881
Charlene Cabral	29 Palm Valley Road	Koah Qld 4881
Malcolm McKeen	25 Copland Road	Koah Qld 4881
Kerry Geck x 2	25 Copland Road	Koah Qld 4881
Phillip Arthur Simpson	341 Fantin Road	Koah Qld 4881
Bill Sokolich x 2	283 Speewah Road	Speewah QLD 4881
Kerry Geck submits petition various objections		
Aileen Downs (submitted by Kerry Geck)	38 Rob Veivers Drive	Kuranda QLD 4881
M Wycherley (submitted by Kerry Geck)	415 Koah Road	Koah Qld 4881
R Wycherley (submitted by Kerry Geck)	415 Koah Road	Koah Qld 4881
Tonielle Christensen (submitted by Kerry Geck)	Kuranda	
Rose Hunter (submitted by Kerry Geck)	1093 Koah Road	Koah Qld 4881
Alexandra Worsfold	1248 Koah Road	Koah Qld 4881
Marc Jaschok x 2	1248 Koah Road	Koah Qld 4881
Garry Hooper	Lot 2 McCorry Rd / PO Box 78	Stratford Qld 4870
Daniel Stronggrove	1058 Koah Road	Koah Qld 4881
Gayle Hannah	42 Rob Veivers Drive	Kuranda QLD 4881
Julie Brunt x 2	922 Koah Road	Koah Qld 4881
Piers Freeman	1063 Koah Road	Koah Qld 4881
Sarah Rizvi	1063 Koah Road	Koah Qld 4881
Brendan Kent	8 Jumrun Close	Kuranda QLD 4881

PLANNING DISCUSSION

6.2.9 Rural Zone Code

(3) The purpose of the Rural zone code will be achieved through the following overall outcomes:

- (a) Areas for use for primary production are conserved and fragmentation below economically viable lot sizes is avoidable;
- (b) The establishment of a wide range of rural pursuits is facilitated, including cropping, intensive horticulture, forestry, intensive animal industries, animal husbandry, and animal keeping and other compatible primary production uses;
- (c) The establishment of extractive industries, mining and associated activities and alternative forms of energy generation is appropriate where environmental impacts and land use conflicts are minimised;
- (d) Uses that require isolation from urban areas as a consequence of their impacts such as noise or odour may be appropriate where land use conflicts are **minimised**;
- (e) Development is reflective of and responsive to the environmental constraints of the land;

- (f) Residential and other development is appropriate only where directly associated with the rural nature of the zone;
- (g) Low-impact tourism and recreation activities do not compromise the long-term use of the land for rural purposes;
- (h) The viability of both existing and future rural uses and activities is protected from the intrusion of incompatible uses;
- (i) Visual impacts of clearing, building, materials, access ways and other aspects of development are minimised or appropriately managed;
- (j) Adverse impacts of development both on-site and from adjoining areas are avoided and any impacts are minimised through location, design, operation and management; and
- (k) Natural features such as creeks, gullies, waterways, wetlands and bushland are retained, managed, enhanced and separated from adjacent development.

Overall outcomes (d) and (j) are achieved through compliance with Performance Outcome PO6 below:

Amenity

PO6 Development must not detract from the amenity of the local area, having regard to:

- (a) Noise;
- (b) Hours of operation;
- (c) Traffic;
- (d) Advertising devices;
- (e) Visual amenity;
- (f) Privacy;
- (g) Lighting;
- (h) Odour; and
- (i) Emissions

Although the subject site is situated within the Rural zone, it is immediately adjoined by land within the Low Density Residential zone. The following provisions contained within the Low Density Residential zone are also considered relevant to the assessment of the application:

6.2.6 Low density residential zone code

(3) The purpose of the code will be achieved through the following overall outcomes:

- (g) Development maintains a high level of residential amenity avoiding uses that introduce impacts associated with noise, hours of operation, traffic, advertising devices, visual amenity, privacy, lighting odour and emissions;

Overall outcome (g) is achieved through compliance with Performance Outcome PO9 below:

Amenity

PO9 Development must not detract from the amenity of the local area, having regard to:

- (a) Noise;
- (b) Hours of operation;
- (c) Traffic;

- (d) *Advertising devices;*
- (e) *Visual amenity;*
- (f) *Privacy;*
- (g) *Lighting;*
- (h) *Odour; and*
- (i) *Emissions*

Comment

The application proposes the intensification of the use of a private airstrip sited on a large rural allotment. Given the nature and scale of the proposed use, its intensification it is not likely to result in amenity impacts as a result of hours of operation, traffic, advertising devices, visual amenity, privacy, lighting, odour or emissions.

Considering the subject site is surrounded by a mix of rural lifestyle and residential lots, potential noise impacts resulting from the proposed increased use of the airstrip (increased flights) becomes the primary consideration when determining potential loss of amenity.

'Amenity' is typically used to describe desirable features of a place and as such is a highly subjective term which will be interpreted differently depending on an individual's viewpoints regarding environmental qualities. This is evidenced by the combination of objection and support for the proposed development from different landowners sited immediately adjacent the site where the associated noise impacts will be the greatest.

The subject site is zoned Rural under the Mareeba Shire Council Planning Scheme 2016 and could support intensive cropping uses without council approval. Impacts generally associated with intensive cropping include noise (tractors, harvesters, motorbikes/quad bikes, aerial spraying depending on crop type), dust, and spray drift. The Koah locality contains a mix of land use zonings which include low density residential, rural residential and rural lots. Despite the mix of zonings, the area is considered to be rural in nature given its location, existing land uses and lack of urban services. As discussed above, rural areas are typically subject to noise generating activities such as machinery, tractors and motorbikes; therefore, the protection of amenity should not require the maintenance of a pristine acoustic environment.

As part of the application process, Council requested that the applicant/developer engage a suitably qualified acoustic consultant to investigate the level of noise nuisance/impact on surrounding sensitive land uses as a result of the proposed increased use of the airstrip. A Noise Impact Assessment (NIA) was prepared by Dedicated Acoustics and submitted to Council on 3 November 2017 (**Attachment 2**). The NIA was based on noise readings taken of all three planes owned by the landowner at three receptor points surrounding the site. All three receptor points were in close proximity to adjoining dwellings, one being adjacent the northern end of the airstrip (R4), and the other two receptors being on the eastern side (R2) and western side (R3) of the southern end of the airstrip. The below table summarises the maximum noise levels reached at each receptor (refer to column heading L_{Amax}).

Table 4.1: Calculated emission levels to receptors

Receptor	Aircraft	External Level		ANEF	Anticipated Annoyance		
		L _{Amax}	DNL		%Little Annoyed	%Annoyed	%Highly Annoyed
R2	Glassair	86.4	42	11	22	7	0
	Spitfire	85.9	40	11	18	5	0
	Cessna	74.3	32	0	1	0	0
R3	Glassair	73.7	32	0	0	0	0
	Spitfire	80.1	36	5	8	1	0
	Cessna	65.9	26	0	0	0	0
R4	Glassair	69.6	29	0	0	0	0
	Spitfire	65.7	30	0	0	0	0
	Cessna	63.7	24	0	0	0	0

Based on the above noise measurements, the planes created a noise disturbance (increase in noise) of between 20 – 50 decibels during take-off depending on test location and background noise levels. The NIA also considered noise impacts associated with the three planes flying over the site (overflights). Overflight noise readings of the three planes were also compared to noise produced by commercial jet overflights which occur over the Koah area on a daily basis. All three planes produced lower overflight noise outputs than that of a commercial jet.

The Conclusion and Recommendations section of the NIA includes the following information in relation to noise nuisance/impact:

“We note that the measured maximum levels from aircraft movements are less than 90 dB(A) which are considered “acceptable”, under AS 2021, for dwellings in the vicinity of aerodromes with civilian non-jet aircraft, provided the average number of flights are less than 15 flights per day.

Anticipated noise levels are considered to be “acceptable” under AS 2021 (i.e. there is usually no need for the building construction to provide protection specifically against aircraft noise). However, some annoyance is expected from use of the airstrip based on an average usage of 1 flight per day (i.e. 1 take off movement, 1 overflight, and 1 arrival movement per day), which correlates with 365 flights per year. These levels of annoyance are relatively minor and limited to sparsely populated areas. Furthermore, the noise source is limited to day time hours, is short in duration and affected parties are provided with substantial respite from this intrusion. It is anticipated that the real impacts to affected residents will be limited to short duration speech interference.

Community reaction to aircraft noise is generally based on an energy average, whereby they respond to loudness and frequency of occurrence in a similar manner (i.e. a loud infrequent noise is comparable to moderate sound with a higher frequency of occurring), which forms the basis of the ANEF calculations. On this basis it is considered reasonable for the proponent to refrain from flying on some days and use these saved flights to facilitate multiple flights on a single day. We recommend a limit of 6 flights per day (i.e. 6 departure movements and 6 arrival movements) to avoid excessive concentration of use on a single day.

Use of the surrounding area by aircraft should be limited to those necessary for departure and landing. Flight tracks should seek to avoid direct overflight of dwellings where possible.”

It is important to note that those dwellings in close proximity to either end of the airstrip will experience the greatest impact, however are generally only impacted by either the take-off or the landing of planes, as it is very rare that they occur at the same end of the airstrip for any given flight. It is also important to note that all noise readings were taken outdoors, and that noise impacts on residents would be significantly lessened when indoors.

In order to help minimise noise and amenity impacts associated with the proposed development, it is recommended that the following condition be attached to any approval limiting the frequency of flight activity:

Permitted Flights

Recreational aircraft flights shall be limited as follows unless approved otherwise by Council:

- *7 flights per calendar week (Monday to Sunday), totalling 365 flights per normal calendar year, inclusive of the 52 flights per calendar year permitted under development permit MCU/09/0050;*
- *A maximum of 6 flights are permitted on any given day over the course of a calendar week, subject to the abovementioned limit of 7 flights per calendar week;*
- *A maximum of 12 flights for visitor pilots over the course of a calendar year, subject to the abovementioned limits of 7 flights per calendar week and up to 6 flights in any given day over the course of any calendar week.*

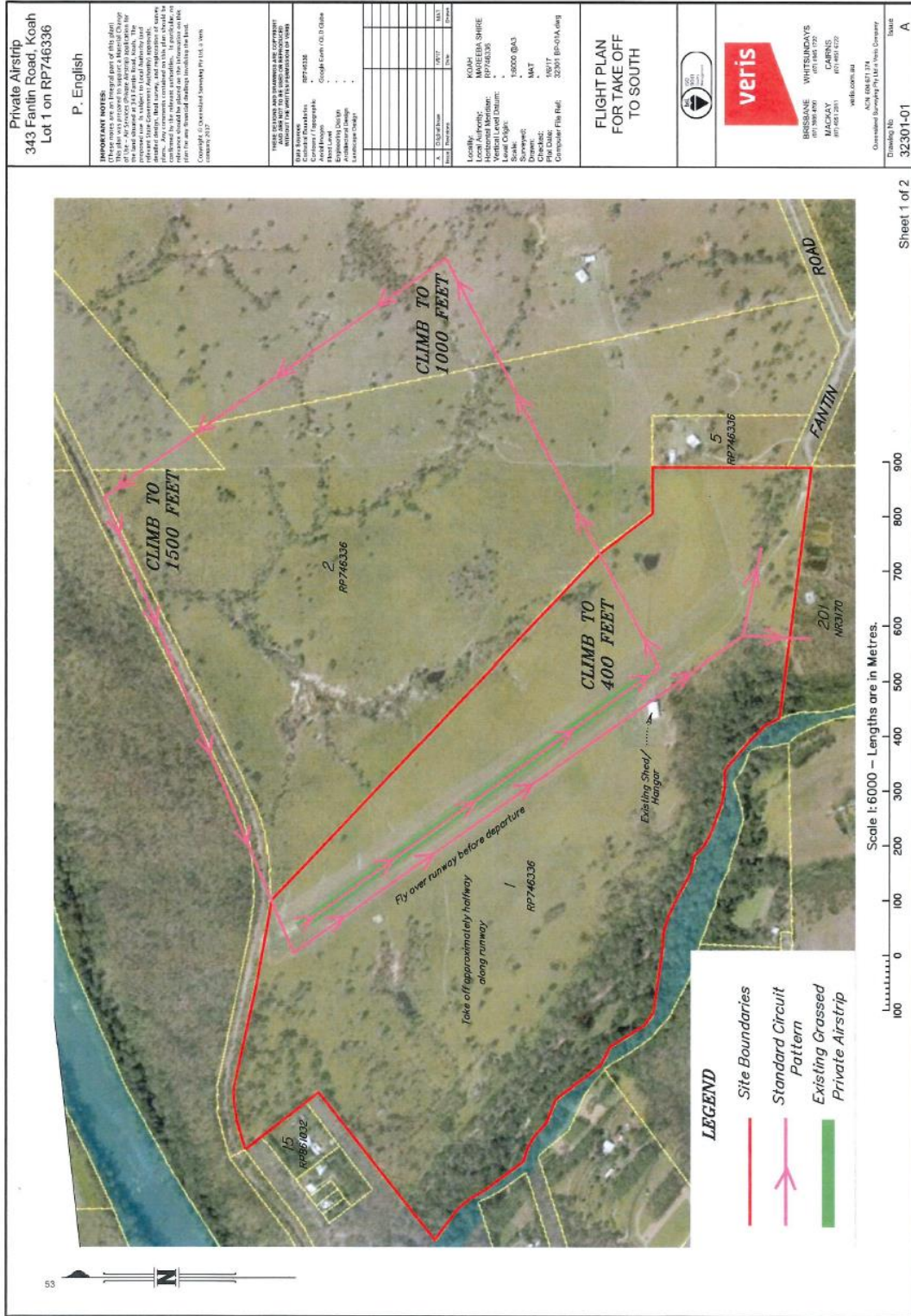
Such a condition will limit the frequency of flights to a maximum of seven (7) flights in any given calendar week which will ensure the 365 flights applied for are spread over the course of a year, and if more than one (1) flight is carried out on any given day during that week (allowable maximum of six (6) flights) there will be resultant day/s within that same week where flying would not be permitted as the seven (7) flight weekly limit will still apply, thus providing further respite from any nuisance experienced by surrounding residents.

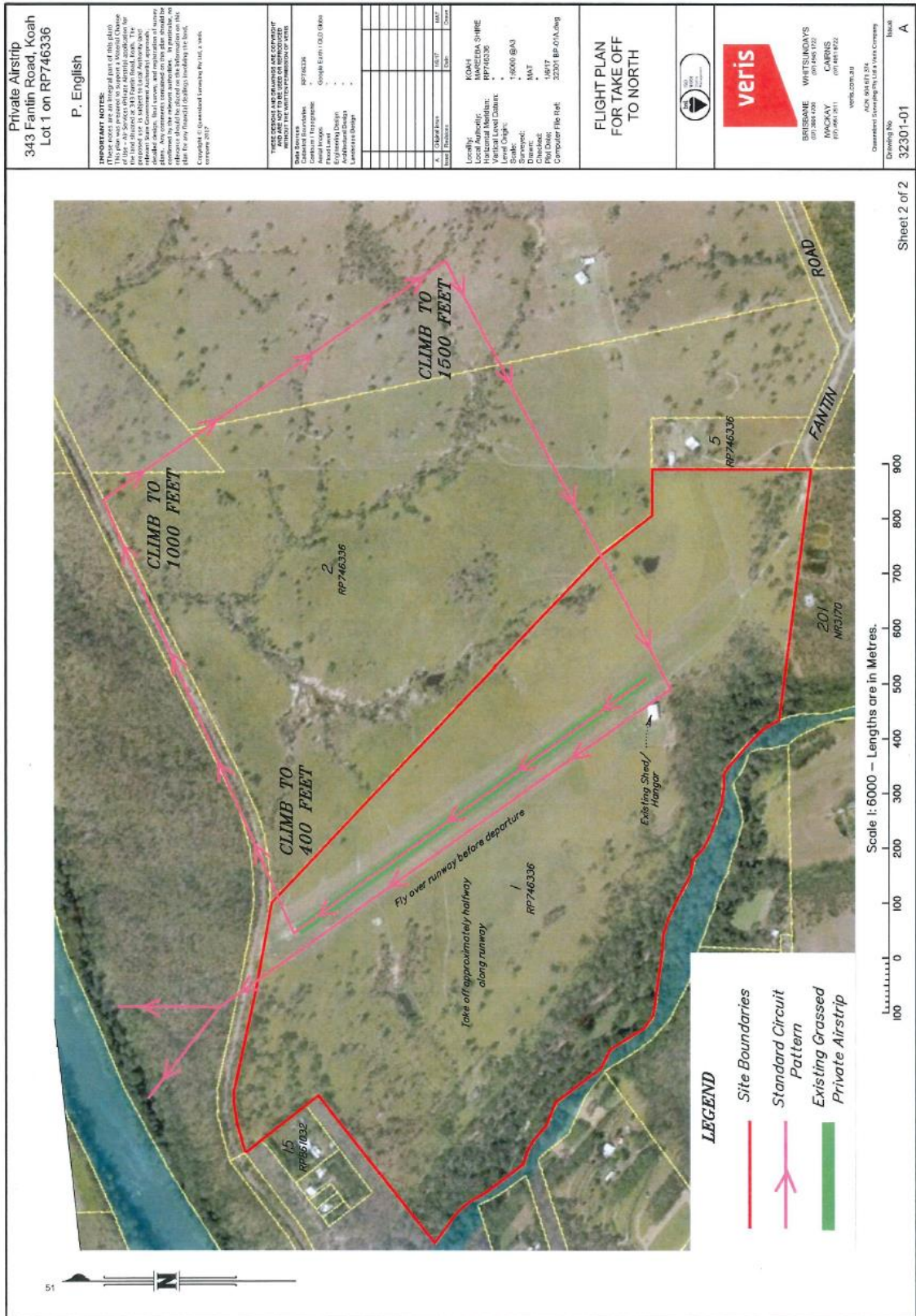
Based on the above considerations and with the inclusion of conditions that will limit flight frequency, it is considered that the proposed intensification of the airstrip use could proceed without causing unacceptable noise impacts and loss of amenity for surrounding residential uses. The proposed development is therefore not considered to be in conflict with Probable Solution PO6 of the Rural zone code or PO9 of the Low density residential zone code.

Date Prepared: 9 February 2018

ATTACHMENT 1

APPROVED PLANS (ECM Doc Set ID 3260510)





ATTACHMENT 2

Brisbane
Sunshine Coast
Gold Coast
Townsville
Cairns
Byron Bay
Toowoomba

Phone: +61 7 3036 2317
Mobile: +61 4 3428 9997
Email: info@dedicatedacoustics.com.au
ABN: 67909058720



NOISE IMPACT ASSESSMENT

MATERIAL CHANGE OF USE – AIR SERVICES (PRIVATE AIRSTRIP)





343 Fantin Road, Koah QLD 4881
(Lot 1 on RP746336)



Document Control Page

Document Title: A168 – 343 Fantin Rd Koah – Noise Impact Assessment (Rev 3)
Date: 3rd November 2017
Prepared by: Craig O'Sullivan, BEng (Mech) MAAS
Reviewed by: Craig O'Sullivan, BEng (Mech) MAAS

Revision History

Date	Revision	Description	Authorised	
			Name/Position	Signature
30/09/2017	0	Internal review	Craig O'Sullivan Director	
30/10/2017	1	Revised issue	Craig O'Sullivan Director	
31/10/2017	2	Revised issue	Craig O'Sullivan Director	
3/11/2017	3	Revised issue	Craig O'Sullivan Director	

DISCLAIMER

This report by Dedicated Acoustics is prepared for a particular client and is based on the agreed objective, scope, conditions and limitations as may be stated in the Executive Summary. The report presents only the information that Dedicated Acoustics believes, in its professional opinion, is relevant and necessary to describe the issues involved. The report should not be used for anything other than the intended purpose and should not be reproduced, presented or reviewed except in full. The intellectual property of this report remains with Dedicated Acoustics.

The client is authorised, upon payment to Dedicated Acoustics of the agreed report preparation fee, to provide this report in full to any third party. Recommendations made in this report are intended to resolve acoustical problems only. We make no claim of expertise in other areas and draw your attention to the possibility that our recommendations may not meet the structural, fire, thermal, or other aspects of building construction

We encourage clients to check with us before using materials or equipment that are alternative to those specified in our Acoustical Report.

Dedicated Acoustics: Noise Impact Assessment

Contents

EXECUTIVE SUMMARY	4
1. INTRODUCTION.....	6
1.1 DESCRIPTION OF SITE AND SURROUNDS	6
1.2 PROPOSED OPERATON.....	8
2. CRITERIA.....	10
2.1 MAREEBA SHIRE PLANNING SCHEME 2016 – RURAL ZONE CODE	10
2.2 AS 2021:2015 – AIRCRAFT NOISE INTRUSION – BUILDING SITING AND CONSTRUCTION	11
2.3 ANNOYANCE FROM TRANSPORTATION NOISE: RELATIONSHIPS WITH EXPOSURE METRICS DNL AND DENL AND THEIR CONFIDENCE INTERVALS	13
3. BACKGROUND NOISE SURVEY.....	14
4. NOISE IMPACT ASSESSMENT.....	17
5. CONCLUSION AND RECOMMENDATIONS.....	22
APPENDIX A – GLOSSARY OF ACOUSTIC TERMS.....	24

EXECUTIVE SUMMARY

This report details a noise impact assessment undertaken for a Material Change of Use – Air Services (Private Airstrip) at 343 Fantin Road, Koah QLD 4881 (Lot 1 on RP746336).

The subject site is located at 343 Fantin Road, Koah; and is currently occupied by a large shed and an air-strip. The subject site and the majority of the surrounding land is zoned Rural, with a pocket of Rural Residential and Low Density Residential zoned land to the west and north west.

The airstrip has an existing approval for a total of 52 landings and take-offs per year with potential hours of operation limited to 7:00 am to 6:00 pm. The proponent wishes to increase the allowable usage to 365 landings and take-offs per year with hours of operation limited to 7:00 am to 6:00 pm.

The airstrip will be generally used by the following 3 planes which are owned by the proponent:

- Replica Supermarine Spitfire;
- Cessna 172 Skyhawk; and,
- Glassair Sportsman 2+2.

On occasion the airstrip may be utilised by aircraft other than those above, however they are expected to be of a similar size to these with similar levels of noise emission. Use of the site will be limited to take-off and departures only. Circuit training or prolonged usage of aircraft in the area is not proposed.

Context on the acceptability of the airstrip and surrounding land uses have been drawn from a review of:

- Mareeba Shire Planning Scheme 2016;
- Australian Standard AS 2021:2015 Acoustics – Aircraft Noise Intrusion – Building Siting and Construction; and,
- Annoyance from Transportation Noise: Relationships with Exposure Metrics DNL and DENL and Their Confidence Intervals.

Anticipated noise levels are considered to be 'acceptable' under AS 2021 (i.e. there is usually no need for the building construction to provide protection specifically against aircraft noise). However some annoyance is expected from use of the airstrip based on an average usage of 1 flight per day (i.e. 1 take off movement, 1 overflight, and 1 arrival movement per day), which correlates with 365 flights per

year. These levels of annoyance are relatively minor and limited to sparsely populated areas. Furthermore the noise source is limited to day time hours, short in duration and affected parties are provided with substantial respite from this intrusion. It is anticipated that the real impacts to affected residents will be limited to short duration speech interference.

Community reaction to aircraft noise is generally based on an energy average, whereby they respond to loudness and frequency of occurrence in a similar manner (i.e. a loud infrequent noise is comparable moderate sound with a higher frequency of occurring), which forms the basis of the ANEF calculations. On this basis it is considered reasonable for the proponent to refrain from flying on some days and use these saved flights to facilitate multiple flights on a single day. We recommend a limit of 6 flights per day (i.e. 6 departure movements and 6 arrival movements) to avoid excessive concentration of use on a single day.

Use of the surrounding area by aircraft should be limited to those necessary for departure and landing. Flight tracks should seek to avoid direct overflight of dwellings where possible.

1. INTRODUCTION

This report details a noise impact assessment undertaken for a Material Change of Use – Air Services (Private Airstrip) at 343 Fantin Road, Koah QLD 4881 (Lot 1 on RP746336).

1.1 DESCRIPTION OF SITE AND SURROUNDS

The subject site is located at 343 Fantin Road, Koah; and is currently occupied by a large shed and an air-strip. The subject site and the majority of the surrounding land is zoned Rural, with a pocket of Rural Residential and Low Density Residential zoned land to the west and north west.

An aerial photograph of the development site and surrounds is shown in **Figure 1.1**.



Figure 1.1: Aerial photograph of the development site and surrounds (Google Earth)

1.2 PROPOSED OPERATON

We understand that approval has been given for a total of 52 landings and take-offs per year with potential hours of operation limited to 7:00 am to 6:00 pm. The proponent wishes to increase the allowable usage to 365 landings and take-offs per year with hours of operation limited to 7:00 am to 6:00 pm.

The airstrip will be generally used by the following 3 planes which are owned by the proponent:

- Replica Supermarine Spitfire;
- Cessna 172 Skyhawk; and,
- Glassair Sportsman 2+2.

On occasion the airstrip may be utilised by aircraft other than those above, however they are expected to be of a similar size to these with similar levels of noise emission. These occasions may also involve multiple aircraft movements in a single day.

Use of the site will be limited to take-off and departures only. Circuit training or prolonged usage of aircraft in the area is not proposed.

The typical usage of the site is for departure to the south east and arrival from the north. The previously approved flight track for departure to the south is shown in **Figure 1.2**.

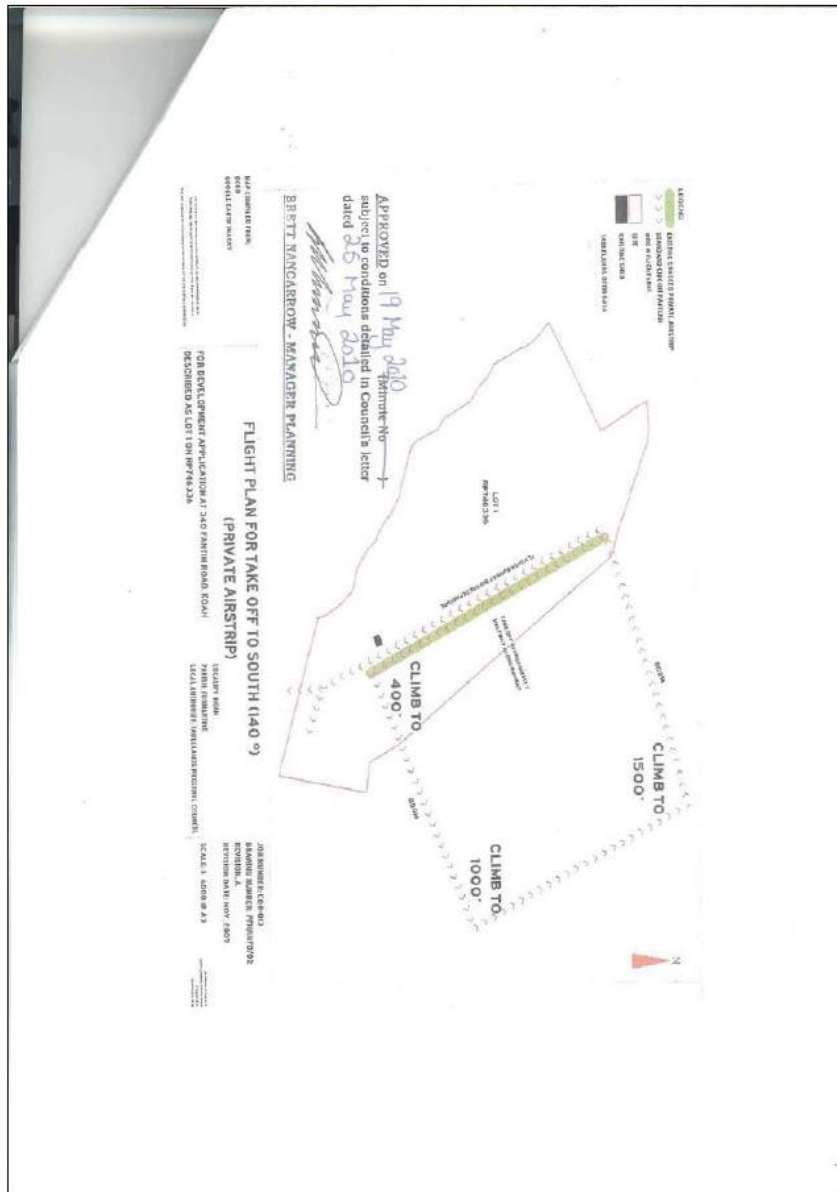


Figure 1.2: Previously approved departure track to the south

2. CRITERIA

2.1 MAREEBA SHIRE PLANNING SCHEME 2016 – RURAL ZONE CODE

The Mareeba Shire Planning Scheme 2016 – Rural Zone Code provides the following assessment criteria for amenity –

PO6 – Performance Outcome

Development must not detract from the amenity of the local area, having regard to:

a) noise.

AO6 – Acceptable Outcome

No acceptable outcome is provided,

Amenity typically describes desirable features of a place and as such is a highly subjective term which can be interpreted differently depending on one's viewpoint regarding environmental qualities. Under the Mareeba Shire Planning Scheme rural areas are intended to support rural activities and land uses of a varying scale, which typically involve noise generation over a range of levels (e.g. tractors and other machinery, processing equipment, and airstrips – which are considered to be a specific outcome for rural areas under the planning scheme). As such we do not consider that protection of amenity requires maintenance of a pristine acoustic environment, and that some impacts are tolerable within a rural environment.

The proposed development involves noise emission from aircraft, which is expected to occur for short durations on a daily basis during day time hours only. The anticipated impacts are expected to be limited to speech interference for very short periods and no sleep disturbance impacts are anticipated, along with some potential for annoyance depending on the recipients view towards neighbours and aviation activities.

Guidance on potential annoyance from the proposed use of airstrip has been drawn from Australian Standard AS2021:2015 – *Acoustics – Aircraft noise intrusion – Building siting and construction* as well as studies quantifying annoyance from transport noise in relation to the level of noise exposure; which are described in the following sections.

We note that aircraft noise is specifically excluded from the Environmental Protection Act 1994 and its subordinate legislation including the Environmental Protection (Noise) Policy 2008.

2.2 AS 2021:2015 – AIRCRAFT NOISE INTRUSION – BUILDING SITING AND CONSTRUCTION

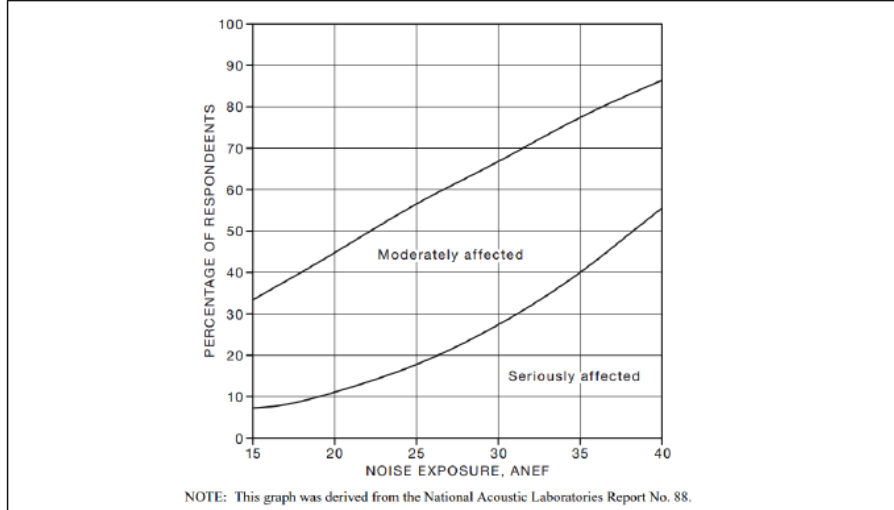
Australian Standard AS 2021:2015 – *Aircraft Noise Intrusion – Building Siting and Construction* (AS 2021) is commonly used in land planning, and the siting and construction of buildings in the vicinity of airports. Its objective is to provide guidance to regional and local authorities, organisations, communities and others associated with urban and regional planning and building development on the siting and construction of new buildings against aircraft noise intrusion and on the acoustical adequacy of existing buildings in areas near aerodromes. The standard is not intended to be applied for the purposes of assessing the effects of noise from aircraft and is been incorporated within this assessment to provide context on the potential impacts of an increase to usage of the airstrip.

The standard is typically used in conjunction with and Australian Noise Exposure Forecast (ANEF) chart to determine:

- (a) Whether the extent of aircraft noise intrusion makes building sites 'acceptable', 'unacceptable' or 'conditionally acceptable' for the types of activity to be, or being undertaken;
- (b) For 'conditionally acceptable' sites, the extent of noise reduction required to provide acceptable noise levels indoors for the types of activity to be, or being, undertaken; and
- (c) The type of building construction necessary to provide a given noise reduction, provided that external windows and doors are closed.

The ANEF is a single number index for predicting the cumulative exposure to aircraft noise in communities near aerodromes during a specified time period (normally 1 year). The calculation of this index includes aircraft noise levels as well as the frequency and timing of operations. This index is useful for rating the compatibility of differing land uses in relation to aircraft noise. **Figure 2.1** shows the dose/response relationship between aircraft noise and community reaction which was derived from the National Acoustics Laboratories Report 88, which was used in the determination of the ANEF system.

Figure 2.1: Relationship between aircraft noise and community response



Under AS2021 dwellings are considered: 'acceptable' with less than 20 ANEF, 'conditionally acceptable' between 20 to 25 ANEF, and 'unacceptable' in areas greater than 25 ANEF. If a location is classified as 'acceptable', there is usually no need for the building construction to provide protection specifically against aircraft noise. However this does not mean that aircraft noise will not be unnoticeable.

Calculation of ANEF contours is based on forecast involves averaging yearly movements on an average day. This ANEF 'average day' is not a specific day, but is generally calculated as the number of annual movements divided by 365.

The ANEF is calculated from the following equation:

$$ANEF_{ij} = EPNdB_{ij} + 10\log_{10}(Nd + 4N_n) - 88$$

Where

- $ANEF_{ij}$ = noise exposure due to aircraft type i on flight path j
- $EPNdB_{ij}$ = noise level of aircraft type i on flight path j
- N_d, N_n = number of flights during the day and night respectively, of aircraft type i and flight path j

The total ANEF is the logarithmic sum of all individual noise exposures produced by each aircraft type operating on each flight path for a design average day.

AS 2021 also provides guidance on the acceptability of sites for dwellings, based on aircraft noise levels, which is suitable where aircraft usage is limited to a small number of civil, non-jet aircraft movements; as shown in **Table 2.1**.

Table 2.1: Site acceptability for dwellings based on aircraft noise levels

Average Number of Flights Per Day ¹	Aircraft Noise Level Expected at Site, dB(A)		
	Acceptable	Conditionally Acceptable	Unacceptable
> 30	< 70	70-75	> 75
15-30	< 80	80-85	> 85
< 15	< 90	90-95	> 95

1. Each night time flight is to count as 4 operations

2.3 ANNOYANCE FROM TRANSPORTATION NOISE: RELATIONSHIPS WITH EXPOSURE METRICS DNL AND DENL AND THEIR CONFIDENCE INTERVALS

Relationships between annoyance and aircraft noise exposure levels have been drawn from the peer reviewed paper *Annoyance from Transportation Noise: Relationships with Exposure Metrics DNL and DENL and Their Confidence Intervals* (Miedema & Oushoorn, 2001) and are summarised as:

- Percentage Little-Annoyed

$$\%LA = -5.741 \times 10^{-4}(DNL-32)^3 + 2.863 \times 10^{-2}(DNL-32)^2 + 1.912(DNL-32)$$
- Percentage Annoyed

$$\%A = 1.460 \times 10^{-5}(DNL-37)^3 + 1.511 \times 10^{-2}(DNL-37)^2 + 1.346(DNL-37)$$
- Percentage Highly-Annoyed

$$\%HA = -1.395 \times 10^{-4}(DNL-42)^3 + 4.081 \times 10^{-2}(DNL-42)^2 + 0.342(DNL-42)$$

The Day-Night Level (DNL) is the average levels during day, evening and night time periods with a 10 dB penalty for noise occurring during the night.

3. BACKGROUND NOISE SURVEY

An on-site survey was conducted between 30th August and 1st September 2017. The measurement location (ML1) was located positioned towards the south of the property as shown in **Figure 3.1**. The measured levels are considered free field.

Figure 3.1: Aerial photograph showing measurement location ML1 (Google Earth)



All instrumentation used in this assessment holds a current calibration certificate from a certified NATA calibration laboratory. The following instruments were used to measure the ambient noise levels-

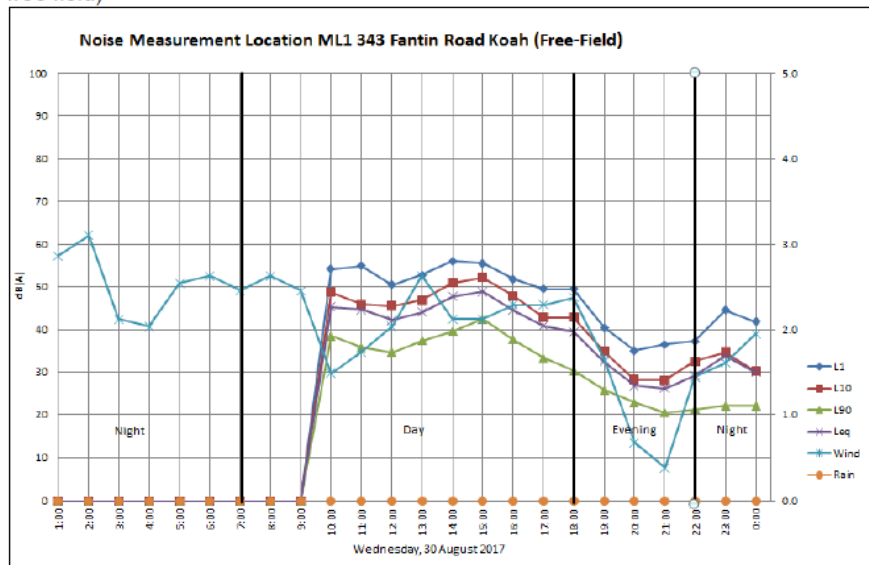
- Rion NL-21 sound level meter
- Castle GA607 calibrator

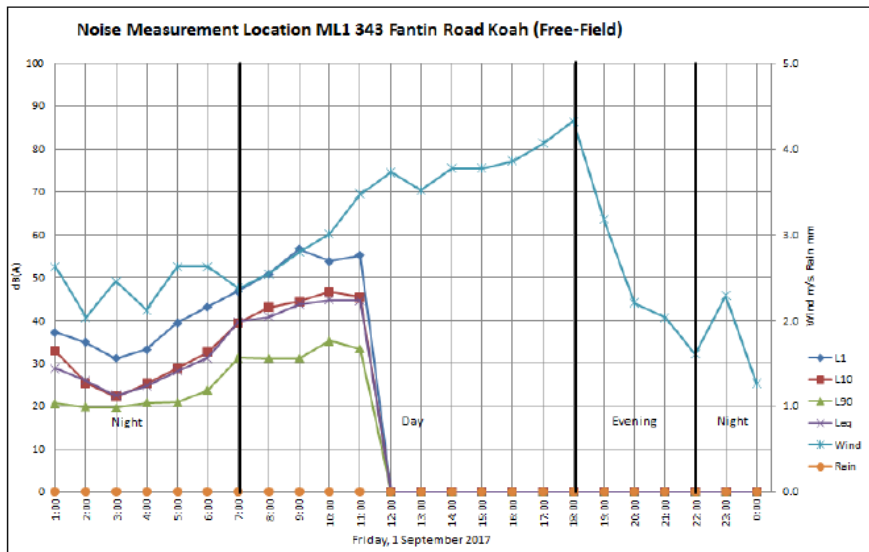
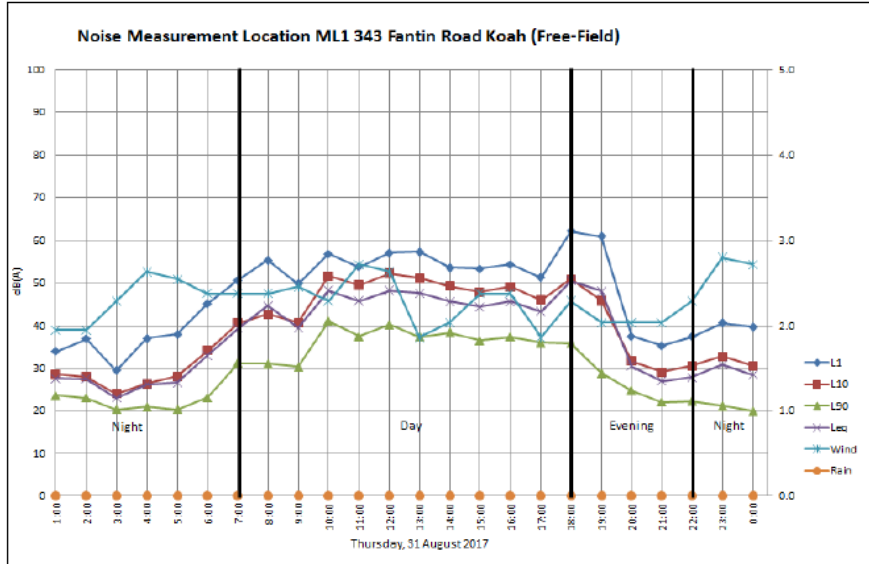
Ambient sound pressure levels were measured in accordance with Australian Standard AS1055.1:1997 – 'Acoustics-Description and measurement of environmental noise – Part 1: General procedures'. Ambient noise levels were recorded at continuous 15 minute intervals. Noise monitoring results are shown graphically in **Figure 2.2** and summarised in **Table 3.1**. Based on our observations the noise environment at the site is generally controlled by natural sounds (e.g. wind, bird and insect noise) as well as dog barks from the dwelling to the south of the site.

Table 3.1: Average ambient noise levels recorded at Location ML1, (levels in dB(A), free field)

Time	Measured Noise Level dB(A)				
	L _{A01}	L _{A10}	L _{A90}	L _{Aeq}	RBL
Day 7:00am to 6:00pm	53.8	47.2	36.0	44.7	30.3
Evening 6:00pm to 10:00pm	40.0	32.6	23.6	31.0	20.9
Night 10:00pm to 7:00am	39.1	30.3	22.5	29.3	20.1
Day Max 1-hr 7:00am to 6:00pm				49.6	
Night max 1-hr 10:00pm to 7:00am				39.5	
24 hour	46.0				36.6

Figure 3.2: Average ambient noise levels recorded at Location ML1, (levels in dB(A), free field)





Based on the background noise survey, the receiving environment can be considered to be very quiet and generally controlled by natural sounds.

4. NOISE IMPACT ASSESSMENT

Noise measurements were taken for Glassair Sportsman 2+2, Replica Supermarine Spitfire, and a Cessna 172 Skyhawk undertaking departure, arrival, and overflight movements on Friday 20th October 2017. Departure movements were to the south, with aircraft crossing the airstrip from west to east before landing on the airstrip from the north. Weather during the measurements was occasionally cloudy, with wind varying between still conditions a gentle breeze. The noise background was generally controlled by wind in the trees and grass, along with occasional bird noise and dog barks; and generally varied between 35 and 45 dB(A).

The measurement locations are shown in **Figure 4.1**. Measurement results are shown in **Table 4.1**.

Table 4.1: Measured noise levels

Location	Aircraft	Time	Description	Measured Level, dB(A)			
				L _{Amax}	L _{Aeq,T}	Duration, T, seconds	SEL
ML2 – SW Receptor	Glass Air	13:57	Take Off	86.4	77.8	23	91.4
		14:02	Overflight	61.9	54.9	55	72.3
	Spitfire	15:08	Take Off	85.9	75.9	24	89.7
		15:15	Overflight	56.7	51.3	38	67.1
	Cessna	15:55	Take Off	74.3	66.4	35	81.8
		15:59	Overflight	50.0	46.0	47	62.7
Commercial Jet	15:10	Overflight	60.2	55.2	45	71.7	
ML3 – SE Receptor	Glass Air	13:57	Take Off	73.7	65.2	37	80.9
		14:02	Overflight	60.4	53.9	42	70.1
	Spitfire	15:08	Take Off	80.1	70.7	30	85.4
		15:15	Overflight	62.2	53.0	43	69.4
	Cessna	15:55	Take Off	65.9	59.3	38	75.1
		16:00	Overflight	56.9	47.4	19	60.2
Commercial Jet	15:10	Overflight	63.5	55.6	31	70.6	
ML4 – NW Receptor	Glass Air	13:57	Take Off	69.6	63.6	27	78.0
		14:02	Overflight	58.7	58.7	35	68.3
		14:05	Landing	59.3	53.3	21	66.5

Location	Aircraft	Time	Description	Measured Level, dB(A)			
				L _{Amax}	L _{Aeq,T}	Duration, T, seconds	SEL
	Spitfire	15:08	Take Off	65.7	59.9	31	74.8
		15:15	Overflight	67.2	50.2	25	74.2
		15:17	Landing	69.8	60.2	28	74.7
	Cessna	15:54	Take Off	63.7	58.9	24	72.7
		15:59	Overflight	52.9	48.3	39	64.2
		16:02	Landing	50.2	47.8	49	64.7
	Commercial Jet	15:10	Overflight	64.1	55.6	33	70.7

The Sound Exposure Level (SEL) is the equivalent sound pressure level for the measurement condensed into a 1 second period.

Daily emission to nearby receptors has been calculated to nearby receptors and is shown in **Table 4.2**. The estimate is based on:

- An average single take off, over flight and landing per day; occurring in day time hours only.
- An approximation of $EPNdB = L_{Amax} + 13$ dB as described in *Evaluation and Prediction of Airport Noise in Japan (Yoshioka, 2000)* to allow calculation of ANEF levels at measurement points.



Figure 4.1 : Measurement locations for aircraft noise survey

Table 4.1: Calculated emission levels to receptors

Receptor	Aircraft	External Level		ANEF	Anticipated Annoyance		
		L _{max}	DNL		% Little Annoyed	% Annoyed	% Highly Annoyed
R2	Glassair	86.4	42	11	22	7	0
	Spitfire	85.9	40	11	18	5	0
	Cessna	74.3	32	0	1	0	0
R3	Glassair	73.7	32	0	0	0	0
	Spitfire	80.1	36	5	8	1	0
	Cessna	65.9	26	0	0	0	0
R4	Glassair	69.6	29	0	0	0	0
	Spitfire	65.7	30	0	0	0	0
	Cessna	63.7	24	0	0	0	0

We note that the measured maximum levels from aircraft movements are less than 90 dB(A) which are considered 'acceptable', under AS 2021, for dwellings in the vicinity of aerodromes with civilian non-jet aircraft, provided the average number of flights are less than 15 flights per day. The calculated ANEF levels also indicate that the nearby sensitive locations are considered 'acceptable' under AS 2021.

Some annoyance is expected from use of the airstrip based on an average usage of 1 flight per day (i.e. 1 take off movement, 1 overflight, and 1 arrival movement per day), as shown in **Table 4.1**; which correlates with 365 flights per year. However these levels of annoyance are relatively minor and limited to sparsely populated areas. Furthermore the noise source is limited to day time hours, short in duration and affected parties are provided with substantial respite from this intrusion. It is anticipated that the real impacts to affected residents will be limited to short duration speech interference.

Community reaction to aircraft noise is generally based on an energy average, whereby they respond to loudness and frequency of occurrence in a similar manner (i.e. a loud infrequent noise is comparable moderate sound with a higher frequency of occurring), which forms the basis of the ANEF calculations. On this basis it is considered reasonable for the proponent to refrain from flying on some days and use these saved flights to facilitate multiple flights on a single day. We recommend a limit of 6 flights per day (i.e. 6 departure movements and 6 arrival movements) to avoid excessive concentration of use on a single day.

Use of the surrounding area by aircraft should be limited to those necessary for departure and landing. Flight tracks should seek to avoid direct overflight of dwellings where possible.

5. CONCLUSION AND RECOMMENDATIONS

This report details a noise impact assessment undertaken for a Material Change of Use – Air Services (Private Airstrip) at 343 Fantin Road, Koah QLD 4881 (Lot 1 on RP746336).

The subject site is located at 343 Fantin Road, Koah; and is currently occupied by a large shed and an air-strip. The subject site and the majority of the surrounding land is zoned Rural, with a pocket of Rural Residential and Low Density Residential zoned land to the west and north west.

The airstrip has an existing approval for approval has been given for a total of 52 landings and take-offs per year with potential hours of operation limited to 7:00 am to 6:00 pm. The proponent wishes to increase the allowable usage to 365 landings and take-offs per year with hours of operation limited to 7:00 am to 6:00 pm.

The airstrip will be generally used by the following 3 planes which are owned by the proponent:

- Replica Supermarine Spitfire;
- Cessna 172 Skyhawk; and,
- Glassair Sportsman 2+2.

On occasion the airstrip may be utilised by aircraft other than those above, however they are expected to be of a similar size to these with similar levels of noise emission. Use of the site will be limited to take-off and departures only. Circuit training or prolonged usage of aircraft in the area is not proposed.

Anticipated noise levels are considered to be 'acceptable' under AS 2021 (i.e. there is usually no need for the building construction to provide protection specifically against aircraft noise). However some annoyance is expected from use of the airstrip based on an average usage of 1 flight per day (i.e. 1 take off movement, 1 overflight, and 1 arrival movement per day), which correlates with 365 flights per year. These levels of annoyance are relatively minor and limited to sparsely populated areas. Furthermore the noise source is limited to day time hours, short in duration and affected parties are provided with substantial respite from this intrusion. It is anticipated that the real impacts to affected residents will be limited to short duration speech interference.

Community reaction to aircraft noise is generally based on an energy average, whereby they respond to loudness and frequency of occurrence in a similar manner (i.e. a loud infrequent noise is comparable moderate sound with a higher frequency

of occurring), which forms the basis of the ANEF calculations. On this basis it is considered reasonable for the proponent to refrain from flying on some days and use these saved flights to facilitate multiple flights on a single day. We recommend a limit of 6 flights per day (i.e. 6 departure movements and 6 arrival movements) to avoid excessive concentration of use on a single day.

Use of the surrounding area by aircraft should be limited to those necessary for departure and landing. Flight tracks should seek to avoid direct overflight of dwellings where possible.

APPENDIX A – GLOSSARY OF ACOUSTIC TERMS

The following is a brief description of the technical terms used to describe traffic noise to assist in understanding the technical issues presented in this document.

Event maximum sound pressure level (LA%,adj,T), L01

The L01 level is calculated as the noise level equalled and exceeded for 1% of the measurement time, for example 9 seconds in any 15 minute interval. L01 is an appropriate level to characterise single events, such as from impulsive or distinctive pass-by noise. In this Report, the measured L01 levels for day/evening/night are not averaged but are arranged from low to high in the relevant day/evening/night interval and the value that is found at the 90th percentile (L10 of L01 sample) in the interval is recorded as its "L01" level. The level can be adjusted for tonality or impulsiveness.

Average maximum sound pressure level (LA%,adj, T), L10

The "L10" level is an indicator of "steady-state" noise or intrusive noise conditions from traffic, music and other relatively non-impulsive noise sources. The L10 level is calculated as the noise level equalled and exceeded for 10% the measurement time, for example 90 seconds in any 15 minute interval. The measured L10 time-intervals for day/evening/night are arithmetically averaged to present the "average maximum" levels of the environment for day/evening/night. The level can be adjusted for tonality or impulsiveness.

Background sound pressure level (LA90,T), L90

Commonly called the "L90" or "background" level and is an indicator of the quietest times of day, evening or night. The L90 level is calculated as the noise level equalled and exceeded for 90% the measurement time. The measured L90 time-intervals are arithmetically averaged to present the "average background" levels of the environment for day/evening/night. The level is recorded in the absence of any noise under investigation. The level is not adjusted for tonality or impulsiveness.

Equivalent Continuous or time average sound pressure level (LAeq,T), Leq

Commonly called the "Leq" level it is the logarithmic average noise level from all sources far and near. The maximum 1-hour levels within the day/evening/night time intervals are referenced for building design. The level can be adjusted for tonality.

Façade-adjusted level

A sound level that is measured at a distance of 1.0 metre from a wall or facade. The level is nominally 2.5 dB higher than the free-field level.

Free-field level

A sound level that is measured at a distance of more than 3.5 metres from a wall or facade.

ITEM-2 S & M LAND AND M CORDINGLEY - RECONFIGURING A LOT - SUBDIVISION (1 INTO 2 LOTS) - LOT 97 SP202902 - MCMILLAN ROAD, PADDY'S GREEN - RAL/18/0003

MEETING: Ordinary

MEETING DATE: 21 February 2018

REPORT OFFICER'S TITLE: Senior Planner

DEPARTMENT: Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	S & M Land and M Cordingley	ADDRESS	McMillan Road, Paddy's Green
DATE LODGED	24 January 2018	RPD	Lot 97 on SP202902
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot - Subdivision (1 into 2 Lots)		

FILE NO	RAL/18/0003	AREA	41.36 hectares
LODGED BY	Freshwater Planning Pty Ltd	OWNER	S & M Land and M Cordingley
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Rural Zone		
LEVEL OF ASSESSMENT	Code Assessment		
SUBMISSIONS	n/a		

ATTACHMENTS: 1. Proposal Plan/s

EXECUTIVE SUMMARY

Council is in receipt of a code assessable development application described in the above application details. Being code assessable, the application was not required to undergo public notification.

The subject site is currently physically separated into two (2) land parcels by Lot 148 on DA800498 which is a drainage reserve managed by Sunwater Ltd. The application proposes the subdivision of the site to separate these two (2) land parcels. The northern land parcel (proposed Lot 972) has an area of 39.39 hectares while the southern land parcel (proposed Lot 971) has an area of just 1.966 hectares. The site is situated in the Paddy's Green area and is mapped as containing Agricultural Land Class A & B.

The application and supporting material has been assessed against the Mareeba Shire Council Planning Scheme 2016 and is in conflict with multiple Performance Outcomes contained within the Agricultural Land Overlay Code relating to the conservation and protection of agricultural land.

Proposed Lot 971, with an area of just 1.966 hectares, is significant smaller than the Planning Schemes desired minimum reconfigured lot size of 60 hectares for rural land. The proposed development conflicts with an overarching intent of the Agricultural land overlay code and Rural zone code as it would result in further fragmentation of agricultural land, the ad-hoc creation of an additional rural lifestyle allotment, and an increase in dwelling densities within an actively farmed rural area.

It is recommended that the application be refused.

OFFICER'S RECOMMENDATION

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

APPLICATION		PREMISES	
APPLICANT	S & M Land and M Cordingley	ADDRESS	McMillan Road, Paddy's Green
DATE LODGED	24 January 2018	RPD	Lot 97 on SP202902
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot - Subdivision (1 into 2 Lots)		

and in accordance with the Planning Act 2016, the applicant be notified that the application for a development permit for the development specified in (A) is:

Refused by Council for reasons set out in (B).

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

(B) ASSESSMENT MANAGER'S REASONS FOR REFUSAL:

That Council consider:

1. *The proposed development is in conflict with Overall outcomes (a) and (b) of the Agricultural land overlay code;*
2. *The proposed development conflicts with the following Performance Outcomes and Acceptable Outcome of the Agricultural land overlay code:*

PO1

*The fragmentation or loss of productive capacity of land within the 'Class A' area or 'Class B' area identified on the **Agricultural land overlay maps (OM-001a-n)** is avoided unless:*

- (a) *an overriding need exists for the development in terms of public benefit;*
- (b) *no suitable alternative site exists; and*

- (c) *loss or fragmentation is minimised to the extent possible.*

A01

*Buildings and structures are not located on land within the 'Class A' area or 'Class B' area identified on the **Agricultural land overlay maps (OM-001a-n)** unless they are associated with:*

- (a) *animal husbandry; or*
- (b) *animal keeping; or*
- (c) *cropping; or*
- (d) *dwelling house; or*
- (e) *home based business; or*
- (f) *intensive animal industry (only where for feedlotting); or*
- (g) *intensive horticulture; or*
- (h) *landing; or*
- (i) *roadside stalls; or*
- (j) *winery.*

PO2

*Sensitive land uses in the 'Class A' area, 'Class B' area or the 'Broadhectare rural' area identified on the **Agricultural land overlay maps (OM-001a-n)** are designed and located to:*

- (a) *avoid land use conflict;*
- (b) *manage impacts from agricultural activities, including chemical spray drift, odour, noise, dust, smoke and ash;*
- (c) *avoid reducing primary production potential; and*
- (d) *not adversely affect public health, safety and amenity.*

PO3

*Development in the 'Class A' area or 'Class B' area identified on the **Agricultural land overlay maps (OM-001a-n)**:*

- (a) *ensures that agricultural land is not permanently alienated;*
- (b) *ensures that agricultural land is preserved for agricultural purposes; and*
- (c) *does not constrain the viability or use of agricultural land.*

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:*

- (a) *improves agricultural efficiency;*
- (b) *facilitates agricultural activity; or*
- (d) *facilitates conservation outcomes; or*
- (d) *resolves boundary issues where a structure is built over the boundary line of two lots;*

3. *The proposed development conflicts with the following Performance Outcome and Acceptable Outcome of the Reconfiguring a lot code:*

PO1

Lots include an area and frontage that:

- (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.*

AO1.1

*Lots provide a minimum area and frontage in accordance with **Table 9.4.4.3B.**"*

THE SITE

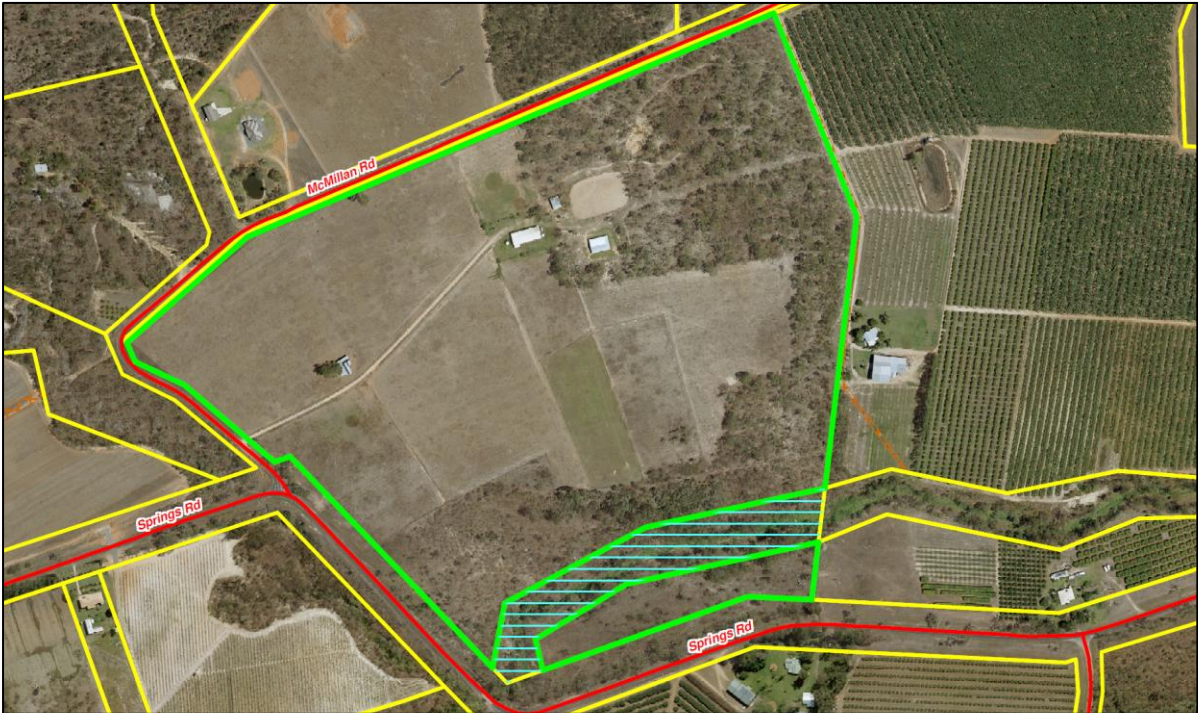
The subject land is described as Lot 97 on SP202902, situated at 6 McMillan Road, Paddy's Green.

The land is irregular in shape, having an area of 41.36 hectares with frontages of approximately 238 metres to McMillan Road and 727 metres to Springs Road. Both roads are formed to bitumen sealed standard for their entire frontage with the subject land.

The land is severed into two (2) portions by a SunWater controlled drainage area (Lot 148 on DA800498) which bisects the land in an east-west direction.

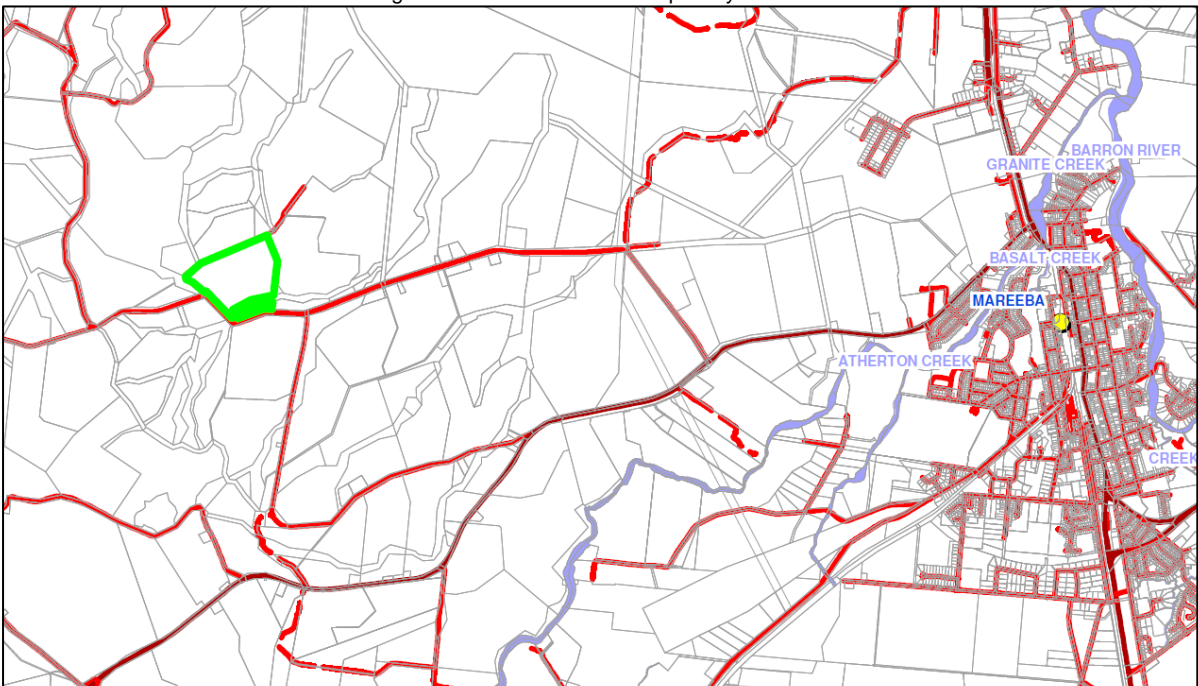
The larger of the two (2) portions (proposed Lot 972) is used for low impact animal husbandry. A dwelling house and multiple farm sheds are established within this area. The smaller portion is undeveloped.

Most surrounding allotments are zoned Rural under the Planning Scheme and are used primarily for rural purposes.



Map Disclaimer:

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



Map Disclaimer:

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

BACKGROUND AND CONTEXT

Nil

PREVIOUS APPLICATIONS & APPROVALS

Nil

DESCRIPTION OF PROPOSED DEVELOPMENT

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

The details of the proposed allotments are as follows:

- Lot 971 - 1.966 hectares, 347.51 metres frontage to Springs Road;
- Lot 972 - 39.39 hectares, 618.91 metres frontage to Springs Road and McMillan Road.

Proposed Lot 972 will contain the established farm dwelling house, sheds and associated onsite effluent disposal system. All developed farming activities will be retained within the confines of proposed Lot 972.

Proposed Lot 971 will be created vacant and will likely accommodate a new dwelling house at some time in the future.

Access to proposed Lot 972 would continue via the existing property access off McMillan Road. A new access off Springs Road would be provided for proposed Lot 971. Both accesses would be required to meet the current FNQROC development manual standard.

The applicant submits the following in support of the application:

- *Can meet the Performance Outcomes relating to minimum allotment size and dimension for the Rural Zone as the proposal is similar in configuration and size to those adjoining to the east and within the immediate and surrounding vicinity;*
- *No change to the existing nature or character of the area is envisaged, and the Subdivision will ensure that the new allotments will remain to be used for Rural Uses with proposed Lot 971 containing the ability for diversification and new Rural Enterprises to be created;*
- *Can meet the Performance Outcomes and the Intent of the Reconfiguring a Lot Code for land included in the Rural Zone of the Mareeba Shire Planning Scheme;*
- *Can meet the Intent and Objectives for the Rural Zone Code; and*
- *Is not in conflict with the Intent for Regional Landscape and Rural Production Area in the FNQ Regional Plan 2009-2031, especially given that the proposal resolves Land Tenure Issues and provides for similar Rural configurations to the surrounding Rural Area.*

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 is:

- *Terrestrial Area of General Ecological Significance*

PLANNING SCHEME DESIGNATIONS

Strategic Framework:	Land Use Categories <ul style="list-style-type: none"> • <i>Rural Agricultural Area</i> • <i>Rural other</i>
Zone:	Rural zone
Overlays:	Agricultural land overlay Airport environs overlay Bushfire hazard overlay Environmental significance overlay Transport infrastructure 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

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 2016

Relevant Development Codes

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

- 6.2.9 Rural zone code
- 8.2.1 Agricultural land overlay code
- 8.2.2 Airport environs overlay code
- 8.2.3 Bushfire hazard overlay code
- 8.2.4 Environmental significance overlay code
- 8.2.12 Transport infrastructure overlay code

- 9.4.2 Landscaping code
- 9.4.3 Parking and access code
- 9.4.4 Reconfiguring a lot code
- 9.4.5 Works, services and infrastructure code

The application included a planning report and assessment against the planning scheme. An officer assessment has found that the application would conflict with the identified sections of the Agricultural Land Overlay Code and Reconfiguring a Lot Code.

Relevant Codes	Comments
Rural zone code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code.
Agricultural land overlay code	The application conflicts with the following performance outcomes and acceptable outcomes: <ul style="list-style-type: none"> ▪ PO1 and AO1 ▪ PO2 ▪ PO3 ▪ PO6 Refer to planning discussion section of this report.
Airport environs overlay 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.
Transport infrastructure overlay 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 contained within the code
Reconfiguring a lot code	The application conflicts with the following performance outcomes and acceptable outcomes: <ul style="list-style-type: none"> ▪ PO1 and AO1.1 Refer to planning discussion section of this report.
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 130 of PA)

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

Section 130 of PA allows Council to condition additional trunk infrastructure outside the PIA.

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 \$4,500.00 (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 (\$4,500.00)

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

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

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

REFERRALS

The application did not trigger a referral to the State Referral Agency or an advice agency.

Internal Consultation

Technical services

PLANNING DISCUSSION

Noncompliance with the Performance Outcomes and Acceptable Outcomes of the Agricultural Land Overlay Code and the Reconfiguring a Lot Code are summarised as follows:

Conflicts with the Agricultural Land Overlay Code

PO1

*The fragmentation or loss of productive capacity of land within the 'Class A' area or 'Class B' area identified on the **Agricultural land overlay maps (OM-001a-n)** is avoided unless:*

- (a) an overriding need exists for the development in terms of public benefit;*
- (b) no suitable alternative site exists; and*
- (c) loss or fragmentation is minimised to the extent possible.*

AO1

*Buildings and structures are not located on land within the 'Class A' area or 'Class B' area identified on the **Agricultural land overlay maps (OM-001a-n)** unless they are associated with:*

- (a) animal husbandry; or*
- (b) animal keeping; or*
- (c) cropping; or*
- (d) dwelling house; or*
- (e) home based business; or*
- (f) intensive animal industry (only where for feedlotting); or*
- (g) intensive horticulture; or*
- (h) landing; or*
- (i) roadside stalls; or*
- (j) winery.*

Comment

The development would create proposed Lot 971 as a vacant rural allotment with accepted development rights to allow the construction of a dwelling house.

A dwelling house could not be sited on proposed Lot 971 without resulting in a loss of Class A area.

There is no overriding need for the development in terms of public benefit and an extensive supply of land for urban development is available within the nearby Mareeba township.

The proposed development is in conflict with PO1.

PO2

*Sensitive land uses in the 'Class A' area, 'Class B' area or the 'Broadhectare rural' area identified on the **Agricultural land overlay maps (OM-001a-n)** are designed and located to:*

- (a) avoid land use conflict;*
 - (b) manage impacts from agricultural activities, including chemical spray drift, odour, noise, dust, smoke and ash;*
 - (c) avoid reducing primary production potential; and*
 - (d) not adversely affect public health, safety and amenity.*
-

Comment

The development would create proposed Lot 971 as a vacant rural allotment with accepted development rights to allow the construction of a dwelling house. The planning scheme defines a dwelling house as a sensitive land use.

A dwelling house could not be sited on proposed Lot 971 outside the Class A area.

Siting an additional dwelling house within the Class A area will reduce primary production potential.

The proposed development is in conflict with PO2.

PO3

*Development in the 'Class A' area or 'Class B' area identified on the **Agricultural land overlay maps (OM-001a-n)**:*

- (a) ensures that agricultural land is not permanently alienated;*
- (b) ensures that agricultural land is preserved for agricultural purposes; and*
- (c) does not constrain the viability or use of agricultural land.*

Comment

The development would create proposed Lot 971 as a vacant rural allotment with accepted development rights to allow the construction of a dwelling house.

A dwelling house could not be sited on proposed Lot 971 outside the Class A area.

Siting an additional dwelling house within the Class A area will alienate that portion of land for the life of the dwelling house (@100 years). Creating proposed Lot 971 as a stand alone 1.9 hectare allotment will constrain the agricultural viability of the 1.9 hectares.

The proposed development is in conflict with PO3.

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:*

- (a) improves agricultural efficiency;*
- (b) facilitates agricultural activity; or*
- (d) facilitates conservation outcomes; or*
- (d) resolves boundary issues where a structure is built over the boundary line of two lots.*

AO6

No acceptable outcome is provided.

Comment

The reconfiguration does not improve agricultural efficiency; does not facilitate agricultural activity; does not facilitate a conservation outcome; and does not resolve a boundary issue where a structure is built over the boundary.

The proposed development is in conflict with PO6.

Conflicts with the Reconfiguring a Lot Code

PO1

Lots include an area and frontage that:

- (g) is consistent with the design of lots in the surrounding area;*
- (h) allows the desired amenity of the zone to be achieved;*
- (i) is able to accommodate all buildings, structures and works associated with the intended land use;*
- (j) allow the site to be provided with sufficient access;*
- (k) considers the proximity of the land to:*
 - (i) centres;*
 - (ii) public transport services; and*
 - (iii) open space; and*
- (l) allows for the protection of environmental features; and*
- (g) accommodates site constraints.*

AO1.1

*Lots provide a minimum area and frontage in accordance with **Table 9.4.4.3B**.*

Comment

Existing Lot 97 on SP202902 has an area of 41.36 hectares which is below the 60 hectares minimum area nominated in Table 9.4.4.3B.

Proposed Lots 971 and 972 will have areas of 1.966 hectares and 39.39 hectares respectively.

The area of proposed Lot 972 is not inconsistent with the design of lots in the surrounding area and it is considered that proposed Lot 972 complies with PO1.

The area of proposed Lot 971 is not consistent with the typical design of lots in the surrounding area, nor will it allow the desired amenity of the Rural zone to be achieved.

The proposed reconfiguration conflicts with PO1.

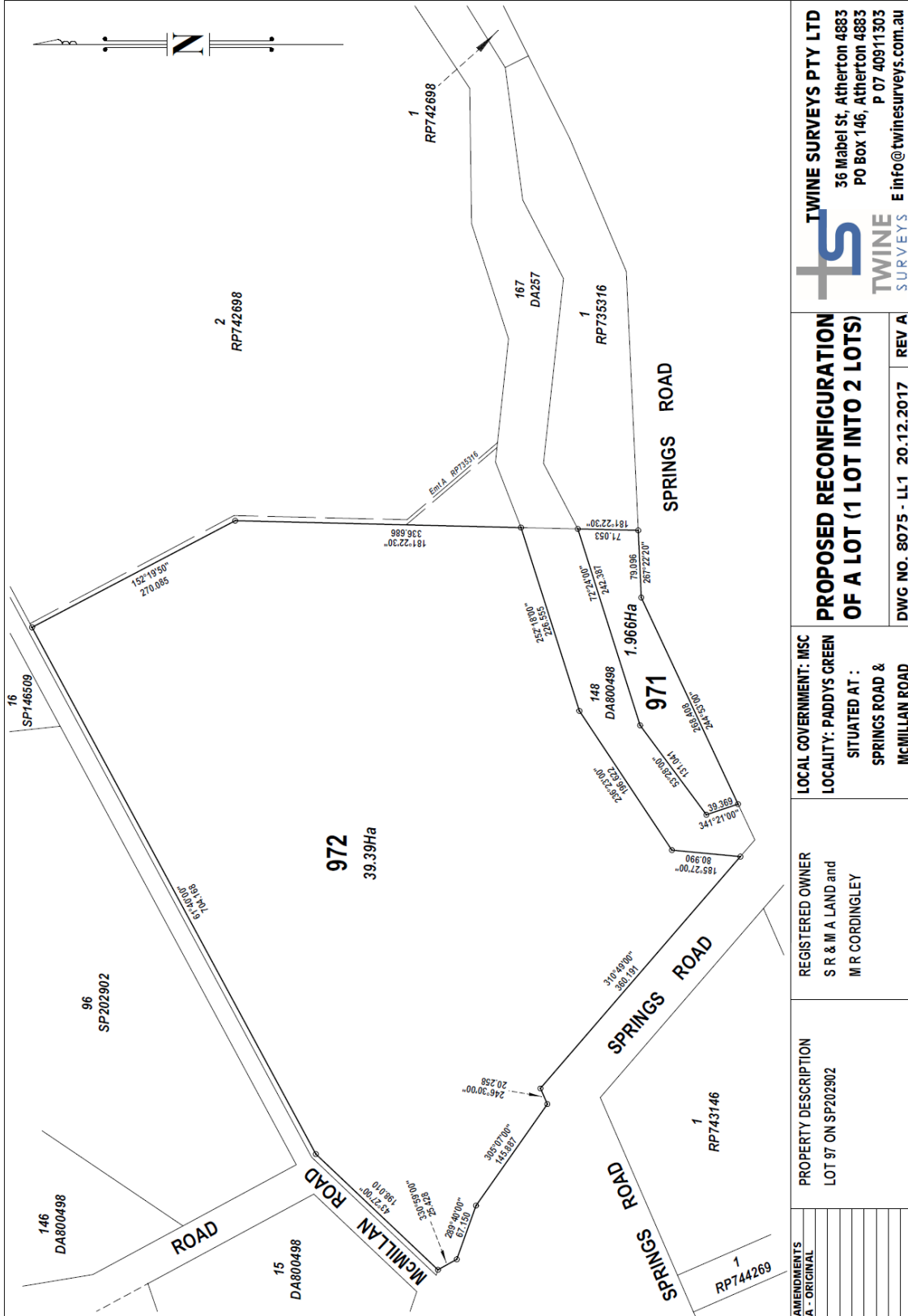
The intent of the planning scheme for the rural zone is to discourage the creation of additional small rural lots. The proposed development, which essentially proposes the creation of an additional small rural lifestyle allotment, is in conflict with this intent.

It is recommended the application be refused.

Date Prepared: 12 February 2018

ATTACHMENT 1

PLANS



<p>TWINE SURVEYS PTY LTD 36 Mabel St, Atherton 4883 PO Box 146, Atherton 4883 P 07 40911303 E info@twinesurveys.com.au</p>	
<p>PROPOSED RECONFIGURATION OF A LOT (1 LOT INTO 2 LOTS)</p>	
<p>LOCAL GOVERNMENT: MSC LOCALITY: PADDYS GREEN SITUATED AT: SPRINGS ROAD & MCMILLAN ROAD</p>	<p>DWG NO. 8075 - LL-1 20.12.2017 REV A</p>
<p>REGISTERED OWNER S R & M A LAND and M R CORDINGLEY</p>	<p>PROPERTY DESCRIPTION LOT 97 ON SP202902</p>
<p>AMENDMENTS A - ORIGINAL</p>	

ITEM-3 **NEGOTIATED DECISION NOTICE - REEDLODGE PTY LTD
 - MATERIAL CHANGE OF USE - SHOPPING CENTRE -
 LOT 78 ON SP152626 - 232 BYRNES STREET, MAREEBA
 - MCU/17/0011**

MEETING: Ordinary

MEETING DATE: 21 February 2018

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

DEPARTMENT: Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	Reedlodge Pty Ltd	ADDRESS	232 Byrnes Street, Mareeba
DATE OF NDN REQUEST	6 February 2018	RPD	Lot 78 on SP152626
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Shopping Centre		
FILE NO	MCU/17/0011	AREA	1.207 hectares
LODGED BY	Urban Sync	OWNER	Reedlodge Pty Ltd
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Centre zone		
LEVEL OF ASSESSMENT	Code Assessment		
SUBMISSIONS	n/a		

ATTACHMENTS: 1. Decision Notice dated 20 December 2017
 2. Applicant's written representations received 6 February 2018

EXECUTIVE SUMMARY

Council approved a development application described in the above application details at its Ordinary Meeting held on 20 December 2017, subject to conditions.

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

The applicant has subsequently made written representations to Council requesting a minor amendment to Condition 4.2.3 and requesting clarity on the asphalt seal requirements under Condition 4.5.3.

It is recommended that the request be approved and a negotiated decision notice be issued.

OFFICER'S RECOMMENDATION

"That:

1. In relation to the written representations made by Urban Sync on behalf of Reedlodge Pty Ltd regarding conditions of the following development approval:

APPLICATION		PREMISES	
APPLICANT	Reedlodge Pty Ltd	ADDRESS	232 Byrnes Street, Mareeba
DATE OF NDN REQUEST	6 February 2018	RPD	Lot 78 on SP152626
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Shopping Centre		

and in accordance with the Planning Act 2016, the following

- (A) Condition 4.2.3 as per Council's Decision Notice issued on 20 December 2017 be amended as follows:

4.2.3 Specifically, the Stormwater Management Plan, prepared by Civil Walker, dated 08/11/2017, document number 151-001-002R, revision B must be revised to:

- (i) *Determine the sizing and outlet configuration of the detention basin(s) in accordance with the Queensland Urban Drainage Manual, Fourth Edition, prepared by the Institute of Public Works Engineering Australasia (<http://www.ipweaq.com/qudm>) for all flood and stormwater events that exist prior to development and up to a 1% Annual Exceedance Probability (AEP). The latest QUDM recommends the use of a suitable computer software package to determine the volume and outlet configuration of the detention basin(s). The SMP will need to be updated to include such analysis.*
- (ii) *Provide engineering drawings showing the design of the proposed detention basin(s), including invert levels and outlet pipe and overflow, outlet configurations, and how they will connect to the existing drainage at the nominated legal point(s) of discharge.*
- (iii) *Include revised details of the mitigation measures proposed to address any potential stormwater impacts (including flooding impacts) of the proposed development. The design flood peak discharges should be shown for the mitigated case to demonstrate there is no worsening impact for all relevant design events.*

- (B) Condition 4.5.3 as per Council's Decision Notice issued on 20 December 2017 be amended as follows:

4.5.3 The applicant must construct Rankin Street, including the service access with 50mm asphalt seal overlay for the full frontage of Lot 78 on SP152626, for the full kerb to kerb width, in accordance with the FNQROC Development Manual,

excluding any on street car parks, or any undeveloped section of the road reserve in the north-west corner of the site not proposed to be used for ingress/egress as depicted on Drawing No. SD1002 Issue G (as amended by the Department of Transport and Main Roads) and as agreed to by Council's delegated officer.

2. A Negotiated Decision Notice be issued to the applicant and submitter advising of Council's decision."

THE SITE

The subject land is described as Lot 78 on SP152626, Parish of Tinaroo, County of Nares, having an area of 1.207 hectares. The land has a frontage to Byrnes Street of approximately 203 metres, with a secondary frontage to Rankin Street of approximately 82 metres. The site is also bound by the railway line to the west and Herberton Street is located at the intersection in the south-east corner of the site.

The subject site is vacant, flat and relatively unconstrained by natural or physical features (vegetation, watercourses etc).

Formerly the site was used for the treatment of timber (sawmill) using copper/chromium/arsenic preservatives. The lot has been vacant since the demolition of sawmill approximately 10 years ago. Contaminated soil and associated bricks/rubble remain on site in a containment cell. This results in the land being subject to a site management plan approved by the relevant State government department in 2009.

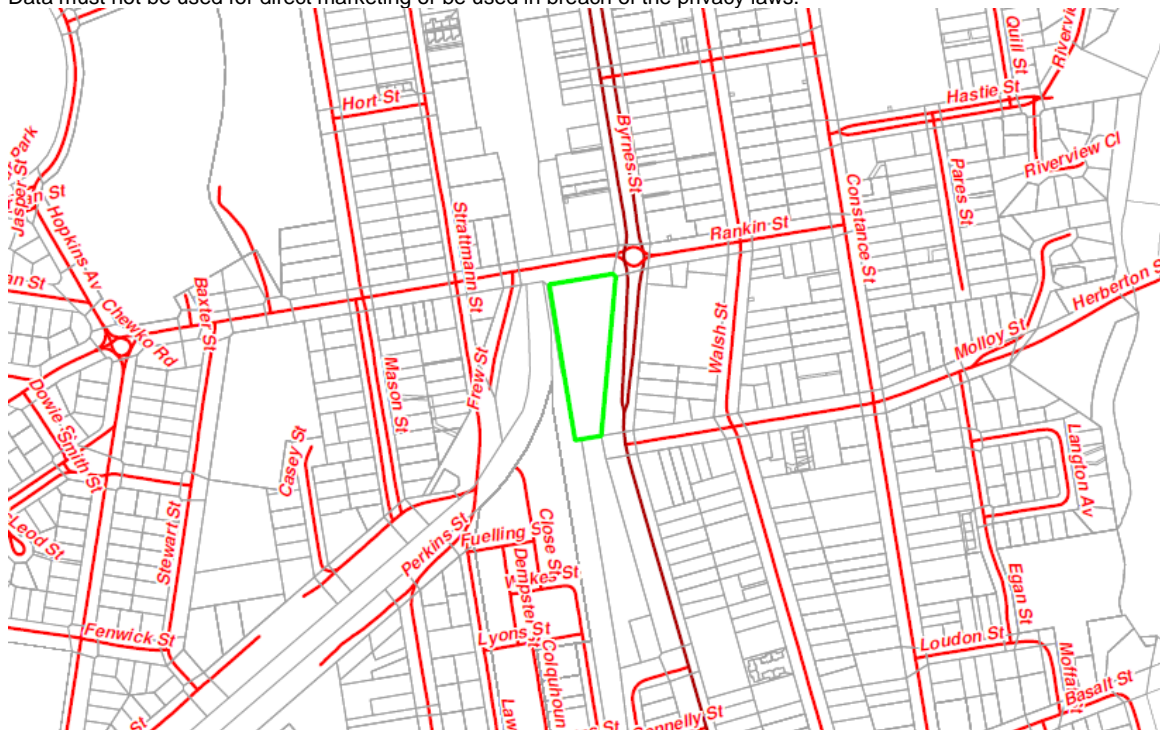
Neighbouring allotments to the north, south and east are zoned Centre under the Mareeba Shire Council Planning Scheme 2016. Properties in the general locality are used for a variety of land uses including the Mareeba Plaza Shopping Centre, Byrnes Street business district and residential uses.

Byrnes Street is currently constructed to a 33 metre wide bitumen standard for the majority of the frontage of the subject land. The 33 metre width incorporates a median strip down the central line of the road and car parking on both sides.



Map Disclaimer:

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



Map Disclaimer:

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

BACKGROUND AND CONTEXT

Council at its Ordinary Meeting on 20 December 2017 approved the application made by Reedlodge Pty Ltd for the issue of a development permit for Material Change of Use - Shopping Centre over land described as Lot 78 on SP152626, situated at 232 Byrnes Street, Mareeba

The approval was granted subject to conditions and the Decision Notice was issued on 20 December 2017 and is included as **Attachment 1**.

The applicant has written to Council making representations (**Attachment 2**) in relation to Condition 4.2.3 and 4.5.3 and are seeking the issue of a negotiated decision notice.

APPLICANT'S REPRESENTATIONS

Condition 4.2.3

4.2 Stormwater Drainage/Water Quality

4.2.3 *Specifically, the Stormwater Management Plan, prepared by Civil Walker, dated 08/11/2017, document number 151-001-002R, revision B must be revised to:*

- (i) *Determine the sizing and outlet configuration of the detention basin(s) in accordance with the Queensland Urban Drainage Manual, Fourth Edition, prepared by the Institute of Public Works Engineering Australasia (<http://www.ipweaq.com/qudm>) for all flood and stormwater events that exist prior to development and up to a 1% Annual Exceedance Probability (AEP). The Stormwater Management Plan (SMP) has used the preliminary detention tank sizing methods outlined in the superseded version of Queensland Urban Drainage Manual (QUDM). The most recent edition of QUDM does not support the preliminary sizing methodology adopted in the SMP. The latest QUDM recommends the use of a suitable computer software package to determine the volume and outlet configuration of the detention basin(s). The SMP will need to be updated to include such analysis.*

Representation by Applicant

4.2.3 *Specifically, the Stormwater Management Plan, prepared by Civil Walker, dated 08/11/2017, document number 151-001-002R, revision B must be revised to:*

- (i) *Determine the sizing and outlet configuration of the detention basin(s) in accordance with the Queensland Urban Drainage Manual, Fourth Edition, prepared by the Institute of Public Works Engineering Australasia (<http://www.ipweaq.com/qudm>) for all flood and stormwater events that exist prior to development and up to a 1% Annual Exceedance Probability (AEP). ~~The Stormwater Management Plan (SMP) has used the preliminary detention tank sizing methods outlined in the superseded version of Queensland Urban Drainage Manual (QUDM). The most recent edition of QUDM does not support the preliminary sizing methodology adopted in the SMP.~~ The latest QUDM recommends the use of a suitable computer software package to determine the volume and outlet configuration of the*

detention basin(s). The SMP will need to be updated to include such analysis.

The latest version of QUDM only references detailed design, preliminary sizing is discussed in Australian Rainfall and Runoff using adopted methods. As a result, we are of the view that this sentence should be deleted from the condition.

Response

Council officers have reviewed the applicant's representations and have no objection to the requested amendment to Condition 4.2.3. It is therefore recommended that Condition 4.2.3 be amended as shown above in the applicant's representations section.

Condition 4.5.3

4.5 Frontage Works - Rankin Street

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

4.5.3 The applicant must construct Rankin Street with 50mm asphalt for the full frontage of Lot 78 on SP152626, for the full kerb to kerb width in accordance with the FNQROC Development Manual.

Representation by Applicant

The applicant would like clarification as to what Council considers the 'full' frontage of Lot 78 on SP152626 to be, as well as what the existing pavement thickness of Rankin Street is. For example, is this condition requiring that only the current unsealed portion of Rankin Street, adjacent the north-west corner of the site be sealed, or does the condition require the entire kerb to kerb width of Rankin Street, for the full frontage of Lot 78, be re-sealed?

Response

The intent of Condition 4.5.3 is to ensure all trafficable areas along Rankin Street that will be subject to heavy vehicle and turning movements are asphalt sealed. It is therefore recommended that Condition 4.5.3 be amended as follows to provide clarity to both Council and the applicant:

4.5.3 The applicant must construct Rankin Street, including the service access with 50mm asphalt seal overlay for the full frontage of Lot 78 on SP152626, for the full kerb to kerb width, in accordance with the FNQROC Development Manual, excluding any on street car parks, or any undeveloped section of the road reserve in the north-west corner of the site not proposed to be used for ingress/egress as depicted on Drawing No. SD1002 Issue G (as amended by the Department of Transport and Main Roads) and as agreed to by Council's delegated officer.

Date Prepared: 12 February 2018

ATTACHMENT 1

20 December 2017

65 Rankin Street
PO Box 154 MAREEBA QLD 4880**P:** 1300 308 461
F: 07 4092 3323**W:** www.msc.qld.gov.au
E: info@msc.qld.gov.au**Officer:** Brian Millard
Direct Phone: 4086 4657
Our Reference: MCU/17/0011
Your Reference: 17-230Reedlodge Pty Ltd
ACN 089 077 403
PO Box 452
MAREEBA QLD 4880

Dear Sir/Madam

Decision Notice
Planning Act 2016

I refer to your application and advise that on 20 December 2017, Council decided to approve the application in full subject to conditions.

Details of the decision are as follows:

APPLICATION DETAILS

Application No:	MCU/17/0011
Street Address:	232 Byrnes Street MAREEBA QLD 4880
Real Property Description:	Lot 78 on SP152626
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

Type of Decision:	Approval
Type of Approval:	Development Permit for Material Change of Use - Shopping Centre
Date of Decision:	20 December 2017

CURRENCY PERIOD OF APPROVAL

The currency period for this development approval is six (6) years starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

INFRASTRUCTURE

Where conditions relate to the provision of infrastructure, these are non-trunk infrastructure conditions unless specifically nominated as a “*necessary infrastructure condition*” for the provision of trunk infrastructure as defined under Chapter 4 of the *Planning Act 2016*.

ASSESSMENT MANAGER CONDITIONS

(A) ASSESSMENT MANAGER’S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

1. Development must be carried out substantially in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:
 - found necessary by Council’s delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
 - to ensure compliance with the following conditions of approval and the conditions of the State Referral Agency.
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 have been complied with, except where specified otherwise in these conditions of approval.
 - 2.3 Prior to the commencement of use, the applicant must provide a letter from the State Referral Agency confirming that the department is satisfied their conditions are complied with and/or that the department has no objections to the commencement of the use.
3. General
 - 3.1 The development approval would not have been issued if not for the conditions requiring the construction of infrastructure 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 Noise Nuisance

3.4.1 Refrigeration equipment, pumps, compressors and mechanical ventilation systems must be located, designed, installed and maintained to achieve a maximum noise level of 3dB(A) above background levels as measured from noise sensitive locations and a maximum noise level of 8dB(A) above background levels as measured from commercial locations after 10p.m. on a day to 7a.m. on the next day.

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

3.4.3 The use, including the unloading or loading of goods, is not to include the use of any sound projecting objects or systems that may cause a nuisance to adjoining properties.

3.5 Waste Management

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

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

3.6 Trolley Bays

Trolley bay areas must be provided on the site generally in accordance with Drawing No. SD1002 Issue G.

3.7 Rubbish Bins

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

3.8 Amenity

3.8.1 Any walls built to the boundary must be finished as a blank wall including low maintenance finishes and materials, to the satisfaction of Council's delegated officer.

3.8.2 All building materials and colours to be used must be non-reflective and be generally in accordance with the approved plans to the satisfaction of Council's delegated officer.

3.9 No trucks, other than service vehicles for the shopping centre, are permitted to park on the subject land when the shopping centre is closed to the public. All service vehicles must leave the subject land as soon as reasonably practical after serving the shopping centre.

4. Infrastructure Services and Standards

4.1 Access

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

The applicant/developer must ensure that any redundant vehicle crossovers are removed and reinstated with kerb and channel.

4.2 Stormwater Drainage/Water Quality

4.2.1 The applicant/developer must take all reasonable steps to ensure a non-worsening effect on surrounding land as a consequence of the development.

4.2.2 Prior to the issue of a development permit for operational works, the applicant/developer must submit a revised Stormwater Management Plan prepared and certified by a suitably qualified design engineer (RPEQ) that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

4.2.3 Specifically, the Stormwater Management Plan, prepared by Civil Walker, dated 08/11/2017, document number 151-001-002R, revision B must be revised to:

- i. Determine the sizing and outlet configuration of the detention basin(s) in accordance with the Queensland Urban Drainage Manual, Fourth Edition, prepared by the Institute of

Public Works Engineering Australasia (<http://www.ipweaq.com/qudm>) for all flood and stormwater events that exist prior to development and up to a 1% Annual Exceedance Probability (AEP). The Stormwater Management Plan (SMP) has used the preliminary detention tank sizing methods outlined in the superseded version of Queensland Urban Drainage Manual (QUDM). The most recent edition of QUDM does not support the preliminary sizing methodology adopted in the SMP. The latest QUDM recommends the use of a suitable computer software package to determine the volume and outlet configuration of the detention basin(s). The SMP will need to be updated to include such analysis.

- II. Provide engineering drawings showing the design of the proposed detention basin(s), including invert levels and outlet pipe and overflow, outlet configurations, and how they will connect to the existing drainage at the nominated legal point(s) of discharge.
- III. Include revised details of the mitigation measures proposed to address any potential stormwater impacts (including flooding impacts) of the proposed development. The design flood peak discharges should be shown for the mitigated case to demonstrate there is no worsening impact for all relevant design events.

4.2.4 The applicant/developer must construct the stormwater drainage infrastructure in accordance with the approved Stormwater Management Plan.

4.2.5 All stormwater drainage must be collected from site and discharged to an approved legal point of discharge.

4.3 Car Parking/Internal Driveways

The applicant/developer must ensure that the development is provided with at least 139 on-site car parking spaces, generally in accordance with Drawing No. SD1002 Issue G, which are available for use solely for the parking of vehicles associated with the use of the premises. All car parking spaces must be sealed, line-marked and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.

Car parking shade structures must generally be provided in accordance with Drawing No. SD1002 Issue G.

Prior to the issue of a development permit for operational works, the developer must submit engineering plans and specifications, prepared by a Registered Professional Engineer of Queensland (RPEQ) or an Architectural

Building Designer, for the construction of proposed car parking facilities and internal driveways demonstrating:

- Compliance with Australian Standard AS2890:1 Off Street Parking – Car Parking Facilities;
- Compliance with Australian Standard AS2890.2 – Parking Facilities (Off-street Parking) Commercial Vehicle Facilities;
- Compliance with Australian Standard AS2890.3 Bicycle Parking Facilities;
- Compliance with Australian Standard AS1428:2001 – Design for Access and Mobility;
- A sign must be erected in proximity to the access driveway indicating the availability of on-site car parking.

4.4 Frontage Works - Byrnes Street

The applicant/developer is required to construct the following works, designed in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer and the Department of Transport and Main Roads:

- 4.4.1 Kerb and channelling for the full frontage of Lot 78 on SP152626.
- 4.4.2 Signage and line marking as per the Department of Transport and Main Roads Manual of Uniform Traffic control Devices (MUTCD).
- 4.4.3 On street car parking and service road generally in accordance with the extent of works shown on Drawing No. SD1002 Issue G.
- 4.4.4 A paved footpath, including kerb ramps and associated tactile indicators must be constructed on Byrnes Street to the general extent indicated on Drawing No. SD1002 Issue G. The footpath must be constructed in accordance with the FNQROC Development Manual. No section of paved footpath is to be less than two (2) metres in width.

Prior to the issue of a development permit for operational works, the developer must submit engineering plans and specifications for the construction of proposed works.

4.5 Frontage Works - Rankin Street

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

- 4.5.1 Kerb and channelling for the full frontage of Lot 78 on SP152626.
- 4.5.2 Signage and line marking as per the Department of Transport and Main Roads Manual of Uniform Traffic control Devices (MUTCD).

- 4.5.3 The applicant must construct Rankin Street with 50mm asphalt for the full frontage of Lot 78 on SP152626, for the full kerb to kerb width in accordance with the FNQROC Development Manual.
- 4.5.4 On street car parking and service access generally in accordance with the extent of works shown on Drawing No. SD1002 Issue G (as amended by the Department of Transport and Main Roads).
- 4.5.5 A paved footpath, including kerb ramps and associated tactile indicators must be constructed on Rankin Street to the general extent indicated on Drawing No. SD1002 Issue G. The footpath must be constructed in accordance with the FNQROC Development Manual. No section of paved footpath is to be less than two (2) metres in width.

Prior to the issue of a development permit for operational works, the developer must submit engineering plans and specifications for the construction of proposed works.

4.6 Landscaping and Fencing

- 4.6.1 The development must be landscaped in accordance with an approved landscape plan.
- 4.6.2 Prior to the issue of the development permit for operational works, a detailed landscape plan must be prepared for the site and submitted to Council's delegated officer for consideration and approval.
- 4.6.3 The landscape plan should be generally consistent with landscaping shown on the submitted site plan (Drawing No. SD1002 Issue G) and demonstrate compliance with the Landscaping Code. Plant species are to be generally selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.
- 4.6.4 The planting of street trees along the Byrnes Street and Rankin Street frontages must be included in the landscape plan.
- 4.6.5 A minimum of 25% of new plants is provided as larger, advanced stock with a minimum plant height of 0.7 metres and mulched to a minimum depth of 0.1 metres with organic mulch.
- 4.6.6 The landscaping of the site must be carried out in accordance with the endorsed landscape plan/s, and prior to the commencement of the use, and mulched, irrigated and maintained to the satisfaction of Council's delegated officer.

4.7 Lighting

Prior to the issue of a development permit for operational works, the applicant/developer must provide to Council a detailed lighting plan prepared by a qualified professional detailing:

- (a) The lux levels on site and surrounding the site, particularly the footpaths.
- (b) The access and the car parking areas must be lit during trading hours in accordance the requirements of Australian Standard AS 1158.1.
- (c) Outdoor lighting must be in accordance with AS 4282 (as amended) - Control of Obtrusive effects of outdoor lighting.
- (d) All lighting except for security lighting, internal lighting and street lighting must be turned off no later than an hour after the close of trading.

4.8 Water Supply

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

Where the existing reticulated water supply does not currently service the site or is not at an adequate capacity to serve the proposed development requirements, the developer is required to extend the reticulated water supply infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development requirements in accordance with FNQROC Development Manual Standard (as amended).

4.8.2 Prior to the issue of a development permit for operational works, the developer must submit engineering plans and specifications for the connection of the development to Council's reticulated water supply system demonstrating compliance with Condition 4.8.1.

The engineering plans and specifications for the connection, including any requirement for onsite firefighting storage, must be accompanied by an engineering report demonstrating that Council's existing infrastructure will be able to provide the minimum acceptable standard of service for water reticulation.

4.9 Sewerage Connection

4.9.1 The developer must connect the proposed development to Council's reticulated sewerage system in accordance with FNQROC

Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

Where sewerage connections are not available to the site, or where existing connections are not satisfactory for the proposed development, the developer is required to extend the reticulated sewerage infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards (as amended).

- 4.9.2 Prior to the issue of a development permit for operational works, the developer must submit engineering plans and specifications for the connection of the development to Council's reticulated sewerage system demonstrating compliance with Condition 4.9.1.

REFERRAL AGENCIES

The referral agencies applicable to this application are:

Material change of use of premises near a State transport corridor or that is a future State transport corridor (Road & Rail Corridor)		
Development application for a material change of use, other than an excluded material change of use, that is assessable development under a local categorizing instrument, if all or part of the premises—	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4	State Assessment & Referral Agency (SARA) Department of Infrastructure, Local Government & Planning PO Box 2358 Cairns Qld 4870 CairnsSARA@dilgp.qld.gov.au
(a) are within 25m of a State transport corridor; or		
(b) are a future State transport corridor; or		
(c) are—		
(i) adjacent to a road that intersects with a State-controlled road; and		
(ii) within 100m of the intersection		

A copy of any referral agency conditions is attached.

APPROVED PLANS

The following plans are Approved plans for the development:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
4777 SD1001 A	Location Plan	Cotteeparker	18/08/2017
4777 SD1201 A	Existing Site Plan	Cotteeparker	08/09/2017
4777 SD1002 G	Site Plan	Cotteeparker	22/09/2017
4777 SD2001 C	Ground Floor Plan	Cotteeparker	08/09/2017
4777 SD2002 C	Roof & Mezzanine Plan	Cotteeparker	08/09/2017
4777 SD3001 D	Elevations	Cotteeparker	12/09/2017
4777 SD3101 B	Sections	Cotteeparker	08/09/2017
4777 SD0201 A	3D Drawings & Renders	Cotteeparker	08/09/2017
4777 SD0202 A	3D Drawings & Renders	Cotteeparker	08/09/2017

REFERENCED DOCUMENTS

Not Applicable.

ADVISORY NOTES

The following notes are included for guidance and information purposes only and do not form part of the assessment manager conditions:

(A) ASSESSMENT MANAGER'S ADVICE

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

Premises proposed for the storage and preparation, handling, packing or service of food must comply with the requirements of the Food Act 2006.

DECISION NOTICE

MCU/17/0011
Page 11

(d) A Trade Waste Permit will be required prior to the commencement of use.

(e) Compliance with applicable codes/policies

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

(f) Compliance with Acts and Regulations

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

(h) 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.

(i) 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.

(B) CONCURRENCE AGENCY CONDITIONS

Department of Infrastructure, Local Government and Planning conditions dated 30 November 2017

PROPERTY NOTES

Not Applicable.

VARIATION APPROVAL

Not Applicable.

DECISION NOTICE

MCU/17/0011
Page 12

FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Operational Work
- Development Permit for Building Work
- Compliance Permit for Plumbing and Drainage Work

SUBMISSIONS

Not Applicable.

RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a "negotiated decision notice" will be issued. Only one "negotiated decision notice" may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a "negotiated decision notice".

OTHER DETAILS

If you wish to obtain more information about Council's decision, electronic copies are available on line at www.msc.qld.gov.au, or at Council Offices.

Yours faithfully

BRIAN MILLARD
SENIOR PLANNER

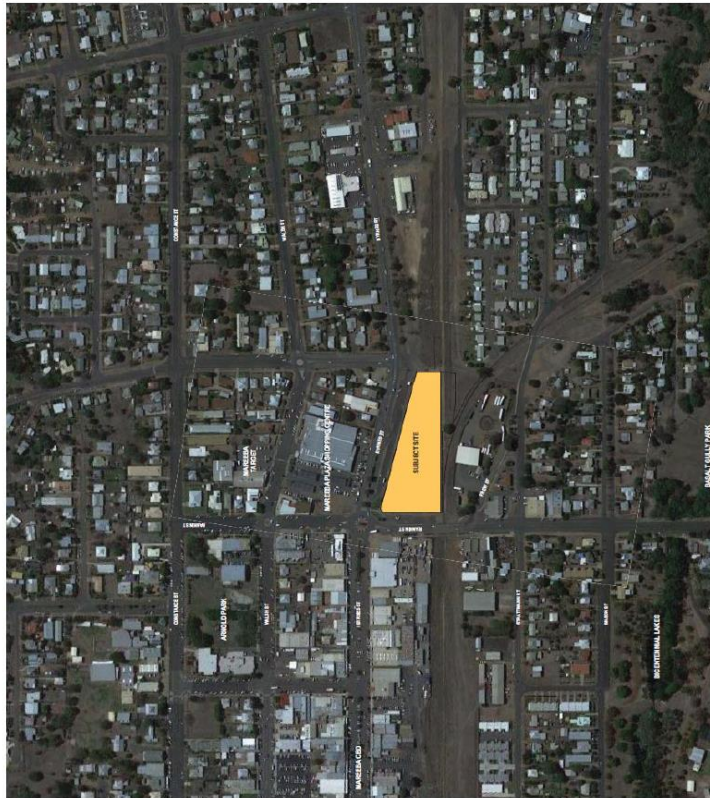
Enc: Adopted Infrastructure Charge Notice
Approved Plans/Documents
Referral Agency Response
Appeal Rights

Copy: Department of Infrastructure, Local Government and Planning
CairnsSARA@dilgp.qld.gov.au

DECISION NOTICE

MCU/17/0011
Page 13

Approved Plans/Documents



MAREeba SHOPPING CENTRE
222 SPENCER AVENUE
MAREeba VIC 3875
LOCATION PLAN
4777
SPENCER AVENUE
A

LOCATION PLAN
SCALE 1:5000
DATE 10/02/18

COITTEEPARKER
100/101 SPENCER AVENUE
MAREeba VIC 3875
PH 08 3422 2222
WWW.COITTEEPARKER.COM.AU

DECISION NOTICE

MCU/17/0011
Page 14



DECISION NOTICE

MCU/17/0011
Page 16



GEORGE EL COOR PLAN
SCALE 1:500
COITTEPARKER

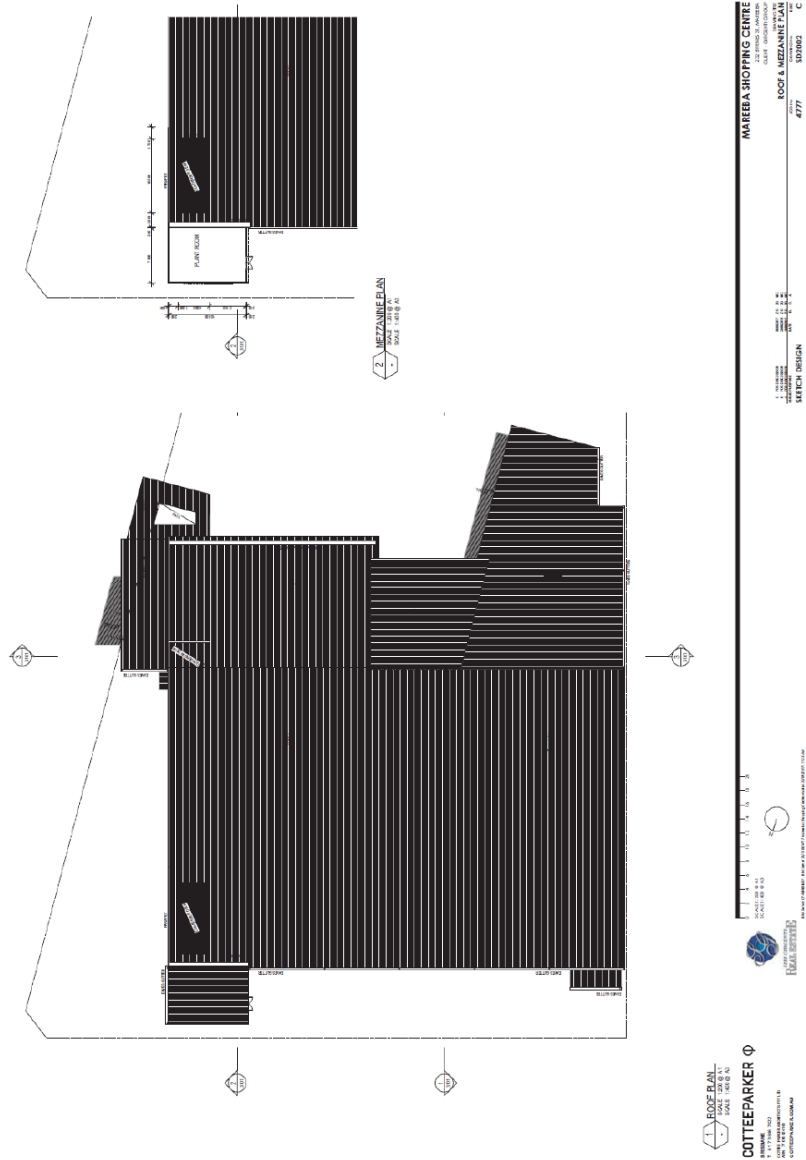
MAREEBA SHOPPING CENTRE
222 SPENCE ST. MAREEBA
VIC 4488
PROJECT NO. 17/0011
DRAWING NO. 17/0011-01
DATE 15/02/18
DRAWN BY: J. COITTEPARKER
CHECKED BY: J. COITTEPARKER
SCALE 1:500
PROJECT NO. 17/0011
DRAWING NO. 17/0011-01
DATE 15/02/18
DRAWN BY: J. COITTEPARKER
CHECKED BY: J. COITTEPARKER

SKETCH DESIGN
4777 323681 C

REALITY DESIGN

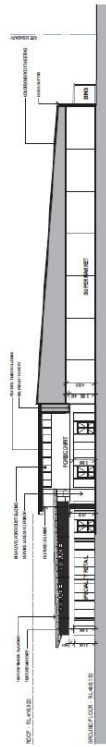
DECISION NOTICE

MCU/17/0011
Page 17

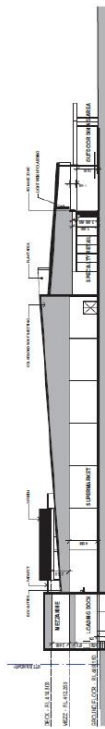


DECISION NOTICE

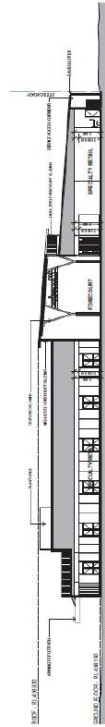
MCU/17/0011
Page 19



1. 1A1-SECTION
SCALE: 1:40 @ N



2. 1A2-SECTION
SCALE: 1:40 @ N



3. 1A3-SECTION
SCALE: 1:40 @ N

COTTEEPARKER
ARCHITECTS
100 STATION STREET
MAREEBA QLD 4870
PH: 07 4071 1111
WWW.COTTEEPARKER.COM.AU

MAREEBA SHOPPING CENTRE
220 STATION STREET
MAREEBA QLD 4870
PH: 07 4071 1111
WWW.MAREEBASHOPPINGCENTRE.COM.AU

DATE: 17/02/18
DRAWN: J. B. B.
CHECKED: J. B. B.
SCALE: 1:40 @ N

PROJECT NO: 4777
SECTION NO: 201811
PAGE NO: 8

DECISION NOTICE

MCU/17/0011
Page 20



 **COTTEPARKER** Φ
100 WILSON STREET
MAREEBA VIC 3875
08 9497 5555
WWW.COTTEPARKER.COM.AU

 **MAREEBA SHOPPING CENTRE**
222 WINDY HILLS ROAD
MAREEBA VIC 3875
08 9497 5555
WWW.MAREEBAVIC.AU

DATE: 20 FEBRUARY 2018
DRAWN BY: J. BROWN
CHECKED BY: J. BROWN
SCALE: AS SHOWN
PROJECT NO: 4777 30261 A

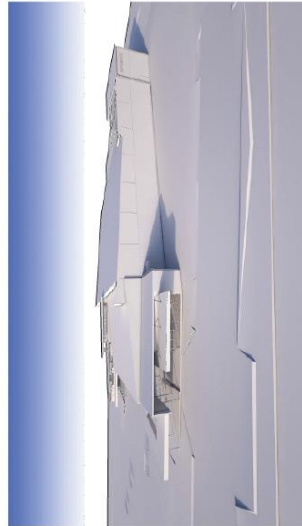
DESIGNED BY: MFC DESIGN
DRAWN BY: MFC DESIGN
CHECKED BY: MFC DESIGN



PROJECT NUMBER: 100 WILSON STREET, MAREEBA VIC 3875

DECISION NOTICE

MCU/17/0011
Page 21



MAREEBA SHOPPING CENTRE
100-102 FINCH AVENUE
MAREEBA VIC 3875

SCALE: 1:50
DATE: 10 FEBRUARY 2018
DRAWN BY: J. BENTLEY
CHECKED BY: J. BENTLEY
PROJECT NO: 4777
JOB NO: 100102



OOTTEPARKER Φ
1111 FINCH ROAD
MAREEBA VIC 3875
08 8362 1000
OOTTEPARKER.COM.AU

ATTACHMENT 2



T 07 4051 6946 O 192 Mulgrave Road, Cairns
 E admin@urbansync.com.au M PO Box 2970, Cairns Q 4870
 W www.urbansync.com.au ABN 83 169 940 649

6 February 2018

Our Ref: 17-230
Your Ref: MCU/17/0011

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

Attention: Brian Millard – Senior Planner and Carl Ewin - Planning Officer

Dear Brian and Carl

RE: REQUEST FOR A NEGOTIATED DECISION NOTICE UNDER S76(3) OF THE PLANNING ACT 2016 ASSOCIATED WITH AN APPROVAL FOR A DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE (SHOPPING CENTRE) OVER LOT 78 ON SP152626 AT 232 BYRNES STREET, MAREEBA

We refer to the above-described matter and confirm that Urban Sync Pty Ltd (Urban Sync) continues to provide town planning and development advice to the Applicant (Reedlodge Pty Ltd) in respect of this project. We have been commissioned to coordinate the request for 'change representations' under s75(1) of the *Planning Act 2016* in respect to conditions imposed in the Decision Notice approved by Mareeba Shire Council (Council) on 20 December 2017.

REQUESTED CHANGES TO THE CONDITIONS OF APPROVAL

Condition	Amendments
Infrastructure Services and Standards	
4.2.3	Specifically, the Stormwater Management Plan, prepared by Civil Walker, dated 08/11/2017, document number 151-001-002R, revision B must be revised to: <ul style="list-style-type: none"> (i) Determine the sizing and outlet configuration of the detention basin(s) in accordance with the Queensland Urban Drainage Manual, Fourth Edition, prepared by the Institute of Public Works Engineering Australasia (http://www.ipweaq.com/qudm) for all flood and stormwater events that exist prior to development and up to a 1% Annual Exceedance Probability (AEP). The Stormwater Management Plan (SMP) has used the preliminary detention tank sizing methods outlined in the superseded version of Queensland Urban Drainage Manual (QUDM). The most recent edition of QUDM does not support the preliminary sizing methodology adopted in the SMP. The latest QUDM recommends the use of a suitable computer software package to determine the volume and outlet configuration of the detention basin(s). The SMP will need to be updated to include such analysis.

Justification:

The latest version of QUDM only references detailed design, preliminary sizing is discussed in Australian Rainfall and Runoff using adopted methods. As a result, we are of the view that this sentence should be deleted from the condition.



Condition	Amendments
Infrastructure Services and Standards	
4.5.3	The applicant must construct Rankin Street with 50mm asphalt for the full frontage of Lot 78 on SP152626, for the full kerb to kerb width in accordance with the FNQROC Development Manual.

Justification:

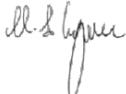
The applicant would like clarification as to what Council considers the 'full' frontage of Lot 78 on SP152626 to be, as well as what the existing pavement thickness of Rankin Street is. For example, is this condition requiring that only the current unsealed portion of Rankin Street, adjacent to the north-west corner of the site be sealed, or does the condition require the entire kerb to kerb width of Rankin Street, for the full frontage of Lot 78, be re-sealed?

CONCLUSION

We request preliminary feedback from Council on all the identified matters prior to a formal Negotiated Decision Notice being issued.

Should you require any additional information or wish to discuss this request in further detail, please contact me on 0488 200 229.

Yours faithfully,



Matt Ingram
Senior Planner
E matt@urbansync.com.au | T 07 4051 6946 | M 0488 200 229

GOVERNANCE AND COMPLIANCE

ITEM-4 **BODY WORN CAMERA POLICY**

MEETING: Ordinary

MEETING DATE: 21 February 2018

**REPORT OFFICER'S
TITLE:** Manager Development and Governance

DEPARTMENT: Corporate and Community Services

EXECUTIVE SUMMARY

At the Council Meeting held 24 January 2018, Council adopted the Body Worn Camera Policy. The policy has been amended to include evidence gathering while an Authorised Officer is carrying out their duties. This report recommends that Council adopt an amended policy in regards to using body worn cameras.

OFFICER'S RECOMMENDATION

"That Council repeal the Body Worn Camera Policy adopted on 24 January 2018 and adopt the new Body Worn Camera Policy as attached to this report."

BACKGROUND

Further to the policy adopted by Council on 24 January 2018, it has been determined that an adjustment is required of the policy to enable the collection of evidence to not only be for incidents but additionally for the collection of evidence while Officers carry out their official duties.

The initial purpose of the policy was to capture moments where Authorised Officers are conducting their duties and encounter irate members of the public and have the option to utilise devices which record sound or sounds and images (listening devices) of the incident. Upon implementation of the devices, however, it was found that using the cameras to collect evidence or information relating to duties by Authorised Officers would be more efficient than the Councils current process.

Therefore, the Body Worn Camera Policy has been amended to improve the use and efficiency of operating these devices. All changes have been tracked in the attached amended policy.

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*

Manager Systems & Customer Service

External

Evidence.com

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

This policy meets the requirements of the Information Privacy Act 2009 (QLD), Right to Information Act 2009 (QLD), Public Records Act 2002 (QLD), and other Council Policies.

FINANCIAL & RESOURCE IMPLICATIONS*Capital*

Nil

Operating

Nil

Is the expenditure noted above included in the 2017/2018 budget?

Nil

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

Nil

IMPLEMENTATION/COMMUNICATION

Council policy will be placed on Council website.

ATTACHMENTS

1. Body Worn Camera Policy

Date Prepared: 13 February 2018

Body Worn Camera Policy

Policy Type	Body Worn Camera Policy	Version:	1.0
Responsible Officer	Manager Development & Governance	Date Approved:	24 January 2018
Review Officer:	Manager Development & Governance	Review Due:	24 January 2022
Author:	Manager Development & Governance	Commencement:	24 January 2018

1. PURPOSE

The purpose of this policy is to outline principles relating to the implementation and operation of Body Worn Cameras (BWC) used by Mareeba Shire Council (Council) officers. It aims to ensure that any audio/video data collected through the use of these devices will only be used, or provided to any third party, in accordance with Council policies, procedures and legislative requirements.

2. POLICY STATEMENT

The purpose of Body Worn Cameras (BWC) is to protect staff and the public, discourage aggressive and abusive behaviour and provide evidence where required to investigate complaints.

The policy will set out the purpose of using BWC, what information will be recorded, who will have access to this information and how this information will be stored and disposed of.

3. PRINCIPLES

Authorised Officers who, as part of their normal duties, are responsible for engaging with individuals or entities for the purpose of compliance and enforcement activities, may utilise BWC. The use of these devices is intended to:

- Assist in the lawful collection of evidence for actual or suspected breaches of legislation, including Council local laws.
- Maintain and improve community safety.
- Mitigate identified risks to the health, safety and welfare of Council officers in the execution of their duties.
- Provide a record of the interaction between an officer and a potential complainant in situations that may result in an allegation of inappropriate behaviour or other complaint.
- Assist in the investigation of allegations of inappropriate conduct by officers.

The BWC will not be used as a tool to assist in the ad-hoc monitoring of officers.

4. SCOPE

This policy applies to all personnel employed or otherwise engaged by Council who may use BWC devices and/or the Digital Evidence Management Software (DEMS) and the subsequent management of any images obtained.

The policy is not intended to create or confer any entitlement on an employee. It does not form part of any employee's contract of employment. Any entitlement conferred under this policy or any associated procedure or guidelines, is conferred at the absolute discretion of Council.

Body Worn Camera Policy

Council may at its sole discretion, on a case by case basis, alter the manner in which this policy or any associated procedure is implemented to ensure it suits the particular circumstances of the case.

This policy does not apply to the administration and operation of fixed CCTV systems.

5. DEFINITIONS

Definitions are needed to explain the terminology used in the policy.

6. RESPONSIBILITIES

6.1 TRAINING

All operators will receive training in the use of BWC including:

- Practical use of equipment.
- Operational guidance, e.g. when to commence and cease recording.
- Legal implications of using such equipment.

6.2 EQUIPMENT SECURITY

BWC will be held at a secure location when not in use and will be issued to individual officers, who will be responsible for the correct operation and security of the device whilst in their possession.

The loss or theft of any BWC is to be immediately reported to the relevant responsible officer so that an investigation can be mounted to minimise damage, especially regarding the loss of any Personal Data.

6.3 USE PROTOCOLS

BWC will only be used when wearing Council uniform or clearly displaying Council identification, whilst on duty.

BWC will be used in an overt manner and worn on a prominent location on the officer's body, uniform, or clothing, and in a manner that maximises the camera's ability to capture video footage of the officer's activities.

Officers may record while conducting duties in so far as is practicable, officers should restrict recording to areas and persons necessary in order to obtain evidence and intelligence relevant to the duties or incident should attempt to minimise collateral intrusion to those not involved.
~~must not indiscriminately record entire duties or patrols and must only use recording to capture video and audio of specific incidents.~~

For the purposes of this policy, an 'incident' is defined as:

- An engagement with a member of the public which in the opinion of the officer is, or may become, confrontational.
- The officer being approached by a member of the public in a manner perceived as aggressive or threatening.
- The officer is witnessing behaviour that they believe constitutes an offence as prescribed by Council's Local Laws or other applicable legislation.

Body Worn Camera Policy

- Any instance in which the officer feels they may be required to further substantiate their actions or decisions, or manner of interaction with a member of the public in a subsequent investigation.

~~In so far as is practicable, officers should restrict recording to areas and persons necessary in order to obtain evidence and intelligence relevant to the incident and should attempt to minimise collateral intrusion to those not involved.~~

Where practicable, officers will inform the individual (or group) that the BWC is switched on and recording. There may be occasions when to do so would escalate the incident or put the officer in danger if such a warning was given. However, in these cases, the officer may be required to justify such an action.

Recording should continue uninterrupted from the start of the recording until the conclusion of the incident. The officer should continue recording for a short period after any incident to clearly demonstrate that the incident has concluded. However, the nature of some incidents may make it necessary for the officer to consider the rationale for continuing to record throughout entire incidents.

If questioned, the officer must confirm to the enquirer that they are subject to recording and be prepared to answer questions as to the security of the data.

6.4 DATA MANAGEMENT

Any recordings must not be deleted from the BWC by the officer in the field, and must be retained as per the instructions in this policy.

Any recordings which have been made will be downloaded from the BWC for storage on Council's DEMS as soon as practicable, and subsequently deleted from the relevant BWC. All data will initially be classified as 'non-evidential' and stored for a period of 30 days, before being permanently deleted. In doing so Council will reduce the personal information it maintains greatly reducing the likelihood of misuse, loss and unauthorised access, modification or disclosure, as per Office of the Information Commissioner (OIC) guidelines.

If, at any time during the initial 30-day period, a recording is used as part of any internal or external investigation process or relates to the issuance of any form of compliance documentation, the relevant recording will be re-classified as per the Queensland State Archives Retention and Disposal Schedules and subsequently managed in accordance with Council's Record Management Policy.

BWC recordings will, upon request, be made accessible as soon as practicable to Queensland Police Service and other law enforcement agencies, if it is deemed 'reasonably necessary' for a law enforcement activity. In such circumstances, the relevant recording will be re-classified for longer-term retention as per above.

Any member of the public who has been identified as being recorded by BWC may request access to the footage, as per the Right to Information Act 2009 and Chapter 3 of the IP Act.

6.5 AUTHORISED OFFICERS

The following Council staff are authorised to administer the use and operation of BWC devices, and subsequently manage the records stored in Council's DEMS, including the delegation of applicable permissions to relevant operational personnel:

- Manager Development and Governance
- Manager Systems and Customer Service

Body Worn Camera Policy

7. RELATED DOCUMENTS AND REFERENCES

- *Information Privacy Act 2009 (QLD)*
- *Right to Information Act 2009 (QLD)*
- *Public Records Act 2002 (QLD)*
- *MSC Code of Conduct*
- *MSC Record Management Policy*
- *MSC Information Systems Access Policy*

8. REVIEW

It is the responsibility of the Manager Development & Governance to monitor the adequacy of this policy and implement and approve appropriate changes. This policy will be formally reviewed every four (4) years or as required by Council.

ITEM-5 FAR NORTH SPORTS AND PISTOL CLUB - REQUEST TO AMEND HOURS OF OPERATION

MEETING: Ordinary

MEETING DATE: 21 February 2018

REPORT OFFICER'S TITLE: Manager Development & Governance

DEPARTMENT: Corporate and Community Services

EXECUTIVE SUMMARY

A request has been received from the Far North Queensland Sports & Pistol Club to amend the hours of operation of their pistol range as set out in their lease with Council. The proposed amended hours will allow shooting at the range, seven (7) days per week between the hours of 9.00am to 9.00pm.

OFFICER'S RECOMMENDATION

"That Council agree to amend Clause 3.1.1 of the Far North Queensland Sports & Pistol Club's lease over part of Reserve for Recreation Lot 214 on DA461 to allow the Club's pistol range to operate seven (7) days per week (excluding Christmas Day) between the hours of 9.00am and 9.00pm."

BACKGROUND

A letter has been received from the Far North Queensland Sports & Pistol Club Inc requesting an amendment of the current operating hours of their pistol range which is located on Reserve for Recreation Lot 214 on DA461, Wetherby Road, Mt Molloy.

The Club holds a Trustee Lease over that portion of the Reserve on which the pistol range is located and clause 3.1.1 of the lease (incorrectly shown on the lease as clause 4.1.1) sets out the current approved hours of operation:

"Use of the firing ranges are limited to Saturdays, Sundays and Public Holiday Mondays (excluding Christmas Day), between the hours of 10:00am - 5:00pm. Practice shooting allowed on Wednesdays 1:00pm - 5:00pm."

On December 16, 2015 Council resolved "That Council agree to amend Clause 3.1.1 of the Far North Queensland Sports & Pistol Club's lease over part of Reserve for Recreation Lot 214 on DA461 to allow the Club's pistol range to operate seven days per week (excluding Christmas Day) between the hours of 9.00am and 5.00pm."

Previous 2015 correspondence from the Club, cited a number of their members work odd hours in the Tourism, Hospitality and Agricultural industries and the current hours penalise their ability to compete and practise. An amendment to their operating hours would bring them

into line with the Mareeba, Atherton and Dimbulah pistol clubs which operate seven (7) days a week.

The attached correspondence set to Council in July 2017 refers to the reason for extended hours is because most of the members are in business and the extra hours would enable them to shoot in the evening.

The matter of changing the operating hours was referred to the Weapons Licensing Branch of Queensland Police and they have no specific requirements in relation to the change of hours as this is between Council and the Club. The Club Secretary should, however, notify the Weapons Licensing Branch of any changes to firing rights.

LINK TO CORPORATE PLAN

COM 2: Conduct an analysis of current community facilities and develop a Shire wide community facilities plan to guide the assessment of maintenance programmes, possible capital upgrades of existing facilities and community requests for new facilities and ensure equity of access.

CONSULTATION

Internal

Manager Development and Governance

External

Weapons Licensing Branch, Queensland Police

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

The existing Trustee Lease held by the Club will need to be amended to reflect the changed operating hours.

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital

Nil

Operating

Nil

IMPLEMENTATION/COMMUNICATION

Council's decision will be communicated to the Club and action taken to amend the Trustee Lease.

ATTACHMENTS

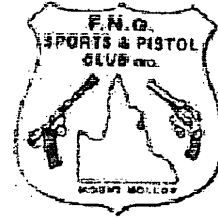
1. Letter dated 20 July 2017 from Far North Queensland Sports & Pistol Club Inc.
2. Map showing location of Pistol Range.

Date Prepared: *30 November 2017*

ATTACHMENT 1

FNQ SPORTS & PISTOL CLUB INC.

**PO BOX 993
MOSSMAN QLD 4873
ABN 78 809 158 698**



Alan Lambert,
Manager Development & Governance,
Mareeba Shire Council,
PO Box 154,
Mareeba, Qld. 4880.



20th July 2017

Dear Alan,

The FNQ Sports & Pistol Club requests an amendment to its operating hours, which currently are from 9a.m.-5p.m., to 9a.m.-9p.m.

The reason for this is because most of our members are in business and the extra hours would enable them to shoot in the evening.

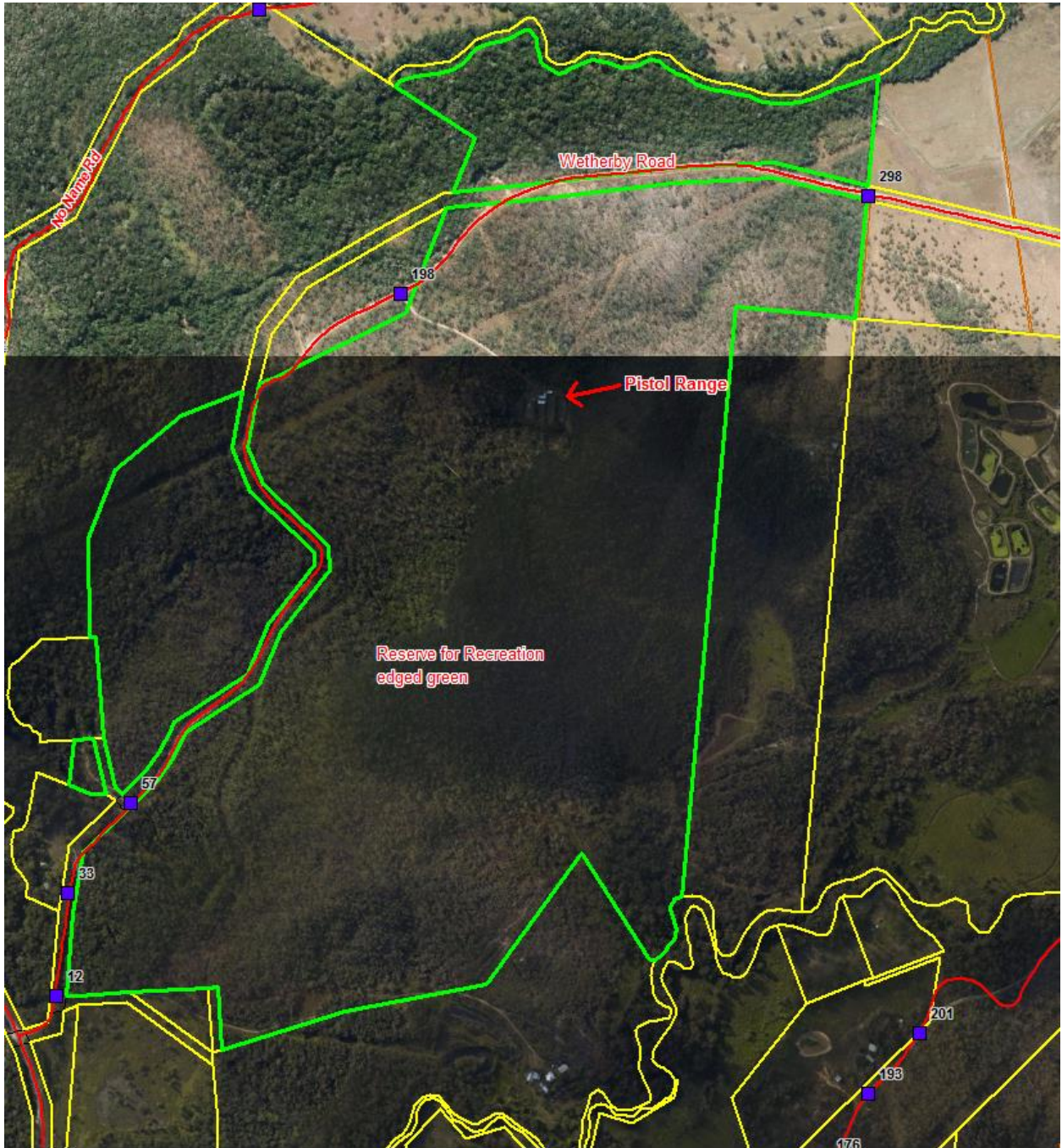
If this is granted the Club will then look at obtaining a grant for lighting.

Yours sincerely,

Jo Dau,
Secretary,
Ph. 0740981276,
Email – jodau@bigpond.com

ATTACHMENT 2

MAP SHOWING LOCATION OF PISTOL RANGE



ITEM-6 DELEGATIONS UPDATE FEBRUARY 2018

MEETING: Ordinary

MEETING DATE: 21 February 2018

REPORT OFFICER'S TITLE: Manager Development and Governance

DEPARTMENT: Corporate and Community Services

EXECUTIVE SUMMARY

As part of the monthly delegations update service provided by MacDonnells Law, Council is advised of amendments to various pieces of legislation that require amendments to existing delegations or new delegations to be made by Council.

OFFICER'S RECOMMENDATION

"That:

1. Council delegates the exercise of the powers contained in the attached Tables of Delegable Powers to the Chief Executive Officer, with such powers to be exercised subject to any limitations.
2. Any prior delegations of power relating to the same matters contained in the attached Tables of Delegable Powers are revoked."

BACKGROUND

Council have delegated to the Chief Executive Officer the necessary statutory powers under various pieces of legislation to enable him to effectively perform the requirements of his role and efficiently manage the operations of the Council.

Council subscribes to a monthly delegations update service provided by MacDonnells Law, under which MacDonnells review the myriad pieces of legislation that provide statutory powers to local government and they then advise the subscribing Councils of any changes to legislation that require amendment of existing delegations or new delegations to be made by Council.

The attached Tables of Delegable Powers display the legislation recently reviewed by MacDonnells and the amendments or additions to be made as a result thereof. If you require the Table of Delegable Powers in its entirety, please contact Manager Development and Governance.

Land Title Act 1994 ('LATA')

The LATA has been amended by the Land and Other Legislation Amendment Act 2017. The amendment has resulted in the provisions relating to priority notices coming into effect.

Limitations to the Exercise of Power

All delegations are made subject to the following limitations:

1. Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, the delegate in exercising delegated power in relation to that matter, will only commit the Council to reasonably foreseeable expenditure up to the amount allocated.
2. The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge, adversely affects, or is likely to adversely affect, the Council's relations with the public at large.
3. The delegate will not exercise any delegated power in relation to a matter which has already been the subject of a resolution or other decision of the Council (including a policy decision relating to the matter).
4. The delegate will not exercise any delegated power in a manner, or which has the foreseeable effect, of being contrary to an adopted Council policy or procedure.
5. The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6. The delegate will not exercise any power which cannot lawfully be the subject of delegation by Council.
7. Where the delegate refuses a particular matter, or an appeal is made in respect of the delegate's decision, the delegate will refer the matter to Council.
8. Where enforcement action is taken such as the issue of a notice or an order requiring compliance, the details of such action will be reported to Council for information.
9. The delegate will not exercise any delegated power where an application under a planning scheme would result in conflicting land uses, including an existing use or existing use right.

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

Director Corporate and Community Services

External

MacDonnells Law

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

There are legal implications for local government if management is not aware of the delegated powers and powers of authorised persons that are required for their sections to operate efficiently.

The statutory powers of employees, whether delegated to their position by the Chief Executive Officer or obtained as a result of an appointment as an authorised person under particular statutes, will be invalid if they cannot be supported by an instrument documenting the particulars.

In the case where Council is challenged on an action taken or a decision made by its employees, there needs to be proof that the employee held the powers required to do so. Such documentation is known as the instrument and is required for delegations, sub-delegations and appointments. Section 260 requires the Chief Executive Officer to establish and maintain a register of delegations and make it available to the public.

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital

Nil

Operating

Nil

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

1. Amendments to Tables of Delegable Powers

Date Prepared: 7 February 2018

Delegable Powers under the Land Title Act 1994 ("LATA")

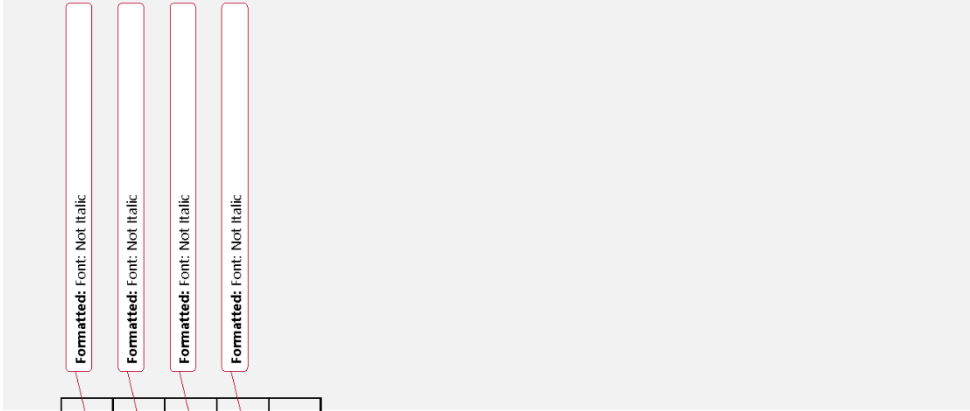
Part 7 - Other dealings
Part 7A - Settlement notice

Entity power given to	Section of LATA	Description	Delegation to the CEO / Date of Resolution	Sub-Delegation to Officers	Date of Sub-Delegation	Limitations and Conditions
Transferee	139(1)	Power to sign a settlement notice.				
Transferee	139(2)	Power to deposit a settlement notice.				
Transferee	141(1)	Power to consent to the registration of an instrument.				
Transferee	141(2)	Power to sign and deposit a request to withdraw a settlement notice.				
An affected person	144(1)	Power to apply to the Supreme Court for an order that a settlement notice be removed.				

Part 7A - Priority notices

Entity power given to	Section of LATA	Description	Delegation to the CEO / Date of Resolution	Sub-Delegation to Officers	Date of Sub-Delegation	Limitations and Conditions
Person	139(1)	Power to deposit a priority notice.				Formatted: Font: Not Italic
Person	139(2)	Power to sign a priority notice.				Formatted: Font: Not Italic
Person	141(1)	Power to deposit an extension request				Formatted: Font: Not Italic
Person	141(2)	Power to sign and extension request				Formatted: Font: Not Italic

¹ - The following changes to Part 7A (Priority notices) which are shown in ~~italics~~ have been introduced following the enactment of the Land and Other Legislation Amendment Act 2017, but they are not yet in effect, and will only come into effect on a date to be fixed by proclamation. When these changes come into effect, the existing Part 7A (Settlement notices) will be replaced.



Person	143(1)	Power to deposit a request to withdraw a priority notice.					Formatted: Font: Not Italic
Person	143(2)	Power to sign a request to withdraw a priority notice.					Formatted: Font: Not Italic
An affected person	144(1)	Power to apply to the Supreme Court for an order that a priority notice be removed.					Formatted: Font: Not Italic
Person	145(1)(a)	Power to deposit a request to cancel a priority notice.					Formatted: Font: Not Italic
Person	149(1)	Power to deposit a request to correct a priority notice.					

ITEM-7**MAREEBA INDUSTRIAL PARK - SALE OF LAND****REASON FOR CONFIDENTIALITY**

This report is **CONFIDENTIAL** in accordance with Section 275(1)(e) 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.

LOCAL LAWS

ITEM-8 **SELECTIVE APPROVED ANIMAL INSPECTION** **PROGRAM - MAREEBA 2018**

MEETING: Ordinary

MEETING DATE: 21 February 2018

REPORT OFFICER'S
TITLE: Supervisor Health & Local Laws

DEPARTMENT: Corporate and Community Services

EXECUTIVE SUMMARY

This report is presented to Council to endorse Council's Local Laws Officers to undertake a selective Approved (Animal) Inspection Program. This program will ensure compliance with the relevant legislation and Local Laws.

OFFICER'S RECOMMENDATION

"That Council endorse a selective Approved Inspection Program (as attached) to ensure:

1. Compliance with the registration and microchipping requirements of the Animal Management (Cats & Dogs) Act 2008; and
2. Compliance with section 14 of Local Law No. 2 Animal Management 2011 - duty to provide proper enclosure and prevent the animal from wandering."

BACKGROUND

The Animal Management Act provides the head of power for Local Governments to conduct Approved Inspection Programs (AIP). An AIP under the Animal Management (Cats & Dogs) Act can be either a selective inspection program or a systematic inspection program. Such programs are designed to be carried out on an annual basis to check if animal owners are complying with the requirement to register their dogs.

Under the Animal Management Act 2008, a **selective inspection program** provides for the selection, in accordance with the resolution, of places in the local government's area, or a particular part of the area, to be entered and inspected. A **systematic inspection program** provides for all places, or all places of a particular type, in the local government's area, or a particular part of the area, to be entered and inspected.

A program under this Act must not be for a period greater than six (6) months.

The Local Government Act also provides for Local Governments to conduct Approved Inspection Programs (AIP) where the provision being checked is a Local Government Act

provision. An example is where Council is checking compliance with a provision of Council's Local Laws, such as the requirement to provide a proper enclosure to prevent the animal from wandering.

Under the Local Government Act 2009, a **selective inspection program** allows an authorised person to enter and inspect those properties in the local government area that have been selected in accordance with the objective criteria specified in the resolution. A **systematic inspection program** allows an authorised person to enter and inspect all properties, or all properties of a certain type in the local government area.

A program under the Act must not be for a period greater than three (3) months.

Where Council wish to enter properties to check if dogs are registered, the Approved Inspection Program (AIP) is to be in reference to the Animal Management Act; however, where Council wish to enter properties to check if owners have a proper enclosure that prevents their dogs from escaping and wandering at large, the AIP is to be in reference to the Local Government Act.

The attached AIP has been drafted to include both statutes to ensure that officers are not limited to enforcing only one requirement.

In undertaking this program, Council staff will do their best not to reduce the current service level, however, it must be acknowledged that there will be some impact on service levels. This impact will be monitored by the Manager Development and Governance and reported accordingly.

Council recently conducted an Approved Inspection program in the Kuranda, Speewah and Mt Molloy area. The program proved to be successful with a number of residents registering their dogs and property enclosures being inspected to ensure compliance.

This program, is not limited to, but will be focusing on various areas in the Mareeba township. More specifically, Fenwick Street, Courtney Street, Earl Street, and surrounding streets around the Mareeba Race Course.

The program will be advertised to be carried out between April to June 2018.

LINK TO CORPORATE PLAN

Environment - a natural and living environment that provides safety and enjoyment for the community and visitors.

CONSULTATION

Internal
Manager Development and Governance

External
Nil

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

In order to ensure that officers' actions can be supported in any subsequent legal challenge, their powers to enter must be carried out in accordance with the provisions of the Local Government Act 2009 and the Animal Management (Cats & Dogs) Act 2008.

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS*Capital*

Nil

Operating

This program is not anticipated to impact on existing operating budgets, however priority tasks may require additional officer time which may impact on operating budgets in a minimal way. Approved overtime must be approved by the Manager Development and Governance.

Is the expenditure noted above included in the 2017/2018 budget?

Not specifically, however no request for additional operating budgets are being sought at this stage.

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

Other service levels may need to be reduced during this time to ensure no (or minimal) budget over runs occur.

IMPLEMENTATION/COMMUNICATION

Once Council resolve to conduct an Approved Inspection Program, it must be published in the public notices no sooner than 14 days and no longer than 28 days before the commencement of the program.

ATTACHMENTS

1. Mareeba Shire Council Approved Inspection Program - Registration and Enclosures

Date Prepared: 7 February 2018



APPROVED INSPECTION PROGRAM
Animal Management Act 200B & Local Government Act 2009
Dogs - Registration and Enclosures

Introduction

Mareeba Shire Council resolved on 21 February 2018 that;

1. A selective Approved Inspection Program be carried out to ensure compliance with the registration requirements of the Animal Management (Cats & Dogs) Act 2008; and
2. A selective Approved Inspection Program be carried out to ensure compliance with section 14 of Local Law No. 2 (Animal Management) 2011 - duty to provide a proper enclosure and prevent the animal from wandering.

Purpose of Program

To ensure that the owners of dogs within the Mareeba Shire council area have complied with;

- the registration requirements prescribed by the Animal Management (Cats & Dogs) Act 2008 and
- the duty to provide a proper enclosure to prevent the animal from wandering in Council's Local Law.

Program Times

The selective inspection program will commence on 1 April 2018 and terminate on 1 July 2018. It will be conducted between the hours of 6:00am and 6:00pm Monday to Sunday, with the majority of inspections to be carried out during normal working hours, or at such time depending on the circumstances of the householder.

Properties to be Inspected

Properties that may be inspected include properties in the town of **Mareeba and surrounds**.

Enforcement

Registration

Where an Authorised Person identifies a dog as not being registered for the current year 2017/2018 an infringement notice (\$252) will be issued.

Enclosure

Where an Authorised Person identifies that a proper enclosure is not provide:

1. A verbal or written warning will be issued encouraging the owner to comply with a proper enclosure within 14 days.
2. Where a proper enclosure has not been provided within 14 days a Compliance Notice will be issued to the responsible person requiring them to comply within 28 days.
3. Where owners subsequently fail to comply with the Compliance notice, they will be issued an infringement notice (\$630).

FINANCE

ITEM-9 FINANCIAL STATEMENTS FOR PERIOD ENDING 31 JANUARY 2018

MEETING: Ordinary

MEETING DATE: 21 February 2018

REPORT OFFICER'S TITLE: Manager Finance

DEPARTMENT: Corporate and Community Services

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with an overview of financial matters for the period 1 July 2017 to 31 January 2018.

OFFICER'S RECOMMENDATION

"That Council note the financial report for the period ending 31 January 2018."

BACKGROUND

Financial Summary

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

For the period ending 31 January 2018, Council shows an operational deficit of \$1,174,078 compared to a budgeted deficit of \$5,173,624. The budget deficit is due to the Rates levy for the six-month period January to June not being raised and issued until February. It is anticipated that the actual surplus will realign with the budgeted surplus by 30 June 2018.

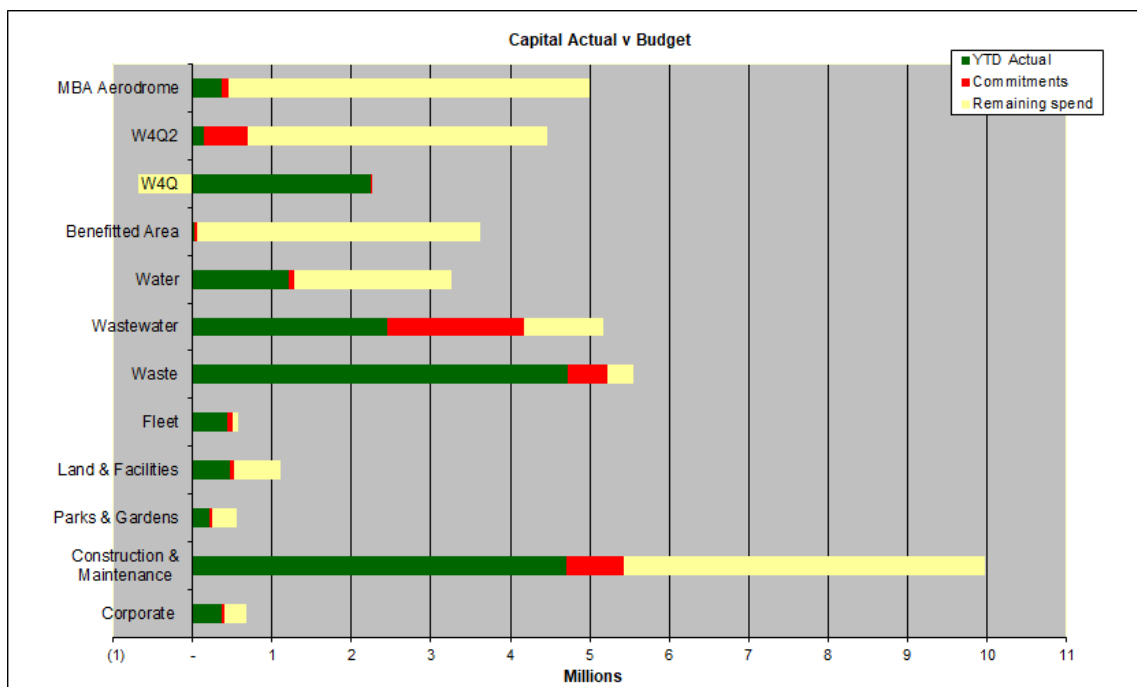
The budget reflects the 2017/18 Budget as adopted by Council at the 21 June 2017 meeting. There are no additional issues to discuss or areas of concern at this stage. As each month goes past, there will be more financial data to analyse and any areas of concerns will be highlighted.

January 2018 - Snapshot

Total Operating Income	\$	23,545,012
Total Operating Expenditure	\$	24,719,090
Operating Surplus/(Deficit)	\$	(1,174,078)
Total Capital Income (grants, developer contributions)	\$	9,188,307
Net Result - Surplus/(Deficit)	\$	8,014,229

Capital Expenditure

Total capital expenditure of \$21,215,495 (including commitments) has been spent for the period ending 30 June 2018 against the 2017/18 adjusted annual capital budget of \$41,512,344. The annual adjusted capital budget includes the 2016/17 carry overs (\$29,190,145), additional projects for 2017/18 (\$2,742,763) and W4Q2 (\$3,710,000).

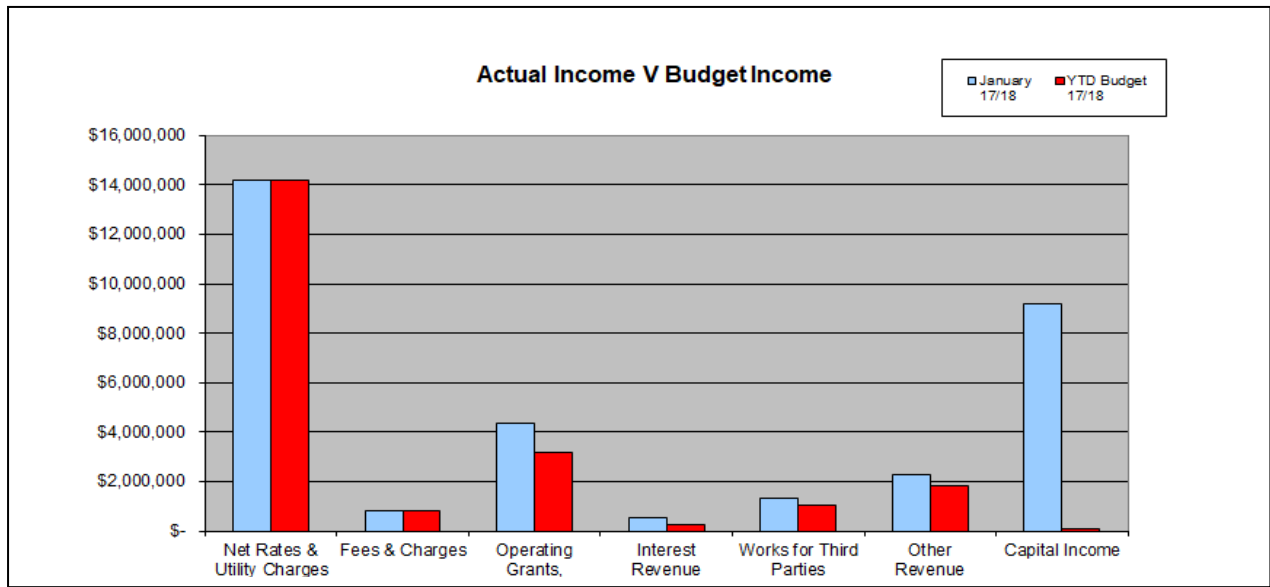


The W4Q remaining spend is shown in the negative to represent the council contribution for additional demolition and repair costs for timber bridges.

Income Analysis

Total income (including capital income of \$9,188,307) for the period ending 31 January 2018 is \$32,733,319 compared to the YTD budget of \$21,295,116.

The graph below shows actual income against budget for the period ending 31 January 2018.



	Actual YTD	Budget YTD	Note
Net Rates & Utility Charges	14,196,618	14,175,337	
Fees & Charges	815,265	820,525	
Operating Grants, Subsidies & Contributions	4,376,478	3,163,723	1
Interest Received	540,823	240,800	
Works for Third Parties	1,340,085	1,043,137	2
Other Revenue	2,275,743	1,852,594	3
Capital Income	9,188,307	0	4

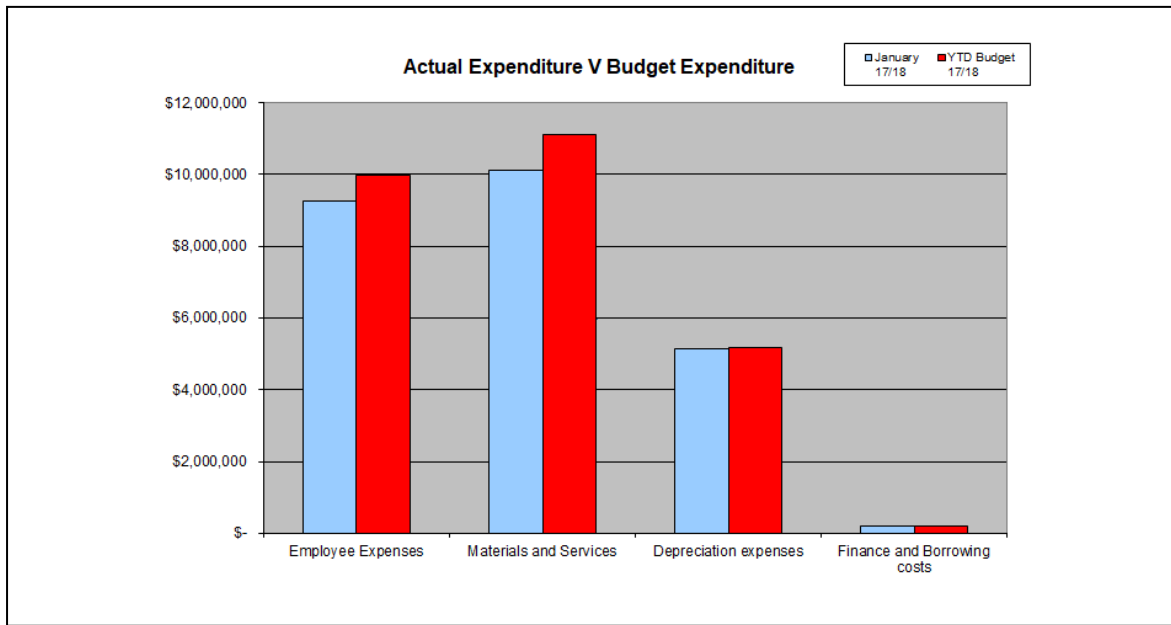
Notes:

1. Favourable variance is a timing issue relating to income already received from NDRRA and how the budget has been apportioned.
2. Favourable variance is due to additional 3rd party works which was not originally budgeted for. The associated costs form part of the operational expenses which were also not budgeted. The net impact of these additional works is likely to be a small surplus and will be reported at the completion of the works.
3. To date we have received \$86k in insurance recoveries (no budget allocated) leases and rental income is currently \$137k higher than budget however this is a timing issue and expected to even out closer to 30 June, and sale of scrap metal has also exceeded YTD budget by \$119k.
4. Council has currently received \$8.2m in capital grants (TIDS, R2R, W4Q progress payment), \$244k in Developer Contributions and \$714k of Donated Assets for Bellevue Stages 1 – 3, Wylandra Stages 6B – 6C and Amaroo Stage 8 which were not reflected in the budget.

Expenditure Analysis

Total expenses for the period ending 31 January 2018 is \$24,719,090 compared to the YTD budget of \$26,469,740.

The graph below shows actual expenditure against budget for the period ending 31 January 2018.



Description	Actual YTD	Budget YTD	Note
Employee expenses	9,259,862	9,965,771	1
Materials & Services	10,127,190	11,123,993	2
Depreciation expenses	5,145,267	5,186,708	3
Finance & Borrowing costs	186,771	193,268	

Notes:

1. There are no significant issues to report. The reason for the large variance at this point in time is a result of the spread of budget across the year - with employee expenses allocated equally over 12 periods not equating precisely to the pay periods. Staff absences and staff working on capital projects also contribute to this favourable variance. The anticipated total spend on employee expenses is expected to align with budgets for the 2017/18 year.
2. The variance largely relates to a timing issue and it is anticipated that by 30 June 2018, the anticipated budget will be spent.
3. There will be an increase of depreciation of almost \$200k. This is due to the findings from the comprehensive asset valuation that was undertaken on bridges as at 30 June 2017.

Loan Borrowings

Council's loan balance as at 31 January 2018 is as follows:

QTC Loans \$6,375,655

Rates and Sundry Debtors Analysis

Rates and Charges

The total rates and charges payable as at 31 January 2018 is \$2,919,325 which is broken down as follows;

Status	31 Jan 2018		31 Jan 2017	
	No of properties	Amount	No of properties	Amount
Valueless land	72	2,040,048	69	1,025,886
Collection House	299	614,680	347	753,798
Exhausted – awaiting sale of land	8	79,232	17	184,854
Sale of Land	8	95,941	10	173,743
Other	645	89,424	355	53,579
TOTAL	1032	2,919,325	842	2,191,860

The procedure has commenced to acquire valueless land properties and will take up to 12 months to complete.

The Sale of Land process is now underway, with \$95,941 likely to be collected over the coming 4 months.

The Rates Notices for the period ending 30 June 2018 were issued on 13 February 2018 with the discount due date being 16 March 2018. Total Gross Rates and Charges levied for this six (6) month period will be \$16,502,291.

Collection House collected \$137,097 for the month of January.

Sundry Debtors

The total outstanding for Sundry Debtors as at 31 January 2018 is \$662,875 which is made up of the following:

Current	30 days	60 days	90 + days
\$532,432	\$7,239	\$1,370	\$121,834
0.81%	0.01%	0.00%	0.18%

90+ days: \$110,474 currently under investigation, legal advice has been sought.

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: 7 February 2018

MAREEBA SHIRE COUNCIL
Budgeted Income Statement by Fund
For the period ending 31 January 2018

	Consolidated		General Fund		Waste Services		Sewerage Services	
	Actual YTD	Budget YTD	Actual YTD	Budget 2017/18	Actual YTD	Budget YTD	Actual YTD	Budget YTD
Revenue								
Rates and utility charges	15,100,022	15,075,885	8,400,468	8,279,006	1,778,936	1,759,518	2,305,179	2,277,016
Less Discounts and Pensioner Remissions	(903,404)	(900,548)	(903,404)	(900,548)	-	-	-	-
Net Rates and Utility Charges	14,196,618	14,175,337	7,497,064	7,378,458	1,778,936	1,759,518	2,305,179	2,277,016
Fees and Charges	815,265	820,525	813,226	803,025	-	-	2,038	17,500
Operating Grants and Subsidies	3,882,857	2,721,267	3,882,857	2,721,267	-	-	-	-
Operating Contributions	493,621	442,456	-	-	-	-	-	-
Interest Revenue	540,823	240,800	249,579	157,500	131,064	25,000	92,978	-
Works for Third Parties	1,340,085	1,043,137	1,305,709	1,010,917	937,852	870,975	2,616	5,833
Other Revenue	2,275,743	1,852,594	1,253,019	943,994	937,852	870,975	15,429	-
Total Operating Revenue	23,545,012	21,296,115	15,001,454	13,015,161	2,847,852	2,655,493	2,418,240	4,594,032
Expenditure								
Employee Expenses	9,259,862	9,965,771	8,328,576	9,063,685	214,364	173,378	292,066	233,245
Materials and Services	10,127,190	11,123,992	5,497,296	6,123,069	2,063,071	2,280,902	904,791	938,664
Depreciation expense	5,145,267	5,186,708	3,696,965	3,460,286	67,407	55,708	576,847	704,344
Finance and Borrowing costs	186,771	193,288	113,622	109,247	-	-	73,149	84,022
Total Operating Expenses	24,719,090	26,469,759	17,636,459	18,756,287	2,344,842	2,509,988	1,846,853	3,338,576
Operating Surplus/(Deficit)	(1,174,079)	(5,173,624)	(2,635,005)	(5,741,126)	503,010	145,505	571,387	340,074
Capital Income								
Capital Contributions	244,227	-	206,060	-	-	-	17,176	-
Capital Grants and Subsidies	8,228,397	-	6,612,411	-	-	-	647,527	-
Donated Assets	714,183	-	714,183	-	-	-	-	-
Profit/(Loss) on Sale of Asset	-	-	-	-	-	-	-	-
Net Result	8,014,229	(5,173,624)	4,897,649	(5,741,126)	503,010	145,505	1,236,090	340,074
								1,255,456

MAREEBA SHIRE COUNCIL
**Budgeted Income Statement by Fund
 For the period ending 31 January 2018**

	Sewerage Services		Water Services		Benefited Areas	
	Actual YTD	Budget YTD	Actual YTD	Budget YTD	Actual YTD	Budget 2017/18
Revenue						
Rates and utility charges	2,305,179	2,277,016	2,457,716	2,599,159	157,723	161,187
Less Discounts and Pensioner Remissions	-	-	-	-	-	-
Net Rates and Utility Charges	2,305,179	2,277,016	2,457,716	2,599,159	157,723	161,187
Fees and Charges	2,038	17,500	-	-	-	-
Operating Grants and Subsidies	-	-	-	-	-	-
Operating Contributions	-	-	-	-	493,621	442,456
Interest Revenue	92,978	-	38,500	29,167	28,702	24,967
Works for Third Parties	2,616	5,833	31,760	26,387	-	-
Other Revenue	15,429	-	68,682	16,333	761	21,292
Total Operating Revenue	2,418,240	2,300,349	2,596,658	2,671,046	680,807	1,286,586
Expenditure						
Employee Expenses	292,066	233,245	375,839	444,366	49,018	51,097
Materials and Services	904,791	938,664	1,549,250	1,606,698	112,782	174,659
Depreciation expense	576,847	704,344	746,858	831,548	57,190	134,823
Finance and Borrowing costs	73,149	84,022	-	-	-	-
Total Operating Expenses	1,846,853	1,960,275	2,671,947	2,882,612	218,990	360,579
Operating Surplus/(Deficit)	571,387	340,074	(75,289)	(211,566)	461,817	289,323
Capital Income						
Capital Contributions	17,176	-	20,991	-	-	-
Capital Grants and Subsidies	647,527	-	969,959	-	-	-
Donated Assets	-	-	-	-	-	-
Profit/(Loss) on Sale of Asset	664,703	-	990,950	-	-	-
Net Result	1,236,090	340,074	915,661	(211,566)	461,817	696,769

COMMUNITY WELLBEING

ITEM-10 **GOVERNMENT GRANT PROGRAM**

MEETING:	Ordinary
MEETING DATE:	21 February 2018
REPORT OFFICER'S TITLE:	Senior Engagement Officer
DEPARTMENT:	Corporate and Community Services

EXECUTIVE SUMMARY

Government grant programs are available for application by Council. This report proposes a suitable project for each of the respective grant programs and seeks approval for the delivery of each project and commitment to the respective co-contributions.

OFFICER'S RECOMMENDATION

"That Council submits grant applications for the following programs:

1. Heavy Vehicle Safety and Productivity Program round 6 - for the Keegan Street extension to connect to Effley Street at the Mareeba Industrial Park, and commit a co-contribution of \$1m from the 2018/19 Budget; and
2. Get Planning Spaces Program - for the development of the Mareeba Shire Sport and Recreation Infrastructure Strategic Plan 2018 - 2028 and commits a co-contribution of \$25,000 from the 2017/18 Budget; and
3. Spirit of Service round 5 Queensland Anzac Centenary Small Grants Program - to replace and upgrade World War II Victory in the Pacific historical markers at 20 sites throughout Mareeba."

BACKGROUND

Heavy Vehicle Safety and Productivity Program round 6

The extension to the road network to connect Keegan Street and Effley Street is required to ensure road safety at the Mareeba Industrial Park. Currently terminating in cul de sacs, use of these roads, including heavy vehicles, is increasing as the Park expands. This project is eligible for 50% funding under the Heavy Vehicle Safety and Productivity Program round 6, requiring a co-contribution from Council of \$1m and an application for \$1m. This will require adoption in the 2018/19 Budget and would be funded from land sales in the Industrial Park.

Get Planning Spaces Program

A long-term plan is required to make informed decisions about sport and recreation infrastructure in the shire, to be used by Council, clubs and other stakeholders. The Plan would inform Council's long-term assessment management plan and long term financial

management plan regarding sport and recreation infrastructure and facilities and support the sustainability of clubs leasing council facilities. The development of the Mareeba Shire Sport and Recreation Infrastructure Strategic Plan 2018 - 2028 is eligible for a grant under the Get Planning Spaces Program. This would require a co-contribution from Council of \$25,000, and an application for \$75,000 in grant funds to make a total project cost of \$100,000.

The co-contribution is available in the 2017/18 capital budget by re-purposing two (2) existing planning projects for which a total of \$65,000 is allocated. The main outcomes of the Mareeba and Kuranda Pedestrian and Bikeway Study and the Mareeba Off Road Trails Master Plan could be achieved by including this work in the scope of the sport and recreation infrastructure planning project. By these means, \$25,000 is available for the grant co-contribution and \$40,000 can be used for condition assessments of key facilities and infrastructure, design work and costings for the sport and recreation infrastructure plan. This will make good data available to inform decisions about maintenance programs, renewals and community requests for capital upgrades and new facilities.

Spirit of Service

The WWII Victory in the Pacific historical marker upgrade project proposes to replace existing timber posts originally installed in the 1980's with new more durable recycled plastic marker posts. Many of the original timber markers have weathered and deteriorated and are in poor condition in need of replacing. The marker posts indicate locations of historical significance utilised by the military from 1942-1945 in the defence of northern Australia as part of the Pacific war effort. The project is eligible for a grant under the Spirit of Service round 5 Queensland Anzac Centenary Small Grants Program, requiring nil contribution and a co-application for \$17,000.

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.

COM 2: Conduct an analysis of current community facilities and develop a Shire wide community facilities plan to guide the assessment of maintenance programs, possible capital upgrades of existing facilities and community requests for new facilities to ensure equity of access.

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

GOV 2: Prepare a detailed strategic asset management plan to underpin asset sustainability.

CONSULTATION

Internal

Director infrastructure Services

Director Corporate and Community Services

Manager Community Well being

External

Department of National Parks, Sport and Recreation
President, Returned Services League, Mareeba Sub Branch
Department of Premier and Cabinet

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

The Sport and Recreation Infrastructure Strategic Plan will produce reliable data to inform the Long Term Assessment Management Plan and the Long Term Financial Management Plan

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS*Capital*

Nil

Operating

Nil

Is the expenditure noted above included in the 2017/2018 budget?

The co-contribution for the Mareeba Shire Sport and Recreation Infrastructure Strategic Plan 2018 - 2028 grant application is included in the capital budget

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

The \$1m co-contribution for the road works to connect Keegan and Effley Streets at the Mareeba Industrial Park will require adoption in the 2018/19 Budget to be funded from land sales.

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

1. Nil

Date Prepared: 8 February 2018

ITEM-11 **KURANDA RECREATION CENTRE**

MEETING: Ordinary

MEETING DATE: 21 February 2018

**REPORT OFFICER'S
TITLE:** Senior Community Wellbeing Officer

DEPARTMENT: Corporate and Community Services

EXECUTIVE SUMMARY

This report details a request for Councillor consideration to support the Kuranda Recreation Centre through the Community Partnerships Program 2017/18.

OFFICER'S RECOMMENDATION

"That Council approve the request from the Kuranda Recreation Centre Committee for a \$5,000 interest-free loan for a period of 12 months."

BACKGROUND

The Kuranda Recreation Centre Committee is seeking financial support to complete upgrade works to the facility during 2018.

The upgrade will improve the Centre by providing a functional kitchen with suitable equipment and provide better storage and accessibility to the downstairs area. The aesthetic and functional improvements of the upgrade are expected to increase community utilisation of the facility.

These works have been approved, in principle, by Council's Infrastructure Services Group.

The Committee has made attempts to leverage grant funds for the upgrades to the Centre using the \$20,000 seed-funding committed by Council. These grant applications have not been successful to date.

The Committee is aware that the purpose of the seed-funding is to leverage government grant funds that would otherwise not be available to the Club and is not intended as a donation towards the upgrades. The Committee has established a partnership with RISE Ventures to undertake a Work for the Dole project, which means that the project is more affordable and will achieve a wider benefit in the community.

The Committee requires \$10,000 to fund the project and has fundraised \$5,000 and is requesting an interest-free loan for the remaining \$5,000.

Loan Terms

Loan Amount: \$5,000
Loan Term: 12 months
Repayment Frequency: Annually

LINK TO CORPORATE PLAN

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

CONSULTATION*Internal*

Senior Community Wellbeing Officer
Manager Community Wellbeing
Financial Accountant
Director Corporate and Community Services
Chief Executive Officer

External

Kuranda Recreation Centre Committee

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital
Nil

Operating

Foregone interest amount will be recorded as an in-kind contribution in the Community Partnerships Program budget.

Is the expenditure noted above included in the 2017/2018 budget?

Yes, this expenditure will be covered in the funds allocated for new requests under Council's CPP budget.

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

Nil

IMPLEMENTATION/COMMUNICATION

Community Wellbeing Officers will advise the Committee in writing of the outcome of the application and advise Finance.

Finance will liaise with the Committee to finalise the Loan Agreement.

ATTACHMENTS

1. Nil

Date Prepared: 12 February 2018

INFRASTRUCTURE SERVICES

TECHNICAL SERVICES

**ITEM-12 TENDER EVALUATION TMSC2017-23 THERWINE
STREET REDEVELOPMENT, KURANDA**

MEETING: Ordinary

MEETING DATE: 21 February 2018

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

DEPARTMENT: Infrastructure Services

EXECUTIVE SUMMARY

The purpose of this report is to inform Council of the assessments of tender submissions for TMSC2017-23 Therwine Street Redevelopment, Kuranda and provide recommendation on award of the tender.

Tenders were invited from shortlisted respondents following a call for Expressions of Interest (EOI) and closed at 11:00am on Tuesday, 7 November 2017 and two (2) responses were received.

OFFICER'S RECOMMENDATION

"That Council awards TMSC2017-23 Therwine Street Redevelopment, Kuranda to JMac Constructions Pty Ltd for a total value of \$1,318,554.60 (Inclusive of GST)."

BACKGROUND

The Therwine Street Redevelopment Project has been approved for construction and funded under the provisions of the Kuranda Infrastructure Program (KIP). The purpose of the upgrade is to revitalise Therwine Street in Kuranda by improving pedestrian movements and easing traffic congestion. The project forms part of Council's ongoing commitment to systematically upgrading infrastructure to adequately service visitor demand and enhance Kuranda's appeal as a world class tourist destination in accordance with the Kuranda Infrastructure Agreement and Strategic Plan.

Council resolved at the Ordinary Meeting held on 16 August 2017 to call for Expressions of Interest (EOI) from suitably qualified contractors capable of undertaking the detailed design and construction of the Therwine Street redevelopment within the budget available.

Council received three (3) EOI submissions from JMac Constructions Pty Ltd (J Mac), HEH Civil Pty Ltd (HEH) and NQ Lighting Pty Ltd. Following assessment of the EOI submissions received, JMac and HEH were shortlisted to tender for this project. Trinity Engineering and

Consulting was engaged to undertake preparation of the tender documentation, evaluation and negotiation with the tenderers on Council's behalf.

Tender Procurement Process

Tender documentation was made available to the shortlisted Tenderers through Tender Link on 25 September 2017 with the tender period closing date set as 17 October 2017. Following requests from both Tenderers citing delays in design, the tender period was subsequently extended. The requests for an extension of time were assessed by Council officers as reasonable and the tender period was extended to 7 November 2017. During the tender period, no tender addenda were issued, nor were any requests for information received from the Tenderers.

Tender submissions were received from both JMac Constructions Pty Ltd (JMac) and HEH Civil Pty Ltd (HEH). Tendered prices at opening are summarised below:

Tenderer	Original Tendered Price (excl GST)	Original Tendered Price (incl GST)
JMac Constructions Pty Ltd	\$1,044,380.00	\$1,148,818.00
HEH Civil Pty Ltd	\$1,667,637.27	\$1,834,401.00

The tender submission received from HEH was assessed as complete and did not require clarification to the information provided.

The tender submission received from JMac was assessed and several clarifications were sought. Specifically, JMac Constructions advised a tendered price of \$1,258,686.00 (excl GST) within the submitted cover letter, however the priced schedule was recorded as \$1,044,380.00 (excl GST).

JMac confirmed that tender price was \$1,258,686.00 (excl GST) as recorded in the cover letter.

Opportunities for savings to JMac's tendered price were investigated during an onsite meeting on 8 November 2017 between Council officers, Trinity Engineering and JMac. Possible savings were identified including provision of solar street lighting in lieu of mains powered lighting, amendments to stormwater drainage, and provision of survey services by Council. In response to the above, JMac reduced the tendered price by \$80,011.26 (GST exclusive) based on all offered savings, making the adjusted tendered price for JMac \$1,178,674.74 excluding GST (\$1,296,542.21 GST inclusive). JMac also advised that during design development, further cost savings could be explored and dealt with as negative variations to the Contract.

Tender Evaluation

Tenders were reviewed in accordance with the evaluation criteria stated in the tender documentation (3.2 Qualitative Criteria):

Relevant Experience	30%
Demonstrated Understanding	30%
Price	40%

Each tender was evaluated and scored against items under these criteria. These scores were then weighted, and total weighted scores were determined.

JMac Constructions Pty Ltd (JMac)

JMac, a subsidiary of BMD Constructions Pty Ltd, is a large national company specialising in landscape construction, including streetscape projects. JMac has demonstrated extensive experience in delivering projects of a similar nature for Brisbane City Council, Townsville City Council, Ipswich City Council and Mackay Regional Council. These project budgets ranged from \$680k to \$16M.

JMac provided details of the proposed construction methodology detailing the staging of works for this project to minimise the impact on stakeholders. JMac propose to have site facilities with display boards that will include design, program and support information to keep stakeholders and residents informed. JMac did not provide a construction timeline but have stated that works would be planned for completion before the onset of the 2018 tourist high season.

While JMac submitted the lowest tendered price, this exceeds the total budget allocated for the Therwine Street Redevelopment project.

HEH Civil Pty Ltd (HEH)

HEH is local civil construction business with offices in Mareeba and Cairns, specialising in delivery of civil infrastructure. HEH has delivered numerous civil infrastructure projects in Far North Queensland and are currently completing civil projects for Cook Shire Council, Tablelands Regional Council and DTMR; however, was unable to demonstrate relevant experience in delivering projects of a similar nature.

HEH provided a detailed methodology including a timeline indicating a 10-week construction timeframe and propose to hold public consultation over a 2-week time period prior to construction commencing. HEH's methodology also included details of the staging of works for this project to minimise the impact on stakeholders.

HEH submitted the highest tendered price which also exceeds the available project budget.

Tender Scoring

Tenders were evaluated by Trinity Engineering and Consulting on Council's behalf using tendered information and post tender correspondence received.

Based on the objective evaluation carried out against the evaluation criteria, the two shortlisted submissions scored out of ten as follows:

Tenderer	Assessed Tendered Price (incl GST)	Score	Rank
JMac Constructions Pty Ltd	\$1,296,542.21	6.4	1
HEH Civil Pty Ltd	\$1,834,401.00	4.2	2

The scoring reflects the opinion that the tender from JMac Constructions Pty Ltd offers Council the best value for money, background experience and methodology to satisfactorily design and construct the Therwine Street Redevelopment project.

Consultation with Kuranda Infrastructure Advisory Committee

Kuranda Infrastructure Advisory Committee (KIAC) was consulted regarding the tender process and preferred tender on 1 February 2018. At that meeting the committee made the recommendation that additional funding be allocated to the project from the Kuranda Infrastructure Fund and that Council award the tender to JMac with only the solar lighting to be adopted from the offered cost-saving options. This represents an estimated increase of approximately \$20,000 to the tendered price from that used in the evaluation.

Following the recommendation from KIAC, confirmation of an amended (final) tender price was sought from JMac. On 13 February 2018, JMac confirmed a tender price of \$1,198,686 excluding GST (\$1,318,554.60 GST inclusive) for the agreed scope of works as recommended by KIAC.

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

Project Manager Civil
Manager Finance

External

Trinity Engineering and Consulting
Kuranda Infrastructure Advisory Committee

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

Latent conditions during the construction phase is a project risk and a nominal amount should be budgeted for in the event that any latent conditions are realised.

POLICY IMPLICATIONS

Tenders for the project were invited in accordance with Council's procurement policy.

FINANCIAL & RESOURCE IMPLICATIONS

Capital

The project is funded through the Kuranda Infrastructure Fund and \$1,050,000 has been allocated as part of Council's 2017/2018 capital works budget for the project. To proceed with the project, it is recommended that additional funding be allocated from Kuranda Infrastructure Fund reserves to deliver the scope of tendered works, plus make allowance for project management costs, latent conditions and contingency.

Operating

Nil

IMPLEMENTATION/COMMUNICATION

Advice will be provided to residents and businesses affected by any activities.

ATTACHMENTS

Nil

Date Prepared: *14 February 2018*

ITEM-13 CHILLAGOE RETRANSMISSION SITE - SHUTDOWN OF SITE AND SALE OF EQUIPMENT**MEETING:** Ordinary**MEETING DATE:** 21 February 2018**REPORT OFFICER'S TITLE:** Senior Facility Officer**DEPARTMENT:** Infrastructure Services, Technical Services Group

EXECUTIVE SUMMARY

Council currently maintains the Chillagoe Retransmission Facility, which provides Digital and Radio transmissions for the residents of Chillagoe. This Service is partially funded via a Benefited Area Levy against the ratepayers within the Chillagoe Area. Following Community Consultation (May 2017) Council Officers have progressed with preparations for the orderly shutdown of the facility, which is currently planned for 28 February 2018.

This report seeks authority from Council to finalise the shutdown and undertake the necessary disposal of the transmission infrastructure.

OFFICER'S RECOMMENDATION

"That Council:

1. approves the shutdown of the Chillagoe Retransmission Site (Digital TV & Radio) on the 28 February 2018; and
2. delegates authority to the Chief Executive Officer in accordance with the Local Government Act 2009, to enter into contracts, negotiate, finalise and execute any and all matters relating to the shutdown and disposal of the facility."

BACKGROUND

Council currently maintains the Chillagoe Retransmission site, which provides Digital and Radio transmissions for the residents of Chillagoe. This Service is partially funded via a Benefited Area Levy against the ratepayers within the Chillagoe Area.

Due to the ongoing costs associated with the provision of this Service, Council Officers sought community feedback regarding its continued support (including the continuance of the Benefited Area Levy), or the desired transitioning to the Viewer Access Satellite TV (VAST) network with assistance from Council to purchase the necessary equipment. Following Public Forums and polling, the majority of the Community voted to cease operation of the Facility.

Council responded to the community's request and ceased charging the levy as at 30 June 2017, which means that the digital television transmission will end. Residents were also informed that radio transmission would cease at the same time.

At its 20 December 2017, Ordinary Meeting, Council authorised assistance for the supply and installation to 29 residences equipment to access the VAST Network. This program has been finalised and the proposed shutdown date of 28 February 2018 has been communicated to the residents.

N-Com, who have provided support and maintenance to the site for the duration of its operation, will be engaged to shut down the site and remove the equipment. The cost to Council to disconnect the equipment is approximately \$4,360 (excluding GST).

Investigations regarding the sale or disposal of the infrastructure will be undertaken by officers and finalised via CEO delegated authority, as per the above recommendation.

LINK TO CORPORATE PLAN

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

CONSULTATION

Internal

Chief Executive Officer
Director Infrastructure Services
Manager Community Wellbeing
Senior Facility Officer

External

N-Com

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital

Nil

Operating

\$4,360 (excluding GST)

Is the expenditure noted above included in the 2017/2018 budget?

Nil

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

From the sale of the equipment on site.

IMPLEMENTATION/COMMUNICATION

Following publication of Council minutes authorise N-Com to proceed with sale of equipment and to shut the site down.

ATTACHMENTS

1. Action from general meeting held 20 December 2017 - Chillagoe Vast Community Assistance

Date Prepared: 14 February 2018

Attachment 1**ACTION FROM ORDINARY MEETING**

**Held on Wednesday, 20 December 2017
For ITEM-18**

SUBJECT: Chillagoe VAST Community Assistance

Moved by Cr Davies

Seconded by Cr Graham

"That Council endorses the approval of 29 applications for assistance from Chillagoe residents and engage a suitable contractor to supply and install VAST equipment at each of their residences as soon as possible."

CARRIED

ITEM-14 **APPLICATION FOR PERMANENT ROAD CLOSURE OF AN AREA OF ROAD RESERVE ABUTTING LOT 2 ON MPH32528 - 4 PLOWMAN STREET, MAREEBA****MEETING:** Ordinary**MEETING DATE:** 21 February 2018**REPORT OFFICER'S TITLE:** Technical Officer Investigations**DEPARTMENT:** Infrastructure Services, Technical Services Group

EXECUTIVE SUMMARY

Correspondence has been received from an applicant seeking Council's position on an application to permanently close an area of road reserve abutting the northern boundary of Lot 2 on MPH32528, 4 Plowman Street, Mareeba.

It is understood the request for closure is to incorporate the land into the applicant's existing freehold property.

OFFICER'S RECOMMENDATION

"That Council, as the Road Manager, advises the Department of Natural Resources, Mines and Energy (DNRME) of no objection to the application for permanent road closure abutting the northern boundary of Lot 2 on MPH32528, 4 Plowman Street, Mareeba as detailed in the applicant's letter dated 6 February 2018."

BACKGROUND

As part of the Department of Natural Resources, Mines and Energy (DNRME) road closure application process, DNRME requires a submission from the Road Manager prior to any decision on an application.

Accordingly, the applicant is requesting Council's views as the Road Manager, to permanently close an area of road reserve abutting the northern boundary of Lot 2 on MPH32528, 4 Plowman Street, Mareeba and shown on the Locality Plan Map (Attachment 2). Council is to determine the impacts of the application and provide a response to DNRME, supported by reasons for the decision.

The applicant wishes to close the road reserve to incorporate it into their adjoining freehold lot and as advised by the applicant "To attempt to correct the historical nature of Lot 2 on MPH32528 and its encroachment on to the road reserve, the proposed boundary change is within the previously disturbed footprint of the Lot 2 yard area."

There is no Council infrastructure contained within the applied for area (Attachment 2).

A concrete driveway for two (2) properties lies within the road reserve, however the applied for area covers only a small portion of the applicant's driveway.

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

Planning officers;
Manager Works;
Supervisor Water Reticulation

External

Applicant

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital

Nil

Operating

Nil

IMPLEMENTATION/COMMUNICATION

Following publication of Council minutes prepare and send communication to DNRM advising of Council's decision.

ATTACHMENTS

1. Correspondence received from the applicant dated 6 February 2018
2. Locality Plan Map including Council Infrastructure
3. Road Reserve Map View

Date Prepared: 12 February 2018

P

ROA-CLO-PER
IMS

06/02/2018

Mareeba Shire Council
PO Box 154
Mareeba Qld 4880



Proposal for permanent part road closure – 4 plowman street

My name is Robert Miller and am the owner of Lot 2 MPH 32528 at 4 plowman street Mareeba. I am seeking non objection from Mareeba Shire Council as the road manager for a proposal to permanently close a small portion of Plowman street to add to Lot 2 MPH 32528. This proposal is an attempt to correct the historical nature of Lot 2 and it's encroachment onto the road reserve. The proposed boundary change is marked in red on the attached map and is within the previously disturbed footprint of Lot 2 yard area. Also attached is a title search for lot 2 MPH 32528 and a form C for providing a statement. If you need any other information to help consider this proposal please feel free to contact me.

Regards

Robert Miller

4 Plowman Street
Mareeba Qld 4880
0427577931



DEPARTMENT OF NATURAL RESOURCES AND MINES
Statement in relation to an application under
the *Land Act 1994* over State land
Part C

Supplementary requirements

This form (Part C) is to be used to support the following applications under the *Land Act 1994* (Land Act);

- Application for Road Closure. [Part B Form LA18](#).
- Application for Road Licence. [Part B Form LA19](#).
- Application for a Permit to Occupy. [Part B Form LA03](#).
- Application to Dedicate State land as Road. [Part B Form LA17](#).

Refer to the [DNRM web site](#) and relevant Part B for specific application requirements.

Important information

Notice of your application must be first provided to the road manager or trustee of the reserve to determine the impacts of your application.

Road Manager is –

- the local government for a road that is under the control of the a local government; or
- for a State-controlled road—the chief executive of the department administering the *Transport Infrastructure Act 1994*.

Section 68 of the *Local Government Act 2009* and section 74 of the *City of Brisbane Act 2010*, requires notice of any proposed closure or opening be provided to the local government. The local government **must fully state their reasons** for their decision, which this department will consider.

The local government may have a specific local law for administering the use of local roads and reserves.

A Permit to Occupy application over a reserve or road must include the support of the reserve trustee or the road manager. For reserve land, the trustee of the reserve must provide additional comments stating why a trustee lease is not supported.

Public Utility Provider includes services for gas, electricity, water and telecommunications e.g. Telstra Corporation Ltd, Yes Optus, Energex, Ergon, Powerlink, APA Group.

Your local government or Dial Before your Dig website may assist in identifying utilities on the subject land.

I/We _____, as

Please tick relevant fields –

- Road Manager; or**
- Trustee of a Reserve issued under the *Land Act 1994*; or**
- Public Utility Provider** (Electricity, Telecommunication, Gas providers and only required for road closure applications)

have considered information from the applicant including:

- Completed copy of the application form, namely Part A and Part B – Application under the Land Act
- Copy of drawing showing general location, Lot on Plan information and dimensions referred to as _____ (copy attached).

and advise the Department of Natural Resources and Mines (DNRM) that use of the land as proposed:

- Will be authorised by the road manager or trustee of the reserve land and advise that no further contact with DNRM is needed at this time;
- Can be authorised by the road manager or trustee of the reserve land under administered or controlling legislation, however the proposed tenure it is not supported for the reasons detailed in the additional comments;
- Can be authorised by the road manager or trustee of the reserve land, however there is an overriding interest to the State of Queensland for the reasons detailed in the additional comments, and requests DNRM to consider issuing tenure;
- Is unable to be authorised by the road manager or trustee of the reserve land for the reasons detailed in the additional comments and includes views on the proposed tenure;
- Has been considered by the public utility provider and have no objection to the proposed road closure; or
- Has been considered by the public utility provider and advise that there are requirement to be considered as noted in the additional comments.

Additional comments –

Provide information or requirements that you believe should be consider when assessing this application. (If there is insufficient space, please lodge as an attachment)

Note – a different form of tenure may be considered a more appropriate tenure once the application has been assessed.

Authorisation

I certify that I have the authorisation to make this statement and the information I have provided is true and accurate.

I have **signed** a copy of the attached drawing and all other documents provided by the applicant in relation to this application.

**Full name and position of person making this
declaration on behalf of the road manager,
trustee or public utility provider**

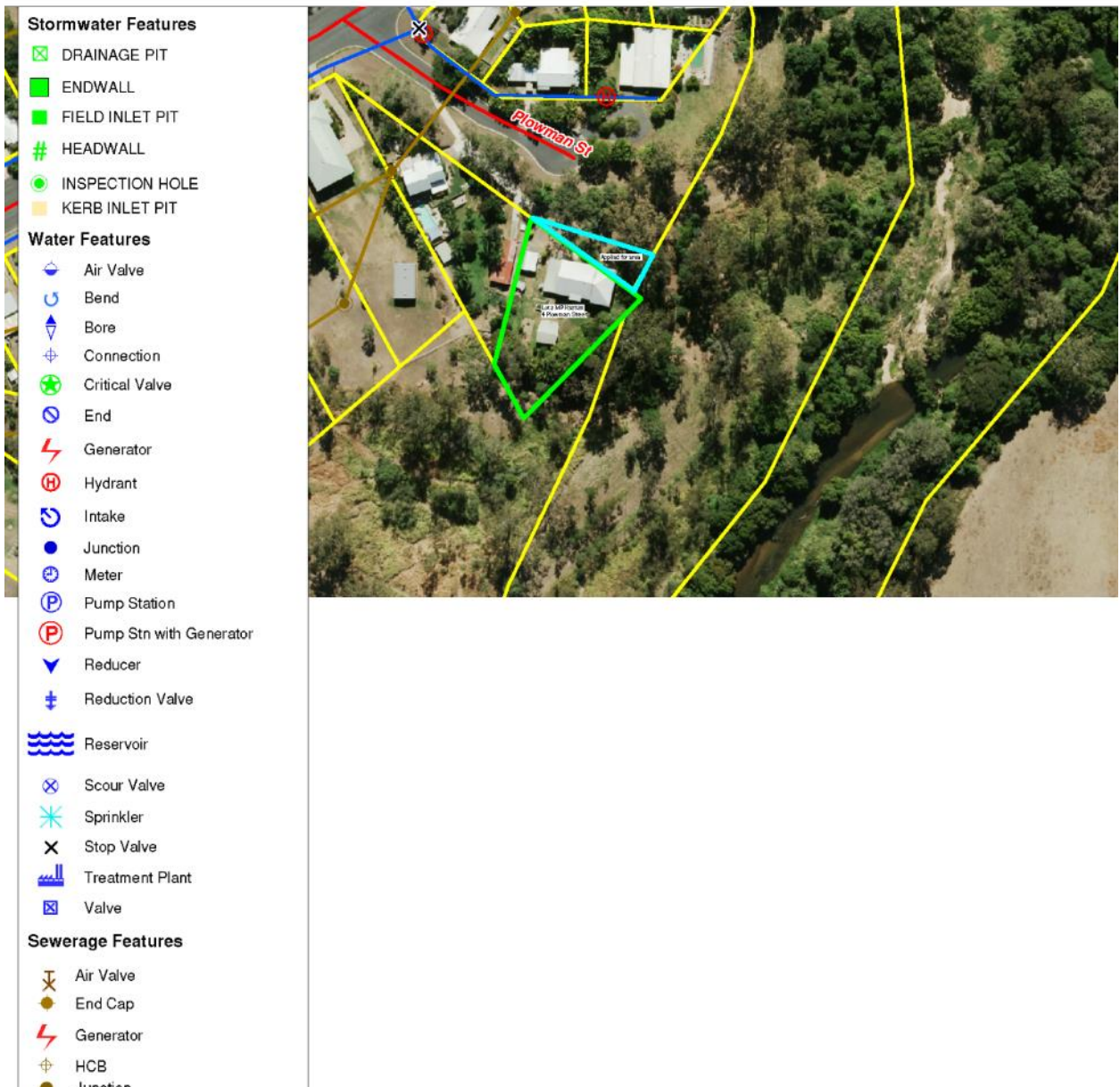
Signature

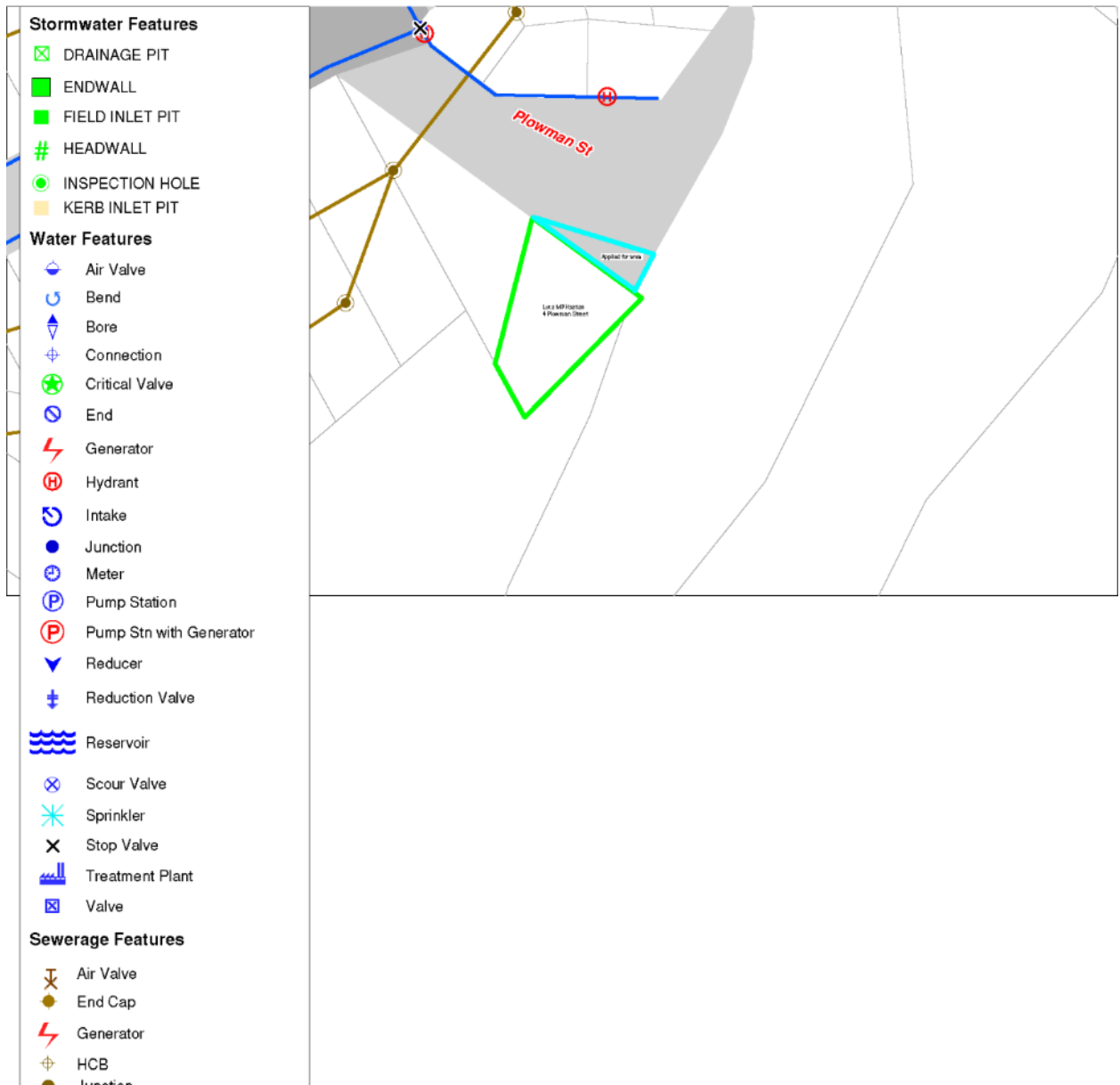
Date: / /

This information will not otherwise be disclosed outside of the department unless required or authorised by law such as under the Right to Information Act 2009.

END DOCUMENT







**ITEM-15 APPLICATION FOR PERMANENT ROAD CLOSURE OF
AN AREA OF ROAD RESERVE ABUTTING LOT 3 ON
RP728071 - RA 50 MOUNT HAREN ROAD, KURANDA****MEETING:** Ordinary**MEETING DATE:** 21 February 2018**REPORT OFFICER'S
TITLE:** Technical Officer Investigations**DEPARTMENT:** Infrastructure Services, Technical Services Group

EXECUTIVE SUMMARY

Correspondence has been received from an applicant seeking Council's position on an application to permanently close an area of road reserve abutting the southern boundary of Lot 3 on RP728071, RA 50 Mount Haren Road, Kuranda.

It is understood the request for closure is to incorporate the land into the applicant's existing freehold property.

OFFICER'S RECOMMENDATION

"That Council, as the Road Manager, advises the Department of Natural Resources, Mines and Energy (DNRME) it does not support the permanent road closure of an area of road reserve abutting the southern boundary of Lot 3 on RP728071, RA 50 Mount Haren Road, Kuranda but offers no objection to temporary road closure."

BACKGROUND

As part of the Department of Natural Resources, Mines and Energy (DNRME) road closure application process, DNRME requires a submission from the Road Manager prior to any decision on an application.

Accordingly, the applicant is requesting Council's views as the Road Manager, to permanently close an area of road reserve abutting the southern boundary of Lot 3 on RP728071 and shown on the map supplied by the applicant (Attachment 2). Council is to determine the impacts of the application and provide a response to DNRME, supported by reasons for the decision.

The applied for area is approximately 477 meters long and 20 meters wide.

The applicant has advised that the purpose of the closure is to incorporate the road reserve into their adjoining freehold lot and to improve access to all parts of the property.

There is no formed road or track maintained by Council in this section of road reserve, however, a private driveway for the applicant lies within the eastern end of the road reserve in question.

If the road closure were to proceed as per the application:

- Future connectivity of the road network would be impacted as the area of road reserve connects to other sections of unmaintained road reserve further to the west.
- The need for alternative access to Council's Reserve (Park and Recreation Reserve) to the west of the applied for area, being Lot 291 on NR6631 if the narrow access point from Hilltop Close is not traversable for any reason. (Attachment 5).

It is the opinion of Council officers that the section of road reserve subject to this application may still be required for access and/or infrastructure at some time in the future and should remain open at this time.

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

Planning officers
Manager Works

External

Applicant

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital

Nil

Operating

Nil

IMPLEMENTATION/COMMUNICATION

Following publication of Council minutes prepare and send communication to DNRM advising of Council's decision.

ATTACHMENTS

1. Correspondence received from the applicant dated 22 January 2018
2. Applied for area supplied by the applicant
3. Locality Plan Map View
4. Road Reserve Map View
5. Council Reserve

Date Prepared: *12 February 2018*

From: john brooksbank [mailto:jwbrooksbank@gmail.com]
Sent: Wednesday, 17 January 2018 2:15 PM
To: Info (Shared) <info@msc.qld.gov.au>
Subject: John Brooksbank submits request for Council response concerning offer to purchase a portion of Road Reserve alongside Lot 3 RP728071 Mount Haren Road Kuranda

Dear Sir,

I have been referred to you this morning by staff of the planning section of your Mareeba Shire Council.

We own a property on Mount Haren Road, Kuranda (Lot 3, RP728071). On looking on maps of the block, the southern boundary is bordered by a road reserve, apparently designated as Fallon Close.

It appears to me that this road was planned at a time before the construction of the current alignment of the Kennedy Highway in possible anticipation of development alongside the then highway, now Mt Haren Road.

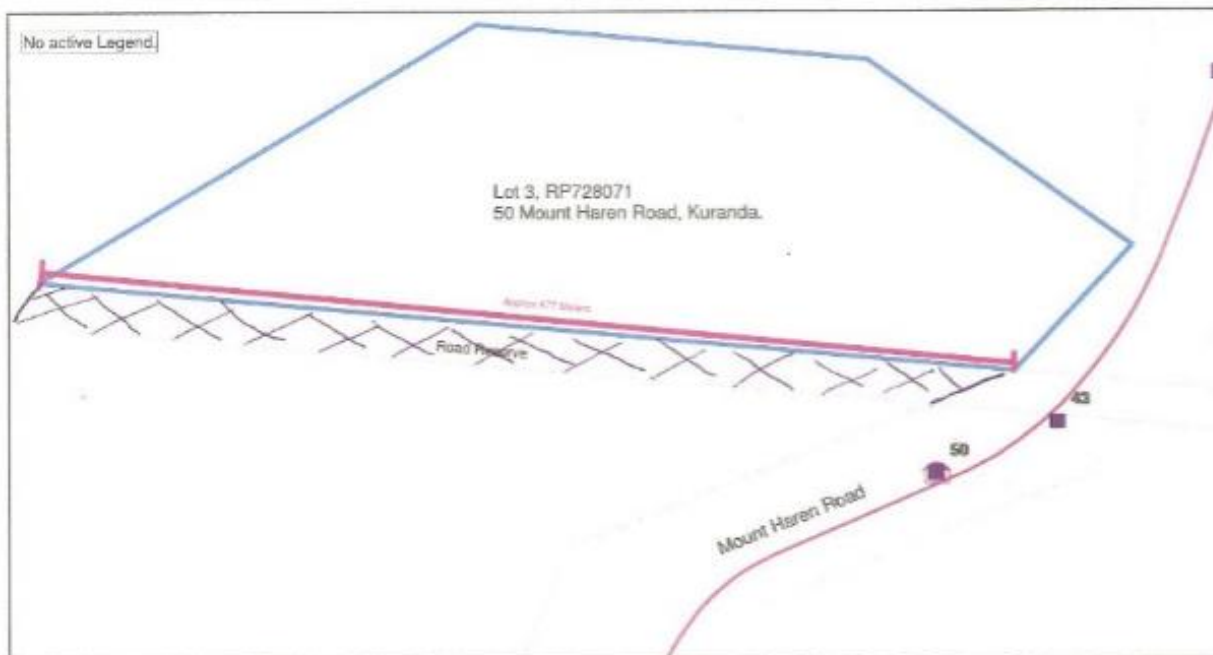
Now that the re-aligned highway has been constructed some years ago I am wondering whether this road reserve is still required by the Government. If not then I would be interested in purchasing the portion of the road reserve that runs along the southern boundary of this property – a distance of 447.5 metres.

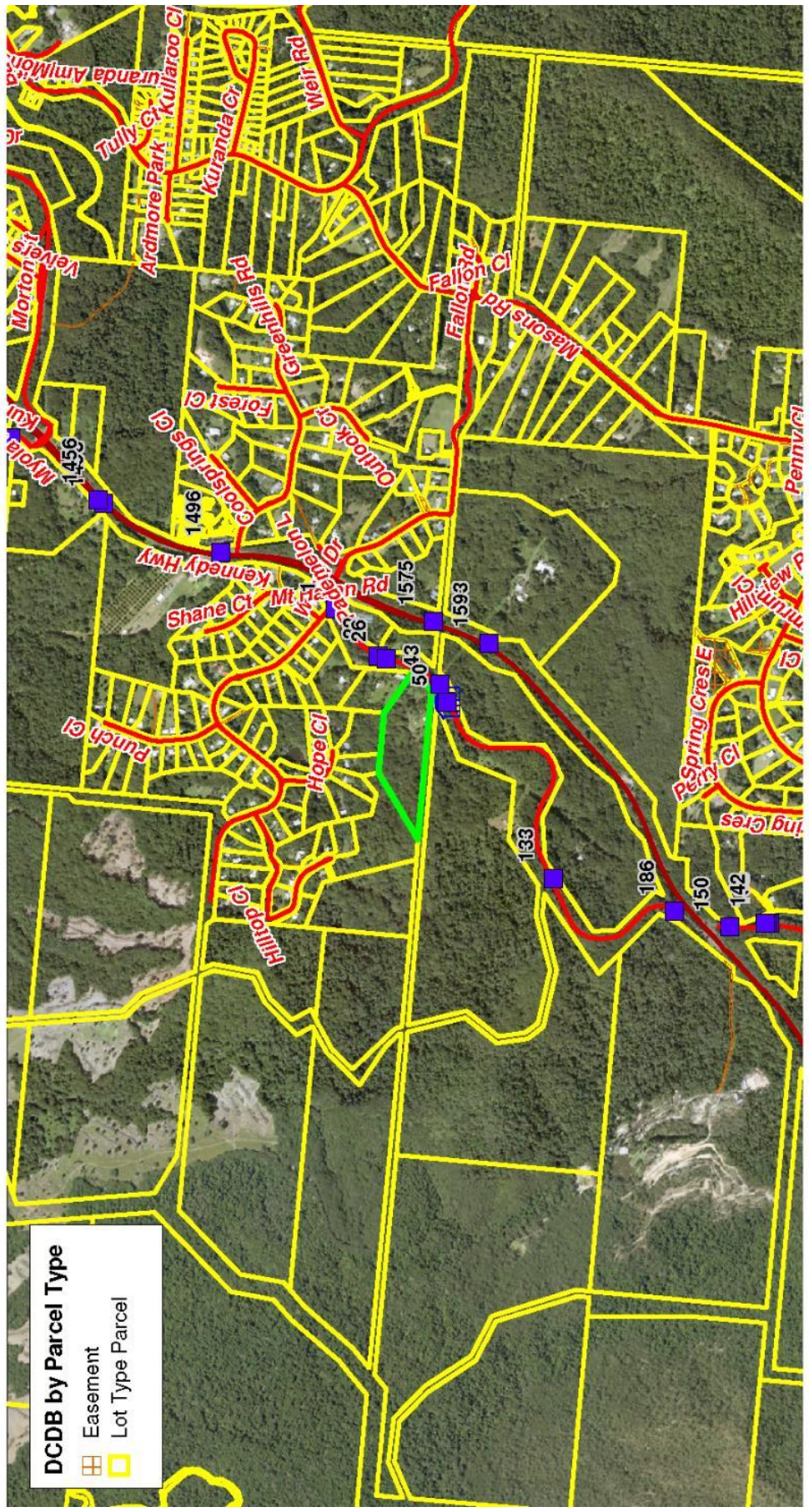
I would be grateful for your advice on this matter and if the acquisition of extra land to the south of my block is feasible, then also the correct procedure for progressing this.

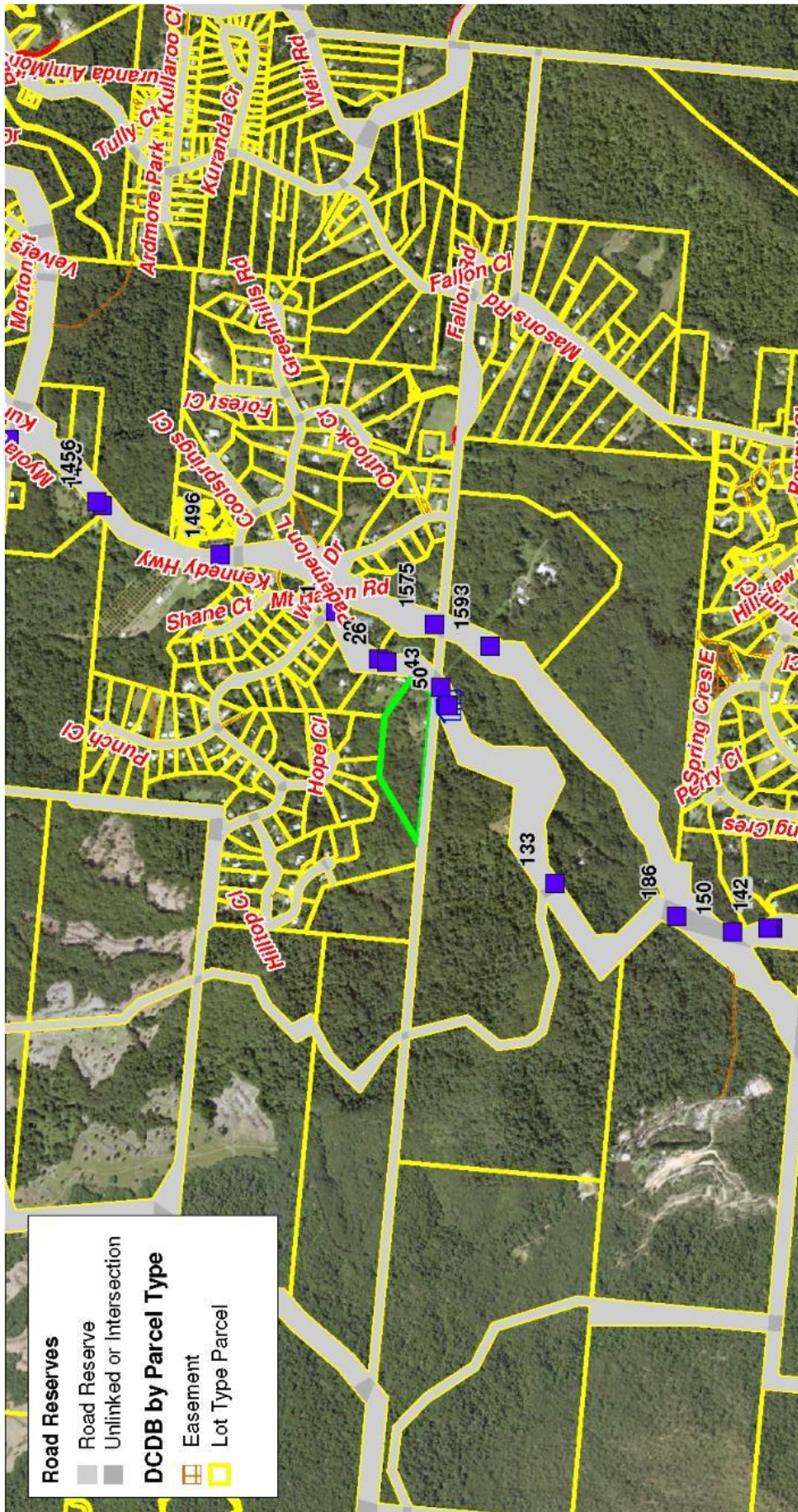
I look forward to hearing from you in the near future, either by email or via letter to P.O.Box 317, Kuranda, 4881.

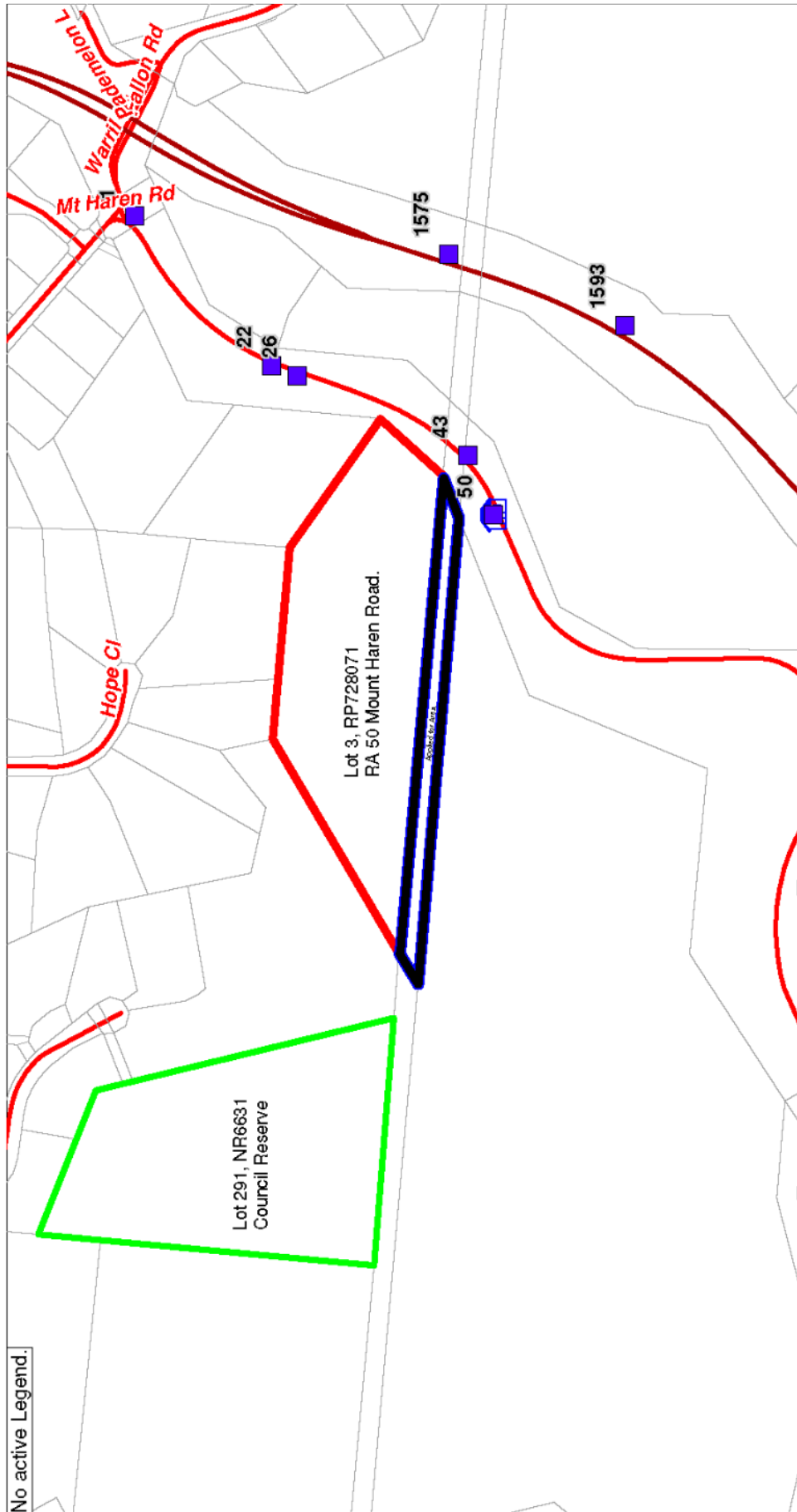
Regards John Brooksbank

Sent from [Mail](#) for Windows 10









ITEM-16 **APPLICATION FOR PERMANENT ROAD CLOSURE OF AN AREA OF ROAD RESERVE ABUTTING LOT 122 ON SP295178 - RA 760 LEADINGHAM CREEK ROAD, DIMBULAH**

MEETING: Ordinary

MEETING DATE: 21 February 2018

REPORT OFFICER'S TITLE: Technical Officer Investigations

DEPARTMENT: Infrastructure Services, Technical Services Group

EXECUTIVE SUMMARY

Correspondence has been received from an applicant seeking Council's position on an application to permanently close an area of road reserve abutting Lot 122 on SP295178, RA 760 Leadingham Creek Road, Dimbulah.

It is understood the request for closure is to incorporate the land into the applicant's existing freehold property.

OFFICER'S RECOMMENDATION

"That Council, as the Road Manager, advises the Department of Natural Resources, Mines and Energy (DNRME) of no objection to the application for permanent closure of an area of road reserve abutting Lot 122 on SP295178, RA 760 Leadingham Creek Road, Dimbulah."

BACKGROUND

As part of the Department of Natural Resources, Mines and Energy (DNRME) road closure application process, the DNRME requires a submission from the Road Manager prior to any decision on the application.

Accordingly, the applicant is requesting Council's views as the Road Manager, to permanently close an area of road reserve abutting the boundary of Lot 122 on SP295178 and shown on the Drawing number SP295178 supplied by the applicant. (Attachment 1)

The applicant advises they wish to close the road to incorporate it into the adjoining freehold lot being Lot 122 on SP295178 as this will make fencing of the property easier.

There is no formed road or track maintained by Council and there are no current or future plans to use this section of road reserve.

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

Planning

Manager Technical Services
Manager Waste and Water
Manager Works

External

Applicant

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital

Nil

Operating

Nil

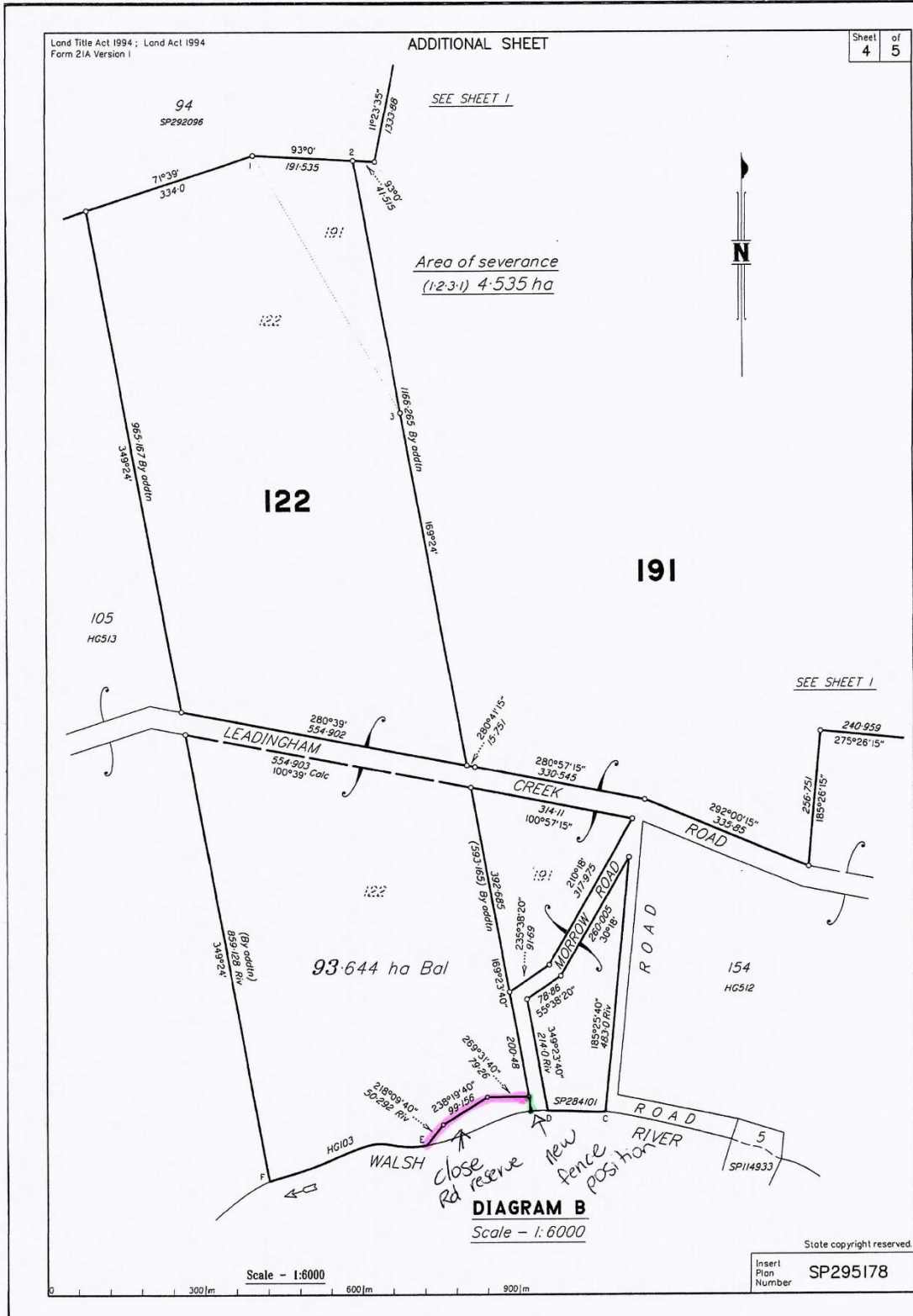
IMPLEMENTATION/COMMUNICATION

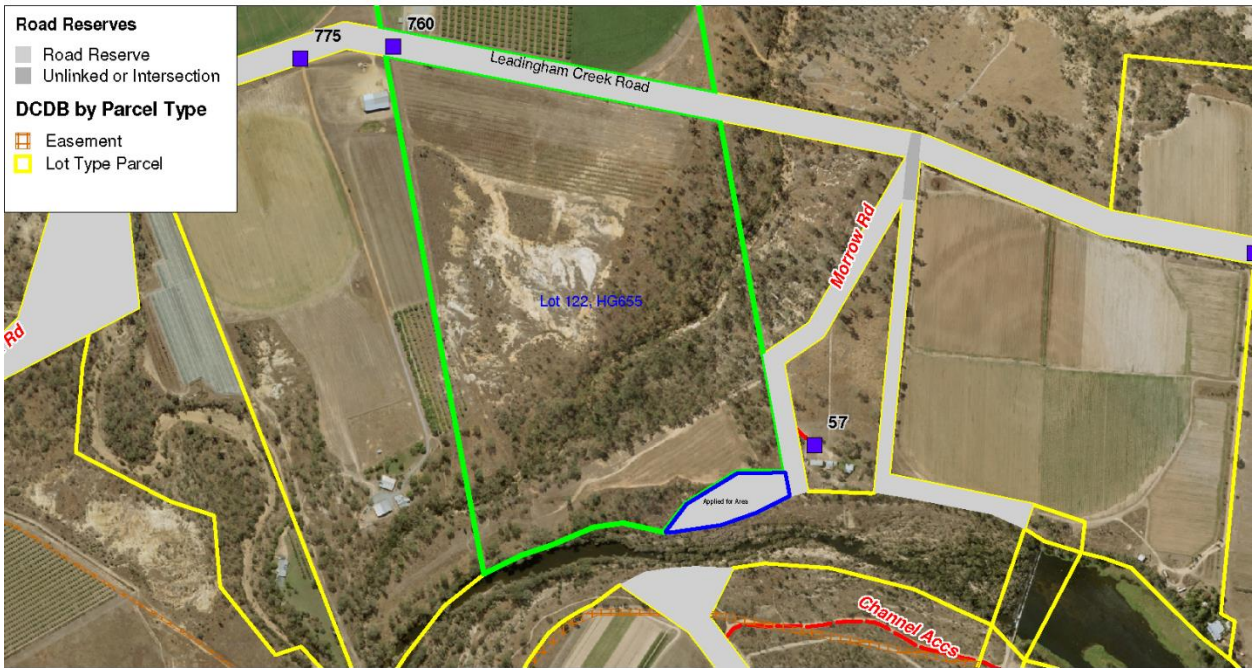
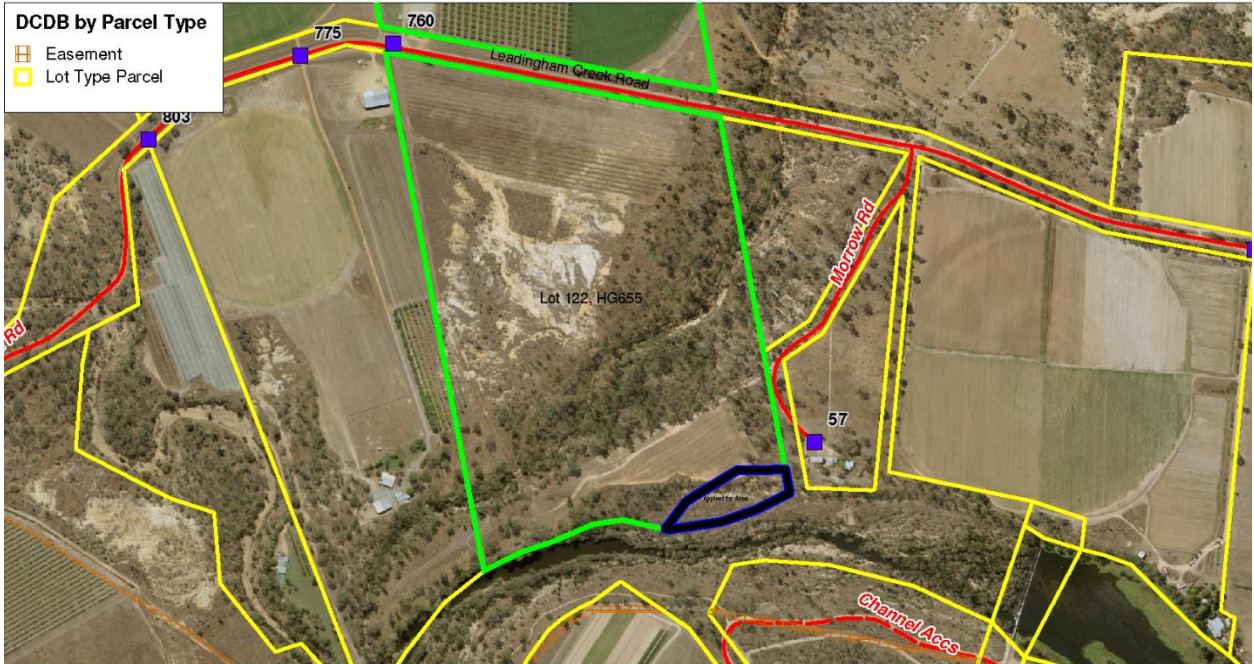
Following publication of Council minutes prepare and send communication to DNRM advising of Council's decision.

ATTACHMENTS

1. Copy of Drawing supplied by the Applicant
2. MSC - GIS Map Info - Area of Application
3. MSC - GIS Map Info - Road Reserve Plan

Date Prepared: 9 February 2018





ITEM-17 **APPLICATION FOR TEMPORARY ROAD CLOSURE OF AN AREA OF ROAD RESERVE ABUTTING LOT 2 ON RP732204 - RA 21 PIKE ROAD MAREEBA**

MEETING: Ordinary

MEETING DATE: 21 February 2018

REPORT OFFICER'S TITLE: Technical Officer Investigations

DEPARTMENT: Infrastructure Services, Technical Services Group

EXECUTIVE SUMMARY

Correspondence has been received from the applicant seeking Council's position on an application for temporary road closure over an area of road reserve abutting the north eastern boundary of Lot 2 on RP732204, RA 21 Pike Road Mareeba.

It is understood the request for closure is to incorporate the area into the applicant's existing freehold property.

OFFICER'S RECOMMENDATION

"That Council advises the Department of Natural Resources, Mines and Energy (DNRME) that Council does not support the request for permanent road closure as detailed in the applicant's letter dated 6 June 2017, however Council would not object to temporary road closure over half of the applied for area."

BACKGROUND

As part of the Department of Natural Resources, Mines and Energy (DNRME) road closure application process, DNRME requires a submission from the Road Manager prior to any decision on the application.

Accordingly, the DNRME is requesting Council's views as the Road Manager, on the temporary closure of an area of road reserve abutting the north eastern boundary of Lot 2 on RP732204.

The applicant wishes to close the road reserve to incorporate into the adjoining freehold Lot being Lot 2 on RP732204 (see Attachment 1), and as advised by the applicant, "To manage the area and conserve its natural amenity as the area consists of ridges and gullies with fragile schist-based clay and gravel, the run-off from which traverses their property and feeds into Shanty Creek."

There is no formed road or track maintained by Council and there are no current plans to use this section of road reserve. However, future continuity of the road network may be affected if road closure were to proceed as detailed in the application as the road reserve continues past the boundary of Lot 2 on RP732204.

Correspondence from DNRME confirms there was a lease over the adjoining national park held by another party which expired in 2016, however the current DCDB is still showing this as current. DNRME cartographers will update DCDB to remove reference to the expired lease.

This other party also held a road licence 8087 described as Lot 1 on RL8087, which was used in conjunction with the expired lease. The Land Act 1994 requires that only the owner adjoining the road can hold a road licence. As the party no longer holds the lease and does not own any land adjoining the road licence, DNRME is taking measures to cancel of the road licence and will arrange for the former road licence area to be reopened as road. (See Attachment 2)

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

Technical Services
MSC Supervisor of Water Reticulation
MSC Planning
MSC Manager of Works
MSC Water and Waste Engineer

External

DNRME

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital

Nil

Operating

Nil

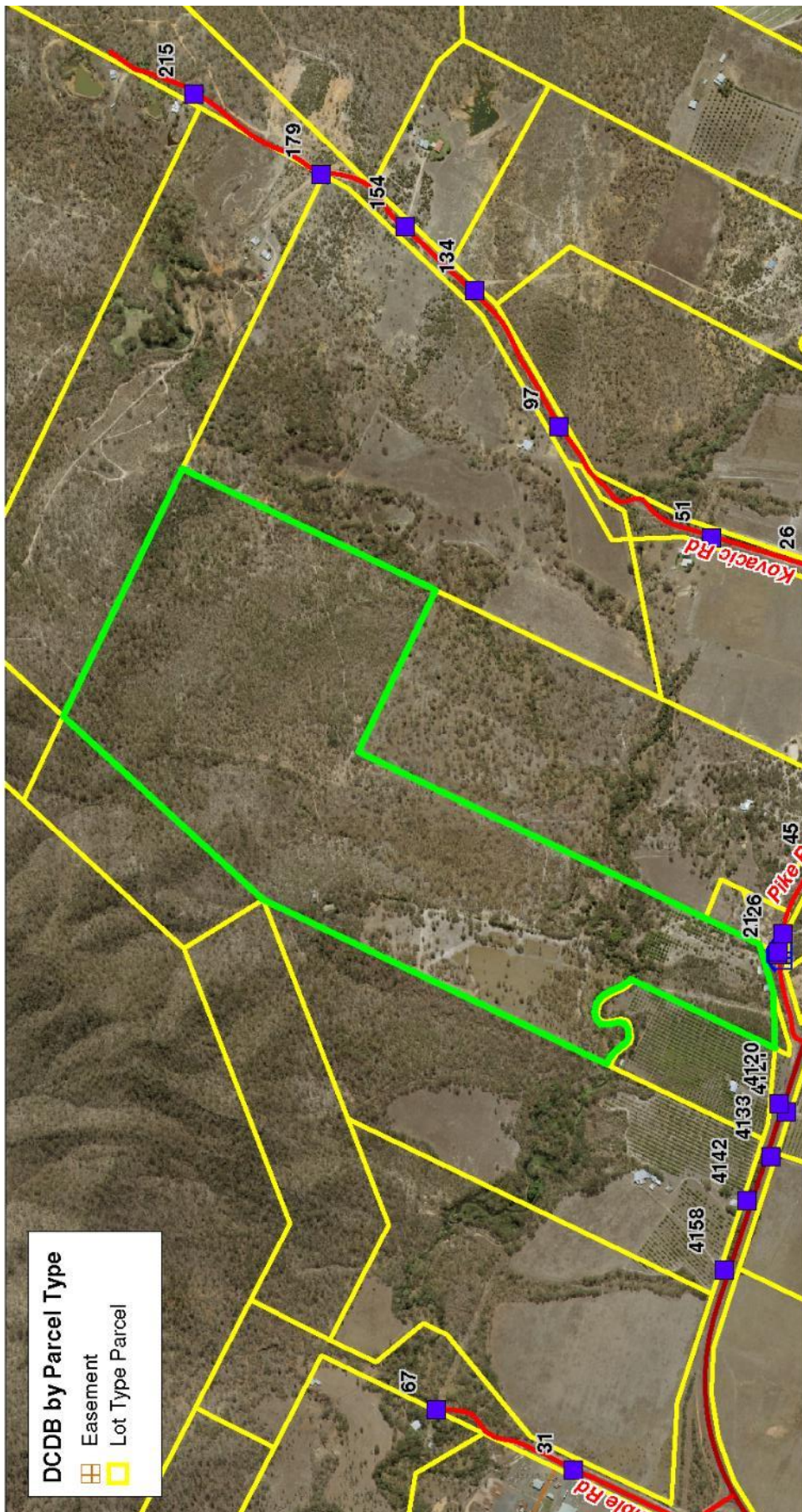
IMPLEMENTATION/COMMUNICATION

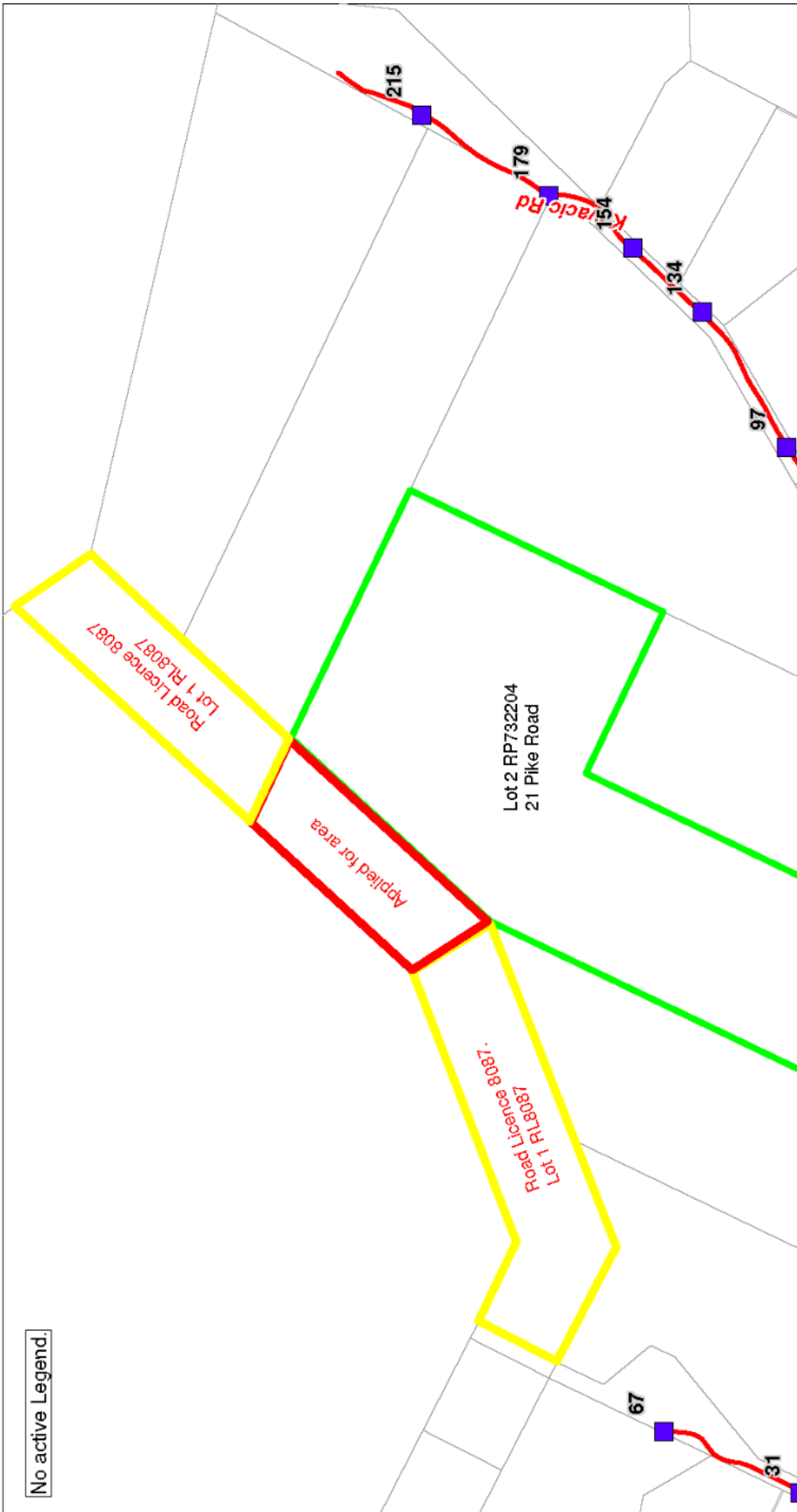
Following publication of Council minutes prepare and send communication to DNRME advising of Council's decision.

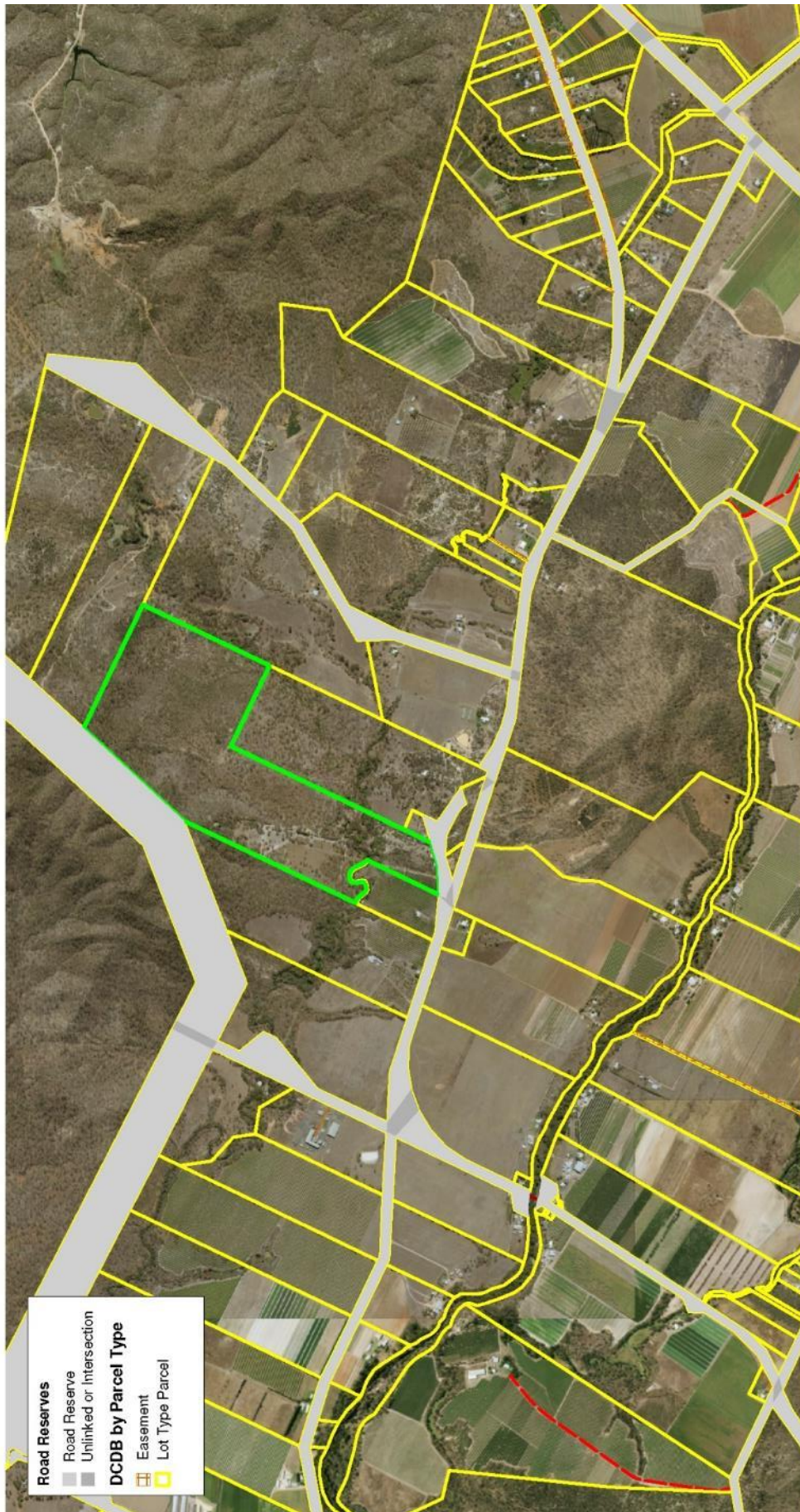
ATTACHMENTS

1. DCDB Imagery
2. Map of Applied for Area
3. Road Reserve Map View
4. Correspondence received from the applicant dated 6 June 2017 including surveyed area

Date Prepared: *9 February 2018*







*1 KDA-CD-TEM
IMS*

6 June 2017

D&R Tempny
21Pike Road
PO Box 1107
Mareeba 4880

To Mareeba Shire Council,
Attn: Brian Millard

We wish to apply for a Temporary Road Closure to the portion of RL 8097 that adjoins our property 2RP732204.

The reason for this request is to manage the area and conserve its natural amenity. The area consists of ridges and gullies with fragile schist based clay and gravel. The run-off from which traverses our property and feeds into Shanty Creek.

Thank you for considering our request.

Regards,

David & Rosemary Tempny



David Tempny

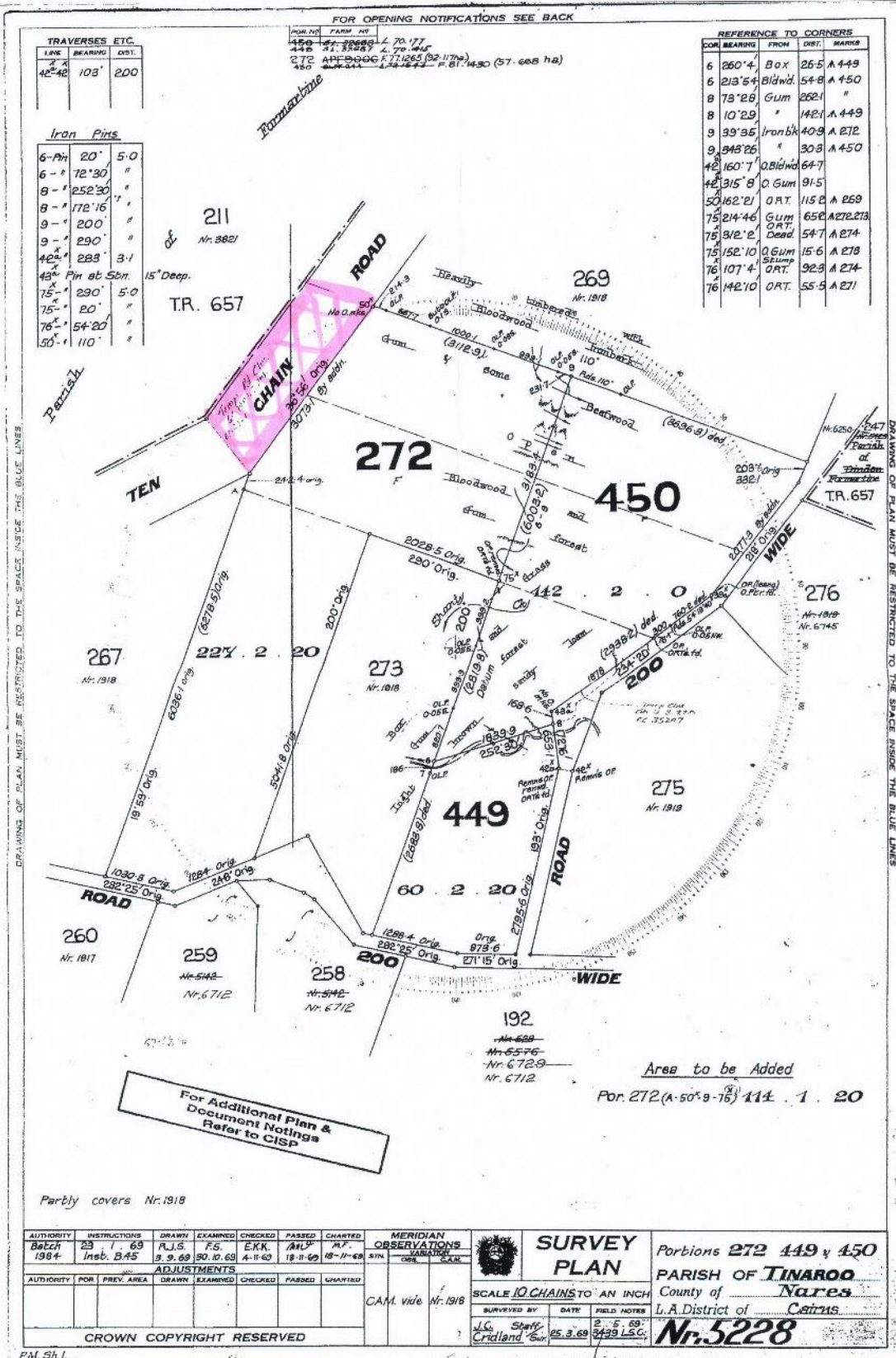


AREA HIGHLIGHTED IN PINK





IR5228 V0 Page 1 of 1 Not To Scale



NR1918 V0 Page 1 of 2 Not To Scale

Reference to Traverse and Road Sections

Line	Bearing	Marks
65.65	184°57'	201.7
68.68	175°12'	209.1
72.72	209°27'	209.1
12.72	103°	200.
41.41	144°20'	200.
38.38	136°10'	202.1
38.38	112°1'	208.
56.56	291°30'	200.1
57.57	289°57'	200.
61.62	199°57'	216.4
60.60	289°57'	200.
61.61	247°30'	216.4

SURVEY OFFICE
14764 110611931
QUEENSLAND

268 (51.117 ha) } S.L. 39077 (93.735 ha) L. 75. 1726
269 (42.618 ha) }
268 & 269 S.L.P.F. 1039 L
267 F. 86. 3644 (40.216 ha)
266 F. 89. 790 (85.438 ha)

Parish of Formartine

R.657

Timber Reserve

211
Nr. 2621
Nr. 6208

27
Nr. 522
A.1

271

267

272
Use Nr. 5228

265
Nr. 1927
6715

POR 516
Nr. 6175

266

88.0.10

99.1.20

113.1.0

100.1.30

261
Nr. 1917
Nr. 3749

260
Nr. 1917

259
Nr. 1917

Nr. 5142
Nr. 6712

258
Nr. 1917

Partly covered by Nr. 5228

Cancels Part of R.657

Noted on Design Nr. 1902.
Partly covers Nr. 576.

I hereby certify that I, in person, made, and on the 24. 9. 19 31 completed the survey represented by this plan, on which are written the bearings and lengths of the lines surveyed by me, and that the survey has been executed in accordance with the existing regulations of the Surveyor General's Department

N. J. Kelson
Cuth. Surveyor

Within the Herberton Gold & Mineral Field.

Meridian Observations

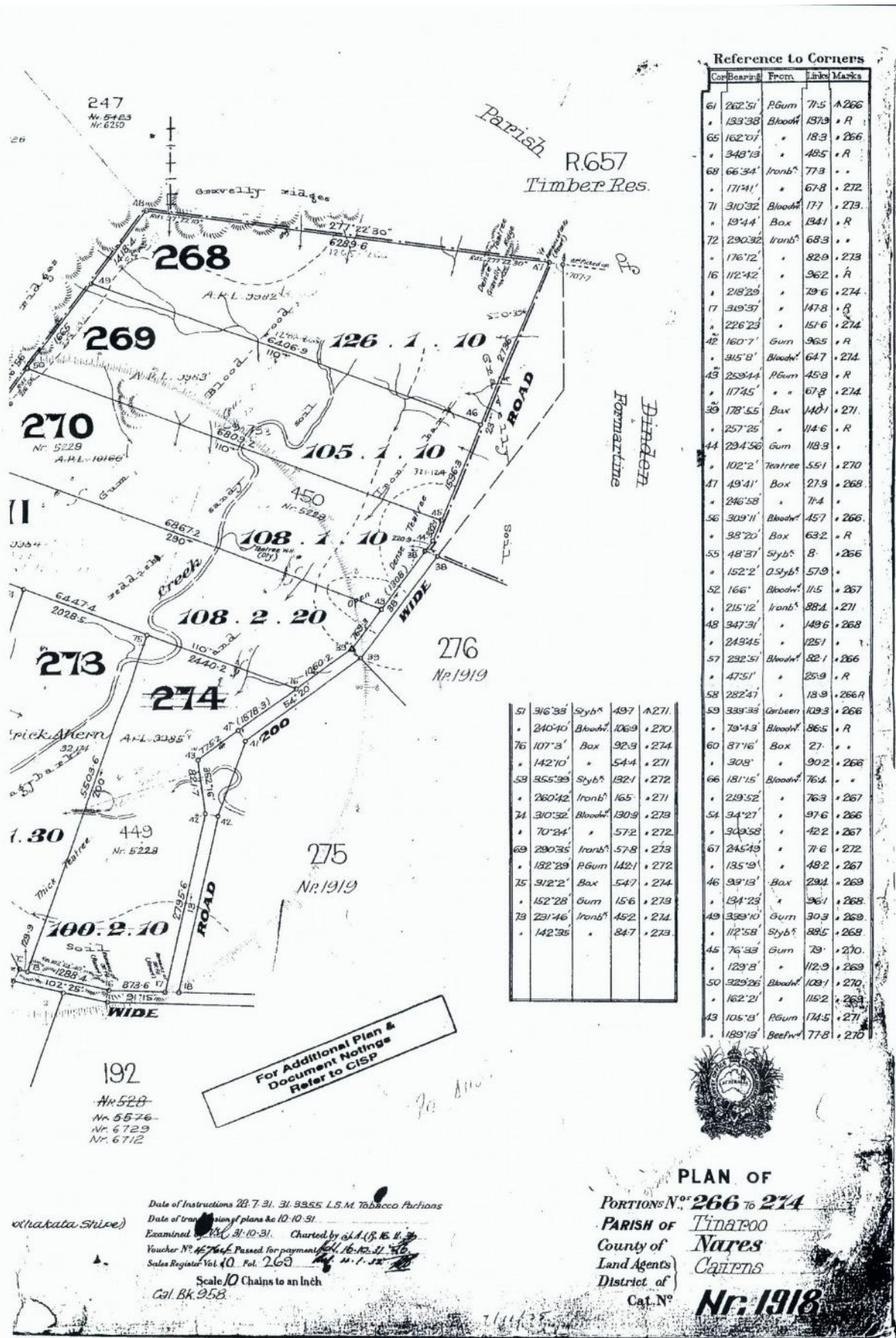
This form can also be adapted to stellar observations

Observation Date	Lat. Long.	Time	Observed	Computed	Distances	Distances	
9/17	1-9-31	10 Hours	54°20'15"	829	64°5'2"	2738.30	64.36
	1638 50"		54°20'15"	834	63°30'10"	2848.50	64.518

NOTE - Observing stations are shown by a triangle in red

(Moothakata)
C.M. 6715

NR1918



Reference to Corners

Corner	Bearing	From	Linked Marks
61	262°51'	P.Gum	71.5 A.266
	133°38'	Bloodst	137.9 R
65	162°07'	"	18.3 R.266
	348°73'	"	48.5 R
68	66°34'	Ironb ^s	77.3 "
	171°41'	"	67.8 .272
71	310°32'	Bloodst	177 .273
	19°44'	Box	134.1 R
72	290°32'	Ironb ^s	68.3 "
	176°12'	"	82.9 .273
16	112°42'	"	36.2 R
	218°29'	"	79.6 .274
17	319°37'	"	147.8 R
	226°23'	"	151.6 .274
42	160°7'	Gum	96.5 R
	915°8'	Bloodst	64.7 .274
43	259°44'	P.Gum	45.8 R
	117°45'	"	67.8 .274
39	178°55'	Box	140.1 .271
	257°25'	"	114.6 R
44	234°56'	Gum	118.3 "
	102°2'	Teatree	55.1 .270
47	49°41'	Box	27.9 .268
	246°58'	"	71.4 "
56	309°11'	Bloodst	45.7 .266
	38°20'	Box	63.2 R
55	48°37'	Stybs ^s	8 .266
	152°2'	O.Sybs ^s	57.9 "
52	166°	Bloodst	11.5 .267
	215°12'	Ironb ^s	88.1 .271
48	347°31'	"	149.6 .268
	249°45'	"	125.1 "
57	232°51'	Bloodst	82.1 .266
	47°51'	"	25.9 R
58	282°47'	"	18.9 .266 R
59	339°33'	Garbeen	109.3 .266
	79°43'	Bloodst	86.5 R
60	87°16'	Box	27. "
	308°	"	90.2 .266
66	181°15'	Bloodst	76.4 "
	219°52'	"	76.3 .267
54	34°27'	"	97.6 .266
	70°24'	"	57.2 .272
69	290°35'	Ironb ^s	57.8 .273
	182°29'	P.Gum	142.1 .272
75	312°2'	Box	54.7 .274
	152°28'	Gum	15.6 .273
73	231°46'	Ironb ^s	45.2 .274
	142°35'	"	84.7 .273

51	316°33'	Stybs ^s	49.7	A.271
	240°40'	Bloodst	106.9	.270
76	107°3'	Box	92.3	.274
	142°10'	"	54.4	.271
53	355°39'	Stybs ^s	132.1	.272
	260°42'	Ironb ^s	165	.271
74	310°32'	Bloodst	130.9	.273
	70°24'	"	57.2	.272
69	290°35'	Ironb ^s	57.8	.273
	182°29'	P.Gum	142.1	.272
75	312°2'	Box	54.7	.274
	152°28'	Gum	15.6	.273
73	231°46'	Ironb ^s	45.2	.274
	142°35'	"	84.7	.273

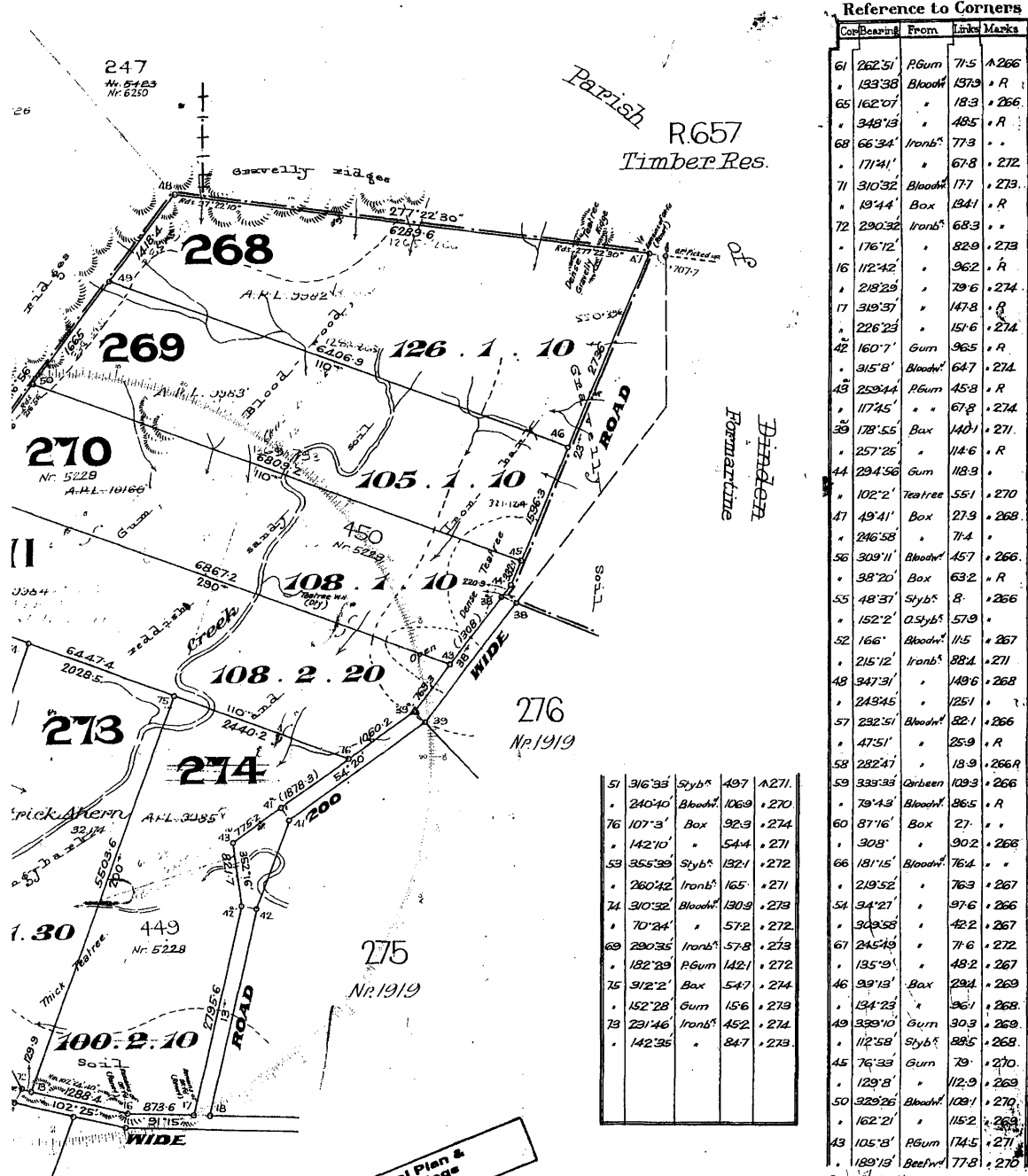
For Additional Plan & Document Notings Refer to CISP

192
A.N. 5228
Nr. 5576
Nr. 6729
Nr. 6712

(Makata Shire)
Date of Instructions 28.7.31. 31.9.35 L.S.M. Tobacco Portions
Date of transmission of plans to 10.10.31
Examined 31.10.31. Charted by G.A. (R. E. B. J.)
Voucher No. 46746. Passed for payment 11.10.31. 46
Sales Registered Vol. 40. Fol. 263
Scale 10 Chains to an Inch
Cat. Bk. 958

PLAN OF
PORTIONS N^o 266 to 274
PARISH of TINDAROO
County of Nares
Land Agents Cairns
District of
Cat. N^o Nr. 1918

NR 1918



For Additional Plan & Document Notings Refer to CISP

192
AR 528
Nr. 5526
Nr. 6729
Nr. 6712

Date of Instructions 28. 7. 31. 31. 3355 L.S.M. Tobacco Portions
Date of transfer of plans to 10. 10. 31.
Examined by 31. 10. 31. Charted by G.A. (S. K. H. 3)
Voucher No. 46766 Passed for payment 16. 12. 31.
Sales Register Vol. 10. Fol. 263. 1. 1. 31.
Scale 10 Chains to an Inch
Col. Bk. 958.

PLAN OF
PORTIONS N^o. 266 to 274
PARISH of Tinaroo
County of Nares
Land Agents Cairns
District of
Cat. N^o NR 1918

NR 1918

NR1918 V0 Page 1 of 2 Not To Scale

Reference to Traverse and Road Sections

Line	Bearing	Marks
65.65	184°57'2"	201-7
68.68	175°12'2"	209-7
72.72	209°27'2"	209-7
42.42	103°	200
41.41	143°20'	200
38.38	136°10'	202-1
38.38	112°1'	208
56.56	291°30'	200-1
57.57	289°57'	200
61.62	199°57'	216-4
60.60	289°57'	200
61.61	247°30'	216-4

SURVEY OFFICE
14764 # 110611931
QUEENSLAND

268 (51.17 ha) S.L. 39077 (93.735 ha) L.75. 1726
269 (42.618 ha) S.L.P.F. 1039 L
267 # 62.3644 (40.216 ha)
266 F. 85.790, (85.638 ha)

Parish of Formartine

R.657

Timber Reserve

211
2621-
6208

27
522
A.1

271

272
Use Nr. 5228

267

266

265
Nr. 1927
6715

POR. 516
Nr. 6715

88.0.10

99.1.20

113.1.0

100.1.30

261
1917
Nr. 3749

260
Nr. 1917

259
Nr. 1917

Nr. 5142
Nr. 6712

258
Nr. 1917

Partly covered by Nr. 5228

Partly covered by Nr. 5228

Noted on Design Nr. 1902.
Partly covers Nr. 576.

I hereby certify that I, in person made, and on the 24. 9. 19 31
caused the survey represented by this plan, on which are written
the bearings and lengths of the lines surveyed by me, and that the
survey has been executed in accordance with the existing re-
gulations of the Surveyor General Department

N. J. Gibson
Cuth. Surveyor

Within the Herberton Gold & Mineral Field.

Meridian Observations

This form can also be adapted to stellar observations

Year	Date	Lat.	Long.	Time	Time	Observed Altitude	Observed Azimuth	Variation
1917	1-9-31	16°58'50"	154°20'15"	829	64°5'2"	273830	62°18'15"	64°36'
						834	63°30'10"	4850
							61°17'20"	6°5'18"

NOTE: Observing stations are shown by a triangle in red

(Woolthorpe)
J.M. 6715

NR1918

This plan MUST NOT BE FOLDED but may be rolled. *NO Leaches Diagrams Col. 12.1.78*

No 40172

FOR TITLES OFFICE USE ONLY

Previous Title *Vol. Vol. N. 12.1.78* *207, 208, 209* *Vol. 232* *N. 12.1.78*

New C.T. Rev. *7*

Erel. Desc.	Vol.	Fol.
1	N1065	65
2		67

1. *Donald Robert Michael* of *Cairns*
 Authorised Surveyor, do hereby solemnly and sincerely declare that I have faithfully and truly surveyed, measured and marked on the ground the parcel of land herein referred to, and that the measurements and boundaries given in this plan are correct, and do not to the best of my belief in any way interfere with the rights or property of any persons, owners or occupiers of the land adjoining the above land, and described in the said plan; and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the "Oaths Act, 1966 (1967)".

D. R. Michael
 Authorised Surveyor

Made and signed at *Cairns* this *30th* day of *June* 19*77* before me.

John G. ...
 Signature of Registrar of Titles or a Magistrate.

Council of the *SHIRE* of *MAREEBA* certifies that all the requirements of this Council, the Local Government Acts of 1916 to 1977 and all By-Laws have been complied with and approves this Plan of Subdivision, subject to ...

Dated this *30th* day of *October*, 19*77*

John G. ... Mayor or Chairman
Michael ... Town or Shire Clerk

I/We *ANTON VICIC* *AND* *JUREE KOVACIC* as proprietor/s (Names in full) of this land, agree to this Plan of subdivision, and dedicate the new roads shown hereon to public use.

Anton Vicic J. Kovacic
 Signature of Proprietor/s

For Additional Plan & Document Notings Refer to CISP

150	\$2.00 Regn. Fee and
1.50	Postage
see No.	80453
	<i>21/2/78</i>

RECEIVED

The Commissioner of Titles and the Registrar of Titles certify that this Plan of Subdivision is in accordance with the provisions of the Subdivision Act, 1977.

John G. ...
 Secretary to the Commissioner of Titles & Registrar of Titles

Approved has been sent to the Surveyor. The plan is to be processed by the Registrar of Titles.

Lodged by: *Russell A. Powell* *1/11/77*
MAREEBA

Colc. Bk. No. *116.1.123*

Examined *21/2/78*

Passed *22/2/78*

Charted *1/3/78 M.R.S.*

Located *P.M. S.S.1*

MRP 26/2/78

Particulars entered in Register Book
 Vol. *N. 12.1.78* Folio *207, 208*

24 FEB 1978 ac 11:20am

John G. ...
 REGISTRAR OF TITLES

Fees Payable

7.00	Postal fee and Postage
35.00	Lodgt. & Exam.
0.00	Entd. on Docs.
10.00	New Title
4.00	Entd. on Deeds
3.00	Photo Fee
89.00	Total
89.00	Short Fees Paid
0.00	Balance

F.N. Phil 22-2-78

Received
 Registrar of Titles

Journal No. **N868814**

Receipt No. **88205**

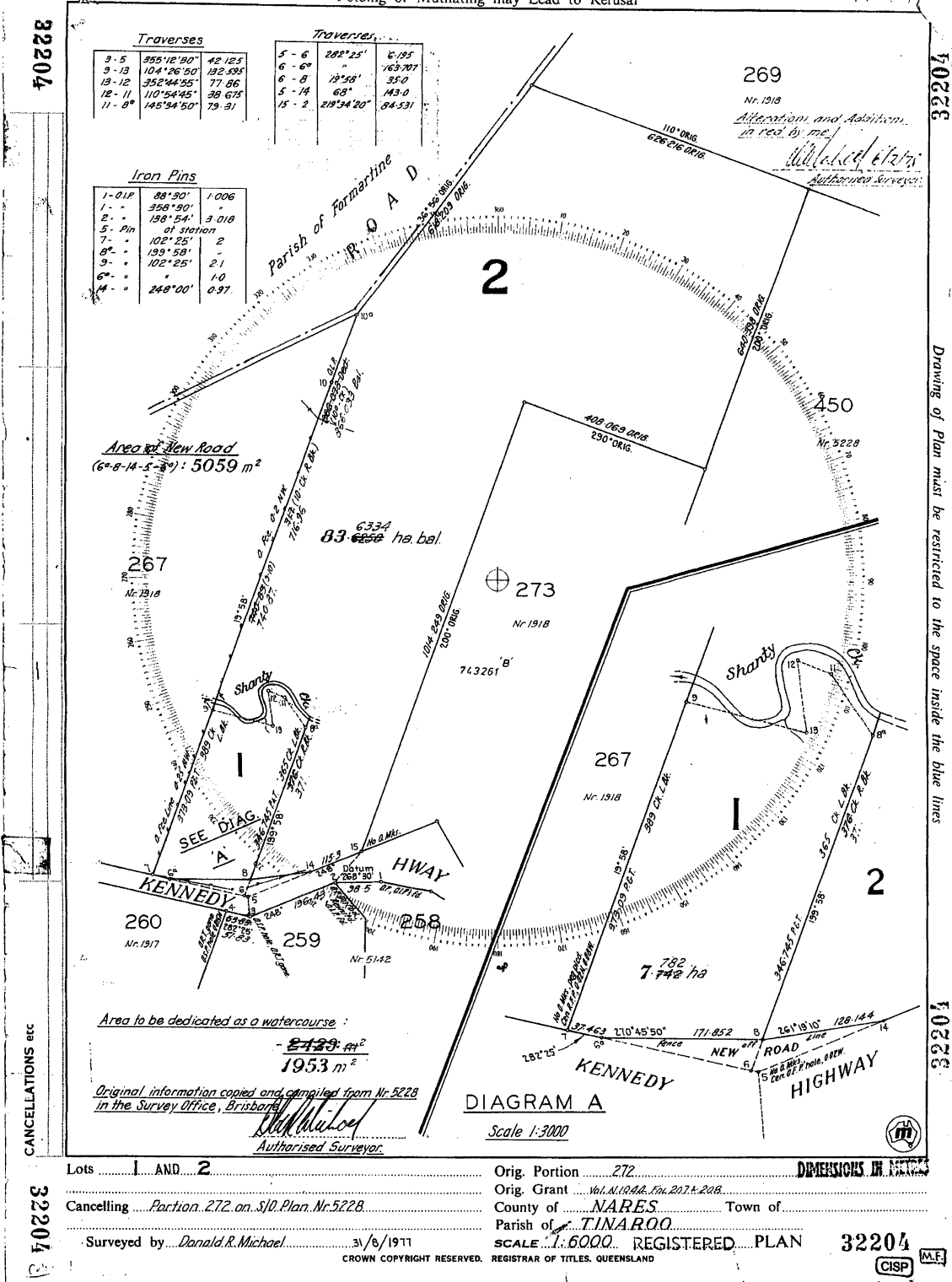
RECEIVED
 11 12 5 PM '78

John G. ...
 REGISTRAR OF TITLES

REGISTERED PLAN 32204

RP732204 V0 Page 1 of 2 Not To Scale

Folding or Mutilating may Lead to Refusal





DEPARTMENT OF NATURAL RESOURCES AND MINES
Statement in relation to an application under
the *Land Act 1994* over State land
Part C

I/We _____, as

Please tick relevant fields –

- Trustee of a Reserve issued under the Land Act**
- have no objection to the application and consider authorisation of the use of the land be dealt with under the Land Act by DNRM (a full explanation stating the reason why use cannot be authorised by trustee eg. trustee lease/permit)
- are aware of any local non-indigenous or indigenous cultural heritage values (if so full details must be provided and the impacts on the application)
- Road Manager**
- have no objection to the application and consider authorisation of the use of the land be dealt with under the Land Act by DNRM (a full explanation stating the reason why use cannot be authorised under Road Manager legislation)
- are aware of any local non-indigenous or indigenous cultural heritage values (if so full details must be provided and the impacts on the application)
- Public Utility Provider** (Electricity, Telecommunication, Gas providers) only required for road dealings.
- have no objection to the application
- object to the application (a full explanation stating the reason for the objection must be provided with this application)

Public Utility Provider includes Telstra Corporation Ltd, Yes Optus, Energex, Ergon, Powerlink. Your Local Government or Dial Before your Dig website may assist in identifying utilities on the subject land.

Road Manager is –

- local government for a road that is under the control of the a local government
- a State-controlled road—the chief executive of the department in which the *Transport Infrastructure Act 1994* is administered

Additional comments –

Provide details of any additional comments or requirements that may affect the future use of the land that the department should consider when assessing this application. (If there is insufficient space, please lodge as an attachment)

Note – a different form of tenure may be considered a more appropriate tenure once the application has been assessed.

If you wish to make a separate submission to the Department of Natural Resources and Mines in relation to this proposed application, please provide a submission within **10 business days** of completing this declaration to SLAMlodgement@dnrm.qld.gov.au.

Authorisation

I certify that I have the authorisation to make this statement and the information I have provided is true and accurate.

I have **signed** a copy of a sketch/drawing in relation to this application.

**Full Name , position and Organisations name
of Road Manager**

Signature

Date: / /

This information will not otherwise be disclosed outside of the department unless required or authorised by law such as under the *Right to Information Act 2009*.

END DOCUMENT

ITEM-18 **TRAFFIC ADVISORY COMMITTEE - MINUTES OF MEETING HELD 5 DECEMBER 2017**

MEETING: Ordinary

MEETING DATE: 21 February 2018

REPORT OFFICER'S TITLE: Director Infrastructure Services

DEPARTMENT: Infrastructure Services

EXECUTIVE SUMMARY

The purpose of this report is to present the Minutes of the Mareeba Shire Council Traffic Advisory Committee Meeting held on Tuesday, 5 December 2017 for Council's information.

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

OFFICER'S RECOMMENDATION

"That Council note the minutes of the Traffic Advisory Committee Meeting held 5 December 2017."

BACKGROUND

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

LINK TO CORPORATE PLAN

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

CONSULTATION

Internal
Nil

External
Nil

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS*Capital*

Nil

Operating

Internal resources for investigation and follow up actions.

Is the expenditure noted above included in the 2017/2018 budget?

Nil

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

Nil

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

1. Minutes of Mareeba Shire Council Traffic Advisory Committee Meeting held 05 December 2017.

Date Prepared: 25 January 2018



TRAFFIC ADVISORY COMMITTEE MEETING
MAREEBA BOARDROOM, 65 RANKIN STREET, MAREEBA
TUESDAY, 5 DECEMBER 2017
9:36AM TO 10:30AM

Minutes

PRESENT:

Mackay Sugar
Transport and Main Roads (TMR) - Principal Engineer - Civil
Queensland Police Service (QPS) - Mareeba
Mareeba Chamber of Commerce
Transport and Main Roads (TMR)
Mareeba Shire Council (MSC) - Councillor
Mareeba Shire Council (MSC) - A/Director Infrastructure Services
Mareeba Shire Council (MSC) - Minutes Secretary

Don Fowler
Richard Evans
Dave Saul (for John Ridgway)
Sam Musumeci
Marita Stecko
Alan Pedersen (Chair)
Glenda Kirk
Jayme Murray

APOLOGIES:

Mareeba Shire Council (MSC) - Councillor
Mareeba Shire Council (MSC) - Councillor
Mareeba Shire Council (MSC) - Councillor
Mareeba Shire Council (MSC) - Councillor
Mareeba Shire Council (MSC) - Councillor
Kuranda Chamber of Commerce
Transport and Main Roads (TMR)
Queensland Police Service (QPS) - Mareeba

Mayor Tom Gilmore
Angela Toppin
Kevin Davies
Nipper Brown
Lenore Wyatt
Steve Dominikovic
Darryl Jones
Rolf Straateemeier

1. MINUTES

Tuesday 19 September 2017

Minutes of the Mareeba Shire Council Traffic Advisory Committee Meeting held on Tuesday, 19 September 2017 were ratified by Council at their Ordinary Meeting of 25 October 2017.

2. BUSINESS ARISING FROM PREVIOUS MEETING

Item	Organisation	Issue	Recommendation / Follow Up Action	Action Required by	Action Due Date
16.03-03	Traffic Management Study Mareeba CBD	Council seeks to undertake a full traffic management study for the Mareeba CBD area, including vehicle and pedestrian movements, disability access and parking	<p>Letter to TMR 27/01/2016</p> <p>TMR interested in cost sharing agreement Draft Brief prepared and under review</p> <p>MSC provided TMR (Darryl Jones) draft hard copy of Brief, electronic draft copy to follow via email</p> <p>MSC met with DTMR on 09/09/2016 to finalise tender documents, minor changes required, waiting advice from TMR on cost sharing arrangement</p> <p>Letter from TMR offering contribution of up to \$55k (+GST) matching Council's funding allocation</p> <p>Tender responses received by MSC / TMR, pending evaluation: commencing week of 12/12</p> <p>Tender awarded to AECOM, cameras installed on 21/02/2017 at 9 intersections for 24 hours, data currently being analysed. Expected completion date is 05/2017</p> <p>Meeting with QPS scheduled for 22/03/2017 to review data, it is anticipated a draft report will be ready early April with the final report expected May 2017</p> <p>Workshopped with Council and QPS, final report due end of June</p> <p>Report to Council Mfg of 20/12/2017 adopting the MSC traffic network projects in future Capital works planning</p> <p>TMR seeking funding through safer roads sooner, funding to be identified early next year</p>	MSC / TMR	
16.03-04	St Thomas's P&F Representative (Dave SauI)	St Thomas's P&F seeks approval for the temporary reduction of the speed limit around Centenary Park on Mareeba Market days, similar to the Yungaburra Markets	<p>Locations for temporary signage identified and matter to be dealt with by TMR</p> <p>MSC to email signage proposal to TMR for consideration</p> <p>Signage plan forwarded to DTMR, waiting their official response</p> <p>TMR advised Traffic Management Plan required;</p> <p>TMR to meet with St Thomas's P&F Representative</p> <p>TMR seeks formal process of signage management</p> <p>TMR still waiting on TMP to be provided with details proposal. TMR to investigate requirements for persons with approval to change regulatory speed zone signage</p> <p>TMR waiting on Traffic / Event Management Plan from Market Coordinators</p> <p>MSC to contact Market Coordinators seeking their advice on resolving the matter</p> <p>TMR introduces new Special Event Traffic Marshals Scheme, as an alternative option for traffic control in low speed / low risk environments at sporting and community events, refer to - Item 17.12-04 below</p> <p>TMR to provide update and report back to MSC on Scheme</p>	TMR	31/01/2018

Item	Organisation	Issue	Recommendation / Follow Up Action	Action Required by	Action Due Date
16.06-04	16.06-03 Councillor (Alan Pedersen) QPS (Insp Rolf Straatemeier)	Enquiry received requesting a temporary 40kph zone on Byrnes Street from the Heritage Centre to the Cairns Connection road on market days What is required for "High Crash Zone" signs to be placed between Mareeba and Kuranda	Refer to Item 16.03-04 above As above QPS to liaise with TMR as to locations for low cost solutions QPS checking crash rates, will review in 2 months QPS to advise TMR of suggested locations based on statistics Since upgrade at Brickworks Road, statistics have improved Upgrades subject to funding availability on Kennedy Highway TMR waiting advice on location, funding sought, assessment being undertaken on the Kuranda Range Road to Smithfield TMR to liaise with QPS identifying locations for high crash zone signage TMR suggested between Gold Mine Creek to Emerald Creek or Tinaroo Creek Road for high crash zone signs, "head on" design preferred option. TMR to liaise with QPS to identify sites for signage, sites to be determined after TMR complete study	QPS / TMR	
16.09-03	Shirley Osbourne Dimbulah/Mutchilba Community BBQ CRM/16/08741	Access from Mareeba-Dimbulah Road to Chircan Road is too narrow - the intersection is too narrow for a low loader to turn into Chircan Road due to the size of the culvert. They currently load heavy vehicles on the highway which is dangerous practice but the heavy vehicles cannot get into Chircan Road to property. Chircan Road is a Council road intersecting with a main road so any improvements require DTMR approval.	Issue to be raised with TMR TAC Committee resolved to recommend Council write to the customer seeking their proposal Letter sent 01/12/2016 MSC forwarded sketch plans to TMR 04/08/2017 Matter pending advice from TMR MSC to clarify with owner if the access is still being used by heavy vehicles TMR advised no funds available for upgrade however should MSC or Owner wish to fund, TMR will review upgrade proposal	MSC	28/02/2018
16.09-07	QPS (Inspector Rolf Straatemeier)	Keep Left Strategy - issue of international visitors failing to keep left	Inter-Agency Workshop held 12/09/2016 Workshops will be held every 2 wks identifying strategies to address issue Funding is currently being sourced to undertake line marking and install warning signage similar to that used in Stanthorpe MSC currently working with QPS to identify high risk locations Fruit Growers to be approached to incorporate information for "keep Left Strategy" in safety inductions of backpackers Sites identified across the Tablelands for signage MSC to supply wrist bands to Mba District Fruit & Vegie Growers Corflute signage to be provided to Mba District Fruit & Vegie Growers Meetings have continued, locations identified for placement of signs Funding being sought for purchase of signage; individual councils making funds available for installation 15 locations in Mareeba network and 15 locations in Tablelands network identified, TMR funding approved for purchase of signs	MSC / QPS	30/11/2017

Item	Organisation	Issue	Recommendation / Follow Up Action	Action Required by	Action Due Date
			<p>Signs ordered and will be delivered to Council for installation Our Roads Our Rules pamphlets to be distributed to farms and signs to be installed on farm gates when exiting</p> <p>Next meeting is July, the campaign will then be managed by TAC</p> <p>Signs have arrived and will be installed by week ending 15/12/2017</p> <p>No further action required by this Committee, resolved to remove from the minutes</p>		
17.03-01	Councillor (Nipper Brown)	<p>Mulligan Highway - Request for signage on the northern entry into Mareeba (near Mary Andrews Park) prior to the Dimbulah Road turnoff stating all road trains must turn right. There have been instances where road trains did not turn and ended up in Bynes Street, issued raised by trucking company</p> <p>Truck stop signage difficult to see approaching Mt Carbine from West</p>	<p>TMR to investigate</p> <p>TMR designing sign, TMR to provide wording</p> <p>TMR advised this is a work in progress, wording currently being sorted</p> <p>TMR to advise by next meeting</p>	TMR	03/2018
17.06-02	Councillor (Kevin Davies)	<p>Turning lanes required on Mulligan Highway turning onto Blacks Road / Mary Andrews Park</p>	<p>TMR to inspect</p> <p>MSC to identify exact location and advise TMR</p> <p>RMPC Steward to advise</p> <p>Council RMPC Steward to provide photographs</p>	MSC	30/09/2017
17.06-03	Councillor (Alan Pedersen)	<p>External road works , MSC to check Developer Contributions</p> <p>Council to send request through to TMR</p> <p>TMR advised that this intersection and access is unlikely to satisfy warrants for upgrading from either a safety or traffic volume requirement. MSC to provide traffic count data if available</p> <p>March 2005 Traffic counts for Blacks Road (AADT 176 vehicles)</p> <p>No traffic counts available for Mary Andrews Park</p> <p>Council to provide TMR with data for Blacks Road. TMR to review and provide update</p>	TMR	31/01/2018	
17.09-02	Councillor (Lenore Wyatt) (CRM/17/09566)	<p>Requests the speed limit be reduced from 100kph to 80kph on the Mulligan Highway at Bibbohra</p>	<p>TMR to provide MSC with the criteria which is required to be met to warrant reduction</p> <p>Matter pending further information</p> <p>TMR provided criteria for speed limit reviews, Council to assess</p> <p>No further action required by this Committee, resolved to remove from the minutes</p>		
17.09-03	Mareeba Chamber (CRM/17/09562)	<p>Requests the deteriorated main roads sign located on the northern entrance to Mareeba near Mary Andrews Park be revamped / refurbished</p>	<p>Sign is the responsibility of Business Operators / Clubs</p> <p>MSC to send letter to business operators / clubs seeking their interest / agreement in having the sign replaced at their expense</p> <p>Application to TMR can be made online</p> <p>Refer to RMPC Meeting; letter drafted to business operators / clubs</p> <p>Letter to be sent if no response, additional letter to be forwarded otherwise signs removed</p>	MSC	31/10/2017

Item	Organisation	Issue	Recommendation / Follow Up Action	Action Required by	Action Due Date
17.09-06		Recent complaints received again by MSC of parking / de-hitching of B-doubles at Speewah (Old Kennedy Highway)	Recent instances reported to TMR Letter from Mareeba Chamber forwarded to TMR 08/12/2016, TMR to follow up on response to Chamber Residents have forwarded further complaints and photos of trucks de-coupled since the TAC Meeting of 19/09/2017 TMR to provide MSC with response before end of January 2018	TMR	31/01/2018
17.09-08	Mareeba Chamber (Joe Moro)	Requests a sign be installed for Emerald Creek Falls similar to that of the Davies Creek Falls sign recently installed	TMR to advise cost TMR advised cost \$2-3k per sign and hardware Chamber to decide on funding the signs and to provide decision to next TAC meeting	Chamber	03/2018
17.09-11	Darren Fuller (Qube)	Requests consideration be given to changing the current GIVE WAY sign on Euluma Creek Road at the intersection of Mt Molloy / Mossman Road (at the school end) to a STOP sign; Qube operators have a self-imposed stop coming out of Euluma Creek; a number of near miss incidents have been experienced with civilian traffic; camber (off Euluma Creek Road) alignment is incorrect	TMR to review and consider request TMR provided update, give-way sign meets criteria. No crash history, Council to notify Qube No further action required by this Committee, resolved to remove from the minutes	MSC	28/02/2018
17.09-12	Councillor (Alan Pedersen)	Complaints received from residents advising heavy vehicles are pulling up and stopping overnight near Centenary Park	TMR advised a study of heavy vehicle stopping areas is planned to be undertaken over the whole Tableland region, funding is then required to be sourced This is an on-going issue Further complaints from residents received by Council regarding the generation of dust and noise from trucks parking on Martin Avenue This also relates to Item 17.12-02 below TMR has funding to undertake a planning project over the next two years.	TMR	31/12/2018

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

Item	Organisation	Issue	Recommendation / Follow Up Action	Action Required by	Action Due Date
17.12-01	MSC Mtg 15/11/2017	The committee is requested to consider the possibility of reducing the speed limit from 60km to 50km on Herberston Street, Mareeba	MSC Officers to review speed limit and provide recommendation to Council	MSC	28/02/2018
17.12-02	MSC Mtg 15/11/2017	MSC has referred to the TAC the issue of trucks parking on the road reserve near Martin Avenue to TMR	Refer to Item 17.09-12		
17.12-03	Patricia Bonney	1. Requests "slow down" signs (similar to that used on the Kuranda Range) to be installed in the 60kph zone in Watsonville; 2. Seeks confirmation of 60kph speed limit through Watsonsville Township	TMR to review signage and provide update	TMR	03/2018

Item	Organisation	Issue	Recommendation / Follow Up Action	Action Required by	Action Due Date
17.12-04	MSC (Glenda Kirk)	Introduction of Special Event Traffic Marshalls by TMR, as an alternative option for traffic control in low speed / low risk environments at sporting and community events	Refer to Item 16.03-04		
17.12-05	QPS (Frank Falappi)	<ol style="list-style-type: none"> Requests speed signage to reduce the speeding through Mt Molloy Township. Current signage goes from 100 to 50 on the southern side; perhaps an 80 could be installed Suggest "slow down" flashing signs be installed on both entrances to Mt Molloy; Requests extra 50 kph signs be installed as at present there are only 2 at the bottom of the hill on both sides to the entrance of Mt Molloy 	<p>Town entry treatments, no funding as of yet, Molloy was proposed</p> <p>Schools top priority for "slow down" flashing signs No further action required by this Committee, resolved to remove from the minutes</p> <p>No further action required by this Committee, resolved to remove from the minutes</p>		
17.12-06	MSC (Glenda Kirk)	For follow up with TMR - Vaughan Street (Mareeba-Dimbulah Rd). This refers to the sealing between the existing edge of the bitumen and K&C on Vaughan Street. At the request of TMR 12 months ago, Council provided a concept plan and estimate for consideration.	No further action required by this Committee, resolved to remove from the minutes		
17.12-07	TAC Future Meeting Dates	2018 meeting dates will be as follows: <ul style="list-style-type: none"> Tuesday, March 20 Tuesday, June 19 Tuesday, September 18 Tuesday, December 4 	Noted		

4. GENERAL BUSINESS

Item	Organisation	Issue	Recommendation / Follow Up Action	Action Required by	Action Due Date
17.12-08	QPS (Dave Saul)	Requests investigation into the direction of Give-Way sign at the entrance to Rotary Park from Granite Creek	Council to assess and rectify	MSC	
17.12-09	QPS (Dave Saul)	Request for additional speed signage from Desailly Range through to Mt Molloy	TMR to review signage guidelines and provide update	TMR	

5. FUTURE MEETINGS

Meeting dates for 2018:
 Tuesday, March 20
 Tuesday, June 19
 Tuesday, September 18
 Tuesday, December 4

6. CLOSURE
 10:33am

**ITEM-19 INFRASTRUCTURE SERVICES - TECHNICAL SERVICES
MONTHLY ACTIVITIES REPORT - JANUARY 2018****MEETING:** Ordinary**MEETING DATE:** 21 February 2018**REPORT OFFICER'S
TITLE:** Director Infrastructure Services**DEPARTMENT:** Infrastructure Services, Technical Services Group

EXECUTIVE SUMMARY

The purpose of this report is to inform Council of Fleet, Design, Soils Lab, Survey, Quality, GIS, Project Management and Investigation Services activities undertaken by the Technical Services Section of Infrastructure Services during the month of January 2018.

OFFICER'S RECOMMENDATION

"That Council receive the Technical Services Monthly Report for the month of January 2018."

BACKGROUND**Design**

- 2017/18 Capital Works
 - Malone Road Drainage, Mareeba - Waiting final checks
- Works for Queensland Round 2
 - Tinaroo Creek Road, Mareeba - Detail Design completed and delivered to Works for construction
 - Petersen Street, Bibohra Car Park – Preliminary Detail Design being finalised
 - Royes Street, Mareeba – Detail design completed and delivered to works for Construction
 - Clacherty Road Causeway - Preliminary Detailed Design being finalised
- Miscellaneous Works
 - Anzac Avenue and Ceola Drive Intersection - AECOM engaged to conduct Traffic Study for various intersection options and treatments
 - Railway Avenue - Stage 1 and 2 concepts with costings
 - WWII Markers - Locality Plan and details for Grants submission
 - Julatten School - Concept plan for bus and vehicle parking and movements.
 - Mareeba Landfill Capping - Providing technical assistance for As Constructed volumes.

Survey

- Works for Queensland Round 2
 - Tinaroo Creek Road - Survey Setout
 - Royes Street - Survey Setout
- Miscellaneous Works
 - Mareeba Landfill Monthly Survey
 - Mareeba Landfill Erosion and Sediment Control Works - Survey Setout
 - Leadingham Creek Bridge - Survey Setout
 - Mareeba Aerodrome - Obstacle Limitation Surface Checks
 - Julatten School Car Park - Detailed Survey
- As Constructed
 - Byrnes Street, Stormwater
 - Mareeba Landfill Asphalt Reseal
 - Sutherland Street Pavement Markings

SUBDIVISIONS AND INVESTIGATIONS**Subdivisions**

- Current - Under construction
 - Amaroo Stage 9
 - Hilltop Close, Kuranda (Vegetation clearing)
- On-Maintenance - Monitoring for 12 months as the Defects Liability Period prior to becoming a Council Asset
 - Springmount Road and Kippen Drive Upgrade
 - G & A Trevisin – Wolfram Road
- Off-Maintenance - Council Asset
 - Amaroo Stage 8
 - Mt Emerald Wind Farm-Irrigation Pipeline Protection
- Operational Works
 - Barnwell property
 - Dam Construction completed and being monitored
 - Access approved and monitoring for erosion issues.
 - Nature Base Tourism Works (MCU/17/0012) completed and monitoring

PROJECT MANAGEMENT**Building**

- PCYC Building Upgrade – Work substantially complete, waiting for approval from Department of Environment and Heritage Protection regarding the proposed design and installation of stainless steel balustrade to internal stairs.
- Mareeba and Dimbulah Pool Filter Upgrades – Plans revised to a reduced scope of works. PIMS to quote on supplying new replacement filter tanks for the Dimbulah Pool, like for like. Continue maintenance on Mareeba Pool filter tanks.
- New Pump Shed Mareeba Small Pool - Council approval to proceed received, works proposed to commence in February 2018.
- Mareeba Riverside Caravan Park Boundary Fence - Council approval received, work to commence ASAP.

- Dimbulah Cemetery Toilets - Waiting for certification of the wastewater treatment and disposal system before calling tenders.
- Kuranda Centenary Park Toilet Upgrade - QS (quantity surveyor) and temporary facilities cost received. Meeting with architect to review prices.

FACILITIES

Dimbulah Caravan Park

- Total of bookings for January 2018 – 507. Figures have greatly decreased due to the mango season ending.

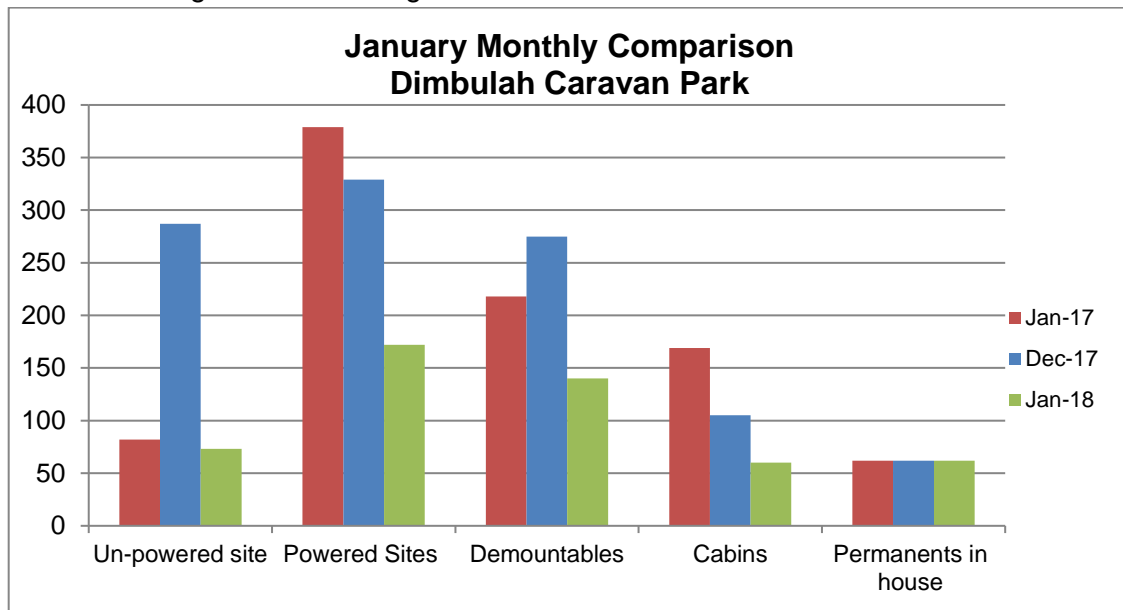


Figure 1. Monthly comparison Dimbulah Caravan Park

Mareeba Riverside Caravan Park

- Total of bookings for January 2018 - 2,780

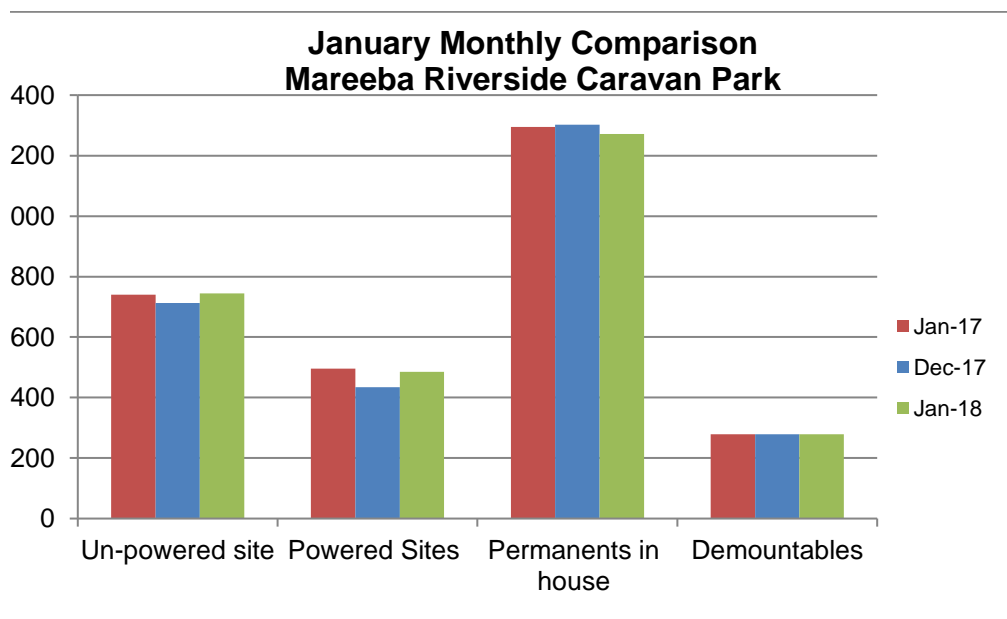


Figure 2. Monthly comparison Mareeba Riverside Caravan Park

Public Halls

- Total hall bookings for January 2018 - 48

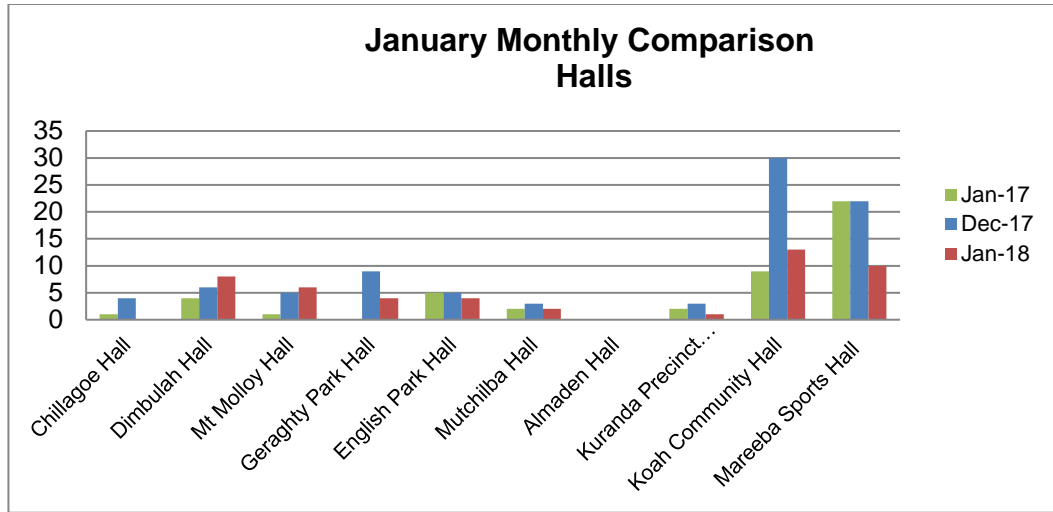


Figure 3. Monthly comparison halls

Swimming Pools

- Total of patron entries for January 2018
 - Mareeba 3,648
 - Kuranda 1,258
 - Dimbulah 312

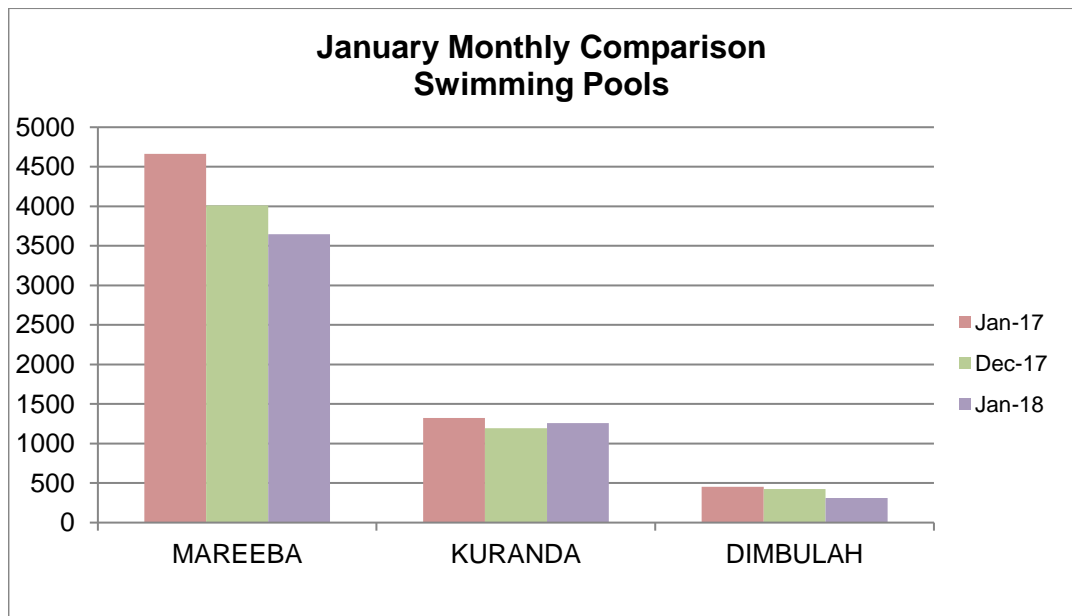


Figure 4. Monthly comparison swimming pools

Park Hire

- Total park bookings for January 2018 – 33.

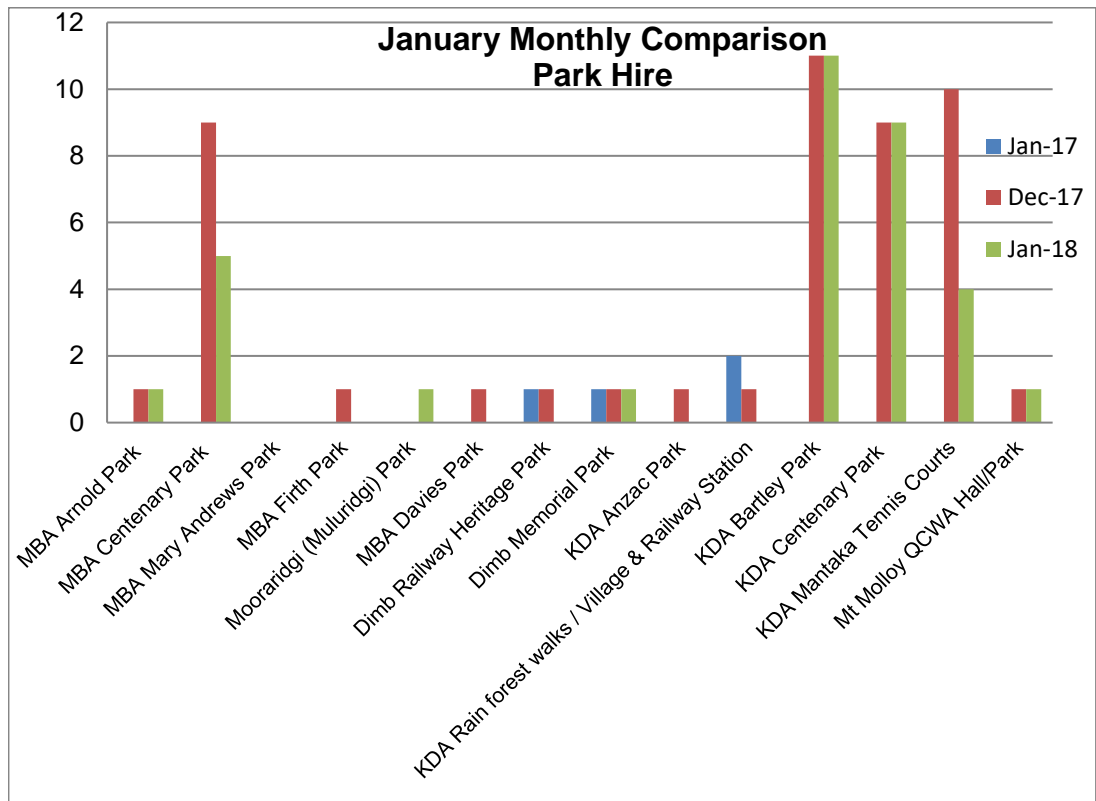


Figure 5. Monthly comparison Park Hire

Vandalism and Graffiti

During January 2018, six (6) reports of graffiti and vandalism were recorded on Council's Facilities.

- Mareeba Library
- Mareeba Firth Park
- Mareeba Transfer Station
- Mareeba Old Bowls Club
- Mount Molloy Rifle Creek
- Kuranda Community Precinct

Graffiti and Vandalism	Year to date actuals
2015-16	\$2,134
2016-17	\$16,546
2017-18	\$16,026

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

Mareeba Heritage Centre

Mareeba Heritage Centre are seeking financial contribution for the replacement of the Museum and VIC signage on the existing frame situated on the main building roof.

The front part of the original signage was blown down during a storm last year and due to rusting out of the angle line which held the signs fixed to the frame all remaining signs were removed. Due to this the Centre has not had adequate signage for 8 months.

A quote to supply and install one information sign size 2440 x 2440mm and one sign 1450 x 3150mm "Mareeba Heritage Museum" has been obtained at a cost of \$5,160 (excluding GST).



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
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: 15 January 2018

WORKS

ITEM-20 INFRASTRUCTURE SERVICES - WORKS SECTION ACTIVITY REPORT - JANUARY 2018

MEETING: Ordinary

MEETING DATE: 21 February 2018

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

DEPARTMENT: Infrastructure Services, Works Group

EXECUTIVE SUMMARY

The purpose of this report is to inform Councils of works undertaken by the Transport Infrastructure, Parks and Gardens, Bridge and Pest Management Sections of Infrastructure Services during the month of January 2018.

OFFICER'S RECOMMENDATION

"That Council receives the Transport Infrastructure, Parks and Gardens, Bridge Sections and Pest Management Activities Report for the month of January 2018."

BACKGROUND

Maintenance Activities

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

Description	Activity
Bower Road, Arriga	Bitumen Patching, Clean Inlet/Outlets culverts, Spraying
Kimalo Road, Arriga	Clean Inlet/Outlets culverts, Spraying
Bilwon Road, Biboohra	Bitumen patching, road furniture, spraying
Pickford Road, Biboohra	Grading unsealed roads
Boonmoo Road, Dimbulah	Bitumen patching, slashing
Leadingham Creek Road, Dimbulah	Bitumen patching, culvert repairs, road furniture, slashing
Leafgold Weir Road, Dimbulah	Bitumen patching, grading unsealed roads, slashing
Sandy Creek Road, Dimbulah	Mowing, road inspections, slashing
Veness Road, Dimbulah	Clean Inlet/Outlets culverts, Road Inspections, Slashing
Wolfram Road, Dimbulah	Bitumen patching, slashing, grading unsealed roads, mowing
Carr Road, Julatten	Slashing
Churchill Creek Road, Julatten	Grading unsealed roads
Euluma Creek Road, Julatten	Road furniture, slashing
Geraghty Park Road, Julatten	Slashing

Description	Activity
McDougall Road, Julatten	Road furniture, road inspections, slashing
Mount Lewis Road, Julatten	Grading unsealed roads, road furniture, slashing
Pinnacle Road, Julatten	Slashing
Barron Falls Road, Kuranda	Bitumen patching, slashing
Black Mountain Road, Kuranda	Bitumen patching, culvert repairs, slashing, tree clearing / vegetation management
Jarawee Road, Kuranda	Slashing
Masons Road, Kuranda	Slashing
Myola Road, Kuranda	Bitumen patching, clean inlet/outlets culverts, road furniture, slashing
Oak Forest Road, Kuranda	Bitumen patching, slashing
Rob Veivers Drive, Kuranda	Bitumen patching, general repairs & maintenance, slashing
Wrights Lookout Road, Kuranda	Slashing
Blacks Road, Mareeba	Grading unsealed roads
Byrnes Street, Mareeba	Bitumen patching, concrete footpath maintenance, linemarking for reseals, road furniture
Ceola Drive, Mareeba	Bitumen patching
Chewko Road, Mareeba	Bitumen patching, linemarking for reseals, road furniture, slashing, spraying
Walsh Street, Mareeba	Bitumen patching, linemarking for reseals, road furniture
East Mary Road, Mt Carbine	Grading unsealed roads, road inspections
Mount Spurgeon Road, Mt Carbine	Grading unsealed roads, slashing
Pump Road, Mt Carbine	Grading unsealed roads, road inspections
West Mary Road, Mt Carbine	Grading unsealed roads, road inspections
Wetherby Road, Mt Molloy	Grading unsealed roads, road inspections, slashing
Springs Road, Paddy's Green	Clean inlet/outlets culverts, road furniture, spraying

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

Annual Budget	Year to Date Budget	Year to Date Actual
\$3,338,972	\$1,945,080	\$1,738,702

2017/18 Capital Works

Leadingham Creek Bridge Renewal

Piling works for the new centre pier were undertaken in mid-January at Leadingham Creek Bridge in preparation for the renewal project.

The bridge was demolished to allow access for the pile driver and other ancillary equipment. At the time of reporting water was flowing in Leadingham Creek making it impossible to form and pour the new pier. Given favourable weather it is hoped that the substructure concrete works will take place in mid-February.

The bridge superstructure has been precast at the Kowa Street Depot and will be transported to site once the centre pier is complete.



TMR Routine Maintenance Performance Contract (RMPC)

Routine maintenance activities were undertaken during January 2018 at the following locations;

Primary Location	Activity Name
Kennedy Highway - Cairns/Mareeba	Pothole patching, includes traffic control
	Rest area servicing
Mulligan Highway - Mareeba/Mt Molloy	Pothole patching, includes traffic control
	Repair signs (excluding Guide Signs)
	Tractor slashing, rural, includes 2x traffic control
	Tractor slashing, urban
Mulligan Highway - Mt Molloy/Lakeland	Clean earth and concrete surface drains, includes traffic control
	Herbicide spraying, includes traffic control
	Other roadside work
	Repair guide signs
	Rest area servicing
	Tractor slashing, urban

Primary Location	Activity Name
Mossman - Mt Molloy Road	Emergency call-out / traffic accident
	Other sign work
	Roadside litter collection - rural
Mareeba - Dimbulah Road	Clean, straighten and/or paint guide markers
	Other roadside work
	Other sign work
Burke Developmental Road	Herbicide spraying- includes traffic control
	Other bituminous surface work
	Other roadside work
	Repair guide signs
	Repair or replace guide markers

The total claim to DTMR for the works listed above for the month of January 2018 was \$103,742.15.

Parks and Gardens Section

Maintenance Activities

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

Location
Parks, Library, CBD and Streets, Kuranda
Street Mowing, Mareeba
Arnold Park, Mareeba
Town Entry North, Mareeba
Nursery, Mareeba
Mary Andrews Gardens, Mareeba
Mowing and Maintenance, Irvinebank
Basalt Gully and Bi-Centennial Lakes, Mareeba
Byrnes Street Medians, Mareeba
Borzi Park, Mareeba
Fig Tree Management Plan, Kuranda
Esplanade, Kuranda
Centenary Park, Mareeba
Vains Park, Mt Molloy
Depot/Amphitheatre, Kuranda
Davies Park, Mareeba
Drainage Easements, Mareeba

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

Annual Budget	Year to Date Budget	Year to Date Actual
\$1,794,335	\$1,040,092	\$949,745

Bridge Section

Maintenance Activities

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

Location
Jeffrey Road Bridge
Reactive Maintenance

Annual Budget	Year to Date Budget	Year to Date Actual
\$562,213	\$326,909	\$216,834

Land Protection Section

Annual Budget	Year to Date Budget	Year to Date Actual
\$446,906	\$260,072	\$261,395

Water weeds on the Barron Catchment: This month Land Protection officers have commenced working on the major infestation of Amazon Frog Bit, Water lettuce and Salvinia Weed. Staff have located the source of these invasive aquatic plants on Chinaman Creek. Council is manually removing as much of the mass as possible in order to minimise impacts of herbicide on the environment. Officers have now completed the full length of Chinaman Creek and are starting on Atherton Creek. Water fowl have moved these weeds above the junction of Chinaman and Atherton Creeks

and the most upstream patch of weed has been located and works pushing down stream. The project is extremely intensive and slow work and staff are working to a strategic/head of catchment approach. There will be holdups with big rain events.



Gamba Grass and Rats Tail Grass roadside control work: Officers are working their way around the roads network. All works on the state-controlled network is funded by DTMR.

Feral Pigs: Staff have assisted numerous land owners/primary producers throughout the MDIA with trapping and the laying of toxic baits as well as referrals to commercial hunters.

LINK TO CORPORATE PLAN

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

CONSULTATION*Internal*

Infrastructure Services staff

External

Nil

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS*Capital*

Included in 2017/2018 budget

Operating

Included in 2017/2018 budget

Is the expenditure noted above included in the 2017/2018 budget?

Yes

IMPLEMENTATION/COMMUNICATION

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

ATTACHMENTS

Nil

Date Prepared: 9 February 2018

WATER & WASTE

ITEM-21 **INFRASTRUCTURE SERVICES - WATER AND WASTEWATER GROUP MONTHLY OPERATIONS REPORT - JANUARY 2018**

MEETING: Ordinary

MEETING DATE: 21 February 2018

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

DEPARTMENT: Infrastructure Services, Water and Waste Group

EXECUTIVE SUMMARY

The purpose of this report is to summarise Council's Water and Wastewater activities undertaken by the Infrastructure Services Department during the month of January 2018.

OFFICER'S RECOMMENDATION

"That Council receive and note the January 2018 Monthly Water and Wastewater Report."

LINK TO CORPORATE PLAN

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

1. Capital and Maintenance Works Projects

Kenneally Sewer Rising main construction has commenced. Some boulders have been encountered during trenching (as shown below), however works remain on schedule.

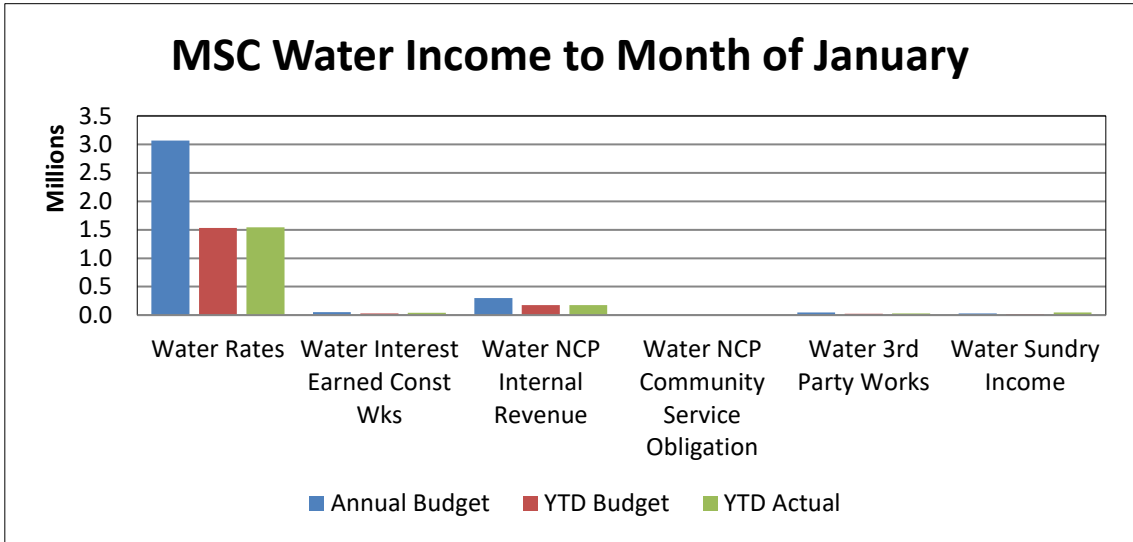


2. Environmental Monitoring - Treatment

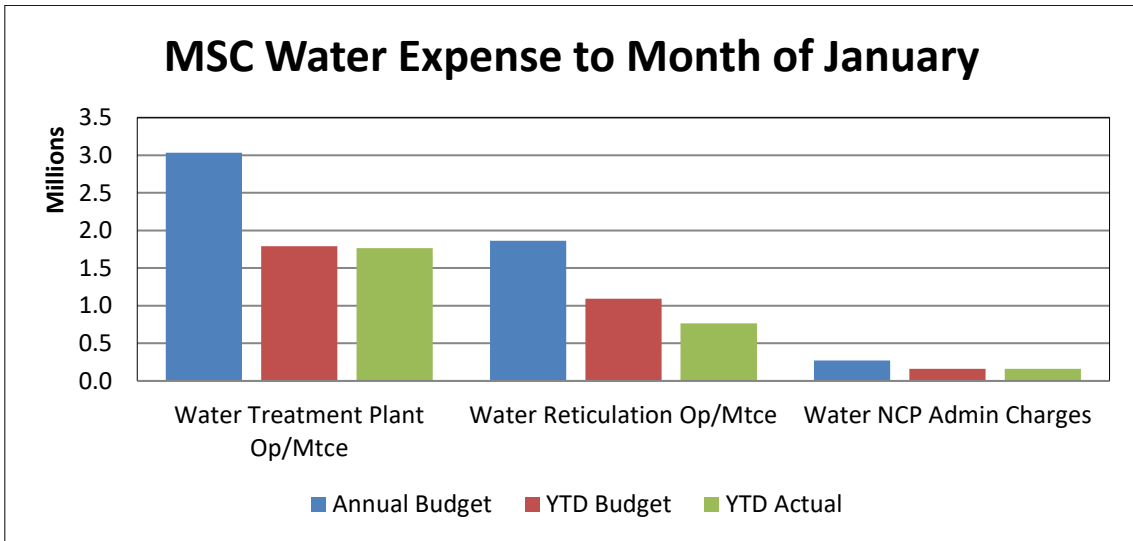
- Mareeba WTP - Advice received from the Department of Environment and Science (DES) outlining no further action will be taken in relation to elevated total aluminium in discharge waters to the Barron River 10 January 2018 whilst trial of new ACH coagulant was underway.
- Mareeba WWTP - continues to perform well. Effluent water quality results are compliant with EA limits. Two Mile Creek bimonthly monitoring continues. Two Mile Creek water quality downstream is improving.
- Kuranda STP - Remains compliant with licence conditions with exception detailed below:
An environmental incident occurred at the Kuranda STP on Thursday 4 January 2018. The incident was the result of a power brown out which saw a quantity of treated Return Activated Sludge discharged to Jum Rum Creek. This was reported to DES - two officers attended the site to investigate. MSC staff undertook all practicable measures to minimise harm to the environment and as a result no further action was taken by DES (formal advice received 31 January 2018). Two new additional alarms have been set up to mitigate future occurrences.

3. Budget - Water

Graphical - Revenue

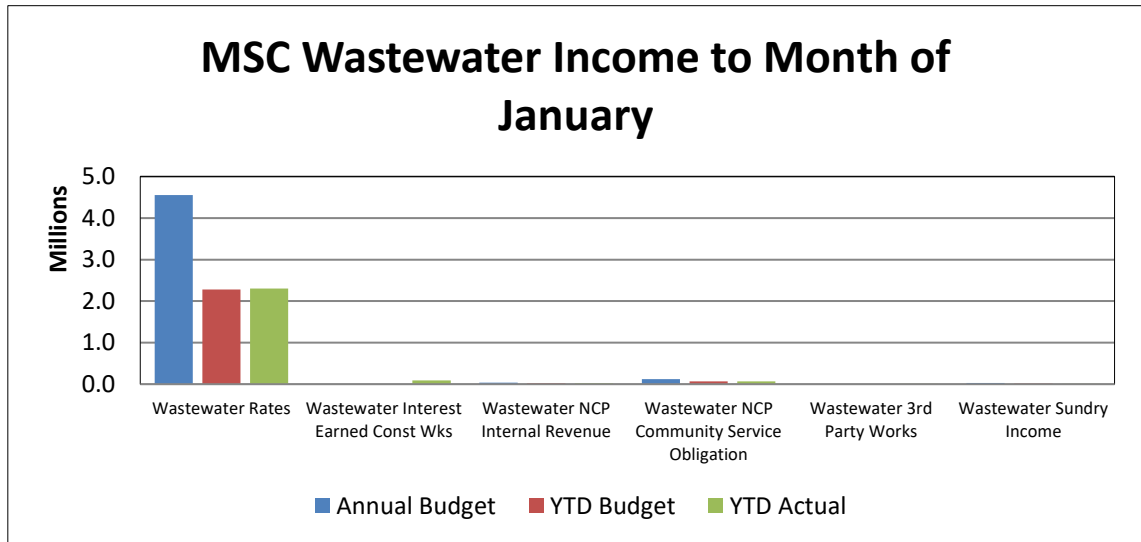


Graphical – Expense

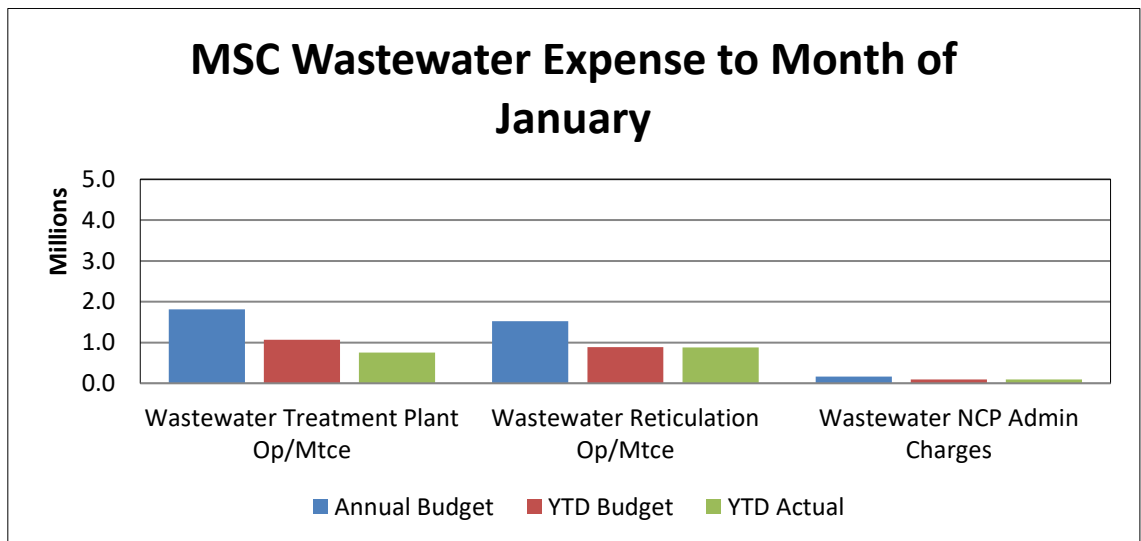


4. Budget - Wastewater

Graphical - Revenue



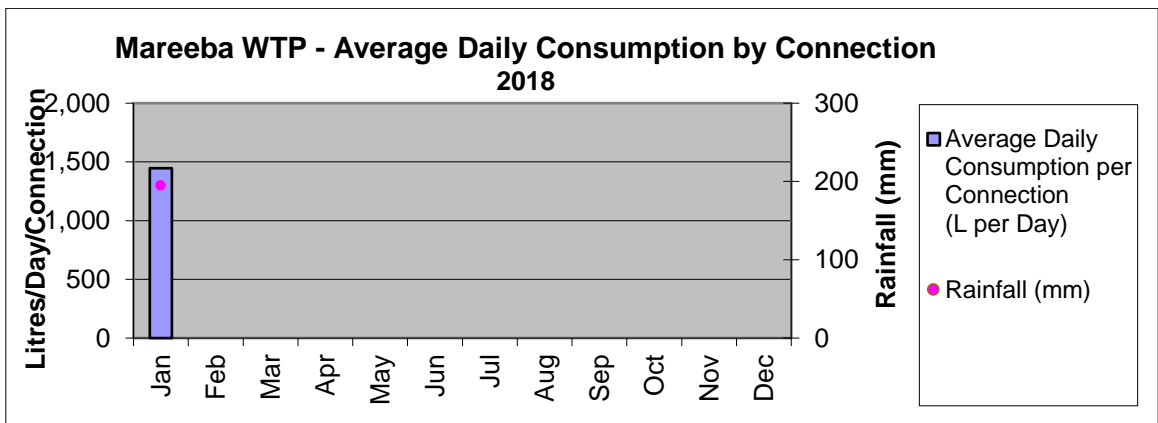
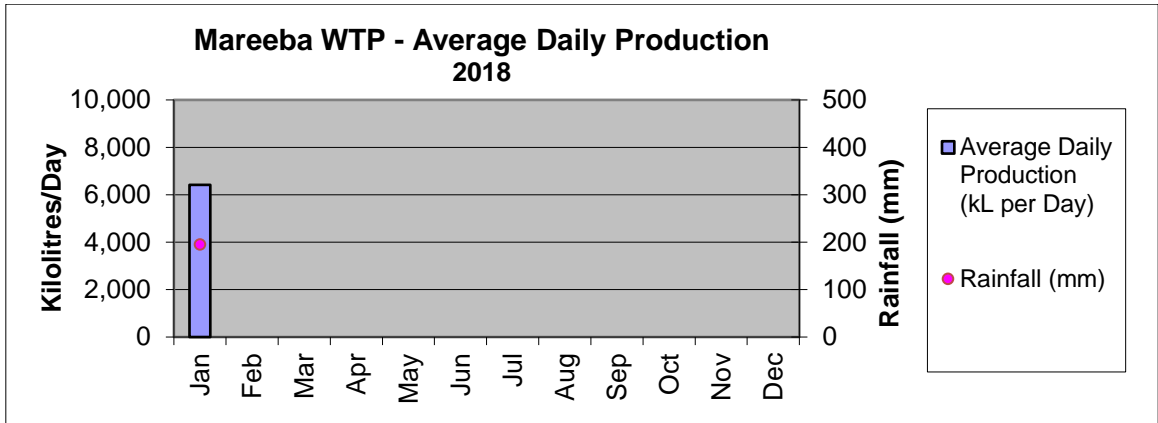
Graphical – Expense



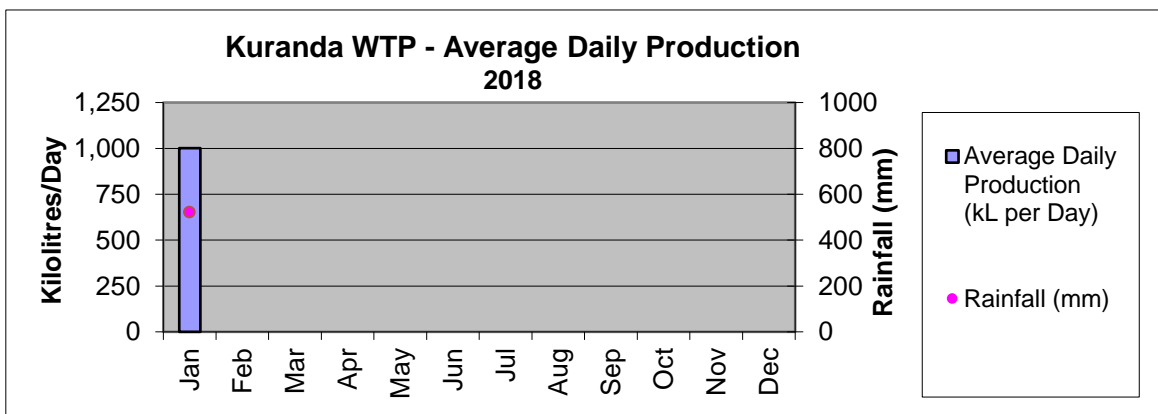
5. Chlorine Residual Readings

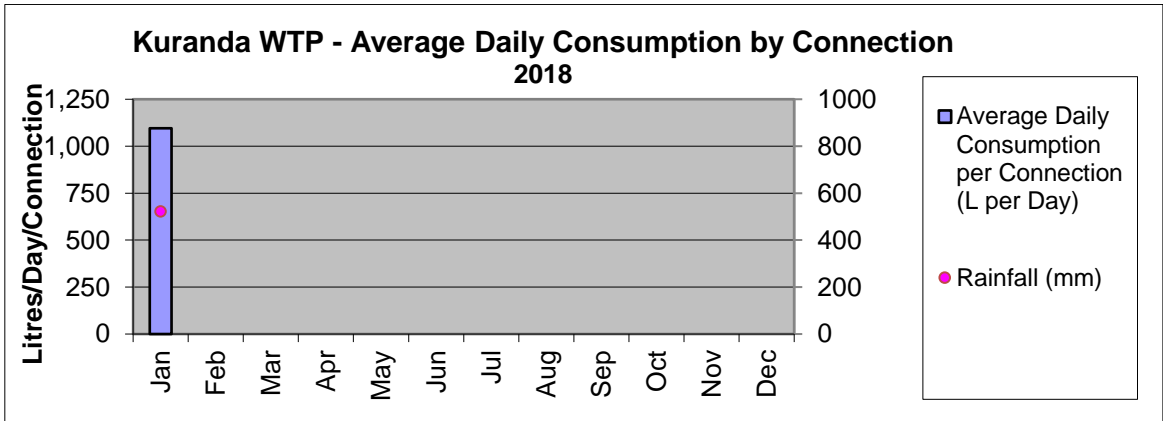
January 2018	Chlorine Residual Readings 2018													
	Australian Drinking Water Guidelines Maximum 5mg/L													
	Tue 2nd	Wed 3rd	Fri 5th	Mon 8th	Wed 10th	Fri 12th	Mon 15th	Wed 17th	Fri 19th	Mon 22nd	Wed 24th	Thu 25	Mon 29th	Wed 31st
Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	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)
Mary Andrews Park Mareeba	1.32	1.18	0.85	0.66	1.22	1.39	1.02	0.90	0.76	0.77	0.90	0.83	0.78	1.08
Wylandra Drive Mareeba	0.62	0.58	0.67	0.50	0.54	0.54	0.72	0.61	0.65	0.46	0.40	0.41	0.40	0.32
Gregory Terrace Kuranda	0.89	1.28	0.87	0.71	0.60	0.86	1.00	0.72	0.84	0.79	0.73	0.86	1.00	1.10
Mason Rd PS Kuranda	1.56	1.35	1.25	1.26	1.20	1.32	1.00	0.76	1.08	1.10	0.81	1.11	1.20	1.50
Chillagoe	1.24	1.23	1.22	1.34	1.14	1.36	1.22	1.20	1.18	0.94	1.02	1.06	0.78	1.12
Dimbulah	0.92	0.91	0.77	0.76	1.05	0.88	0.96	1.10	0.96	0.98	0.94	1.05	1.02	0.89

6. Mareeba Water Supply Scheme – Operations Data

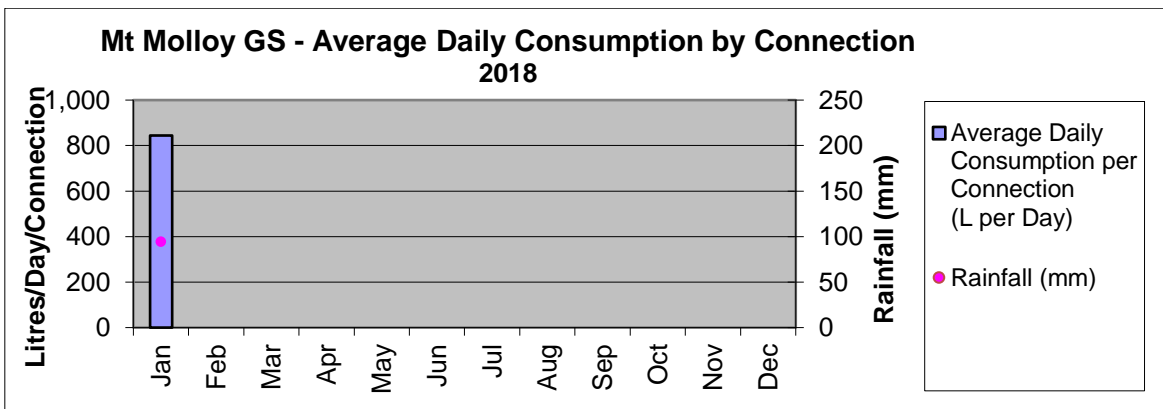
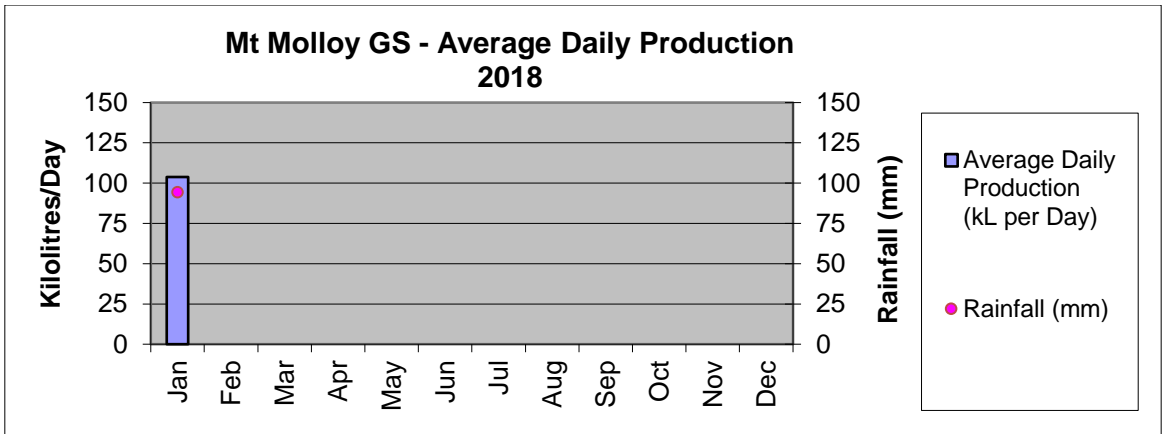


7. Kuranda Water Supply Scheme - Operations Data

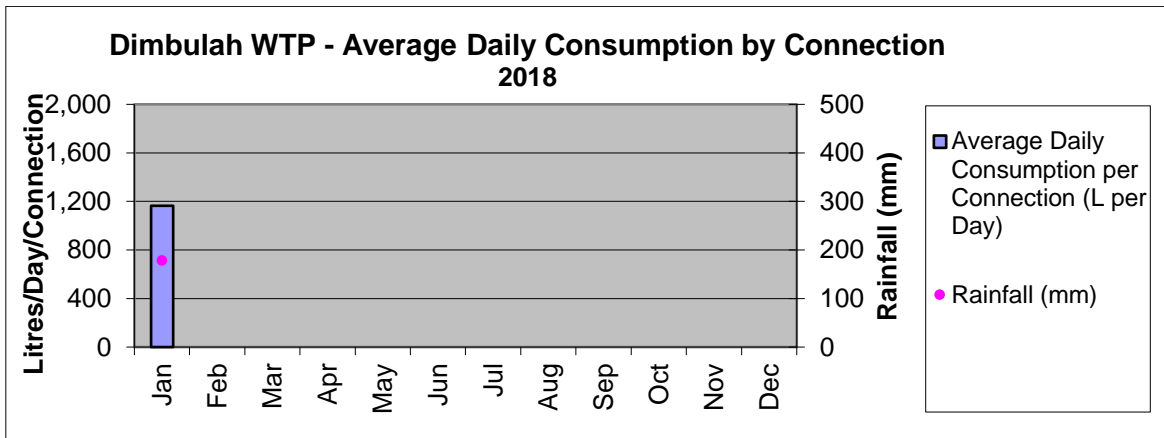
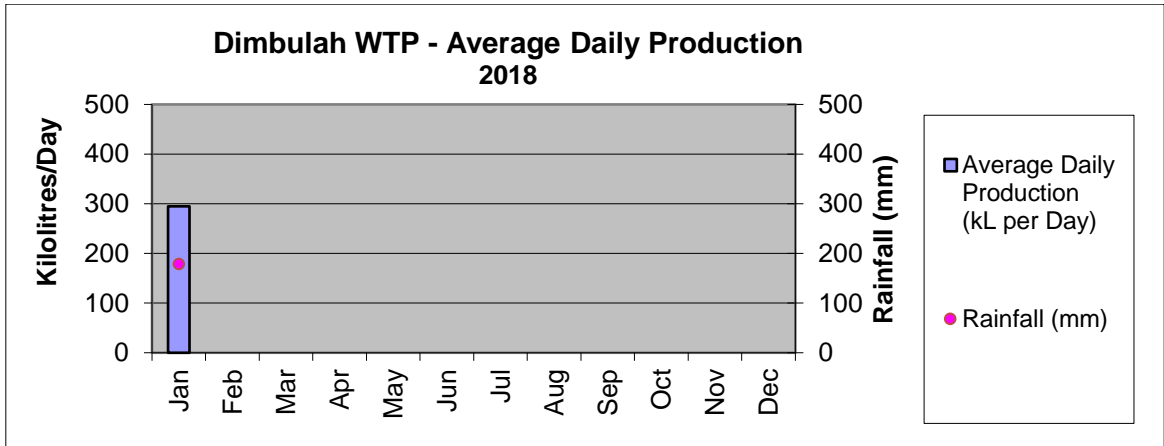




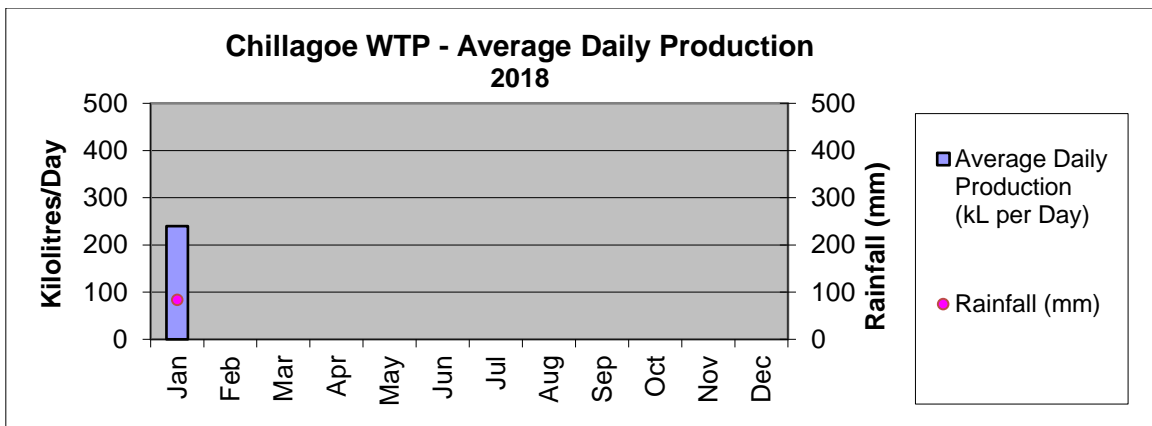
8. Mount Molloy Water Supply Scheme - Operations Data

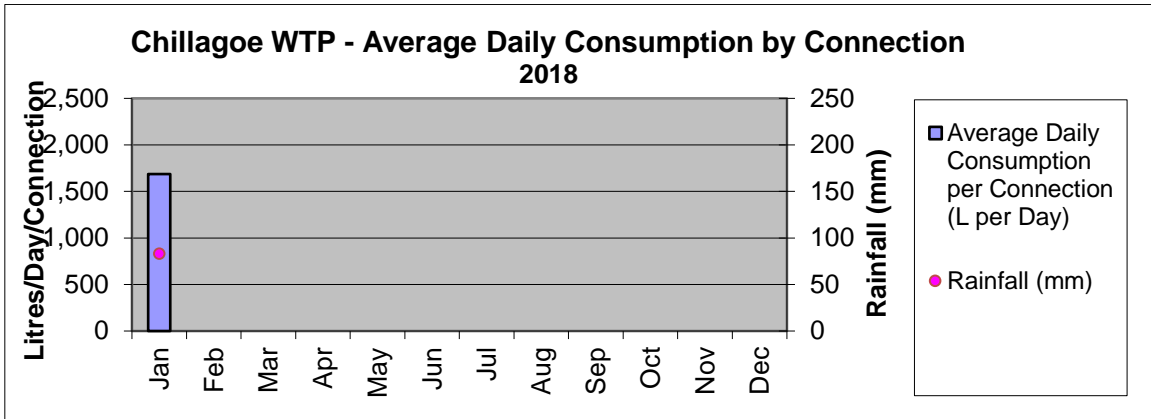


9. Dimbulah Water Supply Scheme - Operations Data

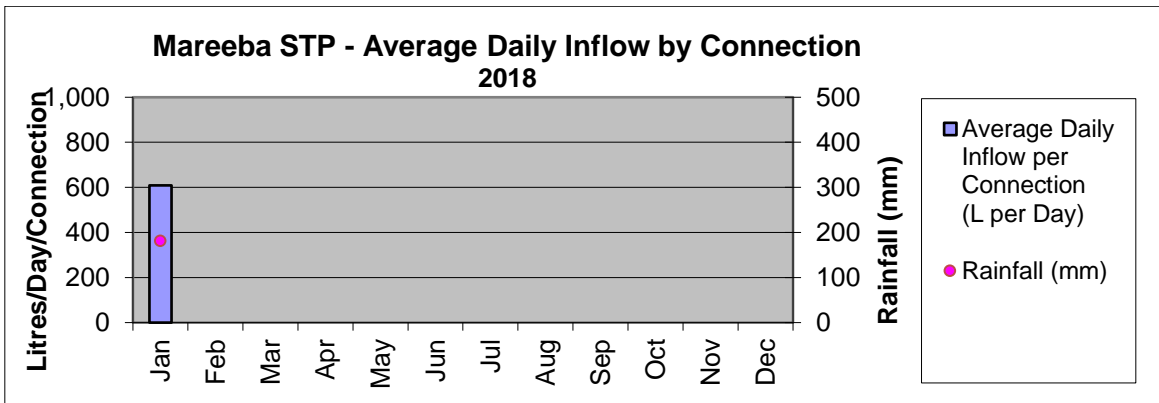
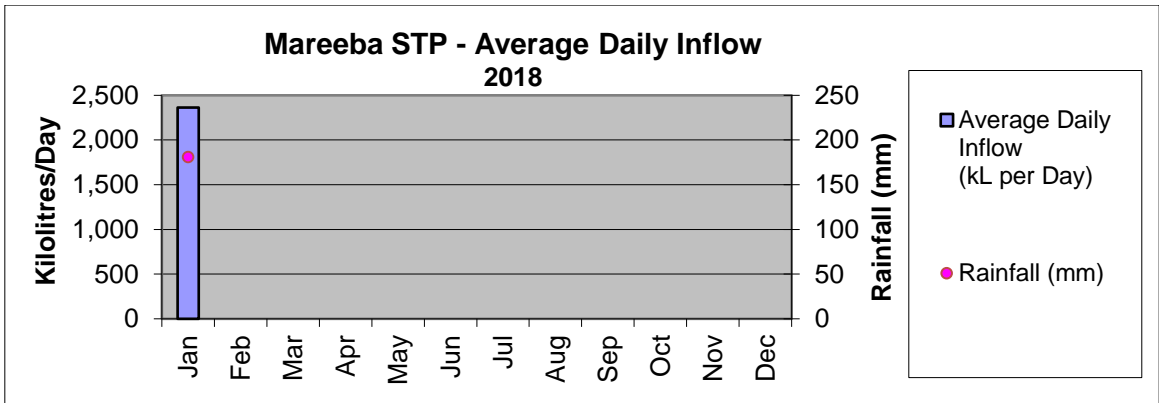


10. Chillagoe Water Supply Scheme - Operations Data

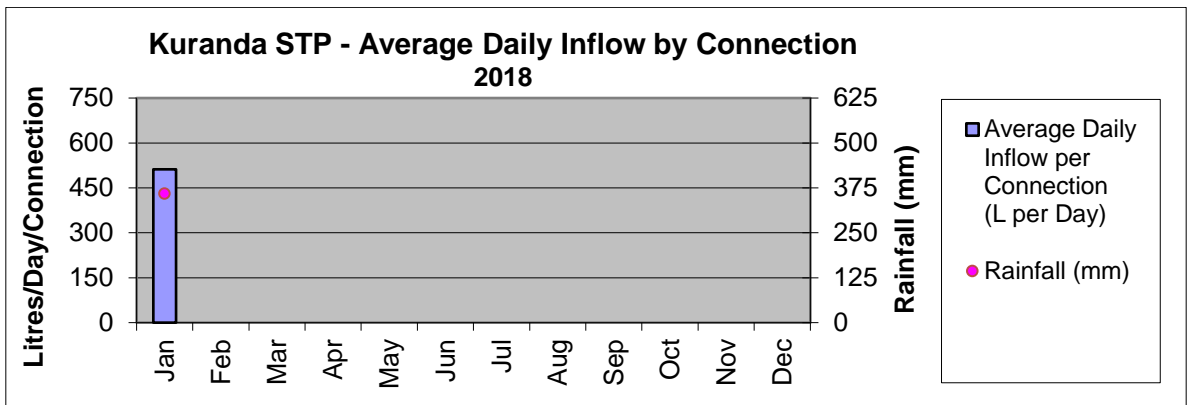
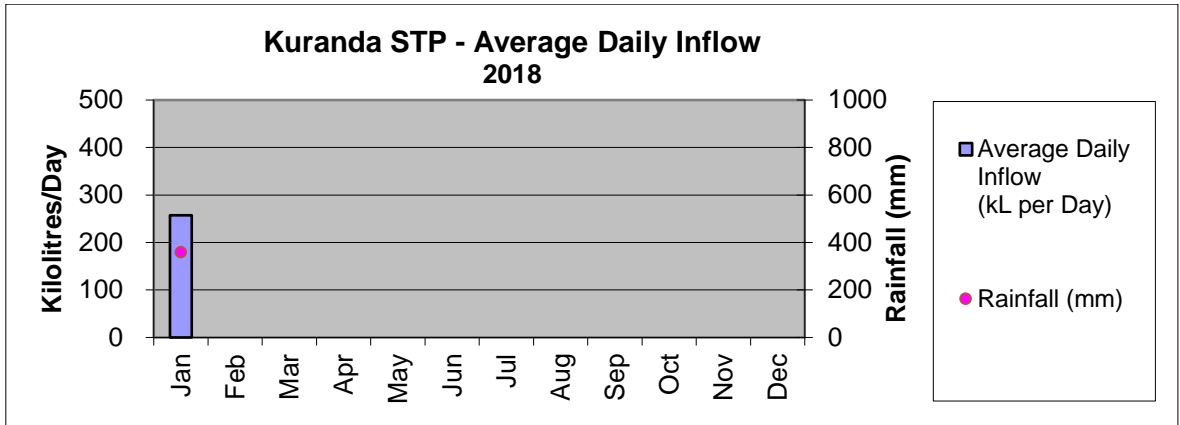




11. Mareeba Wastewater Treatment Plant - Operations Data



12. Kuranda Wastewater Treatment Plant - Operations Data



Date Prepared: 9 February 2018

**ITEM-22 INFRASTRUCTURE SERVICES - WASTE OPERATIONS
REPORT - JANUARY 2018****MEETING:** Ordinary**MEETING DATE:** 21 February 2018**REPORT OFFICER'S
TITLE:** Manager Water and Waste**DEPARTMENT:** Infrastructure Services, Water and Waste Group

EXECUTIVE SUMMARY

The purpose of this report is to inform Council of Council's Waste activities undertaken by the Infrastructure Services Department during the month of January 2018.

OFFICER'S RECOMMENDATION

"That Council receive the Infrastructure Services, Waste Operations Progress Report, January 2018.

SUMMARY OF WASTE ACTIVITIES

The following is a 'snapshot' of the waste activities undertaken during the month of January 2018.

1. Waste Operations

- 5,961 vehicles entered Mareeba waste facility (to drop off or pick waste).
- 289 vehicles deposited waste to Mareeba Landfill (total).
- 102 Suez vehicles deposited waste to Mareeba Landfill.
- 38 Suez vehicles removed waste from Mareeba WTS to recycling facility in Cairns.
- 122 m³ of mulch sold (26 in bulk sales and 96 in small lots less than 3 m³).
- Current Mareeba Landfill Compaction Rate of 0.87 tonnes per cubic metre.
- Both Mareeba and Kuranda WTS were broken into and recycling material removed.
- All transfer stations and Mareeba landfill are currently operational.

2. Environmental Monitoring

There were no Non-Compliances in the January results for either the

- Ground water, or
- Gas monitoring

3. Old Mareeba Landfill Capping Project Update

Establishment of the hydro mulch grass cover and irrigation system has been completed, with the maintenance period scheduled for completion 23 March 2018.



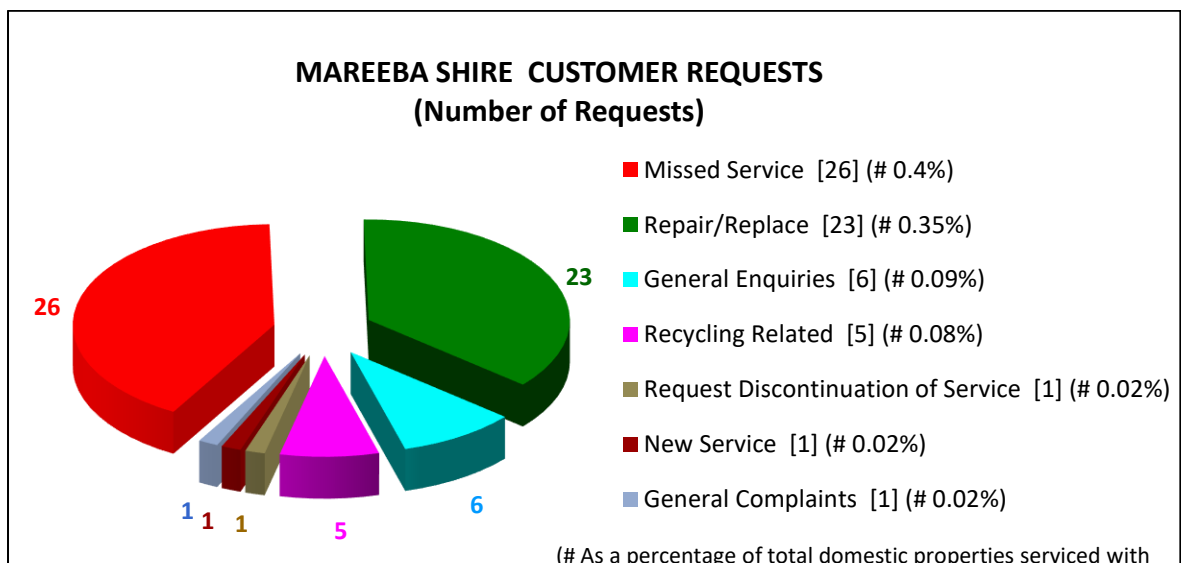
4. Mareeba Landfill Surface Waters Project

Turbidity monitoring conducted on the release waters has confirmed that works completed to improve quality of stormwater leaving the Mareeba Landfill are performing well following heavy rainfall in January.



5. Customer Service Waste Statistics

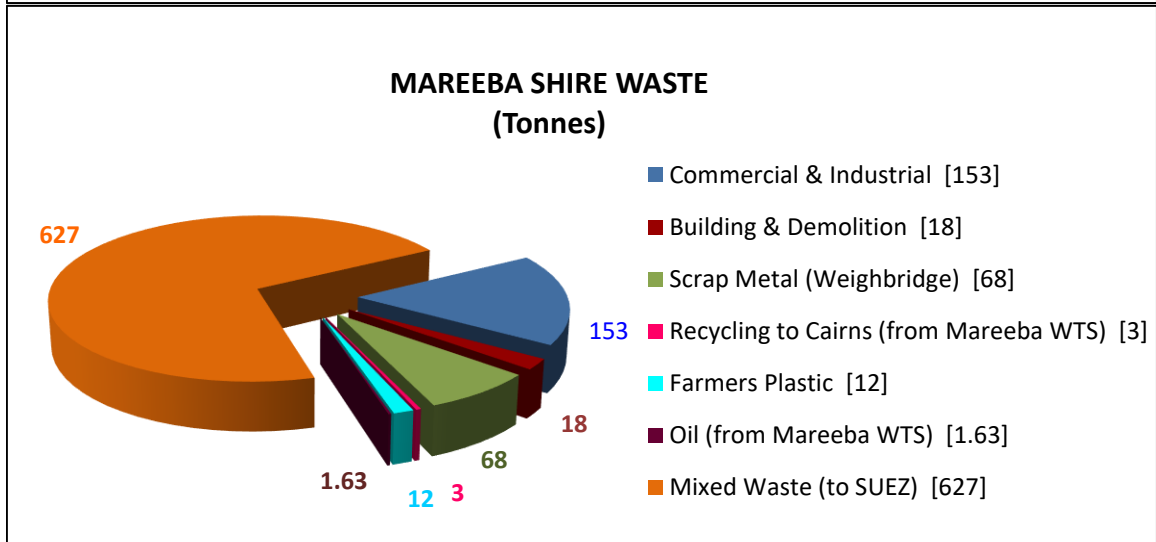
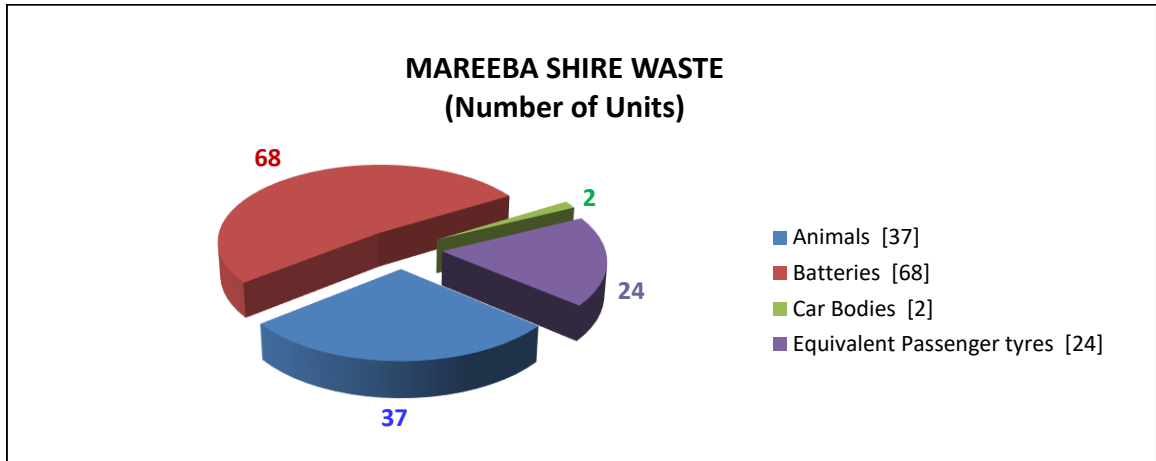
The following graph displays customer requests logged in the Customer Request Management (CRM) system during the month of January 2018.



Waste Collected at Each of the Transfer Stations

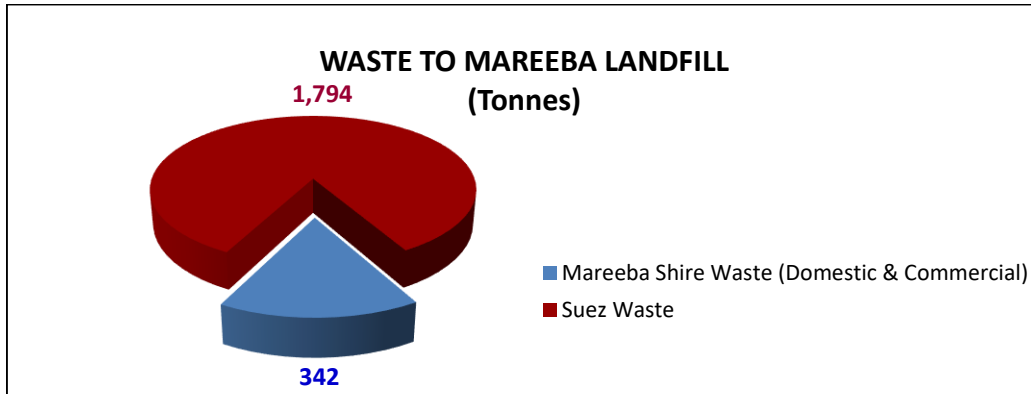
Waste material collected at each of the waste transfer stations is either deposited directly to the Mareeba landfill, recycled or transported to the Suez facility in Cairns for processing.

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



6. 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.



7. Revenue

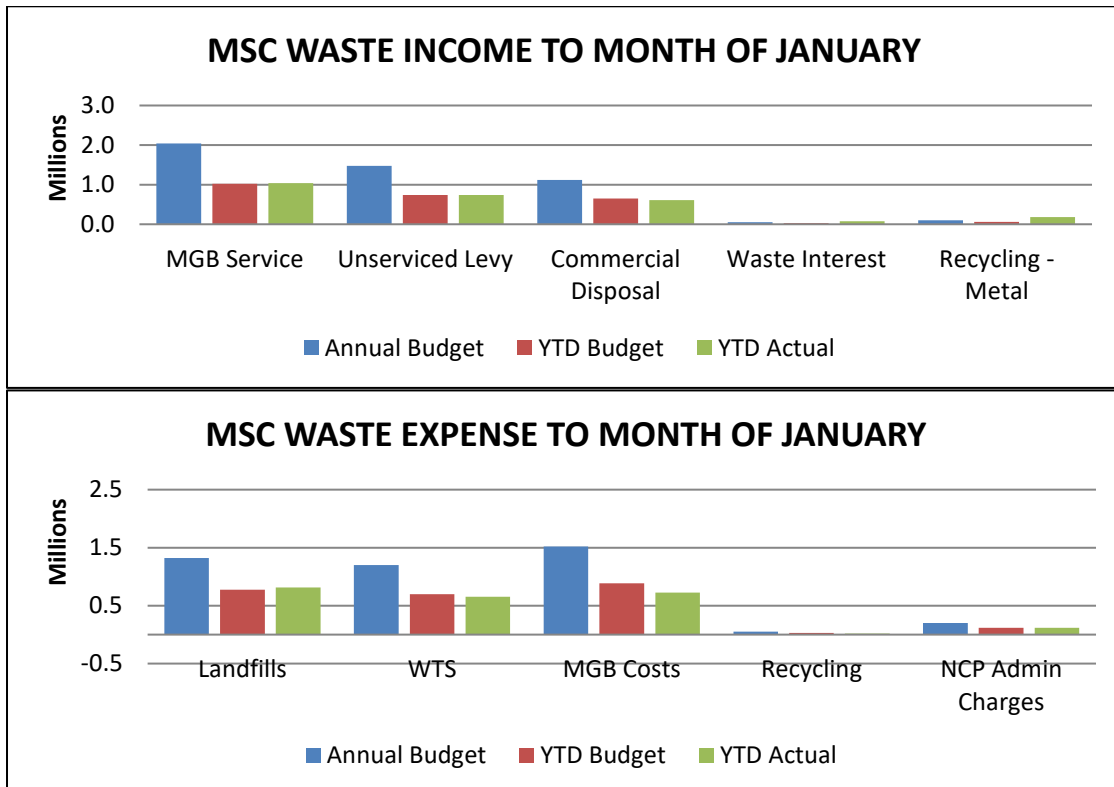
The income is derived from:

- 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

8. 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*

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 2017/2018 budget?

Yes

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

Nil

Date Prepared: 9 February 2018

CHIEF EXECUTIVE OFFICER

ITEM-23 COUNCILLOR ATTENDANCE AT CONFERENCES 2018

MEETING: Ordinary

MEETING DATE: 21 February 2018

**REPORT OFFICER'S
TITLE:** Chief Executive Officer

DEPARTMENT: Office of the CEO

EXECUTIVE SUMMARY

Several conferences have been scheduled for 2018 with a target audience including Mayors, Councillors and Chief Executive Officers from Local Government.

The purpose of this report is to obtain Council approval for the attendance of Councillors at the following conferences:

- *Local Government Managers Australia (LGMA) National Local Roads and Transport Congress, Uluru: 20-22 November 2018. Crs Davies and Pedersen to attend*
- *Local Government Association Queensland (LGAQ) Future Cities Summit, Cairns: 11-13 July 2018. Crs Davies, Graham, Toppin and Wyatt to attend*
- *LGAQ Annual Conference, Brisbane: 29-31 July 2018. Cr Toppin to attend*

OFFICER'S RECOMMENDATION

"That Council approve the attendance of Councillors at the conferences as outlined in this Report."

BACKGROUND

As stated above, LGMA holds a National Local Roads and Transport Congress on an annual basis. This congress provides the opportunity for Local Government to engage with the Federal Government and Opposition on road and infrastructure policies and initiatives. Crs Davies and Pedersen have nominated to attend the event on behalf of Council.

The LGAQ Future Cities Summit aims to unpack what it means to be a smart city and smart community, how transportation and asset management can be done differently, how we engage with our citizens, and how governments can plan for the disruptors. Crs Davies, Graham, Toppin and Wyatt have requested their attendance on behalf of Council.

The LGAQ Annual Conference provides an important opportunity for councils to not only network and learn but also to debate and vote on new policy. The event doubles as the Association's AGM. Cr Toppin has nominated to attend the conference.

LINK TO CORPORATE PLAN

Governance: Sound decision-making based on the understanding and confidence of the community, reflected in responsible long-term financial sustainability and clear strategic direction built around core local government business and affordable levels of service

CONSULTATION

Internal
Mayor and Councillors

External
Nil

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital
Nil

Operating
Yes

Is the expenditure noted above included in the 2017/2018 budget?
Yes

IMPLEMENTATION/COMMUNICATION

Councillors to be registered for events once approval received from Council

ATTACHMENTS

Nil

Date Prepared: 6 February 2018

BUSINESS WITHOUT NOTICE

NEXT MEETING OF COUNCIL

The next meeting of Council will be held at 9:00 am on Wednesday 21 March 2018

SUMMARY OF NEW PLANNING APPLICATIONS & DELEGATED DECISIONS FOR THE MONTH OF JANUARY 2018

Summary of new Planning Development Applications and Delegated Decisions for January 2018

New Development Applications					
Application #	Lodgement Date	Applicant/ Address	Property Description	Application Type	Status
MCU/18/0001	11/01/2018	Neil Setford / 25 Earl Street MAREEBA	Lot 16 on M356145	MCU - Rooming Accommodation	Public Notification stage
MCU/18/0002	17/01/2018	Owen Davies / 49-51 Raleigh Street, Dimbulah	Lots 507 & 508 on HG714	MCU - Community use	Referral stage
MCU/18/0003	30/01/2018	G & R Tatti Pty Ltd TTE / 3 Kenneally Road MAREEBA	Lot 1 on RP725081	MCU - Short-term accommodation	In confirmation stage
RAL/18/0001	18/01/2018	Andrew Easton, Adrienne P Easton, Barbara C Martin / 77 Barnwell Road, Kuranda	Lot 16 on N157227	ROL - (1 into 48 Lots in 2 stages)	In confirmation stage
RAL/18/0002	18/01/2018	Reever and Ocean Pty Ltd / 112 Barnwell Road, Kuranda	Lot 1 on RP703984, Lot 20 on N157423, Lot 43 on N157359, Lot 95 on N157452, Lot 129 on NR456, Lot 131 on N157491, Lot 290 on N157480, Lot 17 on N157227, Lot 18 on N157227, Lot 19 on N157452, Lot 22 on N157227, Lot 2 on RP703984 and Road reserves (Barnwell Road and unnamed roads) adjoining	ROL - Subdivision (12 into 191 lots in 8 stages)	In confirmation stage

January 2018 (Regional Land Use Planning)

			Lots 17, 18 and 22 on N157227), Lots 1 and 2 on RP703984 and Lot 19 on N157452		
RAL/18/0003	21/01/2018	Stanley R Land, Merrilyn Land, Michael R Cordingley / McMillan Road, Mareeba	Lot 97 on SP202902	ROL - 1 into 2 Lots	In decision stage
RAL/18/0004	29/01/2018	Victor A Bolton / 10 James Street, Mareeba	Lot 2 on MPH25197	ROL (1 into 2 Lots)	In decision stage
OPW/18/0001	25/01/2018	Henson Union Investments Pty Ltd / 118 Metzger Road, Mutchilba	Lot 17 on SP273716	Operational Works - Dam	Awaiting payment

Decision Notices issued under Delegated Authority

Application #	Date of Decision Notice	Applicant	Address	Property Description	Application Type
OPW/17/0004	05/01/2018	S & K Derakhshan	8-10 Forest Close, Kuranda	Lot 3 on SP146500 & Lot 11 on RP851466	Operational Works for Reconfiguring a Lot - Subdivision (2 into 3 lots) approval DA/16/0062
RAL/17/0009	15/01/2018	W & J Nicholl	468 Koah Road, Koah	Lot 2 on RP738539	ROL (1 into 3 Lots)

Change to Existing Development Approval issued

Application #	Date of Decision	Applicant	Address	Property Description	Application Type
N/A					

Referral Agency Response Decision Notices issued under Delegated Authority					
Application #	Date of Decision	Applicant	Address	Property Description	Application Type
CAR/18/0001	25/01/2018	D Nielsen C/- Northern Building Approvals	58 Strattmann Street, Mareeba	Lot 38 on M35629	Non-compliant gross floor area for

Extensions to Relevant Period issued					
Application #	Date of Decision	Applicant	Address	Property Description	Application Type
N/A					

Survey Plans endorsed					
Application #	Date	Applicant	Address	Property Description	No of Lots
DA/14/0056	25/01/2018	D Holloway	Mulligan Highway, Biboohra	LOTS 3 & 4 ON SP284132 (CANCELLING LOT 300 ON SP223154)	1 into 2 Lots