



Ordinary Meeting

Council Chambers

Date: 18 April 2018

Time: 9:00am

AGENDA

THE ORDINARY MEETING OF THE MAREEBA SHIRE COUNCIL WILL BE HELD AT COUNCIL CHAMBERS, ON **WEDNESDAY, 18 APRIL 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

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CORPORATE AND COMMUNITY SERVICES

REGIONAL LAND USE PLANNING

ITEM-1 **N SETFORD - MCU - ROOMING ACCOMMODATION - LOT 16 M356145 - 25 EARL STREET, MAREEBA - MCU/18/0001**

MEETING: Ordinary

MEETING DATE: 18 April 2018

**REPORT OFFICER'S
TITLE:** Planning Officer

DEPARTMENT: Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	N Setford	ADDRESS	25 Earl Street, Mareeba
DATE LODGED	15 January 2018	RPD	Lot 16 on M356145
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Rooming Accommodation		

FILE NO	MCU/18/0001	AREA	698m ²
LODGED BY	Northern Building Approvals	OWNER	N Setford
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Medium Density Residential		
LEVEL OF ASSESSMENT	Impact Assessment		
SUBMISSIONS	No submissions received		

ATTACHMENTS: 1. Proposal Plan/s
 2. Submitter letters

EXECUTIVE SUMMARY

Council is in receipt of an impact assessable development application described in the above application details. No submissions were received during public notification of the application.

The applicant proposes the construction of a rooming accommodation complex for up to four (4) single persons. Each of the four (4) single person rooms will contain a separate bathroom

and kitchenette for exclusive use by each resident while a larger living area and kitchen will be provided as communal space.

The application and supporting material has been assessed against the Mareeba Shire Council Planning Scheme 2016 and does not conflict with any relevant aspect of the Planning Scheme.

Any potential amenity impacts on adjoining residential uses can be adequately managed through conditions of approval.

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

OFFICER'S RECOMMENDATION

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

APPLICATION		PREMISES	
APPLICANT	N Setford	ADDRESS	25 Earl Street, Mareeba
DATE LODGED	15 January 2018	RPD	Lot 16 on M356145
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Rooming Accommodation		

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:

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 - Rooming Accommodation

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
973 - SK1 A	Cover Sheet	Own Home Design	24 August 2017
973 - SK2	Ground Floor Plan	Own Home Design	24 August 2017
973 - SK3 A	Elevations	Own Home Design	24 August 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
 - 2.1 The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the commencement of the use except where specified otherwise in these conditions of approval.
 - 2.2 Prior to the commencement of use, the applicant must notify Council that all the conditions of the development permit have been complied with, except where specified otherwise in these conditions of approval.
3. General
 - 3.1 The development approval would not have been issued if not for the conditions requiring the construction of infrastructure.
 - 3.2 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.
 - 3.3 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to commencement of the use and at the rate applicable at the time of payment.
 - 3.4 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.
 - 3.5 Noise Nuisance

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

The applicant is required to install and maintain suitable screening to all air conditioning, lift motor rooms, plant and service facilities located at the top of or on the external face of the building. The screening structures must be constructed from materials that are consistent with materials used elsewhere

on the facade of the building. There are to be no individual external unscreened air conditioning units attached to the exterior building facade.

3.6 Waste Management

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

3.7 Clothes Drying area

Sufficient area for clothes drying is to be provided for the units and is to be appropriately screened from view of adjoining properties and the street, to the satisfaction of Council's delegated officer.

4. Infrastructure Services and Standards

4.1 Access

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

If the access works are not completed at time of operational works (see condition 4.2), the applicant/developer is to make separate application for driveway access onto a Council road. The application is to be accompanied by the relevant fee and will be required to certify or be assessed for compliance by Council's delegated officer.

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

4.2 Frontage works - Joyce 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.

- The development side of Joyce Street only, must be widened from the edge of the existing bitumen seal to the existing kerb and channel, from the intersection of Earl and Joyce Streets to the eastern boundary of the site.
- The widening works must be bitumen or asphalt standard and must include sufficient overlapping of the existing bitumen seal to ensure an appropriate bond of surfaces is achieved, to the satisfaction of Council's delegated officer.

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

4.3 Stormwater Drainage/Water Quality

- (a) The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.
- (b) All stormwater drainage must be discharged to an approved legal point of discharge.

4.4 Car Parking/Internal Driveways

The applicant/developer must ensure the development is provided with four (4) on-site car parking spaces which are available solely for the parking of vehicles associated with the use of the premises. All car parking spaces and internal driveways must be concrete, bitumen or asphalt sealed and appropriately drained prior to the commencement of the use and to the satisfaction of Council's delegated officer.

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

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

4.5 Landscaping & Fencing

- 4.5.1 Prior to the commencement of the use of the site, a landscape plan must be prepared and submitted to Council's delegated officer for consideration and approval.

The landscape plan must include a 1.5-metre-wide landscape strip along both the Earl and Joyce Street frontages of the site (where not fenced), excluding the access driveway and must include plant species selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.

The landscaping of the site must be carried out in accordance with the endorsed landscape plan prior to the commencement of the use, and mulched, irrigated and maintained to the satisfaction of Council's delegated officer.

- 4.5.2 Prior to the commencement of the use, a solid 1.8 metre high timber paling (no gaps) or 1.8 metre high colorbond fence (of neutral colour) is to be erected along both side and rear boundaries of the site (including the Earl Street frontage) to the extent depicted on the approved site plan (Drawing No. 973 - SK1 A, Cover Sheet, prepared by Own Home Design dated 24 August 2018).

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

4.6 Lighting

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

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

4.7 Water Supply

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

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

4.8 Sewerage Connection

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

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

(D) ASSESSMENT MANAGER'S ADVICE**(a) Water Meters/Water Service Connection**

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

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

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

(c) Compliance with applicable codes/policies

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

(d) Compliance with Acts and Regulations

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

(e) Environmental Protection and Biodiversity Conservation Act 1999

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

(f) Cultural Heritage

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

(g) Transportation of Soil

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

(E) RELEVANT PERIOD

When approval lapses if development not started (s.85)

- Material Change of Use – six (6) years (starting the day the approval takes effect);

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

- Development Permit for Building Work
- Development Permit for Operational Works (to include access crossover works)

(G) OTHER APPROVALS REQUIRED FROM COUNCIL

- Compliance Permit for Plumbing and Drainage Work"

THE SITE

The subject site is situated at 25 Earl Street, Mareeba, on the corner of Earl and Joyce Streets, and is more particularly described as Lot 16 on M356145. The site is generally regular in shape with a total area of 698m² and is zoned Medium density residential under the Mareeba Shire Council Planning Scheme 2016.

The site contains 31.6 metres of frontage to Earl Street which is constructed to a bitumen sealed standard including kerb and channel and a further 19.5 metres of frontage to Joyce Street which is also constructed to a bitumen sealed standard, however this seal does not extend all the way to the kerb and channel with the kerbing present on the development side of the road only.

The site is currently vacant, however is connected to all urban services. Lots surrounding the site are also zoned medium density residential and contain single dwellings only. The Mareeba Racecourse is situated to the south of the site on the opposite side of Joyce Street.



Map Disclaimer:

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



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BACKGROUND AND CONTEXT

Nil

PREVIOUS APPLICATIONS & APPROVALS

Nil

DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Material Change of Use - Rooming Accommodation in accordance with the plans shown in **Attachment 1**.

The application proposes the construction of a 226m², four (4) bedroom rooming accommodation facility to provide long term accommodation for four (4) individuals. The proposed rooming accommodation facility will be managed by Mareeba Community Housing Company and will form part of the group's 'Building Futures Program'. The program provides assistance to people who are currently experiencing homelessness and focuses on assisting aging individuals gaining and sustaining appropriate long-term housing.

The proposed rooming accommodation facility will include four (4) single person rooms which will each include a separate bathroom and kitchenette for exclusive use by each resident. A larger living area/loungeroom, laundry and kitchen will also be provided as common space for use by all residents.

A covered outdoor entertainment area and undercover carport for four (4) vehicles will also be provided on site.

REGIONAL PLAN DESIGNATION

The subject site is included within the Urban Footprint land use category in the Far North Queensland Regional Plan 2009-2031. Mareeba is identified as a Regional Activity Centre in the Regional Plan.

PLANNING SCHEME DESIGNATIONS

Strategic Framework:

Zone:

Overlays:

Land Use Categories

- *Residential Area*

Medium density residential

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
Rooming accommodation	<p>Premises used for the accommodation of one or more households where each resident:</p> <ul style="list-style-type: none"> • has a right to occupy one or more rooms • does not have a right to occupy the whole of the premises in which the rooms are situated • may be provided with separate facilities for private use • may share communal facilities or communal space with one or more of the other residents. <p>The use may include:</p> <ul style="list-style-type: none"> • rooms not in the same building on site • provision of a food or other service • on site management or staff and associated accommodation. <p>Facilities includes furniture and equipment as defined in the Residential Tenancies and Rooming Accommodation Act 2008</p>	Boarding house, hostel, monastery, off-site student accommodation	Hospice, community residence, dwelling house, short-term accommodation, multiple dwelling

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**Strategic Framework****3.3 Settlement Pattern and Built Environment****3.3.9 Element - Aged care and retirement areas****3.3.9.1 Specific Outcomes**

- (1)** *Appropriately designed and serviced aged accommodation, including residential care and retirement facilities, which take into account the support services required as people become less independent, are developed throughout Mareeba Shire's residential areas and urban expansion areas.*
- (2)** *Small scale, low cost aged accommodation close to the CBD and health services catering for independent living are encouraged to cater to Mareeba's ageing population.*

Comment

The proposed development will provide a rooming accommodation facility in close proximity to Mareeba's CBD aimed at providing long term accommodation for up to 4 aging individuals.

The proposed development directly addresses the intent of Specific Outcomes 1 and 2.

Relevant Development Codes

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

6.2.7	Medium density residential zone code
9.3.1	Accommodation 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 solutions (or probable solutions/performance criteria where no acceptable solution applies) of the relevant codes set out below, provided reasonable and relevant conditions are attached to any approval.

Relevant Codes	Comments
Medium density residential zone code	<p>The application can be conditioned to comply with the relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome provided) contained within the code apart from the following:</p> <ul style="list-style-type: none"> ▪ Acceptable Outcomes AO3.1 & AO3.2 ▪ Acceptable Outcome AO4 ▪ Acceptable Outcomes AO6 <p>Refer to planning discussion section of report.</p>
Accommodation activities code	<p>The application can be conditioned to comply with the relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome provided) contained within the code apart from the following:</p> <ul style="list-style-type: none"> ▪ Acceptable Outcomes AO1 ▪ Acceptable Outcome AO4.2 <p>Refer to planning discussion section of report.</p>
Landscaping code	<p>The application can be conditioned to comply with the relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome provided) contained within the code</p>
Parking and access code	<p>The application can be conditioned to comply with the relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome provided) contained within the code</p>
Works, services and infrastructure code	<p>The application can be conditioned to comply with the relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome provided) contained within the code</p>

(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.

(f) Adopted Infrastructure Charges Notice

Under the Adopted Infrastructure Charges Resolution (No. 1) 2017, the Adopted infrastructure charge category for the applicable rooming accommodation land use is 'Accommodation (long term)'.

The subject site is deemed to have a single 'residential' credit of \$18,000.00. Therefore, the infrastructure charge/s applicable have been calculated as follows:

Category	Use Charge	Unit of Measure	Charge Rate	No of Units	Amount
Proposal					
Rooming accommodation	Accommodation (long term)	Per 3 or more bedroom suite	\$18,000.00	1	\$18,000.00
Credit					
Dwelling (accepted development)	Residential	Per 3 or more bedrooms	\$18,000.00	1	\$18,000.00
TOTAL					Nil

Based on the above considerations, an infrastructure charge **is not payable** for the proposed development.

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 proposal was placed on public notification from 2 February 2018 to 23 February 2018. The applicant submitted the notice of compliance on 26 February 2018 advising that the public notification requirements were carried out in accordance with the requirements of the Act.

No submissions were received.

PLANNING DISCUSSION

Noncompliance with the relevant acceptable outcomes of the following development codes is discussed below. Where the development cannot comply with an acceptable outcome, it is considered compliance with the higher order performance outcome can be achieved.

Medium density residential zone code

Siting

PO3

Development is sited in a manner that considers and respects:

- (a) *the siting and use of adjoining premises;*

- (b) *access to sunlight and daylight for the site and adjoining sites;*
- (c) *privacy and overlooking;*
- (d) *opportunities for casual surveillance of adjoining public spaces;*
- (e) *air circulation and access to natural breezes;*
- (f) *appearance of building bulk; and*
- (g) *relationship with road corridors.*

AO3.1

Buildings and structures include a minimum setback of:

- (a) *6 metres from the primary road frontage; and*
- (b) *3 metres from any secondary road frontage.*

Comment

While the development achieves a six (6) metre setback from Joyce Street, the proposed accommodation building is setback just 1.625 metres from the Earl Street frontage of the site.

Despite the lesser setback along Earl Street, the development is not likely to compromise the use of adjoining premises or impact on Earl Street users, particularly considering the low traffic volumes experienced along the road. The building is single storey only with the encroaching dimension of the building just 11 metres long and is therefore not likely to look unreasonable in appearance and building bulk.

The proposed development complies with PO3.

AO3.2

Buildings and structures include a minimum setback of 2 metres from side and rear boundaries.

Comment

The proposed development achieves QDC setbacks of 1.5 metres from the northern and eastern side/rear boundaries and is therefore non-compliant with AO3.2. Despite this non-compliance, the lesser setbacks achieved are not unreasonable and are not likely to impact on adjoining premises.

The proposed development complies with PO3.

Accommodation Density**PO4**

The density of Accommodation activities:

- (a) *contributes to housing choice and affordability;*
- (b) *respects the nature and density of surrounding land use;*
- (c) *does not cause amenity impacts beyond the reasonable of accommodation density of the zone; and*
- (d) *is commensurate to the scale and frontage of the site.*

AO4

Development provides a maximum density for Accommodation activities in compliance with Table 6.2.7.3B.

Comment

Table 6.2.7.3B does not provide a maximum density for Rooming accommodation. The proposed rooming accommodation will contribute to the housing choice and affordability and will be of similar size/scale to that of a conventional dwelling and to that of existing development in the surrounding area.

The development will be appropriately conditioned to minimise amenity impacts on adjoining residences.

The development complies with PO4.

Building Design**PO6**

Building facades are appropriately designed to:

- (a) include visual interest and architectural variation;*
- (b) maintain and enhance the character of the surrounds;*
- (c) provide opportunities for casual surveillance;*
- (d) include a human scale; and*
- (e) encourage occupation of outdoor space.*

AO6

Buildings include habitable space, pedestrian entrances and recreations space facing the primary road frontage.

Comment

The subject site contains frontages to both Earl Street and Joyce Street. Both are considered "access" roads; however, Earl street is considered the higher order road as it is sealed from kerb to kerb. Joyce street contains kerbing on the development side of the road only with the existing sealed section of the road not extending all the way to the kerbing.

Despite the development being accessed from Joyce Street, the lower order road, the developments is still likely to enhance the character of the surrounding area and will still provide for visual interest and occupation of outdoor space on site.

The development complies with PO6.

Accommodation Activities Code**PO1**

Accommodation activities are located on a site that includes sufficient area:

- (a) to accommodate all buildings, structures, open space and infrastructure associated with the use; and*
- (b) to avoid adverse impacts on the amenity or privacy of nearby land uses.*

AO1

*Development is located on a site which provides the applicable minimum site area and minimum road frontage specified in **Table 9.3.1.3B**.*

Comment

Table 9.3.1.3B dictates a minimum 800m² site for rooming accommodation. The subject site is only 698m² and is therefore non-compliant with AO1.

Despite this non-compliance, the site is considered to have sufficient area to appropriately accommodate all aspects of the development in such a way as to avoid adverse impacts on adjoining properties and Earl and Joyce Street road users. Boundary treatments such as solid screen fencing and landscaping will be conditioned to further minimise the likelihood of amenity impacts.

The development is considered to comply with PO1.

PO4

Accommodation activities are provided with sufficient private and communal open space areas which:

- (a) accommodate a range of landscape treatments, including soft and hard landscaping;*
- (b) provide a range of opportunities for passive and active recreation;*
- (c) provide a positive outlook and high quality of amenity to residents;*
- (d) is conveniently located and easily accessible to all residents; and*
- (e) contribute to an active and attractive streetscape.*

AO4.2

*Development includes private open space for each dwelling or accommodation unit which meets or exceeds the minimum area, dimension and design parameters specified in **Table 9.3.1.3D**.*

Comment

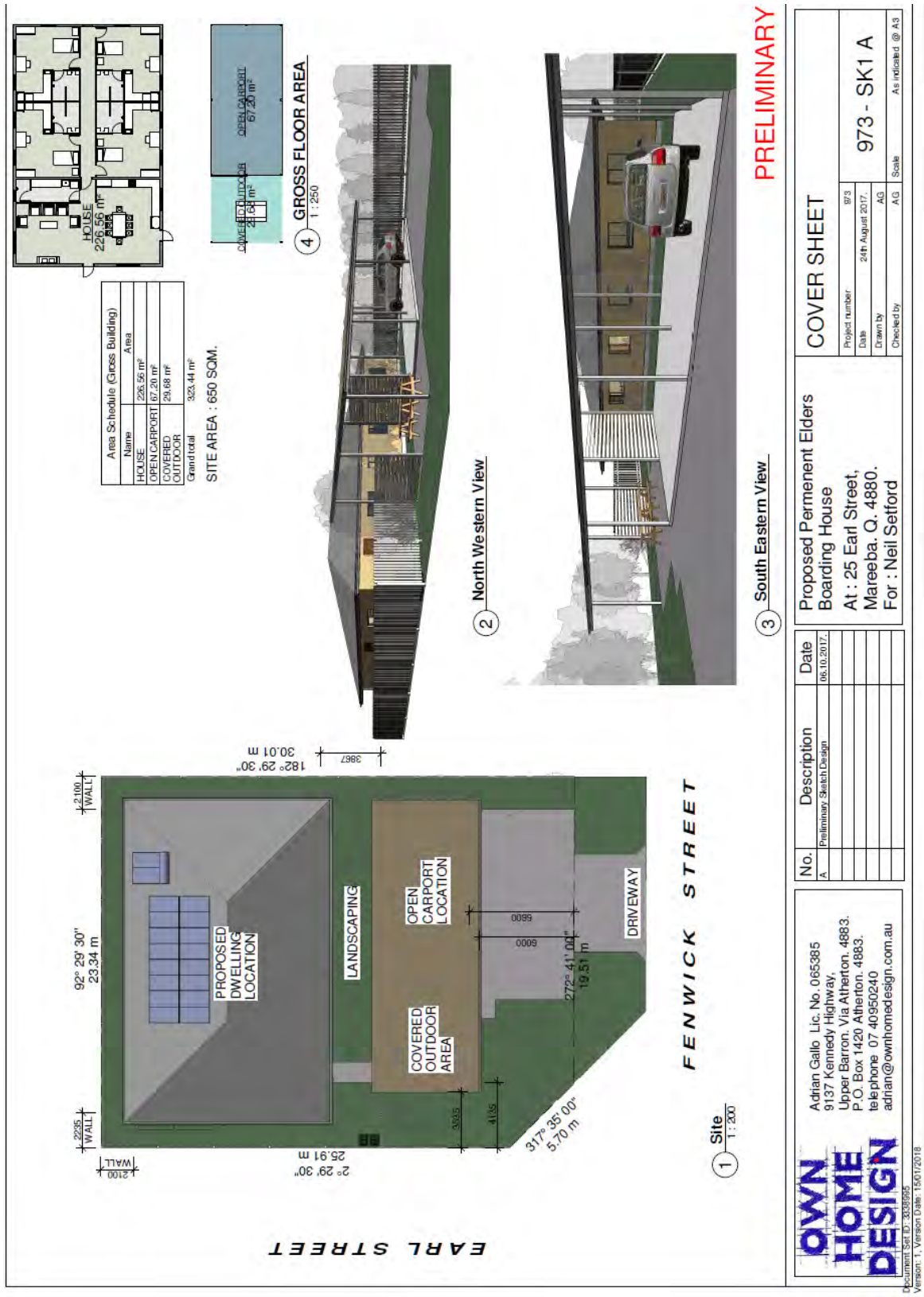
Given the intended use of the development, private open space has not been provided for in the development design. Adequate communal open space is provided for however. The lack of private open space provided for on site is not likely to compromise the liveability of the development, particularly considering the abundance of open space (parks) within walking distance of the site.

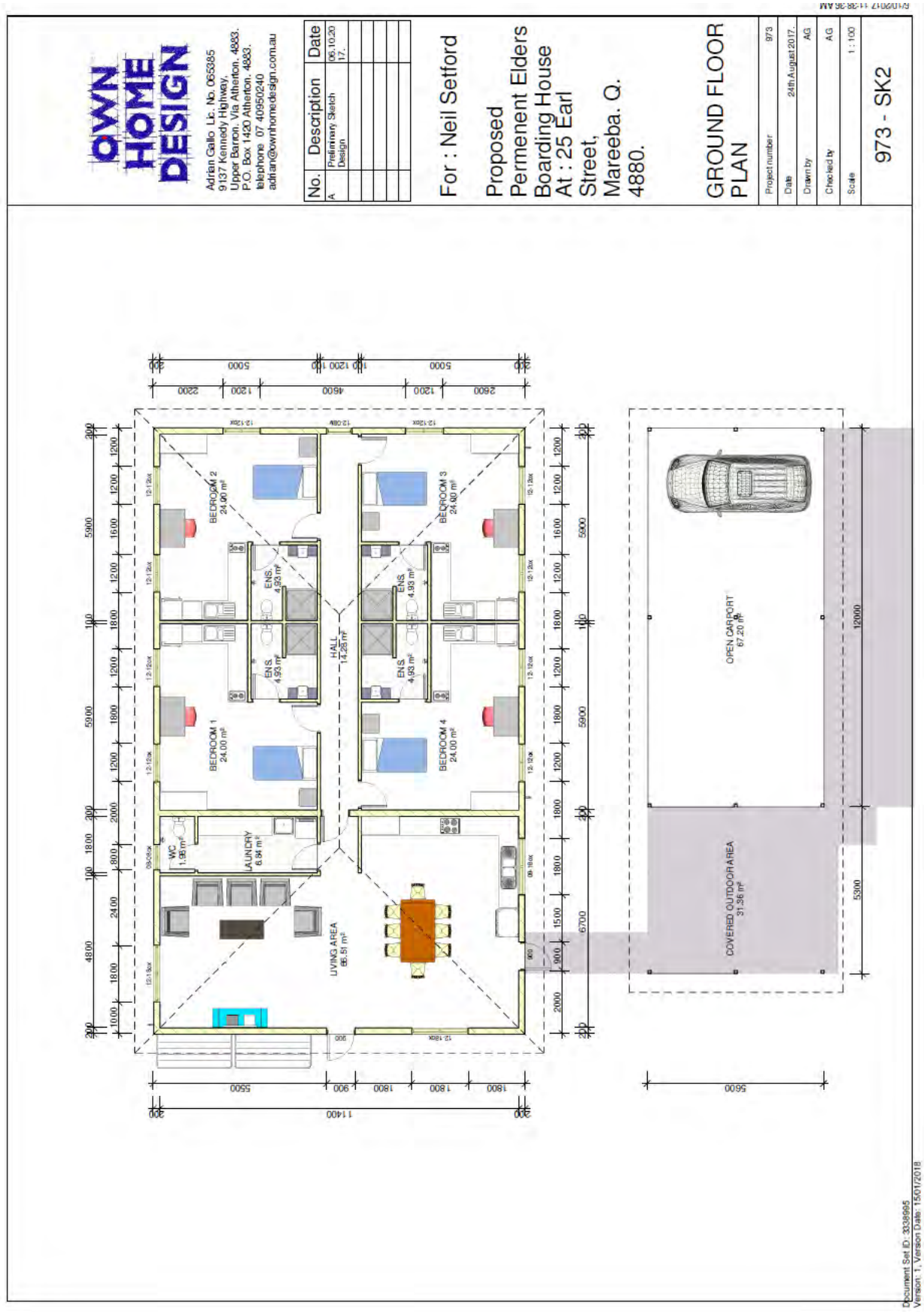
Considering the location of the site and a reliance on nearby public open space, it is considered the development can achieve compliance with PO4.

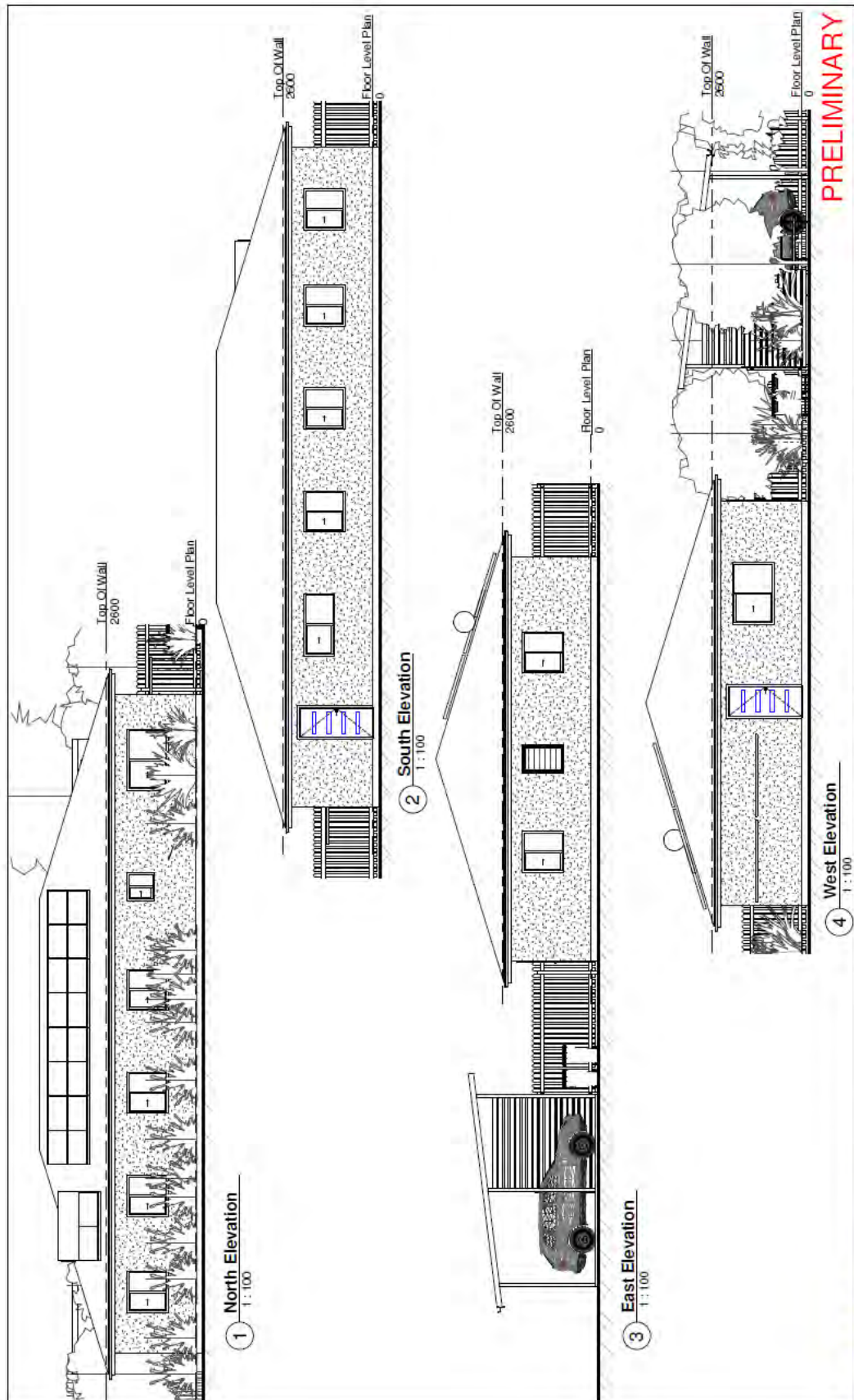
Date Prepared: 9 April 2018

ATTACHMENT 1

APPROVED PLANS







OWN HOME DESIGN		ELEVATIONS	
<p>Adrian Gallo Lic. No. 065385 9137 Kennedy Highway, Upper Barron, Via Atherton, 4883, P.O. Box 1420 Atherton, 4883. telephone 07 40950240 adrian@ownhomedesign.com.au</p> <p>Version: 1, Version Date: 15/01/2018</p>		<p>Proposed Permanent Elders Boarding House At : 25 Earl Street, Mareeba, Q. 4880. For : Neil Setford</p>	
		Project number	BP2
		Date	24th August 2017
		Drawn by	AG
		Checked by	AG
		Scale	1 : 100 @ A3

ITEM-2 **BRIGHT ACQUISITIONS PTY LTD - MATERIAL CHANGE OF USE - CARAVAN PARK & ASSOCIATED USES LOT 560 ON NR6544 - 186 TINAROO CREEK RD, MAREEBA DA/14/0064**

MEETING: Ordinary

MEETING DATE: 18 April 2018

REPORT OFFICER'S TITLE: Senior Planner

DEPARTMENT: Corporate and Community Services

APPLICATION		PREMISES	
APPLICANT	Bright Acquisitions Pty Ltd	ADDRESS	186 Tinaroo Creek Road, Mareeba
DATE REQUEST FOR CHANGE TO DEVELOPMENT APPROVAL LODGED	5 March 2018, amended 16 March 2018	RPD	Lot 560 on NR6544
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Accommodation Units, Caravan Park, Dwelling House, Educational Establishment, Host Farm, Motor Home Park, Residential Units, Shop, Tourist Facility and Ancillary and Associated Uses and the retention of Existing Rural Activities or Pursuits		

FILE NO	DA/14/0064	AREA	50.7 hectares
LODGED BY	Victor G Feros Town Planning Consultants	OWNER	Bright Acquisitions Pty Ltd
PLANNING SCHEME	Mareeba Shire Planning Scheme 2004 (amendment no. 01/11)		
ZONE	Rural zone		
LEVEL OF ASSESSMENT	Impact Assessment		
SUBMISSIONS	Two (2)		

- ATTACHMENTS:**
1. Decision Notice dated 10 March 2015
 2. Applicant's request to change development approval dated 2 March 2018, amended 16 March 2018
 3. Department of State Development, Manufacturing, Infrastructure and Planning dated 4 April 2018

EXECUTIVE SUMMARY

Council approved a development application described in the above application details at its meeting held on 4 March 2015, subject to conditions.

The application was impact assessable and two (2) submissions were received during the public notification period.

Victor G Feros Town Planning Consultants on behalf of Bright Acquisitions Pty Ltd have applied for a minor change to development approval. The minor change proposes to modify the approved plans to reflect a boundary realignment approval also granted by Council, in April 2017.

The proposed minor change also incorporates the following minor modifications which Council officers have previously accepted as being substantially in accordance with the approved plans:

- (a) *modification of the approved layout plan to allow for the establishment of an additional camp kitchen, including 2 toilets and 1 shower within the Northern Camp Site; and*
- (b) *modification of the approved layout plan to allow for the establishment of an additional cafe within an existing building located adjoining the eastern boundary of the Southern Camp Site.*

It is recommended that the application be approved in full.

OFFICER'S RECOMMENDATION

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

APPLICATION		PREMISES	
APPLICANT	Bright Acquisitions Pty Ltd	ADDRESS	186 Tinaroo Creek Road, Mareeba
DATE REQUEST FOR CHANGE TO DEVELOPMENT APPROVAL LODGED	5 March 2018, amended 16 March 2018	RPD	Lot 560 on NR6544
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Accommodation Units, Caravan Park, Dwelling House, Educational Establishment, Host Farm, Motor Home Park, Residential Units, Shop, Tourist Facility and Ancillary and Associated Uses and the retention of Existing Rural Activities or Pursuits		

and in accordance with the Planning Act 2016,

- (A) The approved plan/s of Council's Decision Notice issued on 10 March 2015 be amended as follows:

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

Plan/Document Number	Plan/Document Title	Prepared by	Dated
Figure 16	Setback and Buffer Considerations	Victor G Feros Town Planning Consultants	16 March 2018
Sheet 1	Proposed Master Plan	Victor G Feros Town Planning Consultants	16 March 2018
Sheet 2	Proposed Master Plan - Northern Precinct	Victor G Feros Town Planning Consultants	18 October 2017
Sheet 3	Proposed Master Plan - Northern Precinct Detail	Victor G Feros Town Planning Consultants	18 October 2017
Sheet 4	Proposed Master Plan - Western Precinct	Victor G Feros Town Planning Consultants	18 October 2017
Sheet 5	Proposed Master Plan - Southern Precinct	Victor G Feros Town Planning Consultants	18 October 2017
Sheet 6	Proposed Ground Floor Plan	Victor G Feros Town Planning Consultants	20 November 2014
Sheet 7	Proposed First Floor Plan	Victor G Feros Town Planning Consultants	20 November 2014
n/a	Staging Plan	Victor G Feros Town Planning Consultants	16 March 2018
n/a	Staging Schedule	Victor G Feros Town Planning Consultants	18 October 2017
n/a	Access Plan	Victor G Feros Town Planning Consultants	16 March 2018

(B) Condition 2.1 of Council's Decision Notice issued on 10 March 2015 be amended as follows:

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 in accordance with the Staging Plan dated 16 March 2018 and the Staging Schedule dated 18 October 2017 except where specified otherwise in these conditions of approval.

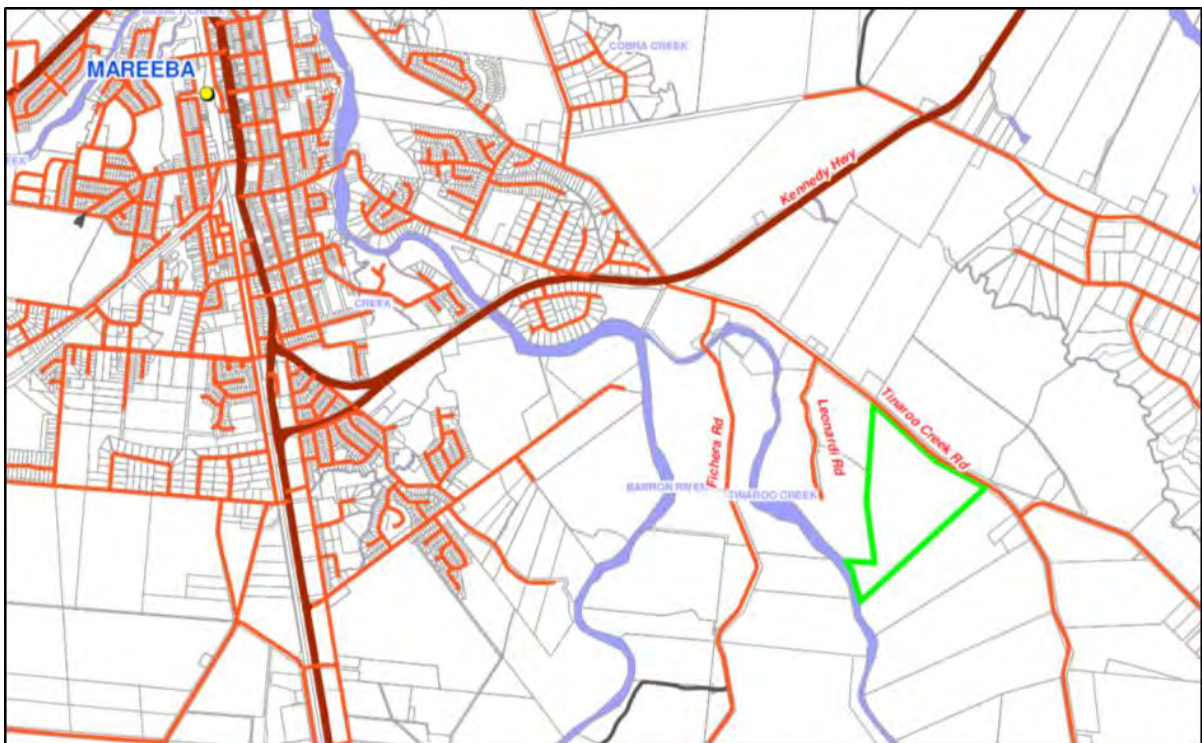
2. A Notice of Decision on Request to Change a Development Approval be issued to the applicant and the State Assessment and Referral Agency (SARA) via email CairnsSARA@dilgp.gov.au (reference: 1803-4641 SPL) advising of Council's decision."

THE SITE

The subject site is situated at 186 Tinaroo Creek Road, Mareeba and described as Lot 560 on NR6544, Parish of Tinaroo, County of Nares. The site is irregular in shape with a total area of 50.7 hectares and is zoned Rural under the Mareeba Shire Council Planning Scheme 2016.

The site is presently developed as the Trinity Plains Tourist Park and was formerly used as the Mareeba Farm Technical and Further Education (TAFE) College.

The site contains approximately 940 metres of frontage to Tinaroo Creek Road which is constructed to bitumen sealed standard for this entire frontage and back to its intersection with the Kennedy Highway. The site is improved by a variety of buildings associated with the Trinity Plains Tourist Park and the former TAFE use.



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

Material Change of Use - DA/14/0064

On 4 March 2015, Council approved an application for Material Change of Use - Accommodation Units, Caravan Park, Dwelling House, Educational Establishment, Host Farm, Motor Home Park, Residential Units, Shop, Tourist Facility and Ancillary and Associated Uses and the retention of Existing Rural Activities or Pursuits over land described as Lot 560 on NR6544, situated at 186 Tinaroo Creek Road, Mareeba.

The application was approved subject to conditions and the decision notice was issued on 10 March 2015 (**Attachment 1**). Stage 1 of the development (Trinity Plains) has commenced.

Reconfiguring a Lot - DA/16/0057

On 13 April 2017, a development permit was issued for reconfiguring a lot application DA/16/0057, authorising the realignment of the common boundary between Lot 4 on SP108027 and Lot 560 on NR6544 and allowing the creation of an easement for water supply purposes.

Under the realignment, 3.23 hectares of land would be transferred from each allotment into the other allotment. There would be no nett change to the total area of either allotment. The boundary realignment does not alter the frontage or access arrangements of either existing allotment.

The areas to be transferred represent logical additions to the final allotments and improve the agricultural viability of each. The proposed easement will allow continued access to Tinaroo Creek for water supply purposes.

The boundary realignment process is expected to be finalised in the short term.

ASSESSMENT AND DECISION REQUIREMENTS

Victor G Feros Town Planning Consultants on behalf of Bright Acquisitions Pty Ltd have applied (**Attachment 2**) for a minor change to development approval DA/14/0064. The minor change proposes:

- (a) *to modify the land subject to the Material Change of Use to be consistent with the new lot boundary approved by the Reconfiguration of a Lot (Boundary Realignment);*
- (b) *to incorporate the approved changes to the layout plan previously determined by Council to be substantially in accordance with the original approval;*
- (c) *to modify the approved layout plan to allow for the establishment of an additional camp kitchen, including 2 toilets and 1 shower within the Northern Camp Site; and*
- (d) *to modify the approved layout plan to allow for the establishment of an additional cafe within an existing building located adjoining the eastern boundary of the Southern Camp Site. This building contains an area of 60m².*

Section 81 of the *Planning Act 2016* sets out the relevant matters when assessing and deciding an application for a minor change.

A **minor change** for a development approval means a change that-

- (b)
 - (i) *would not result in substantially different development; and*
 - (ii) *if a development application for the development, including the change, were made when the change application is made would not cause-*
 - (A) *the inclusion of prohibited development in the application; or*
 - (B) *referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or*
 - (C) *referral to extra referral agencies, other than to the chief executive; or*
 - (D) *a referral agency to assess the application against, or have regard to, matters prescribed by regulation under section 55(2), other than matters the referral agency must have assessed the application against, or have had regard to, when the application was made; or*
 - (E) *public notification if public notification was not required for the development application.*
- *result in a substantially different development*

Guidance is available to assist the assessment manager in determining if a proposed change constitutes a substantially different development. A change may result in a *substantially different development* if the proposed change:

- Involves a new use with different or additional impacts;
- Results in the application applying to a new parcel of land;

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

It is considered that the change proposed by the applicant does not include any of the aspects outlined above, and accordingly, will not result in a substantially different development.

- *the change application would not cause the inclusion of prohibited development in the application;*

The change application does not propose the inclusion of prohibited development.

- *the change application would not cause referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application;*

Not applicable. The original development application was referable to the State Assessment and Referral Agency.

- *the change application would not cause referral to extra referral agencies, other than to the chief executive;*

Complies. The change application does not cause referral to extra referral agencies.

- *the change application would not cause a referral agency to assess the application against, or have regard to, matters prescribed by regulation under section 55(2), other than matters the referral agency must have assessed the application against, or have had regard to, when the application was made;*

Complies. The change application does not require the referral agency to assess the development against other matters, beyond those originally considered.

- *the change application would not cause public notification if public notification was not required for the development application.*

Not applicable. Development application DA/14/0064 was impact assessable and underwent public notification as part of its original assessment.

The proposed change to the development approval satisfies the criteria for a *minor change*.

REQUEST TO CHANGE THE DEVELOPMENT APPROVAL

The intent of the proposed minor change is to achieve the following outcomes:

- (a) *to exclude the land to be transferred from Lot 560 on NR6544 to Lot 4 on SP108027 from the current material change of use approval as this land is no longer relevant to the current approval;*
- (b) *while the land adjoining the western boundary of Lot 560 will be transferred to this lot from Lot 4 on SP1 08027, this additional land will not be subject to the provisions of the current Material Change of Use Approval.*

It is confirmed that the establishment of any uses on this additional area requiring Code or Impact Assessment will be subject to a further application and approval;

- (c) *to remove any doubt, it is confirmed that the land subject to the Material Change of Use approval will include the following land: -*
 - i) *proposed Lot 42 on SP300440;*
- (d) *relocate (50) approved caravan and camping sites to the southern section of the site;*
- (e) *establish an additional camp kitchen, including 2 toilets and 1 shower within the Northern Camp Site. It is submitted that these additional facilities will improve availability and access to amenities. It is submitted that these amenities are ancillary to the existing approved uses; and*
- (f) *establish an additional cafe within an existing building located adjoining the eastern boundary of the Southern Campsite. It is submitted that this cafe is associated with and will complement the existing cafe located within the Northern Precinct. It is submitted that the proposed cafe is an ancillary use to the existing approved uses.*

Specific changes sought to development approval/decision notice

8. Approved Plans

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

Plan/Document Number	Plan/Document Title	Prepared by	Dated
Figure 16	Setback and Buffer Considerations	Victor G Feros Town Planning Consultants	November 2014
Sheet 1	Proposed Master Plan	Victor G Feros Town Planning Consultants	20 November 2014
Sheet 2	Proposed Master Plan - Northern Precinct	Victor G Feros Town Planning Consultants	20 November 2014
Sheet 3	Proposed Master Plan - Northern Precinct Detail	Victor G Feros Town Planning Consultants	20 November 2014
Sheet 4	Proposed Master Plan - Western Precinct	Victor G Feros Town Planning Consultants	20 November 2014
Sheet 5	Proposed Master Plan - Southern Precinct	Victor G Feros Town Planning Consultants	20 November 2014
Sheet 6	Proposed Ground Floor Plan	Victor G Feros Town Planning Consultants	20 November 2014
Sheet 7	Proposed First Floor Plan	Victor G Feros Town Planning Consultants	20 November 2014
n/a	Staging Plan	Victor G Feros Town Planning Consultants	November 2014
n/a	Staging Schedule	Victor G Feros Town Planning Consultants	n/a
n/a	Access Plan	Victor G Feros Town Planning Consultants	November 2014

Request by Applicant

It is requested that Council amend the Material Change of Use Approved Drawing(s) List on the basis of the following: -

- a) *Council's letter dated 1 February 2016 in response to our letter dated 29 January 2016 and detailed in item 2(c) of Section 2.00 of this Request;*
- b) *Council's Decision Notice for Reconfiguration of a Lot (Boundary Realignment) dated 13 April 2017. It is noted that the proposed modifications to the approved plans are to ensure that the area subject to the Material Change of Use approval is consistent with the new lot boundary; and*
- c) *on the basis of item a) and item b) above, the following list of amended plans represents the plans approved as part of Council's letter dated 1 February 2016 and Council's Decision Notice for Reconfiguration of a Lot (Boundary Realignment) dated 13 April 2017 and further email advice dated 18 October 2017.*

Response

The applicant's proposed plan changes are considered to be substantially in accordance with the material change of use approval. Further, the proposed plan changes align the material change of use approval with the approved boundary realignment.

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

8. *Approved Plans -*

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

Plan/Document Number	Plan/Document Title	Prepared by	Dated
Figure 16	Setback and Buffer Considerations	Victor G Feros Town Planning Consultants	November 2014 16 March 2018
Sheet 1	Proposed Master Plan	Victor G Feros Town Planning Consultants	20 November 2014 16 March 2018
Sheet 2	Proposed Master Plan - Northern Precinct	Victor G Feros Town Planning Consultants	20 November 2014 18 October 2017
Sheet 3	Proposed Master Plan - Northern Precinct Detail	Victor G Feros Town Planning Consultants	20 November 2014 18 October 2017
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Sheet 6	Proposed Ground Floor Plan	Victor G Feros Town Planning Consultants	20 November 2014
Sheet 7	Proposed First Floor Plan	Victor G Feros Town Planning Consultants	20 November 2014
n/a	Staging Plan	Victor G Feros Town Planning Consultants	November 2014 16 March 2018
n/a	Staging Schedule	Victor G Feros Town Planning Consultants	18 October 2017
n/a	Access Plan	Victor G Feros Town Planning Consultants	November 2014 16 March 2018

Condition 2.1

- 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 in accordance with the Staging Plan dated November 2014 and the Staging Schedule dated November 2014 except where specified otherwise in these conditions of approval.*

Request by Applicant

It is requested that Council amend this Condition to make reference to the amended Staging Plan dated 16 March 2018 and the Staging Schedule dated 18 October 2017 detailed in the requested changes to Council's Material Change of Use Approved Drawing(s) List.

Response

It is recommended that Condition 2.1 be amended as follows:

- 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 in accordance with the Staging Plan dated ~~November 2014~~ 16 March 2018 and the Staging Schedule dated ~~November 2014~~ 18 October 2017 except where specified otherwise in these conditions of approval.*

Date Prepared: 4 April 2018

ATTACHMENT 1

65 Rankin Street
PO Box 154 MAREEBA QLD 4880
P: 07 4086 4657
F: 07 4086 4733
W: www.msc.qld.gov.au
E: info@msc.qld.gov.au

Council Ref: DA/14/0064
Our Ref: BM:nj
SARA Ref: SDA-1114-016334

10 March 2015

Bright Acquisitions Pty Ltd
C/- Victor G Feros Town Planning Consultants
PO Box 1256
CAIRNS QLD 4870

Decision Notice Approval

Sustainable Planning Act 2009 s334 and s335

Dear Applicant/s

**APPLICATION FOR MATERIAL CHANGE OF USE - ACCOMMODATION UNITS, CARAVAN PARK, DWELLING HOUSE, EDUCATIONAL ESTABLISHMENT, HOST FARM, MOTOR HOME PARK, RESIDENTIAL UNITS, SHOP, TOURIST FACILITY AND ANCILLARY & ASSOCIATED USES AND THE RETENTION OF EXISTING RURAL ACTIVITIES OR PURSUITS
LOT 560 ON NR6544
SITUATED AT 186 TINAROO CREEK ROAD, MAREEBA**

I wish to advise that, at Council's Ordinary Meeting held on 4 March 2015, the above development application was -

- Approved in full with conditions.

The conditions relevant to this approval are detailed in **section 6** of this notice. These conditions are clearly identified to indicate whether the Assessment Manager or a Concurrence Agency imposed them.

Approval under Section 331

This application **has not** been deemed to be approved under Section 331 of the Sustainable Planning Act 2009 (SPA).

1. Details of the approval –

Development Permit for Material Change of Use - Accommodation Units, Caravan Park, Dwelling House, Educational Establishment, Host Farm, Motor Home Park, Residential Units, Shop, Tourist Facility and Ancillary and Associated Uses and the retention of Existing Rural Activities or Pursuits

DECISION NOTICE - APPROVAL

2

10 March 2015

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

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

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

3. Other approvals required from Council

- Compliance Permit for Plumbing and Drainage Work

4. Submissions -

There **were two (2)** properly made submissions about the application. In accordance with s 335(l) of the SPA, the name and address of the principal submitter for each properly made submission are as follows –

Name of principal submitter	Address
1. J & DK Caamano-Bermudez	22 Leonardi Road, Mareeba (PO Box 1509, Mareeba)
2. D Cochrane & C Roberts	144 Cobra Road, Mareeba (PO Box 162, Mareeba)

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

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

Details of the conflict with the relevant instrument	Reason for the decision, including a statement about the sufficient grounds to justify the decision despite the conflict
Residential Units are listed as an inconsistent land use in the Rural zone.	Both dwelling houses to be used as residential units already exist on the subject land. The application simply seeks to lawfully continue the occupation of both dwelling houses as was previously permitted during the operation of the former Mareeba TAFE/Agricultural College.

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

1. Development must be carried out substantially in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:
 - found necessary by Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and

DECISION NOTICE - APPROVAL

3

10 March 2015

- to ensure compliance with the following conditions of approval.

2. Timing of Effect

- 2.1 The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the commencement of the use in accordance with the Staging Plan dated November 2014 and the Staging Schedule dated November 2014 except where specified otherwise in these conditions of approval.
- 2.2 Prior to the commencement of use for each stage, the applicant must notify Council that all the conditions of the development permit have been complied with, except where specified otherwise in these conditions of approval.

3. General

- 3.1 The development approval would not have been issued if not for the conditions requiring the construction of infrastructure within the conditions of approval.
- 3.2 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.
- 3.3 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to commencement of the use and at the rate applicable at the time of payment.
- 3.4 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.
- 3.5 Noise Nuisance

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

3.6 Waste Management

The applicant shall ensure there is no on site disposal of refuse associated with the development use unless such refuse is disposed of in refuse bins provided in accordance with the following:

- (i) No refuse is to be stored on site outside the refuse bins at any time.
- (ii) On site refuse storage area for all refuse bins must be provided and be screened from view from adjoining properties and road reserve by a 1 metre wide landscaped screening buffer, 1.8m high solid fence or building.

3.7 Flood Immunity

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

3.8 Bushfire Management

A Bushfire Management Plan, incorporating evacuation procedures for the development, must be prepared to the satisfaction of Council's delegated officer. The approved use must comply with the requirements of the Management Plan at all times.

3.8 Length of Stay

The maximum length of stay for the accommodation units, caravan park, host farm, motor home park and tourist facility aspect of the development must not exceed 3 consecutive months.

3.9 Signage

- (i) No more than 2 advertising signs for the approved development are permitted on the subject site.
- (ii) Signs must not exceed 4.2 metres x 1.5 metres or a maximum area of 6.3m².
- (iii) The sign/s must be kept clean, in good order and safe repair for the life of the approval.
- (iv) The sign/s must be removed when no longer required.
- (v) The erection and use of the advertisement must comply with the Building Act and all other relevant Acts, Regulations and these approval conditions.

3.10 Notification of Potential Rural Zone Impacts

The applicant is to erect a sign at or near the reception building advising guests that the subject land is zoned Rural under the Mareeba Shire Planning Scheme 2004 and is in a Rural zoned locality. Guest should take note:

- The locality may be used for intensive rural uses;
- The land and its occupants may experience off site rural activity effects, including noise, sprays and dust that may cause a loss of residential amenity. Existing and/or self-assessable agricultural and rural uses in the locality have a 'right to farm' or a right to legally continue the use.

4. Infrastructure Services and Standards

4.1 Access

Prior to the commencement of the use, the applicant, or the applicants Engineer, shall lodge an engineering plan of the proposed intersection of the developments access with Tinaroo Creek Road for approval by Council or its delegated officer.

The proposed intersection and access design will incorporate provision for traffic coming from the Kennedy Highway to perform safe right hand turns into the property whilst catering for through (non turning) traffic movements. The intersection design shall generally comply with the requirements of a BAR (basic right turn treatment) and linemarked in accordance with MUTCD and the Road Planning and Design Manual. The design will incorporate a sealed access from the existing sealed pavement to the property boundary with provision for drainage if required in accordance with the requirements of the FNQROC Development Manual.

Prior to the commencement of the use, the applicant shall construct the proposed intersection of the development's access with Tinaroo Creek Road in accordance with the approved engineering plan and to the satisfaction of Council's delegated officer.

4.2 Roadworks – External Construction

Prior to the commencement of the use of the Western Precinct, Southern Caravan Precinct or the acceptance of caravans (excluding temporary construction camp) or motorhomes on the subject land, the applicant shall widen 130 metres of Tinaroo Creek Road on its northern side by 0.5 metres commencing at a point approximately 135 metres east of Fichera Road.

These works must be carried out in accordance with FNQROC Manual standard to the satisfaction of Council's delegated officer, OR

Pay to Council a road construction contribution of \$6175.00 and indexed in accordance with Council's Policy towards the upgrading of Tinaroo Creek Road. This contribution can be utilised by Council as and when Council considers that such upgrading works are required on Tinaroo Creek Road or as part of other upgrading works on this road.

4.3 Stormwater Drainage/Water Quality

4.3.1 The applicant must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.

4.3.2 Prior to the development commencing, the applicant must develop a Stormwater Quality Management Plan, including an Erosion and Sediment Control Plan. The plan must detail what measures will be implemented to prevent erosion in the event any unsealed surfaces

within the development deteriorate due to wet weather and/or high traffic.

4.3.3 All stormwater must be discharged to a legal point of discharge.

4.3.4 The applicant must ensure that the Stormwater Quality Management Plan is complied with for the life of the development.

4.4 Car Parking/Internal Driveways

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

The car parking numbers for each aspect/stage of the development shall be in accordance with Table 2 - Car Parking Requirements of the Town Planning Report (VGF-C970) prepared by Victor G Feros Town Planning Consultants.

All car parking spaces and internal roads for the respective stage/s must be surfaced to at least the standard identified on the Access Plan Dated November 2014 and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer. The existing main access drive must be maintained in a sealed condition.

Prior to works commencing, the developer must submit engineering plans and specifications for the construction of proposed car parking facilities and internal driveways demonstrating:

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

4.5 Landscape and Fencing

Prior to the commencement of the use, the applicant / developer must prepare and submit a landscape plan for consideration and approval by Council's Delegated Officer.

The landscape plan must illustrate, at minimum:-

- (i) A 5-10 metre wide landscape buffer along Tinaroo Creek Road frontage of the Campsite Precinct. Such landscape works shall be undertaken prior to the commencement of the development phase incorporating the Campsite Precinct and shall be carried out in accordance with the endorsed landscape plan.

- (ii) A 2.2 metre high steel sheeting fence along 50 metres of the common boundary with Lot 5 on SP149571, immediately to the west of the northern precinct / temporary construction camp and a 3 to 5m wide landscape buffer located on the subject site side of the fence. Such fencing and landscape works shall be undertaken prior to the commencement of the first stage of the use and shall be carried out in accordance with the endorsed landscape plan.

The landscape buffers should include shrubs and trees that will grow to form an effective visual buffer of no less than three (3) metres in height and shall be mulched irrigated and maintained for the life of the approved development to the satisfaction of Council's Delegated Officer.

4.6 Lighting

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

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

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

4.7 Water Supply

- (i) The development must be provided with a potable water supply that satisfies the standards for drinking water set by the Australian Drinking Water Guidelines 2004 (National Health and Medical Research Council and the National Resource Management Ministerial Council).
- (ii) All non-potable water supplied to visitors must be clearly labelled at each tap - Non Potable Water - not safe for Human Consumption.

4.8 On-Site Wastewater Management

All on site effluent disposal associated with the approved use must be in compliance with the latest version of On-Site Domestic Wastewater Management Standard (AS/NZS1547) to the satisfaction of the Council's delegated officer.

(B) ASSESSMENT MANAGER'S ADVICE

- (a) A number of charges or payments may be payable as conditions of approval. The applicable fee is set out in Council's Fees & Charges Schedule for each respective financial year.

(b) 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.

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

(d) Compliance with applicable codes/policies

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

(e) 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.

(f) Environmental Protection and Biodiversity Conservation Act 1999

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

(g) Cultural Heritage

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

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(h) Motor Home Park/Caravan Park/Camping Ground

The applicant is advised that an application to Council for approval to operate under Mareeba Shire Council *Local Law No 1 (Administration) 2011* is required prior to the commencement of the motor home park/caravan park/camping ground.

(C) CONCURRENCE AGENCY CONDITIONS

Department of State Development, Infrastructure and Planning conditions dated 17 December 2014.

7. IDAS referral agencies –

The IDAS Referral Agencies applicable to this application are –

For an application involving	Name of technical agency		Status	Address
MATERIAL CHANGE OF USE				
<p><u>All State Transport Infrastructure</u></p> <p>An aspect of development identified in schedule 9 that—</p> <p>(a) is for a purpose mentioned in schedule 9, column 1; and</p> <p>(b) meets or exceeds the threshold—</p> <p>(i) for development in LGA population 1—mentioned in schedule 9, column 2 for the purpose; or</p> <p>(ii) for development in LGA population 2—mentioned in schedule 9, column 3 for the purpose.</p> <p>However, if the development is for a combination of purposes mentioned in the same item of schedule 9, the threshold is for the combination of purposes and not for each purpose individually.</p>	Sch 7, Table 3, item 2	Department of Transport & Main Roads	Concurrent	<p>State Assessment & Referral Agency (SARA) Department of State Development, Infrastructure & Planning PO Box 2358 Cairns Qld 4870</p> <p>CairnsSARA@dsdip.qld.gov.au</p> <p>SARA is supported by MyDAS— a new online system that allows an applicant to prepare and lodge or refer applications to DSDIP, as the single state assessment and referral agency.</p> <p>MyDAS can be accessed at www.dsdip.qld.gov.au/sara</p>

8. Approved Plans

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

Plan/Document Number	Plan/Document Title	Prepared by	Dated
Figure 16	Setback and Buffer Considerations	Victor G Feros Town Planning Consultants	November 2014
Sheet 1	Proposed Master Plan	Victor G Feros Town Planning Consultants	20 November 2014
Sheet 2	Proposed Master Plan - Northern Precinct	Victor G Feros Town Planning Consultants	20 November 2014
Sheet 3	Proposed Master Plan - Northern Precinct Detail	Victor G Feros Town Planning Consultants	20 November 2014
Sheet 4	Proposed Master Plan - Western Precinct	Victor G Feros Town Planning Consultants	20 November 2014
Sheet 5	Proposed Master Plan - Southern Precinct	Victor G Feros Town Planning Consultants	20 November 2014
Sheet 6	Proposed Ground Floor Plan	Victor G Feros Town Planning Consultants	20 November 2014
Sheet 7	Proposed First Floor Plan	Victor G Feros Town Planning Consultants	20 November 2014
n/a	Staging Plan	Victor G Feros Town Planning Consultants	November 2014
n/a	Staging Schedule	Victor G Feros Town Planning Consultants	n/a
n/a	Access Plan	Victor G Feros Town Planning Consultants	November 2014

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

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

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

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

10. Appeal rights –

Applicant may make representations about decision

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

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

- (b) the standard conditions applying to a deemed approval.

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

Attachment 3 is an extract from SPA which contains details regarding making representations about the decision.

Appeals by applicants

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

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

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

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

Appeals by submitters

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

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

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

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

Attachment 4 is an extract from SPA which details the applicant's appeal rights and the appeal rights of any submitters regarding this decision.

11. When the development approval takes effect –

This development approval takes effect –

- if there is a submitter and the applicant does not appeal the decision, the earlier date of either:

DECISION NOTICE - APPROVAL12
10 March 2015

- when the submitter's appeal period ends; or
- the day the last submitter gives the Assessment Manager written notice that the submitter will not be appealing the decision.

OR

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

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

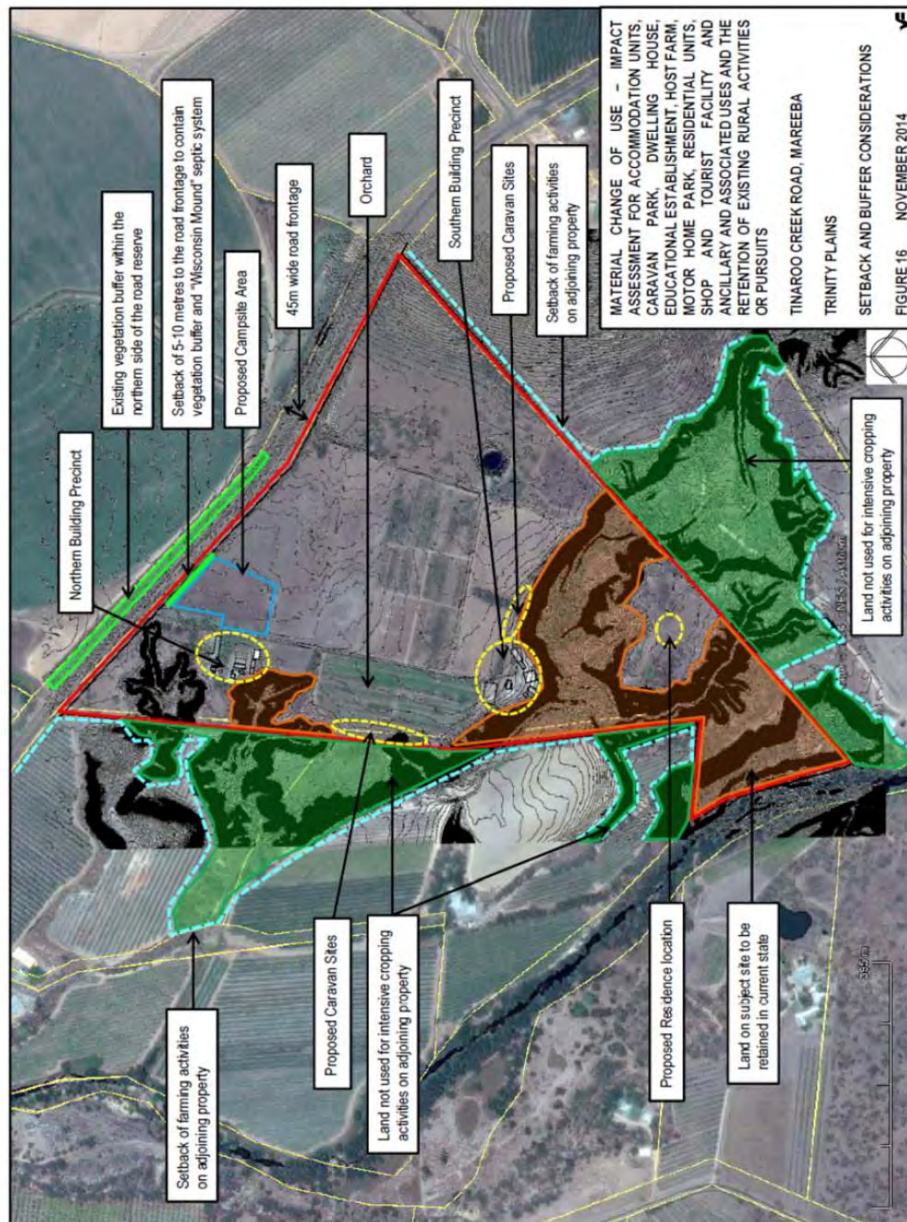
Yours faithfully

BRIAN MILLARD
SENIOR PLANNER

Enclosures: **Attachment 1 - Approved Plans of Development**
 Attachment 2 - Concurrence Agency Conditions
 Attachment 3 - SPA Extract - Making Representations about Decision
 Attachment 4 - SPA Extract on Appeal Rights

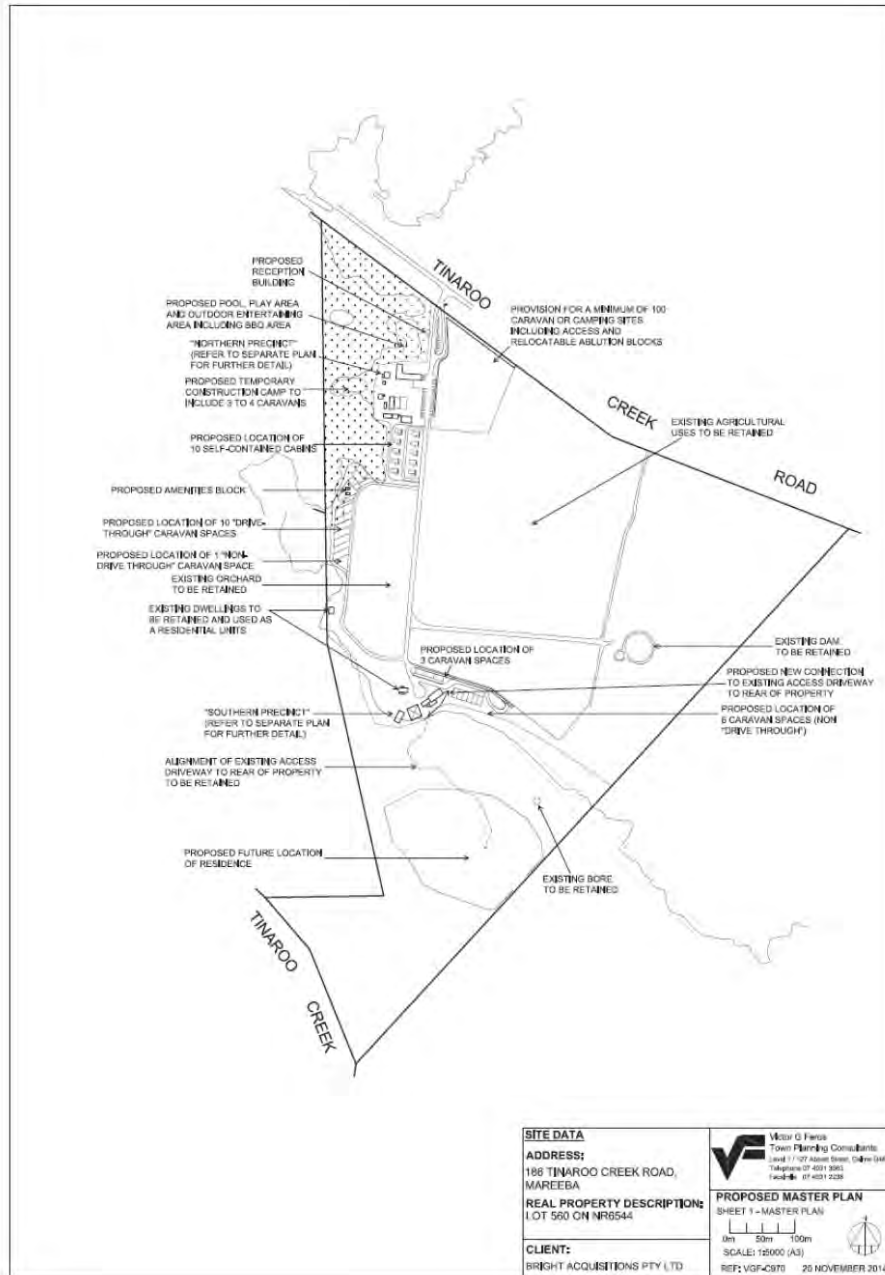
Copy: **Department of State Development, Infrastructure and Planning**
 CairnsSARA@dsdip.qld.gov.au

ATTACHMENT 1 - APPROVED PLANS OF DEVELOPMENT (ECM VS 3615356)



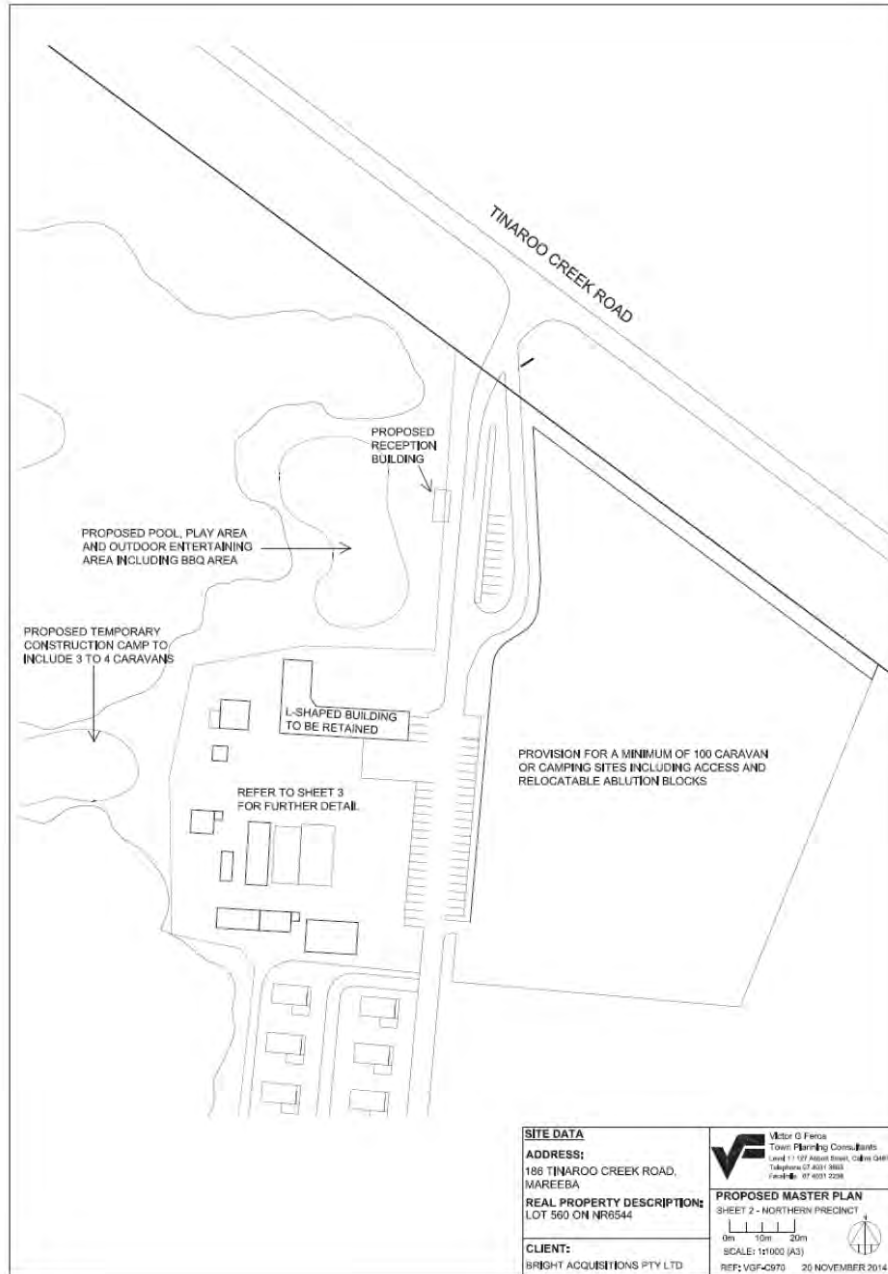
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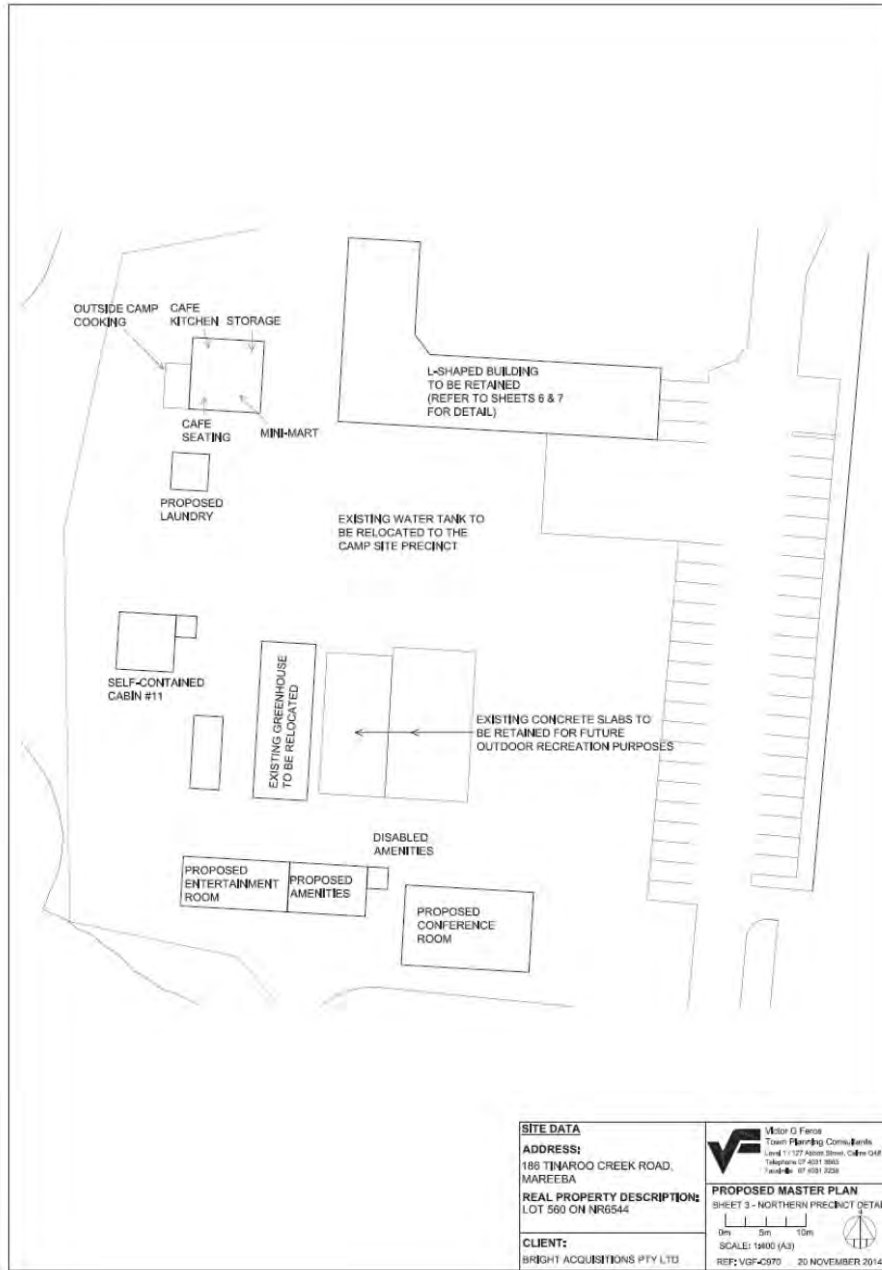
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10 March 2015



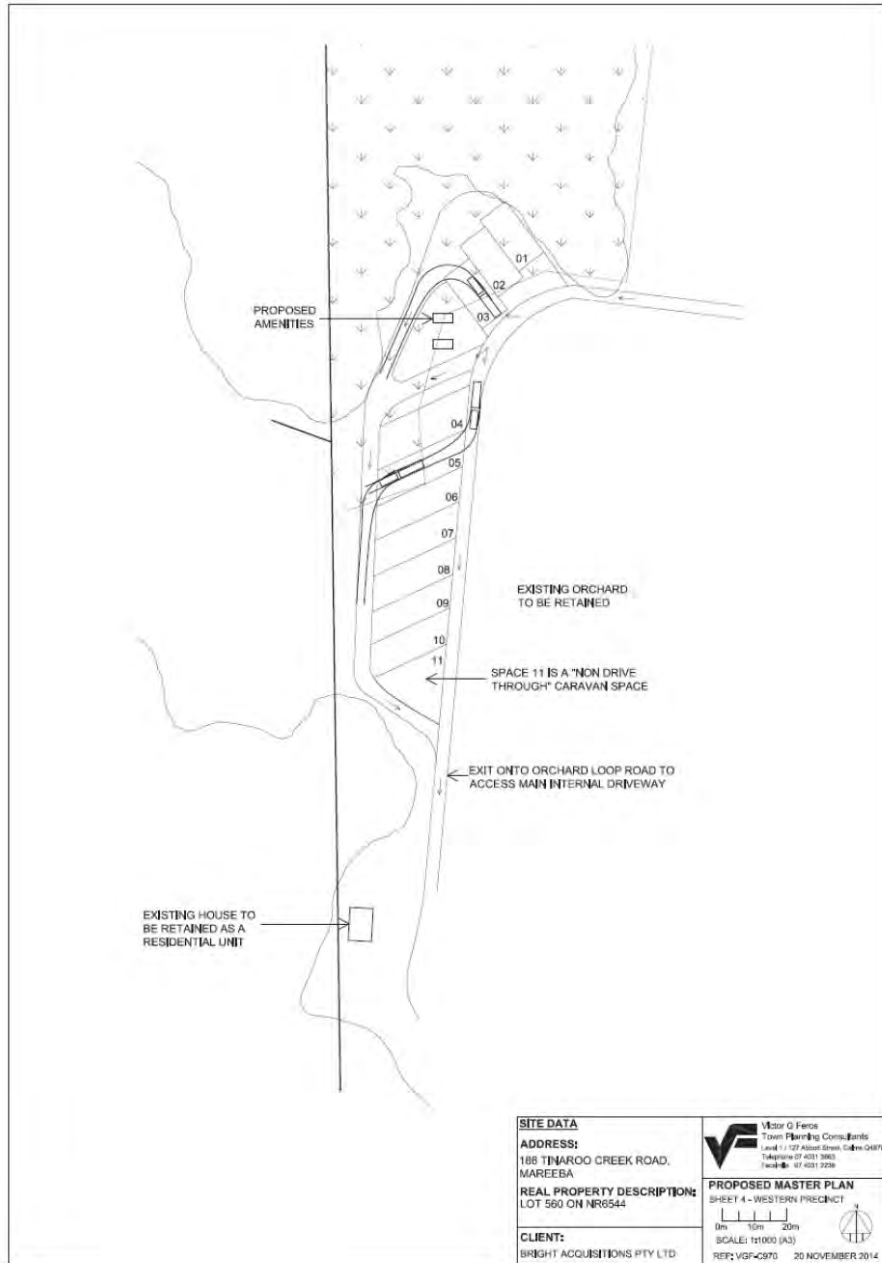
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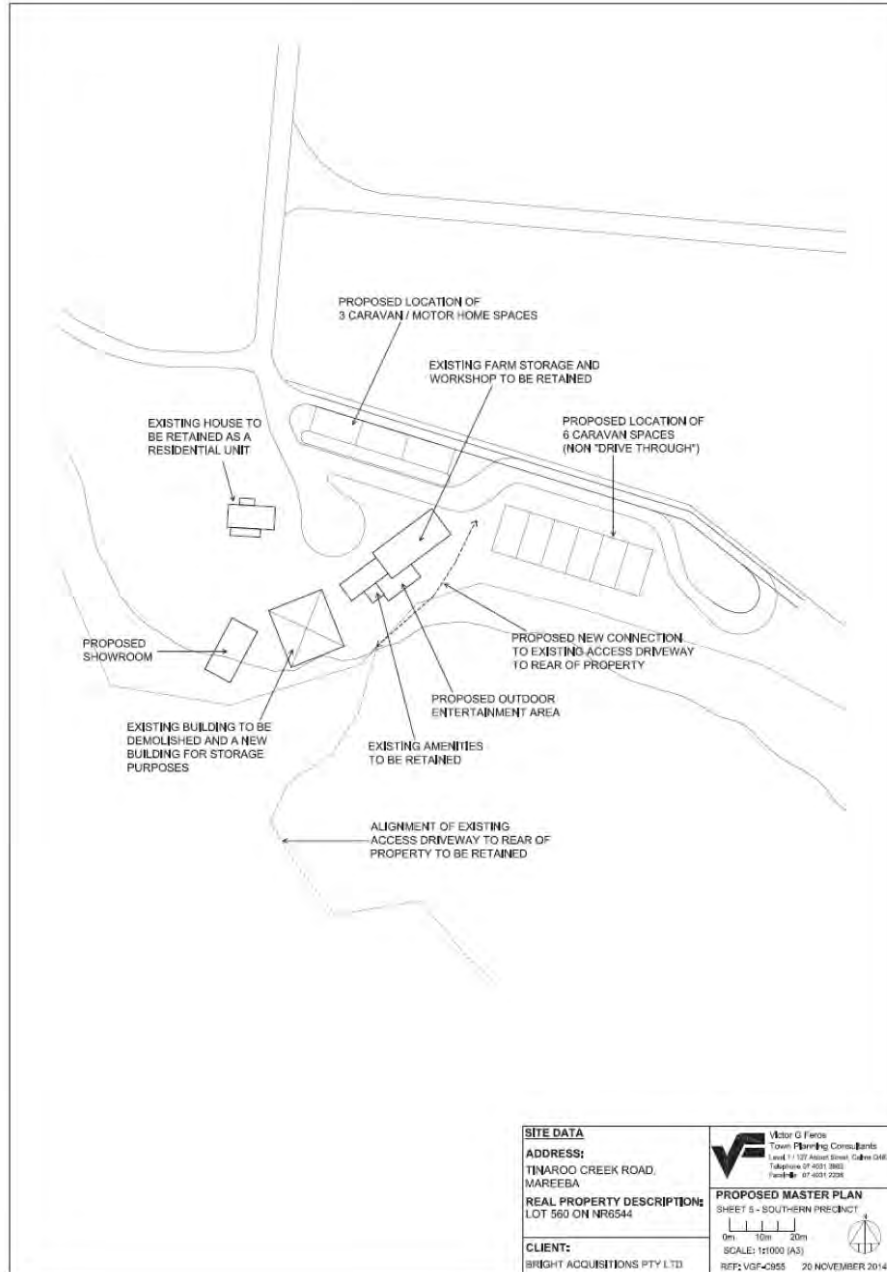
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10 March 2015

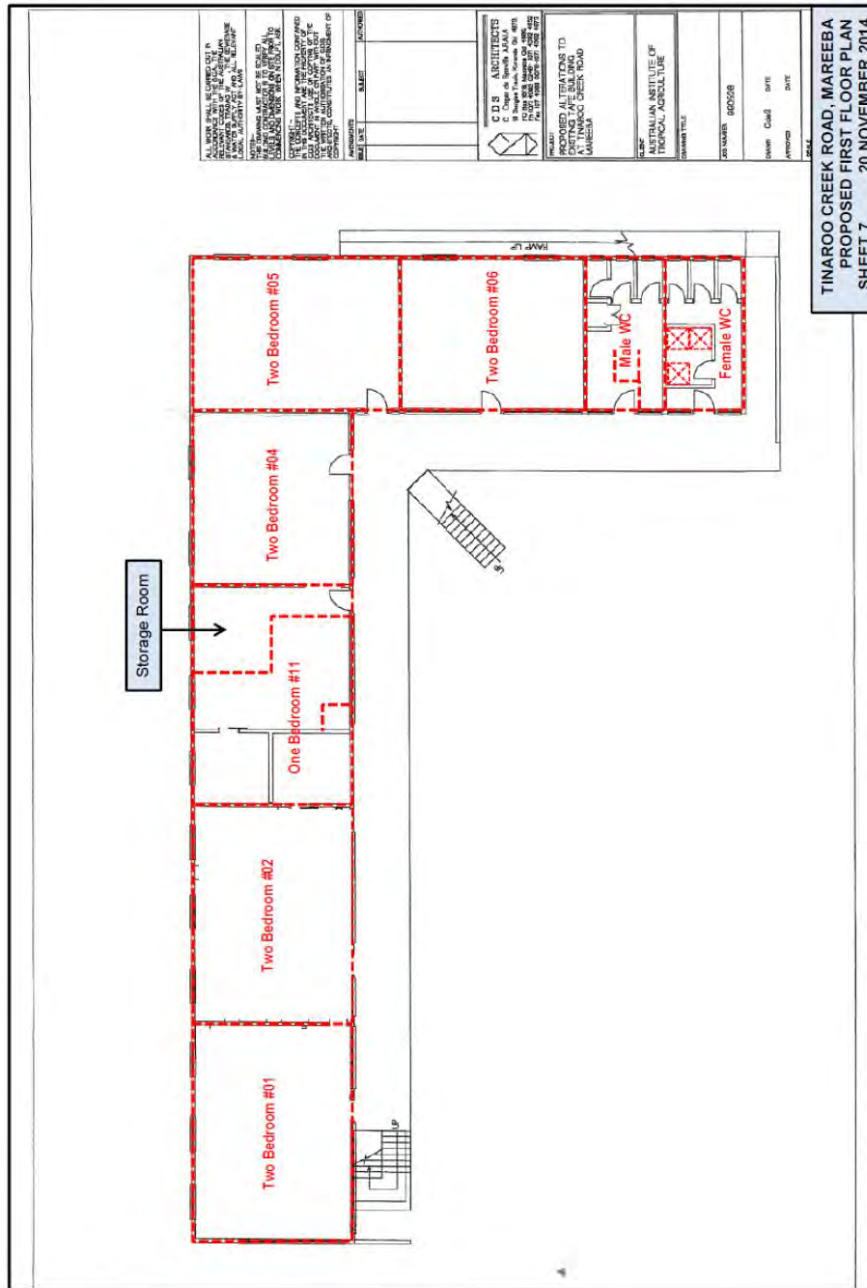


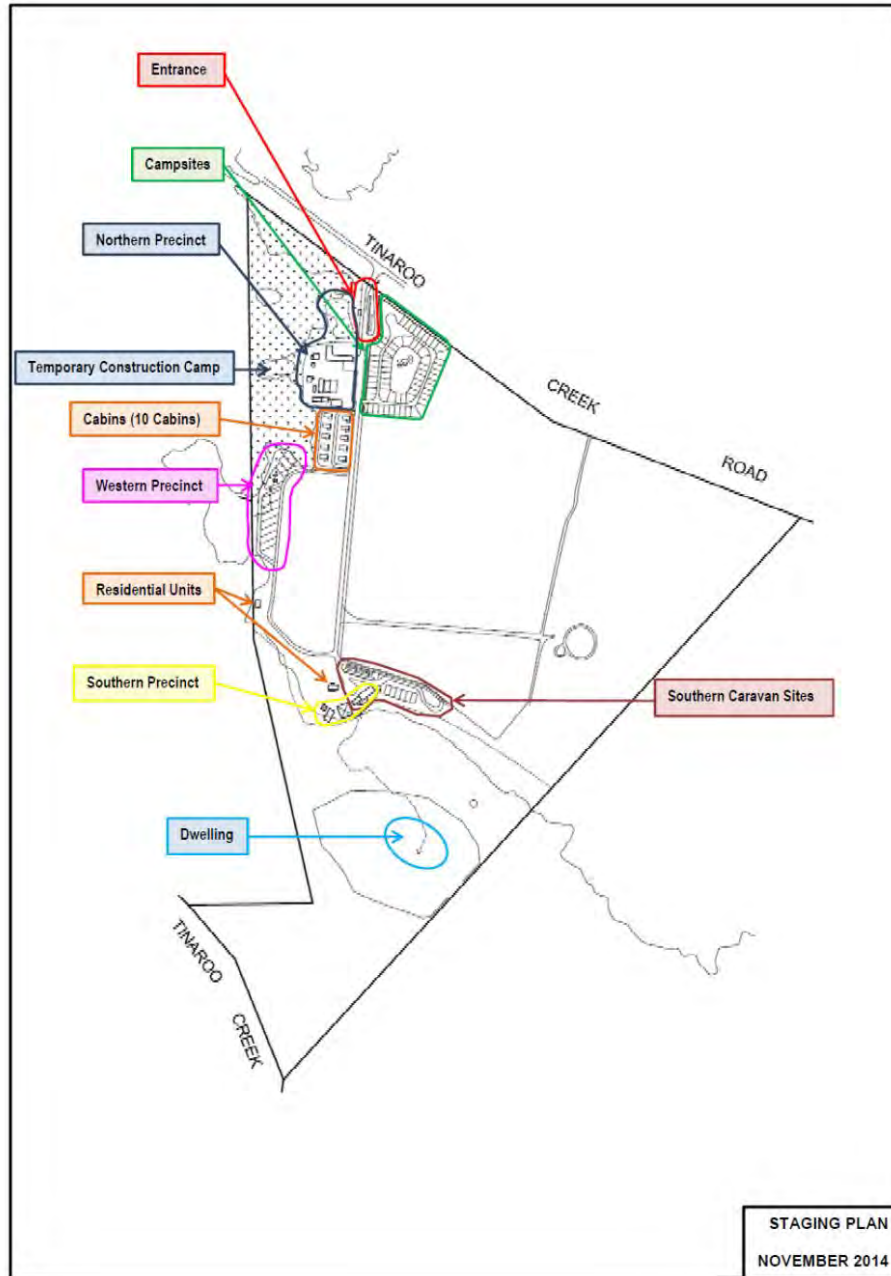
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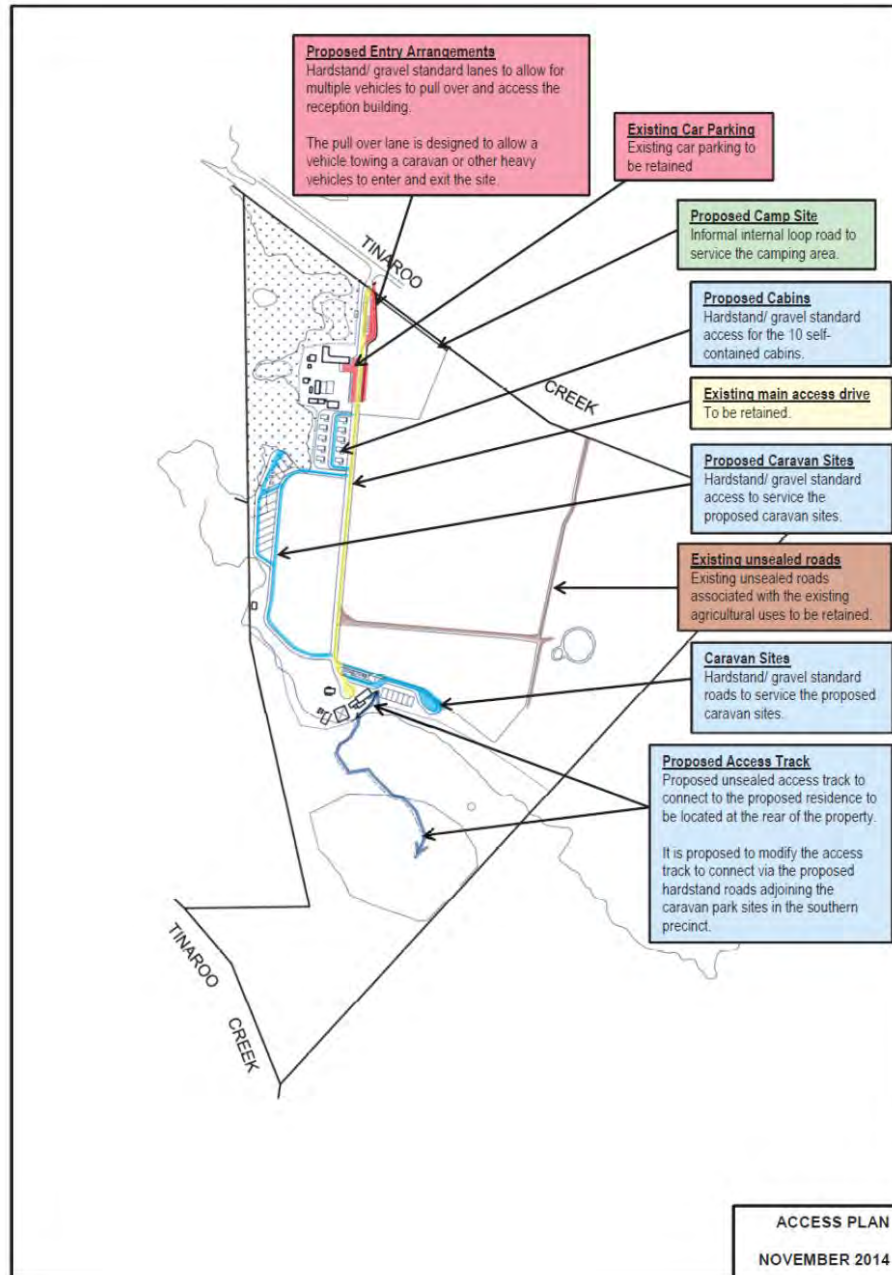


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 10 March 2015

STAGING SCHEDULE

STAGE DESCRIPTION	STAGING ELEMENTS
Entrance	<ul style="list-style-type: none"> Construct new entrance and passing lane Construct new parking area and reception building
Campsite	<ul style="list-style-type: none"> Establish up to 50 campsites and required amenities Establish balance 50 campsites and required amenities
Cabins (10 Cabins)	<ul style="list-style-type: none"> Establish cabins 1 and 2 Establish cabins 3 to 5 Establish cabins 6 to 10
Northern Precinct	<ul style="list-style-type: none"> Create 5 x 2 bedroom and 1 x 1 bedroom accommodation units within the first level of the "L-Building" Create 10 x 1 bedroom accommodation units within the ground level of the "L-Building" Training room within existing "L-Building" Establish entertainment room and amenities Conference / Classroom within existing building Kiosk / Café within existing building One (1) self-contained cabin Swimming pool Playground
Western Precinct	<ul style="list-style-type: none"> Eleven (11) caravan sites Amenities and upgraded access
Southern Precinct	<ul style="list-style-type: none"> New storage building Shop within existing building
Southern Caravan Sites	<ul style="list-style-type: none"> Nine (9) caravan sites including amenities and upgraded access
Dwelling	<ul style="list-style-type: none"> Construction of a new family dwelling and upgraded access
Residential Units	<ul style="list-style-type: none"> Re-use of the two existing buildings as dwellings
Temporary Construction Camp	<ul style="list-style-type: none"> Location of four (4) caravans for occupation during the construction phase



DECISION NOTICE - APPROVAL24
10 March 2015**ATTACHMENT 2 - CONCURRENCE AGENCY CONDITIONS**Department of
State Development,
Infrastructure and PlanningOur reference: SDA-1114-016334
Your reference: DA/14/0064

17 December 2014

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

Attn: Brian Millard

Dear Mr Franks

Concurrence agency response—with conditions186 Tinaroo Creek Road Mareeba, known as Lot 560 on NR6544
(Given under section 285 of the *Sustainable Planning Act 2009*)The referral agency material for the development application described below was received by the Department of State Development, Infrastructure and Planning under section 272 of the *Sustainable Planning Act 2009* on 25 November 2014.**Applicant details**

Applicant name:	Bright Acquisitions Pty Ltd
Applicant contact details:	c/- Victor G Feros Town Planning PO BOX 1256 Cairns QLD 4870 cairns@ferosplanning.com.au

Site details

Street address:	186 Tinaroo Creek Road Mareeba
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Page 1	Far North Queensland Regional Office Ground Floor, Cairns Port Authority PO Box 2358 Cairns QLD 4870
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DECISION NOTICE - APPROVAL

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SDA-1114-016334

Lot on plan: Lot 560 on NR6544
 Local government area: Mareeba Shire

Application details

Proposed development: Development permit material change of use (integrated tourist accommodation, training and conference facilities)

Aspects of development and type of approval being sought

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Material Change of Use	Development permit	Establish integrated tourist accommodation, training and conference facilities on site, to be known as 'Trinity Plains'	Impact Assessment

Referral triggers

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

Referral trigger Schedule 7, Table 3 Item 2—State transport infrastructure

Conditions

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

Reasons for decision to impose conditions

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

Relevant period

Under section 287(1)(d) of the *Sustainable Planning Act 2009*, the relevant period for any development approval is to be four years from the date this approval takes effect.

Further advice

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

Approved plans and specifications

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

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Aspect of development: material change of use				
Proposed Master Plan	Victor G Feros	20 November 2014	VGF-C970	

Department of State Development, Infrastructure and Planning

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10 March 2015

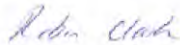
SDA-1114-016334

Staging Plan including Staging Schedule		November 2014		
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A copy of this response has been sent to the applicant for their information.

For further information, please contact Michele Creecy, Planning Officer, SARA Far North QLD on 4037 3206, or email michele.creecy@dsdip.qld.gov.au who will be pleased to assist.

Yours sincerely



Robin Clark
Manager (Planning)

cc: Bright Acquisitions Pty Ltd, C/- Victor Feros Town Planning Pty Ltd

enc: Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Further advice
Attachment 4—Approved plans and specifications

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 10 March 2015

SDA-1114-016334

 Our reference: SDA-1114-016334
 Your reference: DA/14/0084.

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Development permit for material change of use		
Schedule 7, Table 3, Item 2 – State transport infrastructure—Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of Department of Transport and Main Roads to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	The development must be carried out generally in accordance with the following plans: <ul style="list-style-type: none"> Proposed Master Plan, prepared by Victor G Feros, dated 20 November 2014, Ref: VGF-C970. Staging Plan including Staging Schedule, dated November 2014. 	At all times.
2.	The development must be in accordance with PDR Engineers Traffic Analysis and Report for the Tourist Accommodation and Associated Facilities, dated 17 November 2014, prepared by PDR Engineers and in particular: <ul style="list-style-type: none"> The proposed development must not generate an increase in traffic numbers on Tinaroo Creek Road that will exceed the projected total annual generation for the development. 	At all times.

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10 March 2015

SDA-1114-016334

Our reference: SDA-1114-016334
Your reference: DA/14/0064

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- The proposed development is the re-use of the former Mareeba Technical and Further Education (TAFE) facility
- The proposed development will provide tourism, training and conference facilities using the existing buildings, providing camping and other accommodation facilities; lecture facilities, conference facilities, a shop and other ancillary uses as well as utilising and expanding the existing infrastructure onsite
- The proposed development is located on Tinaroo Creek Road (a local council road)
- Tinaroo Creek Road intersects with a state-controlled road (Kennedy Highway)
- The intersection was designed to accommodate the traffic generated by the Mareeba TAFE
- A traffic analysis report by PDR Engineers does not anticipate that the traffic generated by the new use will equal the former level due to the nature of the new use
- Conditions are applied to ensure the development proceeds generally in accordance with the plans provided with the development application and to ensure that traffic generation does not exceed that indicated by the traffic analysis report prepared by PDR Engineers.

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10 March 2015

SDA-1114-016334

Our reference: SDA-1114-016334
Your reference: DA/14/0064**Attachment 3—Further advice**

General advice	
Ref	Advertising device
1.	Under section 43 of the <i>Transport Infrastructure Act 1994</i> , a local government must obtain Department of Transport and Main Roads approval if it intends to approve the erection, alteration or operation of an advertising sign or other advertising device that would be visible from a state-controlled road, and beyond the boundaries of the state-controlled road, and reasonably likely to create a traffic hazard for the state-controlled road.

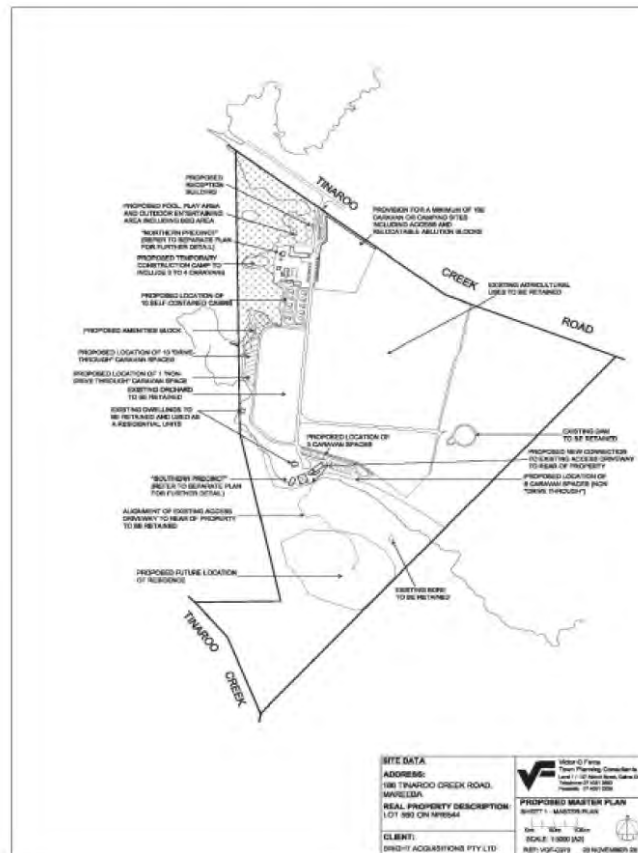
DECISION NOTICE - APPROVAL

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10 March 2015

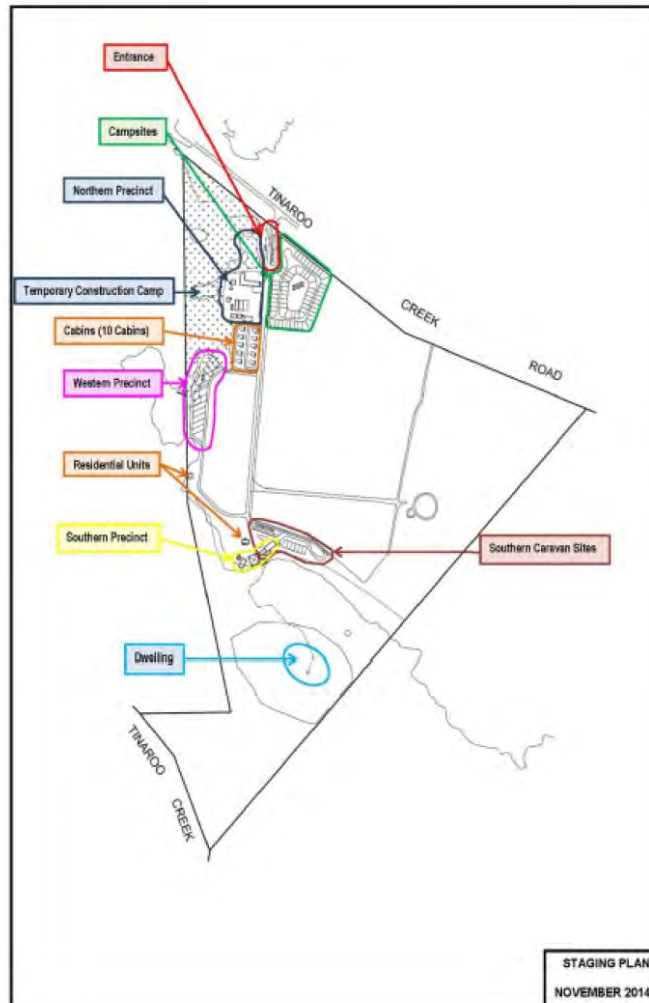
SDA-1114-016334

Our reference: SDA-1114-016334
Your reference: DA/14/0064

Attachment 4—Approved plans and specifications



SDA-1114-016334



Department of State Development, Infrastructure and Planning

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 10 March 2015

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STAGING SCHEDULE

STAGE DESCRIPTION	STAGING ELEMENTS
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ATTACHMENT 2**Victor G Feros Town Planning Consultants**

195 Dornoch Terrace
corner Gladstone Road
Highgate Hill Brisbane 4101
Queensland Australia
Telephone 07 3844 2882
Facsimile 07 3846 1840
brisbane@ferosplanning.com.au

Level 1
127 Abbott Street
PO Box 1256 Cairns 4870
Queensland Australia
Telephone 07 4031 3663
Facsimile 07 4031 2238
cairns@ferosplanning.com.au

2 March 2018

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

Our Reference VGF – C1044

Attention: Brian Millard

Dear Sir,

RE: APPLICATION TO THE MAREEBA SHIRE COUNCIL FOR A MINOR CHANGE APPLICATION FOR A DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE – ACCOMMODATION UNITS, CARAVAN PARK, DWELLING HOUSE, EDUCATIONAL ESTABLISHMENT, HOST FARM, MOTOR HOME PARK, RESIDENTIAL UNITS, SHOP, TOURIST FACILITY AND ANCILLARY AND ASSOCIATED USES AND THE RETENTION OF EXISTING RURAL ACTIVITIES OR PURSUITS ON LAND DESCRIBED AS LOT 560 ON NR6544 AND LOT 4 ON SP108027 PARISH OF TINAROO COUNTY OF NARES AND LOCATED AT 186 TINAROO CREEK ROAD AND 99 LEONARDI ROAD, MAREEBA, Q4880
(COUNCIL REFERENCE: DA/14/0064)

We act on behalf of Bright Acquisitions Pty Ltd, the applicant, in relation to the above matter.

We also refer to Council's email dated 24 May 2017 providing a response to the draft documents.

In this regard please find attached one (1) digital copy of the following documents:-

- a) Supporting Town Planning Report dated March 2018; and
- b) Completed DA Form 1 and Planning Act Form 5 – Change Application.

We advise that the application fee is \$500.00 as confirmed by Council's email dated 1 March 2018. This fee will be paid to Council by the applicant to allow the Minor Change Application to be considered properly made.

We would be pleased to co-ordinate a site inspection with Council Officers and project consultants to assist with the assessment of the Minor Change Application, if required.

We await Council's further advice in relation to the attached documents.

Yours faithfully

VICTOR G FEROS TOWN PLANNING CONSULTANTS


Nick Hardy
Associate and Office Manager

cc: Bright Acquisitions Pty Ltd

cc: Department of State Development Manufacturing Infrastructure and Planning

IN CONTINUOUS PRACTICE SINCE 1976

Principal
Victor G Feros
GCSP BA MUS FPA CMILT LGTP(C) OPP

Adjunct Professor
School of Geography, Planning
and Environmental Management
University of Queensland

US Bicentennial Fellowship Award 1976

Administrative Director
Marion C Feros
B Planm MBA MFS ASA AFACP
Associate & Office Manager, Cairns
Nick Hardy
BRTP (Hons) MPA LGTP(C)
Senior Consultant Planner
Ken Todd
DQIT&CP Dip.Soc.PL LFPIA LGTP(C)

Victor G Feros
Town Planning
Consultant Pty Ltd
ABN 51 010 417 302
www.ferosplanning.com.au

TOWN PLANNING REPORT

**MINOR CHANGE APPLICATION TO THE MAREEBA
SHIRE COUNCIL FOR DEVELOPMENT PERMIT FOR
MATERIAL CHANGE OF USE – ACCOMMODATION
UNITS, CARAVAN PARK, DWELLING HOUSE,
EDUCATIONAL ESTABLISHMENT, HOST FARM,
MOTOR HOME PARK, RESIDENTIAL UNITS, SHOP,
TOURIST FACILITY AND ANCILLARY AND
ASSOCIATED USES AND THE RETENTION OF
EXISTING RURAL ACTIVITIES OR PURSUITS
(COUNCIL REFERENCE: DA/14/0064)**

located at

186 TINAROO CREEK ROAD, MAREEBA, Q4880

described as

LOT 560 ON NR6544

for

BRIGHT ACQUISITIONS PTY LTD

**VGF-C1044
MARCH 2018**

**TOWN PLANNING REPORT
MINOR CHANGE APPLICATION TO THE MAREEBA SHIRE COUNCIL FOR DEVELOPMENT
PERMIT FOR LAND LOCATED AT 186 TINAROO CREEK ROAD, MAREEBA, Q4880 AND
DESCRIBED AS LOT 560 ON NR6544**

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FIGURES

FIGURE 1	Location
FIGURE 2	Locality
FIGURE 3	Proposed Modifications

APPENDICES

APPENDIX A	Letter of Authority
APPENDIX B	Decision Notice dated 10 March 2015
APPENDIX C	Letter dated 29 January 2016
APPENDIX D	Council Letter dated 1 February 2016
APPENDIX E	Decision Notice for Reconfiguration of a Lot dated 13 April 2017
APPENDIX F	Council email dated 18 October 2017
APPENDIX G	DILGP letter dated 2 November 2017
APPENDIX H	Land subject to Material Change of Use Plan
APPENDIX I	Amended Plans

Amended 1 March 2018

**TOWN PLANNING REPORT
MINOR CHANGE APPLICATION TO THE MAREEBA SHIRE COUNCIL FOR DEVELOPMENT
PERMIT FOR LAND LOCATED AT 186 TINAROO CREEK ROAD, MAREEBA, Q4880 AND
DESCRIBED AS LOT 560 ON NR6544**

1.00 INTRODUCTION

This Minor Change Application was commissioned by Bright Acquisitions Pty Ltd, the applicant and land owner in relation to an Existing Development Permit (Council Reference: DA/14/0064) on land located at 186 Tinaroo Creek Road, Mareeba and described as Lot 560 on NR6544.

A copy of the Land Owner's Consent is attached as **Appendix A**.

The subject site is shown by **Figure 1 – Location** and **Figure 2 – Locality**.

It is noted that the existing approval is a Decision Notice for Material Change of Use – Accommodation Units, Caravan Park, Dwelling House, Educational Establishment, Host Farm, Motor Home Park, Residential Units, Shop, Tourist Facility and Ancillary and Associated Uses and the retention of Existing Rural Activities or Pursuits dated 10 March 2015 (Decision Date: 4 March 2015).

The lodgement of this Minor Change Application is a consequence of receipt of a Decision Notice for Reconfiguration of a Lot (Boundary Realignment) dated 13 April 2017 over Lot 560 on NR6544 and Lot 4 on SP108027. The purpose of the Reconfiguration of a Lot (Boundary Realignment) application was to create a logical boundary between the lots based on existing topographical features and the reallocation of land to each lot.

The original Decision Notice for the Material Change of Use dated 10 March 2015 was lodged and approved over Lot 560 on NR6544 which includes land that will be transferred into the ownership of the adjoining landowner in accordance with the Reconfiguration of a Lot (Boundary Realignment) approval.

The purpose of the Minor Change Application is as follows:-

- a) to modify the land subject to the Material Change of Use to be consistent with the new lot boundary approved by the Reconfiguration of a Lot (Boundary Realignment);
- b) incorporate the approved changes to the layout plan previously determined by Council to be substantially in accordance with the original approval;
- c) to modify the approved layout plan to allow for the establishment of an additional camp kitchen, including 2 toilets and 1 shower within the Northern Camp Site; and
- d) to modify the approved layout plan to allow for the establishment of an additional café within an existing building located adjoining the eastern boundary of the Southern Camp Site. This building contains an area of 60m².

It is confirmed that this Minor Change Application is lodged with Council in accordance with *Section 81 of the Planning Act 2016*.

2.00 RELEVANT BACKGROUND DOCUMENTS

It is submitted that the relevant documents in relation to this Minor Change Application are as follows:-

- a) Decision Notice for Material Change of Use – Accommodation Units, Caravan Park, Dwelling House, Educational Establishment, Host Farm, Motor Home Park, Residential Units, Shop, Tourist Facility and Ancillary and Associated Uses and the retention of Existing Rural Activities or Pursuits dated 10 March 2015 (Decision Date: 4 March 2015) (Copy attached as **Appendix B**);
- b) Our letter dated 29 January 2016 in relation to changes to the location of uses on the land (copy attached as **Appendix C**)
- c) Council's letter dated 1 February 2016 (copy attached as **Appendix D**) advising the relocation of 50 of the 100 campsites is considered "minor" and is substantially in accordance with the Decision Notice dated 10 March 2015; and

Having regard to item a), item b) and Council's letter dated 1 February 2016, the following approved plans forming part of the Decision Notice for the Material Change of Use and the specific plans amended as part of Council's letter are relevant to the current Minor Change Application:-

Material Change of Use Approved Drawing(s) List

Plan/Document Number	Plan/Document Title	Dated
Figure 16	Setback and Buffer Considerations	November 2014 Amended 29 January 2016
Sheet 1	Proposed Master Plan	20 November 2014 Amended 27 January 2016
Sheet 2	Proposed Master Plan – Northern Precinct	20 November 2014 Amended 27 January 2016
Sheet 3	Proposed Master Plan – Northern Precinct Detail	20 November 2014 Amended 27 January 2016
Sheet 4	Proposed Master Plan – Western Precinct	20 November 2014 Amended 27 January 2016
Sheet 5	Proposed Master Plan – Southern Precinct	20 November 2014 Amended 27 January 2016
Sheet 6	Proposed Ground Floor Plan	20 November 2014
Sheet 7	Proposed First Floor Plan	20 November 2014
n/a	Staging Plan	November 2014 Amended 29 January 2016
n/a	Staging Schedule	n/a Amended 29 January 2016
n/a	Access Plan	November 2014 Amended 29 January 2016

- d) Department of Infrastructure Local Government and Planning letter dated 11 February 2016 advising that the proposed modifications are considered to be generally in accordance with the proposed master plan attached to the Department's Concurrence Agency Response dated 17 December 2014;

- e) Decision Notice for Reconfiguration of a Lot (Boundary Realignment) dated 13 April 2017 (copy attached as **Appendix E**).
- f) Council's email advice dated 18 October 2017 advising that the modifications to the approved Boundary Realignment plan are substantially in accordance with the approval attached as **Appendix F**.
- g) Having regard to Council advice dated 18 October 2017 (Boundary Realignment) the following plans are relevant to the current Request:-

Reconfiguration of a Lot Approved Drawing(s) List

Plan/Document Number	Plan/Document Title
SP300440 Version 6	Plan of Lots 41 & 42 & Easement A in Lot 41 – Cancelling Lot 560 on NR6544 & Lot 4 on SP108027

- h) Department of Infrastructure Local Government and Planning letter dated 2 November 2017 (copy attached as **Appendix G**) responding to our letter dated 19 October 2017. The Department's letter confirmed that the proposed changes are generally in accordance with the plans approved as part of the concurrence agency response and that no referral is required to the Department as part of this Minor Change Application.

3.00 PROPOSED MODIFICATIONS

The following modifications are proposed to be made to the current approval:-

- a) exclude the land to be transferred from Lot 560 on NR6544 to Lot 4 on SP108027 from the current Material Change of Use approval as this land is no longer relevant to the current approval.

It is noted that while the easement to provide practical access to Tinaroo Creek is excluded from the revised lot boundary, this easement to be located within Lot 4 on SP108027 will benefit Lot 560 on NR6544;

- b) while the land adjoining the western boundary of Lot 560 will be transferred to this lot from Lot 4 on SP108027, this additional land will not be subject to the provisions of the current Material Change of Use Approval.

It is confirmed that the establishment of any uses on this additional area requiring Code or Impact Assessment will be subject to a further application and approval;

- c) to remove any doubt it is confirmed that the land subject to the Material Change of Use approval will include the following land:-

- i) proposed Lot 42 on SP300440; and
- ii) the land encompassed by proposed Easement A in Lot 41 on SP300440.

The extent of this land is shown by the plan attached as **Appendix H**.

- d) relocate (50) approved caravan and camping sites to the southern section of the site;
- e) establish an additional camp kitchen, including 2 toilets and 1 shower within the Northern Camp Site. It is submitted that these additional facilities will improve availability and access to amenities. It is submitted that these amenities are ancillary to the existing approved uses; and
- f) establish an additional café within an existing building located adjoining the eastern boundary of the Southern Campsite. It is submitted that this café is associated with and will complement the existing café located within the Northern Precinct. It is submitted that the proposed café is an ancillary use to the existing approved uses.

The matters described above are depicted in **Figure 3 – Proposed Modifications**.

4.00 CHANGES TO CONDITIONS OF APPROVAL

It is submitted that the following conditions should be amended as detailed below in response to the matters raised in **Section 3.00** of this Request.

Current Condition

"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 in accordance with the Staging Plan dated November 2014 and the Staging Schedule dated November 2014 except where specified otherwise in these conditions of approval."

Requested Change

It is requested that Council amend this Condition to make reference to the amended Staging Plan dated 5 May 2017 and the Staging Schedule dated 5 May 2017 detailed in the requested changes to Council's Material Change of Use Approved Drawing(s) List.

Current Condition

8. Approved Plans

Material Change of Use Approved Drawing(s) List

<i>Plan/Document Number</i>	<i>Plan/Document Title</i>	<i>Dated</i>
<i>Figure 16</i>	<i>Setback and Buffer Considerations</i>	<i>November 2014</i>
<i>Sheet 1</i>	<i>Proposed Master Plan</i>	<i>20 November 2014</i>
<i>Sheet 2</i>	<i>Proposed Master Plan – Northern Precinct</i>	<i>20 November 2014</i>
<i>Sheet 3</i>	<i>Proposed Master Plan – Northern Precinct Detail</i>	<i>20 November 2014</i>
<i>Sheet 4</i>	<i>Proposed Master Plan – Western Precinct</i>	<i>20 November 2014</i>
<i>Sheet 5</i>	<i>Proposed Master Plan – Southern Precinct</i>	<i>20 November 2014</i>
<i>Sheet 6</i>	<i>Proposed Ground Floor Plan</i>	<i>20 November 2014</i>
<i>Sheet 7</i>	<i>Proposed First Floor Plan</i>	<i>20 November 2014</i>
<i>n/a</i>	<i>Staging Plan</i>	<i>November 2014</i>
<i>n/a</i>	<i>Staging Schedule</i>	<i>n/a</i>
<i>n/a</i>	<i>Access Plan</i>	<i>November 2014</i>

Requested Change

It is requested that Council amend the Material Change of Use Approved Drawing(s) List on the basis of the following:-

- a) Council's letter dated 1 February 2016 in response to our letter dated 29 January 2016 and detailed in item 2(c) of Section 2.00 of this Request;
- b) Council's Decision Notice for Reconfiguration of a Lot (Boundary Realignment) dated 13 April 2017. It is noted that the proposed modifications to the approved plans are to ensure that the area subject to the Material Change of Use approval is consistent with the new lot boundary; and
- c) on the basis of item a) and item b) above, the following list of amended plans represents the plans approved as part of Council's letter dated 1 February 2016 and Council's Decision Notice for Reconfiguration of a Lot (Boundary Realignment) dated 13 April 2017 and further email advice dated 18 October 2017.

Plan/Document Number	Plan/Document Title	Dated
Figure 16	Setback and Buffer Considerations	29 January 2016 18 October 2017
Sheet 1	Proposed Master Plan	27 January 2016 18 October 2017
Sheet 2	Proposed Master Plan – Northern Precinct	27 January 2016 18 October 2017
Sheet 3	Proposed Master Plan – Northern Precinct Detail	27 January 2016 18 October 2017
Sheet 4	Proposed Master Plan – Western Precinct	27 January 2016 18 October 2017
Sheet 5	Proposed Master Plan – Southern Precinct	27 January 2016 18 October 2017
Sheet 6	Proposed Ground Floor Plan	20 November 2014
Sheet 7	Proposed First Floor Plan	20 November 2014
n/a	Staging Plan	29 January 2016 18 October 2017
n/a	Staging Schedule	29 January 2016 18 October 2017
n/a	Access Plan	29 January 2016 18 October 2017

- d) Any other changes identified by Council as a consequence of items a) to c) above such as a change in the property description and agreed to by the applicant.

The proposed modifications are detailed by the amended plans attached as **Appendix I**.

5.00 STATUTORY CONSIDERATIONS

5.01 General

On the basis that this is a Minor Change Application in accordance with Section 81 of the Planning Act (2016), it is submitted that this proposal does not require any other specific or separate planning approval.

5.02 Concurrence Agency Response

As detailed in the Decision Notice, the Department of Transport and Main Roads was the Concurrence Agency for the original Approval.

It is noted that the Referral Agency role of the Department of Transport and Main Roads is now under the jurisdiction of the Department of Infrastructure, Local Government and Planning.

This Request will be provided to the Department in accordance with Section 81 of the Planning Act (2016).

A copy of the response from the Department of Infrastructure, Local Government and Planning will be provided to Council when available.

5.03 Consideration of the Mareeba Shire Council Planning Scheme (2016)

It is submitted that the original application was lodged on 21 November 2014 under the provisions of the Mareeba Shire Planning Scheme (2004). It is submitted that the submission to Council dated 29 January 2016 and Council's response dated 1 February 2016 were also undertaken during the currency period of the Mareeba Shire Planning Scheme (2004). It is noted that the Mareeba Shire Planning Scheme (2004) was "superseded" by the adoption of the Mareeba Shire Council Planning Scheme (2016) on 1 July 2016.

It is noted that Section 81(2) of the Planning Act (2016) notes that *"the Responsible Entity must consider the information the applicant included with the application; and if the response entity is the assessment manager – any properly made submissions about the development application or another change application was approved; and any pre-request response notice or response notice given in relation to change application"*

In this regard the following comments are made:-

- a) the Mareeba Shire Council Planning Scheme (2016) is the current planning instrument in effect within the Mareeba Shire Council area;
- b) it is submitted that the proposed changes to the Decision Notice for Material Change of Use is a consequence of the Reconfiguration of a Lot (Boundary Realignment) approval issued by Council under the Mareeba Shire Council Planning Scheme (2016) and the agreed modified plan attached as **Appendix I**;
- c) the purpose of this Request is to ensure that the land subject to the Material Change of Use approval issued under the Mareeba Shire Planning Scheme (2004) is consistent with the approved boundary realignment; and
- d) other proposed changes are in response to the identified need to further improve the level of service and convenience provided to guests and as identified by **Section 3.00** and Council's letter dated 1 February 2016 identified in **Section 4.00** of his Request.

On the basis of the above it is submitted that Council's consideration of this Minor Change Application in relation to the provisions of the current Mareeba Shire Council Planning Scheme (2016) is not required this instance.

5.04 Consideration of matters raised in the Submissions to the Original Application

It is noted that the two (2) properly made submissions were lodged with the Mareeba Shire Council during the public notification period of the original Application.

It is further noted that neither of the two (2) submitters lodged an appeal of Council's Decision Notice dated 10 March 2015 during the submitter appeal period.

In this regard it is submitted that as no additional uses are proposed as part of this Request and that it is in response to a Decision Notice for Reconfiguration of a Lot (Boundary Realignment) dated 13 April 2017 and further Council confirmation that the proposed modification to the plan is substantially in accordance with the approved plan, the previously approved modifications to the approval and the proposed amenities and café can be considered to be ancillary to the currently approved uses that further consideration of the grounds of objection raised by the two (2) properly made submissions is not required.

5.05 Infrastructure Charges

On the basis that this Minor Change Application is limited to responding to the Decision Notice for Reconfiguration of a Lot (Boundary Realignment) that no changes are required in relation to Infrastructure Charges.

6.00 RECOMMENDATIONS AND CONCLUSION

The following conclusions are drawn in relation to the Minor Change Application for an Existing Development Permit on land at 186 Tinaroo Creek Road, Mareeba and described as Lot 560 on NR6544:-

- a) approval for this Minor Change Application is sought as a consequence of the Decision Notice for Reconfiguration of a Lot (Boundary Realignment) dated 13 April 2017, previously approved modifications to the existing approval detailed and the inclusion of ancillary amenities and café as detailed in **Section 3.00** and **Section 4.00** of this Request;
- b) no changes are proposed to any Referral Agency Conditions attached with the Decision Notice dated 17 December 2014; and
- c) This Minor Change Application is made in accordance with Section 81 of the Planning Act (2016).

Council's favourable consideration of this submission is commended.

VICTOR G FEROS TOWN PLANNING CONSULTANTS
MARCH 2018

16 March 2018

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

Attention: Brian Millard

Dear Sir,

RE: APPLICATION TO THE MAREEBA SHIRE COUNCIL FOR A MINOR CHANGE APPLICATION FOR A DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE – ACCOMMODATION UNITS, CARAVAN PARK, DWELLING HOUSE, EDUCATIONAL ESTABLISHMENT, HOST FARM, MOTOR HOME PARK, RESIDENTIAL UNITS, SHOP, TOURIST FACILITY AND ANCILLARY AND ASSOCIATED USES AND THE RETENTION OF EXISTING RURAL ACTIVITIES OR PURSUITS ON LAND DESCRIBED AS LOT 560 ON NR6544 AND LOT 4 ON SP108027 PARISH OF TINAROO COUNTY OF NARES AND LOCATED AT 186 TINAROO CREEK ROAD AND 99 LEONARDI ROAD, MAREEBA, Q4880 (COUNCIL REFERENCE: DA/14/0064)

We act on behalf of Bright Acquisitions Pty Ltd, the applicant, in relation to the above matter.

Reference is made to the Application lodged with Council on 2 March 2018.

Reference is also made to discussions with Council on 12 March 2018 and with Tony Croke of the Department of State Development Manufacturing Infrastructure and Planning (DSDMIP) on 13 March 2018 in relation to the easement approved as part of the Reconfiguring a Lot application.

Upon further consideration we have received instructions from Bright Acquisitions Pty Ltd to exclude the easement area from the area proposed to be subject to the Material Change of Use Approval. To remove any doubt the proposed change is shown by **Figure 1**. Also find **attached** amended approval plans package to replace Appendix H and Appendix I in our Report dated March 2018 previously lodged with Council. We note that the other changes nominated in our previous Report dated March 2018 remain unchanged.

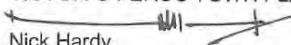
We note advice will be requested from DSDMIP to confirm that the amended layout plans accord with the DSDMIP's Pre-lodgement Advice dated 2 November 2017.

We seek the opportunity to provide feedback on draft recommendation prior to the matter being considered at Council's meeting dated 18 April 2018.

We trust this assists and await Council's favourable consideration of this matter.

Yours faithfully

VICTOR G FEROS TOWN PLANNING CONSULTANTS


Nick Hardy
Associate and Office Manager

cc: Bright Acquisitions Pty Ltd

cc: Department of State Development Manufacturing Infrastructure and Planning
Attn: Tony Croke

IN CONTINUOUS PRACTICE SINCE 1976

Principal
Victor G Feros
GCSJ BA MUS FPA CMILT LGTP(C) CPP

Adjunct Professor
School of Geography, Planning
and Environmental Management
University of Queensland

US Bicentennial Fellowship Award 1976

Administrative Director
Marion C Feros
B Pharm MBA MPS ASA AFACP

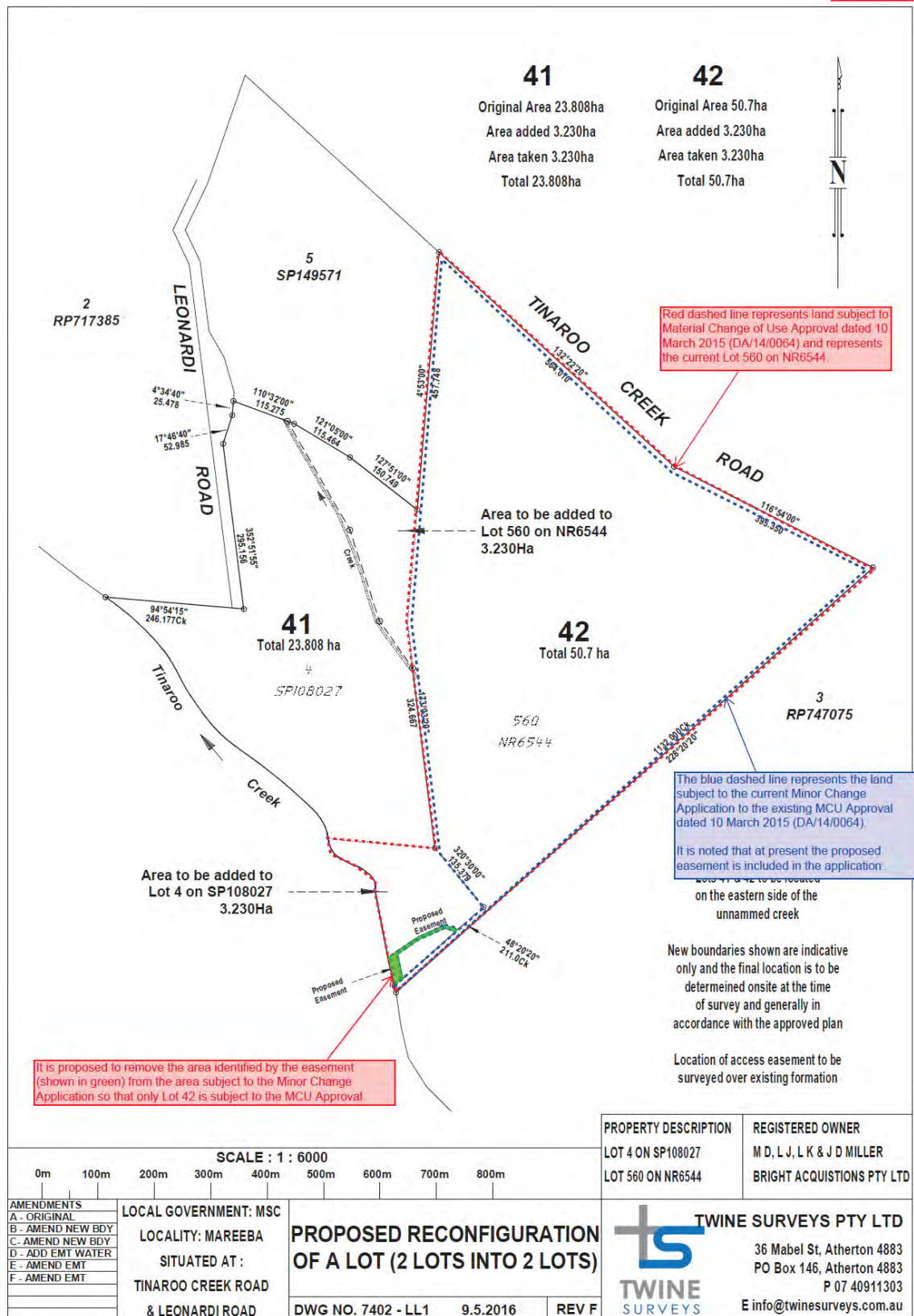
Associate & Office Manager, Cairns
Nick Hardy
BRTP (Hons) MPA LGTP(C)

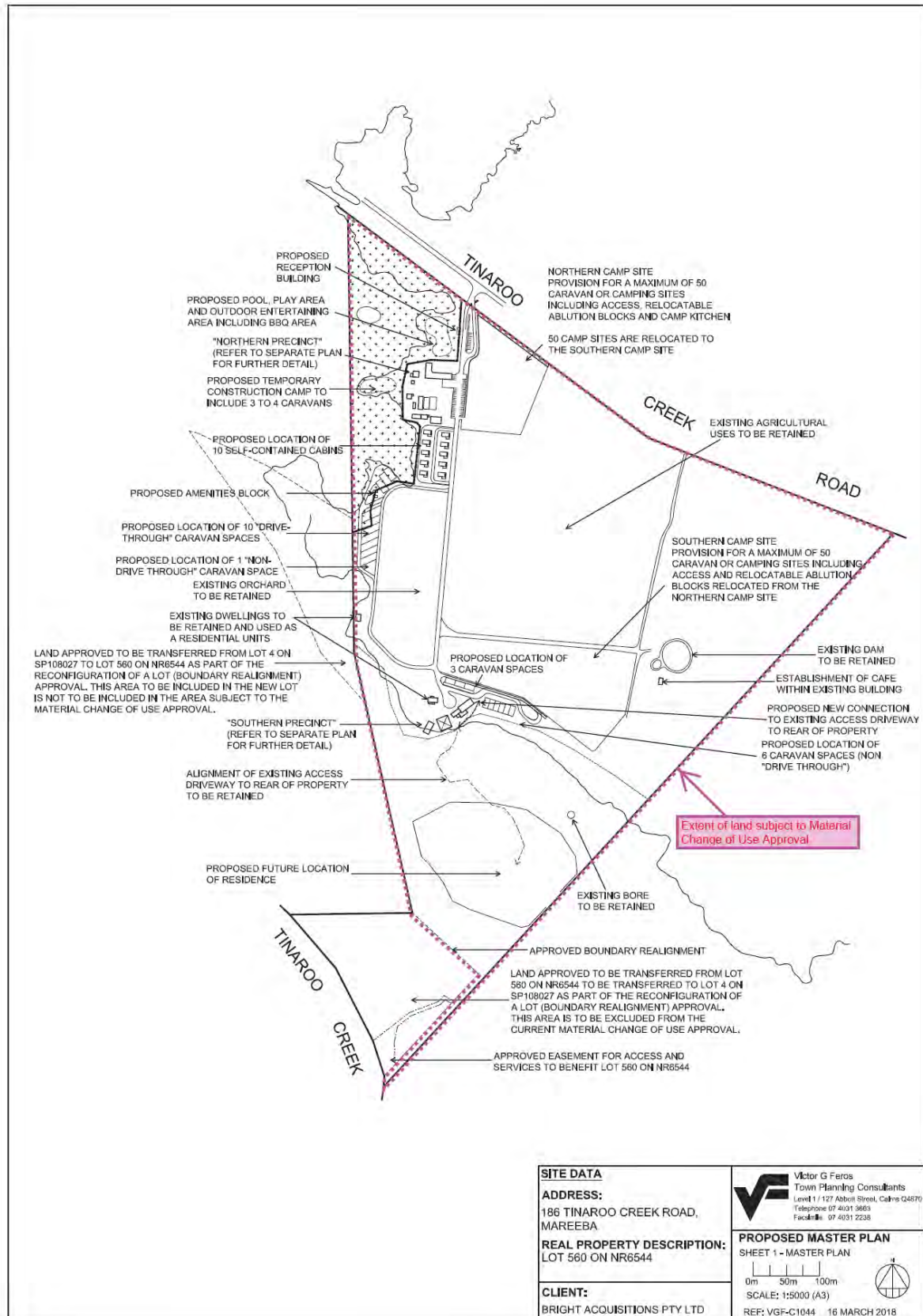
Senior Consultant Planner
Ken Todd
DGMTT&CH Dip.Soc.PL LFPA LGTP(C)

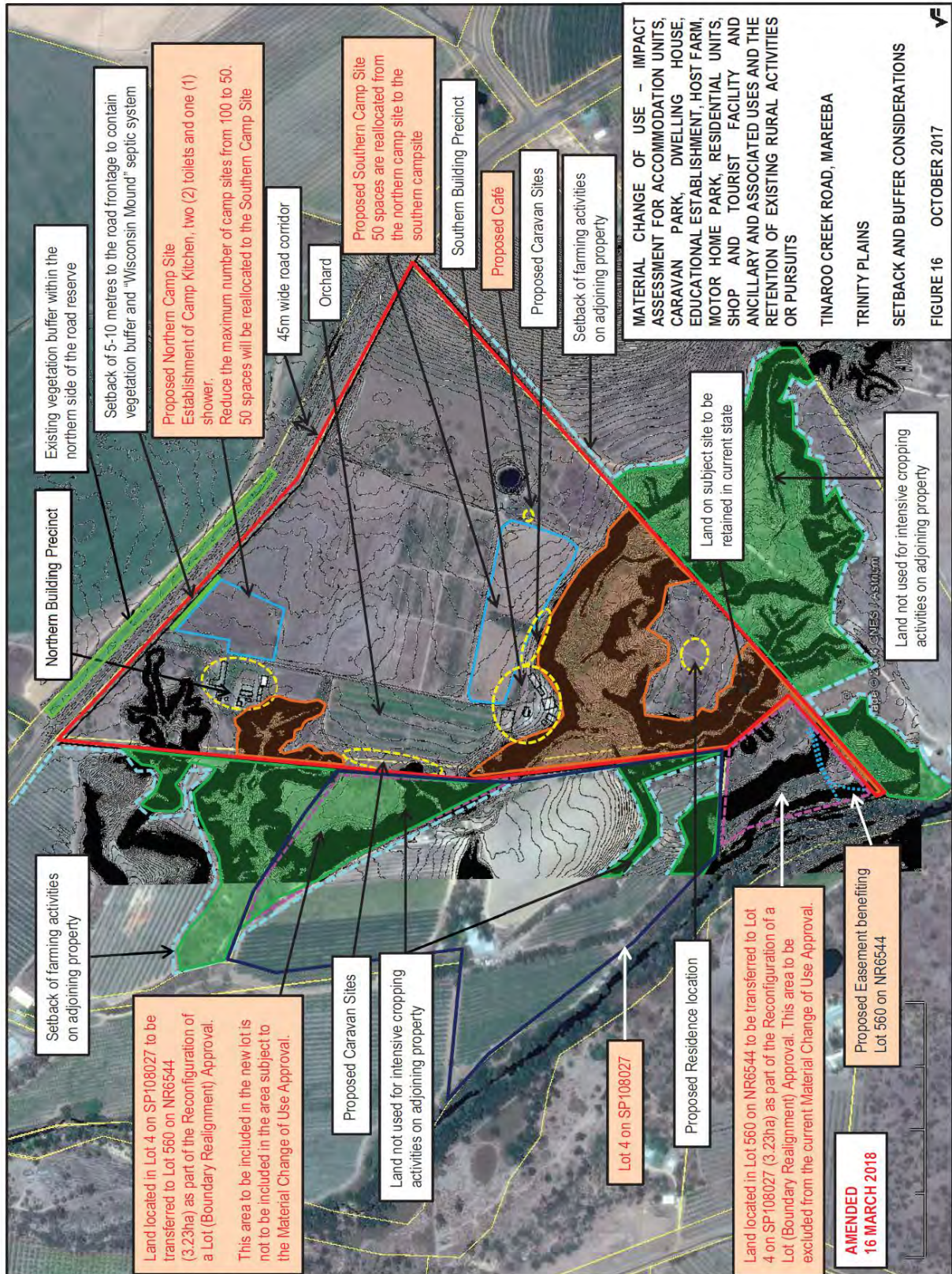
Victor G Feros
Town Planning
Consultant Pty Ltd
ABN 51 010 417 302

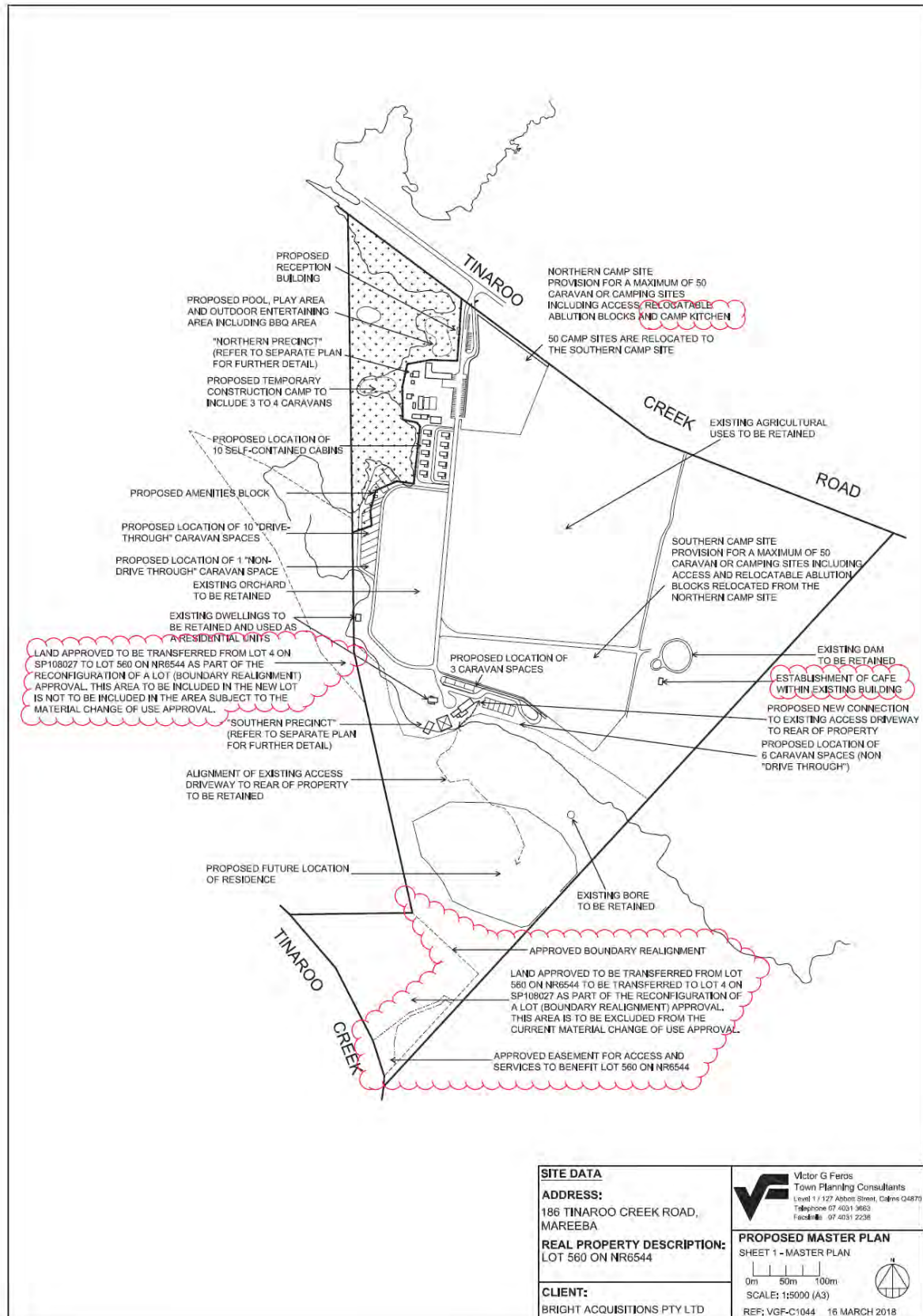
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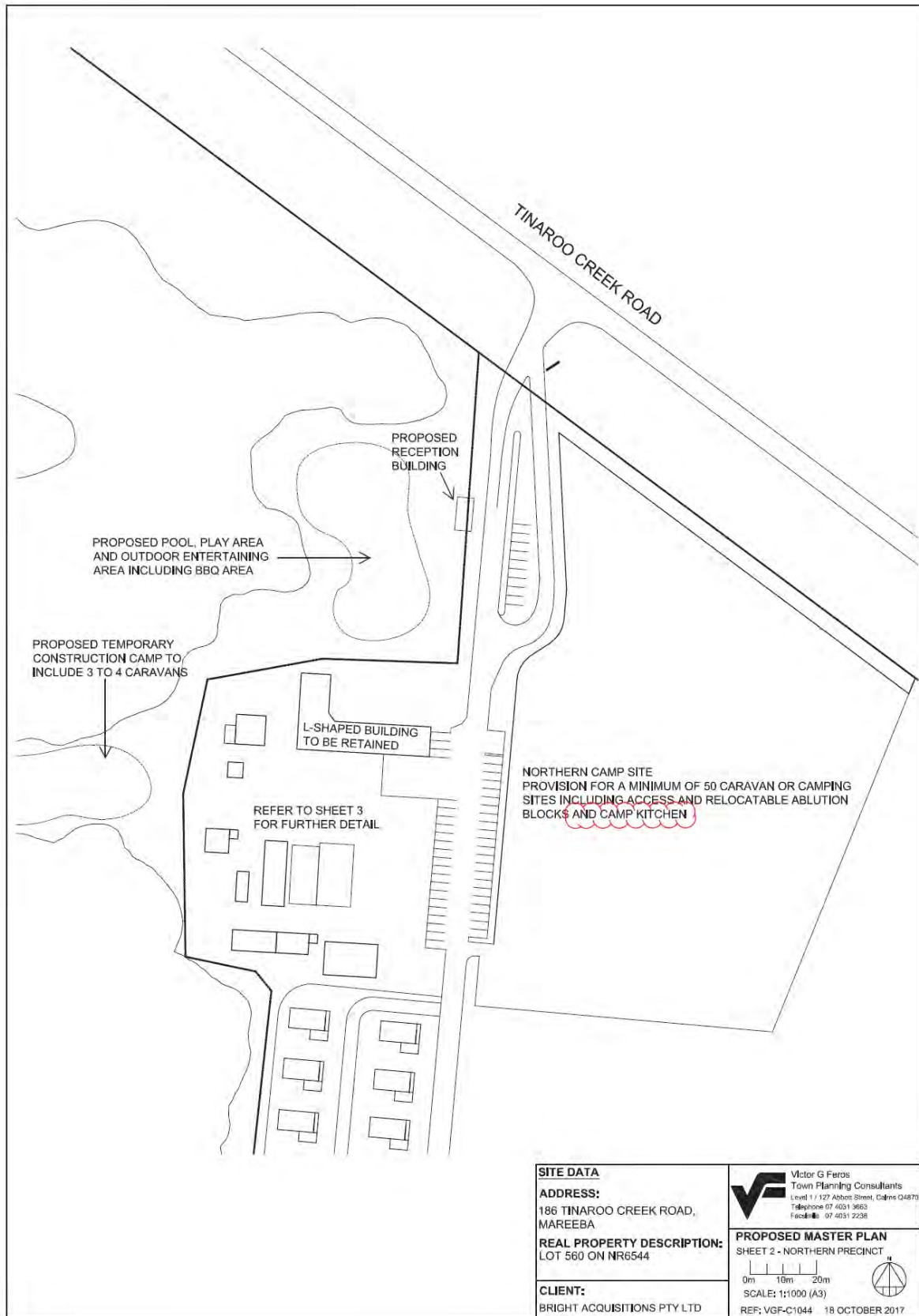
FIGURE 1

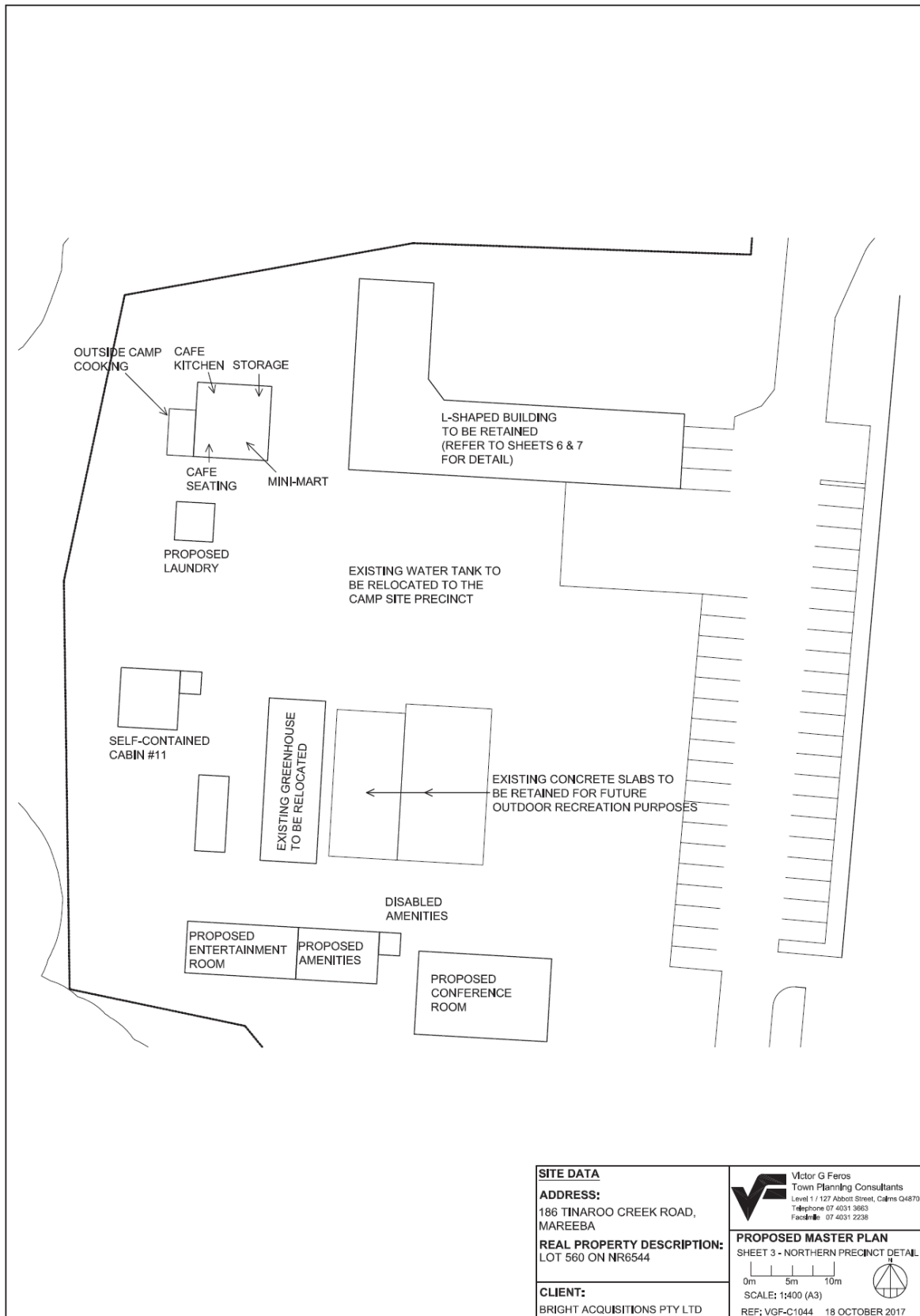


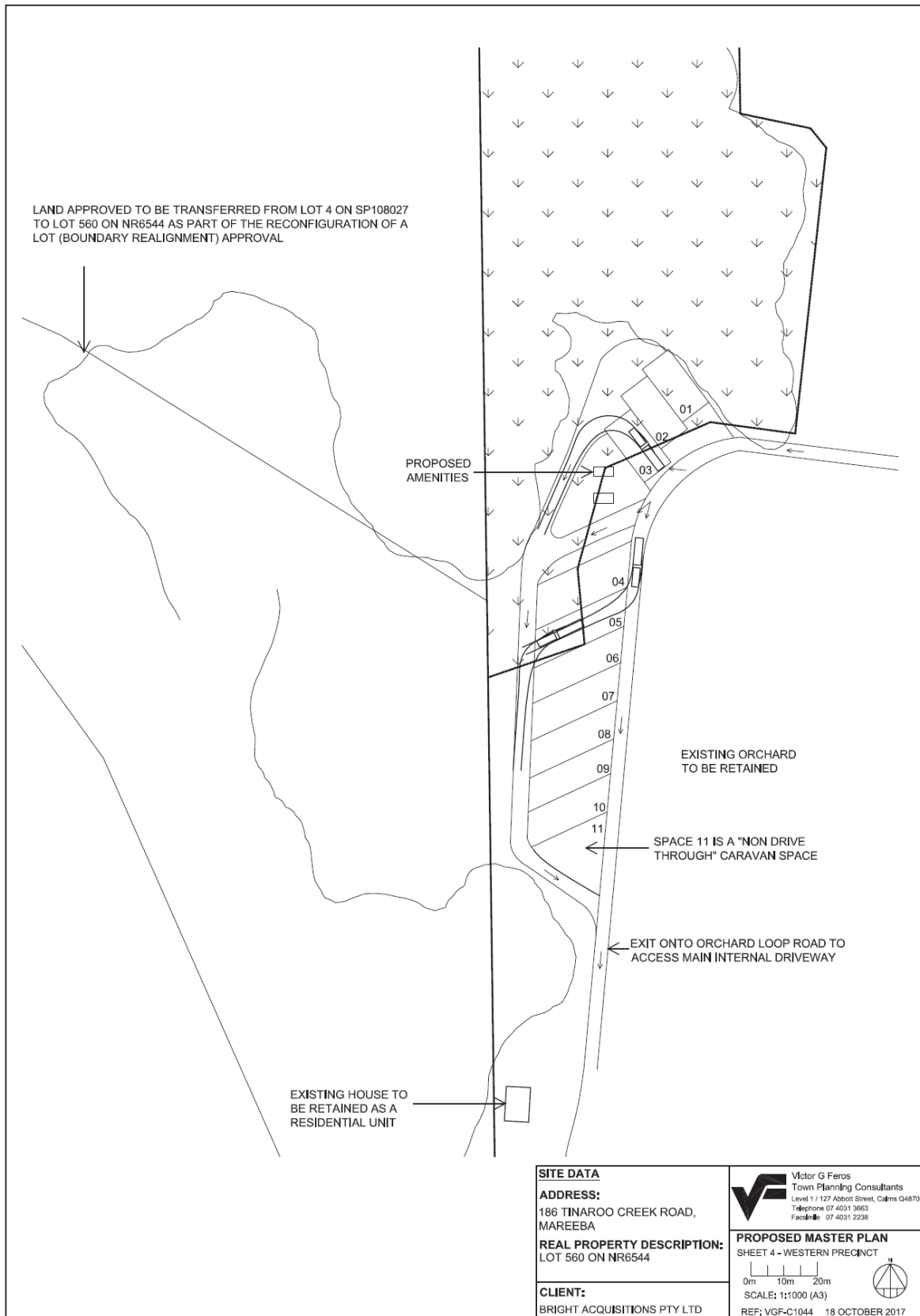


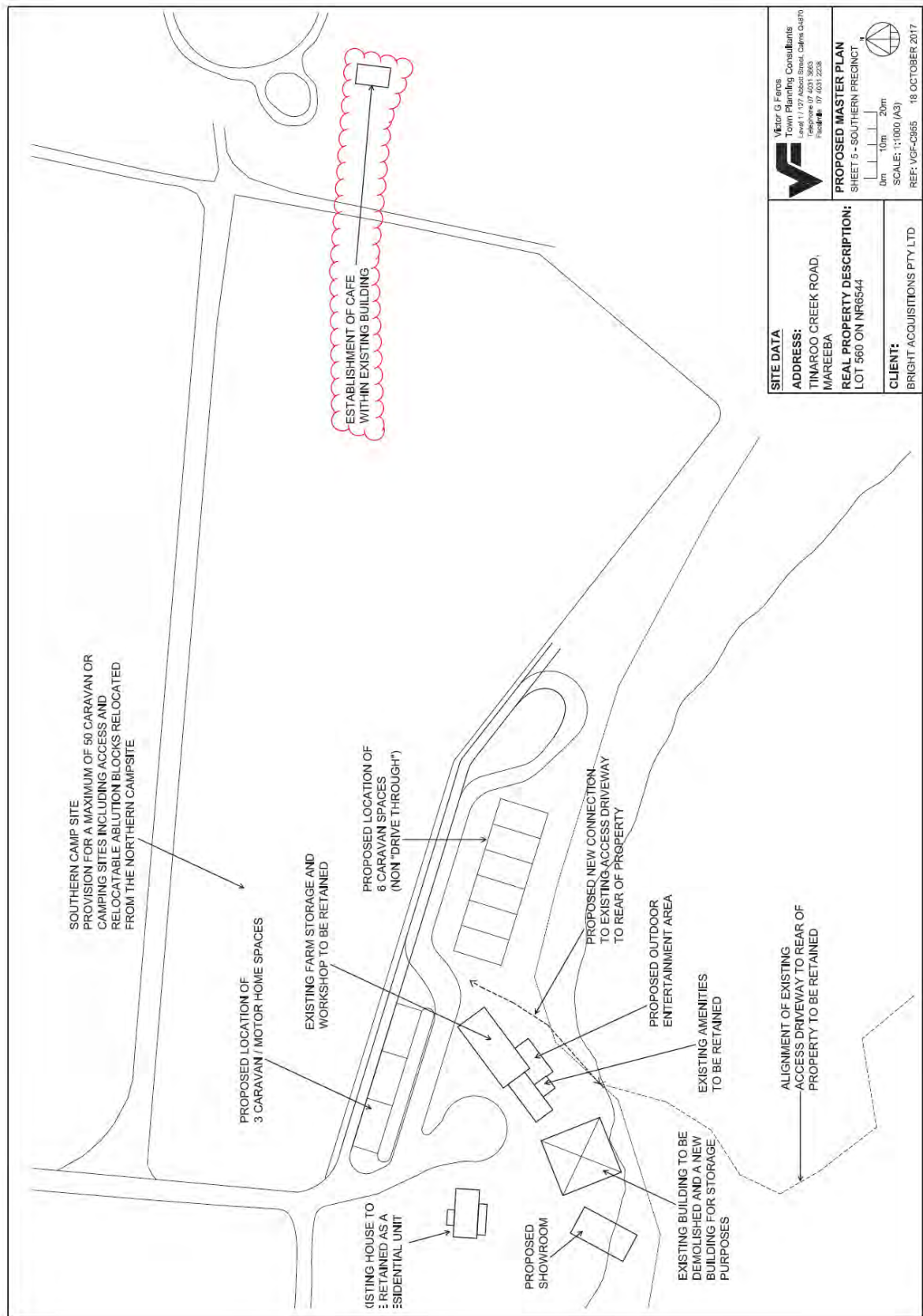


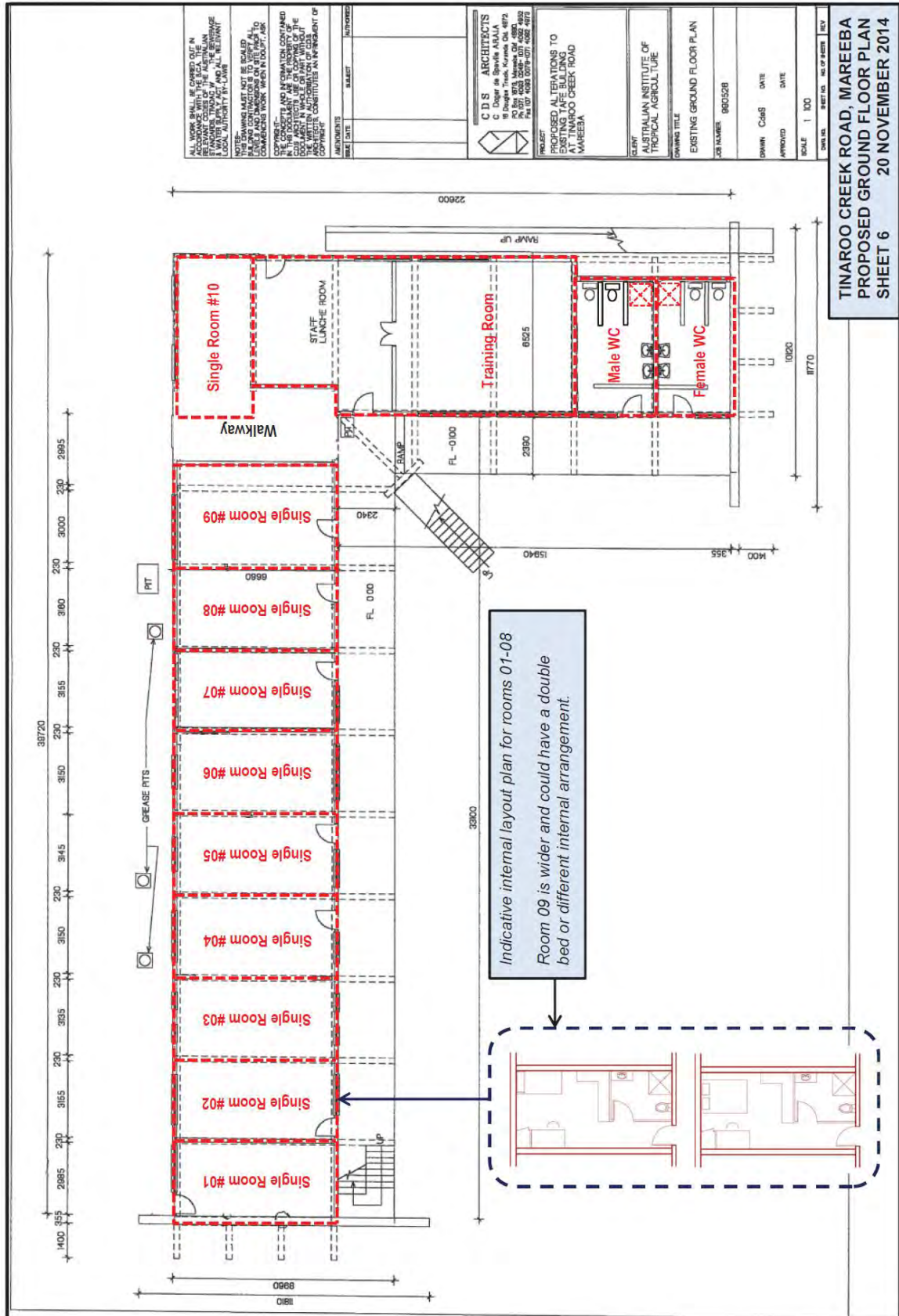


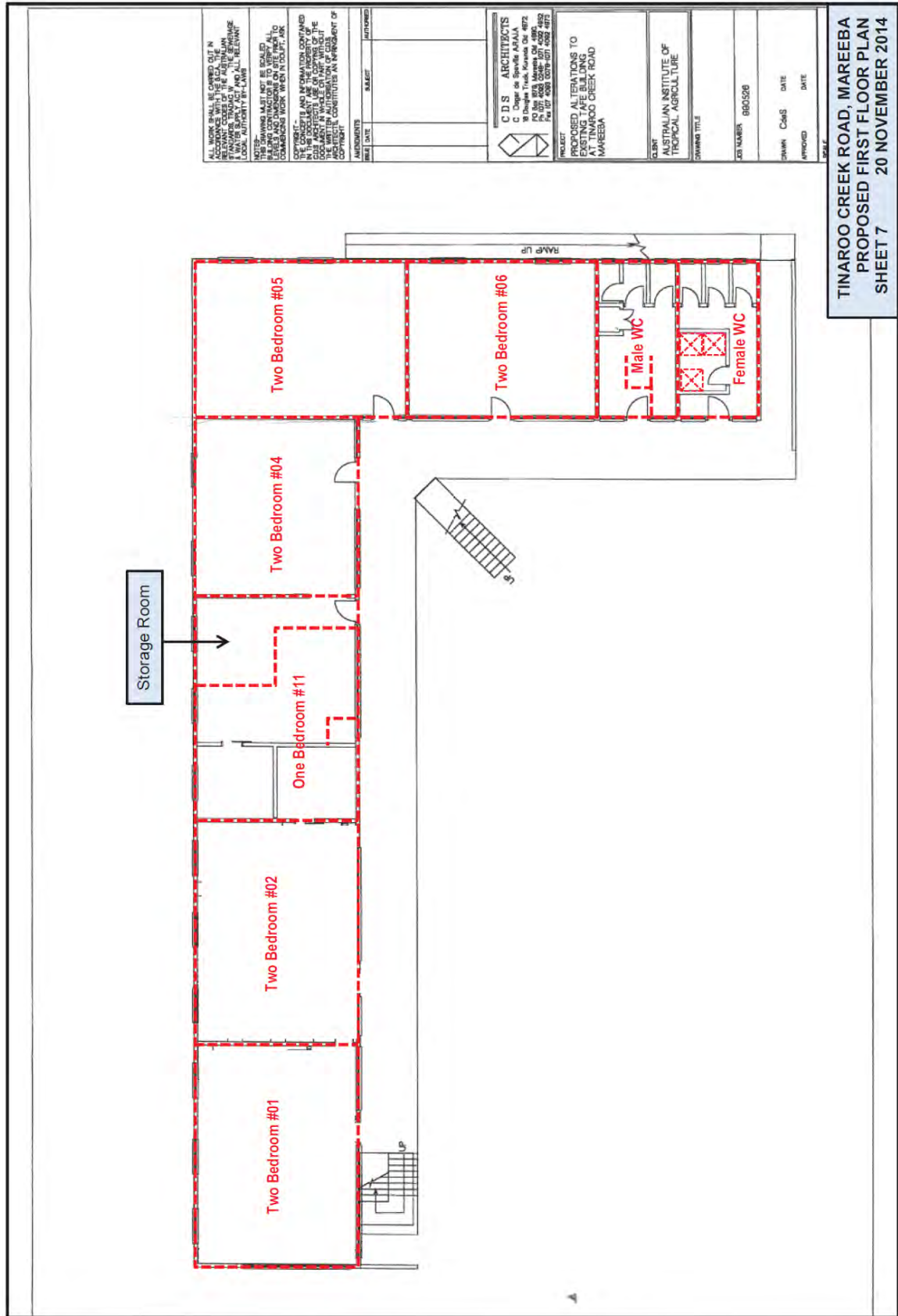


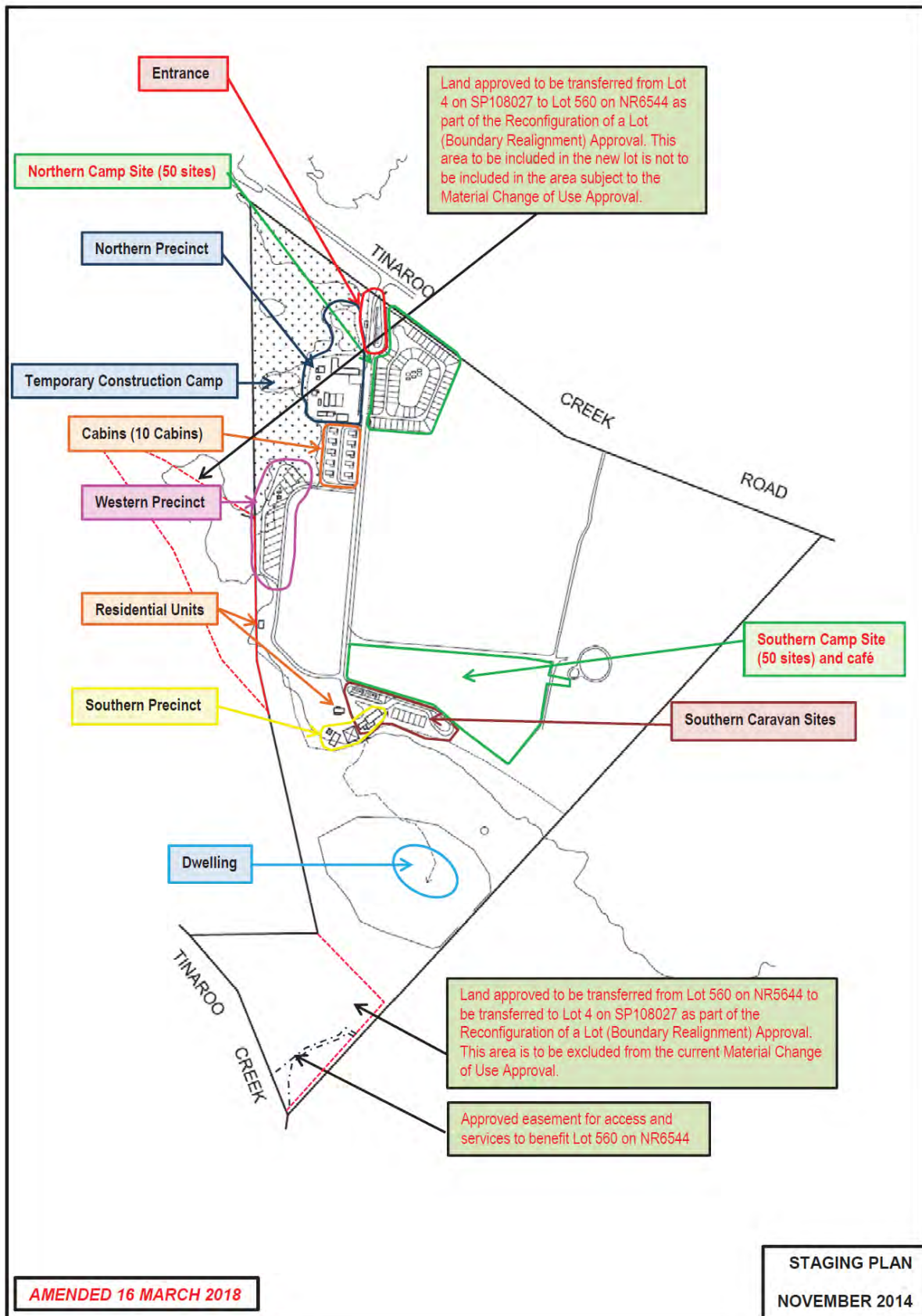






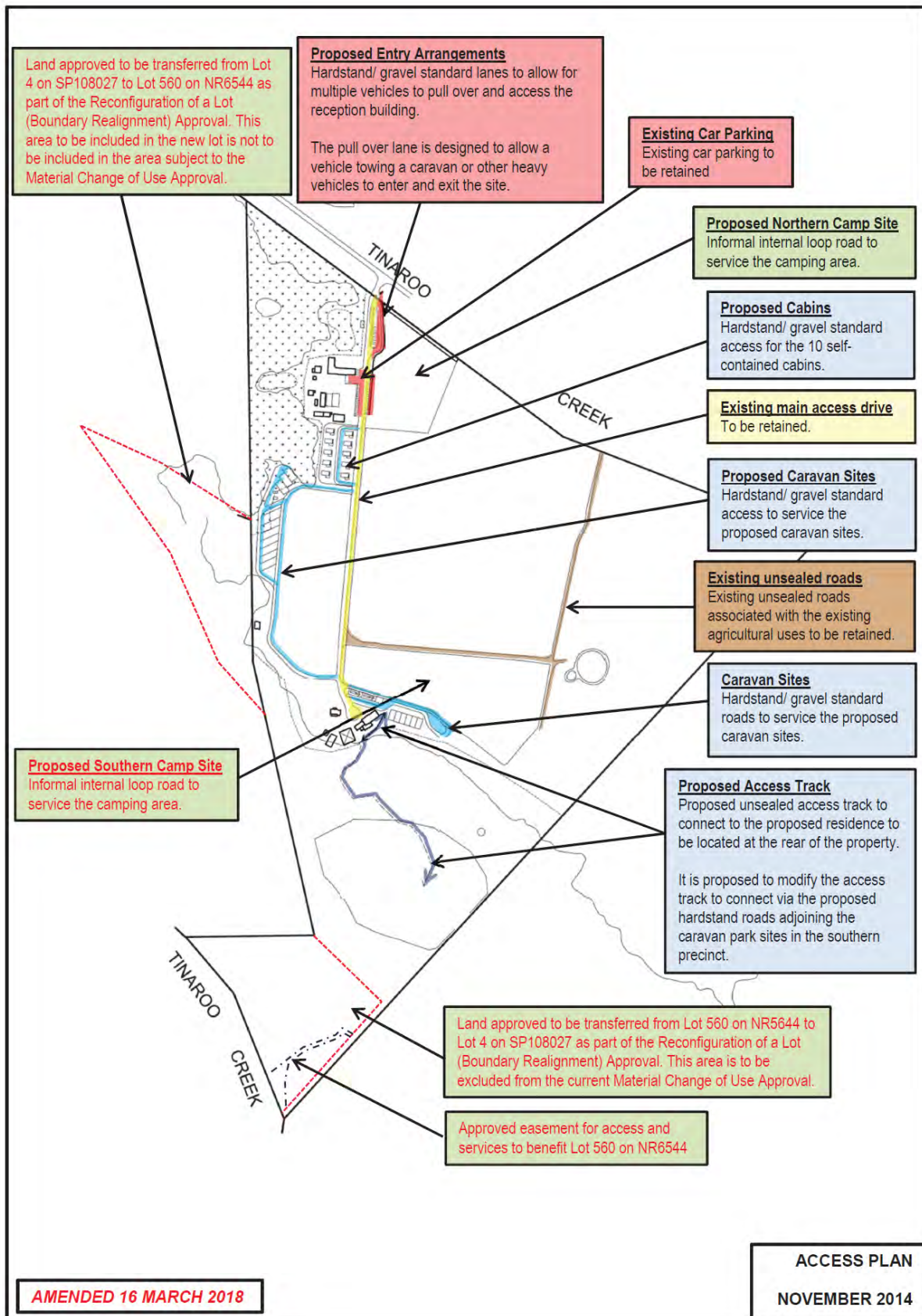






STAGING SCHEDULE – 18 OCTOBER 2017

STAGE DESCRIPTION	STAGING ELEMENTS
Entrance	<ul style="list-style-type: none"> Construct new entrance and passing lane Construct new parking area and reception building
Northern Camp Site	<ul style="list-style-type: none"> Establish up to 50 campsites and required amenities Establish camp kitchen and covered eating area (including two (2) toilets and one (1) shower) to have a roofed area of 100m²
Southern Camp Site	<ul style="list-style-type: none"> Establish up to 50 campsites and required amenities Establish a café within an existing building (60m²) located adjacent to the dam
Cabins (10 Cabins)	<ul style="list-style-type: none"> Establish cabins 1 and 2 Establish cabins 3 to 5 Establish cabins 6 to 10
Northern Precinct	<ul style="list-style-type: none"> Create 5 x 2 bedroom and 1 x 1 bedroom accommodation units within the first level of the "L-Building" Create 10 x 1 bedroom accommodation units within the ground level of the "L-Building" Training room within existing "L-Building" Establish entertainment room and amenities Conference / Classroom within existing building Kiosk / Café within existing building One (1) self-contained cabin Swimming pool Playground
Western Precinct	<ul style="list-style-type: none"> Eleven (11) caravan sites Amenities and upgraded access
Southern Precinct	<ul style="list-style-type: none"> New storage building Shop within existing building
Southern Caravan Sites	<ul style="list-style-type: none"> Nine (9) caravan sites including amenities and upgraded access
Dwelling	<ul style="list-style-type: none"> Construction of a new family dwelling and upgraded access
Residential Units	<ul style="list-style-type: none"> Re-use of the two existing buildings as dwellings
Temporary Construction Camp	<ul style="list-style-type: none"> Location of four (4) caravans for occupation during the construction phase



ATTACHMENT 3

PA6-L

Department of
**State Development,
Manufacturing,
Infrastructure and Planning**Our reference: 1803-4641 SPL
Your reference: VGF-C1044

4 April 2018

Bright Aquisitions Pty Ltd
C/- Victor G Feros Town Planning
PO Box 1256
Cairns QLD 4870
cairns@ferosplanning.com.au

Attention: Nick Hardy

Dear Sir / Madam

Pre-lodgement advice

Thank you for your correspondence received on 16 March 2018 in which you sought pre-lodgement advice from the Department of State Development, Manufacturing, Infrastructure and Planning regarding the proposed development described below.

Reference

Departmental role:	Referral agency
Departmental jurisdiction:	State transport infrastructure Clearing vegetation
Assessment manager reference:	DA/14/0064

Location details

Street address:	99 Leonardi Road, Mareeba; 186 Tinaroo Creek Road, Mareeba
Real property description:	4SP108027; 560NR6544
Local government area:	Mareeba Shire Council
Existing use:	Partially developed caravan park and camp ground and rural activities on the old Mareeba TAFE site
Relevant site history:	<i>10 March 2015</i> Development Permit granted over Lot 560 on NR6544 for MCU issued for (Accommodation units, caravan park, dwelling house, educational establishment, host farm, motor home park, residential

Far North Queensland regional office
Ground Floor, Cnr Grafton and Hartley
Street, Cairns
PO Box 2358, Cairns QLD 4870

1803-4641 SPL

units, shop, tourist facility and ancillary and associated uses and the retention of existing rural activities or pursuits). (DA/14/0064 and SDA-1114-016334)

13 April 2017

Mareeba Shire Council Development Permit was granted for boundary realignment between Lot 560 on NR6544 and Lot 4 on SP108027 (DA/16/0057 & SDA1116-034903)

1 February 2016

Mareeba Shire Council advised that the proposed change to move 50 of the proposed 100 campsites away from the Tinaroo Creek Road frontage is considered minor and substantially in accordance with the approved plans. (DA/14/0064 and SDA-1114-016334)

It is noted that the permissible change request to council did not include the additional café, additional ancillary amenities nor request that the permissible change includes the boundary realignment (the original application was approved over only Lot 560 on NR6544)

Details of proposal

Development type:	Development Permit for Material change of use
Development description:	Application for a minor change - Mareeba Shire council development permit DA/14/0064.

The purpose of the application is to align the MCU approval with the RaL (boundary re-alignment) approval.

In particular, it is proposed to remove the area identified by the easement from the area subject to the Minor Change Application so that only Lot 42 is subject to the MCU Approval.

Supporting information

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
Letter to the Department of State Development Manufacturing Infrastructure and Planning	Victor G Feros Town Planning Consultants (Nick Hardy)	16 March 2018	VGF-C1044	
Proposed Reconfiguration of a Lot (2 lots into 2 lots)	Twine Surveys as modified by Victor G Feros	9 May 2016 and 16 March 2018	7402-LL1	F

After consideration of the material attached to your letter of 16 March 2018, the department confirms that the proposed changes to the development are generally in accordance with the plans approved as part of the concurrence agency response SDA-1114-016334 for the material change of use.

Please note that the conditions in the referral agency response SDA-1116-034903 continue to have effect and limit any vegetation clearing.

1803-4641 SPL

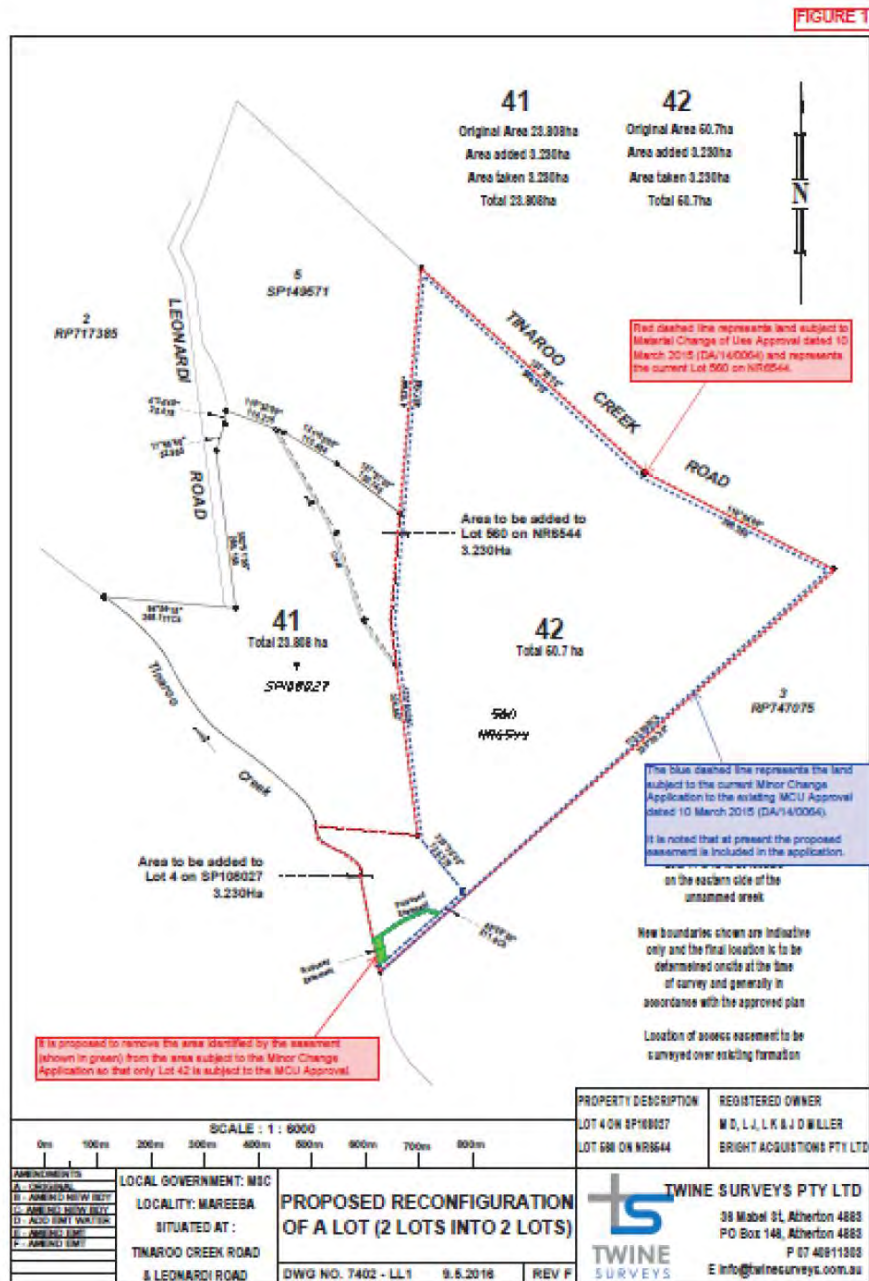
For further information please contact Tony Croke, Principal Planner, on 40373205 or via email CairnsSARA@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
Manager (Planning)

1803-4641 SPL



**ITEM-3 F ZUVELA - MCU - NON-RESIDENT WORKFORCE
ACCOMMODATION - LOT 1 RP745857 - 271 SPRINGS
ROAD, PADDY'S GREEN - MCU/17/0016****MEETING:** Ordinary**MEETING DATE:** 18 April 2018**REPORT OFFICER'S
TITLE:** Planning Officer**DEPARTMENT:** Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	F Zuvela	ADDRESS	271 Springs Road, Paddy's Green
DATE LODGED	11 January 2018	RPD	Lot 1 on RP745857
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Non-resident Workforce Accommodation		

FILE NO	MCU/17/0016	AREA	1 hectare
LODGED BY	Veris	OWNER	F & L Zuvela
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Rural		
LEVEL OF ASSESSMENT	Impact Assessment		
SUBMISSIONS	One (1)		

ATTACHMENTS: 1. Proposal Plan/s
 3. Submitter letter/s

EXECUTIVE SUMMARY

Council is in receipt of an impact assessable development application described in the above application details. During public notification of the application, one (1) submission was received.

The purpose of the development application is twofold in that a development permit is sought for the existing unlawfully established non-resident workforce accommodation (20 beds) as well as a future stage providing a further 20 beds (40 beds total). The farm workers (residents) staying on site are transported to their places of employment (farms) via minibus/van only.

The proposed development is considered an agricultural support use as it will provide additional non-resident workforce accommodation for the Shire, with non-resident farm workers heavily relied upon by the Shire's agricultural sector.

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.

The key issue with the proposed development is the proximity of the proposed accommodation facility to an active fruit orchard established on the larger rural lot adjacent the site. Although best practice land use planning would encourage an increased setback between sensitive land uses and active farmland, given the nature of the proposed use (short - medium term accommodation for farm workers only) the development is likely to be more resilient and subsequently less susceptible to land use conflict arising from adjoining farming activity.

Furthermore, it is considered that the adjoining agricultural land is already somewhat alienated by the presence of the development site, being a standalone rural lifestyle allotment. The proposed use of the subject site to provide farm worker accommodation which will directly support agricultural activity in the Shire is considered to be a sound use of the land and will value-add to the Shire's agricultural sector.

Conditions will be attached to any approval to minimise the likelihood of land use conflict occurring.

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

OFFICER'S RECOMMENDATION

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

APPLICATION		PREMISES	
APPLICANT	F Zuvela	ADDRESS	271 Springs Road, Paddy's Green
DATE LODGED	11 January 2018	RPD	Lot 1 on RP745857
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Non-resident Workforce Accommodation		

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:

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 - Non-resident Workforce Accommodation

- (B) **APPROVED PLANS:**

Plan/Document Number	Plan/Document Title	Prepared by	Dated
32568-001	Proposed Workers Accommodation on Lot 1 on RP745857	Veris	15/11/17

- (C) **ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)**

- (a) Development assessable against the Planning Scheme

1. Development must be carried out substantially in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:

- found necessary by Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
- to ensure compliance with the following conditions of approval.

2. Timing of Effect

- 2.1 The conditions of the development permit for each stage of the development must be complied with to the satisfaction of Council's delegated officer prior to the commencement of the use for each stage, except where specified otherwise in these conditions of approval.

- 2.2 Prior to the commencement of use for each stage, the applicant must demonstrate to Council that all the conditions of the development permit for the relevant stage have been complied with, except where specified otherwise in these conditions of approval.

3. General

For Stage 1 and 2 (unless otherwise stated)

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

- 3.2 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.

- 3.3 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to commencement of the use for each stage and at the rate applicable at the time of payment.
- 3.4 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.
- 3.5 Noise Nuisance
 - 3.5.1 The applicant/developer must ensure the use is operated and managed (including noise generated by residents) to not exceed a maximum noise level of 3dB(A) above background levels as measured from noise sensitive locations.
 - 3.5.2 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.
- 3.6 Waste Management
 - 3.6.1 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.
 - 3.6.2 Where bulk bins are used and are to be serviced on site, prior to the issue of a development permit for building works, Council's delegated officer must be satisfied 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 only.
- 3.7 Bushfire Management
 - 3.7.1 The applicant/developer must ensure the development is provided with a minimum 5,000 litres of water storage for fire-fighting purposes in proximity to the approved use. Where tank storage is proposed, a 50mm male camlock fire brigade fitting must be installed.
 - 3.7.2 A Bushfire Management Plan for the approved use, incorporating evacuation procedures for guests, must be prepared to the satisfaction of Council's delegated officer. The approved uses must comply with the requirements of the Management Plan at all times.
- 3.8 Length of Stay

The maximum length of stay for guests must not typically exceed 6 consecutive months, unless otherwise approved by Council's delegated officer.

3.9 Accommodation Capacity

For Stage 1

No more than 20 individual farm workers shall be accommodated on-site at any given time.

For Stage 2

No more than 40 individual farm workers shall be accommodated on-site at any given time.

3.10 Notification of Potential Rural Zone Impacts

The applicant is to erect signage in plain sight and in large legible writing at the kitchen/dining area, recreational area, and on each accommodation building advising residents that the subject land is zoned Rural under the Mareeba Shire Council Planning Scheme 2016 and is in a rural locality. The signage should generally state the following:

"Guests should take note:

- *The locality may be used for intensive rural uses;*
- *Guests may experience off site effects from rural activities, including noise, sprays and dust that may cause a loss of residential amenity. Existing and/or self-assessable agricultural and rural uses in the locality have a 'right to farm' or a right to legally continue the use."*

3.11 Residents accommodated by the approved use must be farm workers only.

The applicant/developer or any subsequent landowner/operator must keep a log book of all residents accommodated at the approved use which must include the dates of accommodation and the farm/s in which they were employed.

Any person not employed as a farm worker is not permitted to stay at the approved use.

3.12 Building Setback (Stage 2 only)

Both stage 2 accommodation buildings must be setback a minimum of 10 metres from the side and rear boundaries of the site.

4. Infrastructure Services and Standards

For Stage 1 and 2 (unless otherwise stated)

4.1 Access

The access crossover identified on the approved plan/s must be upgraded/constructed (from the edge of Springs Road and for a length of no

less than 10 metres) in accordance with FNQROC Development Manual standards, to the satisfaction of Council's delegated officer.

Access to the development is limited to the abovementioned access only. No guests, visitors or service vehicles are permitted to access the approved use via any other site access point.

4.2 Stormwater Drainage/Water Quality

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

4.2.2 All stormwater drainage concentrated by the development must be collected from site and discharged to an approved legal point of discharge.

4.3 Car Parking/Internal Driveways

For Stage 1

4.3.1 Prior to the commencement of the use, the applicant/developer must ensure the development is provided with 2 minibus/van parking spaces which are available solely for the parking of vehicles associated with the approved use.

The parking spaces must be constructed to a compacted gravel standard, delineated and appropriately drained prior to the commencement of the use and must be maintained to this standard for the life of the development, to the satisfaction of Council's delegated officer.

For Stage 2

4.3.2 Prior to the commencement of the use, the applicant/developer must ensure the development is provided with 2 additional minibus/van parking spaces (4 total) which are available solely for the parking of vehicles associated with the approved use.

The parking spaces must be constructed to a compacted gravel standard, delineated and appropriately drained prior to the commencement of the use and must be maintained to this standard for the life of the development, to the satisfaction of Council's delegated officer.

For Stage 1 and 2

4.3.3 All internal driveways servicing the development must be upgraded/constructed to a compacted gravel standard and maintained for the life of the development, to the satisfaction of Council's delegated officer.

- 4.3.4 Car parking associated with the approved use is not permitted within the Springs Road road reserve at any time.

4.4 Fencing

For Stage 1

- 4.4.1 The applicant/developer must erect the following solid screen boundary fencing, at a height of 2.4 metres, and constructed of timber (overlapping palings) or colorbond/iron of neutral colour:

- (i) From the south-west corner of the site along the western boundary of the site to the southern end of the "existing shed" identified on the submitted plan/s; and
- (ii) From the south-west corner of the site along the southern boundary of the site to a point 10 metres past the easternmost "5 x 2 bed accommodation rooms" building identified on the submitted plan/s.

For Stage 2

- 4.4.2 The fencing required under 4.4.1 (ii) above must be extended along the southern boundary of the site to a point 10 metres past the easternmost accommodation building for Stage 2. The fencing must be of the height and standard required under 4.4.1.

All fencing must be erected prior to the commencement of the use for each stage and must be maintained in good order and safe repair for the life of the development, to the satisfaction of Council's delegated officer.

4.5 Water Supply

- 4.5.1 The development must be provided with a potable water supply that satisfies the standards for drinking water set by the Australian Drinking Water Guidelines 2004 (National Health and Medical Research Council and the National Resource Management Ministerial Council).

- 4.5.2 All non-potable water supplied to the development must be clearly labelled at each tap - Non-Potable Water - not safe for Human Consumption.

4.6 On-Site Wastewater Management

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

Note: Any on-site wastewater treatment system with a total daily peak design capacity of at least 21 equivalent persons (EP) is an Environmentally

Relevant Activity (ERA 63 - Sewerage Treatment) and an Environmental Authority is required.

5. Additional Payment Condition (For Stage 1 and 2)

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

5.2 Prior to the commencement of the use for each stage, the applicant/developer must pay a one-off payment of \$1,800.00 **per stage** toward trunk infrastructure with the amount of the contribution increased on 1 July each year in accordance with the increase for the PPI index for the period starting on the day the development approval takes effect, adjusted by reference to the 3-yearly PPI index average to the date of payment.

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

- The trunk transport infrastructure servicing the land (roads)

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

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

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

(D) ASSESSMENT MANAGER'S ADVICE

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

(b) 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.

(c) 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.

(d) 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.

(e) 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

(F) RELEVANT PERIOD

When approval lapses if development not started (s.85)

- Material Change of Use – six (6) years (starting the day the approval takes effect);

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

- Development Permit for Building Work

(H) OTHER APPROVALS REQUIRED FROM COUNCIL

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

THE SITE

The subject site is situated at 271 Springs Road, Paddy's Green and is described as Lot 1 on RP745857. The site has a regular shape with an area of 1 hectare and is zoned Rural under the Mareeba Shire Council Planning Scheme 2016. The site is accessed from Springs Road via a gravel access crossover sited on the western half of the frontage. Springs Road is

constructed to a two-lane bitumen sealed standard for the full frontage of the site and back to its intersection with the Mareeba - Dimbulah Road.

The site is generally flat and is improved by a number of structures built on the western half of the property which include a dwelling, multiple outbuildings, swimming pool and the existing non-resident workforce accommodation facility situated in the south-west corner. Approximately 70 fruit trees are established on the site.

All surrounding lots are zoned Rural, varying in size and use with some being small rural lifestyle allotments and others being larger rural holdings containing established orchards and other cropping activities.



Map Disclaimer:

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

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BACKGROUND AND CONTEXT

It is understood that the applicants (landowners) have been using the established accommodation complex on and off since 2012 under the assumption that no development permits were required from Council.

Council received a complaint about the accommodation activity in early September 2017 and a compliance notice was issued to the landowner on 27 September 2017. Shortly after, the accommodation activity ceased operation and the landowner (applicant) engaged Veris to prepare and submit this application for a development permit for Material Change of Use - Non-resident Workforce Accommodation.

PREVIOUS APPLICATIONS & APPROVALS

Nil

DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Material Change of Use - Non-resident Workforce Accommodation in accordance with the plans shown in **Attachment 1**.

The application provides the following description of the proposed development:

"The purpose of the application is twofold in that the applicants desire to obtain development permits for:

- *The existing unlawful accommodation use (20 beds); and*
- *Additional accommodation for 20 beds.*

The development will be undertaken in two (2) stages. Stage 1 being for the existing unlawful use and Stage 2 being for an additional 20 beds. The proposal is for the accommodation of up to 40 beds onsite.

The existing workers accommodation is depicted as Stage 1 on proposal plan 32568-001A, Appendix 10, and consists of:

- *Two (2) x 5 bedroom dongas with two beds/room;*
- *Two (2) ablutions blocks (6 toilets and 7 showers);*
- *Communal kitchen and dining area; and*
- *Recreation areas (covered and open)*

Stage 2 of the proposal will result in an additional two (2) x 5 bedroom dongas to be placed onsite providing accommodation for a further 20 beds. It is proposed that the existing ablution/kitchen/dining areas will be shared between the occupants. Additional recreation areas will be provided in proximity of the proposed accommodation donga.

The demographic of the workforce are fit, able bodied males. This eliminates the requirement for handicap access and separate male/female living quarters. The workers are provided a single vehicle (mini bus) from Jobs Australia Enterprises Ltd to transport themselves to and from the place of work. The use will result in a single vehicle being parked onsite. Parking for two (2) vehicles is provided at the front of the site. Additional vehicle parking is not required as the workers do not own vehicles.

The demand for non-resident workforce accommodation is surpassing supply. The proposal demonstrates that the use is appropriate for the site and locality."

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 site does not contain any areas of ecological significance, as mapped by the Regional Plan.

PLANNING SCHEME DESIGNATIONS

Strategic Framework:

Zone:

Overlays:

Land Use Categories

- *Rural Agricultural Area*

Rural

Agricultural Land Overlay
Bushfire Hazard 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
<i>Non-resident workforce accommodation</i>	<i>Premises used to provide accommodation for non-resident workers.</i> <i>The use may include provision of recreation and entertainment facilities for the exclusive use of residents and their visitors</i>	<i>Contractor's camp, construction camp, single person's quarters, temporary worker's accommodation</i>	<i>Relocatable home park, short-term accommodation, tourist park</i>

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**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 development is for a non-resident workforce accommodation complex to accommodate a maximum of 40 farm workers (over two stages) for short-medium term periods (generally six months) and is considered an agricultural support use. The development is not considered to be an inconsistent land use within the Rural zone.

The proposed development is not likely to detrimentally impact on adjoining uses, is considered complementary to the Rural zone (providing for a shortfall in farm worker accommodation) and is proportionate in scale considering the size of the site.

The proposed development is not likely to compromise Specific Outcome 1.

3.7 Economic Development**3.7.2 Element - Rural and Agricultural land****3.7.2.1 Specific outcomes**

- (1) *Agricultural areas are preserved for the purpose of primary production and are protected from fragmentation, alienation and incompatible development.*
- (3) *Urban and rural residential development provides a buffer to adjacent rural areas in accordance with best practice.*

Comment

The land immediately adjacent the proposed accommodation complex contains an active mango orchard. Although best practice land use planning would encourage an increased setback between sensitive land uses and active farmland, given the nature of the proposed use (short - medium term accommodation for farm workers only) the development is likely to be more resilient and subsequently less susceptible to land use conflict arising from adjoining farming activity. Furthermore, conditions will be attached to any approval requiring boundary treatments to minimise the likelihood of land use conflict. These conditions will include 2.4-metre-high solid screen boundary fencing as well as signage warning guests of the potential for negative emissions associated with adjoining farming activities (noise, dust, spray drift etc.).

It is considered that the adjoining agricultural land is already somewhat alienated by the presence of the subject site which is a standalone rural lifestyle allotment. The proposed

use of the subject site to provide farm worker accommodation which will directly support agricultural activity in the Shire is considered to be a reasonable and beneficial outcome for the subject site and surrounding rural zone. The proposed development is not likely to compromise Specific Outcomes 1 and 3.

- (4) *Built infrastructure and non-agricultural uses within farms will be co-located and clustered with existing farm dwellings and infrastructure to prevent encroachment on productive land.*

Comment

The subject site, with an area of just 1 hectare, is not considered to be agriculturally viable, as is evidenced by the use of the land as a rural lifestyle lot with a hobby orchard only. The proposed development will therefore not encroach on any productive agricultural land and is not considered to be in conflict with Specific Outcome 4.

- (5) *Development ensures rural activities in all rural areas are not compromised by incompatible development and fragmentation.*

Comment

The land immediately adjacent the proposed accommodation complex contains an active mango orchard. Although best practice land use planning would encourage an increased setback between sensitive land uses and active farmland, given the nature of the proposed use (short - medium term accommodation for farm workers only) the development is likely to be more resilient and subsequently less susceptible to land use conflict arising from adjoining farming activity. Furthermore, conditions will be attached to any approval requiring boundary treatments to minimise the likelihood of land use conflict. These conditions will include 2.4-metre-high solid screen boundary fencing as well as signage warning guests of the potential for negative emissions associated with adjoining farming activities (noise, dust, spray drift etc.).

It is considered that the adjoining agricultural land is already somewhat alienated by the presence of the subject site which is a standalone rural lifestyle allotment. The proposed use of the subject site to provide farm worker accommodation which will directly support agricultural activity in the Shire is considered to be a reasonable and beneficial outcome for the subject site and surrounding rural zone. The proposed development is not likely to compromise Specific Outcomes 5.

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
- 8.2.3 Bushfire hazard overlay code
- 9.3.1 Accommodation 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 solutions (or probable solutions/performance criteria where no acceptable solution applies) of the relevant codes set out below, provided reasonable and relevant conditions are attached to any approval.

Relevant Codes	Comments
Rural Zone Code	<p>The application can be conditioned to comply with the relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome provided) apart from the following:</p> <ul style="list-style-type: none"> ▪ Acceptable Outcome AO2.1 ▪ Acceptable Outcome AO3.1 <p>Refer to planning discussion section of report.</p>
Agricultural Land Overlay Code	<p>The application can be conditioned to comply with the relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome provided). Further discussion is warranted regarding the following performance outcomes:</p> <ul style="list-style-type: none"> ▪ Performance Outcome PO1 ▪ Performance Outcome PO2 ▪ Performance Outcome PO3 <p>Refer to planning discussion section of report.</p>
Bushfire Hazard Overlay Code	<p>The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).</p>
Accommodation Activities Code	<p>The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).</p>
Landscaping Code	<p>The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).</p>
Parking and Access Code	<p>The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).</p>
Works, Services and Infrastructure Code	<p>The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).</p>

(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 to be designed and constructed/upgraded in accordance with FNQROC Development Manual standards.

(f) Additional Trunk Infrastructure Condition - Road Infrastructure

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

Each stage of the development is expected to generate the following vehicle movements:

Stage 1 - 2 minibus/vans generating 4 vehicle movements per day; and

Stage 2 - 2 additional minibus/vans generating a further 4 vehicle movements per day (8 total)

Under Planning Scheme Policy No. 6, the base contribution of \$4,500.00 is equivalent to the traffic from a standard allotment or 10 vehicle movements per day. As such, the contribution applicable to this development would be:

Stage 1 - $\$4,500 \times 0.4 = \$1,800.00$

Stage 2 - $\$4,500 \times 0.4 = \$1,800.00$

These contributions have been applied in Condition 5 of the Officer Recommendation.

REFERRALS

This application did not trigger a referral.

Internal Consultation

Building and Plumbing Departments

PUBLIC NOTIFICATION

The development proposal was placed on public notification from 19 January 2018 to 9 February 2018. The applicant submitted the notice of compliance on 12 February 2018 advising that the public notification requirements were carried out in accordance with the requirements of the Act.

One (1) submission was received

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

Grounds for objection /support	Comment
1. Rubbish generated from the previous unlawful operation of the non-resident workforce accommodation is impacting on the adjoining property. The JJ Richards skip bin that services the subject site and that will service the proposed development is situated on this same adjoining property.	<p>As part of the assessment and approval process, Council can condition the development to be provided with adequate refuse storage, however it is the responsibility of the site manager and residents to ensure rubbish is disposed of properly. This could also be considered a police matter.</p> <p>A condition has been attached to any approval requiring any refuse storage to be located wholly within the site and screened from view from adjoining properties and Springs Road users.</p>
2. The submitter has raised concerns about a large number of vehicles associated with the development being parked within the road reserve along the frontage of the site.	<p>Despite the fact that the application has stated that residents of the accommodation complex travel to and from work via minibus/van only and don't actually have personal vehicles, a condition will be attached to any approval restricting the use of the road reserve for the parking of any vehicles associated with the approved use. If any vehicles are parked within the road reserve the applicant/developer will be required to demonstrate that the vehicles do not belong to any residents staying at the accommodation complex.</p>
3. When the development was previously in operation, it was being accessed across the neighbouring property.	<p>A condition will be attached to any approval requiring all vehicles associated with the development to use the sites primary access only. This access will be required to be upgraded to FNQROC Development Manual standards.</p>
4. The large number of vehicles associated with the proposed 40 bed accommodation facility will increase the likelihood of an accident occurring on Springs Road.	<p>As stated in the application, residents staying at the accommodation complex are transported to and from the site to their place of employment via minibus/van. The development at maximum capacity (40 beds) is likely to generate an average of 8 vehicle movements per day (4 minibuses/vans). This increase in traffic is not considered significant.</p>
5. The large on-site wastewater disposal system required to service the development will result in the leaching of effluent into the neighbouring property which could compromise the saleability of any fruit produced on the adjacent orchard.	<p>A condition will be attached to any approval requiring the applicant/developer to obtain the required compliance permits for plumbing and drainage works associated with the development. This will include an on-site wastewater disposal system (likely a septic system) that is compliant with the Australian on-site domestic wastewater management standards. Advice was sought from Councils plumbing inspector who advised that a large system on the subject site was unlikely to impact on the adjoining fruit orchard through groundwater intrusion.</p>
6. The submitter provided a negative character profile of the applicant/landowner include details on previous civil disputes.	<p>This is not a valid town planning concern.</p>
7. The applicant/landowner has previously hindered farming operations on the adjoining property by lodging multiple complaints with Work Place Health and Safety in regard to spray drift. On one occasion, residents previously staying at the accommodation facility (unlawfully) filmed the farmer while spraying his fruit orchard.	<p>Refer to Planning Discussion section of report for comments regarding land use conflict.</p> <p>As stated by the submitter, the Workplace Health and Safety audits that were conducted concluded that the farming operations were compliant and deemed the complaints frivolous.</p> <p>A condition will be attached to any approval requiring the erection of 2.4 metre high solid screen fencing to help minimise land use conflict as well as the erection of signage around the accommodation facility warning residents of the potential for impacts from off-site farming operations.</p>
8. The submitter has outlined the importance of protecting agricultural land from urbanisation and incompatible development.	<p>Refer to Planning Discussion section of report for comments regarding land use conflict.</p> <p>The proposed development is not considered to be an incompatible land use within the Rural zone.</p>

Submitters

Name of principal submitter	Address
1. Matthew Fealy for and on behalf of RT & SI Johnson	PO Box 51, Tolga QLD 4872

PLANNING DISCUSSION

Noncompliance with the relevant acceptable outcomes of the following development codes is discussed below. Where the development cannot comply with an acceptable outcome, it is considered compliance with the higher order performance outcome can be achieved.

Rural Zone Code

Siting, where not involving a dwelling house

PO2 *Development is sited in a manner that considers and respects:*

- (a) *the siting and use of adjoining premises;*
- (b) *access to sunlight and daylight for the site and adjoining sites;*
- (c) *privacy and overlooking;*
- (d) *air circulation and access to natural breezes;*
- (e) *appearance of building bulk; and*
- (f) *relationship with road corridors.*

AO2.1 *Buildings and Structures include a minimum setback of:*

- (a) *40 metres from a frontage to a State controlled road; and*
- (b) *10 metres from a boundary to an adjoining lot.*

Comment

Multiple building which make up the accommodation complex are situated within 10 metres of the only adjoining allotment, with some parts of the building sited approximately 0.5 metres from the common boundary. It is understood that to achieve fire separation requirements, the building will have to be moved to achieve a minimum 3 metre setback from this common boundary. In either case, the development is non-compliant with AO2.1.

Given the size of the subject site and even more so, the size of the large adjoining property, the reduced setback is not likely to have a detrimental impact on access to sunlight/daylight, privacy and overlooking (screen fencing mandatory), air circulation and access to natural breezes and appearance and building bulk. The non-compliant setback is to the rear of the site away from Springs Road and will therefore not impact on any road corridor.

The land immediately adjacent the proposed accommodation complex contains an active mango orchard. Although best practice land use planning would encourage an increased setback between sensitive land uses and active farmland, given the nature of the proposed use (short - medium term accommodation for farm workers only) the development is considered to be a little more resilient and subsequently less susceptible

to land use conflict arising from adjoining farming activities. As such, the development is not likely to impact on the siting and use of the adjoining premises.

The proposed development is considered to achieve compliance with performance outcome PO2.

Accommodation density

PO3 *The density of Accommodation activities:*

- (a) *respects the nature and density of surrounding land use;*
- (b) *is complementary and subordinate to the rural and natural landscape values of the area; and*
- (c) *is commensurate to the scale and frontage of the site.*

A03.1 *Residential density does not exceed one dwelling house per lot.*

Comment

The proposed development is for an accommodation complex to accommodate a maximum of 40 farm workers for short-medium term periods (generally six months) and is considered an agricultural support use. The development is not for a 'dwelling' as such and is not an inconsistent land use within the rural zone.

The proposed development is not likely to detrimentally impact on adjoining uses, is considered complimentary to the rural zone (providing for a shortfall in farm worker accommodation) and is proportionate in scale considering the size of the site.

The proposed development is considered to comply with performance outcome PO3.

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 feed lotting); or*
- (g) *intensive horticulture; or*
- (h) *landing; or*
- (i) *roadside stalls; or*
- (j) *winery.*

Comment

The proposed development is for non-resident workforce accommodation and does not include a reconfiguration component and will therefore not result in the fragmentation of agricultural land. The subject site, with an area of just 1 hectare, is not considered to be agriculturally viable, as is evidenced by the use of the land as a rural lifestyle lot with a hobby orchard only.

The land immediately adjacent the proposed accommodation complex contains an active mango orchard. Although best practice land use planning would encourage an increased setback between sensitive land uses and active farmland, given the nature of the proposed use (short - medium term accommodation for farm workers only) the development is likely to be more resilient and subsequently less susceptible to land use conflict arising from adjoining farming activities. Furthermore, conditions will be attached to any approval requiring boundary treatments to minimise the likelihood of land use conflict. The development is not likely to impact on the productive capacity of adjoining agricultural land and is therefore considered to comply with performance outcome PO1.

PO2 *Sensitive land uses in the 'Class A' area, 'Class B' area or the 'Broad hectare 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 land immediately adjacent the proposed accommodation complex contains an active mango orchard. Although best practice land use planning would encourage an increased setback between sensitive land uses and active farmland, given the nature of the proposed use (short - medium term accommodation for farm workers only) the development is likely to be more resilient and subsequently less susceptible to land use conflict arising from adjoining farming activity. Furthermore, conditions will be attached to any approval requiring boundary treatments to minimise the likelihood of land use conflict. These conditions will include 2.4-metre-high solid screen boundary fencing as well as signage warning guests of the potential for negative emissions associated with adjoining farming activities (noise, dust, spray drift etc.).

It is considered that the adjoining agricultural land is already somewhat alienated by the presence of the subject site which is a standalone rural lifestyle allotment. The proposed use of the subject site to provide farm worker accommodation which will directly support agricultural activity in the Shire is considered to be a reasonable and beneficial outcome for the subject site and surrounding rural zone.

The proposed development is considered to comply with performance outcome 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 land immediately adjacent the proposed accommodation complex contains an active mango orchard. Although best practice land use planning would encourage an increased setback between sensitive land uses and active farmland, given the nature of the proposed use (short - medium term accommodation for farm workers only) the development is likely to be more resilient and subsequently less susceptible to land use conflict arising from adjoining farming activities. Furthermore, conditions will be attached to any approval requiring boundary treatments to minimise the likelihood of land use conflict with adjoining agricultural activity. These conditions will include 2.4-metre-high solid screen boundary fencing as well as signage warning guests of the potential for negative emissions associated with adjoining farming activities (noise, dust, spray drift etc.).

It is considered that the adjoining agricultural land is already somewhat alienated by the presence of the subject site which is a standalone rural lifestyle allotment. The proposed use of the subject site to provide farm worker accommodation which will directly support agricultural activity in the Shire is considered to be a reasonable and beneficial outcome for the subject site and surrounding rural zone.

The proposed development is considered to comply with performance outcome PO3.

Date Prepared: 13 March 2018

APPROVED PLANS



ATTACHMENT 2

Chief Executive Officer
Mareeba Shire Council
65 Rankin St, Mareeba

Matthew Fealy
For and on behalf of
RT & SI Johnson
PO Box 51, Kairi,
QLD, 4872

**RE: DEVELOPMENT APPLICATION MCU/17/0016
MATERIAL CHANGE OF USE – NON RESIDENT WORKFORCE
ACCOMODATION (40 BEDS) – 271 SPRINGS RD, MAREEBA, LOT 1/RP745857**

Dear Mr Franks,

In regard to the above application, I would like to submit the following concerns:

1. Facility Concerns

- **Rubbish:** We are continually removing rubbish from beside Mr Zuvelas' property, including, often, glass beer bottle, which if we did not perform a "sweep" of the area near by before commencing farming operations, would result in glass bottle going through a variety of machines, such as the slasher, mulcher, resulting in millions of shards of glass being projected from the machine and remaining in the paddock, posing a valid safety risk. Note that his current weekly JJ Richards skip pick up remains on our property and has done for years, even after requests to remove it.
- **Parking:** "Turn onto springs road and follow it until you see a house on the left with a tonne of cars all parked on the front lawn, we are the next driveway". This is how we give direction to our property. There is a never ending flow of cars parked all over the front crown land, and our land. There have been a number of times we have had to request for cars to be moved so we can continue our farming operations, including at least 2 times when we have been unable to complete our tasks because the cars were not removed
- **Access:** All non-resident access to Mr Zuvelas property is currently via our land via a small driveway crossing over our property. The vehicular movements required for a 40 bed facility would pose a serious safety concern on what is quite a blind corner of Springs Road, it would only be a matter of time before an accident was to occur.
- **Sewage/Draining:** It is a requirement that I submit a minimum of 1 soil/leaf/fruit test each year for heavy metal analysis, it is also a requirement that no human effluent can be used on any crop or in any soil treatments. I cannot see how it would be possible for Mr Zuvelas facility to not have leaching septic onto our property. At the top of the food chain, humans have a high level of trace heavy metal in our waste, especially if our diet consists primarily of seafood, as the Pacific Island Community does, which is

predominately Mr Zuvelas clientele. If my soil becomes classified as unsuitable for food production because of Mr Zuvelas facility, it will be pursued legally.

2. Character Profile

- Mr Zuvela has demonstrated habitual disregard for societal rules, he has been illegally operating a non-resident workforce accommodation facility for many years, with no intent to legitimize his facility until now, after he has been 'caught'. Why would he even be considered for approval?
- Mr Zuvela has proven himself to be a societal pest, making no effort to restrain (up to as many as 6) dogs after repeated civil requests, his animals were slaughtering pets repeatedly, terrorizing our children as they walked to the bus, and repeatedly mounting our bitch (actually tearing into a cage we constructed to keep our bitch safe). This went on for years until we finally advised we will survey the boundaries with the intention of erecting a fence. It was at this stage that it became clear Mr Zuvela had been gradually over time, assuming land as his own to the tune of a number of meters on each boundary. Again we advised civilly that we have no intention of forcing him to remove the (illegal) accommodation dongas, but could he please restrain his dogs. He made no effort to do so. Eventually we requested he remove all buildings from our property and it was only after the threat of us removing them for him that he finally complied (Note there is still a structural corner of his shed on our property that again, we turn a blind eye to in the interest of civility)
- After years of our continued leniency, Mr Zuvela decided to intentionally disrupt our ability to farm, by making repeated complaints to the Office of Work Place Health and Safety in regard to Spray Drift. (Note that he had made no complaints until after he had been forced to relocate his dongas back onto his property, and realign his boundaries) Officer Bryan Badger of the Cairns branch made repeated visits to our property to address Mr Zuvelas concerns with a number of full audits of our practices, on each and every occasion it was determined that the accusations were false and our practices compliant, Mr Badger eventually advised Mr Zuvela that he was simply wasting their time to settle a neighbour disagreement. It is my understanding during one of these investigations were Mr Zuvela had advised his Mother in Law was in palliative care in the home with a list of disorders turned out to be completely fabricated.
- After exhausting his avenues with the OH&S, he chose to begin filming me and my workers whilst spraying. We had committed to notifying Mr Zuvela with a minimum of 2hrs notice (normally 24hrs) before we spray near his block, with the intent that he can take his own precautions (close doors, windows, and advise his residents in the dongas to remain indoors). Unfortunately Mr Zuvela used this opportunity as a way to notify his workers to ensure we were being filmed, and on many occasions, there would be up to 4 people with their mobile phones out against the fence filming me. When I

raised this with Mr Zuvela explaining that I can, and have, taken every precaution (over and above what is required by OH&S) to minimize the risk of Spray drift, it is his responsibility to his residents to minimize their risk, rather than instruct them to line up against the fence to watch, his response was one of complete disregard for their safety.

3. Protection of Agricultural Land

- Continued Urbanisation of Agricultural land is a global concern, so significant the risk, it is a regular agenda item at the meetings of the FAO, G20, US Farm Bill, United Nations and more. This is where it starts.
- There are many reports into the full extent of short sighted Urban development over the protection of Agricultural land, the Australian Farm Institute is a fantastic resource for many of them.
<http://farminstitute.org.au/publications/index.html>

Springs Rd, and the Mareeba/Dimbulah region as a whole, is agricultural land, not high-density housing land. Tinaroo was not constructed to serve a new metropolis. I recognize there is an alarming bed shortage for seasonal workers, but approving a 40 bed facility surrounded by farming is not the solution, in fact it will be the catalyst for the eventual demise of agriculture in the Shire due to the relentless burden of trying to farm, surrounded by high density living. Our regional bed shortage is a problem to be carefully considered, including the protection of agricultural land, and should there be a solution reached, a clearly defined process for development and compliance implemented that rewards the businesses/individuals who have the ability and track record of operating in good faith, not the bad actors who are precisely the ones giving the industry a bad name, the ones the Federal government are currently trying to weed out.

I implore you to maintain a long-term focus on what sustains the shire, and do the right thing to protect it.

Please do not hesitate to get in touch to discuss this matter further if required.

Regards,



Matthew Fealy
Farm Manager
289 Springs Rd,
Mareeba, QLD, 4880
E: matt@blueskyproduce.com.au
M: 0402 412 471

Regards,



Matthew Fealy
Farm Manager
Blue Sky Produce
p: +61402412471
e: matt@blueskyproduce.com.au



ITEM-4 **ROADHOUSE PROPERTY UNIT TRUST - MCU TOURIST PARK, SHORT TERM ACCOMMODATION & FOOD AND DRINK OUTLET - 1, 3-5 & 7 WILLIAMS CLOSE, MAREEBA - MCU/17/0017**

MEETING: Ordinary

MEETING DATE: 18 April 2018

REPORT OFFICER'S TITLE: Senior Planner

DEPARTMENT: Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	Roadhouse Property Unit Trust	ADDRESS	1, 3-5 & 7 Williams Close, Mareeba
DATE LODGED	22 January 2018	RPD	Lots 10, 11 and 12 on SP168631
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Tourist Park, Short-term Accommodation & Food and Drink Outlet		

FILE NO	MCU/17/0017	AREA	Lot 10 - 1,465m2 Lot 11 - 5,133m2 Lot 12 - 5,499m2
LODGED BY	Freshwater Planning Pty Ltd	OWNER	Lot 10 - Mareeba Shire Council Lots 11 & 12 - G & C Williams
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Emerging Community zone & Recreation and Open Space zone		
LEVEL OF ASSESSMENT	Impact Assessment		
SUBMISSIONS	14		

ATTACHMENTS:

1. Proposal Plan/s
2. Department of State Development, Manufacturing, Infrastructure and Planning response dated 22 February 2018
3. Submitter letters and applicant's response to submissions

EXECUTIVE SUMMARY

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

The application is impact assessable and 14 properly made submissions were received in response to public notification of the application.

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

The key issues of the proposed development are minimising the potential impacts on the amenity of neighbouring residential development through reasonable conditions and ensuring the development is provided with infrastructure.

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

OFFICER'S RECOMMENDATION

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

APPLICATION		PREMISES	
APPLICANT	Roadhouse Property Unit Trust	ADDRESS	1, 3-5 & 7 Williams Close, Mareeba
DATE LODGED	22 January 2018	RPD	Lots 10, 11 and 12 on SP168631
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Tourist Park, Short-term Accommodation & Food and Drink Outlet		

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:

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), referral agency conditions in (E), relevant period in (F), further permits in (G), and further approvals from Council listed in (H);

And

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

(A) APPROVED DEVELOPMENT: Development Permit for Material Change of Use - Tourist Park, Short-term Accommodation & Food and Drink Outlet

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
1370-SK01 B	Existing Site Plan	Jim Papas	13.12.17
1370-SK02 B	General Arrangement of Proposed Development	Jim Papas	13.12.17
1370-SK03 B	General Arrangement – Sewerage Reticulation	Jim Papas	13.12.17
1370-SK04 B	General Arrangement – Landscape and Potable Water Reticulation	Jim Papas	13.12.17
1370-SK05 B	General Arrangement – Roadworks	Jim Papas	13.12.17
1370-SK06 B	Details, Pavement Notes etc.	Jim Papas	13.12.17
1370-SK07 A	General Arrangement – Temporary RV Arrangement	Jim Papas	11.01.18
BD17-11-839/SK1	Proposed Roadhouse	Buck Design Pty Ltd	Nov 17
BD17-11-839/SK2	Proposed Hostel Building	Buck Design Pty Ltd	Nov 17
Acacia 2	Floor Plan	Asset Cabins & Homes	25 Aug 2017
Acacia 2	Concept 3D	Asset Cabins & Homes	25 Aug 2017
Banskia	-	Asset Cabins & Homes	21 Mar 2014
Bluegum Opt 1	-	Asset Cabins & Homes	2 Apr 2014
Bluegum Opt 2	-	Asset Cabins & Homes	2 Apr 2014
Correa 5RM	Floor Plan	Asset Cabins & Homes	21 Aug 2017
Mallee	Floor Plan	Asset Cabins & Homes	27 Sept 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

- 2.1 The conditions of the development permit for each stage of the development must be complied with to the satisfaction of Council's delegated officer prior to the commencement of the use for each stage, except where specified otherwise in these conditions of approval.
- 2.2 Prior to the commencement of use for each stage, the applicant must demonstrate to Council that all the conditions of the development permit for the relevant stage have been complied with, except where specified otherwise in these conditions of approval.

3. General

- 3.1 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.
- 3.2 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to the commencement of the use of the respective stage, and at the rate applicable at the time of payment.
- 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.
 - 3.4.2 The applicant is required to install and maintain suitable screening to all air conditioning, lift motor rooms, plant and service facilities located at the top of or on the external face of the building. The screening structures must be constructed from materials that are consistent with materials used elsewhere on the facade of the building. There are to be no individual external unscreened air conditioning units attached to the exterior building facade.

3.4.3 Acoustic Screen Fencing - Stage 1

Prior to the commencement of the use of Stage 1, the applicant/developer must erect a solid 2.4-metre-high, neutral colour, screen boundary fence for:

- (i) the entire northern boundaries of Lots 10 and 11 on SP168631; and
- (ii) that part of the northern boundary of Lot 12 on SP168631, commencing at the western boundary of Lot 12 on SP168631 and extending to a minimum of twenty metres to the east of the proposed backpackers accommodation building.

The fence must be designed and constructed in accordance with the Department of Transport and Main Roads' *Road Traffic Noise Management: Code of Practice, Chapter 5*. The applicant/developer must provide RPEQ certification that the fence has been designed and constructed in accordance with the beforementioned code of practice.

All fencing must be erected prior to the commencement of the use and must be maintained in good order and safe repair for the life of the development, to the satisfaction of Council's delegated officer.

3.4.4 Full time onsite manager

A full time, onsite manager must be present onsite at all times during the operation of the approved use. The contact details for the onsite manager are to be made public accessible to all adjoining property owners.

3.5 Waste Management

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

Certification by a Registered Professional Engineer of Queensland (RPEQ) must be provided to Council which demonstrates that internal access is of adequate design and construction to allow waste collection/delivery vehicle to enter and exit the site in a forward gear, prior to the issue of a development permit for operational works.

4. Infrastructure Services and Standards

4.1 Access

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

4.2 Stormwater Drainage/Water Quality

- 4.2.1 Prior to the approval of operational works, the applicant must submit a Stormwater Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual to the satisfaction of Council's delegated officer. Where staged works are proposed, the Stormwater Management Plan and Report must detail the stormwater drainage for the whole of the development and for each stage of the development.
- 4.2.2 The Stormwater Management Plan must ensure a non-worsening effect on surrounding land as a consequence of the development, and must take all reasonable and practicable measures to ensure discharge occurs in compliance with the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual.
- 4.2.3 The applicant/developer must construct the stormwater drainage infrastructure for the development in accordance with the approved Stormwater Management Plan and Report.
- 4.2.4 All stormwater drainage must be collected from site and discharged to an approved legal point of discharge.

4.3 Frontage Works - Williams Close - Stage 1

Prior to the commencement of Stage 1 of the use, the applicant/developer is required to widen Williams Close, generally in accordance with Drawing No. 1370-SK02 Amdt B, designed in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

The widening works must be bitumen or asphalt standard, and must include sufficient overlapping of the existing bitumen seal to ensure an appropriate bond of surfaces is achieved, to the satisfaction of Council's delegated officer.

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

4.4 Car Parking/Internal Driveways

The developer must ensure that the development is provided with 55 on-site car parking spaces and one (1) 20-seater bus parking bay which are available solely for the parking of vehicles associated with the use of the premises.

The onsite car parking spaces must be provided for the approved stages as follows:

Stage 1 - 22 spaces.
Stage 2 - 10 spaces.
Stage 3 - 10 spaces.
Stage 4 - 2 spaces.
Stage 5 - 1 space.
Stage 6 - 6 spaces.
Stage 7 - 4 spaces & 1 20-seater bus parking space.

All car parking spaces and internal driveways/vehicle manoeuvring areas (as shown on the approved plans) must be concrete sealed, line marked where necessary, and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.

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

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

A sign must be erected in proximity to the access driveway indicating the availability of on-site car parking.

4.5 Landscaping

4.5.1 The development must be landscaped in accordance with an approved landscape plan.

4.5.2 Prior to the issue of the development permit for operational works, a detailed landscape plan showing each stage, must be prepared for the site and submitted to Council's delegated officer for consideration and approval.

4.5.3 The landscape plan must 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.

4.5.4 The landscaping plan must incorporate the following:

- the planting of street trees along the Williams Close frontage;
- landscaping strips within the subject land, along the Williams Close frontage, the northern boundary and internal roads.

4.5.5 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.

- 4.5.6 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.

4.6 Lighting

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

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

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

4.7 Water Supply

- (a) Where the existing reticulated water supply does not currently service the site or is not at an adequate capacity, the developer is required to extend or upgrade the reticulated water supply infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards (as amended).
- (b) A water service connection must be provided to the subject lot in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

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

4.8 Sewerage Connection

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

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

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

5. Additional Payment Condition/s

- 5.1 The additional payment condition has been imposed as the development will create additional demand on trunk infrastructure which will create additional trunk infrastructure costs for council.
- 5.2 The developer must pay a one-off payment of **\$69,600.00** 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.

Category	Use Charge	Unit of Measure	Charge Rate	No of Units	Amount
Proposal					
Stage 1	Accommodation (short term)	1-2 bed cabin	\$3,000.00	3	\$9,000.00
		3 or more bed cabin	\$4,200.00	2	\$8,400.00
		Total Stage 1			\$17,400.00
Stage 2	Accommodation (short term)	1-2 bed cabin	\$3,000.00	0	\$0
		3 or more bed cabin	\$4,200.00	2	\$8,400.00
		Total Stage 2			\$8,400.00
Stage 3	Accommodation (short term)	1-2 bed cabin	\$3,000.00	0	\$0
		3 or more bed cabin	\$4,200.00	2	\$8,400.00
		Total Stage 3			\$8,400.00
Stage 4	Accommodation (short term)	1-2 bed cabin	\$3,000.00	2	\$6,000.00
		3 or more bed cabin	\$4,200.00	0	\$0
		Total Stage 4			\$6,000.00
Stage 5	Accommodation (short term)	1-2 bed cabin	\$3,000.00	2	\$6,000.00
		3 or more bed cabin	\$4,200.00	0	\$0
		Total Stage 5			\$6,000.00
Stage 6	Accommodation (short term)	1-2 bed cabin	\$3,000.00	8	\$24,000.00
		3 or more bed cabin	\$4,200.00	0	\$0
		Total Stage 6			\$24,000.00
Stage 7	Accommodation (short term)	1-2 bed cabin	\$3,000.00	0	\$0
		3 or more bed cabin	\$4,200.00	2	\$8,400.00
		Total Stage 7			\$8,400.00
Credit					
Water (Lot 10 and 11 only)	-	Per Service	\$4,500.00	2	\$9,000.00
TOTAL					\$69,600.00

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

- The trunk water supply and sewerage network servicing the land.

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

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

- Discuss with Council's delegated officer the works to be undertaken;
- Obtain the necessary approvals for 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 the commencement of the use.

(D) ASSESSMENT MANAGER'S ADVICE

(a) A number of other charges or payments may be payable as conditions of approval. The applicable fee is set out in Council's Fees & Charges Schedule for each respective financial year.

(b) Water Meters/Water Service Connection

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

(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.

(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.

(g) Environmental Protection and Biodiversity Conservation Act 1999

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

(h) Cultural Heritage

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

(i) Motor Home Park/Caravan Park/Camping Ground

The applicant is advised that an application to Council for approval to operate under Council *Local Law No 1 (Administration) 2011* is required prior to the commencement of the motor home park/caravan park/camping ground.

(E) REFERRAL AGENCY CONDITIONS

Department of State Development, Manufacturing, Infrastructure and Planning conditions dated 22 February 2018.

(F) RELEVANT PERIOD

When approval lapses if development not started (s.85)

- Material Change of Use – six (6) years (starting the day the approval takes effect);

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

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

(H) OTHER APPROVALS REQUIRED FROM COUNCIL

- Compliance Permit for Plumbing and Drainage Work"

THE SITE

The subject site is comprised of land described as Lots 10, 11 and 12 on SP168631, situated at 1 - 7 Williams Close, Mareeba.

The three (3) allotments are irregularly shaped, having a combined area of 12,097m² and a total frontage of approximately 188 metres to Williams Close. Williams Close is formed to a sealed standard with layback kerbing for the entire frontage of Lots 11 and 12.

Access to the site is obtained via Williams Close and ultimately via the Mulligan Highway.

A dwelling house with associated outbuilding is established on Lot 12. Both structures are outside the proposed development footprint and will be retained. There are no current buildings on either Lot 10 or 11.

Introduced landscaping is established over most of Lot 10 and also surrounding the dwelling house on Lot 12. Lot 11 does not contain any notable landscaping/vegetation.

The site contains a gentle slope and is provided with all available services. The site encompasses an easement, being Easement C on SP168631 which is for drainage purposes.

Under the Mareeba Shire Council Planning Scheme 2016, Lot 10 is zoned Recreation and Open Space and Lots 11 and 12 are zoned Emerging Community. Adjoining properties are predominantly zoned Emerging Community and are generally used for rural residential living purposes.

The north Mareeba industrial area is situated to the west of the subject site, on the opposite side of the Mulligan Highway.



Map Disclaimer:

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



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BACKGROUND AND CONTEXT

Nil

PREVIOUS APPLICATIONS & APPROVALS

Nil

DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Material Change of Use - Tourist Park, Short-term Accommodation, and Food and Drink Outlet in accordance with the plans shown in **Attachment 1**.

The following details about the development have been provided by the applicants:

The proposed development is for a Material Change of Use – Tourist Park, Short Term Accommodation and Food and Drink Outlet in the Emerging Communities and Recreation and Open Space Zones within the Mareeba Shire Council's Planning Scheme. The site is located at 1 - 7 Williams Close, Mareeba and is more particularly described as Lots 10, 11 & 12 on SP168631. The site is irregular in shape, has an area of 12,097 m² and contains a Dwelling House and associated structures to the east with the balance currently vacant. No change to the existing dwelling or structures are envisaged with this Development. The site also encompasses an easement, being Easement C on SP168631 which is understood to be for drainage purposes with this easement considered to remain generally unchanged.

A Development Permit for a Material Change of Use is sought to facilitate the construction of a Roadhouse and Accommodation Park over the site on behalf of the Roadhouse Property Unit Trust. The proposed development will provide for a Main Building (Building 1) containing a Café and dining area; kitchen; bar; office; reception and associated shop; laundry and amenities. In addition to the Main Building the proposal will contain a Manager's Residence (Building 3); 5 single bedrooms cabins (Building 2); 5 x 4 queen bedroom cabins (Buildings 5, 6, 7, 12 and 14); 5 x 2 bedroom cabins with a Queen and two single beds (Buildings 8, 9, 10, 11 and 13); 8 x 2 single room cabins with two single beds (Buildings 4, 15, 16, 17, 18, 19, 20 and 21); 1 x 2 single disabled room cabins (Building Disabled); and 2 x Backpacker's Accommodation Buildings including 10 double rooms in each. The proposal will also provide for 55 parking spaces, a bus bay and communal open space including a swimming pool. It is considered that in total the proposal will provide for approximately 143 beds.

The proposed Roadhouse and Accommodation Park proposes widening Williams Close to allow for on-street parking of larger vehicles.

The proposed Roadhouse and Accommodation Park facility will be for a Staged Development as per demonstrated on the attached Proposal Plans which includes: -

Stage 1

Main Building (Building 1), Manager's Residence (Building 3), Accommodation Buildings 2, 4, 5 and Disabled Accommodation with the internal access and 22 parking spaces.

Stage 2

Accommodation Buildings 6 and 7 and an additional 10 parking spaces.

Stage 3

Accommodation Buildings 12 and 14 and an additional 10 parking spaces.

Stage 4

Accommodation Buildings 8 and 9 and an additional 2 parking spaces and extension to the internal access.

Stage 5

Accommodation Buildings 10 and 11 and an additional parking space and extension to the internal access.

Stage 6

Accommodation Buildings 13, 15, 16, 17, 18, 19, 20 and 21 and an additional 6 parking spaces and extension to the internal access creating the ring road.

Stage 7

Two Backpacker's Accommodation Buildings and an additional 4 parking spaces, a 20-seater bus bay and access to these provided from the cul-de-sac of Williams Close.

This Submission has attached the indicative layouts of the proposed Accommodation Buildings however, these are indicative only and are subject to change or alteration. It is noted that the number of rooms or beds within these cabin layouts will remain as proposed, just the internal layout and possible construction may differ.

The proposal is for a Staged Development incorporation seven (7) Stages over the site. As the site contains a large developable area which is to be developed in stages, the proposal is to include a Temporary Use delivered over the balance of the site. The Temporary Use will include the provision of fourteen (14) Caravan Sites located within Stages 6 and 7 as per demonstrated on the attached Jim Papas Civil Engineering Designer Pty Ltd Plan 1370-SK07. This Temporary Use is consistent with the applied for Tourist Park, Short Term Accommodation and Food and Drink Outlet ensuring that at no stage, the Temporary Use in addition to the developed Roadhouse and Accommodation Park will exceed the final developed population of the site under any scenario. This ensures that the provided Temporary Use is not envisaged to affect any of the overall Engineering calculations or design and will be an appropriate Temporary Use until the Development is completely. The Temporary Use will encompass fourteen (14) grassed Caravan Sites of 75 m² each (10m x 7.5m) and will include the provision of temporary ablution facilities. The undertaking of the Temporary Use will require the construction of the internal ring road to ensure that appropriate access is provided with all access to the Temporary Caravan Sites Use to be provided from the Williams Close western crossover and then accessed internally through the site. It is accepted that as the site continues to be developed as proposed the Temporary Use will be phased out. It is considered that the proposed Temporary Use over the site will not affect the

proposed Tourist Park, Short Term Accommodation and Food and Drink Outlet and will provide a Temporary Use that falls under the definition of the proposed Uses and therefore not creating any conflicting Uses over the site.

The proposed development also contains the provision of an Advertising Device in the form of a Freestanding Sign. The Advertising Device (Freestanding Sign) is 4.00 metres in height above the ground and located fronting Williams Close at the south-western corner of the site. The Advertising Device is not internally illuminated, nor does it contain flashing lights or moving text. The proposed device is as per nominated on the Annotated Proposed Site Layout and will be of a steel panel fixed construction in the shape of a v with wording on both wings of the v. The Device will contain a concrete base with 250 UB Posts and will contain an Advertising area of 8 m² (4 m x 2 m) for each wing of the v making it 16 m² in total.

The proponent of the proposal has engaged Jim Papas from Jim Papas Civil Engineering Design in relation to the civil engineering issues associated with the proposed development. The Report states that 'the project will include construction activities involving earthworks, roadworks, stormwater drainage, sewer and water reticulation together with other service infrastructure. Plans showing the preliminary layouts of these services together with typical cross sections and other details are attached as Appendix A.' It is considered that the appropriate provision of servicing will be provided with the proposed development.

Additionally, the proponent engaged the Dirt Professionals in relation to a Site and Soils Classification Report over the subject site. This Report is attached and nominates the site as Class M and provides appropriate Foundation Recommendations.

The site contains frontage to the existing Road Network, being Williams Close with existing crossovers provided from Williams Close. The proposed development will retain the existing access to the existing residence and associated structures and will remove the three existing accesses, replacing them with two new access from Williams Close with the western access to be constructed with the first stage of the development and the eastern access provided in the future with proposed Stage 7.

The site is located in the Emerging Communities and Recreation and Open Space Zones within the Mareeba Shire Council's Planning Scheme. A Material Change of Use for a Tourist Park, Short Term Accommodation and Food and Drink Outlet is an Impact Assessable Use within these Zones. The application is Impact Assessable.

This Submission provides a comprehensive assessment of the relevant planning instruments and site context for the proposed Uses. This is supported by the attached Proposal Plans, professional Consultants Reports and the assessment against the relevant aspects of the Mareeba Shire Council's Planning Scheme. It is considered that the proposed development is an appropriate land Use for the site, immediate vicinity and surrounding environs providing a supporting Use to the surrounding local residents of Mareeba and northern Townships."

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. Mareeba is identified a Major Regional Activity Centre in the Regional Plan. The Regional Plan Map 3- 'Areas of Ecological Significance' does not identify the site as being of any significance.

PLANNING SCHEME DESIGNATIONS

Strategic Framework:	Investigation Area
Zone:	Emerging Community zone & Recreation and Open Space zone
Mareeba Local Plan:	Mareeba Northern Expansion
Overlays:	Environmental Significance Overlay Flood Hazard 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
Tourist park	<p>Premises used to provide for accommodation in caravans, self-contained cabins, tents and similar structures for the public for short term holiday purposes.</p> <p>The use may include, where ancillary, a manager's residence and office, kiosk, amenity buildings, food and drink outlet, or the provision of recreation facilities for the use of occupants of the tourist park and their visitors, and accommodation for staff.</p>	Camping ground, caravan park, holiday cabins	Relocatable home park, tourist attraction, short-term accommodation, non-resident workforce accommodation
Short-term accommodation	Premises used to provide short-term accommodation for tourists or travellers for a temporary period of	Motel, backpackers, cabins, serviced apartments,	Hostel, rooming accommodation, tourist park

	time (typically not exceeding three consecutive months) and may be self-contained. The use may include a manager's residence and office and the provision of recreation facilities for the exclusive use of visitors.	accommodation hotel, farm stay	
Food and drink outlet	Premises used for preparation and sale of food and drink to the public for consumption on or off the site. The use may include the ancillary sale of liquor for consumption on site.	Bistro, café, coffee shop, drive-through facility, kiosk, milk bar, restaurant, snack bar, takeaway, tea room	Bar, club, hotel, shop, theatre, nightclub entertainment facility

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

Strategic Framework

3.3.3 Element - Major regional activity centre

3.3.3.1 Specific outcomes

- (1) *The role and function of Mareeba as the major regional activity centre for services in Mareeba Shire is strengthened. Mareeba is to accommodate the most significant concentrations of regional-scale business, retail, entertainment, government administration, secondary and tertiary educational facilities and health and social services within the shire.*

- (2) *Development within Mareeba over time enhances the Shire's self-sufficiency in terms of services offered, business and employment opportunities.*
- (3) *Mareeba is characterised by a relative lack of development constraints, and is supported by an expanding major industry area and Mareeba Airport. Mareeba has significant residential, industrial and commercial growth potential.*

Comment

The proposed development will support the role and function of Mareeba as a major regional activity centre. The siting of the development proximate to the Mareeba Industrial Park and the Mulligan Highway allows it to service industrial workers, road transport workers, rural workers and passing travellers.

The development will be connected to reticulated water and sewer networks and is located close enough to the Mareeba town centre to provide guest with high quality access to establish facilities and services.

3.3.8 Element—Urban expansion and investigation areas

3.3.8.1 Specific outcomes

- (1) *Urban expansion areas and investigation areas are anticipated to provide for development beyond the life of the planning scheme and are preserved for this purpose, with interim development not compromising future residential development.*

Comment

The proposed development is considered to be urban development is therefore not considered to be inconsistent with the future urban intent of this locality.

3.7 Economic development

3.7.1 Strategic outcomes

- (3) *Mareeba Shire is increasingly provided with retail and business opportunities and improved government services to enhance self-sufficiency. These opportunities and services are consolidated through the clustering and co-location of commercial uses in activity centres and are particularly focussed within Mareeba. Kuranda, as a village activity centre, maintains its level of self-reliance through servicing its local catchment with a range of services and employment opportunities.*

Comment

The proposed development will support the role and function of Mareeba as a major regional activity centre. The siting of the development proximate to the Mareeba Industrial Park and the Mulligan Highway allows it to service industrial workers, road transport workers, rural workers and passing travellers.

The development will be connected to reticulated water and sewer networks and is located close enough to the Mareeba town centre to provide guest with high quality access to establish facilities and services.

3.7.7 Element—Tourism

3.7.7.1 Specific outcomes

- (2) *Major tourist accommodation facilities that can accommodate large numbers of overnight visitors in the shire are developed in strategic locations where amenity impacts are mitigated and physical infrastructure appropriately provided.*
- (3) *Tourist parks in key locations provide sites to accommodate caravans and recreational vehicles across the shire. Facilities to accommodate caravans and recreational vehicles are developed in a variety of urban and, at a limited scale, rural locations, to encourage extended visitations within the shire. Tourist facilities are designed to ensure they provide a high quality of infrastructure and services to visitors.*

Comment

The proposed development will support the role and function of Mareeba as a major regional activity centre. The siting of the development proximate to the Mareeba Industrial Park and the Mulligan Highway allows it to service industrial workers, road transport workers, rural workers and passing travellers.

The development will be connected to reticulated water and sewer networks and is located close enough to the Mareeba town centre to provide guest with high quality access to establish facilities and services.

In this instance, any amenity impacts can be mitigated through reasonable conditioning of the development.

Relevant Development Codes

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

- 6.2.4 Emerging community zone code
- 6.2.8 Recreation and open space zone code
- 7.2.2 Mareeba local plan code
- 8.2.2 Airport environs overlay code
- 8.2.4 Environmental significance overlay code
- 8.2.12 Transport infrastructure overlay code
- 9.3.1 Accommodation activities code
- 9.3.2 Commercial 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 criteria where no acceptable solution applies) of the relevant codes set out below, provided reasonable and relevant conditions are attached to any approval.

Relevant Codes	Comments
Emerging community zone code	<p>The application can be conditioned to comply with the relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome provided). Further discussion is warranted regarding the following performance outcomes:</p> <ul style="list-style-type: none"> ▪ Performance Outcome PO3 ▪ Performance Outcome PO4 ▪ Performance Outcome PO9 <p>Refer to planning discussion section of report.</p>
Recreation and open space zone code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Mareeba local plan code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Airport environs overlay code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Environmental significance overlay code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Transport infrastructure overlay code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Accommodation activities code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Commercial activities code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Landscaping code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Parking and access code	<p>The application can be conditioned to comply with the relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome provided). Further discussion is warranted regarding the following performance outcomes:</p> <ul style="list-style-type: none"> ▪ Performance Outcome PO1 <p>Refer to planning discussion section of report</p>
Works, services and infrastructure code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).

(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

Due to the zoning of the subject site (Emerging Community & Recreation and Open Space zone), the site was not included within the bounds of the Priority Infrastructure Area (PIA). However, the development is likely to place additional demand on Council's trunk infrastructure networks, namely water and sewer, and it is therefore considered reasonable that the applicant/developer pay a contribution toward trunk infrastructure.

Council officers have used the Adopted Infrastructure Charges Resolution (No. 1) 2017 as a basis for calculating the trunk infrastructure contribution.

The Adopted Infrastructure Charges Resolution (No. 1) 2017 nominates the following maximum charge for Accommodation (short term):

- \$6,000 per 1 or 2-bedroom cabin, or
- \$8,400 per 3 or more bedroom cabin.

These maximum contributions assume the development will access all four infrastructure networks. For the proposed development, the proximity to the State controlled road network and the recreational facilities to be supplied on site, mean that any significant trunk infrastructure impacts are likely to be limited to water and sewer. Accordingly, the applicable charge for accommodation (short term) for the proposed development has been adjusted to:

- \$3,000 per 1 or 2-bedroom cabin, or
- \$4,200 per 3 or more bedroom cabin.

The two (2) vacant lots forming part of the subject site are deemed to each have a \$4,500.00 credit for water infrastructure only.

The applicable infrastructure contributions for each stage are as follows:

Stage 1

Main Building (Building 1), Manager's Residence (Building 3), Accommodation Buildings 2, 4, 5 and Disabled Accommodation with the internal access and 22 parking spaces.

Building 1 – Main building, Council officers consider this ancillary to the accommodation aspects on the subject site.

Building 2 – 5 bedrooms - \$4,200.00

Building 3 – manager's residence – 1 bedroom - \$3,000.00

Building 4 – 2 bedrooms - \$3,000.00

Building 5 – 4 bedrooms - \$4,200.00

Disabled Accommodation – 2 bedrooms - \$3,000.00

Total for Stage 1 - \$17,400.00Stage 2

Accommodation Buildings 6 and 7 and an additional 10 parking spaces.

Building 6 – 4 bedrooms - \$4,200.00

Building 7 – 4 bedrooms - \$4,200.00

Total for Stage 2 - \$8,400.00Stage 3

Accommodation Buildings 12 and 14 and an additional 10 parking spaces.

Building 12 – 4 bedrooms - \$4,200.00

Building 14 – 4 bedrooms - \$4,200.00

Total for Stage 3 - \$8,400.00Stage 4

Accommodation Buildings 8 and 9 and an additional 2 parking spaces and extension to the internal access.

Building 8 – 2 bedrooms - \$3,000.00

Building 9 – 2 bedrooms - \$3,000.00

Total for Stage 4 - \$6,000.00Stage 5

Accommodation Buildings 10 and 11 and an additional parking space and extension to the internal access.

Building 10 – 2 bedrooms - \$3,000.00

Building 11 – 2 bedrooms - \$3,000.00

Total for Stage 5 - \$6,000.00Stage 6

Accommodation Buildings 13, 15, 16, 17, 18, 19, 20 and 21 and an additional 6 parking spaces and extension to the internal access creating the ring road.

Building 13 – 2 bedrooms - \$3,000.00

Building 15 – 2 bedrooms - \$3,000.00

Building 16 – 2 bedrooms - \$3,000.00

Building 17 – 2 bedrooms - \$3,000.00

Building 18 – 2 bedrooms - \$3,000.00

Building 19 – 2 bedrooms - \$3,000.00

Building 20 – 2 bedrooms – \$3,000.00

Building 21 – 2 bedrooms – \$3,000.00

Total for Stage 6 - \$24,000.00

Stage 7

Two Backpacker's Accommodation Buildings and an additional 4 parking spaces, a 20-seater bus bay and access to these provided from the cul-de-sac of Williams Close.

Backpacker 1 – 10 bedrooms -\$4,200.00

Backpacker 2 – 10 bedrooms - \$4,200.00

Total for Stage 7 - \$8,400.00

Category	Use Charge	Unit of Measure	Charge Rate	No of Units	Amount
Proposal					
Stage 1	Accommodation (short term)	1-2 bed cabin	\$3,000.00	3	\$9,000.00
		3 or more bed cabin	\$4,200.00	2	\$8,400.00
		Total Stage 1			\$17,400.00
Stage 2	Accommodation (short term)	1-2 bed cabin	\$3,000.00	0	\$0
		3 or more bed cabin	\$4,200.00	2	\$8,400.00
		Total Stage 2			\$8,400.00
Stage 3	Accommodation (short term)	1-2 bed cabin	\$3,000.00	0	\$0
		3 or more bed cabin	\$4,200.00	2	\$8,400.00
		Total Stage 3			\$8,400.00
Stage 4	Accommodation (short term)	1-2 bed cabin	\$3,000.00	2	\$6,000.00
		3 or more bed cabin	\$4,200.00	0	\$0
		Total Stage 4			\$6,000.00
Stage 5	Accommodation (short term)	1-2 bed cabin	\$3,000.00	2	\$6,000.00
		3 or more bed cabin	\$4,200.00	0	\$0
		Total Stage 5			\$6,000.00
Stage 6	Accommodation (short term)	1-2 bed cabin	\$3,000.00	8	\$24,000.00
		3 or more bed cabin	\$4,200.00	0	\$0
		Total Stage 6			\$24,000.00
Stage 7	Accommodation (short term)	1-2 bed cabin	\$3,000.00	0	\$0
		3 or more bed cabin	\$4,200.00	2	\$8,400.00
		Total Stage 7			\$8,400.00
Credit					
Water (Lot 10 and 11 only)	-	Per Service	\$4,500.00	2	\$9,000.00
TOTAL					\$69,600.00

Based on the above, the applicant/developer must pay a total contribution of \$69,600.00 towards 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 developer may elect to provide or upgrade part of the trunk infrastructure instead of making the payment.

If the developer elects to provide or upgrade 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 the commencement of the use.

REFERRALS

This application triggered a referral to a State Referral Agency (SARA - State transport infrastructure).

That Department advised in a letter dated 22 February 2018 that they require the conditions to be attached to any approval (**Attachment 2**).

Internal Consultation

Technical Services

PUBLIC NOTIFICATION

The development proposal was placed on public notification from 9 February 2018 to 6 March 2018. The applicant submitted the notice of compliance on 7 March 2018 advising that the public notification requirements were carried out in accordance with the requirements of the Act.

Fourteen properly made submissions were received and nine (9) of those objected to the proposed development.

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

Grounds for objection /support	Comment
Development will fill a gap in services on the northern side of Mareeba, benefiting truck drivers, the general public and Mareeba economy.	<p>This is a common theme amongst the submitters in support of the proposed development. The supporting submissions are generally from local business owners.</p> <p>It is agreed that established Mareeba accommodation businesses are either located within the town centre or to the south & east of the town. The proposed development would be the first on the northern approach to Mareeba.</p>
Opposed to development because they would not like to see similar development approved adjoining homes elsewhere. Approval could establish precedent for similar developments in residential areas.	<p>The proposed development is an urban development. Many motels, caravan parks, and tourist facilities are located within urban area, specifically residential zoned areas.</p> <p>Council's decision on this particular development application will be based on the facts and circumstances as they apply to this development. Should a similar development be proposed elsewhere at some point in the future, that application will be decided on its own particular facts and circumstances.</p>
Development will devalue properties.	Potential fluctuations in land value is not considered to be a land use planning assessment criteria.
Development is out of character and will be detrimental to residential amenity though increased noise, crime, traffic, light emissions and impact on privacy.	<p>The proposed development is an urban development. Many motels, caravan parks, and tourist facilities are located within urban area, specifically residential zoned areas.</p> <p>A live in manager will be employed to monitor the operations of the business and attend to any issues should they arise. The applicant has acknowledged that the reputation of their business will suffer should they allow behaviour or emissions to detrimentally impact on guests and neighbouring residents.</p> <p>In addition to an onsite manager, reasonable conditions can be imposed to minimise noise, light and visual impact.</p> <p>Traffic impacts will be managed through the widening of Williams Close and a restriction on the size of vehicles permitted to access the development.</p> <p>Any criminal behaviour should be reported to the Police.</p>
Application is inconsistent about what is being applied for. Application states it is for a Tourist Park, Short Term Accommodation and Food and Drink Outlet, however other references are made to Roadhouse and Accommodation Park. What is the term for short term accommodation?	<p>The terminology used on the application forms are the relevant land use definitions as contained in the planning scheme. Each planning scheme land use definition covers multiple examples.</p> <p>Short term accommodation is defined as typically three (3) months.</p>
Will the main building bar be licenced and if so, what trading hours will apply?	Any bar provided on site will be required to have the appropriate liquor licence. The liquor licence will establish the authorised trading hours.
Noise impacts of trucks/vehicles coming and going at all hours. Noise from refrigerated trucks, smell from cattle trucks.	<p>The applicant advises that refrigerated trucks will be discouraged due to the potential impact on other guests.</p> <p>Access to the development is condition limited to three (3) axles. Large refrigerated trailers and cattle trailer are not permitted to access the development.</p>

Grounds for objection /support	Comment
Will tourist park be powered to avoid the use of generators?	Electricity will be provided.
Odours from an RV dump point.	The RV dump point can be managed without odour impact. Council officers would follow up on any complaints should they be received.
Building setback of 3 metres provides insufficient space for landscaping buffer.	A solid screen fence will be provided along the northern boundary of the development site. A reasonable width of landscaping buffer can still be provided on the development side of the screen fence.
Where will acoustic fence be located?	The fence will be provided along the northern boundary of the proposed development site, and will be conditioned to at least 20 metres past the backpackers' buildings.
Intersection of the Mulligan Highway and McGrath Road needs to be upgraded.	The impact of the proposed development on the Mulligan Highway has been assessed by the State Referral Agency. Conditional approval has been granted by the State.
If approved, will the existing residence on Lot 12 be demolished and the facility expanded.	No. A further application for material change of use would be required.
There are existing facilities, does Mareeba need a further one?	The market will determine the commercial success or otherwise of the proposed development.
How long will the staged development take to complete?	The material change of use approval would have a relevant period of six (6) years.

Freshwater Planning, on behalf of the applicant, has submitted a response to the matters raised in the submissions. This response is included in **Attachment 3**.

Submitters

Name of principal submitter	Address
1. M Fuller - support	PO Box 166, Mareeba 4880
2. Petition - Rosemary Tempny (21 signatories) - oppose	21 Pike Road, Mareeba 4880
3. C & J Ward - oppose	10 Debel Close, Mareeba 4880
4. G Cummings - support	8 Reynolds Street, Mareeba 4880
5. D & T Brcko - oppose	4 Debel Close, Mareeba 4880
6. M Blackman - oppose	3 Debel Close, Mareeba 4880
7. R & T Wheatley - oppose	6 Debel Close, Mareeba 4880
8. B Jones - support	5 Barrett Street, Mareeba 4880
9. T, D & Y Blake - oppose	8 Debel Close, Mareeba 4880
10. R & F Petersen - oppose	PO Box 557, Mareeba 4880
11. CW & L Blyth - oppose	7 Debel Close, Mareeba 4880
12. R Fanna - oppose	30 McGrath Road, Mareeba
13. D Dent - support	n/a
14. J Corcoran - support	26 Gowan Street, Mareeba

PLANNING DISCUSSION

Compliance with the acceptable outcomes/performance outcomes of the following development codes are discussed as follows:

Emerging Community Zone Code

PO3 Development is sited in a manner that considers and respects:

- (a) the siting and use of adjoining premises;*
- (b) access to sunlight and daylight for the site and adjoining sites;*
- (c) privacy and overlooking;*
- (d) opportunities for casual surveillance of adjoining public spaces;*
- (e) air circulation and access to natural breezes;*
- (f) appearance of building bulk; and*
- (g) relationship with road corridors.*

A03.2 Buildings and structures include a minimum setback of:

- (a) 6 metres from a frontage to a sealed road that is not a State-controlled road;*
- (b) 20 metres from a frontage to any other road; and*
- (c) 10 metres from a boundary to an adjoining lot.*

Comment

The proposed development is single storey and reasonably setback from adjoining properties. Privacy will be maintained through the use of screen fencing and landscaping.

It is considered that the proposed development can satisfy performance outcome PO3.

PO4 *The density of Accommodation activities does not preclude the future re-development of the land for urban purposes consistent with Structure Plans approved in accordance it PO7*

A04 *Development provides a minimum density for Accommodation activities of 1 dwelling or accommodation unit per 1,250m² site area.*

Comment

The application does not propose a dwelling house.

The proposed use is an urban use and does not preclude future re-development. It is further noted the proposed cabins could be relocated should the need arise in the future.

It is considered that the proposed development can satisfy performance outcome PO3.

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 proposed development is an urban development. Many motels, caravan parks, and tourist facilities are located within urban area, specifically residential zoned areas.

A live-in manager will be employed to monitor the operations of the business and attend to any issues should they arise. The applicant has acknowledged that the reputation of their business will suffer should they allow behaviour or emissions to detrimentally impact on guests and neighbouring residents.

In addition to an onsite manager, reasonable conditions can be imposed to minimise noise, light and visual impact.

Traffic impacts will be managed through the widening of Williams Close and a restriction on the size of vehicles permitted to access the development.

Parking and Access Code

PO1 *Development provides sufficient car parking to accommodate the demand likely to be generated by the use, having regard to the:*

- (a) nature of the use;*
- (b) location of the site;*
- (c) proximity of the use to public transport services;*
- (d) availability of active transport infrastructure; and*
- (e) accessibility of the use to all members of the community.*

AO1 *The number of car parking spaces provided for the use is in accordance with Table 9.4.3.3B.*

Note—Car parking spaces provided for persons with a disability are to be considered in determining compliance with AO1.

Comment

The final development proposes fifty-five (55) parking spaces and one (1) 20-seater bus parking space.

Car parking will be supplied in the following stages:

Stage 1 - 22 spaces.

Stage 2 - 10 spaces.

Stage 3 - 10 spaces.

Stage 4 - 2 spaces.

Stage 5 - 1 space.

Stage 6 - 6 spaces.

Stage 7 - 4 spaces & 1 20-seater bus parking space.

The Parking and Access Code calls for 1 space per unit for short term accommodation. This equates to 49 spaces for the proposed development.

Applying the rooming accommodation parking rate (1 space per 8 beds) to the backpackers' accommodation generates 5 car parking spaces. This car parking is supplemented by the proposed 20-seater bus space.

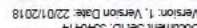
As the main building (food and drink outlet) is ancillary to the accommodation use, it is reasonable not to require separate car parking for this aspect of the development.

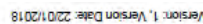
The temporary tourist park (caravan/rv) use will not generate a need for additional carparking above that proposed by the applicant as it will cease as the final stages of the development are completed.

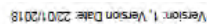
The 55 spaces proposed by the applicant complies. It is noted that the applicant suggests that the widened Williams Close could accommodate larger vehicles should the need arise. This is not desirable in most cases, however the only properties accessed via Williams Close are owned by the applicant.

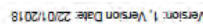
Date Prepared: 9 April 2018

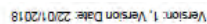
PROPOSED PLANS

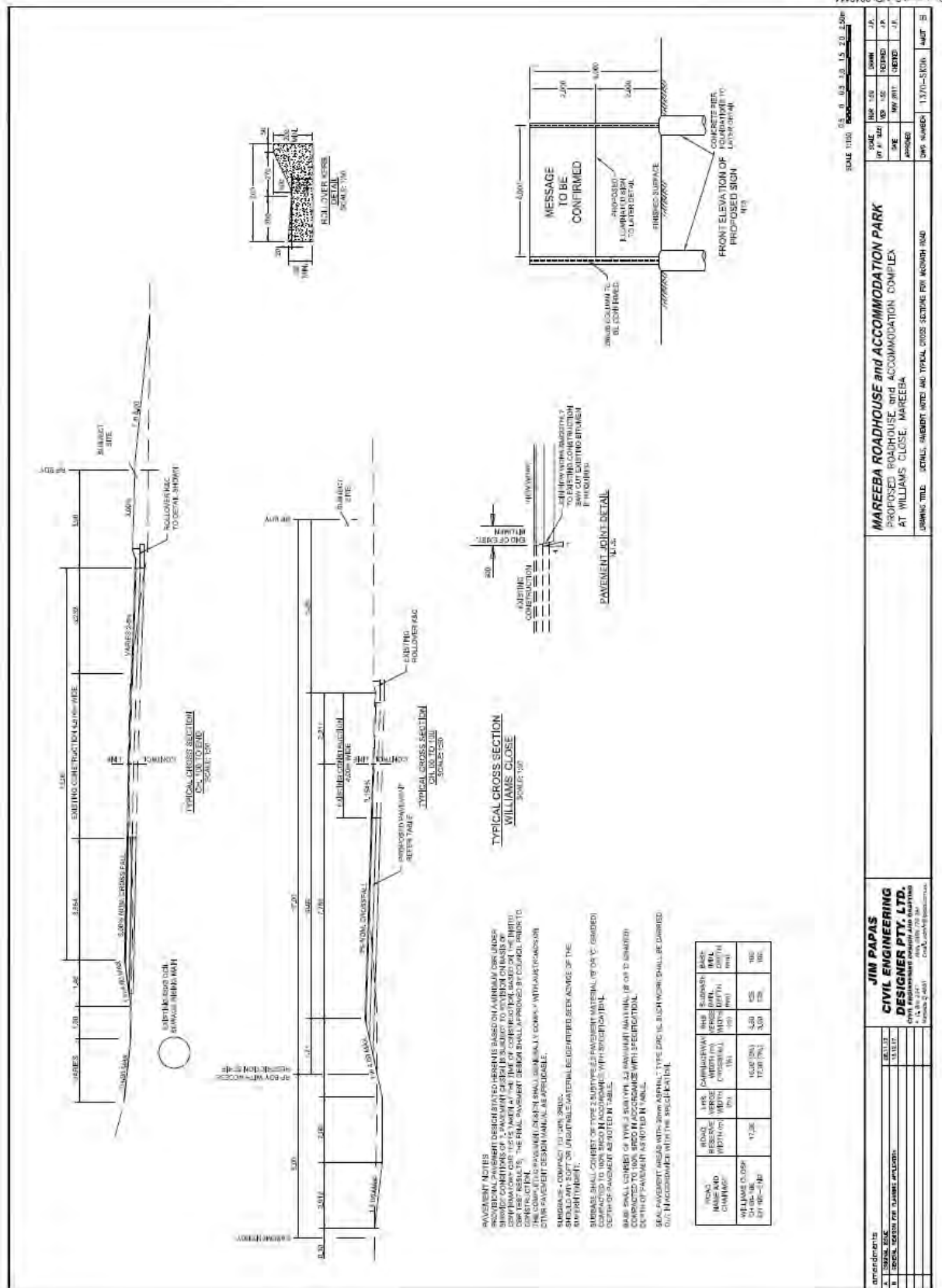


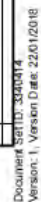


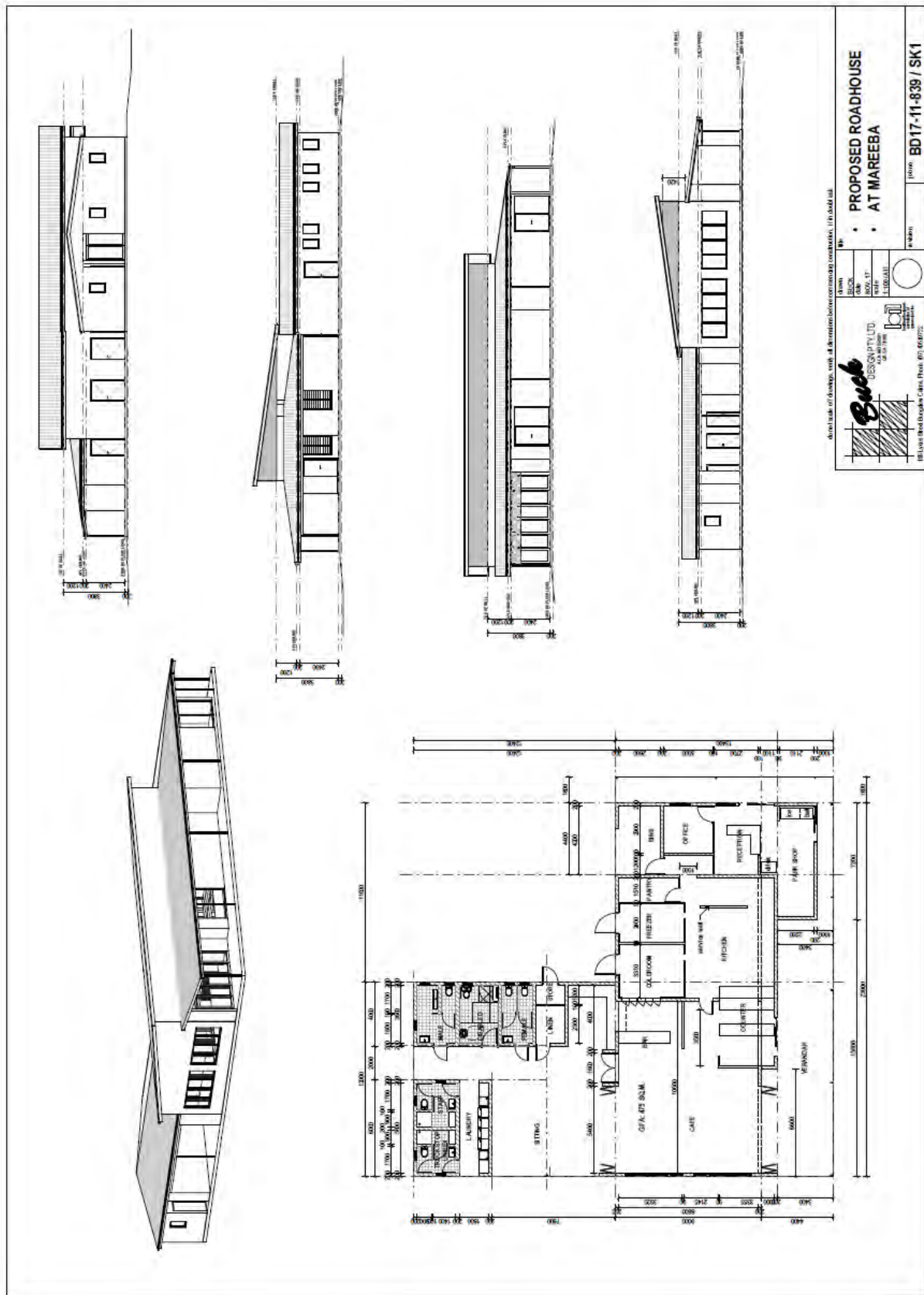


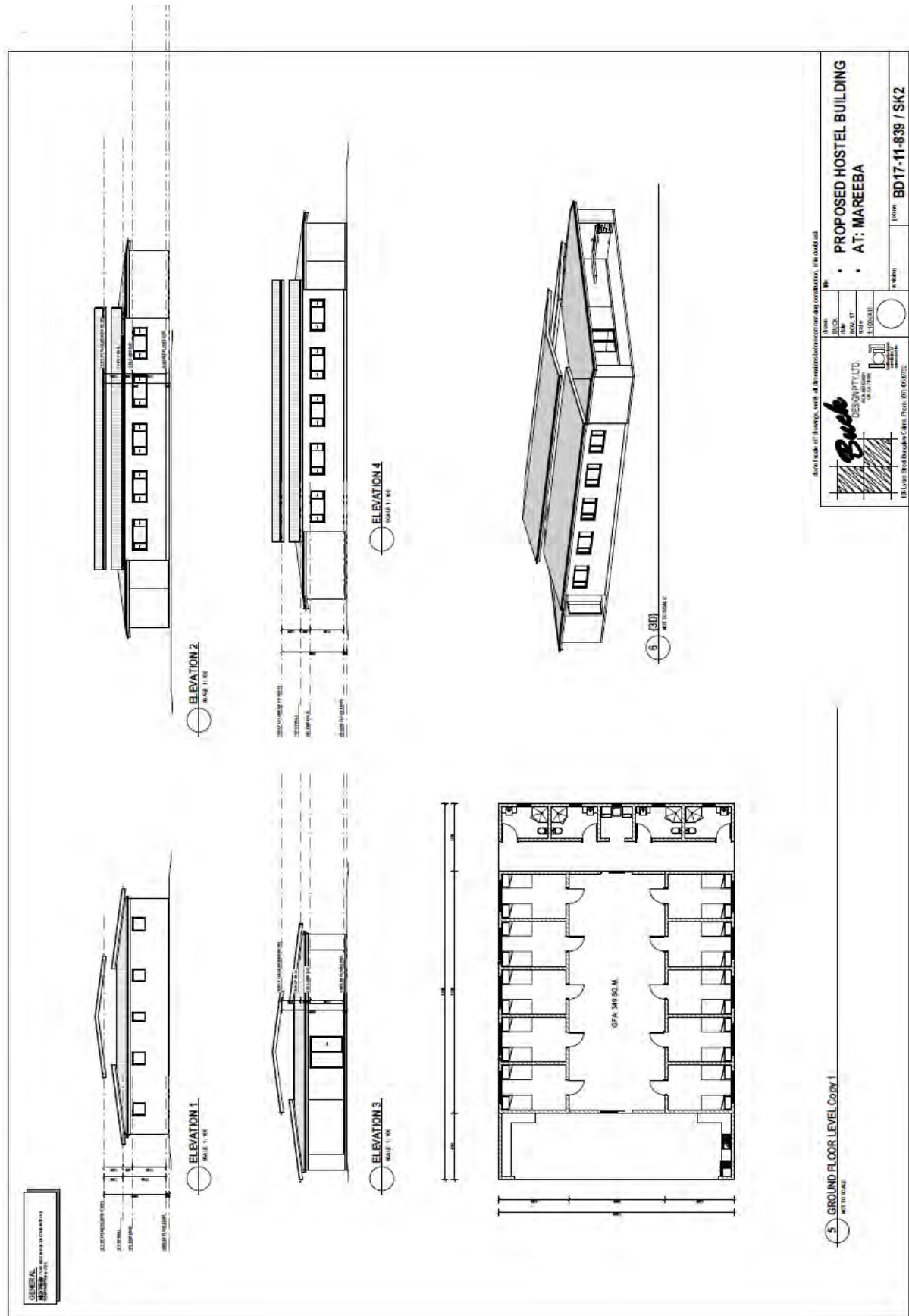














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t: (07) 5483 7144 | f: (07) 5483 7188
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Version Notes:

client:
Mr Greg Williams
A 4278

Project:
Acacia 2

Mareeba QLD 4880

drawing status: PRELIMINARY

design by: Asset Cabins and Homes

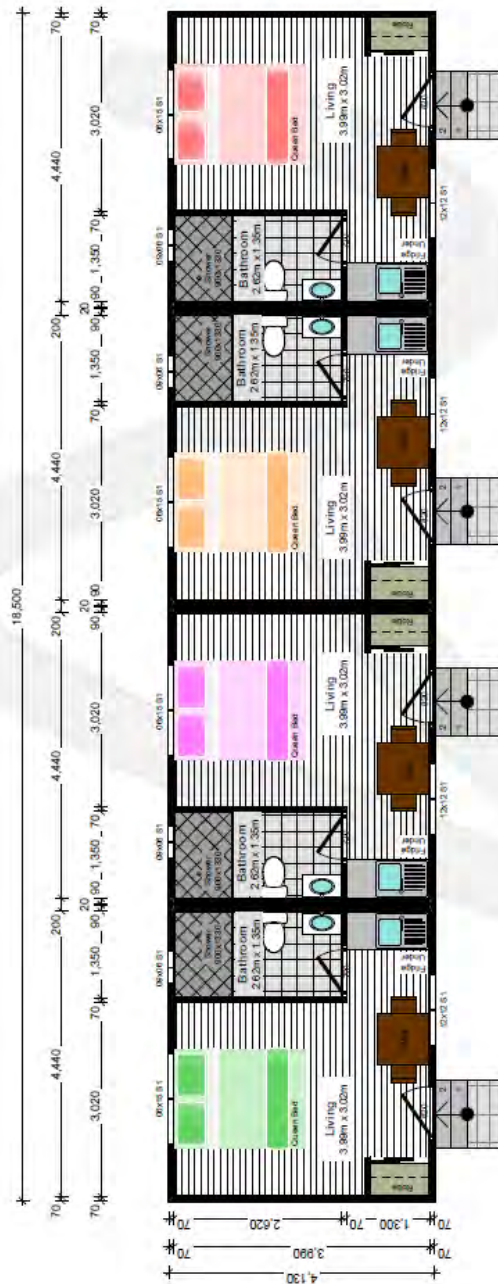
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date: Friday, 25 August 2017

Floor Plan

design:
Acacia 2

sheet no:
1



Document Set ID: 3340414
Version: 1, Version Date: 22/01/2018

Acacia 2
for
Mr Greg Williams
25/08/2017




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Gympie QLD 4570
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Version Notes:

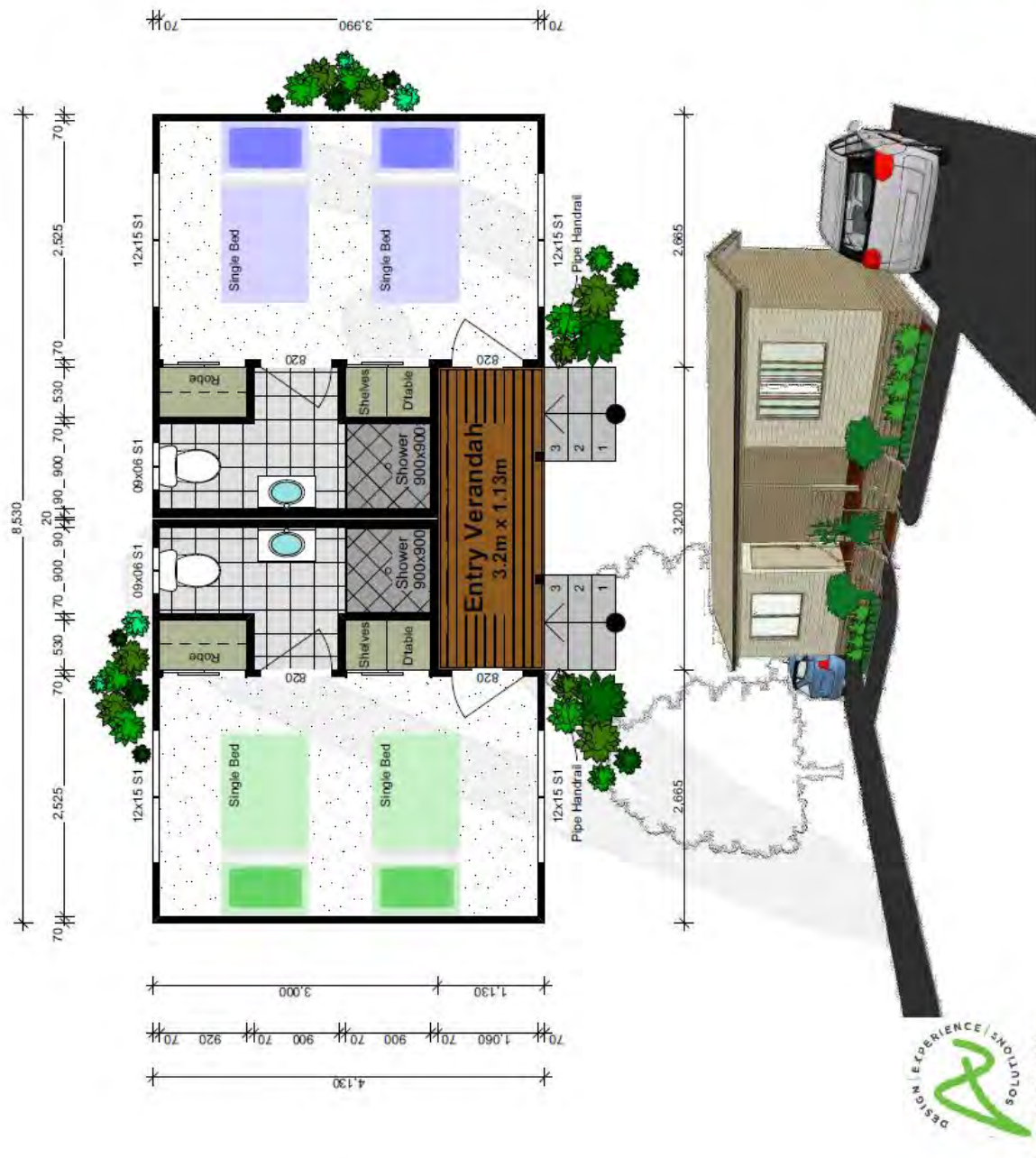
client:	Mr Greg Williams
	A 4278
Project:	Acacia 2
	Mareeba QLD 4880
drawing status:	PRELIMINARY
design by:	Asset Cabins and Homes
scale:	not to scale
date:	Friday, 25 August 2017
Concept 3D	
design:	Acacia 2
sheet no.:	2




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Version Notes

- Shown with colorbond cladding feature to front walls

design by: Asset Cabins and Homes

scale: 1:40 on A3

date: Wednesday, 2 April 2014

design:
Bluegum Option 2





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Version Notes:

client:	Mr Greg Williams A 4278
Project:	Correa 5RM
	Mareeba QLD 4880
drawing status:	PRELIMINARY
design by:	Asset Cabins and Homes
scale:	1:25, 1:1 on A1
date:	Monday, 21 August 2017
Floor Plan	
design:	Correa 5RM
sheet no:	1



Document Set ID: 3340414
Version: 1, Version Date: 22/01/2018



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Version Notes:

cabin number: #Project ID

client:
Mr Greg Williams
A 4278

Project:
Mallee

Mareeba QLD 4880

site classification: #Project Custom

drawing status: PRELIMINARY

design by: Asset Cabins and Homes

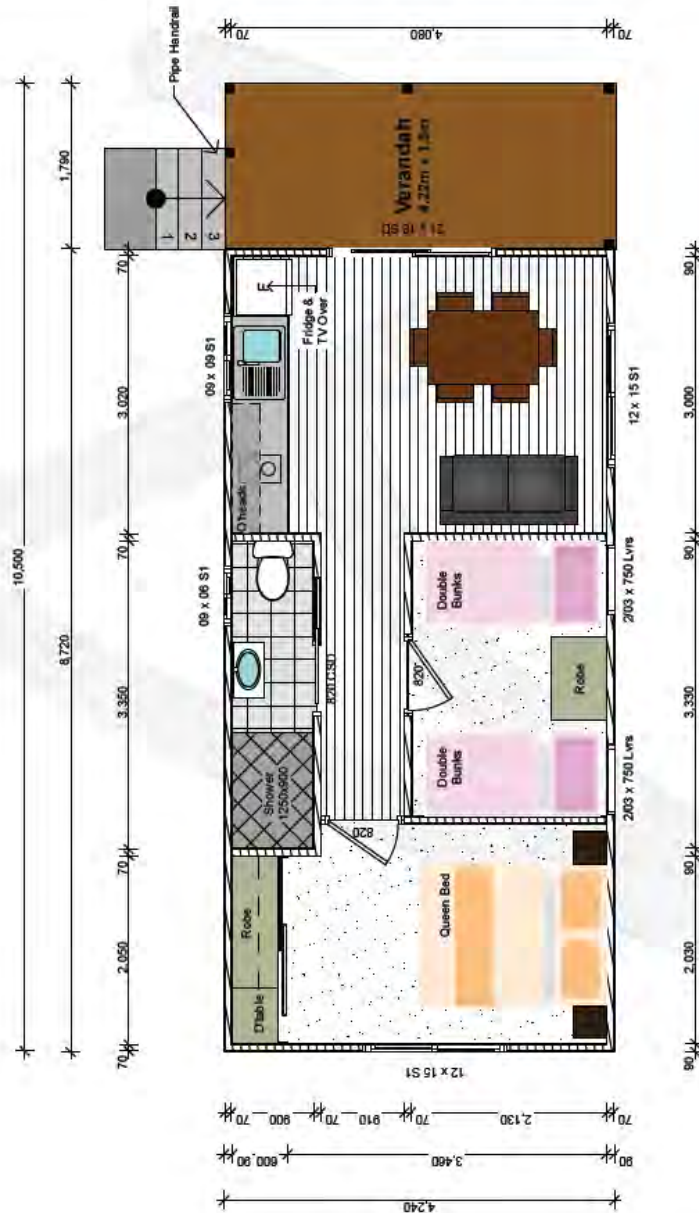
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date: Wednesday, 27 September 2017

Floor Plan

design:
Mallee

sheet no
2



Document Set ID: 3340414
Version: 1, Version Date: 22/01/2018

ATTACHMENT 2

RA6-N

Department of
**State Development,
Manufacturing,
Infrastructure and Planning**

Our reference: 1801-3539 SRA
Your reference: MCU/17/0017

22 February 2018

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

Attention: Carl Ewin

Dear Sir/Madam

Referral agency response—with conditions
(Given under section 56 of the *Planning Act 2016*)

The development application described below was properly referred to the Department of State Development, Manufacturing, Infrastructure and Planning on 23 January 2018.

Applicant details

Applicant name:	Roadhouse Property Unit Trust C/- Freshwater Planning Pty Ltd
Applicant contact details:	17 Barron View Drive Freshwater QLD 4870 freshwaterplanning@outlook.com

Location details

Street address:	1, 3-5 and 7 Williams Close, Mareeba
Real property description:	Lot 10 on SP168631, Lot 11 on SP168631 and Lot 12 on SP168631
Local government area:	Mareeba Shire Council

Application details

Development permit	Material change of use for Tourist Park, Short Term Accommodation and Food and Drink Outlet
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1801-3539 SRA

Referral triggers

The development application was referred to the department under the following provisions of the Planning Regulation 2017:

- 10.9.4.1.1.1 Infrastructure - state transport infrastructure
- 10.9.4.2.4.1 State transport corridors and future State transport corridors

Conditions

Under section 56(1)(b)(i) of the *Planning Act 2016* (the Act), the conditions set out in Attachment 1 must be attached to any development approval.

Reasons for decision to impose conditions

The department must provide reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Advice to the assessment manager

Under section 56(3) of the Act, the department offers advice about the application to the assessment manager—see Attachment 3.

Approved plans and specifications

The department requires that the plans and specifications set out below and enclosed must be attached to any development approval.

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
Aspect of development: Material change of use				
Existing Site Plan (as amended in red)	Jim Papas Civil Engineering Designer	13/12/2017	1370-SK01	Amdt B
TMR Layout Plan 1 (34A - 1.38km)	Queensland Government Transport and Main Roads	7/02/2018	TMR18-23621 (500-1225)	Issue A
General Arrangement of Proposed Development	Jim Papas Civil Engineering Designer Pty Ltd	13/12/2017	1370-SK02	Amdt B
Access Crossovers	FNQROC	23/10/17	S1015	Revision D
General Arrangement – Roadworks (as amended in red)	Jim Papas Civil Engineering Designer Pty Ltd	13/12/2017	1370-SK05	Amdt B
Details Pavement Notes and Typical Cross Sections for McGrath Road	Jim Papas Civil Engineering Designer Pty Ltd	13/12/2017	1370-SK06	Amdt B

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

1801-3539 SRA

For further information please contact Jenny Sapuppo, Senior Planning Officer, on 5644 3212 or via email CairnsSARA@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
Manager (Planning)

cc Roadhouse Property Unit Trust C/- Freshwater Planning Pty Ltd, freshwaterplanning@outlook.com

enc Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Advice to the assessment manager
Approved plans and specifications

1801-3539 SRA

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Material change of use		
State transport infrastructure (thresholds) and state-controlled road —The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
In accordance with approved plans		
1.	<p>(a) The following signage must be provided generally in accordance with the Existing Site Plan, prepared by Jim Papas Civil Engineering Designer, dated 13/12/2017, drawing number 1370-SK01, Amdt B, as amended in red:</p> <ul style="list-style-type: none"> a 'Railway crossing flashing signals ahead on side road assembly (RX-7)' in accordance with Section 2.3.5 of AS1742.7:2016 <i>Manual of uniform of traffic control devices Part 7: Railway crossings</i> on Williams Close facing northbound vehicles exiting the development; and a sign at the Williams Close/McGrath Road/Mulligan Highway intersection facing vehicles at the giveway lines in accordance with Queensland Government drawing number R2-6 <i>Regulatory Sign "No Left (Right) Turn"</i>, modified to regulate no right turns on railway crossing flashing signals. <p>(b) RPEQ certification with supporting documentation must be provided to the Department of Transport and Main Roads, Program Delivery and Operations Unit, Far North Queensland Region at Far.North.Queensland.IDAS@tmr.qld.gov.au confirming that the development has been constructed in accordance with part (a) of this condition.</p>	<p>(a) Prior to the commencement of use and to be maintained at all times.</p> <p>(b) Prior to the commencement of use</p>
Vehicular access to state-controlled road		
2.	<p>(a) The road access location is to be located generally in accordance with:</p> <ul style="list-style-type: none"> TMR Layout Plan 1 (34A - 1.38km), prepared by Queensland Government Transport and Main Roads, dated 7/02/2018, file ref TMR18-23621 (500-1225), Issue A; and General Arrangement of Proposed Development, prepared by Jim Papas Civil Engineering Designer Pty Ltd, dated 13/12/17, drawing number 1370-SK02, Amdt B. <p>(b) Road access works comprising a driveway crossover to commercial / industrial standard must be provided at the permitted access location generally in accordance with FNQROC Standard Drawing S1015 - 'Access Crossovers'.</p>	<p>(a) At all times</p> <p>(b) Prior to the commencement of use</p>
3.	Direct access is not permitted between Williams Close and Lot 10 on SP168631 at any other location other than the permitted road access location described in Condition 1.	At all times
4.	Direct access is not permitted between Williams Close and Mulligan	At all times

1801-3539 SRA

	Highway. All access between Williams Close and Mulligan Highway is to be via McGrath Road intersection.	
5.	Road works comprising upgrade to Williams Close must be carried out generally in accordance with: <ul style="list-style-type: none"> • General Arrangement – Roadworks, prepared by Jim Papas Civil Engineering Designer Pty Ltd, dated 13/12/17, drawing number 1370-SK05, Amdt B; and • Details Pavement Notes and Typical Cross Sections for McGrath Road, prepared by Jim Papas Civil Engineering Designer Pty Ltd, dated 13/12/17, drawing number 1370-SK06, Amdt B. 	Prior to the commencement of use
6.	Road works comprising an effective barrier to exclude direct access between Williams Close and the Mulligan Highway must be provided at the location specified on the following plan: <ul style="list-style-type: none"> • General Arrangement – Roadworks, prepared by Jim Papas Civil Engineering Designer Pty Ltd, dated 13/12/17, drawing number 1370-SK05, Amdt B (as amended in red). 	Prior to the commencement of use
Road works on a state-controlled road		
7.	(a) Road works comprising of flag lighting must be provided at the Mulligan Highway / McGrath Road / Williams Close intersection. (b) The road works must be designed and constructed in accordance with the Department of Main Roads Road Planning and Design Manual (2nd edition), Volume 6: Lighting, dated July 2016. Note: Detailed engineering designs of the proposed road works must be submitted to DTMR for approval and certified by a Registered Professional Engineer of Queensland (RPEQ).	(a) & (b) Prior to the commencement of use.

1801-3539 SRA

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- To maintain the safety of the railway level crossing.
- To ensure the road access location to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road.
- To ensure the design of any road access maintains the safety and efficiency of the state-controlled road.
- To ensure access to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road. Direct access to the state-controlled road is prohibited where not required.
- To ensure the development does not result in a worsening of the safety of a state-controlled road.
- To ensure the road works on, or associated with, the state-controlled road network are undertaken in accordance with applicable standards.

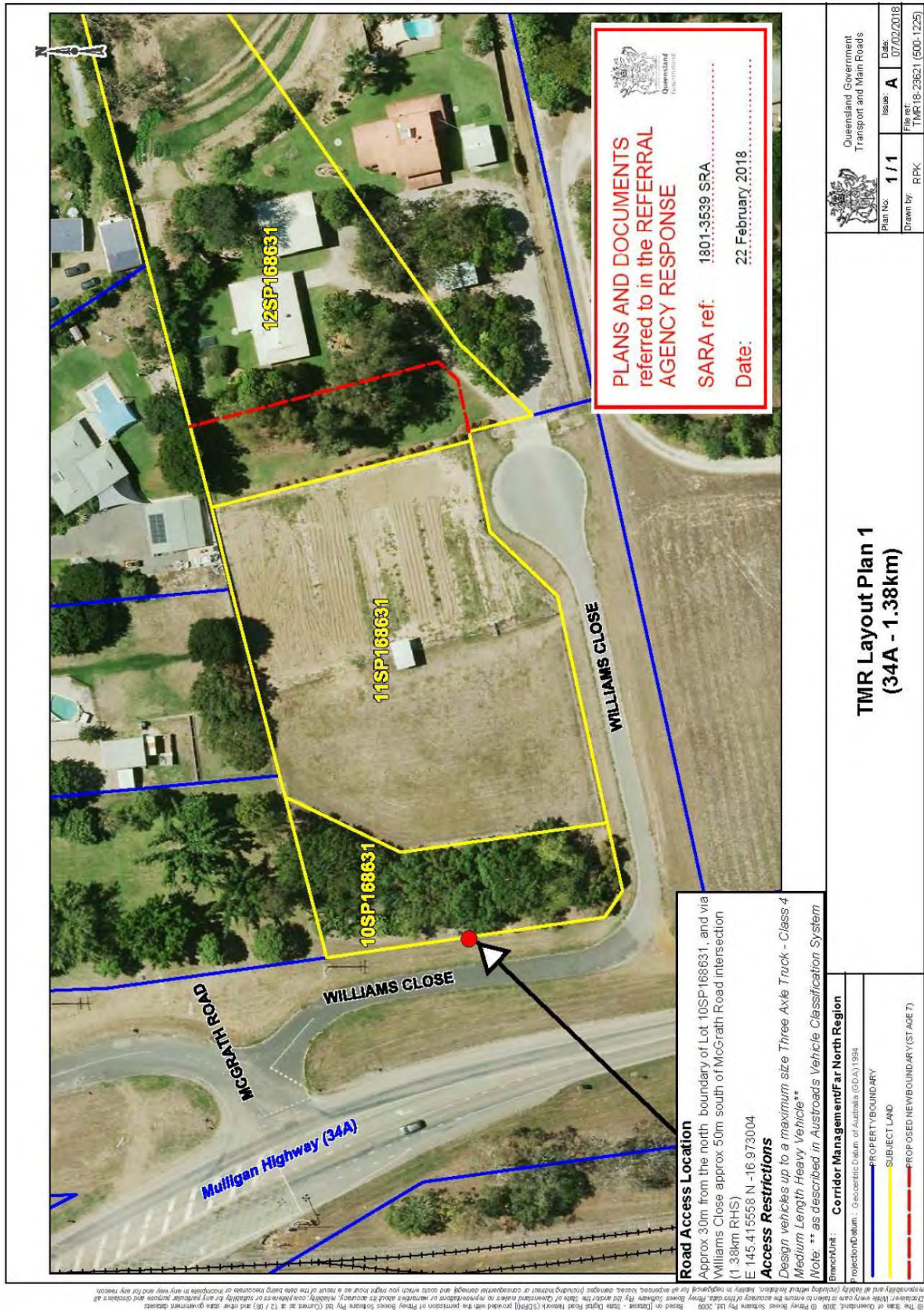
Attachment 3—Advice to the assessment manager

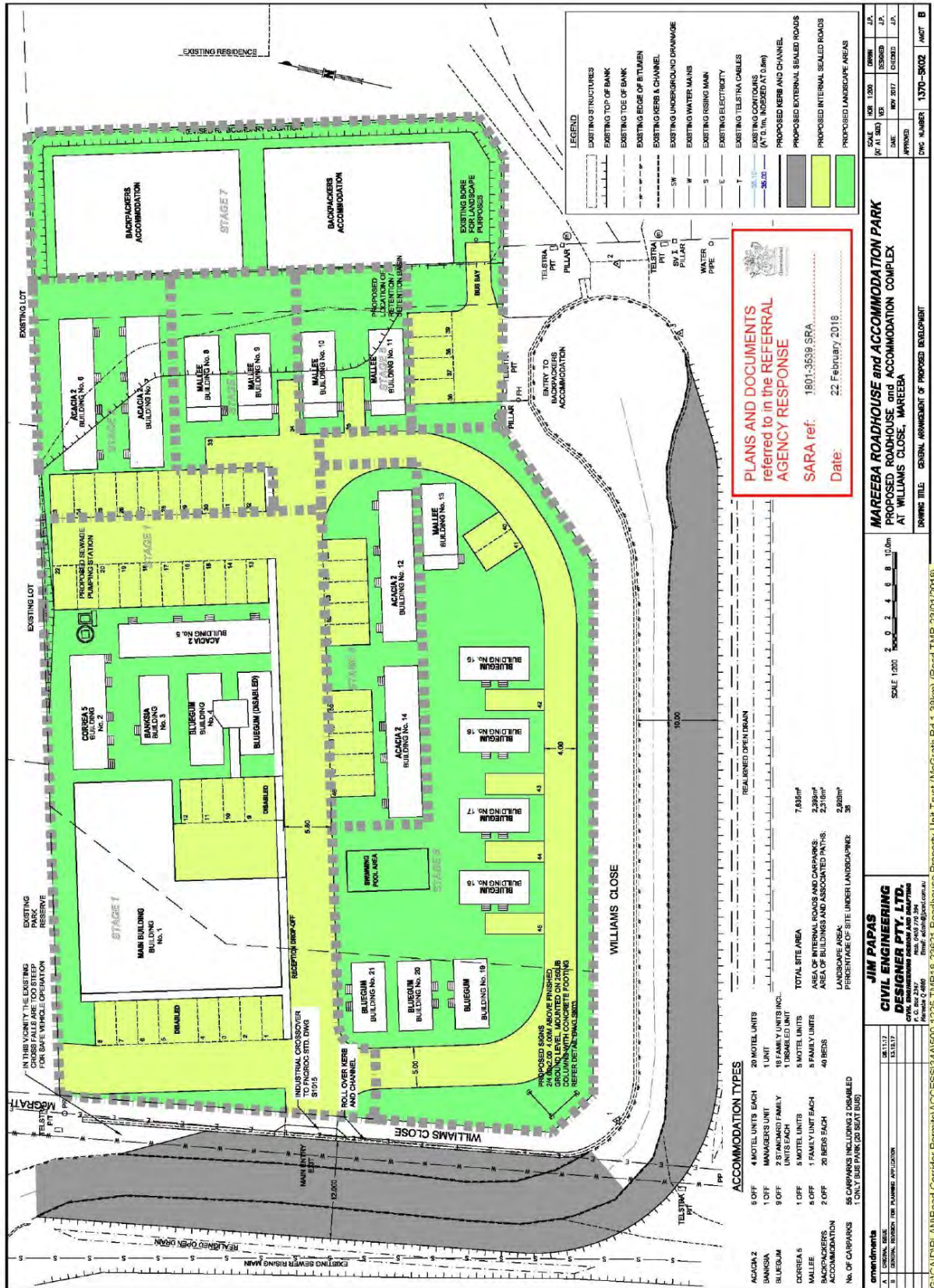
General advice	
Advertising devices	
1.	<p>A local government should obtain advice from the Department of Transport and Main Roads (DTMR) if it intends to approve the erection, alteration or operation of an advertising sign or another advertising device that would be visible from a state-controlled road, and beyond the boundaries of the state-controlled road, and reasonably likely to create a traffic hazard for the state-controlled road.</p> <p>Note: DTMR has powers under section 139 of the <i>Transport Operations (Road Use Management - Accreditation and Other Provisions) Regulation 2015</i> to require removal or modification of an advertising sign and/or a device which is deemed to create a danger to traffic.</p>
Transport noise corridors	
2.	<p>Mandatory Part (MP) 4.4 of the Queensland Development Code (QDC) commenced on 1 September 2010 and applies to building work for the construction or renovation of a residential building in a designated <i>transport noise corridor</i>. MP4.4 seeks to ensure that the habitable rooms of Class 1, 2, 3 and 4 buildings located in a <i>transport noise corridor</i> are designed and constructed to reduce transport noise.</p> <p><i>Transport noise corridor</i> means land designated under Chapter 8B of the <i>Building Act 1975</i> as a <i>transport noise corridor</i>. Information about <i>transport noise corridors</i> is available at state and local government offices.</p> <p>A free online search tool can be used to find out whether a property is located in a designated <i>transport noise corridor</i>. This tool is available online at http://www.dilgp.qld.gov.au/planning/state-planning-instruments/spp-interactive-mapping-system.html. The online search tool allows searches on a registered lot number and/or property address to determine whether and how the QDC applies to the land. Transport Noise Corridors (NAPMAP) are located under Administrative Layers within the State Planning Policy (SPP) mapping system.</p>
Railway corridors – Memorandum of Understanding for Railway Level Crossings	
3.	<p>As per the <i>Memorandum of Understanding between the Local Government Association of Queensland and Queensland Rail and the Department of Transport and Main Roads with respect to the Management and Funding Responsibility for Level Crossing Safety</i>, the local government is responsible for any safety upgrades to a level crossing if the change in risk to the level crossing is due to changes in nearby land uses which have been authorised by local government.</p> <p>Mareeba Shire Council should continue to monitor the level of safety risk and number of reported level crossing issues at the Mulligan Highway level crossing of the Cairns Railway as further development in the area is approved. Consideration should also be given to implementing improved control and safety measures, as required. In particular, the proposed development will be likely to contribute to cumulative impacts on the safety of the railway level crossing.</p>
Further permits and approvals	
Railway corridors – Road manager approval	
4.	<p>The installation of signage on Williams Close and McGrath Road requires approval/s to be obtained from the relevant road manager, being Mareeba Shire Council. Required signage should be installed in consultation with the railway manager (Queensland Rail).</p> <p>Please contact the Queensland Rail property team at developmentenquiries@qr.com.au or via</p>

1801-3539 SRA

	telephone on 3072 1068 for more information.
Road works approval	
5.	<p>In accordance with section 33 of the <i>Transport Infrastructure Act 1994</i> (TIA), an applicant must obtain written approval from DTMR to carry out road works, including road access works on a state-controlled road. Please contact DTMR on 4045 7144 to make an application under section 33 of the TIA to carry out road works. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ).</p> <p>The road works approval process takes time – please contact DTMR as soon as possible to ensure that gaining approval does not delay construction.</p>

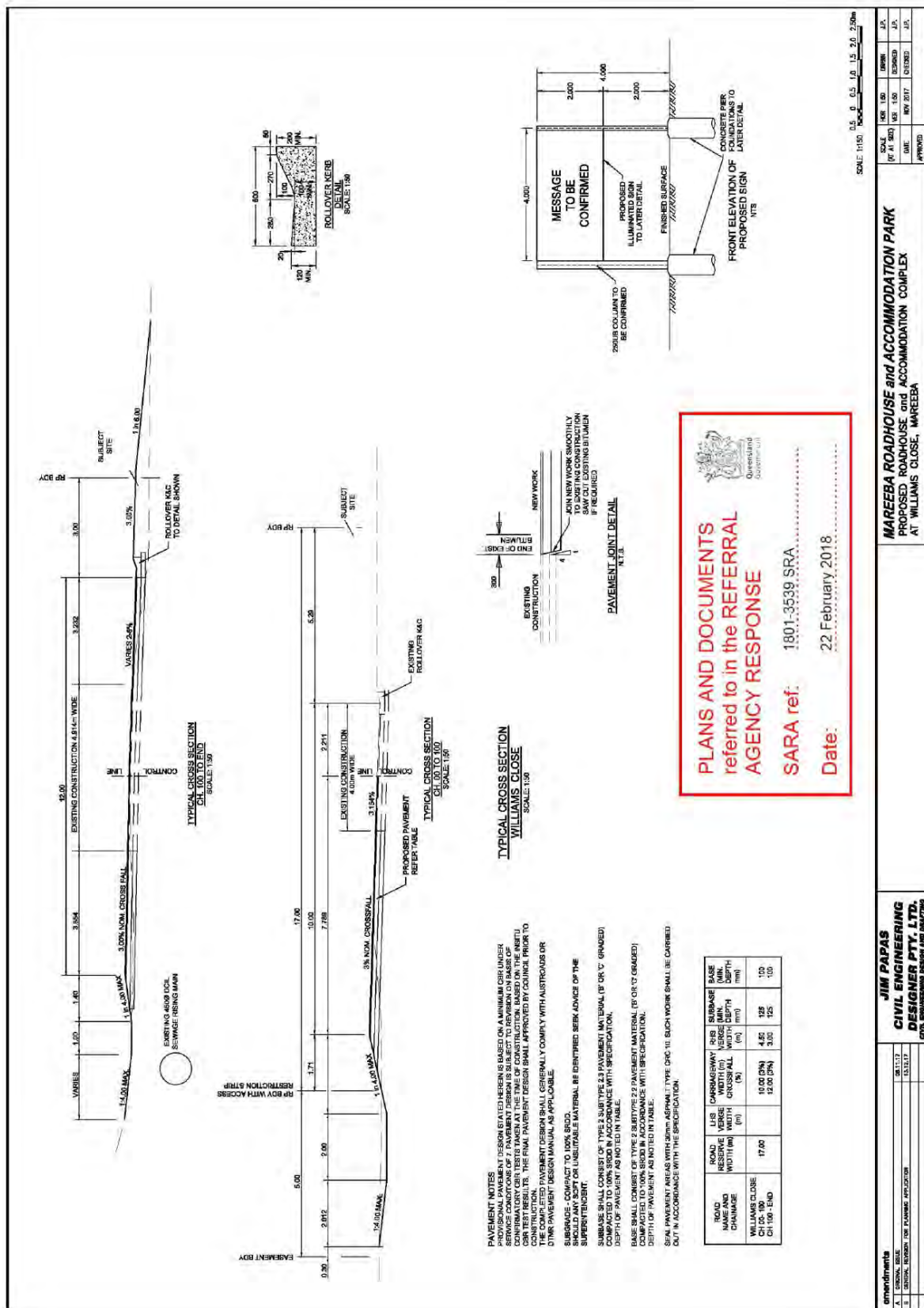






Page 188





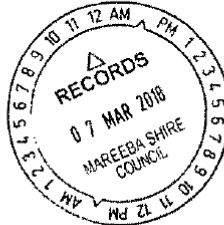
ATTACHMENT 3

URP-MCU

P

02.03.2018

Mareeba Shire Council
Box 154
Mareeba QLD 4880
MCU/17/007



Mr Michael Fuller
PO Box 166
Mareeba Qld 4880

Dear Sir,

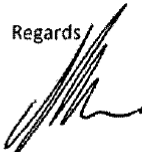
RE: Development Application for Roadhouse and Cabin Park Approval

This development has my full support and well-wishes. The approval will fill a gap which is long overdue on the northern side of Mareeba.

Now the truck drivers, cattle sales area and general public will have a facility to assist them in their day to day operation.

I see this application as a welcome expansion to the benefit of the freight and long haul truck industry and therefore to the Mareeba economy as well.

Regards


Michael Fuller

DEVELOPMENT APPLICATION BY ROADHOUSE PROPERTY UNIT TRUST FOR 1-7 WILLIAMS CLOSE MAREEBA QID 4880

As residents of Mareeba, we would like to support the residents of Debel Close, Mareeba and the surrounding area in opposing the

"Material Change of Use" applied for in this Application.

Mareeba residents need to be sure in the knowledge that similar developments would not be approved adjoining their homes.

Date	Name	Address	Signature
5/3/18	Doreen Mary Tennant	40 21 PIKE RD MAREEBA	
5-3-18	ROSAMARIA MARRAS	4/23 LAWSON ST MAREEBA	R. Morgan
5/3/18	KATHLEEN FRANKLIN	5/23 LAWSON ST. MAREEBA	K. S. Franklin
5/3/18	KIRBY COOK	23 JACARANDA CL MAREEBA	
5/3/18	LORETTA VILGUSTO	62 WHEEL ST MAREEBA	Valentina
5/3/18	Cocina Buons	5 LAWSON AVE MAREEBA	
5/3/18	JOAN HENDERSON	9 HELLCAT CLOSE, MAREEBA	Joan Henderson
6/3/18	Sophia M. Dickinson	13 Natalie Cl, Mareeba	Johnkinase
6/3/18	Maria Francis	48 Parklands Court MAREEBA	M. Francis
6-3-18	AIDA ARCHIE	41 JOYCE ST. MAREEBA	Patricia
6/3/18	DAWN WIGHERS	25 LAWSON DRIVE MAREEBA	
6/3/18	JANETTE BUONAS	7 Macrae St, Mareeba	S. Buona
6-3-18	JAN BRIDE	5 Langston Ave Mareeba	Jan. Bride
6-3-18	MARTIN COSGROVE	402/22 RD. MAREEBA	
6-3-18	JULIANNE GEMAN	20 WILLIAMSON DRIVE, KURANDA	
6-3-18	ANNE MARIE WILKINSON	3 AIDA CLOSE CL MAREEBA	
"	LINDA MCKENNA	1/11 HART ST MAREEBA	Linda
6-3-18	ROSA SMITH	546 Macrae Rd Mareeba	
"	RAMONA IADAMANO	147 CORRA RD MAREEBA	
"	ROBERT WAT	33 TAYLOR CR. MAREEBA	
"	ALF GILBERT	4 RIVER RD. MAREEBA	A. Gilbert



N/A

URP - MCU

MCU/17/0017



Carl & Jenni Ward,
10 Debel Close,
Mareeba,
Queensland, 4880.

DEVELOPMENT APPLICATION – Roadhouse Property Unit Trust – 1-7 Williams Close, Mareeba.

We, Carl and Jenni Ward, living at 10 Debel Close, Mareeba, strongly oppose the proposed Roadhouse development intended to be located at 1-7 Williams Close, Mareeba.

We have a young family and feel that this proposed development will be highly detrimental to our current way of life and peaceful home environment.

We totally agree and 100% support every point mentioned by the Wheatley family who live two doors down from us.

They have thoroughly researched the effects this proposed development will have on all of us who live near where this roadhouse will be built, and make extremely valid points in their objection which we echo wholeheartedly.

Of particular concern to us and our family is the influx of backpackers and truckies who will be accommodated not very far from our home. Apart from the obvious increase in noise, there is also the concern of increased crime in our currently very peaceful and essentially crime free home.

We stand totally united with Reg & Teresa Wheatley and are very concerned about this proposed development and the extremely negative effect this will have on our current way of life, and peaceful home environment.

Kind Regards,

Carl & Jenni Ward.

From: Greg Cummings
Sent: 5 Mar 2018 14:26:51 +1000
To: Info (Shared)
Subject: MCU/17/0017 - Letter of support - Greg Cummings

Mareeba Shire Council Town Panning Dept.

To whom it may concern , this is to support the proposed application to build a tourist accommodation & meals facility at Williams close . I fully support such a proposal as this is long over due . We have had cattle graziers & carriers complaining about a lack of facilities for quite a long time.

Regards

Greg Cummings

Mob. 0417783330

Pumping Irrigation & Machinery Services

8 Reynolds St

Mareeba Qld 4880

Ph. 0740921622 Fax. 0740921750

Email: greg@pumpingirrigation.com.au

www.pumpingirrigation.com.au



URP-MCU^{N/A}
MCU/17/0017**Teresa Brcko**

Subject: Material Change of Use for 1-7 Williams Close, Mareeba on behalf of Roadhouse Property Unit Trust.

Mareeba Shire Council
Rankin Street
Mareeba 4880

4th March 2018



RE: Development Application for Material Change of Use for 1-7 Williams Close, Mareeba on behalf of Roadhouse Property Unit Trust.

As property owner of 4 Debel Close, I object to the application for a "Material Change of Use" as proposed in this development.

The proposed use of this area is completely out of character for the area and will impact significantly on the existing properties. The noise, traffic movement and emissions, lighting and high density of accommodation will detract from the quiet lifestyle enjoyed and expected by current residents as well as devaluing their existing homes. The prime reason for purchasing our property was because of it being in the quiet outskirts of Mareeba and looking at a peaceful home.

If this proposed "Material Change of Use" is approved how can any property owner in Mareeba, with a boundary fence adjoining vacant land, be assured something of this nature would not be approved next to their home?

I have been a resident here my entire life, 3rd generation, and hope Mareeba will remain a town where people can be secure in the knowledge that areas in which they purchased land and built homes will not be subjected to council granting a "Material Change of Use" for a proposed development application such as this

Warm regards
Donny and Teresa Brcko
4 Debel Close
Mareeba 4880

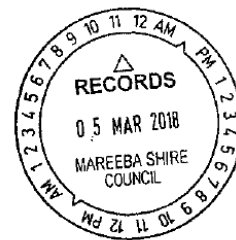


URP-MCU N/A
MCU/17/0017

Mareeba Shire Council
Po Box 15
Mareeba QLD 4880

Mary Blackman
3 Debel Close,
Mareeba QLD 4880
Postal: Po Box 561, Mareeba 4880
PH: 07 4092 3518

RE: Objection to Amended Development Application MCU/17/0017
Roadhouse Property Unit Trust - 1-7 Williams Close Mareeba



To Mareeba Shire Council Town Planning and Mareeba Shire Councillors,

Thank you for this opportunity to have my say about this development.

After living at my current residence for the past 20 years we have enjoyed a peaceful relaxed lifestyle where I know I can come home to unwind from a hard day. I find this development to be grossly inconsistent with current surroundings and infrastructure within the area.

Clearly a development of this kind raises some concerns of property value and safety concerns for myself and my family who are living with disabilities.

The application has caused confusion with what is being applied for. In some sections of the application the development is referred to the building of a Tourist Park, Short Term Accommodation and Food and Drink Outlet, while in other sections it is referred to as a Roadhouse and Accommodation Park. Will this be a *short term accommodation or undefined timeframe Roadhouse and Accommodation Park*? What is a *short term timeframe*?

Under "Amenity codes P09 and P06" the comments state that "The proposal has been designed appropriately incorporating setback, design, materials and the likes to ensure the proposal does not significantly detract from the AMENITY of the local area". There is nothing in this application which suggests this in this case. The hours of operation, noise control, traffic, privacy etc. have **not** been addressed at all.

Within the plans in the Main Building there is a Bar. *Will this bar be licensed to sell alcohol? Will timeframes for trading/selling alcohol be in place?*

The plans also state there will be 2 x 10 Double room Backpackers buildings which will be located right behind neighbours rear fences, a short distances from homes. The idea of possibly a large numbers of backpackers partying almost in our quite neighbourhood is a massive problem and concern for our continued peace and quiet and sanity. *Once the backpackers buildings are full will they (backpackers) be also moving into the cabin style rooms because let's face it the developer is building this facility to make money aren't they?* If so we could be looking at up to 143 backpackers coming and going. We fear we may have a repeat of the neighbourhood complaints as in the Egan St area (Coincidence that there is a caravan park in the area full of backpackers maybe but we doubt it), happening in our backyard with young children witnessing the goings on. I have included a crime maps from Queensland Police website to show the crime in the Egan St area compared to our crime free quiet location in Debel Close and surrounds. So why create another problem if we don't have to.

The road widening of Williams Close to accommodate larger vehicles is also a noise concern if trucks are coming and going at all hours of the day and night because let's face it trucks only stop for rest & food and they are on their way again at any time of the day or night. *If fridge van trucks are parked up will they be permitted to run their noisy motors all night? Will cattle trucks with noisy smelly cattle be parking for hours on end? Also if trucks are needing to maintenance e.g. Changing tyres etc, will this happen on site? This again would be a noise issue.*

This information has been copied and pasted from Queensland Transports webpage and can be found at <https://www.qld.gov.au/transport/safety/heavy/rules#parking> With this information one would assume that the feasibility of widening Williams Close for "Larger Vehicles/Truck Stop" would not be viable.

Stopping and parking rules

If you're driving a heavy or long vehicle, you can stop in built-up areas for up to 1 hour. You can only stop for longer if:

- you're dropping off or picking up goods—for the entire period your vehicle is stopped
- signs say otherwise.

You may only stop on the shoulder of roads in non-built-up areas.

You can contact your local council if you have a stopping or parking issue relating to a heavy vehicle.

With the staged RV park / Roadhouse / Short term Accommodation and food and drink outlet. *Will the sites be powered so their residents don't have to run generators continually therefore creating a noise issue?* The developer does not address the timeframe of operating hours, as you can imagine someone trying to manoeuvre a large RV into a parking bay at midnight would be an additional concern for noise. *What associated odours come*

with a RV Dump Point? Are the time restrictions on the use of the RV Dump Point in order to reduce noise levels after dark?

Under Landscaping Code it's stated that "Appropriate Acoustic Fencing is also provided where necessary to the adjoining allotments". *Who determines where "NECESSARY" is? What is Appropriate Acoustic Fencing? There does not seem to be any other measure taken to control noise other than the mentioned fencing for neighbouring properties (i.e. Garden buffers?). With 3mt siting from boundaries garden buffers almost seem impossible.*

Siting AO2.1 – Buildings and structures setbacks. (b) 3 meters from site and rear boundaries. A building with multiple bedding i.e. backpackers building being only 3 meters from our rear boundary is completely UNACCEPTABLE. AO2.2 – Car parking and set down areas are set back 2 meters from a boundary. Once again this a totally unreasonable distance and the noise generated from vehicles coming and going and doors opening and closing day and night.

Mulligan Highway/McGrath Road intersection: I feel the current intersection will be in need of an upgrade to accommodate the influx of vehicles large and small. I would like to know what measures are in place for this. i.e. Main Roads Report

Once Lot 12 has had its Material Change of Use applied I fear that the existing residence will be demolished and more buildings will be put in, this would again greatly affect our quiet, crime free area.

Upon noticing current Material Change of Use Applications (Kenneally Road & Springs Road to name the ones we know of) in Council at present, how many of these types of developments does one small town need on top of already existing local motel/hotels, and farming backpackers accommodation already established?

In summary, as a existing resident and rate payers in the Mareeba Shire I don't like to discourage development in our shire but this site is not suitable for this kind of development. There are other more appropriate sites around Mareeba which would be more suitable locations for this kind of development, for example a block just to the north on the corner of Adil Road and Mulligan Highway, which would be an easy flow for traffic with the council truck stop right across the road. What about the Mareeba Industrial Estate? There's plenty of room over there for a development like this.

I can't stress enough how this proposed development has affected me already. This proposed development will affect the housing prices and already the selling ability and the development hasn't even started yet. So the possibilities of a development like this devaluing the surrounding area is quite high and I find it extremely unfair that multiple

current and future property owners could lose out financially(future property sales) for one person to benefit(property developer) extremely unfair.

This development in its entirety is not suitable to be close to family homes, which I and my neighbours have spent a lot of money and time to build our safe and happy homes. This development will turn our quiet area into a noisy stressful environment.

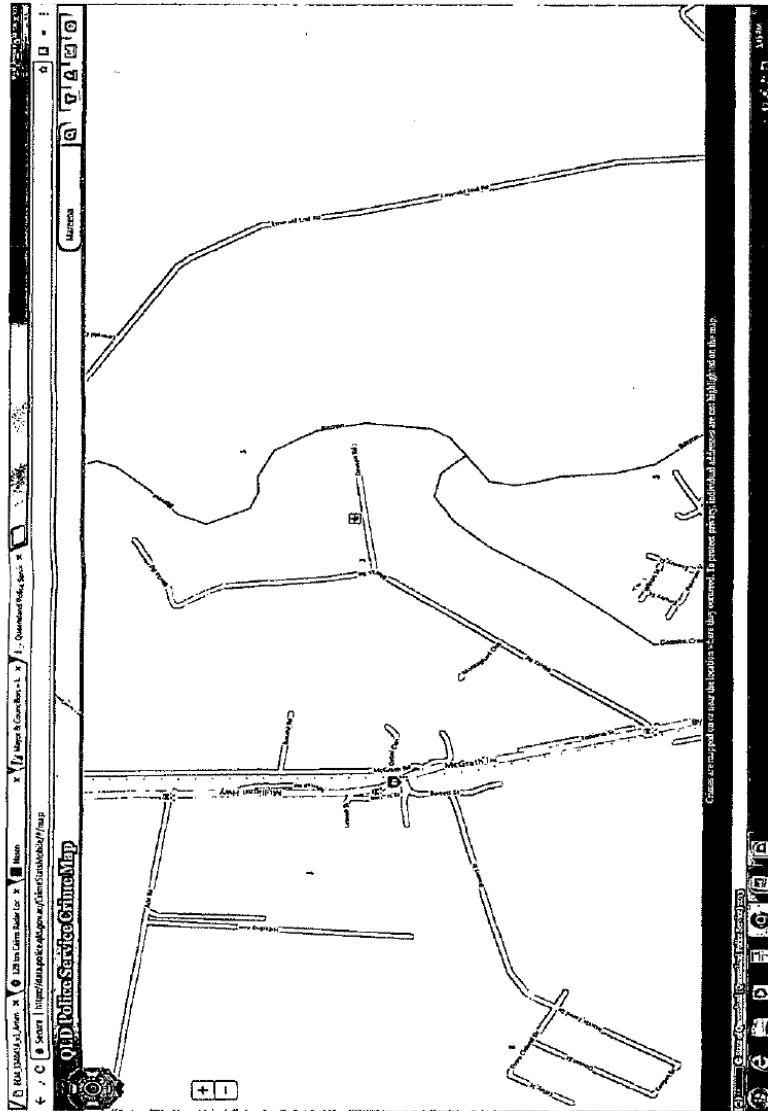
We would also like to know as parents & landowners yourselves would you be interested in purchasing or living in a property with this sort of development in your backyard and if not we can't see why we should have to?

Mary Blackman & Family

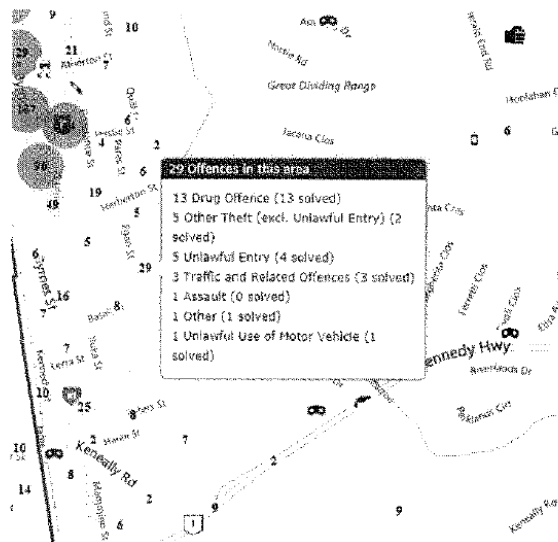


Crime Map from Queensland Police site – 13 month period 01.01.2017 – 20.02.2018

Highlighted Egan St area.



Crime Map from Queensland Police site – 13 month period 01.01.2017 – 20.02.2018
Debel Close & McGrath Road areas. The map speaks for its self.



Mareeba Shire Council
Po Box 15
Mareeba QLD 4880



Reginald & Teresa Wheatley
6 Debel Close,
Mareeba QLD 4880
Postal: Po Box 1570, Mareeba 4880
PH: 0417 643 501

URP-MCU N/A
MCU/17/0017

RE: Objection to Amended Development Application MCU/17/0017
Roadhouse Property Unit Trust - 1-7 Williams Close Mareeba

To Mareeba Shire Council Town Planning and Mareeba Shire Councillors,

Thank you for this opportunity to have our say about this development.

After living at our current residence for the past 20 years we have enjoyed a peaceful relaxed lifestyle where we know we can come home to unwind from a hard day's work. We find this development to be grossly inconsistent with current surroundings and infrastructure within the area.

Clearly a development of this kind raises some concerns for us and our young family.

Firstly the application seems to be all over the place stating in some instances that the developer is planning on building a Tourist Park, Short Term Accommodation and Food and Drink Outlet then in other instances a Roadhouse and Accommodation Park. *Is it a short term accommodation or undefined timeframe Roadhouse and Accommodation Park? What is a short term timeframe?*

Under "Amenity codes P09 and P06" the comments state that "The proposal has been designed appropriately incorporating setback, design, materials and the likes to ensure the proposal does not significantly detract from the AMENITY of the local area". There is nothing in this application which suggests this in this case. The hours of operation, noise control, traffic, privacy etc. have **not** been addressed at all.

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Siting AO2.1 – Buildings and structures setbacks. (b) 3 meters from site and rear boundaries. A building with multiple bedding i.e. backpackers building being only 3 meters from our rear boundary is completely UNACCEPTABLE. AO2.2 – Car parking and set down areas are set back 2 meters from a boundary. Once again this a totally unreasonable distance and the noise generated from vehicles coming and going and doors opening and closing day and night.

Mulligan Highway/McGrath Road intersection: We feel the current intersection will be in need of an upgrade to accommodate the influx of vehicles large and small. We would like to know what measures are in place for this. i.e. Main Roads Report

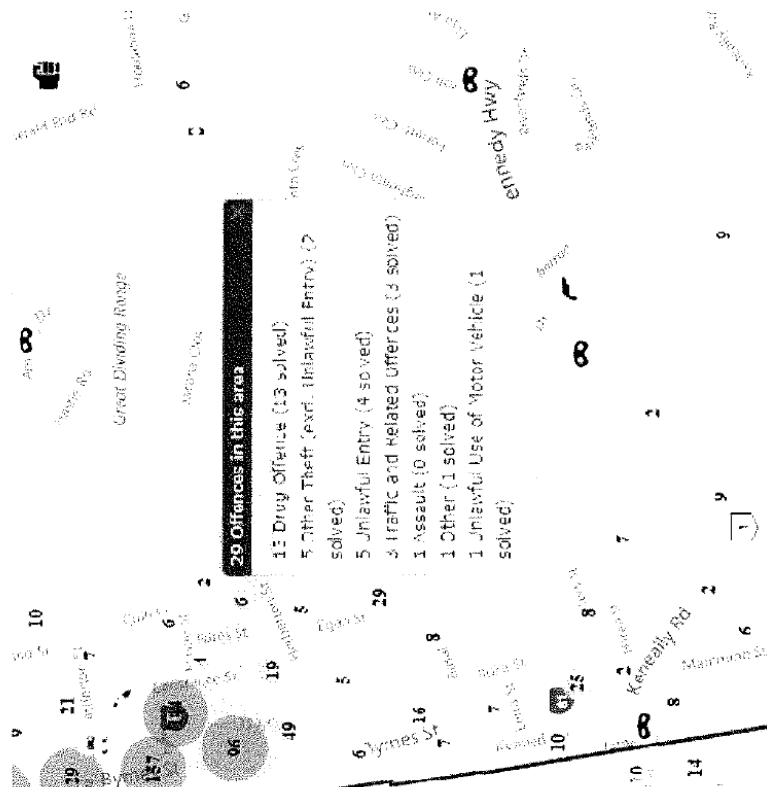
Once Lot 12 has had its Material Change of Use applied we fear that the existing residence will be demolished and more buildings will be put in, this would again greatly affect our quiet, crime free area.

Upon noticing current Material Change of Use Applications (Kenneally Road & Springs Road to name the ones we know of) in Council at present, how many of these types of developments does one small town need on top of already existing local motel/hotels, and farming backpackers accommodation already established?

In summary, as long term business owners in the earthmoving industry and multiple rate payers in the Mareeba Shire we don't like to discourage development in our shire but this site is not suitable for this kind of development. Upon driving around Mareeba for a short time we found a 10 acre block just to the north on the corner of Adil Road and Mulligan Highway which would be ideal for this kind of development, which would be an easy flow for traffic with the council truck stop right across the road. Another location is the parcel of land at the old Timber Mill site in Byrnes St, yet again no residences directly neighbouring the property and generally if trucks are heading north they need to pass through town. Easy shopping for residents and safe pathways are already in place for them to get to the shops. What about the Mareeba Industrial Estate? There's plenty of room over there for a development like this.

Crime Map from Queensland Police site – 13 month period 01.01.2017 – 20.02.2018

Highlighted Egan St area.



5 March 2018

5 Barrett Street
Mareeba 4880

Town Planning
Mareeba Shire Council
PO Box 154
Mareeba 4880

TO WHOM IT MAY CONCERN

Re Development Application MCU/17/007 Williams Close Mareeba

I write in support of the development of Williams Close, Mareeba as a roadhouse complex.
I have been involved in the quarrying and transport industry in the Mareeba district for 50 years.
Mareeba is a busy hub for transport particularly with the successful Mareeba Industrial Park.

I strongly believe such a roadhouse will have a positive impact for transport operators to the area
and is well overdue.

As a relatively close neighbour, I do not have any objection to this project.

Yours faithfully


Buck Jones



Objection to
All Night Truck stop / backpackers
accommodation and a Material change of use.
Development Application ref: MCU / 17 / 0017.
Williams close.

04-03-2018 2 pgs.

As a large investors in a property which will be adjacent to this proposed development we strongly appose and objecting to it's acceptance.

After spending a million dollars on our retirement place of residence.
Being told by the council that this is a Rural Residential stable, previously established and well settled subdivision.

Where we could live peacefully.

Being entitled to do so, in a quiet non commercial environment. Having purchased property in this area Zoned Rural Residential.

This proposed development is in total contradiction to what we have been lead to believe was the case.

There are plenty of other areas within this council that would be able to accommodate this proposed development. Doing so on an improved level instead of destroying so many family's right to peace and quite.

This development in expecting (could even be many more) 100 vehicles per day.
Who will be counting ? roughly at a modest guess 5 per hr. one every 12 minutes.
Double this as vehicles will have to depart ! Bringing this total of vehicle movement to 10 per hr. = vehicle movement every 6 minutes.

What percentage of these vehicles will be Trucks ?

The traffic noise will be constant, delivering the sound of a busy main road.

This sound will echo and reverberate, over our back fence. Over our neighbours back fence, across their block onto our property.

Not forgetting the noise will travel across the park and into the cul-de-sac. Which will act as a sound tunnel carrying the noise to all residences, that are all ready in place in this area. Having also invested in millions of dollars worth of Real Estate in the Mareeba shire, while building and renovating for many years, supporting small business in the township of Mareeba.

This development will damage our peaceful expensive investment and will totally destroy the FAITH, the integrity what everyone believed we had, which was the legal

2

protection from the Mareeba Shire council against this happening. How could this affect future Real Estate confidence in Mareeba if this goes ahead? Will the public be able to trust Mareeba Shire council?

Sleep deprivation as we all know is a terrible debilitating stressful situation. What **undisturbed** sleep are we going to get?

With an ALL NIGHT TRUCK STOP ON OUR DOOR STEP.

One has to ask why would Mareeba Shire Council allow this development to go ahead, surrounded by so many residential developed blocks of land. ? Uncontrolled noise from backpackers until midnight on week-ends, and 9.00pm during the week without respite, could greatly cause aggravation by betrayed residence. Where will this social destruction end.? Yes it has to be considered. We are the people who are paying the Rates

The fumes from this constant surge of traffic will drift onto our property as well as next doors, as this development is going to be backing onto our back fences. Seriously ! this a nightmare.....

Of course once the Material change of use has been granted. They will eventually demolish the old residence on the property, obliterating the trees and garden area, easily obtaining building permission to expand, as the Change of Material Use will cover the entire block of land. We will be helpless.

The expansion of the already approved development will then encroach even more into our lives. This proposal to develop this land changing the Material use is ridiculous, in such a small space. How are the Trucks going to turn around ?

If the Council does not sell the land in question to the developers this proposed development cannot go ahead. Is there a pre arranged agreement set up when the land was developed for this to occur in the future, as a part of the subdivision agreement ? If this is the case then of course the sale of this land back to the developer cannot be changed. There are many things to be considered.

Tanya D Blake
Tanya D Blake Property owner
David M Blake
David M Blake Property owner.
Yosarin Blake
Yosarin Blake Property owner.

ADDRESS:

8 DEBEL CLOSE
MAREEBA QLD 4880

PHONE:

HOME - 40925040

MOBILE - 0448 933888

E MAIL - tdbnh@hotmail.com

2

Rex & Frances Petersen
PO Box 557
Mareeba Qld 4880



Mareeba Shire Council

Rankin St

Mareeba Qld 4880

1st March 2018

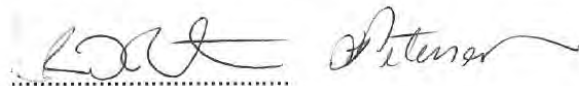
***RE: Development Application MCU/17/0017 for Material Change of Use for
1-7 Williams Close, Mareeba on behalf of Roadhouse Property Unit Trust***

As the property owner of 1 Debel Close Mareeba, I object to the application for a "Material Change of use" as proposed in this development application.

This future proposition will have a huge impact on the existing properties in the surrounding area. The noise, traffic movement and emissions, lighting and high density of accommodation will detract from the quiet lifestyle as well as devaluing our existing properties.

I seriously request Council to fully consider the effects this will have and forever have on local residents if approved. I urge council not to approve a development of this nature on land adjoining private homes.

Yours Sincerely



Rex & Frances Petersen

Mareeba Shire Council
P O Box 15
Mareeba Qld 4880



C W & L Blyth
7 Debel CI
Mareeba Qld 4880

MCU/17/0017
15/11/2017

Amended Development Application MCU/17/0017

Roadhouse Property Unit Trust – 1-7 Williams Close Mareeba 4880.

As property owners at 7 Debel Close, we lodge this objection to the Development Application outlined above.

The Application proposes a "café and dining area; kitchen; bar; office; reception and associated shop; laundry and amenities. A manager's residence..... will also provide for 55 parking spaces, a bus bay and communal open space including a swimming pool. It is considered in total that the proposal will provide for approximately 143 beds".

The application is both a Material Change of Use and Impact Assessable, in terms of the Mareeba Shire Council Planning Scheme.

I outline the obvious above only in respect of contending that I feel it is Council's and Councillors responsibility to protect the amenity, the "quiet enjoyment" and indeed the property values of rate payers in the Shire. Notwithstanding the "Emerging Communities and Recreation and Open Space" zoning, the large and seemingly inappropriate development is located in what is clearly an enclave of mostly rural residential dwellings. The impact on those dwellings will be substantial in respect of amenity, quiet enjoyment, lighting and noise.

Under "Amenity PO9 and PO6" and the comments to the right, the application states "The proposal has been designed appropriately incorporating setbacks, design, materials and the likes TO ENSURE THAT THE PROPOSAL DOES NOT SIGNIFICANTLY DETRACT FROM THE AMENITY OF THE LOCAL AREA". There is nothing in this Application which suggests this is the case. The noise, hours of operation, traffic, privacy, lighting, etc have in no way been addressed. To suggest that the "Amenity", disruptions a 143 bed establishment, café, bar, dining area etc, etc, will generate, has been addressed in this Application and indeed can ever be fully addressed is wrong.

The properties directly adjoining the Development and the properties in a reasonable radius can in no way be assured that there will not be major and ongoing disruptions to their lives, in what they know, and purchased in good faith, only as a quiet rural residential area. Some adjoining land owners recently had very interested prospective purchasers for their home but when the potential purchasers were made aware of the development proposal they did not proceed to contract of sale. These resident owners were selling to build a new home in Mareeba on a block purchased previously. "Perception is Reality" in respect of the way any likely purchaser in this area will view the Development in its planning stage and on completion. It is difficult to deny this will have a marked effect on property values, if indeed the properties can be sold at all (example earlier). This obviously impacts the standard of living now and any future plans of innocent residents when wanting to sell their properties.

Mareeba Shire Council
Rankin St
Mareeba 4880

Renzo Fanna
30 McGrath Rd
Mareeba 4880



18 February 2018

RE: Development Application for Material Change of Use for 1-7 Williams Close, Mareeba on behalf of Roadhouse Property Unit Trust.

As a property owner of 30 McGrath Road I object to the application for a "Material Change of Use" as proposed in this development application.

The proposed future use of this area is completely out of character for the area and will impact significantly on existing properties. The noise, traffic movement and emissions, lighting and high density of accommodation will detract from the quiet lifestyle enjoyed and expected by current residents as well as devaluing their existing homes.

If this proposed "Material Change of Use" is approved how can any property owner in Mareeba, with a boundary fence adjoining vacant land, be assured something of this nature would not be approved next to their home.

I have been a resident here my entire 66 years and hope Mareeba will remain a town where people can be secure in the knowledge that the area in which they purchased land and built homes will not be subjected to council granting a "Material Change of Use" for a proposed development application such as this.



Renzo Fanna

URP-MCL
JCT. URP

Email info@msc.qld.gov.au
Mareeba Shire Council
Box 154
Mareeba QLD 4880
Ref MCU/17/007

Dennis Dents Transport

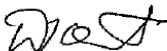
Dear Sir,

RE: Development Application for Roadhouse and Cabin Park Approval

This development has my full support and wish it well with the approval it will fill a gap which is long overdue on the northern side of Mareeba.

Now the truck drivers, cattle sales area and general public will have a facility to assist them in their day to day operation.

Regards,


Dennis Dent
Transport Operator



DS/A3346687

Natacha Jones

From: jesse corcoran <jcdiesel22@yahoo.com.au>
Sent: Wednesday, 21 February 2018 6:29 PM
To: Info (Shared)
Subject: MCU/17/0017 - John Corcoran submit letter of support for development application

This development has my full support, the town needs more accommodation and has no roadhouse in the real sense of the word.

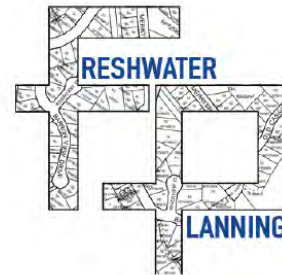
I see trucks parked up across from Coles to find a feed, for a truck hub this is pretty poor.

Regards, John Corcoran, JC diesel mechanical. 26 Gowan street Mareeba.

Your Ref: MCU/17/0017
Our Ref: F17/34

05 April, 2017

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



Attention: Carl Ewin
Regional Land Use Planning Group

Dear Sir,

**RE: RESPONSE TO PUBLIC NOTIFICATION SUBMISSION
APPLICATION FOR A MATERIAL CHANGE OF USE – TOURIST PARK, SHORT TERM
ACCOMMODATION AND FOOD AND DRINK OUTLET.
LOTS 10, 11 & 12 ON SP168631, 1 – 7 WILLIAMS CLOSE, MAREEBA.
DEVELOPMENT APPLICATION MCU/17/0017.**

The following is provided in Response to the Public Notification Submissions received in relation to the Development Application MCU/17/0017 located at 1 – 7 Williams Close, Mareeba during the Public Notification Period. This Response has been drafted generally in summary of the received Submission.

The site is located within the Emerging Communities and Recreation and Open Space Zones and within the Mareeba Northern Investigation Precinct of the Mareeba Local Plan as per designated by the Mareeba Shire Council's Planning Scheme. The proposed development is not considered to be in conflict with the Emerging Community Zone nor the Mareeba Northern Investigation Precinct of the Mareeba Local Plan as it offers Urban Development as per outlined within these areas. The proposal is considered to provide the Mareeba Township with an essential Use that is not currently provided on the northern side of the Mareeba Township.

There were a number of Submissions that highlighted that the proposed development will be beneficial for the Industry (transportation) and surrounding Industries that is long overdue. These Supportive Submissions note that the proposal will assist and support in the day to day operations of Mareeba while allowing for the expansion of Industries within Mareeba resulting in a greater economy. They additionally note that there is an additional need for this form of accommodation within Mareeba and especially on the northern side of which the proposal is to satisfy. The Positive Submissions focus on the benefits that the Development will bring into the Mareeba Township filling a long overdue need for additional accommodation.

There were also a number of Negative Submissions that were received during the Public Notification Period. These Negative Submissions were in fact pro forma in nature which is generally regarded as a petition as oppose to individual Submissions. It is also noted that there was a petition as well however, this petition did not offer any grounds as to why they were against the Development Application. To firstly clarify, the proposal is for an Urban Residential Use located within the Emerging Community Zone and the Mareeba Northern Investigation Precinct of the Mareeba Local Plan in the new Mareeba Shire Council's Planning Scheme. The proposal provides

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

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

for acceptable Uses within the Zone that are not considered to conflict with the Intent and future planning of the Emerging Community Zone and Northern Mareeba Investigation Precinct. The Negative Submissions outline that the proposal will affect and has already affected the Property Values of the adjoining Debel Close. This is not considered to be a Town Planning Concern and not relevant to the proposed development. The Negative Submissions are generally summarised to include the points of contention being Amenity, Noise, Crime, Traffic, Safety and Character. Jim Papas from Jim Papas Civil Engineering Designer Pty Ltd has provided a Response to the perceived issues from the Negative Submissions (attached) with his comment in relation to Noise, Lighting, and Traffic as follows. It is noted that Jim Papas' Submission also makes comments on RV Dump Points and Setbacks.

Noise

Various submitters made claims about noise emulating from parties or vehicle movements. These claims are speculative as there is no supporting evidence, however, the Applicants have made provision for an on-site manager. In the presence of such a manager, it is unlikely that any noise that causes discomfort to other guests would be tolerated both on a personal level and from a reputational viewpoint. Clearly, it is not in the interests of the establishment or the manager to be the subject of noise complaints regardless of their origin.

Regardless, the Applicant intended to construct a "Colourbond" fence, at least 1.80 metres high, along that part of the northern boundary where such fencing does not currently exist. All "Colourbond" fencing along the northern boundary will be augmented with dense landscape plantings. Such fencing will also have a beneficial effect on neighbourhood privacy and will assist in crime prevention.

Traffic Movements, Truck Noise and Maintenance

Our original submission contained predictions of the possible increased truck movements. Conditions imposed by the Department of Transport and Main Roads limits truck access to the site to a maximum 3 axle truck – Class 4 as described in the Austroads Vehicle Classification system which is a service vehicle such as a garbage truck. It was never intended to permit site access to large vehicles. It is expected that trucks will park at the nearby decoupling facility and the drivers walk to the subject site or that the drivers decouple their loads and bring the prime mover only to the site. Maintenance of vehicles, except in emergencies, will not be permitted and vehicles such as refrigerated trucks will be discouraged from parking at the site.

It should also be noted that there will be no increase in traffic in Debel Close as a result of this development.

Lighting

Lighting within the site will be designed and constructed in accordance with the relevant Australian Standards while having regard for the Crime Prevention Through Design criteria. One such criterion is to avoid light pollution. We also draw attention to the proposed CCTV monitoring that is to be installed.

Williams Close

The existing bitumen seal width in Williams close is between 3.6 and 4.8m. We have widened Williams Close in accordance with the requirements of FNQROC Development Manual and to permit safe movement of vehicles, cyclists and pedestrians.

Further to the above, it is not considered that the proposed development will be out-of-character for the area in particular, with the Emerging Community Zoning of the site along with the Mareeba Northern Investigation Precinct and the Urban Expansion and Investigation Areas of the Strategic Framework. This has previously been outlined within the Town Planning Submission. It is considered that in this instance, the proposed development is appropriate, acceptable and provides for a much-needed service supporting the surrounding industries and Townships without affecting the future growth of Mareeba.

Further to the comments provided above from Jim Papas of Jim Papas Civil Engineering Designer Pty Ltd in relation to Noise concerns, the proponent of the site has informed Freshwater Planning Pty Ltd that the development has been specifically designed to incorporate a Caretaker's Manager Residence and that the proposal is aimed at providing an exceptional level of accommodation to ensure that residents and guests of the site are well looked after guaranteeing appropriate sleep through limiting any noise onsite. This is standard practice within Accommodation Establishments with the proposal proposing nothing different. As noted above the proposal will provide an appropriate level of acoustic separation by nominating a solid colourbond fence of at least 1.8 metres in height with the proponent accepting to go up to 2.1 metres in height if required along with landscaped planting to ensure that acceptable and appropriate acoustic measures are provided.

The Negative Submissions outline that the proposed development will increase crime within the area. The proposal has been designed allowing for casual surveillance and enhances the safety of pedestrians through the Crime Preventions Through Environmental Design (CPTED) principles. It is not considered that the proposal will increase the crime and is provided with appropriate measures to reduce any crime with the inclusion of the Caretaker's Managers Residence. It is not considered that this is a Town Planning Concern and is not relevant.

The proposal provides for staged development and can incorporate appropriate permanent Landscaping to soften the Development during the Staging to aid in enhancing the visual amenity of the site.

It is considered that the proposed Tourist Park, Short Term Accommodation and Food and Drink Outlet providing Urban Residential Uses is acceptable and appropriate that are not considered to conflict with the Intent and future planning of the Emerging Community Zone and Northern Mareeba Investigation Precinct. The proposed development offers long overdue accommodation alternatives to the northern side of the Mareeba Township assisting in the day to day operations of the Mareeba Township. It is considered that the proposal provides for adequate noise amelioration while not significantly affecting the surrounding amenity and character. It is not considered that the proposed development affecting Property Values is a valid Town Planning Concerns as per provided within the Negative Submissions.

Yours faithfully,



MATTHEW ANDREJIC

FRESHWATER PLANNING PTY LTD

P: 0402729004

E: FreshwaterPlanning@outlook.com

A: 17 Barron View Drive, FRESHWATER QLD 4870

Jim Papas Civil Engineering Designer

PTY LTD. ABN 56 010 943 905. ACN 010 943 905

Design Excellence, Exceptional Service

The Manager,
Freshwater Planning,
17 Barron View Drive,
FRESHWATER QLD. 4887

April 5, 2018
1370 L02

Attn: Mr. Matt Andrejic

Dear Sir,

RE: MAREEBA ROADHOUSE AND ACCOMMODATION PARK - RESPONSE TO SUBMITTERS

We refer to the various matters raised by submitters as a result of the public Consultation phase of this application. We are responding only to matters of an engineering nature and these matters are:

Noise

Various submitters made claims about noise emanating from parties or vehicle movements. These claims are speculative as there is no supporting evidence, however, the Applicants have made provision for an on-site manager. In the presence of such a manager, it is unlikely that any noise that causes discomfort to other guests would be tolerated both on a personal level and from a reputational viewpoint. Clearly, it is not in the interests of the establishment or the manager to be the subject of noise complaints regardless of their origin.

Regardless, the Applicant intended to construct a "Colourbond" fence, at least 1.80 metres high, along that part of the northern boundary where such fencing does not currently exist. All "Colourbond" fencing along the northern boundary will be augmented with dense landscape plantings. Such fencing will also have a beneficial effect on neighbourhood privacy and will assist in crime prevention.

Traffic Movements, Truck Noise and Maintenance

Our original submission contained predictions of the possible increased truck movements. Conditions imposed by the Department of Transport and Main Roads limits truck access to the site to a maximum 3 axle truck – Class 4 as described in the Austroads Vehicle Classification system which is a service vehicle such as a garbage truck. It was never intended to permit site access to large vehicles. It is expected that trucks will park at the nearby decoupling facility and the drivers walk to the subject site or that the drivers decouple their loads and bring the prime mover only to the site. Maintenance of vehicles, except in emergencies, will not be permitted and vehicles such as refrigerated trucks will be discouraged from parking at the site.

It should also be noted that there will be no increase in traffic in Debel Close as a result of this development.

RV Dump Point

We attach a flyer showing a typical proprietary brand of dump point. This shows the typical arrangement of the dump site and for obvious reasons there is an emphasis on keeping it clean and odourless. The Applicant is providing this facility as a service to the travelling public and is willing to delete it from the application if necessary.

Setbacks

Please address all
correspondence to:
**P.O. Box 2347,
Mareeba, Qld 4880**



Email: admin@jpced.com.au
Mobile: 0408 770 394

Jim Papas Civil Engineering Designer

Various submitters suggested that the setbacks shown in the Application Documents need to be increased. In this regard, the Applicant will comply with all relevant statutes and codes.

Lighting

Lighting within the site will be designed and constructed in accordance with the relevant Australian Standards while having regard for the Crime Prevention Through Design criteria. One such criterion is to avoid light pollution. We also draw attention to the proposed CCTV monitoring that is to be installed.

Williams Close

The existing bitumen seal width in Williams close is between 3.6 and 4.8m. We have widened Williams Close in accordance with the requirements of FNQROC Development Manual and to permit safe movement of vehicles, cyclists and pedestrians.

We trust that this is satisfactory, however, if you have any queries or if we can be of further assistance please do not hesitate to call.

Yours faithfully,

JIM PAPAS
CIVIL ENGINEERING
DESIGNER PTY. LTD.



JIM PAPAS



Setting the standard in user-friendly dump points



Typical Installation

Photo courtesy of
Coral Coast Tourist Park

The first stop for all portapotties!

The Dump-Ezy dump point is the entry point for all grey water portapotty and mobile toilet waste entering the waste treatment system.

It is designed to be easily identifiable, attractive and user-friendly, with simple to follow instructions.

This easy to install, innovative product includes built-in simple and effective operational signage.

The lid is lockable and strong yet light-weight and includes a moulded-in handle and a rubber seal.

The unit is manufactured from tough, UV-stabilised, non-corroding polyethylene.

Design Registration No. 153860

Note: The Dump-Ezy unit is not a treatment system. It is only the front end of a process and needs to be installed in front of an appropriate holding tank, septic tank or sewer line.

It can be installed on top of a floor or cast into a concrete slab.

The unit allows for direct discharge to sewer and/or to a holding tank.



Photos courtesy of
Coral Coast Tourist Park.



Gough Plastics would like to thank the Campervan & Motorhome Club of Australia for their invaluable help in the development of this product.



ATS5200.482
Certificate Number WMKT21102

GOUGH PLASTICS FREECALL 1800 069 805

INSTALLATION GUIDELINES



3,000L Holding Tank Option

Comes pre-plumbed direct to holding tank for immediate installation.



We support Domestic Tourism, so holiday in Australia and visit your local showground or caravan park and camp and stay in the town and your money will stay local.

Dump-Ezy, setting the standard in user-friendly dump points

Site Location

When selecting a site to install the Dump-Ezy, consideration should be given to traffic in and around the area. Dump-Ezy should be installed away from high traffic areas to ensure user safety. Consideration should be given to any nearby features such as toilet blocks, tables, play grounds etc. Side access roads and isolated pull-over bays are ideal.

Barriers

Physical barriers, such as concrete curbing, metal railings, treated pine stumps etc., can help prevent vehicles from coming in contact with the Dump-Ezy. These should be positioned in a way that still allow clear access for persons and hoses/cartridges.

Hose Wash Down

A tap and hose should be provided next to installations to enable wash down with each use. This ensures a clean unit is maintained.

Drainage

Adequate drainage should be provided in and around the Dump-Ezy to prevent infiltration from high rainfall, runoff etc.

Signage

Adequate signage should also be installed to make people visibly aware of the Dump-Ezy. Ask your local agent how to obtain these.



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and its people with a passion

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**ITEM-5 B PROVE - ROL SUBDIVISION (1 INTO 3 LOTS) - LOT 198
NR1994 - POPOVIC ROAD, KOAH - RAL/17/0011****MEETING:** Ordinary**MEETING DATE:** 18 April 2018**REPORT OFFICER'S
TITLE:** Planning Officer**DEPARTMENT:** Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	B Prove	ADDRESS	Popovic Road, Koah
DATE LODGED	14 December 2017	RPD	Lot 198 on NR1994
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot - Subdivision (1 into 3 Lots)		

FILE NO	RAL/17/0011	AREA	90.852 hectares
LODGED BY	B Prove	OWNER	B Prove
PLANNING SCHEME	Mareeba Shire Planning Scheme 2004 (Amendment No. 01/11)		
ZONE	Rural Zone		
LEVEL OF ASSESSMENT	Code Assessment		
SUBMISSIONS	n/a		

ATTACHMENTS: 1. Proposal Plan/s

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 application and supporting material has been assessed against the relevant statutory planning instruments including the FNQ Regional Plan, the State Planning Policy, and the now superseded Mareeba Shire Planning Scheme 2004 (including codes and polices) and does not conflict with any relevant instrument.

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

OFFICER'S RECOMMENDATION

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

APPLICATION		PREMISES	
APPLICANT	B Prove	ADDRESS	198 Popovic Road, Koah
DATE LODGED	14 December 2017	RPD	Lot 198 on NR1994
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot - Subdivision (1 into 3 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:

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

And

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

(A) APPROVED DEVELOPMENT: Development Permit for Reconfiguring a Lot - Subdivision (1 into 3 Lots)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
-	Site Plan	Applicant	14/12/2017

(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

- 2.1 The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the endorsement of the plan of survey, except where specified otherwise in these conditions of approval.

3. General

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

3.7 Bushfire Management

Any new dwelling erected on each lot shall:

- (i) Achieve a setback from hazardous vegetation of 1.5 times the predominant mature canopy tree height or 10 metres, whichever is greater.
- (ii) Include on-site water storage of not less than 5,000 litres, with a 50mm male camlock fire brigade fitting where necessary, to be provided at the same time the dwelling is constructed.

3.8 Rural Addressing

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

3.9 Charges

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

3.10 Access Easement/s

Easements must be provided through lots 1 and 2 over the entire length of the shared access driveway mentioned in Condition 4.2 in favour of Lots 2 and 3 for the purpose of access. Easement documents should include shared maintenance provisions for the access driveway mentioned in Condition 4.2.

Copies of the easement documents must be submitted to Council for review prior to the endorsement of a plan of survey.

4. Infrastructure Services and Standards

4.1 Access

An access crossover must be constructed (from the edge of the road pavement to the property boundary of Lot 1) in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

4.2 Internal Road/Driveway

A shared access driveway through lots 1 and 2 (to access Lots 2 and 3) must be constructed/upgraded to an all-weather gravel standard with minimum formation width of 4 metres, to the satisfaction of Council's delegated officer prior to the endorsement of a plan of survey.

4.3 Roadworks – External

Popovic Road (from its intersection with Koah Road to a point 10 metres past the access crossover for Lot 1) must be upgraded/constructed to Rural Road Type <100vpd standard in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

The upgrade/construction works must ensure that all sections of the road are aligned within the road reserve and must include a minimum 3.5-metre-wide bitumen seal between the roads intersection with Koah Road to a point 50 metres past the dwelling house on Lot 196 on NR1994. After this point, Council will accept a formed gravel construction standard.

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

4.4 Stormwater Drainage

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

4.5 On-Site Wastewater Management

At the time of construction of a new dwelling on any lot, any associated on-site effluent disposal system must be constructed in compliance with the latest version On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of the Council's delegated officer.

5. Additional Payment Condition/s

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

5.2 The developer must pay a one-off payment of \$9,000.00 (\$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.

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

- The trunk transport network servicing the land (\$4,500.00 per additional lot)

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

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

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

- Complete the works prior to endorsement of the plan of subdivision.

5.6 The value, as agreed by Council's delegated officer, of the external works required under Condition 4.3 will be credited towards the additional payment required under Condition 5.2. Any credit will not exceed \$9,000.00.

(D) ASSESSMENT MANAGER'S ADVICE

- (a) A number of other charges or payments may be payable as conditions of approval. The applicable fee is set out in Council's Fees & Charges Schedule for each respective financial year.

- (b) Easement Documents

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

- (c) Endorsement Fees

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

- (d) Compliance with applicable codes/policies

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

- (e) Notation on Rates Record

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

- conditions regarding bushfire management
- a registered easement over the subject site (Lots 1 & 2 only)
- An on-site effluent disposal system must be constructed in accordance with the approved site and soil evaluation report

- (f) Transportation of Soil

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

(g) Environmental Protection and Biodiversity Conservation Act 1999

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

(h) Cultural Heritage

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

(E) RELEVANT PERIOD

When approval lapses if development not started (s.85)

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

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

- Development Permit for Operational Works (to include access approval for Condition 4.1)

(G) OTHER APPROVALS REQUIRED FROM COUNCIL

- Nil"

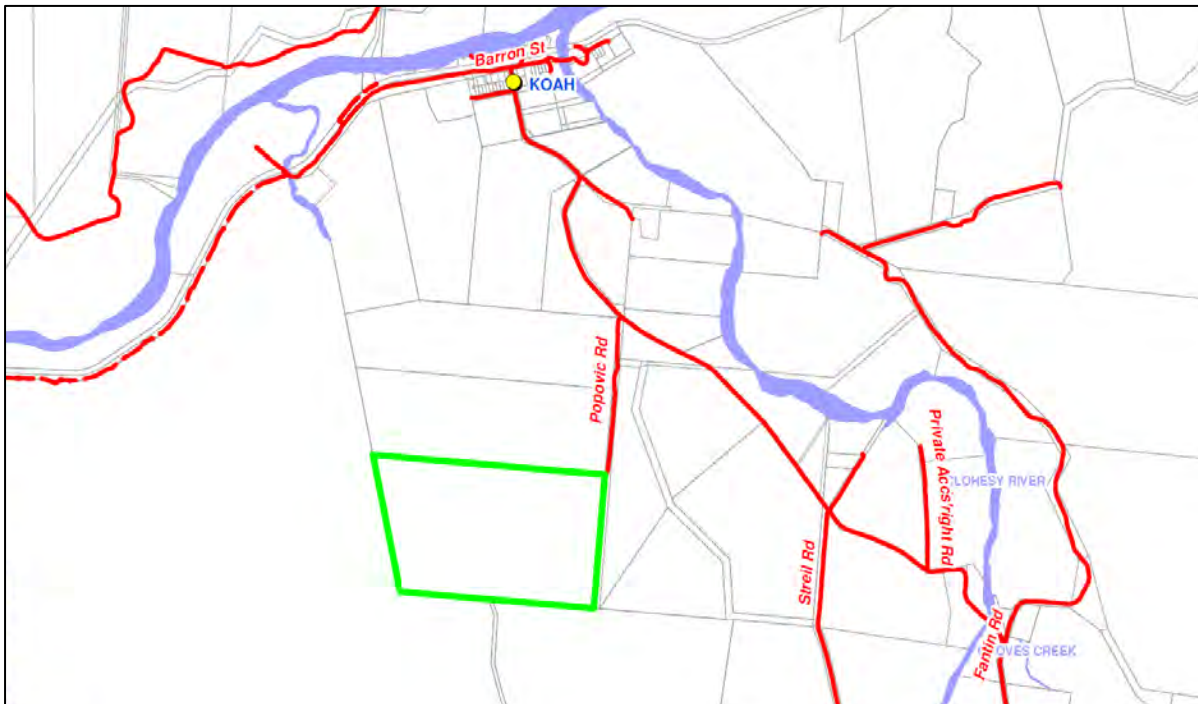
THE SITE

SITE AND LOCALITY DESCRIPTION	
Land Area:	90.852 hectares
Existing Use of Land:	Rural lifestyle/livestock grazing
Road Frontage:	752.7 metres of frontage to unconstructed continuation of Popovic Road road reserve (Popovic Road terminates at the site access)
Improvements:	1x Dwelling house, multiple outbuildings, cattle yards
Significant Site Features:	Majority of the site vegetated, front 3 rd of the site generally cleared, seasonal watercourse meandering through the centre of the site generally in a north-south alignment.
Services:	<ul style="list-style-type: none"> • Unformed gravel access crossover • On-site water supply • On-site wastewater disposal
Topography:	Slightly undulating, generally sloping downhill to the seasonal watercourse.
Surrounding Land Uses:	A mixture of rural lifestyle lots, small scale cropping and large livestock 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.

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BACKGROUND AND CONTEXT

Nil

PREVIOUS APPLICATIONS & APPROVALS

On 22 June 2017, B Prove, the landowner, lodged a request to apply the now superseded Mareeba Shire Planning Scheme 2004 (Amendment No. 01/11) to the assessment of a future application for reconfiguring a lot - subdivision (1 into 3 Lots) over land describe as Lot 198 on NR1994, situated at 198 Popovic Road, Koah. The request was approved by Council under delegated authority on 26 June 2017 and the applicant had six (6) months to lodge the development application.

This development application was lodged within the six (6) month timeframe and is therefore being assessed against the superseded Mareeba Shire Planning Scheme 2004 (Amendment No. 01/11).

DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Reconfiguring a Lot - Subdivision (1 into 3 Lots) in accordance with the plans shown in **Attachment 1**.

The subdivision will result in the creation of three (3) proposed lots as follows:

- Proposed Lot 1 - 30 hectares, approx. 5 metres of frontage to Popovic Road (which terminates at the site entrance) and approx. 230 metres of frontage to undeveloped road reserve;
- Proposed Lot 2 - 30 hectares, approx. 248 metres of frontage to undeveloped road reserve (access proposed via access easement along the eastern boundary of proposed Lot 1); and
- Proposed Lot 3 - 30.82 hectares, approx. 271.5 metres of frontage to undeveloped road reserve (access proposed via access easements along the eastern boundary of proposed lots 1 and 2).

Proposed Lot 1 will contain the sites existing dwelling and other improvements. Proposed Lots 2 and 3 include adequate usable area to allow for the construction of a future dwelling outside any mapped bushfire hazard area/impact buffers.

Access to proposed Lots 2 and 3 will be gained via access easements through proposed Lot 1 (for Lot 2) and proposed Lots 1 and 2 (for Lot 3).

REGIONAL PLAN DESIGNATION

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

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

PLANNING SCHEME DESIGNATIONS

Strategic Framework:	Potential Long Term Growth Area (Clohesy)
Zone:	Rural
Overlays:	Natural Disaster - Bushfire Overlay

RELEVANT PLANNING INSTRUMENTS

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

(a) Far North Queensland Regional Plan 2009-2031

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

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

DRO 2.6 Rural Subdivision		
Land Use Policy	Complies	Comments
2.6.1 <i>Further fragmentation of agricultural land in the regional landscape and rural production area is avoided to maintain economically viable farm lot sizes.</i>	✓	<p>The subject land is located within the indicative regional landscape and rural production area (RLRPA).</p> <p>The FNQRP State Planning Regulatory Provisions have been repealed and the Regional Plan no longer prescribes a minimum lot size for allotments subdivided in the RLRPA.</p> <p>Despite the repeal of the FNQRP State Planning Regulatory Provisions, the Regional Plan's planning principle to maintain economically viable farm lot sizes for agricultural land remains in effect.</p> <p>The subject land is not identified as Good Quality Agricultural Land and proposed Lots 1, 2 and 3 satisfy the minimum desired reconfigured lot size and frontage requirements of the Mareeba Shire Planning Scheme 2004.</p> <p>The proposed development complies.</p>

(b) State Planning Policy

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

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

Queensland State Planning Policy - July 2014		
State Interest	Complie s	Assessment Requirements & Comments
Natural hazards A development application for a material change of use, reconfiguring a lot or operational works on land within: <ol style="list-style-type: none"> (1) a flood hazard area, or (2) a bushfire hazard area, or (3) a landslide hazard area, or (4) a coastal hazard area. 	✓	For all natural hazards: Development: <ol style="list-style-type: none"> (1) avoids natural hazard areas or mitigates the risks of the natural hazard, and (2) supports, and does not unduly burden, disaster management response or recovery capacity and capabilities, and (3) directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties, and (4) avoids risks to public safety and the environment from the location of hazardous materials and the release of these materials as a result of a natural hazard, and (5) maintains or enhances natural processes and the protective function of landforms and vegetation that can mitigate risks associated with the natural hazard, and Comment The subject land does not contain any flood hazard, landslide hazard or coastal hazard areas. All three proposed lots contain large areas of land outside any mapped bushfire hazard area. Each lot will include ample space to accommodate future development outside these mapped hazard areas.

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

Relevant Development Codes

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

Part 4, Division 14	Rural Zone Code
Part 5, Division 8	Natural Disaster - Bushfire Overlay Code
Part 6, Division 12	Reconfiguring a Lot Code

The application did not include a planning report and assessment against the planning scheme. An officer assessment has found that the application satisfies the relevant acceptable solutions (or probable solutions/performance criteria where no acceptable solution applies) of the relevant codes set out below, provided reasonable and relevant conditions are attached to any approval.

Relevant Codes	Comments
Rural Zone Code	The application can be conditioned to comply with the relevant acceptable/probable solutions contained within the code.
Natural Disaster - Bushfire Overlay Code	The application can be conditioned to comply with the relevant acceptable/probable solutions contained within the code.
Reconfiguring a Lot Code	The application can be conditioned to comply with the relevant acceptable/probable solutions contained within the code.

(e) Planning Scheme Policies/Infrastructure Charges Plan

The following planning scheme policies are relevant to the application:

No. 4 - Development Manual

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

(e) Additional Trunk Infrastructure Condition - Road Infrastructure (Section 130 of PA)

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

Section 130 of the *Planning Act 2016* allows Council to condition additional trunk infrastructure outside the PIA.

Sections of both Popovic and Koah Road are currently constructed to less than the required standard. The two additional lots proposed will further add to the expected daily vehicle movements along both roads.

Based on the 2017/2018 Augmentation of the Road Network Contribution rate (see Fees and Charges Schedule), the following contribution is considered appropriate:

- 2 (10 vmpd) x \$4,500.00 = **\$9,000.00**

In accordance with Condition 4.3, the applicant is required to carry out significant upgrade works to Popovic Road. Considering the costs involved, it is considered reasonable to credit the cost of these works against the abovementioned augmentation of the road network contribution (see Condition 5.6).

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

Not applicable

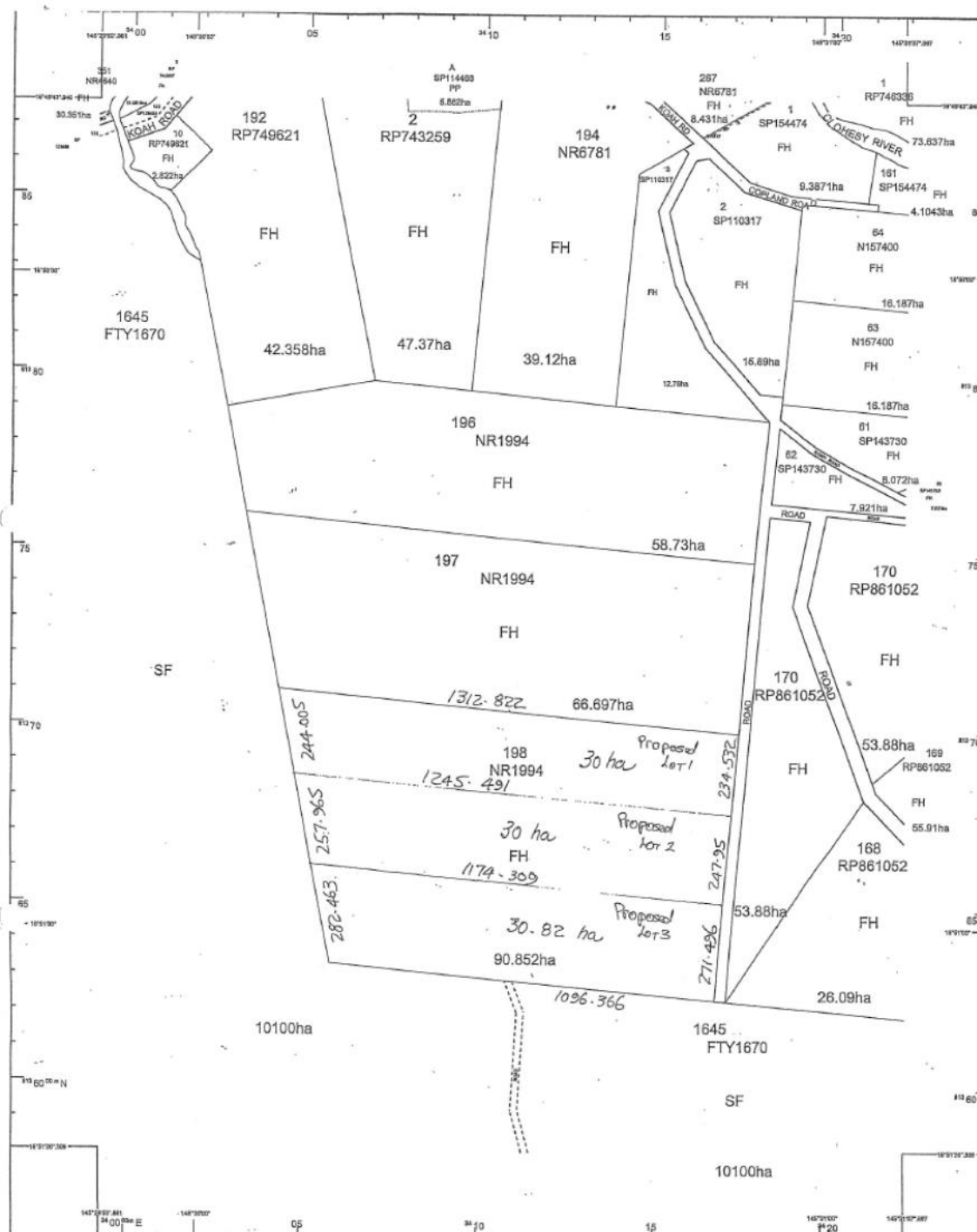
PLANNING DISCUSSION

Nil

Date Prepared: *5 April 2018*

PROPOSED PLANS

Reconfiguration of Lot 198 on NR1994 - Subdivision (1 into 3 Lots)



ITEM-6 J & L PAPAS - ROL SUBDIVISION (1 INTO 3 LOTS) - LOT 6 RP732287 - 393 EMERALD END ROAD, MAREEBA - RAL/18/0005**MEETING:** Ordinary**MEETING DATE:** 18 April 2018**REPORT OFFICER'S
TITLE:** Senior Planner**DEPARTMENT:** Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	J & L Papas	ADDRESS	393 Emerald End Road, Mareeba
DATE LODGED	12 March 2018	RPD	Lot 6 on RP732287
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot - Subdivision (1 into 3 lots)		

FILE NO	RAL/18/0005	AREA	4.837 hectares
LODGED BY	Planz Town Planning	OWNER	J & L Papas
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 development application described in the above application details.

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

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.

The proposed development conflicts with an overarching intent of the Agricultural land overlay code as it would result in further fragmentation of agricultural land, the ad-hoc creation of additional rural lifestyle allotments, and increase dwelling densities within a 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	J & L Papas	ADDRESS	393 Emerald End Road, Mareeba
DATE LODGED	12 March 2018	RPD	Lot 6 on RP732287
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot - Subdivision (1 into 3 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 3 lots)

(B) ASSESSMENT MANAGER'S REASONS FOR REFUSAL:

- The proposed development is in conflict with Overall outcomes (a) and (b) of the Agricultural land overlay code;*
- 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:*

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

- animal husbandry; or*
- animal keeping; or*
- cropping; or*
- dwelling house; or*
- home based business; or*
- intensive animal industry (only where for feed lotting); or*
- intensive horticulture; or*
- landing; or*

- (i) roadside stalls; or
- (j) winery.

PO2

*Sensitive land uses in the 'Class A' area, 'Class B' area or the 'Broad hectare 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 'Broad hectare 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;"

THE SITE

The subject site is situated at 393 Emerald End Road, Mareeba and is described as Lot 6 on RP732287. The site is generally regular in shape with a total area of 4.837 hectares and is zoned *Rural* under the Mareeba Shire Council Planning Scheme 2016.

The site has a frontage of approximately 172 metres to Emerald End Road. Emerald End Road is formed to bitumen sealed standard for the entire frontage with the subject land.

The subject site is improved by a dwelling house and shed, both of which are located in the north-west corner, in proximity to the Emerald End Road frontage.

The majority of the site is flat and has been cleared of remnant vegetation. Minimal domestic landscaping is established surrounding the dwelling house.

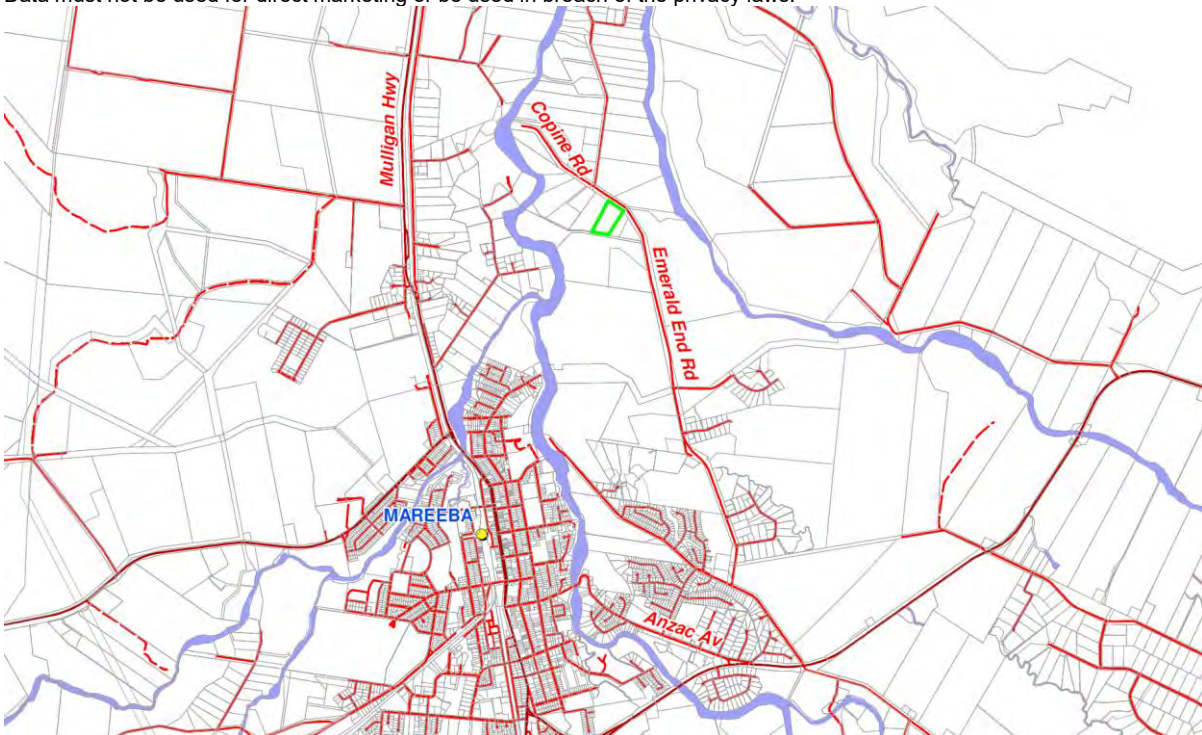
The site is currently serviced by a water bore, on site effluent disposal system, electricity and telecommunication networks.

Surrounding allotments are typically used for rural living purposes, with limited scattered small scale rural/horticultural pursuits.



Map Disclaimer:

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



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BACKGROUND AND CONTEXT

Nil

PREVIOUS APPLICATIONS & APPROVALS

Nil

DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Reconfiguring a Lot - Subdivision (1 into 3 lots) in accordance with the plans shown in **Attachment 1**.

The details of the proposed allotments are as follows:

- Lot 1 - 1.5982 hectares, 150 metres frontage to Emerald End Road;
- Lot 2 - 1.6208 hectares, 11 metres frontage to Emerald End Road;
- Lot 3 - 1.6179 hectares, 11 metres frontage to Emerald End Road.

Proposed Lot 1 will contain the established dwelling house, shed and associated onsite effluent disposal system. Proposed Lots 2 and 3 would be vacant upon their creation.

Access to proposed Lot 1 will continue via an established driveway onto Emerald End Road. Eleven (11) metre wide access handles are intended to provide access to proposed Lots 2 and 3 off Emerald End Road.

Proposed Lot 3 will contain the existing water bore, with new individual water bores planned for proposed Lots 1 and 2. Electricity and telecommunication services for each allotment is proposed in accordance with the planning scheme's requirements.

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' does not identify the site as being of any significance.

PLANNING SCHEME DESIGNATIONS

Strategic Framework:	Land Use Categories <ul style="list-style-type: none">▪ Rural Agricultural Area Natural Environment Elements <ul style="list-style-type: none">▪ Biodiversity Area
Zone:	Rural
Overlays:	Agricultural Land Overlay Airport Environs Overlay Bushfire Hazard Overlay Environmental Significance Overlay Flood Hazard 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
- 8.2.3 Bushfire hazard overlay code
- 8.2.4 Environmental significance overlay code
- 8.2.6 Flood hazard 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	<p>The application conflicts with the following performance outcomes and acceptable outcomes:</p> <ul style="list-style-type: none"> ▪ PO1 and AO1 ▪ PO2 ▪ PO3 ▪ PO6 <p>Refer to planning discussion section of this report.</p>
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.
Flood hazard 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	<p>The application is considered to have an insignificant conflict with the following performance outcomes:</p> <ul style="list-style-type: none"> ▪ PO1 <p>Refer to planning discussion section of this report.</p>
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

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

Section 130 of the Planning Act 2016 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

This application did not trigger a referral to a State Referral 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:

Minor conflict with the Reconfiguring a Lot Code

PO1

Lots include an area and frontage that:

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

A01.1

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

Comment

Existing Lot 6 on RP732287 has an area of 4.837 hectares which is significantly below the 60 hectares minimum area nominated in Table 9.4.4.3B.

Proposed Lots 1, 2 and 3 will have areas of 1.59 hectares, 1.62 hectares and 1.61 hectares respectively.

Despite their small lot size, the areas of proposed Lots 1, 2 and 3 are not significantly inconsistent with the smaller lot size of many of the allotments in the surrounding area.

The proposed reconfiguration does not significantly conflict with PO1 due to the established settlement pattern in this locality.

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.*

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 feed lotting); or*
- (g) intensive horticulture; or*
- (h) landing; or*
- (i) roadside stalls; or*
- (j) winery.*

Comment

The reconfiguration would create proposed Lots 2 and 3 as vacant rural allotments, each with accepted development rights to allow the construction of a dwelling house.

A future dwelling house on either Lot 2 or 3 could not be sited without a resulting loss of Class B area.

Council officers are not of the opinion that an overriding need exists for the development in terms of public benefit.

A significant 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 'Broad hectare 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 reconfiguration would create proposed Lots 2 and 3 as vacant rural allotments, each 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 future dwelling house on either Lot 2 or 3 could not be sited without a resulting loss of Class B area.

Siting additional dwelling houses within the Class B 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 reconfiguration would create proposed Lots 2 and 3 as vacant rural allotments, each with accepted development rights to allow the construction of a dwelling house.

A future dwelling house on either Lot 2 or 3 could not be sited without a resulting loss of Class B area.

Siting additional dwelling houses within the Class B area will alienate that portion of land for the life of the dwelling house (@100 years).

The proposed development is in conflict with PO3.

PO6

*Any Reconfiguring a lot in the 'Class A' area, 'Class B' area or the 'Broad hectare 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.

It is recommended the application be refused due to the conflicts with the Agricultural Land Overlay Code.

Date Prepared: 9 April 2018

PROPOSED PLANS

JIM PAPAS
CIVIL ENGINEERING
DESIGNER PTY. LTD.

R.O. No. 2290
P.O. Box 750
Mareeba VIC 3875

J.A & L.Y. PAPAS
PROPOSED RURAL RESIDENTIAL SUBDIVISION
AT 393 EMERALD END ROAD MAREEBA

DRAWING TITLE: GENERAL ARRANGEMENT AND LOT DIMENSIONS

SCALE 1:500

DATE: 15/05/2018
DRAWN BY: J.P.
CHECKED BY: J.P.
APPROVED BY: J.P.

LOT 1: 15082m²
LOT 2: 16208m²
LOT 3: 16179m²

ITEM-7 D KEARNEY - ROL SUBDIVISION (1 INTO 2 LOTS) - LOT 11 SP101831 - 173 DE LACY ROAD, DIMBULAH - RAL/18/0006**MEETING:** Ordinary**MEETING DATE:** 18 April 2018**REPORT OFFICER'S
TITLE:** Planning Officer**DEPARTMENT:** Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	D Kearney	ADDRESS	173 De Lacy Road, Dimbulah
DATE LODGED	1 March 2018	RPD	Lot 11 on SP101831
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot - Subdivision (1 into 2 Lots)		

FILE NO	RAL/18/0006	AREA	37.7019 hectares
LODGED BY	Gilvear Planning	OWNER	D Kearney
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 physically separated into two portions by De Lacy Road. The application proposes the subdivision of the site to separate these two (2) portions. The northern portion (proposed Lot 111) has an area of 16.9219 hectares while the southern portion (proposed Lot 112) has an area of 20.78 hectares. The subject land and surrounding lots are actively farmed and are mapped as containing Class A agricultural land.

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.

Furthermore, the subject land is entirely contained within the 'potential flood hazard area' which severely limits the ability for proposed vacant Lot 111 to support future improvements such as a dwelling and sheds without the imposition of costly flood hazard investigations and subsequent flood hazard mitigation strategies. The Planning Scheme's Flood hazard overlay code specifically discourages the creation of additional lots within flood hazard areas.

The assessing officer has not identified sufficient planning grounds to justify approval of the application, despite the conflicts discussed above. It is therefore recommended that the application be refused.

OFFICER'S RECOMMENDATION

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

APPLICATION		PREMISES	
APPLICANT	D Kearney	ADDRESS	173 De Lacy Road, Dimbulah
DATE LODGED	1 March 2018	RPD	Lot 11 on SP101831
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 feed lotting); or*
- (g) intensive horticulture; or*
- (h) landing; or*
- (i) roadside stalls; or*
- (j) winery.*

P02

*Sensitive land uses in the 'Class A' area, 'Class B' area or the 'Broad hectare 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.*

P03

*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.*

P06

*Any Reconfiguring a lot in the 'Class A' area, 'Class B' area or the 'Broad hectare 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*
- (c) 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:*

P01

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**.*

4. *The proposed development conflicts with the following Performance Outcome of the Flood hazard overlay code:*

PO13

Development where involving Reconfiguring a lot, is located and designed to:

- (a) *maintain hydrological function of the premises;*
- (b) *not increase the number of people calculated to be at risk from flooding;*
- (c) *minimise the flood impact on adjoining premises;*
- (d) *ensure the safety of all persons by ensuring that a proportion of buildings are set above the defined flood level;*
- (e) *reduce the carriage of debris in flood waters;*
- (f) *reduce property damage; and*
- (g) *provide flood immune access to buildings."*

THE SITE

The subject site is situated at 173 De Lacy Road, Dimbulah, and is more particularly described as Lot 11 on SP101831. The site is situated approximately four (4) kilometres to the north-east of the Dimbulah Township on a peninsula of land bordered by Leadingham Creek to the north and the Walsh River to the south. De Lacy Road bisects the site in an east-west direction splitting the lot into two portions. The northern portion has an area of 16.9219 hectares while the southern portion has an area of 20.78 hectares (total combined area of 37.7019 hectares). The site is zoned Rural under the Mareeba Shire Council Planning Scheme 2016 and is almost entirely mapped as "Class A" agricultural land.

The site has a combined frontage of 1.746 kilometres to De Lacy Road which is constructed to a bitumen sealed standard for almost its entire length with only the last 60 metres of road constructed to a formed gravel standard. Both the northern and southern portions of the site are accessed from the same point off De Lacy Road via individual gravel crossovers.

The sites improvements include a dwelling and multiple farm sheds clustered together adjacent the southern boundary overlooking the Walsh River. The northern portion of the site remains unimproved. The majority of the site has been cleared of vegetation and is used for cropping. Some mature vegetation remains along the De Lacy Road frontage of the site as well as mature riparian vegetation along both the Walsh River and Leadingham Creek boundaries of the site. All immediate surrounding lots are also zoned Rural and are used for cropping.



Map Disclaimer:

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



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BACKGROUND AND CONTEXT

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:

- Proposed Lot 111 (northern portion of the site), area of 16.9219 hectares, frontage of 557 metres to De Lacy Road; and
- Proposed Lot 112 (southern portion of the site), area of 20.78 hectares, frontage of 1,186 metres to De Lacy Road.

Proposed Lot 111 will be created vacant, while Proposed Lot 112 will contain the sites existing improvements which include a dwelling and farm sheds.

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:

- *Wetland Area of General Ecological Significance*
- *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> Other Elements <ul style="list-style-type: none">• <i>Major Watercourse</i>
Zone:	Rural zone
Overlays:	Agricultural land overlay Bushfire hazard overlay Flood hazard 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
8.2.3	Bushfire hazard overlay code
8.2.4	Environmental significance overlay code
8.2.6	Flood hazard 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 satisfies the relevant acceptable solutions (or probable solutions/performance criteria where no acceptable solution applies) of the relevant codes set out below, provided reasonable and relevant conditions are attached to any approval.

Relevant Codes	Comments
Rural zone code	The application can be conditioned to comply with the relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome provided) 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.
Bushfire hazard overlay code	The application can be conditioned to comply with the relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome provided) contained within the code.
Environmental significance overlay code	The application can be conditioned to comply with the relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome provided) contained within the code.

Flood hazard overlay code	The application can be conditioned to comply with the relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome provided) contained within the code apart from the following: <ul style="list-style-type: none"> PO13 Refer to planning discussion section of this report.
Landscaping code	The application can be conditioned to comply with the relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome provided) contained within the code.
Parking and access code	The application can be conditioned to comply with the relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome provided) contained within the code.
Reconfiguring a lot code	The application can be conditioned to comply with the relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome provided) contained within the code apart from the following: <ul style="list-style-type: none"> PO1 and AO1 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 and/or performance outcomes (where no acceptable outcome 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

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

(f) Additional Trunk Infrastructure Condition

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

Section 130 of the Planning Act 2016 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

This application did not trigger a referral to a State Referral Agency.

Internal Consultation

Not applicable

PLANNING DISCUSSION

Noncompliance with the Overall Outcomes, Performance Outcomes and Acceptable Outcomes of the Agricultural land overlay code, Reconfiguring a lot code and Flood hazard overlay code are discussed as follows:

Conflicts with the Agricultural Land Overlay Code

8.2.1.2 Purpose

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

- (a) *The alienation, fragmentation or reduction in primary production potential of land within the 'Class A' and or 'Class B' area is avoided, except where:*
 - (i) *an overriding need exists for the development in terms of public benefit;*
 - (ii) *no suitable alternate sites exist; and*
 - (iii) *the fragmentation or reduced production potential of agricultural land is minimised;*
- (b) *'Class A' areas and 'Class B' areas continue to be used primarily for more intensive agricultural activities which utilise the land quality provided in these areas;*

Comment

The site in its current configuration has a total area of 37.7019 hectares and is actively farmed, as are the surrounding lots. While it is acknowledged that the subject land is somewhat fragmented by De Lacy Road, it is still able to be farmed as one productive unit as this road experiences very little vehicle traffic. The presence of the road bisection is not considered to

be sufficient planning grounds to justify further fragmentation of agricultural land through the creation of two separate titles. Each proposed lot would be well below the minimum desired reconfigured lot size of 60 hectares, and because of this, their agricultural viability (or production potential) moving forward would be questionable.

While the current application is for reconfiguring a lot only, it is expected that a dwelling house would be established in future on proposed vacant Lot 111 as a consequence of the reconfiguration. A dwelling house could not be sited on proposed Lot 111 outside the Class A area and as a result, that portion of Class A area would be permanently alienated from agricultural production. Furthermore, increasing dwelling densities within the Rural zone only increases the likelihood of land use conflict occurring, especially when appropriate separation distances cannot be achieved. Increasing dwelling densities within the Rural zone also increases the difficulty associated with establishing new intensive rural activities or expanding existing intensive rural activities such as poultry farms, feedlots and kennels.

Whilst there may be a benefit to the applicants, there is not considered to be an overriding need in terms of benefit to the community.

The proposed development conflicts with Overall Outcomes (a) and (b).

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 feed lotting); or*
- (g) intensive horticulture; or*
- (h) landing; or*
- (i) roadside stalls; or*
- (j) winery.*

Comment

The development would create proposed Lot 111 as a vacant rural allotment with the ability for the allotment to potentially accommodate a future dwelling. A dwelling house could not be sited on proposed Lot 111 without resulting in a loss of Class A area.

The proposed development is in conflict with PO1.

PO2

*Sensitive land uses in the 'Class A' area, 'Class B' area or the 'Broad hectare 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

While the current application is for reconfiguring a lot only, it is expected that a dwelling house would be established in future on proposed vacant Lot 111 as a consequence of the reconfiguration. The planning scheme defines a dwelling house as a sensitive land use.

A dwelling house could not be sited on proposed Lot 111 outside the Class A area. Furthermore, increasing dwelling densities within an actively farmed rural area will only increase the likelihood of future land use conflict resulting from impacts associated with farming activity such as spray drift, odour, dust and noise.

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 site in its current configuration has a total area of 37.7019 hectares and is actively farmed, as are surrounding lots. While it is acknowledged that the subject land is somewhat fragmented by De Lacy Road, it is still farmed as one productive unit. The presence of the road bisection is not considered to be sufficient planning grounds to justify further fragmentation of agricultural land through the creation of two separate titles. Each proposed lot would be well below the minimum desired reconfigured lot size of 60 hectares, and because of this, their agricultural viability moving forward would be questionable.

While the current application is for reconfiguring a lot only, it is expected that a dwelling house would be established in future on proposed vacant Lot 111 as a consequence of the reconfiguration. A dwelling house could not be sited on proposed Lot 111 outside the Class A area and as a result, that portion of Class A area would be permanently alienated from agricultural production.

The proposed development would permanently compromise Class A agricultural land both through the siting of an additional dwelling and by further fragmenting the land into separate

allotments with questionable agricultural viability (production potential) due to their reduced size.

The proposed development is in conflict with PO3.

PO6

*Any Reconfiguring a lot in the 'Class A' area, 'Class B' area or the 'Broad hectare 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.

While it is acknowledged that the subject land is somewhat fragmented by De Lacy Road, it is still farmed as one productive unit. The presence of the road bisection is not considered to be sufficient planning grounds to justify further fragmentation of agricultural land through the creation of two separate titles. Each proposed lot would be well below the minimum desired reconfigured lot size of 60 hectares, and because of this, their agricultural viability moving forward would be questionable.

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 11 on SP101831 has an area of 37.7019 hectares. Proposed Lots 111 and 112 will have areas of 16.9219 hectares and 20.78 hectares respectively.

Table 9.4.4.3B dictates a minimum lot size of 60 hectares for land within the Rural zone. The reason for such a lot size is to maintain lots in economically viable sizes and to maintain dwelling densities at a low level to allow the functioning of the zone, which is primarily for agriculture and primary production purposes. The fact that the subject site is currently smaller than the Planning Scheme's desired 60 Ha lot size is not considered to be sufficient grounds to support further fragmentation of the land.

In terms of amenity, the desired amenity of the rural zone is one which includes provision for negative environmental outputs associated with farming activity, including spray drift, dust, odour and noise. Creating additional small rural lots will only increase dwelling densities, ergo increasing the likelihood of future land use conflict.

The proposed reconfiguration conflicts with PO1.

Conflicts with the Flood Hazard Overlay Code**PO13**

Development, where involving Reconfiguring a lot, is located and designed to:

- (a) maintain hydrological function of the premises;*
- (b) not increase the number of people calculated to be at risk of flooding;*
- (c) minimise the flood impact on adjoining premises;*
- (d) ensure the safety of all persons by ensuring that a proportion of buildings are set above the defined flood level;*
- (e) reduce the carriage of debris in flood waters;*
- (f) reduce property damage; and*
- (g) provide flood immune access to buildings.*

Note - *Where the development is located in a 'Potential flood hazard area' identified on the **Flood hazard overlay maps (OM006a-o)** and there is no defined flood level a hydraulic (flood hazard assessment) report prepared by a RPEQ is required in substantiation of an alternative outcome is required or the defined flood level from the adjacent representative hazard zone is used.*

AO13

No acceptable outcome is provided.

Comment

The subject site is entirely contained within the 'potential flood hazard area'. An information request was issued to the applicant requesting that the Flood hazard overlay code be addressed as part of this application. The information request response stated the following:

"The proposed subdivision, on its own and without any building works or new dwellings is not considered to be in conflict with the code. The conflict only occurs when building works occur. Any new development on the site, including a dwelling house, would need to comply with the Flood Hazard Overlay Code and a flood assessment is perhaps more

relevant at that time. To ensure that any new potential owner is aware of this, a note could be placed on the Council rates file notifying any new owners of this issue."

While the current application is for reconfiguring a lot only, it is expected that a dwelling house would be established in future on proposed vacant Lot 111 as a consequence of the reconfiguration. Council planning officers believe that if a development application proposing the creation of additional lots is lodged over land within a flood hazard area, then the potential flood hazard should be addressed at time of subdivision and the responsibility not passed onto a prospective landowner. Sensible town planning provides little scope for the 'buyer beware' approach to development, particularly where the potential for loss of life or property is a consideration.

Given that no flood hazard data is available for the subject site (flood heights/depths, water velocity etc.) a site-specific flood hazard assessment (as required by PO13) to determine if any future dwelling/sheds on vacant Lot 111 could achieve flood immunity would incur significant cost for a future landowner. In fact, given the location of the land between two (2) watercourses, there is the very real possibility that flood immunity could be unachievable in this instance.

The proposed development is considered to be in conflict with PO13 which directly discourages the creation of new lots within flood hazard areas.

Conclusion

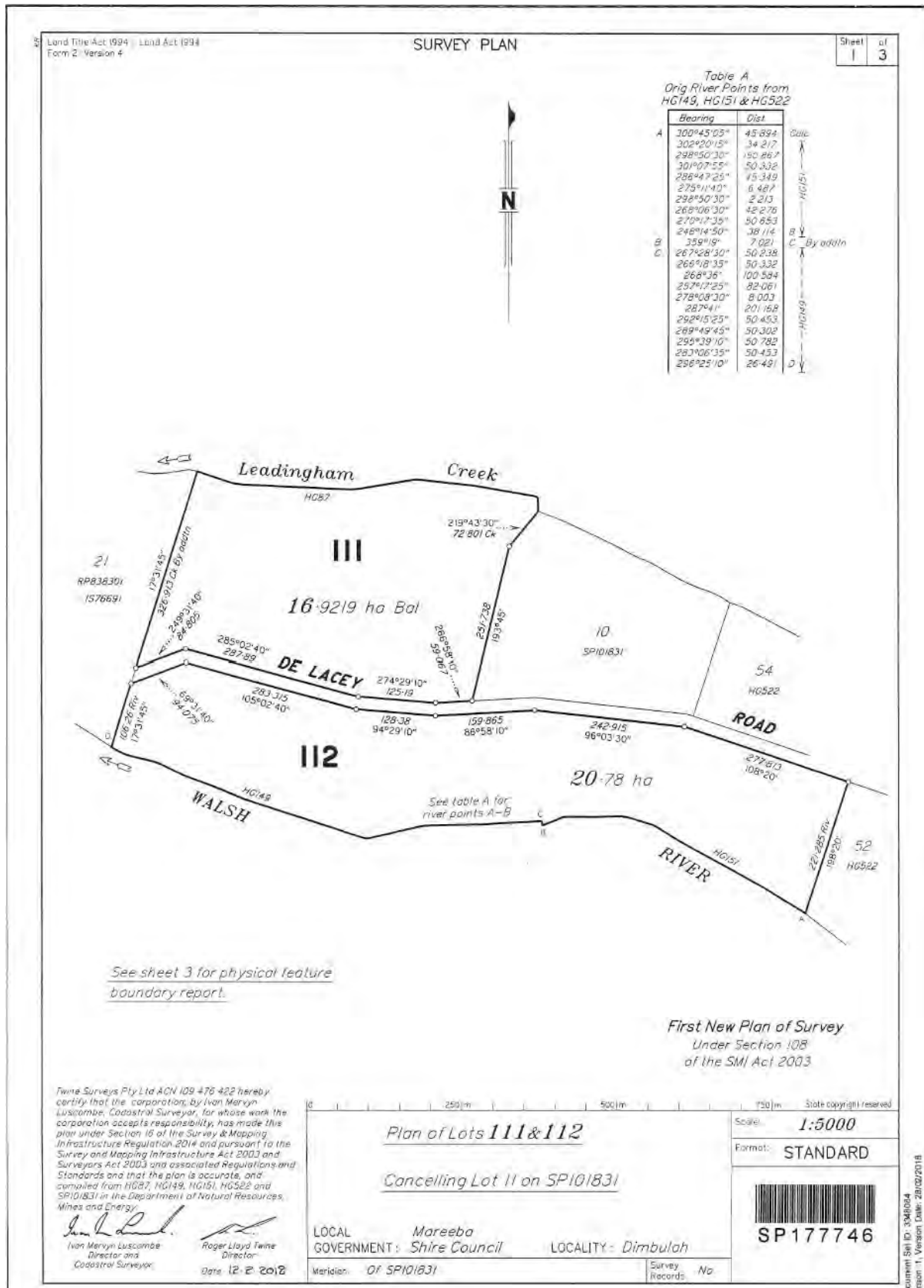
It is considered that the application holds significant conflicts with the Mareeba Shire Council Planning Scheme 2016, in particular the Agricultural land overlay code as it would result in further fragmentation of agricultural land, the ad-hoc creation of essentially two (2) large lifestyle allotments with questionable agricultural viability, and the very real prospect of an increase in dwelling densities within the Rural zone, if the potential flood hazard over the subject land is adequately addressed in future.

It is therefore recommended that the application be refused.

Date Prepared: 9 April 2018

ATTACHMENT 1

APPROVED PLANS



GOVERNANCE AND COMPLIANCE

ITEM-8 BUSINESS CONTINUITY MANAGEMENT POLICY AND PLAN

MEETING: Ordinary

MEETING DATE: 18 April 2018

REPORT OFFICER'S TITLE: Manager Development & Governance

DEPARTMENT: Corporate and Community Services

EXECUTIVE SUMMARY

This report has been developed as part of Council's Risk Management Framework to assist the organisation prepare for disruptive events to its operations. The Policy and Plan defines Council's approach to business continuity management and the principles by which business continuity plans will be developed and maintained.

OFFICER'S RECOMMENDATION

"That Council adopt the Business Continuity Management Policy and Plan attached to the report."

BACKGROUND

The Business Continuity Policy and Plan has been reviewed through consultation between the reporting officer, the Director Corporate and Community Services and the Chief Executive Officer.

RISK IMPLICATIONS

Legal and Compliance

External Auditors have raised that Mareeba Shire Council has not adopted a Business Continuity Plan since the entity (Mareeba Shire Council) started business in January 2014. The adoption of this policy and plan will resolve that issue and risk.

LEGAL /COMPLIANCE/POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS*Capital*

Nil

Is the expenditure noted above included in the current budget?

Nil

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

Nil

Operating

Nil

Is the expenditure noted above included in the current budget?

Nil

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

Nil

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 build around core local government business and affordable levels of service.

IMPLEMENTATION/COMMUNICATION

The attached policy and plan to be located on Council's website.

ATTACHMENTS

1. Business Continuity Management Policy
2. Business Continuity Management Plan

Date Prepared: 29 March 2018

ATTACHMENT 1**Business Continuity Management Policy**

Policy Type	Council Policy	Version:	1.0
Responsible Officer	Manager Development and Governance	Date Approved:	
Review Officer:	Director Corporate and Community Services	Review Due:	
Author:	Manager Development and Governance	Commencement:	
Document Number:		Published:	External

1. PURPOSE

This policy has been developed as part of Council's Risk Management Framework to assist the organisation prepare for disruptive events to its operations. The Policy defines Council's approach to business continuity management and the principles by which business continuity plans will be developed and maintained.

2. POLICY STATEMENT

The objective of business continuity management is to minimise the impact of a disruptive event on operations and the delivery of services to the community by ensuring that the organisation develops an effective Business Continuity Framework and that relevant Business Continuity Plans are in place. Examples of disruptive events include: natural disasters; fire or flood damage to council facilities; IT business systems failure; and telecommunications failure.

3. PRINCIPLES

A key outcome sought from Council's Business Continuity Framework is to identify the minimum level of acceptable performance the organisation wishes to maintain in the event of a disruption, and to clearly state the infrastructure and resources required to achieve and sustain critical business objectives.

Council's Business Continuity Framework is made up of the following:

- Business Continuity Management Policy - defines Council's approach to business continuity management and the principles by which business continuity plans will be developed and maintained within the organisation.
- Enterprise Risk Management Planning which aims to identifying and analysing the things that may have an adverse effect Council. Including but not limited to insurance and data backup strategy.
- Business Impact Analysis - provides the required detail for the coordination and management of the organisation during a significant disruptive event, the process for relevant business continuity plan activation and deactivation, and detail regarding BCP training and exercise requirements to ensure preparedness for disruptive events.
- A Local Disaster Management Plan which aims to minimise the effects of, coordinate the response to, and ensure the recovery from a disaster or an emergency affecting the Mareeba Shire.

Business Continuity Management at Council will align to the AS/NZS 5050:2010 Business continuity – Managing disruption-related risk standard, which was developed to assist organisations maintain continuity of their operations through effective management of disruption-related risk. This will equip the organisation with the capacity to:

Business Continuity Management Policy

- Stabilise any disruptive effects as soon as possible;
- Continue and/or quickly resume those operations that are most critical to Council's objectives to ensure the delivery of essential services to the community;
- Expedite a return to normal operations and recovery; and
- Capitalise on any opportunities created by an event.

4. ROLES AND RESPONSIBILITIES

The CEO and Executive Management Team are responsible for overseeing Business Continuity Management across the organisation.

The Development and Governance group is responsible for the coordination of business continuity management including the oversight of appropriate documentation, training, coordinating testing and monitoring of the Business Continuity Management Framework.

Directors and Managers are the Business Continuity Plan owners with responsibility for undertaking business impact analysis and ensuring that all critical functions under their responsibility have Business Continuity Plans established, maintained and reviewed. The Development and Governance group will assist with this process.

Each critical function within a Department or Branch will have an appointed Business Continuity Plan owner who has the responsibility for actioning continuity arrangements when a critical function is interrupted. The owner must also ensure that relevant employees are aware of and trained in the actioning of the plan.

5. DEFINITIONS

Acceptable Level of Performance means the lowest acceptable level of product or service that can be tolerated during a disruption.

Business Continuity means the ability of Council to provide service and support for its customers and maintain critical operations before, during and after a significant disruption.

Business Continuity Management means the process for managing operations during and following a disruption, to ensure that critical functions can be maintained or restored quickly with minimal impact on staff, customers and the community.

Business Continuity Plan means an approved and tested document with instructions and procedures that provides guidance on the management of operations to minimise the impact of a significant disruption.

Business Impact Analysis is a detailed risk analysis that examines the nature and extent of possible disruptions and the likelihood of the resulting consequences in order to gather information about critical functions, dependencies and resource requirements.

Business Continuity Management Framework means the components that provide the foundation for Business Continuity Management at Council and the arrangements for designing, implementing, monitoring, reviewing and continually improving Business Continuity throughout the organisation.

Significant disruption means a sudden, unplanned event resulting in inconvenience and disruption to operations, which requires non-routine management.

Business Continuity Management Policy

6. RELATED DOCUMENTS AND REFERENCES

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *AS/NZS 5050:2010 Business Continuity – Managing disruption – related risk*
- *AS/NZS 31000:2009 Risk Management – Principles and Guidelines*
- *Disaster Management Act 2003*
- *Queensland Business Continuity Policy Framework*

7. REVIEW

It is the responsibility of the Manager Development and 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.

ATTACHMENT 2

BUSINESS CONTINUITY MANAGEMENT PLAN



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Business Continuity Management Plan

1. INTRODUCTION

The objective of business continuity management (BCM) is to minimise the impact of a disruptive event on operations and the delivery of services to the community. BCM is good business practice and an integral component of effective risk management. Important components that inform the Business Continuity Plan are the Enterprise Risk Management Framework, Business Impact Analyses, and Local Disaster Management Plan.

2. DEVELOPMENT OF THE BUSINESS CONTINUITY PLAN

The Business Continuity Plan (BCP) incorporates the four key elements of the Prevention, Preparedness, Response and Recovery (PPRR) Framework. Each of the four key elements are represented in the Business Continuity Planning process.



Prevention - Risk Management planning

Identifies and manages the likelihood and/or effects of any risks associated with an incident.

Preparedness - Business Impact Analyses

Identifies and prioritises the key activities of the business that may be adversely affected by any unplanned disruption or adverse event.

Response - Incident Response planning

Outlines immediate actions taken to respond to an incident in terms of containment, control and impact minimisation.

Recovery - Recovery planning

Outlines actions taken to recover from an incident in order to minimise disruption and recovery times.

Business Continuity Management Plan**3. DISTRIBUTION LIST**

All staff will have access to the plan via Council's SharePoint or Document Management System. A paper copy of the plan will be available at each of the following council worksites.

Copy Number	Name	Location
001	Chief Executive Officer	65 Rankin Street
002	Director of Infrastructure Services	Kowa Street Depot
003	Workplace Health and Safety Advisor	Kowa Street Depot
004	Manager Systems and Customer Service	65 Rankin Street
005	Manager Water and Waste Services	Kowa Street Depot

4. RELATED DOCUMENTS

All staff will have access to the related documents via Council's SharePoint or Document Management System:

- Enterprise Risk Register
- Local Disaster Management Plan (LDMP)
- Sewer Overflow Policy

5. OBJECTIVES

The objectives of this plan are to:

- undertake risk management assessment;
- define and prioritise Council's critical business functions;
- detail Council's immediate response to a critical incident;
- detail strategies and actions to be taken to enable Council to operate during an adverse event;
- maintain or recover in a timely manner Council's critical service activities;
- ensure availability of resources to continue to deliver critical activities;
- limit the impact to services, staff, the community and other stakeholders;
- return to normal operations in a controlled manner; and
- protect Mareeba Shire Council's reputation.

6. DEVELOPMENT PROCESS OF THE BUSINESS CONTINUITY PLAN (BCP)

The development of the BCP involved a review of enterprise and operational risks as well as a departmental Business Impact Analysis. The ultimate objective of risk management is the minimisation of harm, from identified risks, to our employees, the public and our environment. The expertise of key council staff was used to identify risks and mitigating treatments. The outcomes were the basis for developing enterprise risk registers.

Business Continuity Management Plan

The likelihood and consequences of identified risks were classified in accordance with the risk calculator below.

Likelihood		Consequence				
		Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 5
Almost Certain	5	6 Moderate	7 Significant	8 Extreme	9 Extreme	10 Extreme
Likely	4	5 Moderate	6 Moderate	7 Significant	8 Extreme	9 Extreme
Possible	3	4 Low	5 Moderate	6 Moderate	7 Significant	8 Extreme
Unlikely	2	3 Low	4 Low	5 Moderate	6 Moderate	7 Significant
Rare	1	2 Low	3 Low	4 Low	5 Moderate	6 Moderate

Below is a brief summary of the risk issues that could adversely affect council:

- natural disasters, such as floods, storms, bushfires and drought;
- legal matters e.g. insurance related matters, contractual breaches, non-compliance with regulations;
- technology, such as computer network failures;
- regulatory and policy changes;
- environmental e.g. chemical spills and pollution;
- work place health and safety: accidents caused by materials, equipment, or working conditions;
- property and equipment, such as damage from natural disasters, infrastructure failure and vandalism;
- security, such as theft, fraud, loss of intellectual property and online security and fraud;
- economic and financial, such as global financial events, interest rate increases, cash flow shortages, customers defaulting and rising costs;
- staffing, such as industrial relations and difficulty filling vacancies;
- suppliers, failure or interruptions to the supply chain of products or raw materials; and
- utilities and services-failure or interruptions to the delivery of power and telecommunications.

7. BUSINESS IMPACT ANALYSIS (BIA)

This is essentially an information gathering exercise to identify processes, resources and the impacts of not delivering critical activities along with recovery time objectives (RTO's). It identifies services that cannot fail, how quickly they need to recover and those services that could be reduced or suspended if required following any potential disruption.

As part of our Business Impact Analysis, a RTO has been assigned to each to each function. The RTO is the time elapsed between an adverse event or disruption occurring to the time the critical business activity must be operational.

A one-day failure would generally have minimal impact on community service delivery and operations. However, a one-day failure could be significant in certain circumstances. For example; the failure of vital

Business Continuity Management Plan

infrastructure such as telecommunications equipment, could in the event of a disaster, pose a significant risk where warnings or other critical information must be widely and rapidly disseminated.

A one-week failure would have a moderate impact across all council operations. In some situations, such as loss of water supply, the situation would quickly worsen, and immediate action would be required to avoid a catastrophic consequence. It was determined a number of alternative strategies are required to maintain critical infrastructure such as water supply and wastewater program.

A one-month failure will in most cases result in moderate to severe operational, financial and community impact; with the potential to seriously damage council's reputation. A number of impacts could be managed by the use of alternative delivery providers e.g. contractors and off-site service centres, or strategies such as regular communication with key stakeholders.

A summary of identified Critical Activities, their estimated Recovery Timeframes and the responsible department is included in the table below:

Activity	Recovery Timescale	Responsibility
First point of contact for all front line and telephone requests	Within 24 hours	Systems and Customer Service
Manage customer service requests and complaints	Within 24 hours	Systems and Customer Service
Water Supply	Within 24 hours	Water and Waste Services
Sewerage Services	Within 24 hours	Water and Waste Services
Waste Services	Within 48 hours	Water and Waste Services
Distribute facility keys as necessary	Within 48 hours	Technical Services
Provide critical administrative support for the organisation	Within 48 hours	Systems and Customer Service
Regulatory services including animal management	Within 48 hours	Development and Governance
Receipting, Payroll, and Creditor Payment Transactions	Less than 1 week	Finance/Organisational Dev
Undertake food premises inspections-event dependent	Less than 1 week	Development and Governance
Land and Development Applications	Less than 1 week	Development and Governance
Land Use Applications	Less than 2 weeks	Development and Governance
First Point of Contact for Incoming email & mail	Within 48 hours	Systems and Customer Service
Undertake external banking for key Council facilities	Less than 1 week	Systems and Customer Service

8. BUSINESS CONTINUITY RISKS

The identification of Business Continuity type risks should be incorporated into risk registers and coordinated by the Manager Development and Governance. These will identify any measures in place to help mitigate the risk of disruption. The BCM program will concentrate on four (4) risk issues:

Reference	Risk Type	Risk	Risk Issue
8.1	Operational Risk	Infrastructure Risk - Building and Facilities	Building and Facility e.g. loss of access to a key site or building
8.2	Human Resources	Talent Management Risk	Staff and Skills e.g. loss of key staff or skills
8.3	Information Technology	Technology Infrastructure Risk	Information Communications Technology (ICT) e.g. network, data, communications loss
8.4	Operational Risk	Infrastructure Risk - Water and Sewerage	Service specific e.g. water network, sewerage and waste services

Business Continuity Management Plan

8.1 INFRASTRUCTURE RISK - BUILDING AND FACILITIES

Mareeba Shire Council delivers services from a number of facilities:

Location	Street Address	Evacuation Assembly Point
Administration Building	65 Rankin Street	Rear of the PCYC building (Next door to Council)
Works Depot	Kowa Street	Opposite Main Gate of Depot Yard
Mareeba Water Plant	Kowa Street	Access Road
Mareeba Sewerage Plant	Hickling Avenue	In the vicinity of the Pound Stock Yard
Mareeba Library	Byrnes Street	In front of Rogatos Real Estate Pink Building
Kuranda Library	Arara Street	In grass area adjacent to the carpark

Workplace Health and Safety have developed a procedure on emergency preparedness to assist staff when dealing with a range of emergencies. Evacuation procedures are on display at all Council worksites sites, together with floor plans and directions. All employees are familiarised with these on commencement and evacuation drills are conducted. Council has a number of Fire Wardens and staff trained in First Aid to assist in any emergency.

In the event of an evacuation or significant disaster, if the workplace or resources may not be utilised in a timely manner, the Chief Executive Officer should enact the business continuity plan. In extreme circumstances, personnel may be able to work remotely from another location or their home.

If an incident occurs outside of working hours, procedures are in place to contact senior officers 24 hours a day. Once managers have been notified of the incident, they are responsible for cascading instructions to their staff. Refer to MSC Emergency Contact Lists available from Disaster Coordinator.

8.2 TALENT MANAGEMENT RISK - STAFF AND SKILLS

There are many scenarios that may lead to a reduction in staff e.g. disaster operations, strike action, illness. This is a key operational risk, therefore to build resilience Council has capable team members available to cover absences of key personnel.

Key Position	First Relief
Chief Executive Officer	Director Corporate and Community Services
Director Infrastructure Services	Manager Technical Services Manager Works Manager Water and Waste
Director Corporate and Community Services	Manager Development and Governance Manager Finance
Manager Development and Governance	Director Corporate and Community Services
Manager Systems and Customer Service	Director Corporate and Community Services

Business Continuity Management Plan

Manager Finance	Director Corporate and Community Services
Manager Community Wellbeing	Director Corporate and Community Services
Manager Organisational Development	Director Corporate and Community Services
Manager Water and Waste Services	Director Infrastructure
Manager Works	Director Infrastructure
Manager Technical Services	Director Infrastructure
Workplace Health and Safety Advisor	Manager Organisational Development
Coordinator Stores	Senior Stores Officer
Senior Planner	Planning Officer
Environmental Health and Local Laws Supervisor	Senior Local Laws Officer

A number of Council services could continue to be provided; by appropriately skilled staff being redeployed, the use of external contractors or via a shared service arrangement utilising staff from other councils. Local knowledge and particular expertise is often necessary for critical services therefore up-skilling of current staff or use of local contractors are the preferred options. However, in some cases such as a wide spread natural disaster, this could result in a significant reduction in the quality of service and might mean only critical functions would be maintained.

8.3 TECHNOLOGY INFRASTRUCTURE RISK - LOSS OF KEY INFRASTRUCTURE

There is always a risk that systems and/or procedures will may fail resulting in loss of access to information, data and systems, despite the implementation of best practice. The following steps will help ensure the Council's information and data is backed up and securely restored in the most efficient manner possible.

All data, operating systems/domain infrastructure state data and supporting system configuration files must be systematically backed up. This includes patches, fixes and updates which may be required in the event of system re-installation and/or configuration.

Backup Reporting

Backup reporting activities are to be monitored on a regular basis ensuring the success of the backup process itself. All backups conducted are to generate reporting metrics for which the ICT team are to review in a timely manner.

Backup Requests and Restoration

Backups are to be available in a timely manner for any restoration request. Such requests require a support request to be lodged with all appropriate information providers and must be authorised by the appropriate Director.

Backup Recovery Abilities

On a regular basis, such as quarterly, and no less than once a year, authorised personnel are to examine and report on the ability to effectively restore and recover data in the event of such a request. This process is required to ensure the overall safety and security of Council's data.

Business Continuity Management Plan**Backup Storage and Security**

Appropriate security measures are to be implemented for backups. This includes all necessary physical security controls such as those related to the safety and security of the actual backup media. This requires the use of a data centre or other designated area that is secured and monitored at all times and where only authorised personnel have physical access to the backups.

“Secured” and “monitored” implies that the facility has in place the following physical security and environmental controls:

- it is constructed in a manner allowing for adequate protection of backups;
- security alarms that are active during non-business hours, with alarm notifications monitored by a third-party security service;
- access control mechanisms consisting of a traditional lock and key, and/or electronic access control system such as a badge reader or biometric recognition;
- fire detection and suppression elements such as fire extinguishers placed in mission critical areas; and
- power protection devices for ensuring a continual, balanced load of power to the facility where the backup systems reside.

Backup Retention Periods

Backup retention periods are those specifically identified for the purposes of restoration and recovery of Mareeba Shire Council data. It is the responsibility of authorised personnel to ensure the applicable backup retention periods meet the legislative and operational needs of Council; whilst also promoting best practice.

Retention periods, such as those identified by contractual, legal and regulatory compliance mandates should be documented and enforced.

8.4 INFRASTRUCTURE RISK - WATER AND SEWERAGE SERVICES

The Sewer Overflow Policy applies to overflows that may occur from sewage pump stations, overflow structures and other ancillary works in sewage networks as a result of:

- Excessive rainfall;
- System blockages;
- Power failure;
- Accidental damage to, or failure of, pump station or ancillary equipment;
- Planned shutdown of equipment; or
- Other emergencies.

Refer to Council's policies and procedures for the complete policy or Manager of Water & Waste.

9. RESPONSIBILITY FOR ACTIVATION OF THE BCP

The Business Continuity Plan (BCP) shall be activated when a significant service level disruption or adverse event is either threatened or experienced. The BCP may only be activated by the Chief Executive Officer (or nominated Deputy) or in their absence, a Director.

Business Continuity Management Plan

A significant service level disruption is defined as a widespread or serious disruption to services; or an adverse event that puts at risk, the delivery of critical activities or the achievement of corporate goals.

A business continuity event may be sudden or 'creeping'. The notification of an event can either be from the top of the organisation down in the case of 'threatened' events or can be from anywhere in the organisation upwards for other events. However, once the criteria to activate the BCP has been met and the decision made to activate the plan, then a notification is to be cascaded through key internal and external stakeholders via available communication methods.

10. BCP ACTIVATION CRITERIA

Incidents that threaten the continuity of service delivery come in many guises and can be disruptive or catastrophic in nature.

Disruptive incidents/events have the potential to interrupt the delivery of services on a short-term basis and often only require short-term responses before being adequately resolved.

Catastrophic events are high impact, high intensity events which without adequate planning may lead to the complete failure of one or more council services. Catastrophic incidents may require a long-term recovery process and may result in significant consequences for the community and stakeholders.

If there is any doubt about whether an event will result in an activation of the business continuity plan, the potential or actual impacts of the event should be discussed with the Executive Management Team.

Examples of events likely to lead to the activation of this plan could include but is not restricted to:

- impacts of severe weather e.g. cyclones, storms, floods, etc;
- medium to large-scale loss of staff through industrial action or pandemic flu;
- significant or prolonged loss of ICT - voice and / or data;
- significant or prolonged loss of electricity supply;
- access to a key building(s) is lost due to factors such as fires, structural failure, police cordons, utility works, bomb threats etc;
- an incident that may affect multiple sites and staff welfare including those resulting in evacuation; or
- any other significant incident or event including loss of critical infrastructure e.g. major failure of the water supply network.

11. LEVELS OF ACTIVATION

11.1 ALERT

Alert requires a heightened level of vigilance due to the possibility of an adverse event or a threat to normal service delivery. No particular action is required however; someone capable of assessing the potential of the threat should monitor the situation and advise their supervisor, without delay.

Business Continuity Management Plan**11.2 LEAN FORWARD**

Lean forward is the activation level immediately prior to 'stand up' and is characterised by a state of operational readiness. It requires a heightened level of situational awareness of a current or impending disaster or adverse event.

11.3 STAND UP

Stand up is the operational state following 'lean forward' whereby resources are mobilised, personnel activated and operational resources to manage an event are readied.

11.4 STAND DOWN

Stand down signals the resumption of normal core business and/or the commencement of recovery operations. There is no longer a requirement to respond to the event.

12. LOCAL DISASTER MANAGEMENT PLAN (LDMP)

If an incident or event that causes serious disruption to services is declared as a disaster, then the Mareeba Shire Local Disaster Management Plan (LDMP) may be invoked. The LDMP supersedes the BCP. The Mareeba Shire Local Disaster Management Plan enables the Local Disaster Management Group (LDMG) to mobilise a response utilising all available resources dependant on the incident and in line with statutory responsibilities.

13. DECISION MAKING AND REPORTING

It is vital that a record of decisions and actions are compiled throughout the event. Accurate reporting will be required on a regular basis so that decisions are based on the best available information at the time. Reporting will need to contain information on the situation and on any actual and potential impact(s). **Appendix A:** Business Continuity Notification Log and **Appendix B:** Immediate Response Checklists are provided for this purpose.

14. RECORDS MANAGEMENT

Vital records are any records that are essential to the functions of an organisation during and after an event. The loss of vital records during an incident could result in the disruption of essential services, loss of revenue, increased vulnerability to litigation, and decreased productivity due to gaps in information. Identification and protection of vital records will save valuable time and resources after an incident and will allow recovery staff to concentrate on restoring operations.

The following strategies should be considered in order to ensure the business keeps operating after a disruption:

- staff training and knowledge of information management systems;
- having vital records and forms stored off-site;
- off-site computer back-ups;
- copies of insurance policies, contracts and other important documents kept off-site; and
- physical files - move to a centralised, flood and fire proof location.

Business Continuity Management Plan**15. COMMUNICATIONS AND MEDIA**

Strategies for communicating with customers, employees, the media and the wider community, in the event of a disruptive event, will need to be developed. Council's customer service centre is a critical business function and will be resourced to maintain a point of contact for public enquiries. Information to staff will be managed through the existing chain of command structures.

Council's Corporate Communications Officer will manage the media to ensure a consistent, accurate and up to date message is delivered. The Mayor, Chief Executive Officer and Corporate Communications Officer are the only officers authorised to brief the media and communicate on behalf of Council. Council's web page and Facebook site will be updated regularly.

If the Local Disaster Management Plan has been activated, all media releases will be coordinated via the LDMG Chairperson.

16. INSURANCE POLICY DETAILS

16.1 PUBLIC LIABILITY

Local Government Mutual Pool – Jardine Lloyd Thompson Pty Ltd PO Box 2321 Fortitude Valley Qld 4006
Phone 07 3000 5519

16.2 PROPERTY, PLANT AND EQUIPMENT MAINTENANCE

AON Insurance Brokers Suite 2 Level 1 26 Florence Street Cairns Qld 4870 Phone 07 4046 9110

16.3 WORKCOVER

Queensland Local Government Workcare Scheme – PO Box 2321 Fortitude Valley Qld 4006 Phone 07 3000 5530

17. RECOVERY

Recovery signifies the return to Council's pre-event condition. Performing critical activities as after an adverse event or incident are prioritised by the recovery time objectives and will be Council's primary focus.

Depending on the severity of the incident or event, the disaster recovery plan may need to be implemented.

18. REHEARSE AND MAINTAIN

It is critical that the BCP is rehearsed to ensure that it remains relevant and useful. This will be done as part of a training exercise and is a key factor in the successful implementation of the plan during an emergency. After an event, it is important to review the performance of the plan, highlighting what was handled well and what could be improved upon next time.

19. REVIEW OF PLAN

It is the responsibility of the Manager Development and 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.

Business Continuity Management Plan

APPENDIX A:
Business Continuity Notification Log

Your name:	
Your job title:	
Your appointed role in the plan:	

Notification Details

A	Who notified you of the event?	
B	What is his/her telephone number?	
C	What is his/her Service/Organisation?	
D	Where is he/she located?	
E	What time were you notified?	
F	What is the date?	

Event Details

A	What is the nature of the event?	
B	What is the location/s of the event?	
C	Further Details (if applicable)	

Business Continuity Management Plan

APPENDIX B:
Immediate Response Checklist

Incident Response	Actions Taken	
Have you:		
• Assessed the severity of the incident?		
• Evacuated the site if necessary?		
• Accounted for everyone?		
• Identified any injuries to persons?		
• Contacted Emergency Services?		
• Implemented your Incident Response Plan?		
• Started a Business Continuity Notification Log?		
• Activated staff members and resources?		
• Appointed a spokesperson?		
• Gained more information as a priority?		
• Briefed team members on the incident?		
• Allocated specific roles and responsibilities?		
• Identified any damage?		
• Identified critical activities that have been disrupted?		
• Kept staff informed?		
• Contacted key stakeholders?		
• Understood and complied with any regulatory / compliance requirements?		
• Initiated media/public relations response?		

Business Continuity Management Policy

Policy Type	Council Policy	Version:	1.0
Responsible Officer	Manager Development and Governance	Date Approved:	
Review Officer:	Director Corporate and Community Services	Review Due:	
Author:	Manager Development and Governance	Commencement:	
Document Number:		Published:	External

1. PURPOSE

This policy has been developed as part of Council's Risk Management Framework to assist the organisation prepare for disruptive events to its operations. The Policy defines Council's approach to business continuity management and the principles by which business continuity plans will be developed and maintained.

2. POLICY STATEMENT

The objective of business continuity management is to minimise the impact of a disruptive event on operations and the delivery of services to the community by ensuring that the organisation develops an effective Business Continuity Framework and that relevant Business Continuity Plans are in place. Examples of disruptive events include: natural disasters; fire or flood damage to council facilities; IT business systems failure; and telecommunications failure.

3. PRINCIPLES

A key outcome sought from Council's Business Continuity Framework is to identify the minimum level of acceptable performance the organisation wishes to maintain in the event of a disruption, and to clearly state the infrastructure and resources required to achieve and sustain critical business objectives.

Council's Business Continuity Framework is made up of the following:

- Business Continuity Management Policy - defines Council's approach to business continuity management and the principles by which business continuity plans will be developed and maintained within the organisation.
- Enterprise Risk Management Planning which aims to identifying and analysing the things that may have an adverse effect Council. Including but not limited to insurance and data backup strategy.
- Business Impact Analysis - provides the required detail for the coordination and management of the organisation during a significant disruptive event, the process for relevant business continuity plan activation and deactivation, and detail regarding BCP training and exercise requirements to ensure preparedness for disruptive events.
- A Local Disaster Management Plan which aims to minimise the effects of, coordinate the response to, and ensure the recovery from a disaster or an emergency affecting the Mareeba Shire.

Business Continuity Management at Council will align to the AS/NZS 5050:2010 Business continuity – Managing disruption-related risk standard, which was developed to assist organisations maintain continuity of their operations through effective management of disruption-related risk. This will equip the organisation with the capacity to:

Business Continuity Management Policy

- Stabilise any disruptive effects as soon as possible;
- Continue and/or quickly resume those operations that are most critical to Council's objectives to ensure the delivery of essential services to the community;
- Expedite a return to normal operations and recovery; and
- Capitalise on any opportunities created by an event.

4. ROLES AND RESPONSIBILITIES

The CEO and Executive Management Team are responsible for overseeing Business Continuity Management across the organisation.

The Development and Governance group is responsible for the coordination of business continuity management including the oversight of appropriate documentation, training, coordinating testing and monitoring of the Business Continuity Management Framework.

Directors and Managers are the Business Continuity Plan owners with responsibility for undertaking business impact analysis and ensuring that all critical functions under their responsibility have Business Continuity Plans established, maintained and reviewed. The Development and Governance group will assist with this process.

Each critical function within a Department or Branch will have an appointed Business Continuity Plan owner who has the responsibility for actioning continuity arrangements when a critical function is interrupted. The owner must also ensure that relevant employees are aware of and trained in the actioning of the plan.

5. DEFINITIONS

Acceptable Level of Performance means the lowest acceptable level of product or service that can be tolerated during a disruption.

Business Continuity means the ability of Council to provide service and support for its customers and maintain critical operations before, during and after a significant disruption.

Business Continuity Management means the process for managing operations during and following a disruption, to ensure that critical functions can be maintained or restored quickly with minimal impact on staff, customers and the community.

Business Continuity Plan means an approved and tested document with instructions and procedures that provides guidance on the management of operations to minimise the impact of a significant disruption.

Business Impact Analysis is a detailed risk analysis that examines the nature and extent of possible disruptions and the likelihood of the resulting consequences in order to gather information about critical functions, dependencies and resource requirements.

Business Continuity Management Framework means the components that provide the foundation for Business Continuity Management at Council and the arrangements for designing, implementing, monitoring, reviewing and continually improving Business Continuity throughout the organisation.

Significant disruption means a sudden, unplanned event resulting in inconvenience and disruption to operations, which requires non-routine management.

Business Continuity Management Policy

6. RELATED DOCUMENTS AND REFERENCES

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *AS/NZS 5050:2010 Business Continuity – Managing disruption – related risk*
- *AS/NZS 31000:2009 Risk Management – Principles and Guidelines*
- *Disaster Management Act 2003*
- *Queensland Business Continuity Policy Framework*

7. REVIEW

It is the responsibility of the Manager Development and 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-9 CORPORATE PLAN 2018 - 2022

MEETING: Ordinary

MEETING DATE: 18 April 2018

REPORT OFFICER'S TITLE: Manager Development & Governance

DEPARTMENT: Corporate & Community Services

EXECUTIVE SUMMARY

This report presents the draft Mareeba Shire Council Corporate Plan 2018 - 2022 for formal adoption by Council.

OFFICER'S RECOMMENDATION

"That Council adopt the Mareeba Shire Corporate Plan 2018 -2022 as attached to this report."

BACKGROUND

Section 165 of the *Local Government Regulation 2012* states:

1. *A local government must prepare a 5-year corporate plan for each period of 5 financial years.*
2. *A local government must adopt its 5-year corporate plan in sufficient time to allow a budget and annual operational plan, consistent with the corporate plan, to be adopted for the first financial year that is covered by the plan.*
3. *A local government may, by resolution, amend its 5-year corporate plan at any time.*
4. *A local government must discharge its responsibilities in a way that is consistent with its 5-year corporate plan.*

A five (5) year Corporate Plan 2014 - 2019 was adopted by Council on 2 July 2014.

A review of the Corporate Plan has provided an opportunity to shape the future direction of Mareeba Shire and achieve the new vision, "a growing, confident and sustainable Shire."

The following strategic priorities have been identified:

Financial Sustainability

"A council that continuously looks for savings and opportunities while managing council's assets and reserves to ensure a sustainable future in a cost-effective manner".

Community

"An engaged community which supports and encourages effective partnerships to enhance the liveability of the shire and the wellbeing of residents in communities which are resilient and prepared for unforeseen events".

Transport and Council Infrastructure

"The provision of quality services and infrastructure for our growing community that is planned and managed using sound asset management principles".

Economy and Environment

"A resilient economy that promotes and supports the shire's natural assets and local industry and encourages investment while preserving and future proofing for generations to come".

Governance

"Sound decision making based on effective frameworks and clear strategic direction to achieve regulatory compliance and affordable levels of service delivered to the community".

To assist with the development of the new Corporate Plan, a one (1) day planning workshop facilitated by an external consultant was conducted on 1 November 2017 and was attended by the Mayor, Councillors, Chief Executive Officer and senior management.

There is a strong focus on strategy and advocacy throughout the Corporate Plan to achieve Council's new mission, to "provide cost-effective services, foster collaborative partnerships and maintain accountable governance to promote the prosperity and liveability of the Shire.

LINK TO CORPORATE PLAN

The adoption of the 2018 - 22 Corporate Plan will allow future reports to Council to be linked to the strategies contained within the Plan.

CONSULTATION*Internal*

Councillors

Chief Executive Officer

Director Infrastructure Services

Director Corporate and Community Services

Managers

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

It is a requirement of the *Local Government Act 2009* and *Local Government Regulation 2012* that each local government prepare a 5-year Corporate Plan.

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS*Capital*

Nil

*Operating*Nil

IMPLEMENTATION/COMMUNICATION

Once adopted, the Corporate Plan will be placed on the Council's website for public access and the Corporate Plan Community Snapshot via media release.

ATTACHMENTS

1. Corporate Plan Community Snapshot
2. Corporate Plan 2018-22.

Date Prepared: 22 March 2018

ATTACHMENT 1

CORPORATE PLAN 2018 - 2022

MAREEBA SHIRE COUNCIL

OUR VISION

A growing, confident and sustainable Shire.

OUR MISSION

Provide cost-effective services, foster collaborative partnerships and maintain accountable governance to promote the prosperity and liveability of the Shire.

OUR VALUES

Sustainable
United Team
Customer Focused
Community Partnerships
Ethical Conduct
Striving to be better
Skilled Workforce

OUR STRATEGIC PRIORITIES

FINANCIAL SUSTAINABILITY



- Long Term Financial Plan that supports effective and sustainable financial management
- Effective and sustainable financial management
- Effective business management
- A skilled and sustainable workforce

COMMUNITY



- An engaged community
- An active, safe and healthy community
- A community being prepared and resilient to emergencies and disasters

TRANSPORT AND COUNCIL INFRASTRUCTURE



- Sustainable Infrastructure for the future
- Safe and effective transport network
- Securing and managing water resources
- Public spaces and facilities

ECONOMY AND ENVIRONMENT



- Environmentally responsible and efficient waste and wastewater management
- A Sustainable Planning Scheme
- Support and encourage industrial and commercial growth and development
- Our region's environmental assets are best managed while promoting economic well-being

GOVERNANCE



- Ethical, accountable and transparent decision making
- Strong focus on compliance and enterprise risk
- Effective advocacy and strategic partnerships

ATTACHMENT 2

CORPORATE PLAN

2018-2022



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ABOUT THE CORPORATE PLAN

Legislative Requirements

It is a mandatory requirement of section 165 of the Local Government Regulation 2012 for a Council to prepare and adopt a Corporate Plan.

The Corporate Plan shall be for a period of five (5) years and will remain in force for the specified period of the plan or until the earlier adoption of a new plan.

The local government must ensure each corporate plan is prepared and adopted in enough time, before the start of the first financial year covered by the plan, to allow preparation and adoption of a budget for the financial year consistent with the plan.

By Council resolution, the corporate plan may be revised or amended at any time provided the changes comply with the Local Government Finance Standards.

Performance Indicators

The Plan sets the strategic direction of the Local Government and states the performance indicators for measuring the local government's progress in achieving its vision for the future of the local government area.

The Corporate Plan is supported by Council's Annual Operational Plan which details the activities and projects planned to achieve our goals. The annual budget provides the funding and resources to meet the objectives of the operational plan.

An assessment of Council's performance in implementing its Corporate and Operational Plans will be monitored with quarterly Operational Plan Reviews and reported in Council's Annual Report. Both the Annual Report and quarterly reviews will be publicly accessible and available on Council's website at www.msc.qld.gov.au.



VISION

A growing, confident and sustainable Shire.

MISSION

Provide cost-effective services, foster collaborative partnerships and maintain accountable governance to promote the prosperity and liveability of the Shire.

VALUES AND PRINCIPLES

Sustainable

We operate in an efficient and effective businesslike manner to ensure long-term sustainability by optimising customer service levels whilst managing community expectations.

United Team

Our people work respectfully and collaboratively to achieve Council's goals with every decision being made based on what is best for the whole organisation.

Customer Focused

The community are our customers and we are here to serve our community in everything we do.

Community Partnerships

We build partnerships with the community to deliver better outcomes

Ethical Conduct

We operate fairly, with open, honest, transparent and accountable behaviour and consistent decision-making

Striving to be better

We strive to improve Council's service and enthusiastically pursue innovative ways of providing services simply and effectively.

Skilled Workforce

We ensure our workforce is equipped with the skills and knowledge needed for today and into the future.

STRATEGIC PRIORITIES

Financial Sustainability

"A council that continuously looks for savings and opportunities while managing council's assets and reserves to ensure a sustainable future in a cost-effective manner"

Community

"An engaged community which supports and encourages effective partnerships to enhance the liveability of the shire and the wellbeing of residents in communities which are resilient and prepared for unforeseen events"

Transport and Council Infrastructure

"The provision of quality services and infrastructure for our growing community that is planned and managed using sound asset management principles"

Economy and Environment

"A resilient economy that promotes and supports the shire's natural assets and local industry and encourages investment while preserving and future proofing for generations to come"

Governance

"Sound decision making based on effective frameworks and clear strategic direction to achieve regulatory compliance and affordable levels of service delivered to the community"



GOALS AND STRATEGIES



Financial Sustainability

"A council that continuously looks for savings and opportunities while managing council's assets and reserves to ensure a sustainable future in a cost-effective manner"

FIN1 Long-Term Financial Plan that supports effective and sustainable financial management

- Maintain and enhance long-term financial plans
- All decisions should support Council's strategic direction of financial sustainability

FIN2 Effective and sustainable financial management

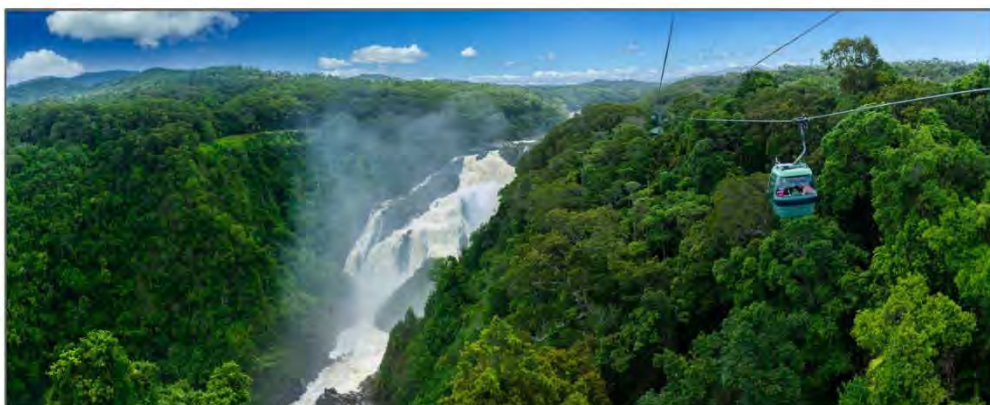
- Optimise Council's revenue, based on realistic and equitable policies and practices, and consider other opportunities for non-rate revenue sources
- Commitment to continuous improvement to ensure financial sustainability

FIN3 Effective business management

- Further develop and implement business practices including information and technology solutions, that meet corporate and customer needs

FIN4 A skilled and sustainable workforce

- Continue to promote a 'safety first' environment
- Enhance an organisational culture which reflects shared vision and values
- Continue to provide appropriate development opportunities and ensure transmission of corporate knowledge between staff
- Continue to build effective leadership and management capability





Community

"An engaged community which supports and encourages effective partnerships to enhance the liveability of the shire and the wellbeing of residents in communities which are resilient and prepared for unforeseen events"

COM1

An engaged community

- Continue to assist the community to build its capacity to develop the area of arts, culture and heritage to enrich lifestyles and encourage economic development
- Encourage and support community organisations to enhance their sustainability
- Support key community events
- Inform and engage with the community regarding Councils operations and decisions

COM2

An active, safe and healthy community

- Ongoing planning and development of improved sporting and recreation precincts in consultation with key stakeholders
- Advocate and promote community initiatives that support an active and healthy lifestyle
- Advocate and promote community safety and other community services
- Manage identified public health and environmental issues in accordance with relevant legislation
- Facilitate partnerships to improve crime prevention

COM3

A community being prepared and resilient to emergencies and disasters

- Ensure the Local Disaster Management Plan enables Council and the community to be prepared for, mitigate, respond to, and recover from disasters
- Support the Local Disaster Management Group to ensure effective decision making during disaster events
- Partner with community stakeholders to build community resilience for emergencies and disasters





Transport and Council Infrastructure

“The provision of quality services and infrastructure for our growing community that is planned and managed using sound asset management principles”

TCI1

Sustainable Infrastructure for the future

- Maintain and enhance Asset Management Plans
- Operate, maintain and renew existing Council infrastructure in accordance with Long Term Asset Management Plan
- Maintain Council infrastructure that sustains industry and development and supports future growth of the region
- Where possible develop infrastructure to mitigate against future severe weather events
- Support and improve Council's business performance using appropriate information and communication technologies

TCI2

Safe and effective transport network

- Deliver safe and effective transport networks
- Maintain and develop close and productive working relationships with relevant stakeholders
- Advocate for improved and enhanced connectivity through the State and Federal governments

TCI3

Securing and managing water resources

- Seek and consider opportunities to improve water reticulation service to enhance water security

TCI4

Public spaces and facilities

- Encourage partnerships with community, private sector and government to better utilise council facilities and spaces
- Encourage active communities through the provision of open spaces, parks and other facilities
- Support sporting organisations in providing opportunities for physical activity
- Continue to enhance the visual appeal to improve liveability and amenity of Shire





Economy and Environment

"A resilient economy that promotes and supports the shire's natural assets and local industry and encourages investment while preserving and future proofing for generations to come"

EAE1

Environmentally responsible and efficient waste and wastewater management

- Promote the minimisation of waste the community creates
- Maintain, in a sustainable manner, Council's wastewater infrastructure to minimise environmental impact

EAE2

A Sustainable Planning Scheme

- Maintain a scheme that sustains good agricultural land as well as encouraging industry and population growth while protecting the natural environment

EAE3

Support and encourage industrial and commercial growth and development.

- Promote and expand opportunities for businesses to grow and/or establish themselves within the Shire
- Partner with stakeholders to encourage and support a strong and sustainable regional economy
- Continue to develop and implement policies and plans that support development for business, industry and community needs
- Highlight the benefits of living, working and playing in the Mareeba Shire to attract and retain families

EAE4

Our region's environmental assets are best managed while promoting economic wellbeing

- Consider the natural environment in Council decision making
- Promote water quality of our region's waterways limiting impact on the Great Barrier Reef and Gulf of Carpentaria
- A coordinated approach to fire management and the management and control of pests, weeds and feral animals and other biosecurity threats





Governance

“Sound decision making based on effective frameworks and clear strategic direction to achieve regulatory compliance and affordable levels of service delivered to the community”

GOV1

Ethical, accountable and transparent decision making

- A governance framework that delivers sound organisational management
- Complete adherence to the Local Government principles, Act and Regulations
- Ensure all services are affordable to the community

GOV2

Strong focus on compliance and enterprise risk

- Promote compliance within the Council and the Community
- Enterprise risk management process is commonly understood across the organisation to manage risk identification and cost effectively control identified risks
- Ensure systems and practices cover the full range of Council's activities and are compliant with statutory requirements

GOV3

Effective advocacy and strategic partnerships

- Maintain and develop our close and productive working relationships with relevant stakeholders, including the State and Federal governments
- Advocate Council's strategic and operational position on key issues effecting the community to government sectors



**ITEM-10 OPERATIONAL PLAN 2017-2018 PROGRESS REPORT
JANUARY TO MARCH QUARTER****MEETING:** Ordinary Meeting**MEETING DATE:** 18 April 2018**REPORT OFFICER'S
TITLE:** Manager Development & Governance**DEPARTMENT:** Development and Governance

EXECUTIVE SUMMARY

The attached report provides advice on progress in implementing the 2017/18 Operational Plan for the January to March 2018 quarter.

OFFICER'S RECOMMENDATION

"That Council receive and note the progress report on implementation of the 2017/18 Operational Plan for the January to March 2018 quarter."

BACKGROUND

The Local Government Regulation 2012 provides that a local government must prepare and adopt an annual operational plan for each year. The Operational Plan is a statement of specific works to be undertaken and services to be provided in order to progress the goals and objectives set out in a Council's Corporate Plan over a period of one year.

In accordance with section 174(3) of the Local Government Regulation 2012, the Chief Executive Officer must present a written assessment of the local government's progress towards implementing the annual operational plan at meetings of the local government held at regular intervals of not more than 3 months.

The attached document provides a progress report on what action has been taken up to and including the January to March 2018 quarter with respect to the items and projects listed in the Operational Plan.

LEGAL /COMPLIANCE/POLICY IMPLICATIONS

It is a statutory requirement for an assessment of progress in implementing the Operational Plan to be presented to Council at least on a quarterly basis.

FINANCIAL AND RESOURCE IMPLICATIONS

Capital
Nil

Is the expenditure noted above included in the current budget?

Nil

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

Nil

Operating

Nil

Is the expenditure noted above included in the current budget?

Nil

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

Nil

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 build around core local government business and affordable levels of service.

IMPLEMENTATION/COMMUNICATION

N/A

ATTACHMENTS

1. Operational Plan Progress Report

Date Prepared: 6 April 2018



OPERATIONAL PLAN

2017-2018

PROGRESS REPORT (JAN - MAR)



Mareeba Shire Council
OPERATIONAL PLAN 2017-2018

FINANCE					
Task/Activity	Corp Plan Ref	Outcome	Timeframe	Performance Measures/Officer Comment	Progress Comment
Enhance access to financial information.	GOV 5	More informed reporting and financial decision making.	Ongoing.	<ul style="list-style-type: none"> More users able to operate financial systems and locate relevant documentation 	<ul style="list-style-type: none"> This is an ongoing process striving to continually improve the Tech One suite involving the creation of internal reports to assist in better decision making. We will endeavour to move more Council functions over to the work order system. We have purchased the defect module and have just implemented it for bridge assets.
Timely preparation of Financial Statements and resolution of recommendations.	GOV 1	Financial Statements are prepared in accordance with legislation.	30 September 2017	<ul style="list-style-type: none"> Finalise Financial Statements within legislative timeframes and achieve unqualified audit 	<ul style="list-style-type: none"> The 2016/17 financial statements were prepared and audited within the legislative timeframe. Council achieved an unqualified audit
Review full cost pricing models to ensure equitable allocation of costs across departments.	GOV 3	To better reflect actual business unit costs and incorporate into fees and charges.	Ongoing.	<ul style="list-style-type: none"> Review completed model and aim for more accurate cost allocation 	<ul style="list-style-type: none"> This ensures that a more accurate account of costs across Council is known and reported on. The corporate overhead model was completed with the results reflected in the Cost Recovery Fees and Budget for 2017/18.
Ensure long-term asset management planning and financial planning is updated to support financial sustainability.	GOV 1	Long term financial strategies in place for the ongoing financial management of Mareeba Shire.	30 June 2018	<ul style="list-style-type: none"> Compliance with LGA 2009 and provision of models to inform decisions regarding project priorities 	<ul style="list-style-type: none"> The Long Term Financial Forecast was part of the 2017/18 budget and adopted on 21 June 2017. Work on asset management plans is still continuing and this will be reflected in the LTFP as and when more information comes to hand. Whole of life costing (WOLC) will be introduced in the 2018/19 Capital Budget for a selection of infrastructure projects. This will provide information on the long term financial impact of capital budget decisions.

Mareeba Shire Council
OPERATIONAL PLAN 2017-2018

COMMUNITY WELLBEING					
Task/Activity	Corp Plan Ref	Outcome	Timeframe	Performance Measures/Officer Comment	Progress Comment
Update long term community plan.	GOV 1 GOV 4	Updated community priorities are reflected in a revised community plan which is aligned with the MSC Corporate Plan.	Dec 2017	<ul style="list-style-type: none"> Draft community plan is completed and adopted by Council Community priorities inform budgeting and Council decision making 	<ul style="list-style-type: none"> Due to unforeseen operational priorities, the completion of the town/district community plans have been delayed. These will now be presented at a workshop with Councillors in Aug/Sept 2018.

DEVELOPMENT AND GOVERNANCE					
Task/Activity	Corp Plan Ref	Outcome	Timeframe	Performance Measures/Officer Comment	Progress Comment
Local Government Infrastructure Plan.	ENV 1	Progress the development of the Mareeba Shire Local Government Infrastructure Plan to allow the LGIP to be adopted by Council before 1 July 2018.	December 2017	<ul style="list-style-type: none"> LGIP preparation is progressing in accordance with approved LGIP Project Plan 	<ul style="list-style-type: none"> Jacobs are continuing to progress on LGIP, even though Council's deadline is December 2017, the Council is required to finalise this by July 2018.
Progress phases 2 and 3 of the sale of land within the Chillagoe Industrial Estate.	ECON 2	Leased land within the Estate is sold to current lessees or other interested parties: Phase 2 - sale of leased but undeveloped lots (no improvements erected); Phase 3 - sale of leased lots that have substantial improvements erected on them.	December 2017	<ul style="list-style-type: none"> Ministerial approval obtained for sale of developed lots direct to current lessees with sale of at least 10 lots 	<ul style="list-style-type: none"> The submission to the Minister for approval to sell to the lease holders has been sent and waiting approval.
Make new Local Laws and Subordinate Local Laws to replace the current suite of local laws carried over from Tablelands Regional Council.	ENV 2	New set of five (5) MSC Local Laws and Subordinate Local Laws adopted by Council. (Administration; Animal Management; Community & Environmental Management; Local Govt Controlled Areas, Facilities and Roads; Parking)	June 2018	<ul style="list-style-type: none"> New set of MSC Local Laws and Subordinate Local Laws adopted by Council 	<ul style="list-style-type: none"> A draft waste local law has been adopted by Council and the remaining draft local laws will be adopted in April.

Mareeba Shire Council
OPERATIONAL PLAN 2017-2018

INFORMATION SYSTEMS & CUSTOMER SERVICE					
Task/Activity	Corp Plan Ref	Outcome	Timeframe	Performance Measures/Officer Comment	Progress Comment
Enhance Disaster Recovery capability for Council information systems.	GOV 5	All core information systems will remain accessible and functional in the event of a disaster rendering the primary site inoperable.	June 2018	<ul style="list-style-type: none"> All information systems are classified based on agreed BCP. A failover process is documented and can be demonstrated for each relevant system. 	Council's intention is to leverage the 'high availability' capabilities of cloud service providers to deliver DR/BCP as per the current ICT Strategy 2017-2020. This work is detailed in subsequent items.
ICT Strategy; Tranche 1: Adopt redundant Internet communications links.	GOV 5	Council Internet communications provided by diverse, redundant and high performance links.	June 2018	<ul style="list-style-type: none"> Internet communications delivered over redundant links sourced from disparate providers in support of Council's long term Cloud adoption strategy. 	Pricing has been received from two service providers covering both initial network build and ongoing operational charges. A purchase order will be raised in April to obtain the related networking hardware.
ICT Strategy; Tranche 1: Perform cloud readiness assessment – Office 365.	GOV 5	Deliver detailed design and planning document to support migration to Microsoft Office 365.	June 2018	<ul style="list-style-type: none"> Clear direction provided relating to the migration of relevant services to Office 365, including limited prototyping. 	Data#3 have delivered an Office 365 migration planning report, detailing the steps required to transition Council's e-mail infrastructure to Microsoft's O365 Cloud. The activity is intended to commence once the internet communications link work is completed.

ORGANISATIONAL DEVELOPMENT					
Task/Activity	Corp Plan Ref	Outcome	Timeframe	Performance Measures/Officer Comment	Progress comment
Provide high level advice and support to the Senior Management Team in relation to the new industrial relations legislation, the Certified Agreement (CA) negotiation - framework, and implementation of the new Local Government Industry Award.	GOV 5	Managers and supervisors kept up to date with industrial relations requirements. Informed decisions made in relation to the negotiation of the new CA and new award conditions implemented as required.	On going	<ul style="list-style-type: none"> Management action taken complies with new legislative and Award requirements New certified agreement negotiated and implemented 	<ul style="list-style-type: none"> Management action taken complies with new legislative and Award requirements Strategic analysis undertaken to ensure informed decisions are made on how to progress CA negotiations
Monitor, review and improve WHS policies, procedures, and systems to protect the health and safety of Council employees.	GOV 5	A reduction in incidents, accidents, and work related injuries. Lost time injuries managed to ensure injured employees return to work at the earliest opportunity	On going	<ul style="list-style-type: none"> Reduced rate of work related injuries Duration of injury related absences reduced 	<ul style="list-style-type: none"> Accidents and work related injuries remain at relatively low rates and is reflected in a reduced workers' compensation insurance premium rate Suitable duties plans developed and applied to ensure duration of injury related absences remains low

Mareeba Shire Council
OPERATIONAL PLAN 2017-2018

WORKS					
Task/Activity	Corp Plan Ref	Outcome	Timeframe	Performance Measures/Officer Comment	Progress Comment
Undertake capital roadworks and drainage projects (excluding reseals) in accordance with approved capital works schedule.	ECON 3	Council's road and drainage networks are progressively upgraded.	Individual projects scheduled throughout year	• Individual projects completed as per budget	• 17/18 projects completed or in progress this quarter – Leedingham Creek Bridge Upgrade, Irvinebank directional signage,
Actively pursue 3 rd Party DTMR projects scheduled by the department within Mareeba Shire boundaries.	ECON 3	Increased revenue for Mareeba Shire Council	As 3 rd Projects are released by the DTMR	• Cumulative total of works at June 2018	• Additional \$660k of resheeting on Herberton-Petford Road and Bourke Developmental Road currently being scoped and costed
Undertake Parks & Gardens capital works projects in accordance with approved capital works schedule.	ECON 3	Council's parks, gardens, and reserves are progressively upgraded.	June 2018	• Individual projects completed as per budget	• Stage 2 of Sunset Park irrigation and exercise equipment upgrade complete.
Maintain state controlled roads within Mareeba Shire effectively and efficiently within the constraints of the RMPC budget.	ECON 3	State controlled roads are maintained in the most trafficable condition that the RMPC funds allow	June 2018	• State controlled road user complaints are minimized	• RMPC works on budget
Complete all Work For Queensland road and bridge projects within specified timeframe.	ECON 3	Council's road and bridge networks are progressively upgraded.	November 2017	• Projects completed and claimed	• W4Q2 projects completed or in progress this quarter-Royes Street Upgrade, Tinaroo Creek Road Upgrade, & Black Mountain Road Bridge 7 upgrade

WATER & WASTEWATER					
Task/Activity	Corp Plan Ref	Outcome	Timeframe	Performance Measures/Officer Comment	Progress Comment
Replace water main on Rob Veivers (Renewal)	ECON 3	Upgrade and ensure that trunk infrastructure is planned and provided in an efficient and orderly manner.	Feb 18	• Upgrading of the existing water main completed on time and within budget	• Works completed
Barang Street Pump Station Capacity Upgrade	ECON 3	Meet DEHP licence requirements.	Feb 18	• Successful completion of project to DEHP's requirements	• Project workshopped with Council and now included in the PPT and 2018-19 Capital Budget. Engineering Design completed and waiting on final documents and specification from consultant.
Design and Construct new erosion and sediment control works	ECON 3	Meet DEHP licence requirements.	Jun 18	• Successful completion of project to DEHP's requirements	• The project reached the 100% milestone as per the TEP and was completed within the agreed time frames with DEHP and first round of sampling highlighted the success of the project/

Mareeba Shire Council
OPERATIONAL PLAN 2017-2018

TECHNICAL SERVICES					
Task/Activity	Corp Plan Ref	Outcome	Timeframe	Performance Measures/Officer Comment	Progress Comment
Upgrade and update Asset Management System and data	ECON 3 GOV2	Council's asset management system to be progressively upgraded and the quantum and quality of data be increased	June 2018	<ul style="list-style-type: none"> A more robust tool for decision making for Asset Management is in place for the next budget 	<ul style="list-style-type: none"> Asset management plans and maturity assessment in TechOne. Commenced using mobility app for capturing condition and defect data. Improved criteria for road upgrade and renewal assessment in the PPT.
Undertake the bitumen roads reseal and asphalt overlay program	ECON 3	All roads nominated in the program and endorsed by Council are completed and updated in the Asset management system	30 June 2018	<ul style="list-style-type: none"> Project completed on time and within approved budget 	<ul style="list-style-type: none"> Bitumen reseal program commenced under FNQROC collective arrangement. Scheduled to be completed on time and within budget. Asphalt Contract to be awarded at Council Meeting 18 April, with completion by June 2018.
Design and documentation of projects listed in the Capital Works program	ECON 3	Design and documentation for all capital works projects are completed in sufficient time to allow all projects to be constructed prior to end of financial year	April 2018	<ul style="list-style-type: none"> Design & documentation of all projects completed on time 	<ul style="list-style-type: none"> Design work for majority of scheduled projects, including Works for Queensland projects (round 2) now completed
Complete all Work For Queensland Facilities projects within specified timeframe	ECON 2	1. Refurbishment of Mareeba Swimming Pool and extension of administration area 2. Replacement of airconditioning plants at Leagues Club and Mareeba Library	November 2017	<ul style="list-style-type: none"> All works completed within budget and on time 	<ul style="list-style-type: none"> All Works for Queensland projects (round 1) now completed and acquitted.
Mareeba Wastewater Treatment Plant refurbishment	ECON 3	The Mareeba sewerage treatment plant is of a fully refurbished.	Aug 2017	<ul style="list-style-type: none"> Project completed and commissioned within budget 	<ul style="list-style-type: none"> Mareeba Wastewater Treatment Plant was commissioned and officially opened 29 July 2017. Process-proving and plant optimization completed in November 2017. Demolition of redundant infrastructure at old sewage treatment plant was completed in December 2017.

Mareeba Shire Council
OPERATIONAL PLAN 2017-2018

TECHNICAL SERVICES (continued)					
Task/Activity	Corp Plan Ref	Outcome	Timeframe	Performance Measures/Officer Comment	Progress Comment
Mareeba Airport Development.	ECON 2	Overall upgrade of Mareeba Airport including lengthening and strengthening of the runway, development of new lease area, new water supply and upgrade of the adjacent road network.	Aug 2018	<ul style="list-style-type: none"> Project completed within budget Number of new leases issued at Airport 	<ul style="list-style-type: none"> Early works packages completed including upgrades to surrounding roads and water reticulation and commencement of works to aviation commercial precinct. Delays encountered due to tender prices for airside infrastructure being in excess of the remaining budget. Works to commence
2016 NDRRA Restoration Works.	ECON 3	Restoration of damage caused by the 2016 Event.	Nov 2016	<ul style="list-style-type: none"> Project completed within budget and allowable time. 	<ul style="list-style-type: none"> 90% complete. Work suspended due to wet weather. Project scheduled for completion by June 2018 as per NDRRA requirements.

**ITEM-11 DEVELOPMENT AND GOVERNANCE QUARTERLY
REPORT - JANUARY TO MARCH 2018****MEETING:** Ordinary**MEETING DATE:** 18 April 2018**REPORT OFFICER'S
TITLE:** Manager Development and Governance**DEPARTMENT:** Corporate and Community Services

EXECUTIVE SUMMARY

This report presents the key activities and achievements of the Development and Governance Group for the January to March 2018 quarter.

OFFICER'S RECOMMENDATION

"That Council receive and note the quarterly report of the Development and Governance Group for January to March 2018."

BACKGROUND

The development and Governance Group is comprised of the following Council service areas:

- Governance and Compliance
- Building and Plumbing
- Regional Land Use Planning
- Local Laws and Environmental Health

GOVERNANCE AND COMPLIANCE

Below is a summary of some of the more substantial matters dealt with by the Governance and Land and Lease section during the quarter ending 31 March 2018:

Community Leases or Management Agreements

The following trustee leases or management agreements were sent in draft this quarter:

- Follow up of Lease for Mareeba Basketball and forwarded Management Agreement for use of the Davies Park facilities;
 - Draft Lease issued to Dimbulah Football (Soccer) Club;
 - Draft Lease issued to Dimbulah Horse & Pony Club;
 - Draft Lease issued to Mareeba and District Cricket Club;
 - Amendment to lease for Mareeba Historic Society;
 - Amendment to lease for Mareeba Gymnastics;
 - Draft Management Agreement issued to JAMARR;
 - Draft User Agreement issued to Mareeba Netball Association;
-

- Draft Management Agreement issued to Kuranda Visitor Information Centre / Kuranda Historical.

Complaints Management

Details of complaints received/processed during the quarter ending 31 March 2018 are displayed in the table below:

Complaints carried over from previous period (October to December 2017)	3
Complaints lodged during reporting period (January to March 2018)	10
Complaints finalised during reporting period (January to March 2018)	8
Complaints still in process (not finalised) during reporting period (January to March 2018)	5

BUILDING AND PLUMBING

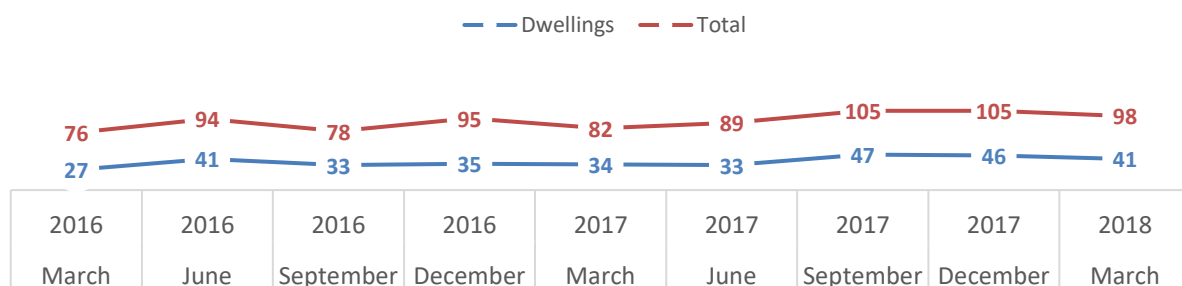
Building Approvals

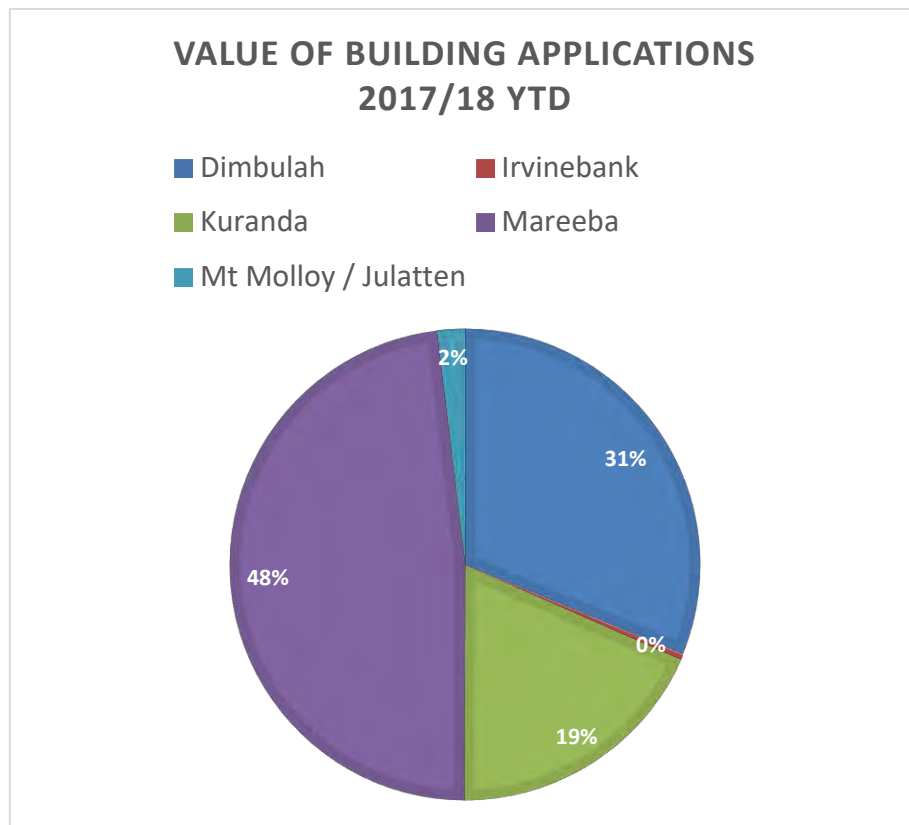
Construction investment continues to increase in terms of the quantity and value of applications.

	Jan - Mar 2017		Jan - Mar 2016	
Type	\$	A	\$	A
Dwellings	7,746,047	41	7,918,147	34
10A (Sheds, ETC)	1,502,594	48	1,057,688	37
Commercial	3,043,337	5	1,418,584	5
Others	308,882	4	207,200	6
Total	12,600,860	98	10,601,619	82

	YTD 2017/18		YTD 2016/17	
Type	\$	A	\$	A
Dwellings	28,221,120	134	23,909,211	102
10A (Sheds, ETC)	4,183,925	125	3,428,221	112
Commercial	313,142,368	33	5,618,407	22
Others	1,046,108	16	819,592	19
Total	346,593,521	308	33,775,431	255

NUMBER OF APPLICATIONS



**Regulatory Tasks**

Building Services continues to deal with high numbers of customer requests, with 192 new formal requests received in this period, for a range of issues.

REGIONAL LAND USE PLANNING**New Development Applications**

Nine (9) development applications were lodged in the March quarter 2018 compared to four (4) lodged in the March quarter 2017. Total applications lodged in 2018 to the end of the March quarter was 23 compared to a total of 7 applications for the same period in 2017.

Development Applications received/approved during the quarter:

	Jan - Mar 2018	YTD 2017/18	YTD 2016/17
New Development Applications lodged	23	58	34
Decision Notices issued under delegated authority	3	24	29
Negotiated Decision Notices issued under delegated authority	0	0	0
Decision Notices issued (from Council Minutes)	6	21	13
Negotiated Decision Notices issued (from Council Minutes)	3	3	0
Extensions to relevant period issued	3	9	5
Change to existing Development Approval issued	0	1	4
Building Work approvals issued under delegated authority	4	14	13
Survey Plans endorsed	5	20	37
Notices issued under SPA	1	1	2
Planning Appeals and other Court proceedings	0	0	0

LOCAL LAWS AND ENVIRONMENTAL HEALTH
Environmental Health

The Environmental Health section responded to a total of 128 enquiries, complaints and service requests for the quarter relating to the following matters:

	Jan - Mar 2018	2017 - 2018 YTD	2016 - 2017 YTD
Food Complaints	1	3	9
Food Enquiry	26	57	68
Health Enquiry	8	23	11
Pollution	17	67	55
Flying Foxes	55	77	61
Public Health Complaint, Enquiry	12	22	28
General Service Enquiry	8	19	15
Other	1	2	4
Total	128	270	251

Notices Issued, Inspections Carried Out, Applications Processed

	Jan - Mar 2018	2017 - 2018 YTD	2016 - 2017 YTD
Animals Impounded	195	494	521
Regulated Parking infringements issued	98	426	145
Animal Management infringements issued	23	454	380
Local Laws Infringements issued	10	36	18
Warning letters issued	58	341	221
Compliance Notices issued	31	76	43
Food Inspections done	14	131	125

Local Laws

Local Laws Officers dealt with a total of 518 complaints and enquiries during the quarter relating to the following matters

Animals

	Jan - Mar 2018	2017 - 2018 YTD	2016 - 2017 YTD
Dangerous Aggressive dogs	33	109	117
Missing/Lost/Found	40	107	133
Barking Complaints	53	176	136
Restrained for Collection	43	103	113
Council traps	37	107	140
Straying Animals	106	298	319
Too Many Animals	9	25	22
Enquiries, Unregistered, Hygiene, unleashed	35	202	139
Cruelty	1	4	3
Total	357	1131	1122

Other Areas

	Jan - Mar 2018	2017 - 2018 YTD	2016 - 2017 YTD
Pollution	7	23	14
Abandoned Vehicles	7	12	17
Overgrown	2	10	6
Commercial Use of Roads	7	12	6
Illegal Camping	1	22	26
Illegal Signs	3	11	4
Parking, illegal parking	12	33	26
Obstruction of Footpath	3	9	6
General Enquiries	10	27	16
Other	6	13	1
Total	58	172	122

Dog Registration

As at the 31 March 2018 council has a registered population of 4143 dogs in the shire.

	Jan - Mar 2018	2017 - 2018 YTD	2016 - 2017 YTD
New Registrations	189	797	733
Deceased	87	264	94
Left the area	38	177	60
Other	9	23	17

LINK TO CORPORATE PLAN

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

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

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

CONSULTATION*Internal*

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

External

Nil

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS*Capital*

Nil

Operating

Nil

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

1. Nil

Date Prepared: 8 April 2018

ITEM-12**WASTONVILLE RURAL FIRE BRIGADE****MEETING:** Ordinary**MEETING DATE:** 18 April 2018**REPORT OFFICER'S
TITLE:** Manager Development & Governance**DEPARTMENT:** Corporate and Community Services

EXECUTIVE SUMMARY

The purpose of this Report is to consider a request from Watsonville Rural Fire Brigade to increase their operational footprint and secure a lease arrangement for the adjacent Lot 308 W2631.

OFFICER'S RECOMMENDATION

"That Council provides in principle support for Watsonville Fire Brigade to have a lease arrangement for Lot 308 W2631 if or when Council acquires the lot."

BACKGROUND

On March 17 2017 the Watsonville Rural Fire Brigade (WRFB) made enquiries into the land tenure arrangements of Lot 308 W2631. The WRFB have requested a tenure arrangement on that lot to base their operations. The land is currently rated as Unused Land and there is no entity claiming ownership for deceased estate that owns the lot.

Council does not own Lot 308 W2631, however, it is likely that Council will eventually own the property under rights to acquire land for arrears rates as per section 149 of the *Local Government Regulation 2012*.

Queensland Fire and Emergency Service (QFES) has previously looked at a number of sites in Watsonville and has determined this is the most appropriate site. Much of the land in Watsonville is very rocky and difficult to build on. This site has sandy soil and is considered by the WRFB to be a good building site for their future operations. There is already some infrastructure on site in the form of a water tank, rudimentary toilets and some type of a shed which may provide a starting point for the brigade.

The WRFB would like confirmation in principle from Council that they may have a lease tenure arrangement if or when Council acquire the land. If Council does acquire the land in future the lease arrangement will be prepared and executed.

RISK IMPLICATIONSNil

LEGAL /COMPLIANCE/POLICY IMPLICATIONS

Council does not currently own Lot 308 W2631 and therefore can only provide in principle support at this time. If and when Council acquires the land a lease arrangement will need to be prepared and executed by Council officers.

FINANCIAL AND RESOURCE IMPLICATIONS*Capital*

Nil

Is the expenditure noted above included in the current budget?

Nil

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

Nil

Operating

Nil

Is the expenditure noted above included in the current budget?

Nil

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

Nil

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 build around core local government business and affordable levels of service.

IMPLEMENTATION/COMMUNICATION

If Council provides in principle support, Watsonville Rural Fire Brigade will be notified via mail and can begin negotiations of a lease arrangement, which will be finalised if or when Council acquire Lot 308 W2631.

ATTACHMENTS

1. Map of Lot 308 W2631

Date Prepared: 29 March 2018

Lot 308 W2631



ITEM-13 FNQ MOTORSPORTS CLUB LEASE

MEETING: Ordinary

MEETING DATE: 18 April 2018

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

DEPARTMENT: Corporate and Community Services

EXECUTIVE SUMMARY

The purpose of this Report is to recommend that Council repeals a previous Council resolution made by Tablelands Regional Council on 6 December 2012 to provide a community lease for Far North Queensland Motorsport Inc. It has been determined that the land is not gazetted for the purpose of Sport and Recreation and therefore a lease cannot be provided.

OFFICER'S RECOMMENDATION

"That Council repeal the resolution made on 6 December 2012 for the report titled FNQ Motorsports Club - Proposed Lease Mareeba Industrial Land."

BACKGROUND

At a previous Council meeting of the Tablelands Regional Council on 6 December 2012 it was resolved "That Council approve the issue of a lease agreement to Far North Queensland Motorsports Club Inc. for a period of 10 years over part of the undeveloped Mareeba Industrial Estate Lot 878 on RP857694 and the lease condition be in line with Council's Community Leasing Policy in force at the time of finalisation".

As part of the implementation of the Community Leasing Policy, it was identified that no lease arrangements had been executed for Far North Queensland Motorsports Club Inc. Council staff investigated the possibility of implementing the above resolution and determined that it is not possible due to land tenure issues. The land is currently gazetted and zoned for industrial use only. Therefore, a lease for sport and recreation cannot be established in accordance with the *Planning Act 2016*.

RISK IMPLICATIONS**Legal and Compliance**

Council is unable to action the Council Resolution adopted on 6 December 2012. By repealing this resolution Council will no longer be required to provide a lease that is not in accordance with the *Planning Act 2016*.

LEGAL /COMPLIANCE/POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS*Capital*

Nil

Is the expenditure noted above included in the current budget?

Nil

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

Nil

Operating

Nil

Is the expenditure noted above included in the current budget?

Nil

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

Nil

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 build around core local government business and affordable levels of service.

IMPLEMENTATION/COMMUNICATION

Letter to Far North Queensland Motorsports Club Inc. why Council is not able to facilitate a lease arrangement. Other occupancy arrangements will be negotiated with the club.

ATTACHMENTS

Nil

Date Prepared: 29 March 2018

ITEM-14 **DEPARTMENT OF NATURAL RESOURCES, MINES AND ENERGY - MAREEBA TOWN RESERVE - LOT 34 NR804428 PURPOSE OF RESERVE TO BE CHANGED TO STRATEGIC LAND MANAGEMENT**

MEETING: Ordinary

MEETING DATE: 18 April 2018

REPORT OFFICER'S TITLE: Manager Development & Governance

DEPARTMENT: Corporate and Community Services

EXECUTIVE SUMMARY

The Department of Natural Resources, Mining and Energy (DNRME) have identified that Mareeba Shire Council is not trustee of Lot 569 M3568 Reserve - Township, which is located in Mareeba. The purpose of this report is for Council to officially request to become trustee, amalgamate a large portion into Lot 34 NR804428, and change the purpose of the remaining township reserve to Reserve - Strategic Land Management.

OFFICER'S RECOMMENDATION

"That Council requests the Department of Natural Resources, Mining and Energy to:

1. make Council the trustee of Lot 569 M3568 Reserve - Township;
2. amalgamate that portion of Lot 569 M3568 adjoining Granite Creek, Bicentennial Lakes, Basalt Gully with Lot 2 USL 9106 and Lot 34 NR804428 as Reserve - Park & Recreation; and
3. to change the purpose of the remainder of Lot 569 M3568 Reserve - Township to be Reserve - Strategic Land Management."

BACKGROUND

On 27 March 2018, the Department of Natural Resources, Mining and Energy (DNRME) met with Council officers to discuss some issues relating to the remnants of the Mareeba town reserve described as Lot 569 on M3568. In 2017, DNRME identified that certain capital works had been undertaken on parts of the reserve. Further, the reserve also contains pre-existing infrastructure that would be over a decade old.

DNRME has requested that Council become Trustee of the Mareeba town reserve. However, there is a cost associated as Council would be responsible for the upkeep of the entire area. Council already maintains most of this area so there would be minor additional expenditure to maintain the remainder.

Additionally, DNRME has suggested that the Mareeba township reserve be converted into Reserve - Park & Recreation. As per the recommendation it is proposed that the areas along Granite Creek, Bicentennial Lakes, Basalt Gully, and Lot 2 USL 9106 be amalgamated into Lot 34 NR804428 Reserve - Park & Recreation.

The remainder of the Mareeba town reserve should then be converted in Reserve - Strategic Land Management.

LEGAL /COMPLIANCE/POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

Capital

Nil

Is the expenditure noted above included in the current budget?

Nil

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

Nil

Operating

Minor surveying expenditure will be required to amalgamate the lots. Additional maintenance will be funded through the current Parks and Gardens operational budget.

Is the expenditure noted above included in the current budget?

Yes

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 build around core local government business and affordable levels of service.

IMPLEMENTATION/COMMUNICATION

Communication with Department of Natural Resources, Mining and Energy (DNRME) of Councils intention post resolution.

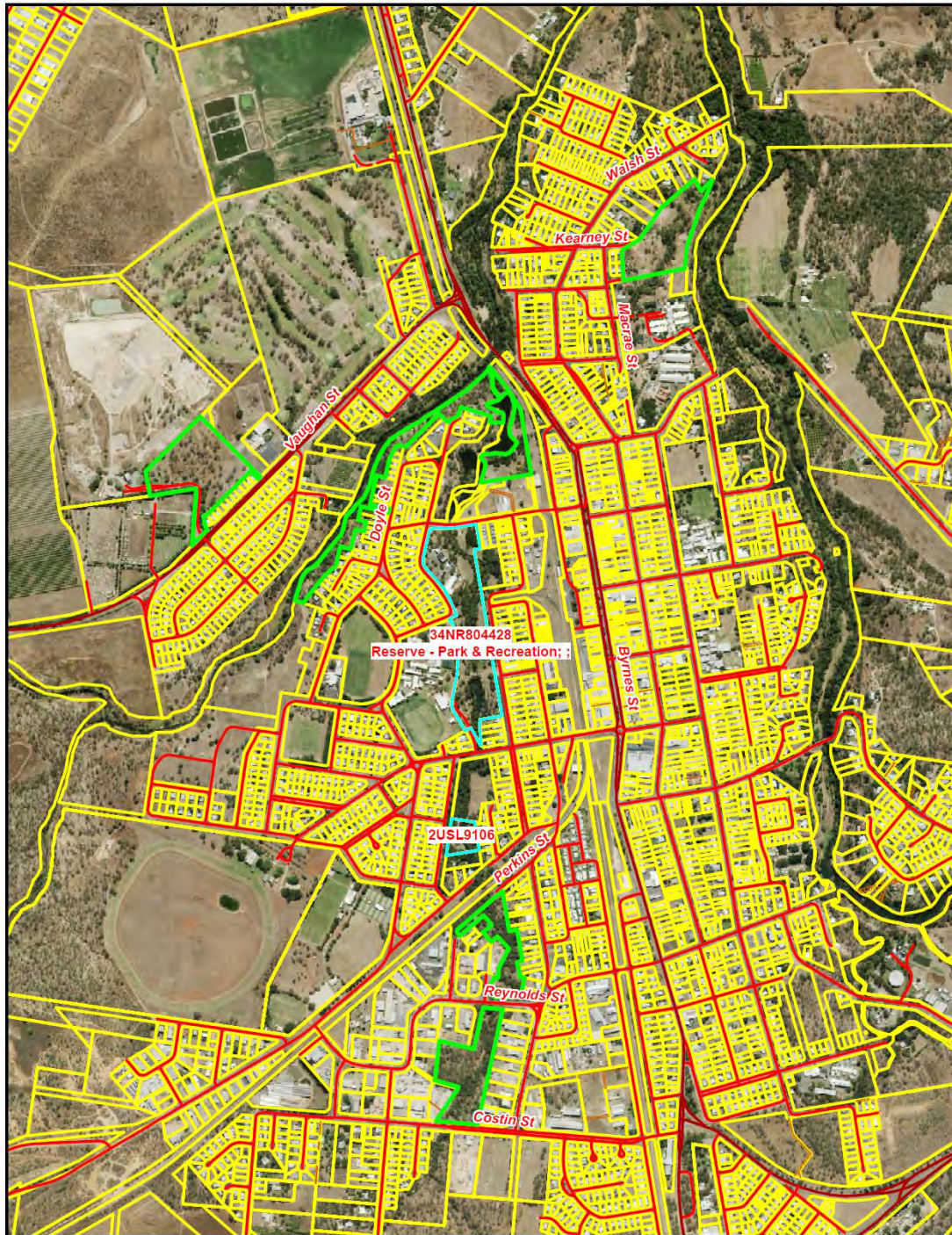
ATTACHMENTS

1. Lot 569 on M3568

Date Prepared: 6 April 2018

ATTACHMENT 1

Lot 569 M3568



BUILDING AND PLUMBING SERVICES

ITEM-15 BUILDING CERTIFICATION SERVICES

MEETING: Ordinary

MEETING DATE: 18 April 2018

REPORT OFFICER'S TITLE: Manager Development and Governance

DEPARTMENT: Corporate and Community Services

EXECUTIVE SUMMARY

The purpose of this report is to recommend that Council reduces the services for certification for Class 1 and 10 buildings in the populated areas of the Shire. This is in-keeping with current trends with other Councils in the region and Queensland.

An investigation into the market has revealed that there are sufficient private certifiers in the region to provide adequate service to the populated area of the Shire, but limited service provided in the remote areas of Council.

OFFICER'S RECOMMENDATION

"That Council discontinues its Building Certification Services with exception of Class 1 & 10 structures in remote areas of Council, as per the attached map."

BACKGROUND

Council has been offering building certification services for many years. The Local Government Regulations 2012 Section 38 identifies Mareeba Shire Council as having a business activity if building certification services are provided. The regulations however do not prescribe that Council must provide building certification services.

Over the past years the private certification industry has grown. An investigation into the market has revealed that there are sufficient private certifiers in the region to provide adequate service to the region.

With a recent change in qualified resources to undertake the building certifications, and a review of operational requirements, it is proposed that council amend the services provided through internal building certification work.

However, there are communities in the Shire that are not frequently serviced by private certifiers. In order to not penalise or hinder Council's more remote areas it would be important to still provide building certification services for those areas. In accordance with the attached map, it is proposed that Council provide services to all areas of the Shire except the area

marked red. Applicants proposing to construct in the area marked red will be required to obtain building certification services from private certifiers.

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

Councillors

Chief Executive Officer

Director Corporate and Community Services

External

Nil

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

Financial - addressed below under Financial and Resource Implications

Service Delivery/IT - private building certification is available to residents within the exclusion zone for council certification, therefore no disruption to services should be experienced

Political/Reputational - remote residents will be able to lodge applications for certification with council directly to ensure no residents are disadvantaged by a reduction/loss in services. This move will also reduce the impact on council regarding competitive neutrality which has previously been challenged.

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital

Nil

Operating

A loss of \$86,000 revenue a full financial year, however this will be offset by a reduction in operating costs.

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

Yes

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

Nil

IMPLEMENTATION/COMMUNICATION

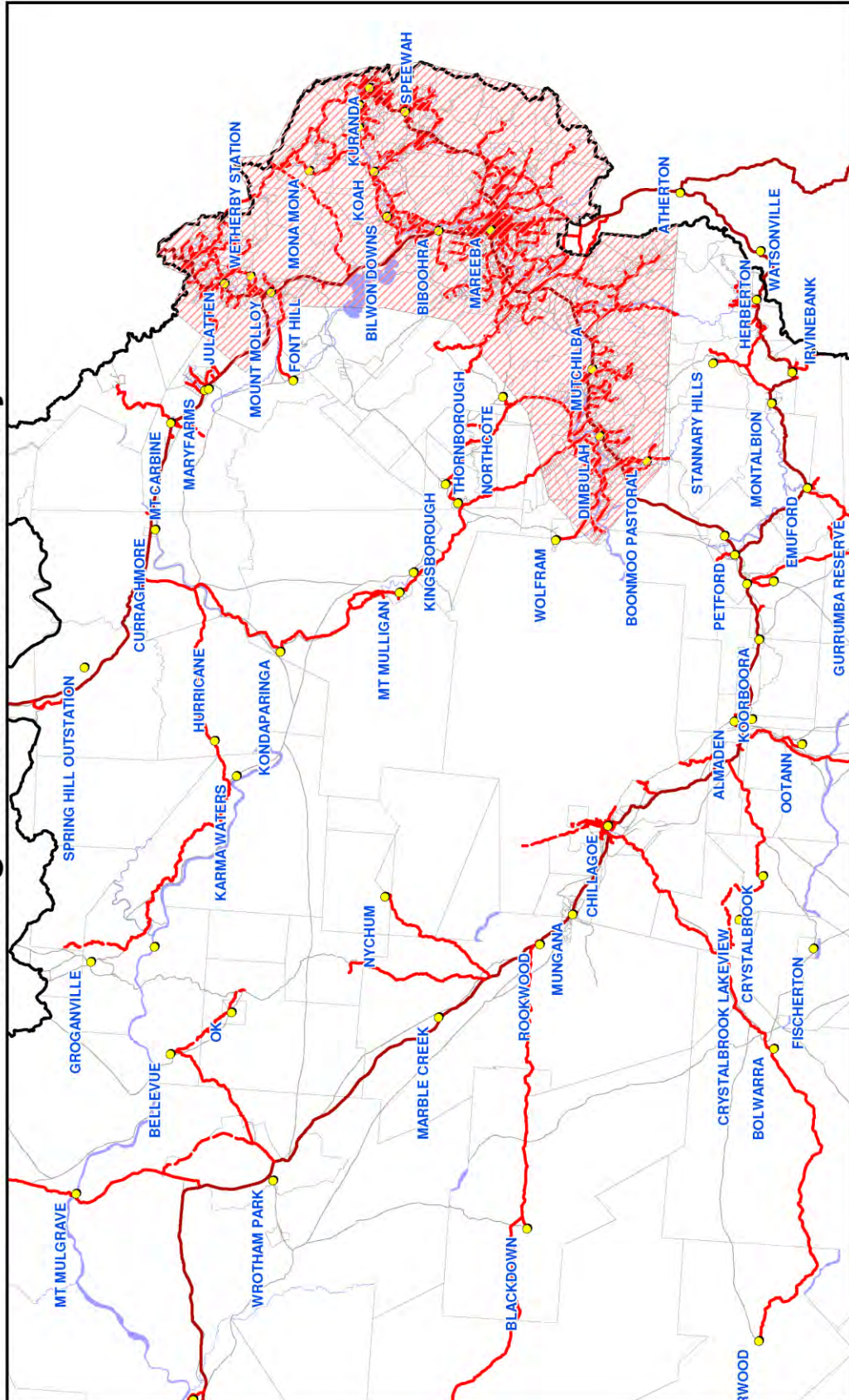
Private certifiers and builders will be advised of this decision. Residents will be informed through social media and website releases.

ATTACHMENTS

1. Building Certification Boundary Map

Date Prepared: 27 March 2018

Building Certification Boundary



©2018 Mareeba Shire Council (MSC). Based on or contains data provided by MSC and the State of Queensland Department of Natural Resources & Mines (DNRM) [2018]. In consideration of these agencies permitting use of this data you acknowledge and agree that these agencies give no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accept no liability (including without limitation, liability in negligence) for any loss, damage or injury (including consequential loss or damage) relating to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy law.

ENVIRONMENTAL HEALTH

ITEM-16 COLLABORATIONS FESTIVAL APPLY FOR TEMPORARY EVENT PERMIT TO HOLD MUSIC AND ART CULTURE FESTIVAL

MEETING: Ordinary Meeting

MEETING DATE: 18 April 2018

**REPORT OFFICER'S
TITLE:** Supervisor Health and Local Laws

DEPARTMENT: Development and Governance

EXECUTIVE SUMMARY

The purpose of this report is to advise Council that Collaborations Festival owner (Ned Bryant) Trading as Bushcraft Productions have applied to Mareeba Shire Council for a Temporary Event Permit to hold a Music and Art Culture Festival on 20 July 2018 to the 23 July 2018 at 545 Kay Road Mareeba.

Ned Bryant has submitted the application for the Temporary Entertainment Event Permit as required to do under Council's Local Law 1 (Administration) 2011.

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 affect adversely, the Council's relations with the public at large.

OFFICER'S RECOMMENDATION

"That Council in accordance with section 9(2)(c) of Council's Local Law No. 1 (Administration) 2011 refuse to grant the approval for the application by Bushcraft Productions for the Music and Art Culture Festival proposed for 20 July 2018 to the 23 July 2018 at 545 Kay Road Mareeba; as Council is not satisfied that the proposed operation and management of the temporary entertainment event would be consistent with the following additional criteria prescribed under Schedule 12 of Council's Subordinate Local Law No. 1 (Administration) 2011:

- a) The physical suitability of the area or road for the proposed event, including access roads servicing the event; and
 - b) The likelihood of the event causing nuisance, inconvenience or annoyance to the occupiers of the adjoining land, vehicular traffic or pedestrians; and
 - c) The likely effect on the amenity of the surrounding area; and
-

- d) The likely effect on the local environment and any possible pollution or other environmental damage."

BACKGROUND

Collaborations Festival owner (Ned Bryant) Trading as Bushcraft Productions has applied to Mareeba Shire Council for a Temporary Event Permit to hold a Music and Art Culture Festival on 20 July 2018 to the 23 July 2018 at 545 Kay Road Mareeba.

The applicant has submitted the application for the Temporary Entertainment Event Permit as required to do under Council's Local Law 1 (Administration) 2011.

The location for the festival is at 545 Kay Road Mareeba. The Property is owned by Kanjini Co-Op. The property is a 7500-acre site which was approved as a camping ground by the Mareeba Shire Council in 2017.

The applicant is anticipating a total of 800 to 1000 people to attend the event over the three days including families and children. There will also be music played by various DJ's and artists over and throughout the night during the festival.

The Festival had adopted a zero alcohol and zero drug tolerance as the festival is designed to cater for both adults and families with young children. Collaborations Festival was previously held at Sugarbag Station in Mt Garnet. However, the owner of the property no longer wishes the festival to be held on the property.

The applicant is seeking this Temporary Event Permit as a one-off trial to determine if it is successful. If the event is successful, Kanjini Co-Op (owners of the property) would then consider making application to Mareeba Shire Council for a Material Change of Use to have the festival at this location a number of times per year. The Temporary Event Permit will only allow the festival to be held there once.

Bushcraft Productions has obtained the following approvals in order to support his application:

1. Queensland Fire Brigade (Mareeba Depot) – Have no issues with the event provided fire breaks are maintained on the properties and fire pits are supervised at all times.
2. Queensland Ambulance Services – Have been notified as the event is anticipating 800 to 1000 people attend. Therefore, extra staff may need to be on standby in case of an emergency.
3. 20 Unisex Port'a'loo toilets will be hired and placed onsite from Flexi Hire for the event as well as three composting toilets already located onsite from the camping ground approval. The toilets will be cleaned each day and pumped out as required.
4. There will be a shower set up on site which will drain into a pit onsite and soak into the ground. Although this requirement does not meet the current plumbing legislation.
5. Fresh water will be supplied onsite via large 1000 litre water containers. These will regularly be refilled over the course of the event when required.
6. Anytime Security has contracted security officers for the event which will monitor the behaviour of the customers at all times. There will be ten security guards on site during the festival.

7. Medical Paramedic group have been contracted as private Ambulance Paramedics for the event in case of any injuries.
8. Rad Skips have been contracted to provide skip bins to collect any rubbish for the event and will be taken away by contractors at the end of the event. There will also be 30 wheelie bins and four (4) tin can cages located around the site to collect any other rubbish.
9. Public Liability Insurance has been obtained and will be supplied once the approved is granted (\$20 Million). Indemnifying the event organiser.

Noise Issues:

- The applicant has conducted a letterbox drop to the surrounding properties on Kay Road and Malone Road and advised them of the festival (letter attached to the report).
- A sound check was also carried out on the 17 March 2018 at 487 Kay Road (nearest neighbour) to determine the level of the noise in the quiet period of the night and during the day. The following results were obtained:
 - 545 Kay Road, 20 m away from the sound proposed stage = 100DB.
 - 487 Kay Road, 1200 metres away from proposed soundstage = 44DB.
 - 545 Kay Road, (Caretakers Residence) approximately 700m from proposed stage = 65DB before 12 pm, and 45DB after 12 pm. Caretaker was happy with this noise level.
- The applicant has advised that no objections have been raised as a result of the letterbox drop notifying the residents of the festival. Mareeba Shire Council has not received any customer requests regarding the festival to date.
- The nearest neighbours to the property are 1200 metres away and the owner of this property has no objection to the proposed festival.

Other issues not consistent with the Temporary Entertainment Event Criteria:

1. Queensland Police Service - Enquiries were made with the department regarding concerns over the operations of the event. Queensland Police have made enquiries with the Mt Garnett Police Station where the Collaborations Festival was previously held (at Sugarbag Station) and the following concerns were raised as to why the event should not proceed. The 2017 Statistics at the Collaborations Festival at Sugarbag Station revealed the following:

Drink Driver:	1
Drug Driver:	44
Possession of Drugs/Utensils:	43 Charges
Driving Offences:	6
Traffic Infringement Notice:	41
Public Order Offence:	1

The report details the concerns regarding road safety and the potential affect this may have on other road users in the area.

Police report recommends the event not proceed due to these issues. A copy of the report is attached.

2. Kay Road is a single lane dirt/gravel road for approximately the last 500 metres to the entrance of 545 Kay Road. The increased volume of traffic over the weekend could potentially cause road damage to Council's asset as there is expected to be over 800 participants to the event. Traffic safety issues are also an issue as the volume of traffic on a single lane road will also need to be considered.
3. Bushcraft Productions have mentioned that not all properties were door knocked, however one resident (caretaker of the property at 545 Kay Road) indicated he was concerned the music may have a negative impact to the surrounding wildlife. The caretaker has suggested that the music be played the week before to ensure the wildlife may disperse or vacate the area so as to not cause them stress over the weekend. Dispersing the wildlife may also cause potential environmental issues such as encroachment onto the roadway or highway and into nearby properties.

RISK IMPLICATIONS

Political and Reputational

Longer duration festivals such as this can be associated with increased drug and alcohol use and anti-social behaviour. Bushcraft Productions have indicated that measures will be put in place to ensure these types of issues are controlled.

The Queensland Police have indicated the statistics from the previous festival held by the applicant at Sugarbag Station shows a high level of drug and alcohol offences. The Queensland Police have high concerns regarding this festival and fear the same issues will arise if this festival is approved.

The previous Festival at Sugarbag Station identified a number of Drug and Alcohol incidents and was publicised by the media.

LEGAL /COMPLIANCE/POLICY IMPLICATIONS

The Festival will be required to hold their own Public Liability insurance (\$20 million) and comply with conditions stipulated in the resolution.

FINANCIAL AND RESOURCE IMPLICATIONS

Capital

Nil

Is the expenditure noted above included in the current budget?

Nil

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

Nil

Operating
Nil

Is the expenditure noted above included in the current budget?
Nil

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

LINK TO CORPORATE PLAN

Community: Communities across the area share a sense of common identity whilst retaining local diversity and enjoy equitable access to services and facilities based on effective partnerships.

Governance: Sound decision-making based on the understanding and confidence of the community, reflected in responsible long-term financial sustainability and clear strategic direction build around core local government business and affordable levels of service.

IMPLEMENTATION/COMMUNICATION

If the Temporary Entertainment Event is not approved, the applicant will be notified.

ATTACHMENTS

1. Applications for Temporary Event - Collaborations Festival. CRM/18/03786
2. Queensland Police Report 12/04/2018 regarding Collaborations Festival.

Date Prepared: 6 April 2018


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

Application for Approval for Operation of a Temporary Entertainment Event
Application for Approval under Local Law No.1 (Administration) 2011
Schedule 12: Prescribed Activity: Operation of a Temporary Entertainment Event
ABN: 39 114 383 874

Temp/18/0001

You MUST complete ALL questions unless the form indicates otherwise. Incomplete forms or forms without all necessary information and documentation will result in your application not being a properly made application.

For all applications, you must:

- complete this form
- complete any other forms relevant to your application
- provide any mandatory supporting information identified on the forms as being required to accompany your application
- submit the fee applicable

I/We wish to apply for a permit to operate under the above Local Law and provide the following information:

Description of Event: Music and Art culture festival

Operation of a Temporary Entertainment Event
☒ Application Fee - \$585.00

Applicant details:

Note: the applicant is the person responsible for making the application and need not be the owner of the land. The applicant is responsible for ensuring the information provided on all Mareeba Shire Council application forms is correct. Any approval that may be issued as a consequence of this application will be issued to the applicant.

Business Trading Name:	<u>Bushcraft productions</u>
ABN:	
Applicant Name:	<u>Ned Bryant</u>
Postal address:	<u>14 Dominikovic CL Koah 4881</u>
Daytime contact number:	<u>0499221822</u>
Fax number:	
Email: <u>Collaborationsfestival@gmail.com</u>	

Event Details:

Name of Event:	<u>Collaborations festival</u>
Location of Event:	<u>545 Kay RD Mareeba 4880</u>
Name of Land Owner:	<u>Kanjini Co-op LTD</u>
Owner's Address:	<u>PO Box 51 Kuranda 4881</u>
Date of Event:	From: <u>20/7/2018</u> To: <u>23/7/2018</u>
Time of Event:	From: <u>9am: 20th</u> To: <u>5pm 23rd</u>

Give a detailed statement of the nature of the entertainment to be provided at the event and when the event is to be open to the public. (Provide as much information as possible to assist your application or attach a proposal).

✓ find attached festival description				
Number of staff on site during the event:		25 Staff, about 30 Vollyies + Contractors		
What is the estimated number of customers that will visit the event per performance?				
Number of toilets provided: Total 20 Unisex toilets	FEMALE	No. hand wash basins	No. toilets	
	MALE	No. hand wash basins	No. toilets	Length of urinals (metres)
Is access provided for emergency vehicles? (If yes, detail on map):		<input checked="" type="radio"/> Yes <input type="radio"/> No		
Number of bins provided:		30 bins, 4 can cages, 4 skip bins		
Name of the contractor collecting waste:		Rad Skips - David -		
Who is responsible for the site clean up?		Bushcraft productions		
List all fire safety precautions: (i.e. Fire exits, evacuation plan, smoke alarms, fire hoses, fire extinguishers, etc)		FA		
Will a building and fire safety inspection be conducted?		<input checked="" type="radio"/> Yes <input type="radio"/> No		
Name of security provider (if applicable)		Any where any time Security Service		
Number of security guards (if applicable)		10		
Will food be sold at the event (if yes give details) *** NOTE: Any persons intending to sell food at this event must contact Council to discuss food hygiene requirements at least 14 days prior to the event.		Yes (provide further details – Registered kitchen / vehicle / food stalls / types of food, business licence numbers etc)		
Will alcohol be served? (If yes, provide a copy of liquor licence)		NA		
Will there be fireworks display? (If yes, provide a copy of notification)		NA		
Public liability insurance for the event of 20 million dollars must be provided and a copy of the policy or a certificate of currency must be submitted to Council		Action Insurance		

Waste Management Strategy

Detail the provisions for the satisfactory collection, storage and removal of all wastes generated on site. Attach details of strategy	<input checked="" type="radio"/> Yes <input type="radio"/> No
Are both liquid wastes and solid wastes to be disposed of	<input checked="" type="radio"/> Yes <input type="radio"/> No

Noise nuisance

Have measures been taken to limit the event causing a noise nuisance.	<input checked="" type="radio"/> Yes <input type="radio"/> No
Provide details of the process that will be followed should noise complaints be received FA	

Complete this section only if the Public Entertainment Venue to be established or operated is a Circus:

Are you a member of the Circus Federation of Australia (If yes, provide a copy of membership)	<input type="radio"/> Yes <input type="radio"/> No
Does your Circus involve performances by animals?	<input type="radio"/> Yes <input type="radio"/> No
Provide details of the number and types of animals to be used and/or housed on the premises.	
Please provide a site plan of the proposed layout of the event including details, buildings and other structures. Other details should include direction of speakers/PA system, location of food stalls, bars, toilets, fencing, entry/exits.	

Applicant Declaration

I declare that the information provided by me in this application is true and correct.	<input checked="" type="radio"/> Yes <input type="radio"/> No
I consent to the making of enquiries and exchange of information with the authorities of any State, Territory, Commonwealth or foreign country in regards to any matters relevant to this application	<input checked="" type="radio"/> Yes <input type="radio"/> No

Supporting information required to be submitted with this application:

☒ Application Fee.
 ☒ Copy of a current public liability insurance policy
 ☒ Plan of site layout – including location of existing structures.

Signature: [Signature] Date: 20/3/18

Privacy Notice: Mareeba Shire Council is collecting applicant details in accordance with Council's Local Law in order to assess your application for approval. This information will only be accessed by Council employees and other persons authorised under the Local Government Act. Your information will not be given to any other person or agency unless you have given us permission or we are required by law.

Office use only		
CSO initials: _____	Receipt number: _____	Date: _____






Medcall Paramedical Group Event Risk Management Plan

Event Name: Collaborations Festival
Event Location: 545 Kay Rd Mareeba
Event Primary Contact: Ned Bryant
Event Type: Music Festival
Event Dates: 20 – 23 July 2018
Prepared by: Peter Linnell



Version	Document Status	Name	Title	Signature	Date
1.0	Prepared By:	Peter Linnell	Director		Mar 2018

Postal Address: P.O. Box 6101, Logan Central

Qld 4132
Telephone: 1300 143442
Mobile: 0447 334284
Email: medcallparamedicalgroup@outlook.com
Website: www.medcallemt.com.au
Offices: Brisbane & Sydney
MPG P/L t/a Medcall EMT Services, EMS Qld EMS ACT
ABN: 52613094296





Medcall Paramedical Group Event Risk Management Plan



Amend No.	Pages Amended	Details	New Risk Assessment Rev Number	Approved	Date
1	All	Site specific details for the *****	1		

Distribution List

Nominee	Organisation
1. Peter Linnell	Medcall Paramedical Group P/L (MPG P/L)
2. Lisa Johnson	Medcall Paramedical Group P/L (MPG P/L)
3. Dr. Tim Turk	Medical Director MPG P/L
4. Dr. Steve Jamieson	Asst. Medical Director MPG P/L
5. Ned Bryant	Collaborations Festival

REVISION	0	TITLE	MPG Risk Management Plan	Page 2 of 5
DATE	March 2018	APPROVED	Peter Linnell	



Medcall Paramedical Group Event Risk Management Plan



Category	Grouping	Allocation	Score
<i>Event description</i>	Cat 1 – Classical music, children's concert (i.e. Wiggles), Youth Camp etc	1	
	Cat 2 – Family Event, Local Show, Local Sporting Event, Schoolies	2	
	Cat 3 – Festivals, Major Sporting Event	4	4
	Cat 4 – Rock Concert, Extreme Sporting Event, Protest Event	8	
<i>Number of people</i>	<2000	1	1
	2001 – 5000	2	
	5001 – 10,000	4	
	10,001 – 50,000	8	
	50,001 – 100,000	16	
	>100,000	32	
<i>Type of attendance</i>	Families	1	1
	Fan Clubs, Sporting groups	2	
	International Star, International competitors and Visitors	3	
	VIP's	4	
<i>Age Groups</i>	30-65 including families	1	
	>65, 0-12yo	2	
	12 -16yo	3	
	16 – 30yo	4	4
<i>Event Location</i>	Outside (Open Air)	1	1
	Outside (Confined Area)	2	
	Inside (ample space)	3	
	Inside (crowded)	4	
<i>Available Health Resources</i>	Tertiary Hospital in immediate location	1	
	Regional/General hospital in immediate location	2	2
	District health service in immediate location	3	
	Small hospital in immediate location	4	
	Multi-purpose facility in immediate location	5	

REVISION	0	TITLE	MPG Risk Management Plan	Page 3 of 5
DATE	March 2018	APPROVED	Peter Linnell	



Medcall Paramedical Group Event Risk Management Plan



Category	Grouping	Allocation	Score
Distance to local health resource	<10km	1	
	10 – 50km	2	2
	50 – 100km	4	
	> 100km	8	
Time to Tertiary Health Facility	<30min	1	1
	31 – 60min	2	
	61 – 90min	4	
	91 – 120min	8	
	121 – 152min	16	
	>153min	32	
Event Duration	< 1 hour	1	
	2 – 4 hours	2	
	4 – 8 hours	3	
	8 – 12 hours	4	
	13+ hours	5	5
Alcohol	None	1	
	Restricted	2	2
	Readily Available	4	
	No Controls	8	
Drugs	None	1	
	Possible	2	
	Probable	4	4
Time of Event	Morning	1	
	Afternoon	2	
	Evening	3	
	All Day	4	
	24 hours	5	5
Season of Event	Spring/Autumn	2	
	Summer/Winter	3	2
Score Aggregate	Min: 14	This Event Score	34
	Max: 122		
Low Risk Event		<18	
Medium Risk Event		19 – 49	
High Risk Event		50 – 85	
Extreme Risk Event		86+	

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DATE	March 2018	APPROVED	Peter Linnell	



Medcall Paramedical Group Event Risk Management Plan



Actions Required	Level Of Risk			
	<i>Low</i>	<i>Medium</i>	<i>High</i>	<i>Extreme</i>
<i>Notify local medical facility of event</i>	Yes	Yes	Yes	Yes
<i>Notify local ambulance of event</i>	Yes	Yes	Yes	Yes
<i>Provide transport for patients to Health facility</i>	No	No	Yes	Yes
<i>Provide First Aid Staff</i>	Yes	Yes	Yes	Yes
<i>Provide First Aid Clinic</i>	No	Yes	Yes	Yes
<i>Provide Qualified EMT's/Medics</i>	No	Yes	Yes	Yes
<i>Provide Qualified Paramedics</i>	No	Yes	Yes	Yes
<i>Provide an equipped Medical Facility on site</i>	No	No	Yes	Yes
<i>Provide on- site medical teams</i>	No	No	No	Yes
<i>Medical Plan Required</i>	No	Yes	Yes	Yes
<i>Emergency Response Plan Required</i>	No	Yes	Yes	Yes

References

- Government of Western Australia: Department of Health (2009). *Guidelines for Concerts, Events and Organised Gatherings*.
- New South Wales Government: Department of Health (n.d.). *Event Starter Guide: A Resource for organising events in New South Wales: Appendices (2nd Ed)*.
- SAI Global (2004). *Risk Management Guidelines HB 436:2004 (Companion to AS/NZS 31000:2009)*.


REVISION	0	TITLE	MPG Risk Management Plan	Page 5 of 5
DATE	March 2018	APPROVED	Peter Linnell	



Medcall Paramedical Group Event Run Sheet

Event Name: Collaborations Festival
Event Location: 545 Kay Road Mareeba
Event Primary Contact: Ned Bryant
Event Type: Music Festival
Event Dates: 20 -23 July 2018
Prepared by: Peter Linnell



Version	Document Status	Name	Title	Signature	Date
1.0	Prepared By:	Peter Linnell	Director		Mar 2018

Postal Address: P.O. Box 6101, Logan Central
Qld 4114
Telephone: 1300 936717
Mobile: 0447 334284
Email: medcallparamedicalgroup@outlook.com
Website: www.medcallemt.com.au
Offices: Brisbane & Sydney
MPG P/L t/a Medcall EMT Services, EMS Qld, EMS ACT
ABN: 52613094296





Medcall Paramedical Group Event Run Sheet

Amend No.	Pages Amended	Details	New Risk Assessment Rev Number	Approved	Date
1	All	Site specific details for the	1		

Distribution List

Nominee	Organisation
1. Peter Linnell	Medcall Paramedical Group (MPG P/L)
2. Lisa Johnson	Medcall Paramedical Group (MPG P/L)
3. Dr. Tim Turk	Medical Director MPG P/L
4. Dr. Steve Jamieson	Asst. Medical Director MPG P/L
5. Ned Bryant	Collaborations Festival

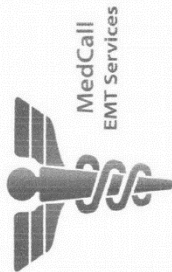
REVISION	0	TITLE	MPG Event Run Sheet	Page 2 of 3
DATE	March 2018	APPROVED	Peter Linnell	



Medcall Paramedical Group Event Run Sheet

Date/Time (in 24 hour)	Duration	Event/Action	Person Responsible	Comments	Completed
Pre Event Start					
19/07/18 1200 hrs	4 hrs	Fit-out medical area	Peter/Lisa		<input type="checkbox"/>
		Clean medical items	Trevor/Julia		<input type="checkbox"/>
		Stock Medical centre	Peter/Lisa		<input type="checkbox"/>
		Vehicles check	Phil		<input type="checkbox"/>
		Prepare refreshment area	Phil		<input type="checkbox"/>
		Check Response Bags	Peter/Lisa		<input type="checkbox"/>
1600 hrs		Briefing	All		<input type="checkbox"/>
Event Open/Commence					
20/07/18 0800 hrs	1 hr	Check Medical Centre	Peter/Lisa		<input type="checkbox"/>
		Re-check vehicles	Lisa/Phil		<input type="checkbox"/>
		Re-check Response bags	Peter/Lisa		<input type="checkbox"/>
0900 hrs	Ongoing	Manning of all areas	All		<input type="checkbox"/>
0900 hrs	Ongoing	Gates open	All		<input type="checkbox"/>
1600hrs	Ongoing	Festival commences	All		<input type="checkbox"/>
Event Finish					
23/07/18 1700 hrs	Ongoing	On call response	All		<input type="checkbox"/>
	Progressive	Check all resources	All		<input type="checkbox"/>
Event Close					
24/07/18 0700 hrs	3 hrs	Bump out	All		<input type="checkbox"/>
1000 hrs	Finish	Leave site	All		<input type="checkbox"/>


REVISION	0	TITLE	MPG Event Run Sheet	Page 3 of 3
DATE	March 2018	APPROVED	Peter Linnell	



Medcall Paramedical Group Event Medical Operational Plan

Event Name: Collaborations Festival
Event Location: 545 Kay Road Mareeba
Event Primary Contact: Ned Bryant
Event Type: Music Festival
Event Dates: 20 – 23 July 2018
Prepared by: Peter Linnell



Version	Document Status	Name	Title	Signature	Date
1.0	Prepared By:	Peter Linnell	Director		Mar 2018

Postal Address: P.O. Box 6101, Logan Central
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Telephone: 1300 143442
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Website: www.medcallemt.com.au
Offices: Brisbane, Sydney, Canberra
MPG P/L t/a Medcall EMT Services, EMS Qld, EMS ACT
ABN: 52613094296





Medcall Paramedical Group Event Medical Operational Plan



1. INTRODUCTION

1.1 Purpose of the Operational Plan

This Operational Plan describes the requirements to conduct medical support services for the Collaborations Festival (CF) being held at 545 Kay Road Mareeba

All events have an element of public risk and potential of injuries of varying nature. This Operational Plan has been compiled with due consideration to reduce and meet these risks as required and to prescribe the tasks required to conduct a safe and enjoyable event for staff, participants and spectators.

1.2 Background

July 2018, being the new festival home at 545 Kay Road Mareeba it is envisaged that approx 1000 music fans, crew and contractors will be attending.

2. OBJECTIVE

To ensure that MedCall EMT Services (MPG) conducts CF with regards to the provision of primary medical services in a professional manner with a focus on the safety of staff, participants and spectators and with regard to the organisers of the event

3. MANAGEMENT PRINCIPLES

3.1 Event Layout

- ❖ The event layout is defined as shown by the map that is attached at the end of this document.
- ❖ This includes all entertainment areas, spectator areas, behind scenes areas, access routes around the site and the camping grounds.
- ❖ Whilst all areas and access routes will be defined by mapping, it is fair to say that accessing some areas maybe trying due to the volume of people in one location.

3.2 Identification and Control of Staff, Participants & Spectators

All staff, spectators and participants will be issued with a wristband/neckbands identifying them as such. Spectators have been given information with regards to their responsibilities and the restrictions placed on them concerning access to the various areas.

- ❖ Designated parking areas are provided for vehicles
- ❖ Designated viewing areas are provided for spectators.

3.3 Times of Operation (Timelines)

Event:

- ❖ Friday 20 July 2018: Gates open to the public at 0900 hrs.
- ❖ Friday 20 July 2018: Music commences at 1600 hrs
- ❖ Event is operational 24 hrs per day
- ❖ Monday 23 July 2018: Music cease at 1700 hrs
- ❖ Tuesday 24 July 2018: Patrons to leave site by 1200 hrs

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Medcall Paramedical Group Event Medical Operational Plan



MedCall EMT Services/Paramedical (MPG): Thursday 19 July 2018: Bump in

Medic on duty/on call 24hrs

Thursday 19 July 2018

- ❖ Team arrives at 1200 hrs
- ❖ Construct, clean and prepare Medical Treatment Area
- ❖ Supply and stock Medical Centre
- ❖ Check all vehicles for operational use:
- ❖ Briefing of all personnel at 1600 hrs
- ❖ On call as of arrival at 1200 hrs

Friday 20 July 2018: Operational on rotating roster as of 0900 hrs

Monday 23 July 2018: Cease operations at 1700 hrs

Medical staff on – site:

- ❖ 1 x Intensive Care Paramedic (ICP)/Registered Nurse (RN)
 - A CCP is trained to do medical work, especially in medical and trauma emergency situations.
 - Are trained to perform advanced medical procedures. This training and education includes more detail in anatomy, physiology, pathophysiology and pharmacology
 - Advanced airway management, including endotracheal intubation
 - Complex mgt of patients with head injuries, including rapid sequence intubation
 - Insert intra osseous (into bone) cannula for advanced drug and fluid administration in paediatric patients
 - Treat life threatening chest injuries including pneumothoraxes (collapsed lung) by inserting a chest tube
- ❖ 2 x Advanced Care Paramedic (ACP)
 - A ACP is trained to do medical work, especially in medical & trauma emergency situations & is a specialist health care professional who responds to requests for assistance, attends people suffering acute health crises of any nature.
 - Paramedics provide health assessment, initial findings, design a treatment plan, manage the patient's crisis.
 - May provide adequate treatment that may resolve the crisis and may or may not refer the patient onto another health professional.,
- ❖ 2 x Emergency Medical Technicians (EMT's) Medics

Medics are trained to do medical work, especially in first aid situations, Identified EMT Medics will also be dedicated Radio Operators & Loggers

Roster: Rotating 8 hr shifts - Each shift min: 1 x ICP/RN, 2 x ACP's, 2 x Medics

Please note that the roster is a rolling roster which involves staggered shifts to enhance service delivery

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Medcall Paramedical Group Event Medical Operational Plan

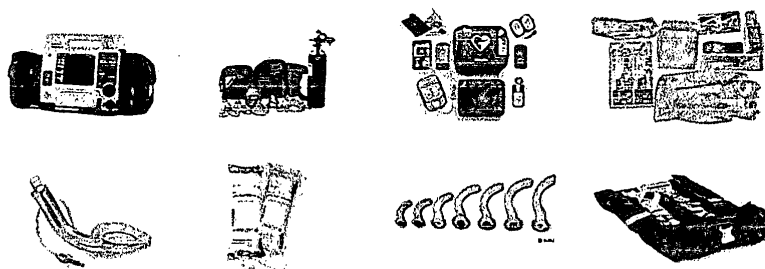


Medical Centre Layout: 9m x 6m

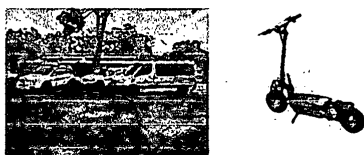
- ❖ Reception area
- ❖ Basic Treatment area
- ❖ Advanced Treatment area
- ❖ Intensive Care Treatment area
- ❖ General bed area – 4 beds
- ❖ Intensive Care bed area – 3 beds
- ❖ Chill out area

3.4 Medical Resources on-site

- 1st Aid Kits
- Medical Trauma Kits
- Grab Bags
- O2 fully equipped kits with resuscitator's, airways, LMA's etc
- IV Fluids and Cannulation Kits
- Lifepak 12 Defibs with ECG, SP02, PI, BP
- AED's (Philips & Zoll)
- Patient Monitoring Equipment
- Paramedical Response Bags & Equipment



3.5 Medical vehicles on-site



3.6 Rubbish Removal

Provision will be made for the collection, storage, removal and disposal of all general waste material in white bags. All materials will be disposed in a manner that meets requirements of legislation.

Please ensure that all contaminated waste is placed in yellow bags for transportation back to MedCall EMT Services location.

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Medcall Paramedical Group Event Medical Operational Plan



3.7 Review

MedCall EMT, CF organisers and other stakeholders will jointly review the operation of GF 2018 after the event. A report and recommendations will be provided which addresses the key provisions of this operational plan. Any improvements to the way the event is organised and run will be considered and this plan updated when necessary.

3.8 Food and Drink

Fresh fruit will be available. Coffee, tea facilities will be available. Bottled water is provided. Any nibbly's, soft drinks or any other type of food or drinks is your own responsibility.

3.9 Camping & Transport

There are separate camping (cabins) area from the general public. Everyone will be transported by one of the vehicles rostered to the site.

3.10 Patient Report Forms

Report Forms are to be completed for **EVERY** case seen – including blisters, headaches and advise given. This not only protects us but also gives the Organisers an accurate account of the number of casualties we have treated and allows us to have sufficient supplies and staffing for future events. We need to capture detailed records on all drains on our resources both supplies and advice. We will be using a new multi case report form for certain major injuries but for all other cases the standard A5 report form will need to be completed.

Report forms will be collated for reporting to the event organisers by the Peter at regular intervals during the event. Please ensure that every report is completed legibly and concisely. **Each person** is responsible to ensure that these are correctly filled out and maintained.

Report Forms are to remain confidential and are not to be given to anyone outside MedCall EMT employees. All patient enquires are to be directed to the Event Critical Care (see: note on Event Reporting)

3.11 Event Reporting

All reporting for the festival is managed by Peter. Under no circumstances is any information to be distributed to anyone outside of these channels. This includes numbers of patients, conditions and any other details. We will provide regular reports to the organizers on type and volume of Incidents. This is to be done by Peter only. In the case of serious incident – immediate reporting is required. Please do not mention anything about patients treated to anyone outside of our organisation. PLEASE REMEMBER THE MEDIA: – DO NOT ALLOW INFORMATION TO BE LEAKED. REFER ALL QUESTIONS TO PETER OR SIOBHAN LOCATED AT THE MEDICAL CENTRE.

3.12 Ambulance

In the case of an assessment being made that a patient is required to be hospitalised, the QAS Ambulance Service will be contacted via **000** who will arrange for nearest available ambulance to attend.

The nearest QAS Ambulance Station to the site is Mareeba – approx. 15 kms distance.

3.13 Hospital/Medical Centre

The nearest hospital is in Mareeba: (approx. 15 kms)

The nearest Medical Centre is in Mareeba: (approx. 15 kms)

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**Medcall Paramedical Group
Event Medical Operational Plan****3.14 Kits and Supplies**

Trauma Grab Bags/ Kits will be in each of the vehicles and also within the Medical Centre for foot response. There will also be adequate full packs consisting of Grab bags, Oxy and Defib on site. Trauma Grab bags are to be used to treat all patients that come into the posts. Restocking of this kit should take place after each patient using the base kits to get stock from.

Medical Centre Desktop Treatment Kits will be used at this event. These comprise of: Alcohol Spray, Antisepctic Wipes/Sprays, Guaze, Cotton Buds, Band-aids, Bandages, Island Dressings, Splints etc.

When advanced life support equipment is used, Peter or Lisa must be contacted to replace these items. ALS items are bag & mask, oxygen masks, defib pads and oxygen. We need to document every item used on our stock lists to account for all stock.

3.15 PPE

- ❖ Whilst on shift all medics are required to wear MedCall EMT shirt, navy long trousers, black shorts and enclosed black shoes/boots.
- ❖ In the event of rainy weather all staff will be issued with ponchos.
- ❖ Sunscreen (which is available) and Hats are provided must be worn on all areas of exposed skin during the day.
- ❖ Earplugs are available at each post **for our use only** (not for public issue). Please ensure these plugs are worn at all times when exposed to noise.
- ❖ Gloves and other forms of treatment PPE is available. Please wear disposable gloves when treating any patient.

4. COMMUNICATIONS**4.1 Radios**

All teams will be issued with a radio on CH14. No transmission of sensitive information over the network

4.2 Headsets

All radios will be provided with either:

- ❖ High noise reduction headsets
- ❖ Earpieces

4.3 Procedure

- ❖ We will be using a "CLOSED NET" system on the day.
- ❖ Callsigns will be first names.
- ❖ Callsigns to do radio check prior to leaving for a patrol or response to incident.
- ❖ If responding to incident, callsign is to radio back to the Duty Officer when arrive on-scene
- ❖ Callsigns radio for assistance if required
- ❖ Callsigns update Duty Officer

4.4 Mobile Telephones (pls note no mobile reception)

Note: Satellite phone will be on-site

Only three (3) mobile telephone numbers are listed.

- ❖ Duty Officer (shift dependant)

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**Medcall Paramedical Group
Event Medical Operational Plan**



Both the Supervisor and Comms Officer have access to every staff member's mobile number for Safety and Security reasons but with respect to privacy these numbers are not listed in this document for public viewing.

4.5 Comms Plan

Please see attached Appendix for the Comms Plan.

This document shows the following:

- ❖ Name of staff member
- ❖ Location of staff member
- ❖ Duty
- ❖ Callsign

4.6 Maps

Please see attached Appendix for map of event.

The map shows all locations along with attractions and has been "grid referenced" for response requirements by any organisation.

Staff will be supplied with a B5 laminated copy of this at the briefing.

4.7 Callouts

These can from different areas:

- ❖ Security
- ❖ Walk in to Medical Centre (members of the public etc)
- ❖ Walk up to staff
- ❖ Organisers contact via radio

Other than walk ins/ups any job coming via Duty Officer to the best of ability of information supplied will contain the following:

- ❖ Location
- ❖ Who or what it the job is
- ❖ Urgency level
- ❖ If escort being provided (if required)

4.8 Event show timetable

Please see attached Appendix 3 for complete schedule.

Especially for mainstage staff it contains when the headline acts are on and to expect higher and denser crowd situations not only in front of the stages on the oval but also on the surrounding areas eg the hill

4.9 Duty Officer

To ensure the efficient running of GF, there will be a Duty officer for each shift during the event.

Has overall responsibility for the operation of the event, liaises with the other members of the MedCall team and the PF organisers on site.

Duty Officer (shift dependant): As per roster

The following positions are in place:

EMT Medics: Conduct the following responsibilities

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Radio channel: Ch14

Contact	Position	Location	Callsign	Radio
Duty Officer	Overall Duty Officer	Medical Centre	Medical	As per radio

COLLABORATIONS FESTIVAL 2018

ACTION INSURANCE BROKERS PTY LTD

**ABN 39 080 844 426 ACN 080844426 AFS Licence No.
225047**

**Suite 301, Bldg A, "Sky City", 20 Lexington Drive
Bellavista NSW 2153**

Phone: (02) 8935 1500 Fax: (02) 8935 1501

**Website: www.actioninsurance.com.au Email:
Ian@actioninsurance.com.au**

COLLABORATIONS FESTIVAL 2018

SECURITY COMPANY

Company: Anywhere Anytime Security Services

Phone: 0438452775 Brett Foley

Email: brettfoley@tpg.com.au

Price: \$ _____

Bushcraft
Productions



ACN: 143296338
Phone: (07) 40937838
Mobile: 0427688862 / 0499221822
E-mail: bushcraftproductions@gmail.com
Address: 14 Dominikovic Close
Koah
Queensland
Australia 4881

To whomever it may concern,

My name is Ned Bryant and I am contacting you on behalf of Bushcraft Productions. We are planning on hosting a festival on the 20/07/2018 at the end of Kay Rd. To ensure that the noise levels are not going to be a problem we will be doing a sound check on the 17th of March. On this day, we will also be door knocking to say hello and check the decibel reading at your property.

If you have any questions feel free to contact me, I'd be more than happy to have a chat.

Kind Regards,



Ned Bryant

Procedure following a noise complaint

If we were to get a noise complaint the first thing I would do is communicate professionally with the officer in charge, then check the DB reading to be sure that we are complying with our site plan. If we are and we still have a problem then I would negotiate with whoever made the complaint to see if we could come to an agreement that benefits both parties. Finally if necessary, we will turn it down.

To prevent a noise complaint from happening in the first place we will have already done a sound check, and visited all neighbours within reach of sound with a decibel reader so we can reference X to Y in DB to ensure it won't be a problem.

WASTE MANAGEMENT STRATEGY

We use 44 gallon drums as bins. Total amount of bins on site is 30. 10 of those go out amongst the festival at a time every 6 hours we swap out all bins even if they are only half full and if the bins are filling up quicker than usual they will be emptied when necessary. Every second swop out which is every 12 hours we sort and recycle.

We also have 4 big cages for aluminium cans 3 of those go out amongst the festival and the 4th stays at our waste management station for when we process the rubbish.

There will also be 4 skip bins located at our waste management station. Skip bins will be on site for a weak from Thursday to Thursday.

Grey water will be collected in 100l IBC containers located at the back of the food stalls.

Liquid waste (showers & grey water from food stalls) will be collected in 1000L IBC containers, then disposed of on site at the sites treatment plant that can handle 4000L at a time. Because the liquid is to be collected before disposed of it can be treated over a longer period of time if necessary.

COLLABORATIONS FESTIVAL 2018

RUBISH / SKIP RENTAL

Company: Rad Skips

Phone: 40954777 / David

Email: bellaview@hotmail.com

Drop of: 19th July

Pick up: 26th July

\$ _____

\$ _____

\$ _____

\$ _____

TOTAL; \$ _____

Grey Water

Unless a festival or event site has geology or hydrology issues that make on site disposal of grey water unsafe then there are many benefits of bucking the traditional contain-it-store-it-transport-it approach to grey water that has been produced by showers and catering. By effectively and safely using the water on site event managers can reduce carbon emissions (from transport of mainly harmless water), improve the appearance of the festival site by watering flora and of course, reduce costs. However some prior thought and site design is required (usually in conjunction with the Site Manager) for this to be successful. We would like to thank David Wick of Spiral Sun Solar Showers for inspiring the following:

1. Become best friends with the Site Manager
2. Make the site manager become best friends with the landowner and the local OH & S officer
3. Persuade the OH & S officer that they trust the festival and that using an alternative method of Grey Water disposal is actually quite cool
4. Take a look at the festival site and see where natural soakaways are located
5. Use reed beds or naturally occurring soak-aways for small amounts of water, or small amounts of water over a protracted period
6. Dig shallow trenches (top layer of soil is where the beasties that clean the water live) over the largest area of ground available (larger area means less swampy attributes and greater soaking capacity)
- 7. Pipe the grey water to this area and release
8. A system of pressurised pipes/hoses with outlets can be designed for use at next years event
9. Fence the area
10. Plant trees and vegetation

Voilà!

Collaborations festival 2018 fire plan

To combat any UN expected fires or the spread of any designated communal fires we will have fire extinguishers located at all stages, on every generator and also at the Info Booth.

We will also have a portable fire hose on site that pumping's out of a 1000L IBC container.

Incise a fire is to spread out of control the site is surrounded by a fire brake.

Incise of an emergency like a fire that is out of control everyone is to gather at the Emergency Assembly area which is clearly marked on the site map that is handed out to every vehicle that enters the festival.

COLLABORATIONS FESTIVAL
2018
FIRE SAFTY
EQUIPMENT HIRE

Company: Trinity fire services

Phone: 40 313 077

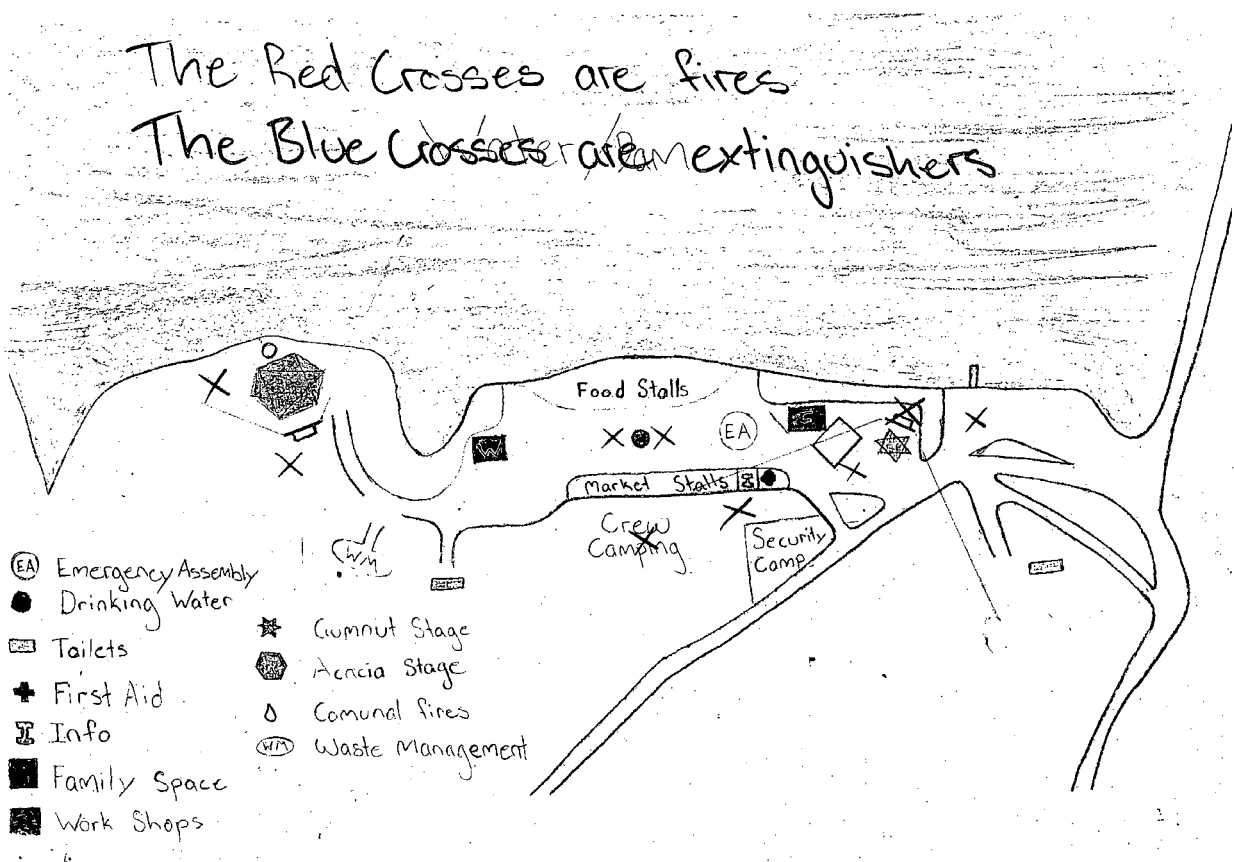
Email: info@trinityfireservices.com

Address: 12/18 federation street bungalow QLD 4870

Price: \$ _____

* _____
* _____
* _____
* _____

Picked up & dropped back by: _____



**Bushcraft
Productions**

ACN: 143296338

Phone: (07) 40937838

Mobile: 0427688862 / 0499221822

E-mail: bushcraftproductions@gmail.com

To Whomever it may concern,

I am writing to you on behalf of Bushcraft Productions. We are planning on hosting an Entertainment Event (Festival) in your region. The address for the property is; 545 kay RD Mareeba 4880.

Collaborations Festival is a Music and Art Culture celebration with a diverse range of creative self-expression on show. A lush soundscape provided ranging from live bands, solo acoustics, hip hop and electronic genres.

We strongly support and respect the indigenous culture, and have traditional owners perform a "welcome to country" as a part of the welcoming ceremony. And always looking for other ways that we can collaborate with the first nations people and help them share their culture with the rest of world.

During the weekend there is an array of talented performers who showcase their skills through fire dancing, juggling, aerial silks, bike stunts, acrobatic shows and more!

There will also be a number of visionary artists doing live painting throughout the festival. Some paint on canvas and some specialise in body painting!

Also provided over the weekend is a workshop space where you will find all sorts of interesting, hands on, informative, up lifting workshops and talks to attend. Over the years we have had members of the community share their skills on yoga, permaculture, macramé, beatboxing, aerial silks, sound healing, hula hooping, tie dying, sacred geometry, healing herbs and more.

We take pride in being a family friendly event. A magical space is created for the parents and children to enjoy and relax. Filled with craft supplies, circus toys, bean bags and comfy cushions, a face painter and other little trinkets and games, there's something for children of all ages! Collaborations Festival offers free tickets to children 14 and under and we also support our elders who are 60 and over by accepting donations of any size.

What's a festival experience without strolling through a mystical market space?! You will find a crafty selection of funky handmade clothing, jewellery, art prints, crystals, home décor, bags and all sorts of wonderful items. And of course your senses will be delighted at the food selection! We carefully select stalls so that there is a variety of food options that can cater to dietary and health requirements. We ensure that the stalls that are selected are selling handmade or ethically sourced goods, and we require that all food stalls use bio degradable/compostable serving dishes and cutlery.

Overall, one of the most nicest heart-warming things to see at Collaborations Festival is our vibrant community coming together to co-create and share a space that is driven by the love for art, and the respect for creative self-expression, and the all-round good vibes! It's a pretty amazing thing to witness.

Gates will be open to the public 9am Friday the 20th of July. The event finishes 5pm Monday the 23rd. We will be expecting about 800 punters and another 200 between crew, contractors & artists.

If you have any questions or queries please feel free to contact me.

Kind Regards,

Ned Bryant

Collaborations festival description

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There will also be a number of visionary artists doing live painting throughout the festival. Some paint on canvas and some specialise in body painting!

Also provided over the weekend is a workshop space where you will find all sorts of interesting, hands on, informative, up lifting workshops and talks to attend. Over the years we have had members of the community share their skills on yoga, permaculture, macramé, beatboxing, aerial silks, sound healing, hula hooping, tie dying, sacred geometry, healing herbs and more.

We take pride in being a family friendly event. A magical space is created for the parents and children to enjoy and relax. Filled with craft supplies, circus toys, bean bags and comfy cushions, a face painter and other little trinkets and games, there's something for children of all ages! Collaborations Festival offers free tickets to children 14 and under and we also support our elders who are 60 and over by accepting donations of any size.

What's a festival experience without strolling through a mystical market space?! You will find a crafty selection of funky handmade clothing, jewellery, art prints, crystals, home décor, bags and all sorts of wonderful items. And of course your senses will be delighted at the food selection! We carefully select stalls so that there is a variety of food options that can cater to dietary and health requirements. We ensure that the stalls that are selected are selling handmade or ethically sourced goods, and we require that all food stalls use bio degradable/compostable serving dishes and cutlery.

Overall, one of the most nicest heart-warming things to see at Collaborations Festival is our vibrant community coming together to co-create and share a space that is driven by the love for art, and the respect for creative self-expression, and the all-round good vibes! It's a pretty amazing thing to witness.

Gates will be open to the public 9am Friday the 20th of July. The event finishes 5pm Monday the 23rd.

**QUEENSLAND POLICE SERVICE**

Mareeba Police Station
167 Walsh Street
PO Box 1126 Mareeba 4880
TELEPHONE (07) 40303340 FACSIMILE (07) 40923875



Our Ref.:

Your Ref.:

12/04/2018

Mareeba Shire Council
Attention: Robert D'ADONNA

1. This report relates to Mareeba Police concerns as to the proposed event to be held at 545 Kay Road, Mareeba by Bushcraft Productions under the name of Collaborations Festival across the weekend of the 20th of July 2018. This report addresses the Police response and issues identified from the event having been held at Sugarbag Station, Mount Garnet in 2017; the event having been held yearly at Sugarbag Station for several years.
2. For clarification, Mareeba Police object to this event being held.
3. Across the weekend of the 21st of July 2017, the Police response to this event was through staffing from the Road Policing Units, Road Drug Testing Units, Townsville Dog Squad, Mount Garnet Station and Mount Surprise Station.
4. The Policing response targeted vehicles and persons travelling to and from the festival. Foot patrols were conducted through the festival throughout the weekend. The results were;

Drink Driver:	1
Drug Driver:	44
Possession of Drugs/ Utensils:	27 persons on 43 charges
Driving Offences (Licensing):	6
Traffic Infringement Notice:	41
Public Order Offences:	1

QUEENSLAND POLICE SERVICE

Page 1 of 3

5. The majority of drugs detected on drivers and seized from persons was Cannabis, however there was a large number of persons dealt that were driving under the influence/ in possession of MDMA (Ecstasy), Lysergide (LSD) and Methamphetamine.
6. These results were heavily publicised within the local papers as well far north media which led to the community of Mount Garnet objecting to the event being held again within their division. This is the reason Bushcraft Productions sought to have the event held within the Mareeba Division.
7. On this basis, Mareeba Police object to the event being held within the Tablelands Patrol Group.
8. The event in 2017 at Sugarbag Station attracted approximately 1000 persons, some of which were still leaving the event three days after the finish. Although Bushcraft Productions predict an attendance of 800 persons for the event in 2018, it is suggested that this figure will be significantly higher given the closer proximity and easier access to Cairns and the wider area.
9. Given the large number of persons predicted to be attending, it follows that there will be a large number of those persons affected by drugs and choosing to drive. The only access to this area is off the Kennedy Highway; there is a real concern that those drug- affected drivers will leave the festival and be involved in a serious or fatal traffic crash along this highway. As it can be appreciated, the Tablelands area does suffer from a high number of fatal traffic crashes. We have an obligation to mitigate the factors that contribute to fatal and serious traffic crashes and drug-drivers are a real and significant concern for this area.
10. We have spoken with Kanjini Co- Operative managers and cannot identify any issues from within the property itself.

11. It would be appreciated to have your response to this matter provided at the earliest opportunity so that if you chose to proceed, we can response appropriately.
12. Submitted for your consideration.



N M MITCHELL
SERGEANT 13917
MAREEBA POLICE STATION

LOCAL LAWS

ITEM-17 **PROPOSED ADOPTION OF LOCAL LAWS AND SUBORDINATE LOCAL LAWS**

MEETING: Ordinary

MEETING DATE: 18 April 2018

REPORT OFFICER'S TITLE: Manager Development and Governance

DEPARTMENT: Corporate and Community Services

EXECUTIVE SUMMARY

On 19 July 2017, Council adopted a local law-making process for the adoption and review of its Local Laws and Subordinate Local Laws.

The purpose of this report is to repeal the Local Law-Making Process and to propose to adopt draft Local Laws and Subordinate Local Laws. The Local Laws and Subordinate Local Laws are now in a draft form that are able to be adopted by Council. Council must resolve to adopt the model local laws and subordinate local laws. Under the Local Government Act 2009 ("LGA"), Council must also complete a review of anti-competitive provisions ("Review").

OFFICER'S RECOMMENDATION

"That Council:

1. repeals the proposed local law-making process:
 2. proposes to adopt each of the following local laws:
 - (i) Local Law No. 1 (Administration) 2018;
 - (ii) Local Law No. 2 (Animal Management) 2018;
 - (iii) Local Law No. 3 (Community Environmental Management) 2018;
 - (iv) Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2018;
 - (v) Local Law No. 5 (Parking) 2018.
 3. proposes to make each of the following proposed subordinate local laws:
 - (i) Subordinate Local Law No. 1 (Administration) 2018;
 - (ii) Subordinate Local Law No. 2 (Animal Management) 2018;
 - (iii) Subordinate Local Law No. 3 (Community Environmental Management) 2018;
 - (iv) Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2018;
 4. repeals the local laws listed below upon the adoption of the local laws listed above:
-

- (i) Local Law No. 1 (Administration) 2011;
- (ii) Model Local Law No. 2 (Meetings) 2008;
- (iii) Local Law No. 2 (Animal Management) 2011;
- (iv) Local Law No. 3 (Community Environmental Management) 2011;
- (v) Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011;
- (vi) Local Law No. 5 (Parking) 2011.

5. repeals the subordinate local laws listed below upon the adoption of the subordinate local laws listed above:

- (i) Subordinate Local Law No. 1 (Administration) 2011;
- (ii) Subordinate Local Law No. 2 (Animal Management) 2011;
- (iii) Subordinate Local Law No. 3 (Community Environmental Management) 2011;
- (iv) Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011;
- (v) Subordinate Local Law No. 5 (Parking) 2011.

6. pursuant to section 257 of the *Local Government Act 2009* ("the Act"), delegates to the Chief Executive Officer of Council its powers under section 38 of the Act and section 15 of the *Local Government Regulations 2012* to decide the consultation process for the local laws and subordinate local laws, and the Review."

BACKGROUND

See Preston Law report, **attached**.

LINK TO CORPORATE PLAN

Governance – Developer Communication Plan to engage communities including by increasing Council availability to achieve a greater understanding of Council's decision-making process and policies.

CONSULTATION

Internal

Manager Development and Governance

External

Preston Law

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

The relevant legislative requirements are as follows:

- (a) *Local Government Act 2009* – section 29 (local law-making process);
- (b) *Local Government Act 2009* – section 121(1) (removal of unsound decisions);
- (c) *Local Government Act 2009* – section 38 (anti-competitive provisions);

- (d) *Local Government Act 2009* – section 257 (delegation of local government powers);
- (e) *Local Government Regulation 2012* – section 14 (local law register) – Act, s31;
- (f) *Local Government Regulation 2012* – section 15 (anti-competitive provisions and review procedures);
- (g) National Competition Policy – Guidelines for Conducting Reviews on Anti-Competitive Provisions and Local Laws – Version 1.

POLICY IMPLICATIONS

The adoption of local laws is in accordance with the principles of Local Government.

The adoption of the local laws will amend policy and procedures as outlined in the local law.

Public consultation regarding the procedural and policy changes is part of the local law adoption process.

FINANCIAL & RESOURCE IMPLICATIONS

Capital
Nil

Operating
Advice on process requirements to be provided by Preston Law.

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

The implementation and communication process will follow the process adopted by Council.

The proposed local laws are the same provisions as Council is currently operating under and therefore additional implementation measures, internal and public communication to that contained in the local law adoption process is unlikely to be required.

Draft Local Laws and Subordinate Local laws will be available on Council website for 21 days to enable meaningful community engagement.

ATTACHMENTS

1. Report to Council on Local Law-Making Process (including Review of Anti-Competitive Provisions)– Preston Law;
2. Proposed draft local laws: (Distributed separate to report)
 - a. Local Law No. 1 (Administration) 2018;
 - b. Local Law No. 2 (Animal Management) 2018;

- c. Local Law No. 3 (Community Environmental Management) 2018;
 - d. Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2018; and
 - e. Local Law No. 5 (Parking) 2018.
- 3. Proposed draft subordinate local laws: (Distributed separate to report)
 - a. Subordinate Local Law No. 1 (Administration) 2018;
 - b. Subordinate Local Law No. 2 (Animal Management) 2018;
 - c. Subordinate Local Law No. 3 (Community Environmental Management) 2018;
 - d. Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2018; and
 - e. Subordinate Local Law No. 5 (Parking) 2018.

Date Prepared: 11 April 2018



REPORT TO COUNCIL

PROPOSAL TO ADOPT LOCAL LAWS AND REVIEW OF ANTI-COMPETITIVE PROVISIONS

APRIL 2018

Preston
LAW

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Executive Summary

On 19 July 2017, Council adopted a local law making process for the adoption and review of its Local Laws and Subordinate Local Laws.

The purpose of this report is:

- to modify the Local Law Making Process;
- to propose to repeal the existing local laws and adopt draft Local Laws and Subordinate Local Laws;
- to provide Council with a review of anti-competitive provisions in accordance with the legislation.

Council is currently operating under the Tableland Local Laws since de-amalgamation. The current local laws require extensive amendments. Given the amendments sought to the local laws we recommend that the local laws are repealed and new local laws are adopted.

The Local Laws and Subordinate Local Laws are in a draft form that are able to be adopted by Council. Council must resolve to adopt the model local laws and subordinate local laws.

Under the *Local Government Act 2009* ("LGA"), Council must also complete a review of anti-competitive provisions. This report also outlines the anti-competitive provisions that were identified. Of those anti-competitive provisions that were identified, no significant impacts on businesses were found. The local laws may be adopted by Council without further review.

Policy Implications

Adoption of model local laws and making subordinate local laws in accordance with the principles of the LGA.

Statutory Requirements

Local Government Act 2009, section 29 (Local Law Making Process)

Local Government Act 2009, section 121(1) (Removal of unsound decisions)

Local Government Act 2009, section 38 (Anti-competitive provisions)

Local Government Act 2009, section 257 (Delegation of local government powers)

Report – Proposal to Adopt Local Laws and Review of Anti-Competitive Provisions

Preston
LAW

Local Government Regulation 2012, section 14 (Local Law Register – Act, s31)

Local Government Regulation 2012, section 15 (Anti-competitive provisions and review procedures)

National Competition Policy – Guidelines for conducting and reviews of anti-competitive provisions in local laws- Version 1 2013

Options for Council

- (a) Consider this report and take no action;
- (b) Consider this report and resolve that Council:
 - (i) modifies the local law making process, or repeals the process;
 - (ii) proposes to adopt each of the model local laws listed in **Schedule 1**; and
 - (iii) proposes to make each of the proposed subordinate local laws listed in **Schedule 2**;
 - (iv) proposes to repeal the local laws listed in **Schedule 3** and the subordinate local laws listed in **Schedule 4**;
 - (v) adopts the review of possible anti-competitive provisions in the proposed local laws and subordinate local laws.

Modification of Local Law Making Process

Council adopted a process for making its local laws in accordance with section 29(1) of the LGA at its meeting on 19 July 2017.

Section 29(1) of the LGA does not require Council to adopt a local law making process, but it may. Once a process is adopted, if that process is not complied with the local laws could be invalidated.

The process must not be inconsistent with Chapter 3 Part 1 of the LGA.¹

Council may amend or repeal the process at any time.

At paragraph 5 A(2) and (3); B(3) and (4) and E(2) and (3) the local law making process specifies the following steps:

¹ See s29(1) of the LGA.

Report – Proposal to Adopt Local Laws and Review of Anti-Competitive Provisions

 Preston
 LAW

2. Council reviews the model local law to identify any possible anti-competitive provisions, using the 'Guidelines to assist Local Governments to identify possible anti-competitive provisions in proposed local laws and proposed local law policies'	Legislative requirement – s.38 LGA, s.16 <i>Local Government Regulation 2012</i> .
3. If the model local law contains possible anti-competitive provisions, Council undertakes a Public Interest Test process in line with the 'National Competition Policy Guidelines for conducting public interest tests on possible anti-competitive provisions in local laws and local law policies'	Legislative requirement – s.38 LGA, s.16 <i>Local Government Regulation 2012</i> .

The adopted process refers to an incorrect section of the *Local Government Regulation 2012*, and the review process under the regulation has not changed to require Councils to now comply with the "National Competition Policy – Guidelines for Conducting Reviews on Anti-Competitive Provisions in Local Laws – Version 1" ("**Guidelines**").

The Guidelines were amended to make it easier, faster and more cost effective to conduct a review of anti competitive provisions in local laws. However, the adopted process negates the amendment. Council must comply with the adopted process.

A "Public Interest Test" is now only required if an identified "anti-competitive provision" has a "significant impact" as identified in the Guidelines. If the current local law making process is not amended or repealed, Council must undertake a Public Interest Test regardless of the outcome of the review under the Guidelines. A Public Interest Test is unlikely to be required in most instances under the new Guidelines, and if required by Council, significant time and costs will be expended complying with the process.

Council has the option of repealing the local law making process, or replacing the steps in paragraph 5 A(2) and (3); B(3) and (4) and E(2) and (3) of the local law making process adopted on 19 July 2017, with the following step:

Council reviews the local law in accordance with the National Competition Policy – Guidelines for Conducting Reviews on Anti-Competitive Provisions in Local Laws – Version 1.	Legislative requirement – s. 38 LGA, s. 15 <i>Local Government Regulation 2012</i> .
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We recommend that the process is repealed. Council is not required to adopt a Local Law Making Process. However, once adopted, if the process is not complied with, the local laws will be invalid.

The process that has been adopted generally mirrors the process required under the LGA and therefore, there is no reason to retain the local law making process. That is, unless Council wishes to mandate additional steps to those contained in the LGA (that could invalidate the local law if not followed), a process should not be adopted.

Local Laws

The local laws we propose Council adopt are the Model local laws drafted by the State of Queensland.

The Model Local Laws were drafted in 2011 and they have been updated to ensure the legislation referred to in the local laws are correct and references to Tablelands Regional Council have been corrected.

The old Local Laws had been significantly amended and we have corrected a number of amendments that should not have been made.

However, section 13(1)(b) of Model Local Law No.3 (Community and Environment Management) has been amended as follows:

- (1) This section applies where an authorised person forms the opinion that an allotment is overgrown with vegetation to such an extent that it—
 - a. Has seriously affected the visual amenity of the allotment; or
 - b. Is likely to harbour reptiles ~~or flying foxes~~.

This inclusion of “flying foxes” in this section will require Council to consult the State about the overall State interest, in accordance with section 29A of the LGA.

The amendment will be closely scrutinised because under the Nature Conservation Act, flying fox roosts cannot be disturbed. Whilst this local law does not offend that law, it may be difficult to determine whether an allotment “is likely to harbour flying foxes” until the flying foxes have landed. It is possible that the State will recommend that the Model Local Law not be amended.

Subordinate Local Laws

The Subordinate Local Laws were drafted in accordance with instructions from Council officers.

Generally, the provisions are consistent with other local government local laws.

Council must engage with the public prior to adopting the local laws. We recommend that any submissions received from the public during the consultation phase of the adoption process is considered, and where appropriate, the local laws can be amended prior to adoption.

Recommendation

That Council resolves to:

1. repeal the local law making process;
2. propose to adopt each of the local laws listed in **Schedule 1**; and
3. propose to adopt each proposed subordinate local law listed in **Schedule 2**;
4. repeal the local laws listed in **Schedule 3** upon the adoption of the model local laws in **Schedule 1**;
5. repeal the subordinate local laws listed in **Schedule 4** upon the adoption of the subordinate local laws listed in **Schedule 2**.
6. pursuant to section 257 of the *Local Government Act 2009* ("**the Act**"), to delegate to the Chief Executive Officer the power to decide the consultation process for the local laws and subordinate local laws, and the Review.

Schedules**Schedule 1****Local Laws proposed to be adopted**

- (i) Local Law No. 1 (Administration) 2018;
- (ii) Local Law No. 2 (Animal Management) 2018;
- (iii) Local Law No. 3 (Community Environmental Management) 2018;
- (iv) Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2018;
- (v) Local Law No. 5 (Parking) 2018.

Schedule 2**Subordinate Local Laws proposed to be adopted**

- (i) Subordinate Local Law No. 1 (Administration) 2018;
- (ii) Subordinate Local Law No. 2 (Animal Management) 2018;
- (iii) Subordinate Local Law No. 3 (Community Environmental Management) 2018;
- (iv) Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2018;
- (v) Subordinate Local Law No. 5 (Parking) 2018;

Schedule 3**Local Laws Repealed**

The local law repeals each of the following local laws:

- (i) Local Law No. 1 (Administration) 2011;
- (ii) Model Local Law No. 2 (Meetings) 2008;
- (iii) Local Law No. 2 (Animal Management) 2011;
- (iv) Local Law No. 3 (Community Environmental Management) 2011;
- (v) Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011;
- (vi) Local Law No. 5 (Parking) 2011.

Schedule 4**Subordinate Local Laws Repealed**

The local law repeals each of the following subordinate local laws:

- (i) Subordinate Local Law No. 1 (Administration) 2011;
- (ii) Subordinate Local Law No. 2 (Animal Management) 2011;
- (iii) Subordinate Local Law No. 3 (Community Environmental Management) 2011;
- (iv) Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011;
- (v) Subordinate Local Law No. 5 (Parking) 2011.

FINANCE

ITEM-18 FINANCIAL STATEMENTS FOR PERIOD ENDING 31 MARCH 2018

MEETING: Ordinary

MEETING DATE: 18 April 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 March 2018.

OFFICER'S RECOMMENDATION

"That Council note the financial report for the period ending 31 March 2018 and endorse the emergency purchase orders."

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 March 2018, the actual results are in line with the year to date budget.

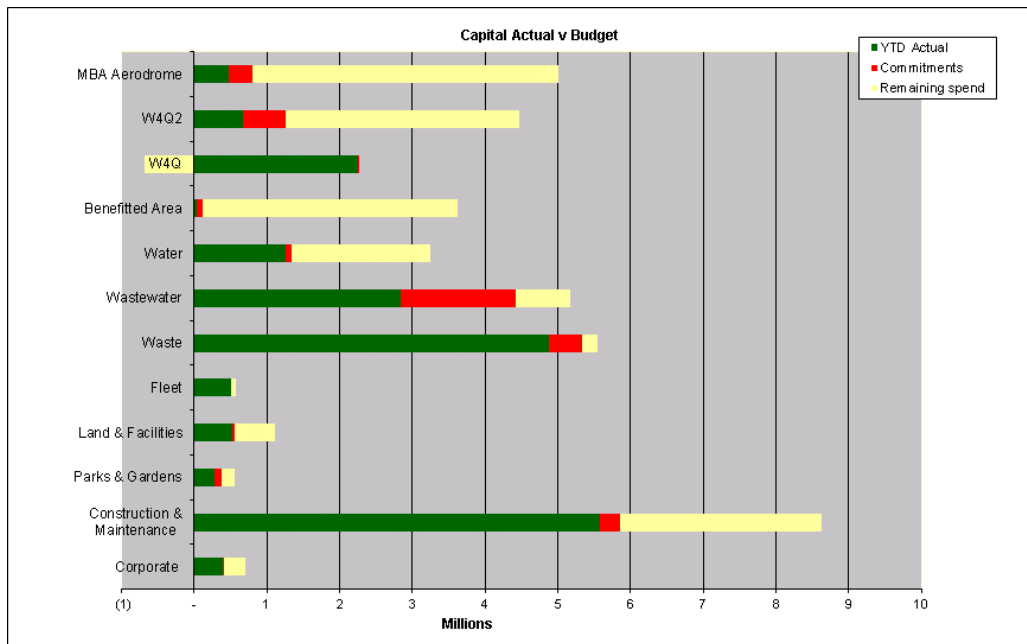
The budgeted figures reflect the 2017/18 Budget as adopted by Council at the 21 June 2017 meeting. There are no issues or concerns to discuss or highlight at this stage.

March 2018 - Snapshot

Total Operating Income	\$	40,241,070
Total Operating Expenditure	\$	30,976,721
Operating Surplus/(Deficit)	\$	9,264,349
Total Capital Income (grants, developer contributions)	\$	11,579,378
Net Result - Surplus/(Deficit)	\$	20,843,727

Capital Expenditure

Total capital expenditure of \$23,188,551 (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).

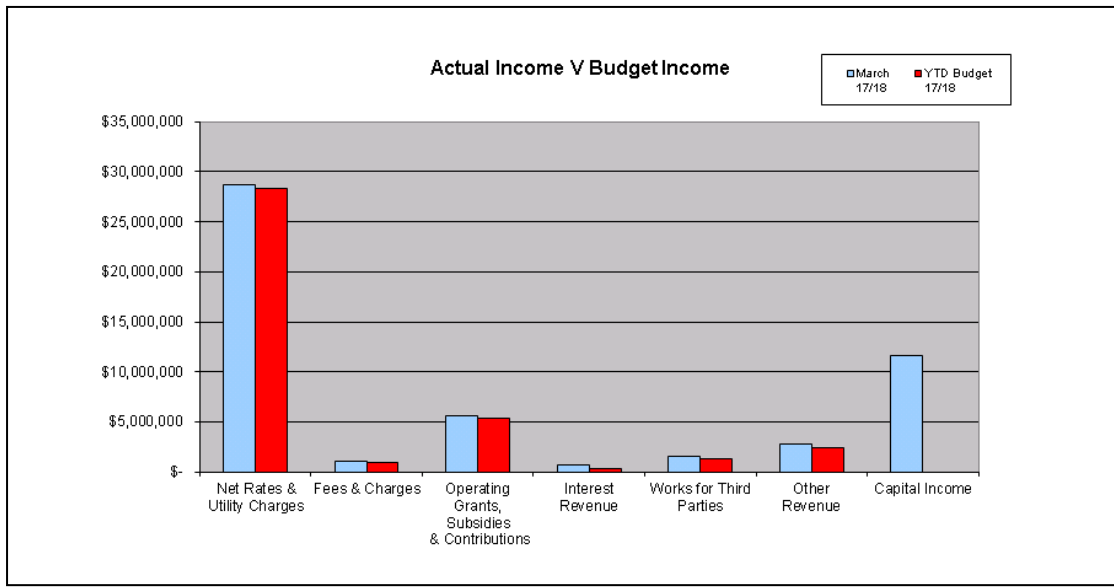


The W4Q remaining spend is shown in the negative to represent the council contribution for additional demolition and repair costs for timber bridges.

Income Analysis

Total income (including capital income of \$11,579,378) for the period ending 31 March 2018 is \$51,820,448 compared to the YTD budget of \$38,707,531.

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



	Actual YTD	Budget YTD	Note
Net Rates & Utility Charges	28,645,949	28,350,673	
Fees & Charges	1,017,521	991,389	
Operating Grants, Subsidies & Contributions	5,604,981	5,325,271	
Interest Received	652,663	317,100	
Works for Third Parties	1,555,727	1,341,176	1
Other Revenue	2,764,229	2,381,923	2
Capital Income	11,579,378	0	3

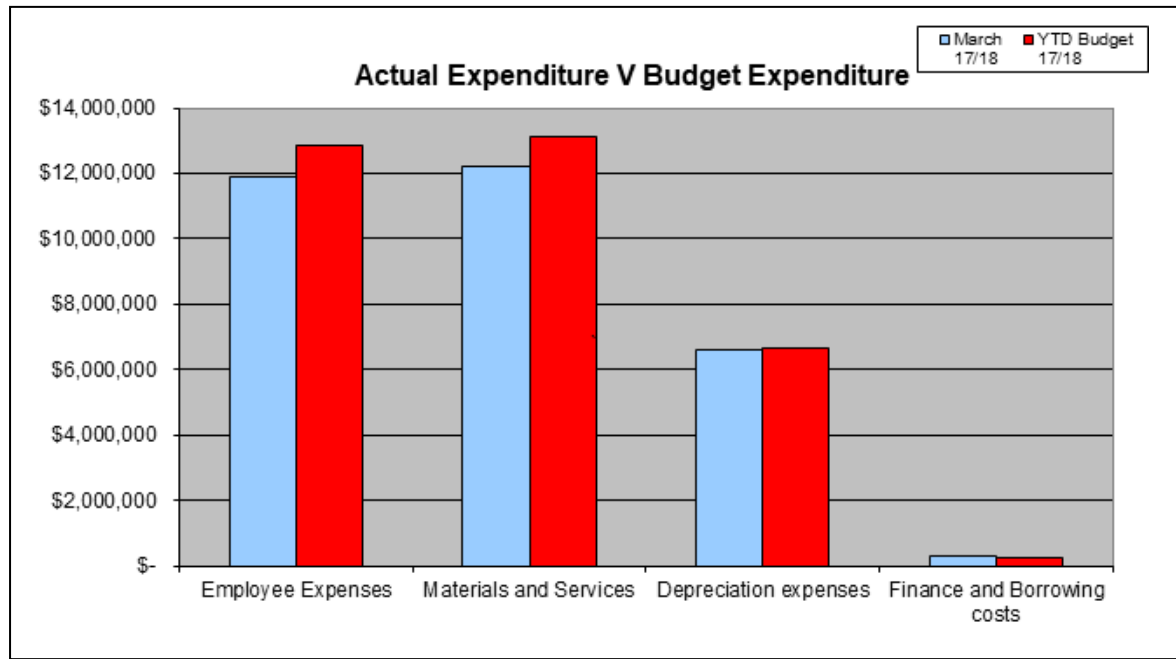
Notes:

1. 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.
2. To date we have received \$95k in insurance recoveries (no budget allocated) leases and rental income is currently \$139k 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 \$102k.
3. Council has currently received \$10.5m in capital grants (e.g. TIDS, R2R, W4Q progress payment), \$278k 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 March 2018 is \$30,976,721 compared to the YTD budget of \$32,888,912.

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



Description	Actual YTD	Budget YTD	Note
Employee expenses	11,897,588	12,845,026	1
Materials & Services	12,199,081	13,126,775	2
Depreciation expenses	6,609,775	6,668,824	3
Finance & Borrowing costs	270,277	248,487	

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 annual 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 March 2018 is as follows:

QTC Loans	\$6,263,939
-----------	-------------

Rates and Sundry Debtors Analysis

Rates and Charges

The total rates and charges payable as at 31 March 2018 is \$4,963,985 which is broken down as follows;

	31 March 2018		31 March 2017	
Status	No. of properties	Amount	No. of properties	Amount
Valueless land	76	2,278,398	72	1,749,961
Payment Arrangement	192	255,144	187	208,570
Collection House	169	703,911	245	942,374
Exhausted – awaiting sale of land	8	84,832	13	120,239
Sale of Land	5	63,237	10	187,420
Other (includes current rates)	1179	1,578,463	908	1,233,605
TOTAL	1629	4,963,985	1435	4,442,169

The Rates Notices for the period ending 30 June 2018 were issued in February 2018 with the discount due date being 16 March 2018. Total Gross Rates and Charges levied for this six (6) month period totalled \$16,513,547. On 26 March 2018, 1361 reminder notices were issued for a total value of \$2,502,582.

The procedure has commenced to acquire valueless land properties. The six-month waiting period terminated in March and Council will now follow due process in acquiring those properties.

The Sale of Land process is now underway, with three (3) properties being paid out. There are five (5) properties remaining with outstanding rates and charges of \$63,237. This process is likely to collect the full balance within the coming month.

Collection House collected \$72,399 for the month of March 2018.

Sundry Debtors

The total outstanding for Sundry Debtors as at 31 March 2018 is \$1,732,566 which is made up of the following:

Current	30 days	60 days	90 + days
\$1,488,974	\$110,210	\$13,803	\$119,579
0.86%	0.06%	0.01%	0.07%

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

Procurement

The following 11 emergency purchase orders recorded in March, all related to emergent works as the result of the rain and flooding event;

Order Number	Quotation Process	Order Date	Supplier Name	Order Amount	
PWK04677	Emergency	6/03/2018	Tableland Earthmoving and Raw Materials	6,661.03	Wolfram Road Dimbulah - James Creek Causeway
PWK04700	Emergency	14/03/2018	Mount Carbine Quarries	3,570.00	Vallely Road
PWK04701	Emergency	14/03/2018	Boral Construction Materials Group	3,034.91	Emerald Ck Falls Road
PWK04710	Emergency	15/03/2018	Miriwinni Lime Pty Ltd	8,250.00	Tate River Crossing
PWK04716	Emergency	16/03/2018	FGF Developments Pty Ltd	2,560.00	Flaggy Creek
PWK04727	Emergency	21/03/2018	Tableland Earthmoving and Raw Materials	1,574.64	Inveradi Road
PWK04748	Emergency	28/03/2018	Boral Construction Materials Group	3,376.00	Spena Road
PWK04750	Emergency	28/03/2018	Tableland Earthmoving and Raw Materials	1,330.43	Vallely Road
PWK04759	Emergency	28/03/2018	Boral Construction Materials Group	2,470.00	Davies Ck Road
PWK04761	Emergency	28/03/2018	Tableland Earthmoving and Raw Materials	2,250.00	Black Mountain Road Julatten
PWK04767	Emergency	29/03/2018	Conmant Pty Ltd	3,956.00	Adler Hill and Mclver Rd

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: *9 March 2018*

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

	Consolidated		General Fund		Waste Services	
	Actual YTD	Budget YTD	Actual YTD	Budget YTD	Actual YTD	Budget YTD
		2017/18		2017/18		2017/18
Revenue						
Rates and utility charges	30,434,572	30,151,770	16,809,827	16,558,012	3,567,898	3,519,035
Less Discounts and Pensioner Remissions	(1,788,923)	(1,801,097)	(1,788,923)	(1,801,097)	-	-
Net Rates and Utility Charges	28,645,649	28,350,673	15,021,204	14,756,915	3,567,898	3,519,035
Fees and Charges	1,017,521	991,389	1,003,552	956,289	-	-
Operating Grants and Subsidies	4,767,887	4,661,587	4,767,887	4,661,587	-	-
Operating Contributions	837,094	863,684	-	-	-	-
Interest Revenue	652,663	317,100	302,465	210,000	157,594	50,000
Works for Third Parties	1,555,727	1,341,176	1,511,722	1,299,750	-	-
Other Revenue	2,764,229	2,381,923	1,546,810	1,213,723	1,127,331	1,493,100
Total Operating Revenue	40,241,070	38,707,531	24,153,640	23,098,264	4,852,823	5,062,135
Expenditure						
Employee Expenses	11,897,588	12,845,026	10,653,711	11,603,481	265,990	298,388
Materials and Services	12,199,081	13,126,775	6,161,945	6,734,729	2,780,938	3,908,815
Depreciation expense	6,609,775	6,668,624	4,689,113	4,448,939	86,954	95,499
Finance and Borrowing costs	270,277	248,487	161,499	140,460	-	-
Total Operating Expenses	30,976,721	32,888,912	21,666,268	22,927,609	3,133,882	4,302,702
Operating Surplus/(Deficit)	9,264,349	5,818,619	2,487,372	170,655	1,718,941	759,433
Capital Income						
Capital Contributions	282,114	-	232,784	-	-	-
Capital Grants and Subsidies	10,583,081	-	6,664,498	-	-	-
Donated Assets	714,183	-	714,183	-	-	-
Profit/(Loss) on Sale of Asset	-	-	-	-	-	-
Net Result	20,843,727	5,818,619	10,098,337	170,655	1,718,941	759,433

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

	Sewerage Services			Water Services			Benefited Areas		
	Actual YTD	Budget YTD	Budget 2017/18	Actual YTD	Budget YTD	Budget 2017/18	Actual YTD	Budget YTD	Budget 2017/18
Revenue									
Rates and utility charges	4,624,219	4,554,032	4,554,032	5,119,049	5,198,317	5,198,317	313,579	322,374	322,374
Less Discounts and Pensioner Remissions	-	-	-	-	-	-	-	-	-
Net Rates and Utility Charges	4,624,219	4,554,032	4,554,032	5,119,049	5,198,317	5,198,317	313,579	322,374	322,374
Fees and Charges	13,968	35,100	30,000	-	-	-	-	-	-
Operating Grants and Subsidies	-	-	-	-	-	-	-	-	-
Operating Contributions	-	-	-	-	-	-	837,094	663,684	884,912
Interest Revenue	111,799	-	-	46,293	37,500	50,000	34,512	32,100	42,800
Works for Third Parties	4,598	7,500	10,000	39,407	33,926	45,234	-	-	-
Other Revenue	18,730	-	-	69,486	21,000	28,000	1,872	27,375	36,500
Total Operating Revenue	4,773,314	4,596,632	4,594,032	5,274,235	5,290,743	5,321,551	1,187,057	1,045,533	1,286,586
Expenditure									
Employee Expenses	419,517	379,625	401,562	493,172	572,688	765,171	65,199	65,850	87,980
Materials and Services	1,140,160	1,198,512	1,585,531	1,970,730	2,048,025	2,708,669	145,308	213,080	270,713
Depreciation expense	806,626	905,585	1,207,446	954,782	1,069,133	1,425,511	72,300	173,343	231,124
Finance and Borrowing costs	108,778	108,028	144,037	-	-	0	-	-	-
Total Operating Expenses	2,475,081	2,591,750	3,338,576	3,418,684	3,689,846	4,899,351	282,807	452,273	589,817
Operating Surplus/(Deficit)	2,298,233	2,004,882	1,255,456	1,855,551	1,600,897	422,200	904,250	593,260	696,769
Capital Income									
Capital Contributions	18,269	-	-	31,061	-	-	-	-	-
Capital Grants and Subsidies	2,948,624	-	-	969,959	-	-	-	-	-
Donated Assets	-	-	-	-	-	-	-	-	-
Profit/(Loss) on Sale of Asset	-	-	-	-	-	-	-	-	-
	2,966,893	-	-	1,001,020	-	-	-	-	-
Net Result	5,265,126	2,004,882	1,255,456	2,856,571	1,600,897	422,200	904,250	593,260	696,769

ITEM-19 BUILDING AND PLUMBING FEES AND CHARGES 2018-2019**MEETING:** Ordinary**MEETING DATE:** 18 April 2018**REPORT OFFICER'S
TITLE:** Manager Development & Governance**DEPARTMENT:** Corporate and Community Services

EXECUTIVE SUMMARY

This report presents the recommended 2018-2019 cost recovery fees for Building & Plumbing Activities for Council's consideration and endorsement.

OFFICER'S RECOMMENDATION

"That Council adopts the Building & Plumbing Fees and Charges for the 2018/2019 financial year, as per schedule attached to this report."

BACKGROUND

The basis for the cost recovery fees has been to calculate actual costs to provide the service.

Section 97 of *Local Government Act 2009* prescribes the circumstances where a Local Government may set a cost-recovery fee. This section also prescribes that a cost-recovery fee must not be more than the cost to the local government of taking the action for which the fee is charged.

LINK TO CORPORATE PLAN

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

CONSULTATION

Internal
Manager Finance

External
Nil

RISK IMPLICATIONS**Legal and Compliance**

Local Government Act 2009

LEGAL /COMPLIANCE/POLICY IMPLICATIONS

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

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

The fees and charges detailed in this report will be included in the 2018-2019 Register of Cost-Recovery Fees and will be published on Council's Website.

ATTACHMENTS

1. Building & Plumbing Activities Fees and Charges

Date Prepared: 8 April 2018

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
2018/19 Fees and Charges						
Building & Plumbing						
Inspection Fees						
Inspection Costs (Class 1 and 10 Buildings)						
One inspection cost for all locations	Y	(e)	BA1975s51(2)	Inspection	\$200.00	Y
Inspection Costs (Class 2 - 9 Buildings)						
One inspection cost of all locations	Y	(e)	BA1975s51(2)	Inspection	\$260.00	Y
Class 1a - New Dwelling						
Application	Y	(a)	BA1975s51(2)	Application	\$145.00	N
Assessment	Y	(e)	BA1975s51(2)	Assessment	\$425.00	Y
Inspections x 4 minimum	Y	(e)	BA1975s51(2)	Inspection	\$800.00	Y
Class 1a - Additions/Alterations - Extension to Dwellings etc.						
Application	Y	(a)	BA1975s51(2)	Application	\$145.00	N
Assessment	Y	(e)	BA1975s51(2)	Assessment	\$305.00	Y
Inspections x 4 minimum	Y	(e)	BA1975s51(2)	Inspection	\$800.00	Y
Class 1a - Additions/Alterations - Re-roof or Re-stump						
Application	Y	(a)	BA1975s51(2)	Application	\$145.00	N
Assessment	Y	(e)	BA1975s51(2)	Assessment	\$110.00	Y
Inspections x 1	Y	(e)	BA1975s51(2)	Inspection	\$200.00	Y
Class 1a - Minor Alterations e.g. Building Repairs						
Application	Y	(a)	BA1975s51(2)	Application	\$145.00	N
Assessment	Y	(e)	BA1975s51(2)	Assessment	\$85.00	Y
Inspections x 1 minimum	Y	(e)	BA1975s51(2)	Inspection	\$430.00	Y
Class 10a - Garage, Carport, Shed or the like - Greater than 18m2						
Application	Y	(a)	BA1975s51(2)	Application	\$145.00	N
Assessment	Y	(e)	BA1975s51(2)	Assessment	\$205.00	Y
Inspections x 1 minimum	Y	(e)	BA1975s51(2)	Inspection	\$200.00	Y
Class 10a - Patios and Roofed Decks						
Application	Y	(a)	BA1975s51(2)	Application	\$145.00	N
Assessment	Y	(e)	BA1975s51(2)	Assessment	\$205.00	Y
Inspections x 1 minimum	Y	(e)	BA1975s51(2)	Inspection	\$200.00	Y
Class 10b - Fences, Rainwater Tank, Pervious Shade Sail or the like						
Application	Y	(a)	BA1975s51(2)	Application	\$145.00	N
Assessment	Y	(e)	BA1975s51(2)	Assessment	\$205.00	Y
Inspections x 1 minimum	Y	(e)	BA1975s51(2)	Inspection	\$200.00	Y

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
Application	Y	(a)	BA1975s51(2)	Application	\$145.00	N
Assessment	Y	(e)	BA1975s51(2)	Assessment	\$205.00	Y
Inspections x 1 minimum	Y	(e)	BA1975s51(2)	Inspection	\$200.00	Y
Class 10b - Retaining Walls						
Application	Y	(a)	BA1975s51(2)	Application	\$145.00	N
Assessment	Y	(e)	BA1975s51(2)	Assessment	\$150.00	Y
Inspections x 1 minimum	Y	(e)	BA1975s51(2)	Inspection	\$200.00	Y
Class 10b - Swimming Pools, Spas, Above Ground Swimming Pools						
Application	Y	(a)	BA1975s51(2)	Application	\$145.00	N
Assessment	Y	(e)	BA1975s51(2)	Assessment	\$110.00	Y
Inspections x 1 minimum	Y	(e)	BA1975s51(2)	Inspection	\$200.00	Y
Temporary Fence Inspections x 1 minimum	Y	(e)	BA1975s51(2)	Inspection	\$200.00	Y
Demolition All Classes (Excluding Plumbing)						
Application	Y	(a)	BA1975s51(2)	Application	\$145.00	N
Assessment	Y	(e)	BA1975s51(2)	Assessment	\$155.00	Y
Inspections x 1 minimum	Y	(e)	BA1975s51(2)	Inspection	\$200.00	Y
BOND APPLICABLE - Clean-Up Bond	N		LGA2009s262(3)(2)	Bond	\$1,000.00	N
Amendment to Application Class 1 & 10 (Inspections Not Included)						
Application	Y	(a)	BA1975s51(2)	Application	\$75.00	N
Assessment	Y	(e)	BA1975s51(2)	Assessment	\$190.00	Y
Temporary Structure						
Application	Y	(a)	BA1975s51(2)	Application	\$90.00	N
Assessment	Y	(e)	BA1975s51(2)	Assessment	\$255.00	Y
Inspections x 1 minimum	Y	(e)	BA1975s51(2)	Inspection	\$200.00	Y
Extension of Time or Renewal of Building Approval - Submitted by a Private Certifier						
Administration	Y	(a)	BA1975s51(2)	Application	\$75.00	Y
Change of Builder Notification						
Notification	Y	(e)	BA1975s51(2)	Application	\$65.00	N
Preliminary Approvals						
Preliminary Approval Class 1 to 10						
Application	Y	(a)	BA1975s51(2)	Application	\$145.00	N
Assessment (charge 30% of fee as per normal schedule)	Y	(e)	BA1975s51(2)	Assessment	Assessment Charge is 30% of	Y

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
Inspections x 1 minimum if required	Y	(e)	BA1975s51(2)	Inspection	\$200.00	Y
Concurrence Agency Advice						
Swimming Pool Compliance Inspection						
Assessment	Y	(e)	BA1975s51(2)	Assessment	\$145.00	Y
Inspections x 1 minimum	Y	(e)	BA1975s51(2)	Inspection	\$200.00	Y
Swimming Pool Compliance Certificate Renewal						
Assessment	Y	(e)	BA1975s51(2)	Assessment	\$80.00	Y
Inspection x 1	Y	(e)	BA1975s51(2)	Inspection	\$200.00	Y
<i>Re-inspection Fee will be charged if necessary</i>						
Bushfire Assessment						
Application	Y	(a)	BA1975s51(2)	Application	\$145.00	N
Assessment	Y	(e)	BA1975s51(2)	Assessment	\$150.00	Y
Inspections x 1 minimum	Y	(e)	BA1975s51(2)	Inspection	\$200.00	Y
Inspection for Fire Safety Compliance						
Assessment including report depending on complexity	Y	(a)	BA1975s51(2)	Assessment	POA	
Inspections x 1 minimum	Y	(e)	BA1975s51(2)	Inspection	\$200.00	Y
Assessment of Alternate Solution						
Assessment	Y	(e)	BA1975s51(2)	Assessment	POA	Y
Siting Dispensation - includes report						
Assessment	Y	(e)	BA1975s51(2)	Assessment	\$90.00	N
Inspections x 1 minimum	Y	(e)	BA1975s51(2)	Inspection	\$200.00	Y
Temporary Accommodation Permit						
Assessment	Y	(a)	LL1	Assessment	\$90.00	N
Inspections x 1 minimum (If necessary)	Y	(a)	LL1	Inspection	\$200.00	Y
Temporary Accommodation Renewal						
Assessment	Y	(a)	LL1	Assessment	\$75.00	N
Building Records Search						
Building Record Search - (Domestic and Commercial)						
Building File Information Only	Y	(c)	BA1975s51(2)	Application	\$50.00	N
Building File Summary and Plans	Y	(c)	BA1975s51(2)	Application	\$130.00	N

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
Building File Summary, Plans and Inspection	Y	(c)	BA1975s51(2)	Application	\$330.00	Y
View building/plumbing file at counter						
Administration	Y	(c)	BA1975s51(2)	Application	\$35.00	N
Certificate of Classification						
Certificate of Classification (if not previously issued)						
Application	Y	(a)	BA1975s51(2)	Application	POA	N
Inspections (depending on location) x 1 minimum	Y	(a)	BA1975s51(2)	Inspection	\$200.00	Y
Copy of Certificate of Classification or Final Inspection Certificate						
Administration	Y	(a)	BA1975s51(2)	Application	\$45.00	N
Application for House Relocation						
Pre-inspection for Relocation of structure - preliminary approval						
Application	Y	(a)	BA1975s51(2)	Application	\$145.00	N
Assessment	Y	(e)	BA1975s51(2)	Assessment	\$155.00	Y
Inspections x 1 minimum	Y	(e)	BA1975s51(2)	Inspection	\$200.00	Y
<i>Please note additional charge for out of Shire inspections</i>						
Road Transport Bond						
BOND APPLICATION (refundable)	N		LGA2009s262(3)(2)	Bond	\$5,000.00	N
Preliminary approval Class 1 to 10						
Application	Y	(a)	BA1975s51(2)	Application	\$145.00	N
Assessment (charge 30% of fee as per normal schedule)	Y	(e)	BA1975s51(2)	Assessment	Assessment Charge is 30% of fee as per schedule fee for new building	Y
Inspections x 1 minimum if required	Y	(e)	BA1975s51(2)	Inspection	\$200.00	
Lodgement Fee (Development Permit)						
Private Certifier Lodgement Class 1 and 10 - Non Commercial						
Application	Y	(a)	BA1975s51(2)	Application	\$165.00	N
Private Certifier Lodgement - Class 2 to 9 - Commercial Developments						
Application	Y	(a)	BA1975s51(2)	Application	\$340.00	N

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
Compliance Permit - New Plumbing Works						
Minor Plumbing works, modifications to Existing Plumbing and Drainage						
Application	Y	(a)	PDA2002s85&86	application	\$90.00	N
Assessment	Y	(e)	PDA2002s85&86	assessment	\$70.00	N
Inspections x 1 minimum	Y	(e)	PDA2002s85&86	inspection	\$190.00	N
Minor Plumbing Connection (Class 10a Sheds)						
Application	Y	(a)	PDA2002s85&86	application	\$90.00	N
Assessment	Y	(e)	PDA2002s85&86	per fixture - minimum charge \$90	\$18.00	N
Inspections x 2 minimum	Y	(e)	PDA2002s85&86	inspection	\$380.00	N
Town Sewer Connection (Domestic and Commercial)						
Application	Y	(a)	PDA2002s85&86	application	\$90.00	N
Assessment	Y	(e)	PDA2002s85&86	per fixture - minimum charge \$90	\$18.00	N
Inspections x 4 minimum	Y	(e)	PDA2002s85&86	inspection	\$760.00	N
Minor Plumbing Connection (Domestic Sheds - Unsewered)						
Application	Y	(a)	PDA2002s85&86	application	\$90.00	N
Assessment	Y	(e)	PDA2002s85&86	per fixture - minimum charge \$90	\$18.00	N
Assessment Site and Soil Report	Y	(e)	PDA2002s85&86	assessment	\$90.00	N
Inspection x 2 minimum	Y	(e)	PDA2002s85&86	inspection	\$380.00	N
Installation of on-site disposal system (in connection with building permit)						
Application	Y	(a)	PDA2002s85&86	application	\$90.00	N
Assessment Site & Soil Report	Y	(e)	PDA2002s85&86	assessment	\$90.00	N
Assessment	Y	(e)	PDA2002s85&86	per fixture - minimum charge \$90	\$90.00	N
Inspections x 4 minimum	Y	(e)	PDA2002s85&86	inspection	\$760.00	N
Installation of on-site disposal system (as standalone application)						
Application	Y	(a)	PDA2002s85&86	application	\$90.00	N
Assessment Site & Soil Report	Y	(e)	PDA2002s85&86	assessment	\$90.00	N
Inspections x 2 minimum	Y	(e)	PDA2002s85&86	inspection	\$380.00	N
Shop Fit-Out - Commercial						
Application	Y	(a)	PDA2002s85&86	application	\$90.00	N

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
Assessment	Y	(e)	PDA2002s85&86	per fixture - minimum charge \$90	\$18.00	N
Inspections x 3 minimum	Y	(e)	PDA2002s85&86	inspection	\$380.00	N
Additional/Alterations to plumbing fixtures - existing drainage connection						
Application	Y	(a)	PDA2002s85&86	application	\$90.00	N
Assessment	Y	(e)	PDA2002s85&86	assessment	\$90.00	N
Inspections x 2 minimum	Y	(e)	PDA2002s85&86	inspection	\$380.00	N
Replacement of land application area						
Application	Y	(a)	PDA2002s85&86	application	\$90.00	N
Assessment Site & Soil Report	Y	(e)	PDA2002s85&86	assessment	\$90.00	N
Inspections x 2 minimum	Y	(e)	PDA2002s85&86	inspection	\$380.00	N
Compliance Permit - Existing Plumbing Works						
Inspections						
Inspections x 1 minimum	Y	(e)	PDA2002s85&86	inspection	\$190.00	N
Disconnection from Council Sewer System						
Application	Y	(a)	PDA2002s85&86	application	\$90.00	N
Assessment	Y	(e)	PDA2002s85&86	per fixture - minimum charge \$90	\$90.00	N
Inspections x 1 minimum	Y	(e)	PDA2002s85&86	inspection	\$365.00	N
Connection to Council sewerage system						
Application	Y	(a)	PDA2002s85&86	application	\$90.00	N
Assessment	Y	(e)	PDA2002s85&86	per fixture - minimum charge \$90	\$18.00	N
Inspections x 2 minimum	Y	(e)	PDA2002s85&86	inspection	\$380.00	N
Administrative						
Provide copy of "as constructed" file						
Administration	Y	(c)	PDA2002s85&86	application	\$20.00	N
Amendment to Drainage Plan						
Application	Y	(a)	PDA2002s85&86	application		N
Assessment	Y	(e)	PDA2002s85&86	per fixture - minimum charge \$90	\$140.00	N
Change of Plumber						
Notification	Y	(e)	PDA2002s85&86	application	\$60.00	N

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
On Site Sewerage Facility						
Annual Administration Fee	Y	(e)	PDA2002s85&86	application	\$0.00	N
Noncompliance Fee	Y	(e)	PDA2002s85&86	application	\$100.00	N
Noncompliance Fee for water quality test failure and sample analysis fee cost + 0.5 admin	Y	(e)	PDA2002s85&86	application	Cost + 0.5 admin	N
Inspections x 2 minimum	Y	(e)	PDA2002s85&86	inspection	\$380.00	N
Concurrence Agency Advice						
On Site Concurrence Agency						
Assessment	Y	(e)	PDA2002s85&86	assessment	\$90.00	N
Solar Hot Water Systems						
Installation of Solar Hot Water Systems under State Government rebate scheme of Fee set by State Government	Y	(a)	PDA2002s85&86	assessment	\$30.00	N
Back flow prevention device						
Annual Administration Fee	Y	(e)	PDA2002s85&86	application	\$50.00	N
Non compliance Fee	Y	(e)	PDA2002s85&86	application	\$100.00	N
Non compliance Fee for water quality test failure and sample analysis fee cost + 0.5 admin	Y	(e)	PDA2002s85&86	application	Cost + 0.5 admin	N
Inspections x 2 minimum	Y	(e)	PDA2002s85&86	inspection	\$380.00	N

ITEM-20 **GENERAL AND FINANCE FEES AND CHARGES 2018-2019****MEETING:** Ordinary**MEETING DATE:** 18 April 2018**REPORT OFFICER'S
TITLE:** Manager Finance**DEPARTMENT:** Corporate and Community Services

EXECUTIVE SUMMARY

This report details the proposed 2018-2019 Fees and Charges for General and Finance.

OFFICER'S RECOMMENDATION

"That Council adopts the 2018-2019 Fees and Charges for General and Finance."

BACKGROUND

Council as part of its budgetary process and under the legislation of the Local Government Act is required to adopt a Schedule of Fees and Charges.

Section 97 of Local Government Act 2009 prescribes the circumstances where a Local Government may set a cost-recovery fee. This section also prescribes that a cost-recovery fee must not be more than the cost to the local government of taking the action for which the fee is charged.

Costs for services are reviewed annually. The fees and charges have been recommended on either full cost recovery, discounted community service obligation by direction of Council or based on a set percentage increase on the previous financial year.

LINK TO CORPORATE PLAN

N/A

CONSULTATION

Internal
Councillors
Director Corporate and Community Services

External
Nil

RISK IMPLICATIONS

Legal and Compliance
Local Government Act 2009

LEGAL /COMPLIANCE/POLICY IMPLICATIONS

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

FINANCIAL & RESOURCE IMPLICATIONS

Capital
Nil

Operating
Nil

IMPLEMENTATION/COMMUNICATION

The fees and charges detailed in this report will be included in the 2018-2019 Register of Cost-Recovery Fees and will be published on Council's Website.

ATTACHMENTS

1. Proposed Finance Fees and Charges 2018-2019

Date Prepared: 22 March 2018

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
2018/19 Fees and Charges						
General and Finance						
General						
Rates Search Fee	Y	(c)	LGR S104	property	\$72.50	N
Water Meter Reading fee	Y	(c)	LGR S101	search	\$60.50	N
Dishonoured Cheque Fee	N			cheque	\$52.00	Y
Right to Information						
Application Fee	Y	(c)	RTI Reg 2009 S4	application	As per RTI regulation	N
Searching, Retrieving & Supervising (for each 15 minutes or part thereof)	Y	(c)	RTI Reg 2009 S5	15 mins (or part thereof)	As per RTI regulation	N
Photocopies of Documents (A4, B&W, per copy)	Y	(c)	RTI Reg 2009 S6	copy	As per RTI regulation	N
No charge for 2 hours or less of processing time						
NOTE: Charges subject to change. Please confirm RTI fees with the Rights to Information Officer before charging customer.						

**ITEM-21 HALL HIRE, RURAL ADDRESSING AND AERODROMES
FEES AND CHARGES 2018-2019****MEETING:** Ordinary**MEETING DATE:** 18 April 2018**REPORT OFFICER'S
TITLE:** Manager Technical Services**DEPARTMENT:** Infrastructure Services, Technical Services

EXECUTIVE SUMMARY

This report presents proposed fees and charges for the 2018-2019 financial year for hire of Council halls, use of Mareeba Sports Hall, provision of Rural Addressing services and use of Council Aerodromes.

OFFICER'S RECOMMENDATION

"That Council adopts the following 2018-2019 Fees and Charges:

1. Council Hall Hire; and
2. Mareeba Sports Hall; and
3. Rural Addressing; and
4. Aerodromes."

BACKGROUND

Council as part of its budgetary process and under the legislation of the Local Government Act is required to adopt a Schedule of Fees and Charges.

Section 97 of Local Government Act 2009 prescribes the circumstances where a Local Government may set a cost-recovery fee. This section also prescribes that a cost- recovery fee must not be more than the cost to the local government of taking the action for which the fee is charged.

Costs for services are reviewed annually. The fees and charges have been recommended on either full cost recovery, discounted community service obligation by direction of Council or based on a set percentage increase on the previous financial year.

RISK IMPLICATIONS

Legal and Compliance
Local Government Act 2009

LEGAL /COMPLIANCE/POLICY IMPLICATIONS

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

FINANCIAL AND RESOURCE IMPLICATIONS*Capital*

Nil

Is the expenditure noted above included in the current budget?

Nil

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

Nil

Operating

Nil

Is the expenditure noted above included in the current budget?

Nil

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

Nil

LINK TO CORPORATE PLAN

Community: Communities across the area share a sense of common identity whilst retaining local diversity, and enjoy equitable access to services and facilities based on effective partnerships.

Economy: A growing and vibrant local economy supported by a planning scheme that seeks to balance development with rural sustainability and lifestyle considerations.

Governance: Sound decision-making based on the understanding and confidence of the community, reflected in responsible long-term financial sustainability and clear strategic direction build around core local government business and affordable levels of service.

IMPLEMENTATION/COMMUNICATION

The fees and charges detailed in this report will be included in the 2018/2019 Register of Cost-Recovery Fees and will be published on Council's Website.

ATTACHMENTS

1. Council Hall Hire Fees and Charges
2. Mareeba Sports Hall Fees and Charges

3. Rural Addressing Fees and Charges
4. Aerodrome Fees and Charges

Date Prepared: 6 April 2018

Description	Cost Recovery Fee (Y/N)	Paragraph of 597(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
2018/19 Fees and Charges						
Hall Hire						
All Halls and Facilities unless specified below - Please refer to facility hire application kit for a full list of "Conditions of Hire"						
Bond - All user						
Bond refundable (refer to Conditions of Hire)	N				\$200.00	Y
Commercial or Specific Personal Event (a)						
Day rate - 8.00am - 6.00pm	N			day	\$105.00	Y
Part day - minimum 4 hours	N			hour	\$15.00 per hour	Y
Night rate - 6.00pm to midnight	N			night	\$125.00	Y
Part night rate - minimum 3 hours	N			hour	\$25.00 per hour	Y
Plus Bar/Kitchen (in addition to any charges above)	N				\$60.00	Y
Community Group non-profit (b)						
Day rate - 8.00am - 6.00pm	N			day	\$52.50	Y
Part day - minimum 4 hours	N			hour	\$7.50 per hour	Y
Night rate - 6.00pm to midnight	N			night	\$62.50	Y
Part night rate - minimum 3 hours	N			hour	\$12.50 per hour	Y
Plus Bar/Kitchen (in addition to any charges above)	N				\$30.00	Y
Park light hire						
Light hire - minimum 4 hours	N			hour	\$10.00 per hour	Y
Circus						
Hire occurrence	N				\$255.00	Y
Security Bond occurrence - Deposit or part thereof of bond may be refunded depending upon condition in which grounds are left					\$655.00	
Additional Penalties						
Key Return Policy - lost/not returned - broken locks etc				Occurrence	see below	Y
Notes						
<p>a - Commercial - an organisation that produces and distributes goods and services and is run for the benefit of its owners. Or a function that provides an income to the host of is attended by invitation</p> <p>Exception - a commercial event that delivers a community programme i.e. Yoga or Zumba class, where there are less than 15 participants/attendees who are charged \$6 or less per event. The minimum hours for the part day/night is not applicable and only the hour rate is applicable</p> <p>b - Community Group non-profit - an organisation that does not receive funding (external, State, Federal) or who are not offering a commercial fee for service type activities. For example - schools, sporting clubs, community groups. An event hosted by a local not for profit organisation or charity. The event must be accessible by the general public</p> <p>Noise Control - The playing of pre-recorded or live amplified music is not to exceed the sound levels specified in the Environmental Protection Regulation 1988. Should the noise level exceed that specified in the</p>						

Description	Cost Recovery Fee (Y/N)	Paragraph of 597(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
Hall Hire - Mareeba Sports Hall						
Full day hire - 7.00am - 6.00pm	N			day	\$135.00	Y
Half day hire - 4 hours between 7.00am - 6.00pm	N				\$80.00	Y
Hourly hall hire	N			hour	\$35.00	Y
Friday or Saturday night hall hire - 6.00pm - midnight	N			night	\$285.00	Y
ALCOHOL on premises - (additional cleaning/floor repairs)	N				\$205.00	Y
\$500.00 deposit for ALL HIRES for key, cleaning & repairs						

Environmental Protection Regulation 1988, the deposit will be forfeited to Council.

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
2018/19 Fees and Charges						
Rural Addressing						
Charges						
New Rural Address	N			application	\$295.00	N/A
Replacement Rural Address	N			application	\$255.00	N/A
Replacement Number	N			each	\$3.50	N/A
Replacement Number Sleeve	N			each	\$28.00	N/A
Replacement Post	N			Each	\$13.50	N/A

Description	Cost Recovery Fee (Y/N)	Paragraph of 597(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
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2018/19 Fees and Charges						
Aerodromes						
Landing Fees (Mareeba and Chillagoe)						
Fixed Wing Aircraft and Helicopters (MTOW - maximum take-off weight) less than 2000kg	N			Per tonne per Landing	\$5.20	Y
Fixed Wing Aircraft (MTOW - maximum take-off weight) 2000kg to 5700kg	N			Per tonne per Landing	\$10.10	Y
Helicopters (MTOW - maximum take-off weight) 2000kg to 5700kg	N			Per tonne per Landing	\$7.20	Y
Fixed Wing Aircraft and Helicopters (MTOW - maximum take-off weight) greater than 5700kg	N			Per tonne per Landing	\$15.50	Y
Note: Repetitive operations charged at one landing per hour (where an aircraft makes more than one landing per hour)						
Annualised landing fees at Mareeba Airport for aircraft utilised in flight training under 2000kg	N			Annum	\$2,000.00	Y
Annualised landing fees at Mareeba Airport for aircraft utilised in flight training between 2000kg and 5700kg	N			Annum	\$4,100.00	Y
Grassed Areas Parking - Mareeba Only (No tie-downs)						
Mareeba Parking - per year less than 5700kg. On application to be paid in advance for 12 month period direct to MSC	N			Year	\$410.00	Y
Mareeba Parking less than 5700kg.	N			Day	\$2.10	Y
Mareeba Parking of aircraft 5700kg and above	N			Day or part thereof	\$20.00	Y
Hardstand Parking and tie-downs - Mareeba Only						
Mareeba Parking - per year less than 5700kg. On application to be paid in advance for 12 month period direct to MSC	N			Year	\$615.00	Y
Mareeba Parking less than 5700kg.	N			Day	\$3.10	Y
Mareeba Parking of aircraft 5700kg and above	N			Day or part thereof	\$31.00	Y

ITEM-22 LIBRARY FEES AND CHARGES 2018-2019

MEETING: Ordinary

MEETING DATE: 18 April 2018

REPORT OFFICER'S TITLE: Library Coordinator

DEPARTMENT: Corporate and Community

EXECUTIVE SUMMARY

The purpose of this Report is to seek Council's adoption of the proposed Library Service Fees and Charges schedule for 2018-2019.

OFFICER'S RECOMMENDATION

"That Council:

1. adopts the 2018/2019 Fees and Charges Schedule for the Mareeba Shire Library Service as attached to the report; and
2. notes that the CEO has delegated authority to waive or reduce fees up to the value of \$10,000 as per the Debt Recovery Policy."

BACKGROUND

Council as part of its budgetary process and under the legislation of the Local Government Act is required to adopt a Schedule of Fees and Charges.

Section 97 of *Local Government Act 2009* prescribes the circumstances where a Local Government may set a cost-recovery fee. This section also prescribes that a cost-recovery fee must not be more than the cost to the local government of taking the action for which the fee is charged.

Costs for services are reviewed annually. The fees and charges have been recommended on either full cost recovery, discounted community service obligation by direction of Council or based on a set percentage increase on the previous financial year.

There are circumstances when it would be appropriate to either waive a fee completely or reduce a charge. In these situations, it is at the CEO's discretion to approve any fees to be waived or reduced. Examples of the requirement for this would include when books are lost or damaged during a natural disaster event.

RISK IMPLICATIONS

Financial

Council's Inter-Library Loan resource sharing fee is compliant with State Library of Queensland guidelines for Public Libraries, ensuring Council remains eligible for the annual library grant.

LEGAL /COMPLIANCE/POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

Capital

Nil

Is the expenditure noted above included in the current budget?

Nil

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

Nil

Operating

Nil

Is the expenditure noted above included in the current budget?

Nil

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

Nil

LINK TO CORPORATE PLAN

Community: Communities across the area share a sense of common identity whilst retaining local diversity and enjoy equitable access to services and facilities based on effective partnerships.

Governance: Sound decision-making based on the understanding and confidence of the community, reflected in responsible long-term financial sustainability and clear strategic direction build around core local government business and affordable levels of service.

IMPLEMENTATION/COMMUNICATION

The fees and charges detailed in this report will be included in the 2018-2019 Register of Cost-Recovery Fees, will be published on Council's Website and the Library Management system.

ATTACHMENTS

1. 2018-2019 Library Services Fees and Charges Schedule

Date Prepared: 03 April 2018

2018/2019 Register of Cost-Recovery Fees and Schedule of Commercial and Other Charges

Description	Cost Recovery Fee (Y/N)	Paragraph of LG Act 2009	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
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2018/19 Fees and Charges
Libraries

Charges						
Lost charge - Cost value of item plus notice charge & administration fee	N			item	Cost + \$31	Y
Damaged item charges - items deemed unusable	N			item	Cost + \$15.30	Y
Visitor membership fee	N			unlimited	\$46.00	Y
Replacement CD/DVD cover/cases	N			item	\$5.00	Y
Replacement membership card	N			card	\$6.00	Y
Library bags	N			bag	\$5.00	Y
Book Sale						
Non-fiction - jigsaws - DVD & CD	N			item	\$3.50	Y
Fiction	N			item	\$2.50	Y
Junior books	N			item	\$2.00	Y
Magazines	N			item	\$0.50	Y
Photocopying						
Black & white - A4 per side	N			A4 page	\$0.30	Y
Black & white - A3 per side	N			A3 page	\$0.60	Y
Printing						
Black & white - A4 page	N			A4 page	\$0.30	Y
Colour - A4 page	N			A4 page	\$3.00	Y
Internet						
National & State Library online databases				Free	FREE	
USB Stick	N			Item	\$12.00	Y
WIFI				Free	FREE	

2018/2019 Register of Cost-Recovery Fees and Schedule of Commercial and Other Charges

Description	Cost Recovery Fee (Y/N)	Paragraph of LG Act 2009	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
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Full PC Use

Full PC Use is offered at no cost for the first hour, with fees to apply thereafter depending on availability

Library member	N			30 min	\$2.00	Y
Library member + Concession Card (Seniors, Veterans, Health Care)	N			30 min	\$1.00	Y
Non-Library members, per 1/2 hour or part thereof	N			30 min	\$3.00	Y
Non-Library members, per hour or part thereof	N			60 min	\$6.00	Y
Inter Library Loan (ILL)						
University Loan charge	N			University Library	\$16.50	Y
Processing Charge for uncollected items	N			Uncollected item	\$15.00	Y
Replacement Inter Library Loan wrapper (new fee)	N			Per item label	\$5.00	Y
ILL (Inter Library Loan) charge - Freight	N			Freight per item	\$2.50	Y

ITEM-23 PLANNING - URBAN AND REGIONAL - FEES AND CHARGES 2018-2019**MEETING:** Ordinary**MEETING DATE:** 18 April 2018**REPORT OFFICER'S TITLE:** Manager Development & Governance**DEPARTMENT:** Corporate and Community Services

EXECUTIVE SUMMARY

This report presents the recommended 2018-2019 cost recovery fees for Urban and Regional Planning Activities for Council's consideration and endorsement.

OFFICER'S RECOMMENDATION

"That Council adopts the Planning - Urban and Regional Activities Fees and Charges for the 2018/2019 financial year, as per schedule attached to this report."

BACKGROUND

The basis for the cost recovery fees has been to calculate actual costs to provide the service.

Section 97 of *Local Government Act 2009* prescribes the circumstances where a Local Government may set a cost-recovery fee. This section also prescribes that a cost-recovery fee must not be more than the cost to the local government of taking the action for which the fee is charged.

The fee structure which was last amended by Council in May 2016, in preparation for the commencement of the Mareeba Shire Council Planning Scheme - July 2016, remains unchanged.

LINK TO CORPORATE PLAN

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

CONSULTATION

Internal
Manager Finance

External
Nil

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

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

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital

Nil

Operating

Nil

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

The fees and charges detailed in this report will be included in the 2018-2019 Register of Cost-Recovery Fees and will be published on Council's Website.

ATTACHMENTS

1. Planning - Urban and Regional Activities Fees and Charges

Date Prepared: 5 April 2018

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
2018/19 Fees and Charges						
Planning - Urban and Regional						
General						
Town Planning Sign for public notification	N			sign	\$55.00	Y
Planning Certificates						
Limited Planning & Development Certificate	Y	(a)	PA2016s265	certificate	\$155.00	N
Standard Planning & Development Certificate	Y	(a)	PA2016s265	certificate	\$510.00	N
Full Planning & Development Certificate - Vacant Site	Y	(a)	PA2016s265	certificate	\$1,505.00	N
Full Planning & Development Certificate - Developed Site	Y	(a)	PA2016s265	certificate	\$2,080.00	N
Planning Schemes						
Hard copy of Planning Scheme						
Mareeba Shire Planning Scheme 2004	Y	(c)	PA2016s264	copy	\$130.00	N
Mareeba Shire Council Planning Scheme 2016	Y	(c)	PA2016s264	copy	POA	N
CD copy of Planning Scheme						
Mareeba	Y	(c)	PA2016s264	copy	\$25.00	N
Application - General						
Pre-lodgement meeting and written pre-lodgement advice	Y	(a)	PA2016s51	application	\$545.00	N
Note: If a development application is submitted within 12 months of the pre-lodgement enquiry, the pre-lodgement enquiry fee will be discounted from the application fee, subject to the development application being substantially consistent with the pre-lodgement enquiry.						
Application Fees						
Note: If the development application is submitted within 12 months of a pre-lodgement enquiry, the pre-lodgement enquiry fee will be discounted from the development application fee, subject to the development application being substantially consistent with the pre-lodgement enquiry.						
Compliance Assessment						
Application for Compliance Permit under Schedule 18 of SPA regulations	N			application	\$910.00	N
Application for Compliance Certificate	N			application	\$365.00	N
Application for Building Work assessable against the Planning Scheme						
Boundary Dispensation Overlay Assessment	Y	(a)	PA2016s54	application	\$445.00	N
Concurrence Agency Assessment						
Oversize Sheds						

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
Material Change of Use						
Adult Store - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Adult Store - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Agricultural supplies store - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Agricultural supplies store - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Air services - Code	Y	(a)	PA2016s51	application	\$6,300.00	N
Air services - Impact	Y	(a)	PA2016s51	application	\$8,005.00	N
Animal husbandry - Code*	Y	(a)	PA2016s51	application	\$1,530.00	N
Animal husbandry - Impact*	Y	(a)	PA2016s51	application	\$2,620.00	N
Animal keeping - Code*	Y	(a)	PA2016s51	application	\$1,530.00	N
*except kennel						
Kennel	Y	(a)	PA2016s51		\$4,085.00	N
Animal keeping - Impact*	Y	(a)	PA2016s51	application	\$2,620.00	N
*except kennel						
Kennel	Y	(a)	PA2016s51		\$6,145.00	N
Aquaculture - Code						
Less than 5 hectares	Y	(a)	PA2016s51	application	\$1,530.00	N
5 hectares or greater	Y	(a)	PA2016s51	application	\$4,085.00	N
Aquaculture - Impact						
Less than 5 hectares	Y	(a)	PA2016s51	application	\$2,620.00	N
5 hectares or greater	Y	(a)	PA2016s51	application	\$6,145.00	N
Bar - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Bar - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Brothel - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Brothel - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Bulk landscape supplies - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Bulk landscape supplies - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Caretaker's accommodation - Code	Y	(a)	PA2016s51	application	\$1,060.00	N
Caretaker's accommodation - Impact	Y	(a)	PA2016s51	application	\$1,705.00	N

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
Car wash - Code						
Up to 250 sq.m GFA	Y	(a)	PA2016s51	application	\$1,530.00	N
251 sq.m or greater	Y	(a)	PA2016s51	application	\$4,085.00	N
Car wash - Impact						
Up to 250 sq.m GFA	Y	(a)	PA2016s51	application	\$2,620.00	N
251 sq.m or greater	Y	(a)	PA2016s51	application	\$6,145.00	N
Cemetery - Code						
Cemetery - Impact	Y	(a)	PA2016s51	application	\$1,530.00	N
Child care centre - Code	Y	(a)	PA2016s51	application	\$2,620.00	N
Child care centre - Impact	Y	(a)	PA2016s51	application	\$1,530.00	N
Club - Code	Y	(a)	PA2016s51	application	\$2,620.00	N
Club - Impact	Y	(a)	PA2016s51	application	\$1,530.00	N
Community care centre - Code	Y	(a)	PA2016s51	application	\$2,620.00	N
Community care centre - Impact	Y	(a)	PA2016s51	application	\$1,530.00	N
Community residence - Code	Y	(a)	PA2016s51	application	\$2,620.00	N
Community residence - Impact	Y	(a)	PA2016s51	application	\$1,060.00	N
Community use - Code	Y	(a)	PA2016s51	application	\$1,705.00	N
Community use - Impact	Y	(a)	PA2016s51	application	\$1,530.00	N
Crematorium - Code	Y	(a)	PA2016s51	application	\$2,620.00	N
Crematorium - Impact	Y	(a)	PA2016s51	application	\$1,530.00	N
Cropping - Code	Y	(a)	PA2016s51	application	\$2,620.00	N
Cropping - Impact	Y	(a)	PA2016s51	application	\$1,530.00	N
Detention facility - Code	Y	(a)	PA2016s51	application	\$2,620.00	N
Detention facility - Impact	Y	(a)	PA2016s51	application	\$4,085.00	N
Dual occupancy - Code	Y	(a)	PA2016s51	application	\$6,145.00	N
Dual occupancy - Impact	Y	(a)	PA2016s51	application	\$1,060.00	N
Dwelling house - Code	Y	(a)	PA2016s51	application	\$1,705.00	N
Dwelling house - Impact	Y	(a)	PA2016s51	application	\$1,060.00	N
Dwelling unit - Code	Y	(a)	PA2016s51	application	\$1,705.00	N
Dwelling unit - Impact	Y	(a)	PA2016s51	application	\$1,060.00	N
Educational establishment - Code	Y	(a)	PA2016s51	application	\$1,705.00	N
Educational establishment - Impact	Y	(a)	PA2016s51	application	\$4,085.00	N
Emergency services - Code	Y	(a)	PA2016s51	application	\$6,145.00	N

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
Emergency services - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Environmental facility - Code	Y	(a)	PA2016s51	application	\$1,060.00	N
Environmental facility - Impact	Y	(a)	PA2016s51	application	\$1,705.00	N
Extractive industry - Code	Y	(a)	PA2016s51	application	\$4,085.00	N
Extractive industry - Impact	Y	(a)	PA2016s51	application	\$6,145.00	N
Food and drink outlet - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Food and drink outlet - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Function facility - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Function facility - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Funeral parlour - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Funeral parlour - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Garden centre - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Garden centre - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Hardware and trade supplies - Code						
Up to 1,000 sq.m GFA	Y	(a)	PA2016s51	application	\$1,530.00	N
1,001 sq.m to 2,500 sq.m GFA	Y	(a)	PA2016s51	application	\$4,085.00	N
greater than 2,500 sq.m GFA	Y	(a)	PA2016s51	application	\$6,300.00	N
Hardware and trade supplies - Impact						
Up to 1,000 sq.m GFA	Y	(a)	PA2016s51	application	\$2,620.00	N
1,001 sq.m to 2,500 sq.m GFA	Y	(a)	PA2016s51	application	\$6,145.00	N
greater than 2,500 sq.m GFA	Y	(a)	PA2016s51	application	\$8,005.00	N
Health care services - Code						
Up to 250 sq.m GFA	Y	(a)	PA2016s51	application	\$1,530.00	N
251 sq.m or greater	Y	(a)	PA2016s51	application	\$4,085.00	N
Health care services - Impact						
Up to 250 sq.m GFA	Y	(a)	PA2016s51	application	\$2,620.00	N
251 sq.m or greater	Y	(a)	PA2016s51	application	\$6,145.00	N
High impact industry - Code						
Up to 500 sq.m GFA	Y	(a)	PA2016s51	application	\$1,530.00	N
501 sq.m to 5,000 sq.m GFA	Y	(a)	PA2016s51	application	\$4,085.00	N
greater than 5,000 sq.m GFA	Y	(a)	PA2016s51	application	\$6,300.00	N
High impact industry - Impact						
Up to 500 sq.m GFA	Y	(a)	PA2016s51	application	\$2,620.00	N

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
501 sq.m to 5,000 sq.m GFA	Y	(a)	PA2016s51	application	\$6,145.00	N
greater than 5,000 sq.m GFA	Y	(a)	PA2016s51	application	\$8,005.00	N
Home based business - Code	Y	(a)	PA2016s51	application	\$1,060.00	N
Home based business - Impact	Y	(a)	PA2016s51	application	\$1,705.00	N
Hospital - Code	Y	(a)	PA2016s51	application	\$6,300.00	N
Hospital - Impact	Y	(a)	PA2016s51	application	\$8,005.00	N
Hotel - Code	Y	(a)	PA2016s51	application	\$4,085.00	N
Hotel - Impact	Y	(a)	PA2016s51	application	\$6,145.00	N
Indoor sport and recreation - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Indoor sport and recreation - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Intensive animal industry - Code	Y	(a)	PA2016s51	application	\$4,085.00	N
Intensive animal industry - Impact	Y	(a)	PA2016s51	application	\$6,145.00	N
Intensive horticulture - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Intensive horticulture - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Landing - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Landing - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Low impact industry - Code	Y	(a)	PA2016s51	application		
Up to 500 sq.m GFA	Y	(a)	PA2016s51	application	\$1,530.00	N
501 sq.m to 5,000 sq.m GFA	Y	(a)	PA2016s51	application	\$4,085.00	N
greater than 5,000 sq.m GFA	Y	(a)	PA2016s51	application	\$6,300.00	N
Low impact industry - Impact	Y	(a)	PA2016s51	application		
Up to 500 sq.m GFA	Y	(a)	PA2016s51	application	\$2,620.00	N
501 sq.m to 5,000 sq.m GFA	Y	(a)	PA2016s51	application	\$6,145.00	N
greater than 5,000 sq.m GFA	Y	(a)	PA2016s51	application	\$8,005.00	N
Major electricity infrastructure - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Major electricity infrastructure - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Major sport, recreation and entertainment facility - Code	Y	(a)	PA2016s51	application	POA	N
Major sport, recreation and entertainment facility - Impact	Y	(a)	PA2016s51	application	POA	N
Marine industry - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Marine industry - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Market - Code	Y	(a)	PA2016s51	application	\$1,060.00	N
Market - Impact	Y	(a)	PA2016s51	application	\$1,705.00	N
Medium impact industry - Code	Y	(a)	PA2016s51	application		

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
Up to 500 sq.m GFA	Y	(a)	PA2016s51	application	\$1,530.00	N
501 sq.m to 5,000 sq.m GFA	Y	(a)	PA2016s51	application	\$4,085.00	N
greater than 5,000 sq.m GFA	Y	(a)	PA2016s51	application	\$6,300.00	N
Medium impact industry - Impact						
Up to 500 sq.m GFA	Y	(a)	PA2016s51	application	\$2,620.00	N
501 sq.m to 5,000 sq.m GFA	Y	(a)	PA2016s51	application	\$6,145.00	N
greater than 5,000 sq.m GFA	Y	(a)	PA2016s51	application	\$8,005.00	N
Motor sport facility - Code	Y	(a)	PA2016s51	application	POA	N
Motor sport facility - Impact	Y	(a)	PA2016s51	application	POA	N
Multiple dwelling - Code						
3 to 10 units	Y	(a)	PA2016s51	application	\$1,530.00	N
11 to 25 units	Y	(a)	PA2016s51	application	\$4,085.00	N
More than 25 units	Y	(a)	PA2016s51	application	\$6,300.00	N
Multiple dwelling - Impact						
3 to 10 units	Y	(a)	PA2016s51	application	\$2,620.00	N
11 to 25 units	Y	(a)	PA2016s51	application	\$6,145.00	N
More than 25 units	Y	(a)	PA2016s51	application	\$8,005.00	N
Nature-based tourism - Code	Y	(a)	PA2016s51	application	POA	N
Nature-based tourism - Impact	Y	(a)	PA2016s51	application	POA	N
Nightclub entertainment facility - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Nightclub entertainment facility - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Non-resident workforce accommodation - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Non-resident workforce accommodation - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Office - Code						
Up to 250 sq.m GFA	Y	(a)	PA2016s51	application	\$1,530.00	N
251 sq.m or greater	Y	(a)	PA2016s51	application	\$4,085.00	N
Office - Impact						
Up to 250 sq.m GFA	Y	(a)	PA2016s51	application	\$2,620.00	N
251 sq.m or greater	Y	(a)	PA2016s51	application	\$6,145.00	N
Outdoor sales - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Outdoor sales - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Outdoor sport and recreation - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Outdoor sport and recreation - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
Outstation - Code	Y	(a)	PA2016s51	application	\$1,060.00	N
Outstation - Impact	Y	(a)	PA2016s51	application	\$1,705.00	N
Park - Code	Y	(a)	PA2016s51	application	\$1,060.00	N
Park - Impact	Y	(a)	PA2016s51	application	\$1,705.00	N
Parking station - Code	Y	(a)	PA2016s51	application	\$1,060.00	N
Parking station - Impact	Y	(a)	PA2016s51	application	\$1,705.00	N
Permanent plantation - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Permanent plantation - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Place of worship - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Place of worship - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Port services - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Port services - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Relocatable home park - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Up to 10 dwellings	Y	(a)	PA2016s51	application	\$4,085.00	N
11 to 25 dwellings	Y	(a)	PA2016s51	application	\$6,300.00	N
More than 25 dwellings	Y	(a)	PA2016s51	application		
Relocatable home park - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Up to 10 dwellings	Y	(a)	PA2016s51	application	\$6,145.00	N
11 to 25 dwellings	Y	(a)	PA2016s51	application	\$8,005.00	N
More than 25 dwellings	Y	(a)	PA2016s51	application		
Renewable energy facility - Code	Y	(a)	PA2016s51	application	\$6,300.00	N
Renewable energy facility - Impact	Y	(a)	PA2016s51	application	\$8,005.00	N
Research and technology industry - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Research and technology industry - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Residential care facility - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Up to 20 rooms/beds	Y	(a)	PA2016s51	application	\$4,085.00	N
21 to 100 rooms/beds	Y	(a)	PA2016s51	application	\$6,300.00	N
greater than 100 rooms/beds	Y	(a)	PA2016s51	application		
Residential care facility - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Up to 20 rooms/beds	Y	(a)	PA2016s51	application		
greater than 20 rooms/beds	Y	(a)	PA2016s51	application		

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
21 to 100 rooms/beds	Y	(a)	PA2016s51	application	\$6,145.00	N
greater than 100 rooms/beds	Y	(a)	PA2016s51	application	\$8,005.00	N
Resort complex - Code	Y	(a)	PA2016s51	application	POA	N
Resort complex - Impact	Y	(a)	PA2016s51	application	POA	N
Retirement facility - Code	Y	(a)	PA2016s51	application	\$6,300.00	N
Retirement facility - Impact	Y	(a)	PA2016s51	application	\$8,005.00	N
Roadside stall - Code	Y	(a)	PA2016s51	application	\$1,060.00	N
Roadside stall - Impact	Y	(a)	PA2016s51	application	\$1,705.00	N
Rooming accommodation - Code						
Up to 20 rooms/beds	Y	(a)	PA2016s51	application	\$1,530.00	N
21 to 100 rooms/beds	Y	(a)	PA2016s51	application	\$4,085.00	N
greater than 100 rooms/beds	Y	(a)	PA2016s51	application	\$6,300.00	N
Rooming accommodation - Impact						
Up to 20 rooms/beds	Y	(a)	PA2016s51	application	\$2,620.00	N
21 to 100 rooms/beds	Y	(a)	PA2016s51	application	\$6,145.00	N
greater than 100 rooms/beds	Y	(a)	PA2016s51	application	\$8,005.00	N
Rural industry - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Rural industry - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Rural workers' accommodation - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Rural workers' accommodation - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Sales office - Code	Y	(a)	PA2016s51	application	\$1,060.00	N
Sales office - Impact	Y	(a)	PA2016s51	application	\$1,705.00	N
Service industry - Code						
Up to 250 sq.m GFA	Y	(a)	PA2016s51	application	\$1,530.00	N
251 sq.m or greater	Y	(a)	PA2016s51	application	\$4,085.00	N
Service industry - Impact						
Up to 250 sq.m GFA	Y	(a)	PA2016s51	application	\$2,620.00	N
251 sq.m or greater	Y	(a)	PA2016s51	application	\$6,145.00	N
Service station - Code	Y	(a)	PA2016s51	application	\$4,085.00	N
Service station - Impact	Y	(a)	PA2016s51	application	\$6,145.00	N
Shop - Code						
Up to 1,000 sq.m GFA	Y	(a)	PA2016s51	application	\$1,530.00	N
1,001 sq.m to 2,500 sq.m GFA	Y	(a)	PA2016s51	application	\$4,085.00	N

Description	Cost Recovery Fee (Y/N)	Paragraph of 597(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
Shop - Impact	Y	(a)	PA2016s51	application	\$6,300.00	N
greater than 2,500 sq.m GFA						
Up to 1,000 sq.m GFA	Y	(a)	PA2016s51	application	\$2,620.00	N
1,001 sq.m to 2,500 sq.m GFA	Y	(a)	PA2016s51	application	\$6,145.00	N
greater than 2,500 sq.m GFA	Y	(a)	PA2016s51	application	\$8,005.00	N
Shopping centre - Code						
Up to 1,000 sq.m GFA	Y	(a)	PA2016s51	application	\$1,530.00	N
1,001 sq.m to 2,500 sq.m GFA	Y	(a)	PA2016s51	application	\$4,085.00	N
greater than 2,500 sq.m GFA	Y	(a)	PA2016s51	application	\$6,300.00	N
Shopping centre - Impact						
Up to 1,000 sq.m GFA	Y	(a)	PA2016s51	application	\$2,620.00	N
1,001 sq.m to 2,500 sq.m GFA	Y	(a)	PA2016s51	application	\$6,145.00	N
greater than 2,500 sq.m GFA	Y	(a)	PA2016s51	application	\$8,005.00	N
Short-term accommodation - Code						
Up to 20 rooms/beds	Y	(a)	PA2016s51	application	\$1,530.00	N
21 to 100 rooms/beds	Y	(a)	PA2016s51	application	\$4,085.00	N
greater than 100 rooms/beds	Y	(a)	PA2016s51	application	\$6,300.00	N
Short-term accommodation - Impact						
Up to 20 rooms/beds	Y	(a)	PA2016s51	application	\$2,620.00	N
21 to 100 rooms/beds	Y	(a)	PA2016s51	application	\$6,145.00	N
greater than 100 rooms/beds	Y	(a)	PA2016s51	application	\$8,005.00	N
Showroom - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Showroom - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Special industry - Code	Y	(a)	PA2016s51	application	POA	N
Special industry - Impact	Y	(a)	PA2016s51	application	POA	N
Substation - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Substation - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Telecommunications facility - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Telecommunications facility - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Theatre - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Theatre - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Tourist attraction - Code	Y	(a)	PA2016s51	application	POA	N
Tourist attraction - Impact	Y	(a)	PA2016s51	application	POA	N

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
Tourist park - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Tourist park - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Transport depot - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Transport depot - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Utility installation - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Utility installation - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Veterinary services - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Veterinary services - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Warehouse - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Warehouse - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Wholesale nursery - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Wholesale nursery - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Winery - Code	Y	(a)	PA2016s51	application	\$1,530.00	N
Winery - Impact	Y	(a)	PA2016s51	application	\$2,620.00	N
Undefined Use					Fee as determined by the Manager Development & Governance or Senior Planner	
Inconsistent Use					Normal Fee plus 50%	
Reconfiguration						
Reconfiguration up to 2 Lots, all boundary realignments and access easement	Y	(a)	PA2016s51	application	\$1,015.00	N
Reconfiguration up to 3 - 10 Lots	Y	(a)	PA2016s51	application	\$1,730.00	N
Reconfiguration up to 11 - 25 Lots	Y	(a)	PA2016s51	application	\$5,225.00	N
Reconfiguration up to 26 - 50 Lots	Y	(a)	PA2016s51	application	\$7,535.00	N
Reconfiguration up to >50 Lots	Y	(a)	PA2016s51	application	\$12,055.00	N
Preliminary Approvals						
Applications involving a s242 Preliminary Approval	Y	(a)	PA2016s49		Normal fee plus \$7,866.00	
Combined Applications						
The fee shall be the combined total of all applicable fees unless otherwise determined by the Manager Development & Governance or Senior Planner	Y	(a)	PA2016s49,s51		POA	
Application Requiring Fee Determination						
Any development application which is deemed to be complex, unusual or of significant scale and likely to require significant additional assessment inputs (including the use of	Y	(a)	PA2016s49,s51		POA	

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
external consultants) will have an application fee determined based on expected costs to Council. Expected costs will include both internal and external assessment costs. Applicants should confirm during pre-lodgement discussions whether the application requires a fee determination.						
Consultant Fees						
The cost of external consultant's fees for any further assessment or advice required by Council in consideration of any application or submission and/or technical report may be charged to the Applicant. The Applicant will be notified of Council's intent to refer the Application to a consultant following receipt of a response to Information Request (or earlier). If Council elects to recover the cost of the consultant the consultant's costs must be paid prior to the final determination of the Application.	Y	(a)	PA2016s49,s51		POA	
Survey Plans						
Application for Compliance Assessment for Endorsement of Survey Plan (Base Fee)	Y	(a)	PR2017 Schedule 18	application	\$575.00	N
Endorsement of Survey Plan per lot fee (in addition to base fee) - based on DNRM valuation roll maintenance fee	Y	(a)	PR2017 Schedule 18	lot	\$35.00	N
Re-endorsement of a survey plan	Y	(a)	PR2017 Schedule 18	application	\$250.00	N
Endorsement of CMS/Easement/Covenant	Y	(a)	PR2017 Schedule 18	document	\$330.00	N
Superseded Applications						
Application under a Superseded Planning Scheme for exempt or self assessable development	Y	(a)	PA2016s29	application	\$595.00	N
<i>NOTE - the application fee for a Superseded Application is an additional cost is to be added to application fee for the MCU/Rol/OW</i>						
Application under a Superseded Planning Scheme for Code or Impact	Y	(a)	PA2016s29	application	\$915.00	N
Extension of Relevant Period	Y	(a)	PA2016s86	application	Charge is 35% of current prescribed fee. Minimum fee \$500.00	

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
Application to Change Development Approval						
Application to change Development Approval after appeal period ends	Y	(a)	PA2016s52	application	Charge is 50% of current prescribed fee. Minimum fee \$500.00	Y
Application to change Development Approval after appeal period ends - Court Order	Y	(a)	PA2016s52	application	\$2,940.00 plus all legal costs including GST	Y
Application to Change a Compliance Certificate / Permit						
Application to change a Compliance Certificate	Y	(a)	PA2016s51	application	\$285.00	N
Application to change a Compliance Permit	Y	(a)	PA2016s51	application	\$730.00	N
Application to Change Development Application						
Additional fee to be paid based on % of current application fee:						
- if prior to issue of Information Request - 25%	Y	(a)	PA2016s51	application	25%	N
- if prior to the Decision Making period - 50%	Y	(a)	PA2016s51	application	50%	N
- in Decision Making stage, but prior to report being completed - 75%	Y	(a)	PA2016s51	application	75%	N
- after report is completed - 100%	Y	(a)	PA2016s51	application	100%	N
Refund of Development Application - withdrawn application						
Refund based on % of application fee paid:						
- if prior to issue of Information Request - 75%	Y	(a)	PA2016s109		75%	N
- if prior to the Decision Making period - 50%	Y	(a)	PA2016s109		50%	N
Refund of Development Application - lapsed application	Y	(a)	PA2016s109		80% of application fee paid	N
Application lapsed as not properly made application (s266 of SPA) - refund 80% of application fee paid	Y	(a)	PA2016s84	application	\$95.00	N
Application to Cancel Development Approval						
Lapsed Application						
Lapsed application or approval - no refund applies in any other circumstance					Nil	
Operational Works						
Operational Works Application						
Application for works on Council road reserve involving an access (where associated with a MCU or RoL approval)	Y	(a)	PA2016s51	application	\$255.00	N
Application for Advertising Sign	Y	(a)	PA2016s51	application	\$1,025.00	N
Application for Clearing of Vegetation	Y	(a)	PA2016s51	application	\$445.00	N

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
Operational Works Application (Op Works associated with RoL for more than 5 lots)						
Base Fee	Y	(a)	PA2016s51	application	\$1,465.00	N
Plus amount per lot	Y	(a)	PA2016s51	lot	\$125.00	N
Other Operational Works Application (including ass with RoL up to 5 lots)	Y	(a)	PA2016s51	application	1.5% of cost (min \$223 max \$10,000)	N
Reassessment of Engineering Plans						
As a result of substantially amended plans Base Fee	Y	(a)	PA2016s51	application	\$805.00	N
Plus amount per lot	Y	(a)	PA2016s51	lot	\$70.00	N
Checking of Landscape Plans (associated with Op Works)						
(i) Landscape plans submitted by Landscape Architect or Landscape Designer and who will:	Y	(a)	PA2016s51			
(a) submit a conforming statement of compliance; and	Y	(a)	PA2016s51			
(b) undertake a final inspection; and	Y	(a)	PA2016s51			
(c) submit as constructed landscaping plans (where required)	Y	(a)	PA2016s51	application	\$515.00	N
(ii) Landscape plans submitted and not in accordance with (i) above	Y	(a)	PA2016s51	application	\$1,730.00	N
Checking of Street Lighting Plans (associated with Op Works)						
Base Fee	Y	(a)	PA2016s51	application	\$355.00	N
Plus amount per Lot	Y	(a)	PA2016s51	lot	\$15.00	N
Construction Monitoring (Op Works associated with RoL for more than 5 lots)						
Base Fee	Y	(a)	PA2016s51	application	\$1,465.00	N
Plus amount per Lot	Y	(a)	PA2016s51	lot	\$265.00	N
Construction Monitoring of other Operational Works (including ass with RoL up to 5 lots)	Y	(a)	PA2016s51	application	1.5% of cost (min \$223 max \$10,000)	N
Re-inspection of Outstanding works and/or Early Plan Sealing Inspection	Y	(a)	PA2016s51	application	\$660.00	N
Bonds for Construction Security and Defects Liability	Y	(a)	PA2016s51	application	5% of value of works (minimum \$1,000)	N
Bonds for Outstanding Works and Early Plan Sealing	Y	(a)	PA2016s51	application	150% of Value of Works Being Bonded	N

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
Developers Contributions						
Parking						
Vehicle space provided by Council off street						
Kuranda town - Business and Village zone	N		PA2016s113	space	\$9,695.00	N
Kuranda town - other areas	N		PA2016s113	space	\$2,420.00	N
Mareeba town - Commercial, Business and Industry zone	N		PA2016s113	space	\$6,145.00	N
Mareeba town - other areas	N		PA2016s113	space	\$2,420.00	N
Other Towns	N		PA2016s113	space	POA	N
Parks Contribution	N		PA2016s113	charge	\$4,585.00	N
Drainage	N		PA2016s113	charge	\$4,585.00	N
Roads	N		PA2016s113	charge	\$4,585.00	N
Water/Sewerage Contribution						
Mareeba						
Water contribution	N		PA2016s113	charge	\$4,585.00	N
Sewerage contribution	N		PA2016s113	charge	\$4,585.00	N
Kuranda (Refer to Maps)						
Water for District/Area						
<i>Note: EDC = Equivalent Domestic Connection</i>						
Water for Kuranda LLZ	N		PA2016s113	charge	\$5,675.00	N
Water for Warril HLZ	N		PA2016s113	charge	\$9,145.00	N
Water for Mason HLZ	N		PA2016s113	charge	\$7,790.00	N
Sewerage for Area 1	N		PA2016s113	charge	\$4,585.00	N
Sewerage for Area 2	N		PA2016s113	charge	\$4,585.00	N
Sewerage for Area 3	N		PA2016s113	charge	\$7,675.00	N
Sewerage for Area 4	N		PA2016s113	charge	\$7,075.00	N
Chillagoe						
Water Contribution	N		PA2016s113	charge	\$4,585.00	N
Dimbulah						
Water Contribution	N		PA2016s113	charge	\$4,585.00	N
Mt Molloy						
Water Contribution	N		PA2016s113	charge	\$4,585.00	N

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
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ITEM-24 WATER CHARGES**MEETING:** Ordinary**MEETING DATE:** 18 April 2018**REPORT****OFFICER'S TITLE:** Manager Finance**DEPARTMENT:** Corporate and Community Services

EXECUTIVE SUMMARY

The purpose of this report is to request Council's approval to modify the existing discount arrangements for sporting clubs in Mareeba township connected to the untreated water supply who have leases. The discounted water charging methodology is to be based on the water usage at Davies Park, Mareeba.

OFFICER'S RECOMMENDATION

"That Council:

1. provides discounted untreated water to sporting clubs connected to the Mareeba untreated water supply either based on the untreated water usage at Davies Park or the historical water usage by Council itself on the specific area;
2. withdraws all levied untreated water charges to sporting clubs in the Mareeba township between 1 January 2014 and 1 July 2017; and
3. implements the discounted untreated water charges from 1 July 2017."

BACKGROUND

The untreated water supply in Mareeba township has a small number of connections. The charges applied through the budget process are reflective of cost recovery and have been applied over numerous years. There has however, been some contention regarding the equality between the sporting clubs accessing untreated water in the Mareeba township.

Clubs that have lease arrangements on Council reserves are liable for water consumption and charges. However, other sporting clubs make use of sporting fields with no tenure arrangements that are irrigated with untreated water by Council at no cost. In the interests of equity, it is proposed that the untreated water used for irrigation be subsidised to the extent that would have been the case if Council was irrigating the field per the below two arrangements:

1. Where council has historical data based on Council's consumptions of actual usage for that specific area then the subsidy will be based on the historical Council

consumption figure and any usage above that will be at the cost of the club holding the lease; or

2. Where historical data is unavailable the methodology for charging untreated water will be based on the water used by Council to irrigate Davies Park sportsgrounds and the size of the sporting field. The lease holding club will then receive a subsidy based on the percentage of the land they irrigate. For example, Davies Park area is 47,300 m² and the soccer club irrigate 31,000 m² so the soccer club will receive a remission of 65% of the cost of the untreated water used on Davies Park. For administrative ease the remission will be calculated on the previous rating period.

The new charging methodology would ensure equality and consistency in approach to these sporting clubs and would be in effect from 1 July 2017. It is recommended that all charges prior to 1 July 2017 be withdrawn with an expectation that the new charging methodology be accepted and upheld by these clubs.

LINK TO CORPORATE PLAN

COMM3 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

CEO

Director Corporate and Community Services

Councillors

Manager Finance

External

Nil

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital

Nil

Operating

There is no material impact on cash flow to council

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

Affected Sporting clubs will be notified of this charging methodology and future water charges will be calculated on this basis.

ATTACHMENTS

Nil

Date Prepared: *29 March 2018*

ITEM-25 WATER AND WASTEWATER FEES AND CHARGES 2018-2019**MEETING:** Ordinary**MEETING DATE:** 18 April 2018**REPORT OFFICER'S
TITLE:** Manager Water and Waste**DEPARTMENT:** Infrastructure Services, Water and Waste Group

EXECUTIVE SUMMARY

This report presents proposed fees and charges for the 2018-2019 financial year for Council's Water and Waste Group.

OFFICER'S RECOMMENDATION

"That Council adopt the Water and Waste Fees and Charges for the 2018-2019 financial year, as per schedule attached to this report."

BACKGROUND

Council as part of its budgetary process and under the legislation of the Local Government Act is required to adopt a Schedule of Fees and Charges.

Section 97 of *Local Government Act 2009* prescribes the circumstances where a Local Government may set a cost-recovery fee. This section also prescribes that a cost-recovery fee must not be more than the cost to the local government of taking the action for which the fee is charged.

Costs for services are reviewed annually. The fees and charges have been recommended on either full cost recovery, discounted community service obligation by direction of Council or based on a set percentage increase on the previous financial year.

RISK IMPLICATIONS

Legal and Compliance
Local Government Act 2009

LEGAL /COMPLIANCE/POLICY IMPLICATIONS

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

FINANCIAL AND RESOURCE IMPLICATIONS

Capital

Nil

Is the expenditure noted above included in the current budget?

Nil

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

Nil

Operating

Nil

Is the expenditure noted above included in the current budget?

Nil

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

Nil

LINK TO CORPORATE PLAN

Community: Communities across the area share a sense of common identity whilst retaining local diversity and enjoy equitable access to services and facilities based on effective partnerships.

Economy: A growing and vibrant local economy supported by a planning scheme that seeks to balance development with rural sustainability and lifestyle considerations.

Governance: Sound decision-making based on the understanding and confidence of the community, reflected in responsible long-term financial sustainability and clear strategic direction build around core local government business and affordable levels of service.

IMPLEMENTATION/COMMUNICATION

The fees and charges detailed in this report will be included in the 2018-2019 Register of Cost-Recovery Fees and will be published on Council's Website.

ATTACHMENTS

1. Water and Waste Fees & Charges Schedule 2018-2019.

Date Prepared: 06 April 2018

Description	Cost Recovery Fee (Y/N)	Paragraph of 597(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
2018/19 Fees and Charges						
Waste						
Domestic Waste						
Up to 1m ³ (trailer or utility load)* With Exception Mareeba 2m ³ .	N			trailer or utility load	No charge	
* excludes regulated waste (eg tyres, asbestos). Greater than 1m ³ /load will be charged at commercial rates and may be directed to Mareeba Waste Transfer Station at the Operator's discretion. A fee will be charged for unsorted waste.						
Mattresses (Domestic 2 free per day)				each	No charge	
* Non-shire residents and commercial operators	N			each	\$25.00	N
Sorting fee - Required if mixed load requires sorting by Council staff. PER M3	N			cubic metre	\$115.00	Y
Green Waste						
					No charge	
Mulch Purchase						
Box trailer or utility load - self load	N			cubic metre	\$12.00	Y
Box trailer or utility load - machine to load	N			cubic metre	\$16.00	Y
Purchases greater than 500m ³ (in one instance)	N			>500m ³	\$10.00 per m ³	Y
Minimum fee commercial waste - weigh bridge charge	N			each	\$20.00	Y
Recyclables (Commercial)						
Includes HDPE, PET, Aluminium and steel cans, glass, other packaging items labelled as recyclable.	N			tonne	\$20.00	Y
Scrap Metal - Commercial and Domestic						
Car bodies - must have fluids and tyres removed - EACH				each	No charge	
Car Bodies with fluids and or tyres	N			each	\$50.00	Y
Motor bikes - must have fluids and tyres removed - EACH				each	No charge	
Motor bikes - with fluids and or tyres	N			each	\$15.00	Y
White goods - fridges/freezers must be degassed (sorting fee will apply if goods are in fridges or freezers \$115.00)	N			each	\$115.00	Y
White goods, air conditioners not degassed \$25.00	N			each	\$25.00	Y
Air conditioners and fridges - must be degassed				each	No charge	
Gas bottles - must be degassed	N			each	\$5.00	Y

Description	Cost Recovery Fee (Y/N)	Paragraph of 597(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
Commercial Waste Mareeba Waste Management Facility						
Minimum fee commercial waste - weight bridge charge				Each	\$20.00	
Plastic Mulch Netting, Fluming (Minimum Charge \$20/load)				tonne	\$25.00	Y
Plastic Mulch Netting, Fluming (Minimum Charge \$5 /load)				Trailer / ute	\$5.00	Y
MSW - Municipal Solid Waste	N			tonne	\$90.00	Y
C&I - Commercial and Industrial	N			tonne	\$75.00	Y
C&D - Construction and Demolition	N			tonne	\$75.00	Y
Concrete	N			tonne	\$20.00	Y
Green waste				tonne	No Charge	
Dead Animals						
Small animal - each - (cat, small dog, possum - disposed as wet waste)	N			each	\$5.00	Y
Medium animal - each (wallaby, large dog, calf, goat, pig - disposed as wet waste)	N			each	\$20.00	Y
Regulated Waste						
Batteries				each	No Charge	
Oil (excludes cooking oils)	N			litre	50c per litre	N
Asbestos NOT accepted at any MSC Landfill or Waste Transfer Site						
Paint (wet) will not be accepted						
Tyres						
Passenger	N			each	\$8.00	Y
Light truck	N			each	\$11.00	Y
Truck	N			each	\$25.00	Y
Super Single	N			each	\$50.00	Y
Solid Small - Up to 0.3m high	N			each	\$18.00	Y
Solid Medium - 0.3m - 0.45m	N			each	\$28.00	Y
Solid Large - 0.45 - 0.6m	N			each	\$35.00	Y
Solid XL - Greater than 0.6m	N			each	\$50.00	Y
Tractor Small - Up to 1m high	N			each	\$77.00	Y
Tractor large - 1m - 2m	N			each	\$130.00	Y
Fork Lift small - Up to 0.3m high	N			each	\$10.00	Y
Fork Lift Medium - 0.3m - 0.45m	N			each	\$19.00	Y
Fork Lift Large - 0.45m - 0.6m	N			each	\$28.00	Y

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
Grader	N			each	\$100.00	Y
Motor Cycle	N			each	\$6.00	Y
Earth Mover Small - Up to 1m high	N			each	\$103.00	Y
Earth Mover Medium - 1m - 1.5m	N			each	\$227.00	Y
Earth mover large - 1.5m - 2m	N			each	\$450.00	Y
Passenger with rim	N			each	\$10.00	Y
Light Truck with rim	N			each	\$16.00	Y
Truck with rim	N			each	\$32.00	Y
Bobcat	N			each	\$12.00	Y

Description	Cost Recovery Fee (Y/N)	Paragraph of 597(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
2018/19 Fees and Charges						
Wastewater						
Charges						
Connection to Council's Sewerage System	N			connection	Quoted service	N
*Based on 1.5m tapping and standard 1.5m from property boundary and 150mm join						
Build over Council sewerage System	N			application	\$315.00	N
Hire of Fogging Crew (day hire)	N			Labour per hour + materials max 4 hours	Quoted service	Y
Hire of Sewer Trailer	N			Labour per hour + materials max 4 hours	Quoted service	Y
Trade Waste Application						
Application for Trade Waste first year	N			year	\$140.00	N
Trade Waste Approvals						
Category One Utility Charge (Low Volume; Low Strength) <500 KL waste per year (minimum flat fee)	N			year	\$145.00	N
Category Two Utility Charge (High Volume; Low Strength) >500KL waste calculated on individual case basis	N			metered rate	Per metered rate	N
Category Three Utility Charge (High Volume; High Strength) - Cat 3 charges calculated on individual case basis	N			metered rate	Per metered rate	N
Sampling of Grease Arrestor (per test)	N			test	\$330.00	N
Sample - Tested strength of BOD5 by weight	N			test	\$325.00	N
Sample - Tested strength of Suspended Solids by weight	N			test	\$315.00	N
Permit for Food Waste Disposal Units						
MSC Sewerage Area						
Category A - < 400 Watt rating	N			year	\$1,235.00	N
Category B - 401 to 700 Watt rating	N			year	\$3,700.00	N
Category C - 701 to 1000 Watt rating	N			year	\$4,940.00	N
Category D - 1001 to 1500 Watt rating	N			year	\$7,415.00	N
Category E - 1501 to 2000 Watt rating	N			year	\$8,645.00	N
Category F - > 2000 Watt rating	N			year	\$9,990.00	N
Search Fee - Query what Trade waste Service is on the property	N			search	\$215.00	N

Description	Cost Recovery Fee (Y/N)	Paragraph of 597(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
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Waste Discharge						
Grease trap waste Mareeba	N			litre	\$0.16	N
Septic effluent waste Mareeba	N			KL	\$52.00	N
Liquid Waste - Anything other than grease trap or septic - Mareeba	N			KL	\$52.00	N
Standpipes						
Hire of Standpipe - Short Term (less than two (2) weeks) \$250 Deposit. Maximum 7 day hire period (minimum charge of \$50.00)	N			per hire	\$10.00 per day	N
Hire of Standpipe - Long Term (greater than two (2) weeks up to six (6) months) \$750 Deposit	N			per hire	\$5.00 per day	N
Standpipe Management System - Electronic Key	N			per hire	\$50.00	N
Water Supply from Fire Hydrants (other than for fire-fighting purposes) KL	N			KL	\$1.50	N

Description	Cost Recovery Fee (Y/N)	Paragraph of 597(3) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
2018/19 Fees and Charges						
Water						
Charges						
Water Service Connection Including Meter - 20mm ø per m	N			meter	\$1,175.00	N
Meter Size - 25mm	N			meter	\$1,525.00	N
Meter Size - 32mm - Short Meter	N			quote	Quoted Service	N
Meter Size - 40mm - Short Meter	N			quote	Quoted Service	N
Meter Size - 50mm - Short Meter	N			quote	Quoted Service	N
New Meter Installation Only - 20mm ø per m	N			meter	\$565.00	N
New Meter Installation Only - 25mm ø per m	N			meter	\$580.00	N
New Meter Installation Only - 32mm ø per m	N			quote	Quoted Service	N
New Meter Installation Only - 40mm ø per m	N			quote	Quoted Service	N
New Meter Installation Only - 50mm ø per m	N			quote	Quoted Service	N
Renewal of Water Service 20mm	N			application	\$945.00	N
Renewal of Water Service 25mm	N			application	\$1,265.00	N
Renewal of Water Service 32mm	N			application	\$1,385.00	N
Renewal of Water Service 40mm	N			application	\$1,670.00	N
Renewal of Water Service 50mm	N			application	\$1,700.00	N
Disconnection of Water Service at Owners Request	N			application	\$180.00	N
Reconnection after Requested Disconnection 20mm	N			application	\$565.00	N
Reconnection after Requested Disconnection 25mm	N			application	\$580.00	N
Reconnection after Requested Disconnection 32mm	N			application	\$855.00	N
Reconnection after Requested Disconnection 40mm	N			application	\$985.00	N
Reconnection after Requested Disconnection 50mm	N			application	\$1,070.00	N
Reconnection (after breach of water regulations or non payment) - 20mm	N			application	\$565.00	N
Reconnection (after breach of water regulations or non payment) - 25mm	N			application	\$580.00	N
Reconnection (after breach of water regulations or non payment) - 32mm	N			application	\$855.00	N
Reconnection (after breach of water regulations or non payment) - 40mm	N			application	\$985.00	N

Description	Cost Recovery Fee (Y/N)	Paragraph of 597(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
Reconnection (after breach of water regulations or non payment) - 50mm	N			application	\$1,070.00	N
Water Testing	N			not available	Not Available	
Meter/Service Testing (to be refunded if meter/service found to be faulty)	N			test	\$330.00	N
Final Water Meter Reading request	N			reading	\$50.00	N
Hydrant flow & pressure test	N			test	\$250.00	N
Install Lockable Stop Valve with padlock	N				\$205.00	
Locations - Mareeba	N			location	\$176.00	Y
Locations - Dimbulah/Kuranda	N			location	\$506.00	Y
Locations - Mount Molloy	N			location	\$506.00	Y
Locations - Chillagoe	N			location	\$825.00	Y

ITEM-26 **VISITOR INFORMATION CENTRE TOURISM BROCHURE
DISPLAY FEES AND CHARGES 2018-2019**

MEETING: Ordinary

MEETING DATE: 18 April 2018

**REPORT OFFICER'S
TITLE:** Senior Engagement Officer

DEPARTMENT: Corporate and Community Services

EXECUTIVE SUMMARY

This report presents the 2018-2019 Visitor Information Centre Tourism Brochure Display Fees and Charges for adoption by Council.

OFFICER'S RECOMMENDATION

"That Council:

1. adopts the 2018-2019 Visitor Information Centre Tourism Brochure Display Fees and Charges as attached to this report; and
2. notes the updated *Visitor Information Centre Tourism Brochure Display Fees and Charges Guideline*."

BACKGROUND

The *Visitor Information Centre Tourism Brochure Display Fees and Charges Guideline* outlines fees and consistent arrangements for businesses to display their brochures in the seven accredited Visitor Information Centres (VICs) on the Atherton Tablelands regardless of local government area.

Mareeba Shire Council operates two VICs, Kuranda and Mareeba (managed under a community management model by Mareeba Heritage Centre Inc.).

The Guideline was originally adopted in 2014 and has been updated to reflect the current arrangements with Tropical Tablelands Tourism (TTT).

Regional VIC brochure display pricing is matched annually to TTT's Bronze membership price. TTT have advised its Bronze membership price for 2018/2019 will be maintained at \$140.00.

Therefore, it is proposed the fees remain at the current level for 2018/2019.

RISK IMPLICATIONS

Nil

LEGAL /COMPLIANCE/POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

Capital
Nil.

Is the expenditure noted above included in the 2018/2019 budget?
Nil.

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

Operating
Nil.

Is the expenditure noted above included in the 2018/2019 budget?
Yes.

LINK TO CORPORATE PLAN

Community: Communities across the area share a sense of common identity whilst retaining local diversity, and enjoy equitable access to services and facilities based on effective partnerships.

IMPLEMENTATION/COMMUNICATION**Internal Implementation**

Kuranda Visitor Information Centre will apply the adopted fees and charges.

External Communication / Implementation

The following stakeholders will be advised of the outcome of this report:

Tablelands Regional Council
Tropical Tablelands Tourism
Mareeba Heritage Centre Inc.

ATTACHMENTS

1. Visitor Information Centre Tourism Brochure Display Guideline 2018-2019
2. Schedule Visitor Information Centre Tourism Brochure Display Fees and Charges 2018-2019

Date Prepared: 24 March 2018

ATTACHMENT 1**Visitor Information Centre
Tourism Brochure Display Guideline FY 2018/2019****General**

- i. All tourism brochure material distributed through Mareeba Shire Council Visitor Information Centres shall be provided to visitors free of charge.
- ii. Visitor Information Centre staff and volunteers will not recommend particular businesses or organisations but will provide materials and advice to visitors without bias.
- iii. Businesses displaying their brochures shall provide current pricing, information and brochures within a reasonable timeframe when they receive a request from a Visitor Information Centre.
- iv. Brochures and other printed literature including posters and notices are not to be displayed without the prior permission of the Senior Kuranda Visitor Centre Officer and/or the Manager of the Mareeba Heritage Centre and Visitor Information Centre and/or the Mareeba Shire Council Senior Engagement Officer.
- v. If literature is delivered to a Visitor Information Centre without the prior consent of the Visitor Information Centre or without payment of the brochure display fee, the organisation shall be liable for all costs incurred in return of the literature. If the organisation fails to collect their literature within two weeks of notification the remaining literature will be recycled.
- vi. Mareeba Shire Council reserves the right to remove any brochures from display at any time. Organisations will be notified if their brochure or literature will be removed. The organisation is liable for all costs incurred in return of the literature. If the organisation fails to collect their literature within two weeks of notification the remaining literature will be recycled.
- vii. It is the responsibility of each organisation to arrange delivery of their brochures to the Visitor Information Centres. Where possible, Visitor Information Centres may assist with brochure distribution.

Where possible, Mareeba VIC will assist with brochure distribution to Kuranda VIC and Atherton VIC will assist with brochure distribution to Herberton, Ravenshoe, Malanda and Yungaburra Visitor Information Centres.

- viii. Mareeba Shire Council supports this region's official Local Tourism Organisation, [Tropical Tablelands Tourism](#) (TTT) and encourages tourism operators to join to build a strong tourism industry. TTT is a not-for-profit, membership based, destination marketing body that aims to support, promote, facilitate and encourage development of a professional regional integrated and successful tourism industry for the economic benefit of members and the community.

TTT membership benefits include: TTT website listing, discounted Australia Tourism Data Warehouse (ATDW) membership and listing assistance, social media promotion, access to marketing branding, use of image library, members functions and workshops, promotion of events on online event calendar, networking opportunities.

- ix. Payment of the brochure display fee or membership of Tropical Tablelands Tourism (TTT) entitles an organisation to display their brochure in the Mareeba Shire Council (MSC) Visitor Information Centres of



Visitor Information Centre Tourism Brochure Display Guideline FY 2018/2019



Kuranda and Mareeba, and the Tablelands Regional Council (TRC) Visitor Information Centres of Atherton, Herberton, Malanda, Ravenshoe and Yungaburra.

Fees and Charges

- i. A fee of \$140 covers both Tablelands Regional Council and Mareeba Shire Council's Visitor Information Centres, split between the two Councils (\$80 TRC, \$60 MSC).
- ii. There is no charge for brochure display for members of Tropical Tablelands Tourism (TTT) who are paid-up members for the financial period relating to brochure display.
- iii. If an organisation ceases to be a financial member of TTT, MSC will be notified and organisations will be contacted by MSC and requested to remove their brochures immediately or they will be disposed of as in viii below.
- iv. The brochure display fee/TTT membership covers one financial year from 1 July 2016 to 30 June 2017.
- v. The brochure display fee/TTT membership covers one category of brochure. If an organisation wishes to display multiple level brochures, there is an additional charge of \$65 per additional brochure (split \$35 TRC, \$30 MSC). TTT members are however entitled to display more than one brochure at no additional charge dependent upon their membership level (ie Silver - one additional brochure, Gold - two additional brochures, Platinum - no limit).
- vi. This fee may be subject to change.
- vii. A pro-rata fee shall apply for each quarter of the financial year, as detailed in the table below

01 July 2018 - 30 June 2019 (full year)	01 Oct 2018 - 30 June 2019 (3 quarters)	01 January 2019 - 30 June 2019 (2 quarters)	01 April 2019 - 30 June 2019 (one quarter)
\$140	\$105	\$70	\$35

- viii. Failure to become a member of TTT or to pay the MSC brochure display fee by 31 August 2018 will result in the organisation's brochure(s) being removed from the Visitor Information Centres' displays. Organisations will be notified if their brochure or literature will be removed. If the organisation fails to collect their literature or pay the invoiced brochure display fee within two weeks of notification, the remaining literature will be recycled.
- ix. Not for Profit Organisations shall receive brochure display free of charge. This shall be at the discretion of the Senior Kuranda Visitor Centre Officer and/or the Senior Mareeba Visitor Centre Officer and/or the Senior Engagement Officer. Preference shall be given to community service organisations operating within the Mareeba Shire Council area.
- x. Regional and town brochures and similar literature shall be displayed free of charge, subject to availability of display space at each centre.
- xi. A 10% (ten per cent) commission shall be charged for all bookings made by Mareeba Shire Council Visitor Information Centres. The 10% is inclusive of GST and is calculated on the current retail rate or special as advised to the Visitor Information Centre by the organisation.
- xii. Posters may be displayed on a rotational basis, subject to availability of space, at the discretion of each Visitor Information Centre.

**Visitor Information Centre
Tourism Brochure Display Guideline FY 2018/2019****Brochure Display Criteria**

The following criteria apply to brochures displayed at all Mareeba Shire Council Visitor Information Centres:

- i. Brochures shall be of professional print quality unless an interim brochure or a community organisation.
- ii. Brochures shall be of standard size – DL, A5 or A4. DL is the preferred size. Over-sized brochures may be subject to restrictions on display space.
- iii. Information contained in the brochure must be up to date with correct information. Mareeba Shire Council does not accept brochures that contain incorrect or out of date information including incorrect prices or non-verified accreditation symbols. Mareeba Shire Council does not accept responsibility for incorrect or out of date information.
- iv. Mareeba Shire Council assumes that organisations operate to a professional standard, provide quality service to visitors to the region and have appropriate insurance cover.
- v. If a brochure contains inserted material it must be securely inserted in the brochure and must be inserted prior to delivery to the Visitor Information Centre.

Excluded Literature

Mareeba Shire Council Visitor Information Centres will not display or distribute literature that:

- i. Contains political or religious material. The only exception is a directory of the locations of religious organisations and/or times of religious services.
- ii. Contains offensive matter.
- iii. Promotes time-shares or attendance at a sales presentation.
- iv. Contains material which could be deemed to be discriminatory or prejudicial.

The Senior Kuranda Visitor Centre Officer and/or the Manager of the Mareeba Heritage Centre and Visitor Information Centre and/or the Senior Engagement Officer reserve the right to refuse literature which does not meet the Brochure Display criteria.

Review: These Guidelines are subject to review and amendment.

ATTACHMENT 2

2018/2019 Register of Cost-recovery Fees and Schedule of Commercial and Other Charges

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)
2018/2019 Fees and Charges						
Visitor Information Centres						
Annual Visitor Information Centre Tourism Brochure Display Fees						
Yearly fee	N				\$140.00	Y
3 quarters	N				\$105.00	Y
2 quarters	N				\$70.00	Y
1 quarter	N				\$35.00	Y
Annual Additional Visitor Information Centre Tourism Brochure Display Fees						
Yearly fee	N				\$65.00	Y
3 quarters	N				\$48.75	Y
2 quarters	N				\$32.50	Y
1 quarter	N				\$16.25	Y

COMMUNITY WELLBEING

ITEM-27 REGIONAL ARTS DEVELOPMENT FUND COMMUNITY GRANTS 2017/2018

MEETING: Ordinary

MEETING DATE: 18 April 2018

REPORT OFFICER'S TITLE: Senior Community Wellbeing Officer

DEPARTMENT: Corporate and Community

EXECUTIVE SUMMARY

The purpose of this report is to seek Council's approval of the Regional Arts Development Fund (RADF) Advisory Committee's recommendation to fund seven (7) projects to a total of \$21,100 through the 2017/2018 RADF Community Grant Round.

OFFICER'S RECOMMENDATION

"That Council approves the RADF Advisory Committee's recommendation to fund seven (7) projects to a total of \$21,100 through the 2017/2018 RADF Community Grant Round."

BACKGROUND

The 2017/2018 RADF Community Grant Round closed 28 February 2018 after extensive promotion across the Shire. Council received eight (8) applications with grant requests totalling \$25,113. All applications met the RADF objectives and / or the local priority of cultural tourism. The RADF Advisory Committee met on 12 March 2018 to assess the applications according to set criteria.

After the RADF Advisory Committee Meeting, one (1) application was withdrawn by the applicant. The RADF Advisory Committee considered that it would be appropriate to fund all seven (7) remaining projects.

The 2017/2018 RADF budget has sufficient funds to provide grants to the following seven applicants for specific projects and activities to a total of \$21,100, as recommended by the RADF Advisory Committee.

1. Koah Sports & Social Club - The Festival of Small Halls \$4,000

The Koah Sports and Social Club will partner with the Woodford Folk Festival and Dream State Entertainment to host the Festival of Small Halls at the Koah Hall in December 2018. The event will provide an opportunity for local young people to develop and present a theatrical circus performance as a support to the featured musicians.

2. Mareeba Cake Decorators Association - The Art of Cake Decorating \$3,500

A series of cake decorating classes for beginner and experienced decorators will be facilitated by recognised industry leaders. The workshops will allow participants to increase their skills, create potential employment opportunities and increase the number of entrants into the Mareeba Agricultural Show.

3. Nguddaboolgan Native Title Body Corporate - Djungan Cultural Signage project \$4,000

This project involves the design, printing and installation of an interpretive / information sign relating to the cultural heritage of the Djungan People. The sign will be located at the Mt Mulligan town site, where there is an existing memorial to the Mt Mulligan mine disaster. The sign will increase understanding and respect for the traditional owners, their culture and connection to the land.

4. Mayi Wunba Dance Troupe - Performance at 2018 Commonwealth Games \$2,500

Mayi Wunba Dance Troupe from Kuranda has applied and been accepted to perform at multiple events at the 2018 Commonwealth Games at the Gold Coast. The performance will allow the group to share their cultural traditions, provide dancers with experience performing in front of large audiences and potentially result in additional employment opportunities.

5. Colleen Taylor - "Cooee-Cooee" Colleen's Collected Stories of the Johnson-Tooth-West and Taylor Families \$1,000

This publication will collate and preserve the history of a Far North Queensland pastoral family; it will bring to life the milestones, memorable events and everyday life of the North Queensland community in the 1880's. Book launches will be held in Mareeba and Dimbulah and copies of the book will be donated to local community centres, heritage museums, visitor information centres and libraries.

6. Rebecca Koller - Ergon Power Box Beautification \$5,600

Wildlife artist Rebecca Koller will paint murals on six Ergon power boxes on Coondoo and Therwine Streets, Kuranda. This will increase the visual aesthetics of the town, promote the natural beauty of the region and encourage tourism. This project has the support of the Tourism Kuranda Advisory Committee.

7. Tablelands Military Vehicle Club - Mareeba Military Muster \$500

The Mareeba Military Muster commemorates the role that the Tablelands played during World War II and will be held 4-5 August 2018. The event originated in Ravenshoe but has been held in Mareeba for the last two years. The event is supported by a number of local museums and clubs and includes displays of World War II and post war military vehicles and accessories.

RISK IMPLICATIONS**Infrastructure and Assets**

3. The applicant (Nguddaboolgan Native Title Body Corporate) will be responsible for the installation and ongoing maintenance of the signage.

6. Ergon Energy has provided permission for the murals on identified power boxes. The project includes application of anti-graffiti sealant and this cost is included in the grant.

FINANCIAL AND RESOURCE IMPLICATIONS*Capital*

Nil

Is the expenditure noted above included in the current budget?

Nil

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

Nil

Operating

Yes

Is the expenditure noted above included in the current budget?

2017-2018 operating budget incorporates the community grant round allocation.

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

Nil

LINK TO CORPORATE PLAN

Community: Communities across the area share a sense of common identity whilst retaining local diversity, and enjoy equitable access to services and facilities based on effective partnerships.

IMPLEMENTATION/COMMUNICATION

Letters of offer and payment of grants.

Promotion of approved applicants in local and social media.

ATTACHMENTS

1. Nil

Date Prepared: 29 March 2018

INFORMATION SYSTEMS AND CUSTOMER SERVICE

ITEM-28 ICT STRATEGY INTERNET COMMUNICATIONS LINKS

MEETING: Ordinary

MEETING DATE: 18 April 2018

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

DEPARTMENT: Corporate and Community Services

EXECUTIVE SUMMARY

The purpose of this report is to seek Council's approval to proceed with the implementation of new internet communication links and enter into a contractual arrangement with Optus and Nexium Telecommunications.

OFFICER'S RECOMMENDATION

"That Council in accordance with section 235 (b) of the *Local Government Regulations 2012* enters into a contractual arrangement with Optus and Nexium Telecommunications to provide internet communication links in support of Council's long-term ICT Strategy."

BACKGROUND

In May 2017 Council adopted a long-term ICT Strategy that embraces a 'cloud first' ethos. Under this strategy the intent is to utilise cloud service providers for the future delivery of information systems. These providers are located remotely to Council, typically in the Southeast of the country. The ICT Strategy states that...

"Whilst robust communications platforms have always been considered important, this is amplified in a Cloud first world. Unlike on premises systems that remain available when external communications are interrupted, Cloud services are sensitive to the availability of the internet, creating the need for Council to invest in more resilient internet communications systems."

As part of the investigation phase leading to the formulation of the ICT Strategy, Council engaged with an external service provider to determine its communication needs. This exercise identified future state requirements that include:

- Physical diversity for internet connectivity and increased disaster recovery capability
- Service provider diversity for internet connectivity
- Adoption of additional bandwidth to support user access to cloud services

The *Local Government Regulations 2012* section 235 Other exceptions states:

"A local government may enter into a medium-sized contractual arrangement or large-sized contractual arrangement without first inviting written quotes or tenders if-

- a) the local government resolves it is satisfied that there is only 1 supplier who is reasonably available; or
- b) the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders; or
- c) a genuine emergency exists; or
- d) the contract is for the purchase of goods and is made by auction; or
- e) the contract is for the purchase of second-hand goods; or
- f) the contract is made with, or under an arrangement with, a government agency."

A high-level market scan was performed to identify suitable service providers to support these requirements. The scan focused not only on affordability, but also the ability to deliver physical path diversity, the intent being to ensure that a significant public infrastructure failure does not render both internet links inoperative.

The two providers recommended are **Optus** and **Nexium Telecommunications**. Each provider can deliver a link of substantially increased performance over that currently in use and, when implemented in tandem, Council will realise the required level of redundancy to support the adoption of cloud services.

Because of the specialised industry services sought it would be impractical for Council to invite quotes or tenders. Therefore, it is recommended that Council use its ability under section 235 (b) of the *Local Government Regulation 2012* and resolves to enter into a contract with the recommended providers.

LINK TO CORPORATE PLAN

ECON 1 Compile an economic growth strategic plan and orient Council's organisation to facilitate economic growth.

CONSULTATION

Internal

Executive Management Team
Coordinator ICT

External

Gravelroad Group Pty Ltd

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

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

Capital

A 'once off' upfront network build cost is associated with each communications link. These costs are currently under negotiation with the relevant provider.

Whilst it is anticipated that Council officers can undertake some of the initial configuration work, it will likely be necessary to engage with an external provider to assist in this process. An indicative budget allowance exists for this work.

Operating

Each link is provided under a 36 month contract period, with a monthly operating charge. As with the preceding capital costs these are currently under negotiation. However, based on current assessments, Council will realise an increase in performance, and associated redundancy benefits, at a reduced monthly spend.

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

A funded capital project currently exists to cover the network build costs. The ongoing operational expense has been factored into the budget for FY19.

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

Nil

IMPLEMENTATION/COMMUNICATION

The new communications links will be built in parallel with Council's current link to avoid any outages. Once commissioned and tested, a 'cut over' process will occur to migrate services to the new links.

ATTACHMENTS

1. Nil

Date Prepared: 6 April 2018

INFRASTRUCTURE SERVICES

TECHNICAL SERVICES

**ITEM-29 TENDER EVALUATION TMSC2018-01 FULL SERVICE
SUPPLY & DELIVERY OF ASPHALT OVERLAY WORKS**

MEETING: Ordinary

MEETING DATE: 18 April 2018

REPORT OFFICER'S
TITLE: Manager Technical Services

DEPARTMENT: Infrastructure Services, Technical Services

EXECUTIVE SUMMARY

The purpose of this report is to inform Council of the assessments of tender submissions for TMSC2018-01 Full Service Supply and Delivery of Asphalt Overlay Works and provide recommendation on award of the tender.

Tenders closed on 5 April 2018 and three (3) tenders were received.

OFFICER'S RECOMMENDATION

"That Council awards Tender TMS2018-01 for Full Service Supply and Delivery of Asphalt Overlay Works to Pioneer North Queensland Pty Ltd on a schedule of rates basis at the tendered price of \$412,560.50 including GST."

BACKGROUND

The tendered asphalt overlay works are a component of Council's annual reseals programme. The 2017 - 2018 reseals programme has a combined budget of \$1.37 million, exclusive GST, for the provision of both bitumen reseal and asphalt overlay works and incorporates associated preparation and line marking reinstatement.

The full service asphalt overlay 'Request for Tender' was advertised and posted on Tenderlink on Wednesday 7 March 2018. Council requested tenderers to provide cost per tonne rates to supply and install asphalt, including provision of traffic control to various localities. Identified sites were listed within the Tender and are attached for reference.

Tenders closed on Thursday, 5 April 2018 at 11:00am. Tenders were received from Boral Resources Pty Ltd, Pioneer North Qld Pty Ltd and NQ Asphalt Pty Ltd.

Tenders were evaluated using criteria weighted scoring methodology;

- Relevant Experience 20%

- Key Personnel & Experience 10%
- Tenderers Resources 10%
- Demonstrated Understanding 20%
- Price/ Value for Money 40%

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

Pioneer North Queensland is a reputable company operating from facilities in Cairns providing asphalt paving services to local government, state government and the private sector. Pioneer is quality assured and warrant their work which as delivered to Department of Transport and Main Roads specification. Pioneer has delivered Council's annual asphalt programme in the past. Pioneer submitted the lowest tendered price.

NQ Asphalt Pty Ltd is a subsidiary of Koppens Developments Pty Ltd and currently in the process of establishing their operations having recently acquired the previously owned PAN Materials asphalt plant in Portsmith. While the NQ Asphalt submission is competitively priced, their plant is still being commissioned with certification of asphalt mix design yet to be received. This presents a risk to Council in terms of programme delivery.

Boral Resources is an established national company operating a quality assured asphalt facility in Cairns. Boral delivered Council's previous asphalt programme under the combined 2016-17 FNQROC Regional Asphalt Overlay Programme. Boral is currently undertaking the Byrnes Street CBD asphalt upgrade works on behalf of Transport Main Roads. Boral submitted the highest tendered price

Tenderer	Amount (Incl. GST)	Weighted Score	Rank
Boral Resources (Qld) Pty Limited	\$531,863.35	6.24	2
NQ Asphalt Pty Ltd	\$415,276.40	5.45	3
Pioneer North Queensland Pty Ltd	\$412,560.50	6.81	1

The scoring reflects the opinion that the tender from Pioneer North Queensland Pty Ltd offers Council the best value for money, experience and methodology to deliver the 2017 - 2018 asphalt programme.

RISK IMPLICATIONS

Financial

Standard contract variation risks exist; however, these risks are mitigated through the schedule of rates contract and program of works.

Legal and Compliance

Contract works will be managed under the conditions of contract provided as part of the tender package.

Health and Safety

Tenderers have provided WH&S management plans and have internal processes in place.

FINANCIAL AND RESOURCE IMPLICATIONS

Capital

The tendered asphalt overlay works are a component of Council's annual reseals programme. The budget for the 2017 - 2018 Reseals Bitumen and Asphalt Programme is \$1.37 million excluding GST.

Is the expenditure noted above included in the current budget?

Yes

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

Nil

Operating

Nil

Is the expenditure noted above included in the current budget?

Nil

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

Nil

LINK TO CORPORATE PLAN

Economy: A growing and vibrant local economy supported by a planning scheme that seeks to balance development with rural sustainability and lifestyle considerations.

Governance: Sound decision-making based on the understanding and confidence of the community, reflected in responsible long-term financial sustainability and clear strategic direction build around core local government business and affordable levels of service.

IMPLEMENTATION/COMMUNICATION

The Community will be notified of programme commencement and potential impacts.

ATTACHMENTS

1. 2017-18 Reseals Asphalt Programme - proposed sites

Date Prepared: 5 April 2018

2017-18 Reseals Asphalt Overlay Programme

Road Name	Reference Point Start Chainage	Locality	Asset Type	Start Chainage	End Chainage	Length	Width	Area	Treatment Type
ARRIGA / MUTCHILBA									
Genocchio Road	Springmount Rd Ch. 17176	Arriga	Bitumen	6	24	18	18.45	332.1	DG10 Asphalt
Genocchio Road	Springmount Rd Ch. 17176	Arriga	Bitumen	24	47	23	10	230	DG10 Asphalt
Springmount Road	@ Genocchio Road Intersection	Arriga	Bitumen	17143	17176	33	9.34	308.22	DG10 Asphalt
Springmount Road	@ Genocchio Road Intersection	Arriga	Bitumen	17176	17214	38	9.34	354.92	DG10 Asphalt
Cascade Close	Oaky Valley Ave	Mutchilba	Bitumen	1040	1063	23	18.0	414	DG10 Asphalt
CHEWKO									
Bryde Road	Chewko Rd	Chewko	Bitumen	3	23			70	MIII/Fill
Bryde Road	Chewko Rd	Chewko	Bitumen	0	26	26	10.9	283.4	DG10 Asphalt
Chewko Road	@ Bryde Road Intersection	Chewko	Bitumen	4835	4875	40	8	320	DG10 Asphalt
JULATTEN									
Devil Devil Close	Highland Dr	Julatten	Bitumen	195	225	30	20.3	609	DG10 Asphalt
Windsor View Road	Highland Dr	Julatten	Bitumen			15	6.5	97.5	MIII/Fill
Windsor View Road	Highland Dr	Julatten	Bitumen	1210	1246	36	20.3	730.8	DG10 Asphalt
KURANDA									
Kuranda Crescent	Barron Falls Rd	Kuranda	Bitumen	210	655	445	7.2	3204	DG10 Asphalt
Kuranda Crescent	Barron Falls Rd	Kuranda	Bitumen	655	665	10	15.9	159	DG10 Asphalt
Thongon Street	Thongon St (Nth End)	Kuranda	Bitumen	0	25	25	19.4	485	DG10 Asphalt
Thongon Street	Thongon St (Nth End)	Kuranda	Bitumen	25	105	80	9.2	736	DG10 Asphalt
Thongon Street	Thongon St (Nth End)	Kuranda	Bitumen	105	215	110	9.2	1012	DG10 Asphalt
Thoorree Street	Therwine St	Kuranda	Bitumen	168	200	32	11.1	355.2	DG10 Asphalt
Wirramo Street	Thongon St	Kuranda	Bitumen	36	55	19	15	285	DG10 Asphalt
MAREEBA									
Aircobra Close	Wylandra Dr	Mareeba	Bitumen	163	188	25	13.88	347	DG10 Asphalt
Buffalo Close	Wylandra Dr	Mareeba	Bitumen	162	188	26	14.6	379.6	DG10 Asphalt
Chewko Road	Rankin St	Mareeba	Bitumen	185	366	181	15	2715	DG10 Asphalt
Gallo Drive	Kennedy Highway	Mareeba	Bitumen	348	380	32	10.35	331.2	DG10 Asphalt
Helicat Close	Wylandra Dr	Mareeba	Bitumen	162	188	26	13.88	360.88	DG10 Asphalt
Jacinta Crescent	Ceola Dr	Mareeba	Bitumen	6	141	135	1.1	148.5	MIII/Fill
Jacinta Crescent	Ceola Dr	Mareeba	Bitumen	6	141	135	9.7	1310.85	DG10 Asphalt
Sunbird Parade	Ceola Dr	Mareeba	Bitumen	477.5	485	7.5	3.5	26.25	MIII/Fill
Sunbird Parade	Ceola Dr	Mareeba	Bitumen	476	485	9	7.7	69.3	DG10 Asphalt
Wylandra Drive	Gallo Dr	Mareeba	Bitumen	5	11.5	6.5	22.16	144.04	DG10 Asphalt
Total (m)²								15,819	

**ITEM-30 PETITION FOR PROPOSAL TO SEAL AND IMPROVE
DRAINAGE ON MCIVER ROAD, MAREEBA****MEETING:** Ordinary**MEETING DATE:** 18 April 2018**REPORT OFFICER'S
TITLE:** Technical Officer - Investigations**DEPARTMENT:** Infrastructure Services, Technical Services Group

EXECUTIVE SUMMARY

This report introduces a petition which was received by Council on 3 April 2018, requesting bitumen sealing and drainage works be undertaken on McIver Road, Mareeba.

OFFICER'S RECOMMENDATION

"That Council receives the Petition and refers it to Council officers for further investigation and report to a future Council Meeting."

BACKGROUND

In terms of Council's Standing Orders, Council has three (3) options with regard to petitions that are tabled and these are:

1. The petition be received and consideration stand as an order of the day for the meeting, or for a future meeting; or
2. Petition be received and referred to a committee or officer for consideration and a report to the local government; or
3. The petition not be received.

The petition generally meets the requirements as per the Standing orders as the Petition has 10 signatures.

The petition reads as follows:

"It is respectfully requested that the Mareeba Shire Council consider sealing McIver Road as well as constructing adequate drainage to cater to the overwhelming amount of water now flooding and damaging the dirt road residents rely on to come to and from our homes."

The petition is attached as part of this report.

RISK IMPLICATIONS**Infrastructure and Assets**

The petition claims that Council road and drainage infrastructure has been damaged due to rainfall and flooding. Further investigation will be undertaken with consideration for inclusion in Council's claim for restoration of essential public infrastructure (REPA) under the Australian Government's Natural Disaster Relief and Recovery Arrangements (NDRRA).

LEGAL /COMPLIANCE/POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

Capital
Nil

Is the expenditure noted above included in the current budget?
Nil

Operating
Nil

Is the expenditure noted above included in the current budget?
Nil

LINK TO CORPORATE PLAN

Environment: A natural and living environment that provides safety and enjoyment for the community and visitors.

Economy: A growing and vibrant local economy supported by a planning scheme that seeks to balance development with rural sustainability and lifestyle considerations.

IMPLEMENTATION/COMMUNICATION

The Head Petitioner will be notified of Council's decision.

ATTACHMENTS

1. McIver Road Petition

Date Prepared: 4 April 2018

20 KOA-MAL-DRA
KOA-MAL-SUR
IT-IMS

Muhammadaziz Iminov
Unit 1/259 Mclver Road
Mareeba, QLD 4880
0468 624 636

Tuesday, 27 March 2018

Mareeba Shire Council President
65 Rankin Street
Mareeba, QLD 4880

Dear Mareeba Shire Council President,

Petition: Proposal to seal and provide adequate drainage on Mclver Road

3 It is respectfully requested that the Mareeba Shire Council consider sealing Mclver Road as well as constructing adequate drainage to cater to the overwhelming amount of water now flooding and damaging the dirt road residents rely on to come to and from our homes.

This proposal accompanies a formal complaint made to council administration (CRN /18/03634) (CRN /18/03635) on the 27th March 2018.

Since February of 2018, the abundant rainfall has resulted in an overwhelming quantity of water to flow from the non-existent drainage and onto the main dirt road causing extreme flooding, weathering, erosion and overall damage to the road.

As the rain continues, this road damage has become distinctly worse and increasingly dangerous to drive on often resulting in some residents and visitors unable to access homes via the road.

The ratepayers and residents of Mclver Road, whose names, details and signatures are set out on the attached list, entirely support this proposal.


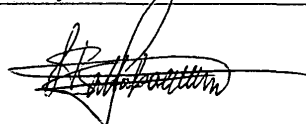




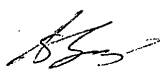
The proposal contains a total of ____ signatures and is served on behalf of the listed signatories by:

Yours sincerely,



Muhammadaziz Iminov
Unit 1/259 Mclver Road
Mareeba QLD 4880



Name	Details (address and phone)	Signatures
Cynthia Murat	1/259 McIver Rd 0439 736 654	emurat.
Rahime Murat	267 McIver Rd 0435373275	
Farhodber Baltabaev		
Slender Paul MURAT	0417645175	
Daimin Murat	263 McIver Road	
Allma Memeti	263 McIver Rd.	
DANE LUKIC	LOT 1 MCIVER RD 0499543509.	
LORRAINE HANUSH	259 MCIVER. MAREEBA. 045670406.	
SALVATORE GIRGENTI	232 MCIVER RD 0427775614	
CHERMAY GIRGENTI	232 MCIVER RD 0438692437	Chermay

ITEM-31 TRAFFIC ADVISORY COMMITTEE - MINUTES OF MEETING HELD 5 APRIL 2018

MEETING: Ordinary

MEETING DATE: 18 April 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 Thursday, 5 April 2018 for Council's information.

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

OFFICER'S RECOMMENDATION

"That Council notes the minutes of the Traffic Advisory Committee Meeting held 5 April 2018."

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.

RISK IMPLICATIONS**Financial**

There are ongoing costs associated with investigation of traffic matters to ensure a safe road environment for our community. In most cases, any safety improvements on Council roads determined from these investigations will be funded from operational budgets or referred for consideration in future capital budget deliberations.

LEGAL /COMPLIANCE/POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

Capital
Nil

Is the expenditure noted above included in the current budget?

Nil

Operating

Internal resources for investigation and follow up actions.

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

Nil

LINK TO CORPORATE PLAN

Community: Communities across the area share a sense of common identity whilst retaining local diversity, and enjoy equitable access to services and facilities based on effective partnerships.

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

1. Minutes of Mareeba Shire Council Traffic Advisory Committee Meeting held 05 April 2018.

Date Prepared: 9 April 2018

TRAFFIC ADVISORY COMMITTEE MEETING
MAREEBA BOARDROOM, 65 RANKIN STREET, MAREEBA
THURSDAY, 5 APRIL 2018
9:30AM TO 10:30AM

MINUTES



PRESENT:

Transport and Main Roads (TMR) - Principal Engineer - Civil
Queensland Police Service (QPS) - Mareeba
Queensland Police Service (QPS) - Mareeba
Queensland Police Service (QPS) - Mareeba
Mareeba Chamber of Commerce
Mareeba Shire Council (MSC) - Councillor
Mareeba Shire Council (MSC) - Councillor
Mareeba Shire Council (MSC) - Manager Technical Services
Mareeba Shire Council (MSC) - Director Infrastructure Services
Mareeba Shire Council (MSC) - Minutes Secretary

Richard Evans
John Ridgway
Chris Harris
Derek Garner
Sam Musumeci
Lenore Wyatt
Alan Pedersen (Chair)
Sam Wakeford
Glenda Kirk
Marjorie Anthony

APOLOGIES:

Transport and Main Roads (TMR)
Transport and Main Roads (TMR)
Transport and Main Roads (TMR)
Mackay Sugar
Queensland Police Service (QPS) - Mareeba
Transport and Main Roads (TMR) - Transport Inspector
Mareeba Shire Council (MSC) - Councillor

David Hamilton
Darryl Jones
Philip Donnelly
Don Fowler
Rolf Straatemeier
Ian Wiltshire
Kevin Davies

1. MINUTES

Tuesday 5 December 2017

Minutes of the Mareeba Shire Council Traffic Advisory Committee Meeting held on Tuesday, 05 December 2017 were ratified by Council at their Ordinary Meeting of 21 February 2018.

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</p> <p>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</p> <p>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 Mng 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 (2018)</p> <p>TMR has received funding through Safer Roads Sooner to install traffic lights at the intersection of Bynes / Rankin Streets in 2018/19</p> <p>MSC to consult with businesses regarding temporary road management trials near Walsh / Rankin; Target / Coles</p> <p>Herberton / Constance</p>	MSC / TMR	
16.03-04	St Thomas's P&F Representative (Dave Saul)	St Thomas's P&F seeks approval for the temporary reduction of the speed limit around Centenary Park on Mareeba Market days, similar to the Yungaburra Markets	<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 advice on resolving the matter</p>	MSC / TMR	31/01/2018

Item	Organisation	Issue	Recommendation / Follow Up Action	Action Required by	Action Due Date
			<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 (Marita) to provide update and report back to MSC on Scheme Pending information on implementation of scheme from TMR; MSC to follow up</p>		
	16.06-03 Councilor (Alvin Paderstein)	Enquiry received requesting a temporary "doggy zone" on Blythe Street from the Heritage Centre to the Cairns Connection road on market days	Refer to above Item 16.03-04		
	17.12-04 MSC (Glenda Kiri)	Introduction of Special Event Traffic Marshals by TMR, as an alternative option for traffic control in low speed / low risk environments at sporting and community events	Refer to above Item 16.03-04		
16.06-04	QPS (Insp Rolf Straatemeier)	What is required for "High Crash Zone" signs to be placed between Mareeba and Kuranda	<p>QPS to liaise with TMR as to locations for low cost solutions</p> <p>QPS checking crash rates, will review in 2 months</p> <p>QPS to advise TMR of suggested locations based on statistics</p> <p>Since upgrade at Brickworks Road, statistics have improved</p> <p>Upgrades subject to funding availability on Kennedy Highway</p> <p>TMR waiting advice on location, funding sought, assessment being undertaken on the Kuranda Range Road to Smithfield</p> <p>TMR to liaise with QPS identifying locations for high crash zone signage</p> <p>TMR suggested between Gold Mine Creek to Emerald Creek or Tinaroo Creek Road for high crash zone signs, "head on" design preferred option.</p> <p>TMR to liaise with QPS to identify sites for signage, sites to be determined after TMR complete study</p> <p>TMR advised study will be completed June / July 2018</p>	QPS / TMR	Q18
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.	<p>Issue to be raised with TMR</p> <p>TAC Committee resolved to recommend</p> <p>Council write to the customer seeking their proposal</p> <p>Letter sent 01/12/2016</p> <p>MSC forwarded sketch plans to TMR 04/08/2017</p> <p>Matter pending advice from TMR</p> <p>MSC to clarify with owner if the access is still being used by heavy vehicles</p> <p>TMR advised no funds available for upgrade however should MSC or Owner wish to fund, TMR will review upgrade proposal</p> <p>TMR advised no funds available for upgrade however should MSC or Owner wish to fund, TMR will review upgrade proposal</p> <p>MSC to liaise with customer as to the upgrade options and costs</p> <p>No further action required by this Committee, resolved to remove from the minutes</p>	MSC	28/02/2018

Item	Organisation	Issue	Recommendation / Follow Up Action	Action Required by	Action Due Date
17.03-01	Councillor (Nipper Brown)	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 Byrnes Street, issued raised by trucking company	TMR to investigate TMR designing sign, TMR to provide wording TMR advised this is a work in progress, wording currently being sorted Design & wording underway by TMR; it was suggested a similar sign to that on the Ootann Road Turnoff could be used TMR to follow up and advise	TMR	03/2018
17.06-02	Councillor (Kevin Davies)	Truck stop signage difficult to see approaching Mt Carbine from West	MSC to identify exact location and advise TMR RMPC Steward to advise Council RMPC Steward to provide photographs RMPC Steward advised there is not truck signage at Mt Carbine. The only signage pertaining to trucks around Mt Carbine are Regulatory. No trucks Parking (R6-10-2A) signs in front of the Mt Carbine Pub Trucks Entering signs W5-23B either side of Mt Carbine Quarry entrance No further action required by this Committee, resolved to remove from the minutes	MSC	30/09/2017
17.06-03	Councillor (Alan Pedersen)	Turning lanes required on Mulligan Highway turning onto Blacks Road / Mary Andrews Park	External road works, MSC to check Developer Contributions Council to send request through to TMR 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 March 2005 Traffic counts for Blacks Road (AADT 176 vehicles) No traffic counts available for Mary Andrews Park Council to provide TMR with data for Blacks Road. TMR to review and provide update No current data for Blacks Road, traffic counter to be deployed and data provided to TMR MSC to list on PPT No further action required by this Committee, resolved to remove from the minutes	TMR	31/05/2018
17.09-03	Mareeba Chamber (CRM/17/09562)	Requests the deteriorated main roads sign located on the northern entrance to Mareeba near Mary Andrews Park be revamped / refurbished	Sign is the responsibility of Business Operators / Clubs MSC to send letter to business operators / clubs seeking their interest / agreement in having the sign replaced at their expense Application to TMR can be made online Referred to RMPC Meeting; letter drafted to business operators / clubs Letter to be sent if no response, additional letter to be forwarded otherwise signs removed All Business Operators / Clubs have responded in favour of having the sign replaced with some minor changes and subject to costings and proofs being provided MSC to lodge TMR application online & liaising with operators / clubs No further action required by this Committee, resolved to remove from the minutes	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 MSC has received further complaints since TAC meeting of 05/12/2017, the reported incidents were forwarded to TMR for their action TMR advised issue has been incorporated into the Tablelands Heavy Vehicle Management Strategy	TMR	31/01/2018
17.09-08	Mareeba Chamber (Joe Moro)	Requests a sign be installed for Emerald Creek Falls like that of the Davies Creek Falls sign recently installed	TMR advised cost \$2-3K per sign and hardware Chamber to decide on funding the signs and to provide decision to next TAC meeting Cost for signage noted by Chamber; matter pending decision by Chamber No further action required by this Committee, resolved to remove from the minutes	Chamber	03/2018
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 2 years TMR advised issue has been incorporated into the Tablelands Heavy Vehicle Management Strategy Refer to above item 17.09-12	TMR	31/12/2018
17.12-01	17.12-02 MSC Mtg 15/11/2017 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 The committee is requested to consider the possibility of reducing the speed limit from 60km to 50km on Herberton Street, Mareeba	MSC Officers to review speed limit and provide recommendation to Council MSC plans to upgrade Herberton / Constance Streets intersection as per CBD Traffic Study, therefore further consideration to reducing the speed limit on Herberton Street will not be given No further action required by this Committee, resolved to remove from the minutes	MSC	30/04/2018
17.12-03	Patricia Bonney	1. Requests "slow down" signs (like that used on the Kuranda Range) to be installed in the 60kph zone in Watsonville; 2. Seeks confirmation of 60kph speed limit through Watsonville Township	Further email from customer on 01/02/2018 seeking a response to request TMR will consider adjusting the location of signs moving them closer into town; however, matter is a compliance issue for QPS No further action required by this Committee, resolved to remove from the minutes	TMR	31/03/2018

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 Give Way sign now facing the right direction No further action required by this Committee, resolved to remove from the minutes	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 will investigate and report back if additional 100km/hr repeater signs are required between bottom of range and Mt Carbine.	TMR	

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

Item	Organisation	Issue	Recommendation / Follow Up Action	Action Required by	Action Due Date
18.04-01	Councillor (Angela Toppin)	Tableland resident seeks advice on where the arrow markings on state controlled and local roads	Signs installed, and arrows marked on local MSC roads, MSC installing keep left signage on state-controlled roads in 4-6 weeks TMR to undertake line marking on state-controlled roads		
18.04-02	Mareeba Chamber	No Entry signage at the southern one way exit to the Mareeba Heritage Centre	MSC has programmed installation of TMR signage MSC to review visibility of NO ENTRY sign; line marking options to be considered No further action required by this Committee, resolved to remove from the minutes		
18.04-03	Mareeba Chamber	B-Double decoupling at fgr quarry site	TMR advised issue has been incorporated into the Tablelands Heavy Vehicle Management Strategy		

4. GENERAL BUSINESS

Item	Organisation	Issue	Recommendation / Follow Up Action	Action Required by	Action Due Date
18.04-04	Mareeba Chamber (Sam Musumeci)	Springmount Road recently ressealed; when re-line marking can consideration be given for single white lines rather than double white lines to allow heavy vehicles to navigate corners	Concerns were raised regarding the road geometry; MSC to review and consider available options MSC advised Springmount Road listed for future upgrade		
18.04-05	MSC (Glenda Kirk)	Barron River Bridge on Anzac Avenue (John Doyle Bridge) Renewal	Bridge renewal programmed for August 2018; full closure required for approx. 6 weeks; temporary traffic lights to be used to manage congestion during peak times Renewal will restore load limit to 44t		
18.04-06	Councillor (Alan Pedersen)	The question was asked if there is water on the road is the road closed?	In consideration of the it's Flooded - Forget it campaign; road is closed regardless of the amount of water across the road		
18.04-07	Councillor (Lenore Wyatt)	TMR asked about Bushy Creek mitigation and is there any option having cameras at Rifle and Spear Creek?	TMR advised Rifle, Spear and McLeod upgrade roads future planned		

*Minutes of the MSC Traffic Advisory Committee Meeting, Mareeba Boardroom, 65 Renslie Street, Mareeba
Thursday, 05 April 2018, commencing at 9:30am*

Item	Organisation	Issue	Recommendation / Follow Up Action	Action Required by	Action Due Date
18.04-07	Councillor (Lenore Wyatt)	TMR asked about Bushy Creek mitigation and is there any option having cameras at Rifle and Spear Creek?	TMR advised Rifle, Spear and McLeod upgrade roads future planned		

5. FUTURE MEETINGS

Meeting dates for 2018:

Tuesday, June 19
 Tuesday, September 18
 Tuesday, December 4

6. CLOSURE

10:28AM

ITEM-32 **APPLICATION FOR TEMPORARY ROAD CLOSURE OF
AN AREA OF ROAD RESERVE ABUTTING LOT 122 ON
SP295178 - RA760 LEADINGHAM CREEK ROAD,
DIMBULAH**

MEETING: Ordinary

MEETING DATE: 18 April 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 under the Land Act 1994 to temporarily close an area of dedicated road abutting Lot 122 on SP295178, RA 760 Leadingham Creek Road, Dimbulah.

OFFICER'S RECOMMENDATION

"That Council, as the Road Manager, advises the Department of Natural Resources Mines & Energy (DNRME) that in relation to the application for temporary road closure of that portion of dedicated road, Council does not object to the temporary closure of this section of dedicated road."

BACKGROUND

As part of the 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 temporarily close an area of dedicated road abutting the boundary of Lot 122 on SP295178 as 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.

At its 21 February 2018 Ordinary Meeting, Council considered a request by the Applicant to permanently close the identified dedicated road, with Council's Resolution being;

"That Council, as the Road Manager, advises the Department of Natural Resources, Mines and Energy (DNRME) does not support the application for permanent closure of an area of road reserve abutting Lot 122 on SP295178, RA 760 Leadingham Creek Road, Dimbulah."

At time of consideration, there was concern that permanent closure of the dedicated road may restrict or constrain the public and/or government agencies ability to access the waterway and

its associated infrastructure. Further investigation regarding existing functional use of the subject area, indicates that no public and/or government agency requires use at time of writing.

The identified dedicated road provides for potential transport network connectivity of Bruce Weir Road to Leadingham Creek Road, via Morrow Road, however to realise the connection a significant structure would need to be constructed across the Walsh River, the cost of which would constrain activation of the link to the long-term planning horizon.

Currently, no formed road or track exists on the identified road reserve and there are no plans to construct in the short to medium term.

Council officers have contacted potentially affected residents and agencies with the responses being;

1. SunWater advised they access their meters via the dirt track on the applicant's land and have no infrastructure in the applied for area, therefore require no access to the area in question. (Attachments 2 and 3)
2. Verbal communication from the two adjoining land owners being Lot 105 on HG513 and Lot 191 on SP295178 advise that they have no need for access to the applied for area.

RISK IMPLICATIONS

Infrastructure and Assets

The dedicated road provides for the potential Transport Network Connection of Bruce Weir Road to Leadingham Creek Road, via Morrow Road. Although temporary closure will not permanently remove the potential for this connection, its feasibility is reduced. There is no short or medium term plans to construct the connection, therefore the need for the connection in the medium term is not anticipated.

LEGAL /COMPLIANCE/POLICY IMPLICATIONS

As Road Manager, Council needs to consider the potential impacts to the long-term functionality of the transport network.

FINANCIAL AND RESOURCE IMPLICATIONS

Capital

Nil

Is the expenditure noted above included in the current budget?

Nil

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

Nil

Operating

Nil

Is the expenditure noted above included in the current budget?

Nil

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

Nil

LINK TO CORPORATE PLAN

Economy: A growing and vibrant local economy supported by a planning scheme that seeks to balance development with rural sustainability and lifestyle considerations.

Governance: Sound decision-making based on the understanding and confidence of the community, reflected in responsible long-term financial sustainability and clear strategic direction build around core local government business and affordable levels of service.

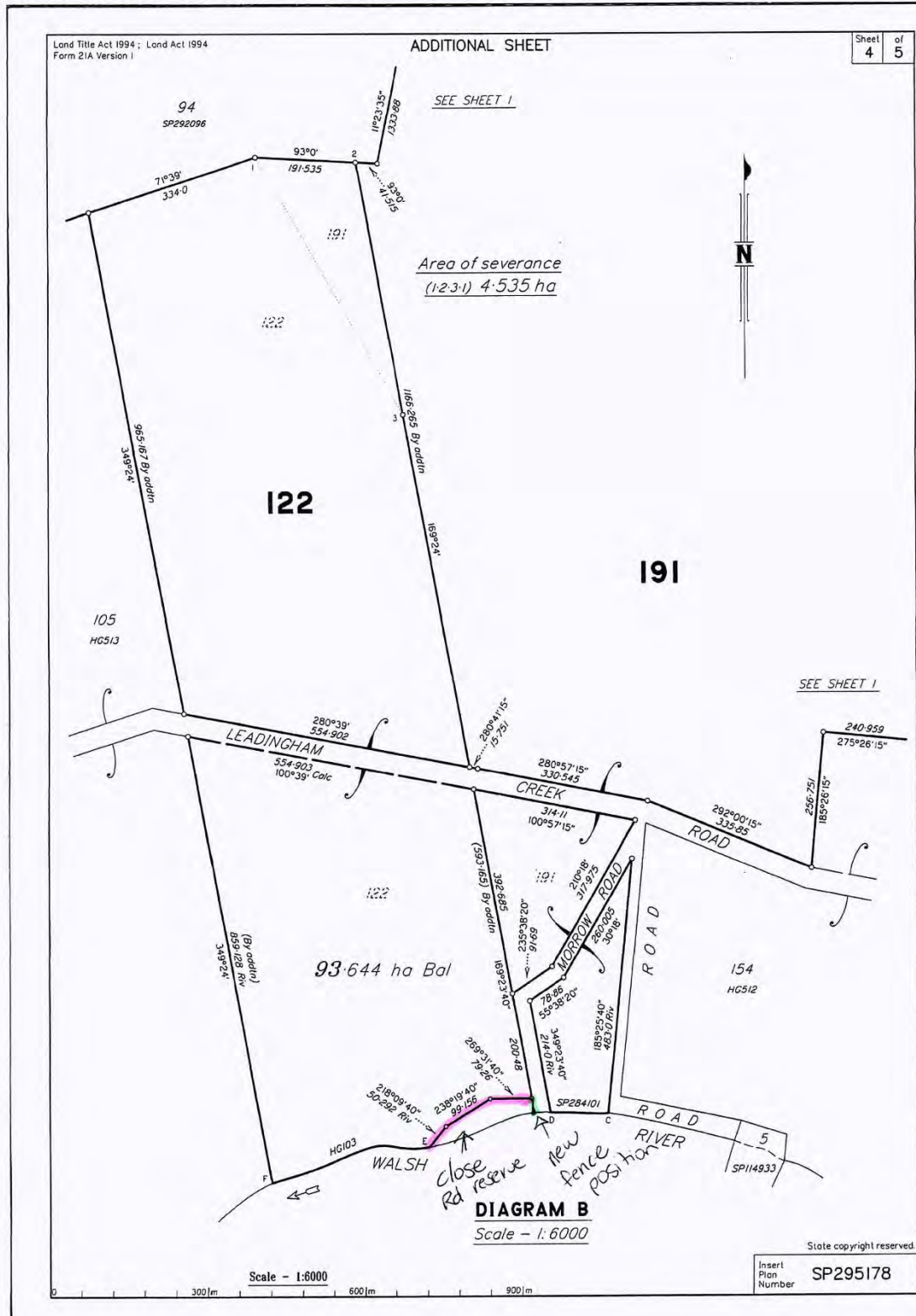
IMPLEMENTATION/COMMUNICATION

Council officers will notify DNRME and the Applicant of Council's Resolution.

ATTACHMENTS

1. Copy of survey plan supplied by the applicant.
2. Map supplied by SunWater showing meter locations.
3. Map showing SunWater access, applied for area and neighbouring properties.
4. MSC - GIS Map Info - Dedicated Road Plan showing the applied for area.

Date Prepared: 28 March 2018





RA 760 Leadingham Creek Road.



Not Scale
Map Grid of Australia Zone 55 (GDA94)

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



**ITEM-33 INFRASTRUCTURE SERVICES, TECHNICAL SERVICES
MONTHLY ACTIVITIES REPORT - MARCH 2018****MEETING:** Ordinary**MEETING DATE:** 18 April 2018**REPORT OFFICER'S
TITLE:** Manager Technical Services**DEPARTMENT:** Infrastructure Services, Technical Services Group

EXECUTIVE SUMMARY

This purpose of this report is to summarise Council's Fleet, Design, Soils Lab, Survey, Quality, GIS, Project Management and Investigation Services activities undertaken by Infrastructure Services during the month of March 2018.

OFFICER'S RECOMMENDATION

"That Council receives the Technical Services Monthly Report for the month of March 2018."

BACKGROUND**DESIGN**2017/18 Capital Works
Works for Queensland Rd 2

- Malone Road Drainage, Mareeba - Waiting final checks
- Petersen Street, Bibbohra Car Park - Detail design being finalised
- Clacherty Road Causeway, Julatten - Detailed Design being finalised
- Tinaroo Creek Road - Quantities check and construction site visits

TIDS

- Mt Mulligan Road, Dimbulah - Detail design 90% complete
- Springmount Road, Arriga - Detailed survey commenced

Miscellaneous

- Anzac Avenue and Ceola Drive Intersection - Traffic and pedestrian movement conducted and with AECOM. Assessments of various options being undertaken.
 - McGrath Road, Bibbohra - Proposed intersection and link with Bilwon Road
 - Mareeba Aerodrome - Update emergency plans
-

SURVEY

Works for Queensland Rd 2

TIDS

Miscellaneous

- Tinaroo Creek Road - Survey Setout and Construction survey assistance
- Springmount Road, Arriga - Detailed Survey commenced
- Mareeba Landfill Monthly Survey
- Fallon Road, Kuranda - Landslip boundary survey
- Leadingham Creek Road, Dimbulah - Drainage survey works
- Mareeba Industrial Park - Effley Street property survey works for creation of property lots and road reserve
- Kuranda Water Treatment Plant - Water main as constructed survey works
- Kuranda Recreation Centre, Fallon Road - Lease creation
- Mareeba Aerodrome - Lease plan

SUBDIVISIONS AND INVESTIGATIONS

Subdivisions (*Under Construction*)

On-Maintenance (*Monitoring for 12 months as the Defects Liability Period prior to becoming a Council Asset*)

Operational Works

- Amaroo Stage 9
- Springmount Road and Kippen Drive Intersection Upgrade
- G & A Trevisin – Wolfram Road
- Hilltop Close, Kuranda (Vegetation clearing)
- Barnwell property, ongoing monitoring of;
 - Dam construction
 - Property access
 - Works previously completed under the Nature Base Tourism Works (MCU/17/0012)

PROJECT MANAGEMENT

Building

Civil

- PCYC Building Upgrade – Work substantially complete. Approval received from Department of Environment and Science regarding the proposed design and installation of stainless steel balustrade to internal stairs and external works to hall. Purchase Order issued to contractor (Shane Smith Builders) to proceed with works.
 - Mareeba and Dimbulah Pool Filter Upgrades – Under review
 - New Pump Shed Mareeba Small Pool - Council approval to proceed received. Chemical service provider has provided delivery requirements. Location of proposed shed to be adjusted to accommodate requirements. Shed design to be re-priced.
 - Dimbulah Cemetery Toilets - Plans issued to three contractors for quotes to construct.
 - Kuranda Centenary Park Toilet Upgrade - QS (quantity surveyor) and temporary facilities cost received. Meeting with architect to review estimates and possible design changes.
- 2017-18 Reseals Bitumen and Asphalt Programmes
- Bitumen Reseals completed by FGF Developments Pty Ltd with only small quantity of line-marking remaining.
 - Asphalt Overlay Tender recommended for award at 18 April 2018 Council Meeting. Anticipate completion prior to end of Financial Year.
- 2018-19 Reseals Bitumen Programme
- An indicative bitumen reseal programme has been forwarded to the FNQROC for inclusion in the Joint Procurement Process.

Civil

Therwine Street Development

- JMAC engaged to undertake the Design & Construction Phase. Project Team met with affected Business and Owners onsite 4 April 2018 to discuss potential for incremental improvements to the design.

NDRRA

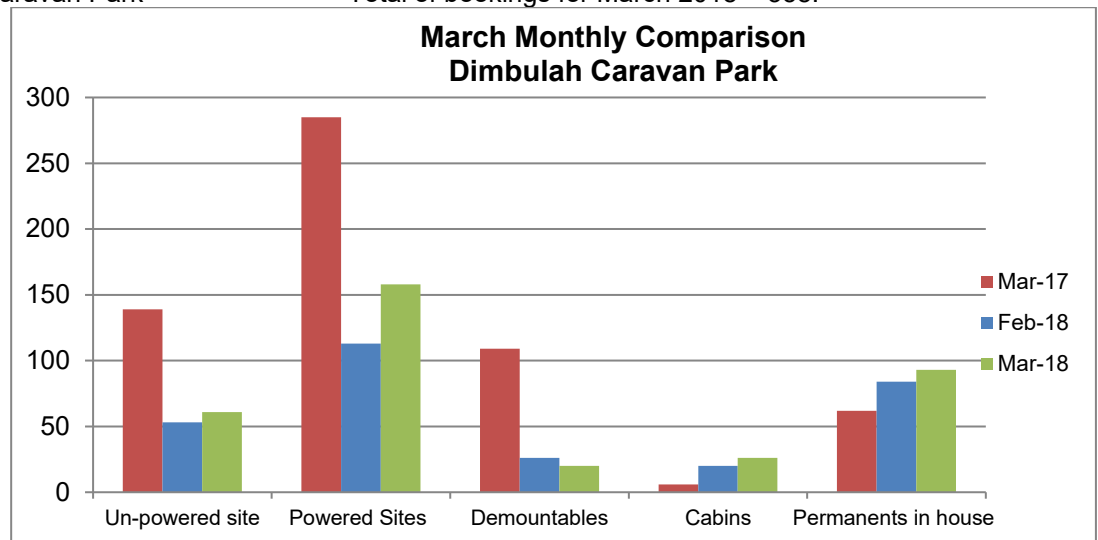
06-10 March 2018 Event Declared

- 60-day emergent period has commenced with officers responding as required. Ongoing maintenance of the James Creek crossing temporary bypass, Flaggy Creek crossing, Black Mountain Road still closed due to high water levels. Access will be returned as soon as practicable. Full assessment of road network to ascertain extent of damage will be undertaken in April/May 2018.

FACILITIES

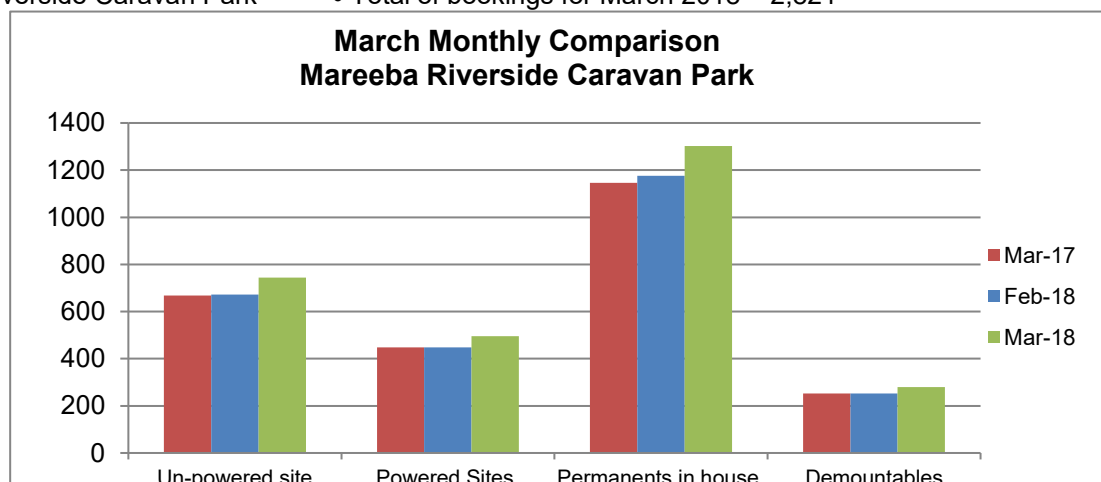
Dimbulah Caravan Park

- Total of bookings for March 2018 – 358.



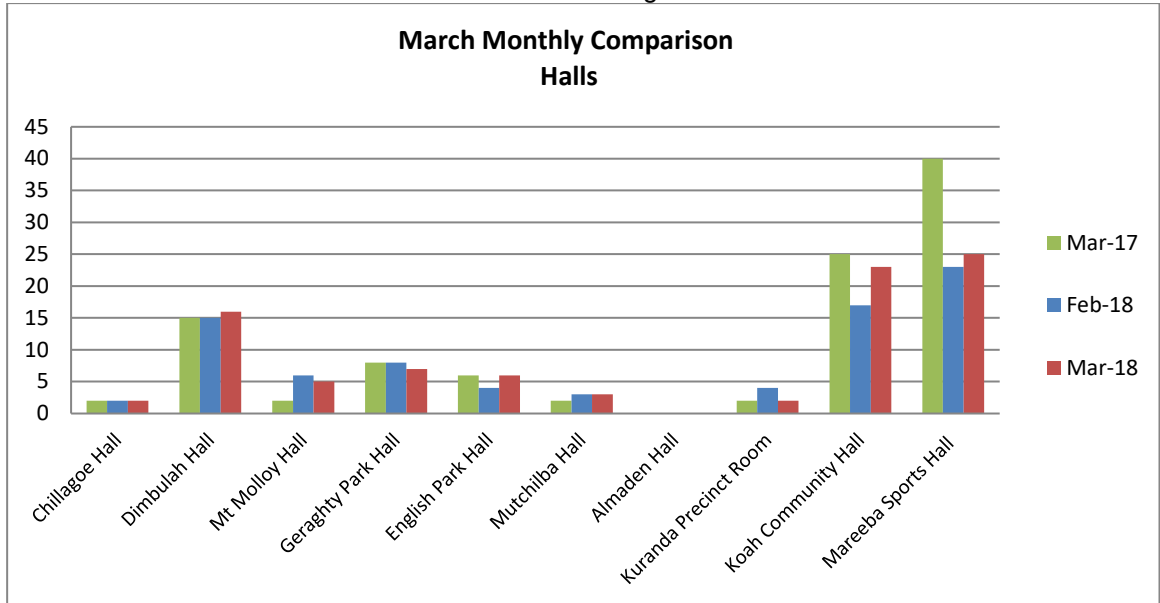
Mareeba Riverside Caravan Park

- Total of bookings for March 2018 – 2,821



Public Halls

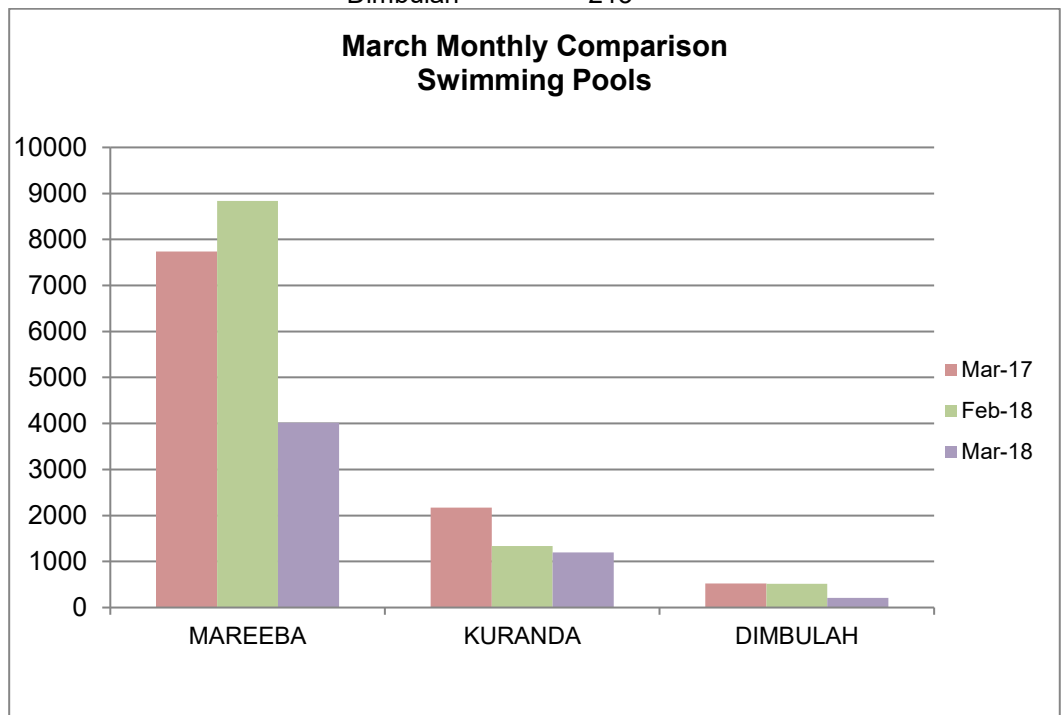
- Total of hall bookings for March 2018 - 89.



Swimming Pools

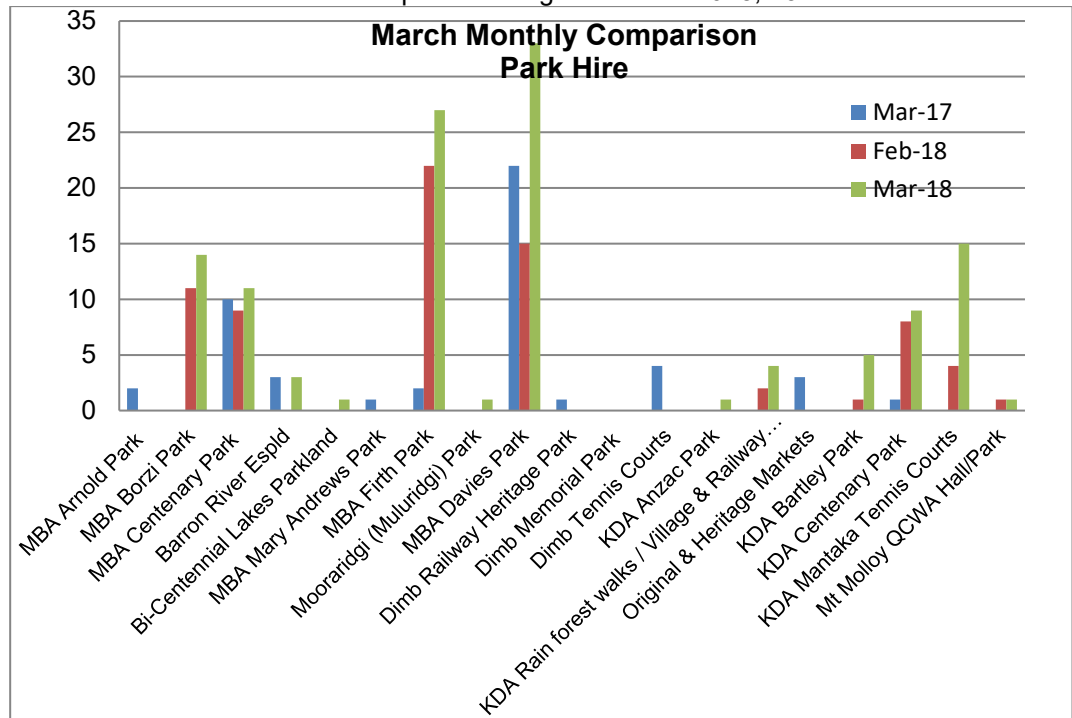
- Total of patron entries for March 2018;

- Mareeba	4,013
- Kuranda	1,195
- Dimbulah	213



Park Hire

- Total park bookings for March 2018, 73.



Vandalism and Graffiti

During March 2018, 14 reports of graffiti and vandalism were recorded on Council's Facilities.

- Mareeba Library
- Mareeba Swimming Pool x 3
- Chillagoe 10 Acre Toilet Block
- Kuranda Aquatic Centre

Graffiti and Vandalism	Year to date actuals
2015-16	\$2,134
2016-17	\$16,546
2017-18	\$19,830

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

RISK IMPLICATIONS

Nil

LEGAL /COMPLIANCE/POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS*Capital*

All capital works are listed in and funded by the 2017/18 Capital Works Program.

Is the expenditure noted above included in the current budget?

Yes

Operating

All operational works are funded by the Section specific 2017/18 maintenance budgets.

Is the expenditure noted above included in the current budget?

Yes

LINK TO CORPORATE PLAN

Economy: A growing and vibrant local economy supported by a planning scheme that seeks to balance development with rural sustainability and lifestyle considerations.

Governance: Sound decision-making based on the understanding and confidence of the community, reflected in responsible long-term financial sustainability and clear strategic direction build around core local government business and affordable levels of service.

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

Nil

Date Prepared: 6 April 2018

WORKS

ITEM-34 INFRASTRUCTURE SERVICES, WORKS SECTION ACTIVITY REPORT - MARCH 2018

MEETING: Ordinary

MEETING DATE: 18 April 2018

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

DEPARTMENT: Infrastructure Services, Works Group

EXECUTIVE SUMMARY

This purpose of this report is to summarise Council's Transport Infrastructure, Parks and Gardens, Bridge and Pest Management activities undertaken by Infrastructure Services during the month of March 2018.

OFFICER'S RECOMMENDATION

"That Council receives the Infrastructure Services, Works Progress Report for the month of March 2018."

BACKGROUND

Maintenance Activities

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

Description	Activity
Chettle Road, Arriga	Slashing
McBean Road, Arriga	Grading unsealed roads
Tyrconnell Road, Arriga	Grading unsealed roads
Bilwon Road, Bibohra	Culvert repairs, flood damage repairs, slashing
Hodzic Road, Bibohra	Slashing
Shanty Creek Track, Bibohra	Clean Inlet/Outlets culverts, Grading Unsealed Roads
Torwood Road, Bolwarra	Flood damage repairs
Bolwarra Road, Crystalbrook	Flood damage repairs
Argyle Street, Dimbulah	Mowing, slashing
Wolfram Road, Dimbulah	Flood damage repairs, grading unsealed roads
Euluma Creek Road, Julatten	Bitumen patching, road furniture, slashing
Hillview Road, Julatten	Bitumen patching, road inspections, slashing
Black Mountain Road, Julatten	Grading unsealed roads, slashing
Kanervo Road, Koah	Clean Inlet/Outlets culverts, Grading Unsealed Roads
Black Mountain Road, Kuranda	Flood damage repairs, slashing, tree clearing / vegetation management

Description	Activity
Myola Road, Kuranda	Bitumen patching, culvert repairs, pavement repairs
Oak Forest Road, Kuranda	Bitumen patching, slashing
Rob Veivers Drive, Kuranda	General repairs & maintenance, mowing, road furniture, tree clearing / vegetation management
Wrights Lookout Road, Kuranda	Grading unsealed roads, slashing
Beaufort Road, Mareeba	Slashing
Kay Road, Mareeba	Slashing
McGrath Road, Mareeba	Slashing
Ray Road, Mareeba	Administration & supervision, slashing
Shanty Creek Road, Mareeba	Culvert repairs, grading unsealed roads, slashing
Torrisi Road, Mareeba	Flood damage repairs, slashing
Fraser Road, Mt Molloy	Road furniture, road inspections, slashing
Main Street, Mt Molloy	Road furniture, slashing
Santowski Crescent, Mt Molloy	Slashing
Collins Weir Road, Mutchilba	Grading unsealed roads
Springmount Road, Mutchilba	Slashing
Oaky Valley Avenue, Mutchilba	Slashing
Ivicevic Road, Paddy's Green	Grading unsealed roads
Speewah Road, Speewah	Bitumen patching, general repairs & maintenance, grading unsealed roads, slashing
Bischoff Mill Road, Watsonville	Grading unsealed roads
Walsh River Road, Watsonville	Grading unsealed roads

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

Annual Budget	Year to Date Budget	Year to Date Actual
\$3,338,972	\$2,502,637	\$2,219,588

Work For Queensland Package 2

Tinaroo Creek Road - Road Widening, Overlay and Reseal

Works commenced on the widening, overlay and resealing of Tinaroo Creek Road in late January.

The scope of the project includes the widening of the existing pavement and seal to 7.2m between Ch. 4815 and Ch. 5005 and upgrading the Tinaroo Creek Road and Spurrier Road intersection. The construction of kerb and channel between Ch. 4919 and Ch. 5005. The widening and overlay of the existing pavement and seal to 7.2m between Ch. 5070 and Ch. 7736 and several locations of full width reconstruction. A number of culverts have also been extended to cater for the widening activities.

There have been several wet weather delays and very poor subgrade conditions have been encountered at the Ada Creek end of the project requiring additional excavation with rock and Bidim treatment. To date five (5) variations have been raised totalling \$57,000. Works are estimated to be completed early to mid-June, weather pending.



Black Mountain Road - Bridge 7

In 2017, routine Level Three bridge inspections identified Bridge 7 on Black Mountain Road Kuranda as requiring a reduced load limit due to failing girders.

HQ Plantations are the main heavy haulage user of this bridge and after being approached by Council agreed to provide the necessary girders and kerb units to bring the bridge back to T44 standard.

On 19 March Black Mountain Road was closed at Bridge 7 and the existing bridge deck and girders were removed and replaced with the new units. The road was reopened late that afternoon.

Due to continued wet weather the asphalt deck wearing surface was not installed until late in March.

Budget savings of approximately \$25,000 were achieved on this project.



TMR Routine Maintenance Performance Contract (RMPC)

Routine maintenance activities were undertaken during March 2018 at the following locations;

Primary Location	Activity Name
Kennedy Highway - Cairns/Mareeba	Rest area servicing
	Pothole patching, includes traffic control
	Emergency call out / traffic accident
Mulligan Highway - Mareeba/Mt Molloy	Other bituminous surface work
	Pothole patching, includes traffic control
	Tractor slashing, rural includes traffic control
Mulligan Highway - My Molloy/Lakeland	Other roadside work
	Other surface drain work
	Rest area servicing
	Roadside litter collection, rural
	Tractor slashing, rural, Includes traffic control
	Edge repair (manual) min 1 tonne, includes traffic control
Mossman - Mt Molloy Road	Emergency call out / traffic accident
	Other bituminous surface work
	Other roadside work
	Other surface drain work
	Pothole patching, includes traffic control
	Medium formation grading (western) with extras and 2 watercarts, excludes traffic control
Burke Dev Road	Emergency call out / traffic accident
	Other roadside work
	Pothole patching, includes traffic control
Herberton/Petford Road	Tractor slashing, rural includes traffic control
	Tractor slashing, rural includes traffic control
	Other formation work

Primary Location	Activity Name
Mareeba - Dimbulah Road	Emergency call out / traffic accident
	Other roadside work
	Pothole patching, includes traffic control
	Tractor slashing, rural, includes traffic control

The total claim to DTMR for the works listed above for the month of March 2018 was \$98,331.61.

Parks and Gardens Section

Maintenance Activities

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

Location
Street Mowing, Mareeba
Parks, Library, CBD and Streets, Kuranda
Byrnes Street Medians, Mareeba
Basalt Gully and Bi-Centennial Lakes, Mareeba
Nursery, Mareeba
Davies Park, Mareeba
Street Mowing, Bibbohra
Arnold Park, Mareeba
Clean up rubbish, Mona
Furniture and Playground Equipment, Mareeba
Council Office & Library, Mareeba
Sunset/Sunbird Park, Mareeba
Centenary Park, Mareeba
Mooraridgi Park, Mareeba
Eales Park, Mareeba
Shaban Park, Mareeba
Mowing and Maintenance, Irvinebank
Barron Esplanade, Mareeba
Town Entry North
River Gardens, Park/Drainage Area
Town Hall Park, Dimbulah
Vains Park, Mt Molloy
Rec Reserves include Tennis Court, Chillagoe
Mary Andrews Gardens, Mareeba
Borzi Park, 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	\$1,358,444	\$1,346,333

Bridge Section

Maintenance Activities

Bridge inspection and maintenance activities were carried out in March at the following locations;

Structure	Road	Chainage	Area
Bridge	Black Mountain Road	17831	Kuranda
Causeway	Mount Mulligan Road	1004	Thornborough
Bridge	Black Mountain Road	1130	Kuranda
Bridge	Black Mountain Road	469	Kuranda
Causeway	Wolfram Road	22496	Dimbulah
Causeway	Mount Mulligan Road	39972	Thornborough
Major Culvert	Windsor View Road	284	Julatten
Major Culvert	Wolfram Road	10118	Dimbulah
Causeway	Hurricane Road	35110	Hurricane
Causeway	Hurricane Road	4726	Hurricane
Causeway	Rubina Terrace	118	Irvinebank
Major Culvert	Leadingham Creek Road	6915	Dimbulah
Major Culvert	Leadingham Creek Road	8316	Dimbulah
Major Culvert	Stannary Hills Road	5660	Irvinebank
Bridge	Bischoff Mill Road	153	Watsonville
Major Culvert	Lappa - Mt Garnet Road	3008	Petford
Causeway	Hurricane Road	31154	Hurricane
Bridge	Oak Forest Road	593	Kuranda
Causeway	Spring Valley Road	1209	Almaden
Causeway	Hurricane Road	1764	Hurricane
Causeway	Hurricane Road	34078	Hurricane
Major Culvert	Lappa - Mt Garnet Road	6213	Petford
Major Culvert	Lappa - Mt Garnet Road	7840	Petford
Major Culvert	Lappa - Mt Garnet Road	8585	Petford
Causeway	Hurricane Road	30774	Hurricane
Bridge	Hurricane Road	20801	Hurricane
Bridge	Myola Road	3220	Kuranda
Major Culvert	Malone Road	2798	Mareeba
Bridge	Hickory Road	420	Kuranda
Major Culvert	Top Eureka Road	34	Dimbulah
Major Culvert	Bullaburra Creek Road	2365	Dimbulah
Bridge	Davies Creek Road	3152	Mareeba
Major Culvert	Raleigh Street	350	Dimbulah
Causeway	Wolfram Road	22496	Dimbulah
Major Culvert	Wolfram Road	15096	Dimbulah
Bridge	Leadingham Creek Road	642	Dimbulah
Major Culvert	Wolfram Road	10884	Dimbulah
Major Culvert	Wolfram Road	7400	Dimbulah
Causeway	Stannary Hills Road	102	Irvinebank
Causeway	Stannary Hills Road	1565	Irvinebank
Major Culvert	Piemonte Road	64	Mutchilba
Major Culvert	Sandy Creek Road	1318	Dimbulah
Major Culvert	Wolfram Road	7400	Dimbulah
Causeway	Mount Mulligan Road	28880	Thornborough
Major Culvert	Horse Creek Road	615	Mutchilba
Bridge	Black Mountain Road	15131	Kuranda

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

Annual Budget	Year to Date Budget	Year to Date Actual
\$562,213	\$421,031	\$281,133

Land Protection Section

The table below shows the current budget position for Land Protection operations for Mareeba Shire Council.

Annual Budget	Year to Date Budget	Year to Date Actual
\$446,906	\$334,748	\$331,423

Parthenium Weed: All active sites were inspected in March. Council landowners with the loan of spray equipment to get on top of the seedling regeneration. Land Protection staff have carried out inspections on properties that are at risk of infestation by Parthenium and can report that no new outbreaks have been located.

Invasive Grasses on Roadsides: Council officers are carrying out a whole of council area roadside spray treatment of Giant Rats Tail Grass and Gamba grass. Different chemicals are used on each grass requiring running the full length of the road network twice. A total road length of more than 9,000km is driven to complete this treatment.

Barron River Aquatic Weeds: Staff are targeting Amazon Frog Bit, Water Lettuce and Salvinia Weed in the upper catchments of the Barron River. The major flood events are helping Council's efforts by pushing the bulk of these floating masses away, making it possible to chemically treat the remaining plants. Unfortunately, this means that the entire length of the river below our work zone will now be infested with these weeds. The Senior Land Protection Officer has been assisting Kuranda conservation groups in applying for a Federal grant that, if successful, will used to hire a workforce to help Council with the removal program.

Upper Walsh River Multi Species Weed Removal: In partnership with affected landowners, the Mitchell River Catchment Group and the Northern Gulf Group land protection officers are removing Bellyache Bush, Physic Nut, Rats Tail Grass, Rubber Vine and Siam Weed from the riparian areas of the creeks and rivers between Irvinebank and the upper Walsh. The area of land involved is in excess of 8,000 hectares.

Wild Dog/Dingo: Numerous reports and complaints regarding wild dogs and dingos have been received from residents throughout the Shire. The most difficult areas to deal with are the Peri-Urban properties where council are prevented from using toxic baits, shooting is not allowed, and the dogs are too numerous for trapping to be a serious tool. These areas remain a growing problem. Officers continue to promote exclusion fences and cluster fencing in order to keep the dogs out.

Feral Pigs: The wet weather has increased the number of complaints received by Land Protection staff about pigs digging in fruit orchards and in back yards along the creek systems. Officers promote exclusion and cluster fencing, shooting (by referring landowners to professional shooters), laying toxic baits where applicable and constructing permanent silo traps.

RISK IMPLICATIONS**Financial**

Potential budget overrun of the Tinaroo Creek Road widening and sealing project, however this is funded by Work for Queensland (W4Q2) and it is anticipated that there will be underspends in other projects within the W4Q2 program that will negate any overspend.

LEGAL /COMPLIANCE/POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS*Capital*

All capital works are listed in and funded by the 2017/18 Capital Works Program.

Is the expenditure noted above included in the current budget?

Yes

Operating

All operational works are funded by the Section specific 2017/18 maintenance budgets.

Is the expenditure noted above included in the current budget?

Yes

LINK TO CORPORATE PLAN

Economy: A growing and vibrant local economy supported by a planning scheme that seeks to balance development with rural sustainability and lifestyle considerations.

Governance: Sound decision-making based on the understanding and confidence of the community, reflected in responsible long-term financial sustainability and clear strategic direction build around core local government business and affordable levels of service.

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

Nil

Date Prepared: 08 April 2018

WATER & WASTE

ITEM-35 INFRASTRUCTURE SERVICES, WATER AND WASTEWATER GROUP MONTHLY OPERATIONS REPORT - MARCH 2018

MEETING: Ordinary

MEETING DATE: 18 April 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 Infrastructure Services during the month of March 2018.

OFFICER'S RECOMMENDATION

"That Council receives the Infrastructure Services, Water and Wastewater Progress Report for the month of March 2018."

BACKGROUND

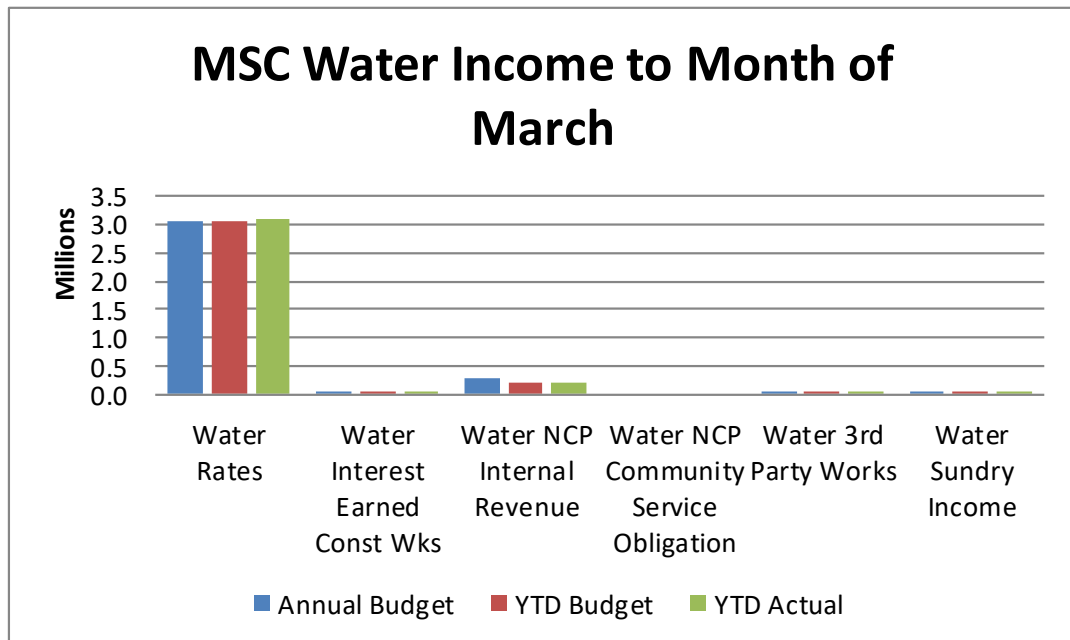
1. Capital and Maintenance Works Projects



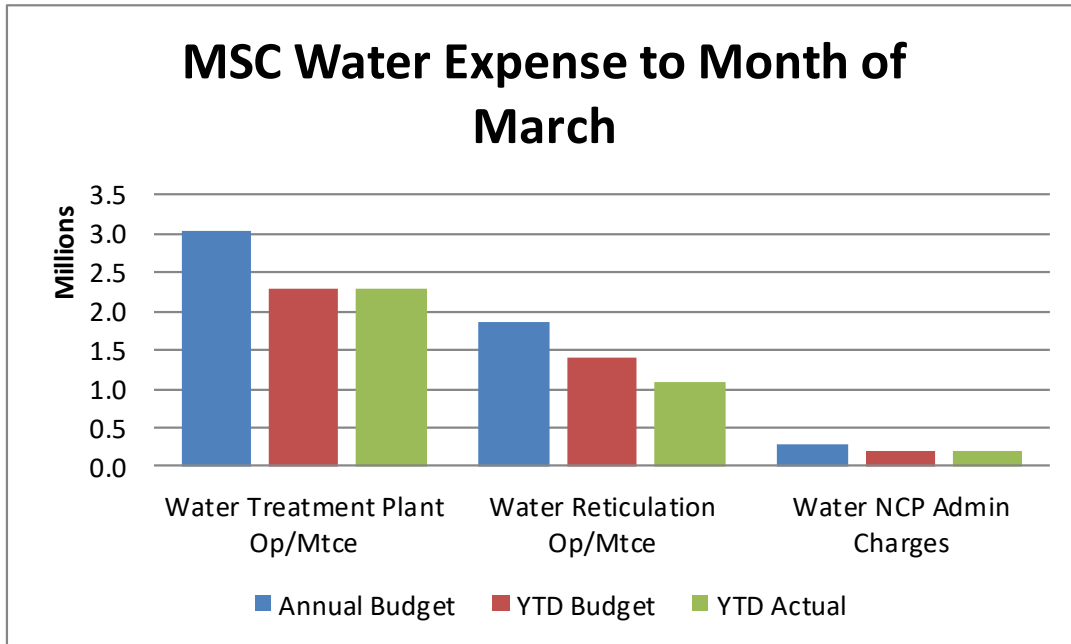
- Kenneally Road Sewer Rising main construction progress has accelerated in late March with good pipe installation rates being achieved.

2. Budget - Water

Graphical - Revenue

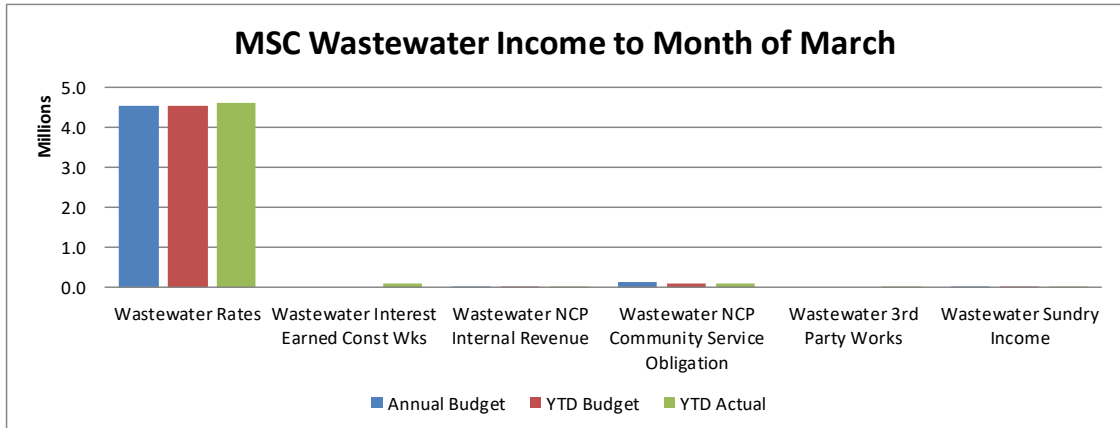


Graphical – Expense

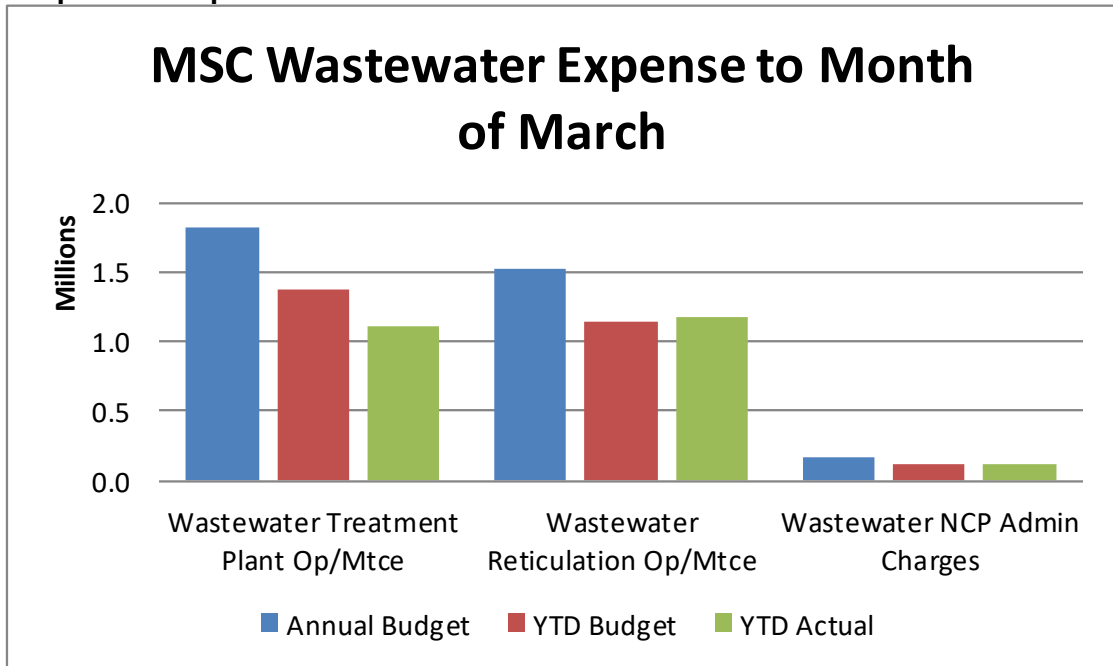


4. Budget - Wastewater

Graphical - Revenue



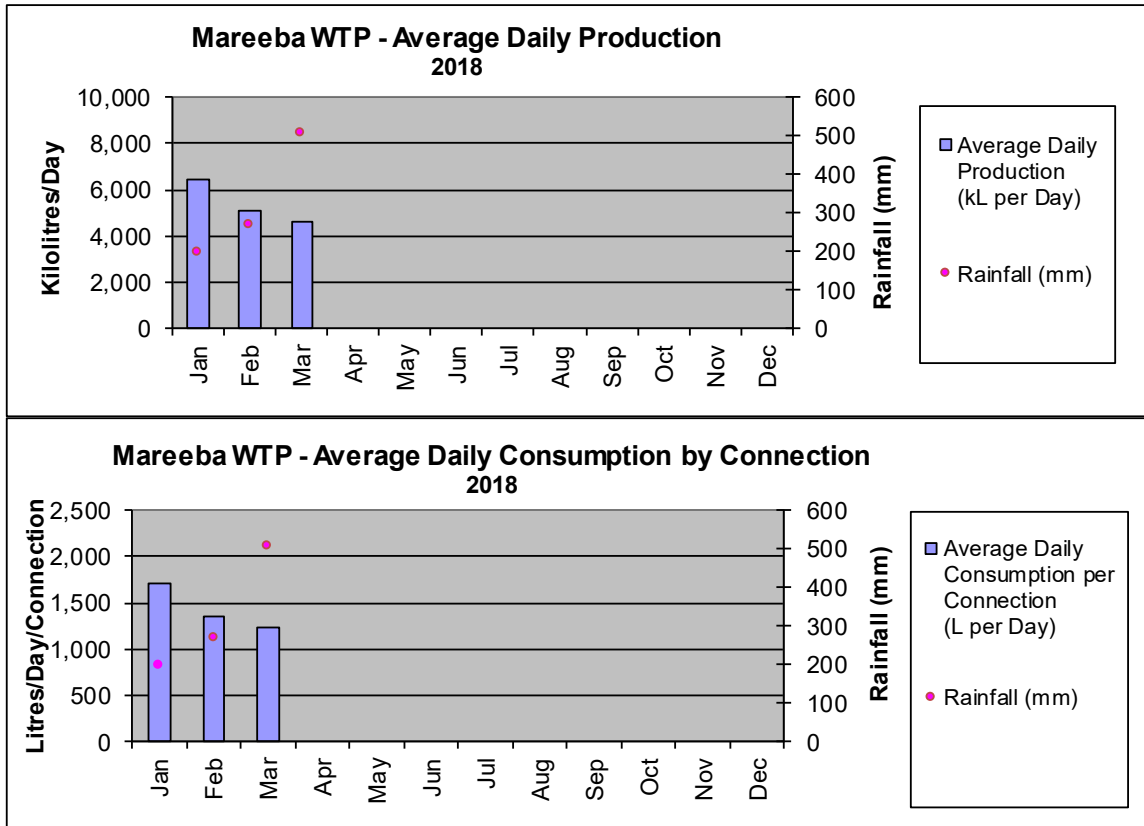
Graphical – Expense



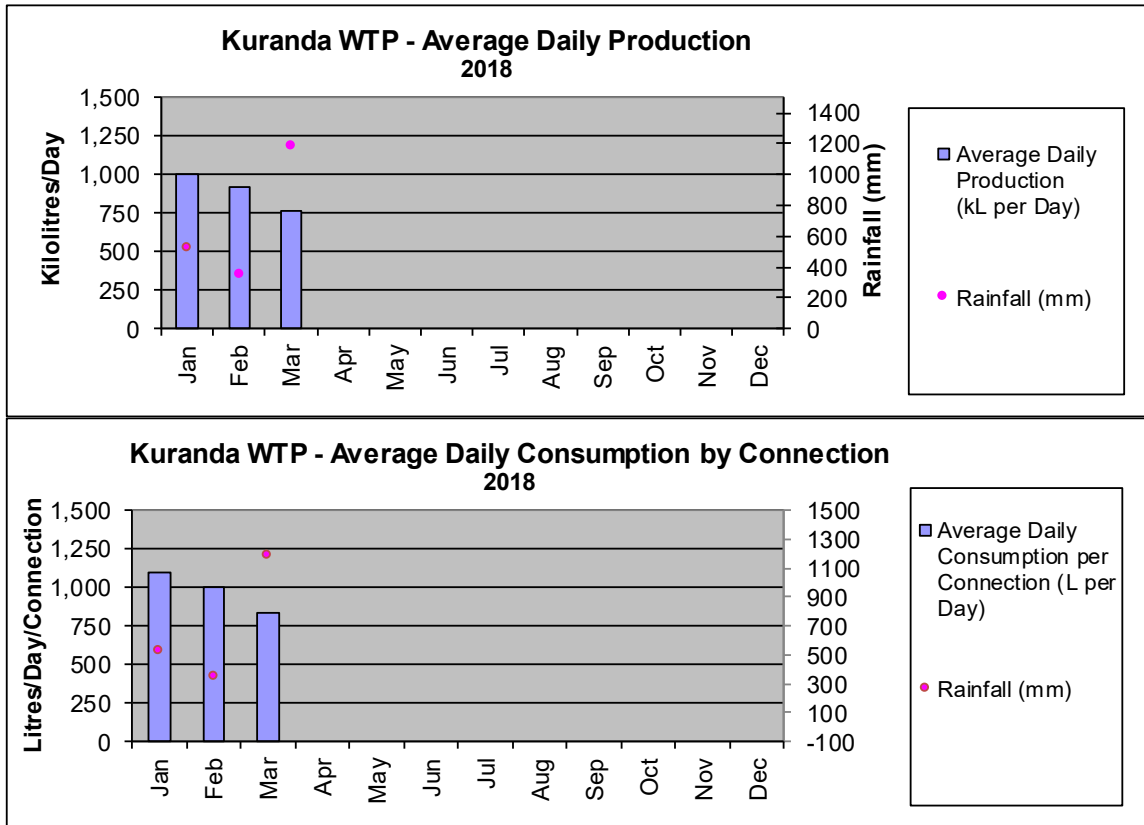
5. Chlorine Residual Readings

Chlorine Residual Readings 2018 Australian Drinking Water Guidelines Maximum 5mg/L													
March 2018	Fri 2nd	Mon 5th	Wed 7th	Fri 9th	Mon 12th	Wed 14th	Fri 16th	Mon 19th	Wed 21st	Fri 23rd	Mon 26th	Wed 28th	Fri 30th
Mary Andrews Park Mareeba	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)
Wylandra Drive Mareeba	1.31	0.72	1.13	1.57	1.39	1.47	1.42	1.51	1.37	1.60	1.47	1.26	1.35
Gregory Terrace Kuranda	0.40	0.41	0.40	0.41	0.46	0.64	0.36	0.61	0.85	0.71	0.87	0.74	0.80
Mason Rd PS Kuranda	0.56	0.53	0.56	0.98	1.00	1.00	0.92	0.92	1.00	0.97	1.00	1.03	1.12
Chillagoe	0.80	0.65	1.23	1.15	1.18	1.20	1.20	1.29	1.33	1.28	1.25	1.16	1.20
Dimbulah	1.20	1.20	0.99	1.17	1.26	1.03	0.83	1.14	1.02	1.30	1.09	1.23	0.97
	1.03	0.83	0.64	0.68	0.69	1.04	1.14	1.49	1.51	1.31	1.21	1.02	1.06

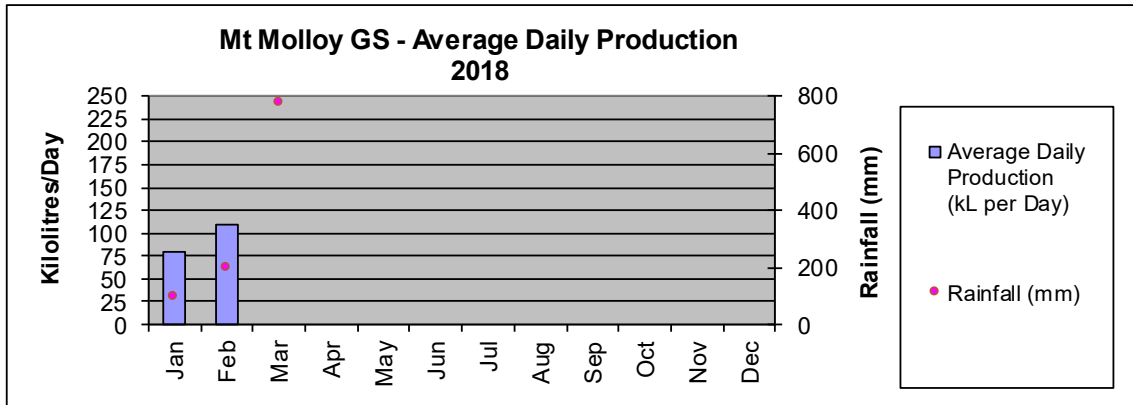
6. Mareeba Water Supply Scheme – Operations Data



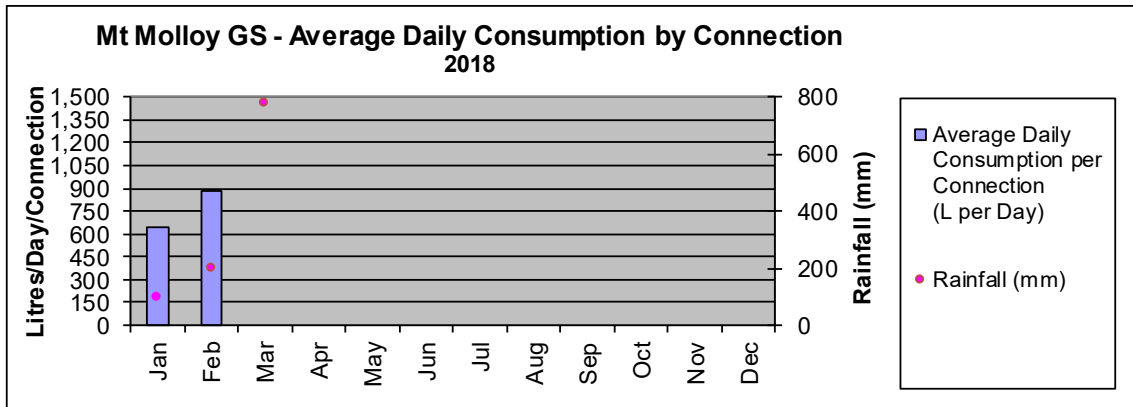
7. Kuranda Water Supply Scheme - Operations Data



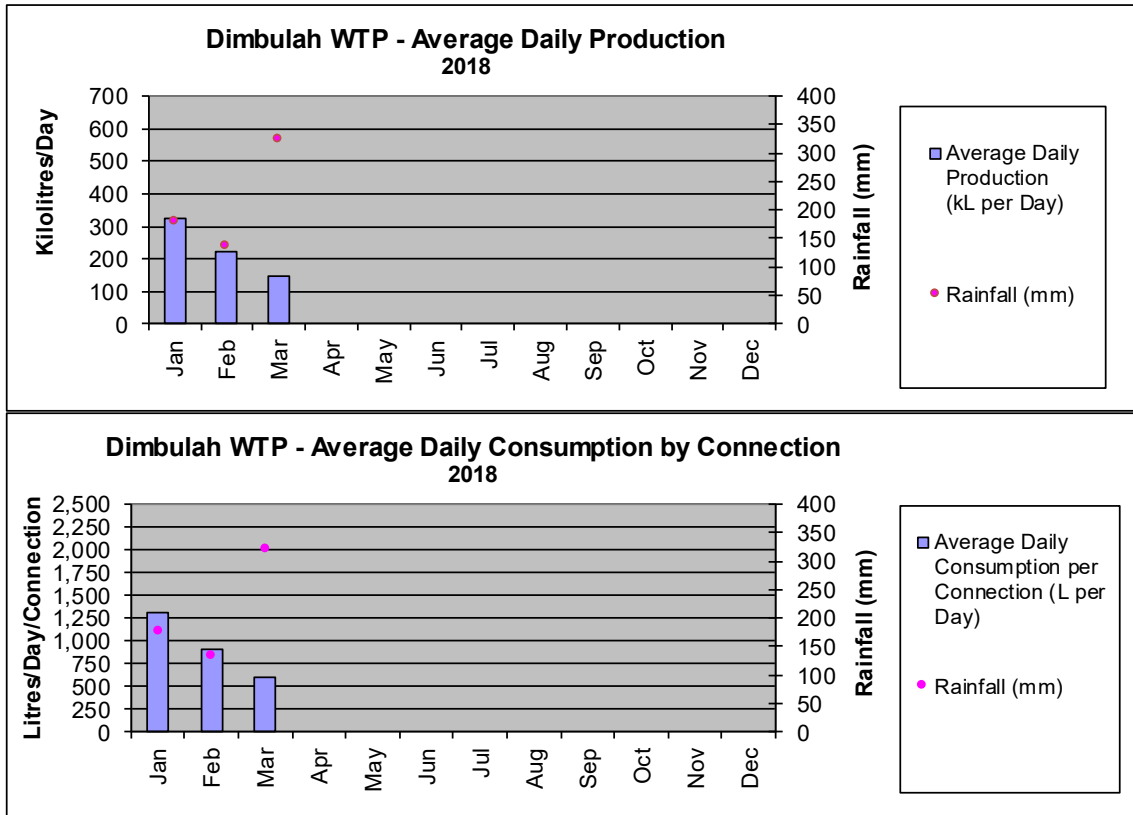
8. Mount Molloy Water Supply Scheme - Operations Data



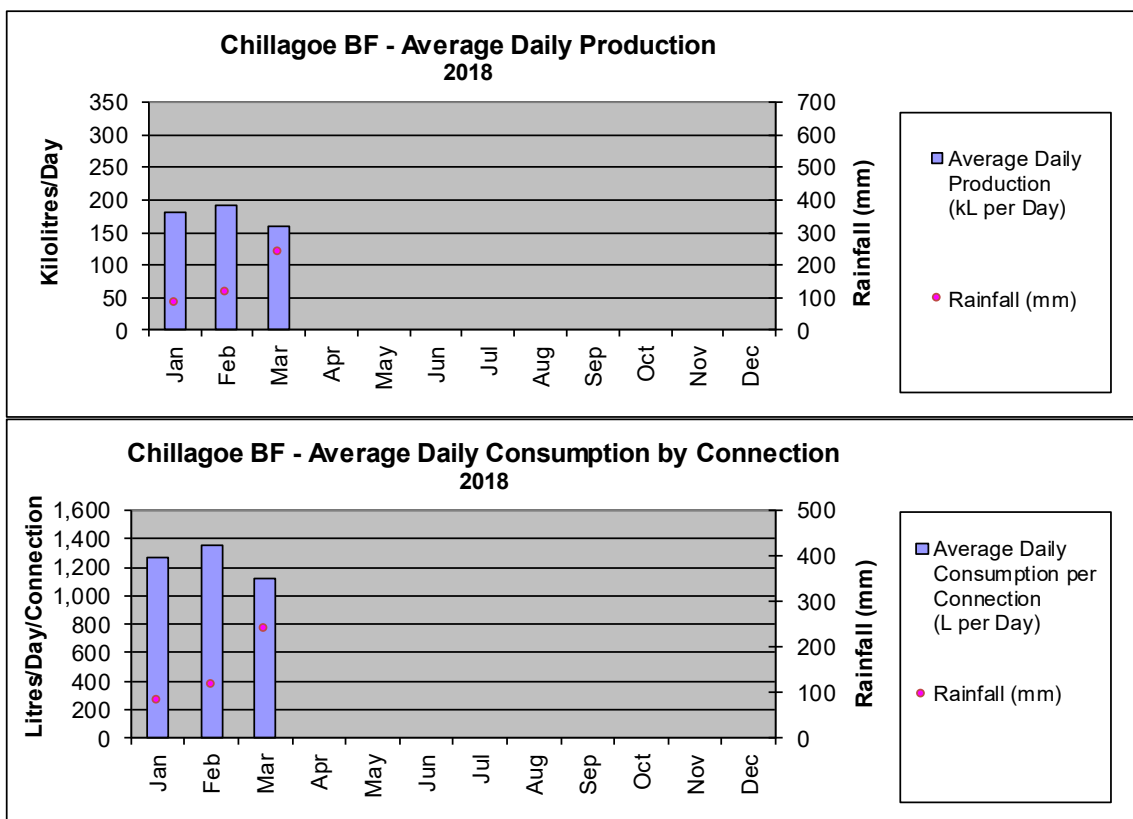
*No flow figures recorded at Mt Molloy due to damaged flow meter



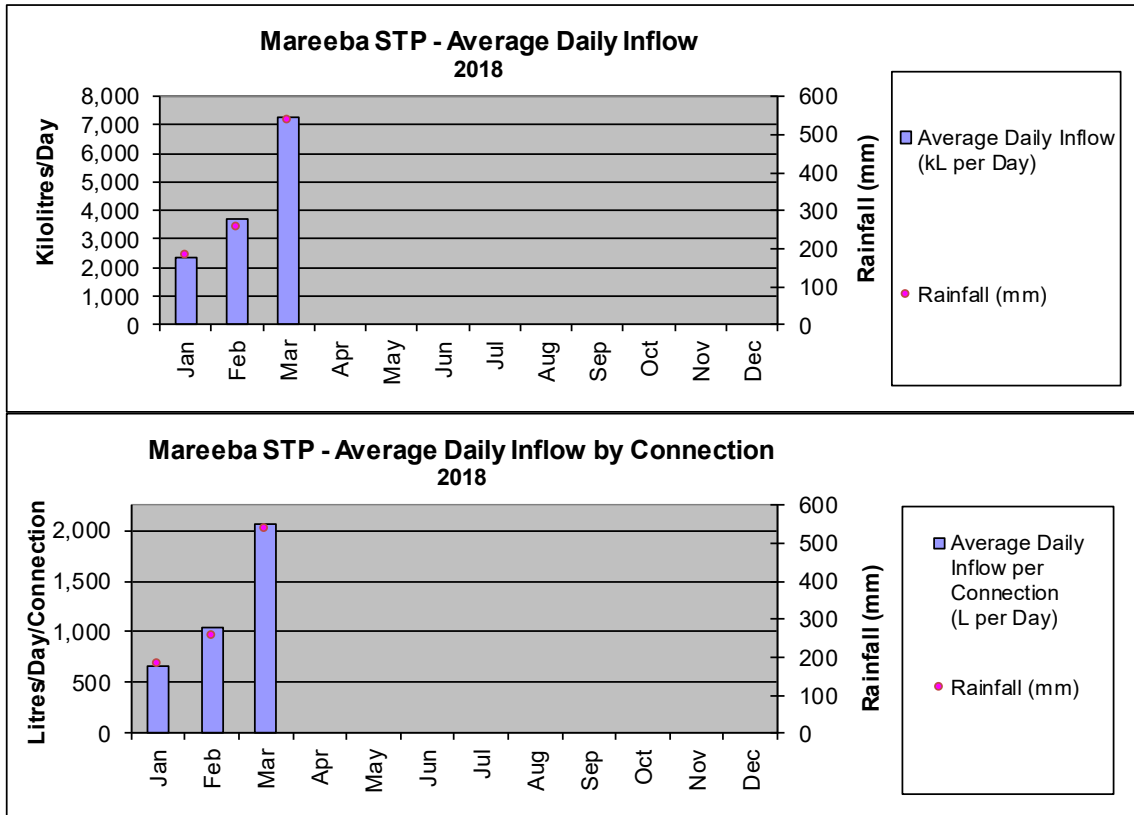
9. Dimbulah Water Supply Scheme - Operations Data



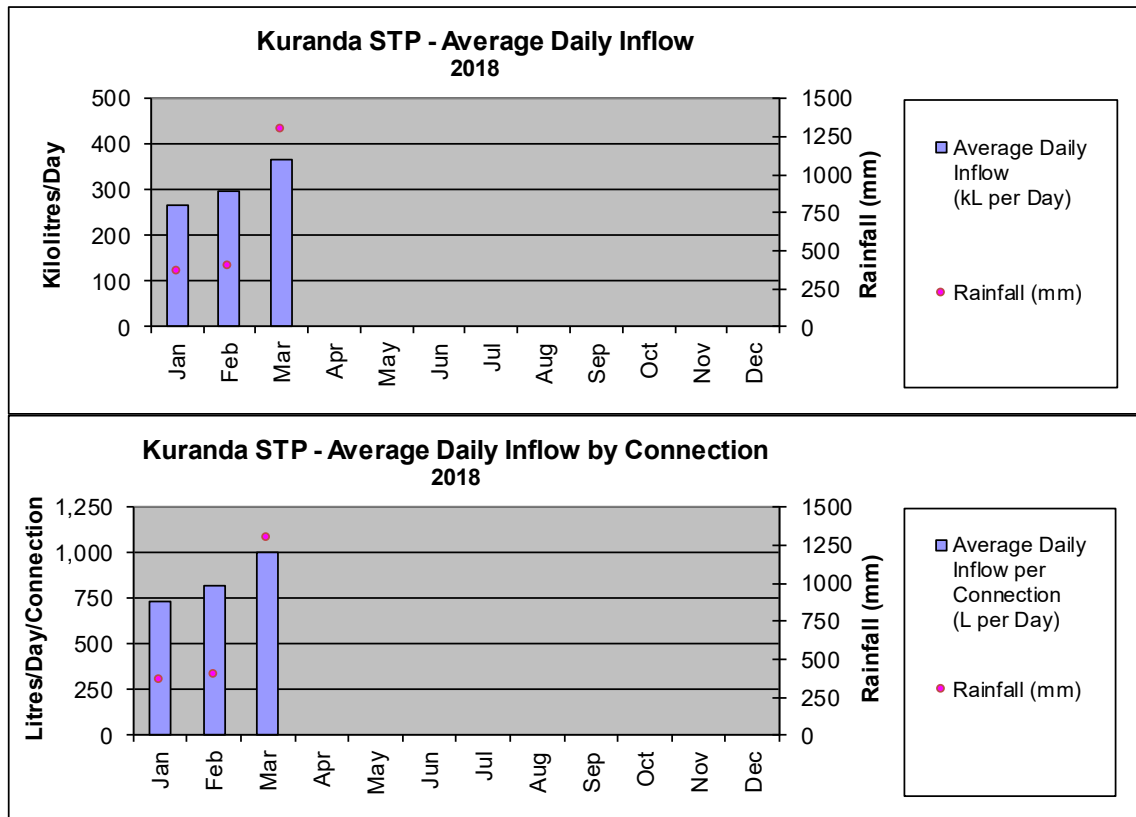
10. Chillagoe Water Supply Scheme - Operations Data



11. Mareeba Wastewater Treatment Plant - Operations Data



12. Kuranda Wastewater Treatment Plant - Operations Data



RISK IMPLICATIONS

Nil

LEGAL /COMPLIANCE/POLICY IMPLICATIONS

As a drinking water service provider, Mareeba Shire Council is required under the *Water Supply (Safety and Reliability) Act 2008* to comply with various legislative and statutory requirements. Council holds an environmental authority issued under the *Environmental Protection Act 1994* to operate water and wastewater treatment facilities.

FINANCIAL AND RESOURCE IMPLICATIONS

Capital

All capital works are listed in and funded by the 2017/18 Capital Works Program.

Is the expenditure noted above included in the current budget?

Yes

Operating

All operational works are funded by the Section specific 2017/18 maintenance budgets.

Is the expenditure noted above included in the current budget?

Yes

LINK TO CORPORATE PLAN

Economy: A growing and vibrant local economy supported by a planning scheme that seeks to balance development with rural sustainability and lifestyle considerations.

Governance: Sound decision-making based on the understanding and confidence of the community, reflected in responsible long-term financial sustainability and clear strategic direction build around core local government business and affordable levels of service.

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

Nil

Date Prepared: 6 April 2018

**ITEM-36 INFRASTRUCTURE SERVICES, WASTE OPERATIONS
REPORT - MARCH 2018****MEETING:** Ordinary**MEETING DATE:** 18 April 2018**REPORT OFFICER'S
TITLE:** Manager Water and Waste**DEPARTMENT:** Infrastructure Services, Water and Waste Group

EXECUTIVE SUMMARY

This purpose of this report is to summarise Council's Waste activities undertaken by Infrastructure Services during the month of March 2018.

OFFICER'S RECOMMENDATION

"That Council receives the Infrastructure Services, Waste Operations Progress Report, March 2018."

BACKGROUND**SUMMARY OF WASTE ACTIVITIES**

The following is a 'snapshot' of the waste activities undertaken during the month of March 2018.

1. Waste Operations

- 5,693 vehicles entered Mareeba waste facility (to drop off or pick up waste).
- 340 vehicles deposited waste to Mareeba Landfill (total).
- 113 Suez vehicles deposited waste to Mareeba Landfill.
- 36 Suez vehicles removed waste from Mareeba WTS to recycling facility in Cairns.
- 2,456 m³ of mulch removed from Mareeba WTS (5 in bulk sales, 51 in small lots, and 2,400 free mulch).
- Current Mareeba Landfill Compaction Rate of 0.98 tonnes per m³.
- All transfer stations and Mareeba landfill are currently operational.

2. Environmental Monitoring

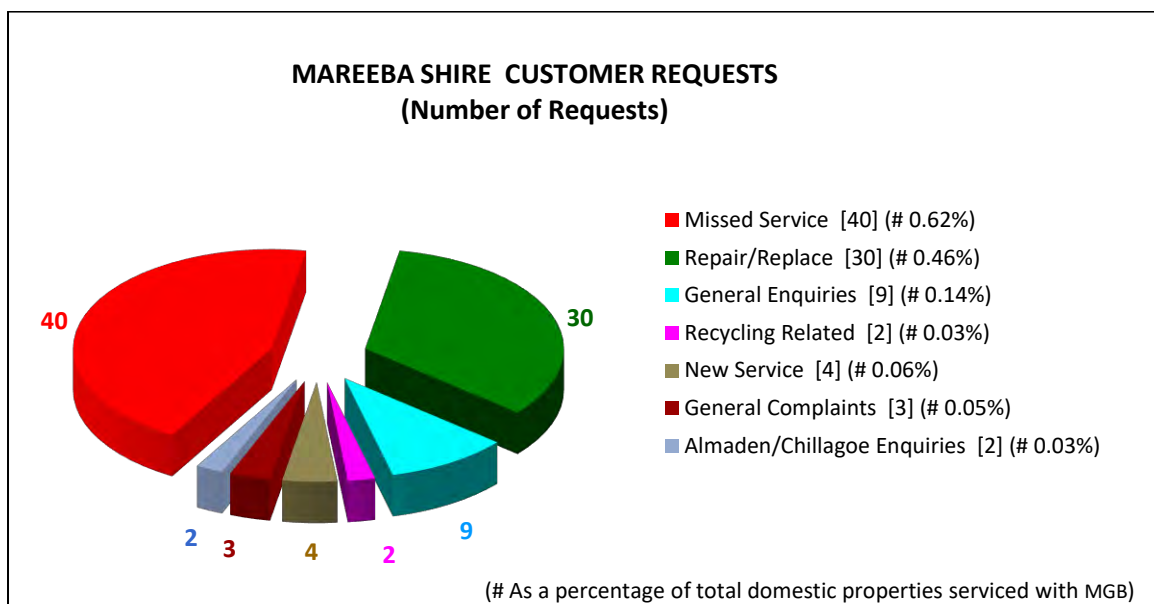
- Laboratory results from stormwater discharge waters 26 March complied with the suspended solids environmental licence limit (<50 mg/L). This was a significant result given that 70mm of rain fell the day prior.
- A report on surface water management, received from NRA Consultants 27 March, found all improved control measures have been completed in compliance with the surface water management plan, and therefore the statutory TEP in place. Some minor repair works and measures to prevent future issues were recommended.

3. Mareeba Old Mareeba Landfill Capping Project Update

- 13-week grass cover ended 23 March 2018.
- Contractor's obligations have been completed and project final completion certificate issued.

4. Customer Service Waste Statistics

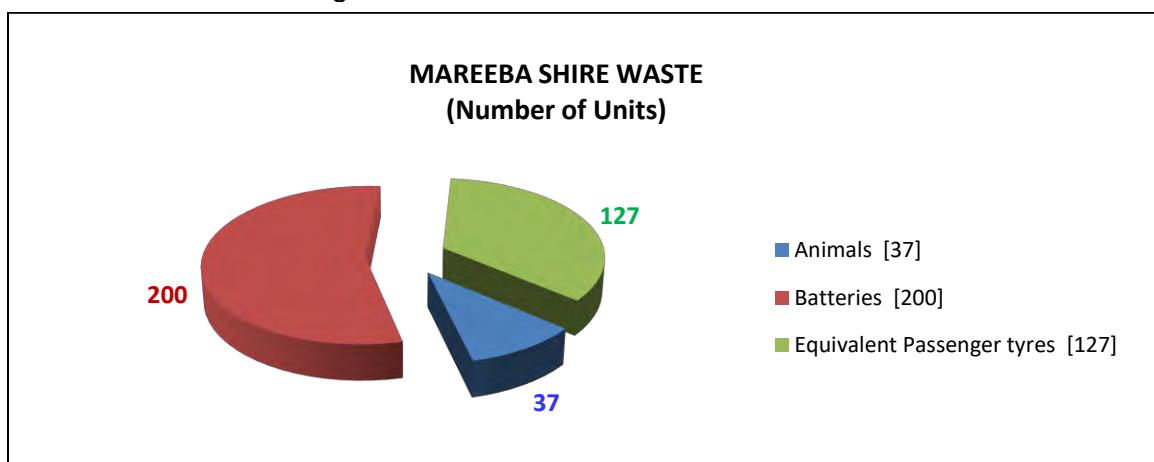
The following graph displays customer requests logged in the Customer Request Management (CRM) system during the month of March 2018.

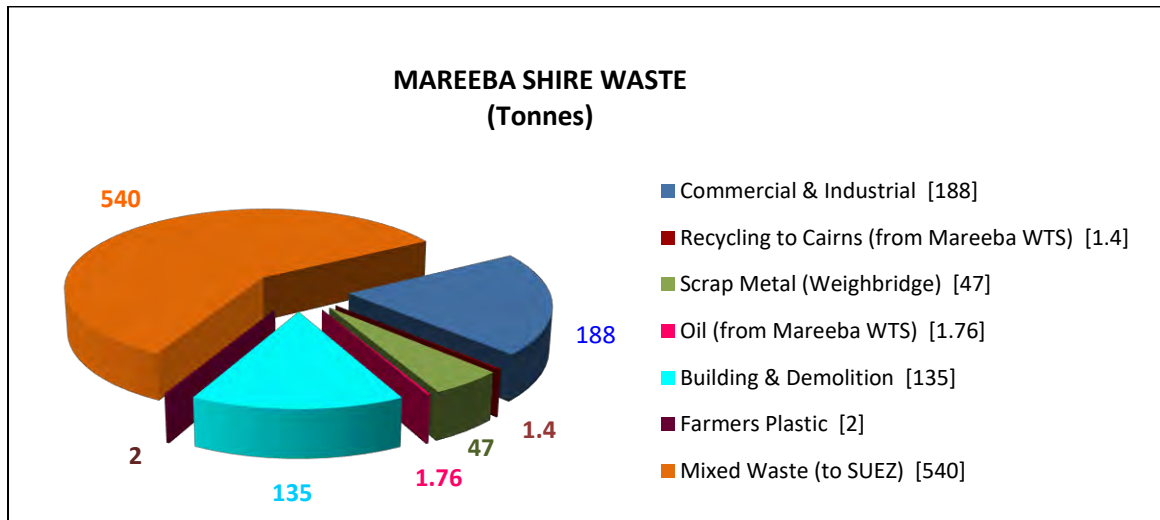


5. Waste Collected at Each of the Transfer Stations

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.

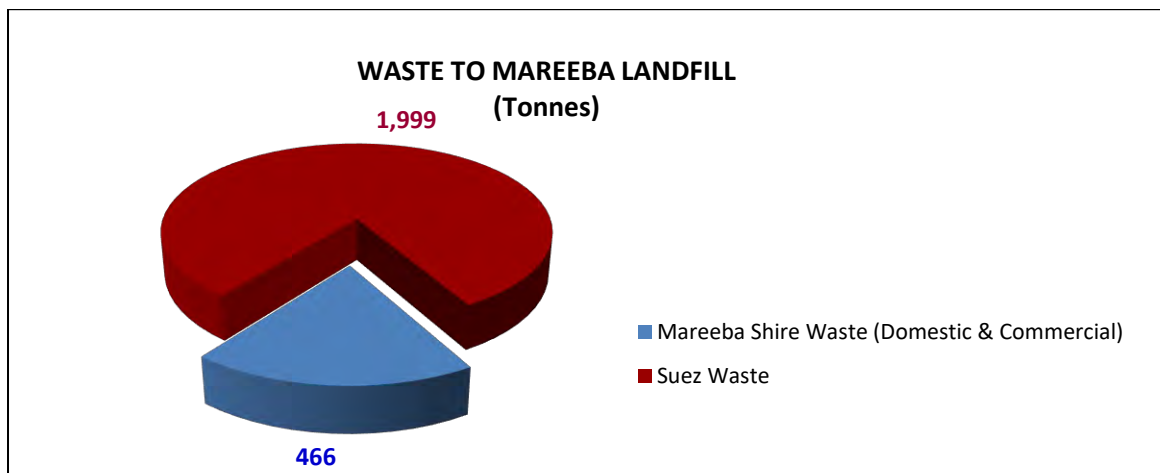
The following pie charts are separated into waste received as whole units and waste received as accrued tonnage.





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

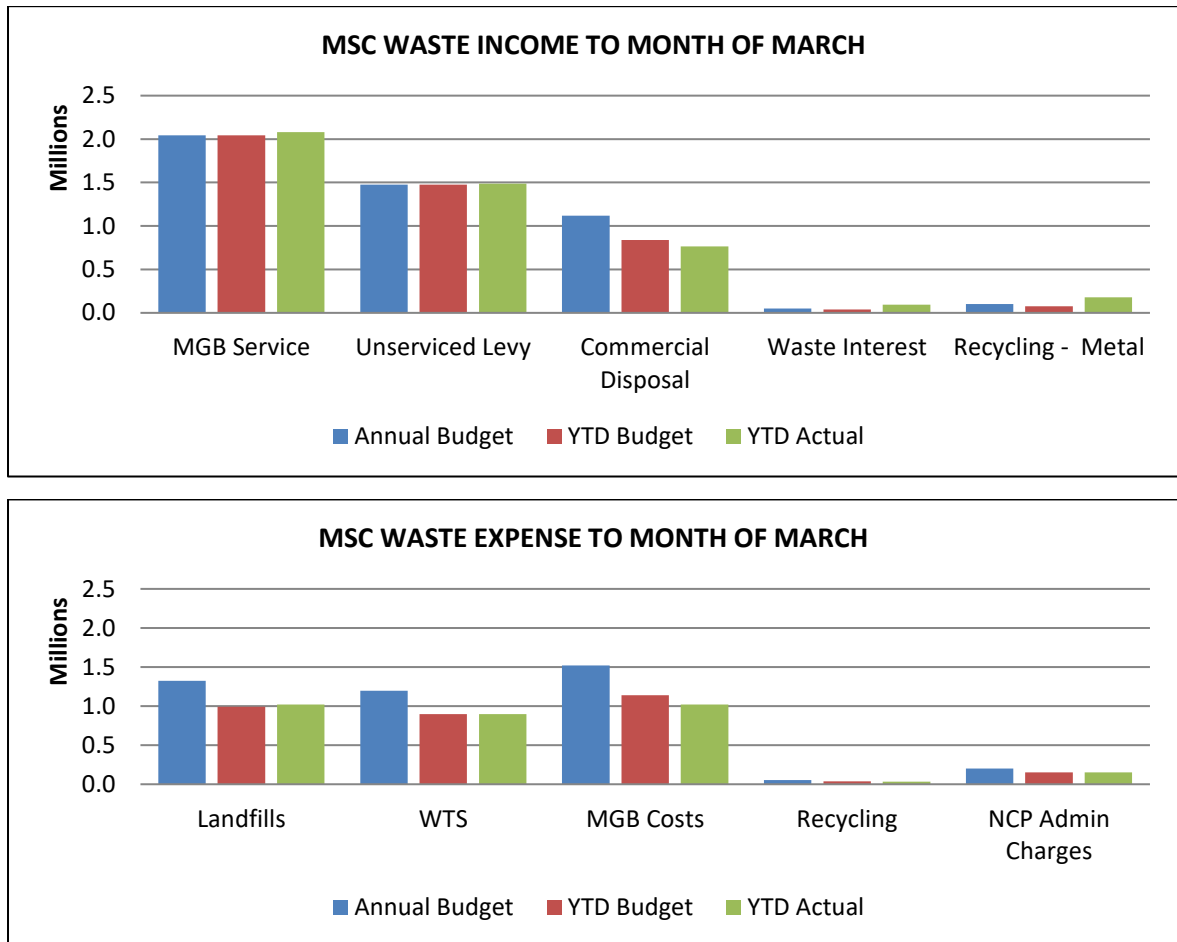
The income is derived from:

- 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



RISK IMPLICATIONS

Nil

LEGAL /COMPLIANCE/POLICY IMPLICATIONS

Council holds an environmental authority issued under the Environmental Protection Act 1994 to operate landfill facilities.

FINANCIAL AND RESOURCE IMPLICATIONS

Capital

All capital works are listed in and funded by the 2017/18 Capital Works Program.

Is the expenditure noted above included in the current budget?

Yes

Operating

All operational works are funded by the Section specific 2017/18 maintenance budgets.

Is the expenditure noted above included in the current budget?

Yes

LINK TO CORPORATE PLAN

Economy: A growing and vibrant local economy supported by a planning scheme that seeks to balance development with rural sustainability and lifestyle considerations.

Governance: Sound decision-making based on the understanding and confidence of the community, reflected in responsible long-term financial sustainability and clear strategic direction build around core local government business and affordable levels of service.

IMPLEMENTATION/COMMUNICATION

Nil

ATTACHMENTS

Nil

Date Prepared: 5 April 2018

CHIEF EXECUTIVE OFFICER

ITEM-37 KURANDA MENS SHED GROUP

MEETING: Ordinary

MEETING DATE: 18 April 2018

REPORT OFFICER'S TITLE: Chief Executive Officer

DEPARTMENT: Office of the CEO

EXECUTIVE SUMMARY

The purpose of this report is to obtain Council endorsement for the Kuranda Mens Shed Group to be given usage rights of a portion of the Reserve - Local Government lot 318 NR 7869 in Kuranda. The area in question is the old Civil Works depot and includes the old shed and area to the north. A Map outlining the approximate area is included in the report.

OFFICER'S RECOMMENDATION

"That Council:

1. gives usage rights of a portion of the Reserve - Local Government lot 318 NR 7869 to the Kuranda Mens Shed Group; and
2. when necessary, provides matching assistance, to a maximum value of \$40,000, for the development of a new structure on the site."

BACKGROUND

The Kuranda Mens Shed Group (the Group) have been attempting to develop a facility in Kuranda for a number of years. Council previously offered the site in question to the Group however this site was rejected by their previous Committee. There has recently been a change in the Group's structure and the new Committee, following an onsite inspection with a quorum of its members, has approached Council requesting that they would like to accept Council's original proposal.

The area in question is a portion of a Reserve - Local Government and the southern portion houses Council's Kuranda Water Treatment Plant. The section to the north holds what was the old Civil Works Kuranda Depot which is no longer used. The Works crew relocated to a new site along with the Parks and Gardens crew a number of years ago. Council has no particular use for this section of land.

The portion of land includes an old shed which the Group can use as an initial base of their operations and the site has sufficient area to allow for the erection of a new shed which has been donated to them by the Australian Defence Force.

The site excludes the road along the eastern side of the Lot, as this is Council's access to the pumping station and associated pipework which needs to be kept free of any impediments.



The proposed usage rights will be a management agreement. The land is gazetted *Reserve - Local Government* therefore a lease arrangement cannot be entered into. Should the Group require more formal tenure a lease may be negotiated. However, surveying and a material change of use application would be required and would come at considerable cost which the Group would have to carry.

The period of the management agreement or any other form of tenure would be 10 years with an option of an extension for a further 10 years. As per any other lease or tenure arrangements, Council has the right to terminate in the event of a breach in the terms and conditions or with six (6) months' notice in the unlikely event of Council requiring the land for Local Government purposes.

LINK TO CORPORATE PLAN

Comm3 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

Councillors
Infrastructure Services
Corporate Services

External

Kuranda Mens Shed Group

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

There are minimal risks associated with this and the agreement that will be developed will minimise any risk Council is exposed to. This arrangement is similar to that in place with the Julatten Mens Shed Group.

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS*Capital*

Potentially \$40,000 which will be catered for in the 2018-2019 Capital Budget

Operating

Additional funding of \$10,000 will need to be sourced for minor security fencing upgrades at the treatment plant

IMPLEMENTATION/COMMUNICATION

A User agreement will be drafted and entered into with the Kuranda Mens Shed Group

ATTACHMENTS

1. Nil

Date Prepared: 6 April 2018

BUSINESS WITHOUT NOTICE

Insert Councillor's Business Without Notice Here

NEXT MEETING OF COUNCIL

The next meeting of Council will be held at 9:00 am on Wednesday 16 May 2018.

SUMMARY OF NEW PLANNING APPLICATIONS & DELEGATED DECISIONS - MARCH 2018

Summary of new Planning Development Applications and Delegated Decisions for March 2018

New Development Applications					
Application #	Lodgement Date	Applicant/ Address	Property Description	Application Type	Status
MCU/18/0006	07/03/2018	Reever and Ocean Pty Ltd C/- Cardno 112 & 77 Barnwell Road, Kuranda	Part of Lot 16 on N157227, Lot 17 on SP296830, Lot 18 on SP296830, Lot 19 on SP296830 and Lot 22 on SP296830	MCU - Tourist attraction	In Referral stage
MCU/18/0007	16/03/2018	Porkdig Pty Ltd C/- Planz Town Planning 255 Byrnes Street, Mareeba	Lot 702 M 3565	MCU - Service Station & Food and Drink Outlet	In Referral stage
MCU/18/0008	19/03/2018	John Shambler C/- Elizabeth Taylor Planner 22 Monaro Close, Kuranda	Lot 2 RP 728461	MCU - Transport depot	In Decision Making Period
MCU/18/0009	21/03/2018	Entegra Signature Structures C/- Flanagan Consulting Group 1687 Chewko Road, Mareeba	Lot 515 NR 6791	MCU - Rural Industry (Packing Shed)	In Decision Making Period
MCU/18/0010	28/03/2018	Adrian & Alfina Zugno C/- Northern Building Approvals Lot 23 Country Road, Mareeba	Lot 23 SP 219118	MCU - Secondary Dwelling	In Confirmation Stage

March 2018 (Regional Land Use Planning)

RAL/18/0007	08/03/2018	Hadzi Selita 5351 Kennedy Highway, Mareeba	Lot 1 RP 737778 & Lot 21 SP 239245	ROL - Boundary Realignment	In Information request stage
RAL/18/0008	26/03/2018	Mareeba Shire Council Lot 879 Gowan Street, Mareeba	Lot 879 SP 276129	Reconfiguring a Lot - Subdivision (1 into 4 Lots Plus Balance Lot)	In Referral stage
RAL/18/0009	25/03/2018	Fariborz & Ivy Rameshfar C/- Freshwater Planning 4 Coolsprings Close, Kuranda	Lot 4 RP 733904	ROL (1 into 2 Lots)	Awaiting payment
RAL/18/0010	30/03/2018	BTM & S Stankovich Pty Ltd & E Leonard C/- Freshwater Planning 18 Karobean Drive, Mareeba	Lot 200 SP 292105 & Lot 52 SP 273688	ROL (Boundary Realignment)	Awaiting payment

Decision Notices issued under Delegated Authority

Application #	Date of Decision Notice	Applicant	Address	Property Description	Application Type
RAL/18/0004	19/03/2018	V Bolton C/- Northern Building Approvals	10 James Street, Mareeba	Lot 2 on MPH25197	Reconfiguring a Lot - Subdivision (1 into 2 lots)

Change to Existing Development Approval issued

Application #	Date of Decision	Applicant	Address	Property Description	Application Type
N/A					

March 2018 (Regional Land Use Planning)

Referral Agency Response Decision Notices issued under Delegated Authority					
Application #	Date of Decision	Applicant	Address	Property Description	Application Type
CAR/18/0004	23/03/2018	G & P Larkin C/- Northern Building Approvals	1 King Street, Chillagoe	Lot 84 C5041	Class 1a dwelling assessable against the Flood Hazard Overlay Code
CAR/18/0005	19/03/2018	L & D Bolen C/- Northern Building Approvals	13 Jamieson Street, Mareeba	Lot 6 on SP151296	Class 10a shed assessable against non-compliant gross floor area

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
RC2005/56 (RCL/06/0039)	9/03/2018	Comaray Pty Ltd	Country Road, Mareeba	LOTS 2, 7, 100 & 200 ON SP188083 (CANCELLING LOT 100 ON SP295184)	3 Lots
DA/16/0023	23/03/2018	LM Mosch	MOUNT MULLIGAN ROAD, LEADINGHAM CREEK ROAD & BRAUND ROAD, DIMBULAH	LOTS 97 & 191 ON SP300478 (CANCELLING LOT 191 ON SP295178)	2 Lots

March 2018 (Regional Land Use Planning)

AUDIT COMMITTEE MEETING MINUTES - 14 MARCH 2018



Audit Committee Meeting

Mareeba Council Training Room
Date: Wednesday 14 March 2018
Time: 10:00am

MINUTES

THE MEETING OF THE MAREEBA SHIRE COUNCIL AUDIT COMMITTEE WILL BE HELD AT COUNCIL CHAMBERS, ON WEDNESDAY, 14 MARCH 2018 AND THE ATTENDANCE OF EACH COMMITTEE MEMBER IS REQUESTED (R FAULKNER, CRS DAVIES AND GRAHAM).

PETER FRANKS
CHIEF EXECUTIVE OFFICER

MEMBERS IN ATTENDANCE

R Faulkner (Chairperson), Cr M Graham, Cr K Davies

OFFICERS IN ATTENDANCE

P Franks (Chief Executive Officer), J McCarthy (Director Corporate and Community Services) E Tatti (Finance Manager), A Archie (Manager Development and Governance) A Cornes (Grant Thornton – External Auditor), Lisa Fraser (Queensland Audit Office),- via phone, T Townsend (Pacifica – Internal Auditor)

APOLOGIES

Cr T Gilmore

**DECLARATION OF ANY MATERIAL PERSONAL INTERESTS/
CONFLICTS OF INTEREST BY AUDIT COMMITTEE AND
OBSERVERS**

There were no Material Personal Interests or Conflicts of Interest declared by any Councillor or senior Council officer in relation to the items of business listed on the Minutes.

CONFIRMATION OF MINUTES

Moved by Cr Graham

Seconded by Cr Davies

"That the Minutes of the Audit Committee Meeting held on 5 October 2017 be confirmed as true and correct."

CARRIED

FINANCIAL MANAGEMENT, REPORTING AND INTERNAL CONTROL**ITEM-1 FINANCIAL STATEMENTS FOR PERIOD ENDING 31
JANUARY 2018**

Moved by R Faulkner

Seconded by Cr Graham

"That the Audit Committee receive and note the report."

CARRIED

ITEM-2 AUDIT MATRIX REPORT

Moved by Cr Davies

Seconded by Cr Graham

"That the Committee note the attached report and support officers in their endeavours to implement the suggested recommendations."

CARRIED**INTERNAL AUDIT****ITEM-3 INTERNAL AUDIT STATUS REPORT**

Moved by R. Faulkner

Seconded by Cr Graham

"That the Audit Committee notes the report and approves the rescheduling of projects within the Internal Audit Plan."

CARRIED**GOVERNANCE AND RISK MANAGEMENT****ITEM-4 ENTERPRISE RISK MANAGEMENT**

Moved by Cr Davies

Seconded by Cr Graham

"For information of Audit Committee."

CARRIED**ITEM-5 MSC ANNUAL REPORT 2016-2017**

Moved by R. Faulkner

Seconded by Cr Graham

"That the Audit Committee note the MSC Annual Report for the 2016/17 Financial Year."

CARRIED**EXTERNAL AUDIT****ITEM-6 AUDIT STRATEGY 2017 - 2018**

Moved by R. Faulkner

Seconded by Cr Graham

"That the Audit Committee note the report"

CARRIED

LEGISLATIVE AND REGULATORY COMPLIANCE**ITEM-7 PURCHASING REPORT**

Moved by Cr Davies

Seconded by Cr Graham

"That the Audit Committee receive and note the report."

CARRIED**NOTIFICATION OF SIGNIFICANT LEGAL MATTERS - CEO**

Nil

MATTERS TO BE REPORTED TO COUNCIL

Nil

GENERAL BUSINESS

Notifiable Data Breaches Scheme - The Notifiable Data Breaches (NDB) scheme under Part IIIC of the Privacy Act 1988 (Privacy Act) established requirements for entities in responding to data breaches. Entities have data breach notification obligations when a data breach is likely to result in serious harm to any individuals whose personal information is involved in the breach.

A member sought clarity regarding whether MSC is subject to this and whether MSC has a process in place for reporting data breaches? Question taken on notice.

NEXT MEETING OF AUDIT COMMITTEE

The next meeting of the Audit Committee will be held at Mareeba 10:00 am on Tuesday 14 August 2018 with the date for the subsequent meeting amended to 2 October 2018.

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R Faulkner
Chairperson