



AGENDA

Tuesday, 19 March 2019

Ordinary Council Meeting

I hereby give notice that an Ordinary Meeting of Council will be held on:

Date: Tuesday, 19 March 2019

Time: 9:00am

Location: Council Chambers

Peter Franks
Chief Executive Officer

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- 1 MEMBERS IN ATTENDANCE**
- 2 APOLOGIES/LEAVE OF ABSENCE/ABSENCE ON COUNCIL BUSINESS**
- 3 BEREAVEMENTS/CONDOLENCES**
- 4 DECLARATION OF ANY MATERIAL PERSONAL INTERESTS/CONFLICTS OF INTEREST**
- 5 CONFIRMATION OF MINUTES**

Ordinary Council Meeting - 20 February 2019
- 6 BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING**
- 7 DEPUTATIONS AND DELEGATIONS**

8 CORPORATE AND COMMUNITY SERVICES

8.1 S TORRISI - MATERIAL CHANGE OF USE - WAREHOUSE (STORAGE SHED) - LOT 19 ON M356128 & LOT 23 ON CP903074 - 34B JAMES STREET & 135 MASON STREET, MAREEBA - MCU/18/0029

Date Prepared: 5 March 2019

Author: Senior Planner

Attachments: 1. [Proposal Plans](#) ↓
2. [Submission](#) ↓

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	S Torrissi	ADDRESS	34B James Street & 135 Mason Street, Mareeba
DATE LODGED	13 December 2018	RPD	Lot 19 on M356128 & Lot 23 on CP903074
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Warehouse (Storage Shed)		
FILE NO	MCU/18/0029	AREA	Lot 19 - 1.296ha Lot 23 - 6,224m2
LODGED BY	Emergent Building Approvals	OWNER	S Torrissi
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Industry zone		
LEVEL OF ASSESSMENT	Impact Assessment		
SUBMISSIONS	One (1)		

EXECUTIVE SUMMARY

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

The application is impact assessable and one (1) properly made (no objection) submission was received in response to public notification of the application.

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

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

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	S Torrasi	ADDRESS	34B James Street & 135 Mason Street, Mareeba
DATE LODGED	13 December 2018	RPD	Lot 19 on M356128 & Lot 23 on CP903074
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Warehouse (Storage Shed)		

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 - Warehouse (Storage Shed)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
DWG No. S001	Site Plan	Cardinal Metal Roofing	n/a
n/a	Elevation & Floor Plan	Cardinal Metal Roofing	n/a
MARB11239 Sheet 1	Foundation Plan	Fairdinkum Sheds	31/5/2018
MARB11239 Sheet 2	Elevations	Fairdinkum Sheds	31/5/2018
MARB11239 Sheet 6	Elevations	Fairdinkum Sheds	31/5/2018

(C) ASSESSMENT MANAGER’S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

1. Development must be carried out generally 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 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 commencement of the use 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
- 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.
- 3.5 Waste Management
- If an onsite refuse storage area is provided for the approved use, it must be screened from view from adjoining properties and road reserve by either a 1 metre wide landscaped screening buffer, a 1.8m high solid fence or by a building.
4. Infrastructure Services and Standards
- 4.1 Access
- The access crossover onto Mason Street must be maintained in good order for the life of the approved use, to the satisfaction of Council's delegated officer.
- 4.2 Stormwater Drainage/Water Quality
- 4.1.1 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.

4.1.2 All stormwater drainage from the approved use must be discharged to an approved legal point of discharge.

- 4.3 All car parking spaces and internal driveways/vehicle manoeuvring areas must be concrete, asphalt or bitumen 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.

4.4 Fencing

A 1.8 metre high solid screen (no gaps) timber or Colorbond fence of neutral colour is to be erected along the subject land's entire common boundary with Lots 36 to 40 on M356114, to the satisfaction of Council's delegated officer.

All fencing must be kept clean, in good order and safe repair for the life of the approve use, to the satisfaction of Council's delegated officer.

4.5 Lighting

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

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

(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) 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.

(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

(G) OTHER APPROVALS REQUIRED FROM COUNCIL

- Nil

THE SITE

The subject land is situated within a predominately industrial area located at 135 Mason Street and 34 James Street, Mareeba, and described as Lot 23 on CP903074 and Lot 19 on M356128, Parish of Tinaroo, County of Nares.

The proposed Warehouse (storage shed) will be established on Lot 19 with access gained exclusively through Lot 23.

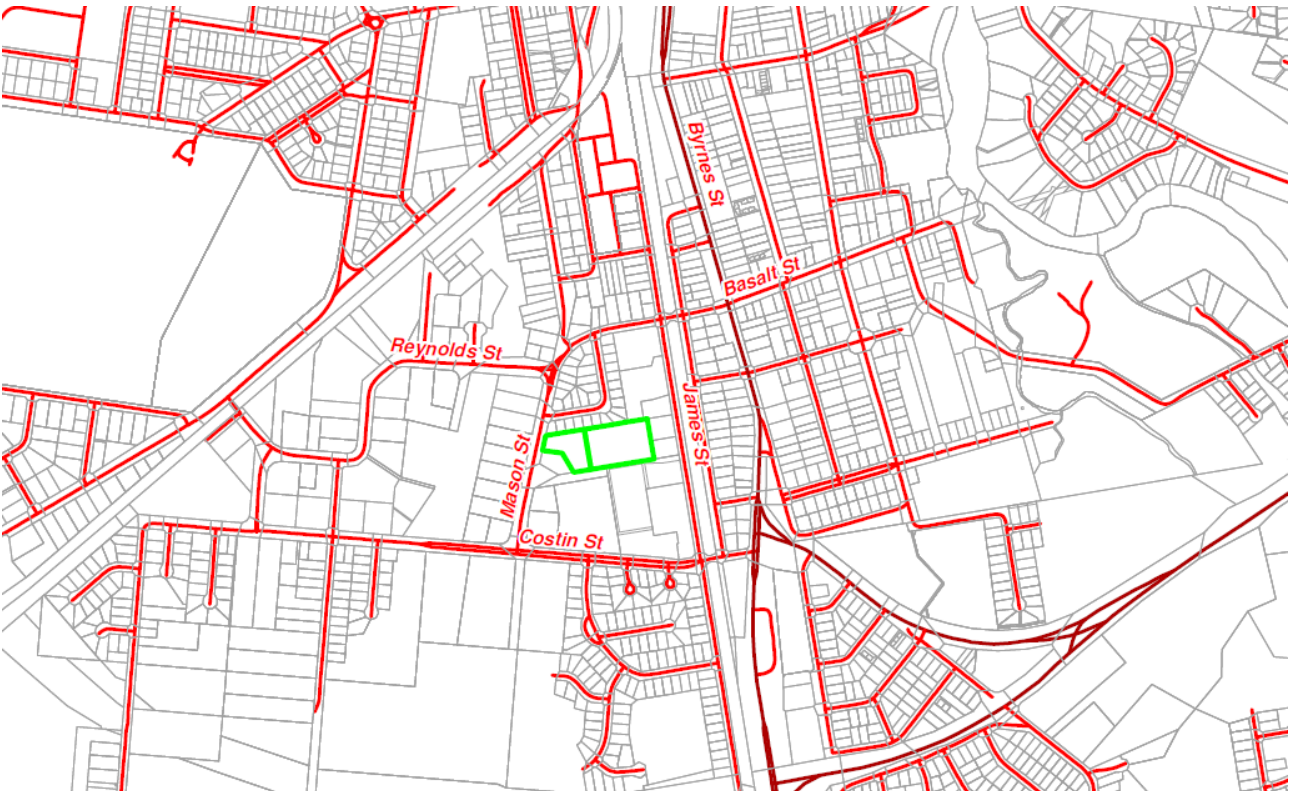
The subject land has a combined area of 1.918 hectares with both allotments zoned Industry under the Mareeba Shire Council Planning Scheme 2016. Lot 23 has approximately 34 metres of frontage to Mason Street while Lot 19 has approximately 34 metres frontage to an unconstructed road reserve.

Mason Street is constructed to asphalt sealed standard including kerb and channel for the full length of Lot 23. Access to Lot 23 is gained from Mason Street via a single access crossover. A reinforced concrete driveway has been constructed within Lot 23 adjacent the lots northern property boundary. The driveway spans from the Mason Street crossover to the rear of Lot 23 and is the primary point of access for Lot 19 and subsequently the proposed development.



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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The subject land contains a number of industrial uses including community self storage sheds, large and small industrial/storage sheds, a large scrap metal yard and NBN telecommunications tower. A dwelling house is also established on Lot 23.

The surrounding allotments to the south, east, west and north-east are zoned Industry and are used for a variety of industrial uses while the allotments to the north are zoned and used for residential purposes.

BACKGROUND AND CONTEXT

Nil

PREVIOUS APPLICATIONS & APPROVALS

Nil

DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Material Change of Use - Warehouse (Storage Shed) in accordance with the plans shown in **Attachment 1**.

The applicant proposes the erection of a 30m x 6m x 3.5m (high) storage shed containing 10 x 18m² (approx.) individual self-storage units. Each storage unit will be accessed via a single roller door. The proposed storage shed will be sited towards an extended concrete driveway to allow for easy access to each storage unit.

Access to the proposed storage shed will be gained via the site's existing side access which runs along the northern boundary of the site from Mason Street.

It is understood the facility may be available for access 24 hours a day.

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 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:	Land Use Categories
Zone:	<ul style="list-style-type: none"> • Industry Area
Preferred Area/Precinct:	Trades and Services Precinct
Overlays:	<ul style="list-style-type: none"> ▪ Airport Environs Overly ▪ 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
Warehouse	<p><i>Premises used for the storage and distribution of goods, whether or not in a building, including self-storage facilities or storage yards.</i></p> <p><i>The use may include sale of goods by wholesale where ancillary to storage.</i></p> <p><i>The use does not include retail sales from the premises or industrial uses.</i></p>	Self storage sheds	Hardware and trade supplies, outdoor sales, showroom, shop

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

3.3.12 Element—Industry areas

3.3.12.1 Specific outcomes

- (6) *The location of industry activities avoids or is appropriately separated from sensitive land uses to protect the health, wellbeing, amenity and safety of the community from the impacts of air, noise and odour emissions, and hazardous materials.*

Comment

The application proposes a low impact industrial use within an established Industry zoned area. The use is a minor expansion of the self storage use that has been occurring on the subject land for over 15 years.

The scale and nature of the proposed development is appropriate and will not adversely impact on the health, wellbeing and amenity of the community. The development complies.

3.4.8 Element—Air and noise quality**3.4.8.1 Specific outcomes**

- (1) *The health, well-being, amenity and safety of the community and the environment is protected from the impacts of air emissions, noise and odour through appropriate management and adequate separation distances.*

Comment

The application proposes a low impact industrial use within an established Industry zoned area. The use is a minor expansion of the self storage use that has been occurring on the subject land for over 15 years.

The scale and nature of the proposed development is appropriate and will not adversely impact on the health, wellbeing and amenity of the community. The development complies.

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.*
- (5) *Industry areas provide for a range of industrial development, expansion, supporting infrastructure and employment opportunities consistent with their intended function in the shire. Industry areas are protected from incompatible development and sensitive land uses. The Mareeba Airport expands and caters for a hub of specialist aviation services.*

Comment

The development complies with Strategic Outcomes 3 and 5.

3.7.8 Element—Industry**3.7.8.1 Specific outcomes**

- (2) *Industry areas are located within activity centres to accommodate for trades and industrial development that provide employment and services to the catchments of these activity centres.*
- (3) *Industry areas are designated and protected from other land uses which could impair or prejudice their development for industrial purposes.*
- (4) *A high level of infrastructure, services and amenity in existing industry areas is provided to support business investment and expansion of industry areas.*

- (5) *The health, safety, wellbeing and amenity of the community is protected from unacceptable impacts associated with hazardous materials, noise, pollution and odour.*

Comment

The application proposes a low impact industrial use within an established Industry zoned area. The use is a minor expansion of the self storage use that has been occurring on the subject land for over 15 years.

The scale and nature of the proposed development is appropriate and will not adversely impact on the health, wellbeing and amenity of the community. The development complies.

The proposed development complies with Strategic Outcomes 2 - 5.

Relevant Developments Codes

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

- 6.2.5 Industry zone code
- 8.2.2 Airport environs overlay code
- 9.3.5 Industrial activities code
- 9.4.2 Landscaping code
- 9.4.3 Parking and access code
- 9.4.5 Works, services and infrastructure code

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

Relevant Codes	Comments
Industry 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).
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).
Industrial 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 complies with applicable acceptable outcomes from the following: <ul style="list-style-type: none"> • AO1 (complies with Performance Outcome PO1) Refer to planning discussion section of report.
Parking and access code	The application complies with applicable acceptable outcomes from the following: <ul style="list-style-type: none"> • AO1 (complies with Performance Outcome PO1) Refer to planning discussion section of report.
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).

(D) 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.

(E) Adopted Infrastructure Charges Notice

The development of a warehouse in the Industry zone is typically *Accepted Development subject to requirements*. Accepted Development does not require material change of use development approval from Council and would not be subject to infrastructure charges.

The level of assessment for a warehouse increases to *Impact Assessment* where it is proposed on land adjoining land in the Low Density Residential zone, as is the case for this proposed development.

If the same development was proposed on most of the other Industry zoned allotments in this locality, it could proceed without needing material change of use development approval and without the payment of infrastructure charges.

To be consistent, it is not proposed to charge this warehouse development infrastructure charges simply because the land it is on adjoins the Low Density Residential zone.

REFERRAL AGENCY

This application did not trigger a referral under Schedule 10 of the *Planning Regulation 2017*.

Internal Consultation

Technical Services

PUBLIC NOTIFICATION

The development proposal was placed on public notification from 9 January 2019 to 2 February 2019. The applicant submitted the notice of compliance on 8 February 2019 advising that the public notification requirements were carried out in accordance with the requirements of the Act.

One (1) properly made submission was received and raised no objection to the proposed development.

Submitters

Name of Principal submitter	Address
1. SunWater Limited	PO Box 15536, City East QLD 4002

PLANNING DISCUSSION

The development's compliance with the Performance Outcomes of the Landscaping Code and Parking and Access Code are summarised as follows:

9.4.2 Landscaping Code**PO1**

Development, other than in the Rural zone, includes landscaping that:

(a) contributes to the landscape character of the Shire;

- (b) compliments the character of the immediate surrounds;*
- (c) provides an appropriate balance between built and natural elements; and*
- (d) provides a source of visual interest.*

AO1

Development, other than in the Rural zone, provides:

- (a) a minimum of 10% of the site as landscaping;*
- (b) planting in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species;*
- (c) for the integration of retained significant vegetation into landscaping areas;*
- (d) on-street landscaping works in accordance with the Design Guidelines set out in Section D9 Landscaping, of the Planning Scheme Policy 4 - FNQROC Regional Development Manual.*

Comment

The proposed shed will be sited such that it will be substantially screened from view by existing buildings and distance.

The additional shed will not alter the overall development's appearance from Mason Street, or from the residential lots on Jebreen Street.

The potential impacts of the expanded development are limited to the increased vehicle traffic along the internal driveway. To mitigate these impacts, a 1.8 metre high screen fence will be conditioned along the common boundaries with Lots 36 to 40 on M356114.

No other additional landscaping is proposed and the development satisfies PO1.

9.4.3 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.*

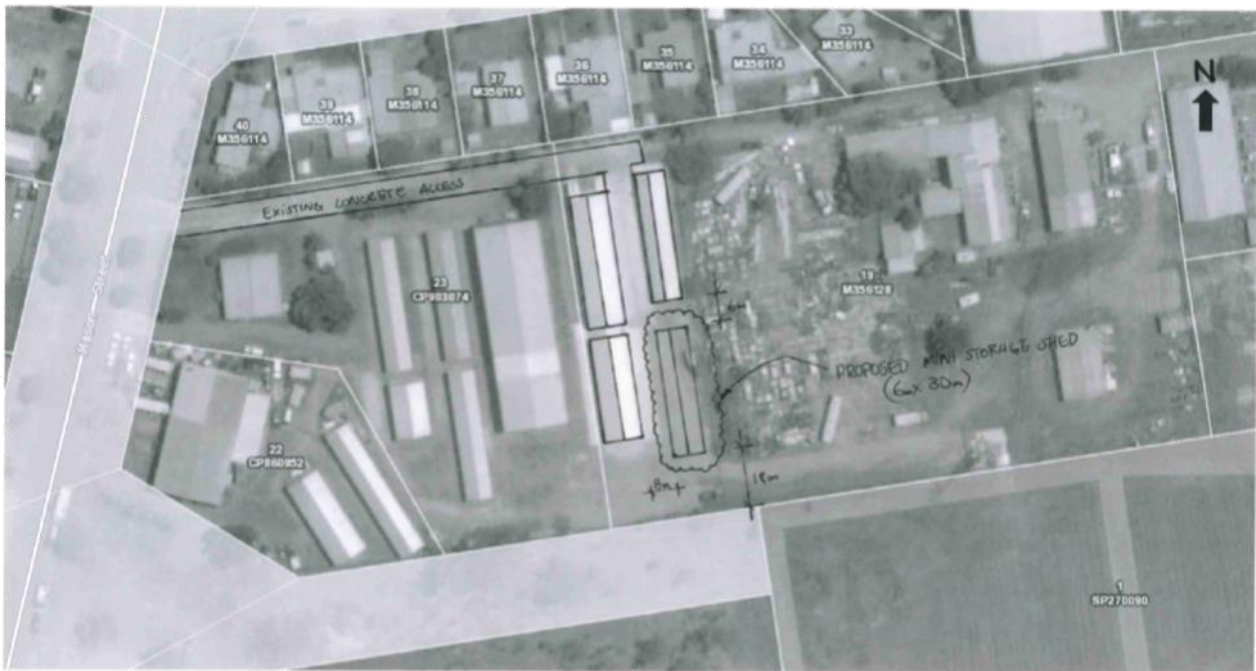
Comment

The proposed development is for mini self storage.

The nature of this use is that vehicles park on the driveway immediately adjacent to the respective self storage unit, load/unload and move on.

There is no need for dedicated on site car parking spaces as part of this development.

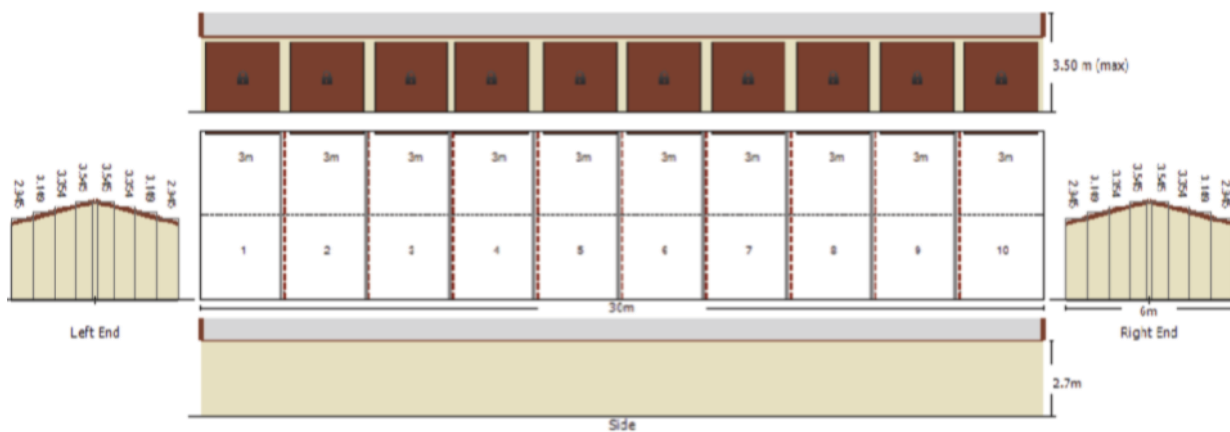
The development satisfies PO1.



Address- 34B James St, Mareeba	Site Plan N.T.S	Project: Storage Shed Extension - 10 bays (3m x 6m)- GFA- 180m2
Property Description- Lot 19 on M 356128	DWG No: 5001	Drawn By: Cardinal Metal Roofing QBCC Lic: 1056639

document Set ID: 3478854
 version: 1, Version Date: 12/12/2018

Building For:
 Nam Torrisi
 4b James St Mareeba
 Job Number: 11239
 Produced by:
 Cardinal Roofing and Sheds..
 Phone: 07 40924422



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Document Set ID: 3478854
 Version: 1, Version Date: 12/12/2018

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SIDWALL EXTERIOR ELEVATION
SCALE: 1:200

SIDWALL EXTERIOR ELEVATION
SCALE: 1:200

ENDWALL EXTERIOR ELEVATION
SCALE: 1:200

ENDWALL EXTERIOR ELEVATION
SCALE: 1:200

BULKHEAD COLOURS	
ROOF	RAL 7035
WALLS	RAL 7035
SKYLIGHTS	RAL 7035
DOORS	RAL 7035
WINDOWS	RAL 7035
TRUSS	RAL 7035
RAILING	RAL 7035
POSTS	RAL 7035
BASE	RAL 7035

STEEL BUILDING BY (CONTRACT)
CARDINAL ROOFING AND SHEDS..
FOR 07 40924422
AT **SAM TORRISI**
34B JAMES ST
MAREEBA

fairdinkum SHEDS

NORTHERN CONSULTING
Civil & Structural Engineer
50 Purcell Street
Gungahlin, ACT 4812
Ph: 07 4725 5850
Email: james@northernconsulting.com.au
ABN 345 038 173 52

Mr Timothy Ross MBE MBEAust NPEQ
Registered Professional Engineer 255880
Signature: *T. Ross*
Date: 3/5/2018
Registered on the NPER in the areas of practice of Civil & Structural National Professional Engineers Register

Issue: 1, Version Date: 12/12/2018

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SIDEWALL EXTERIOR ELEVATION
SCALE: 1:100

SIDEWALL EXTERIOR ELEVATION
SCALE: 1:100

ENDWALL INTERIOR ELEVATION
SCALE: 1:100

ENDWALL INTERIOR ELEVATION
SCALE: 1:100

X BRACING IS REQUIRED IN 1 SIDE BAY(S) AND 1 ROOF BAY(S) (BOTH SIDES).

2	6	STEEL BUILDING BY (CONTRACT)	CARDINAL ROOFING AND SHEDS..	07 40924422	SAM TORRISI	34B JAMES ST	MAREEBA
FOR	AT	STEEL BUILDING BY	(CONTRACT)	CARDINAL ROOFING AND SHEDS..	07 40924422	SAM TORRISI	34B JAMES ST
FOR	AT	STEEL BUILDING BY	(CONTRACT)	CARDINAL ROOFING AND SHEDS..	07 40924422	SAM TORRISI	34B JAMES ST

fairdinkum
SHEDS

NORTHERN CONSULTING

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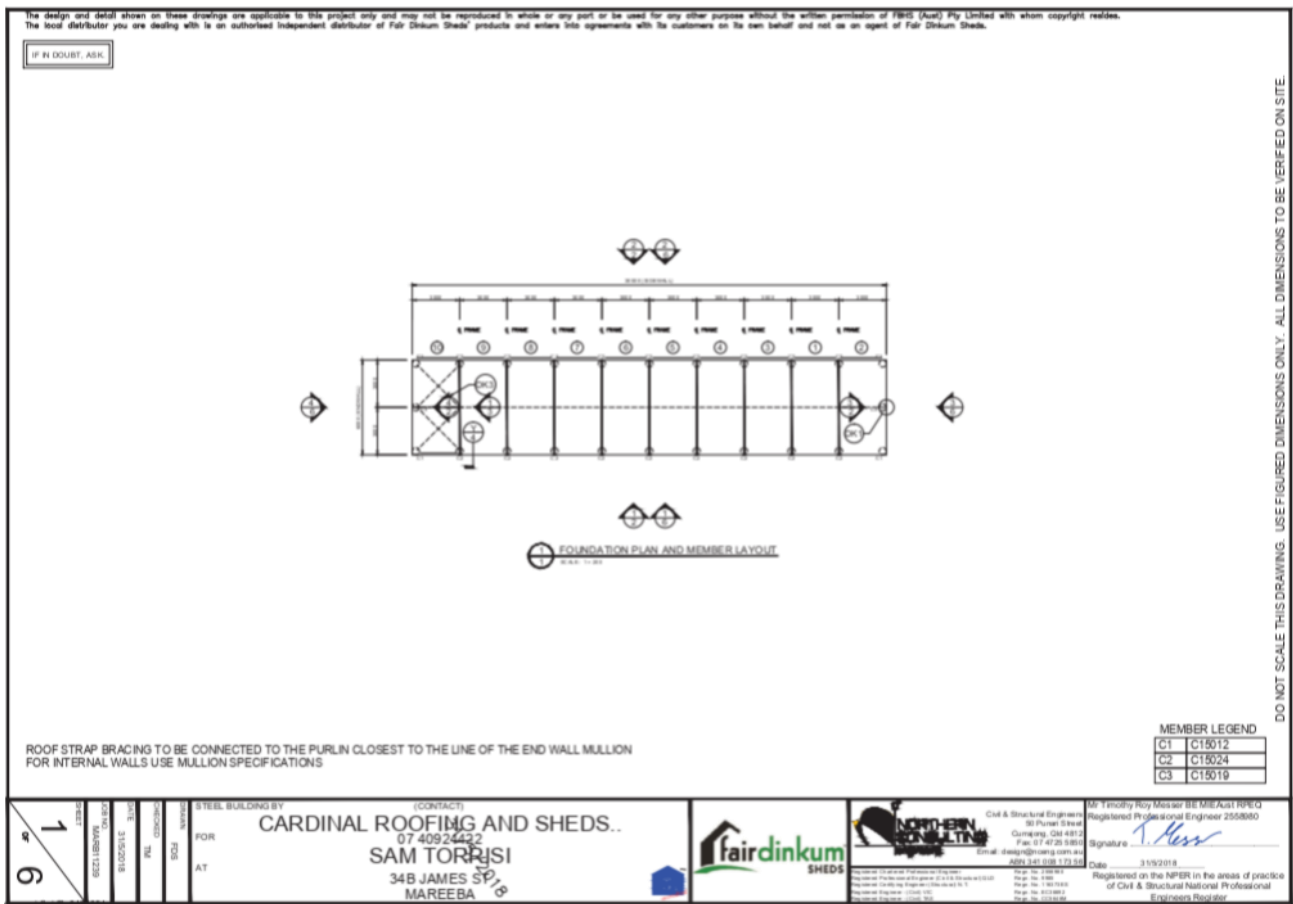
Mr Timothy Roy Messer B.E. M.Eng. Aust. IPE. Q
Registered Professional Engineer 255880

Signature: *T. Messer*

Date: 3/5/2018

Registered on the NPFR in the areas of practice
of Civil & Structural National Professional
Engineers Register

Revision: 1, Version Date: 12/12/2018





Your ref: MCU/18/0029
 Our ref:
 Contact Name: Robyn Desrettes
 Telephone: 07 3120 0087

SunWater Limited
 Level 10, 179 Turbot Street
 PO Box 15536 City East
 Brisbane Queensland 4002
 www.sunwater.com.au
 ACN 131 031 985

25 January 2019

Mareeba Shire Council
 PO Box 154
MAREEBA QLD 4880

Dear Sir

Proposed Development Permit
Lot 19 M356128 & 23CP903074
34B James Street & 135 Mason Street, Mareeba

We refer to the above and Public Notice of Development Permit sent on the 7th January 2019.

SunWater's has reviewed information provided and SunWater has no concerns with the MCU.

If there are any further developments considered in this location SunWater would require to be notified.

Should you have any queries regarding the above, please contact either Senior Property Advisor, Robyn Desrettes 3120 0087.

Yours sincerely



Robyn Desrettes
 Senior Property Advisor

MAKING WATER WORK

8.2 BROBOCA PTY LTD - MATERIAL CHANGE OF USE - MEDIUM IMPACT INDUSTRY - LOTS 12, 14 & 16 ON NR7652 - -7 SLADE STREET & 58 CHEWKO ROAD, MAREEBA - MCU/18/0027

Date Prepared: 7 March 2019
Author: Planning Officer
Attachments: 1. [Proposed Plans](#)

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	Broboca Pty Ltd	ADDRESS	5-7 Slade Street & 58 Chewko Road, Mareeba
DATE LODGED	23 November 2018	RPD	Lots 12, 14 & 16 on NR7652
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Medium Impact Industry		
FILE NO	MCU/18/0027	AREA	Lot 12 - 2,931m2 Lot 14 - 1,777m2 Lot 16 - 1,787m2
LODGED BY	Planz Town Planning	OWNER	Lot 12 - J Hendle Lots 14 & 16 - Broboca Pty Ltd
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Industry zone		
LEVEL OF ASSESSMENT	Impact Assessment		
SUBMISSIONS	Nil		

EXECUTIVE SUMMARY

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

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

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.

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

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	Broboca Pty Ltd	ADDRESS	5-7 Slade Street & 58 Chewko Road, Mareeba
DATE LODGED	23 November 2018	RPD	Lots 12, 14 & 16 on NR7652
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Medium Impact Industry		

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 - Medium Impact Industry

(B) APPROVED PLANS:

• Plan/Document Number	• Plan/Document Title	• Prepared by	• Dated
• 2380 Sheet C1 of 3	• Existing Floor & Site Plan	• PD Designs	• September 2018
• 2380 Sheet C2 of 3	• Proposed Site & Layout Plan	• PD Designs	• September 2018
• 2380 Sheet C3 of 3	• Proposed Site Plan	• PD Designs	• September 2018

(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 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 commencement of the use 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 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.

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

4. Infrastructure Services and Standards

4.1 Access

All 3 proposed access crossovers must be upgraded/constructed to an industrial access crossover standard (from the edge of Chewko Road/Slade Street

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

- (a) The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.
- (b) Prior to building works commencing the applicant must submit a Stormwater Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual to the satisfaction of Council's delegated officer.
- (c) The Stormwater Management Plan and Report must include provisions to intercept and control stormwater flows along driveways.
- (d) The applicant/developer must construct the stormwater drainage infrastructure in accordance with the approved Stormwater Management Plan and Report.
- (e) All stormwater drainage must be collected from site and discharged to an approved legal point of discharge.

4.3 Car Parking/Internal Driveways

The applicant/developer must ensure the development is provided with a minimum of 15 on-site car parking spaces, not including any car parking within the buildings, which are available solely for the parking of vehicles associated with the use of the premises.

All car parking spaces, internal driveways and trafficable areas (including the access handle driveway to Slade Street must be concrete or asphalt sealed, line-marked 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, 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 driveways indicating the availability of on-site parking.

4.4 Landscaping

- (a) Prior to the commencement of the use, a landscape plan must be prepared for the site and submitted to Council's delegated officer for consideration and approval. The extent of landscaping on site should be generally consistent with that shown on the approved site plan.
- (b) All plant varieties must be generally in accordance with Schedule A of Planning Scheme Policy No. 9 (Landscaping Policy).
- (c) The landscaping of the site must be carried out in accordance with the endorsed landscaping plan, and irrigated, mulched and maintained to the satisfaction of Council's delegated officer.

4.5 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 land in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

4.6 Sewerage Connection

- (a) 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).
- (b) 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.

(D) ASSESSMENT MANAGER'S ADVICE

- (a) The change in the use of any 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) A Trade Waste Permit will be required prior to the commencement of use. Please contact Council's Building and Plumbing Department for further information prior to

the lodgement of any application for compliance permit for plumbing and drainage works.

(c) Water Meters/Water Service Connection

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

(d) Property Connection to existing sewer main

Should a sewerage connection upgrade be required, prior to new connection works commencing, a request for a Property Connection Quotation must be lodged with Council. The cost of the required property connection will be determined based upon the assessment of the Property Connection Quotation Request.

(e) Compliance with applicable codes/policies

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

(f) Compliance with Acts and Regulations

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

(g) Environmental Protection and Biodiversity Conservation Act 1999

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

(h) Cultural Heritage

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

(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

(G) OTHER APPROVALS REQUIRED FROM COUNCIL

- Compliance Permit for Plumbing and Drainage Work
- Access approval arising from condition number 4.1

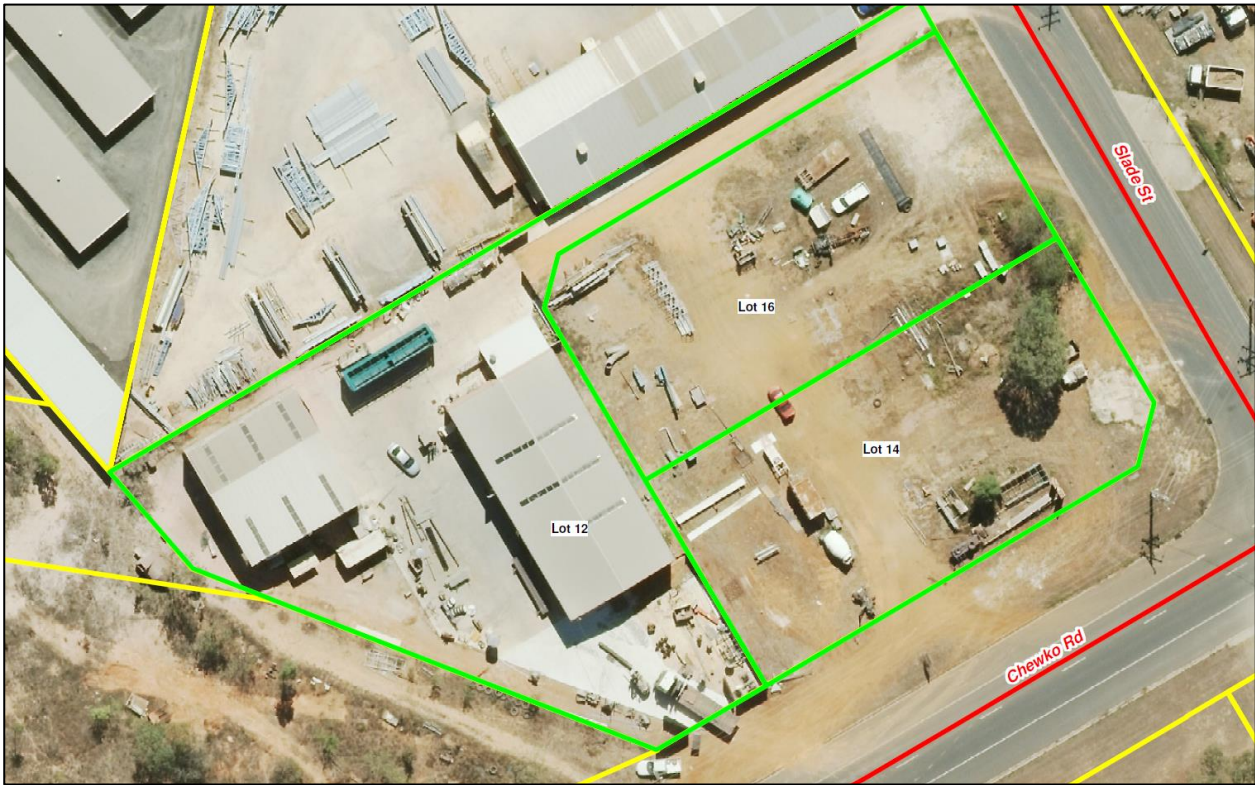
THE SITE

The subject land comprises three (3) adjoining allotments situated at 5-7 Slade Street and 58 Chewko Road, Mareeba, and described as Lots 12, 14 and 16 on NR7652. All three (3) lots are situated within the Industry Zone (Trades and Services Precinct).

Lot 12 on NR7652 is irregular in shape with a total area of 2,931m². The site contains 16 metres of frontage to Chewko Road to the south, 27 metres of frontage to undeveloped road reserve to the west and 5 metres of frontage to Slade Street to the east via a 5 metre wide access handle. Both Chewko Road and Slade Street are constructed to bitumen sealed standards and include kerb and channel. Lot 12 currently contains a long-established medium impact industry use, this being an abrasive sand-blasting business. Improvements on Lot 12 are all associated with the sandblasting business and include 2 large sheds, one of which includes staff room and toilets.

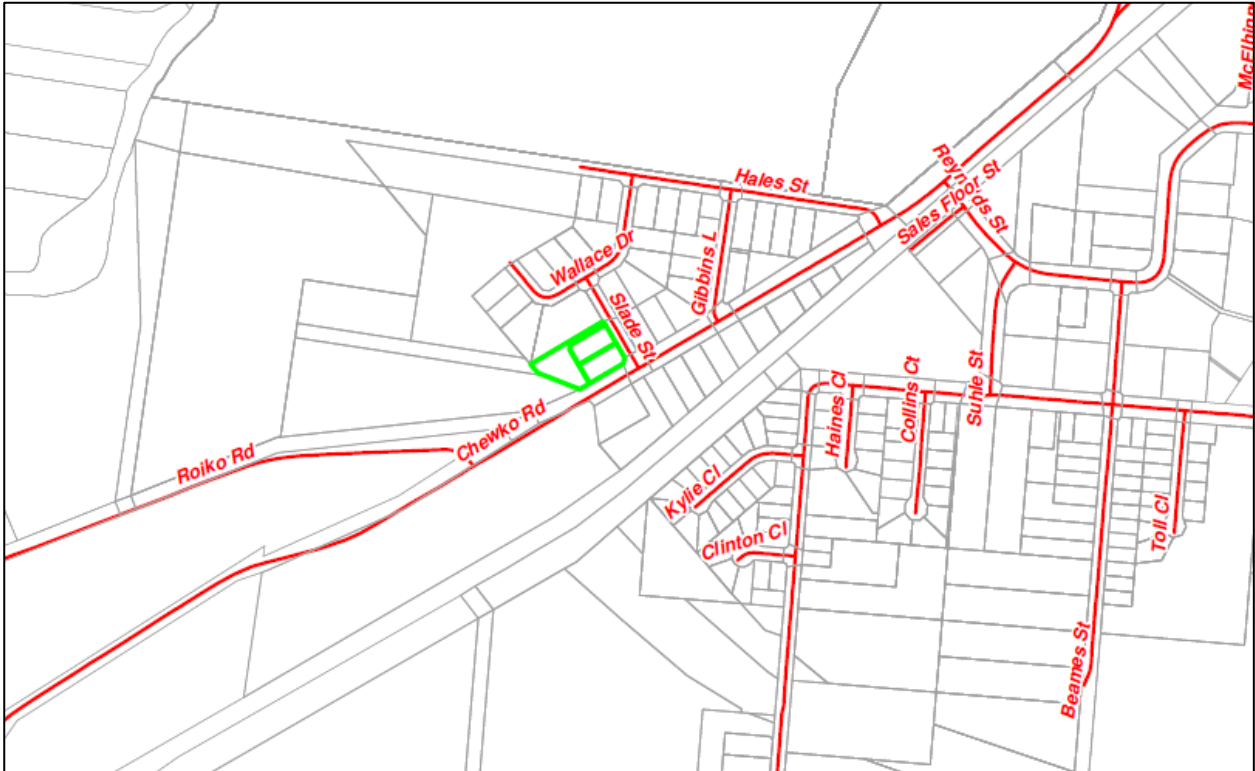
Lot 14 and 16 on NR7652 adjoin Lot 12 to the east, are both regular in shape and have areas of 1,777m² and 1,787m² respectively. Lot 14 is a corner lot and contains 54 metres of frontage Chewko Road and a further 32 metres of frontage to Slade Street. Lot 16 contains 30 metres of frontage to Slade Street only. Both Lots 14 and 16 are vacant.

Lots surrounding the subject site are all zoned Industry (Trades and Services Precinct) and accommodate various scales of industrial development including transport depots, storage sheds, a crane hire business and steel fabrication.



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 - Medium Impact Industry in accordance with the plans shown in **Attachment 1**. The proposed medium impact industry use will involve the manufacturing and assembly of steel trusses, wall and floor frames. Homefab, the company undertaking the development, is currently established on the site immediately adjoining the subject land to the north. If approval is granted, Homefab intends on relocating the business to this site.

The development will involve the re-use of existing structures on Lot 12 (currently an abrasive sand blasting business), the construction of a large awning over the north-eastern loading/unloading area and the construction of an ancillary office. A break down of the development building footprint is as follows:

- Office - 197.28m²
- Workshop - 668.27m²
- Steel Fabrication - 305.25m²
- Store 1 - 95.78m²
- Store 2 - 63.93m²
- Staff - 30.36m²
- Covered drive - 647.94m²

Total - 2008.81m²

The developments particulars are as follows:

- The combined site area is 6,495m². The project will incur 2,008.81m² (31% site cover);
- Staff amenities and office space to facilitate ancillary administrative activities and consultations with clients;
- Parking for 15 vehicles (inclusive of 1 x PWD space) and a minimum of 1 HRV space;
- 450m² (6.9%) landscaping to soften the built form and contribute to street appeal;
- Dedicated refuse area behind staff room
- Sufficient space to accommodate safe and effective on-site manoeuvring and loading/unloading of Heavy Rigid Vehicles wholly on-site;
- 3 x crossovers - 2 x crossovers to Chewko Road and 1 x crossover to Slade Street, to allow for adequate on-site circulation of vehicles, and to ensure all vehicles can enter and exit the site in a forward motion; and
- Connection to all infrastructure services.

Approximately half of both lots 14 and 16 will remain vacant and unused. This land may be used in the future as part of any business expansion.

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 Major Regional Activity Centre in the Regional Plan. The Regional Plan Map 3- ‘Areas of Ecological Significance’ does not identify the site as containing any areas of ecological significance.

PLANNING SCHEME DESIGNATIONS

- | | |
|----------------------|--|
| Strategic Framework: | <ul style="list-style-type: none"> • Land Use Categories <ul style="list-style-type: none"> ▪ Industry Area |
| Zone: | Industry zone |
| Precinct: | Trades and Services Precinct |
| Overlays: | <ul style="list-style-type: none"> ▪ Airport Environs Overlay ▪ Extractive Resources 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
Medium impact industry	<p>Premises used for industrial activities that include the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products and have one or more of the following attributes:</p> <ul style="list-style-type: none"> • potential for noticeable impacts on sensitive land uses due to offsite emissions including aerosol, fume, particle, smoke, odour and noise • potential for noticeable offsite impacts in the event of fire, explosion or toxic release • generates high traffic flows in the context of the locality or the road network 	<p>Spray painting and surface coating, wooden and laminated product manufacturing (including cabinet making, joining, timber truss making or wood working)</p> <p>Note—additional examples may be shown in SC1.1.2 industry thresholds.</p>	<p>Concrete batching, tyre manufacturing and retreading, metal recovery (involving a fragmentiser), textile manufacture, chemically treating timber and plastic product manufacture, service industry, low impact industry, high impact industry, special industry</p>

	<ul style="list-style-type: none"> • <i>generates an elevated demand on the local infrastructure network</i> • <i>onsite controls are required for emissions and dangerous goods risks</i> • <i>the use is primarily undertaken indoors</i> • <i>evening or night activities are undertaken indoors and not outdoors.</i> 		
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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

3.3.12 Element—Industry areas

3.3.12.1 Specific outcomes

- (6) *The location of industry activities avoids or is appropriately separated from sensitive land uses to protect the health, wellbeing, amenity and safety of the community from the impacts of air, noise and odour emissions, and hazardous materials.*

Comment

The application proposes an industrial use within an established Industry zoned area. The use will be relocated from its present site, the adjoining property to the north, where it has operated for approximately 30 years. One of the three lots proposed to be developed currently accommodates a large-scale sandblasting business.

The location of the proposed development alone will protect the health, wellbeing and amenity of the community. The development complies.

3.4.8 Element—Air and noise quality

3.4.8.1 Specific outcomes

- (1) *The health, well-being, amenity and safety of the community and the environment is protected from the impacts of air emissions, noise and odour through appropriate management and adequate separation distances.*

Comment

The proposed development will be established within an existing industrial estate and is appropriately separated from nearby sensitive land uses. The use will be relocated from its present site, the adjoining property to the north, where it has operated for approximately 30 years. One of the three lots proposed to be developed currently accommodates a large-scale sandblasting business.

The location of the proposed development alone will protect the health, wellbeing and amenity of the community. The development complies.

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.*
- (5) *Industry areas provide for a range of industrial development, expansion, supporting infrastructure and employment opportunities consistent with their intended function in the shire. Industry areas are protected from incompatible development and sensitive land uses. The Mareeba Airport expands and caters for a hub of specialist aviation services.*

Comment

The development is proposed to accommodate the relocation of a long-established steel truss, wall and floor frame manufacturing company (Homefab). The development will ensure the company remains local which will help to strengthen Mareeba as the Shires main activity centre. The proposed development will also provide more operational space for the manufacturing business as well as additional space and opportunity for the business to expand in future.

The development complies with Strategic Outcomes 3 and 5.

3.7.8 Element—Industry

3.7.8.1 Specific outcomes

- (2) *Industry areas are located within activity centres to accommodate for trades and industrial development that provide employment and services to the catchments of these activity centres.*
- (3) *Industry areas are designated and protected from other land uses which could impair or prejudice their development for industrial purposes.*
- (4) *A high level of infrastructure, services and amenity in existing industry areas is provided to support business investment and expansion of industry areas.*
- (5) *The health, safety, wellbeing and amenity of the community is protected from unacceptable impacts associated with hazardous materials, noise, pollution and odour.*

Comment

The application proposes an industrial use within an existing industrial estate. The use will be relocated from its present site, the adjoining property to the north where it has operated for approximately 30 years.

The relocation of the use to the subject site will continue to maintain an appropriate separation distance to sensitive land uses.

The proposed development complies with Strategic Outcomes 2 - 5.

Relevant Development Codes

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

- 6.2.5 Industry zone code
- 7.2.2 Mareeba local plan code
- 8.2.2 Airport environs overlay code
- 8.2.5 Extractive resources overlay code
- 9.3.5 Industrial 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 outcome where no acceptable outcome applies) of the relevant codes set out below, provided reasonable and relevant conditions are attached to any approval.

Relevant Codes	Comments
Industry 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).
Extractive resources 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).
Industrial activities code	<p>The application can be conditioned to comply with the relevant acceptable outcomes contained within the code apart from the following:</p> <ul style="list-style-type: none"> ▪ Acceptable Outcome AO1 <p>Despite this non-compliance, it is considered that the proposed development can comply with higher order Performance Outcomes PO1.</p> <p>Refer to Planning Discussion section of the report.</p>
Landscaping code	<p>The application can be conditioned to comply with the relevant acceptable outcomes contained within the code apart from the following:</p> <ul style="list-style-type: none"> ▪ Acceptable Outcome AO1 <p>Despite this non-compliance, it is considered that the proposed development can comply with the higher order Performance Outcome PO1.</p> <p>Refer to Planning Discussion section of the report.</p>
Parking and access code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
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/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

The following infrastructure charge methodology for the development was derived from Council's Adopted Infrastructure Charges Resolution (No. 1) 2017.

The Adopted Infrastructure Charges Resolution (No. 1) of 2017 nominates the following maximum charge for Industry (other than High impact industry):

- \$30.55 per m² of GFA (gross floor area) (CPI increase applied)

The proposed medium impact industry will include a GFA of approximately 1,330m² (excluding open sided awnings, amenities and vehicle manoeuvring areas. Based on a rate of \$30.55 per m² the development will attract an infrastructure charge of \$40,638.00.

When determining a final charge rate, any credits applicable to the subject land must be considered. Credits applicable are as follows:

- Lot 12 - contains abrasive sand blasting business with GFA of approx. 1,100m² x \$30.55 = credit of \$33,605.00.
- Lot 14 - vacant industry zoned allotment - deemed credit of \$18,340.00.
- Lot 16 - vacant industry zoned allotment - deemed credit of \$18,340.00.

Total Credits: \$70,285.00

The credits applicable to the subject land exceed the infrastructure charges generated by the proposed development. Infrastructure charges are therefore not applicable in this instance.

REFERRALS

This application did not trigger a referral under Schedule 10 of the *Planning Regulation 2017*.

Internal Consultation

Technical Services - Development Engineering.

PUBLIC NOTIFICATION

The development proposal was placed on public notification from 10 January 2019 to 1 February 2019. The applicant submitted the notice of compliance on 7 February 2019 advising that the public notification requirements were carried out in accordance with the requirements of the Act.

No submissions were received.

PLANNING DISCUSSION

The development's compliance with the Performance Outcomes of the Industrial Activities Code, Accommodation Activities Code and Landscaping Code are summarised as follows:

9.3.5 Industrial Activities Code

PO1

Industrial activities are appropriately separated from sensitive uses to ensure their amenity is maintained, having regard to:

- (a) noise;*
- (b) odour;*
- (c) light; and*
- (d) emissions.*

AO1

Development is separated from sensitive uses as follows:

- (a) medium impact industry–250 metres; or*
- (b) high impact industry–500 metres; or*
- (c) special industry– 1.5 kilometres.*

Comment

The application proposes Medium Impact Industry. The subject land is approximately 100 metres from the nearest Low Density Residential zoned land.

Notwithstanding a separation distance less than 250 metres, the subject land is centrally located within an established industrial area.

Part of the subject land (58 Chewko Road) is presently used for abrasive sand blasting and the use proposed by this application is already carried out on land adjoining to the north-west (11-13 Wallace Street). Both existing uses have operated from their current locations for in excess of 10 years without adverse impact on the Low Density Residential areas.

The relocation of the proposed use from 11-13 Wallace Drive to the subject land will satisfy PO1.

9.4.2 Landscaping Code

PO1

Development, other than in the Rural zone, includes landscaping that:

- (a) contributes to the landscape character of the Shire;*
- (b) compliments the character of the immediate surrounds;*
- (c) provides an appropriate balance between built and natural elements; and*
- (d) provides a source of visual interest.*

AO1

Development, other than in the Rural zone, provides:

- (a) a minimum of 10% of the site as landscaping;*
- (b) planting in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species;*
- (c) for the integration of retained significant vegetation into landscaping areas;*
- (d) on-street landscaping works in accordance with the Design Guidelines set out in Section D9 Landscaping, of the Planning Scheme Policy 4 - FNQROC Regional Development Manual.*

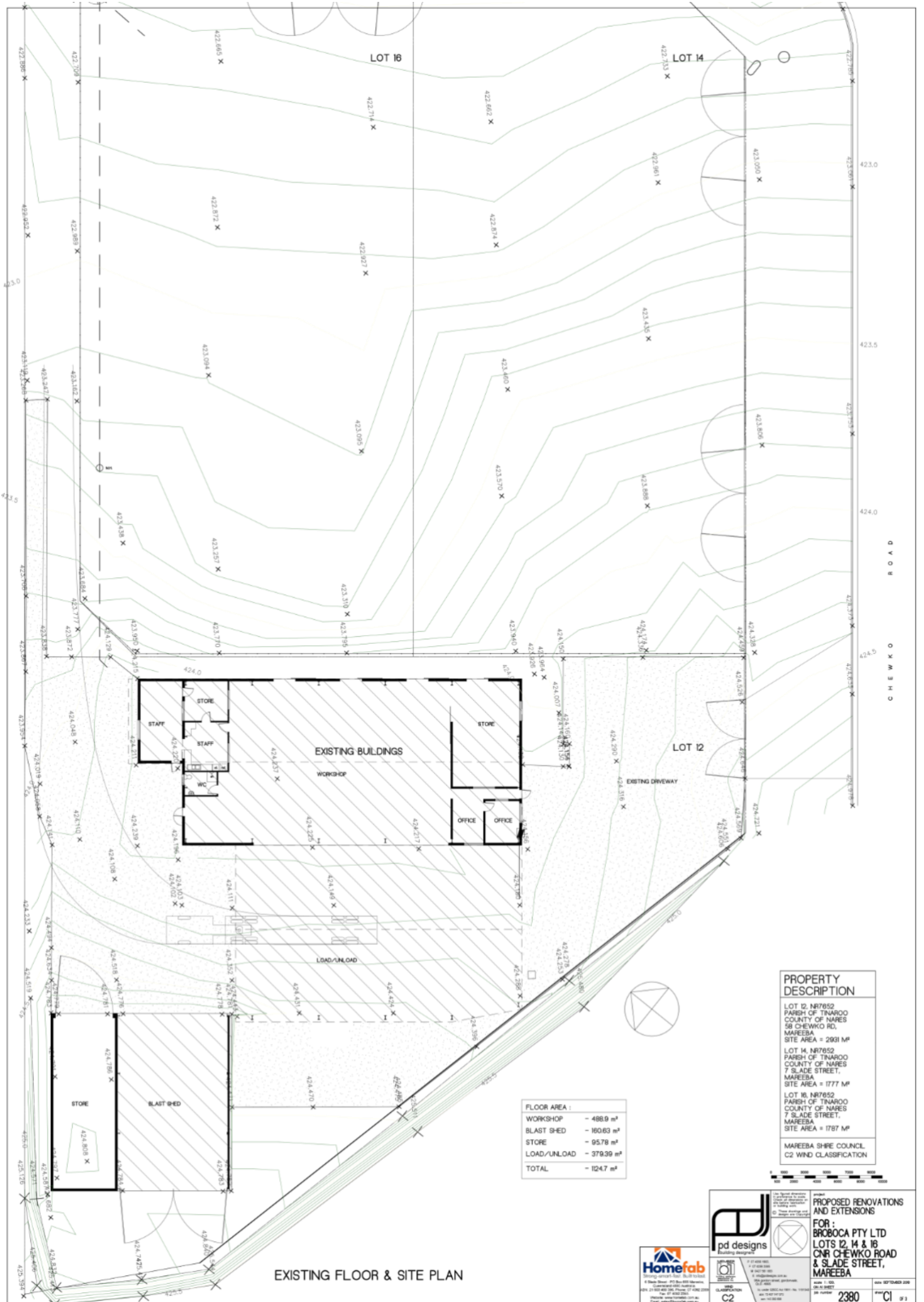
Comment

The proposed development provides for approximately 6.9% of the site to be landscaped.

A minimum two (2) metre wide landscaping strip will be provided along the Chewko Road frontage, excluding the entry and exit locations.

An additional landscaping strip will be established along the north-eastern edge of the main carparking area.

Despite not achieving 10% of the site area, the landscaping proposed will satisfy the Performance Outcome and will be considerably more than most established industrial developments in the vicinity.



EXISTING FLOOR & SITE PLAN

FLOOR AREA :	
WORKSHOP	- 488.9 m ²
BLAST SHED	- 160.63 m ²
STORE	- 95.78 m ²
LOAD/UNLOAD	- 379.39 m ²
TOTAL	- 1247 m²

PROPERTY DESCRIPTION

LOT 12, NR7652
PARISH OF TINAROO
COUNTY OF NARES
58 CHEWKO RD,
MAREEBA
SITE AREA = 2931 M²

LOT 14, NR7652
PARISH OF TINAROO
COUNTY OF NARES
7 SLADE STREET,
MAREEBA
SITE AREA = 1777 M²

LOT 16, NR7652
PARISH OF TINAROO
COUNTY OF NARES
7 SLADE STREET,
MAREEBA
SITE AREA = 1787 M²

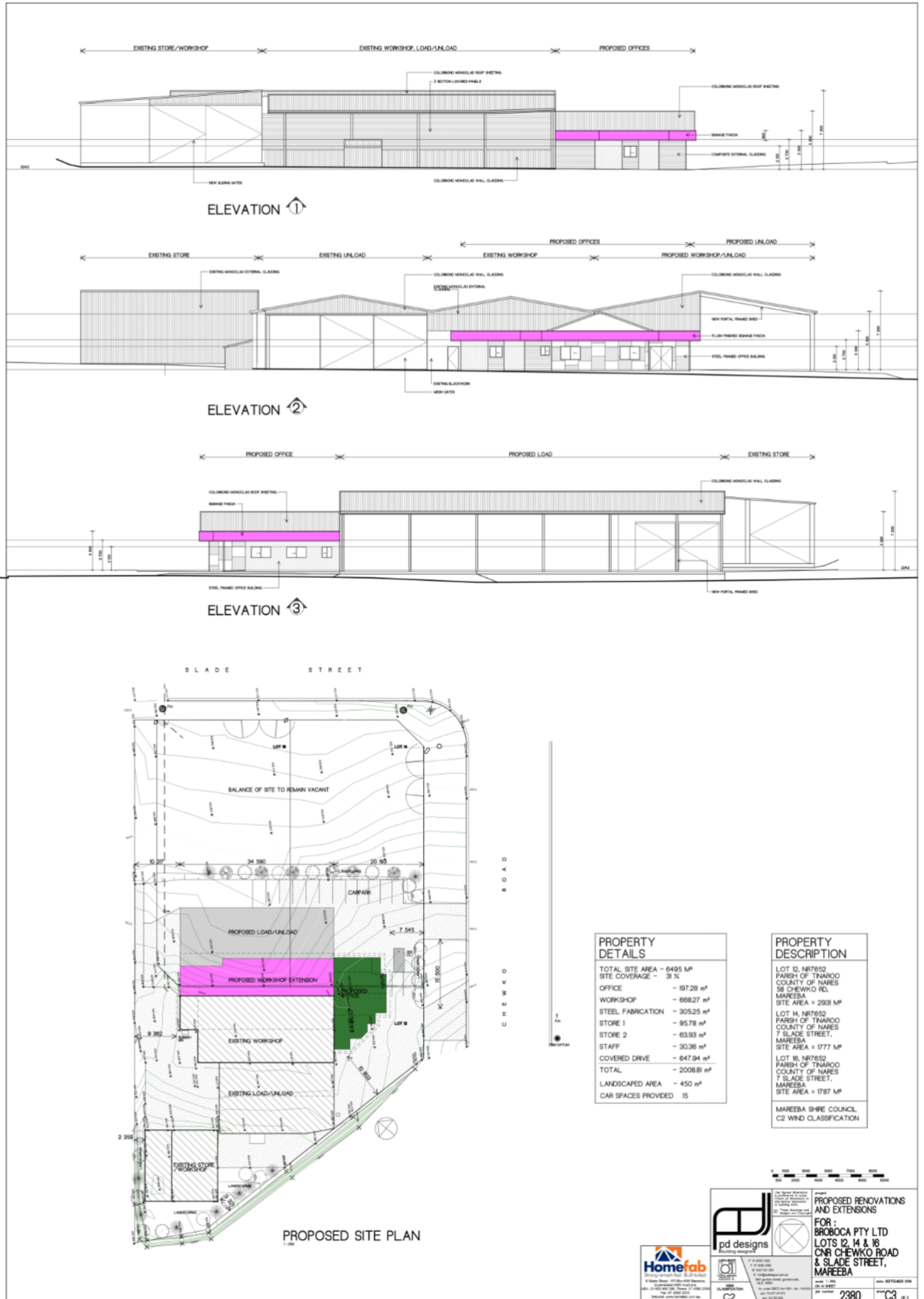
MAREEBA SHIRE COUNCIL
C2 WIND CLASSIFICATION



pd designs
Building designed

FOR : BROBOCA PTY LTD
LOTS 12, 14 & 16
CNR CHEWKO ROAD & SLADE STREET,
MAREEBA

Scale : 1:50
Date : 08/03/2019
Job number : 2380
Sheet : CI 3/3



8.3 PORKDIG PTY LTD - MATERIAL CHANGE OF USE - SERVICE STATION & FOOD AND DRINK OUTLET - LOT 701 AND 702 ON M3565 - 1 HERBERTON STREET AND 255 BYRNES STREET, MAREEBA - MCU/18/0007

Date Prepared: 25 February 2019

Author: Planning Officer

- Attachments:**
1. Proposal Plans [↓](#)
 2. Department of State Development, Manufacturing, Infrastructure and Planning Referral Agency Response [↓](#)

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	Porkdig Pty Ltd	ADDRESS	1 Herberton Street and 255 Byrnes Street, Mareeba
DATE LODGED	23 March 2018	RPD	Lot 701 and 702 on M3565
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Service Station & Food and Drink Outlet		
FILE NO	MCU/17/0008	AREA	Lot 701 - 1,019m ² Lot 702 - 1,012m ²
LODGED BY	Planz Town Planning	OWNER	Porkdig Pty Ltd
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Centre Zone		
LEVEL OF ASSESSMENT	Impact Assessment		
SUBMISSIONS	No submission received		

EXECUTIVE SUMMARY

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

The proposed development will involve the demolition of the existing Mobil service station (corner of Herberton and Byrnes Streets) as well as the demolition of the existing dwelling on the northern adjoining Lot and the subsequent redevelopment of both parcels of land (once amalgamated) to include a new service station and attached food and drink outlet (fast food restaurant). The service station component will include an ancillary shop and small manual car wash facility. The fast food restaurant component will include a drive-through lane.

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.

Draft conditions were provided to the Applicant care of their consultant and have been agreed to. 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	Porkdig Pty Ltd	ADDRESS	1 Herberton Street and 255 Byrnes Street, Mareeba
DATE LODGED	23 March 2018	RPD	Lot 701 and 702 on M3565
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Service Station & 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), concurrence agency conditions in (E), relevant period in (F), further permits in (G), and further approvals from Council listed in (H);

And

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

(A) APPROVED DEVELOPMENT: Development Permit for Material Change of Use - Service Station & Food and Drink Outlet

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
12-A05	Site Plan	Michael Feris and Ptnrs Pty Ltd	16/03/2018
12-A06	Floor Plan - Level 1	Michael Feris and Ptnrs Pty Ltd	16/03/2018
12-A11	Elevations	Michael Feris and Ptnrs Pty Ltd	16/03/2018
12-A12	Elevations 2	Michael Feris and Ptnrs Pty Ltd	16/03/2018
12-A21	Perspective Sketch 1	Michael Feris and Ptnrs Pty Ltd	16/03/2018
12-A22	Perspective Sketch 2	Michael Feris and Ptnrs Pty Ltd	16/03/2018
12-A24	Perspective Sketch 4	Michael Feris and Ptnrs Pty Ltd	16/03/2018
12-A25	Birdseye View Layout	Michael Feris and Ptnrs Pty Ltd	16/03/2018

(C) ASSESSMENT MANAGER’S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

1. Development must be carried out generally 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 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 commencement of the use 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 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.

Where bulk bins are used and are to be serviced on site, certification by a Registered Professional Engineer of Queensland (RPEQ) must be provided to Council prior to the issue of a building permit which demonstrates that internal access is of adequate design and construction to allow waste collection/delivery vehicles to enter and exit the site in a forward gear.
 - 3.5 Noise Nuisance
 - 3.5.1 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.
 - 3.5.2 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.

3.5.3 As shown on the submitted plans, those parts of the drive-through fast food lane along the eastern side of the site where the ordering of food occurs (using intercom speaker systems) and where the payment/picking up of food occurs, must be partially enclosed (eastern side wall and roof) so as to minimise noise nuisance to adjoining residential uses.

4. Infrastructure Services and Standards

4.1 Access

Both proposed access crossovers must be upgraded/constructed to a commercial access crossover standard (from the edge of Byrnes/Herberton Street pavement to the property boundary of the subject land) in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

Any redundant vehicle crossovers must be removed and kerb and channel and any footpaths reinstated, to the satisfaction of Council's delegated officer.

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 Prior to building works commencing the applicant must submit a Stormwater Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual to the satisfaction of Council's delegated officer.

4.2.3 The Stormwater Management Plan and Report must include provisions to intercept and control stormwater flows along driveways.

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

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

4.2.6 In addition to the Stormwater Management Plan, and prior to building works commencing, the applicant/developer must submit an Oily Water Management Plan, prepared and certified by a suitably qualified design engineer (RPEQ). The Plan must demonstrate how contaminants such as oil and/or fuel will be removed and stored prior to stormwater being discharged from the site.

4.3 Car Parking/Internal Driveways

4.3.1 The applicant/developer must ensure the development is provided with a minimum of nine (9) on-site car parking spaces (including one (1) disabled parking space) as well as one (1) RV parking space and one (1) service vehicle parking space which are available solely for the parking of vehicles associated with the use of the premises. These parking spaces must be provided in addition to any fuel bowser parking spaces and car wash bay spaces.

4.3.2 All car parking spaces and trafficable areas (including the drive-through fast food lane) must be concrete sealed, line-marked and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.

4.3.3 All car parking spaces and trafficable areas (including the drive-through fast food lane) 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.

4.3.4 The applicant/developer must ensure the development is provided with 4 bicycle parking spaces in proximity to the shop/food and drink outlet building entrances.

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

4.4 Landscaping

4.4.1 Prior to the commencement of the use, a landscape plan must be prepared for the site and submitted to Council's delegated officer for consideration and approval. The extent of landscaping on site should be generally consistent with that shown on the submitted plan/s (Birdseye View Layout).

4.4.2 All plant varieties must be generally in accordance with Schedule A of Planning Scheme Policy No. 9 (Landscaping Policy).

4.4.3 The landscaping of the site must be carried out in accordance with the endorsed landscaping plan, and irrigated, mulched and maintained for the life of the development to the satisfaction of Council's delegated officer.

4.5 Fencing

Prior to the commencement of the use, the applicant/developer must erect a 1.8m high solid screen colorbond fence (of neutral colour) along the entire length of the eastern boundaries of Lots 701 and 702 on M3565.

All fencing must be maintained in good order and safe repair for the life of the development, 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 eight (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 Signage

4.7.1 The number, type and size of advertising signage, including pylon signage, is limited to that shown on the submitted plans and must not move, revolve, strobe or flash (can be illuminated).

4.7.2 The pylon signage must be designed and installed so as to not impede the vision of any pedestrian or vehicle using the Byrnes and Herberton Street intersection, to the satisfaction of Council's delegated officer.

4.8 Water Supply

4.8.1 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).

4.8.2 A water service connection must be provided to the subject land in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

4.9 Sewerage Connection

4.9.1 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).

4.9.2 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.

(D) ASSESSMENT MANAGER'S ADVICE

- (a) A number of other charges or payments may be payable as a result of conditions of approval. The applicable fees are 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) 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.

(d) 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.

- (e) A Trade Waste Permit will be required prior to the commencement of use for the food and drink outlet component of the development only (trade waste permit will not be issued for the service station).

(f) 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.

(g) Compliance with Acts and Regulations

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

(h) Environmental Protection and Biodiversity Conservation Act 1999

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

(i) Cultural Heritage

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

(E) REFFERAL AGENCY CONDITIONS

Department of State Development, Manufacturing, Infrastructure and Planning conditions dated 7 February 2019.

(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)



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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THE SITE

The subject land is comprised of two (2) adjoining lots situated on the corner of Byrnes Street and Herberton Streets, Mareeba, and is more particularly described as Lot 701 and 702 on M3565. Both Lots 701 and 702 are zoned Centre under the Mareeba Shire Council Planning Scheme 2016.

Lot 701 contains the existing Mobil service station as well as a storage and collection depot for a transport company which is established in an outbuilding next to the service station shop. Lot 701 is generally regular in shape and has a total area of 1,019m². The lot includes 26.8 metres of frontage to Byrnes Street and 52 metres of frontage to Herberton Street. Both Roads are constructed to bitumen/asphalt sealed standard including kerb and channel. Lot 701 is accessed via three (3) crossovers, two (2) from Herberton Street and one (1) from Byrnes Street.

Lot 702 is situated between the Mobil service station and Betta Electrical. Lot 702 is regular in shape, has a total area of 1,012m² and contains 20 metres of frontage to Byrnes Street only. A single crossover in the north-west corner is used to access the allotment. Lot 702 is improved by a single dwelling house and a number of residential outbuildings.

All lots surrounding the subject land are zoned Centre and primarily contain residential uses with the exception of Betta Electrical situated to the north of the land.

BACKGROUND AND CONTEXT

Nil

PREVIOUS APPLICATIONS & APPROVALS

Nil

DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Material Change of Use - Service Station & Food and Drink Outlet in accordance with the plans shown in **Attachment 1**.

The proposed development will include the following:

- The demolition of the existing Mobil service station at 1 Herberton Street;
- The demolition of the existing dwelling and outbuildings at 255 Byrnes Street;
- The amalgamation of 1 Herberton Street and 255 Byrnes Street;
- The construction of a new Mobil service station and ancillary shop (approx.172m²);
- The construction of a food and drink outlet (restaurant) to be attached to the proposed services station shop (approx. 143m²);
- A drive-through lane to service the proposed restaurant;
- An ancillary car wash facility (basic facility); and
- Freestanding advertising devices.

The proposed service station and food and drink outlet (restaurant) will be accessible from both Byrnes Street and Herberton Street. The car wash component will be sited in the north-west corner of the land, the service station bays and car parks will be sited on the western half of the land facing Byrnes and Herberton Streets, and the service station kiosk/shop and restaurant will be sited

on the eastern half of the land. The drive-through lane for the restaurant will wrap around the northern, eastern and southern sides of the building.

REGIONAL PLAN DESIGNATION

The subject land is included within the Urban Footprint land use category in the Far North Queensland Regional Plan 2009-2031. Mareeba is identified as a Major Regional Activity Centre in the Regional Plan. The subject land contains no areas of ecological significance.

PLANNING SCHEME DESIGNATIONS

	Land Use Categories
	<ul style="list-style-type: none">• Centre Area
	Transport Elements
	<ul style="list-style-type: none">• State Controlled Road• B-double Route• Principal Cycle Route
Strategic Framework:	
Zone:	Centre Zone
Overlays:	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
Service station	<p><i>Premises used for the sale of fuel including petrol, liquid petroleum gas, automotive distillate and alternative fuels.</i></p> <p><i>The use may include, where ancillary, a shop, food and drink outlet, maintenance, repair servicing and washing of vehicles, the hire of trailers, and supply of compressed air.</i></p>		Car wash
Food and drink outlet	<p><i>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.</i></p>	<p><i>Bistro, café, coffee shop, drive-through facility, kiosk, milk bar, restaurant, snack bar, takeaway, tea room</i></p>	<p><i>Bar, club, hotel, shop, theatre, nightclub entertainment facility</i></p>

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

3.3.2 Element—Activity centres network

3.3.2.1 Specific outcomes

- (1) *The scale of development in activity centres is consistent with their role and function within the defined hierarchy of activity centres, which consists of a major regional activity centre, a village activity centre, rural activity centres and rural villages.*

Comment

The proposed development is of a scale and nature consistent with Mareeba's role and function as a major regional activity centre.

The development complies.

- (2) *Centre activities are focussed in major regional activity centres, particularly development which draws on a wide catchment. Other activity centres promote local self-containment by facilitating a diverse range of services in support of local catchments and communities.*

Comment

The proposed development will be sited within the urban footprint of Mareeba which is the Shire's major regional activity centre and will primarily be used by Mareeba residents, as well as residents from further reaches of the Shire and tourists when passing through Mareeba.

The development complies.

- (6) *Centre areas provide high quality and attractive streetscapes, active shopfronts, comfortable pedestrian environments and spaces for social interaction.*

Comment

The proposed service station and ancillary food and drink outlet (fast food restaurant) will be made from modern, attractive building materials and finishes and will replace an existing aged service station and dwelling. To further enhance the visual appeal of the site, landscape strips will be planted along the sites Byrnes and Herberton Street frontages.

The proposed development is likely to contribute to an attractive streetscape within Mareeba's CBD and is not likely to impact on the existing pedestrian network along Byrnes Street.

The development complies.

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.*

Comment

The proposed service station upgrade and ancillary food and drink outlet (fast food restaurant) will strengthen Mareeba's role as the Shire's major regional activity centre and will further concentrate regional-scale commercial development within the Township.

The development complies.

- (2) *Development within Mareeba over time enhances the Shire's self-sufficiency in terms of services offered, business and employment opportunities.*

Comment

The proposed service station upgrade and ancillary food and drink outlet (fast food restaurant) could only enhance Mareeba and the Shire's self-sufficiency and is likely to boost employment opportunities for people living in proximity of Mareeba.

The development complies.

- (4) *The centre area of Mareeba continues to be focused on the core area around Byrnes Street (between Rankin and Lloyd Streets), with significant expansion of centre activities within underutilised sites within the Byrnes Street core, in Walsh Street and south along Byrnes Street. New development will improve the streetscape of the town centre including streetscape improvement.*

Comment

Despite the site lying outside that part of Mareeba's CBD between Rankin and Lloyd Streets, the site is still situated within the Centre Zone and well within Mareeba's CBD and will replace a long-established service station use. The development will enhance the existing streetscape appearance of this section of the CBD with new modern building materials and finishes and additional landscaping.

The development complies.

Relevant Developments Codes

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

- 6.2.1 Centre zone code
- 8.2.12 Transport infrastructure overlay code
- 9.3.2 Commercial activities code
- 9.4.1 Advertising devices code
- 9.4.2 Landscaping code
- 9.4.3 Parking and access code
- 9.4.5 Works, services and infrastructure code

The application 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
Centre Zone Code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code (or the relevant performance outcomes where no acceptable outcome is provided).
Transport Infrastructure Overlay Code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code (or the relevant performance outcomes where no acceptable outcome is provided).
Commercial Activities Code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code (or the relevant performance outcomes where no acceptable outcome is provided).
Advertising Devices Code	<p>The application can be conditioned to comply with the relevant acceptable outcomes contained within the code (or the relevant performance outcomes where no acceptable outcome is provided) apart from the following:</p> <ul style="list-style-type: none"> • Acceptable Outcome AO2.2 <p>Despite not complying with AO2.2, it is considered that the development can achieve compliance with higher order Performance Outcome PO2 (refer to planning discussion section of report).</p>
Landscaping Code	<p>The application can be conditioned to comply with the relevant acceptable outcomes contained within the code (or the relevant performance outcomes where no acceptable outcome is provided) apart from the following:</p> <ul style="list-style-type: none"> • Acceptable Outcome AO1 <p>Despite not complying with AO1, it is considered that the development can achieve compliance with higher order Performance Outcome PO1 (refer to planning discussion section of report).</p>
Parking and Access Code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code (or the relevant performance outcomes where no acceptable outcome is provided).
Works, Services and Infrastructure Code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code (or the relevant performance outcomes where no acceptable outcome is provided).

(D) 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, to the satisfaction of Council's delegated officer.

(E) Adopted Infrastructure Charges Notice

The following infrastructure charge methodology for the development was derived from Council's Adopted Infrastructure Charges Resolution (No. 1) 2017.

Both the "Service Station" and "Food and Drink Outlet" uses fall within the Commercial (Retail) infrastructure charge category. The Adopted Infrastructure Charges Resolution (No. 1) of 2017 nominates the following maximum charge for Commercial (Retail):

- \$109.95 per m² of GFA (gross floor area) (CPI increase applied for 2018/2019 FY)

The proposed service station and food and drink outlet will include a GFA of approximately 315m². Based on a rate of \$109.95 per m² the development will attract an infrastructure charge of **\$34,634.25**.

When determining a final charge amount, any credits applicable to the subject land must be considered. Credits applicable are as follows:

- Lot 701 - contains existing Mobil service station with GFA of approx. 190m² x \$109.95 = credit of \$20,890.50.
- Lot 702 - contains 1 dwelling house with a deemed credit of \$18,340.00.

Total Credits: **\$39,250.50**

The credits applicable to the subject land exceed the infrastructure charges generated by the proposed development. Infrastructure charges are therefore not applicable in this instance.

REFERRAL AGENCY

The application triggered referral to the Department of State Development, Manufacturing, Infrastructure and Planning as a Referral Agency (SARA - DTMR).

The Department issued their referral agency response on 7 February 2019 and they require the conditions included within the referral agency response to be attached to any approval (**Attachment 2**).

Internal Consultation

Technical Services - Development Engineering

PUBLIC NOTIFICATION

The development proposal was placed on public notification from 10 January 2019 to 1 February 2019. The applicant submitted the notice of compliance on 8 February 2019 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 Advertising Devices Code and Landscaping Code are discussed below. Where the development cannot comply with an acceptable outcome, it is considered compliance with the higher order performance outcome can be achieved.

9.4.1 Advertising Devices Code

PO2

Advertising devices are designed and located to:

- (a) avoid visual clutter;*
- (b) avoid overshadowing of adjoining premises or public places;*
- (c) prevent loss of daylight or sunlight access for nearby uses;*
- (d) be consistent with the built and natural character of the immediate surrounds; and*
- (e) allow for the identification of premises, uses and business.*

AO2.2

*The number, type and design of advertising devices complies with **Table 9.4.1.3D**.*

Comment

Six (6) illuminated signs are proposed on site in total (2 x freestanding pylon signs and 4 x fascia signs) which is non-compliant with the maximum number of three (3) allowed for by AO2.2. The two (2) freestanding signs, with heights of 8.6m and 8.1m are also non-compliant with AO2.2 which includes a height limit for freestanding advertising devices equal to building height (5m) or 7.5m, whichever is lesser.

Despite containing double the amount of signage allowed for by AO2.2, the signage proposed is not unreasonable for a development of this nature and scale and is not likely to result in any visual clutter or over-crowding when viewed by road users or nearby residential uses. Furthermore, the heights proposed for the two (2) freestanding pylon signs is also typical of the two (2) uses proposed and is not likely to cause any overshadowing or loss of daylight and sunlight to adjoining properties. It is considered that the proposed developments advertising devices component will comply with PO2.

9.4.2 Landscaping Code

PO1

Development, other than in the Rural zone, includes landscaping that:

- (a) contributes to the landscape character of the Shire;*
- (b) compliments the character of the immediate surrounds;*
- (c) provides an appropriate balance between built and natural elements; and*

(d) provides a source of visual interest.

AO1

Development, other than in the Rural zone, provides:

- (a) a minimum of 10% of the site as landscaping;*
- (b) planting in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species;*
- (c) for the integration of retained significant vegetation into landscaping areas;*
- (d) on-street landscaping works in accordance with the Design Guidelines set out in Section D9 Landscaping, of the Planning Scheme Policy 4 - FNQROC Regional Development Manual.*

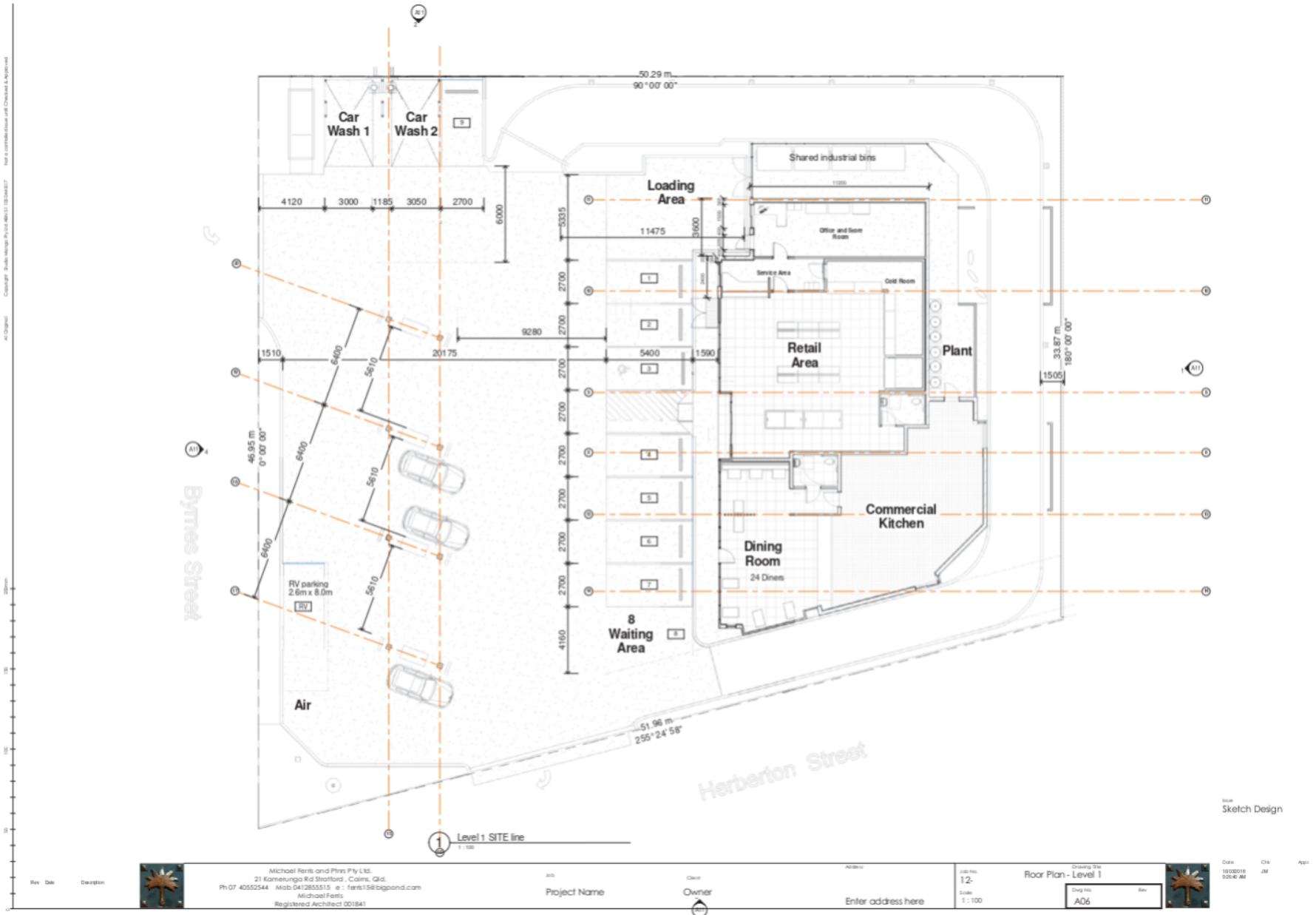
Comment

Approximately 3.6% of the site will be landscaped. The development is therefore non-compliant with AO1 which requires 10% of the site to be landscaped.

The landscaping will include vegetated strips primarily along the southern and western property boundaries (fronting Byrnes and Herberton Streets) excluding access driveways as well as some landscaping along the northern and eastern property boundaries adjacent the drive-through lane.

Despite not achieving the required 10% (200m² of landscaping) the landscaping proposed will satisfy the performance outcome in that it will contribute to the landscape character of Mareeba's CBD and will help soften the appearance of the development when viewed from both Byrnes and Herberton Streets. The landscaping proposed will be substantially more than that provided at the existing Mobil service station site.

Landscaping to the north is not considered critical due to the building on the northern adjoining property (Betta Electrical) being built to boundary, nor is landscaping along the eastern boundary considered critical as 1.8 metre high solid screen fencing will be required along the entirety of this boundary to minimise impacts on adjoining residential uses. A condition will be attached to any approval requiring the submission of a detailed landscape plan for Officer endorsement and will be required to be planted prior to the commencement of the use. The landscaping proposed will satisfy PO1.

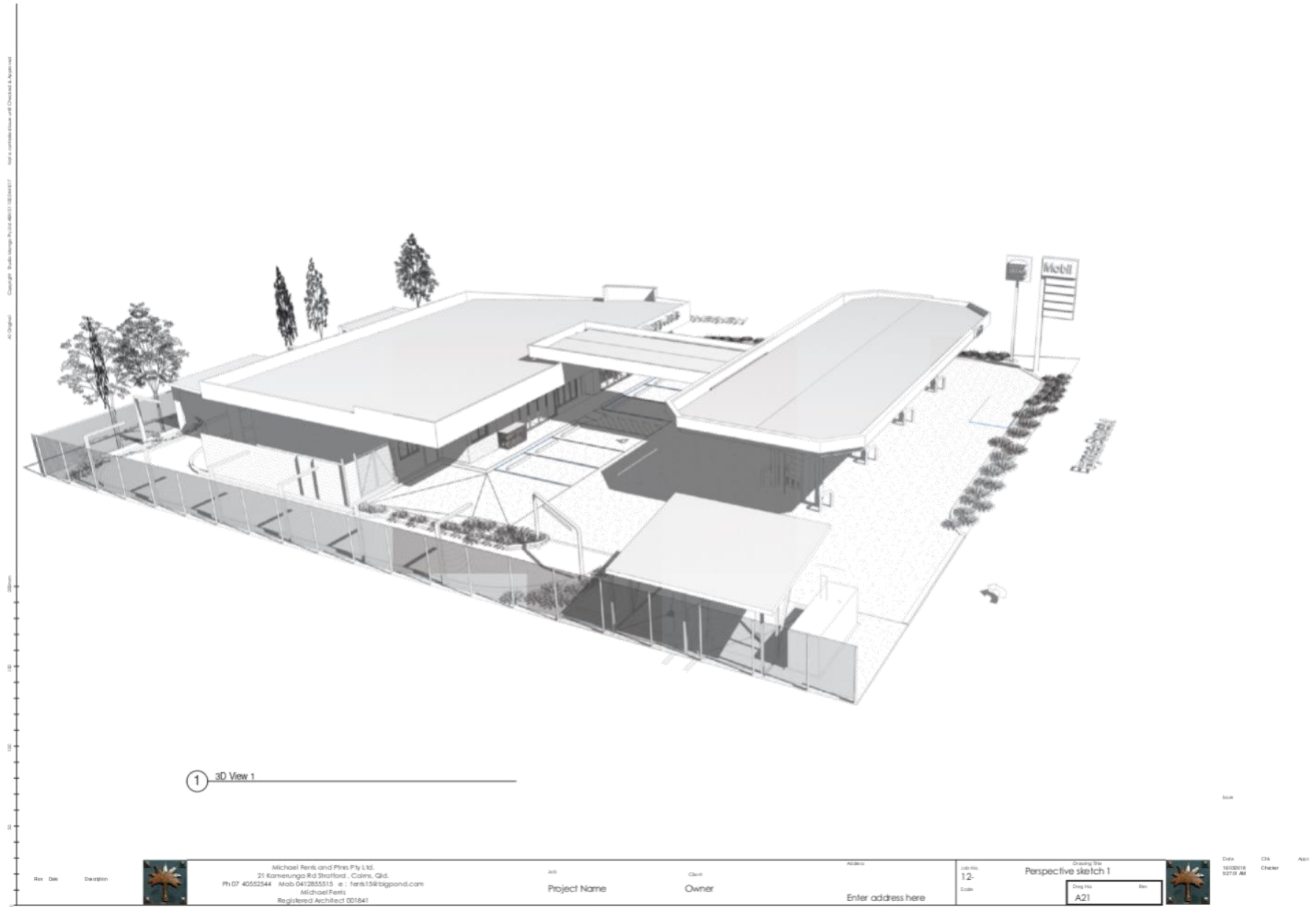






Issue Sketch Design

Rev	Date	Description	Michael Fens and Pines Pty Ltd. 21 Kamerunga Rd Stafford, Cairns, Qld. Ph 07 40552544 Mob 0412855515 e: fens15@bigpond.com Michael Fens Registered Architect 001843	Arch	Client	Address	Job No 12- Scale 1:100	Drawing Title Elevations 2 Draw No A12	Date 10/03/2018 9:00 AM	C/A JM	A/E/I JM
			Project Name	Owner	Enter address here						



Rev	Date	Description	 <p>Michael Rents and Pines Pty Ltd. 21 Kamerunga Rd Stafford, Cairns, Qld. Ph 07 40552544 Mob 0412855515 e: fers15@bigpond.com Michael Rents Registered Architect 001843</p>	Arch	Client	Address	Job No	Drawing Title	Date	Chk	Appr				
				Project Name	Owner	Enter address here	12-	Perspective sketch 1	10/03/2018	Checker					
							Scale	<table border="1"> <tr> <td>Draw No</td> <td>Rev</td> </tr> <tr> <td>A21</td> <td></td> </tr> </table>	Draw No	Rev	A21		9:27:01 AM		
Draw No	Rev														
A21															



1 3D View 2 Northbound Eyelevel

Rev	Date	Description	 Michael Rents and Pines Pty Ltd. 21 Kamerunga Rd Stafford, Cairns, Qld. Ph 07 40552544 Mob 0412855515 e : fers15@bigpond.com Michael Rents Registered Architect 001841	Arch	Client	Address	Job No 12- Code	Drawing Title Perspective sketch 2 Draw No A22	 Date 10/03/2018 9:52:08 AM	Dra Checker	Appr
			Project Name	Owner	Enter address here						



General Notes

- Check all dimensions on site prior to commencing work.
- Do not scale from this drawing.
- Figured dimensions are to take preference over scaled work.
- Any discrepancies which the contractor may find in this drawing must be brought to the attention of Michael Feris and Pines prior to commencement of work.
- All construction & materials to be in accordance with the relevant Australian Standards, the Building Code of Australia & Local Authority regulations.
- Timber framing to be in accordance with AS 1684.3-1999 UNO.
- Sche rules & termite parts used in 3D model only. Contractor to confirm quantities prior to tendering on project or ordering materials.

Drawing List		
Sheet Number	Sheet Name	Revision
A01	Title page	
A02	Working Conditions	
A03	Working on Site 100	
A04	Site Plan	
A05	Floor Plan - Level 1	
A06	Floor Plan - Level 2	
A07	Floor Plan - Level 3	
A08	Roof Plan - Deck	
A09	Roof Plan - Deck - Deck	
A10	Roof Plan - Deck	
A11	Roof Plan - Deck	
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A60	Roof Plan - Deck	

Consequence & Likelihood of Occurrence	Consequence & Likelihood of Occurrence					Consequence	Suggestive Action by Designer
	1	2	3	4	5		
Highly Probable	1	2	3	4	5	1. Significant - no damage, no safety risk 2. Minor - minor damage 3. Serious - considerable damage 4. Major - serious damage 5. Catastrophic - major damage, highly dangerous, death or serious injury	1. Design to reduce or control exposure, deterioration, risk where possible. Refer to relevant codes/standards for design. 2. Consider alternative design options to reduce risk or damage to identify critical or dangerous areas to identify, design or detail alternative control measures to reduce risk. 3. Design to reduce exposure, deterioration, risk where possible. Refer to relevant codes/standards for design. 4. Design to reduce exposure, deterioration, risk where possible. Refer to relevant codes/standards for design. 5. Design to reduce exposure, deterioration, risk where possible. Refer to relevant codes/standards for design.
Probable	1	2	3	4	5	1. Significant - no damage, no safety risk 2. Minor - minor damage 3. Serious - considerable damage 4. Major - serious damage 5. Catastrophic - major damage, highly dangerous, death or serious injury	1. Design to reduce or control exposure, deterioration, risk where possible. Refer to relevant codes/standards for design. 2. Consider alternative design options to reduce risk or damage to identify critical or dangerous areas to identify, design or detail alternative control measures to reduce risk. 3. Design to reduce exposure, deterioration, risk where possible. Refer to relevant codes/standards for design. 4. Design to reduce exposure, deterioration, risk where possible. Refer to relevant codes/standards for design. 5. Design to reduce exposure, deterioration, risk where possible. Refer to relevant codes/standards for design.
Possible	1	2	3	4	5	1. Significant - no damage, no safety risk 2. Minor - minor damage 3. Serious - considerable damage 4. Major - serious damage 5. Catastrophic - major damage, highly dangerous, death or serious injury	1. Design to reduce or control exposure, deterioration, risk where possible. Refer to relevant codes/standards for design. 2. Consider alternative design options to reduce risk or damage to identify critical or dangerous areas to identify, design or detail alternative control measures to reduce risk. 3. Design to reduce exposure, deterioration, risk where possible. Refer to relevant codes/standards for design. 4. Design to reduce exposure, deterioration, risk where possible. Refer to relevant codes/standards for design. 5. Design to reduce exposure, deterioration, risk where possible. Refer to relevant codes/standards for design.
Unlikely	1	2	3	4	5	1. Significant - no damage, no safety risk 2. Minor - minor damage 3. Serious - considerable damage 4. Major - serious damage 5. Catastrophic - major damage, highly dangerous, death or serious injury	1. Design to reduce or control exposure, deterioration, risk where possible. Refer to relevant codes/standards for design. 2. Consider alternative design options to reduce risk or damage to identify critical or dangerous areas to identify, design or detail alternative control measures to reduce risk. 3. Design to reduce exposure, deterioration, risk where possible. Refer to relevant codes/standards for design. 4. Design to reduce exposure, deterioration, risk where possible. Refer to relevant codes/standards for design. 5. Design to reduce exposure, deterioration, risk where possible. Refer to relevant codes/standards for design.
Very Unlikely	1	2	3	4	5	1. Significant - no damage, no safety risk 2. Minor - minor damage 3. Serious - considerable damage 4. Major - serious damage 5. Catastrophic - major damage, highly dangerous, death or serious injury	1. Design to reduce or control exposure, deterioration, risk where possible. Refer to relevant codes/standards for design. 2. Consider alternative design options to reduce risk or damage to identify critical or dangerous areas to identify, design or detail alternative control measures to reduce risk. 3. Design to reduce exposure, deterioration, risk where possible. Refer to relevant codes/standards for design. 4. Design to reduce exposure, deterioration, risk where possible. Refer to relevant codes/standards for design. 5. Design to reduce exposure, deterioration, risk where possible. Refer to relevant codes/standards for design.

Issue Sketch Design



RA6-N



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

Our reference: 1804-4780 SRA
Your reference: MCU/18/0007

7 February 2019

The 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 10 April 2018.

Applicant details

Applicant name:	Porkdig Pty Ltd
Applicant contact details:	C/ Planz Town Planning, PO Box 181 Edge Hill QLD 4870 susie@planztp.com

Location details

Street address:	1 Herberton Street, Mareeba; 255 Byrnes Street, Mareeba
Real property description:	701M3565; 702M3565
Local government area:	Mareeba Shire Council

Application details

Development permit	Material change of use for Service Station and Food & Drink Outlet
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Referral triggers

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

- 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				
TMR Layout Plan (664 – 1.60km)	Queensland Government Transport and Main Roads	31/01/2019	TMR18-24313 (500-1194)	A
19m Semi Fuel Tanker Access Existing Eastbound onto Herberton Street	CivilWalker Consulting Engineer	21.01.19	155-001-SK7	2
Access Crossovers (Commercial & Industrial Vehicle Crossing)	FNQROC	23/10/17	S1015	D

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

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

Yours sincerely



Brett Nancarrow
Manager (Planning)

cc Porkdig Pty Ltd, susie@planztp.com

1804-4780 SRA

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

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Material change of use		
10.9.4.2.4.1 - State transport corridors and future State transport corridors (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):		
Vehicular Access to state-controlled road		
1.	(a) The road access location, is to be located generally in accordance with TMR Layout Plan (664 – 1.60km) prepared by Queensland Government Transport and Main Roads, dated 31/01/2019, File Reference TMR18-24313 (500-1194), Issue A. (b) Road access works comprising of a sealed industrial crossover must be provided generally in accordance with the 19m Semi Fuel Tanker Access Existing Eastbound onto Herberton Street Plan, prepared by CivilWalker, dated 21.01.19, Drawing No 155-001-SK7 and Revision 2. (c) The road access works must be designed and constructed in accordance with Far North Queensland Regional Organisation of Councils (FNQROC) Standard Drawing S1015 – Access Crossovers (Commercial & Industrial Vehicle Crossing), dated 23/10/17, Revision D.	(a) At all times. (b) and (c): Prior to the commencement of use and to be maintained at all times.
Removal of redundant access		
2.	(a) The existing access located between Lot 701 on M3565 and Mareeba-Dimbulah Road (Byrnes Street) is to be permanently closed and removed. (b) The kerb and channelling between the pavement edge and the property boundary of the subject site must be reinstated in accordance with Far North Queensland Regional Council Organisation (FNQROC) Concrete Kerb and Channel, Standard Drawing S1000, dated 23/10/2017, Issue F at no cost to the Department of Transport and Main Roads.	Prior to the commencement of use.
Stormwater management		
3.	(a) Stormwater management of the development must ensure no worsening or actionable nuisance to the state-controlled road. (b) Any works on the land must not: <ul style="list-style-type: none"> i) create any new discharge points for stormwater runoff onto the state-controlled road; and ii) interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road. 	(a) and (b) At all times.

1804-4780 SRA

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- 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 maintain the safety and efficiency of the state-controlled road by reducing the number of road access.
- To ensure the impacts of stormwater events associated with development are minimised and managed to avoid creating any adverse impacts on the state-controlled road.

Attachment 3—Advice to the assessment manager

General advice	
Advertising Device	
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 that it creates a danger to traffic.</p>
Road Works Approval	
2.	<p>In accordance with section 33 of the <i>Transport Infrastructure Act 1994</i> (TIA), an applicant must obtain written approval from Department of Transport and Main Roads (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 Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.</p>

8.4 NEGOTIATED ADOPTED INFRASTRUCTURE CHARGES NOTICE - SND DEVELOPERS PTY LTD - MATERIAL CHANGE OF USE - SHORT-TERM ACCOMMODATION - LOT 71 SP136296 - 28 KEEBLE STREET, MAREEBA - MCU/18/0019

Date Prepared: 5 March 2019

Author: Senior Planner

- Attachments:**
1. Decision Notice dated 21 November 2018 [↓](#)
 2. Adopted Infrastructure Charges Notice dated 21 November 2018 [↓](#)
 3. Applicant’s written representations dated 14 January 2019 [↓](#)

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	SND Developers Pty Ltd	ADDRESS	28 Keeble Street, Mareeba
DATE OF REQUEST	14 January 2019	RPD	Lot 71 on SP136296
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Short-Term Accommodation		
FILE NO	MCU/18/0019	AREA	2,797m2
LODGED BY	Freshwater Planning Pty Ltd	OWNER	SND Developers Pty Ltd
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Medium Density Residential zone		
LEVEL OF ASSESSMENT	Impact Assessment		
SUBMISSIONS	3		

EXECUTIVE SUMMARY

Council approved a development application described in the above application details at its Ordinary Meeting held on 21 November 2018, subject to conditions.

The application was impact assessable and three (3) properly made submissions were received in response to public notification of the application.

Freshwater Planning Pty Ltd, on behalf of the applicant, has subsequently made written representations to Council requesting amendments to the adopted infrastructure charges notice (AICN) issued for this development.

Specifically, the applicant is seeking the removal of the infrastructure charges applied for the trunk transport and open space infrastructure networks. The basis of this request is the development's proximity to State controlled road (Byrnes Street) and the amount of open space provided within the development itself.

Council officers do not support the amendment of the AICN as the development conditions do not require the applicant to construct or provide trunk infrastructure, the cost of which could otherwise be credited against the AICN charges.

It is recommended that the request for a negotiated AICN be refused.

OFFICER'S RECOMMENDATION

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	SND Developers Pty Ltd	ADDRESS	28 Keeble Street, Mareeba
DATE OF REQUEST	14 January 2019	RPD	Lot 71 on SP136296
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Short-Term Accommodation		

and in accordance with the Planning Act 2016, the following:

- (A) The Adopted Infrastructure Charges Notice issued for Development Approval MCU/18/0019 on 21 November 2018 be maintained.

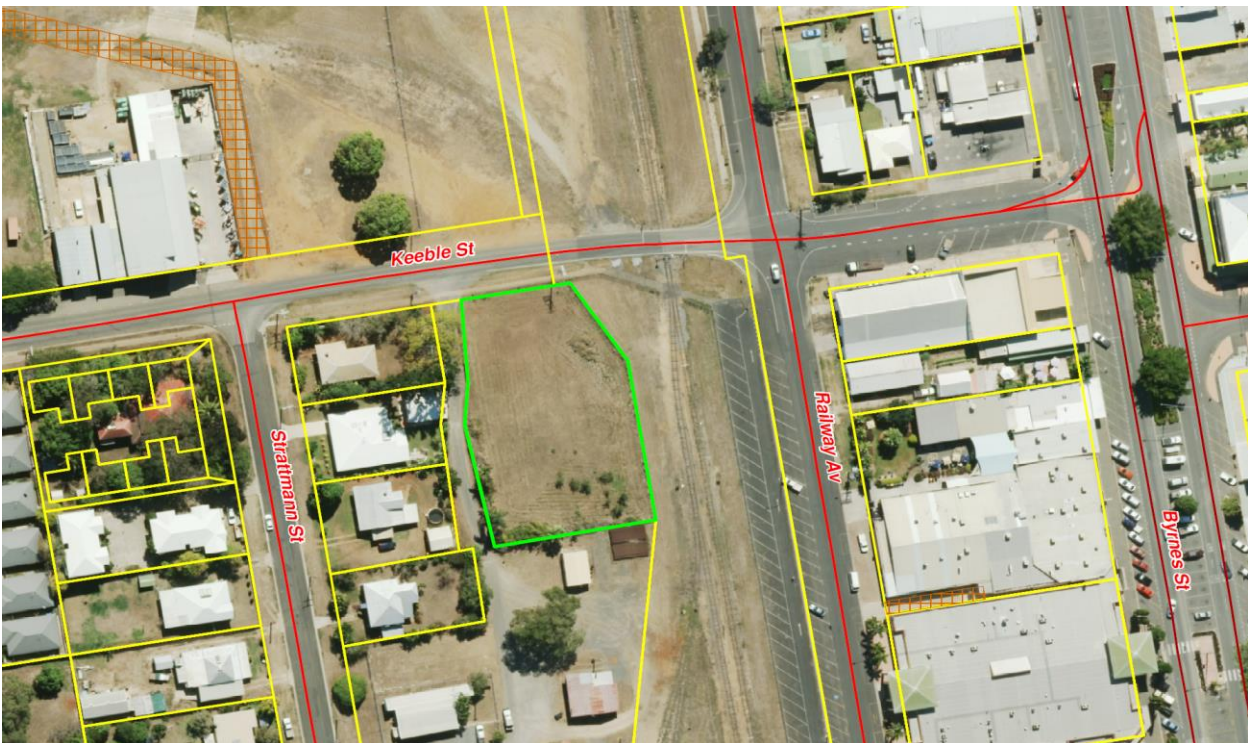
2. Advice of Council's decision issued to the applicant, submitters and referral agency."

THE SITE

The subject land is situated at 28 Keeble Street, Mareeba and is described as Lot 71 on SP136296. The land is irregular in shape having an area of 2,797m² and is zoned Medium Density Residential under the Mareeba Shire Council Planning Scheme 2016.

The land has approximately 24.45 metres frontage to Keeble Street. Keeble Street is constructed to a 6 metre wide asphalt sealed standard, with kerbing, for the entire frontage of the subject land. A 1 metre wide paved footpath extends along Keeble Street.

The subject land is vacant, flat and generally unconstrained by natural or physical features (vegetation, watercourses etc). All urban services can be made available to the subject land.



Map Disclaimer:

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



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All side and rear boundaries of the subject land adjoin railway corridor land. The active rail corridor is located immediately to the east and the railway works depot immediately to the south. An access driveway to the railway works depot extends along the site's entire western boundary.

Neighbouring allotments to the north are zoned Centre under the Mareeba Shire Council Planning Scheme 2016. The four (4) properties adjoining the western side of the railway works depot access driveway are zoned Medium Density Residential and are each developed with a single dwelling house.

BACKGROUND AND CONTEXT

Council at its Ordinary Meeting on 21 November 2018 approved the application made by Freshwater Planning Pty Ltd on behalf of SND Developers Pty Ltd for the issue of a development permit for Material Change of Use - Short-term Accommodation over land described as Lot 71 on SP136296, situated at 28 Keeble Street, Mareeba.

The approval was granted subject to conditions and the Decision Notice was issued on 21 November 2018 and is included as **Attachment 1**. An Adopted Infrastructure Charges Notice for this development approval was also issued on 21 November 2018 (**Attachment 2**).

Freshwater Planning Pty Ltd, on behalf of the applicant, has written to Council making representations (**Attachment 3**) in relation to the adopted infrastructure charges notice. Specifically, the applicant is seeking the removal of the infrastructure charges for the trunk transport and open space networks.

APPLICANT'S REPRESENTATIONS

Adopted Infrastructure Charges Notice

On 21 November 2018, an adopted infrastructure charges notice was issued for development approval MCU/18/0019.

The applicable infrastructure charges for the development are as follows:

Category	Use Charge	Unit of Measure	Charge Rate	No of Units	Amount
Proposal					
Development authorised under MCU/18/0019	Accommodation (short term)	Suite with 1-2 bed/room with no ensuite	\$6,000.00	22	\$132,000.00
		Suite with 3 or more bed	\$8,400.00	10	\$84,000.00
		Total			
Credit					
Existing Lot	Residential	Per Lot	\$18,340.00	1	\$18,340.00
TOTAL					\$197,660.00

Representation by Applicant

Freshwater Planning Pty Ltd have made the following representations on behalf of the applicant.

"The Decision Notice – Approval for a Material Change of Use – Short-Term Accommodation over the site was provided along with an Approved Adopted Infrastructure Charges Decision Notice. This Infrastructure Charges Decision Notice requires that the applicants pay a charge of \$197,660.00 in relation to the proposed Short-Term Accommodation. While the Infrastructure Charges are understood to be required to cater for the extra demand placed on the Council's Infrastructure, in this instance these Charges are considered to be extremely onerous on the Approved Development making the Development not viable in this current economic climate. The Approved Use is to facilitate the construction of Short-Term Accommodation within the Mareeba Township ensuring additional Accommodation Activities to support the surrounding Mareeba Township and environs. This helps to cement Mareeba as a Major Urban Area and Regional Centre of the Tablelands while providing a much needed Use within the Township.

The proponents of the Development have provided a Letter, which is attached to this Submission, in relation to the Adopted Infrastructure Charges for the Decision Notice. Below are some extracts taken from the provided and attached Letter from Jassar and Manesh:

Being an experienced Working Backpackers Hostel operator in North Queensland, we know there is a strong need for quality accommodation in Mareeba area. No doubt you are aware that not having enough good quality purpose built working backpackers in the area is giving rise to illegal share houses. We are trying to address this issue, along developing a place for farmers and workers to connect for mutual benefit. Farming in Mareeba area is growing with every day and it relies on manual labour to continue to thrive.

In order to build a quality safe accommodation that will look after the local area, the farmers, and the backpackers, we need help from the Mareeba Council in removing the overhead charges, so we can better utilise that money in building better facility instead. Currently the Conditioned Infrastructure Charges are extremely excessive and may result in the Development becoming not viable or at the very least require a reduction in the standard and amenity of the product being provided.

It is understood that the Infrastructure Charges are an aggregate of five specific areas which include Road Network; Water; Sewerage; Stormwater; and Open Space as each Development provides for additional demand on these Infrastructure. The proposed Negotiated Adopted Infrastructure Charges Notice request that Council remove the Open Space and Road Networks components of the Infrastructure Charges in this instance.

The proposed Short-Term Accommodation will provide for large Open Space areas that encompass sufficient room for activities, a BBQ area and a communal open space encompassing tables and the likes. It is considered that the provided Open Space Area totalling 1,061 m² (37.9%) delivers sufficient and substantial recreational areas within the site reducing the strain on the existing parklands within Mareeba. Attached to this Submission is an Annotated Site Plan from Humac Design clearly identifying the Open Space provided within the Approval. It is considered that the provided Open Space within the Approved Short-Term Accommodation provides for a significant supply close to the Central Business District of Mareeba. The Approved Open Space will provide specific requirements

for the targeted patrons of the site which is not currently provided within the site's immediate or surrounding vicinity.

The site is located at 28 Keeble Street, Mareeba which directly adjoins the Railway Corridor to the east and is surrounded by Railway owned Land. The site is accessed from Keeble Street off the Railway's Corridor and from Jacobsen Street prior to this Corridor. Byrnes Street intersects Jacobsen Street with Byrnes Street being a State Controlled Road. Therefore, to access the site from Cairns, Atherton or from the Mareeba CBD there is approximately 85 metres of Local Road Network to the site. Given that any patrons using this Short-Term Accommodation will be coming from the major centres outside Mareeba in addition to the site's proximity to the Mareeba CBD it is considered that in this instance, the provision of the Road Network's Infrastructure Charge to be not applicable.

The proposed Request for a Negotiated Adopted Infrastructure Charges Notice for the Approved Short-Term Accommodation to remove the Road Network and Open Space components of the Infrastructure Charges is considered appropriate and acceptable. The requirement for the Development to make a payment of \$197,660.00 for the much needed provision of Short-Term Accommodation within Mareeba to support its major and surrounding industries is not considered appropriate nor reasonable within this current economic climate. This is further supported within the proponent's attached Letter. It is considered that the removal of the Open Space and Road Network components of the Infrastructure Charges will result in a more viable development ensuring that additional Accommodation Activities, to support the surrounding Mareeba Township and environs, are provided and provided to a high standard.

NOTE: *If the requested action above requires an Amendment to the Decision Notice or to the Conditions of the Approval, then please consider this Representation to achieve and request the appropriate alteration of the provided Decision Notice."*

Response

The subject land is within the Priority Infrastructure Area as identified in the Mareeba Shire Council Local Government Infrastructure Plan.

Adopted Infrastructure Charges are based on Mareeba Shire Council's Adopted Infrastructure Charges Resolution (No. 1) 2017, which categorises the proposed Short-term accommodation land use within the 'Accommodation (short term)' charge category.

The 'Accommodation (short term)' charge category applies the following charge rates for a hotel or short-term accommodation:

- \$6,000 per suite (with 1 or 2 bedrooms), or
- \$8,400 per suite (with 3 or more bedrooms), or
- \$6,000 per bedroom (for a bedroom that is not within a suite)

The proposed development consists of 32 units, inclusive of the managers unit. Twenty-two (22) of the units are either not a suite or have 2 or less beds. The remaining ten (10) units have 3 or more beds.

A credit of \$18,340.00 applies to the existing vacant lot.

The applicable infrastructure charges for the development are as follows:

Category	Use Charge	Unit of Measure	Charge Rate	No of Units	Amount
Proposal					
Development authorised under MCU/18/0019	Accommodation (short term)	Suite with 1-2 bed/room with no ensuite	\$6,000.00	22	\$132,000.00
		Suite with 3 or more bed	\$8,400.00	10	\$84,000.00
		Total			\$216,000.00
Credit					
Existing Lot	Residential	Per Lot	\$18,340.00	1	\$18,340.00
TOTAL					\$197,660.00

The adopted infrastructure charges notice has been correctly calculated and represents the standard maximum charge applicable under Council’s Adopted Infrastructure Charges Resolution (No. 1) 2017.

The standard maximum charge is comprised of charges for the following infrastructure networks:

- water supply
- wastewater
- stormwater
- transport
- public parks and land for community facilities

The total charge of \$216,000 equates to \$43,200.00 per infrastructure network.

The applicant is requesting that Council consider the specific circumstances of this development and remove the *transport* and *public parks and land for community facilities* charge components.

Transport infrastructure

The subject land is located on Keeble Street, approximately 130 metres from the intersection of Byrnes Street (State controlled road) and Jacobsen Street. The subject land does not have direct frontage/access to a State controlled road which historically has been the justification for the removal of the transport infrastructure charge component.

Under Condition 4.3 of the development approval, the applicant is required to upgrade the development side of Keeble Street for the full frontage of the subject land. Condition 4.3 is as follows:

4.3 Frontage Works - Keeble Street

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

- (a) The developer is to construct kerb and channel on the development side of Keeble Street for the full frontage of the subject land;*
- (b) The applicant is to widen the existing asphalt seal on Keeble Street to the kerb and channel required by Condition 4.3(a);*
- (c) A concrete footpath minimum of 2.0m width must be constructed along the development side of Keeble Street for the full frontage of the subject land;*
- (d) Signage and line marking as per the Department of Transport and Main Roads Manual of Uniform Traffic control Devices (MUTCD);*
- (e) Footpath earthworks, topsoiling and turfing reinstatement of all disturbed footpath areas;*
- (f) Adjustments and relocations necessary to public utility services resulting from these works;*

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

Whilst Keeble Street is a busy collector road which currently facilitates access to the Mareeba State High School, Mareeba swimming pool, Davies Park, Bicentennial Lakes and numerous residential properties; it is not identified as trunk infrastructure under the LGIP.

The works required by Condition 4.3 are typical road frontage works imposed on all similar developments. These works are not of an extent (over and beyond) that would warrant their cost being credited towards the transport infrastructure charges.

The infrastructure charge for transport infrastructure should be maintained.

Public parks and land for community facilities infrastructure

The proposed development provides on-site open space sufficient to satisfy the requirements of the Accommodation Activities Code. This includes a BBQ area and a communal open space encompassing tables and the likes.

The development does not provide open space infrastructure above and beyond the code requirements. Council has previously allowed the reduction/removal of open space contributions where on-site facilities such as swimming pools are provided in addition to the meeting the standard code requirements.

The subject land is proximate to numerous open space facilities and it is probable that guests of the development will utilise these facilities.

The infrastructure charge for Public parks and land for community facilities should be maintained.

Recommended Action

No change will be made to the Adopted Infrastructure Charges Notice.

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

21 November 2018

Senior Planner: Brian Millard
 Direct Phone: 4086 4657
 Our Reference: MCU/18/0019
 Your Reference: F18/20

SND Developers Pty Ltd
 C/- Freshwater Planning Pty Ltd
 17 Barron View Drive
 FRESHWATER QLD 4870

Dear Applicant/s

Decision Notice

Planning Act 2016

I refer to your application and advise that on 21 November 2018, Council decided to approve the application in full subject to conditions.

Details of the decision are as follows:

APPLICATION DETAILS

Application No:	MCU/18/0019
Street Address:	28 Keeble Street, Mareeba
Real Property Description:	Lot 71 on SP136296
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

Type of Decision:	Approval
Type of Approval:	Development Permit for Material Change of Use - Short-term Accommodation
Date of Decision:	21 November 2018

CURRENCY PERIOD OF APPROVAL

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

Public Office: 65 Rankin Street, Mareeba QLD 4880. Postal address: PO Box 154, Mareeba QLD 4880

INFRASTRUCTURE

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

ASSESSMENT MANAGER CONDITIONS

(A) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

1. Development must be carried out generally 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.
 - 2.3 Prior to the commencement of use, the applicant must provide a letter from the Department of State Development, Manufacturing, Infrastructure and Planning confirming that the department is satisfied their conditions are complied with and/or that the department has no objections to the commencement of the use.
3. General
 - 3.1 The 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 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 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 The use, including the unloading or loading of goods, is not to include the use of any sound projecting objects or systems that may cause a nuisance to adjoining properties.
- 3.5 Waste Management
- On site refuse storage area 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.
- 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.
- 3.6 Maximum Accommodation Density
- The total number of people accommodated by the approved development at any one time must not exceed 148 persons, exclusive of the on-site manager.
- 3.7 No amplified entertainment above 75dB(C) shall be carried out on the subject land.

3.8 Privacy

Any windows on the western side of the managers unit must be screened using fixed external blinds/screens so that no windows have direct views into Lots 72 to 74 on SP136296.

3.9 Amenity

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

3.10 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.

4. Infrastructure Services and Standards

4.1 Access

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

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. The Stormwater Management Plan and Report must detail the stormwater drainage for the whole 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 - Keeble Street

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

- (a) The developer is to construct kerb and channel on the development side of Keeble Street for the full frontage of the subject land;
- (b) The applicant is to widen the existing asphalt seal on Keeble Street to the kerb and channel required by Condition 4.3(a);
- (c) A concrete footpath minimum of 2.0m width must be constructed along the development side of Keeble Street for the full frontage of the subject land;
- (d) Signage and line marking as per the Department of Transport and Main Roads Manual of Uniform Traffic control Devices (MUTCD);
- (e) Footpath earthworks, topsoiling and turfing reinstatement of all disturbed footpath areas;
- (f) Adjustments and relocations necessary to public utility services resulting from these works;

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

4.4 Car Parking/Internal Driveways

The developer must ensure that the development is provided with a minimum of 25 on-site car parking spaces, two (2) 22 seater bus parking bays and eight (8) bicycle 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/vehicle manoeuvring areas must be concrete, asphalt or bitumen 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;

- Australian Standard AS2890.3 – Bicycle Parking Facilities.

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, 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:

- landscaping strips within the subject land, along the Keeble Street frontage and all side and rear boundaries.
- Trees that will grow to provide shade must be planted throughout the car park area and around its perimeter at the rate of one (1) tree per ten (10) car parking spaces or part thereof; or shade structures are provided over 40% of the car parking spaces.

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 Fencing

Prior to the commencement of the use, the applicant/developer must erect a 1.8 metre high, neutral colour, timber paling fence along the full southern and western boundaries of the subject land.

The fencing must comply with Queensland Rail drawing number QR-C-S3231 - 'Standard Timber Fence 1800mm High Timber Paling Fence'.

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.

4.7 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.

4.8 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) Prior to the issue of a development permit for operational works, the developer must submit engineering plans and specifications for the connection of the development to Council's reticulated water supply system demonstrating compliance with Condition 4.8(a).

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

- (c) 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.

4.9 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.

REFERRAL AGENCIES

The referral agencies applicable to this application are:

Aspect of development stated in schedule 20		
<p>Development application for an aspect of development stated in schedule 20 that is assessable development under a local categorising instrument or section 21, if—</p> <p>(a) the development is for a purpose stated in schedule 20, column 1 for the aspect; and</p> <p>(b) the development meets or exceeds the threshold—</p> <p>(i) for development in local government area 1—stated in schedule 20, column 2 for the purpose; or</p> <p>(ii) for development in local government area 2—stated in schedule 20, column 3 for the purpose; and</p> <p>(c) for development in local government area 1—the development is not for an accommodation activity or an office at premises wholly or partly in the excluded area</p> <p>However, if the development is for a combination of purposes stated in the same item of schedule 20, the threshold is for the combination of purposes and not for each individual purpose.</p>	<p>Schedule 10, Part 3, Division 4, Subdivision 1, Table 1</p>	<p>State Assessment & Referral Agency (SARA) Department of State Development, Manufacturing, Infrastructure and Planning PO Box 2358 Cairns Qld 4870</p> <p>CairnsSARA@dsdmip.qld.gov.au</p>

DECISION NOTICE

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

A copy of any referral agency conditions are attached.

APPROVED PLANS

The following plans are Approved plans for the development:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
1323-A-00	Cover Sheet	Humac Design	-
1323-A-01B	Site Plan	Humac Design	11.09.2018
1323-A-02B	Floor Plan	Humac Design	11.09.2018
1323-A-03B	First Floor Plan	Humac Design	11.09.2018
1323-A-04B	Elevations	Humac Design	11.09.2018

ADVISORY NOTES

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

(A) ASSESSMENT MANAGER'S ADVICE

- (a) An Adopted Infrastructure Charges Notice has been issued with respect to the approved development. The Adopted Infrastructure Charges Notice details the type of infrastructure charge/s, the amount of the charge/s and when the charge/s are payable.
- (b) The Adopted Infrastructure Charges Notice does not include all charges or payments that are payable with respect to the approved development. A number of other charges or payments may be payable as conditions of approval. The

applicable fee is set out in Council's Fees & Charges Schedule for each respective financial year.

(c) Water Meters/Water Service Connection

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

(d) Property Connection to existing sewer main

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

(e) Food Premises

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

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

(g) Compliance with applicable codes/policies

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

(h) Compliance with Acts and Regulations

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

(i) Environmental Protection and Biodiversity Conservation Act 1999

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

(j) Cultural Heritage

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

(B) REFERRAL AGENCY CONDITIONS

Department of State Development, Manufacturing, Infrastructure and Planning conditions dated 15 October 2018

FURTHER DEVELOPMENT PERMITS REQUIRED

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

SUBMISSIONS

There were three (3) properly made submissions about the application. In accordance with the *Planning Act 2016*, the name, residential or business address, and electronic address of the principal submitter for each properly made submission is provided below;

Name of principal submitter	Address
1. Foodpac Pty Ltd	PO Box 60, Finch Hatton QLD 4756
2. C & S Shephard	3 Strattmann Street, Mareeba QLD 4880
3. T Wheatley (support)	PO Box 1570, Mareeba QLD 4880

RIGHTS OF APPEAL

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

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

DECISION NOTICE

MCU/18/0019
Page 12**OTHER DETAILS**

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

Yours faithfully

BRIAN MILLARD
SENIOR PLANNER

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

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

Mareeba Shire Council

DECISION NOTICE

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DESIGNING CLASSIFICATION C2

PROJECT: HUI/MAC
AREA: 1000 SQ M
DATE: 15/03/2019
PROJECT NO.: HUI/MAC/18/0019

CLIENT: HUI/MAC
ADDRESS: 8 HEBBLE STREET, MAREEBA, QLD 4870
PROJECT NO.: HUI/MAC/18/0019

DATE: 15/03/2019
SCALE: 1:100

PROJECT NO.: HUI/MAC/18/0019

PROJECT NAME: PROPOSED SHORT-TERM ACCOMMODATION
ADDRESS: 8 HEBBLE STREET, MAREEBA, QLD 4870
PROJECT NO.: HUI/MAC/18/0019

DESIGNER: HUI/MAC DESIGN
ADDRESS: 10/11 BURNING TREE DRIVE, MAREEBA, QLD 4870
PHONE: (07) 4072 1234
EMAIL: hui@huimacdesign.com.au
WEBSITE: www.huimacdesign.com.au

ASSESSMENT ISSUE

REVISIONS

NO.	DATE	DESCRIPTION
1	15/03/2019	ISSUED FOR TENDERS

Mareeba Shire Council

DECISION NOTICE

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Architectural floor plan for proposed short-term accommodation at 8 Hebble Street, Mareeba. The plan shows a multi-room building with various rooms, corridors, and an outdoor area. A north arrow and a scale of 1:50 are provided. The drawing is dated 17th Feb 2018.

DESIGNING CLASSIFICATION: C2

CLASS	AREA	PERMITS
RESIDENTIAL	3000	2018/0019
COMMERCIAL	1000	2018/0019
INDUSTRIAL	500	2018/0019
RECREATION	200	2018/0019
OTHER	100	2018/0019
TOTAL	5800	2018/0019

DESIGNER'S DECLARATION

I, the undersigned, being a duly qualified architect, hereby certify that this plan and specification is a true and correct copy of the design as shown to me by the client and as approved by me.

DATE: 17th Feb 2018
BY: [Signature]

PROJECT INFORMATION:
Project Name: PROPOSED SHORT-TERM ACCOMMODATION
Address: 8 HEBBLE STREET, MAREEBA
Drawing No: 1801-A402
Scale: 1:50
Date: 17th Feb 2018

HUIMAC DESIGN
HUI MAC DESIGN PTY LTD
11/150 RIVERVIEW DRIVE, MAREEBA QLD 4870
PH: 07 4061 3000

ASSESSMENT SHEET

NO.	DATE	REVISIONS

Mareeba Shire Council

DECISION NOTICE

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Architectural drawings showing four elevations of a proposed short-term accommodation building. The drawings include elevation labels (Elevation 1, 2, 3, 4) and a title block with project details.

DESIGN WING CLASSIFICATION: C2	PROJECT NAME: PROPOSED SHORT-TERM ACCOMMODATION	DATE: 1 FEB 2018
	ADDRESS: 2 HEALE STREET, MAREEBA SHIRE	SCALE: 1:100
	DESIGNER: HUI/MAC DESIGN	PROJECT NO: 1801-004
	DATE: 1 FEB 2018	
	SCALE: 1:100	
	PROJECT NO: 1801-004	

Mareeba Shire Council

DECISION NOTICE

MCU/18/0019
Page 18

Referral Agency Response

RAS-N



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

Our reference: 1808-6659 SRA
Your reference: MCU/18/0019

15 October 2018

The 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 8 August 2018.

Applicant details

Applicant name: SND Developers Pty Ltd
C/- Freshwater Planning Pty Ltd
Applicant contact details: 17 Barron View Drive
Freshwater QLD 4870
freshwaterplanning@outlook.com

Location details

Street address: 28 Keeble Street, Mareeba
Real property description: Lot 71 on SP136296
Local government area: Mareeba Shire Council

Application details

Development permit: Material Change of Use for Short-term Accommodation

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

Fitzroy/Central regional office
Level 2, 209 Bosover Street,
Rockhampton
PO Box 113, Rockhampton QLD 4700

Page 1 of 5

Mareeba Shire Council

DECISION NOTICE

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1808-6659 SRA

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 applicant

The department offers advice about the application to the applicant—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				
Site Plan (as amended in red)	HUMAC Design	11/09/2018	1323-A-01	B

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

For further information please contact Haidar Etemadi, Planning Officer, on (07) 4924 2915 or via email RockhamptonSARA@dsdmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Anthony Walsh
Manager Planning

cc 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 applicant
Approved plans and specifications

1808-6659 DRA

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Material change of use		
State transport infrastructure and railway corridor—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of Department 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):		
1.	The setback from the railway corridor must be provided generally in accordance with the following plan: <ul style="list-style-type: none"> Site Plan prepared by HUMAC Design dated 11 September 2018, reference 1323-A-01 and revision B, as amended in red to show the setback extent from the railway corridor boundary. 	Prior to the commencement of use and to be maintained at all times.
2.	Any excavation, filling/backfilling/compaction, retaining structures, batters, stormwater management measures and other works involving ground disturbance must not encroach upon or de-stabilise the railway corridor, including all transport infrastructure or the land supporting this infrastructure, or cause similar adverse impacts.	At all times.
3.	<p>(a) Stormwater management of the development must ensure no worsening or actionable nuisance to the railway corridor.</p> <p>(b) Any works on the land must not:</p> <ul style="list-style-type: none"> (i) create any new discharge points for stormwater runoff onto the railway corridor; (ii) interfere with and/or cause damage to the existing stormwater drainage on the railway corridor; (iii) surcharge any existing culvert or drain on the railway corridor; (iv) reduce the quality of stormwater discharge onto the railway corridor. <p>(c) RPEQ certification with supporting documentation must be provided to the Program Delivery and Operations Unit, Department of Transport and Main Roads, Far North Queensland Region (Far.North.Queensland.IDAS@tmr.qld.gov.au) confirming that the development has been constructed in accordance with parts (a) and (b) of this condition.</p>	<p>(a) At all times.</p> <p>(b) At all times.</p> <p>(c) Prior to the commencement of use.</p>
4.	Fencing must be provided along the eastern, western and southern site boundaries with the railway corridor in accordance with: <ul style="list-style-type: none"> Queensland Rail drawing number QR-C-S3231 – ‘Standard Timber Fence 1800mm High Timber Paling Fence’, or Queensland Rail drawing number QR-C-S3230 – ‘Standard – Fencing 1.8m High Chain Link Security Fence without Rails’. 	Prior to the commencement of use and to be maintained at all times.

DECISION NOTICE

MCU/18/0019
Page 21

1808-6659 SRA

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are to ensure:

- the development is setback from the railway corridor generally in accordance with the plans of development submitted with the application
- the development and its construction does not cause adverse structural impacts on state-transport infrastructure
- that the impacts of stormwater events associated with development are minimised and managed to avoid creating any adverse impacts on the state-transport corridor
- that there is no unauthorised access onto the transport corridor and to protect impacts on the transport corridor.

DECISION NOTICE

MCU/18/0019
Page 22

1808-6659 SRA

Attachment 3—Advice to the applicant

<i>Transport Infrastructure Act 1994 – Works on a railway</i>	
1.	<p>Under section 255 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the railway manager to carry out works in or on a railway corridor or otherwise interfere with the railway or its operations. Please contact the Queensland Rail Property Team at developmentenquiries@qr.com.au or on telephone number (07) 3072 1068 in relation to this matter.</p> <p>In particular, the applicant should contact Queensland Rail regarding the removal and installation of fencing along the site boundary with the railway corridor and any service/utility connections required in the railway corridor.</p> <p>Please be advised that this concurrence agency response does not constitute an approval under section 255 of the <i>Transport Infrastructure Act 1994</i> and that such approvals need to be separately obtained from the relevant railway manager.</p>

DECISION NOTICE

MCU/18/0019
Page 23

Setback extent from the railway corridor

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE
SARA ref: 1809-4659 SRA
Date: 15/10/2018

Amended in red by SARA on
15/10/2018

HUIMAC DESIGN
15/10/2018

PROPOSED SHORT-TERM ACCOMMODATION
21 REBBLE STREET,
MAREEBA, MAREEBA SH
Site No. 1809-4659 SRA
Date: 15/10/2018

ASSESSMENT SHEET

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Mareeba Shire Council

Appeal Rights

PLANNING ACT 2016 & THE PLANNING REGULATION 2017

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 of the *Planning Act 2016* states –
- (a) Matters that may be appealed to –
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) The person-
 - (i) who may appeal a matter (**the appellant**); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.

(Refer to Schedule 1 of the *Planning Act 2016*)

- (2) An appellant may start an appeal within the appeal period.
- (3) The **appeal period** is –
 - (a) for an appeal by a building advisory agency – 10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal – at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises – 20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice – 20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given – 30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (f) for any other appeal – 20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note –

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt. It is declared that an appeal against an infrastructure charges notice must not be about-

- (a) the adopted charge itself; or
- (b) for a decision about an offset or refund-
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that-
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to –
 - (a) the respondent for the appeal ; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, table 1, item 1 – each principal submitter for the development application; and
 - (d) for and appeal about a change application under schedule 1, table 1, item 2 – each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
 - (f) for an appeal to the P&E Court – the chief executive; and
 - (g) for an appeal to a tribunal under another Act – any other person who the registrar considers appropriate.
- (4) The *service period* is –
 - (a) if a submitter or advice agency started the appeal in the P&E Court – 2 business days after the appeal has started; or
 - (b) otherwise – 10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

231 Other appeals

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section –
decision includes-
 - (a) conduct engaged in for the purpose of making a decision; and

-
- (b) other conduct that relates to the making of a decision; and
 - (c) the making of a decision or failure to make a decision; and
 - (d) a purported decision ; and
 - (e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter-

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the Judicial Review Act 1991 or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with the rules of the P&E Court.

65 Rankin Street
 PO Box 154 MAREEBA QLD 4880
P: 07 4086 4657
F: 07 4092 3323

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

Council Ref: MCU/18/0019
 Our Ref: BM:nj
 Your Ref: F18/20

21 November 2018

SND Developers Pty Ltd
 C/- Freshwater Planning Pty Ltd
 17 Barron View Drive
 FRESHWATER QLD 4870

Dear Applicant/s

Adopted Infrastructure Charges Notice *Planning Act 2016*

I wish to advise that the attached Infrastructure Charges Notice for the above approved development has been issued by Council.

APPLICATION DETAILS

Application No:	MCU/18/0019
Street Address:	28 Keeble Street, Mareeba
Real Property Description:	Lot 71 on SP136296
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

Type of Decision:	Approval
Type of Approval:	Development Permit for Material Change of Use - Short-term Accommodation
Date of Decision:	21 November 2018

Rights of Appeal

Attached is an extract from the *Planning Act 2016* which details your appeal rights regarding the issue of this Notice.

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

Public Office: 65 Rankin Street, Mareeba QLD 4880. Postal address: PO Box 154, Mareeba QLD 4880



PO Box 154
Mareeba QLD 4880

65 Rankin Street
Mareeba QLD 4880

Adopted Infrastructure Charges Notice

To: SND Developers Pty Ltd
Date of Issue: 21 November 2018
Application Number: MCU/18/0019
Type of Approval: Development Permit for Material Change of Use
 - Short-term Accommodation

This infrastructure charges notice is levied by Mareeba Shire Council.

The charge levied under this infrastructure charges notice has been worked out by applying the Adopted Infrastructure Charges Resolution (No. 1) 2017 which took effect on 1 July 2017. The charge was calculated as follows:

Category	Use Charge	Unit of Measure	Charge Rate	No of Units	Amount
Proposal					
Development authorised under MCU/18/0019	Accommodation (short term)	Suite with 1-2 bed/room with no ensuite	\$6,000.00	22	\$132,000.00
		Suite with 3 or more bed	\$8,400.00	10	\$84,000.00
		Total			
Credit					
Existing Lot	Residential	Per Lot	\$18,340.00	1	\$18,340.00
TOTAL					\$197,660.00

Enquiries regarding this infrastructure charges notice can be made by contacting Council's Senior Planner on (07) 4086 4657.

Land to which the levied charge applies	Site Address	28 Keeble Street, Mareeba
	Real Property Description	Lot 71 on SP136296

Current amount of the levied charge	Total adopted infrastructure charge	\$197,660.00
--	--	---------------------

Automatic increase provision	The amount of the levied charge will be escalated from the date of the notice to the payment date in accordance with the Adopted Infrastructure Charges Resolution No. 1 of 2017 which took effect on 1 July 2017.
Payment date pursuant to section 122 of the Planning Act 2016	The levied charge here applies for material change of use. As such the levied charge becomes payable when the change happens.
Offset/refund	Not applicable

Information Notice

In accordance with section 121 of the *Planning Act 2016*, the following is the information notice about the Council’s decision to give this infrastructure charges notice.

A development approval has been given in relation to the land the subject of this infrastructure charges notice, for which an adopted charge applies for providing the trunk infrastructure for the development. Council is entitled to levy a charge and has decided to do so here as there will be additional demand placed upon the trunk infrastructure that will be generated by the development.

Planning Act 2016

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

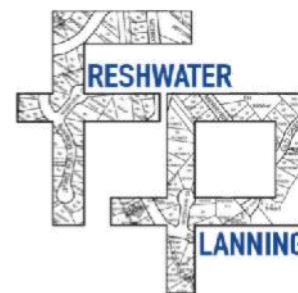
- (1) Schedule 1 states-
 - (a) matters that may be appealed to-
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person-
 - (i) who may appeal a matter (the **appellant**); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The **appeal period** is-
 - (a) for an appeal by a building advisory agency-10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal-at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice-20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given-30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (f) for any other appeal-20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note- See the P&E Court Act for the court’s power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.

- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about-
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund-
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution

Your Ref: MCU/18/0019
Our Ref: F18/20



14 January, 2019

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

Attention: Brian Millard
Regional Land Use Planning Group

Dear Sir,

RE: DEVELOPMENT APPLICATION MCU/18/0019
REQUEST FOR A NEGOTIATED ADOPTED INFRASTRUCTURE CHARGES DECISION NOTICE
APPLICATION FOR A MATERIAL CHANGE OF USE – SHORT-TERM ACCOMMODATION
LOT 71 ON SP136296, 28 KEEBLE STREET, MAREEBA.

I refer to the Mareeba Shire Council's Adopted Infrastructure Charges Decision Notice (Council's Ref: MCU/18/0019) dated 21 November, 2018 and the Request to Suspend the Applicant's Appeal Period dated 12 December, 2018. This letter offers Representations for a Negotiated Infrastructure Charges Decision Notice – Approval under Subdivision 5 Section 125 of the Planning Act, 2016.

The Decision Notice – Approval for a Material Change of Use – Short-Term Accommodation over the site was provided along with an Approved Adopted Infrastructure Charges Decision Notice. This Infrastructure Charges Decision Notice requires that the applicants pay a charge of \$197,660.00 in relation to the proposed Short-Term Accommodation. While the Infrastructure Charges are understood to be required to cater for the extra demand placed on the Council's Infrastructure, in this instance these Charges are considered to be extremely onerous on the Approved Development making the Development not viable in this current economic climate. The Approved Use is to facilitate the construction of Short-Term Accommodation within the Mareeba Township ensuring additional Accommodation Activities to support the surrounding Mareeba Township and environs. This helps to cement Mareeba as a Major Urban Area and Regional Centre of the Tablelands while providing a much needed Use within the Township.

The proponents of the Development have provided a Letter, which is attached to this Submission, in relation to the Adopted Infrastructure Charges for the Decision Notice. Below are some extracts taken from the provided and attached Letter from Jassar and Manesh:

Being an experienced Working Backpackers Hostel operator in North Queensland, we know there is a strong need for quality accommodation in Mareeba area. No doubt you are aware that not having enough good quality purpose built working backpackers in the area is giving rise to illegal share houses. We are trying to address this issue, along developing a place for farmers and workers to connect for mutual benefit. Farming in Mareeba area is growing with every day and it relies on manual labour to continue to thrive.

In order to build a quality safe accommodation that will look after the local area, the farmers, and the backpackers, we need help from the Mareeba Council in removing the overhead charges, so we can better utilise that money in building better facility instead. Currently the Conditioned Infrastructure Charges are extremely excessive and may result in the Development becoming not viable or at the very least require a reduction in the standard and amenity of the product being provided.

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

It is understood that the Infrastructure Charges are an aggregate of five specific areas which include Road Network; Water; Sewerage; Stormwater; and Open Space as each Development provides for additional demand on these Infrastructure. The proposed Negotiated Adopted Infrastructure Charges Notice request that Council remove the Open Space and Road Networks components of the Infrastructure Charges in this instance.

The proposed Short-Term Accommodation will provide for large Open Space areas that encompass sufficient room for activities, a BBQ area and a communal open space encompassing tables and the likes. It is considered that the provided Open Space Area totalling 1,061 m² (37.9%) delivers sufficient and substantial recreational areas within the site reducing the strain on the existing parklands within Mareeba. Attached to this Submission is an Annotated Site Plan from Humac Design clearly identifying the Open Space provided within the Approval. It is considered that the provided Open Space within the Approved Short-Term Accommodation provides for a significant supply close to the Central Business District of Mareeba. The Approved Open Space will provide specific requirements for the targeted patrons of the site which is not currently provided within the site's immediate or surrounding vicinity.

Page
2

The site is located at 28 Keeble Street, Mareeba which directly adjoins the Railway Corridor to the east and is surrounded by Railway owned Land. The site is accessed from Keeble Street off the Railway's Corridor and from Jacobsen Street prior to this Corridor. Byrnes Street intersects Jacobsen Street with Byrnes Street being a State Controlled Road. Therefore, to access the site from Cairns, Atherton or from the Mareeba CBD there is approximately 85 metres of Local Road Network to the site. Given that any patrons using this Short-Term Accommodation will be coming from the major centres outside Mareeba in addition to the site's proximity to the Mareeba CBD it is considered that in this instance, the provision of the Road Network's Infrastructure Charge to be not applicable.

The proposed Request for a Negotiated Adopted Infrastructure Charges Notice for the Approved Short-Term Accommodation to remove the Road Network and Open Space components of the Infrastructure Charges is considered appropriate and acceptable. The requirement for the Development to make a payment of \$197,660.00 for the much needed provision of Short-Term Accommodation within Mareeba to support its major and surrounding industries is not considered appropriate nor reasonable within this current economic climate. This is further supported within the proponent's attached Letter. It is considered that the removal of the Open Space and Road Network components of the Infrastructure Charges will result in a more viable development ensuring that additional Accommodation Activities, to support the surrounding Mareeba Township and environs, are provided and provided to a high standard.

NOTE: If the requested action above requires an Amendment to the Decision Notice or to the Conditions of the Approval, then please consider this Representation to achieve and request the appropriate alteration of the provided Decision Notice.

This completes this Request for a Negotiated Decision of the Development Approval. Please do not hesitate to contact me, in the first instance, should you require further information in relation to the matter.

Yours faithfully,



MATTHEW ANDREJIC

FRESHWATER PLANNING PTY LTD

P: 0402729004

E: FreshwaterPlanning@outlook.com

17 Barron View Drive, FRESHWATER QLD 4870



07 December 2018

Dear Brian,

This is in relation to Adopted Infrastructure Charges in Decision Notice MCU/18/0019.

Being an experienced Working Backpackers Hostel operator in North Queensland, we know there is a strong need for quality accommodation in Mareeba area. No doubt you are aware that not having enough good quality purpose built working backpackers in the area is giving rise to illegal share houses. We are trying to address this issue, along developing a place for farmers and workers to connect for mutual benefit. Farming in Mareeba area is growing with every day and it relies on manual labour to continue to thrive. Working backpacker men and women are a great way to address the labour need of these farms.

There is also cultural and financial benefit to the town area by having this accommodation close to CBD. This also helps attract more backpackers to the area where they aren't driving for kilometres from their accommodation to get to the nearest town. We also intend on utilising local tradesmen in building this facility which again provides further benefit to the local economy.

We as an operator know what is required to cater for the needs of local farmers looking for labour and the backpackers wanting to work in those farms. In order to build a quality safe accommodation that will look after the local area, the farmers, and the backpackers, we need help from the Mareeba Council in removing the overhead charges, so we can better utilise that money in building better facility instead. Currently the Conditioned Infrastructure Charges are extremely excessive and may result in the Development becoming not viable or at the very least require a reduction in the standard and amenity of the product being provided.

I kindly request you to review the infrastructure charges in light with information above.

If you need any further information, please feel free to call me anytime.

Yours truly,

Yadwinder Singh
0488198578

Jassar & Manesh

33 Redden Street, Portsmith QLD 4870

DESIGN WIND CLASSIFICATION C2



LANDSCAPE PLAN
SCALE 1:100

ASSESSMENT ISSUE

REVISIONS	DATE



HUMAC DESIGN
 HUMAC DESIGN | Po Box 9737 | Suite F11, 12 - 14 Lake St.
 Cairns, Q. 4870 | p: 07 4021 7087 | m: 0439 713 609
 www.humacdesign.com.au | info@humacdesign.com.au | 1274881

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Project: **PROPOSED SHORT-TERM ACCOMODATION
28 KEEBLE STREET,
MAREEBA**
 Client Name: **JASSAR & MANESH**
 Drawing Title: **LANDSCAPE PLAN**

Drawn By: **SR**
 Checked By: **SR**
 Scale: **1:100 AT A1**
 Revision:
 Sheet No.: **1323-SK01**

8.5 ADOPTED INFRASTRUCTURE CHARGES RESOLUTION (NO.1) 2019

Date Prepared: 7 March 2019

Author: Senior Planner

Attachments: 1. [Adopted Infrastructure Charges Resolution \(No.1\) 2019](#) ↓
2. [Adopted Infrastructure Charges Resolution \(No.1\) 2019 Table 1](#) ↓

EXECUTIVE SUMMARY

This report presents Adopted Infrastructure Charges Resolution (No.1) 2019 for Council's consideration and endorsement.

Adopted Infrastructure Charges Resolution (No.1) 2019 forms Attachments 1 and 2 of this report.

RECOMMENDATION

That Council under section 113 of the Planning Act 2016 adopt Adopted Infrastructure Charges Resolution (No.1) 2019 to have effect on and from 19 March 2019."

BACKGROUND

Local governments may, by resolution, adopt charges for providing trunk infrastructure for development. They can also levy different infrastructure charge amounts for local government areas and provide for the indexation of a levied charge. In order to do this, a local government needs to pass an adopted infrastructure charges resolution (AICR) as set out in Section 113 of the *Planning Act 2016 (PA)*.

Mareeba Shire Council passed *Adopted Infrastructure Charges Resolution (No.1) 2017* on 19 April 2017, and this resolution remains in effect.

Adopted Infrastructure Charges Resolution (No.1) 2019 will replace *Adopted Infrastructure Charges Resolution (No.1) 2017*. *Adopted Infrastructure Charges Resolution (No.1) 2019* is established using the base infrastructure charge rates from the 2018/2019 schedule of fees and charges and reflects the Mareeba Shire Council Local Government Infrastructure Plan adopted in late 2018.

RISK IMPLICATIONS**Financial**

Adoption of the *Adopted Infrastructure Charges Resolution (No.1) 2019* will allow Council to levy infrastructure charges to fund trunk infrastructure planned under the Mareeba Shire Council Local Government Infrastructure Plan.

Infrastructure and Assets

Adoption of the *Adopted Infrastructure Charges Resolution (No.1) 2019* will allow Council to levy infrastructure charges to fund trunk infrastructure planned under the Mareeba Shire Council Local Government Infrastructure Plan.

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Adoption of the *Adopted Infrastructure Charges Resolution (No.1) 2019* will allow Mareeba Shire Council to continue to levy infrastructure charges for assessable development within the Local Government area.

FINANCIAL AND RESOURCE IMPLICATIONS***Capital***

Nil.

Operating

Nil.

LINK TO CORPORATE PLAN

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.

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.

IMPLEMENTATION/COMMUNICATION

Adopted Infrastructure Charges Resolution (No.1) 2019 will be uploaded to Council's website on the 19 March 2019 and will have effect on and from the 19 March 2019.

Adopted Infrastructure Charges Resolution (No. 1) 2019

Mareeba Shire Council

Dated 19 March 2019

Disclaimer

Information contained in this document is based on available information at the time of writing. All figures and diagrams are indicative only and should be referred to as such. While the Mareeba Shire Council has exercised reasonable care in preparing this document it does not warrant or represent that it is accurate or complete. Council or its officers accept no responsibility for any loss occasioned to any person acting or refraining from acting in reliance upon any material contained in this document

Mareeba Shire Council Adopted Infrastructure Charges Resolution (No. 1) 2019**PART 1 PRELIMINARY****1.1 Title**

This resolution may be cited as the *Mareeba Shire Council Adopted Infrastructure Charges Resolution (No.1) 2019*.

1.2 Planning Act 2016

This resolution is made under Section 113 of the *Planning Act 2016*.

Any reference to *the Act* in this resolution means the *Planning Act 2016*.

1.3 Effect

This resolution and an adopted charge under this resolution takes effect on and from 19 March 2019.

1.4 Purpose of the resolution

The purpose of the resolution is to:

- a) Adopt charges (each an **adopted charge**) for the purpose of determining a levied charge for development for funding the cost of the trunk infrastructure networks identified in the Mareeba Shire Council Local Government Infrastructure Plan (LGIP), namely:
 - i. water supply;
 - ii. wastewater;
 - iii. stormwater;
 - iv. transport;
 - v. public parks and land for community facilities.
- b) State other matters relevant to the adopted charge and infrastructure charges;
- c) Include a method for working out the cost of infrastructure the subject of an offset or refund; and
- d) Include criteria for deciding a conversion application.

1.5 Application to the local government area

This resolution applies to the entire Mareeba Shire Council Local Government Area.

PART 2 RELATIONSHIP WITH THE PLANNING REGULATION

2.1 Relationship to the prescribed amount

In accordance with Section 114 of *the Act*, this resolution adopts a charge rate for particular development that is not more than the maximum adopted charge for providing trunk infrastructure for the development as prescribed by the *Planning Regulation 2017* and adopts different charges for particular development in different parts of the local government area (as detailed in Clause 3.2).

Schedule 16 of the *Planning Regulation 2017* states the prescribed amount for each adopted charge for providing trunk infrastructure for the development.

PART 3 ADOPTED INFRASTRUCTURE CHARGE

3.1 Development subject to infrastructure charges

Subject to Clause 3.2 and the provisions of *the Act*, this resolution applies if a development approval has been given and an adopted charge applies to providing trunk infrastructure for the development.

3.2 Applicable infrastructure charges rates

- a) It is resolved to adopt the infrastructure charges rates (the Charge Rates contained in Table 1, each an **adopted charge**) for particular development located within and outside of the Priority Infrastructure Area.
- b) Where development is located outside of the Priority Infrastructure Area, and is contiguous to the Priority Infrastructure Area, the adopted charge for development is the Charge Rate contained in Table 1.
- c) For all other development located outside of the Priority Infrastructure Area, the adopted charge for development is the Charge Rate contained in Table 1.
- d) The adopted charge rates for development contained in Table 1 includes a stormwater network charge and a charge rate for other networks (detailed in Clause 1.4 a).

PART 4 LEVIED CHARGE

4.1 Calculation of the levied charge

- a) Subject to Clause 4.1.d, a levied charge for development is calculated as follows:

$$LC = AC - C$$

Where:

LC is the total infrastructure charge that may be levied by Council (the **Levied Charge**).

AC is the charge for the proposed development calculated as follows:

- unit of measure multiplied by the adopted charge rate (stormwater and other networks) for the respective development identified in Table 1.

C (credit) is calculated as follows:

- unit of measure multiplied by the adopted charge rate (stormwater and other networks) for development (as determined in accordance with Clause 4.1) identified in Table 1.

Clause 4.2 provides guidance on determining extra demand placed upon trunk infrastructure and the calculation of the levied charge.

- b) Where the adopted charges associated with the credit (C) exceed the adopted charge for the proposed development (AC), then:
 - i. no infrastructure charges will be required; and
 - ii. no refund will be given.
- c) For the purposes of calculating AC or C in accordance with Clause 4.1, where development involves:
 - i. the reconfiguration of a lot that will create additional vacant allotments, or where vacant allotments exist, the '3 or more bedroom dwelling house' adopted charge rate contained in Table 1 is the rate to be used for the development in the calculation;
 - ii. dual land uses, the highest adopted charge rate associated with the land uses involved in the development contained in Table 1 is the adopted charge rate to be used in the calculation.
- d) The following proportional deductions to the levied charge for development that is located outside of the Priority Infrastructure Area apply:
 - i. 20% for all development where there is no waste water connection to the subject premises;
 - ii. 20% for all development where there is no water supply to the subject premises.

4.2 Extra demand

- a) Section 120 of *the Act* provides that a levied charge may be only for extra demand placed upon trunk infrastructure.
- b) In accordance with Section 120 of *the Act*, when working out extra demand, the demand on trunk infrastructure generated by the following must not be included:
 - i. an existing use on the premises if the use is lawful and already taking place on the premises;
 - ii. a previous use that is no longer taking place on the premises if the use was lawful at the time the use was carried out;

- iii. other development on the premises if the development may be lawfully carried out without the need for a further development permit.
- c) The demand generated by a use or development stated in 4.2 b. may be included if:
 - i. an infrastructure requirement that applies, or applied to the use or development, has not been complied with; and
 - ii. the demand generated by development stated in 4.2 b.
 - iii. May be included if:
 - an infrastructure requirement applies to the premises on which the development will be carried out; and
 - the infrastructure requirement was imposed on the basis of development of a lower scale or intensity being carried out on the premises.

4.3 Indexing of infrastructure charges

- a) It is resolved to provide for automatic increases in the levied charges from when they are levied to when they are paid (an **automatic increase provision**).

The increases will be calculated in accordance with the Consumer Price Index: All Groups, Brisbane.
- b) The increases calculated in accordance with Clause 4.3.a uses the applicable quarterly index value at the date the charge was levied to the applicable quarterly index value at the date the charge is to be paid.
- c) Under Section 114 of *the Act*, an automatic increase must not be more than the lesser of the following:
 - i. the difference between the levied charge, and the maximum adopted charge that the local government could have levied for the development when the charge is paid.
 - ii. the increase worked out using the PPI, adjusted according to the 3-yearly PPI average, for the period, starting on the day the levied charge is levied; and ending on the day the charge is paid.

PART 5 LOCAL GOVERNMENT INFRASTRUCTURE PLAN

5.1 Planning assumptions

The planning assumptions about future growth and urban development are identified in the LGIP.

5.2 Priority infrastructure area

The priority infrastructure area is identified in the LGIP.

5.3 Trunk infrastructure networks

The trunk infrastructure networks to which an adopted charge applies are identified in the LGIP.

5.4 Desired standard of service

The desired standards of service for each network are detailed in the LGIP.

5.5 Plans for trunk infrastructure

The existing and future plans for trunk infrastructure for the local government area are contained in the LGIP.

5.6 Infrastructure Work Schedule

The infrastructure works schedules, including the establishment cost of trunk infrastructure items, are contained in the LGIP.

PART 6 COST OF INFRASTRUCTURE OFFSETS OR REFUNDS

6.1 Establishment cost for works

The cost of the infrastructure for determining offsets and refunds for trunk infrastructure identified in a necessary infrastructure condition is the establishment cost identified in the LGIP.

6.2 Method for calculating infrastructure costs subject of the offset or refund

- a) Where a notice is given by an applicant under Section 137 of *the Act* for the recalculation of the establishment cost for trunk infrastructure, the applicant must, at their own cost, provide Council with the following:

For trunk infrastructure that is works:

- i. a bill of quantities for the design, construction and commissioning of the trunk infrastructure in accordance with a scope of works that is provided by Council; and
- ii. a first principles estimate for the cost of designing, constructing and commissioning the trunk infrastructure specified in the bill of quantities.

For trunk infrastructure that is land:

- i. a valuation of the specified land undertaken by a certified practicing valuer.
- b) Council must give a notice to the applicant which states whether the bill of quantities and the cost estimate or the valuation are accepted.
- c) If Council accepts the bill of quantities and the cost estimate or the valuation, the cost estimate or valuation is the establishment cost of the infrastructure.

- d) If Council does not accept the bill of quantities and the cost estimate or the valuation, Council must, at its own cost:
 - i. for the bill of quantities and the cost estimate, have an assessment undertaken by an appropriately qualified person to:
 - determine whether the bill of quantities is in accordance with the scope of works provided by Council;
 - determine whether the cost estimate is consistent with current market costs calculated by applying a first principles estimating approach to the bill of quantities; and
 - provide a new cost estimate using a first principles approach.
 - ii. for the valuation, have a valuation undertaken by a certified practicing valuer.

- e) If Council rejected the bill of quantities and the cost estimate or the valuation in accordance with Clause 6.2.d, it must provide the applicant with the following in writing:
 - i. reasons why it rejected the bill of quantities and cost estimate or the valuation; and
 - ii. the proposed new bill of quantities and cost estimate or the valuation as determined in accordance with Clause 6.2.d.

- f) Where written notice has been given by Council in accordance with Clause 6.2.2:
 - i. the applicant may negotiate and agree with Council regarding the cost estimate or valuation; and
 - ii. the cost estimate or valuation agreed in accordance with Clause 6.2.f.i. is the establishment cost of the infrastructure.

- g) If agreement in accordance with Clause 6.2.f.i. cannot be reached, Council must:
 - i. for the bill of quantities and the cost estimate, refer the bill of quantities and the cost estimate to a suitably qualified expert agreed to by both the applicant and Council to:
 - assess whether the bill of quantities is in accordance with the scope of works;

- assess whether the cost estimate is consistent with current market costs calculated by applying a first principles estimating approach to the bill of quantities; and
 - provide an amended cost estimate using a first principles estimating approach.
- ii. for the valuation, have a valuation undertaken by a certified practicing valuer agreed to by both the applicant and Council to assess the market value.
- h) The cost of the independent assessment carried out in accordance with Clause 6.2.g must be shared equally between the applicant and Council.
- i) The amended cost estimate or valuation determined in accordance with Clause 6.2.g is the establishment cost of the infrastructure.
- j) If the applicant and Council cannot agree on the appointment of a suitably qualified expert or certified practicing valuer for the purposes of Clause 6.2.g, the establishment cost of the infrastructure is determined by calculating the average of the cost estimates or valuations prepared in accordance with Clause 6.2.a and 6.2.d.
- k) Where Council accepts the amended cost in accordance with Clause 6.2.c. or 6.2.j, Council will update the following to include the infrastructure item;
- i. The infrastructure charges notice associated with the applicant's Development Approval; and
 - ii. the LGIP.

PART 7 CONVERSION APPLICATIONS

- a) Where an applicant makes an application under Section 139 of *the Act* to convert non-infrastructure to trunk infrastructure, all of the following criteria must be met:
- i. The infrastructure required to service the development is consistent with the assumptions about growth, type, scale, location and timing of development and infrastructure network planning methodologies contained in the LGIP, including extrinsic material;
 - ii. The infrastructure required to service the development is consistent with the desired standards of service detailed in the LGIP;
 - iii. The infrastructure required to service the development is consistent other trunk infrastructure identified in the LGIP;
 - iv. The infrastructure is not consistent with non-trunk infrastructure for which conditions may be imposed in accordance with the Section 145 of *the Act*;

- v. The type, size and location of the infrastructure is the most cost effective option for servicing multiple users in the area.

PART 8 DICTIONARY

1. Dictionary

Words and terms used in this resolution have the meaning given in the *Planning Act 2016*, *Planning Regulation 2017* and Council's Planning Scheme – Mareeba Shire Council Planning Scheme 2016.

If a word or term used in this resolution is not defined in the *Planning Act 2016*, *Planning Regulation 2017* or the Mareeba Shire Council Planning Scheme 2016, it has the meaning given in this Part.

Other terms used within this resolution:

Local Government Infrastructure Plan (LGIP) means the Mareeba Shire Council Local Government Infrastructure Plan, adopted by Mareeba Shire Council on 5 November 2018 and commenced on 9 November 2018.

Most cost effective option – means the least cost option based upon the life cycle cost of the infrastructure required to service future urban development in the area at the desired standard of service.

Planning Scheme means the Mareeba Shire Council Planning Scheme 2016.

Table 1 – Adopted Charge Rates

Mareeba Shire Council Adopted Infrastructure Charges Resolution (No.1) 2019 - Table 1					
Development		ADOPTED CHARGE RATES			
		Other networks		Stormwater network	
USE CATEGORY	USE	Charge Rate	Unit of Measure	Charge Rate	Unit of Measure
Residential	Dwelling house	\$ 13,100.00	per 1 or 2 bedroom dwelling	\$ Non-worsening	No stormwater charge
		\$ 18,340.00	per 3 or more bedroom dwelling	\$ Non-worsening	No stormwater charge
	Dwelling unit	\$ 13,100.00	per 1 or 2 bedroom dwelling	\$ Non-worsening	No stormwater charge
		\$ 18,340.00	per 3 or more bedroom dwelling	\$ Non-worsening	No stormwater charge
	Caretaker's accommodation	\$ 13,100.00	per 1 or 2 bedroom dwelling	\$ Non-worsening	No stormwater charge
		\$ 18,340.00	per 3 or more bedroom dwelling	\$ Non-worsening	No stormwater charge
	Multiple dwelling	\$ 13,100.00	per 1 or 2 bedroom dwelling	\$ Non-worsening	No stormwater charge
		\$ 18,340.00	per 3 or more bedroom dwelling	\$ Non-worsening	No stormwater charge
	Dual occupancy	\$ 13,100.00	per 1 or 2 bedroom dwelling	\$ Non-worsening	No stormwater charge
		\$ 18,340.00	per 3 or more bedroom dwelling	\$ Non-worsening	No stormwater charge
Accommodation (short term)	Hotel	\$ 6,550.00	per suite (with 1 or 2 bedrooms)	\$ Non-worsening	No stormwater charge
		\$ 9,170.00	per suite (with 3 or more bedrooms)	\$ Non-worsening	No stormwater charge
		\$ 6,550.00	per bedroom with 1 or 2 beds (that is not within a suite)	\$ Non-worsening	No stormwater charge
		\$ 9,170.00	per bedroom with 3 or more beds (that is not within a suite)	\$ Non-worsening	No stormwater charge
	Short-term accommodation	\$ 6,550.00	per suite (with 1 or 2 bedrooms)	\$ Non-worsening	No stormwater charge
		\$ 9,170.00	per suite (with 3 or more bedrooms)	\$ Non-worsening	No stormwater charge
		\$ 6,550.00	per bedroom with 1 or 2 beds (that is not within a suite)	\$ Non-worsening	No stormwater charge
		\$ 9,170.00	per bedroom with 3 or more beds (that is not within a suite)	\$ Non-worsening	No stormwater charge
	Tourist park	\$ 6,550.00	per caravan or tent site	\$ Non-worsening	No stormwater charge
		\$ 6,550.00	per cabin (with 1 or 2 bedrooms)	\$ Non-worsening	No stormwater charge
		\$ 9,170.00	per cabin (with 3 or more bedrooms)	\$ Non-worsening	No stormwater charge
Accommodation (long term)	Community residence	\$ 13,100.00	per bedroom with 1 or 2 beds	\$ Non-worsening	No stormwater charge
		\$ 18,340.00	per bedroom with 3 or more beds	\$ Non-worsening	No stormwater charge
	Rooming accommodation	\$ 6,550.00	per suite (with 1 or 2 bedrooms)	\$ Non-worsening	No stormwater charge
		\$ 9,170.00	per suite (with 3 or more bedrooms)	\$ Non-worsening	No stormwater charge
		\$ 6,550.00	per bedroom with 1 or 2 beds (that is not within a suite)	\$ Non-worsening	No stormwater charge
		\$ 9,170.00	per bedroom with 3 or more beds (that is not within a suite)	\$ Non-worsening	No stormwater charge
	Relocatable home park	\$ 13,100.00	per 1 or 2 bedroom dwelling	\$ Non-worsening	No stormwater charge
		\$ 18,340.00	per 3 or more bedroom dwelling	\$ Non-worsening	No stormwater charge
	Retirement facility	\$ 13,100.00	per 1 or 2 bedroom dwelling	\$ Non-worsening	No stormwater charge
		\$ 18,340.00	per 3 or more bedroom dwelling	\$ Non-worsening	No stormwater charge
Rural workers' accommodation	\$ 13,100.00	per 1 or 2 bedroom dwelling	\$ Non-worsening	No stormwater charge	
	\$ 18,340.00	per 3 or more bedroom dwelling	\$ Non-worsening	No stormwater charge	

Places of assembly	Club	\$	45.85	per m ² GFA	\$	Non-worsening	No stormwater charge
	Community use	\$	45.85	per m ² GFA	\$	Non-worsening	No stormwater charge
	Function facility	\$	45.85	per m ² GFA	\$	Non-worsening	No stormwater charge
	Funeral parlour	\$	45.85	per m ² GFA	\$	Non-worsening	No stormwater charge
	Place of worship	\$	45.85	per m ² GFA	\$	Non-worsening	No stormwater charge
Commercial (bulk goods)	Agricultural supplies store	\$	91.70	per m ² GFA	\$	Non-worsening	No stormwater charge
	Bulk landscape supplies	\$	91.70	per m ² GFA	\$	Non-worsening	No stormwater charge
	Garden centre	\$	91.70	per m ² GFA	\$	Non-worsening	No stormwater charge
	Hardware and trade supplies	\$	91.70	per m ² GFA	\$	Non-worsening	No stormwater charge
	Outdoor sales	\$	91.70	per m ² GFA	\$	Non-worsening	No stormwater charge
	Showroom	\$	91.70	per m ² GFA	\$	Non-worsening	No stormwater charge
Commercial (retail)	Adult store	\$	117.90	per m ² GFA	\$	Non-worsening	No stormwater charge
	Car Wash	\$	117.90	per m ² of wash bay area	\$	Non-worsening	No stormwater charge
	Food and drink outlet	\$	117.90	per m ² GFA	\$	Non-worsening	No stormwater charge
	Service industry	\$	117.90	per m ² GFA	\$	Non-worsening	No stormwater charge
	Service station	\$	117.90	per m ² GFA	\$	Non-worsening	No stormwater charge
	Shop	\$	117.90	per m ² GFA	\$	Non-worsening	No stormwater charge
	Shopping centre	\$	117.90	per m ² GFA	\$	Non-worsening	No stormwater charge
Commercial (office)	Office	\$	91.70	per m ² GFA	\$	Non-worsening	No stormwater charge
	Sales office	\$	91.70	per m ² GFA	\$	Non-worsening	No stormwater charge
Education facility	Child care centre	\$	91.70	per m ² GFA	\$	Non-worsening	No stormwater charge
	Community care centre	\$	91.70	per m ² GFA	\$	Non-worsening	No stormwater charge
	Educational establishment	\$	91.70	per m ² GFA	\$	Non-worsening	No stormwater charge
	Educational establishment for the Flying Start for Qld Children	\$	-	Nil charge	\$	Non-worsening	No stormwater charge
	Environmental facility	\$	91.70	per m ² GFA	\$	Non-worsening	No stormwater charge
Entertainment	Bar	\$	131.00	per m ² GFA	\$	Non-worsening	No stormwater charge
	Hotel (non-residential component)	\$	131.00	per m ² GFA	\$	Non-worsening	No stormwater charge
	Nightclub entertainment facility	\$	131.00	per m ² GFA	\$	Non-worsening	No stormwater charge
	Theatre	\$	131.00	per m ² GFA	\$	Non-worsening	No stormwater charge
Indoor sport and recreation	Indoor sport and recreation -	\$	131.00 non court area & 13.10 court area	per m ² GFA	\$	Non-worsening	No stormwater charge
Industry	Low impact industry	\$	32.75	per m ² GFA	\$	Non-worsening	No stormwater charge
	Marine industry	\$	32.75	per m ² GFA	\$	Non-worsening	No stormwater charge
	Medium impact industry	\$	32.75	per m ² GFA	\$	Non-worsening	No stormwater charge
	Research and technology industry	\$	32.75	per m ² GFA	\$	Non-worsening	No stormwater charge
	Rural industry	\$	32.75	per m ² GFA	\$	Non-worsening	No stormwater charge
	Transport Depot	\$	32.75	per m ² GFA	\$	Non-worsening	No stormwater charge
	Warehouse	\$	32.75	per m ² GFA	\$	Non-worsening	No stormwater charge
High impact industry	High impact industry	\$	45.85	per m ² GFA	\$	Non-worsening	No stormwater charge
	Special industry	\$	45.85	per m ² GFA	\$	Non-worsening	No stormwater charge
Low impact rural	Animal husbandry	\$	-	Nil Charge	\$	Non-worsening	No stormwater charge
	Cropping	\$	-	Nil Charge	\$	Non-worsening	No stormwater charge
	Permanent plantations	\$	-	Nil Charge	\$	Non-worsening	No stormwater charge
	Renewable energy facility	\$	-	Nil Charge	\$	Non-worsening	No stormwater charge
High impact rural	Aquaculture	\$	13.10	per m ² GFA	\$	Non-worsening	No stormwater charge

	Intensive animal industries	\$ 13.10	per m ² GFA	\$ Non-worsening	No stormwater charge
	Intensive horticulture	\$ 13.10	per m ² GFA	\$ Non-worsening	No stormwater charge
	Wholesale nursery	\$ 13.10	per m ² GFA	\$ Non-worsening	No stormwater charge
	Winery	\$ 13.10	per m ² GFA	\$ Non-worsening	No stormwater charge
Essential services	Detention facility	\$ 91.70	per m ² GFA	\$ Non-worsening	No stormwater charge
	Emergency services	\$ 91.70	per m ² GFA	\$ Non-worsening	No stormwater charge
	Health care services	\$ 91.70	per m ² GFA	\$ Non-worsening	No stormwater charge
	Hospital	\$ 91.70	per m ² GFA	\$ Non-worsening	No stormwater charge
	Residential care facility	\$ 91.70	per m ² GFA	\$ Non-worsening	No stormwater charge
	Veterinary services	\$ 91.70	per m ² GFA	\$ Non-worsening	No stormwater charge
Specialised uses	Air services	Council will calculate an infrastructure charge on the approved uses at the time the decision is made, the charge will be recalculated at the time of payment.		\$ Non-worsening	No stormwater charge
	Animal keeping				
	Brothel				
	Crematorium				
	Extractive industry				
	Major electricity infrastructure				
	Major sport, recreation and entertainment facility				
	Motor sport facility				
	Nature-based tourism				
	Non-resident workforce accommodation				
	Outdoor sport and recreation				
	Outstation				
	Parking station				
	Port services				
	Resort complex				
	Substation				
	Tourist attraction				
Utility installation					
	Cemetery	\$ -	Nil charge	\$ Non-worsening	No stormwater charge
	Home based business	\$ -	Nil charge	\$ Non-worsening	No stormwater charge
	Landing	\$ -	Nil charge	\$ Non-worsening	No stormwater charge
	Market	\$ -	Nil charge	\$ Non-worsening	No stormwater charge
	Park	\$ -	Nil charge	\$ Non-worsening	No stormwater charge
	Roadside stalls	\$ -	Nil charge	\$ Non-worsening	No stormwater charge
	Telecommunications facility	\$ -	Nil charge	\$ Non-worsening	No stormwater charge
	Temporary uses	\$ -	Nil charge	\$ Non-worsening	No stormwater charge
Other uses	A use not otherwise listed in this table	The maximum adopted charge contained in this table is the charge that appropriately reflects the use at the time of assessment			

8.6 FURTHER DEALING OF SPECIAL LEASE 9/52077 OVER LOT 459 ON HG455, LOCALITY OF DIMBULAH

Date Prepared: 19 February 2019

Author: Senior Planner

Attachments: 1. DNRME letter of 11 February 2019 [↓](#)

EXECUTIVE SUMMARY

The Department of Natural Resources, Mine and Energy (DNRME) is considering the further dealing with Special Lease 9/52077 over Lot 459 on HG455, situated at 52-54 Argyle Street, Dimbulah.

Special Lease 9/52077 was issued in 1991 for Charitable (Lions Club) purposes. DNRME is considering several options, namely the renewal of the special lease and the conversion of Lot 459 on HG455 to freehold.

DNRME seeks Council's views on the renewal and freeholding options.

RECOMMENDATION

That Council advise the Department of Natural Resources, Mines and Energy that Council has no objection to the renewal of the special lease over land described as Lot 459 on HG455, situated at 52-54 Argyle Street, Dimbulah or the conversion of Lot 459 on HG455 to freehold.

BACKGROUND

The Department of Natural Resources, Mine and Energy (DNRME) is considering the further dealing with Special Lease 9/52077 over Lot 459 on HG455, Locality of Dimbulah.

The subject land has an area of 1,620m² and is situated at 52-54 Argyle Street, Dimbulah. The Dimbulah Swimming Pool is located immediately to the west and the Dimbulah Fire Station is located to the south.

Special Lease 9/52077 commenced on 1 November 1991, for a term of 30 years. The special lease was issued for Charitable (Lions Club) purposes. A shed is constructed in the south-western corner of the allotment.

DNRME is considering several options, namely the renewal of the special lease and the conversion of Lot 459 on HG455 to freehold.

DNRME seeks Council's views on both options.



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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RISK IMPLICATIONS**LEGAL/COMPLIANCE/POLICY IMPLICATIONS**

The subject land is zoned Community Facilities under the Mareeba Shire Council Planning Scheme 2016.

There is no objection to the continued use of the land for charitable (lions club) purposes.

FINANCIAL AND RESOURCE IMPLICATIONS***Capital***

Nil

Operating

Nil

LINK TO CORPORATE PLAN

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.

IMPLEMENTATION/COMMUNICATION

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

Author Taylah Hopper
File / Ref number 2018/006579
Directorate / Unit State Land Asset Management
Phone (07) 4222 5427

11 February 2019

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



Dear Sir/Madam

Assessment of further dealing of Special Lease 9/52077 described as Lot 459 on Plan HG455

The abovementioned lease expires on 21/10/2021, and the department is considering further dealing with this land. The following information may help you in providing your views and/or requirements regarding further dealing with this land.

Special lease 9/52077 commenced on 01/11/1991 for a term of 30 years and issued for Charitable (Lions Club) purposes.

Please advise if Council has any issues that the department should consider when assessing the most appropriate use and tenure of the land in terms of Sections 159(1), 159A and 167(1) of the *Land Act 1994*. Particular attention in your reply should be given to the following:-

- (c) whether the public interest could be adversely affected if the lease was renewed;
 - (e) the condition of the lease land;
 - (h) whether part of the lease land has a more appropriate use from a land planning perspective;
 - (j) whether part of the lease land is needed for a public purpose;
 - (k) whether a new lease is the most appropriate form of tenure for the lease land.
- Consideration should be given to whether freehold is considered a more appropriate tenure.

Your Council's views or requirements that may affect the future use of the land should be received by close of business on **9 May 2019**. If you offer an objection to renewal or freeholding of this lease, a full explanation stating the reason for such an objection should be forwarded to this Office. Similarly, if you have any particular requirements you would like the department to consider, please also provide a full explanation for such requirements.

If you wish to provide a response but are unable to do so before the due date, please contact the author before the due date to arrange a more suitable timeframe. If a response is not received by the due date and no alternative arrangements have been made, it will be assumed you have no objections or requirements in relation to this matter.

Postal :
DNRME
PO Box 5318
Townsville QLD 4810

Telephone : (07) 4222 5427

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

If you wish to discuss this matter please contact Taylah Hopper on telephone no. (07) 4222 5427.

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

Please quote reference number 2018/006579 in any future correspondence.

Yours sincerely



Taylah Hopper
Land Administration Officer

Attached: Title Search
Smartmap

Page 2 of 2

INTERNAL CURRENT STATE TENURE SEARCH
NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Search Date: 17/01/2019 14:36

Title Reference: 17724180

Date Created: 21/10/1995

DESCRIPTION OF LAND

Tenure Reference: SL 9/52077

Lease Type: TERM

LOT 459 CROWN PLAN HG455
Local Government: MAREEBA

Area: 0.162000 Ha. (SURVEYED)

No Land Description

No Forestry Entitlement Area

Purpose for which granted:
CHARITABLE (LIONS CLUB)

TERM OF LEASE

Term and day of beginning of lease

Term: 30 years commencing on 01/11/1991

Expiring on 31/10/2021

REGISTERED LESSEE

LIONS CLUB OF DIMBULAH INC

CONDITIONS

- B17 The annual rent for the remaining rental periods shall be determined by the Minister administering the Land Act 1962 as at 1 July of each year.
- C1 The right of resuming the whole or any part of the leased land at any time on giving six (6) months notice and compensating for improvements only shall be reserved to the State.
- C4 The lessee shall not interfere with any forest products or remove any quarry material (including any stone, gravel, sand, earth, soil, rock, guano or clay which is not a mineral within the meaning of the Mineral Resources Act 1989) or other material upon the leased land without the permission of the Minister administering the Land Act 1962 except under the authority of and in compliance in every respect with the requirements of a permit, license, agreement or contract granted or made under the Forestry Act 1959.
- C5 The lessee shall allow any person authorised under the Forestry Act 1959 access to the leased land for the purpose of cutting and removing timber or removing other forest products, or quarry material, or other material from the leased land.

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Page 1/3

INTERNAL CURRENT STATE TENURE SEARCH
 NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Search Date: 17/01/2019 14:36

Title Reference: 17724180

Date Created: 21/10/1995

CONDITIONS

- C184 No compensation for improvements or developmental work shall be payable by the State at the expiration of the term of the lease but the lessee shall have the right to remove moveable improvements within a period of three (3) months, provided all monies due by the lessee to the State on any account whatsoever have been paid. However, should the land be again made available for lease or purchase, the former lessee will be entitled to receive payment for the value of his improvements or developmental work, in accordance with the principles set out in the said Act.
- C188 The lessee shall not at any time destroy any tree upon the leased land without the prior permit in writing of the Land Commissioner responsible for the district or contrary to any of the terms and conditions of such permit.
- E11 The lessee shall pay the cost of any required survey.
- K1 The lessee shall maintain the leased land free from noxious plants.
- M76 The Lessee shall use the leased land for Charitable (Lions Club) purposes and for purposes incidental thereto.
- M76 The rent shall be paid yearly in advance and for the first period to expire 30 June 1993 shall be at the rate of \$100.00 per annum.
- M76 The Lessee shall within two (2) years from the commencement of the term of the lease and to the satisfaction of the Minister administering the Land Act 1962-1990 establish a storage shed on the leased land in accordance with plans and specifications approved by Mareeba Shire Council of a value of not less than \$10,000 dollars construction of such improvements shall be commenced within three (3) months from the commencement of the term of the lease and shall thereafter proceed at a rate of progress satisfactory to the Minister administering the Land Act 1962-1990.
- M76 The Lessee shall ensure that the use and development of the leased land conforms to the Town Planning Scheme By-Laws and requirements of the Mareeba Shire Council.

ENCUMBRANCES AND INTERESTS

- 1. Rights and interests reserved to the Crown by
 Lease No. 17724180

ADMINISTRATIVE ADVICES - NIL
 UNREGISTERED DEALINGS - NIL

INTERNAL CURRENT STATE TENURE SEARCH
NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

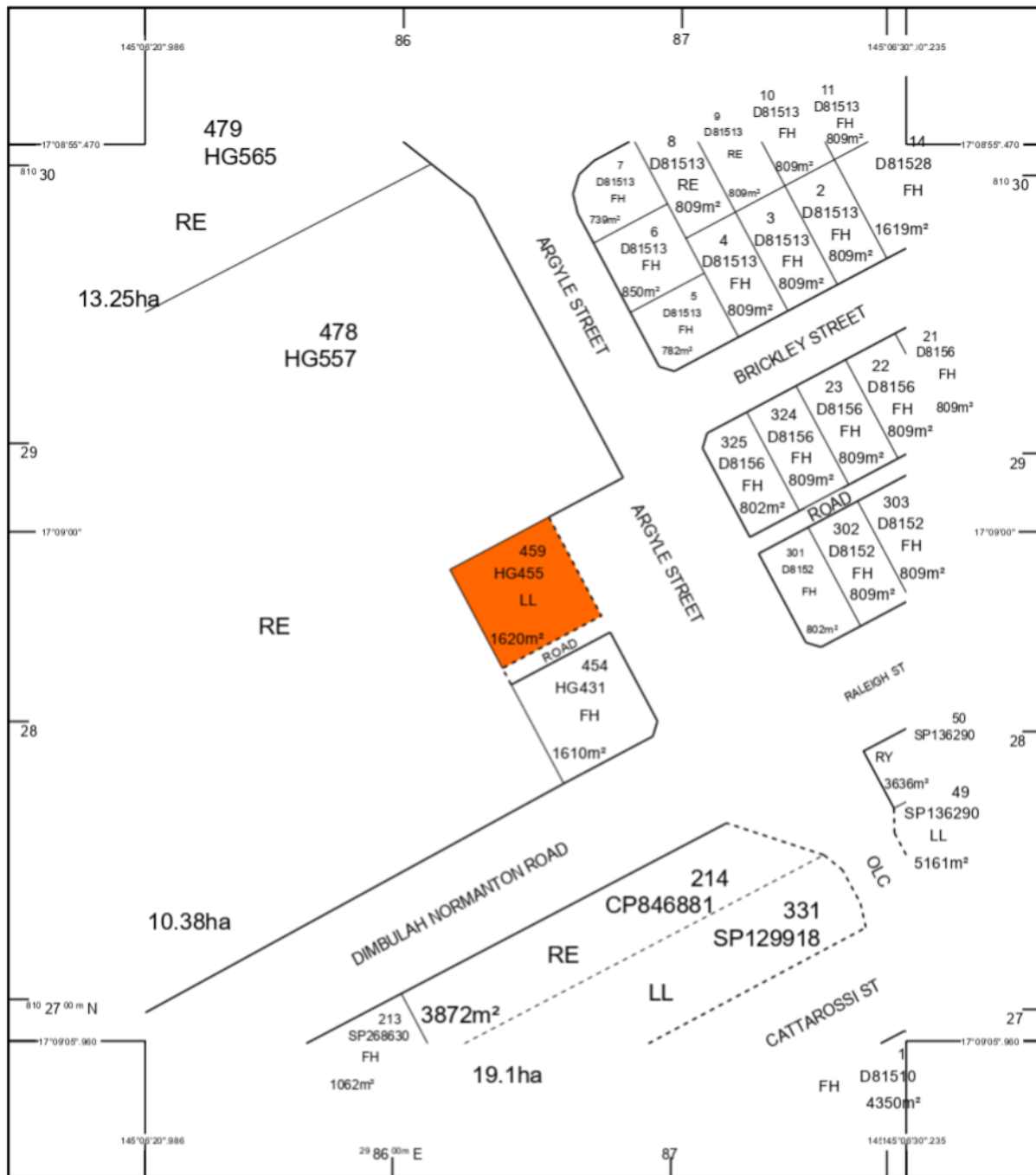
Search Date: 17/01/2019 14:36

Title Reference: 17724180

Date Created: 21/10/1995

** End of Current State Tenure Search **

Information provided under section 34 Land Title Act(1994) or
section 281 Land Act(1994)



STANDARD MAP NUMBER
7963-43113



MAP WINDOW POSITION & NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

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

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 17/01/2019
For additional information regarding this SmartMap see page 2. Shading Rules have been applied.

DCDB 16/01/2019

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

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SmartMap

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



Queensland Government
(c) The State of Queensland, (Department of Natural Resources, Mines and Energy) 2019.

8.7 FURTHER DEALING OF SPECIAL LEASE 9/51553 OVER LOTS 108 & 109 ON K4131, LOCALITY OF KOAH

Date Prepared: 19 February 2019

Author: Senior Planner

Attachments: 1. DNRME letter of 11 February 2019 [↓](#)

EXECUTIVE SUMMARY

The Department of Natural Resources, Mine and Energy (DNRME) is considering the further dealing with Special Lease 9/51553 over Lots 8 and 9 on K4131, situated at 16 Barron Street, Koah.

Special Lease 9/51553 was issued in 1990 for residential purposes. DNRME is considering several options, namely the renewal of the special lease and the conversion of Lots 8 and 9 on K4131 to freehold.

DNRME seeks Council's views on the renewal and freeholding options.

RECOMMENDATION

That Council advise the Department of Natural Resources, Mines and Energy that Council has no objection to the renewal of the special lease over land described as Lots 8 and 9 on K4131, situated at 16 Barron Street, Koah or the conversion of Lots 8 and 9 on K4131 to freehold.

BACKGROUND

The Department of Natural Resources, Mine and Energy (DNRME) is considering the further dealing with Special Lease 9/51553 over Lots 8 and 9 on K4131, Locality of Koah.

The subject land has a combined area of 2,024m² and is situated at 16 Barron Street, Koah.

Special Lease 9/51553 commenced on 1 October 1990, for a term of 30 years. The special lease was issued for residential purposes. A dwelling house is established on Lot 108, whilst Lot 109 remains largely unimproved.

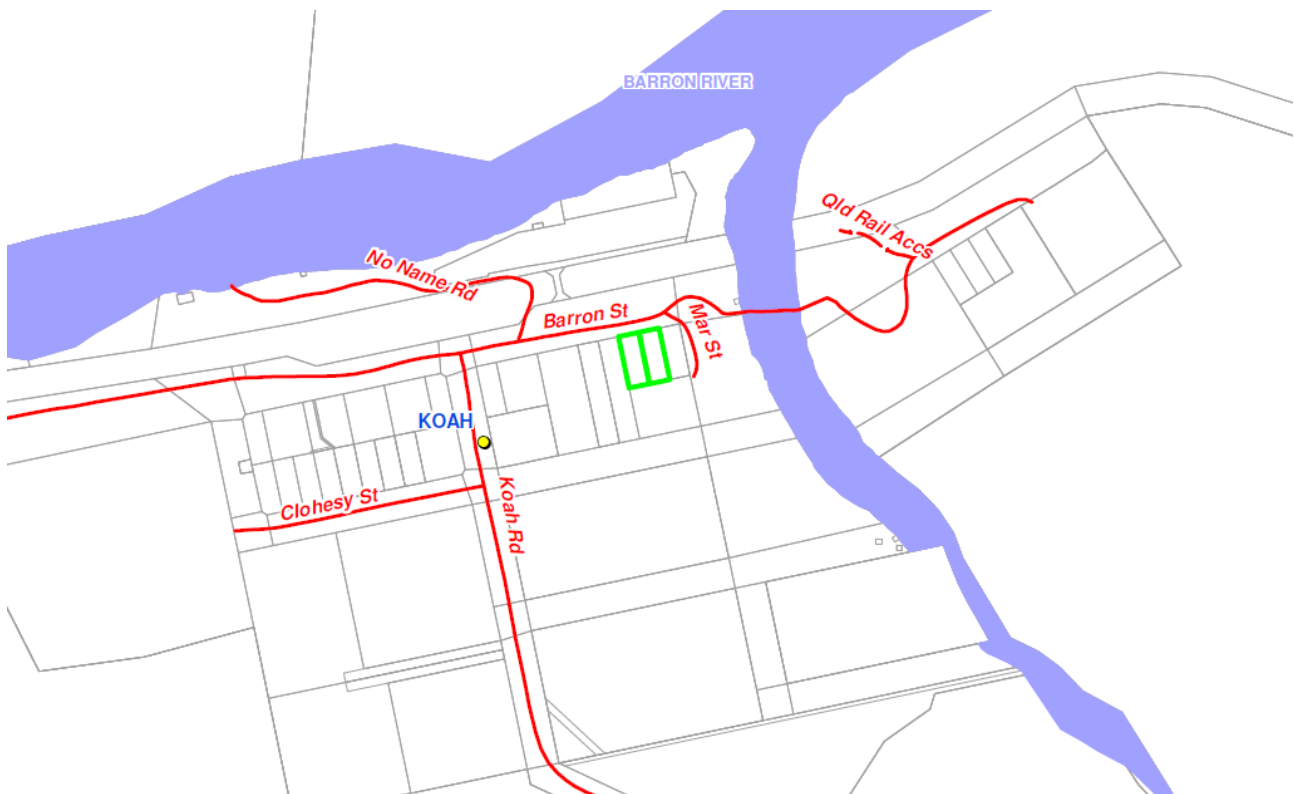
DNRME is considering several options, namely the renewal of the special lease and the conversion of Lots 8 and 9 on K4131 to freehold.

DNRME seeks Council's views on both options.



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RISK IMPLICATIONS**LEGAL/COMPLIANCE/POLICY IMPLICATIONS**

The subject land is zoned Low Density Residential under the Mareeba Shire Council Planning Scheme 2016.

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

FINANCIAL AND RESOURCE IMPLICATIONS***Capital***

Nil

Operating

Nil

LINK TO CORPORATE PLAN

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.

IMPLEMENTATION/COMMUNICATION

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

Author Taylah Hopper
File / Ref number 2018/006576
Directorate / Unit State Land Asset Management
Phone (07) 4222 5427

11 February 2019

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



Dear Sir/Madam

Assessment of further dealing of Special Lease 9/51553 described as Lot 108 & 109 on Plan K4131

The abovementioned lease expires on 30/09/2020, and the department is considering further dealing with this land. The following information may help you in providing your views and/or requirements regarding further dealing with this land.

Special lease 9/51553 commenced on 01/10/1990 for a term of 30 years and issued for Residential purposes.

Please advise if Council has any issues that the department should consider when assessing the most appropriate use and tenure of the land in terms of Sections 159(1), 159A and 167(1) of the *Land Act 1994*. Particular attention in your reply should be given to the following:-

- (c) whether the public interest could be adversely affected if the lease was renewed;
 - (e) the condition of the lease land;
 - (h) whether part of the lease land has a more appropriate use from a land planning perspective;
 - (j) whether part of the lease land is needed for a public purpose;
 - (k) whether a new lease is the most appropriate form of tenure for the lease land.
- Consideration should be given to whether freehold is considered a more appropriate tenure.

Your Council's views or requirements that may affect the future use of the land should be received by close of business on **9 May 2019**. If you offer an objection to renewal or freeholding of this lease, a full explanation stating the reason for such an objection should be forwarded to this Office. Similarly, if you have any particular requirements you would like the department to consider, please also provide a full explanation for such requirements.

If you wish to provide a response but are unable to do so before the due date, please contact the author before the due date to arrange a more suitable timeframe. If a response is not received by the due date and no alternative arrangements have been made, it will be assumed you have no objections or requirements in relation to this matter.

Postal :
DNRME
PO Box 5318
Townsville QLD 4810

Telephone : (07) 4222 5427

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

If you wish to discuss this matter please contact Taylah Hopper on telephone no. (07) 4222 5427.

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

Please quote reference number 2018/006576 in any future correspondence.

Yours sincerely



Taylah Hopper
Land Administration Officer

Attached: Title Search
Smartmap

Page 2 of 2

INTERNAL CURRENT STATE TENURE SEARCH
 NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Search Date: 16/01/2019 12:18

Title Reference: 17717065
 Date Created: 21/10/1995

DESCRIPTION OF LAND

Tenure Reference: SL 9/51553

Lease Type: TERM

LOT 108 CROWN PLAN K4131
 Local Government: MAREEBA
 LOT 109 CROWN PLAN K4131
 Local Government: MAREEBA

Area: 0.202400 Ha. (SURVEYED)

No Land Description

No Forestry Entitlement Area

Purpose for which granted:
 RESIDENTIAL

TERM OF LEASE

Term and day of beginning of lease

Term: 30 years commencing on 01/10/1990

Expiring on 30/09/2020

REGISTERED LESSEE

CHRISTOPHER GAY RICHARDSON
 MURIEL ROSE RICHARDSON JOINT TENANTS

CONDITIONS

- C1 The right of resuming the whole or any part of the leased land at any time on giving six (6) months notice and compensating for improvements only shall be reserved to the State.
- C5 The lessee shall allow any person authorised under the Forestry Act 1959 access to the leased land for the purpose of cutting and removing timber or removing other forest products, or quarry material, or other material from the leased land.
- C173 The lessee shall not interfere with any forest products or remove any quarry material (including any stone, gravel, sand, earth, soil, rock, guano or clay which is not a mineral within the meaning of the Mining Act 1968) or other material upon the leased land without the permission of the Minister except under the authority of and in compliance in every respect with the requirements of a permit, license, agreement or contract granted or made under the Forestry Act 1959.

INTERNAL CURRENT STATE TENURE SEARCH
NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Search Date: 16/01/2019 12:18

Title Reference: 17717065

Date Created: 21/10/1995

CONDITIONS

- C179 No compensation for improvements or developmental works shall be payable by the State at the expiration of the term of the lease, but the lessee shall have the right to remove movable improvements within a period of three months, provided all moneys due by the lessee to the State on any account whatsoever have been paid. However should the leased land revert to the State and be again made available for lease or purchase the former lessee shall be entitled to receive payment for the value of his improvements or developmental work in accordance with the principles set out in the said Act.
- C183 The lessee shall not at any time destroy any tree upon the leased land without the prior permit in writing of the Land Commissioner or contrary to any terms and conditions of such permit.
- E10 The lessee shall pay the cost of any required survey of the leased land.
- K1 The lessee shall maintain the leased land free from noxious plants.
- M76 The Lessee shall use the leased land for residential and associated purposes only.
- M76 The Lessee shall within two (2) years from the commencement of the term of the lease and to the satisfaction of the Minister for Land Management, erect a dwelling on the leased land of a value of not less than \$30,000.00 in accordance with plans and specifications approved by the Council of the Shire of Mareeba.

ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Lease No. 17717065
2. MORTGAGE No 709686703 16/06/2006 at 13:20
PERPETUAL LIMITED A.B.N. 86 000 431 827
Lodged at 13:20 on 16/06/2006 Recorded at 12:33 on 20/06/2006
3. TRANSFER No 716599143 30/06/2015 at 14:13
MORTGAGE: 709686703
MEMBERS EQUITY BANK LIMITED A.C.N. 070 887 679
Lodged at 14:13 on 30/06/2015 Recorded at 14:00 on 07/07/2015

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current State Tenure Search **

Information provided under section 34 Land Title Act(1994) or
section 281 Land Act(1994)

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Page 2/2



STANDARD MAP NUMBER
8064-34344



MAP WINDOW POSITION & NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

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

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 16/01/2019
For additional information regarding this SmartMap see page 2.
Shading Rules have been applied.

DCDB 15/01/2019

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SmartMap



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



Queensland Government
(c) The State of Queensland, (Department of Natural Resources, Mines and Energy) 2019.

Additional Information Page

Shading Rules

-  Lot Number = 108 and Plan Number = K4131
-  Lot Number = 109 and Plan Number = K4131

8.8 FURTHER DEALING OF TERM LEASE 214422 OVER LOT 41 ON M356130, LOCALITY OF MAREEBA

Date Prepared: 19 February 2019

Author: Senior Planner

Attachments: 1. DNRME letter of 13 February 2019 [↓](#)

EXECUTIVE SUMMARY

The Department of Natural Resources, Mine and Energy (DNRME) is considering the further dealing with Term Lease 214422 over Lot 41 on M356130, situated at 83 Vaughan Street, Mareeba.

Term Lease 214422 was issued in 2000 for residential purposes. DNRME is considering several options, namely the renewal of the term lease and the conversion of Lot 41 on M356130 to freehold.

DNRME seeks Council's views on the renewal and freeholding options.

RECOMMENDATION

That Council advise the Department of Natural Resources, Mines and Energy that Council has no objection to the renewal of the term lease over land described as Lot 41 on M356130, situated at 83 Vaughan Street, Mareeba or the conversion of Lot 41 on M 356130 to freehold.

BACKGROUND

The Department of Natural Resources, Mine and Energy (DNRME) is considering the further dealing with Term Lease 214422 over Lot 41 on M356130, Locality of Mareeba.

The subject land has an area of 749m² and is situated at 83 Vaughan Street, Mareeba.

Term Lease 214422 commenced on 25 July 2000, for a term of 20 years. The term lease was issued for residential purposes. A dwelling house is established on the land.

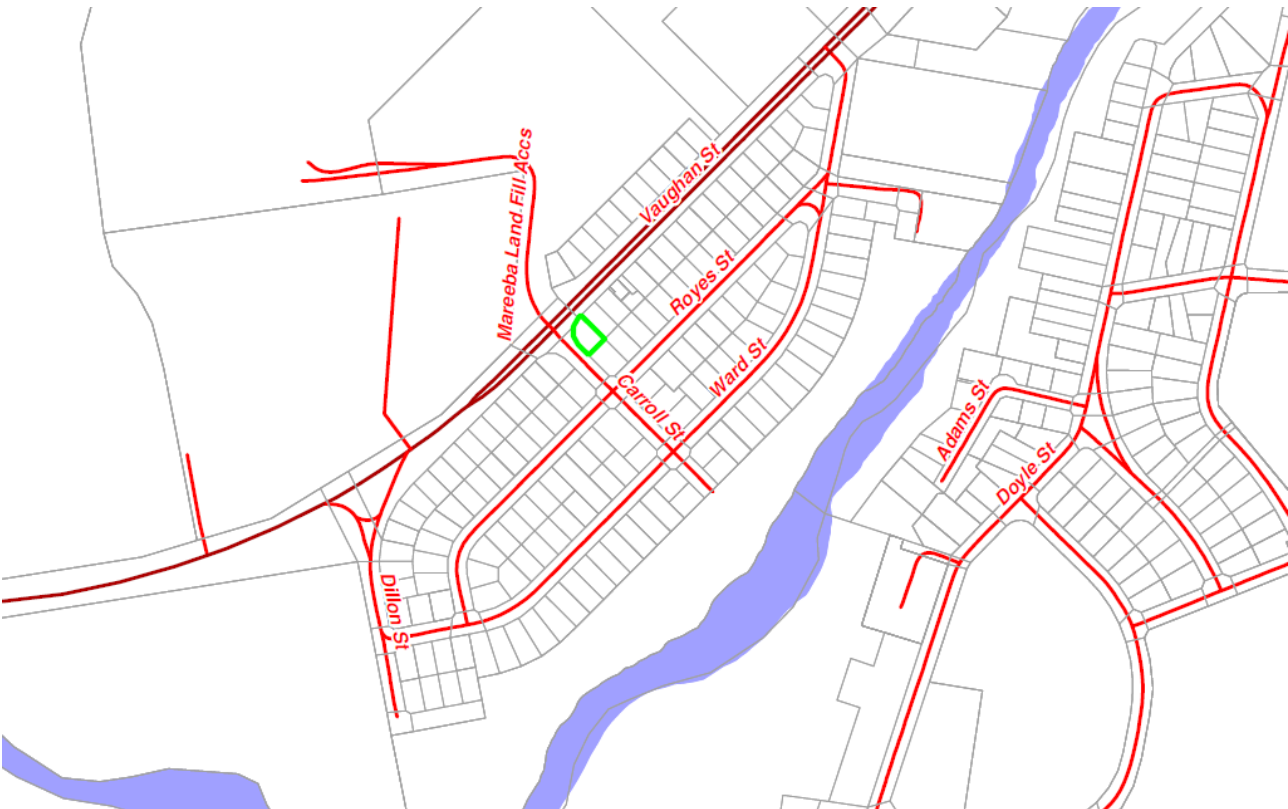
DNRME is considering several options, namely the renewal of the term lease and the conversion of Lot 41 on M356130 to freehold.

DNRME seeks Council's views on both options.



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RISK IMPLICATIONS**LEGAL/COMPLIANCE/POLICY IMPLICATIONS**

The subject land is zoned Low Density Residential under the Mareeba Shire Council Planning Scheme 2016.

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

FINANCIAL AND RESOURCE IMPLICATIONS***Capital***

Nil

Operating

Nil

LINK TO CORPORATE PLAN

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.

IMPLEMENTATION/COMMUNICATION

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

From: Gauld Kim via eLVAS System - (Production)
Sent: 13 Feb 2019 13:29:51 +1000
To: Info (Shared)
Cc: GAULDK@DNRM.QLD.GOV.AU
Subject: DNRME forward Assessment of further dealing Term Lease 214422 - Lot 41 on M356130 - PN13024
Attachments: views letter to Mareeba Shire Council.pdf

Official correspondence from Department of Natural Resources, Mines and Energy
Case Id: 2018/006563

Good afternoon,

Please find attached request for Council views.

If you have any queries, please contact me on 4222 5425.

Regards
Kim Gauld

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Author: Kim Gauld
File/Ref number: 2018/006563
Directorate/Unit: State Land Asset Management
Phone: 4222 5425

13 February 2019

Chief Executive Officer
Mareeba Shire Council
P O Box 154
MAREEBA QLD 4880



Department of
Natural Resources,
Mines and Energy

Dear Sir/Madam

Assessment of further dealing of Term Lease 214422 described as Lot 41 on Plan M356130

The abovementioned lease expires on 24 July 2020, and the department is considering further dealing with this land. The following information may help you in providing your views and/or requirements regarding further dealing with this land.

Term Lease 214422 commenced on 25 July 2000 for a term of 20 years and issued for residential purposes.

Please advise if Council has any issues that the department should consider when assessing the most appropriate use and tenure of the land in terms of Sections 159(1), 159A and 167(1) of the *Land Act 1994*. Particular attention in your reply should be given to the following:-

- (c) whether the public interest could be adversely affected if the lease was renewed;
 - (e) the condition of the lease land;
 - (h) whether part of the lease land has a more appropriate use from a land planning perspective;
 - (j) whether part of the lease land is needed for a public purpose;
 - (k) whether a new lease is the most appropriate form of tenure for the lease land.
- Consideration should be given to whether freehold is considered a more appropriate tenure.

Your Council's views or requirements that may affect the future use of the land should be received by close of business on **10 April 2019**. If you offer an objection to renewal or freeholding of this lease, a full explanation stating the reason for such an objection should be forwarded to this Office. Similarly, if you have any particular requirements you would like the department to consider, please also provide a full explanation for such requirements.

If you wish to provide a response but are unable to do so before the due date, please contact the author before the due date to arrange a more suitable timeframe. If a response is not received by the due date and no alternative arrangements have been made, it will be assumed you have no objections or requirements in relation to this matter.

Postal :
DNRME
PO Box 5318
Townsville QLD 4810

Telephone : (07) 4222 5427

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

If you wish to discuss this matter please contact Kim Gauld on telephone no. 4222 5427.

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

Please quote reference number 2018/006563 in any future correspondence.

Yours sincerely



Kim Gauld
Land Officer

Attached: Title Search
Smartmap

INTERNAL CURRENT STATE TENURE SEARCH
 NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Search Date: 13/02/2019 13:11

Title Reference: 40025935
 Date Created: 18/08/2000

DESCRIPTION OF LAND

Tenure Reference: TL 0/214422

Lease Type: TERM

LOT 41 CROWN PLAN M356130
 Local Government: MAREEBA

Area: 0.074900 Ha. (SURVEYED)

No Land Description

No Forestry Entitlement Area

Purpose for which granted:
 RESIDENTIAL

TERM OF LEASE

Term and day of beginning of lease

Term: 20 years commencing on 25/07/2000

Expiring on 24/07/2020

REGISTERED LESSEE

GEORGE ALLAN RADFORD
 LEEANNE RUTH RADFORD JOINT TENANTS

CONDITIONS

INTERNAL CURRENT STATE TENURE SEARCH
NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Search Date: 13/02/2019 13:11

Title Reference: 40025935
Date Created: 18/08/2000

CONDITIONS

- A46 (1) The lessee shall use the leased land for residential purposes
- (2) In the event of the lessee ceasing to use the leased land as provided for in Condition A46 clause (1) above, the lease may be forfeited or cancelled.
- (3) The annual rent shall be paid yearly in advance and shall be determined in accordance with the provisions of the Land Act 1994.
- (4) The lessee shall pay the cost of any required re-survey.
- (5) The lessee must keep any noxious plants, on the leased land, under control.
- (6) The lessee has the responsibility for a duty of care for the leased land.
- (7) The lessee shall ensure that the use and development of the leased land conforms to the Town Planning Scheme By-Laws and requirements of the Mareeba Shire Council.
- (8) The lessee must give the Minister administering the Land Act 1994, the information the Minister administering the Land Act 1994 asks for about the lease.
- (9) The lessee shall not destroy any trees on the leased land unless in accordance with a tree clearing permit under the provisions of the Land Act 1994 or the provisions relating to the clearing for routine management purposes as prescribed in the Land Regulation 1995. (NOTE:- Routine Management provisions of the Land Act do not apply on leases over State Forests and Timber Reserves)
- (10) No compensation for improvements or developmental work shall be payable by the State at the expiration or surrender of the lease but the lessee shall either have the right to remove the lessee's moveable improvements within a period of three (3) months from the expiration or surrender of the lease, provided all moneys due by the lessee to the State on any account whatsoever have been paid, or be required to remove those improvements as specified in any further condition of lease .
- A47 (1) The lessee shall allow any person authorised under the Forestry Act 1959 access to the leased land for the purpose of cutting and removing timber or removing other forest products, or quarry material, or other material from the leased land .
- (2) Except as hereinafter provided the lessee shall not interfere with any forest products or remove any quarry material (including any stone, gravel, sand, earth, soil, rock, guano or clay which is not a mineral within the meaning of the Mineral Resources Act 1989) or other material upon the leased land without the permission of the Minister administering the Land Act 1994 except under the authority of and in compliance in every respect with the requirements of a permit, licence, agreement or contract granted or made under the Forestry Act 1959.

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Page 2/4

INTERNAL CURRENT STATE TENURE SEARCH
 NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Search Date: 13/02/2019 13:11

Title Reference: 40025935
 Date Created: 18/08/2000

CONDITIONS

- B40 For the purposes of this condition: "GST" means the goods and services tax which results from the enactment of A New Tax System (Goods and Services Tax) Act 1999 and the related Acts which constitute the Commonwealth taxation reform (as amended from time to time).
 The Parties acknowledge that GST may be payable in respect of a supply made under this lease.
 Where GST becomes payable in respect of a supply made under this lease, the State (lessor) may recover the GST from the lessee by increasing the consideration payable by the lessee to the State by an amount equal to that which the State is obliged to remit to the Commonwealth as GST on the supply, and that amount may be recovered from the lessee as part of the monies payable to the State under this lease.
 The State shall upon request by the lessee, issue to the lessee a valid GST tax invoice in respect of any taxable supply made under this lease.
- C320 In all other respects, the lease shall be subject to the provisions of the Land Act 1994 and other relevant State and Commonwealth Acts.
- C322 The lessee shall comply with any lawful requirements of the Minister administering the Land Act 1994 and the Local Authority.
- I55 The lessee indemnifies and agrees to keep the State of Queensland, Crown Instrumentalities, local governments and other statutory bodies indemnified against all actions, suits, proceedings, claims, demands, costs, losses, damages and expenses arising out of or in any way connected to or resulting from the State of Queensland granting this lease to the lessee including all such actions, suits, proceedings, claims, demands, costs, losses, damages and expenses arising out of or in any way connected to or resulting from a breach of any of the conditions of the Term Lease by the lessee .

ENCUMBRANCES AND INTERESTS

- 1. Rights and interests reserved to the Crown by Lease No. 40025935
- 2. MORTGAGE No 708759093 22/06/2005 at 14:24
 LA TROBE INVESTMENT MANAGEMENT AUSTRALIA PTY LIMITED A.C.N. 109 141 371
 Lodged at 14:24 on 22/06/2005 Recorded at 11:36 on 01/07/2005

ADMINISTRATIVE ADVICES - NIL
 UNREGISTERED DEALINGS - NIL

INTERNAL CURRENT STATE TENURE SEARCH
NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Search Date: 13/02/2019 13:11

Title Reference: 40025935
Date Created: 18/08/2000

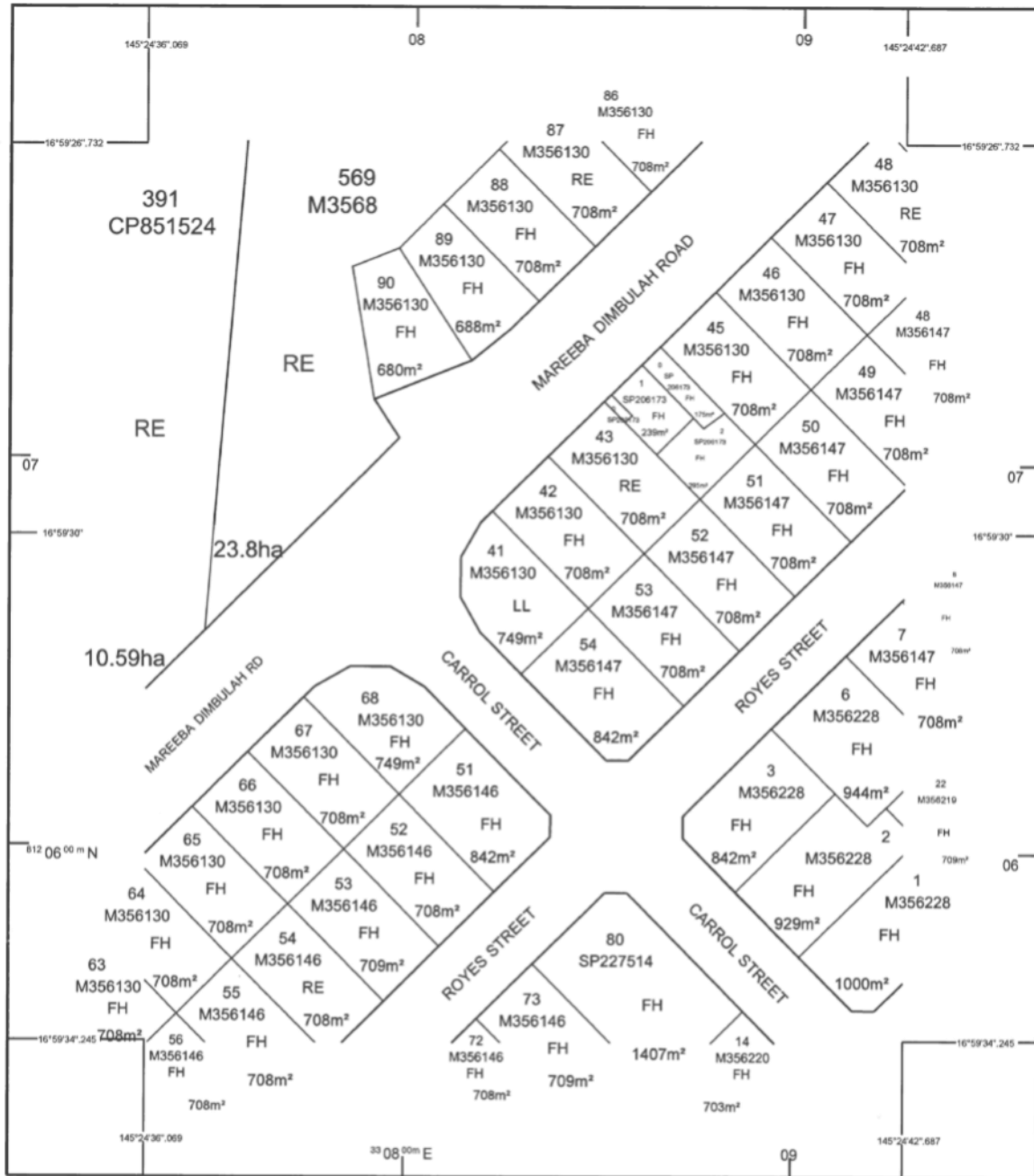
Caution - Charges do not necessarily appear in order of priority

** End of Current State Tenure Search **

Information provided under section 34 Land Title Act(1994) or
section 281 Land Act(1994)

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Page 4/4

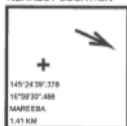
Document Set ID: 3491826
Version: 1 Version Date: 13/02/2019



STANDARD MAP NUMBER
7964-22323



MAP WINDOW POSITION & NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	41/M356130
Area/Volume	749m²
Tenure	LANDS LEASE
Local Government	MAREEBA SHIRE
Locality	MAREEBA
Segment/Parcel	0055/2

CLIENT SERVICE STANDARDS

PRINTED (ddmm/yyyy)	20/11/2018
DCDB	19/11/2018
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SmartMap

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



Queensland Government (c) The State of Queensland, (Department of Natural Resources, Mines and Energy) 2018.

8.9 FURTHER DEALING OF TERM LEASE 215469 ON LOT 470 ON HG650, LOCALITY OF DIMBULAH

Date Prepared: 19 February 2019

Author: Senior Planner

Attachments: 1. DNRME letter of 13 February 2019 [↓](#)

EXECUTIVE SUMMARY

The Department of Natural Resources, Mine and Energy (DNRME) is considering the further dealing with Term Lease 215469 over Lot 470 on HG650, situated at Boonmoo Road, Dimbulah.

Term Lease 215469 was issued in the year 2000 for residential purposes. DNRME is considering several options, namely the renewal of the term lease and the conversion of Lot 470 on HG650 to freehold.

DNRME seeks Council's views on the renewal and freeholding options.

RECOMMENDATION

That Council advise the Department of Natural Resources, Mines and Energy that Council has no objection to the renewal of the term lease over land described as Lot 470 on HG650, situated at Boonmoo Road, Dimbulah or the conversion of Lot 470 on HG650 to freehold.

BACKGROUND

The Department of Natural Resources, Mine and Energy (DNRME) is considering the further dealing with Term Lease 215469 over Lot 470 on HG650, Locality of Dimbulah.

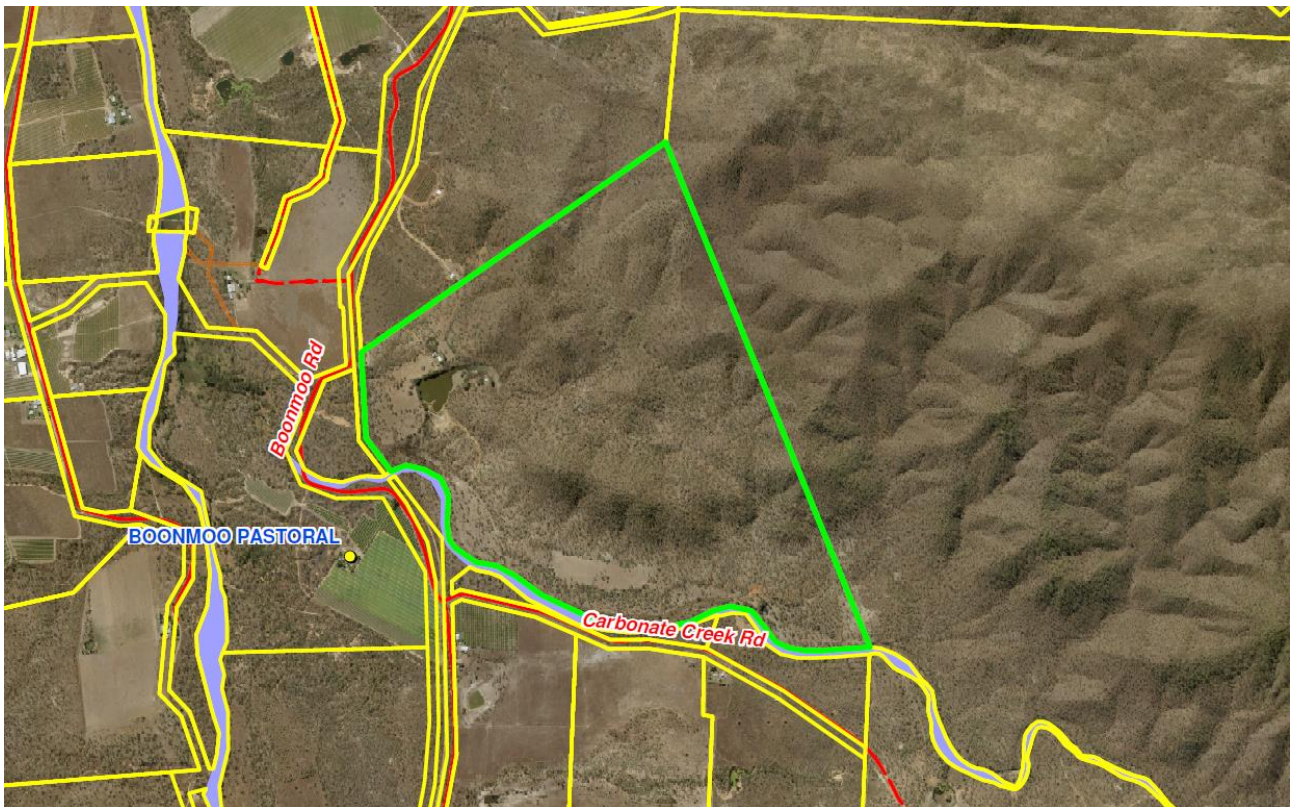
The subject land has an area of 251 hectares and is located on Boonmoo Road approximately seven (7) kilometres south-west of the Dimbulah township.

Term Lease 215469 commenced on 1 July 2000, for a term of 20 years. The term lease was issued for residential purposes.

The land is currently used for rural living purposes and is improved by a dwelling house, numerous sheds and a large dam. It is expected that the current use will continue if the conversion is successful. The majority of the land remains vegetated.

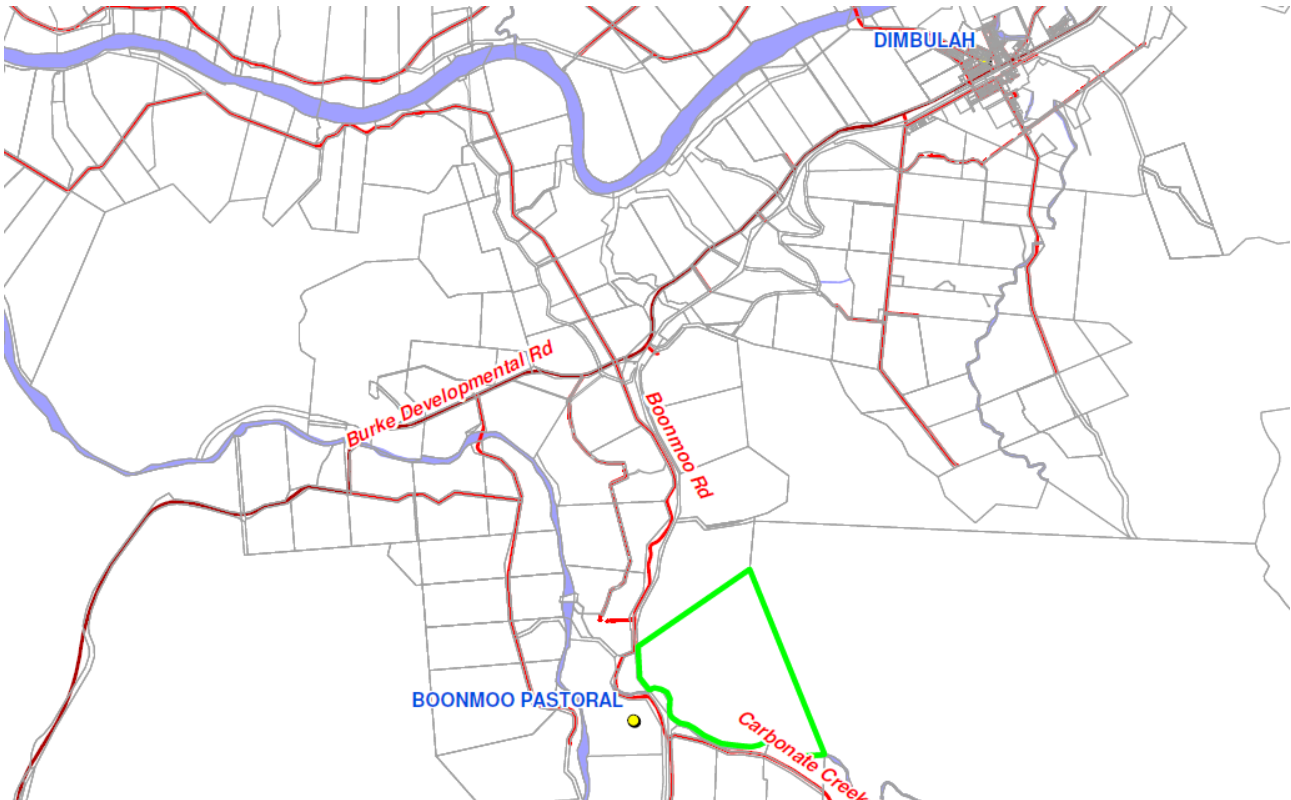
DNRME is considering several options, namely the renewal of the term lease and the conversion of Lot 470 on HG650 to freehold.

DNRME seeks Council's views on both options.



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RISK IMPLICATIONS**LEGAL/COMPLIANCE/POLICY IMPLICATIONS**

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

There is no objection to the continued use of the land for residential (rural living) purposes.

FINANCIAL AND RESOURCE IMPLICATIONS***Capital***

Nil

Operating

Nil

LINK TO CORPORATE PLAN

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.

IMPLEMENTATION/COMMUNICATION

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

From: Gauld Kim via eLVAS System - (Production)
Sent: 13 Feb 2019 14:48:09 +1000
To: Info (Shared)
Cc: GAULDK@DNRM.QLD.GOV.AU
Subject: DNRME forward Assessment of further dealing Term Lease 215469 - Lot 470 on HG650 - PN14210
Attachments: views request Mareeba Shire Council.pdf

Official correspondence from Department of Natural Resources, Mines and Energy
Case Id: 2018/006564

Hello

Please find attached views request for term lease over Lot 470 on HG650.

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

Regards
Kim Gauld

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Author: Kim Gauld
 File/Ref number: 2018/006564
 Directorate/Unit: State Land Asset Management
 Phone: 4222 5425



Department of
 Natural Resources,
 Mines and Energy

13 February 2019

Chief Executive Officer
 Mareeba Shire Council
 P O Box 154
 MAREEBA QLD 4880

Dear Sir/Madam

Assessment of further dealing of Term Lease 215469 described as Lot 470 on Plan HG650

The abovementioned lease expires on 30 June 2020, and the department is considering further dealing with this land. The following information may help you in providing your views and/or requirements regarding further dealing with this land.

Term Lease 215469 commenced on 1 July 2000 for a term of 20 years and issued for residential purposes.

Please advise if Council has any issues that the department should consider when assessing the most appropriate use and tenure of the land in terms of Sections 159(1), 159A and 167(1) of the *Land Act 1994*. Particular attention in your reply should be given to the following:-

- (c) whether the public interest could be adversely affected if the lease was renewed;
 - (e) the condition of the lease land;
 - (h) whether part of the lease land has a more appropriate use from a land planning perspective;
 - (j) whether part of the lease land is needed for a public purpose;
 - (k) whether a new lease is the most appropriate form of tenure for the lease land.
- Consideration should be given to whether freehold is considered a more appropriate tenure.

Your Council's views or requirements that may affect the future use of the land should be received by close of business on **10 April 2019**. If you offer an objection to renewal or freeholding of this lease, a full explanation stating the reason for such an objection should be forwarded to this Office. Similarly, if you have any particular requirements you would like the department to consider, please also provide a full explanation for such requirements.

If you wish to provide a response but are unable to do so before the due date, please contact the author before the due date to arrange a more suitable timeframe. If a response is not received by the due date and no alternative arrangements have been made, it will be assumed you have no objections or requirements in relation to this matter.

Postal :
 DNRME
 PO Box 5318
 Townsville QLD 4810

Telephone : (07) 4222 5427

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

If you wish to discuss this matter please contact Kim Gauld on telephone no. 4222 5425.

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

Please quote reference number 2018/006564 in any future correspondence.

Yours sincerely



Kim Gauld
Land Officer

Attached: Title Search
Smartmap

INTERNAL CURRENT STATE TENURE SEARCH
 NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Search Date: 13/02/2019 14:03

Title Reference: 40028260
 Date Created: 11/04/2001

DESCRIPTION OF LAND

Tenure Reference: TL 0/215469

Lease Type: TERM

LOT 470 CROWN PLAN HG650
 Local Government: MAREEBA

Area: 251.000000 Ha. (ABOUT)

No Land Description

No Forestry Entitlement Area

Purpose for which granted:
 RESIDENTIAL

TERM OF LEASE

Term and day of beginning of lease

Term: 20 years commencing on 01/07/2000

Expiring on 30/06/2020

REGISTERED LESSEE

Dealing No: 714582951 23/07/2012

ELAINE MARY SIMPSON
 RONALD ALBERT SIMPSON JOINT TENANTS

CONDITIONS

INTERNAL CURRENT STATE TENURE SEARCH
NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Search Date: 13/02/2019 14:03

Title Reference: 40028260
Date Created: 11/04/2001

CONDITIONS

- A61
- (1) The lessee must use the leased land for residential purposes , namely rural residential and associated purposes.
 - (2) This lease may be forfeited if not used for the purpose stated above.
 - (3) The annual rent must be paid in accordance with the Land Act 1994.
 - (4) The Parties acknowledge that GST may be payable in respect of a supply made under this lease. Where GST becomes payable in respect of a supply made under this lease, the State (lessor) may recover the GST from the lessee by increasing the consideration payable by the lessee to the State by an amount equal to that which the State is obliged to remit to the Commonwealth as GST on the supply and that amount may be recovered from the lessee as part of the money payable to the State under this lease. The State will upon request by the lessee, issue to the lessee a valid GST tax invoice in respect of any taxable supply made under this lease. (NOTE: For the purposes of this condition "GST" means the goods and services tax which results from the enactment of A New Tax System (Goods and Services Tax) Act 1999 and the related Acts which constitute the Commonwealth taxation reform (as amended from time to time)).
 - (5) The lessee must pay the cost of any required survey or re-survey of the leased land.
 - (6) The lessee must control pest plants and animals, on the leased land, in accordance with the Land Protection (Pest and Stock Route Management) Act 2002 and the Local Laws and requirements of the Mareeba Shire Council.
 - (7) The lessee has the responsibility for a duty of care, to take all reasonable and practicable measures to sustainably manage the leased land by conserving the physical, biological, productive and cultural values, either on the leased land or in areas affected by the management of the leased land.
 - (8) The lessee indemnifies and agrees to keep indemnified the State of Queensland, Crown Instrumentalities, local governments and other statutory bodies (the Indemnified) against all actions, suits, proceedings, claims, demands, costs, losses, damages and expenses (Claim) arising out of or in any way connected to or resulting from the State of Queensland granting this lease to the lessee and which is connected to or resulting from the lessees' use and occupation of the leased land (all referred to as the indemnified acts or omissions) save to the extent that the Claim arises as a result of any negligent act or omission of the State of Queensland. The lessee hereby releases and discharges the Indemnified from any Claim relating to the indemnified acts or omissions which may be made against the Indemnified.
 - (9) The lessee must ensure that the use and development of the leased land conforms to the Planning Scheme, Local Laws and requirements of the Mareeba Shire Council, binding on the lessee.
 - (10) The lessee must give the Minister administering the Land Act 1994, information about the lease, when requested.

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Page 2/4

INTERNAL CURRENT STATE TENURE SEARCH
 NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Search Date: 13/02/2019 14:03

Title Reference: 40028260
 Date Created: 11/04/2001

CONDITIONS

- (11) The lessee must not clear any vegetation on the leased land, unless in accordance with the Integrated Planning Act 1997.
 - (12) No compensation for improvements or developmental work is payable by the State at the forfeiture, surrender or expiry of the lease, but the lessee has the right to remove the lessees moveable improvements within a period of three (3) months from the forfeiture, surrender or expiry of the lease, provided all money due by the lessee to the State on any account whatsoever has been paid, or be required to remove those improvements as specified in any further condition of lease.
 - (13) This lease is subject to the Land Act 1994 and all other relevant State and Commonwealth Acts.
- A68
- (1) The lessee must allow any person authorised under the Forestry Act 1959 access to the leased land for the purpose of cutting and removing timber or removing other forest products, or quarry material, or other material from the leased land.
 - (2) Except as hereinafter provided the lessee must not interfere with any forest products or remove any quarry material (including any stone, gravel, sand, earth, soil, rock, guano or clay which is not a mineral within the meaning of the Mineral Resources Act 1989) or other material upon the leased land without the permission of the Minister administering the Land Act 1994 except under the authority of and in compliance in every respect with the requirements or a permit, licence, agreement or contract granted or made under the Forestry Act 1959.
- C342 The lessee must comply with any lawful requirements of the Minister administering the Land Act 1994 and the Mareeba Shire Council.
- H123 The provision of further access or services to the leased land will not be the responsibility of the Mareeba Shire Council or the State.
- I61 The lessee hereby covenants and agrees with the Minister administering the Land Act 1994, that by virtue of the execution of this lease, no liability is stated or implied or will attach to the said Minister in respect of any loss or damage to the leased land or to any improvements thereon caused by the effects of erosion or other elements of nature in the locality, or other result or consequence caused by global climatic change.
- L110 The lessee must , to the satisfaction of the Minister administering the Land Act 1994 and the Mareeba Shire Council, maintain improvements on the leased land in a good and substantial state of repair.

INTERNAL CURRENT STATE TENURE SEARCH
NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Search Date: 13/02/2019 14:03

Title Reference: 40028260
Date Created: 11/04/2001

ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Lease No. 40028260
2. MORTGAGE No 714582953 23/07/2012 at 14:16
SUNCORP-METWAY LTD A.B.N. 66 010 831 722
Lodged at 14:16 on 23/07/2012 Recorded at 15:01 on 26/07/2012

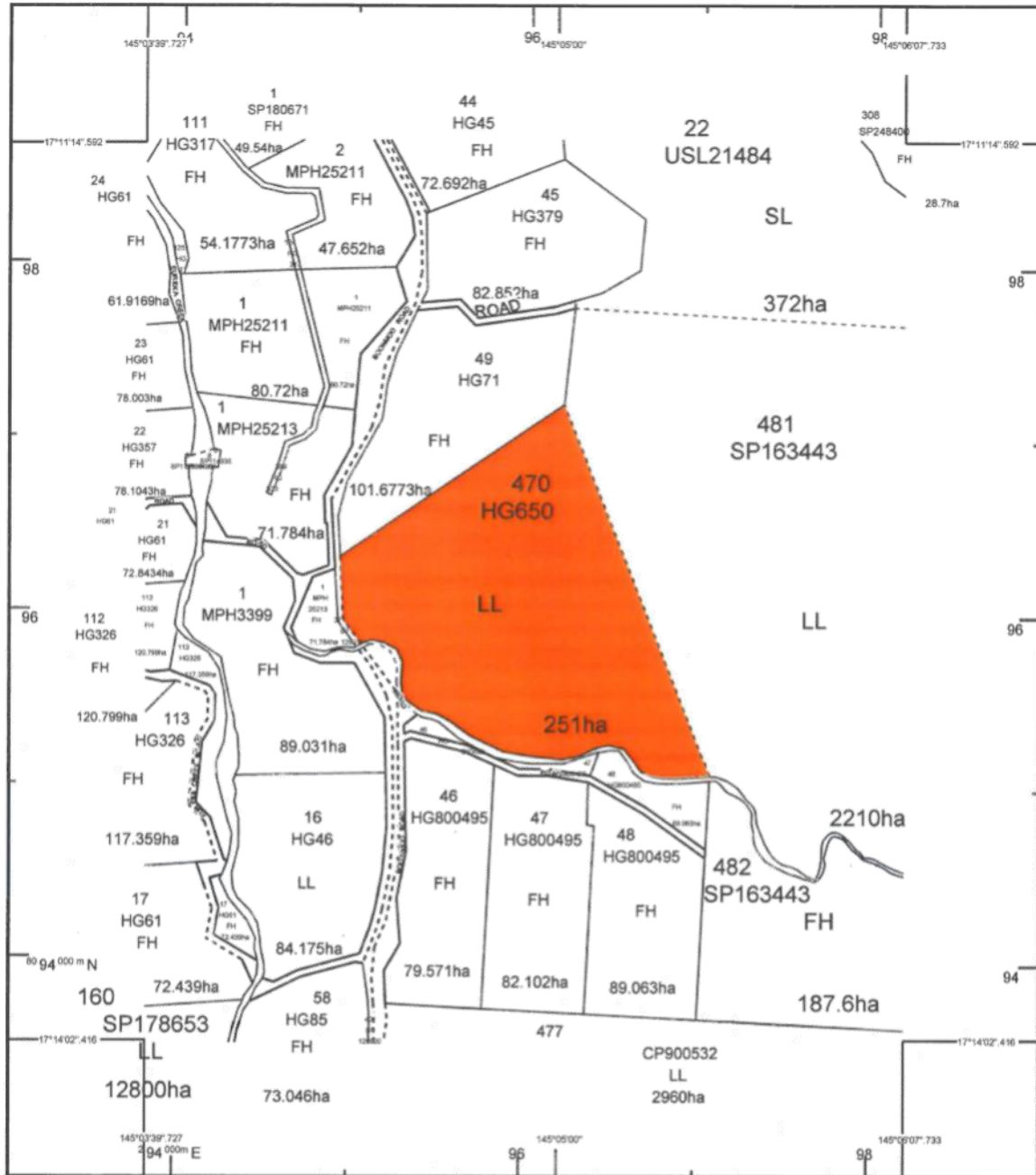
ADMINISTRATIVE ADVICES - NIL
UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current State Tenure Search **

Information provided under section 34 Land Title Act(1994) or
section 281 Land Act(1994)

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Page 4/4



STANDARD MAP NUMBER
7963-43242



SmartMap

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

MAP WINDOW POSITION & NEAREST LOCATION
+
145°03'39" E
17°12'30" S
DMSLAH
7.30 KM

SUBJECT PARCEL DESCRIPTION

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

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 13/02/2019
For additional information regarding this SmartMap see page 2.
Shading Rules have been applied.

DCDB 12/02/2019 (Lots with an area less than 1,000ha are not shown)

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8.10 DELEGATIONS UPDATE FEBRUARY 2019 AND POLICY REVIEW

Date Prepared: 25 February 2019
Author: Manager Development and Governance
Attachments: 1. [Table of Delegable Powers](#) ↓
2. [Delegations and Authorisations Policy](#) ↓

EXECUTIVE SUMMARY

As part of the monthly delegations update service provided by MacDonnells Law, Council is advised of amendments to various pieces of legislation that require amendments to existing delegations or new delegations to be made by Council. Also, to ensure good governance within Council the Delegations and Authorisations Policy has been reviewed.

RECOMMENDATION

That:

1. Council delegates the exercise of the powers contained in the attached Tables of Delegable Powers and Instruments of Delegation to the Chief Executive Officer, with such powers to be exercised subject to any limitations;
2. Any prior delegations of power relating to the same matters are revoked; and
3. The Delegations and Authorisations Policy be repealed and Council adopt the attached Delegations and Authorisations Policy.

BACKGROUND

Council have delegated to the Chief Executive Officer the necessary statutory powers under various pieces of legislation to enable him to effectively perform the requirements of his role and efficiently manage the operations of the Council. All delegations are made subject to the limitations on the attached documentation.

This report and the recommended delegations of power to the Chief Executive Officer if executed by resolution of Council, will provide a base for good decision making and accountability while maintaining statutory compliance by the Mareeba Shire Council.

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

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

The new Delegation and Authorisations Policy was due to be reviewed and minor changes have been made in order to keep the policy up to date with current operations and requirements.

Water Regulation 2016 (Qld) ('WATR')

The WATR has been amended by the Water (Metering and Compliance) Amendment Regulation 2019. The amendment has resulted in changes to where Council is either the holder of a metered entitlement or the owner of the works. It allows a delegate of Council to notify the Chief Executive of a faulty meter and provide to the Chief Executive the information prescribed.

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

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

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

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

FINANCIAL AND RESOURCE IMPLICATIONS***Capital***

Nil

Operating

Nil

LINK TO CORPORATE PLAN

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.

IMPLEMENTATION/COMMUNICATION

Nil

Delegable Powers under the Water Regulation 2016 ("WATR")

Part 4 – Matters relating to water licenses
Division 3 – Transfer, amendment or amalgamation of water licenses – Act, section 126
Subdivision 2 – Process for dealing with application

Entity power given to	Section of WATR	Description	Delegation to the CEO / Date of Resolution	Sub-Delegation to Officers	Date of Sub-Delegation	Limitations and Conditions
Person	34(1)	Power to apply to the Chief Executive for a transfer, amendment or amalgamation of an original license.				
Holder of original license	34(3)(b)(i)	Power to give a statutory declaration in the manner required.				
An interested entity	34(3)(b)(ii)	Power to give written consent to proposed transfer, amendment or amalgamation.				
Applicant	37(2)	Power to give the Chief Executive notice in the approved form (a transfer notice).				

Table of Delegable Powers
Water Regulation 2016

Current as at 1 February 2019

Part 5 – Water allocation

Division 2 – Seasonal water assignments

Subdivision 1 – Seasonal water assignments for water allocations not managed under resource operations licence

Entity power given to	Section of WATR	Description	Delegation to the CEO / Date of Resolution	Sub-Delegation to Officers	Date of Sub-Delegation	Limitations and Conditions
Holder of a Water Allocation	58(1)	Power to apply to the Chief Executive for a seasonal water assignment for the water allocation for the water year in which the application is made.				
Holder of a Seasonal Water Assignment Notice for a Water Allocation	58(2)	Power to apply to the Chief Executive for a seasonal water assignment for the seasonal water assignment notice for the water year in which the application is made.				

Subdivision 2 – Seasonal water assignments for water allocations managed under resource operations licence

Holder of a Water Allocation	61(2)	In certain circumstances, power , to enter into an arrangement for a seasonal water assignment in relation to the allocation.				
Holder of a Resource Operations Licence	61(2)(a)	Power to consent to the arrangement for a seasonal water assignment.				
Distribution Operations	61(2)(b)	Power to consent to the arrangement for a seasonal water assignment				

Licence Holder						
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Division 3 – Water allocation dealing rules applying to the whole of the State

Subdivision 2 – Process for applying for and deciding particular water allocation dealings

Entity power given to	Section of WATR	Description	Delegation to the CEO / Date of Resolution	Sub-Delegation to Officers	Date of Sub-Delegation	Limitations and Conditions
Applicant for a water allocation	63	Power to apply for a water allocation in the approved form.				

Part 11 – Metering

Division 3 – Validation of meters

Entity power given to	Section of WATR	Description	Delegation to the CEO / Date of Resolution	Sub-Delegation to Officers	Date of Sub-Delegation	Limitations and Conditions
Relevant Person	110A	Power to give the Chief Executive a written notice stating the meter is a faulty meter and information about water taken through the works.				

Division 4 – Reading meters

Entity power given to	Section of WATR	Description	Delegation to the CEO / Date of Resolution	Sub-Delegation to Officers	Date of Sub-Delegation	Limitations and Conditions
Relevant Person	113(1)(a)	Power to give a notice to the Chief Executive of the reading of the meter.				
Relevant Person	113(1)(b)	Power to give a notice to the Chief Executive of the reading of the meter and notify the				

Table of Delegable Powers
Water Regulation 2016

Current as at 1 February 2019

		Chief Executive about whether or not the meter is a faulty meter.				
Holder of the metered entitlement	114(a)	Power to make an application to the Chief Executive to read a meter.				
Owner of the works	114(b)	Power to give the Chief Executive notice that the owner has decided to stop using the works.				

Division 6 – Ownership

Entity power given to	Section of WATR	Description	Delegation to the CEO / Date of Resolution	Sub-Delegation to Officers	Date of Sub-Delegation	Limitations and Conditions
Holder or Owner	119(3)	Power to give written notice to the Chief Executive of refusal to accept the transfer.				

[2019 02 01 - WATR - Delegation Table]



Delegations and Authorisations Policy

Policy Type	Governance Policy	Version:	2.0
Responsible Officer	Manager Development and Governance	Date Approved:	19 March 2019
Review Officer:	Manager Development and Governance	Review Due:	1 January 2023
Author:	Senior Compliance Officer	Commencement:	19 March 2019

1. PURPOSE

To provide a framework for the exercise and administration of delegations, sub-delegations and appointment of authorised persons, ensuring Council effectively and efficiently meets its legislative requirements under the *Local Government Act 2009* (LGA) and related Acts.

2. SCOPE

This policy applies all elected representatives, employees, contractors, volunteers of the Mareeba Shire Council, a Standing or Joint Standing Committee, committee members and any entity under direct Council ownership, management, sponsorship or financial control. The policy applies to any Council activity or action which requires the use of a delegation or an authorisation under the Acts.

3. POLICY STATEMENT

Effective management of instruments of delegation and authorisation reduces enterprise risk and enables effective Council discharge of obligations under the Acts. Council will ensure:

- Delegation of local government powers are conducted strictly in accordance with requirements of the LGA,¹ and;
- A current register of delegations is established, maintained and available for public inspection at all times,² and;
- The necessary level of delegated power and authority is in place for all parties mentioned in section 2 sufficiently for effective discharge of duties and responsibilities under the Acts, and;
- The framework of established procedures for administration of delegations and authorisations is adhered to, monitored frequently and actioned to account for amendments to legislation, employee movements and changes to the organisational structure of Council.

¹ *Local Government Act 2009*. See s 257-257A for Council delegation of power to the CEO, s 258 for delegation of the Mayor's powers, s 259 for delegation of the CEO's powers. Note particularly exceptions in s 257(2-3), s 257A(3) and 259(2) and annual review requirements under s 257(5).

² *Local Government Act 2009* s 260; *Local Government Regulation* s 305.

Delegations and Authorisations Policy

4. REPORTING

- No additional reporting is required

5. DEFINITIONS

Act: *the Local Government Act 2009* (Qld) - abbreviated here to LGA.

Acts: collectively includes an Act of the Queensland Parliament;³ Queensland legislation; Queensland statutory law.

Authorisation: is an appointment of a person as an authorised person for the exercise of power under a specific piece of legislation (an Act) for a specific purpose in relation to an Act. In practice, the authorisation attaches to a *person*, not to a position. The authorisation ceases once the person who provided the authorisation leaves office.

Delegation: is a delegation of a function or power under an Act⁴. In practice, the LGA provides for delegation of power from Council to the CEO, in turn providing for sub-delegation of power from the CEO to a Council Officer. Delegated power is assigned to a position or office. The delegation continues in force regardless of changes to the person occupying or holding the position or office.

6. RELATED DOCUMENTS AND REFERENCES

- *Code of Conduct for Councillors* (MSC)
- *Employee Code of Conduct* (MSC)
- *Enterprise Risk Management Policy* (MSC)
- *Fraud and Corruption Prevention Management Policy* (MSC)
- *Local Government Act 2009* (Qld)
- *Local Government Regulation 2012* (Qld)
- *Signing of Correspondence and Documents* (MSC)

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.

³ *Acts Interpretation Act 1954* (Qld) s 6-7.

⁴ *Ibid* s 27A.

8.11 REGULATORY FEES AND CHARGES 2019 - 2020

Date Prepared: 26 February 2019

Author: Supervisor Health and Local Laws

Attachments:

1. [Local Laws Activities - 2019 - 2020 Fees and Charges](#) ↓
2. [Animal Management - 2019 -2020 Fees and Charges](#) ↓
3. [Environmental Health - 2019 - 2020 Fees and Charges](#) ↓

EXECUTIVE SUMMARY

This report presents the recommended 2019/20 cost recovery fees for Environmental Health, Animal Management and Local Laws Activities for Council's consideration and endorsement.

RECOMMENDATION

That Council adopt the proposed 2019 - 2020 fees as listed for Animal Management, Environmental Health, and Local Law Activities.

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.

Section 52 of the Animal Management (Cats & Dogs) Act 2008 requires local governments to include a de-sexing incentive when setting fees for animal registration. Although not achieving cost recovery for entire animals, the proposed fee for de-sexed animals is significantly lower to encourage de-sexing.

RISK IMPLICATIONS**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

Operating

Nil

LINK TO CORPORATE PLAN

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.

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.

IMPLEMENTATION/COMMUNICATION

The cost recovery fees will be included in the schedule of cost recovery fees 2018 - 2019 and will be published on Council's Website.

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						
Local Laws Activities						
Accommodation Facilities						
Caravan parks - initial	Y	(a)	LL1	application	\$425.00	N
Caravan parks - renewal	Y	(a)	LL1	application	\$307.00	N
Camping Grounds - initial	Y	(a)	LL1	application	\$425.00	N
Camping Grounds - renewal	Y	(a)	LL1	application	\$307.00	N
Transfer of ownership	Y	(a)	LL1	application	\$307.00	N
Operation of temporary entertainment events						
Operation of temporary entertainment events	Y	(a)	LL1	application	\$600.00	N
Remedial Notices						
Overgrown Properties	Y	(a)	LL1	Notice	Cost + \$200.00	N
Commercial Use of Local Government Controlled Areas and Roads (LGCARs) schedule 6						
Outdoor dining application	Y	(a)	LL1	application	\$282.00	N
Outdoor dining renewal	Y	(a)	LL1	year	\$169.00	N
Goods on footpath application	Y	(a)	LL1	application	\$282.00	N
Goods on footpath renewal	Y	(a)	LL1	year	\$169.00	N
Approved Furniture application	Y	(a)	LL1	Application	No cost	N
Approved Furniture renewal	Y	(a)	LL1	Year	No cost	N
Application for Approval - Commercial use LGCARs	Y	(a)	LL1	application	\$282.00	N
Application for Renewal of Approval - Commercial use LGCARs	Y	(a)	LL1	year	\$169.00	N
Parks, roads & reserves application	Y	(a)	LL1	application	POA	
Parks, roads & reserves renewal	Y	(a)	LL1	Year	POA	
Amendment of Commercial Use of Roads Approval	Y	(a)	LL1	application	\$108.00	N
Installation of advertising device - Schedule 8						
Advertising Device Application	Y	(a)	LL1	application	\$277.00	N
Advertising Device Renewal Application	Y	(a)	LL1	year	\$154.00	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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Busking						
Application (annual)	Y	(a)	LL1	application	\$120.00	N
Application to renew	Y	(a)	LL1	year	\$94.00	N
Application (3 monthly)	Y	(a)	LL1	3 monthly	\$36.00	N
Public Liability Buskers Insurance	Y	(a)	LL1	person	\$15.00	N
Recovery of Abandoned Vehicles						
Recovery of abandoned vehicles	Y	(d)	LL1	vehicle	cost + \$170	N
Release of goods in abandoned vehicles	Y	(d)	LL1	Vehicle		N
Temporary Parking Permit						
Temporary Parking Permit	Y	(a)	LL1	application	\$184.00	N
Release of Impounded Items						
Release of impounded sign	Y	(d)	LL1	sign	\$67.00	N
Release of second and subsequent impounded signs	Y	(d)	LL1	sign	\$26.00	N
Release of miscellaneous impounded items	Y	(d)	LL1	item	\$67.00	N
Gates and Grids						
Application for approval gates & grids	Y	(a)	LL1	application	\$359.00	N
Application for renewal of approval gates & grids	Y	(a)	LL1	year	\$51.00	N
Fee for re-inspection of gate or grid	Y	(a)	LL1	inspection	\$195.00	N
Transfer of Gate/Grid (change of ownership)	Y	(a)	LL1	application	\$51.00	N
Hoarding, Scaffolding or Gantry						
Application for approval hoarding, scaffolding or gantry	Y	(a)	LL1	application	\$277.00	N
Bond (if applicable - refundable)	N	(a)	LL1	application	\$1000.00	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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2019/20 Fees and Charges						
Animal Management						
Note: Where an application fee is paid for an annual approval or annual licence <u>on or after 1 April</u> the fees set for the following financial year are to be used and an extended expiry is to be applied to the particular approval.						
Registration						
Pups under 6 months				animal	\$0.00	N
Entire male/female	Y	(a)	AM C&DA 2008 44 & 46	animal/annum	\$120.00	N
Desexed male/female	Y	(a)	AM C&DA 2008 44 & 46	animal/annum	\$20.00	N
Replacement Tag	Y	(d)	AM C&DA 2008 44 & 46	tag	\$8.00	N
Entire Dog (owned member of a recognised kennel club)	Y	(a)	AM C&DA 2008 44 & 46	animal/annum	\$52.00	N
Assistance Dog				animal/annum	\$0.00	N
Working Dogs				animal/annum	\$0.00	N
Pro rata calculations to apply to initial dog registration fees (first time registering the dog in the Shire) as follows:						
1 July to 30 September				animal	no fee reduction	N
1 October to 31 December				animal	25 % fee reduction	N
1 January to 31 March				animal	50 % fee reduction	N
1 April to 1 June				animal	pay full fee but maintain the 15-month registration	N
Desexed Animal Refund (Entire Dog desexed during the year)						
1 April to 30 September				animal	\$97.00	
1 October to 31 December				animal	\$73.00	
1 January to 31 March				animal	\$48.00	
Registration for Regulated Dogs (Dangerous, Menacing)						
Initial Fee	Y	(a)	AM C&DA 2008 44 & 46	animal	\$415.00	N
Renewal fee	Y	(a)	AM C&DA 2008 44 & 46	animal	\$215.00	N
Regulated Dog Tag - replacement	Y	(d)	AM C&DA 2008 44 & 46	tag	\$15.00	N
Additional regulated sign (1 required at each entry point)	N			sign	\$46.00	N
Approvals Animal Keeping						
Approval to Keep Excess Dogs - Initial Application	Y	(a)	LL2	application	\$100.00	N
Approval to Keep Excess Dogs - Renewal Application	Y	(a)	LL2	application	\$26.00	N
Approval to Keep Excess Stock - Initial Application	Y	(a)	LL2	application	\$100.00	N
Approval to Keep Excess Stock - Renewal Application	Y	(a)	LL2	application	\$26.00	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)
Amendment of Approval	Y	(a)	LL2	application	\$26.00	N
Regulated Dog Permit (Restricted Breed) Initial Fee	Y	(a)	LL2	application	\$415.00	N
Regulated Dog Permit (Restricted Breed) Renewal Fee	Y	(a)	LL2	application	\$215.00	N
Impounding of Animals						
Cats & Dogs						
Loan of Dog / Cat traps - no charge						
Sustenance fee for care of animal (after 24 hours)	Y	(d)	LL2	animal	\$22.00	N
Sustenance fee for seized dogs per day	Y	(d)	LL2	animal	\$22.00	N
Dogs						
Unregistered or Registered dog 1st release (unregistered dog to be registered prior to release)	Y	(d)	LL2	animal	\$92.00	N
Second release of registered dog	Y	(d)	LL2	animal	\$92.00	N
Cats						
Cat or kitten with microchip 1st release	Y	(d)	LL2	animal	\$92.00	N
Cat or Kitten with no microchip or 2nd or subsequent release of microchipped cat	Y	(d)	LL2	animal	\$174.00	N
Stock						
One animal	Y	(d)	LL2	animal	\$384.00	N
Second and subsequent animals	Y	(d)	LL2	animal	\$184.00	N
Sustenance fee for care of animal (after 24 hours)	Y	(d)	LL2	animal	Cost	N
Contractors, Driving and Transport (per movement)	Y	(d)	LL2	impoundment	Cost	N
Advertising	Y	(d)	LL2	impoundment	Cost	N
Poultry and Small Stock						
One bird	Y	(d)	LL2	bird	\$77.00	N
Second and subsequent bird	Y	(d)	LL2	bird	\$15.00	N
One small stock	Y	(d)	LL2	animal	\$77.00	N
Sustenance fee for care of animal	Y	(d)	LL2	animal	Cost	N
Hire of stock yards						
Up to 7 head	Y	(d)	LL2	day	\$102.00	Y
More than 7 head	Y	(d)	LL2	animal/day	\$16.00	Y
Sustenance	Y	(d)	LL2	animal/day	at cost	Y
Labour hire	Y	(d)	LL2	hour/person	\$72.00	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)
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2019/20 Fees and Charges						
Environmental Health						
Note: Where an application fee is paid for an annual approval or annual licence on or after 1 April the fees set for the following financial year are to be used and an extended expiry is to be applied to the particular approval.						
Searches						
Record Search	Y	(a)	FA2006/LL1	search	\$80.00	N
Physical Inspection (Sale Search)	Y	(a)	FA2006/LL1	inspection	\$325.00	N
Food Act						
Design & Fit out (without plan assessment)	Y	(a)	FA2006	application	\$320.00	N
Design & Fit out (with plan assessment)	Y	(a)	FA2006	application	\$440.00	N
Temporary Food Business (1 event)	Y	(a)	FA2006	application	\$139.00	N
Application High Risk Food Business *	Y	(a)	FA2006	application	\$780.00	N
Application Medium Risk Food Business *	Y	(a)	FA2006	application	\$626.00	N
Application Low Risk Food Business *	Y	(a)	FA2006	application	\$302.00	N
Application Renewal High Risk Food Business *	Y	(a)	FA2006	application	\$642.00	N
Application Renewal Medium Risk Food Business *	Y	(a)	FA2006	application	\$342.00	N
Application Renewal Low Risk Food Business *	Y	(a)	FA2006	application	\$236.00	N
* based on the Priority Classification System for Food Business						
Application for Restoration of Food Licence	Y	(a)	FA2006	application	\$103.00	N
Application for Amendment of Food Licence	Y	(a)	FA2006	application	\$113.00	N
Application for Replacement of Food Licence	Y	(a)	FA2006	application	\$76.00	N
Inspections - for non-compliance, improvement	Y	(a)	FA2006	inspection	\$325.00	N
Inspections - by request	Y	(a)	FA2006	inspection	\$303.00	N
Food Safety Program Accreditation of Program by a Council Food Safety Auditor	Y	(a)	FA2006	premise	\$755.00	N
Non-Conformance Audit of a Food Safety Program by a Council Food Safety Auditor	Y	(a)	FA2006	premise	\$409.00	N
Amendment of Accredited Food Safety Program	Y	(a)	FA2006	premise	\$345.00	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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Personal Appearance Services						
Design & Fit out (with plan assessment)	Y	(a)	PH(ICPS)A2003	application	\$462.00	N
Application for Licence	Y	(a)	PH(ICPS)A2003	application	\$455.00	N
Application for Renewal of Licence	Y	(a)	PH(ICPS)A2003	licence	\$274.00	N
Inspection non higher risk	Y	(a)	PH(ICPS)A2003	licence	\$229.00	N
Re-inspection non higher risk	Y	(a)	PH(ICPS)A2003	licence	\$157.00	N
Application to Transfer Licence	Y	(a)	PH(ICPS)A2003	licence	\$227.00	N
Replacement Licence	Y	(a)	PH(ICPS)A2003	licence	\$76.00	N
Application for Amendment of Licence	Y	(a)	PH(ICPS)A2003	licence	\$247.00	N

8.12 FINANCIAL STATEMENTS PERIOD ENDING 28 FEBRUARY 2019

Date Prepared: 4 March 2019
Author: Manager Finance
Attachments: 1. [Budgeted Income Statement by Fund](#) ↓

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with an overview of financial matters for the period 1 July 2018 to 28 February 2019.

RECOMMENDATION

That Council note the financial report for the period ending 28 February 2019.

BACKGROUND

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

For the period ending 28 February 2019, the actual results are in line with the year to date budget. The budgeted figures reflect the 2018/19 Budget as adopted by Council at the 20 June 2018 meeting. There are no issues or concerns to discuss or highlight at this stage. The large surplus is due to the rates income for the period January to June 2019 having been levied in February.

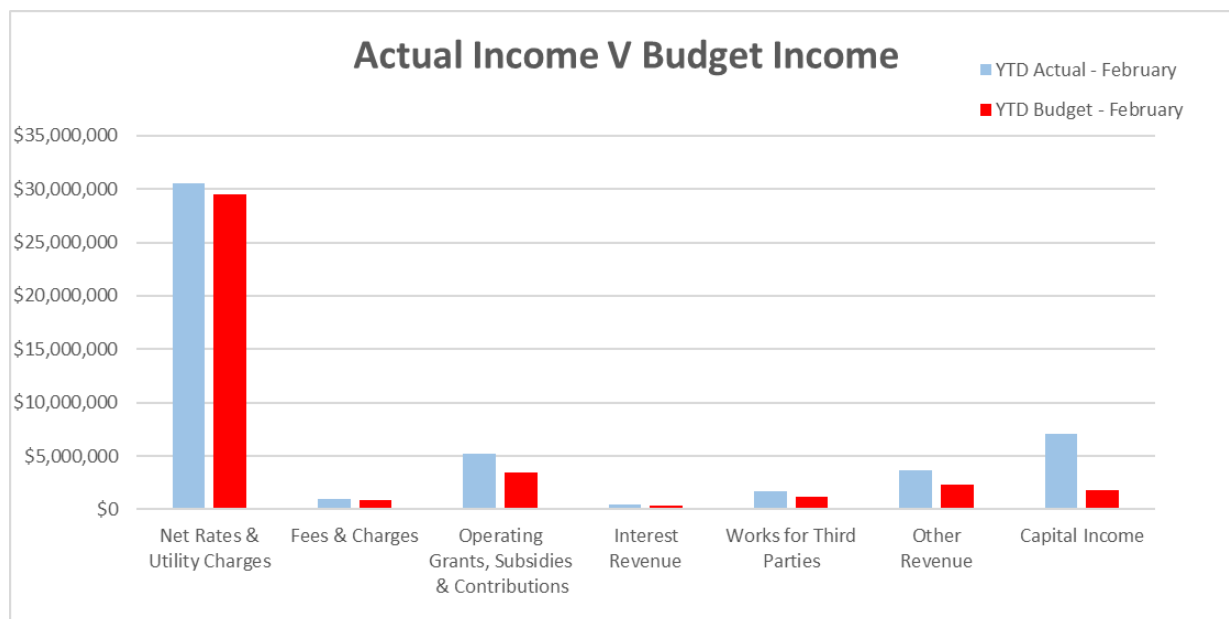
Snapshot

Total Operating Income	\$	42,401,784
Total Operating Expenditure	\$	28,272,045
Operating Surplus/(Deficit)	\$	14,129,739
Total Capital Income (grants, developer contributions)	\$	7,046,323
Net Result - Surplus/(Deficit)	\$	21,176,062

Income Analysis

Total income (including capital income of \$7,046,323) for the period ending 28 February 2019 is \$49,448,107 compared to the YTD budget of \$39,354,326.

The graph below shows actual income against budget for the period ending 28 February 2019.



	Actual YTD	Budget YTD	Note
Net Rates & Utility Charges	30,498,251	29,513,555	1
Fees & Charges	934,101	849,407	2
Operating Grants, Subsidies & Contributions	5,173,305	3,444,474	3
Interest Received	461,690	310,333	
Works for Third Parties	1,657,290	1,208,667	4
Other Revenue	3,677,148	2,281,389	5
Capital Income	7,046,323	1,746,500	6

Notes:

1. Rates for the half year 1 January to 30 June 2019 were issued on 12 February. The favourable variance relates to rates discount, which is only recorded when rate payments are made. As more rate payments are received before discount date, this variance will reduce.
2. Additional revenue is offset by associated expenses.
3. The favourable variance relates to the 2018 NDRRA restoration works of which \$1.3M has been received as a prepayment. There is no budget allocated to revenue and expenditure apart from the trigger amount (\$115k) as we were not aware of the details when the budget

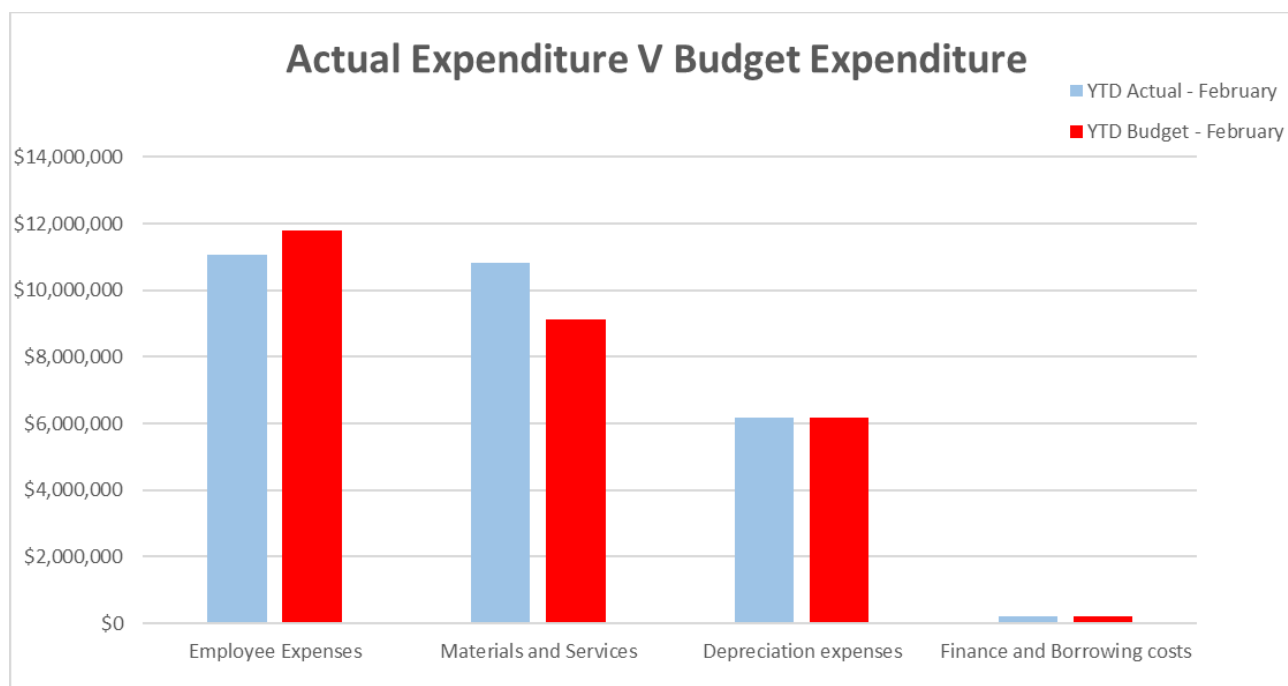
was prepared. The trigger amount is the amount Council must contribute to be eligible for funding.

4. A portion of the favourable variance relates to how the budget has been allocated for RMPC works, which is equally apportioned over 12 periods however actual works does not reflect this same trend. This will also be the same for expenditure.
5. Favourable result due to the balance of payments for sale of land at the Mareeba and Chillagoe Industrial Estates (\$997k) and sale of scrap metal (\$71k). Lease and rental income (\$170k) currently above budget due to annual invoices raised however the budget is apportioned equally over 12 periods.
6. Council has received \$6.67M in capital grants (W4Q2, R2R, TIDS, Mareeba Airport) plus developer contributions which are not reflected in the budget.

Expenditure Analysis

Total expenses for the period ending 28 February 2019 is \$28,272,045 compared to the YTD budget of \$27,300,921.

The graph below shows actual expenditure against budget for the period ending 28 February 2019.



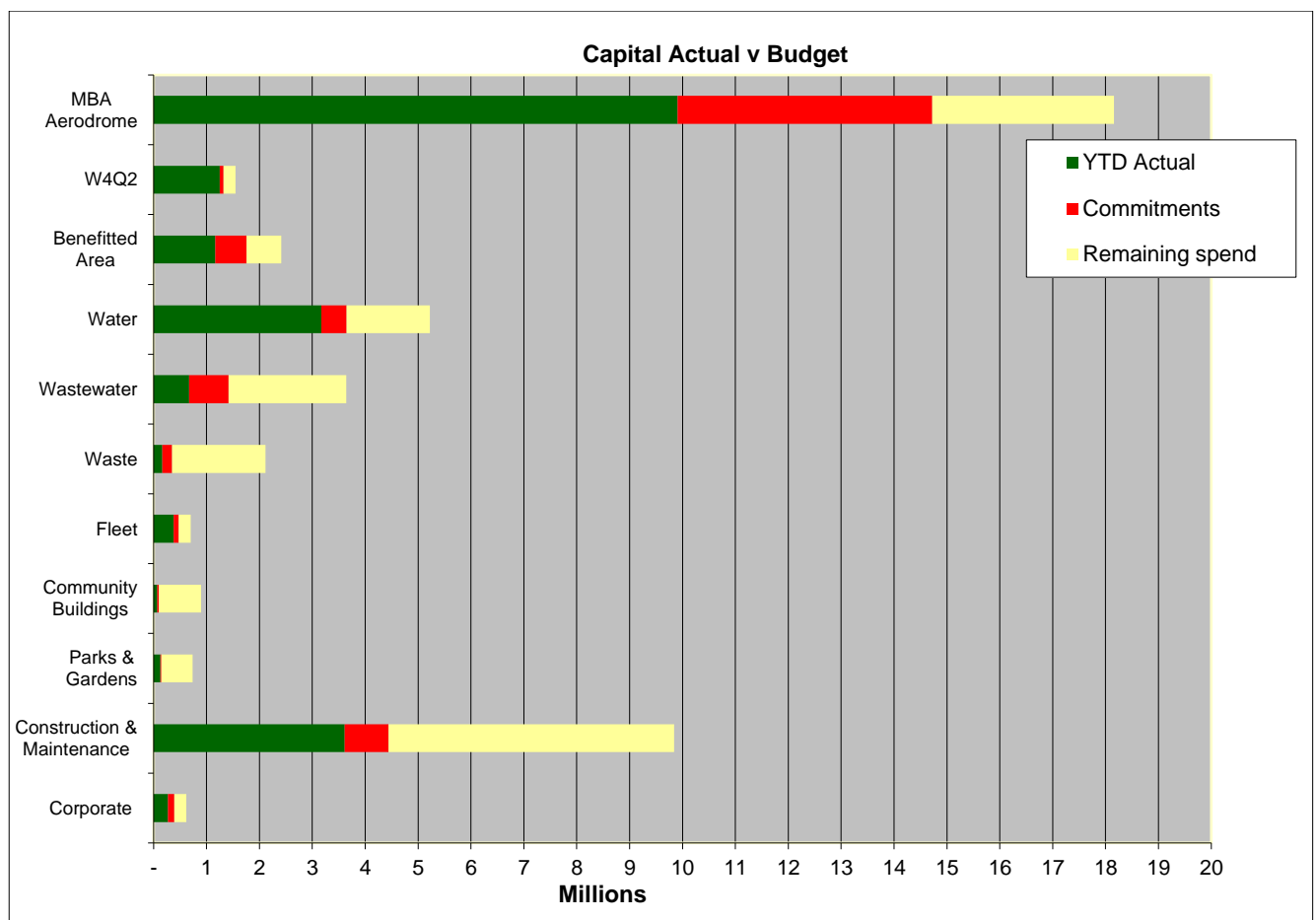
	Actual YTD	Budget YTD	Note
Employee expenses	11,070,400	11,799,855	1
Materials & Services	10,808,662	9,118,417	2
Depreciation expenses	6,182,596	6,185,554	
Finance & Borrowing costs	210,387	197,095	

Notes:

1. There are no significant issues to report. The reason for the variance is a timing issue for the annual increment and staff absences, vacancies and staff working on capital.
2. The majority of the variance relates to NDRRA expenditure and additional 3rd party works. This is offset by the additional income. The expenditure for RMPC is allocated equally over 12 periods, however, actual works do not follow the same trend.

Capital Expenditure

Total capital expenditure of \$28,749,623 (including commitments) has been spent for the period ending 28 February 2019 against the 2018/19 adjusted annual capital budget of \$45,026,446. This budget figure now includes carry overs from 2017/18.



Loan Borrowings

Council's loan balance is as follows:

QTC Loans	\$6,029,552
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Rates and Sundry Debtors Analysis

Rates and Charges

The total rates and charges payable as at 28 February 2019 are \$14,025,990 which is broken down as follows:

Status	28 February 2019		28 February 2018	
	No. of properties	Amount	No. of properties	Amount
Valueless land	17	639,516	76	2,249,222
Payment Arrangement	66	91,598	68	110,807
Collection House	256	990,505	230	888,311
Exhausted – awaiting sale of land	10	118,602	8	84,940
Sale of Land	2	28,850	6	78,950
Other (includes current rates)	7,775	12,156,919	7,771	11,728,436
TOTAL	8,126	14,025,990	8,159	15,140,666

The Rate Notices for the period ending 30 June 2019 were issued on 12 February 2019 with the discount due date being 15 March 2019. Total Gross Rates and Charges levied for this six (6) month period totalled \$16,948,888.

The Sale of Land process is now underway with two properties remaining that have outstanding rates and charges of \$28,850. The process is likely to collect the full balances within the coming two months.

Collection House collected \$58,866 for the month of February 2019.

Sundry Debtors

The total outstanding for Sundry Debtors as at 28 February 2019 is \$812,143 which is made up of the following:

Current	30 days	60 days	90 + days
\$785,565	\$10,813	\$1,495	\$14,270
96%	1%	0%	2%

Procurement

There were no emergency orders for the month.

RISK IMPLICATIONS

Nil

Legal/Compliance/Policy Implications

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.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

LINK TO CORPORATE PLAN

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.

IMPLEMENTATION/COMMUNICATION

Nil

Budgeted Income Statement by Fund 2018/19 Budget

Consolidated

	Actual YTD	Budget YTD	2018/19 Budget
Revenue			
Rates and utility charges	31,817,465	31,411,930	31,411,930
Less Discounts and Pensioner Remissions	(1,319,215)	(1,898,375)	(1,898,375)
Net Rates and Utility Charges	30,498,251	29,513,555	29,513,555
Fees and Charges	934,101	849,407	1,144,760
Operating Grants and Subsidies	4,512,882	2,993,169	7,000,458
Operating Contributions	660,423	451,305	902,610
Interest Revenue	461,690	310,333	465,500
Works for Third Parties	1,657,290	1,208,667	1,813,000
Other Revenue	3,677,148	2,281,389	3,428,100
Total Operating Revenue	42,401,784	37,608,825	44,267,983
Expenditure			
Employee Expenses	11,070,400	11,799,855	17,726,398
Materials and Services	10,808,662	9,118,417	12,919,811
Depreciation expense	6,182,596	6,185,554	9,451,936
Finance and Borrowing costs	210,387	197,095	330,190
Total Operating Expenses	28,272,045	27,300,921	40,228,335
Operating Surplus/(Deficit)	14,129,739	10,306,904	3,839,648
Capital Income			
Capital Contributions	377,605	-	-
Capital Grants and Subsidies	6,668,718	1,746,500	4,843,000
Profit/(Loss) on Sale of Asset	-	-	-
Total Capital Income	7,046,323	1,746,500	4,843,000
Net Result	21,176,062	12,053,404	8,682,648

Budgeted Income Statement by Fund 2018/19 Budget
<u>General</u>

	Actual YTD	Budget YTD	2018/19 Budget
Revenue			
Rates and utility charges	17,460,736	17,219,218	17,219,218
Less Discounts and Pensioner Remissions	(1,319,215)	(1,898,375)	(1,898,375)
Net Rates and Utility Charges	16,141,522	15,320,843	15,320,843
Fees and Charges	919,240	836,073	1,124,760
Operating Grants and Subsidies	4,512,882	2,993,169	7,000,458
Operating Contributions	-	-	-
Interest Revenue	286,111	193,333	290,000
Works for Third Parties	1,571,987	1,178,667	1,768,000
Other Revenue	2,578,827	1,147,723	1,727,600
Total Operating Revenue	26,010,569	21,669,808	27,231,661
Expenditure			
Employee Expenses	10,035,662	10,613,538	15,939,758
Materials and Services	5,151,987	3,221,921	4,259,218
Depreciation expense	4,181,326	4,194,298	6,291,449
Finance and Borrowing costs	140,165	128,000	192,000
Total Operating Expenses	19,509,140	18,157,757	26,682,425
Operating Surplus/(Deficit)	6,501,429	3,512,051	549,236
Capital Income			
Capital Contributions	258,611	-	-
Capital Grants and Subsidies	6,512,554	1,746,500	3,493,000
Profit/(Loss) on Sale of Asset	-	-	-
Total Capital Income	6,771,165	1,746,500	3,493,000
Net Result	13,272,595	5,258,551	4,042,236

Budgeted Income Statement by Fund 2018/19 Budget
<u>Waste</u>

	Actual YTD	Budget YTD	2018/19 Budget
Revenue			
Rates and utility charges	3,705,881	3,666,0026	3,666,006
Less Discounts and Pensioner Remissions	-	-	-
Net Rates and Utility Charges	3,705,881	3,666,006	3,666,006
Fees and Charges	-	-	-
Operating Grants and Subsidies	-	-	-
Operating Contributions	-	-	-
Interest Revenue	25,729	33,333	50,000
Works for Third Parties	-	-	-
Other Revenue	1,014,419	1,079,333	1,619,000
Total Operating Revenue	4,746,030	4,778,672	5,335,006
Expenditure			
Employee Expenses	254,980	241,384	362,994
Materials and Services	2,502,899	2,659,186	3,982,893
Depreciation expense	111,373	95,840	143,760
Finance and Borrowing costs	-	-	-
Total Operating Expenses	2,869,251	2,996,410	4,489,647
Operating Surplus/(Deficit)	1,876,778	1,782,262	845,359
Capital Income			
Capital Contributions	-	-	-
Capital Grants and Subsidies	-	-	-
Profit/(Loss) on Sale of Asset	-	-	-
Total Capital Income	-	-	-
Net Result	1,876,778	1,782,262	845,359

Budgeted Income Statement by Fund 2018/19 Budget
<u>Wastewater</u>

	Actual YTD	Budget YTD	2018/19 Budget
Revenue			
Rates and utility charges	4,814,289	4,777,524	4,777,524
Less Discounts and Pensioner Remissions	-	-	-
Net Rates and Utility Charges	4,824,289	4,777,524	4,777,524
Fees and Charges	14,861	13,333	20,000
Operating Grants and Subsidies	-	-	-
Operating Contributions	-	-	-
Interest Revenue	58,794	56,667	85,000
Works for Third Parties	14,453	-	-
Other Revenue	45,930	6,667	10,000
Total Operating Revenue	4,948,327	4,854,191	4,892,524
Expenditure			
Employee Expenses	285,446	396,997	597,079
Materials and Services	1,041,893	1,187,498	1,724,062
Depreciation expense	965,108	962,016	1,443,024
Finance and Borrowing costs	70,223	69,095	138,190
Total Operating Expenses	2,362,670	2,615,606	3,902,355
Operating Surplus/(Deficit)	2,585,657	2,238,585	990,169
Capital Income			
Capital Contributions	53,714	-	-
Capital Grants and Subsidies	156,164	-	450,000
Profit/(Loss) on Sale of Asset	-	-	-
Total Capital Income	209,878	-	450,000
Net Result	2,795,535	2,238,585	1,440,169

Budgeted Income Statement by Fund 2018/19 Budget
<u>Water</u>

	Actual YTD	Budget YTD	2018/19 Budget
Revenue			
Rates and utility charges	5,511,687	5,426,097	5,426,097
Less Discounts and Pensioner Remissions	-	-	-
Net Rates and Utility Charges	5,511,687	5,426,097	5,426,097
Fees and Charges	-	-	-
Operating Grants and Subsidies	-	-	-
Operating Contributions	-	-	-
Interest Revenue	45,775	16,667	25,000
Works for Third Parties	70,850	30,000	45,000
Other Revenue	31,267	23,333	35,000
Total Operating Revenue	5,659,579	5,496,097	5,531,097
Expenditure			
Employee Expenses	430,012	489,914	739,190
Materials and Services	1,970,221	1,874,129	2,683,432
Depreciation expense	858,938	865,369	1,471,655
Finance and Borrowing costs	-	-	-
Total Operating Expenses	3,259,171	3,229,412	4,894,277
Operating Surplus/(Deficit)	2,400,408	2,266,685	636,820
Capital Income			
Capital Contributions	65,280	-	-
Capital Grants and Subsidies	-	-	900,000
Profit/(Loss) on Sale of Asset	-	-	-
Total Capital Income	65,280	-	900,000
Net Result	2,465,688	2,266,685	1,536,820

Budgeted Income Statement by Fund 2018/19 Budget
<u>Benefited Area</u>

	Actual YTD	Budget YTD	2018/19 Budget
Revenue			
Rates and utility charges	324,873	323,085	323,085
Less Discounts and Pensioner Remissions	-	-	-
Net Rates and Utility Charges	324,873	323,085	323,085
Fees and Charges	-	-	-
Operating Grants and Subsidies	-	-	-
Operating Contributions	660,423	451,305	902,610
Interest Revenue	45,280	10,333	15,500
Works for Third Parties	-	-	-
Other Revenue	6,705	24,333	36,500
Total Operating Revenue	1,037,281	809,056	1,277,695
Expenditure			
Employee Expenses	64,300	58,022	87,377
Materials and Services	141,662	175,684	270,206
Depreciation expense	65,852	68,032	102,048
Finance and Borrowing costs	-	-	-
Total Operating Expenses	271,813	301,739	459,631
Operating Surplus/(Deficit)	765,466	507,317	818,064
Capital Income			
Capital Contributions	-	-	-
Capital Grants and Subsidies	-	-	-
Profit/(Loss) on Sale of Asset	-	-	-
Total Capital Income	-	-	-
Net Result	765,466	507,317	818,064

8.13 FLOOD DISASTER DONATION AND RESERVE

Date Prepared: 8 March 2019

Author: Director Corporate and Community Services

Attachments: Nil

EXECUTIVE SUMMARY

This report is to propose that Council donates \$10,000.00 towards the flood disaster in North West Queensland.

RECOMMENDATION

That Council donate \$10,000.00 to The Sisters of the North for distribution to affected landholders in North West Queensland.

BACKGROUND

The Sisters of the North is a charity organisation founded by north west women for challenging adversity in the bush. The charity is currently raising funds for flood affected landholders in North West Queensland and intends for these funds to be distributed directly to affected families via their local businesses in the form of vouchers.

RISK IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS**Capital**

Nil

Operating

Is the expenditure noted above included in the current budget?

No

If not you must recommend how the budget can be amended to accommodate the expenditure
\$10,000.00 donation to be taken from Sports Foundation Reserve. The balance of \$5000.00 from the Sports Foundation Reserve to be transferred to a new Disaster Reserve. Going forward funds currently allocated to Sports Foundation Reserve will now be allocated to the new Reserve.

LINK TO CORPORATE PLAN

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.

IMPLEMENTATION/COMMUNICATION

Nil

8.14 COMMUNITY PARTNERSHIPS PROGRAM

Date Prepared: 1 March 2019
Author: Senior Community Wellbeing Officer
Attachments: Nil

EXECUTIVE SUMMARY

The purpose of this report is to present a request from the Lions Club of Mareeba for sponsorship of the Lions 201Q2 District Convention under the Community Partnerships Program.

RECOMMENDATION

That Council approves the request from the Lions Club of Mareeba for a \$500 sponsorship of the Lions 201Q2 District Convention under the Community Partnerships Program.

BACKGROUND

The Lions Club of Mareeba is part of the 201Q2 District and, each year, a district convention is hosted by a regional Club. This event attracts members of Lions Clubs from the Mackay region in the south, the Gulf and Mount Isa, and north to Papua New Guinea. The convention will run from Friday, 4 October and Sunday, 6 October and includes functions at the Mareeba Turf Club and Mareeba International Club and is expected to attract between 250 - 300 visiting Lions.

Event Overview

This event is run entirely through volunteer efforts with the organising committee comprising of representatives from Tablelands Lions Clubs including Atherton, Dimbulah, Herberton, Malanda, Mareeba, Millaa Millaa, Ravenshoe, Tolga and Yungaburra. The convention is Lions business event with a focus on governance where District Representatives are appointed, and official motions are passed relating to Lions business in the state and nationally.

The organisers anticipate that some of the delegates will stay in Mareeba for the convention potentially extend their visit to include local tourist attractions.

Request - Community Partnerships Program

The request from the Mareeba Lions Club includes multiple levels of sponsorship to assist with the costs of the event. These tiers are:

1. Platinum Sponsor: \$3,000
2. Gold Sponsor: \$2,000
3. Silver Sponsor: \$1,000
4. Bronze Sponsor: \$500

Each of the tiers of sponsorship have different benefits for sponsors, with bronze sponsors will being recognised in newspaper advertising and the Lions Convention booklet.

There are sufficient funds in the Community Partnerships Program 2018/19 new requests allocation to approve the \$500 (GST exclusive) request for bronze sponsorship.

Other Council Assistance

If Council approves the request for Bronze Sponsorship, the total assistance to the Mareeba Lions Club approved in the 2018/19 financial year will be \$765.

This includes a cash donation of \$165 to assist with the cost of fundraising activities and in-kind assistance estimated at \$100 being for the use of chairs and tables at the Mareeba Lions Metrogaine.

This request for sponsorship is for one-off assistance only and is comparable with Council's support for other similar requests.

RISK IMPLICATIONS

Nil

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS***Operating***

Council's Community Partnerships Program Budget 2018/19 includes an allowance for new requests that will cover this recommended one-off payment of \$500.

Is the expenditure noted above included in the current budget?

Yes

LINK TO CORPORATE PLAN

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.

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.

IMPLEMENTATION/COMMUNICATION

The Lions Club of Mareeba will be notified in writing of the outcome of the request for sponsorship.

Mareeba Shire Council, as a bronze sponsor of this event, will be recognised in newspaper advertising and the Lions Convention booklet.

9 INFRASTRUCTURE SERVICES

9.1 REPORT REGARDING RESIDENT PETITION - MAREEBA RAIL TRAIL

Date Prepared: 11 March 2019

Author: Manager Technical Services

Attachments: 1. Resident Petition - Mareeba Rail Trail [↓](#)

EXECUTIVE SUMMARY

This report introduces a petition from residents, received by Council on 5 March 2019 (dated 28 February 2019), requesting Mareeba Shire Council undertake upgrades to the existing, disused railway corridor between Mareeba and Walkamin.

The 14-kilometre stretch of disused rail track runs parallel to the Kennedy Highway. The trail remains in public ownership and the rail infrastructure has been removed, but the trail is not developed or promoted for public use.

Council has recently entered into a funding arrangement with the Queensland Government to develop a feasibility study which will assess potential costs, configurations and governance models for a potential rail trail. Completion of the feasibility study is scheduled for late June.

RECOMMENDATION

That Council receives the petition.

BACKGROUND

On 5 March 2019, Council received a petition (Attachment 1) from the Head Petitioner, Mrs Pam Lavers, requesting Council to undertake upgrades to the rail trail corridor between Mareeba and Walkamin.

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 meets the requirements as per the Standing orders, as the Petition has 356 signatures.

The petition reads as follows:

"We, the undersigned, draw to the attention of the Mareeba shire Council the condition of the rail trail corridor between Walkamin and Mareeba townships and petition the Council to upgrade the rail trail within the Mareeba shire to meet the standard of the existing Atherton to Walkamin rail trail.

The Walkamin to Mareeba rail trail is of a port standard, ranging from difficult to either walk or ride to barely navigable and unsafe in places due to deep sand, ruts and holes. A properly constructed rail trail would provide a safe alternative link between Mareeba and other locations for local residents and visitors alike, as opposed to the adjacent Kennedy Highway where a number of cycling fatalities have occurred.

There are many examples world wide of the benefits of cycle and hiking trails to local communities, attracting increased visitor numbers, injecting new funds into rural economies, creating business opportunities and jobs in sustainable tourism, hospitality, accommodation and associated services whilst promoting healthy outdoor activity. The development of mountain biking parks at Smithfield, Davies Creek and Atherton has already attracted major local and international events to our region. A quality rail trail linking the Mareeba Shire with the Atherton Tablelands Rail Trail would be a great asset for our local community to use and enjoy as well as a significant attraction to bring visitors to our shire.

We therefore petition the Council to upgrade the rail trail as requested."

The petition is attached as part of this report (Attachment 1).

Council has received funding through the Queensland Government's Rail Trail Local Government grants program to undertake a feasibility study assessing a potential rail trail, which aligns with the requested outcome of the petition.

Council has engaged Otium Planning Group Pty Ltd to undertake the feasibility study which will assess potential costs, configurations and governance models for a potential rail trail. This will enable informed consideration of the proposal by Council. Delivery of the feasibility study is scheduled for late June.

As this petition directly relates to an ongoing project which will assess the feasibility of the rail trail, it is recommended that the Head Petitioner be contacted and advised that the feasibility study is currently underway.

RISK IMPLICATIONS

Financial

Council has entered into a funding arrangement with The State to undertake a feasibility study in relation to the proposed rail trail. No additional costs are anticipated at this time.

Infrastructure and Assets

The feasibility study will provide advice to Council as to potential costs, configurations and governance models suitable for assessment as to the viability of a rail trail.

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

Capital

Council has received funding through the Queensland Government's Rail Trail Local Government grants program to undertake a feasibility study assessing a potential rail trail.

Operating

Nil

LINK TO CORPORATE PLAN

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.

IMPLEMENTATION/COMMUNICATION

The Head Petitioner will be notified of Council's decision.

N/A

PO Box 205
WALKAMIN QLD 4872
Ph 0412 489 725
Email: pam@lavers.net.au

SIR-GEN
FAC GEN
SV PF
AF - FACILITE

28 February 2019

Mr T Gilmore
Mayor
Mareeba Shire Council
PO Box 154
MAREEBA QLD 4880



Dear Mr Gilmore

RAIL TRAIL PETITION – MAREEBA SHIRE SECTION

I *enclose* a petition which I have recently circulated in the Mareeba Shire and surrounding district calling upon the Mareeba Shire Council to upgrade rail trail the Mareeba Shire section of the rail trail corridor. It is presently well maintained between Atherton and Walkamin but regrettably not between there and Mareeba.

The petition has 356 signatures obtained from locals and visitors over a period of approximately 6 weeks. Also *enclosed* is a handwritten petition with 45 signatures sent by Peter Stuart of Atherton, who has been in contact with you previously concerning the rail trail development.

The far north has grown exponentially as a cycling hub in recent years. Mountain bike parks at Smithfield, Davies Creek and Atherton attract many regular recreational riders as well as local and international participants who come for the numerous events held at these venues and elsewhere in the district.

Already this year two Audax cycling events have been run on the Tablelands, starting and finishing at Tolga (140+ participants) and Kairi (120+ participants) respectively, utilising the rail trail, the Kairi loop developed from it and surrounding areas. What a great boost for local businesses, particularly the Tolga and Kairi hotels and Yungaburra cafes. There are also numerous locally organised rides happening regularly in the Atherton rail trail area, commonly with 10 to 20 or more participants, all keen to see more of the local area from the safety of off-road trails and back roads and to support local cafes and eateries.

Sadly, without the rail trails that support these events, Mareeba shire is missing out on them and the visitor dollars spent on accommodation, food and coffee. We have so much to offer, great weather, the Davies Creek trails and bike skills area in Mareeba in close proximity, but we are lagging behind. We could be a biking hub on the tablelands, if only we could get the rail trails happening. This will only happen if the council is actively supporting and working towards it. I urge the council to do so.

My contact details are above, if I can assist in any way, I'm happy to be involved.

Yours faithfully
Pam Lavers

PETITION TO MAREEBA SHIRE COUNCIL

We, the undersigned, draw to the attention of the Mareeba Shire Council the condition of the rail trail corridor between Walkamin and Mareeba townships and petition the Council to upgrade the rail trail within the Mareeba Shire to meet the standard of the existing Atherton to Walkamin rail trail.

The Walkamin to Mareeba rail trail is of a poor standard, ranging from difficult to either walk or ride to barely navigable and unsafe in places due to deep sand, ruts and holes. A properly constructed rail trail would provide a safe alternative link between Mareeba and other locations for local residents and visitors alike, as opposed to the adjacent Kennedy Highway where a number of cycling fatalities have occurred.

There are many examples worldwide of the benefits of cycle and hiking trails to local communities, attracting increased visitor numbers, injecting new funds into rural economies, creating business opportunities and jobs in sustainable tourism, hospitality, accommodation and associated services whilst promoting healthy outdoor activity. The development of mountain biking parks at Smithfield, Davies Creek and Atherton has already attracted major local and international events to our region. A quality rail trail linking the Mareeba Shire with the Atherton Tablelands Rail Trail would a great asset for our local community to use and enjoy as well as a significant attraction to bring visitors to our shire.

We therefore petition the Council to upgrade the rail trail as requested.

Principal Petitioner: <Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
4.11.18	Heather Higgins	P.O. Box 1419, Atherton	
4.11.18	Daimin Kochi	P.O. Box 1535 ATH	
-	S. Montgomery	-	
-	B. Thorne	-	
-	S. Cuda	-	
-	O. Shaw	-	
-	M. Bepko	87 Anthony Dr Atherton	
-	JAMES GEGG	8 NEWTON CLOSE ATH	
-	JEANETTE GEGG	" "	
-	JACOB GEGG	" "	
4/11/18	Lorraine Lawson	17 Hudson St Cairns	
4/11/18	Stacey Longmire	Tuppy Place Edmenton	
4/11/18	BRETT TURNER	47-55 WEAVER ST. ATHERTON	

6/11/18	R. Campbell	10 Kibby Clark Ave	R. Campbell
	P. Munkhin	50 Herdington Rd.	
	Juana Adoberg	9658 Upper Barton Kennedy H'way	JA
9/11/18	LYN FRESTA	25 MAIN ST TOLGA	L.F.
9/11/18	HUGH F CULLEN	39 CANOPUS CIRCUIT ATHERTON	Hugh P Cullen
11/11/18	IRENE HUNTER	11 TOFT ST HERBERTON	Irene Hunter
9/11/18	M. Casgill-Jeffress	264 Walsh River Rd Box 73 Herberton 4887	M. Casgill-Jeffress
9/11/18	B. Rodgers	7 PALM CLOSE, MGA	
10/11/18	Debbie Toomey	6 Rankine Drive, Tolga	
10/11/18	Meredith Lyden	35 Mountain View Ave ATHERTON	M. Lyden
10/11/18	A. MILLERS	32 TWELFTH AVE ATHERTON	a-c-c-l.
10/11/2018	R. Desbois	P.O Box 864 Tolga	
11/11/2018	C. Gervagh	P.O. Box 568 Atherton	C. Gervagh
10/11/18	Erzel Seymour	3 Magnolia St Atherton	Erzel Seymour
10/11/18	Patrishia Degnan	16 Edward St Atherton	Phemia
10/11/18	Kirsten Miller	48 Allens Lane, Atherton	
10/11/18	Rowena Draper	PO Box 168 Kairi 4872	R. Draper

PETITION TO MAREEBA SHIRE COUNCIL

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We therefore petition the Council to upgrade the rail trail as requested.

Principal Petitioner: <Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
1/11	Stephan Hanton	135 Beatrice St Atherton	[Signature]
1/11	Robert Smith	95 Robert St, Atherton	[Signature]
1-11	JUDY BURROWS	30 EDINBURGH CLOSE UPPER KEDRON 4855	[Signature]
1/11/2018	Judi Brown	10 Beatrice St, Atherton	[Signature]
2/11/18	PAUL TROWERS	25 PINK ST - Atherton	[Signature]
2/11/18	CHRISTIE TROWERS	25 PINK ST. Atherton	[Signature]
2/11/18	TOWN ALLORN	46 NEWMAN DR TOLGA	[Signature]
✓	KEN KINSON	13 KURNALL CR. TOLGA	[Signature]
2/11/18	C. GIFFIN	2/6 Parkview ST	[Signature]
2/11/18	M. HARRIS	4. BRUCE RD. BARRONS	[Signature]
3/11/18	H. Ford	50 Fillipo. cl.	[Signature]
3/11/18	S Muller	13 Kulton DR TOLGA	[Signature]
3/11/18	DON WOOD	81 TAITE RD TOLGA	[Signature]

10/11/18	Rhonda Smith	MATTHEW ST. TOLGA	Rhonda
10/11/18	LAURA JENKINS	MAIDMENT ROAD TOLGA	Laura
10/11/18	Tom Cassel	Hardment Road Tdga	Tom Cassel
10/11/18	MARION Cassel	Maidment Rd. Tolga	Joie Cassell
10-11-18	Lyn Wyatt	TUMBOURG ST. HERRON	L. Wyatt
11/11/18	Maureen Beersgate	MOORABOOL COURT ST	Maureen
11/11/18	Mickelle Powell	Callaghan St Moorabool	M. Powell
11/11/18	Ann Pearson	PRIMROSE AVE TOLGA	A. Pearson
11/11/18	Debbie Davis	CLARKES TRACK TOLGA	Debbie

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PETITION TO MAREEBA SHIRE COUNCIL

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We therefore petition the Council to upgrade the rail trail as requested.

Principal Petitioner: Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
25/10/18	NEIL BURNS	5A ROSARIO CL	
26/10/18	Susan Sneyd	7 Casajet	
26/10/18	Dayna Shorey	725 Bilwara Rd.	
27/10/18	Deanne Single	11 Frigate Close	
29/10/18	BARA SIMPSON	22 Jardent St Ath.	
30/10/18	Frank Faloppi	5 Fraser Rd MtMolloy	
30/10/18	Colleen Faloppi	5 Fraser Rd MtMolloy	
30/10/18	Stef Simpson	STANGLAOW LEE	
30/10/18	Yvonne Palmer	68 Walsh St MBA	
30/10/18	Jared Holms	2 Elisa Ave	
30/10/18	Jordan Holms	2 Elisa Ave	JSM
30/10/18	Isaac Holms	2 Elisa Ave	IS Holms
30/10/18	Angel Holms	2 Elisa Ave	
30/10/15	Robert Trester	4 Ramkin Street	
30/10/18	NICK LINTILL	5 Iluka St 4880	

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PETITION TO MAREEBA SHIRE COUNCIL

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Principal Petitioner: Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
1/11/18	Lynne Kinnear	9 Pagnetta Rd (MBA)	[Signature]
3/11/18	Gary Crane	23 Lerra St	[Signature]
3/11/18	Matthew Crane	23 Lerra St	[Signature]
3/11/18	Paula Bell	16 James Mareeba	[Signature]
5/11/18	MIRANDA EADE	16 AMAROO DR, MBA	M Eade
5/11/18	AMANDA SIMPSON	Mareeba	[Signature]
7/11/18	PETER TONELLO	16 Beamus St. MBA	[Signature]
7-11/18	SADRA TONELLO	4	[Signature]
8-11-18	SHIRAZ KHAN	44 CLASH ST MBA	[Signature]
8-11-18	IAN WILSON	LOT 27 HANNAH TOWN	[Signature]
08-11-18	CHERYL ANDERSON	20 Peters St MBA	[Signature]
08-11-18	Jenny Reiman	128 Orchid Cl. Bibbidge	[Signature]
10/11/18	LOU MARO	11 RIVERVIEW TCE Mareeba	[Signature]
12/11/18	Jill Crane	23 Lerra St, Mareeba	[Signature]
13/11/18	Rebecca Dempster	20 Lloyd St, Mareeba	[Signature]

PETITION TO MAREEBA SHIRE COUNCIL

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Principal Petitioner: Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
30/10/18	Doug Greenall	55 Main St Atherton	
30/10/18	Tony Anderson	4 Allen crescent Traralgon	
30/10/18	Keith Kruyssen	97 Robert St Atherton	
30/10/18	Crehana M... PO Box 1111		
30/10/18	R. Lavers	35 Main St Atherton	
31/10/18	Robert Hayes	Tolga	
31/10/18	Tracy Hayes	Tolga	
31/10/18	GRAHAM SMITH	31 JANNINA DRIVE ATHERTON	
31/10/18	MICHELLE GREENALL	ATHERTON	
31/10/18	JUSTIN PIERING	129 EMERSON RD PIERING	
31/10/18	Mark Burns	Coagetti Cl. Atherton	
1/11/18	Mark Lavers	240 Henry Hannam Drive	
1/11/18	Robbie Lewy	2 Butler Dr Kerand	
1/11/18	JAMES PEARSON	13 ANTHONY DR ATH	
1/11/18	LEW DAVISS	116 SERRAVALLO RD BARKINIE	

PETITION TO MAREEBA SHIRE COUNCIL

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Principal Petitioner: <Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
1/11/18	T. WATERS	Tinaroo	
2/11/18	Melissa Searle	²⁸ Lanny St Mareeba	
2/11/18	M. LAWRENCE	41 PARK AVE Yungaburra	
2/11/18	W. Lawrence	41 Park Ave Yungaburra	
03/11/18	K. MANNING	228 BIRCH STREET MAREEBA	
2/11/18	J. Wilkie	Atherton	
3/11/18	C. WERNERT	ATHERTON	
3-11-18	Marnoch	Atherton	
5/11/18	Leah	Tinaroo	
6-11-18	Andrews	Millstream	
6-11-18	A. Smith	Yungaburra	
6-11-18	O Smith	Yungaburra	
6-11-18	B Smith	Yungaburra	

PETITION TO MAREEBA SHIRE COUNCIL

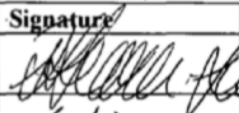
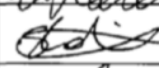

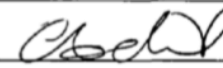
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We therefore petition the Council to upgrade the rail trail as requested.

Principal Petitioner: <Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
01/11/18	Alessandra Richardson-Stemon	PO BOX 136 Walkamin Qld 4872	
01/11/18	Sharee Adil	PO Box 1258 Mareeba, Qld, 4880	
13/11/18	melanie willella	13 Yarrabee clos, Mareeba Qld, 4880	
13/11/18	Clare Adil	539 Mulligan Hwy Mareeba QLD 4880	

PETITION TO MAREEBA SHIRE COUNCIL

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Principal Petitioner: <Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
31-10-18	Mark Searle	Po Box 13002 Mareeba	
"	Kodira Vilkka	6153 Kennedy Walkamin - Hway	
31/10/18	Jung Jutzi	Po Box 23805 Mareeba	
31-10-18	Jo Miles	20 Rankin St Mareeba	
31/10/18	Gellan Sanku	20 Cochran Dr. Mareeba	
31/10/18	Amy Johnston	18 Vaughn street Mareeba	
31/10/18	Tiffany Kelly	5 Marinelli Drive Mareeba	
31/10/18	David Sciani	25 Joan Cr Mba	
12/11/18	Adele ALOIA	30 Stratman St, MAREEBA	
24/11/18	Patrick Aloia	30 Stratman Mareeba	
24/11/18	Tim Rimon	90 Rozel Close mareeba	
24/11/18	Steph Rowe	90 Rozel Close, Mareeba	

PETITION TO MAREEBA SHIRE COUNCIL

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Principal Petitioner: <Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
31.10.18	HERRAINE PETERS	HERBERTON	
31.10.18	EUGENIO QUIJERA	MAREEBA	
31/10/18	Jody Hogan	MBA	
31/10/18	Ben Bamford	Tolga	
31/10/18	Ruth Jerome	MAREEBA	
2.11.18	ALLAN JOSEPH	MAREEBA	
"	J. Greenwood	ATHERTON	
"	G. CAMPBELL	MAREEBA	
	A. Hastie	MAREEBA	

No 2

PETITION TO MAREEBA SHIRE COUNCIL

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Principal Petitioner: Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
31/10/18	Roselin Stockwell	20 NORMAN ST. MBA	R Stockwell
31/10/18	Candyn Redfern	526 Springwood Rd Mutchilba	[Signature]
31/10/18	Julie Loader	70 Ellery Rd Mareeba	J Loader
31/10/18	Lyn Mahaffey	540 Shanty Creek Rd Mareeba	L Mahaffey
31/10/18	Wendy Nightingale	7 Doyle St Mareeba	W.D. Nightingale
31/10/18	Jade Hastie	21 Borland Street Mareeba	J Hastie
31/10/18	Jenny Heraghty	35 Ward St, Mareeba	J Heraghty

no 8

PETITION TO MAREEBA SHIRE COUNCIL

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Principal Petitioner: Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
31/10/18	Nicky Cek	Keal Cl Mareeba	Nick
31/10/18	Harby Cek	Keal Cl Mareeba	Harby
31-10-18	Jackson Cek	Keal Cl Mareeba	Jackson
31/10/18	MARTIN CEK	Keal Cl. MAREEBA	Martin
11/11/18	Donna Pickford	Minis Rd, Mareeba	DPickford
11/11/18	Sharon Ariotti	Kennedy St Mareeba	Sharon
1/11/18	KRISTA WHITFORD	Rankine Dr TOCBA	Krista
1/11/18	GRANT MANNING	Rayns Mareeba	Grant
01/11/18	Sabine Seidner	Stoney Creek Rd Spreewald	Sabine
1/11/18	Jaclyn Atkins	51 Malon Road Mareeba	Jaclyn
1/11/18	GAIL SALOMONE	MARTEZA DR. MAREEBA	Gail
2/11/18	Toni Barnwell	10 Kennedally Rd Mareeba	Toni
2.11.18	JODY BAW	Dimbulah	Jody
2.11.18	Tracy Miles	Mareeba	T.Miles
3/11/18	Hayley Cek	Keal Close Mareeba	Hayley

PETITION TO MAREEBA SHIRE COUNCIL

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Principal Petitioner: Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
1/11/18	Liliana Williams	5a Gibson St, Atherton	[Signature]
2/11/18	Tony Kaminina	606 Links Rd, Atherton	[Signature]
3/11/14	Deb Gillespie	19 Viole St, Atherton	[Signature]
3/1/2018	PETER KYRIAKIDES	22 VICTORIA ST ATHERTON	[Signature]
3/11/17	RICHARD	17 WILLIAMS AVE WOODBARK	[Signature]
3/11/18	Charm Irvine	10 WARDEN AVE YONGABERRA	[Signature]
3/11/18	KATHY KUTAREK	42 NEAL ST ATHERTON	[Signature]
3/11/18	Matt Daves	35 La Spine Rd Mareeba	[Signature]
3/11/18	Brendan Johnson	3. Arden Ct Atherton	[Signature]
3/11/18	Ypoon	Appalooosa Cres Tully	[Signature]
3/11/18	Wendy Grant	PO BOX 123 BODRA QLD	[Signature]
3/11/18	Deanna Ware	PO BOX 1793 NOOSA QLD	[Signature]
3/11/18	Anthony Turner	Box 46 Fort Douglas	[Signature]
3/11/18	Jennis Lee Syc	3 OAKLEY AVE TOLGA	[Signature]

PETITION TO MAREEBA SHIRE COUNCIL

We, the undersigned, draw to the attention of the Mareeba Shire Council the condition of the rail trail corridor between Walkamin and Mareeba townships and petition the Council to upgrade the rail trail within the Mareeba Shire to meet the standard of the existing Atherton to Walkamin rail trail. The Walkamin to Mareeba rail trail is of a poor standard, ranging from difficult to either walk or ride to barely navigable and unsafe in places due to deep sand, ruts and holes. A properly constructed rail trail would provide a safe alternative link between Mareeba and other locations for local residents and visitors alike, as opposed to the adjacent Kennedy Highway where a number of cycling fatalities have occurred.

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Principal Petitioner: Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
7.11.18	JEN FLEMING	7 Gollings Rd Atherton	<i>J Fleming</i>
7/11/18	Denise Vrenger	2 Noel St	<i>D E Vrenger</i>
7/11/18	Kaylene Adams	Malanda	<i>K Adams</i>
7/11/18	Bob Adams	MACADA	<i>B Adams</i>
7/11/18	Legal Stencil	114, 1/2 Clove, Atherton	<i>Legal Stencil</i>



PETITION TO MAREEBA SHIRE COUNCIL

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Principal Petitioner: Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
24/10/2018	PAMELA LAVERS	100 HENRY HANNAM DRIVE, MAREEBA QD	
25/10/2018	ANNE LAVERS	210 HENRY HANNAM DR MAREEBA	
29/10/2018	PETER LAVERS	100 HENRY HANNAM DR MAREEBA.	Phasers
29/10/18	PETER STUART	28 NEWMAN DRIVE ATHERTON	
1/11/18	Glen Oliver	219 Cadgera Rd Yungaburra	
2/11/18	Alec Welch	#2/30 Vaughan Mareeba	

DS.

PETITION TO MAREEBA SHIRE COUNCIL

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Principal Petitioner: Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
31/10/18	CHRISTINE SARRA	120 Chango Road Mareeba	
31/10/18	Lisa Battistin	La Spina Rd Mareeba	
31/10/18	Belinda Waters	Atherton	
31/10/18	L. Rantucci	Mareeba	
31.10.18	S. Weaver	msg	
31.10.18	K. TULLOCH	Mareeba	
31.10.18	M. EADE	Mareeba	
✓	C. TRIMBLE	Mareeba	
31/10/18	L. Seddan	Mareeba	
31/10/18	A. SHEWRY	MAREEBA	
31/10/18	A. SHELLY	MAREEBA	
31/10/18	A. SCARABELLO	MAREEBA	
31/10/18	K O'Dea	Mareeba	
31/10/18	A Adams	MAREEBA	
31/10/18	S GREEN	MAREEBA	

No 6

PETITION TO MAREEBA SHIRE COUNCIL

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Principal Petitioner: Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
29/10/18	Ben Scurr	371 Springs Road Mareeba	
30/10/18	Stephen SCURR	225 RAINS RD MAREEBA	
30/10/18	PERRY ESTON	16 CATERINA Ch MA	
30.10.18	Courtney Scurr	30 Kambear Drive	
30/10/18	Darry Scurr	225 RAIN RD Mareeba	
30/10/18	John Aia	371 SPRINGS RD Mareeba	
30/10/18	Jean Nake	371 Springs RD Mareeba	
30/10/18	Fabrice Tabare	371 SPRINGS RD Mareeba	
30/10/18	Gides Tanabe	371 Springs RD Mareeba	
30/10/18	Roy Bulutave	371 Springs RD Mareeba	
30/10/18	Harry Lifu	371 Springs RD Mareeba	
30/10/18	Etienne Tonate	371 Springs RD Mareeba	
30/10/18	Stenly BONGA CALLAGHAN	371 Springs RD Mareeba	
1/10/18	NATALIE	23-Peters St	
1-10-18	Mary Copine	24 Wylondau Drive	

K. E

PETITION TO MAREEBA SHIRE COUNCIL

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Principal Petitioner: <Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
30/10/18	Pierre Koptegn	2 Ferntree Pl Kyanda 4881	
30/10/18	Jylvia Muret	114 Ray Road Mareeba	
30-10-18	GERARD KATH	222 SANDY CR RD DIMBULAH	
30.10.18	Steven Nicholls	182 Carman Rd MBA	
30.10.18	Emma Nichols	182 Carman R.D	
30.10.18	Ann Nichols	182 Carman R.D	
30.10.18	Lani Thorpe	1209 Dimbulah R.D	
30.10.18	Olivia Nicholls	182 Carman R.D	
30.10.18	Remo ESPOSITO	15 Joan Crescent MSA	
30/10/18	Natalia Esposito	15 Joan Crescent MBA	
30-10-18	DENNIS SAVAGLIO	105 CONSTANCE ST. MSA	
	Chiara Esposito	15 Joan Cres Mareeba.	
31.10.18	Natalie Morrill	206 Hartie Rd, Mba	

⑦ K.E

PETITION TO MAREEBA SHIRE COUNCIL

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Principal Petitioner: Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
30-10-18	Mavis Kuntz	222 Reeling Road ^{Atherton}	Mavis Kuntz
30-10-18	M MARTIN	BORLAND ST MAREEBA	M. Martin
30-10-18	Michael Quintreri	679 Dinbulah rd Mareeba	Michael
30-10-18	Mel Bertucci	43 Basalt St, Mareeba	Mel Bertucci
30-10-18	Aldis Carter	4795 Black ^{MT ROAD} Junction	Aldis Carter
30-10-18	Kath Elms	42 Hoolahan drive MBA	Kath Elms
30-10-18	David Elms	42 Hoolahan drive MBA	David Elms
30-10-18	Kevin Carter	4795 Black ^{Black} MT Rd ^{Junction} Mareeba	Kevin Carter
30-10-18	Samantha McIntyre	5 Cec Wilson Drive	S. McIntyre
30-10-18	Pauline Sciani	25 Joan Ces Mareeba	Pauline Sciani
30-10-18	Giulie Alderson	101 Hastie Rd, Mareeba	Giulie Alderson
30-10-18	B. McGrath	42 Hoolahan drive Mareeba	B. McGrath
30-10-18	P.J Mc McGrath	42 Hoolahan drive Mareeba	P.J McGrath
30-10-18	H. Elms	" " "	Hannah
31-10-18	Carol Elms.	Lot 4 McIver Rd. Mareeba	Carol Elms

DS

PETITION TO MAREEBA SHIRE COUNCIL

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NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
30.10.18	Jozy Bone	49 Walsh St Mareeba	[Signature]
30.10.18	Marjorie Conri	43 Martin Ave Mareeba	[Signature]
30.10.18	Tammie Jean	15 Vaughan St Mareeba	[Signature]
31.10.18	Kerry Cosgrove	12 Peters St Mareeba	[Signature]
31/10/18	Joelle DiCarlo	Eagle Close Mareeba	[Signature]
31/10/18	Kara Jade	Basalt St	[Signature]
31/10/18	James Bestmann	La Spina Road	[Signature]
31-10-18	ROBYNE BATTLE	12 ROBINS ST MGA	[Signature]
31.10.18	Jan Harrison	597 Ambular Rd	[Signature]
31-10-18	Carmel Brignolo	123 Hostie road	[Signature]
31-10-18	Carmel Simmonds	390 Shanty Creek Road	[Signature]
31.10.18	Robyn Geraghty	12 Petersen St Mareeba	[Signature]
31-10-18	Skye Clarkon	11 Elwood Close Atherton	[Signature]
31/10/18	Erin Raso	5 ROSENBERG ST ATHERTON	[Signature]
31/10/18	JOAN KITTO	258 Malone Rd Mareeba	[Signature]

NO. 5.

25

PETITION TO MAREEBA SHIRE COUNCIL

We, the undersigned, draw to the attention of the Mareeba Shire Council the condition of the rail trail corridor between Walkamin and Mareeba townships and petition the Council to upgrade the rail trail within the Mareeba Shire to meet the standard of the existing Atherton to Walkamin rail trail. The Walkamin to Mareeba rail trail is of a poor standard, ranging from difficult to either walk or ride to barely navigable and unsafe in places due to deep sand, ruts and holes. A properly constructed rail trail would provide a safe alternative link between Mareeba and other locations for local residents and visitors alike, as opposed to the adjacent Kennedy Highway where a number of cycling fatalities have occurred.

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We therefore petition the Council to upgrade the rail trail as requested.

Principal Petitioner: Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
28.10.18	Patricia Gadsden	3 Helen Close Smithfield	<i>Patricia Gadsden</i>
28.10.18	Debbie Jerome	RN 114 Coolamon CI MAREEBA	<i>D. Jerome</i>
29.10.18	FRED BROOKMAN	12 KEARNEY ST MESA	<i>Fred Brookman</i>
29-10-18	Chloe Attil	137 Black RD	<i>Chloe Attil</i>
29.10.18	B Nicolosi	11 Palm Close	<i>B Nicolosi</i>
29.10.18	PAM ARKEY	148 COLONET DRIVE	<i>Pam Arkey</i>
29.10.18	Debbie Daven	Narlotic Ck Road	<i>Debbie Daven</i>
29.10.18	Skylar Daven	Narlotic Ck Road	<i>Skylar Daven</i>
29.10.18	Debra Fisher	Le Spence Rd mbc	<i>Debra Fisher</i>
29/10/18	<i>[Signature]</i>	LADYINA RD MESA	<i>[Signature]</i>
29.10.18	<i>[Signature]</i>	COOLAMON CI MESA	<i>[Signature]</i>
29.10.18	Kristy-Leigh Scurr	371 Spring RD Paddy Green	<i>Kristy Scurr</i>
30.10.18	JANE COTTEN	33 STAFFMAN ST MESA	<i>Jane Cotten</i>
30.10.18	Jenny Ross-Reid	1015 Euloma Ck Rd Julatten	<i>Jenny Ross-Reid</i>
30-10-18	Alison Martin	Borland St Mareeba	<i>Alison Martin</i>

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PAGE 5

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Principal Petitioner: Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
16/11/18	HANS COOLS	25 WALSH ST. MAREEBA	
16/11/18	Tanya Croucher	13 LUISA CCT.	
16/11/18	Rodney Croucher	" "	
20/11/18	Carri McGowan	11 TIVOLI close Mareeba	
20/11/18	TROY JAMES	18 COUNTRY RD	
21/11/18	Fiona Coster	155 Gilmore Rd	
1-12-18	Shane Dempster	20 LLOYD ST Mareeba	
5/12/18	NONA CARUSI	8 DAWSON RD, MBA	
6/12/18	Tracy Marcel	42 Amaro Drive MBA	

PETITION TO MAREEBA SHIRE COUNCIL

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Principal Petitioner: <Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
7-11-18	JOYCE SHANNON	BOSANKO ST. MANKUNDA	J. Shannon
7-11-18	Kim Lindsey	51-59 Healey Crest	[Signature]
7/11/18	DAMIAN SMITH	1137 ARMBRUST ST MANKUNDA	[Signature]
8/7/11/18	Neriman DRAKER	Lot 49 Fichera Rd, Mareeba	N.R. Draker
7/11/18	STEPHEN PATERSON	10 ASCHAM ST, RAVENSHOE	[Signature]
7/11/18	Melissa Paterson	10 Ascham St, Ravenshoe	[Signature]
7/11/18	Joanna Paterson	10 Ascham St, Ravenshoe	[Signature]
7/11/18	Anthony Alcock	21 Claridge Close	[Signature]
8/11/18	Melissa Lum	9 Barron View Drive	[Signature]
9/11/18	DONAL WATERS	SMITHFIELD HTS.	[Signature]
9/11/18	IAN MUMBIG	5 Malpas Road	[Signature]
9/11/18	HELIUS VISSER	2 Angus Cross, Ravenshoe	[Signature]
9/11/18	Pam Rindel	4 Troughton St MBA	Pam R Rindel.

PETITION TO MAREEBA SHIRE COUNCIL


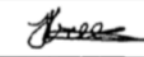

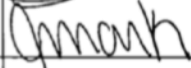
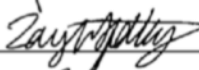



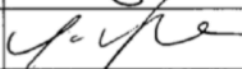


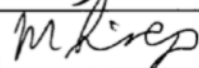

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Principal Petitioner: <Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
31-10-18	T. Sweeney	Brinsmead	
31-10-18	J. Burton	Stratford	
31-10-18	B. Shanon	Redlynch	
2/11/18	J. MONK	CAIRNS	
2-11-18	Z. Slattery	Brinsmead	
2-11-18	ANN JOHNSTON	MOOROOBOOL	
2-11-18	AMANDA JOHNSTON	MOOROOBOOL	
02 NOV 18	Blake Johnston	MOOROOBOOL	
2 NOV 18	SEAN BRAMHAM	BRINSMEAD	
2/11/18	BEN COULTER	REDLYNCH	
02/11/18	TIM O'DWYER	CAIRNS	
2/11/18	Mal Lindsay	CAIRNS	
6-11-18	Colm Donnellan	CAIRNS	

PETITION TO MAREEBA SHIRE COUNCIL

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Principal Petitioner: Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
8/11/18	MARCE BURNS	5A ROSARIO Ct. Mareeba	
8/11/18	Mandy Russell	23 Amara Dr Mareeba	
8/11/18	Robert Couss	9 NOLAN St Mareeba	
8/11/18	Leeanne Waters	6 Carrington Road Atherton	
8/11/18	Krissa Joad	18 Bangalow Place, Kurwek	
8/11/18	Kristy Burns	21 Damien Street Mareeba	
8/11/18	Dawn Pedersen	10 Frigate Close Mareeba	
8/11/18	Michael Tunis	16 Agis Crescent Mareeba	
8/11/18	Emanuel Timpa	165 Constance St	
8-11-18	WATKINS, R	3 WREN Ct	
08/11/18	S. Hogan	27 Deane Ct	
8-11-18	W. Bindley	138 Windy Hollow Rd	
8-11-18	J. Pardon	8 Geddes Dr	
8-11-18	J. STRAUD	21 HIGH ST.	
08/11/18	B. Allen	4 Serenity Court, Tolga	

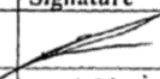
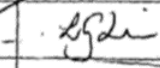
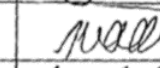
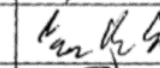
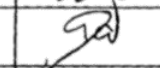
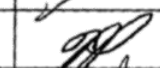

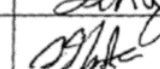
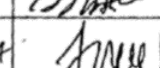
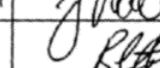


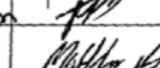
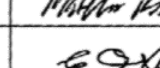
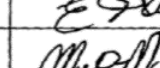
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Principal Petitioner: Pamela Lavers, 100 Henry Hannam Drive, Mareeba Qld 4880

NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
29/10/18	STEWART PRINCE	48 Dawung Street MALANDA 4885	
31/10/18	Lenora Twinn	28 Lawson St TOLGA	
31/10/18	MaryAnn Allan	13 Brady Ct Brinsford	
31	IVAN ELLIOTT	30 MALCOLM Rd. TINDRoo	
31.10	MIKE VALLE	19 TANDERT ST. ATHERTON	
31.10	JOAN POLLOCK	38 Alexander St Tanglewood	
31/10	LORA MAY	HAMILTON CLOSE	
31/10	STEVEN COSTA	TOLGA	
31/10	Tracey Hayes	PO BOX 1285 TOLGA	
31/10	Bob Hayes	"	
31/10/18	Lillian Sutton	PO Box 1470 Atherton	
31/10/18	Jim Spencer	PO Box 214 Atherton	
31-10-18	Matt Ross	PO.Box 1136 Tolga	
1-11-18	Evan Rolde	90 Bentine dr, Tolga	
1-11-18	Matt Marsh	5A Gibson St Ath	

PETITION TO MAREEBA SHIRE COUNCIL

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Date	Name	Address	Signature
9/11/18	W. Winteri	679 Dimbulah Rd Mareeba	
9.11.18	S. Gossill	1 Ray St Yorkneys Knob	
9.11.18	G. LYONS	32B Palomino Ave, Tolga	
9.11.18	H. CABATTINGAN	3 LEANSTER DRIVE, MAREEBA	
9.11.18	D. CABATTINGAN	3 Leinster Dr. Mareeba	
9.11.18	G. Corran	307 ALGOMA RD MITCHELLSA	
9.11.18	M. Purcell	11 Raminia Dr TOLGA	
9.11.18	K. P. ...	1 Sand St Atherton	
9/11/18	Laise BURNS	5A Rosario Ct. Mba	

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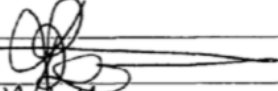
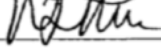

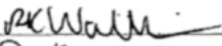



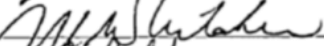
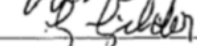

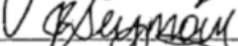


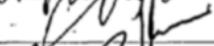

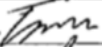




NAMES OF PETITIONERS (please complete in full)			
Date	Name	Address	Signature
31/10/18	R AGOSTINO	157 Byrne St Mareeba	<i>[Signature]</i>
31/10/18	R CAAMANO	147 COBRA RD Mareeba	<i>[Signature]</i>
31/10/18	G LEE	10 Churchill/KR, Sulphur	<i>[Signature]</i>
31/10/18	N. Beck	535 KENNEDY HWAY	<i>[Signature]</i>
01/11/18	A. Lockyer	7 Eighth Ave, Amerton	<i>[Signature]</i>
01/11/18	M. Metaw	35 Amaras Drive Mareeba	<i>[Signature]</i>
5/11/18	K Watson	8 Holbeat Close Mba	<i>[Signature]</i>
6/11/18	M. Jacob	12 Egan St, Mareeba	<i>[Signature]</i>
6-11-18	Ab. Ohi	129 RAY RD Mareeba	<i>[Signature]</i>
6/11/18	Norma Moloney	55 Coronet Drive Mba	<i>[Signature]</i>
13/11/18	Robyn Dury	619 Springs Road. mbc	<i>[Signature]</i>
14-11-18	Stavina MEMPHIS	31 DEAN COT M.	<i>[Signature]</i>

MARKERBA / WALKAMIN RAIL CORRIDOR UP GRADE
FOR COMMUNITY RECREATIONAL FACILITY

WE THE UNDER SIGNED REQUEST THAT MARKERBA SHIRE COUNCIL UNDER TAKE TO GAIN CONTROL OF THE RAIL CORRIDORE BETWEEN MARKERBA AND WALKAMIN WITH THE INTENTION TO UP GRADE AND DEVELOPE THE ABOVE SAID CORRIDORE FOR USE BY LOCAL COMMUNITY AND TO ATTRACT VISITORS TO THE REGION

NAME	SIGNATURE	ADDRESS
ROB ANDERSON	[Signature]	HERBERTON
PEX HUTCHISON	[Signature]	TWARCOO
GORDON BEW	[Signature]	ATHERTON
REX GREGORY	[Signature]	ATHERTON
SALLY MITCHELL	[Signature]	ATHERTON
FRANKIE WATTS	[Signature]	ATHERTON
KYMN HENTSCHKE	[Signature]	ATHERTON
BOB O'DEA	[Signature]	ATHERTON
A. Riester	[Signature]	ATHERTON
IVOR ANDERSON	[Signature]	ATHERTON
MARCOLO GILLESPIE	[Signature]	ATHERTON
GARRY CRAVEN	[Signature]	MILLAA
Edita Kludely	[Signature]	MILLAA
Marj Hendon	[Signature]	MUNGABURRA
Om Concom-Hulday	[Signature]	TOLGA
DARRIN LYDCOMBE	[Signature]	ATHERTON
Robert Claus	[Signature]	HERBERTON
RACHEL GRANDCOCK	[Signature]	ATHERTON
JUDY WYATT	[Signature]	ATHERTON
Luke Mucignat	[Signature]	MITCHILBA
Patricia Ross	[Signature]	MAERNOG
Jy Strenachin	[Signature]	MAERNOG
Yumi Koelman	[Signature]	LAKE EACHAM
Erika Koelman	[Signature]	LAKE EACHAM
Olivia Koelman	[Signature]	LAKE EACHAM
OJ Koelman	[Signature]	LAKE EACHAM

Document ID: 0606
 Version: 1 Version Date: 05/03/2019

NAME	SIGNATURE	ADDRESS
Kyle Kestman		Lake Eacham
NIKKI PAUL		TOLGA
Debbie Packerin		Tolga
Sharon Wallen		MILLAR MILLAR
DARAYL FOST		Atherton
Agoodal		TOLGA
Rob Rankin		ATHERTON
MAC WILKINSON		35 LEVANOVA DR YUNGABERRA
GRAHAM GILDER		16 MAGNOLIA ST ATHERTON
GARY TUDEHOPE		Atherton
Fyfe, Seymour		Atherton
Jan Lewis		Cairns
Thyng, Dorothy		CAIRNS
Christie Jenni		CAIRNS
Becky Peacey		Lake Eacham
Levy, Graham		Lake Eacham
John Deane		Cairns
Berlesie		Newcastle
NORRI KUROWSKI		10 MENDELSON
Burg Kurowski		Gordonvale

9.2 MAREEBA AIRPORT - AVIATION INDUSTRIAL PARK - ROAD NAMES

Date Prepared: 11 March 2019

Author: Director Infrastructure Services

Attachments: 1. [Mareeba Airport Aviation Industrial Park Plan](#) ↓

EXECUTIVE SUMMARY

Construction of the new Aviation Industrial Park at Mareeba Airport located off JRM Braes Road has been completed. As part of the development, four (4) new roads have been constructed. Road names were selected, and signage was installed prior to the opening of Mareeba Airport Stage 1 works on 7 March 2019.

RECOMMENDATION

That Council endorses the following road names for roads within the Aviation Industrial Park at Mareeba Airport:

1. Ratten Drive
2. Weston Close
3. McMullan Close
4. Pittman Close

BACKGROUND

Construction of the new Aviation Industrial Park at Mareeba Airport located off JRM Braes Road has been completed. As part of the development, four (4) new roads have been constructed.

In recognition of the military significance the Mareeba airfield, it was considered appropriate to name the new roads in the Aviation Industrial Park in honour of those that served in the Royal Australian Air Force (RAAF).

In selecting road names, consideration was given to Council's Road Naming Policy. The policy encourages developers to select a proposed road name from a pre-approved list of available road names, however it also provides for developers to nominate a name which is not on the pre-approved list.

Where a developer proposes a road name which is not on the pre-approved list, the request must be referred to Council for approval in accordance with Clause 3.1.4 of the policy.

As the pre-approved list of available road names does not contain names of those who served in the RAAF, Council officers approached local historian, Elwyn Troughton to assist in putting forward names for Council's consideration. Road names were selected, and signage was installed prior to the opening of Mareeba Airport Stage 1 works on 7 March 2019.

The road names selected, and historical significance are as follows:

Road	Name	Named in honour:	Historical summary:
1	Ratten Drive	Wing Commander John Richard Ratten	Born in Tasmania, Ratten's connection to Mareeba was through Government employment in the mining sector as a mines inspector. Ratten enlisted in the RAAF in 1941 and rose through the air force ranks to Squadron Leader and was the first Australian to command a Spitfire wing in Britain on offensive operations. He received the Distinguished Flying Cross (highest award for airmen) in 1943. He died aged 35 while on a posting in England on 27 February 1945 after an illness extending several weeks.
2	Weston Close	Corporal Raymond Bruce Weston	Served with the No. 1 Operational Support Unit of the RAAF in the Vietnam War and contracted an illness which claimed his life on 20 July 1971. His internment is recorded at the Vaughan Street cemetery in Mareeba.
3	McMullan Close	Flight Lieutenant Harcourt Hunter McMullan	Born in Innisfail, McMullan was the son of Mareeba resident Thomas Hunter McMullan and a business man prior to enlisting in 1942. He was awarded a Flying Badge in 1943. He was presumed deceased after being failing to return from a mission in the UK in May 1944.
4	Pittman Close	Sergeant John Roland Pittman	Born in Adelaide, Pittman was the pilot on board the RAAF Beaufort, of 100 Squadron, which flew the first operational sortie out of the new Mareeba air strip taking off at on 12 June 1942 to carry out an anti-submarine patrol off the east coast. The Beaufort failed to return from the patrol and the pilot, and 3 crew were presumed deceased.

RISK IMPLICATIONS

Nil

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

In selecting road names, consideration was given to Council's Road Naming Policy.

FINANCIAL AND RESOURCE IMPLICATIONS

Capital

Signage has been installed as part of the Mareeba Airport Upgrade project.

Is the expenditure noted above included in the current budget?

Yes

Operating

These roads will be included in Council's asset register once project close-out and capitalisation has been completed.

Is the expenditure noted above included in the current budget?

Yes

LINK TO CORPORATE PLAN

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.

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.

IMPLEMENTATION/COMMUNICATION

Road name signage has been installed in accordance with FNQROC requirements. These roads will be included in Council's asset register once project close-out and capitalisation has been completed.



9.3 MAREEBA AIRPORT UPGRADING - FEBRUARY 2019 PROGRESS REPORT

Date Prepared: 11 March 2019
Author: Manager Technical Services
Attachments: Nil

EXECUTIVE SUMMARY

Council has received grant funding from the Australian and Queensland governments towards the upgrading of the Mareeba Airport.

At its Ordinary Meeting of 21 March 2018, Council resolved to award Contract TMSC2017-27 Mareeba Airport Upgrade to FGF Developments Pty Ltd, with works commencing onsite mid-April 2018.

The purpose of this report is to provide an update on progress of the Mareeba Airport Upgrade project.

RECOMMENDATION

That Council receives the February 2019 progress report on the Mareeba Airport Upgrade Project.

BACKGROUNDFunding

Council has received \$13 million from the Queensland State Government's Royalties for Regions program and \$5 million from the Australian Government's National Stronger Regions Fund towards the upgrading of the Mareeba Airport.

Additional funding of \$5 million has been secured under the Australian Government's Building Better Regions Fund (BBRF) to undertake lengthening and strengthening of the runway, taxiways and airfield ground lighting, bringing the total project budget to \$23 million.

Following confirmation of additional funding through BBRF, Council resolved at its Special Meeting on 5 September 2018, to award a variation to Contract TMSC2017-27 up to a value of \$4 million (excluding GST) for amendments to the runway, taxiways and airfield lighting. The remainder of this additional funding has been allocated to design, project management, CASA approvals and contingency.

Programme and Progress

A programme of works has been prepared which reflects the works and commitment made by Council in the funding agreements. This programme will be updated at fortnightly meetings of the Project Team, which includes Council, FGF and Council's Consultant Contract Management representatives (Trinity Engineering Consultants).

The aviation commercial precinct is substantially complete, with Stage 1 officially opened on 7 March 2019.

The works to upgrade the airfield lighting, runway and taxiway upgrades has commenced and is scheduled for completion by September 2019, weather permitting.



22 February 2018 - Aviation Park completed



22 February 2018 - Aviation Park completed, with commencement of Stage 2 works underway

Stakeholder Engagement

A Communication and Stakeholder Engagement Plan has been developed, which sets out the engagement strategy for delivery phase of the project. Ongoing engagement will be undertaken for the duration of the project. Project newsletters are planned for release as necessary.

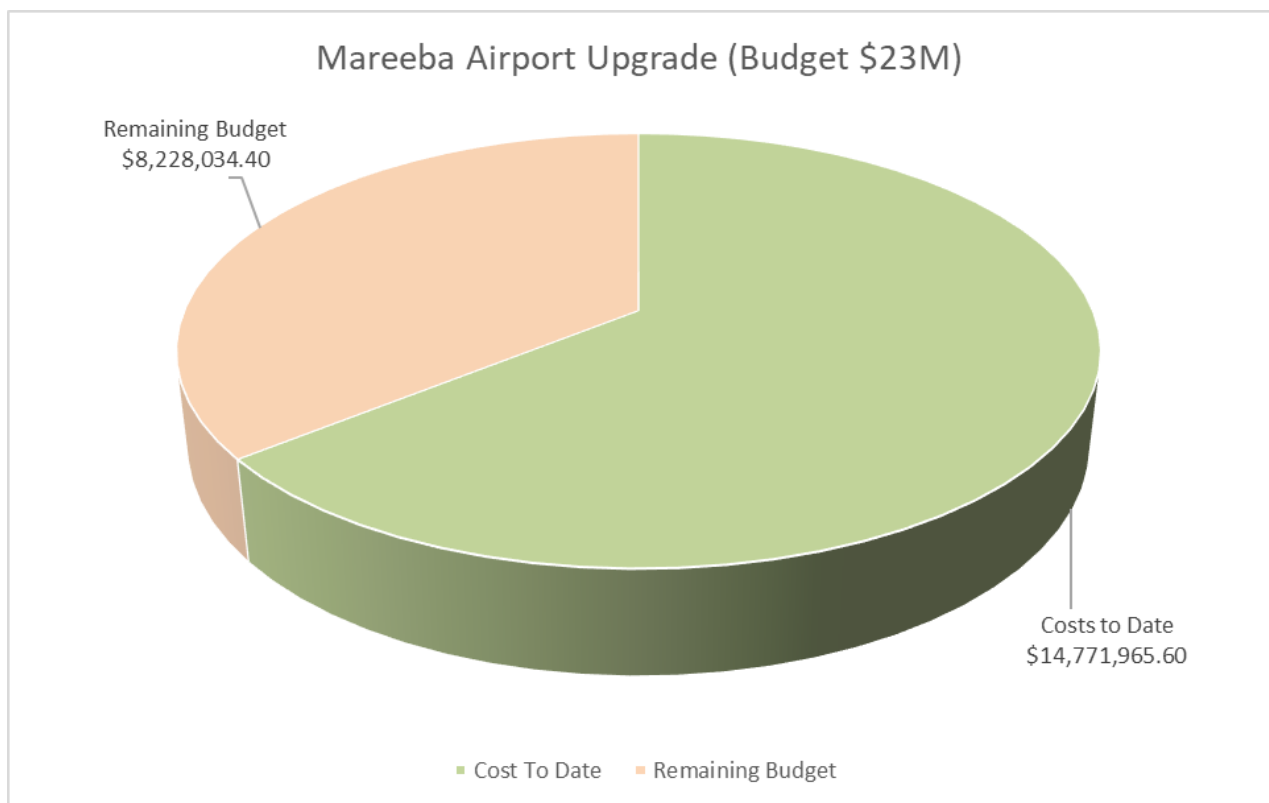
The Method of Working Plan (MOWP) for the runway works was distributed to aerodrome users in December 2018 as per CASA requirements. A MOWP is required for runway and runway strip works that have direct impact on aircraft operations to advise users of the timing and staging of works. The runway work has been staged to minimise impact on users by maintaining operations under reduced runway operating lengths during construction.

Aviation Commercial Precinct Leasing Opportunities

To date, applications have been received for leasing of two (2) sites within the new aviation commercial precinct. Council has received many enquiries regarding leasing of land, with further lease applications expected now that Stage 1 is complete.

Expenditure

Expenditure to date is reflected within the chart below.



RISK IMPLICATIONS

Financial

Latent conditions and potential project variations represent normal risks with complex projects, nominal allowances within the budget have been made.

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

The contract is being managed under Australian Standard AS4000-1997 Conditions of Contract. Tender and procurement activities have been completed in accordance with Council's procurement policy.

FINANCIAL AND RESOURCE IMPLICATIONS***Capital***

Funding for this project has been made available from the Australian and State Governments. Minor ineligible expenditure, including funds spent prior to commencement of the grant agreements is to be met by Mareeba Shire Council.

Is the expenditure noted above included in the current budget?

Yes

Operating

Nil

LINK TO CORPORATE PLAN

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.

IMPLEMENTATION/COMMUNICATION

This purpose of this report is to provide Council with an update as to progress of the Project. No additional actions required at this time.

All communication in relation to the project shall be in accordance with the protocols outlined in the deeds of agreement with the Australian and Queensland governments.

9.4 APPLICATION FOR PERMANENT ROAD CLOSURE ABUTTING LOT 10 ON PLAN SP212581; 18 JACANA CLOSE, MAREEBA

Date Prepared: 21 February 2019

Author: Technical Officer (Investigations)

Attachments: 1. [Applied for Area and Council Infrastructure.](#) [↓](#)

EXECUTIVE SUMMARY

A land owner is seeking Council's view regarding an application for permanent road closure of an area of approximately 171m², abutting Lot 10 on SP212581, 18 Jacana Close Mareeba. The subject land is located between Lots 9 and 10 on Plan SP212581 (16 and 18 Jacana Close Mareeba respectively).

RECOMMENDATION

That Council as the Road Manager, advises the applicant and the Department of Natural Resources, Mines and Energy that:

1. Council offers no objection to the permanent closure of the road reserve, subject to a drainage and access easement being established, in favour of Council, over this same area of land; and
2. Council would have no objection to the fencing of the area's boundary, however no permanent structures are to be built on the subject land; and
3. The applicant is wholly responsible for all costs associated with finalising the process; and
4. The said parcel of land must be amalgamated with the adjoining lot.

BACKGROUND

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

A request was received from the landowner of Lot 10 on SP212581, 18 Jacana Close Mareeba, seeking Council's views on the above Road Closure Application.

Regular contact between Council officers and the landowner has been maintained throughout the investigation process. The landowner has advised that, if road closure were approved the land would be incorporated into their existing freehold lot, with the area to be maintained in a similar fashion to their residential property.

The subject land (Attachment 1) is approximately 4.1 metres wide, having an area of approximately 171m² in area and could never accommodate a compliant access road.

Council stormwater infrastructure (Refer attachment 1) is contained within the subject area and advice from Council's Planning Section is that an easement would need to be established in favour of Council to ensure ongoing access can be retained for maintenance/service purposes.

Establishing an easement would be beneficial to the landowner as it would afford them the ability to maintain and enjoy the area, while ensuring ongoing drainage function for Council.

Council personnel generally do not traverse the subject area to access the Council maintained drain located to the rear of properties that front Jacana Close.

As a condition of the approval, the applicant would be wholly responsible for all costs associated with finalising the process.

It is the Officer's opinion that the above stated conditions be applied to achieve a suitable outcome for all involved.

RISK IMPLICATIONS

Infrastructure and Assets

Access to maintain Council infrastructure is required.

Legal and Compliance

Council is delegated with the authority of Road Manager for local (Council) roads, therefore the needs of the transport network are considered prior to DNRME providing a final position to road closures.

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Council is delegated with authority as Road Manager and is therefore required to consider the needs of the future transport network.

FINANCIAL AND RESOURCE IMPLICATIONS

Capital

Nil

Operating

Nil

LINK TO CORPORATE PLAN

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.

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.

IMPLEMENTATION/COMMUNICATION

Following resolution, Council Officers will notify the applicant and DNRME of the outcome.

Proposed Road Closure - Jacana Close, Mareeba.



©2019 Mareeba Shire Council (MSC). Based on or contains data provided by MSC and the State of Queensland Department of Natural Resources & Mines (DNRM) (2015). 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 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.

Scale 1cm = 5 Metres at A4
Map Grid of Australia Zone 55 (GDA94)



9.5 INFRASTRUCTURE SERVICES, TECHNICAL SERVICES MONTHLY ACTIVITIES REPORT - FEBRUARY 2019

Date Prepared: 6 March 2019
Author: Manager Technical Services
Attachments: Nil

EXECUTIVE SUMMARY

This purpose of this report is to summarise Council's Fleet, Design, Soils Lab, Survey, Quality, GIS, Project Management, Facilities and Investigation Services activities undertaken by Infrastructure Services during the month of February 2019.

RECOMMENDATION

That Council receives the Infrastructure Services, Technical Services Monthly Report for the month of February 2019.

BACKGROUND

Below is a summary of the activities undertaken by the Technical Services section for the month of February 2019:

DESIGN	
2017/18 Capital Works	<ul style="list-style-type: none"> • Malone Road Drainage, Mareeba - Design finalised and being reviewed • KIAC - Therwine Street, Kuranda, Redevelopment - Provide technical advice • Mareeba CBD Study - Temporary works plan for Rankin and Walsh Streets • Anzac Avenue, Mareeba - Ceola Drive Intersection - Detailed design works being undertaken
Works for Queensland Rd 2	<ul style="list-style-type: none"> • Anzac Avenue, Barron River Bridge, Mareeba - Construction plans delivered to Works for Construction
2018/19 Capital Works	<ul style="list-style-type: none"> • Railway Avenue, Mareeba, Car Park Area Design - Concept plans prepared • Ootann Road CH 78.2-80.2 (Package 2), Almaden - Design finalised and being reviewed • Mareeba Industrial Estate, Stage 16B, Keegan and Effley Street Extension - Quotes received
Miscellaneous	<ul style="list-style-type: none"> • General investigations related to customer requests • McIver Road Drainage - Design being undertaken • Installation of rural addresses • DBYD plans • As-Constructed plans for external customers

SURVEY	
Miscellaneous	<ul style="list-style-type: none"> • Mareeba Landfill - Survey volume pick-up • Wetherby Road Opening - Cadastral Survey Plan for Lot 37 SP166323 • Borzi Park, Mareeba - Lease area identification and plan • Mt Mulligan Cemetery Road Opening - Cadastral Survey • Chettle Road, Arriga - Detailed Survey pick-up for road widening and rehabilitation
2019/20 Capital Works	<ul style="list-style-type: none"> • Chettle Road, Arriga - Detailed Survey pick-up for road widening and rehabilitation design
As Constructed Information	<ul style="list-style-type: none"> • Bicentennial Lakes Footpath/Lighting • Flin Creek Bridge • Clacherty Road Causeway • Hodzic Road Causeway • Hurricane Road Causeway • Springfield Road Causeway • Kenneally Road • Leedingham Creek Bridge • Black Mountain Road Bridge

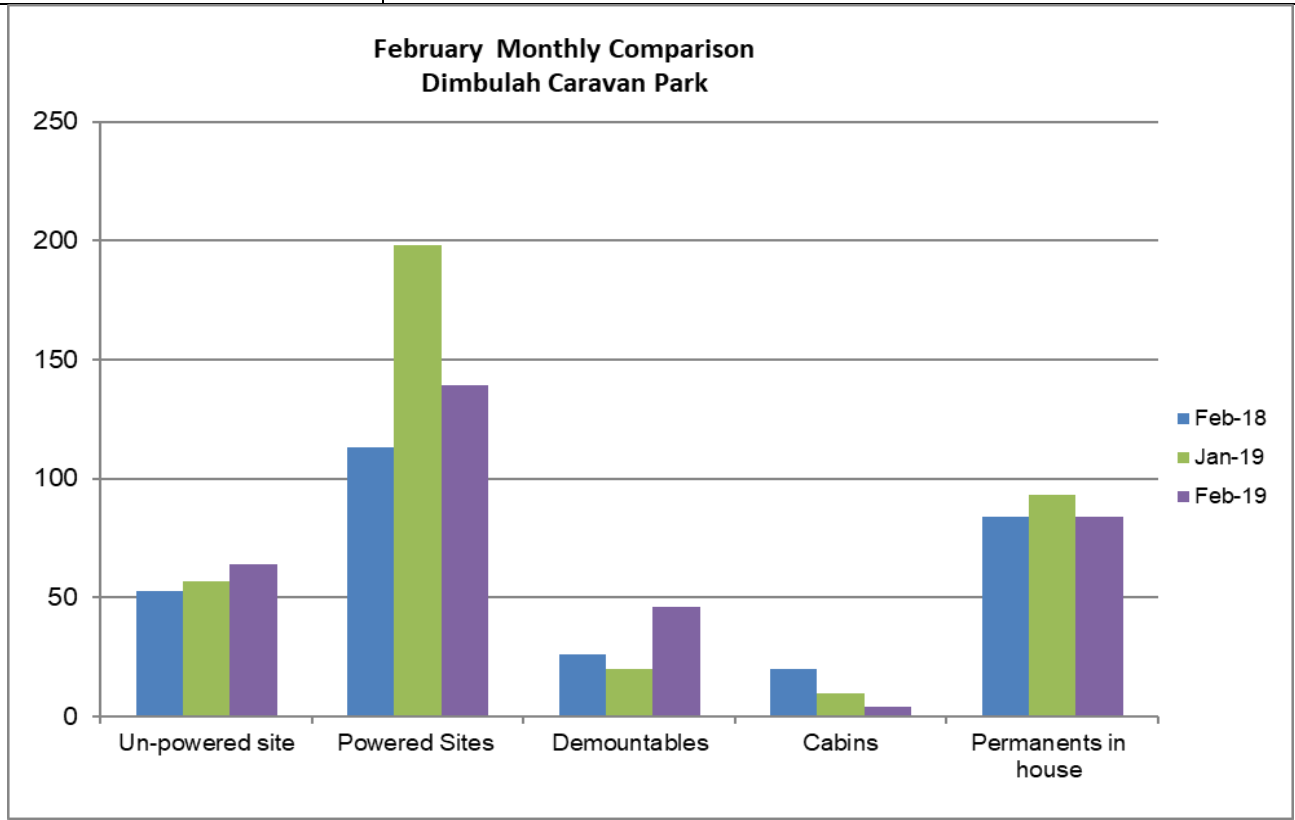
SUBDIVISIONS AND INVESTIGATIONS	
Subdivisions <i>(Under Construction)</i>	<ul style="list-style-type: none"> • Amaroo Stage 10 <ul style="list-style-type: none"> ○ Repairing of damaged caused by stormwater run off • Bundanoon Stage 2 <ul style="list-style-type: none"> ○ Bulk earthworks completed
On-Maintenance <i>(Monitoring for 12 months as the Defects Liability Period prior to becoming a Council Asset)</i>	<ul style="list-style-type: none"> • The Edge Stage 2A (Antonio Drive, Mareeba) • Hilltop Close, Kuranda (Vegetation clearing) • Amaroo Stage 9 • 8-10 Forest Close, Kuranda • Rodeo Acres Pty Ltd (Mareeba - Dimbulah Road) • Kanjini Co-Op Ltd Stage 2 (Emerald Falls Road, Mareeba) • Develop North (Barnwell Road Upgrade)
Operational Works	<p><u>112 Barnwell property, on-going monitoring of;</u></p> <ul style="list-style-type: none"> • Dam construction completed and being monitored • Access completed and monitoring underway • Nature Base Tourism Works (MCU/17/0012) completed and being monitored

PROJECT MANAGEMENT	
Building	<p><u>Kuranda Centenary Park Toilets Upgrade:</u></p> <ul style="list-style-type: none"> • Female toilets and parent's room completed and in use. Male toilets – internal demolition; drainage and masonry wall completed. Project completion is scheduled for mid-March 2019.

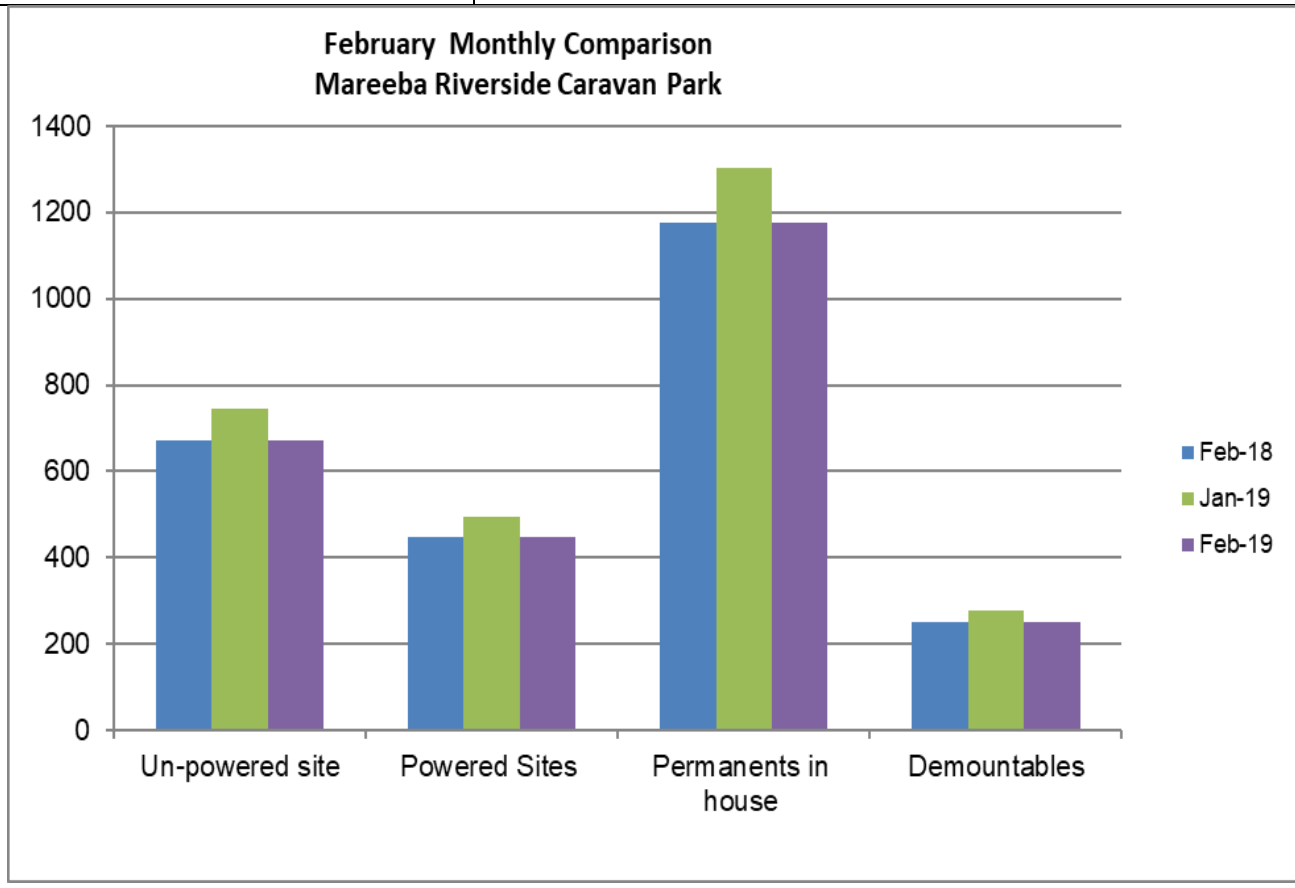
<p>Civil</p>	<p><u>2017-18 Reseals Bitumen and Asphalt Programmes</u></p> <ul style="list-style-type: none"> • Engaged contractor for line marking of asphalt • Capitalisation <hr/> <p><u>2018-19 Reseals Bitumen Program</u></p> <ul style="list-style-type: none"> • FGF completing MSC reseal program • Line marking pending <p><u>2018-19 Reseals Asphalt Program</u></p> <ul style="list-style-type: none"> • Tender being prepared FNQROC proforma <p><u>2019-20 Reseals Bitumen</u></p> <ul style="list-style-type: none"> • Preliminary program sent to FNQROC for procurement <p><u>KIAC Therwine Street Redevelopment</u></p> <ul style="list-style-type: none"> • JMAC construction 95% complete • Stone work and close out being affected by adverse weather • Solar streetlighting, bollards, planting and irrigation complete <p><u>KIAC Kuranda Wayfinding Signage</u></p> <ul style="list-style-type: none"> • Concepts posted for public comment - feedback <p><u>KIAC Kuranda Barron Falls Walking Trail</u></p> <ul style="list-style-type: none"> • Preliminary investigation Environmental, Native Title and Wet Tropics obligations
<p>NDRRA</p>	<p><u>6-10 March 2018 Event:</u></p> <ul style="list-style-type: none"> • Emergent Works completed, negotiated claim approved QRA. • Restoration submissions approved by QRA and tenders awarded; <ul style="list-style-type: none"> ○ James Creek Crossing ○ Flaggy Creek Bridge ○ Western Roads (Chillagoe West) - Watto's Earthmoving ○ Mid-Western Area - Watto's Earthmoving ○ Dimbulah Area - Gregg Constructions ○ Mareeba-East Area - Gregg Constructions (Grove Creek Bridge and Cane Road side-track completed prior to approval to maintain access during wet season) • Quotations being sought following QRA funding approval; <ul style="list-style-type: none"> ○ Airport Submissions (Mareeba and Chillagoe) • Restoration submissions awaiting QRA approval prior to tendering; <ul style="list-style-type: none"> ○ Geotech (landslips) • Construction progress: <ul style="list-style-type: none"> ○ James Creek Crossing - primary structure completed, works on approaches underway, expect completion End of March 2019. ○ Flaggy Creek Bridge - Design of new bridge ongoing.

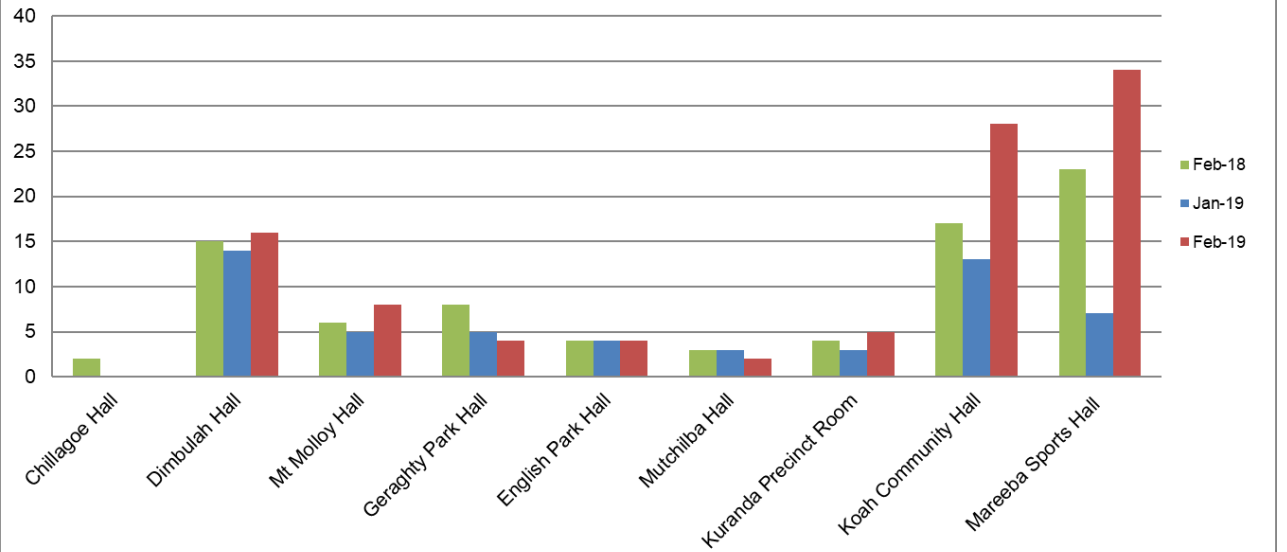
FACILITIES

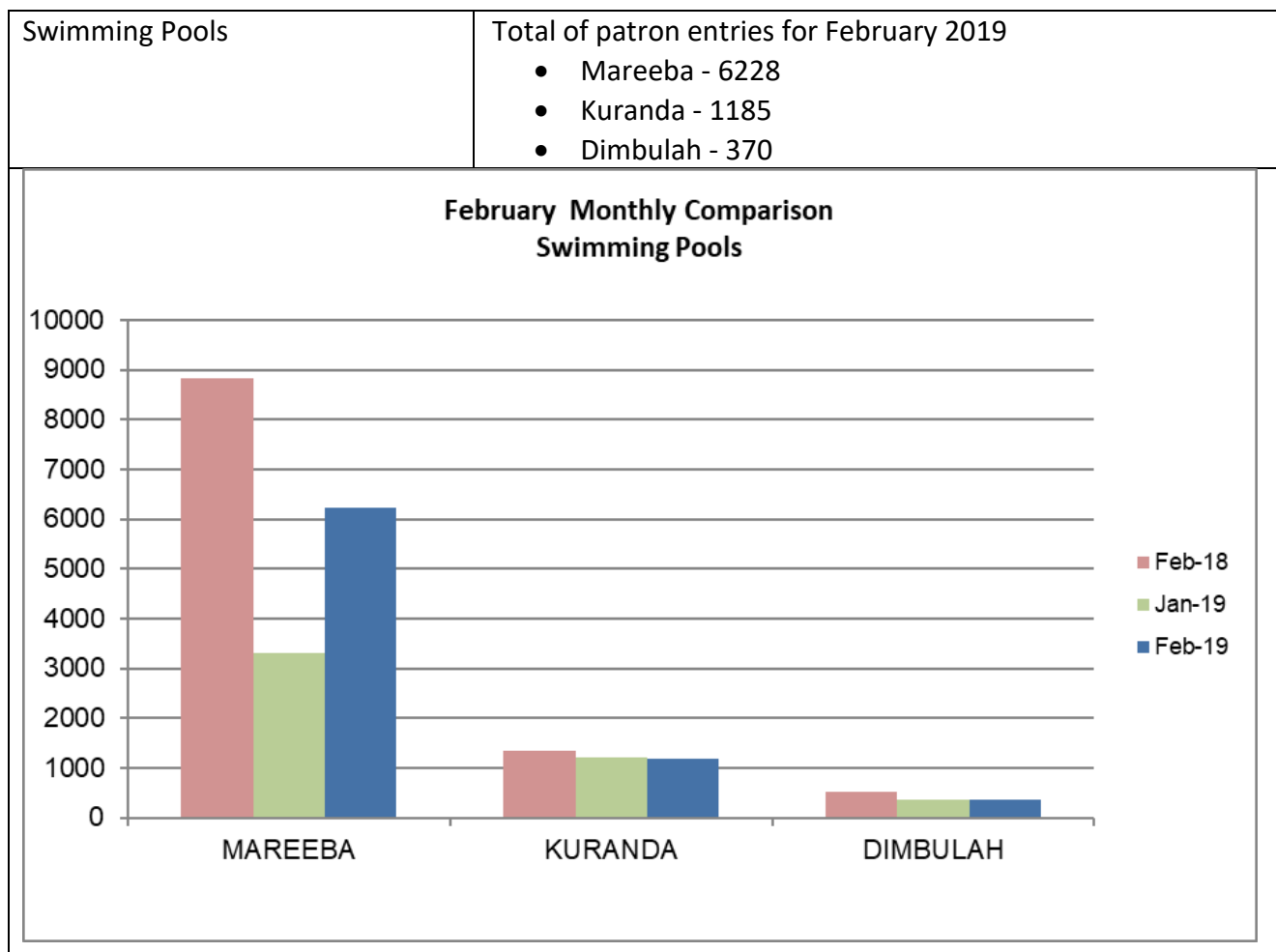
Dimbulah Caravan Park | Total of bookings for February 2019 – 337



Mareeba Riverside Caravan Park | Total of bookings for February 2019 - 2548



Public Halls	Total of hall bookings for February 2019 - 101																																																								
<p style="text-align: center;">February Monthly Comparison Halls</p>  <table border="1"> <caption>Hall Bookings Data</caption> <thead> <tr> <th>Hall</th> <th>Feb-18</th> <th>Jan-19</th> <th>Feb-19</th> </tr> </thead> <tbody> <tr><td>Chillagoe Hall</td><td>2</td><td>0</td><td>0</td></tr> <tr><td>Dimbulah Hall</td><td>15</td><td>14</td><td>16</td></tr> <tr><td>Mt Molloy Hall</td><td>6</td><td>5</td><td>8</td></tr> <tr><td>Geraghty Park Hall</td><td>8</td><td>5</td><td>4</td></tr> <tr><td>English Park Hall</td><td>4</td><td>4</td><td>4</td></tr> <tr><td>Mutchilba Hall</td><td>3</td><td>3</td><td>2</td></tr> <tr><td>Kuranda Precinct Room</td><td>4</td><td>3</td><td>5</td></tr> <tr><td>Koah Community Hall</td><td>17</td><td>13</td><td>28</td></tr> <tr><td>Mareeba Sports Hall</td><td>23</td><td>7</td><td>34</td></tr> </tbody> </table>		Hall	Feb-18	Jan-19	Feb-19	Chillagoe Hall	2	0	0	Dimbulah Hall	15	14	16	Mt Molloy Hall	6	5	8	Geraghty Park Hall	8	5	4	English Park Hall	4	4	4	Mutchilba Hall	3	3	2	Kuranda Precinct Room	4	3	5	Koah Community Hall	17	13	28	Mareeba Sports Hall	23	7	34																
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Mt Molloy Markets	1	0	0																																																						



VANDALISM & GRAFFITI		
Financial Year	Actuals	Comments
2015-16	\$ 2,134	During February 2019, 1 report of vandalism was recorded. <ul style="list-style-type: none"> • Mareeba Byrnes and Walsh Street Bins
2016-17	\$ 16,546	
2017-18	\$ 23,948	
2018-19	\$ 7,312	
Currently there is no allocated budget for graffiti and vandalism; these costs are being booked to operational.		

RISK IMPLICATIONS

FINANCIAL AND RESOURCE IMPLICATIONS

Capital

Projects funded through the Capital Works Program, with savings being found to address unexpected costs.

Is the expenditure noted above included in the current budget?

Yes

Operating

Additional costs associated with graffiti and vandalism.

Is the expenditure noted above included in the current budget?

No

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

Savings will be sought within the budget, where possible.

LINK TO CORPORATE PLAN

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.

IMPLEMENTATION/COMMUNICATION

This report provides Council with an update as to the month's deliverables by the Technical Services group.

9.6 TMSC2019-02 WASTE CHILLAGOE LANDFILL REDEVELOPMENT PROJECT

Date Prepared: 6 March 2019
Author: Manager Water and Waste
Attachments: Nil

EXECUTIVE SUMMARY

The Chillagoe Landfill Redevelopment Project will see the redevelopment of the site into a Waste Transfer Station and close out capping of the existing Landfill Cell.

Tenders for TMSC2019-02 Chillagoe Landfill Redevelopment Project closed at 11:00am Wednesday, 20 February 2019 and nine (9) responses were received.

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

RECOMMENDATION

That Council awards Tender TMSC2019-02 Chillagoe Landfill Redevelopment Project to T & K Fitzgerald Pty Ltd for a total value of \$355,927.00 (inclusive of GST).

BACKGROUND

The township of Chillagoe is currently serviced by an unlined single traditional trench landfill. This waste facility receives waste from local residents and various commercial users.

The site is licensed and operated in accordance with Environmental Authority (EA) permit EPPR01792213 issued by the Department of Environment and Science (DES).

Following a report presented to Council at its Ordinary Meeting of 25 October 2017, capital upgrades and operational changes were implemented to manage public safety and unregulated use of the Chillagoe landfill site. The scope of work included security fencing, site supervision and signage to appropriately manage the site.

A further report was presented to Council at its Ordinary Meeting of 15 August 2018 detailed options for future operation of the Chillagoe waste facility and it was resolved to reconfigure the existing landfill site to a transfer station.

The scope of work for the Chillagoe Landfill Redevelopment Project is to cap the existing landfill cell and reconfigure the site into a transfer station, including construction of a waste transfer pad and installation two (2) 30m³ Roll-On Roll-Off bins. Waste from Chillagoe will then be transported to landfill for disposal.

The list of tenders received, and the tendered amount is provided in the table below.

Tenderer	Assessment Description Comment	Pricing Incl GST
GR Brown and Sons	Offer met tender specification	\$ 453,746.04
Gregg Construction	Offer met tender specification	\$ 352,073.15
HEH Civil	Offer met tender specification	\$ 463,160.59
Koppens Developments	Offer met tender specification	\$ 526,523.80
Lamont Plant Hire Pty Ltd	Offer met tender specification	\$ 727,172.28
LDI Constructions	Offer met tender specification	\$ 378,742.10
Northern Civil Earthworks Pty Ltd	Offer met tender specification but also indicated variations would be required for hard ground	\$ 333,730.10
TK Fitzgerald Pty Ltd	Offer exceeded tender specification and represents good value for Council with extra bitumen and gravel coverage. Offer also allows for hard ground conditions and removal from site of the metal stockpile	\$ 355,927.00
TMC Transport Machinery Contractors	Offer met tender specification	\$ 569,057.50

Tenders were reviewed in accordance with the evaluation criteria stated in the tender documentation:

Assessment Criteria

Criteria	Weightings
Tendered Price	40%
Relevant Experience	15%
Key Personnel Skills and Experience	15%
Tenderer's Resources	10%
Demonstrated Understanding	20%
Total	100%

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

TENDER EVALUATION

The criteria weightings were applied to the scores and the assessment summary is presented below.

Tender Assessment Summary

Tenderer	Total Weighted Score
T & K Fitzgerald Pty Ltd	90%
Gregg Construction Pty Ltd	87%
HEH Civil Pty Ltd	78%
Koppens Development	73%
Lamont Plant Hire Pty Ltd	46%
LDI Constructions	86%
Northern Civil Earthworks Pty Ltd	86%

TMC Transport Machinery Contractors	61%
GR Brown and Sons	72%

Tender Evaluation

T & K Fitzgerald Pty Ltd

T & K Fitzgerald tender submission scored the highest with experience of similar works. Their tender submission highlighted they had completed the Kuranda Waste Transfer Station Upgrade Project in 2017 and have a good understanding of the project requirements. This project was completed on time and within budget for Council.

The offer from T & K Fitzgerald also included items their roadworks component which will be beneficial. Also reducing the need for any price variations.

These extra items include:

- Additional 200m² two-coat bitumen seal with suitable base up to and beside the existing site building
- Line marking for traffic flow directions
- Additional 600m² unsealed gravel access roads and pads to provide all weather access to green waste and scrap metal storage areas
- Supply and spread rock on steep gradients to aid in erosion control
- Allowance for striking rock in the subgrade, which is highly likely at Chillagoe
- Installation of all required signage (not supply of signs just the installation)

Also included in their overall price is removal of all excess material (large dirt pile in the middle of the site) to create a new green waste storage area inside the compound instead of being outside of the rear fence line.

Gregg Constructions

Gregg Constructions' submission showed they had completed several civil projects including road works projects and subdivisional works.

HEH Civil

HEH Civil's submission showed they had completed several civil projects including road works projects, subdivisional works and also landfill cell development.

Koppens Developments

Koppens Developments' submission showed they had extensive experience in civil projects including road works, utility projects and subdivisional works.

Lamont Plant Hire Pty Ltd

Lamont Plant Hire Pty Ltd's submission showed they had extensive experience in civil and construction projects including road works, utility projects. Currently engaged on a waste facility upgrade for a regional Queensland Local Authority. The offer from Lamont Plant Hire exceeds the budget allocation for this project.

LDI Constructions

LDI Constructions' submission showed they had extensive experience in civil and construction projects including road works, utility projects and subdivisional works.

Northern Civil Earthworks

Northern Civil Earthworks' submission showed they had extensive experience in civil and construction projects including road works, subdivisional works and utility networks associated with subdivisional works.

TMC Transport Machinery Contractors

TMC Transport Machinery Contractors submission showed they had experience in civil and construction projects including landfill capping projects, road and drainage works. The offer from TMC Transport Machinery Contractors exceeds the budget allocation for this project.

GR Brown and Sons

GR Brown and Sons' submission showed they had extensive experience in civil projects including road works projects and mining works.

RISK IMPLICATIONS**Environmental**

The site is licensed and operated in accordance with Environmental Authority (EA) permit EPPR01792213 issued by the Department of Environment and Science (DES).

Infrastructure and Assets

The asset register will be amended to reflect the changes to the Chillagoe waste facility.

Legal and Compliance

The site is licensed and operated in accordance with Environmental Authority (EA) permit EPPR01792213 issued by the Department of Environment and Science (DES).

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

The site is licensed and operated in accordance with Environmental Authority (EA) permit EPPR01792213 issued by the Department of Environment and Science (DES).

FINANCIAL AND RESOURCE IMPLICATIONS**Capital**

Yes

Is the expenditure noted above included in the current budget?

Yes, allocated for in the 2018 - 2019 Capital Program.

Operating

Yes

Is the expenditure noted above included in the current budget?

Yes

LINK TO CORPORATE PLAN

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.

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.

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.

IMPLEMENTATION/COMMUNICATION

Communication with the residents of Chillagoe will be undertaken to inform the residents of the project start and completion dates and information will be provided on the routine procedural operations of the redeveloped site.

9.7 INFRASTRUCTURE SERVICES, WASTE OPERATIONS REPORT - FEBRUARY 2019

Date Prepared: 5 March 2019
Author: Manager Water and Waste
Attachments: Nil

EXECUTIVE SUMMARY

The purpose of this report is to summarise Council's Waste activities undertaken by the Infrastructure Services Department during the month of February 2019.

RECOMMENDATION

That Council receives the Infrastructure Services, Waste Operations Progress Report, February 2019.

BACKGROUND

The following is a 'snapshot' of the waste activities undertaken during the month of February 2019.

1. Waste Operations

- 4,950 vehicles entered Mareeba waste facility (to drop off or pick up waste)
- 377 vehicles deposited waste to Mareeba Landfill (total)
- 149 Suez vehicles deposited waste to Mareeba Landfill
- 36 Suez vehicles removed waste from Mareeba Waste Transfer Station (WTS) to recycling facility in Cairns
- 18 m³ of mulch (purchased) removed from Mareeba WTS (5m³ in bulk sales and 13 m³ in small lots)
- 379 vehicles removed free waste from Mareeba and Kuranda WTS's (307 and 70 respectively)
- 3.8 tonnes of recyclables were transported to Cairns MRF from Mareeba WTS
- All transfer stations and Mareeba landfill are currently operational

2. Waste Levy Readiness

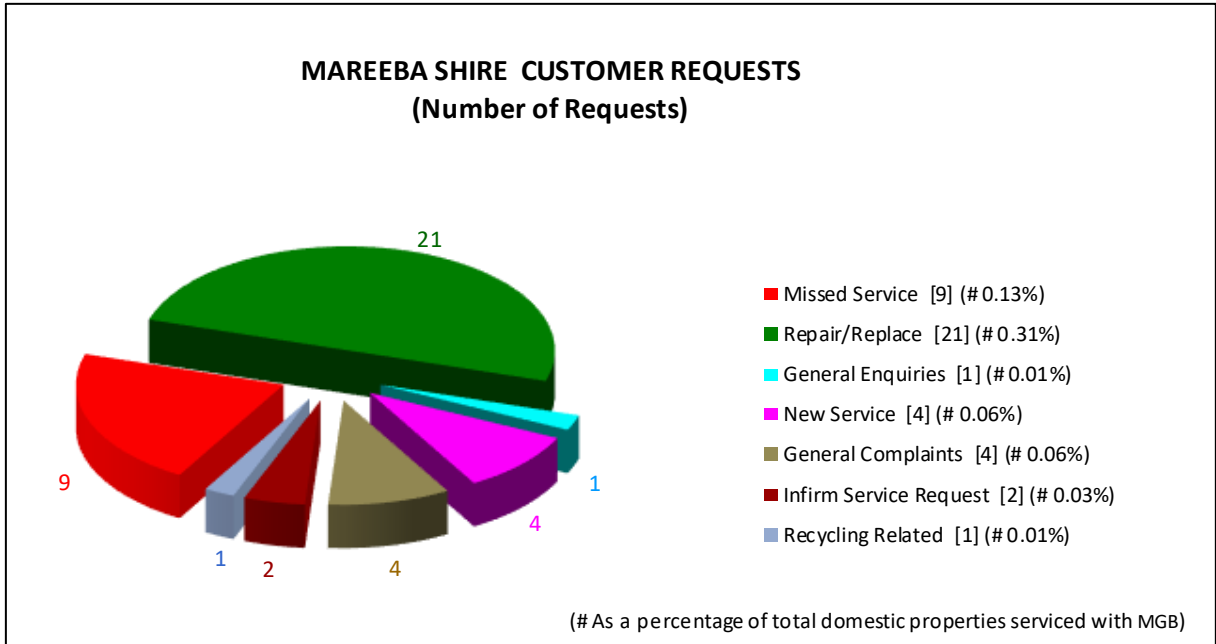
The Waste Reduction and Recycling (Waste Levy) Amendment Act passed in Queensland Parliament in February which will introduce a waste disposal levy from 1 July 2019. The waste levy will need to be paid on waste that is disposed of to landfill. Council officers are awaiting the supporting regulation, which will:

- set levy rates and annual increases;
- include a schedule of local government areas in the levy zone;
- describe how annual advance payments to local governments will be calculated;
- provide more detail on levy exemptions and discounts;
- provide a consistent way to measure waste when a weighbridge is not used; and
- set fees for applications.

Once this information is known, Council officers will assess the impact to Council and individual users and commence a review of Council's waste fees and charges for the 2019/20 financial year.

3. Customer Service Waste Statistics

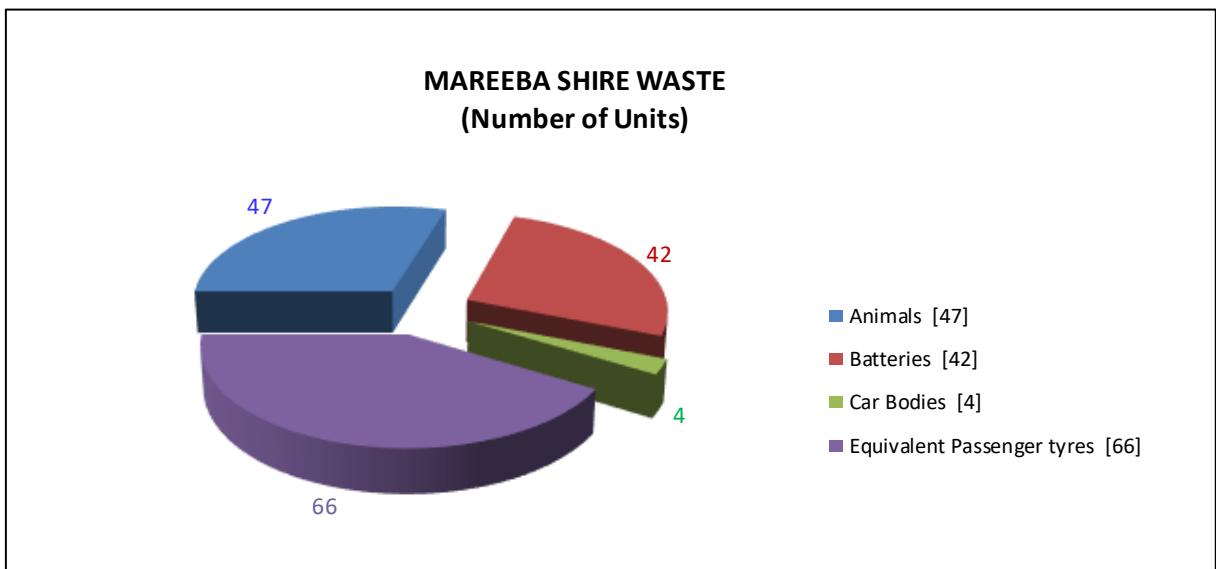
The following graph displays customer requests logged in the Customer Request Management (CRM) system during the month of February 2019.

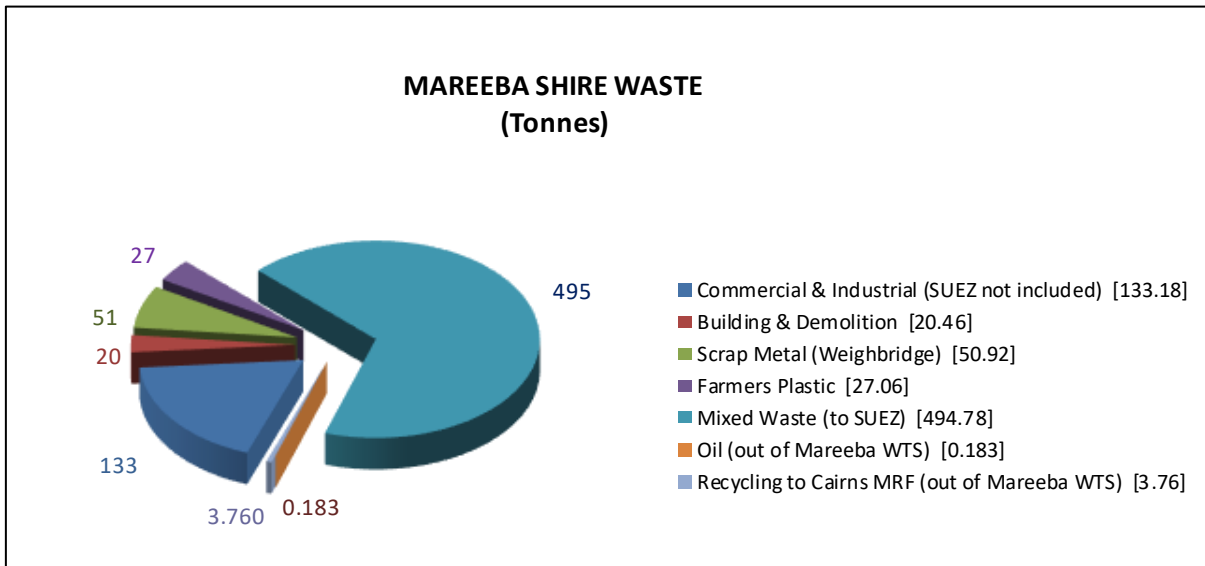


4. Waste Collected at Each of the Transfer Stations

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

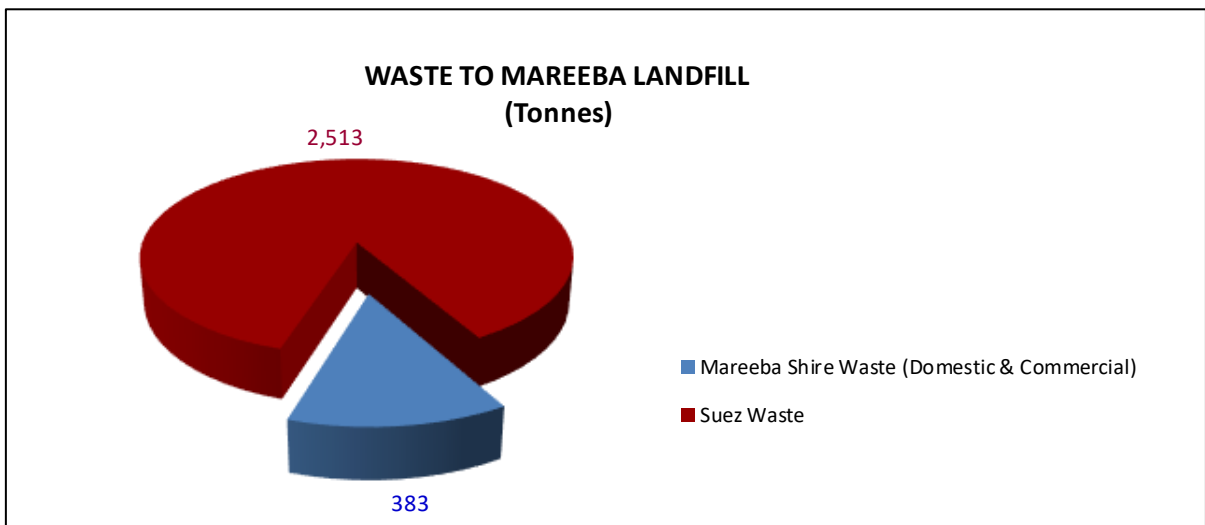
The following pie charts are separated into waste received as whole units and waste received as accrued tonnage.





5. Waste to Mareeba Landfill

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



RISK IMPLICATIONS

Environmental

Council holds an environmental authority issued under the Environmental Protection Act 1994 to operate landfill facilities.

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS***Capital***

Nil

Operating

Nil

LINK TO CORPORATE PLAN

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.

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.

IMPLEMENTATION/COMMUNICATION

Nil

9.8 INFRASTRUCTURE SERVICES, WATER AND WASTEWATER GROUP MONTHLY OPERATIONS REPORT - JANUARY 2019

Date Prepared: 6 March 2019
Author: Manager Water and Waste
Attachments: Nil

EXECUTIVE SUMMARY

The purpose of this report is to summarise Council’s Water and Wastewater activities undertaken by the Infrastructure Services Department during the month of February 2019.

RECOMMENDATION

That Council receives the Infrastructure Services, Water and Wastewater Progress Report for the month of February 2019.

BACKGROUND

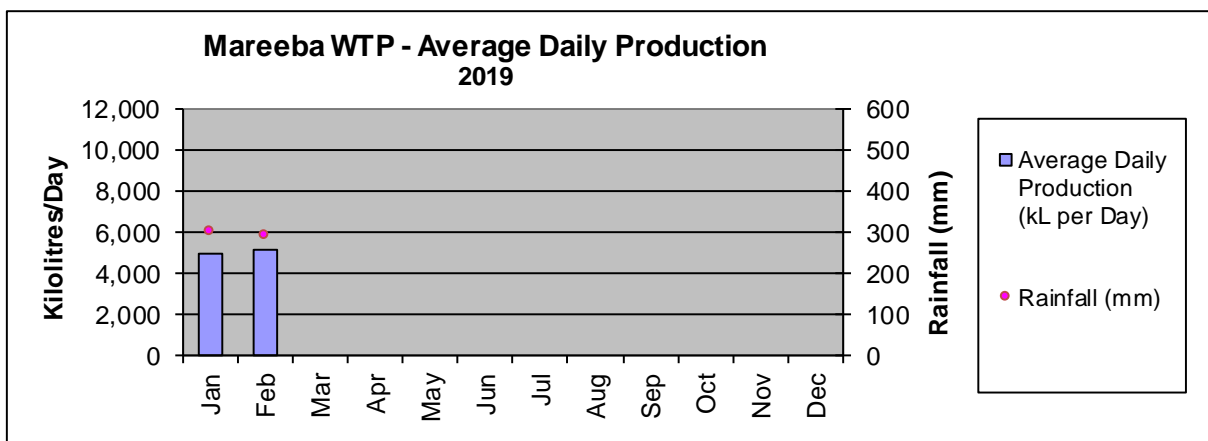
1. Capital Projects and Maintenance Works

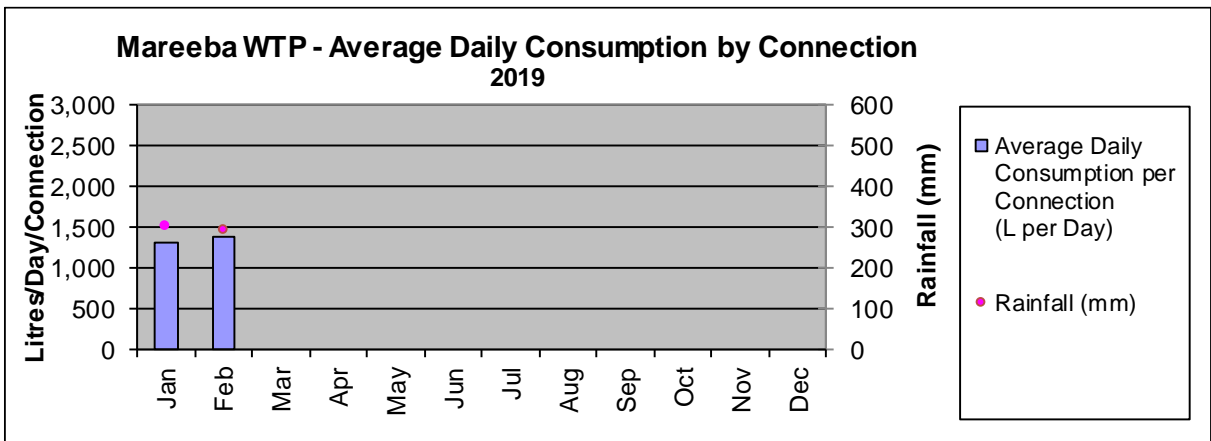
Mareeba CBD Water Main Project is complete with a final pre-handover inspection with the contractor scheduled for 11 March prior to acceptance of works for practical completion.

2. Chlorine Residual Readings

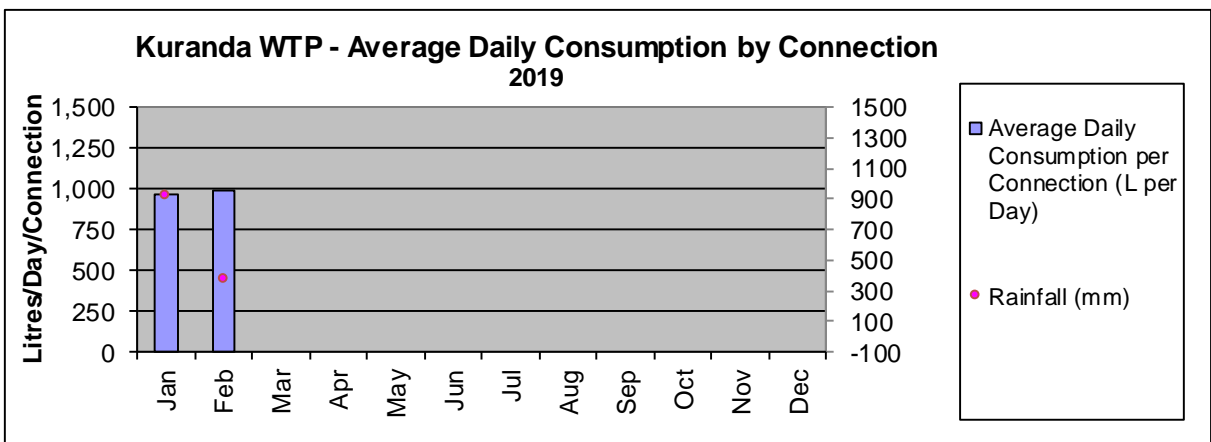
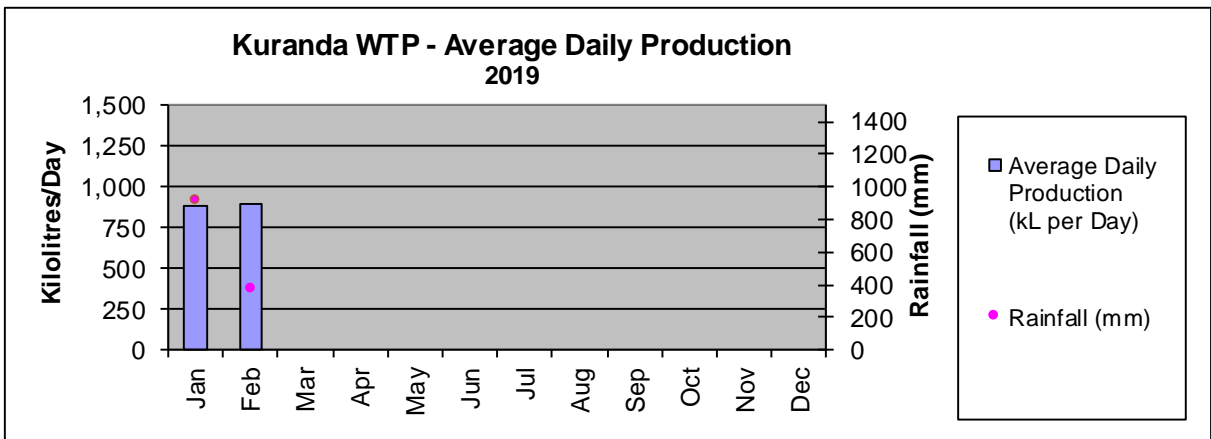
February 2019	Chlorine Residual Readings 2019 Australian Drinking Water Guidelines Maximum 5mg/L											
	Fri 1st	Mon 4th	Wed 6th	Fri 8th	Mon 11th	Wed 13th	Fri 15th	Mon 18th	Wed 20th	Fri 22nd	Mon 25th	Thu 25
	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)
Mary Andrews Park Mareeba	0.59	1.19	1.14	1.53	1.30	1.52	1.49	1.38	1.45	1.40	1.43	1.35
Wylandra Drive Mareeba	0.68	0.63	0.45	0.68	0.71	0.81	0.90	0.82	0.68	0.64	0.78	0.82
Gregory Terrace Kuranda	0.84	0.77	1.01	0.87	0.85	0.98	1.05	0.98	1.05	1.09	1.00	1.02
Mason Rd PS Kuranda	1.11	0.92	1.28	1.21	1.30	1.32	1.29	1.23	1.24	1.29	1.15	1.31
Chillagoe	0.91	1.18	0.95	1.23	1.16	1.24	1.08	1.26	1.04	1.16	1.24	1.25
Dimbulah	1.34	1.38	1.32	1.21	0.97	0.87	1.06	1.60	1.54	1.48	1.57	1.78

3. Mareeba Water Supply Scheme – Operations Data

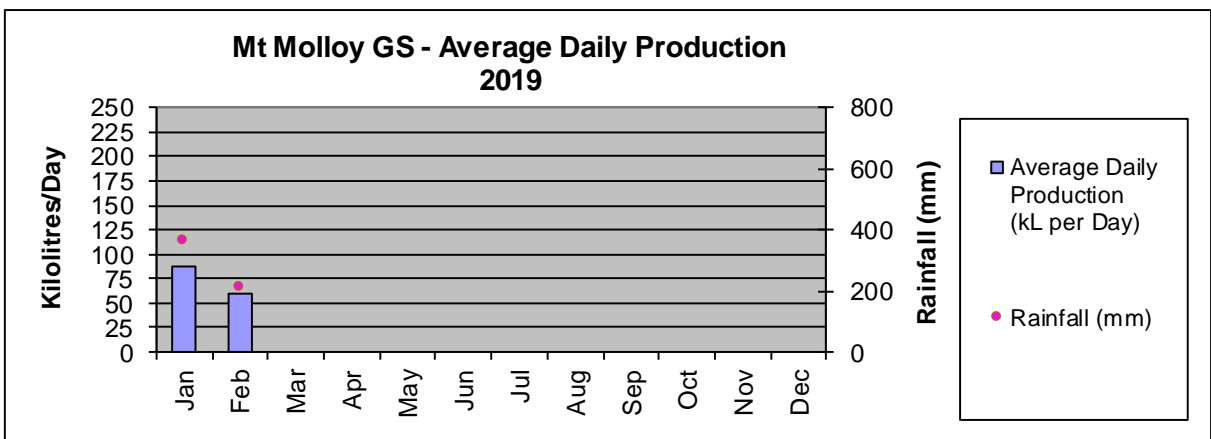


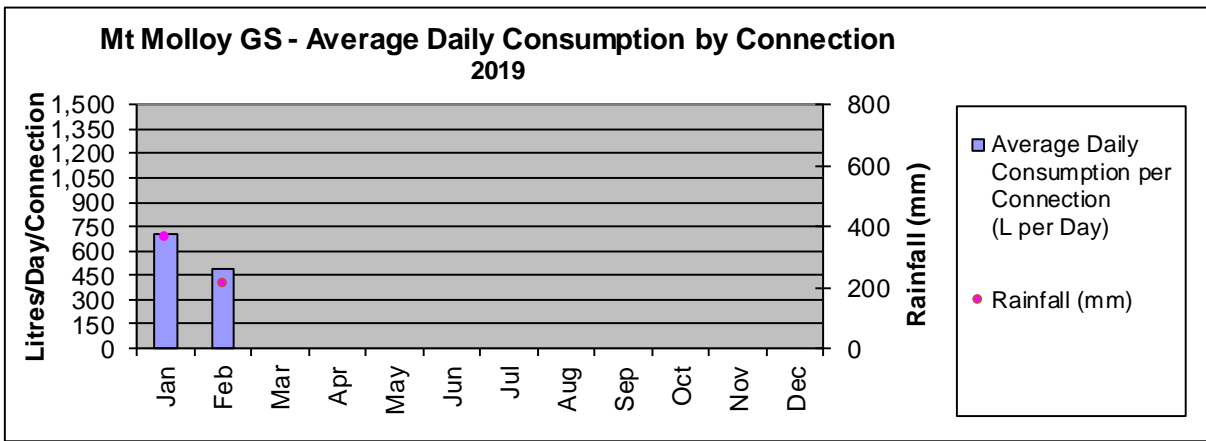


4. Kuranda Water Supply Scheme - Operations Data

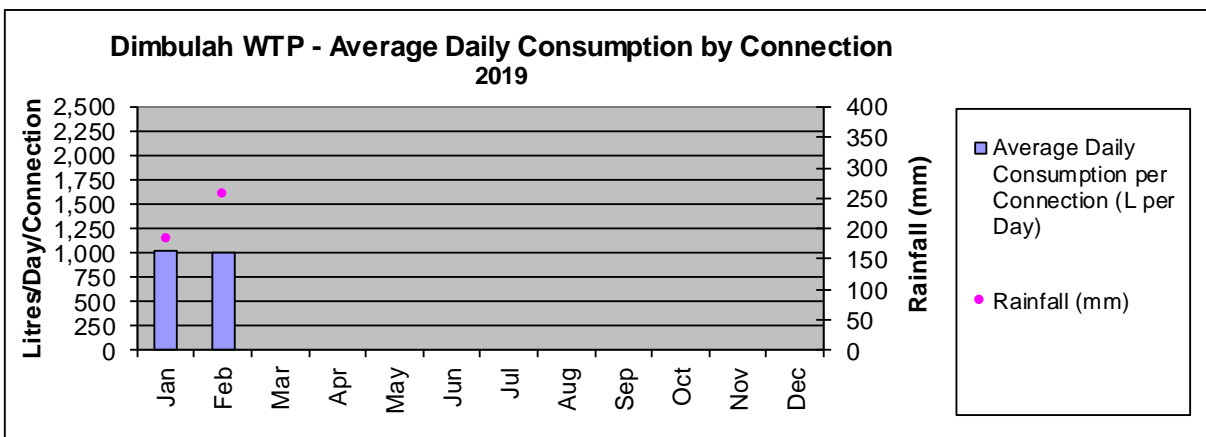
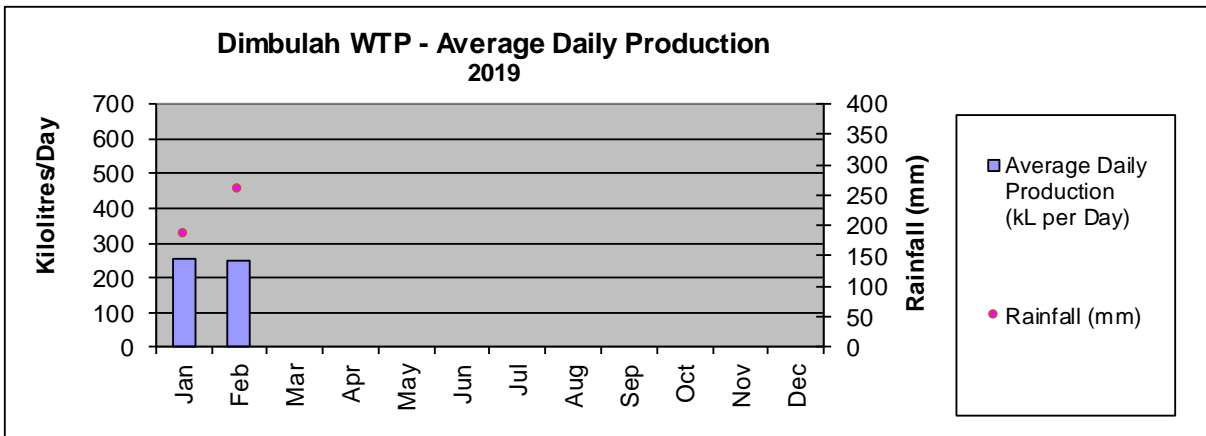


5. Mount Molloy Water Supply Scheme - Operations Data

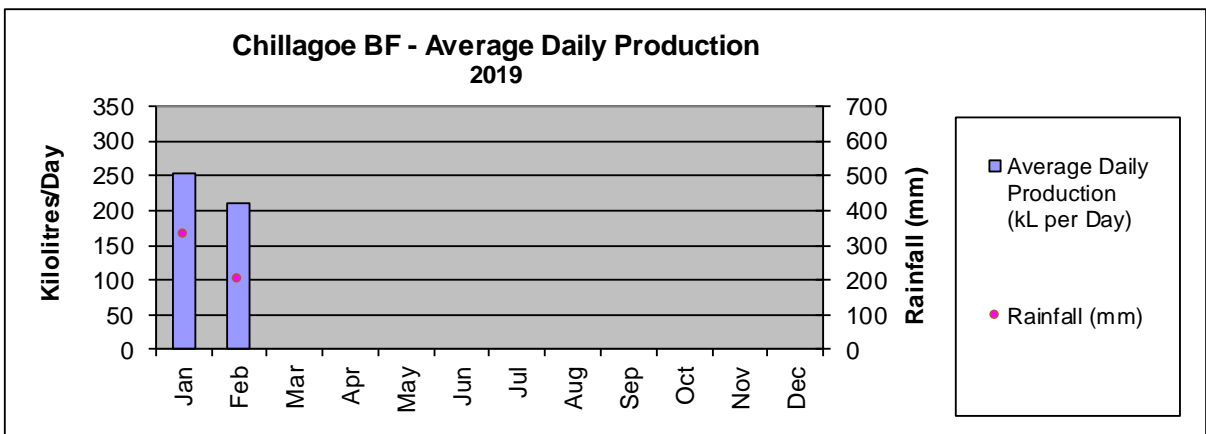


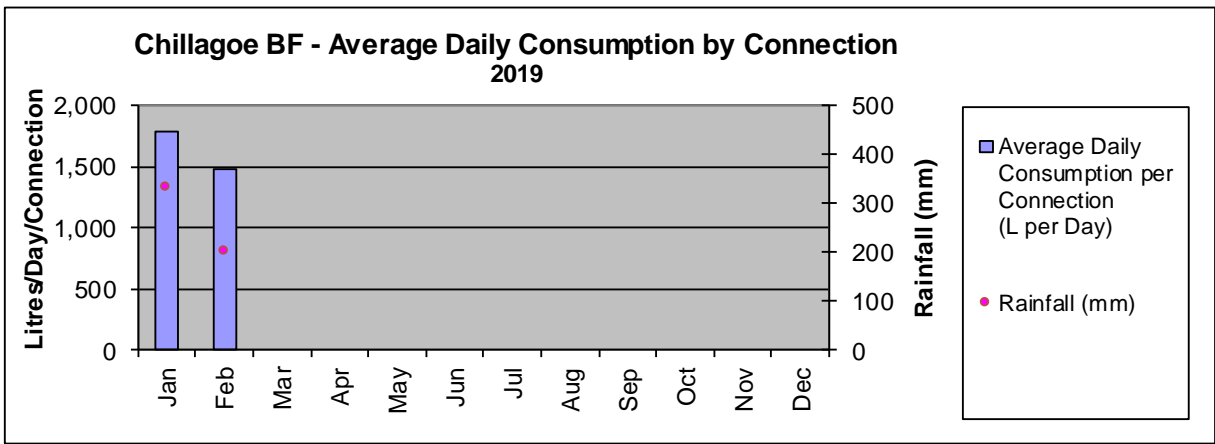


6. Dimbulah Water Supply Scheme - Operations Data

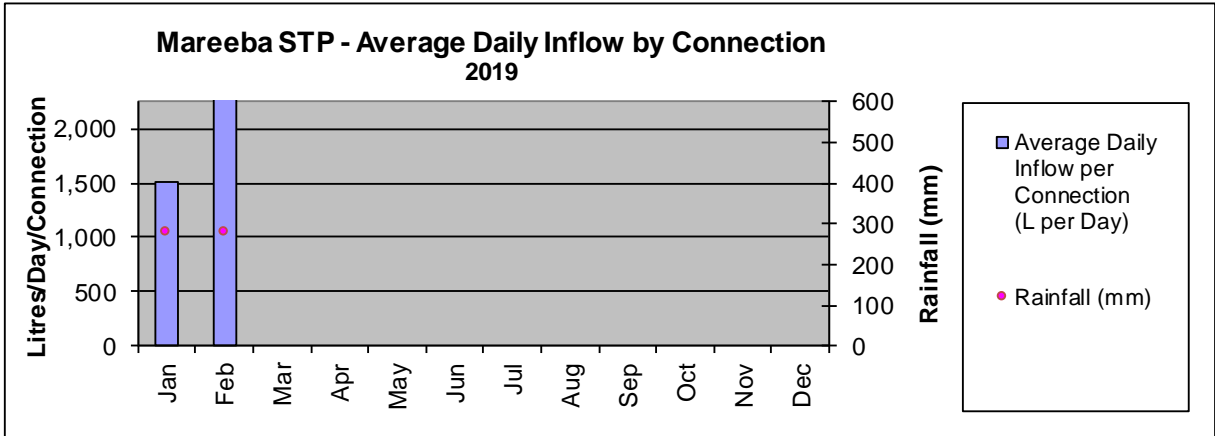
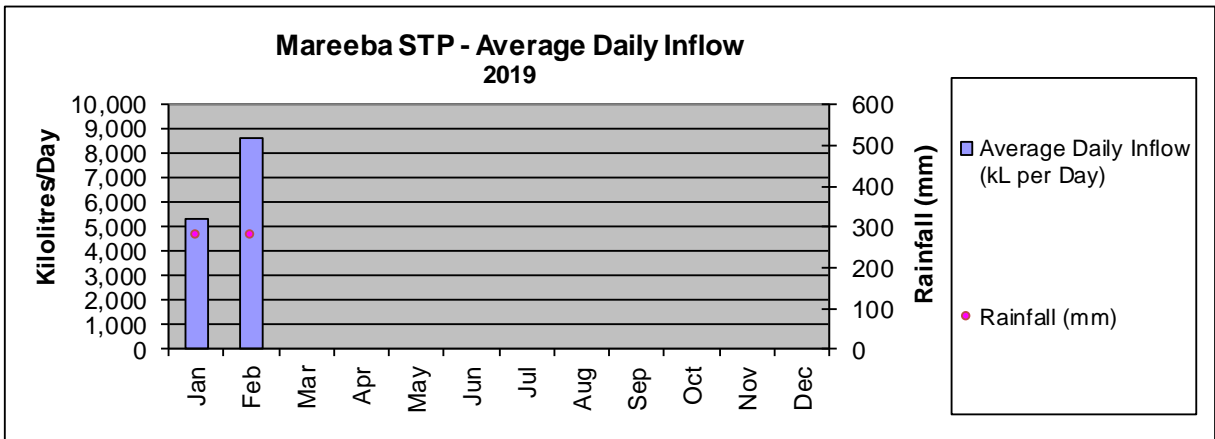


7. Chillagoe Water Supply Scheme - Operations Data

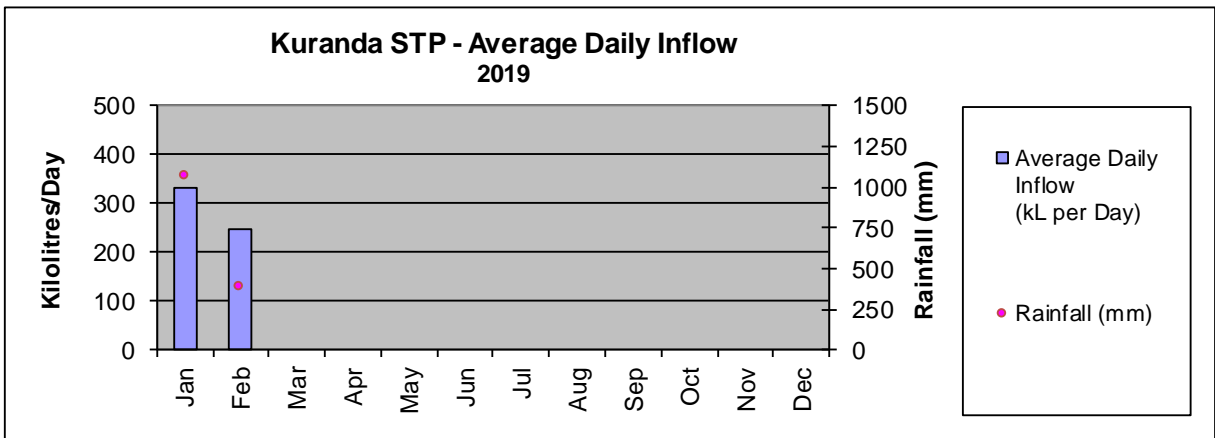


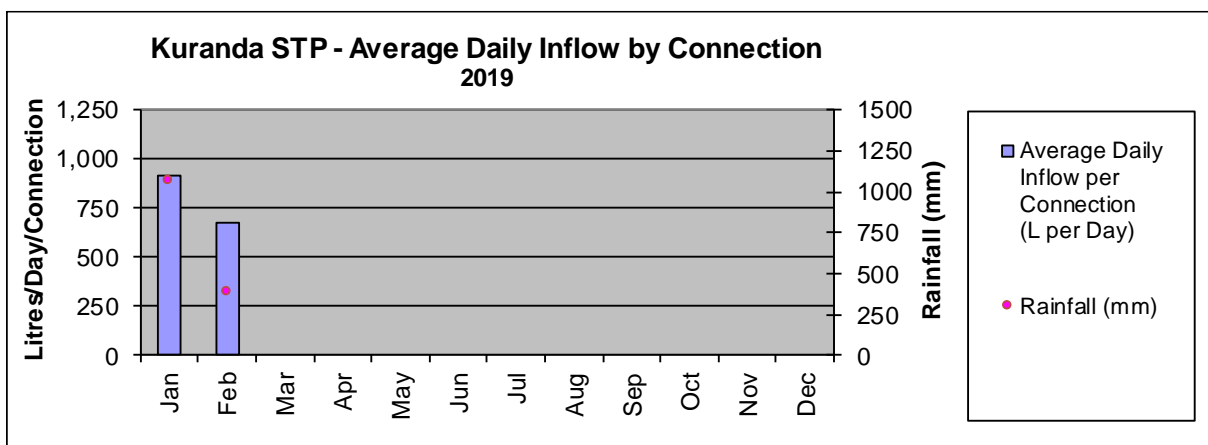


8. Mareeba Wastewater Treatment Plant - Operations Data



9. 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 2018/19 Capital Works Program.

Operating

All operational works are funded by the Section specific 2018/19 maintenance budgets.

LINK TO CORPORATE PLAN

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.

IMPLEMENTATION/COMMUNICATION

Nil

9.9 INFRASTRUCTURE SERVICES, WORKS SECTION ACTIVITY REPORT - JANUARY 2019**Date Prepared:** 7 March 2019**Author:** Manager Works**Attachments:** Nil**EXECUTIVE SUMMARY**

The 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 February 2019.

RECOMMENDATION

That Council receives the Infrastructure Services, Works Progress Report for the month of February 2019.

BACKGROUND**Maintenance Activities**

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

Description	Activity
Chettle Road, Arriga	Road furniture - spraying
Hodzic Road, Biboohra	Grading unsealed roads, road inspections, spraying
Pickford Road, Biboohra	Grading unsealed roads
Leadingham Creek Road, Dimbulah	Bitumen patching, road furniture, road inspections, slashing
Leafgold Weir Road, Dimbulah	Road furniture, road inspections, slashing
Wolfram Road, Dimbulah	Mowing, road inspections, slashing
Euluma Creek Road, Julatten	Bitumen patching, slashing, tree clearing / vegetation management
McDougall Road, Julatten	Road inspections, slashing, tree clearing / vegetation management
McLeans Bridge Road, Julatten	Bitumen patching, culvert repairs, grading unsealed roads, road inspections, slashing
Morrish Road, Julatten	Clean Inlet/Outlets culverts, Road Inspections, Slashing, Tree Clearing / Vegetation Management
Mount Lewis Road, Julatten	Bitumen patching, road furniture, road inspections, slashing
Nine Mile Road, Julatten	Road inspections, slashing, tree clearing / vegetation management
Black Mountain Road, Julatten	Grading unsealed roads, road furniture, road inspections, slashing, tree clearing / vegetation management
Kanervo Road, Koah	Slashing
Koah Road, Koah	Bitumen patching, grading unsealed roads, slashing

Description	Activity
Barnwell Road, Kuranda	Bitumen patching, road inspections
Barron Falls Road, Kuranda	Bitumen patching, environmental monitoring, slashing
Fairyland Road, Kuranda	Bitumen patching, slashing
Greenhills Road, Kuranda	Bitumen patching
Masons Road, Kuranda	Bitumen patching, clean inlet/outlets culverts, slashing
Myola Road, Kuranda	Bitumen patching, slashing
Oak Forest Road, Kuranda	Bitumen patching, slashing
Rob Veivers Drive, Kuranda	Bitumen patching, general repairs and maintenance, mowing, slashing
Therwine Street, Kuranda	Bitumen patching
Adler Hill Road, Mareeba	Grading unsealed roads
Chewko Road, Mareeba	Bitumen patching, slashing
Emerald End Close, Mareeba	Slashing
Emerald End Road, Mareeba	Bitumen patching, clean inlet/outlets culverts, slashing
Henry Hannam Drive, Mareeba	Grading unsealed roads, road inspections
Malone Road, Mareeba	Clean inlet/outlets culverts, tree Clearing / vegetation management
Ray Road, Mareeba	Slashing
Studt Road, Mareeba	Grading unsealed roads
Venture Road, Mareeba	Grading unsealed roads
Mount Spurgeon Road, Mt Carbine	Bitumen patching, grading unsealed roads, road furniture, road inspections, tree clearing / vegetation management
Bakers Road, Mt Molloy	Bitumen patching, clean inlet/outlets culverts, grading unsealed roads, road furniture, road inspections, slashing, tree clearing / vegetation management
Fraser Road, Mt Molloy	Clean inlet/outlets culverts, culvert repairs, road inspections, slashing
Main Street, Mt Molloy	General repairs and maintenance, road furniture, slashing, tree clearing / vegetation management
Wetherby Road, Mt Molloy	Bitumen patching, grading unsealed roads, road furniture, road inspections, slashing, tree clearing / vegetation management
Springmount Road, Mutchilba	Bitumen patching, slashing, spraying
Fassio Road, Paddy's Green	Slashing
Springs Road, Paddy's Green	Grading unsealed roads, slashing
Speewah Road, Speewah	Grading unsealed roads, road furniture, slashing

The table below shows the current budget position of Transport Infrastructure operations for Mareeba Shire Council at the end of January.

Annual Budget	Year to Date Budget	Year to Date Actual
\$3,527,238	\$2,349,397	\$1,907,126

Capital Works and Works for Queensland 2

Wet weather throughout the shire during the month of February has caused the suspension of all capital and W4Q2 projects for the time being.

All projects have been left in a safe condition and to date have not suffered any major damage. At the time of reporting the wet weather delays are not expected to impact on grant funding final completion deadlines.

An application has been made to the State to include a proposed W4Q3 project, namely Julatten School bus drop off, in W4Q2. Then replace it in W4Q3 with Anzac Avenue Barron River Bridge upgrade which is currently W4Q2 and cannot be fully completed by 30 June 2019.

Weather Event - North & Far North Queensland Monsoon Trough, 25 January - 14 February 2019

Mareeba Shire Council activated for assistance under Disaster Recovery Funding Arrangements (DRFA) for the above weather event 8 February 2019. DRFA is a jointly funded program between the Australian Government Queensland Government, which provides financial assistance to support local governments with disaster recovery costs. This has provided access to DRFA Category B funding through three (3) relief measures;

1. Emergency Works to temporarily repair essential public assets

Reimbursement of the actual eligible costs incurred undertaking eligible emergency works to temporarily repair eligible essential public assets damaged by an eligible disaster, completed within the defined time limit.

2. Immediate Reconstruction Works to permanently reconstruct essential public assets

Reimbursement of the actual eligible costs incurred undertaking immediate reconstruction works to permanently reconstruct eligible essential public assets damaged by the eligible disaster to their pre-disaster function, completed within the defined time limit.

3. Reconstruction of Essential Public Assets to permanently reconstruct essential public assets

Reimbursement of the actual eligible costs incurred undertaking restoration works to permanently reconstruct eligible essential public assets damaged by the eligible disaster to their pre-disaster function, completed within the defined time limit.

Emergency Works and Immediate Reconstruction Works may be undertaken prior to approval of funding. Reconstruction of Essential Public Assets may be undertaken following lodgement of a submission with the Queensland Reconstruction Authority (QRA).

Trigger Point

Trigger points are the financial contributions local governments must make to reconstruction works before they are eligible to receive DRFA funding. Trigger points apply to each DRFA activated disaster. Mareeba Shire Council's trigger point for the current financial year is \$115,695.

Emergency Works

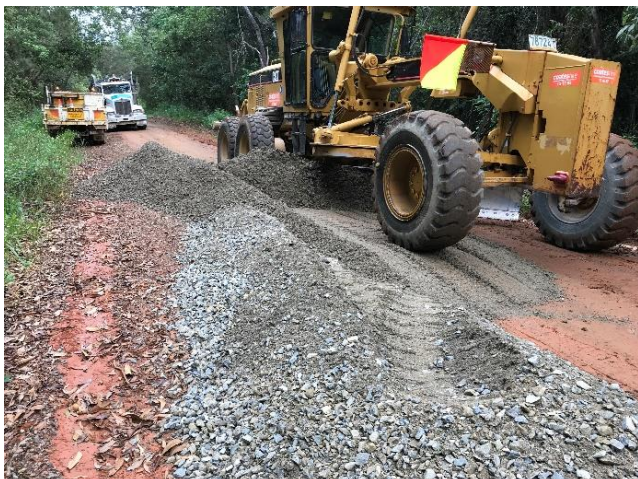
Since activation on 8 February 2019, staff have inspected 745 roads throughout the shire leaving a remainder of approximately 150 yet to be inspected as at the end of February. Of the roads inspected, 142 have required emergency works. The table below list the current cost of these works.

Actual Costs	Committed Costs	Total Costs
\$295,958.99	\$227,006.31	\$522,965.30

Immediate Reconstruction Works

At the time of reporting, officers have identified a number of damaged assets that have been or are to be permanently reconstructed prior to the end of the defined time limit. The defined time limit is three (3) months from the impact of the event, or by exception, from when the essential public asset becomes accessible.

Examples of these works are loss of the gravel running course on sections of Wolfram Road, Black Mountain Road and McBean Road and the permanent repair of drainage structures on Bower Road.



Black Mountain Road, Julatten



Bower Road, Arriga

TMR Routine Maintenance Performance Contract (RMPC)

Routine maintenance activities were undertaken during February 2019 at the following locations:

Primary Location	Activity Name
Kennedy Highway	Rest Area Servicing
Mulligan Highway - (Mareeba - Mt Molloy)	Repair Guide Signs
	Tractor Slashing, Rural - Includes (2)xTraffic Control
	Tractor Slashing, Urban - Includes (2) Traffic Control
Mulligan Highway - (Mt Molloy- Boundary)	Herbicide Spraying- Includes Traffic Control
	Rest Area Servicing
	Roadside Litter Collection - Rural
	Tractor Slashing, Rural - Includes (2)xTraffic Control
Burke Dev Road	Pothole Patching - Includes Traffic Control
Mossman - Mt Molloy Road	Other Roadside Work

The total claim to TMR for the works listed above for the month of February 2019 was \$51,000.

Parks and Gardens Section

Maintenance Activities

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

1. Location
2. Street Mowing, Mareeba
3. Centenary Park, Mareeba
4. Parks, Library, CBD and Streets, Kuranda

1. Location
5. Basalt Gully and Bi-Centennial Lakes, Mareeba
6. Davies Park, Mareeba
7. Martin Avenue, Mareeba
8. River Gardens Estate - Sound buffer
9. Parks and Gardens, Chillagoe
10. Byrnes Street Medians, Mareeba
11. Borzi Park, Mareeba
12. River Gardens, Park/Drainage Area, Mareeba
13. Anzac Avenue, Mareeba
14. Sunset/Sunbird Park, Mareeba
15. Town Hall Park, Dimbulah
16. Furniture & Playground Equipment, Mareeba
17. Raleigh Street Park, Dimbulah
18. Arnold Park, Mareeba
19. Roscommon Park, Speewah
20. Mowing and Maintenance, Irvinebank
21. Vains Park, Mt Molloy
22. Mary Andrews Gardens, Mareeba
23. Fig Tree Management Plan, Kuranda

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

Annual Budget	Year to Date Budget	Year to Date Actual
\$1,849,034	\$1,251,074	\$1,101,934

Bridge Section

Maintenance Activities

Bridge inspection and maintenance activities were carried out in February 2019 at the following locations:

Structure	Road	Chainage	Area
Bridge	Kanervo Road	3656	Koah
Bridge	Mt Lewis Road	1340	Julatten
Bridge	Koah Road	6345	Koah
Bridge	Hickory Road	420	Kuranda
Major Culvert	Top Eureka Road	34	Dimbulah
Bridge	Springmount Road	7450	Mutchilba
Major Culvert	Bullaburra Creek Road	2365	Dimbulah
Major Culvert	Pin Road	806	Mutchilba
Causeway	No Name Road	140	Arriga
Bridge	Speewah Road	4164	Speewah
Major Culvert	Kingfisher Drive	220	Kuranda
Bridge	Stoney Creek Road	2030	Speewah
Major Culvert	Saddle Mountain Road	238	Kuranda
Bridge	Myola Road	3220	Kuranda

Structure	Road	Chainage	Area
Causeway	Springs Road	5320	Paddy's Green
Bridge	Leedingham Creek Road	642	Dimbulah
Causeway	Springs Road	3922	Paddy's Green
Bridge	Bolwarra Road	38320	Crystalbrook
Causeway	Oak Forest Road	5470	Kuranda
Bridge	Butchers Creek Road	572	Mt Carbine
Major Culvert	Wolfram Road	10118	Dimbulah
Bridge	Oak Forest Road	2890	Kuranda
Causeway	Emerald Falls Road	4327	Mareeba
Major Culvert	Green Forest Road	765	Kuranda
Major Culvert	Clacherty Street	55	Mt Molloy
Major Culvert	Oak Forest Road	2404	Kuranda
Major Culvert	Wolfram Road	11882	Dimbulah
Bridge	Springs Road	1176	Paddy's Green
Bridge	Anzac Ave	0	Mareeba
Causeway	Henry Hannam Drive	7687	Mareeba
Major Culvert	Fumar Road	3128	Mutchilba
Causeway	Henry Hannam Drive	11276	Mareeba
Causeway	Black Mountain Road	43468	Julatten
Major Culvert	Mason Road	2237	Kuranda
Bridge	No Name Road 94	353	Koah
Bridge	Hillview Road	790	Julatten
Causeway	Stannary Hills Road	102	Irvinebank
Bridge	Black Mountain Road	469	Kuranda
Causeway	Tinaroo Creek Road	3833	Mareeba
Major Culvert	Springmount Road	20256	Arriga
Major Culvert	Fassio Road	5842	Paddy's Green
Bridge	Hales Siding Road	11610	Irvinebank
Bridge	Springmount Road	7450	Mutchilba
Causeway	Selby Road	425	Mutchilba
Major Culvert	Wolfram Road	10884	Dimbulah
Major Culvert	Piemonte Road	64	Mutchilba
Causeway	Henry Hannam Drive	9603	Mareeba
Bridge	Kanervo Road	3656	Koah

The table below shows the current budget position of Bridge operations for Mareeba Shire Council.

Annual Budget	Year to Date Budget	Year to Date Actual
\$565,468	\$376,117	\$265,540

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
\$461,679	\$317,051	\$289,189

Parthenium Weed: Property inspections in at risk areas have taken place and although no new incursions were found, the searches enabled officers to find a new phenotype of Bellyache Bush. This plant is known as Katherine Green, a very prolific weed that will dominate pastures, mixed farms and the waterways. Every part of the plant is toxic to stock, and the name bellyache bush refers to the plants ability to cause severe gastro that may kill animals.

This infestation has been treated with the assistance of the landowners. They will manage the incursion from here on with Council visiting monthly and assisting where necessary. All neighbours have been notified and their lands searched for this pest. The work will remain in force until the plant has been totally removed from the area.

The three (3) known infestations of Parthenium have been revisited to ensure that the landowner is carrying out timely treatments.



Katherine Green

Siam Weed, Bellyache Bush and Rubber Vine: This long running program based on Emu Creek and the Upper Walsh River has been revisited after a break due to wet weather. Land Protection staff are currently working with several landowners in the Petford area, pushing the weeds downstream.

Giant Rats Tail Grass: Council's annual roadside spray program continued during February. Officers are treating roadsides and table drains throughout the Shire. Selective herbicides are used in order to allow other vegetation to provide competition for the weed.

Sid Clayton was invited by Department of Agriculture & Fisheries (DAF) to attend the Giant Rats Tail Grass Best Practice Technical Workshop where attendees reviewed the current manual to update practices to include technologies that this Council and other agencies have developed in partnership with the Tropical Weeds Research Centre based in Charters Towers.

Piper Auritum: This introduced Pepper plant arrived in Kuranda behind the Old Kuranda Markets about two years ago. It was flourishing in the rainforest slopes running down to the Barron River. Officers suspect it came from the markets where exotic fruits and spices are often traded.

The plant has the potential to be a major understory plant in the wet forests surrounding Kuranda. It will displace native fruit trees that indigenous animals require for food and prevent the seedling trees of the forest from establishing.

Land Protection officers report that thanks to its early detection and a concentrated effort to remove the parent plant and to find and destroy subsequent seedlings, the plant has now been fully removed from our area. Staff will remain vigilant for further seedling recruitment but remain confident that the exotic pest is gone.



Piper Auritum

Rabbits: More large populations of rabbits have been treated with the K5 Callisivirus. Populations numbering hundreds of rabbits have been eradicated in Petford, Dimbulah and Springmount areas.

RISK IMPLICATIONS

Financial

Nil

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

Capital

All capital works are listed in and funded by the 2018/19 Capital Works Program.

Operating

All operational works are funded by the Section specific 2018/19 maintenance budgets.

LINK TO CORPORATE PLAN

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.

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.

IMPLEMENTATION/COMMUNICATION

Nil

10 OFFICE OF THE CEO**10.1 REPORT REGARDING RESIDENT PETITION - REVIEW OF COUNCIL ELECTORAL ARRANGEMENTS**

Date Prepared: 4 March 2019
Author: Chief Executive Officer
Attachments: Nil

EXECUTIVE SUMMARY

At its meeting of 20 February two (2) petitions were presented to Council requesting a submission be made for electoral divisions to be created for the Kuranda and Mt Molloy/Julatten areas respectively. Council resolved to receive both petitions and referred them to officers for a report to be prepared for Council.

RECOMMENDATION

That Council determines that Mareeba Shire remains undivided.

BACKGROUND

The Local Government Act provides for both divided and undivided Local Government areas. This report outlines the current situation, petitioners' views and the legislative process associated with the alternatives available to councils. A summary of advantages and disadvantages of both divided and undivided councils are also presented for consideration.

Current situation

Of the 77 Councils across the State 23 are divided and 54 are undivided. Local Governments are categorised by the State with three (3) Councils, namely Mareeba, Somerset and Mt Isa classed as category 2. Each of these councils are undivided.

Two (2) of our neighbouring councils, who are currently divided, have undertaken a comprehensive community consultation process to inform them of the community's view regarding a possible change to become undivided.

Whilst there may be a perception of greater equity in divided Councils this may not in fact be the case. The Local Government Reform Commission (LGRC) in 2007, noted that undivided local government areas "*produced a better spread of rural/regional representation than where divisions were established in an attempt to achieve this equality*". The LGRC recommendation that all councils be undivided was rejected by the State Government and Council's feedback at that time prompted the State Government to allow Council's discretion on status.

In 2015 the Change Commission undertook a review of the electoral arrangements of Bundaberg Regional Council and the following is an extract from their report which is relevant to this issue.

"In summary, the Act does not set out any precise criteria that the Change Commission should apply in assessing whether a given proposal is in the public interest. The Commission might be swayed to support change where it can clearly be demonstrated that the system proposed would be more

workable in practice and therefore more conducive to good government, than the current one. As indicated above, however, both systems have their respective merits.

In the context of democratic representation, the Commission would also give serious consideration to any proposal that demonstrates it has the support of a clear majority of electors."

Petitioners views

The petitioners from Kuranda were of a view that a specific Kuranda Division be created east of the Clohesy and that the balance of the Shire then form a second Division. While the Local Government Act does provide for multi-council divisions, no Council in Queensland currently operates as such. In addition, there is a second petition calling for a division which includes the Mt Molloy/Julatten area which negates the option of only forming a two (2) division Council.

Legislative process

Legislation requires that divided Councils who wish to review their divisional boundaries submit their requests by the beginning of March 2019, to allow sufficient time to undertake the review before the next quadrennial election.

In terms of process the Local Government Act provides the opportunity for Council, should it so choose, to approach the Minister requesting he refers a proposed change to the Change Commissioner. The Minister will then determine whether it should be referred. If it is decided to refer it, the Change Commissioner then undertakes a review and makes a recommendation to the Governor in Council which makes the final determination.

There are no set requirements as to what is required when making a request to the Minister. However, if Council were to do so, any application should be accompanied with evidence of comprehensive consultation with the entire community.

Should a Council become divided there is a very complex task of establishing divisional boundaries, as each division must contain a number of electors within a specific range and there are a multitude of ways of dividing the area up. If Council were to decide to submit a request for consideration of a change, it is unlikely that there would be time to do so before the next election.

Advantages and Disadvantages

There are distinct advantages and disadvantages for both divided and undivided councils and these are summarised below:

Potential Financial Implications for Council			
DIVIDED		UNDIVIDED	
Advantages	Disadvantages	Advantages	Disadvantages
If a bi-election is required, the cost to Council is likely to be significantly less. However, the timing of the vacancy is important, as a bi-election is only required during 18 of the 48-month term,	Nil	More strategic decision making for funding/resource allocations. Decisions based on whole of Council strategic considerations	Councillors would require greater resourcing to move around the entire Shire to service a much larger community.

<p>as in the first 12 months and the last 18 months a bi-election is not required.</p>		<p>rather than divisional reasons.</p>	
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Potential Financial Implications for Candidate			
DIVIDED		UNDIVIDED	
Advantages	Disadvantages	Advantages	Disadvantages
<p>It would be less costly in terms of advertising if they only had to do so in the division they are standing in.</p> <p>It would be physically easier for candidates to cover polling booths on the day of the election if they were restricted to a divisional footprint. In most divisions there would only be one (1) or two (2) booths.</p>	<p>Nil</p>	<p>Nil</p>	<p>The costs incurred by a candidate would be higher as they have to advertise and electioneer across the entire Shire. They would have to try and reach all electors rather than just those in their division which would require considerably more time and effort.</p>

Ability to Represent the Interests of the Whole Community			
DIVIDED		UNDIVIDED	
Advantages	Disadvantages	Advantages	Disadvantages
<p>Community members in a division have a recognisable single point of contact.</p> <p>The Councillor can be referred to by other Councillors as the expert/authority for matters pertaining to the division.</p>	<p>A divisional Councillor will have the tendency to primarily represent the interests of the divisional community and not necessarily in the interests of the majority of the population of the Shire. While it is contrary to legislation there is an</p>	<p>Fosters a strategic approach where the entire Council works together in the best interests of all.</p> <p>Fosters the development of a team approach.</p> <p>Councillors are aware of Shire wide issues and take an interest in matters</p>	<p>Once elected Councillors take longer to become aware of issues across the entire Shire.</p> <p>Councillors may not be aware of issues specific to a particular division.</p>

	<p>inherent expectation by the electors of the division that the Councillor does this.</p> <p>There is a potential for parochialism and "pork Barrelling".</p> <p>Fosters an adversarial situation where Councillors argue in favour of their division and not in the overall good of the Shire. By its very name the Council is divided.</p>	<p>from across the Shire.</p> <p>Community members can approach any Councillor regarding a matter rather than be essentially restricted to their divisional Councillor.</p>	
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Ability to Represent the Interests of Sectors of the Community			
DIVIDED		UNDIVIDED	
Advantages	Disadvantages	Advantages	Disadvantages
<p>Distinct interests/community characteristics requiring detailed knowledge and understanding can be better served.</p> <p>Councillors act as a one stop shop/first point of contact for their division.</p> <p>Divisional Councillors become the "experts" for their division.</p> <p>Electors have a better knowledge of their candidates and hence can make a more informed decision.</p>	<p>Encourages residents to think the Councillor can prioritise operational work.ie get my pothole fixed first.</p> <p>Community perception that "their Councillor" should be able to influence Council decisions and when this does not occur creates tension between the divisional community and the respective Councillor.</p> <p>The Councillor elected may not be</p>	<p>Sectors of the community, other than those based purely on Geography, can elect Councillors irrespective of where they are based.</p> <p>Provides for any Councillor to be approached on any matter.</p> <p>Provides for a Councillor with specific skills or interests to use/represent these irrespective of where in the Shire they are based.</p>	<p>Specific geographical communities may feel excluded as they don't have "their Councillor"</p> <p>Potential for the loss of accountability by a Councillor.ie to have a Councillor who does not do as much work as the other Councillors.</p>

<p>The "My Councillor" concept is liked by some constituents.</p>	<p>someone a large proportion of the community support or wish to work with as a candidate only requires a simple majority in their division, to be elected.</p>	<p>The community is less likely to use the Councillor to address operational issues and use the established Customer Request System.</p>	
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Democratic Representation			
DIVIDED		UNDIVIDED	
Advantages	Disadvantages	Advantages	Disadvantages
<p>Electors in specific geographical communities are ensured a specific candidate representing their division sits on Council.</p> <p>Divisions ensure that Councillors come from a spread of geographical locations and that all locations are represented.</p>	<p>Councillors elected by a much smaller % of electors (1/6 of an undivided Shire)</p> <p>The "best" candidates are not necessarily elected as it depends on who is standing in each division. The Councillors are not elected by the community as a whole.</p> <p>Community members are restricted to voting for the candidates in their division rather than who they believe is best suited.</p>	<p>The entire community has a say in who sits on Council. The Councillors are elected by six (6) times the number of electors than in divisions.</p> <p>The most preferred candidates of the entire community are elected.</p> <p>There is a larger candidate pool to vote from.</p> <p>Electors have a say in the election of all six Councillors as well as the Mayor.</p>	<p>Some communities may not have a Councillor residing in their area or have one who they believe is representing their issues.</p>

FINANCIAL AND RESOURCE IMPLICATIONS

Capital

Nil

Operating

Nil based on the recommendation above.

However, should Council decide to request the Minister to refer a request to the Change Commissioner, this would require detailed community consultation. Should there be a decision to become a divisional council, there would be considerable expense in establishing divisional boundaries.

LINK TO CORPORATE PLAN

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.

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.

IMPLEMENTATION/COMMUNICATION

The Chief Petitioner will be informed of Councils decision.

10.2 COUNCILLOR ATTENDANCE AT CONFERENCE

Date Prepared: 8 March 2019
Author: Chief Executive Officer
Attachments: Nil

EXECUTIVE SUMMARY

The purpose of this report is to obtain Council approval for the attendance of Councillors at the Australasian Indigenous Family Violence Policing Conference (AIFVPC) being held in Cairns between 19 to 21 June 2019.

RECOMMENDATION

That Council approves the attendance of Councillor Toppin to attend the Australasian Indigenous Family Violence Policing Conference to be held in Cairns between 19 to 21 June 2019.

BACKGROUND

The AIFVPC brings together policing, government and community representatives from Australia and the Pacific and provides an opportunity to progress and improve responses to Indigenous family violence through information sharing and professional networking.

RISK IMPLICATIONS

Nil

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS***Capital***

Nil

Operating

Registration cost

Is the expenditure noted above included in the current budget?

Yes

LINK TO CORPORATE PLAN

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.

IMPLEMENTATION/COMMUNICATION

Nil

10.3 APPOINTMENT OF MAREEBA MULTICULTURAL FESTIVAL ADVISORY COMMITTEE

Date Prepared: 11 March 2019
Author: Corporate Communications Officer
Attachments: Nil

EXECUTIVE SUMMARY

The purpose of this report is to appoint the members of the Mareeba Multicultural Festival Advisory Committee including a new chair of the committee.

RECOMMENDATION

That Council;

1. appoints Jennifer Murat as chair of the Mareeba Multicultural Festival Advisory Committee
2. appoints the following persons as members of the Committee:

Cr Mary Graham
Giuliano Cordenos
Francesco Avolio
Fred Cristaldi
Alan Wason
Iuto Patolo
Sabrina Liaver
Fatima Meteor
Milabelle Krauss
Carl Portella

BACKGROUND

The Mareeba Multicultural Festival committee was established in 2008 to organise and host a celebration of cultural diversity highlighting the 65 different nationalities represented in the Shire.

With support from local businesses, Council and the Queensland Government (Department of Local Government, Racing and Multicultural Affairs) the Festival continues to grow and attracts thousands of visitors to the Shire. The Festival is one of the region's most significant events on the calendar.

After 20 years, Giuliano Cordenos stepped down on 24 August 2018 as chair of the committee. He would like to still be on the committee and be involved with the Festival.

The committee recommends Jennifer Murat be appointed Chair of the committee after a unanimous vote for her nomination at the Festival's annual general meeting on 5 February 2019.

Local business owner, Carl Portella expressed interest in joining the committee after his involvement as MC for several years. The Committee recommends Carl be appointed as a committee member.

Council will continue to provide event coordination, secretarial and financial services to the committee as well as assisting with the manual setup and takedown of the event.

RISK IMPLICATIONS**Legal and Compliance**

The purpose of appointing the Mareeba Multicultural Festival organising committee as an advisory committee to Council is to ensure that all risks associated with the conduct of the annual event are appropriately managed.

Risk assessment and management is a critical component of the organisation and conduct of any event.

Health and Safety

Council has in place an events risk management procedure and checklist which should be utilised and documentation completed for each significant event conducted by Council.

LINK TO CORPORATE PLAN

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.

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.

IMPLEMENTATION/COMMUNICATION

Formal advice will be provided to all appointees confirming their appointment to the Advisory Committee.

11 CONFIDENTIAL REPORTS

Nil

12 BUSINESS WITHOUT NOTICE

13 NEXT MEETING OF COUNCIL

14 FOR INFORMATION

14.1 SUMMARY OF NEW PLANNING APPLICATIONS & DELEGATED DECISIONS FOR THE MONTH OF FEBRUARY 2019

Date Prepared: 5 March 2019

Author: Senior Planner

Attachments: Nil

Please see below information.

Summary of new Planning Development Applications and Delegated Decisions for February 2019

New Development Applications					
Application #	Lodgement Date	Applicant/ Address	Property Description	Application Type	Status
RAL/19/0002	15/02/2019	W & R Blundell C/- Northern Building Approvals 7 Haren Street, Mareeba	Lot 56 on SP202909	ROL (1 into 2 Lots)	In Decision stage
RAL/19/0003	15/02/2019	T Wallace C/- Northern Building Approvals 231 Walsh Street, Mareeba	Lot 1 on RP708211	ROL (1 into 2 Lots)	In Decision stage

Decision Notices issued under Delegated Authority					
Application #	Date of Decision Notice	Applicant	Address	Property Description	Application Type
OPW/18/0009	11/02/2019	Victor Bolton	10 James Street, Mareeba	Lot 2 on MPH25197	Operational Works (Roadworks) for Development Permit RAL/18/0004

Change to Existing Development Approval issued					
Application #	Date of Decision	Applicant	Address	Property Description	Application Type
REC/10/0023	14/02/2019	D Rankine	382 Bitwon Road, Bibohra	Lot 221 on SP292117	ROL (1 into 4 Lots)

February 2019 (Regional Land Use Planning)

Referral Agency Response Decision Notices issued under Delegated Authority					
Application #	Date of Decision	Applicant	Address	Property Description	Application Type
CAR/19/0003	04/02/2019	Malu Mole C/- Emergent Building Approvals	Dominikovic Close, Speewah	Lot 18 on SP237162	Referral agency response (response before application) for material change of use - dwelling house (secondary dwelling) assessable against the Dwelling house and outbuilding overlay code
CAR/19/0004	04/02/2019	S Kubarych C/- Balay Vandyke Building Design	12 Williamson Drive, Kuranda	Lot 5 on RP891012	Referral agency response (response before application) for material change of use - dwelling house assessable against the Hill and slope overlay code
CAR/19/0005	12/02/2019	A Voigt C/-Northern Building Approvals	44 Basalt Street, Mareeba	Lot 4 on RP712399	Referral agency response for building work (class 10a shed) assessable against the Mareeba Shire Council Planning Scheme 2016 Residential dwelling house and outbuilding overlay code

Extensions to Relevant Period issued					
Application #	Date of Decision	Applicant	Address	Property Description	Application Type
REC/10/0023	14/02/2019	D Rankine	382 Bilwon Road, Bibohra	Lot 221 on SP292117	ROL (1 into 4 Lots)

February 2019 (Regional Land Use Planning)

Survey Plans endorsed					
Application #	Date	Applicant	Address	Property Description	No of Lots
DA/17/0022	18/02/2019	G & M Casey	182 Kanervo Road, Koah	LOTS 21 & 22 ON SP175440 (CANCELLING LOT 201 ON RP843530)	2 Lots
RAL/18/0037	14/02/2019	A & S Donnelly	2573 Kennedy Highway, Koah	PLAN OF EASEMENT C IN LOT 1 ON SP282712 (SHOWN ON SP301569)	Access Easement
RAL/18/0038	5/02/2019	Charles Nastasi, Jason Nastasi & Melissa Nastasi	2 Blacks Road & 50 Mulligan Highway, Mareeba	LOTS 1 & 2 ON SP301855 (CANCELLING LOTS 1 & 2 ON RP733280)	Boundary Realignment

February 2019 (Regional Land Use Planning)