



LOCAL GOVERNMENT MEETING

21 April 2016

MINUTES

Cr John Kremastos	Mayor
Cr Glenn Raleigh	Division 1
Cr Rick Taylor	Division 2
Cr Wayne Kimberley	Division 3
Cr Mark Nolan	Division 4
Cr Jeff Baines	Division 5
Cr Ben Heath	Division 6

Please find attached, minutes for the Local Government Meeting to be held in the Council Chambers - Board Room, 38-40 Bryant Street, Tully commencing at 9.00am.

Terry Brennan
CHIEF EXECUTIVE OFFICER

MINUTES

9.00am	Opening prayer by Pastor Rob Magarey of the Tully Family Church, representing the Tully Ministers' Fraternal
10.00am – 10.30am	Morning Tea
12.15pm – 1.00pm	Lunch

1. CONFIRMATION OF MINUTES	2
1.1 Confirmation of Minutes of Local Government Meeting, 10 March 2016.....	2
1.2 Confirmation of Minutes of Post Election Meeting, 6 April 2016.....	2
2. RECEIPT OF MINUTES.....	3
2.1 Receipt of Minutes of CCRC Audit Committee Meeting, 11 March 2016	3
3. BUSINESS FROM PREVIOUS MINUTES	3
3.1 clock located on the foreshore in the main cbd of cardwell.....	3
4. MANAGEMENT	4
4.1 Nomination of Representative for District No. 10 (Far North) to LGAQ Policy Executive 2016 - 2020	4
4.2 2016 National General Assembly of Local Government - Call for Motions.....	5
4.3 Building our Regions Program - Round 2	5
5. WORKS	6
5.1 Works Capital Report - March 2016	6
5.2 NDRRA Works Program Progress Report - March 2016	7
5.3 Grant Application for Phase 2 of South Liverpool Ck Intake and Nyleta Hill Reservoir ..	7
5.4 Contract No. 1516-027 - Tully-Mission Beach Water Main (Mission Circle to Stephens Street)8	
6. COMMUNITY	9
6.1 Community Services Dashboard Report - March 2016.....	9
7. PLANNING & ENVIRONMENT.....	10
7.1 Application for Permanent Road Closure	10
7.2 Development Incentive Policy	11
7.3 DEV2015/0060 - Development Application for Material Change of Use for a Tourist Park (11 Units + Caretaker's Accommodation) and a Service Industry (Laundromat)..	12
7.4 Reassigning of Contracts - Transfer Station and Waste Disposal Contract 1314-003 and Wet Waste Transport Contract 1112-033 from Subloos (In Liquidation) to MAMS Plant Hire Pty Ltd	26
8. CORPORATE	27
8.1 Corporate Services Financial Report April 2015.....	27
9. NOTICE OF MOTION	27
9.1 Notice of Motion - 2016 "Christmas in July", Mareeba - Recreational Vehicle Stopover - Pease Park, Innisfail	27
10. GENERAL BUSINESS	28
10.1 Request to attend a LAWMAC meeting in Townsville on 26-27 May 2016	28
10.2 Condition of pavement of south bound lane of Bruce Highway through Cardwell, from St Albans Street to the roundabout at Dalrymple Street	28
10.3 CSIRO trials associated with mosquito-borne viruses; Zika and Dengue Fever	28
10.4 Export and loading of iron ore through the Port of Mourilyan.....	29
10.5 Future Meeting Dates.....	29
11. CONFIDENTIAL	28

PRESENT:

Crs J Kremastos (Mayor), R Taylor (Deputy Mayor), G Raleigh, W Kimberley, M Nolan, J Baines and B Heath and Mr T Brennan (Chief Executive Officer), Mr J W Pettigrew (Director Planning & Environmental Services), Mr D Trotter (Director Works), Mr P Cochrane (Director Corporate Services), Mr D Horton (Manager Planning Services), Ms L Trott (Acting Communications Officer) and Ms J Cooksley (Minutes Clerk)

ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS

Mayor John Kremastos recognised the Traditional Owner groups of the region and respectfully acknowledged the Gulnay People, the Traditional Owners and custodians of the Tully River/Tully area/land upon which the meeting is being held.

OPENING PRAYER:

The Mayor welcomed Pastor Rob Magarey of the Tully Family Church to the meeting and invited the Pastor to open the meeting with prayer.

On completion of the blessing, Pastor Magarey left the meeting.

1. CONFIRMATION OF MINUTES

1.1 CONFIRMATION OF MINUTES OF LOCAL GOVERNMENT MEETING, 10 MARCH 2016

Recommendation:

"That the Minutes of the Local Government Meeting held on 10 March 2016 be confirmed as a true and correct record."

Moved Cr G Raleigh

Seconded Cr Mark Nolan

Resolution Number 1236

"That the Recommendation be adopted."

FOR - Unanimous

CARRIED

1.2 CONFIRMATION OF MINUTES OF POST ELECTION MEETING, 6 APRIL 2016

Recommendation:

"That the Minutes of the Local Government Meeting held on 6 April 2016 be confirmed as a true and correct record."

Moved Cr J Baines

Seconded Cr R Taylor

Resolution Number 1237

"That the Recommendation be adopted."

FOR - Unanimous

CARRIED

2. RECEIPT OF MINUTES

2.1 RECEIPT OF MINUTES OF CCRC AUDIT COMMITTEE MEETING, 11 MARCH 2016

Recommendation:

"That the Minutes of the CCRC Audit Committee Meeting held on 11 March 2016 be received and noted."

Moved Cr B Heath

Seconded Cr G Raleigh

Resolution Number 1238

"That the Recommendation be adopted."

FOR - Unanimous

CARRIED

3. BUSINESS FROM PREVIOUS MINUTES

3.1 CLOCK LOCATED ON THE FORESHORE IN THE MAIN CBD OF CARDWELL

Cr Raleigh referred to his request on 25 February 2016 to have the clock located on the foreshore in the main CBD area of Cardwell, which is the property of Great Green Way Tourism Inc. (GGWTI), fixed or removed and asked what progress had been made in relation to this request? The Director Community Services advised Cr Raleigh that she would follow the matter up with the Manager Community Facilities, Parks & Open Space and provide an update to Cr Raleigh.

4. MANAGEMENT

4.1 NOMINATION OF REPRESENTATIVE FOR DISTRICT NO. 10 (FAR NORTH) TO LGAQ POLICY EXECUTIVE 2016 - 2020

Executive Summary:

At the Post Election Meeting on 6 April 2016 it was agreed that consideration of this matter be deferred until such time as the Mayor had attended the FNQROC Meeting in Cairns on 18 April 2016 at which time the nomination of a representative to the LGAQ Policy Executive might be discussed by representatives of member Councils of District 10 - Far North.

The Council agreed to defer consideration of the matter to the Council meeting on 21 April 2016.

The member Councils of District 10 - Far North are:

- Cairns Regional Council
- Cassowary Coast Regional Council
- Cook Shire Council
- Douglas Shire Council
- Mareeba Shire Council
- Tablelands Regional Council
- Torres Shire Council

Nominations for positions on the Policy Executive close on 29 April 2016.

The previous representative of District 10 on the LGAQ Policy Executive was the former Mayor, Cr Bill Shannon, who replaced Cr Bob Manning of Cairns Regional Council part way through the term of the previous Policy Executive.

Recommendation:

"That Council determine whether it wishes to nominate a representative for District No. 10 (Far North) to sit on the LGAQ Policy Executive for the period 2016 - 2020."

Moved Cr M Nolan

Seconded Cr G Raleigh

Resolution Number 1239

"That the Chief Executive Officer's report dated 21 April 2016 be received and noted."

FOR - Unanimous

CARRIED

4.2 2016 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - CALL FOR MOTIONS

Executive Summary:

The Australian Local Government (ALGA) Board is calling for motions for the 2016 National General Assembly (NGA) to be held in Canberra between 19 - 22 June 2016 under the theme of *"Partners in an Innovative and Prosperous Australia"*.

Motions should be submitted via the online form on the website at www.alga.asn.au and should be received by ALGA no later than 22 April 2016.

Recommendation:

"That Council consider whether it wishes to submit any motions of national significance to the Local Government sector for consideration at the 2016 National General Assembly of Local Government being held in Canberra from 19 - 22 June 2016."

Moved Cr G Raleigh

Seconded Cr M Nolan

Resolution Number 1240

"That the Chief Executive Officer's report dated 30 March 2016 be received. Further, that it be noted that due to the timing of the Local Government election and the Declaration of the Poll, there was insufficient time to submit an agenda item to meet the agenda deadline."

FOR - Unanimous

CARRIED

4.3 BUILDING OUR REGIONS PROGRAM - ROUND 2

Executive Summary:

The Council has recently received advice from the Department of State Development that Round 2 of the Building Our Regions (BoR) program has been released. The Council is eligible under the Regional Capital Fund component of this program to submit infrastructure projects that meet the program guidelines. The funding available under the Regional Capital Fund is \$70 million over two years.

Funding of between \$250,000 and \$5 million per project can be applied for and there is a co-contribution requirement of 50% under the guidelines for the Regional Capital Fund. Assessment of projects will be undertaken via a two-staged assessment process with the initial stage involving the submission of an Expression of Interest (EOI). The deadline to submit an EOI is 29 April 2016 but this can be extended in certain circumstances.

Possible projects have been considered by Council staff having regard to the funding guidelines and timelines for commencement of works. A separate report has been included in the meeting agenda on the preferred project for submission under this funding program.

4.3 BUILDING OUR REGIONS PROGRAM - ROUND 2 (CONT'D...)

Recommendation:

“That the Chief Executive Officer’s report on the Building our Regions Program - Round 2 funding be received and noted.”

Moved Cr J Baines

Seconded Cr B Heath

Resolution Number 1241

"That the Recommendation be adopted."

FOR - Unanimous

CARRIED

9.20am Mr G Smart (Manager Water) entered the meeting.

5. WORKS

5.1 WORKS CAPITAL REPORT - MARCH 2016

Executive Summary:

The Works Department has adopted its Capital Works Program for the 2015-16 financial year. The status of individual projects is reported monthly.

Recommendation:

“That Council receive the report and acknowledge the status of Capital Works projects managed by the Works Department.”

Moved Cr G Raleigh

Seconded Cr R Taylor

Resolution Number 1242

"That the Recommendation be adopted."

FOR - Unanimous

CARRIED

5.2 NDRRA WORKS PROGRAM PROGRESS REPORT - MARCH 2016

Executive Summary:

The Natural Disaster Relief and Recovery Arrangements (NDRRA) Works Program is a substantial program to be delivered by 30 June 2016. Eligible works under the NDRRA Works Program are funded by the Commonwealth Government (75%) and the Queensland Government (25%) over and above the Council's trigger point.

Recommendation:

“That Council acknowledge the status of the NDRRA Works Program.”

Moved Cr J Baines

Seconded Cr M Nolan

Resolution Number 1243

"That the Recommendation be adopted."

FOR - Unanimous

CARRIED

9.50am Ms M Darveniza (Director Community Services) entered the meeting.

5.3 GRANT APPLICATION FOR PHASE 2 OF SOUTH LIVERPOOL CK INTAKE AND NYLETA HILL RESERVOIR

Executive Summary:

In 2015, Council was successful in securing funding of \$752,850 from the Local Government Grants and Subsidies Program for phase 1 of the South Liverpool Ck Intake and the Nyleta Hill 3.3ML reservoir project. Phase 1 included the construction of an access road, earthworks for the reservoir pad and the relocation of the water main. Phase 2 of the project comprises the construction of the reservoir and intake, being the essential components of the project to effect the improvement in water supply capacity and the improvement in resilience in periods of drought or high demand. The Queensland Government has recently released details of round 2 of its Building our Regions (BOR) funding program aimed at supporting local governments in the delivery of community, economic and social infrastructure projects.

The objectives of the BOR funding program appear to be well aligned with the proposed works. The remainder of the project is estimated to cost approximately \$4.4M, with up to 50% subsidy possible through this funding. This item seeks Council endorsement to proceed with an application for available grant funding for Phase 2 of the project.

5.3 GRANT APPLICATION FOR PHASE 2 OF SOUTH LIVERPOOL CK INTAKE AND NYLETA HILL RESERVOIR (CONT'D...)

Recommendation:

"That:

- 1. An Expression of Interest be lodged seeking funding from the Queensland Government's Department of State Development's Round 2 Building Our Regions – Capital for Regions Fund for Phase 2 of the South Liverpool Ck Intake and Nyleta Hill Reservoir; and**
- 2. Should the above EOI be successful, Council make a submission of the Detailed Application within the funding process timeframe (July 2016)."**

Moved Cr M Nolan

Seconded Cr G Raleigh

Resolution Number 1244

"That the Recommendation be adopted."

FOR - Unanimous

CARRIED

5.4 CONTRACT NO. 1516-027 - TULLY-MISSION BEACH WATER MAIN (MISSION CIRCLE TO STEPHENS STREET)

Executive Summary:

The purpose of this report is for Council to consider submitted tenders and award Contract 1516-027 for the Tully-Mission Beach Water Main (Mission Circle to Stephens St). The works associated with this contract involve the supply of all materials and construction of a new 225mm diameter water main to interconnect the Nyleta and Tully water supply schemes at Mission Beach. The new main will improve water supply security to the northern and southern Mission Beach communities during periods of water shortages or mains breakages.

It is proposed to award this lump sum contract to Rylsey Enterprises trading as Celtic Construction and Utility Services Pty Ltd who were the lowest tenderer for the project.

5.4 CONTRACT NO. 1516-027 - TULLY-MISSION BEACH WATER MAIN (MISSION CIRCLE TO STEPHENS STREET) (CONT'D...)

Recommendation:

"That:

- 1. The lump sum conforming tender for Contract 1516-027 Tully-Mission Beach Water Main (Mission Circle & Stephens St) as submitted by Rylsey Enterprises trading as Celtic Construction and Utility Services Pty Ltd be accepted for the amount of \$499,341.76 including GST, being the most advantageous to Council;**
- 2. It be noted that the current funding for this project is \$350,000 (having been reduced from \$522,160 in the December 2015 Budget Review) and additional funding of \$160,000 will be required to cover the contract costs and project management costs; and**
- 3. The funding shortfall for this project be made up from adjustment of available funds in the Tully and Nyleta Water Programs in the April 2016 budget review."**

Moved Cr J Baines

Seconded Cr G Raleigh

Resolution Number 1245

"That the Recommendation be adopted."

FOR - Unanimous

CARRIED

10.00am Mr G Smart left the meeting.

6. COMMUNITY

6.1 COMMUNITY SERVICES DASHBOARD REPORT - MARCH 2016

Executive Summary:

It is the intention of the Community Services Department to provide Council with a Quarterly Report that monitors a series of key Departmental indicators. This Report is compiled for Council's information and is designed to provide broad background information and build Councillors knowledge and understanding of the Community Services Department. It is not intended to be either detailed or exhaustive rather it is illustrative of the operational activity being undertaken by Community Services. This Dashboard includes two (2) feature articles the first on the Cardstone Village Project prepared by the Manager Community Strategy, Gary Scott-Holland and the second addressing Digital Resources prepared by the Manager Library Services, Alexis Adams.

6.1 COMMUNITY SERVICES DASHBOARD REPORT - MARCH 2016 (CONT'D...)

Recommendation:

"That the Community Services - Dashboard Report for March 2016 be received and noted."

Moved Cr B Heath

Seconded Cr R Taylor

Resolution Number 1246

"That the Recommendation be adopted."

FOR - Unanimous

CARRIED

10.10am - The meeting adjourned for morning tea. It was noted when the meeting reconvened that Ms M Darveniza was no longer in attendance and that Mr M Allpress (Manager Environmental Services) had entered the meeting.

7. PLANNING & ENVIRONMENT

7.1 APPLICATION FOR PERMANENT ROAD CLOSURE

Executive Summary:

Council is in receipt of correspondence requesting Council's views in relation to an application to permanently close an area about 100m² being part of Esplanade abutting Lot 307 on NR8111 and shown as Lot 1 on Drawing TSV16017.

Recommendation:

"That the Department of Natural Resources and Mines be advised that Council does not object to the permanent closure of an area of about 100m² being part of Esplanade abutting Lot 307 on NR8111 and shown as Lot 1 on Drawing TSV16017 as the closure will rectify the building encroachment, provide a suitable area (once amalgamated) to propose and construct foreshore works within the lot and still allow suitable access to the east for the public as there is only two lots that front this foreshore area."

Moved Cr M Nolan

Seconded Cr W Kimberley

Resolution Number 1247

"That the Recommendation be adopted."

FOR - Unanimous

CARRIED

7.2 DEVELOPMENT INCENTIVE POLICY

Executive Summary:

A Development Incentive - Reduction in Infrastructure Charges Policy was adopted by Council at its meeting on 24 April 2014 and amended on 23 April 2015. The policy offers up to a 50% discount on the infrastructure charges payable for certain eligible development within the region.

The policy has been in operation for approximately two year as at 30 April 2016 and is therefore due for review. The purpose of this report is to extend the timeframe and to reflect the current CCRC Planning Scheme. This will allow Council time to fully consider the effectiveness of the policy in achieving its stated objective and properly consider any policy change in the future in encouraging certain development to occur within the region.

Recommendation:

“That:

- 1. the Development Incentive - Reduction in Infrastructure Charges Policy continue to have effect until 30 April 2017, subject to certain amendments as outlined in the policy; and**
- 2. more formal review of the policy objectives and effectiveness be undertaken by the Council in the life of the current policy.”**

Moved Cr G Raleigh

Seconded Cr B Heath

Resolution Number 1248

"That the Recommendation be adopted."

FOR - Unanimous

CARRIED

10.55am Ms K Osmond (Acting Finance Manager) entered the meeting.

7.3 DEV2015/0060 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR A TOURIST PARK (11 UNITS + CARETAKER'S ACCOMMODATION) AND A SERVICE INDUSTRY (LAUNDROMAT)

Author & Officer's Title: Mahmudul (Mac) Haque - Planning Officer

Meeting Date: 21 April 2016

Attachments:

1. Locality Plan
2. Aerial Photo
3. Proposal Plans
4. Concurrence Agency Response
5. Infrastructure Charges Notice

Applicant:	Mr Brendan Walkley
Consultant:	Planz Town Planning
Application Date:	3 December 2015
Proposal:	Material Change of Use for a Tourist Park (11 Units + Caretaker's Accommodation) and a Service Industry (Laundromat)
Real Property Description:	Lot 2,3 and 4 on RP722944
Property Address:	1, 3 and 5 Endeavour Avenue, Mission Beach
Land Area:	2291 square metres
FNQRP Zone:	Urban Footprint
Planning Instrument:	Cassowary Coast Regional Council Planning Scheme 2015
Zone	Township Zone
Local Plan	Greater Mission Beach Local Plan
Precinct	Greater Mission Beach Tourism Precinct
Overlays	Acid Sulfate Soils
Referral Agencies:	Department of Infrastructure, Local Government and Planning (DILGP)
Level of Assessment:	Impact
Land Use Codes:	Camping, Caravans and Cabins Code Commercial Activities Code Advertising Devices Code Design for Safety Code Excavating and Filling Code Infrastructure Works Code Landscaping Code Parking and Access Code
Existing Use of Land:	Vacant
Existing Approvals:	Nil
No. of Submissions:	Zero (0)

7.3 DEV2015/0060 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR A TOURIST PARK (11 UNITS + CARETAKER'S ACCOMMODATION) AND A SERVICE INDUSTRY (LAUNDROMAT) (CONT'D...)

Executive Summary:

Council is in receipt of an application for a Material Change of Use for a Tourist Park (11 Units + Caretaker's Accommodation) and a Service Industry (Laundromat). The application was prepared by Planz Town Planning on behalf of Mr Brendan Walkley for the establishment of a Tourist Park and a Service Industry within the Township Zone Greater Mission Beach Tourism Precinct on land described as Lot 2, 3 and 4 on RP722944, situated at 1, 3 and 5 Endeavour Avenue, Mission Beach.

The application is Impact Assessable and therefore public notification was required. No properly made submission was received by Council.

The application triggered referral to Department of Infrastructure, Local Government and Planning (DILGP) as a Concurrence Agency as because the site abuts a road (Campbell Street) that intersects with a State Controlled Road (Porter Promenade) within 100m of the land.

The subject site is located within the Urban Footprint as indicated in the Far North Queensland Regional Plan (FNQRP) 2009-2031. The Far North Queensland Regional Plan requirements are now incorporated into the Cassowary Coast Regional Council Planning Scheme 2015.

The application is generally consistent with the provisions of the Cassowary Coast Regional Council Planning Scheme 2015 and therefore the application for Material Change of Use for a Tourist Park (11 Units + Caretaker's Accommodation) and a Service Industry (Laundromat) is recommended for approval subject to reasonable and relevant conditions.

Recommendation:

"That a Development Permit be issued for a Material Change of Use for a Tourist Park (11 Units + Caretaker's Accommodation) and a Service Industry (Laundromat) on land described as Lot 2, 3 and 4 on RP722944, situated at 1, 3 and 5 Endeavour Avenue, Mission Beach", subject to the following conditions:

1. **Proposal:** That the development be undertaken generally in accordance with the application, documentation and plans in the table below accepted by Council on 3 December 2015 & 17 February 2016, all relating to Development Application No. DEV2015/0060; excepting where varied by the following conditions:

Plan Number	Plan Name	Date
PROJECT NO WALK_15001, SHEET NO. 1 of 4	SITE PLAN	05/01/16
PROJECT NO WALK_15001, SHEET NO. 2 of 4	MANAGER'S RES. FLOOR PLANS	25/11/15
PROJECT NO WALK_15001, SHEET NO. 3 of 4	CABIN & L'DRY FLOOR PLANS & ELEVATIONS	25/11/15
PROJECT NO WALK_15001, SHEET NO. 4 of 4	MANAGER'S RES. ELEVATIONS	25/11/15

2. **Timing of Effect:** The conditions of the Development Permit must be complied with prior to the commencement of use, except where specified otherwise in these conditions of approval.

7.3 DEV2015/0060 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR A TOURIST PARK (11 UNITS + CARETAKER'S ACCOMMODATION) AND A SERVICE INDUSTRY (LAUNDROMAT) (CONT'D...)

3. **Amended Plans:** An amended set of plans incorporating any of the changes required by these conditions shall be provided to Council to be endorsed by the Director Planning & Environmental Services, prior to an application being made for building work. A copy of the endorsed plans must also be provided to the person from whom building approval is sought.
4. **Lot Access:** The applicant/owner must, at their own cost, construct two (2) new access crossovers for the proposed development in accordance with the approved plan, FNQROC Development Manual and Council's standard engineering specifications for a commercial development to the satisfaction of the Manager Asset Engineering and at no cost to Council. Future maintenance of the access is the responsibility of the landowner. Vehicular access to the development is to be via Endeavour Avenue only as indicated on proposal plans. The applicant/owner must also provide internal signage to alert vehicular traffic of pedestrians and other vehicular traffic.

Three (3) copies of the plan of works must be submitted to and must be endorsed by the Director Planning & Environmental Services prior to the issue of a Development Permit for Operational Works. All works must be carried out in accordance with the approved plans, prior to the commencement of the use, to the satisfaction of the Director Planning & Environmental Services.

5. **Car Parking and Internal Works:** The development is to provide a minimum of fourteen (14) car parks on the subject site. All car parking facilities must comply with the following requirements, to the satisfaction of the Director Planning & Environmental Services:
 - A minimum of eleven (11) of the residents' car parking spaces for the proposed development must be covered, designed for efficient and convenient use;
 - A minimum of two (2) car parking spaces is to be provided for visitor car parking (1 for the Tourists and 1 for the Laundromat);
 - A minimum of one (1) vehicle washing space is to be provided for the proposed development and must be covered, designed for efficient and convenient use and available at all times;
 - A minimum of one (1) car parking space is to be provided for the Caretaker's Accommodation;
 - The internal traffic manoeuvring areas and car parking areas are to be constructed in accordance with the approved Proposed Site Plan (PROJECT NO WALK_15001, SHEET NO. 1 of 4, dated 05/01/16) and are to be imperviously sealed, drained and line marked;
 - All car parking facilities are to be designed and constructed to comply with Australian Standard AS1428 Design for Access and Mobility and Australian Standard AS2890.1 Parking Facilities - off street car parking;
 - All car parks must be constructed prior to the commencement of use;
 - Car parking facilities are to be maintained and available at all times;
 - Internal road widths, parking bays, and traffic circulation widths are to be as per the Proposed Site Plan. All associated drainage is to be directed to a legal point of discharge;

7.3 DEV2015/0060 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR A TOURIST PARK (11 UNITS + CARETAKER'S ACCOMMODATION) AND A SERVICE INDUSTRY (LAUNDROMAT) (CONT'D...)

- Signage and line marking is to be installed so as to compliment the submitted approved Proposed Site Plan design and the conditions of development for ingress and egress. All parking bays are to be line marked and signed to reflect their designated purpose;

All works must be constructed in accordance with the Development Permit, the FNQROC Development Manual, or as per AS2890 to the satisfaction of the Director Planning & Environmental Services prior to the commencement of the use.

6. Works - External:

- (a) The Applicant/Owner must at their own costs construct works including the widening of Endeavour Avenue and Campbell Street to the required widths and construction of kerb and channelling and any associated drainage for the full extent of the site to tie in with the existing works already carried within these streets to the satisfaction of the Manager Asset Engineering and at no cost to Council; and
- (b) A 2.0 metres wide concrete pedestrian footpath is to be constructed along the Campbell Street frontage of the site, in accordance with the FNQROC Development Manual and Council's standard engineering specifications to the satisfaction of the Manager Asset Engineering and at no cost to Council.

Three (3) copies of the plan of works must be submitted to and must be endorsed by the Director Planning & Environmental Services prior to the issue of a Development Permit for Operational Works. All works must be carried out in accordance with the approved plans, prior to the commencement of the use, to the satisfaction of the Director Planning & Environmental Services.

7. Water & Sewer Connection: The applicant/owner is to connect the proposed development to an appropriate sized water service and sewer connection to the Council's existing water and sewer mains at no cost to Council, to the requirements of the Water Section of the Works Department prior to the commencement of the use.

8. Trade Waste: The applicant/owner is to connect the proposed development to Council's reticulated infrastructure for the following items in accordance with the Trade Waste Policy.

- a) Trade waste sub-metres are to be installed on any water supply lines for the laundromat.
- b) The vehicle wash-down bay is to include a silt trap installed with a minimum volume of 200 Litres.
- c) The bin washing area is to be connected with a separate tap with backflow device and trade waste sub-metres must be installed to meter water being used to wash the bins out.

All works are to be designed and submitted with the Plumbing and Drainage Application and completed prior to the commencement of the use, to the satisfaction of the Director Planning & Environmental Services.

- 7.3 **DEV2015/0060 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR A TOURIST PARK (11 UNITS + CARETAKER'S ACCOMMODATION) AND A SERVICE INDUSTRY (LAUNDROMAT) (CONT'D...)**
9. **Stormwater Drainage:** The applicant/owner must ensure that the flow of all external stormwater from the property is directed to a lawful point of discharge, such that stormwater does not adversely affect surrounding properties, to the requirements and satisfaction of the Director Planning and Environmental Services. Site stormwater runoff must be collected, detained and discharged where appropriate in a manner that does not increase the quantity or concentration of stormwater flow in comparison to the pre-development condition. Where the finished levels of the site are such that stormwater runoff from all or part of the allotments cannot be gravity discharged to the street, an underground drainage line shall be provided to discharge the runoff from the allotments. Where necessary, suitable easements to legal points of discharge, which may include adjoining properties, shall be provided at no cost to Council. All drainage works should meet the requirements of the Queensland Urban Drainage Manual (QUDM).
A Stormwater Quality Management Plan (SQMP) must be submitted for approval with the application for Operational Works. The SQMP must:
- (a) be consistent with any local area stormwater water management planning; and
 - (b) provide for achievable stormwater quality treatment measures reflecting land use constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, and rainfall erosivity.
10. **Landscaping:** The applicant/owner is to landscape the subject site generally in accordance with the approved Proposed Site Plan (PROJECT NO WALK_15001, SHEET NO. 1 of 4, dated 05/01/16). A Detailed Landscaping Plan is to be submitted to and approved by the Director Planning and Environment Services prior to the issue of any Development Permit for Building Work. The Landscaping Plan must include details of the location and species of plants, the irrigation system, night lighting and the height and material of any fencing. The applicant/owner must ensure that the species planted comply with the Landscaping Code and Planning scheme policy SC6.4 - Landscaping of the Cassowary Coast Planning Scheme 2015. The site is to be landscaped and maintained in accordance with the approved Landscaping Plan.
11. **Internal Walkways:** The applicant/owner must provide the internal walkways in the form of paving stones as per the Proposed Site Plan (PROJECT NO WALK_15001, SHEET NO. 1 of 4, dated 05/01/16) to indicate the entry and exit points for pedestrians, prior to the commencement of the use, to the satisfaction of the Director Planning & Environmental Services. Future maintenance of these walkways is the responsibility of the landowner.
12. **Waste Bins and Storage Areas:** The waste bin and storage areas are to be located generally as per the Proposed Site Plan (PROJECT NO WALK_15001, SHEET NO. 1 of 4, dated 05/01/16) and must be located on a bunded concrete pad with a basket arrestor installed to pre-treat wastewater (generated by washing the bins) before being disposed to sewerage via a P-Trap. The drain must have a cover that can close the drain off when not in use. The waste bin and storage areas must also be covered and screened from view of adjoining properties and road frontages, to the satisfaction of the Director Planning and Environmental Services.

- 7.3 **DEV2015/0060 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR A TOURIST PARK (11 UNITS + CARETAKER'S ACCOMMODATION) AND A SERVICE INDUSTRY (LAUNDROMAT) (CONT'D...)**
13. **Signage:** The applicant/owner must ensure that any signage on the subject site, for the proposed development, must comply with the Advertising Devices Code of the Cassowary Coast Planning Scheme 2015, to the requirements and satisfaction of the Director Planning and Environmental Services.
14. **Erosion & Sediment Control:** Effective erosion and sediment control must be maintained at all times during and after construction work until there is adequate vegetation cover, paved or other controls to prevent any silt run-off from the site to the satisfaction of the Director Planning & Environmental Services.
15. **Public Utilities – Alterations:** Any relocation or alteration to any public utilities in association with works pertaining to this development must be undertaken as required by the relevant service provider and at no cost to Council.
16. **Existing Unregistered Well:** The applicant/owner must ensure that the existing unregistered well situated on Lot 2 on RP722944 is decommissioned and capped-off in accordance with the requirements of the Department of Natural Resources and Mines, prior to the commencement of any works on the subject site.
17. **Environmental Nuisance:** The applicant/owner is to ensure that noise from either air conditioning units, service equipment, swimming pool filters or other mechanical equipment must not emanate from the subject land to a degree that would, in the opinion of the Director Planning & Environmental Services, create an environmental nuisance having regard to the provisions of the *Environmental Protection Act 1994*, Environmental Protection (Noise) Policy 1997 and Environmental Protection Regulation 1998 (Part 2A – Environmental Nuisance).
18. **Night Lighting:** The applicant/owner is to ensure that night lighting is provided within the development area including adjacent to publicly accessible areas along the pathways, internal driveways and at the entrance to all units. All night lighting is designed and constructed to the satisfaction of the Director, Planning & Environmental Services so as to ensure that light emitted from the subject site does not, in the opinion of the Director Planning & Environmental Services, create an environmental nuisance having regard to the provisions of the *Environmental Protection Act 1994* and Environmental Protection Regulation 1998 (Part 2A – Environmental Nuisance).
19. **Declared Pests:** The parcel of land is to be cleared of all Class 1, 2 and 3 declared pests prior to the commencement of the use and is to be maintained at all times, to the requirements and satisfaction of the Director, Planning and Environmental Services.

Concurrence Agency Conditions:

Department of Infrastructure, Local Government and Planning Concurrence Agency Conditions dated 21 December 2015. Reference: SDA-1215-026572. See Attachment Four.



Department of Infrastructure,
Local Government and Planning

Our reference: SDA-1215-028572
Your reference:

21 December 2015

Chief Executive Officer
Cassowary Coast Regional Council
PO Box 887
Innisfail QLD 4860

Attn: Daniel Horton

Dear Sir/Madam

Concurrence agency response—with conditions

Development application for a Development Permit – Material Change of Use – Tourist Park (11 Units + Caretaker's Unit) and a Service Industry (Laundromat), on land located at 1-5 Endeavour Avenue, Mission Beach, or otherwise described as Lots 2, 3 & 4 on RP722944.

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

The referral agency material for the development application described below was received by the Department of Infrastructure, Local Government and Planning under section 272 of the *Sustainable Planning Act 2009* on the 9 December 2015.

Applicant details

Applicant name:	Brendan Walkley
Applicant contact details:	c/- Planz Town Planning PO Box 181 Edge Hill QLD 4870 plan@planztp.com

Site details

Street address:	1-5 Endeavour Avenue, Mission Beach, QLD, 4852
Lot on plan:	Lots 2, 3 & 4 on RP722944
Local government area:	Cassowary Coast Regional

ODA-1215-026572

Application details

Proposed development: Development Permit for Material Change of Use – Tourist Park (11 Units + Caretaker's Unit) and a Service Industry (Laundromat)

Aspects of development and type of approval being sought

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Material Change of Use	Development permit	Tourist Park (11 Units + Caretaker's Unit) and a Service Industry (Laundromat)	Impact Assessment

Referral triggers

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

Referral trigger Schedule 7, Table 3, Item 1 – State Controlled Roads – Department of Transport and Main Roads (DTMR)

Conditions

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

Reasons for decision to impose conditions

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

Further advice

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

Approved plans and specifications

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

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Aspect of development: Development Permit - Material Change of Use - Tourist Park (11 Units & Caretaker's Unit) & Service industry (Laundromat)				
Site Plan - Proposed New Unit Development	Shane Thorogood Tropical Design	25/11/15	Sheet 1	-

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

SDA-1215-026572

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

Yours sincerely



Robin Clark
Manager, Planning

cc: Brendan Walkley, plan@planztp.com
enc: Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Further advice
Attachment 4—Approved Plans and Specifications

SDA-1215-026572

Our reference: SDA-1215-026572

Your reference:

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Development Permit - Material Change of Use - Tourist Park (11 Units & Caretaker's Unit) & Service industry (Laundromat)		
Schedule 7, Table 3, Item 1 – State Controlled Roads —Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of the Department of Transport and Main Roads to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	<p>The development must be carried out generally in accordance with the following plans:</p> <ul style="list-style-type: none"> Site Plan - Proposed New Unit Development prepared by Shane Thorogood Tropical Design, dated 25/11/15, Sheet 1. 	Prior to the commencement of use and to be maintained at all times.

SDA-1215-026572

Our reference: SDA-1215-026572

Your reference:

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- To ensure the development is carried out generally in accordance with the plans of development submitted with the application.
- To ensure the development does not compromise the safety and efficiency of the state-controlled road.
- To ensure the development achieves the applicable provisions and outcomes in Modules 1, 18 & 19 of the State Development Assessment Provisions version 1.7.

SDA-1215-026572

Our reference: SDA-1215-026572

Your reference:

Attachment 3—Further advice

General advice	
Ref.	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 111 of the <i>Transport Operations (Roads Use Management – Accreditation and Other Provisions) Regulations 2005</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>

7.3 DEV2015/0060 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR A TOURIST PARK (11 UNITS + CARETAKER'S ACCOMMODATION) AND A SERVICE INDUSTRY (LAUNDROMAT) (CONT'D...)

Assessment Managers Advice:

- a) **Relevant Period:** The relevant period for the development approval (Material Change of Use) shall be four (4) years starting the day the approval is granted or takes effect. In accordance with Section 341 of *SPA*, the development approval for Material Change of Use lapses if the building work under the approval is not complete within the abovementioned relevant period. However, if there are one or more related approvals for the development approval for Material Change of Use, the relevant period is taken to have started on the day the latest related approval takes effect. (Please refer to Section 341(7) of *SPA* for the meaning of related approval).
An applicant may request Council to extend the relevant period provided that such request is made in accordance with Section 383 of *SPA* and before the development approval lapses under Section 341 of *SPA*.
- b) **Notice of Intention to Commence Use:** The applicant/owner must return to Council the attached Notice of Intention to Commence Use after acceptance of and compliance with these or negotiated conditions (or court determined conditions) and prior to the commencement of the use. This will allow a check for compliance with conditions to be carried out by Council officers.
- c) **Required Approvals:** A Development approval for Building, Plumbing & Drainage (including trade waste) and Operational Work will be required, with a permit for these works issued prior to any works commencing.
- d) **Cultural Heritage:** The applicant/owner is to ensure compliance with the requirements of the Aboriginal Cultural Heritage Act and in particular 'the duty of care' that it imposes all landowners, developers and the alike.
- e) **Engineering Works:** The applicant/owner is to ensure that the engineering works involved in the proposed development are designed and constructed in accordance with the FNQROC Development Manual.
- f) **Environmental Nuisance:** The Environmental Protection Act 1994 states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks and construction phases of this development, are to adhere to their "general environmental duty" to minimise the risk of causing environmental harm.

7.3 DEV2015/0060 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR A TOURIST PARK (11 UNITS + CARETAKER'S ACCOMMODATION) AND A SERVICE INDUSTRY (LAUNDROMAT) (CONT'D...)

Environmental harm is defined by the Act as any adverse affect, or potential adverse affect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the Council to cause undue disturbance or annoyance to persons or affect property not connected with the use.

- g) Adopted Infrastructure Charges: The applicant/owner must contribute in accordance with Council's Infrastructure Charges Resolution. The adopted infrastructure charge is payable prior to the issue of the Certification of Classification for the proposed development in accordance with Section 648H of the Sustainable Planning Act 2009. Payment is to be made to Council in accordance with the Adopted Infrastructure Charges Notice attached to the decision notice."

Moved Cr G Raleigh

Seconded Cr W Kimberley

Resolution Number 1249

"That the Recommendation be adopted."

FOR - Unanimous

CARRIED

11.10am Ms M Darveniza re-entered the meeting.

7.4 REASSIGNING OF CONTRACTS - TRANSFER STATION AND WASTE DISPOSAL CONTRACT 1314-003 AND WET WASTE TRANSPORT CONTRACT 1112-033 FROM SUBLOOS (IN LIQUIDATION) TO MAMS PLANT HIRE PTY LTD

Executive Summary:

At the Local Government meeting of 10 March 2016 the Council delegated authority to the Chief Executive Officer to reassign:

1. Contract 1314-003 - Transfer Station and Waste Disposal: Portion 1 (Operation of Transfer Stations & Waste Transport to Landfills) and Portion 2 (Operation of Tully & Stoters Hill Landfills); and
2. Contract 1112-033 - Transport and/or Disposal of Wet Waste

to an alternative service provider subject to adequate details being provided to Council for consideration and review.

Recommendation:

"That Council note the actions of the Chief Executive Officer in authorising the reassignment of the following waste management contracts from Subloos Pty Ltd (In Liquidation) to MAMS Pty Ltd:

1. **Contract 1314-003 - Transfer Station and Waste Disposal:**

Portion 1 - (Operation of Transfer Stations & Waste Transport to Landfills) and Portion 2 - (Operation of Tully & Stoters Hill Landfills); and

2. **Contract 1112-033 - Transport and/or Disposal of Wet Waste."**

Moved Cr W Kimberley

Seconded Cr G Raleigh

Resolution Number 1250

"That the Recommendation be adopted."

FOR - Unanimous

CARRIED

8. CORPORATE

8.1 CORPORATE SERVICES FINANCIAL REPORT APRIL 2015

Executive Summary:

The purpose of this report is for Council to receive the Financial Report for the period ending 31 March 2016 prepared on 12 April 2016.

The Director of Corporate Services will be available at the Council meeting to answer any questions Councillors may have.

Recommendation:

“That the report be received and noted.”

Moved Cr M Nolan

Seconded Cr R Taylor

Resolution Number 1251

"That the Recommendation be adopted."

FOR - Unanimous

CARRIED

9. NOTICE OF MOTION

9.1 NOTICE OF MOTION - 2016 "CHRISTMAS IN JULY", MAREEBA - RECREATIONAL VEHICLE STOPOVER - PEASE PARK, INNISFAIL

Executive Summary:

The attached Notice of Motion was submitted by Cr Mark Nolan for Council's consideration.

Recommendation:

“That Council open Pease Park for the purposes of an event to capture Recreational Vehicle travellers post the 2016 "Christmas in July" event in Mareeba.”

Moved Cr M Nolan

Seconded Cr G Raleigh

Resolution Number 1252

"That the Recommendation be adopted."

FOR - Unanimous

CARRIED

10. GENERAL BUSINESS

10.1 REQUEST TO ATTEND A LAWMAC MEETING IN TOWNSVILLE ON 26-27 MAY 2016

Cr Glenn Raleigh advised the meeting that a *Local Area Waste Management Advisory Committee (LAWMAC) Meeting was being held in Townsville on the 26 - 27 May 2016. Given Cr Raleigh was the Portfolio holder for Waste Management during the term of the last Council and that the Council had not yet had the opportunity to meet to finalise meeting arrangements into the future, Cr Raleigh asked for the Council's endorsement of his attendance at this meeting. The Council endorsed Cr Raleigh's request to attend the LAWMAC meeting in Townsville on 26 - 27 May 2016.

***LAWMAC is comprised of 19 North Queensland Local Government Councils dedicated to best practice waste management aiming to provide sustainable solutions through its regional forum and interactive participation across the LAWMAC region on current and future Waste Management Practices and Technologies.*

10.2 CONDITION OF PAVEMENT OF SOUTH BOUND LANE OF BRUCE HIGHWAY THROUGH CARDWELL, FROM ST ALBANS STREET TO THE ROUNDABOUT AT DALRYMPLE STREET

Cr Raleigh noted advice from the Director Works that NDRRA works are nearing completion. He expressed some concern with the condition of the road surface of the south bound lane of the Bruce Highway through Cardwell, in particular the section from St Albans Street to the roundabout at Dalrymple Street. This section of road has been undermined by heavy rainfall and is fracturing under the weight of B Doubles traversing the road, causing some large pot holes which are currently being patched. Cr Raleigh asked whether the Works Department would liaise with the Department of Main Roads (DMR) to determine what long term rehabilitation works are planned for this section of the highway, given the initial roadworks are less than four years old. The Director Works agreed that he would contact DMR in relation to this issue.

10.3 CSIRO TRIALS ASSOCIATED WITH MOSQUITO-BORNE VIRUSES; ZIKA AND DENGUE FEVER

Cr Mark Nolan informed the meeting that CSIRO are undertaking research/risk analysis in the district aimed at finding solutions to mosquito-related problems and helping to design vector-safe communities. Some residents have been approached by CSIRO research officers asking to use their homes as 'trapping' sites. Cr Nolan asked whether the Council would contact CSIRO to obtain a copy of the research outcomes/findings when and if they are available. This matter to be referred to the Manager Environmental Services to follow-up.

10.4 EXPORT AND LOADING OF IRON ORE THROUGH THE PORT OF MOURILYAN

Cr Ben Heath referred to an arrangement negotiated by Ports North to establish an iron ore export facility through the Mourilyan Harbour. Cr Heath was concerned that a proposal to close the harbour to enable the iron ore, which is currently stacked at the harbour to be loaded via a travelling gantry onto bulk carriers for shipping between 25 - 29 April 2016 would have a negative impact on the local fishing industry. If successful, plans are afoot to close the harbour once a month to load iron ore. Any closure of the harbour will adversely affect the fishing industry, particularly the trout and prawn fishing trawler operators who regularly use the Mourilyan Harbour as it is the only deep harbour access in the region. Cr Heath asked whether Council would contact Ports North to negotiate a satisfactory arrangement on the future use of the harbour which doesn't have an adverse impact on the fishing industry. The Mayor agreed that he would contact the Chairperson of Ports North to discuss the issue.

10.5 FUTURE MEETING DATES

As the Council has not yet determined its future meeting arrangements the Chief Executive Officer asked that meetings be scheduled for May. It was agreed that Local Government meetings would be held on the 2nd and 4th Thursday of the month of May in Innisfail and Tully respectively and that the meetings be advertised accordingly.

11. CONFIDENTIAL

Nil

12.15pm - There being no further business, the Mayor declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD THIS 12th DAY OF MAY 2016.

Mayor