



FINAL MINUTES

3 June 2009

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Declaration of Potential Perceived Conflict of Interest

Nil

ORDINARY MEETING MINUTES

1. ATTENDANCE:

His Worship the Mayor, Cr C Meng (Chairperson), Crs G R Christensen, D T Comerford, P F Steindl, D J Perkins, D R Hatfield, D E Camilleri, W A Cameron, G R Thomsen, K J Casey and K L May were in attendance at the commencement of the meeting. Also present was Mr P Franks (Chief Executive Officer) and Ms D Jeffery (Minute Secretary).

The meeting commenced at 10:04am.

2. OPENING PRAYER:

Pastor John Gilbank led those present in Prayer.

3. APOLOGIES:

Nil

4. CONDOLENCES:

Nil

5. CONFIRMATION OF MINUTES:

5.1 ORDINARY MEETING MINUTES - 3 JUNE 2009

THAT the Minutes of the Ordinary Meeting held on 27 May 2009 be confirmed.

Moved Cr Comerford

Seconded Cr Casey

CARRIED

6. BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING:

Nil.

7. MAYORAL MINUTES:

Nil.

8. CORRESPONDENCE AND OFFICERS' REPORTS:**8.1 MATERIAL CHANGE OF USE FOR 50 MULTIPLE DWELLING UNITS & SHOP(S) - M CONSTRUCT PTY LTD - 44-52 VICTORIA STREET & ELEVENTH LANE, MACKAY (192070-002-DA-2008-776)**

Application Number:	DA-2008-776
Action Officer:	Shane Kleve
Applicant's Details:	M Construct Pty Ltd C/-Brannock & Associates GPO Box 552 BRISBANE QLD 4001
Proposal:	Material Change of Use – 50 Multiple Dwelling Units and Shop(s)
Site Address:	44-52 Victoria Street and Eleventh Lane, Mackay
Property Description:	Lot 2 on SP192070
Owner's Details:	M Construct Pty Ltd
Area:	1,456m ²
Planning Scheme:	Mackay City Planning Scheme
IPA Compliant Planning Scheme	
Precinct:	Wharf
Locality:	City Centre
Zone:	Mixed Use
Referral Agencies:	<u>Advice:</u> Department of Natural Resources & Water
Attachments:	Attachment A: Locality Plan Attachment B: Proposal Plans Attachment C: Referral Agency Response

ASSESSMENT OF APPLICATION**Executive Summary**

The applicant has requested that Council approve an application for 50 Multiple Dwelling Units and Shop/s on land located at 44-52 Victoria Street and Eleventh Lane, Mackay.

This application proposes the development of a 10 storey building (i.e. ground floor plus 9 upper levels) plus two levels of basement car parking. The proposal is nearly identical to a previous approval over this site except that this proposal includes an additional two stories containing 12 Multiple Dwelling Units.

The application is not consistent with the Planning Scheme Codes for the development of this site in terms of building height. The applicant has proposed additional 'works' that would be undertaken at no cost to Council as a part of a 'trade off' to create a community benefit to justify the non-compliance.

It is considered, that the application could be approved despite the inconsistency with the Planning Scheme only if sufficient community benefit can be derived from the approval. It is considered, that the proposed height is acceptable in this location; however, Council will require the provision of either additional car parking spaces, contribution in lieu of car parking or the construction of footpath upgrades in the surrounding streets as a 'trade off' for community benefits.

Subject Properties

The subject property is located on the northern side of Victoria Street, between Brisbane and Carlyle Streets (refer to the Locality Plan included as Attachment 'A'). The property also has frontage to Eleventh Lane at its north eastern corner. The site was previously occupied by 'Cactus Jacks' Restaurant, however this business has since relocated and the building was demolished in 2007.

The site contains no existing vegetation; and is surrounded by commercial buildings of various ages in all directions.

Proposal

The application is seeking Council approval for a Material Change of Use for 50 Multiple Dwelling Units and Shop/s (245m² GFA). The application proposes a 10 storey building plus two levels of basement car parking. The shop/s is located on the ground floor, with the remaining levels occupied by residential units. (Refer to Attachment "B" Proposal Plans).

The uses proposed by the application are consistent and supported by the Planning Scheme for development on this property. The form of the development is not consistent with the intent of the Planning Scheme in terms of building height and site coverage. The non-compliance with the Planning Scheme Codes are discussed further later in the report.

History/Background

The subject property has been the subject of a previous Council approval for a similar development proposal. The submission of the application occurred after a number of pre-lodgement discussions were held with Council officers to workshop the desired development form on this site under the (then) Draft Planning Scheme. Council officers encouraged the applicant to design the proposal to comply as closely as a possible with the requirements of the draft Scheme.

The application (DA-2005-308) was lodged with Council on 9th December 2005. The proposed development included 38 Multiple Dwelling Units and Shop/s in an eight storey

building (ground plus seven upper floors). The proposal was designed to take advantage of components of the Draft Planning Scheme, in particular the unlimited density and additional building height available under the 'Public Parking Bonus' section contained in Schedule 2 of the Draft Planning Scheme. The application was approved, subject to various conditions, as the proposal was generally consistent with Councils' intent for the development of the site under the draft Planning Scheme that had been advertised at the time.

In relation to the use of elements of the 'draft' Planning Scheme in lieu of the Transitional Planning Scheme provisions, the applicant initially proposed a development that 'cherry picked' the best elements of each scheme to provide the 'best' outcome for the developer. The applicant initially proposed a 30m high building (10 storeys), as allowable under the Transitional Planning Scheme, with an unlimited density as proposed in the draft Planning Scheme.

During the pre-lodgement meetings, the applicant was advised that Council would not permit the applicant to use the best of each Planning Scheme; the application needed to be designed to comply with one or the other. This meant that the proposal would need to be reduced in height to 22m or the density limited to 1 dwelling per 100m² of site area or 15 units.

The applicant and Council officers discussed possible avenues to increase the height of the building to facilitate a higher unit yield for the site. The only option available under the draft Planning Scheme was the 'Public Parking Bonus' provisions that allowed an increase building height in return for the development of areas of public parking within the development site. The area of the development site did not qualify under the provisions for Public Parking Bonus as the site was less than 1,500m², however Council officers considered that allowing the developer to use this provision would be a good compromise for both parties. The applicant reviewed the proposal plans and was able to redesign the proposal to incorporate 13 public car parking spaces on the ground floor. Council officers agreed that one additional storey could be added to the building in return for the 13 public spaces.

Subsequent to the issue of the Decision Notice on 30th June 2006, an application for Operational Works approval was received. This application has been assessed and has been ready for approval since April 2008, pending the receipt of some outstanding items from the applicant. The applicant has not provided these items at this stage as they await a decision on this current development application before finalising the Operational Works application.

In November 2008, the applicant and consultants (architects and planners) sought meetings with Council officers to discuss a proposed change to the approved development. The applicant advised that due to 'financing issues' they required to add more units to the development and raise the building height two stories to accommodate the extra units.

The applicant concurred with Council officers that this would not constitute a 'minor' change to the approval and a new application would be required. The applicant was advised that the issues that needed to be justified to Council in any new application were the appropriateness of the proposed building height and any other resulting areas of non-compliance. It was suggested to the applicant that if they could demonstrate a 'community benefit' to Council for approving the application with the proposed inconsistencies, the proposal would be looked at more favourably..

Comparison between Existing Approval and Proposed Development

The major differences between the previously approved development plans and the plans submitted with the current application can be summarised as follows:

- Addition of 12 Multiple Dwelling Units (50 instead of 38)
- Addition of two stories or 5.75m (maximum building height of RL 34.775m AHD instead of RL 29.025m AHD)
- Extension of 1st Floor slab to western boundary (to provide weather protection to Public Parking Area)
- Extension of awning over footpath for full length of road frontage

There have been other minor changes to the design aimed at making the development address the street in a more aesthetic manner.

Assessment against Planning Scheme

The subject site is located in the Wharf Precinct of the Mackay City Centre Locality. Further, the property is included in the Mixed Use zone.

The uses proposed in the application (Multiple Dwelling Units and Shop) are Code Assessable uses in the Mixed Use zone and require assessment against the following Planning Scheme codes:

- Mackay City Centre Locality Code
- Retail & Commercial Code
- Environment & Infrastructure Code
- Relevant Overlay Codes (Acid Sulfate Soils Overlay, Flood & Inundation Management Overlay and Development in the Vicinity of Mackay Airport Overlay)

The development proposed in the application is generally consistent with these codes, however the areas of major concern relate to Building Height, Site Coverage and Car Parking. These issues are discussed in detail below.

Building Height

The Mackay City Locality Code identifies that buildings within the Mixed Use zone are limited to 22m in height (measured to the ceiling of the uppermost habitable rooms), unless a Public Parking Bonus is applicable. In the event that a Bonus is applicable, the Building Height may be increased to a maximum of 28m. The proposed building has a height of 30.551m above ground level; therefore exceeding the nominated maximum height by 2.5m (finished ceiling height of 34.775m AHD).

Further, the subject site does not have adequate area to qualify for additional building height under the provisions of the Public Parking Bonus Policy. This requires a site area of 1,500m² in either the City Residential or Mixed Use zones. The subject site has an area 1,456m².

Therefore, the proposed building height of 30.551m is 8.5m or three stories higher than allowable under the Planning Scheme.

However, it is considered that the approval of a building of this height would not affect the surrounding area, or be out of character with the recent development approvals for high-rise developments within the surrounding area.

High-rise approvals and their finished ceiling level (FCL) in the surrounding area include:

- ‘Latitude’ (27 Gordon Street) – FCL = 36.1m AHD
- Leichhardt Hotel site (29 River Street) – FCL = 35.1m AHD
- Crown & Anchor Hotel site (27 River Street) – FCL = 37.2m AHD
- ‘The Pier’ (6 River Street) – FCL = 34.775m AHD
- ‘Dodds’ site (8 River Street) – FCL = 35.9m AHD

Therefore, the height of the proposed development is lower, but generally consistent with the heights of other high-rise buildings in the surrounding area. It is considered that the proposed height could be agreed to only if a ‘community benefit’ can be demonstrated. This is discussed later in the report.

Site Coverage

Site Coverage for buildings in the Mixed Use zone is limited to the following:

- 75% at ground level
- 75% at first floor level, if this contains both residential and commercial uses
- 50% at any other level, up to a maximum building height of 22m
- 33% above 22m, to a maximum building height of 28m (only where a public parking Bonus is available in accordance with Schedule 2)

The building proposed in the submitted application has the following site coverage:

- Ground: 100%
- First: 93.8%
- Levels 2 – 8: 51%
- Level 9: 51%

The proposed development clearly exceeds the site coverage for development on the Ground and First floors and Levels 6 – 9. Levels 2 – 5 are consistent with the coverage limits set out in the Planning Scheme.

It is considered that the excess site coverage will not be noticeable as the building design includes significant articulation and variation of the facades. The design is considered good urban design. Further, Council agreed to this site coverage when approving the previous application. It is therefore considered that the site coverage proposed by the applicant is acceptable.

Car Parking Provision

The Planning Scheme (Schedule 2) sets out the amount of car parking that is to be provided by various developments. The current application requires the following amount of car parking to be provided:

- Multiple Dwelling Units (50 units) – 1.5 spaces per unit (one of which is covered) or 75 spaces
- Shop (245m²) – 1 space per 50m² GFA plus 1 bicycle parking space per 50m² or 5 spaces each for cars and bicycles

The submitted proposal provides car parking in the following arrangement:

- 70 spaces for Multiple Dwelling Units in the two basement levels
- 5 car spaces for the Shop located on the Ground level
- 13 car spaces and 4 Motorcycle spaces for Public Car Parking at Ground Level

The Public Car Parking spaces have been left in the design as the applicant has lodged the application on the basis that proposal is simply adding two additional stories to the existing approval.

If the Public Car Parking spaces are retained as such, the development is short five (5) car spaces for the residential component and five (5) bicycle spaces for the commercial component.

Alternatively, if the Public Parking Bonus provisions are applied as written, the application does not qualify for additional building height by providing public car parking. In this instance, if the spaces allocated for public parking are utilised for the residential component, the car parking provided on-site is slightly higher than required by the Planning Scheme by eight spaces.

Therefore, based on a strict interpretation of the Planning Scheme, the development proposal is providing a greater number of car parking spaces than required by Schedule 2, which is considered acceptable.

Applicants justification for proposed building height

As previously detailed, the development proposal can be assessed in two ways. Firstly, if the previous approval is ignored and no Public Parking Bonus is allowed, the building is three stories higher than the Planning Scheme permits and will provide excess car parking (eight (8) additional spaces). Alternatively, if the new application is viewed as an addition to the previous approval (as the applicant has presented it to Council) and the same logic and concessions are applied as were to the previous approval, the development is two stories higher than allowed and is short five car spaces for the residential component.

Either way, the development proposed in this application exceeds the allowable limits for development on this site. The applicant was advised that they would need to demonstrate that there is a community benefit from Council approving this application. The applicant provided the following commentary as to why this application should be approved.

'An increase in height of the existing approval is sought for 2 storeys, being Levels 7 and 8. This increase in height has been off-set by proposing a number of additional design features for public benefit and aesthetic appeal.'

In accordance with the Acceptable/Probable Solution S1.2 of the Mixed Use Zone the “Maximum building height is 22m (unless a bonus is available under 12.6 in Schedule 2)”.

Although the proposed development is not eligible for this bonus, an increase in height from the existing approval is sought for an additional RL5.75 from the existing approved building height of RL29.025, in exchange for on-site undercover ‘public parking’ and a number of additional design features for the community’s benefit.

As suggested or agreed to by the council officials on the 27th November 2008, the following public benefit offsets have been incorporated in the building design:

- *A total of 215sqm (13 car parks) of on-site **undercover** public parking will be provided (previously open to the elements)*
- *Additional bicycle parking will be provided in the basement designed with selected fittings which allow multiple bikes to be hung securely in place for the residents. These facilities will encourage cycling instead of private vehicle usage.*
- *On ground floor additional public motor bike parking will be provided as demonstrated on the Ground Floor Plan A03 Rev. A between Grid Lines B and C.*
- *The plant room along Grid 1 is no longer required, and has been replaced with additional storage bays for the additional units.*
- *The original approved pedestrian ramp alongside the entry stair to Victoria Street has been removed and in its place will be a disabled chair lift system to take people from the street level to the ground floor entry. The ramp has been replaced with a “Landsaped Street Statement Feature” with tropical lush planting. As stated by Chanine Design,*

‘There will be a wall to the rear of the planter area which shall be clad in copper or the like to allow it to age gracefully which shall double as a water feature allowing water to cascade down the copper. This will significantly enhance the streetscape of the building at Pedestrian Level and soften the streetscape elevation and appearance’

A bench seat is proposed opposite this area for public use which will complement the streetscape design and public realm.

Further, additional elements for public benefit have been proposed and are detailed below.

- *The new application is proposing the paving continue into the ground floor of the building at public car park level, to visually link the ground floor public parking area to the public footpath to create an inviting ‘public’ space for the users.*
- *The proposed retail tenancies on the ground floor will be visually linked to the public footpath with appropriate landscaping.*
- *Under the existing approval the awning over the footpath stops in line with Grid Line D along the Victoria Street frontage as seen in A03 Rev. A – Ground Floor Plan. The new application proposed to extend this awning to the full*

width of the site frontage. This will provide public undercover pedestrian access to shelter from the natural elements which was not previously available.

- *Level 1 slab is proposed to be extended to the boundary as shown on A03 Rev. A – Ground Floor Plan. This extension to the slab will provide shelter and protection to the public car park on the ground floor which, under the existing approval is open to the elements. This will also increase safety in the car parking providing greater benefit to the community and a more appealing public facility.*

The applicants' justification is not considered sufficient to warrant the additional units/building height that is sought in this application. The majority of elements mentioned above are very 'cosmetic', that is they do not provide any tangible benefit to the community; rather they will improve the appearance of the building. In addition, some of the proposed treatments would have been required as part of the conditions of approval.

Assessing the application completely under the Planning Scheme (i.e. ignoring the previous approval), the proposal provides an additional eight car parks that could be used as public parking (as previously proposed). This additional car parking is the only tangible benefit to the community that the proposed development is proposing.

The applicants' justification is not considered acceptable and is not adequate to allow Council to approve the application despite the conflicts with the Planning Scheme.

Community Benefit from proposal (what benefit is Council getting out of this approval?)

It has been demonstrated in the preceding discussion that the proposed building design (in particular its' height) is not inconsistent with other buildings approved by Council in the surrounding area. The issue is that the Planning Scheme does not support the height of the proposed building in this location.

The applicant was requested to provide justification to Council as to why the application should be approved when the proposal is clearly outside the parameters set out by the Planning Scheme for development in this location. The applicants' justification does not provide adequate 'benefit' to the community to allow the development to be approved. It is considered that for Council to agree to the proposed development additional community benefits or works external to the site would be required.

To determine what 'community benefit' Council could consider appropriate in return for approving the additional floors, the 'value' of the additional building height needs to be determined. In this instance, Council has a Policy (Public Parking Bonus) that provides for additional building height in return for areas of public car parking.

The proposed development is three stories higher than allowed under the Mixed Use zone provisions. The additional levels have site coverage of 51%. Under the Public Parking Bonus provisions for the Mixed Use zone, to achieve an additional 6.0m (or two stories) of building height with 50% site coverage, the applicant would be required to provide an area of Public Parking that occupies 100% or more of the site area. That is the applicant would be required to provide at least a full basement level of car parking. As the current proposal is

seeking three additional stories, the design would need to provide public parking that covers up to 150% of the site area.

The current building design provides 34 spaces on Basement level 1 and 36 spaces on Basement level 2. Therefore, any additional basement level would be anticipated to accommodate at least 34 spaces, so the car parking that could be provided in 150% of the site would be 51 spaces.

As such, it could be considered that the proposed development would be required to provide an additional 51 car spaces on site to be considered consistent with the various provisions in the Planning Scheme. The development proposal currently provides eight car parking spaces and four motorcycle spaces on the Ground Floor over the required car parking numbers for this development (NB. Four motor cycle spaces are counted as one car space). This then reduces the car parking shortfall to 42 spaces.

Alternatively, the monetary value of the car parking shortfall can be determined by applying the most recent valuation of car parking contribution to the shortfall. The most recent approval that included a condition requiring a monetary contribution in lieu of car parking spaces applied \$40,000 per space. Therefore, the value of the foregone parking spaces could be considered to be worth approximately \$1,680,000.

Therefore, to comply with the requirements of the Planning Scheme the developer would be required to provide an additional 42 car spaces for public parking or provide a monetary contribution in lieu for Council to provide off-street parking elsewhere in the City Centre.

Another option for the provision of the community benefit would be for the applicant to be required to undertake works external to the site. It is suggested that the type of works that could be required include the following:

- Footpath works (i.e. construction of Council standard footpath design external to the site frontage)
- Contribution toward or construction of streetscape works/footpaths on streets leading to the Blue Water Quay (Brisbane and Carlyle Streets north of Victoria Street)
- Contribution towards construction/upgrade of off-street car parking areas

From this, it is considered, that the works of the most tangible benefit for both the applicant and Council would be the upgrading of the streets leading to the Bluewater Quay as this significant project is close to completion at this stage. Having the applicant construct or contribute towards this work would allow the entry to this precinct to be standardised and provide a common standard to visualise the linkages into the precinct.

It is considered, that the streets that should be upgraded would be:

- Northern side of Victoria Street between Sydney Street and Carlyle Street
- Western side of Brisbane Street between River and Victoria Street
- Eastern side of Brisbane Street between Victoria Street and the southern boundary of Lot 1 on RP708720 (the footpath north of this boundary will be upgraded by the developer of the Leichhardt Hotel site).
- Western side of Carlyle Street between Victoria Street and River Street (up to the extent of footpath works for the Blue Water Quay).

If the applicant were to complete these works to a design approved by Council it would be considered to be their provision of community benefit.

Therefore, the applicant has three options by which to demonstrate a community benefit for the approval of the additional three stories of building height:

- Provide the 42 additional car parking spaces, or
- Provide a monetary contribution in lieu at \$40,000 per space, or
- Undertake footpath/streetscape works as nominated above.

A condition containing the three alternatives has been included in the recommended conditions. It is to be noted that this condition is integral to any approval issued for this application. That is, without the inclusion of this condition the recommendation for this application would not support the proposed development.

Engineering Assessment

The proposal has been referred to Development Assessment – Engineering section for assessment of the application. Conditions have been applied where required to ensure compliance with Councils' standards and guidelines.

Referral Agencies

Department of Natural Resources, Mines & Water were an Advice Agency for the original application. Their interest in the application was in relation to Acid Sulfate Soils. (Refer to Attachment "C" for details for their response).

Public Consultation

The Application was Code Assessable; therefore, public notification was not required.

Resource Implications

There are no resource implications with regard to this recommendation.

Consultation/Communication

The following internal and external departments and agencies have been consulted during the assessment process of this development application

Internal

- Water Services were consulted in relation to:
 - Requirements for connection into reticulated water and sewerage networks.
- Technical Services were consulted in relation to:
 - Future plans for street upgrades in the vicinity of Blue Water Quay.

External

- Applicant was consulted in relation to:
 - Community benefit and external footpath upgrade options.

Conclusion

The development proposed by the applicant does not comply with the Planning Scheme requirements in regards building height and site coverage. Despite these inconsistencies, it is considered that the application can be approved, as there are sufficient grounds to agree to the proposal subject to the developer providing a tangible community benefit to offset the increase building height/site coverage. Condition 2 of the recommendation is integral to the approval as it provides the basis for Council supporting this application. If this condition was not applied, the application could not be supported. It is considered that the development can be approved subject to reasonable and relevant conditions.

Director's Recommendation

- A. THAT Council approve the Material Change of Use for 50 Multiple Dwelling Units and Shop/s by M-Construct Pty Ltd on land at 44-52 Victoria Street and Eleventh Lane, Mackay, described as Lot 2 on SP192070 subject to the conditions as shown below:

1. Plan of Development

The approved 50 Multiple Dwelling Units and Shop/s (245m²) development must be completed and maintained generally in accordance with the Plan of Development (identified in the Table below) and supporting documentation which forms part of this application, except as otherwise specified by any condition of this approval.

Job Number	Drawing Number	Revision	Prepared by	Date
0615	A01	A	Chanine Design	November 2008
0615	A02	A	Chanine Design	November 2008
0615	A03	A	Chanine Design	November 2008
0615	A04	A	Chanine Design	November 2008
0615	A05	A	Chanine Design	November 2008
0615	A06	A	Chanine Design	November 2008
0615	A07	A	Chanine Design	November 2008
0615	A08	A	Chanine Design	November 2008
0615	A09	A	Chanine Design	November 2008
0615	A10	A	Chanine Design	November 2008
0615	A11	A	Chanine Design	November 2008
0615	A12	A	Chanine Design	November 2008
0615	A13	A	Chanine Design	November 2008

2. Building Height Discretion

The development approved in this Decision Notice exceeds the parameters for development within this zone and locality. Council has approved this application on the basis that this condition is included in the approval. This condition is integral to this approval. Without this condition being included in the Decision Notice, Council would not have agreed to the approval of this application.

The applicant must provide public car parking within the development site for a minimum of 42 car spaces, in accordance with the Public Parking Bonus Policy of the Mackay City Planning Scheme.

OR

The applicant must provide a monetary contribution to Council for the provision of off street public car parking within the City Centre Locality. The monetary contribution is to be based on \$40,000 per car space or \$1,680,000.

OR

The applicant must undertake footpath works to upgrade the footpaths nominated below to a standard acceptable to Council. The applicant is to provide footpath upgrading to the following streets:

- Victoria Street – northern side from Sydney Street to Carlyle Street
- Brisbane Street – western side from Victoria Street to River Street (up to the extent of footpath works for the Blue Water Quay) and eastern side from Victoria Street to the southern boundary of Lot 1 on RP708720
- Carlyle Street – western side between Victoria Street and River Street (up to the extent of footpath works for the Blue Water Quay)

The contribution is to be paid prior to the issue of the first Building Works Development Permit issued for the development or the nominated works are to be completed prior to the occupation of the building for the approved use.

3. Compliance with Conditions

All conditions must be complied with prior to the occupancy of the building for the approved use, unless specified in an individual condition.

4. Maintenance of Development

Maintain the approved development (including landscaping, carparking, driveways and other external spaces) in accordance with the approved drawing(s) and/or documents, and any relevant Council engineering or other approval required by the conditions.

5. Conflict between plans and written conditions

Where a discrepancy or conflict exists between the written condition(s) of the approval and the approved plans, the requirements of the written condition(s) will prevail.

6. Notice of Intention to Commence the Use

Prior to the commencement of the use on the site, written notice must be given to Council that the use (development and / or works) fully complies with the decision notice issued in respect of the use (please see attached notice for your completion).

7. Water and Sewerage Headworks

Headworks contributions for Water Supply and Sewerage Services must be paid in accordance with Council's Policy on Developer Contributions for Water Supply and Sewerage Services. Headworks will be applied based on an additional 44 ET's.

8. Parkland Contribution

A parkland contribution must be paid in accordance with the Council's Policy on Developer Contributions for Parkland. The parkland contribution will be applied based on an additional 123.2 EP's.

9. Transport Network Contributions

A transport network contribution must be paid in accordance with Council's Policy on Transport Network Contributions. The transport network contribution will be applied based on an additional 250 vehicle movements per day (vpd's).

10. Contributions Payment Timing

All contributions and charges must be paid prior to the date of issue of the Development Permit for Building Works at the rate applicable at the time of payment.

11. Concrete Footpath

A full width concrete footpath must be constructed for the full length of the Victoria Street frontage of the site. The footpaths shall be designed in accordance with Council's Standard Drawing A3-989.

12. Invert Crossing

An invert crossing must be constructed in accordance with Council's Standard Drawing No. PA3-773 and Council's TS05 Policy for access to Victoria Street.

13. Removal of Redundant Crossovers

Any existing vehicle crossings in Victoria Street that are made redundant by this development are to be removed and kerb and gutter continued across to match existing.

14. Linemarking of on-street Parking Bays

The on street parking bays affected by the development are to be relinemarked in accordance with the Queensland Government's Manual for Uniform Traffic Control Devices and match to existing parking bays.

15. Reconstruction of Eleventh Lane

The developer shall design and construct Eleventh Lane to a full width reinforced concrete roadway standard including underground stormwater drainage and speed control device at the eastern end of the lane.

16. Damage

Any damage which is caused to Council's infrastructure as a result of the proposed development must be repaired immediately.

17. Compliance with Council Standards

All design and construction for the development must be in accordance with Council's Policies, Engineering Design Guidelines, Standard drawings and standard specifications.

18. Acid Sulfate Soils

The proposed works and development trigger the application and implementation of SPP 2/02 Planning and Managing Development in Acid Sulphate Soils. A Site Based Acid Sulfate Soil Management Plan must be prepared by a suitably qualified professional and submitted to Council for approval at the time of submission of the Operational Works application.

19. Electricity and Telecommunications Services

The approved development must be provided with electricity and telecommunications infrastructure.

20. Stormwater Drainage

Stormwater from the site (including roofwater) shall be collected within the property boundaries and discharged via an underground system to Council's stormwater system. The stormwater discharge point is the existing underground stormwater system in Victoria Street and Carlyle Street.

21. Ponding and Diversion of Stormwater

Ponding of stormwater resulting from the development must not occur on adjacent sites and stormwater formerly flowing onto the site must not be diverted onto other sites. The site shall be graded so that it is free draining.

22. Site Based Stormwater Management Plan - Low risk

Council's Stormwater Quality Risk Classification has classified this development as Low Risk. Stormwater Quality Best Management Practices (SQBMP) must be developed and implemented in accordance with Mackay City Council's Engineering Design Guidelines – Soil and Water Quality Management – Planning Scheme Policy No. 15.07. Stormwater drainage runoff from all carparking areas shall be treated by fitting an approved pollution control system (Stormwater Quality Improvement Device) to prevent settleable solids, floatables, oils and greases from entering the Councils' drainage system. The pollution control system is to be installed within the property and maintained by the developer/occupants.

23. Underground Car parking – drainage

All stormwater entering the underground carparking area shall be collected and pumped to the existing underground stormwater drainage system in Victoria Street.

24. Connection to Sewer Services

The developer must provide a new 150mm dia sewer connection from the development connecting into the existing sewer manhole 7 in Victoria Street at the south east corner of the site. The connection into the manhole must be provided by an internal backdrop.

25. Connect to water services

The developer must provide two new water services, to cater for domestic demand and fire fighting requirements, from the existing 150mm dia water main on the southern side of Victoria Street. The minimum pipe size for domestic supply must be 100mm dia and 150mm dia for fire fighting.

Application must be made to Council for the installation of the water services and the appropriate sized meters. Sub-metering will also be required for this development. The meter and sub-meter must be fitted with a Council approved radio transmission system that supplies the data to a single reading point.

Provision must be in the design of the building to install the master meters above ground level within an accessible cabinet/location recessed no more than two metres from the front property boundary. The meters and data reading panel must be accessible to Mackay Regional Council readers at all times.

26. Direct Pumping from Mackay Water's Reticulation System

Pumping direct from Council water mains for portable or fire fighting supply is not permitted and internal holding tanks and booster pumps shall be installed.

27. Sewers Policy

All building work is to comply with Council's Policy MW02 – "Building Over and Adjacent to Sewers".

28. Live Connections

Mackay Regional Council Water Services is to carry out all water connection and live sewer work at the developer's expense and all works are to be designed by the applicant in accordance with Councils Engineering Design Guidelines.

29. Landscape Plan Required

A detailed site and footpath landscaping plan must be prepared by a qualified Landscape Designer and must be submitted with Operational Works Approval application. The plan must show for all areas identified on the approved plan of development the following:

- Landscape specification of sufficient detail so that landscape works are to be carried out;
- Plant schedule detailing number of plants, species, pot size and height at planting;
- Details of soil and mulch types, including depths, areas or turf, garden edges and paving finishes;
- The details of the irrigation system.

Any proposed landscaped works within Council's Road Reserve must comply with Planning Scheme Policy No.11 – Landscaping.

30. Maintenance for Landscaping within Road Reserve

All landscaping works undertaken within Council's Road Reserve must be maintained for a 12 month period. An inspection of the landscaping works will be undertaken at this time to determine if landscaping works are acceptable to Council. If the works are acceptable then the landscaping works are to be handed over to Council. If the landscape works completed is unsatisfactory then the maintenance period will be extended.

31. Completion of Landscaping

All of the landscaping works shown on the approved plan must be completed before the development is occupied.

32. Bicycle Storage Facilities

The developer shall provide end of trip cycling facilities such as bike lockers / secure racks in accordance with Austroads Part 14.

33. Secure Storage Facilities

The developer shall make provision for a secure storage area for each dwelling unit. Each unit shall be provided with a minimum of 6m³ of space that is set aside exclusively for storage. This space may form part of a garage or carport.

34. No Dual Key Units

This approval does not approve any potential multiple key dwelling units within the proposed unit configuration.

35. Awning over Footpaths

The developer must construct an awning over the footpath for the full length of the Victoria Street frontage of the site. The awning must be designed in accordance with Acceptable/Probable Solution S4 – Awnings Over Footpaths of the Retail & Commercial Code.

36. Minimum Car Parking Spaces

The car parking area must be constructed, sealed, linemarked and drained for a minimum of 75 car parking spaces for the residential component, 5 car parking spaces and 5 bicycle spaces for the commercial component and 8 car parking & 4 motorbike spaces for public car parking in accordance with the approved plan and maintained thereafter. The carparking classification is Class 1 for internal parking and is to be designed in accordance with Australian Standard AS/NZS2890.1 – 2004. All car parking spaces and aisle widths shall be accessible by B99 design vehicles. Car parking spaces located in a ‘tandem’ arrangement are both to be allocated to a single unit.

37. Protection of Landscape areas from Car parking

The landscaped areas adjoining the car parking area must be protected from vehicles by a 150 mm high vertical concrete kerb or similar obstruction

38. Vehicle manoeuvring

All car parking spaces must be designed to allow all vehicles to drive forwards both when entering and leaving the property.

39. Parking Signs

A sign/signs to the satisfaction of the Council must be provided directing drivers to the area(s) set aside for car parking and must be located and

maintained to the satisfaction of the Council. The area of each sign must not exceed 0.3 m².

40. Loading /unloading

The loading and unloading of vehicles and the delivery of goods to and from the premises must at all times be undertaken entirely within the site and be so conducted as to cause minimum interference with other vehicular traffic.

41. Use of Carparking areas

The areas set aside for parking, vehicle manoeuvring and loading and unloading, must not be used for the storage or placement of goods or materials.

42. Lighting of Car park areas

Install and maintain a suitable system of lighting to illuminate car parking areas. The car park lighting system and any other outdoor lighting, must comply with Australian Standard no. AS4282 – Control of the Obtrusive Effects of Outdoor lighting.

43. Public Car Parking Area

The public car parking provided on the ground floor of the development shall be operated in accordance with Section 12.6 (7) of Schedule 2 'Vehicle Parking, Access and Manoeuvring Standards of the IPA Compliant Planning Scheme.

The public parking spaces shall be appropriately signed to indicate their availability for parking by the general public. Further, signage shall be erected on the exterior of the building, fronting Victoria Street, to indicate the availability of public parking within the building.

Signage, both internal and external, shall be detailed in the application for Operational Works approval.

44. Floor Level – Multi storey building

The finished floor level for the lowest habitable level and the top of vehicular access ramp must be a minimum of RL 5.4m AHD.

45. Building Height

The building height must not exceed RL 35m AHD to the underside of the ceiling of the uppermost habitable room of the building. Structures located above the height of this height level shall be designed to comply with the Roof-Top Envelope – City Centre Locality.

46. General Amenity Provision

The use and or development must be managed so that the amenity of the area is not detrimentally affected, through the:

- a. Transport of materials, goods or commodities to or from the subject site.
- b. Appearance of any building, works or materials
- c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
- d. Presence of vermin

47. Advertising Sign Approval

No advertising sign nor advertising device must be erected without Council approval. A separate application to Council under Local Law 78 will be require to be made to seek approval of the signage/ advertising device.

48. No Nuisance to adjoining properties

All service equipment, lighting and air-conditioning units shall be located so as not to cause a nuisance to neighbouring properties.

49. Outdoor Storage

The outdoor storage of any equipment or material and any service area shall be aesthetically screened so as not to be visible from Victoria Street or Eleventh Lane.

50. Waste Collection

The developer is required to enter into an agreement with a Council certified waste collection contractor. This agreement must include the method for collecting both waste and recycling bins.

51. Waste Storage Area

The location and design of the waste storage area must be located so as not to cause a nuisance to neighbouring properties in accordance with the relevant provisions of the Environmental Protection Act and Regulations.

52. Food Licensing

Should food be prepared, handled and/or stored, be proposed to be stored on the premises, then the premises must conform to the "Food Hygiene Regulations 1989". A separate application for licence and registration must be made to the Council's Health & Regulatory Services Section and be given approval by that Department before the commencement of any building work.

B. THAT the applicant be provided with the following Assessment Managers Advice:

1. Hours of Work

It is the applicant/owner's responsibility to ensure compliance with Section 6W of the Environmental Protection Regulation 1998, which prohibits any construction, building and earthworks activities likely to cause nuisance noise (including the entry and departure of heavy vehicles) between the hours of 6:30pm and 6:30am from Monday to Saturday and at all times on Sundays or Public Holidays.

2. Dust Control

It is the applicant/owner's responsibility to ensure compliance with Part 2A – Environmental Nuisance of the Environmental Protection Regulation 1998 which prohibits unlawful environmental nuisance caused by dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks and construction.

3. Sedimentation Control

It is the applicant/owner's responsibility to ensure compliance with Section 32 of the Environmental Protection (Water) Policy 1997 to prevent soil erosion and contamination of the stormwater drainage system and waterways.

4. Noise during Construction and Noise in General

It is the applicant/owner's responsibility to ensure compliance with Section 6S General Emission Criteria and Section 6T Noise Emission Criteria of the Environmental Protection Regulation 1998.

5. General Safety of Public during Construction

It is the principal contractor's responsibility to ensure compliance with Section 31 of the Workplace Health and Safety Act 1995. Section 31(1)(c) states that the principal contractor is obliged on a construction workplace to ensure that work activities at the workplace are safe and without risk of injury or illness to members of the public at or near the workplace.

It is the responsibility of the person in control of the workplace to ensure compliance with Section 30 of the Workplace Health and Safety Act 1995. Section 31(1)(c) states that the person in control of the workplace is obliged to ensure there is appropriate, safe access to and from the workplace for persons other than the person's workers.

6. Contaminated Land

It is strictly the applicant/owner's responsibility to source information regarding contaminated land from the Environmental Protection Agency,

Contaminated Land Section as Council has not conducted detailed studies and does not hold detailed information pertaining to contaminated land.

7. Summary of Developer Contributions as at date of approval.

Note: Contributions paid at the time nominated in the relevant condition will be re-calculated at current applicable rate, at that time.

Infrastructure	Catchment	Number of Units/ET's/EP's/VPD	Total Calculated Amount	Total Amount Due
Water Supply	Mackay City	<u>Residential</u> 24 x 2 bedroom units @ 0.75ET/unit or 18ET, plus 26 x 3 bedroom units @ 1.0ET/unit or 26ET Total = 44 ET <u>Commercial</u> 245m ² GFA @ 1ET/200m ² GFA or 1.225 ET less credit for 400m ² GFA @ 1 ET/100m ² or 4 ET Total = Nil Combined Total = 44 ET	44 ET @ \$4,855/ET = \$213,620	\$213,620
Sewerage Supply	Mackay City	<u>Residential</u> 24 x 2 bedroom units @ 0.75ET/unit or 18ET, plus 26 x 3 bedroom units @ 1.0ET/unit or 26ET Total = 44 ET <u>Commercial</u> 245m ² GFA @ 1ET/200m ² GFA or 1.225 ET less credit for 400m ² GFA @ 1 ET/100m ² or 4 ET Total = Nil Combined Total = 44 ET	\$44 ET @ \$3,371/ET = \$148,324	\$148,324
Parks	Catchment 4 - City	<u>Residential</u> 24 x 2 bedroom units @ 2.1EP/unit or 50.4EP, plus 26 x 3 bedroom units @ 2.8EP/unit or 72.8 EP Total = 123.2 EP <u>Commercial</u> 245m ² GFA @ 25.2 EP/ha or 0.61 EP less credit for 400m ² GFA or 1EP Total = Nil Combined Total = 123.2 EP	\$123.2 EP @ \$1,235/EP = \$152,152	\$152,152
Transport Network	Whole of City	<u>Residential</u> 50 units @ 5vpd/unit Total = 250vpd <u>Commercial</u> 245m ² GFA @ 40vpd/100m ² GFA less credit for 400m ² GFA Total = Nil Combined Total = 250vpd	250vpd @ \$341/vpd = \$85,250	\$85,250

Council Resolution

THAT the Director's Recommendation be adopted.

Moved Cr Hatfield

Seconded Cr Cameron

CARRIED

8.2 MATERIAL CHANGE OF USE - HOMEMAKER CENTRE - LANDEL PTY LTD - HOLTS ROAD & MACKAY-BUCASIA ROAD, RICHMOND (118647-001-DA-2007-553)

Author MANAGER DEVELOPMENT ASSESSMENT - PLANNING

Purpose

To inform Council on the progress of sourcing additional information that was requested at the Ordinary meeting of 27th May 2009.

Background/Discussion

The Material Change of Use application was presented at the Ordinary meeting on 20th May 2009 and it was Deferred for a week.

The application was again presented to the Ordinary meeting on 27th May 2009, and it was Deferred in accordance with the following Resolution:

“THAT the matter be deferred to next week's Ordinary Meeting to seek further information.”

It has not been possible to obtain the additional information sought by the Council prior to the finalisation of this agenda.

Consultation and Communication

The following internal and external entities have been consulted during this Deferral Period of this application:

Internal

- Councillors

External

- Applicant

Resource Implications

Nil

Conclusion

As the additional information has not been obtainable prior to the finalisation of this agenda, it is recommended that the matter be laid on the table to enable time for the information to be obtained.

Director's Recommendation

THAT the matter lay on the table.

Council Resolution

THAT the Director's Recommendation be adopted.

Moved Cr Hatfield

Seconded Cr Casey

CARRIED

8.3 ENGINEERING SERVICES HIGHLIGHTS AND SIGNIFICANT ISSUES
MONTH ENDING APRIL 2009

Author DIRECTOR ENGINEERING SERVICES

Purpose

The Engineering Services Highlights and Significant Issues Report, month ending April 2009, is attached for information purposes.

Director's Recommendation

THAT the report be noted.

Council Resolution

THAT the Director's Recommendation be adopted.

Moved Cr Casey

Seconded Cr Steindl

CARRIED

8.4 SEAWALL CONTRIBUTION AND COSTS RECOVERY POLICY TS-06

File No Policies General

Author MANAGER TECHNICAL SERVICES

Purpose

To present to Council for consideration a modified policy in relation to coastal protection structures which amends the previous 'Seawall Contribution and Cost Recovery Policy'. The report recommends the adoption of the new policy which reflects more flexibility in the apportionment of costs.

Background/Discussion

As a result of significant erosion taking place at McEwens Beach over the past 15 or more years, and the impact of erosion of a number of other beaches along the coast, the previous Mackay City Council developed a policy by which all the costs of remedial works in the form of a rock wall would be the sole responsibility of the impacted or benefiting owners.

Since the adoption of policy TS-02 'Seawall Contribution and Costs Recovery Policy' Mackay City Council (MCC) now the Mackay Regional Council (MRC), the merits or otherwise of the requirements contained in the policy have been discussed. The current arrangement under the policy is that Council would insist on the recovery of costs for a constructed seawall being borne by the residents over a ten year maximum recovery period, or alternatively a twenty year period which would include provisions for recovery of interest at QTC rates.

More recently, and as a result of the overall cost of constructing the rock wall at McEwens Beach, and the inability of residents to bear the costs of all the works, discussion centred around the view that costs should be borne more equitably by the private landholder gaining benefit from the seawall's construction and each tier of government.

When opportunities exist to seek State and Federal government funding, or representation needs to be made to governments at a ministerial level to promote access to funding for this much needed initiative, it is important that Council's policy reflects the opportunity to apportion any available funding to the project.

As such, the modified draft policy is attached for consideration. It should also be noted that legal opinions have been sought in regard to the draft policy which have been included in the policy before Council for consideration.

The principle amendments to the policy include:

- Opportunity for the division of costs between State / Federal / Local Governments for Council initiated works protecting public infrastructure. Cost division to be determined on a case by case basis.
- Opportunity for the division of costs between State / Federal / Local Government and Landowners where Landowners gain benefit. Cost division and scheme beneficiaries to be determined on a case by case basis.

- Cost to Landowners to be recovered via special rate or charge over a period to be established by negotiation and included in the resolution establishing the special rate or charge.

Consultation

Council

Director of Engineering Services.

Resource Implications

Possible future Council contribution to Capital Works Projects in conjunction with resident contributions as well as State and Federal Government granting funding.

It should be noted that whilst McEwens Beach is one of the most critical areas impacted upon by erosion, particularly where the threat to private property exists, there are other areas which will be impacted upon by this policy and as such, Council may be subject to contributions in those areas in the future.

Conclusion

Recent discussions held in relation to the division of costs between benefiting property owners and other parties (i.e.: inclusive of Council) in relation to the creation of coastal erosion protection structures has reflected a change in approach to that previously reflected in MCC policy TS-02.

As such, the MRC Policy TS-06 has been modified to reflect legal opinions received and opportunities for cost apportionment between Landholders, Council and State / Federal Governments on a case by case basis depending on the scheme beneficiaries, availability of external funding and Council funding.

Director's Recommendation

THAT :

1. Council adopt Policy TS-06 'Coastal Erosion Protection Structures – Contribution and Cost Recovery Policy'.
2. Council continue to consult with State and Federal members to seek opportunities for grant funding for McEwens Beach restoration.
3. A meeting be convened with affected property owners at McEwens Beach in order to outline the change in policy.

Council Resolution

THAT :

1. Council adopt Policy TS-06 'Coastal Erosion Protection Structures – Contribution and Cost Recovery Policy' which replaces Policy TS-02 "Seawall Contribution and Cost Recovery Policy".
2. Council continue to consult with State and Federal members to seek opportunities for grant funding for McEwens Beach restoration.
3. A meeting be convened with affected property owners at McEwens Beach in order to outline the change in policy.

Moved Cr May**Seconded Cr Cameron****CARRIED**



ENGINEERING SERVICES POLICY – NUMBER TS 06

POLICY TITLE: COASTAL EROSION PROTECTION STRUCTURES - CONTRIBUTION AND COSTS RECOVERY POLICY

SUB-TITLE:

ADOPTED:

AMENDED:

REVOKES: MCC POLICY TS 02

1. OBJECTIVES

The objective of this policy is to establish the circumstances under which Council may be willing to act as lead agent for the design, construction and maintenance of coastal erosion protection devices.

Where Council elects to take this lead agency role, the policy outlines the cost sharing arrangements which will apply. It allows for Council to meet the initial cost of the works and to recover its expenditure via a special rate or charge.

Each specific case will be dealt with on its merits in terms of apportionment of costs and establishment of scheme beneficiaries.

2. BACKGROUND

Coastal strips are retained in public ownership in order to provide access to and from the water's edge and to provide buffer zones between housing or other infrastructure and the water line. Wider coastal strips may be developed as structured parkland to meet public demand for recreational facilities adjacent to the beach. The title of this land is generally "Esplanade", "Recreational Reserve" or "Unallocated State Land". However, in some cases the land may be owned by Council in freehold as a result of historic planning arrangements.

Mackay Regional Council administers and maintains a range of beaches and coastal strips within the municipality. Ultimate authority over these areas usually rests with the State through the Department of Environmental Resource Management (DERM). Establishment of structures on these areas is therefore subject to various State controls and DERM permits which are required prior to the construction or implementation of any erosion protection measures.

DERM generally views coastal erosion as a natural cyclical phenomena and has demonstrated a preference to allow nature to take its course or to utilise beach nourishment programs rather than constructing permanent structures to control erosion. Nevertheless, some infrastructure may be substantiated in exceptional circumstances to protect public infrastructure or private property.

3. HEAD OF POWER

Section 971 of the Local Government Act 1993 gives Council the authority to impose a special rate or charge.



To impose a lawful rate or charge under section 971 the following matters must be satisfied:

- a) Is the rate or charge for a service, facility or activity?
- b) Has the Local Government formed an opinion for the purposes of 971 (1)(b)?
- c) Has the Local Government identified the land to be benefited?
- d) Has the Local Government prepared an overall plan for the special rate or charge?

4. PROTECTION OF PUBLIC INFRASTRUCTURE

Foreshore erosion protection measures will only be utilised to protect essential constructed public infrastructure where it is both economic to do so and there is limited opportunity to relocate the infrastructure at risk. They will not be utilised merely to protect Council controlled esplanade or parkland areas as these exist in part, to provide a buffer to cyclical coastal movements. However it is provided that construction of coastal erosion protection may be undertaken in any instance where Council considers the protection of such an area as being overwhelmingly in the public interest.

Where Council elects to construct foreshore erosion protection measures to protect essential constructed infrastructure and in doing so also provides protection to private property, it will apply a special rate or charge to recover a contribution from the benefited landholders.

In general, it is proposed that the division of cost recovery associated with works of this nature would be established as follows:

- Works for public infrastructure protection and benefiting private landowners.

Costs shall be borne by Council, landowner and State / Federal Governments subject to sourcing available grant funds. Determination of contributions breakdown to be determined upon project initiation.

Costs to be recovered from private landowners shall be done so via a special rate or charge established under Section 971 of the Local Government Act 1993.

- Work for public infrastructure protection.

Costs shall be borne by Council together with possible grant funds sourced from State and Federal Governments.

- Works initiated by and benefiting private landowners

Costs shall be borne by Council and landowners with a determination of contributions breakdown to be assessed upon project initiation. Refer to Section 5.



For the purpose of this Policy, essential constructed infrastructure includes:

- a. Water mains and associated pumping infrastructure;
- b. Sewerage mains and associated pumping infrastructure;
- c. Roads which provide the only access to occupied properties.

Essential constructed infrastructure does not include:

- a. Public toilets;
- b. Playground equipment;
- c. Carparks.

For clarity, this section on protection of public infrastructure only applies where foreshore erosion protection measures are solely initiated by Council. Where construction is initiated by benefiting private landowners, Item 5, Private Infrastructure and Housing applies, regardless of the existence of public infrastructure.

5. PRIVATE INFRASTRUCTURE AND HOUSING

Coastal erosion affecting private infrastructure or housing predominantly occurs where privately owned land abuts coastal strips. That is, there is no roadway separating the private land from the water line.

In these cases, due to the private land separating the coastal strip from the roadway, public access is somewhat limited and it is unlikely that the Council controlled land will be used for significant structured parkland. The predominate purpose of these coastal strips is to provide some buffer between the water's edge and the privately owned land. Consequently, the primary beneficiary of protecting such coastal strips is the private landholders whose properties may be at risk. The onus therefore rests with the private landholder to take any necessary action within the confines of their property and government regulation to mitigate such risks.

Ultimately, individuals who elect to construct or purchase property which abuts coastal strips often do so in order to obtain the amenity associated with such locations. In making this choice they must accept the associated risk of coastal erosion. This is akin to the risk incurred by private landholders who elect to build on the side of a hill, in remote locations or adjacent to seasonal creeks or rivers.

Notwithstanding the benefit and onus resting with private landholders adjacent to coastal strips as outlined above, Council may assist with facilitating the construction of foreshore erosion protection measures to the benefit of multiple landowners. That is, where there are multiple individually owned properties at risk, Council may elect to assist by facilitating a single solution. This will only occur where the following conditions are met:

- (a) The involvement of Council in co-ordinating a number of private landowners to construct foreshore erosion protection measures will only occur if at least 75% of all affected landowners agree on the type and need for the proposed measures and are prepared to pay for a component of its design, construction and maintenance costs.
- (b) The construction of foreshore erosion protection measures is considered by Council, after consultation with DERM, as the preferred option.



- (c) The Engineering design of the foreshore erosion protection measures is practical to build and maintain.
- (d) Dependent on the type of foreshore protection instituted, significant ongoing maintenance costs may exist which may also be subject to costs recovery.

Where Council has agreed to facilitate the construction of foreshore erosion protection measures for the benefit of multiple private landholders, costs shall be recovered / borne based on the following:

- Costs shall be borne by Council, landowners together with the State and Federal Governments subject to the receipt of grant funding. Determination of contributions breakdown would be assessed upon project initiation.
- Costs to be recovered from private landowners shall be done so via a special rate or charge established under Section 971 of the Local Government Act 1993.
- The recovery of rates shall apply to all benefited landholders irrespective of whether they were part of the minority not supporting the project.

The cost to be recovered from private landowners will be recovered from all private property owners deriving special coastal protection on the basis of the proportion of coastal frontage that each ratepayer or occupier holds as against the total coastal frontage of all properties subject to the special rate or charge.

Council, as part of project initiation, will establish the special rate or charge on benefiting landowners or occupiers together with the period over which the special rate or charge shall be in place.

As part of the determination of the special rate or charge, future maintenance costs over the life of the asset shall be included in the assessment of annual costs to be recovered.

In determining the duration of the recovery period, Council will give consideration to:

- (a) The total cost of the project.
- (b) Construction material utilized and the anticipated life of the erosion protection measure.
- (c) The preference of the affected landholders.
- (d) Council's financial position.
- (e) Future required maintenance costs.

.....
P Franks
CHIEF EXECUTIVE OFFICER

9. CONSIDERATION OF COMMITTEE REPORTS:**9.1 RURAL AFFAIRS ADVISORY COMMITTEE REPORT**

Author Director Community Services

Purpose

Attached is a copy of the Rural Affairs Advisory Committee Report of 30 April 2009 for information purposes and consideration of recommendations by Council.

Advisory Committee's Recommendation

THAT Mackay Regional Council review the effectiveness of the booking system and management of the Seaforth Camping Reserve for better usage with the involvement of the community.

Director's Recommendation

THAT the report be received.

AND THAT the recommendation of the Rural Affairs Advisory Committee be adopted.

Council Resolution

THAT the Director's Recommendation be adopted.

Moved Cr Cameron

Seconded Cr Hatfield

CARRIED

9.2 MOBILITY AND ACCESS ADVISORY COMMITTEE REPORT

Author Manager Community Development & Libraries

Purpose

Attached is a copy of the Mobility and Access Advisory Committee report of 30 March 2009 for information purposes and consideration of recommendations by Council.

Advisory Committee's Recommendation

THAT a pathway link to connect the back of the Senior Citizens Hall to the existing pathway network in the Civic Centre Precinct be considered in future budget rounds.

Director's Comments

The recommendation of the Mobility and Access Advisory Committee is endorsed.

Director's Recommendation

THAT the report be received.

AND THAT the recommendation of the Mobility and Advisory Committee be adopted.

Council Resolution

THAT the Director's Recommendation be adopted.

Moved Cr Christensen

Seconded Cr Steindl

CARRIED

9.3 TRAFFIC ADVISORY COMMITTEE REPORT 24 APRIL 2009

File No TRAFFIC ADVISORY

Author MANAGER TECHNICAL SERVICES

Purpose

The Traffic Advisory Committee Report dated 24 April 2009 is attached for information purposes and consideration of recommendations by Council.

Director's Recommendation

THAT:

1. Traffic speeds and volumes in Dawson Street, Sarina be reviewed in March 2010 and a report on comparisons to previous results be presented to the Traffic Advisory Committee.
2. Council note that the intersection of Paradise Street and Graffunder Street meet the required intersection standards, and that the South West Mackay Neighbourhood Watch be advised of the outcomes of the investigation.

Council Resolution

THAT the Director's Recommendation be adopted.

Moved Cr May

Seconded Cr Casey

CARRIED

10. RECEIPT OF PETITIONS:

Nil.

11. TENDERS:**11.1 MRC 2009-047 EXPRESSIONS OF INTEREST - PANEL OF SUPPLIERS - FLOOD SATURATION**

File No MRC 2009-047 – FLOOD SATURATION

Author MANAGER MAINTENANCE

Purpose

To present to Council for consideration a list of contractors who have submitted expressions of interest for the provision of services to repair Council's road network as a result of the 2008 Flooding Event, and to recommend the appointment of contractors to a panel to be used as a basis for specific pricing of projects.

Background/Discussion

As a result of the 2008 flood damage, approximately \$33M of repairs (i.e:- saturation damage) are required to restore and upgrade the road network across the Mackay Region. Due to the time constraints applicable, as a condition of the NDRRA funding, it was identified that an acceptable approach would be to collate a Panel of suitably qualified Contractors to undertake these works.

The formation of the Panel would negate the requirement for each project to be individually tendered and only require quotations to be sought from members of the Panel. This approach ensures that the Purchasing Policy Procurement Principles of value for money and open and effective competition are applied.

As such, on 1 April 2009 Council resolved that:

Expressions of Interest be called from suitably qualified Contractors with the intention of creating a Panel of Suppliers, as per Section 487 of the Local Government Act 1993.

Tenders were invited on the 4 April 2009 via Council's website and advertised locally in the Daily Mercury, requesting submissions from Main Roads Prequalified contractors, in accordance with the Department of Main Roads, *Main Roads Project Delivery System*.

The following submissions were received by 2.30pm 28 April 2009.

1. Beach Building and Civil Group Pty Ltd
2. Bellerio Constructions (Qld) Pty Ltd
3. BMD Constructions Pty Ltd
4. Civdec

5. Civil Mining and Construction Pty Ltd
6. Downer EDI Works Pty Ltd
7. Epoca Constructions Pty Ltd
8. FKG Civil Contractors
9. Fulton Hogan Pty Ltd
10. Golding Contractors Pty Ltd
11. LDI Constructions (Qld) Pty Ltd
12. QH & M Birt Pty Ltd Civil Engineering Contractors
13. Probuild Civil (Qld) Pty Ltd
14. Roadtek (Department of Main Roads)
15. Shadforth's Civil Engineering Contractors Pty Ltd
16. Stabilised Pavement of Australia Pty Ltd
17. Vassallo Constructions Pty Ltd

The Evaluation Panel conducted an initial compliance check on the 13 May 2009 to identify submissions that were non-conforming with the immediate requirements of the Expressions of Interest. This relied solely on each contractor's status under the Main Roads *Major Works Prequalification System*.

Only one submission, QH & M Birt Pty Ltd Civil Engineering Contractors, did not conform due to not holding a Main Roads Prequalification status and was removed from the panel.

All other submissions assessed were deemed to hold the necessary prequalification to perform the works necessary under the panel arrangements.

Consultation and Communication

The evaluation of the tenders was conducted on the 13 May 2009 by:

Manager Procurement and Plant
Contracts Co-ordinator – Procurement and Plant
Special Project Engineer – Maintenance

Resource Implications

A budget of \$33M has been allocated to the flood damage repairs with funding being predominately from the Department of Local Government Sport and Recreation.

Conclusion

It is evident from the extensive list of qualified contractors that there is considerable interest in the works to be undertaken on behalf of the Council.

Each contractor listed for inclusion on the panel has been through an extensive process with Main Roads to ensure that they are prequalified.

Director's Recommendation

THAT the Tenderers listed, (in alphabetical order), be appointed to the Panel of Suppliers – Flood Saturation Damage Repairs (MRC 2009-047).

Beach Building and Civil Group Pty Ltd
Bellerio Constructions (Qld) Pty Ltd
BMD Constructions Pty Ltd
Civdec
Civil Mining and Construction Pty Ltd
Downer EDI Works Pty Ltd
Epoca Constructions Pty Ltd
FKG Civil Contractors
Fulton Hogan Pty Ltd
Golding Contractors Pty Ltd
LDI Constructions (Qld) Pty Ltd
Probuild Civil (Qld) Pty Ltd
Roadtek (Department of Main Roads)
Shadforths Civil Engineering Contractors Pty Ltd
Stabilised Pavement of Australia Pty Ltd
Vassallo Constructions Pty Ltd

Council Resolution

THAT the Director's Recommendation be adopted.

Moved Cr Casey

Seconded Cr Camilleri

CARRIED

12. CONSIDERATION OF NOTIFIED MOTIONS

Nil.

13. LATE BUSINESS:

13.1 LEAVE OF ABSENCE - CR KAREN MAY

THAT Cr May be granted leave of absence for the Meetings on 10 June 2009.

Moved Cr Casey

Seconded Cr Steindl

CARRIED

13.2 DIRECTOR DEVELOPMENT SERVICES

The Mayor welcomed to Mackay Regional Council Mr Peter Cardiff, Council's new Director Development Services.

14. PUBLIC PARTICIPATION:

Mr Rod Smith of Carlyle Gardens commented on the article in Saturday's Daily Mercury featuring Cr Thomsen and Mackay Regional Council's new recycling sticker initiative. He congratulated Council on this idea.

Mr Smith expressed his disappointment at the lack of cash deposit and plastic bag legislation in Queensland.

Mr Smith also commented on Council's choice of entertainer for the opening of the Convention Centre. He expressed his disappointment at Council's choice.

15. CONFIDENTIAL REPORTS:

Nil.

16. MEETING CLOSURE

The meeting closed at 10:28am.

17. FOR INFORMATION ONLY**17.1 DEVELOPMENT APPLICATION INFORMATION - 17.05.09 TO 23.05.09**

For Council Information Only – No Decision Required.

Development Applications Received

App No	Location	Applicant	Description
DA-2009-210	8 Peace Street, Paget	Place Designs	Warehouse and Office Space-Code
DA-2009-209	10 Turner Street, Mackay	Champion Engineers	8 Multiple Dwelling Units-Code
DA-2009-208	Norris Road Reserve, Andergrove	Mackay Gymnastics Incorporated	Sport and Recreation Facility
DA-2009-203	9 Katherine Court, Andergrove	Christopher C Barnes	Boundary Realignment
DA-2009-182	12 Coolum Court, Blacks Beach	The Planning Place	Dual Occupancy

DA-2009-204	18 Osprey Close, Slade Point	Justin Wharton	Oversized Shed
DA-2009-211	44 Kennys Road, Marian	Peter A Gibbon	Oversized Shed
DA-2009-200	L 21 Eimeo Road, Eimeo	Mark Nicholls Architect Pty Ltd	Steep Land Overlay
DA-2009-206	184 Shoal Point Road, Shoal Point	Kenneth J Ambrose	1 Lot into 2 Urban Residential Lots
DA-2009-183	L 7 Argents Road, Finch Hatton	James J Scriha	Boundary Realignment of 2 Lots
OW-2009-40	49 Michelmore Street, Paget	BMD Consulting Pty Ltd	Operational Works - 11 Lot Industrial Land Subdivision
DA-2009-201	27 Fatnowna Street, Andergrove	Totalspan Mackay	Oversized Shed
DA-2009-202	39 Stockbridge Street, West Mackay	Charles Camilleri	Flood & Inundation Overlay
DA-2009-207	42 Staytes Road, Marian	Peter J Town	4 Multiple Dwelling Units-Impact

Development Applications Finalised

<u>App No</u>	<u>Location</u>	<u>Applicant</u>	<u>Description</u>
<i>Approved Subject to Conditions</i>			
DA-2008-149	106 Alfred Street Mackay	Tradecorp Management Pty Ltd	Material Change of Use - Commercial Premises, Professional Offices (6 Storeys) and Catering Shop or Shop (under the Mackay Superseded Planning Scheme)
DA-2008-575	20 Woodlands Drive Eimeo	Dawson Surveying	1 lot into 7 Urban Residential lots and balance lot, a total of 8 Lots.
DA-2008-754	83-113 Farrellys Lane Paget	AG (CQ) Pty Ltd	Material Change of Use - General Industry

DA-2009-138	984 Yakapari-Habana Road Habana	Vincent E Cortis	Oversized Shed
DA-2009-155	48 Canberra Street North Mackay	Bruce Wilson Homes Pty Ltd	Flood & Inundation Overlay
DA-2009-160	21 Hart Street South Mackay	Ryan Donald	1 lot to create 2 Urban Residential lots
DA-2009-168	9 Dallas Court Beaconsfield	Vision Patios Pty Ltd	Carport with frontage of 7.5m
DA-2009-170	20 Prince Charles Avenue Seaforth	John J Formosa	Oversized Shed and setback variation
DA-2009-181	14-16 Oxley Crescent Erakala	Garage World	Oversized Shed and setback variation
DA-2009-24	L 13 Mackay-Habana Road Habana	Laurence G Bonaventura	Boundary Realignment of 2 Lots
OW-2009-36	58 George Street Mackay	Hart Investment Trust	Operational Works - 4-unit development comprising of a material change of use and subdivision into 4 standard format lots plus common property.
PTW-2009-2	85 Apsley Way Andergrove	Mackay Regional Council	Prescribed Tidal Work - McCready's Creek Boat Ramp (formalisation of ramp and construction of parking area)

Negotiated Decision

DA-2007-41	29 Evans Avenue North Mackay	T F Woollam & Son Pty Ltd	Commercial Premises, Retail Showroom, Shop and Catering Shop
DA-2008-476	11 Brake Street North Mackay	Anthony J Wallace	Reconfiguration of 1 lot to create 2 Urban Residential lots

Refused

DA- 2006- 168	L 44 Midge Point Road Midge Point	John Lyons	Material Change of Use and Reconfiguration of a Lot to create 103 Village lots and common property AND Material Change of Use for Environmentally Relevant Activity (ERA No 15(b))
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Extension of Currency Period

DA- 207-167	6 Beaton Street West Mackay	PJ Bazin	Community Title Dwelling House – Flood and Inundation
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Application Not Required

DA- 2009- 187	14 Juliet Street Mackay	St Vincent De Paul Society Queensland	Oversized Shed
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Confirmed on Wednesday 10 June 2009.

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MAYOR

**ENGINEERING SERVICES HIGHLIGHTS AND SIGNIFICANT ISSUES REPORT –
MONTH ENDING APRIL 2009**

Author **DIRECTOR ENGINEERING SERVICES**

Purpose

To review Engineering Services Department highlights and significant issues for the month ending April 2009.

Background and Discussion

Highlights and Significant Issues for period are as follows: -

▪ **Engineering Services Management**

Coordination of project meetings, briefings and reports on the following projects:

- On-site meetings with portfolio Councillors and residents on a range of issues.
- Attendance at sessions regarding the development of the DDA Action Plan
- Meeting with community representatives at Eton to review options for facilities at the Eton Reserve.
- Attendance at the LGAQ Infrastructure Symposium in Brisbane.

On-going involvement in the following areas:

- Asset Management Steering Committee, Mackay Water Recycling Project (ie: PCG and DAB), Rural Advisory Committee, Mackay Development Advisory Board.
- Regional Roads Group Meeting in Brisbane to discuss the changing role of RRG's across the state.
- Development of Departmental Budgets for 2009/10

▪ **Construction**

Works have been substantially completed on the following projects:

- Alfred / Macalister St roundabout
- Alfred St between Wellington and Macalister

The following projects are in progress:

- High Street reseal, Burges St to the top of the Cul de Sac.
- Cabbage Tree Rd drainage.
- Percy Court Retaining wall.
- Kenilworth St stormwater drainage, footpaths, kerb, landscaping, blister islands, and pavement rehabilitation.
- Blacks Beach Road Drainage (Bourke St) has commenced.
- Pugsley - Cameron Street Walkerston
- Palm Tree Creek Bridge approaches
- Stayts Road Footpath
- Sarina Primary School
- Archibald and Milton Streets intersection works

- Schmidtkes Drain near Connors Road
- Glendaragh Road
- Eton Hack and Pony Club
- Kennys Rd
- Armstrong Beach Rd
- Sarina Beach road
- Norris road stage 2

The following projects have been tendered:

- The Gregory Street Bus Shelter Project tender period has closed; tenders are being evaluated.
- Farleigh Habana Road has been awarded to Epoca Constructions.
- Rae St drain has been awarded to Epoca Constructions.
- Shoal Point Road has closed and is under consideration.
- River Street Extension past Canelands has been awarded to Camco Constructions.
- Iluka Park is currently out to tender

Special Projects:

Bluewater Quay

- A primer seal was placed on River Street and the intersection with Carlyle Street, Friday 24 April. Wet weather over Easter and the following week caused delays in this project and for the asphalt subcontractor.
- The intersection of Carlyle and River Streets is to be reopened Friday 8 May with boundary fences being removed back to the West of this intersection.
- Most of Stage 1 and 2 works will be completed by 25 May 2009, sufficient for the 'Sneak Preview' opening ceremony.
- Works on Brisbane Street/River Street adjacent to the Crown development could be held up and we are working together so construction activities related to the Crown development will not adversely affect the newly reconstructed River Street surface.
- Pedestrian access from Brisbane Street through to the western side of 25 River Street is closed to facilitate a much more efficient, safer and quicker process of getting the footpath works in this section completed by the 25 May. Pedestrian access from Carlyle Street to 25 River Street is to remain open. Closure period of pedestrian access would be approximately 3 weeks (reopened 25 May at the very latest) from Wednesday 29 April.
- Vehicle access to off-street parking at 25 River Street and through the Carlyle/River Street intersection was available in early May. Attendees agreed they could work around this closure, but reinforced the stipulation that the intersection would be reopened in early May. Most of Stage 1 and 2 works would be finalised on 25 May and access to their premises would be back to normal on this date at the latest.

New Paget Depot

- Fill is continuing to be placed and compacted and is nearing completion. Work is continuing on the conceptual design and the details of the design and construct contract.

▪ **Maintenance**

Customer Requests – 398 customer request actioned during April – 374 received – 4 * rating achieved.

Maintenance Grading in the following areas:

Calen – Mt. Jukes – Yalboroo – Finch Hatton – Seaforth – Mt. Ossa – Eungella Dam – Mirani – Crediton.

Shoulder Grading :

Pleystowe – Calen – Mt. Charlton – Walkerston – Farleigh – Belmunda – Eungella Dam – Dalrymple Road.

Flood Damage Repairs :

2007 flood damage Event. - All physical works have been completed for the 2007 event and final claims will be made before the end of May.

2008 Flood Damage Event - Expressions of Interest (EOI) have been called for suppliers to form two panels of suppliers one of Main Roads prequalified Contractors (Panel one) and one of non Main Roads Pre qualified Contractors (Panel two). Submission for the Main Roads Pre qualified contractors have been assessed and a recommendation is going to Council for the formation of Panel one. Once Council has approved packages of work can then be issued for tender to selected members of Panel one. We are currently in the process of assessing the tenderers for panel two. Once the Panels are formed packages of Saturation works will issued for pricing.

2009 Rain Event - Over 1000 sites have been identified for Saturation and Submergence for 2009. These are ready to be loaded into the flood damage database and the process of developing a dissected estimate for each site to include in our application can begin.

Mowing : Marian – Munburra – Balberra – Dunrock.

Patching : Balnagowan – Mandarana – Glenella – Sladepoint – Nebia / Conningsby – Mt. Pleasant – Dolphin Heads – Pleystowe – Homebush – Planelands – South Mackay – City – West Mackay – Walkerston – Victoria Plains – Devereux Creek – Kinchant Dam – Benholme.

Drainage Maintenance : Denman Avenue Outfall – Vassallo No 1 – Vassallo No 2 – Geisler's – Royal Sands – Hibiscus Pipe outlet – Bezzina Court – Spanagles – Geoffrey Thomas No 1 / 2 / 3 / 4 and 5. Pardoe Street – Bucasia Dump Road – Wallman's Road – Shepherd's No 1 / 2. Sir Griffith Way – Marzan's Court – Northern Beaches

Bridge Maintenance :

Boat Ramps : Constance Creek Boat Ramp pressure washed – 6 steps broken programmed for repairs. Murray's Creek and St. Helen's also pressure washed.

RMPC:

- Pothole patching – Mackay / Eungella – Marian / Eton – Mirani / Mt. Ossa – Koumala / Bolingbroke – Gargett / Mia Mia – Sarina Beach.
- Other Bituminous Works - Sarina / Marlborough – Sarina / Homebush – Mackay Bypass - Mackay / Eungella – Hay Point – Koumala / Bolingbroke – Gargett / Mia Mia – Sarina Beach – Bruce Highway South – Bruce Highway North – Peak Downs Highway – Rockleigh / North Mackay – Maraju / Yakapari.

- Formation Works – Shoulder Resheeting – Bruce Highway North – Sarina / Homebush.
- Slashing Rural – Bruce Highway South – Sarina / Marlborough – Sarina / Homebush - Rockleigh / North Mackay – Mirani / Mt. Ossa – Hay Point - Mt. Ossa / Seaforth – Mackay / Bucasia – Mackay Slade / Point – Koumala / Bolingbroke – Mackay / Habana – Sarina Beach – Yakapari / Habana – Bruce Highway North .
- Slashing Urban – Bruce Highway North – Bruce Highway South – Mackay / Bucasia – Mackay / Slade Point.
- Clearing Works – Sarina / Marlborough – Mackay / Eungella – Hay Point – Yakapari / Seaforth – Mackay / Slade Point – Sarina Beach – Bruce Highway South.
- Road Side Sweeping – Mackay Slade Point – Bruce Highway South – Bruce Highway North.
- Rest Area Servicing – Palm Tree Creek Rest area – Bruce Highway North
- Repair – Replace Signs - Mackay / Eungella Road – intersection Eungella and Wollingford Road. Eton – Homebush – Bruce Highway South various locations.

All maintenance staff have participated in training to implement the Drug and Alcohol policy – Engineers, Co-ordinators, supervisors, and leading hands registered to part take in further training in June.



Constance Creek Boat Ramp

▪ Technical Services

- Development and design process for saturation damage projects throughout Council area
- Development and design of projects within current capital works programme
- Preparation and lodgement of development applications in relation to CWP projects such as Sarina Beach Boat Ramp and Lagoon Creek Bridge
- Discussion with GHD and Service Providers regarding future road construction at Connors Road (Farrelly's to Archibald)
- Discussions with Consultants and developers involved regarding design works, infrastructure agreement and division of costs for Farrelly's Lane (Connors to Milton) reconstruction
- Discussions with DMR and Developer regarding Bruce Highway upgrade and Boundary Road West reconstruction and upgrading
- Briefing to Council regarding CCTV in the City Heart
- Discussions with Consultants and Bovis Lend Lease in regard to River street construction and realignment
- Concept development and detail design Caledonian Drive Stormwater Quality Improvement Device
- Attendance Land and Road Use & Traffic Advisory Committee meetings.

- Provision of reports to Council regarding Peatey Street Traffic Calming, Armstrong Beach/Miran Khan Intersection Reconstruction and Traffic Advisory committee
- **Parks and Environment**
 - 238 Customer Requests were received in April, with 231 attended.
 - The program has 6 vacant positions in the process of being filled.
 - 27,291.5 m2 of garden beds were serviced this month. Tasks involved weeding, mulching, pruning and pest and disease control.
 - 1,328,756 m2 of grass was mowed in Parks, 69,945 m2 in drains and 901,471 m2 in easements.
 - Technical Specifications and Tender documents were prepared for the supply and installation of shade sails for the Provision of Shade Grant. Documents were released and are currently in the tender phase. Planning and Quotations for the supply and installation of solid roofed shade structures have been completed and council orders issued to contractors for construction. Picnic shelter kits have been received and to date three of the eight kits have been installed.
 - Alsatia Park play equipment was dismantled, sandblasted and fully repainted. Shelters at the park were also painted.
 - 10 subdivision inspections were carried out with 3 subdivisions going On Maintenance and one coming Off Maintenance.



Haliday Bay Shelter



Brooksfield Park Shelter



Johnson Park Shelter



Alsatia Park Repaint

Mackay Regional Botanic Gardens

- **April 3** – Community planting and weeding bee at the Coastal Lowlands Gardens. Working in conjunction with the MRC Natural Environment team, volunteers from the Mackay Natural Environment Centre and school students from Beaconsfield State School, 15 garbage bags of weeds were removed and local native plants were planted.
- **April 4** – 14 members of the Gardens Friends and MRBG staff planted over 145 plants in the Sarina – Proserpine Garden and the new Ethnobotany – Medicinal Plants Garden. This is the first Garden to have its species list completely devised by the Horticultural Reference Group (HRG) that reformed in 2008.



Gardens Friends planting Bee – Medicinal Plants

Just over a week later, the Garden had 20 plants ripped out and thrown into the lagoon, including Palm Lilies, Swamp Lilies and a plant called 'Square-stemmed Broom' - an unusual and very slow growing plant – by vandals.

- **April 14** - Society due Growing Australian Plant (SGAP) planting bee cancelled due to rain and rescheduled for May 30.
- **April 21** - Presentation to Binbi Tok Olgeta about the Torres Strait Garden Activation Strategy with Cr Karen May. Binbi Tok Olgeta is an interagency group representing interest from the Aboriginal, Torres Strait Islands and South Sea Islands Communities and associated community programs. The Activation strategy aims to develop an ongoing working plan to create interpretative signage and carvings by the Torres Strait Community in 2009/10.
- **April 26** – Very popular Gardens display as part of the opening of the new Hospital Bridge. World Tai Chi and Qui Gong event held on the Tropical Sun Garden lawn was attended by almost 40 residents.

Throughout April:

- 166 local native plants added to the Botanic Gardens Living Collection by staff and volunteers. 100 plants donated to the Gardens by SGAP
- 7 weddings and 1 naming ceremony hired lawns for ceremonies in April
- Vandalism occurred to several sections of the Gardens - including the Living Collection in the Ethnobotanic Medicinal Plants Garden, Living Collection and infrastructure in the Australian Regional Flora Terraces and infrastructure in the PlayGarden. Approximate value of \$1000 in replacement of plants, fixing infrastructure, staff costs and oncosts.
- Visitors Services Program entertained during the school holidays with the new "Small Explorers" education program. All 3 sessions booked out in advance
- 159.5 hrs of Gardens Friends Volunteer work recorded in April.
- General Horticultural on site for the Gardens staff included 92 hrs of mowing, 62 hrs whipper snipping, 109 hrs of weed spraying, 86 hrs planting, 62 hrs pruning, 69 hrs mulching and 90 hrs infrastructure repairs and maintenance.

- All three species of water weed weevils have been released into the Lagoons for Water Lettuce, Water Hyacinth and Salvinia. Noticeable improvement has been evident in the reduction of Water lettuce, however spraying in sections not near the major release areas, will need to continue over the cooler months for Water Hyacinth in order to reduce the spread until next summer brings warmer conditions, which are more conducive to the activity of this species of weevil.

Consultation

There has been consultation with Engineering Services Program Managers.

Resource Implications

Nil.

Conclusion

The month of April allowed an opportunity to address issues such as the build up of customer requests and review the ongoing list of capital projects that have been advertised for Tender.

Director's Recommendation

THAT this report be received.

RURAL AFFAIRS ADVISORY COMMITTEE**THURSDAY 30 APRIL 2009 – 3.30PM****REPORT**

ATTENDANCE: Cr Wendy Cameron (Chair); Cr Deirdre Comerford; Cr George Christensen; Gerard Carlyon (Director Community Services); Stuart Holley (Director Engineering Services; Eunice Donovan (Community Development Officer); Joan Byers; Graham Townsend; Paul Tippet; Lesley Kane; John Peterson; Andrew Cappello; Janice Nelson; Lee Blackburn; Ann Hand; Charlie Symons; Andrew Gibbs & Ian Wright.

APOLOGIES: Amanda Vickers; Kerry Latter & Brett Leach

The meeting commenced at 3.35pm.

INTRODUCTION

Cr Wendy Cameron introduced to the Committee Gerard Carlyon. Gerard is the new Director of Community Services. In addition, a thank you was given to Andrew Gibbs and Ian Wright for attending the meeting to show their presentations.

1. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held 19 February 2009, having been previously circulated, were accepted.

2. MATTERS ARISING***In Focus* Distribution.**

Cr Wendy Cameron informed Committee that she received a list from Ken Furdek as to where *In Focus* is distributed. Cr Wendy Cameron has not had time available as yet to go to all the places listed to ensure that distributors of counter mail are including *In Focus* with the mail handout, but will try to do so in the near future. The recent issue did not have the Councillors scheduled visits listed, especially for Sarina or Mirani, it refers people to the Council website for dates.

Councillors' Visits

Two Councillors visit both Sarina and Mirani on a fortnightly basis to be available to the community. Visits take place between 9.00am – 12.00pm. The roster is listed on the MRC website informing which Councillors, the date of visit and where it will take place.

Letter to Main Roads

Stuart Holley informed Committee that a letter was sent to Ian Husband - Acting Director of Main Roads on the 30 March regarding the Future Ring Road and requesting consultation with affected Stakeholders.

Rural Safety Working Group

Cr Wendy Cameron informed the Committee that the first initial planning session of the Rural Safety Working Group gathered this morning (30 April). There were representatives from SES, Canegrowers, Child Safety, Rural Unit WH&S, Frank Frazer from SQE and three community members. This initial session was to see who would be included in the Working Group.

The main objective of the Group is to undertake preventative action in trying to cut down on rural injuries.

Debris in Creek

Stuart Holley informed Committee that contact has been made with Graeme Ware to find out the exact location of the creek (Finch Hatton Creek near intersection of Van Houweninges Road and Gorge Road, Finch Hatton). The problem is timber that has fallen from trees, and also the trees growing within the creek bed which is causing debris to build up in this area.

William Discher, the River Trust Foreman, is going to meet with Graeme Ware to inspect the area.

David McKendry has informed Stuart that there is a major issue presently with removal of trees. It is very difficult to get a tree clearing permit. In Finch Hatton Creek it is very unlikely that PRIT will support the removal of the trees because it is such a pristine environment.

3. RURAL ROADS SEALING POLICY

Information was presented.

Presentation given by Andrew Gibbs – Manager Maintenance

Unsealed Road Service Delivery Model.

This presentation focused on the:

- *Road Network Overview*
The Road Hierarchy Definitions and Road Classes were explained. These Road Classes determine how Maintenance assess the priority and different maintenance needs of an unsealed road.
- *Service Levels*
Roads are regularly inspected on set frequencies according to the Road Class.

A Visual Assessment of the Surface Condition is taken into account to measure how rough the running surface is as a result of common road defects such as corrugations, potholes, oversized material and looseness of gravel and its severity.

The Pavement Condition is assessed to determine the percentage length of gravel pavement maintained on the road, according to the road class, to ensure wet weather access and a smooth running surface.

Gravel loss is determined by traffic volume, material type and wet weather.

As the deterioration of a road is also directly related to the quality of the gravel material placed on the road, Maintenance have adopted best practice in this area by using gravel material standards.

A Visual Assessment of the Safety of the road is also undertaken and anything deemed High Risk is repaired within Council priority timeframes.

An overall assessment score is calculated for the road and a Report is generated by the Maintenance software system to determine the grading technique and the frequency of grading required, and whether gravel re-sheeting or patching is required to ensure the desired running surface condition.

- A questioned was raised concerning Cane Crushing Time and the extra usage, weight (20 tonnes) on roads.
Andrew Gibbs and Stuart Holley informed the Committee that Council have a good relationship with Canegrowers, and they inform when they are about to start carting and Maintenance will inspect the roads before and after carting has finished to carry out assessment of the road for maintenance.

Presentation by Ian Wright – Manager Construction.

Dust Suppressants Trial

This presentation provides the results of the dust suppressant trials undertaken from December 2006 to May 2007.

Seven rural roads were selected, particularly roads which had complaints about dust, Woodward's Road, Cox's Road, Orphanage Road, Hill Street, Riverside Drive, Barclays Road and Stott's Road.

Sections of these roads were assessed and then a dust suppressant (SDS-4, Polycom, Dustex, Geo.R.Bond) product was chosen to suit.

The dust depressant products were added to the water truck and applied to the road during the normal grading process, and then compacted.

Both the controlled and treated sections of the roads were airborne dust monitored on a monthly basis. Two dust monitoring tests were completed. Airborne dust after a car passes at 60 and 80 km/hr, and the total dust fallout.

Trial Results showed that Dust Suppressant product Dustex was the most advantageous, however results only seemed to last for three months.

The treatment costs seem to outweigh the length of time the results are maintained.

Ratepayers will have to consider whether it is worth the extra cost for a three month maximum result.

Currently the Council are not using dust suppressants unless in areas in the CBD until grass covers that area.

- Cr. Christensen asked Ian & Stuart what should he advise the residents when they ask 'why don't the Council seal the road?'
Ian informed that it is better when a grader can take out an imperfection with a grade. Once the road is sealed and the bitumen deteriorates, you get the problem of potholes and areas where the bitumen sinks and this causes a more costly problem to amend. Edges can also become a problem when a road is sealed.

- Joan Byers asked about Assistance Grants and whether some finance is going into roads. Kirsty Livermore is currently working on this issue. Maybe in the future Council may be able to receive a Government grant specifically for the maintenance of roads.

4. ROLE OF THE RAAC AND HOW WE CAN IMPROVE OUTCOMES.

Cr Deidre Comerford went through the *Terms of Reference* with the Committee Representatives.

- To provide a forum for the exchange of information on agricultural and rural issues and initiatives;
- To provide input as to how agricultural and rural issues can be strategically incorporated into Council's policies and plans;
- To advise and make recommendation to Council on issues and concerns of the Mackay region's agricultural industry, agricultural organizations, rural community groups and rural residents;
- To monitor Council programs and projects that bear directly on the rural area;
- To encourage public awareness and education of agricultural and rural issues.

Cr Deidre Comerford asked representation to review viewpoints and encouraged representatives to look hard at these and make an extra effort when it comes to strategic thinking.

Cr George Christensen suggested that perhaps a session for exchange of information be programmed to highlight issues and put them into action.

Cr Christensen also proposed that if three or more complaints arise about a particular subject, then it becomes an issue to be investigated. If 10 or more complaints arise about a similar subject, than a Policy should be introduced.

Council will need to be informed about issues in order to look to resources to obtain a suitable outcome.

Eunice Donovan informed the Committee that she is the Community Development Officer with responsibility for the North Region – Farleigh to Midge Point, but she can assist other areas.

Cr Wendy Cameron has started 'Meet and Greet' Sessions at Seaforth, Calen and Midge Point every 2 months between 9.00am – 12.00pm. Cr Wendy Cameron will also be attending a majority of these sessions and Eunice Donovan will be assisting.

Joan Byers informed Committee that she is having trouble getting in touch with people. Some of the issues are difficult to work with.

Action: Eunice Donovan and Joan Byers to liaise further regarding getting in touch with the community and 'Meet and Greet' scheduled sessions.

5. PROBLEMS REGARDING AFTER HOURS ENTRY – SEAFORTH CAMPING RESERVE.

The local store that does the bookings closes at 7.00pm and there is no entry into the reserve as swipe cards and bookings cannot be done after 7.00pm.

Charlie Symons informed the Committee that residents along the front and entrance of reserve are getting people knocking on their door after hours wanting to know how to gain entry.

It has been recognised that there are fewer people using the camping reserve because there is no after hours entry.

An idea has been mentioned previously that perhaps a pensioner should be hired to sit in a little booth and collect money for entry into the reserve.

Joan Byers agrees that someone should be set up out there on a minor scale, and also feels that that the camping reserve looks half closed down and perhaps that is another reason why there is not nearly enough people making use of the reserve.

Charlie Symons informed that there is a community perception that the Council is setting up the reserve to sell. Cr Christensen informed the Committee that this is not Council's intention.

Under Terms of Reference, it was agreed that it was appropriate for the RAAC to put forward a recommendation to Council:

THAT Mackay Regional Council review the effectiveness of the booking system and management of the Seaforth Camping Reserve for better usage with the involvement of the community.

Moved: Charlie Symons
Seconded: Joan Byers

CARRIED

6. SUNNY BOY CREEK BRIDGE

Paul Tippett informed Committee that there has been longstanding issues with Sonny Boy Creek Bridge.

Stuart Holley was informed by Andrew Gibbs, Manager Maintenance, that rehabilitation of the bridge was undertaken by RoadTek under contract by Council at a cost of \$56,000. Work involved girder replacement, pile and abutment strengthening, deck replacement with ply and asphalt surfacing.

Paul Tippet informed that the actual issue is that it is a single lane bridge and it needs to be made into two lanes for safety.

Action: Stuart Holley to report back to RAAC regarding the reconstruction of the bridge.

ROAD REFLECTORS – MAIN ROADS / NORTH ST / DALRYMPLE RD

Paul Tippet informed that the issue of North Street is the fog. Paul suggests that reflectors be placed on road to give drivers some indication of the road direction during times of heavy fog.

Dalrymple Road. Andrew Gibbs, Manager Maintenance, reported to Stuart Holley that centerline marking is scheduled to be undertaken, and consideration is being given to installing raised pavement markers.

Paul Tippet is hoping that strong consideration is given to Dalrymple Road for the raised pavement markers.

Main Road in Eungella. Andrew Gibbs, Manager Maintenance has reported that line marking and raised pavement markers exist on Eungella Road and Eungella Dam Road up to Broken River.

Action: Stuart Holley to review areas and consider / put into action the installation of reflectors on North Street and also pavement markers in Dalrymple Road and report back at the next RAAC.

WIND BREAK – TRANSFER WASTE STATION – EUNGELLA

The transfer waste station is reported to be a High Wind Area and Paul Tippet is suggesting that the area requires shelter to block wind.

Action: Issue is to be raised with Barry Omundson, Commercial Services, to seek approval of tree planting to break wind.

EUNGELLA PARKS / MOWING / ROAD SLASHING

Helen Paulsen, Manager Parks & Environment has reported that mowing at Eungella occurs on a 4-5 week schedule, weather permitting. Staff are currently out at Eungella mowing now (30 April).

Paul Tippet suggested that a local person should be contracted from Eungella to do the mowing. It would save MRC taking equipment up there.

Action: Stuart Holley to liaise with Helen Paulsen to check on the status of getting a contractor from Eungella involved to undertake mowing duties.

SUPPLY OF GRAVEL

There is a long history of Council not willing to sell gravel to the Community.

Action: Stuart Holley to investigate the public request to access gravel from Eungella Quarries and advise Committee at next meeting.

7. GENERAL BUSINESS

Joan Byers:

Kuttabal Waste Management Facility.

When looking from the north there are four big sheets of white material approx 2.5 metres high along with corrugated tin. This area needs to be visually better.

Joan has suggested that perhaps school children could undertake an art project and construct a mural along this wall.

Joan thought that an artist might have been sourced to come up with a design. Fiona Patterson, Environmental Waste Officer, may know details regarding this.

Action: Barry Omundson, Commercial Services, is to be informed of this concept and obtain his opinion about the possibilities of getting the local community / artists involved to undertake this artwork.

Cr Wendy Cameron to inform Joan of Barry's decision.**Speed Zone.**

Joan is concerned about an area on the Bruce Highway in North Mackay where it turns from 80kms into a 100km zone.

With the opening of the new bridge the area is busier with traffic and recommends that it stays an 80km zone until after Bald Hill Road. Currently it is dangerous for people turning onto the highway.

Action: Cr Cameron to liaise with Stuart Holley and discuss issue at next Traffic Advisory Committee Meeting and report back to Joan Byers.

Andrew Cappello:

Andrew asked the Committee about the status of Main Roads and the Walkerston Bypass.

Action: The status and future of the Walkerston Bypass to be raised with Main Roads at the next Traffic Advisory Committee. Cr Wendy Cameron to liaise with Stuart Holley and report back to RAAC.

Graham Townsend:**Hicks Road.**

Issue with Semi Trailer Trucks going down Heaths Road, turning into Windmill Crossing and up Hicks Road turning back onto Bruce Highway. Area is far too tight for large trucks to go through this area. As a result, road signs are being damaged and sometimes removed. There is also the issue of traffic in those streets having to give way to trucks until they proceed through the area as there is not enough room for both, especially when there are cars parked on the street also.

Graham would like a sign to be erected in that area stating 'No truck entry', or something to that affect.

Action: Issue to be discussed for opinion at next Traffic Advisory Committee and Cr Wendy Cameron to report back to Graham Townsend.

Cr George Christensen:

Discussion regarding Road Sealing presentations.

Cr Christensen feels that the presentations show the current status of the roads, but it does not solve anything. His belief is that it can only be improved through a qualitative survey/ consultation.

Cr Christensen has previously sent out Policies for road sealing from other Councils and is awaiting feedback from representatives.

Further consideration needs to be given to the intervention levels to determine whether they are of the same expectation from the public perspective. For example the roughness of a road travelled in a sedan differs to that of a 4x4 vehicle.

Action: Cr Christensen has invited representatives of the RAAC to send through their thoughts regarding the road situation after viewing the presentations in order to get a motion prepared.

RURAL AFFAIRS ADVISORY COMMITTEE

30 APRIL 2009

Next Meeting: Thursday 25 June 2009

Meeting Closed: 5.40pm
Recorded by: Sharyn Zoch
Executive Assistant Engineering Services.



**MOBILITY & ACCESS ADVISORY COMMITTEE
30 March 2009**

REPORT

ATTENDANCE: Cr George Christensen (Chair), Cr Karen May, Wayne Amos, Damien Brown, Barbara Best, Graeme Patterson, Cliff Andersen, Shirley Kelly, Jan Hansen and Betty Ward (for Margaret Franklin)

APOLOGIES: Jan Kilbourne, Dr Thomas Block, Alan Elliot, John Smith, Ann Jennings, Michelle Nichols, Peter Berardi, Kathy Winterburn, Sue Tyshing

OPEN FORUM

Open Forum commenced at 12.00 midday.

Karen Smith from Queensland Aged & Disability Advocacy Inc.
Karen provided information to members about her service.

Ken and Linda Frappell

Issue: The rate rebate for Woongabeena available historically through the ex Sarina Shire Council was not being duplicated through Mackay Regional Council.

Action: Cr Christensen and Cr May will follow this issue up with Cr Camilleri.

Issue: Pedestrian refuge on Sarina Beach Road in vicinity of IGA Complex is still considered unsafe despite Main Roads conducting a traffic count and advising residents that the traffic flow did not warrant installation of a pedestrian crossing.

Action: Matter to be referred to Traffic Advisory Committee.

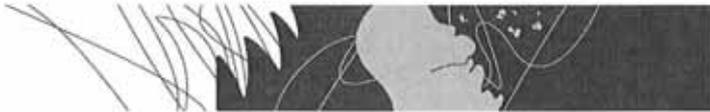
Ann Large

Issue: It was raised that the footpath was in need of an upgrade and that Lifeline bins created an obstruction that was difficult for people with mobility/sight disability to negotiate. At times, it becomes necessary to use the road in order to progress down East Street.

Action: Wayne Amos will inspect the footpath.
Wayne Amos will refer to Traffic Advisory Committee.

Marie Hopes

Issue: There is a large drain around Dick Shailor Drive in which water sits for long periods of time creating a potential health hazard.



Action: Cr May will inspect the area with Wayne Amos.

Issue: A Stop sign and a No Entry sign have been removed from the IGA complex parking area making movement of traffic less safe in this confined space. Wayne Amos advised that the owners had met the standards that are required as a minimum for this car park.

Action: Letter to be forwarded to owners of the complex naming the problem with regard to safety and duty of care.

Sue Farrell

Issue: Currently no line markings denoting the edges of concrete surfaces at both the IGA and Woolworths complexes. Some big drop offs are creating difficulties for aged people and those with mobility/sight disability.

Action: Letters to be forwarded to owners of both complexes detailing the problems that are being experienced and suggesting solutions.

Issue: The pedestrian crossing near the National Bank is very dark at night and, because it has been located near a corner, visibility for drivers cornering on to Broad St is limited.

Action: Letter to be forwarded to Main Roads advising on the need to consider the limited visibility available to drivers cornering left from Central St on to Broad St with regard to the location of the pedestrian crossing. Also advising on the need to replace light.

Issue: Pedestrian refuge at Brandon St/Range Road corner needs upgrading.

Action: Item to be referred to the Traffic Advisory Committee and any action reported at the next MAAC meeting.

Recommendation: THAT items from the Open Forum be actioned as stated.

Moved: Shirley Kelly

Seconded: Cliff Andersen

Carried.

It was agreed that feedback on actions taken be provided to Open Forum attendees.

Open Forum closed and MAAC meeting begun at 12.55pm.

1. MINUTES OF PREVIOUS MEETING

That minutes were a true and correct record.

Moved: Shirley Kelly

Seconded: Cliff Andersen



Carried.

MATTERS ARISING

2.1 Beach access via Starboard St

A site meeting has taken place on site to consider the best course of action. It was agreed that the existing sand ladder be replaced with the new recycled plastic product, slight modifications be made to the gradient (as permissible by the EPA), the bollard be removed and modifications be made to existing hand rails. Those present were advised that cost of the recycled plastic materials had been factored in for budget consideration.

These upgrades would provide a much higher standard of access for most people with mobility problems, however, the pathway could not be promoted as wheelchair accessible.

Action:

CDO to contact Manager Parks and Environment re the MAAC's support for this project and budget approval for cost of recyclable plastic slat materials.

2.2 Disability Awareness Raising in the Business Sector

Committee was informed about the possibilities which had been discussed to date at a sub committee level. Karen Smith (QADA) informed members about a 'Missed Business Project' she had been involved with in another area involving the Chamber of Commerce and photo examples of good access.

Action:

Karen Smith will find a copy of the document if possible and share details of the project at the next MAAC meeting.

Jan Hansen will research other project ideas.

2.3 Pedestrian Crossing Broad St, Sarina

A copy of a letter from Ted Malone MP, Member for Mirani was tabled advising of Main Road's agreement to the option of pedestrian crossing lights for the planned traffic lights at the intersection of Brewer's Road and the Bruce Highway opposite Sarina Leagues Club.

The need to ensure the pedestrian crossing lights were installed to allow for a flat surface for wheelchair users to park to activate the lights with buttons being at a suitable height for easy access.

Action:

A letter to be forwarded to Main Roads requesting these criteria be addressed as part of the installation process.

2.4 Brewer's Road Footpath, Sarina

Members were informed that this item had been marked for consideration in the 2009/10 budget round.



2.5 Fact Sheet on Entitlements for Blue & Red Parking Permit Holders

A draft fact sheet was distributed for comment. It was agreed that, apart from one colour change, the fact sheet was ready for distribution.

3. CORRESPONDENCE

Inward and Outward correspondence was tabled.

4. BUSINESS ARISING FROM CORRESPONDENCE

Nil

5. AGENDA ITEMS

Mobility Map Sub committee Report

A description of the format put forward by the sub committee was provided. Members were advised that a consultant had been employed to gather and collate information required.

Scooter Safety booklet

The Greater Bendigo Council has agreed to waiver copyright to allow the booklet to be printed locally and reflect local conditions. Members considered the booklet a valuable safety resource for scooter and electric wheelchair users. It was agreed to proceed with publication and distribution.

The lack of standards for scooter use was raised as a concern.

Action:

Traffic Coordinator will draft a letter around this issue. Letter to go to the next MAAC meeting for forwarding to Qld Transport as a catalyst for action to address this concern.

Update on development of Council's new DDA Action Plan

An update was provided as well as information on the scheduling of the remaining stages of the plan to be completed before finalization and presentation to Council.

Disability Action Week 2009

Details of the week (September 2009) were shared.

Action:

CDO will Email members to see if there is enough interest for a sub committee to be formed to consider an event/activity for this week.

6. GENERAL BUSINESS

6.1 Centre disability parking bay in Wood St between River and Victoria Sts



This item has been before MAAC before and the suggestion to relocate the bay to kerbside (cost \$11,000) was recommended previously by the committee. This recommendation has not been actioned.

Local Laws officers cannot police use of the bay because it does not comply, in particular with signage requirements, and the location does not permit required signage to be installed.

Action:

Matter to be deferred to 12 June MAAC meeting.

Information be obtained on locations of other disability parking bays in the area prior to next meeting date.

6.2 Line marking on disability bays

It was reported that line marking on a number of disability parking bays needed redoing including the bay outside the ex Sarina Shire Council building and the bay in the Hall car park. This bay also required signage to identify it as being a disability parking bay.

Action:

CDO will identify the specific bays and forward information to Wayne Amos so that relevant Council staff can be advised.

6.3 Access audit of commercial buildings

A member advised that she is undertaking such an audit and will advise the committee of her findings when the audit is completed.

6.3 Pathway link – Council Civic Precinct, Gordon Street

It was raised that there was a need for a pathway to link the back of the Senior Citizens Hall to the existing pathway network.

Recommendation:

THAT a pathway link to connect the back of the Senior Citizens Hall to the existing pathway network in the Civic Centre Precinct be considered in future budget rounds.

Moved: Barbara Best

Seconded: Shirley King

Carried.

6.4 Bench seat required between Sir Albert Abbott Administration Building front car park and front entrance to Council's Administration Building

Installing a bench seat as a rest station for elderly people and those with mobility problems has been suggested by a number of community members over a period of years.

Action:

Manager Parks and Environment to be advised of this need.

6.5 Obstruction of pram ramp denying path access – Council's front car park

It was reported that Council trucks working/offloading in the immediate vicinity, park in a location which obstructs access to the pram ramp.

**Action:**

Email notice to go out to all council staff and couriers re this matter.

Meeting ended 2.30pm.

DATE OF NEXT MEETING

Friday 12 June in the Reception Room, 1st Floor commencing at 11.30am.

TRAFFIC ADVISORY COMMITTEE MEETING**REPORT****ATTENDANCE:**

Cr. Karen May (Acting Chairperson), Cr. Wendy Cameron, Chris Herring and Chuck Perkins (Main Roads Department), Darren Blake and Tricia Johnston (Queensland Transport), Michael Cox (Mackay Police Traffic Branch), Dr R Cruickshank (Bicycle Mackay), Graeme Hawes (Manager Technical Services, Mackay Regional Council), John Toohey (Local Laws, Mackay Regional Council) and Wayne Amos (Traffic Co-ordinator, Mackay Regional Council)

The Meeting commenced at 10.37 am.

APOLOGIES:

An apology was tendered on behalf of Cr. Kevin Casey, Colin Goodsell (RACQ) and Dave Langham (Mackay Sugar).

1. REVIEW OF PREVIOUS REPORT

The Report of the Traffic Advisory Committee Meeting held on 20 February 2009 was perused by members.

2. MATTERS ARISING FROM PREVIOUS REPORTS**Swayneville School**

Main Roads reported complaints were still being received concerning the School Zone. The last survey revealed 60% compliance in one direction and 64% in the other. A suggestion had been made to change the times of the School Zone from 7.45 am to 8.45 am and 2.45 pm to 3.45 pm. This revealed a 64% compliance in one direction but rose to 72-75% in the other direction.

An alternative now under consideration is flashing amber lights on top of the school zone poles.

Cr Cameron mentioned complaints received of heavy trucks and speeding in the surrounding areas.

U-Turn Facility - City Gates

The Chair pointed out that, in relation to this issue, when the Report of the Traffic Advisory Committee Meeting held on 20 February 2009 was presented to Council, the recommendation of the Committee concerning this item had been amended to "That we request the Department of Main Roads to investigate the current U-turn facilities and report back to the Traffic Advisory Committee".

Main Roads advised the turn opposite the Motel would be closed. Hopefully the turn further south towards Boundary Road will be kept open. The U-turn at the traffic lights was still being looked at in that the Department was investigating and checking if there was sufficient room.

Action: Main Roads Department to present an update to the next Meeting of the Committee.

Taxi Zone – Relocation to Gordon Street

Wayne Amos reported he had received reports of this location still causing problems in that cars were parking in the taxi zone and if there was one vehicle parked the taxi driver had difficulty in getting into the rank because of its proximity to Brisbane Street and nearby traffic island.

Action: Josh Toohey to arrange for Local Laws to monitor the location.

Attendance by Bus Representative

Graeme Hawes reported that this had not yet been finalised as a new Operations Manager had not yet been appointed.

Action: Graeme Hawes to approach Mackay Transit Coaches regarding representation.

3. TRAFFIC ISSUES – DAWSON STREET, SARINA**Purpose**

Council has received some concerns in regard to perceived traffic volume increases in Dawson Street, Sarina as a result of the installation of traffic signals at the Broad Street/Anzac Street Intersection.

Background

Concerns were raised with staff regarding a perceived increase in traffic volumes utilising the Dawson Street area following installation of a signalised intersection at Anzac/Broad Streets in mid 2008.

As per the attached schedule of the order of a 30% increase in traffic (ADT) numbers has been experienced from September 2008 to August 2007 and a 67% increase from March 2009 to August 2007. While significant increases in % increase terms total ADT and peak hour volumes are still small (ADT 432) and are generally within expected traffic volumes of its functional hierarchy as an Access Street (750 vpd).

It would appear that some percentage of vehicles are using the road as a 'rat run' to bypass queues at the signals via Phillip Street or Johnson Street.

While traffic increases are being experienced, it is suggested that given volumes are not significant and excess speed does not appear to be an issue, the situation need not be addressed immediately and could be continued to be monitored.

Conclusion

Traffic assessments undertaken in Dawson Street, Sarina have indicated a significant (when compared to pre-existing volumes) increase in traffic numbers. However, given that total ADT is within that expected for an Access Street and that excess speed incidents do not appear to be an issue, it is recommended that no immediate action need to be instigated.

Ongoing monitoring is suggested at this stage and should the issue of diverted traffic and excess speed reach higher levels, that further consideration be given to instigating traffic calming measures.

Committee Comment

Graeme Hawes outlined the main issues of the report which recommended continued monitoring. Members discussed the increased traffic and the effect this would have on the road surface. Cr. Karen May queried the standard of the street in that the road shoulders were unsealed. Graeme Hawes outlined Council's shoulder sealing program advising quite a number of streets were due to have shoulders sealed.

Action: Graeme Hawes to investigate the possibility of shoulder sealing to be included within an early shoulder sealing program.

Committee Recommendation

THAT continued monitoring be undertaken but should the issue of diverted traffic and excess speed reach higher levels, further consideration be given to instigating traffic calming measures.

4. SIGHT DISTANCE – PARADISE STREET AND GRAFFUNDER STREET INTERSECTION

Purpose

To seek the opinion of the Committee regarding Council's investigation of the intersection sight distance for the Graffunder Street and Paradise Street intersection.

Background

Council has received concerns from South West Mackay Neighbourhood Watch dated 12 January 2009, regarding the availability of intersection sight distance at the Graffunder Street and Paradise Street intersection.

Council's Traffic and Investigations Co-ordinator sent an internal memo to the Manager Technical Services advising the outcome of an investigation dated 19 February 2009.

Council's Manager Technical Services sent an internal memo to the Director of Engineering Services forwarding the investigation findings dated 23 February 2009.

Council's Director of Engineering Services sent an internal memo requesting the investigation be reported to the Traffic Advisory Committee Meeting of 24 February 2009.

Discussion

Council Officers undertook an investigation of the intersection on 19 February 2009, measuring the available sight distance with a laser level at a height of 1.05 metres in accordance with *Austrroads Guide to Traffic Engineering Practice – Part 5: Intersections at Grade*. The results of the survey revealed a sight distance of 100 metres from the southern approach, and 129 metres from the northern approach of Paradise Street. The sight distance measured incorporated the effect of vehicles parked a distance of 10 metres from the intersection, according to the Road Rules for parking at and unsignalised intersection.

Attached is a drawing of the sight distances measured. Please note, the drawing is 2 dimensional and it appears that the lines of sight are blocked by parked cars, however this does not reflect actual on-site observations where the lines of sight were clear.

The minimum recommended sight distance for an intersection according to *Austrroads Guide to Traffic Engineering Practice – Part 5: Intersections at Grade, is Approach Sight Distance (ASD)*. The ASD for an intersection with a 60 km/h speed limit is 63 metres. The minimum standard for intersection sight distance is Safe Intersection Sight Distance (SISD). The SISD for an intersection with a 60 km/h speed limit is 113 metres.

The current sight distances for the intersection of Paradise Street and Graffunder Street are appropriate and comply with the *Austroads Guide to Traffic Engineering Practice – Part 5: Intersections at Grade*.

A search of Queensland Transport's Road Crash Database over the past 5 years between 2004 - 2009 has revealed no recorded crashes. While this does not mean that road crashes will not occur at this location, it does indicate that the current treatment of the intersection has not contributed to accidents. The exposure based Crash Rate for the Paradise Street and Graffunder Street intersection is low (Based upon a comparison of 47 intersections within Mackay Regional Council including the top 20 crash zones over the last 5 year period) See attachment.

The current treatment of the intersection of Paradise Street and Graffunder Street is appropriate and meets current design standards for sight distance. While it is acknowledged that motorists will have difficulty entering the intersection due to the traffic volumes of Paradise Street (ADT 11 330 vpd, August 2007), this does not affect the availability of sight distance or warrant changes to the intersection.

Resource Implications

Nil.

Committee Comment

Graeme Hawes advised that this issue was originally raised by Stuart Holley with a request that an investigation be undertaken.

Wayne Amos outlined the finer points of the sight distance investigation and indicated that all required standards had been met. After some discussion it was agreed that no further action need be taken.

Committee Recommendation

THAT the Traffic Advisory Committee support the findings of the investigation and a response be sent to the South West Mackay Neighbourhood Watch advising the outcome of the investigation.

5. GENERAL BUSINESS

Parking Broadsound Road

Chuck Perkins queried the jurisdiction of Council's Local Laws Officers. Josh Toohey reported Local Laws Officers monitored in the old Mackay City Council area under Local Laws but basically the heavy traffic areas in the CBD.

Chuck Perkins reported that whilst 'No Stopping' signs were erected on Broadsound Road south of the Carwash, motorists were still parking there in contravention of the erected signage and requested Council monitor the situation. The Police had also been requested to likewise monitor the area. Wayne Amos advised he could also be involved in such monitoring.

Action: Local Laws Officers, Mackay Police Traffic Branch and the Traffic Co-ordinator to monitor this area on Broadsound Road.

Request for Pedestrian Crossing in the vicinity of Eungella School

Cr Cameron outlined a request from the Eungella Community for a pedestrian crossing for school children who have to cross the road to the School, after alighting from the School Bus. Chuck Perkins advised the volume of children attending the School would not meet the warrants for a pedestrian crossing.

During discussion, Members discussed the possibility of a supervised crossing and possible creation of a drop off area. It was pointed out it was thought that there were sufficient drop off areas on both sides of the roadway already available in the vicinity of the School.

Action: Main Roads to investigate and report back to the next Meeting of the Committee.

Action: Queensland Transport to carry out an assessment to see if it meets requirements for a supervised crossing.

Weigands Road/Peak Downs Highway/Alexandria Road

Chuck Perkins raised concerns expressed by the parents of school children who are dropped off at the bus shelter in the afternoons near Weigands Road and who then need to cross the Peak Downs Highway in the afternoon to access Alexandria Road. The children find it difficult to cross the Peak Downs Highway and have to cross half the street and wait in the middle of the road for a break in traffic to complete the crossing. The Peak Downs Highway is 90 kph at this location. The parents had requested a refuge on the Peak Downs Highway.

During discussion, Main Roads pointed out it would be impossible to install a refuge at this location to meet the needs of a very small number of children.

Action: Main Roads to carry out a speed survey before mid-June to reveal at what speeds motorists are passing through this 90 kph zone.

Bicycle Plan

Dr Cruickshank queried the progress of the Bicycle Plan as discussed at the last Committee Meeting.

Graeme Hawes advised he had not been able to get a suitable standard plan out of the consultant and that he would be approaching him again. The aim was to acquire a plan to a suitable standard to present to the Committee at the next Meeting.

Action: Graeme Hawes to again approach the Consultant for an upgraded Bicycle Plan to be to a suitable standard for presentation at the next Meeting.

Bicycle Parking Racks in CBD

Dr Cruickshank queried bicycle parking racks in and around the CBD. He made mention of the Cool Mango in Victoria Street which was looking for a bike rack to be installed.

Graeme Hawes advised that 14 different bicycle racks had been established in the last 12 month period. He further advised that a plan could be provided showing the location of all bike racks presently in the CBD. He would also approach Planning for any proposed locations for bike racks.

Action: Graeme Hawes to approach the Planning Department and then liaise with Dr Cruickshank in this regard.

Upgrade of City Gates Intersection as part of Highway Works

The issue of truck parking was raised as a result of installation of second lane roundabout in Archibald Street which would be required to service the intersection and which would

remove the present truck parking. It was agreed an alternative location for truck parking was needed.

Action: Main Roads to investigate this issue.

Upgrade Works Mackay Regional Council Area

By way of information, Graeme Hawes made mention of approximately 80 overall damage repair projects which will be shortly carried out in and around town as well as in rural areas and approximately 50 reconstruction type projects. These works were to be contracted out to a panel of providers to carry out.

In view of the fact that these works, Council's own upgrade works and Main Roads projects were all being carried out almost simultaneously, it was pointed out that co-ordination between Council and Main Roads would be a necessity, especially in regards to traffic issues.

Upcoming works commence in the CBD on 15 May 2009.

Palmer Street/Grendon Street Intersection

Members discussed the difficulty for pedestrians endeavouring to cross at this intersection safely. This is a problem area. Council and Main Roads have had discussions on possible treatments.

Action: Place on Agenda for the next Traffic Advisory Committee Meeting.

Painting of Bike Lanes on Major Roads

Cr Wendy Cameron raised the issue of painting the bike lanes on major roads at intersections with green paint to bring awareness to motorists of the presence of cyclists, particularly Nebo Road at the Ron Camm Bridge exit. This location was proving to be quite dangerous for cyclists approaching from the north.

During discussions, Graeme Hawes pointed out the costs (expensive) and ongoing maintenance required. Main Roads advised it would have dedicated funds in the next financial year but would want to address bike lane connectivity issues first.

Wayne Amos pointed out that consistency is required and that the Bike Plan should be established in the first instance. The previous Bike Plan in 1999 was done on a full consultation basis. The upgrade will be subject to full consultation with public and bicycle groups input. The focus would be in addressing the missing links around the City and surrounds within the available funding. The Bicycle Plan will encompass new development areas and the need for connectivity within those areas. Within the Planning Scheme, connectivity will become a condition.

Norris Road Crossing – 60 kmh Zone

Members were advised Council is re-investigating the crossing for options because of difficulties raised by Queensland Transport Supervisors.

Action: A Report is to be presented back to the Traffic Advisory Committee.

6. NEXT MEETING

The next Meeting will be held on Friday 26 June 2009 at 10.30 am.

The Meeting closed at 11.25 am.

RECORDED BY: GRAEME HAWES (Manager Technical Services)

APPENDIX / ATTACHMENTS