

PLANNING AND ENVIRONMENT COMMITTEE 9 NOVEMBER 2011	5
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LOCATION OF SITE OFFICES (AND ANCILLARY FACILITIES) FOR THE CAIRNS BASE HOSPITAL REDEVELOPMENT (CBHR) LAKE STREET, CAIRNS- DIVISION 5/7 BOUNDARY.

Lachlan Rankine : 8/20/1: #3369108

RECOMMENDATION:

That the residents who have contacted Council with respect to this matter be advised that Council resolves to support the existing Local Law 22 Approval given for the siting of two (2) demountable buildings within the road shoulder, adjacent to Hospital Block E (Carpark/Oncology), Lake Street and will request the AbiGroup to undertake the following additional works:

- Replace the current orange/yellow temporary traffic barriers, with concrete lane dividers, to maximise safety and minimise the visual impact of these safety requirements.
- Line mark and park signage to all accesses in the immediate vicinity of the works, to prevent illegal parking. Ongoing patrols will occur to ensure these regulations are adhered to.
- Although previously certified to be in accordance with the Department of Main Roads Manual of Uniform Traffic Control Devices, further engagement with the certifier will occur to optimise, where possible, the current Traffic Management Plan. In addition, it will be further requested that the certifier specifically consider any safety concerns associated with the access to Best Western Hotel, immediately North of the Traffic Management Zone.
- Screen planting to occur to the Northern and Southern ends of the transportable buildings to minimise the visual impact to the surrounding properties.
- Any advertising signage obscured by the proposed site offices or traffic management devices will be relocated to an appropriate position where possible and replaced on a “like for like” basis if no relocation alternative exists.

INTRODUCTION:

On 20 February 2011, the Managing Contractor for the Cairns Base Hospital Redevelopment (CBHR) made a local Law 22 – Works on Roads Application for the full pavement upgrade of Lake and Grove Street to the extent of the hospital property frontage.

An Application to amend the submitted drawings was made on 28 February 2011. These drawings were marked up to include an alternative site office location should the application to locate the offices within the Esplanade car park not proceed.

The Application proposed to locate two (2) single story site buildings (1 6.0m x 3.0m & 1 12.0m x 6.0m) within the road reserve of Lake Street, adjacent to newly completed Hospital Block E (Car Park/Oncology). The office complex houses representatives of Queensland Health and Project Services (Queensland Government) and is required to accommodate up to twelve (12) persons (as required by Queensland Health as part of the project brief). To minimise building requirements, it was chosen to utilise 1 x 12.0m x 6.0m rather than 3 x 12.0m x 3.0m offices.

An Approval for the above proposal was issued on 6 June 2011 (Attached as Appendix A).

BACKGROUND:

The Cairns Base Hospital (CBH) is currently undertaking an extensive redevelopment and refurbishment of the existing hospital site, to provide an additional 168 beds (overnight and same day beds) by the end of 2014, bringing the total to 531 beds.

Additional health facilities include:

- An ambulatory cancer care centre with new radiation oncology service;
- Additional cardiac care facilities;
- Additional surgical capacity including day surgery;
- Expanded intensive care capacity;
- Expanded birthing services, paediatric special care unit and a new low risk birth centre;
- Additional aged care and rehabilitation services;
- Additional beds for mental health services; and
- New pathology facilities.

On completion of the above, the facility will provide a greatly improved health care service for the Cairns community.

The Applicant has been appointed by the Queensland Government to complete the construction of the new Block D and the refurbishment of blocks A, B, C and the Mental Health Unit.

Building plans and project staging plans are attached as Appendix B. The current site office facilities were located within the future building footprint, and as such, were required to be relocated.

During the planning phase four (4) alternative site office locations were considered prior to the Lake Street site being selected. The alternative locations are discussed in detail below.

COUNCIL'S INVOLVEMENT AND JURISTITION

The temporary site offices are considered ancillary to the hospital redevelopment project. Ministerial Designation has been received for this project and as such, the Assessment Manager is the State Government.

The concept of locating site offices on Council administered land was first discussed with Council in March 2011, where the Applicant sought to locate the offices within the Esplanade car park. This location was shut down due to safety concerns raised by Emergency Management Queensland helicopter pilots in relation to strong air turbulence generated from helicopter blades during approach to the landing zone.

This proposal was also not supported at officer level, and subsequently was voted against at the Finance and Administration Committee of the 16 March 2011.

REVIEW OF PROPOSED LOCATIONS

A number of other sites (in addition to the Lake St and Esplanade sites) were considered during the planning phase for this project. In total four (4) possible site locations were considered. These sites are identified on the map attached as Appendix C.

1. Internal to Hospital Site - (Esplanade Frontage) (Previous Site office Location/Current Equipment Site and Storage Facilities)

Although site and storage facilities are currently occupying this portion of the site, these will be relocated to the adjoining reserve frontage (subject to road closure) to allow the construction of the expanded emergency department. Additional infrastructure and facilities required for the construction of the hospital site will also be located here. It is expected that these facilities will be subjected to consistently high traffic from construction personnel. This location was chosen over site 4 for construction equipment as it avoided unnecessary road crossings.

2. Esplanade Car Park Site (Shut down in June 2009 by QES due to concerns with helicopter wash)

A Proposal by ABIGroup to locate offices here was not supported at officer level and subsequently voted against at Council meeting (Finance and Administration Committee – 16 March 2011). The report and minutes are attached as Appendix D.

3. Previous location of site offices and ancillary facilities used for the construction of the newly completed Car park (Block E) – Lake St West (Approved Location).

Commentary from within the above mentioned Council report suggested that ABIGroup seek existing vacant tenancies in the vicinity in which to locate the staff required for the Cairns Base Hospital Redevelopment. Subsequent to this suggestion, ABIGroup made arrangements to occupy the newly completed offices on the Ground Floor of the car park Building (Block E). These offices were the only suitable alternative (with the provision of two (2) additional transportable buildings) that met the space and proximity requirements set by the project management team appointed by the State Government. The offices are to be occupied by representatives of Queensland Health and Project Services.

It is further noted, as the location was the most centralised relative to the other site nodes, it reduced personnel movements within the areas of the site subjected to traffic (both public and construction). This was highly desirable as it reduces the risk of accidents on site. Further to this, it sited the offices next to a suitable facility (car park), rather than further inconveniencing any adjoining businesses/residences.

4. Hospital Site Lake St Frontage (Approved Location)

This site was chosen as the best location for the site offices for construction foremen, subcontractor offices and other trade personnel, as it was in closer proximity to the construction site than site 3. Site offices were required to be located on a gantry with the footpath running underneath, as the building footprint terminates at the property boundary.

Photographs of the approved site are attached as Appendix E.

SITES FURTHER IDENTIFIED BY CONCERNED RESIDENTS ON THE SITE VISIT OF THE 13 OCTOBER 2011.

Following complaints from residents of the Best Western Hotel regarding the location of site offices, Council officers attended the site and met with residents to discuss their alternative proposal. Residents suggested the following site locations. Council officers conducted a detailed review and found the suggested sites to be inappropriate for the following reasons.

5. Grove Street Frontage of Car park

This site was considered, however later excluded as the land available would not be able to contain all site offices required to be sited on the road verge (additional buildings would be required to be sited to the Lake Street Frontage (Site 4). It is further noted the land was required for the construction of the aerobridge between the car park (Block E) and the Main Hospital Building and the full depth upgrade of Grove Street. This would require the relocation of the offices multiple times during construction.

Further concern was raised with the interaction between patients utilising the Oncology Unit (Block E) and the siting of construction offices abutting those facilities.

6. Eastern Side of Lake St – Opposite Side of the road to Best Western Hotel.

This site is located between 40 – 100 meters North from the Hospital Site. Space exists within the road reserve in the abovementioned area; however future plans for the Lake Street upgrade identify a Channelised Left Hand Turn to be constructed for a portion of the identified site. As a result, this would require the relocation of the offices multiple times during construction.

It is further noted that this would require traffic management treatments to two (2) existing property accesses for the duration of construction, and would further extend the development footprint and associated traffic management measures (i.e. Traffic barriers etc.) and further impact the residential amenity of the adjoining unit complexes.

7. Esplanade Road Reserve/CBD-Aeroglen Cycleway

As this land is considered to be part of site 2 and subject to the earlier Council resolution, no further consideration has been given.

8. Emergency Car park (On-Call Doctor Car park).

This site is not considered appropriate given the critical role On-Call Doctors play in the operation of the Emergency Department. It is further understood that during times of peak traffic, Ambulances utilise this area to “ramp”.

9. Esplanade Service Road (Existing Site Office Locations - Within Road Reserve - subject to permanent road closure)

Site facilities currently occupy this portion of the site; these will be moved in the future to allow the construction of the expanded emergency department. As such, any siting here would require the relocation of the offices multiple times during construction.

COMMENT:

Whilst every effort is made to minimise inconvenience to the general public, it is understood a project of this magnitude will have some effects external to its property boundary.

The site(s) approved are considered to be the most appropriate and the contractors have worked with Council to actively seek to minimise any adverse effects. It is noted that the alternative sites considered did not offer any comparative advantage against those chosen.

To improve the current situation for residents at the adjoining Best Western Hotel, the following works are scheduled to occur:-

- Replacement of the current orange/yellow temporary traffic barriers, with concrete lane dividers, to maximise safety and minimise the visual impact of these safety requirements.
- Line marking and parking signage to all accesses in the immediate vicinity of the works, to prevent illegal parking. Ongoing patrols will occur to ensure these regulations are adhered to.
- Although previously certified to be in accordance with the Department of Main Roads Manual of Uniform Traffic Control Devices, Further engagement with the certifying party will occur to optimise, where possible, the current Traffic Management Plan. In addition, It will be further requested of the certifying party to specifically consider any safety concerns associated with the access to Best Western Hotel, immediately North of the Traffic Management Zone.
- Screen planting to occur to the Northern and Southern ends of the transportable buildings to minimise the visual impact to the surrounding properties.
- Any advertising signage obscured by the proposed site offices or traffic management devices will be relocated to an appropriate position where possible and replaced on a “like for like” basis if no relocation alternative exists.

To date, Council Officers (and the managing contractor) have met on site with the complainants to discuss mitigation/additional works (offered by the applicant) to improve amenity, however these solutions were not to the satisfaction of the complainant.

CONSIDERATIONS:

Corporate and Operational Plans:

This report was prepared in accordance with Corporate Plan Goal 6 – Striving for Organisational Excellence.

Land Tenure and Associated Development Control

As discussed above, the CBHR site in its entirety is not required to comply with local planning/construction instruments as the development is considered to be exempt development (under Schedule 3, Part 2, Table 1 of the Sustainable Planning Regulations 2009 – Building Work by the State or Public Sector Entity). As such, local regulations (i.e. CairnsPlan 2009/FNQROC Development Manual et al) do not apply. Ministerial Designation to this effect has also been received by Cairns Regional Council.

Council only has jurisdiction in so far as the effects on our existing infrastructure networks. To date, Council has regulated works within the road reserve using one of our Local Laws (Local Law 22-Works on Roads). It is noted however, that although the road reserve in which the site offices are approved to be located is “in trust” to the local government, it ultimately remains property of the State Government. To that effect, should the Minister (or an appropriate delegate) advise that the site is suitable; “Council has no recourse in which to overturn the decision.

Financial and Risk:

Currently Council is receiving complaints, primarily from the adjoining property to the North (and it's strata title owners/occupiers) regarding the location of the offices, and the safety/traffic hazard they (and the traffic calming devices) pose. The traffic management plan currently in place has been certified by suitably qualified traffic management staff and reviewed by both the consulting engineer and further endorsed by traffic engineers within the Infrastructure Management department.

The appointed contractor has advised that they will be seeking recovery of costs from Council associated with relocation of this site should it be required.

OPTIONS:

1. That Council rescinds the current approval for the location of the site offices, and further liaises with the principal contractor on relocation costs.
2. That Council notes this report and resolves to support the Local Law 22 Approval given for the siting of two (2) demountable buildings within the road shoulder, adjacent to Hospital Block E (Carpark/Oncology), Lake Street

CONCLUSION:

That Council support the recommendation in this report as alternative site office locations are considered unsuitable as they pose additional risk to site employees and additional cost for the relocation of demountable buildings.

ATTACHMENTS:

Aerial photo



Lachlan Rankine
Development Engineer, Development Assessment

Kelly Reaston
Development Assessment Manager

Peter Tabulo
General Manager Planning and Environment

APPENDIX A



ENQUIRIES: Lachlan Rankine
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FAX: (07) 4044 3898
OUR REF: 81107 (#3191888)

6 June 2011

ABI Group Contractors Pty Ltd
 PO Box 1118
 CAIRNS NORTH QLD 4870

Dear Sir/Madam

CAIRNS BASE HOSPITAL REDEVELOPMENT
DRAWING APPROVAL

With reference to your email dated 28/02/2011, please find attached the following drawings that have been conditionally approved:

Drawing Description	No.	Rev.
General Arrangement – Sheet 1 of 1 <i>(Marked up – To include location of the temporary site office)</i>	533488-CI-EW-0530	2 <i>(Mark up)</i>

It is noted, on completion of site works, the site office is to be removed and the verge/kerb etc is to be reinstated.

Should you require further information or assistance, please contact Lachlan Rankine of Council's Development Assessment Team on telephone number (07) 4044 3253.

Yours faithfully

Kelly Reaston
Manager Development Assessment

Cc: Garry Campbell, Development Engineering
 Neil Whittaker, Water and Waste

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APPENDIX B

PROJECT STAGING

The overall redevelopment project will be staged in order to maintain full operational capability of the current hospital services and allow the expanded services to be logically brought on line.

The following programme illustrates the proposed sequence of the separate stages of construction.

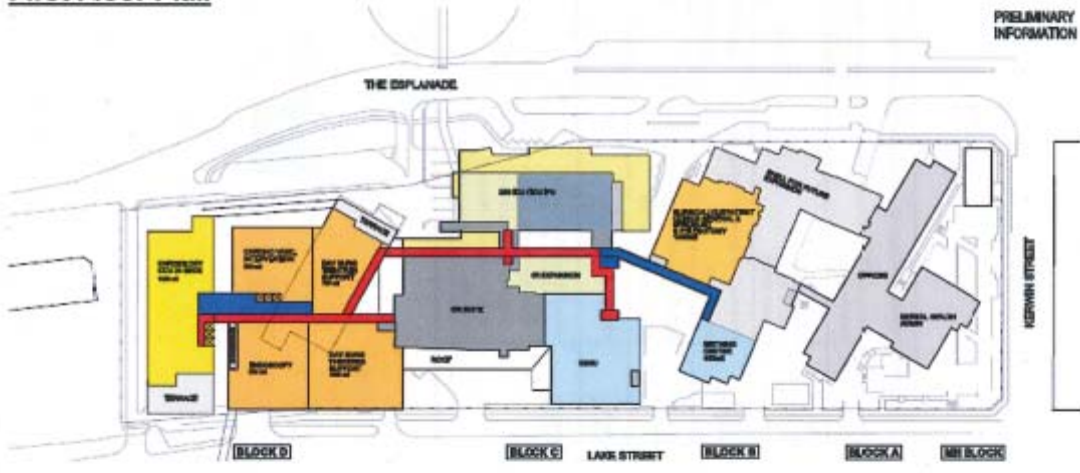
Calms Base Hospital Redevelopment - Construction Staging - Preliminary Programme Summary		May 03											
Unscheduled Phases	Project Milestones	03/05	04/05	05/05	06/05	07/05	08/05	09/05	10/05	11/05	12/05	01/06	02/06
Carma North Development (all CRH Sites)	Enabling Works Core Works 1 Core Works 2												
Phase 1 CRH Sites	Emergency Dept Expansion and Upgrade MRB Expansion												
Phase 2 CRH Sites	Block E - Cancer Care & Car Park Structure Block E - Hi-ost Cancer Care												
Phase 3 CRH Sites	Block D												
Phase 4 CRH Sites	Blocks A, B & C - Rehabilitation Riverview Block E (Cath - Therapy) Riverview Block E (N - OSN) & (K) (NHS) Riverview Block C (N - OT & ICU Cath) Riverview Block A (N & E) (L1 - Health Hub) Riverview Block D - Emergency (CRH WH RW) Riverview Block B (NHS) (L2 & Terrace)												



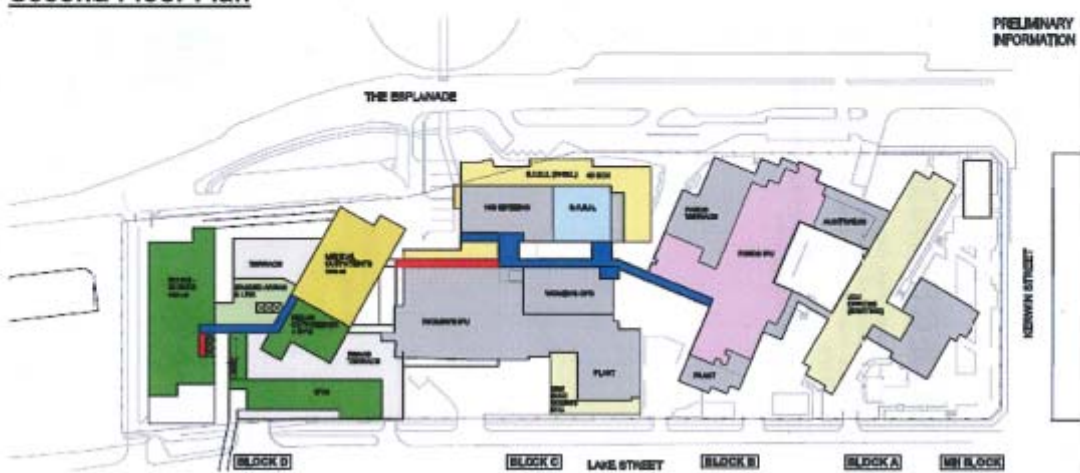
Ground Floor Plan



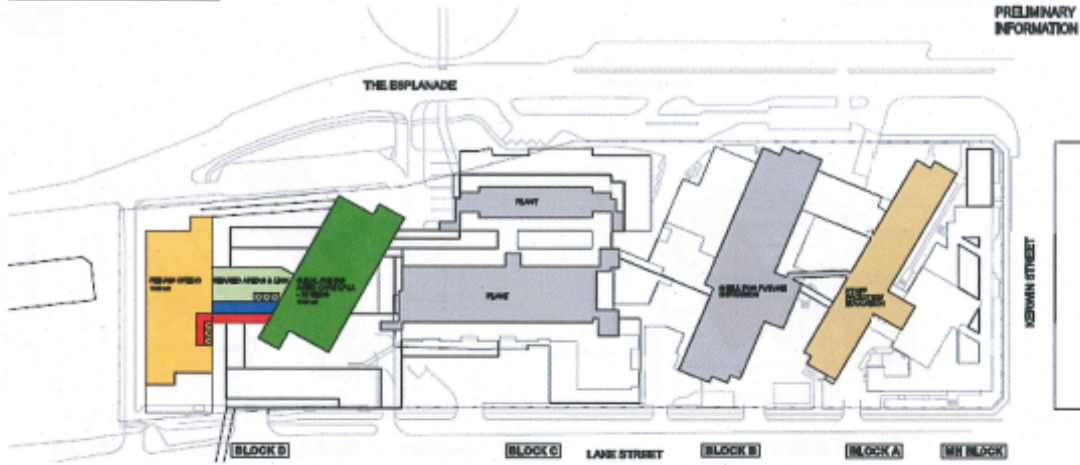
First Floor Plan



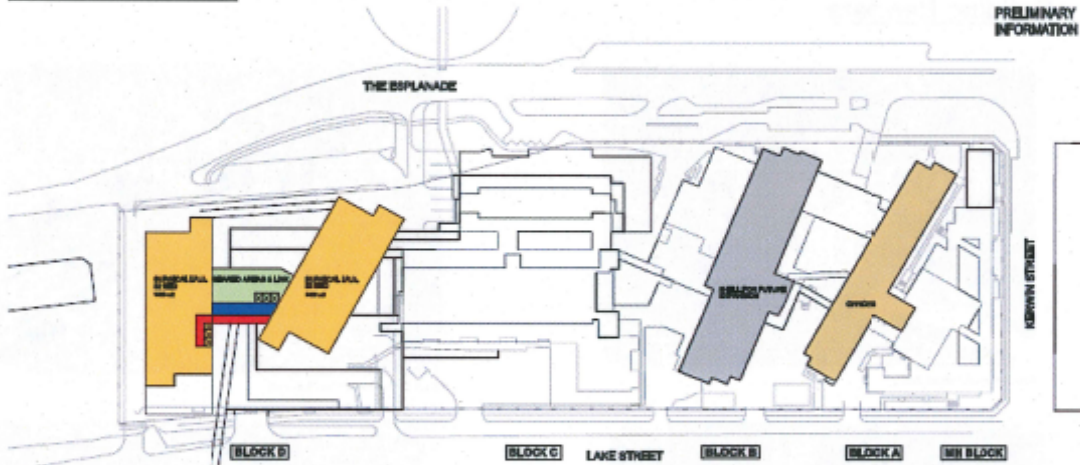
Second Floor Plan



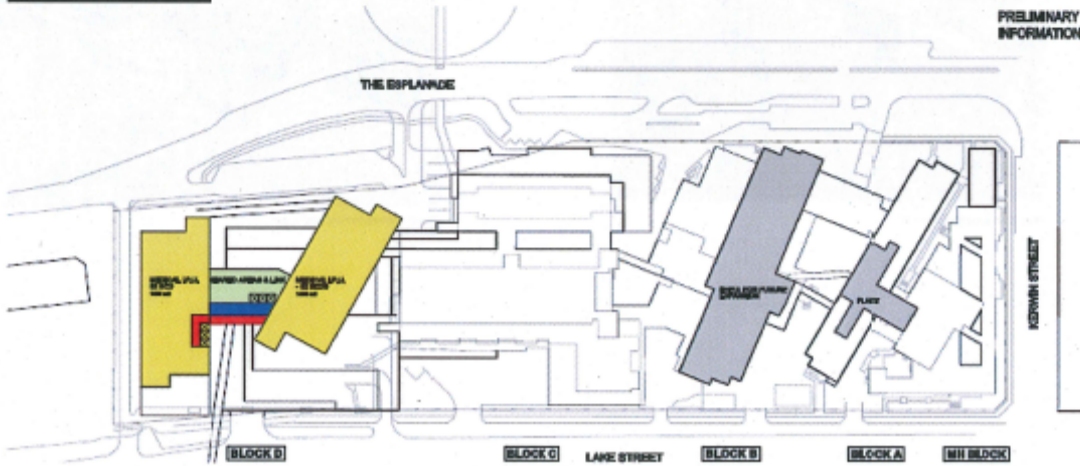
Third Floor Plan



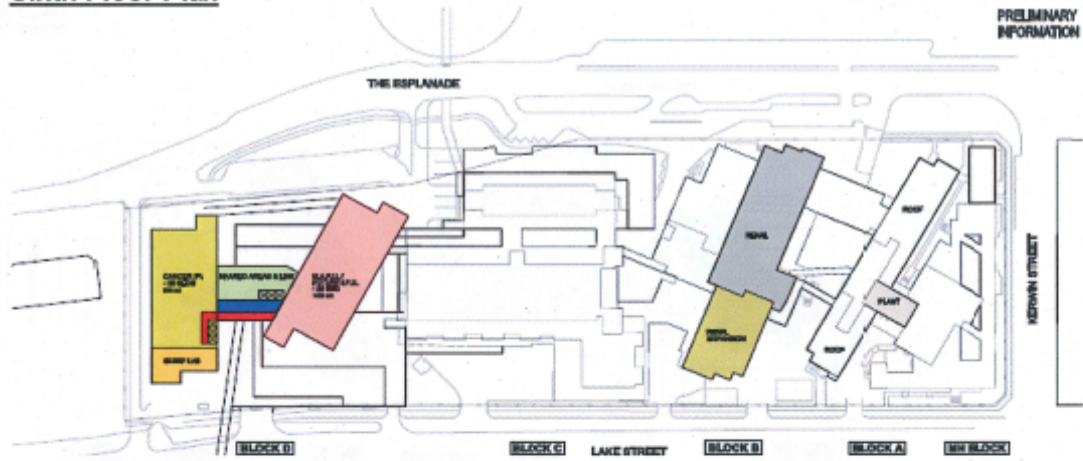
Fourth Floor Plan



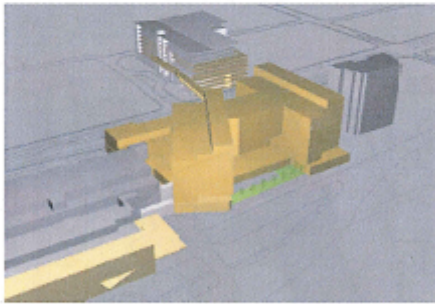
Fifth Floor Plan



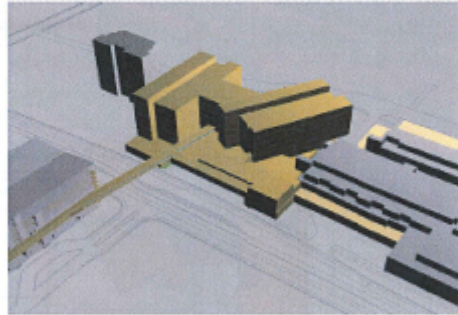
Sixth Floor Plan



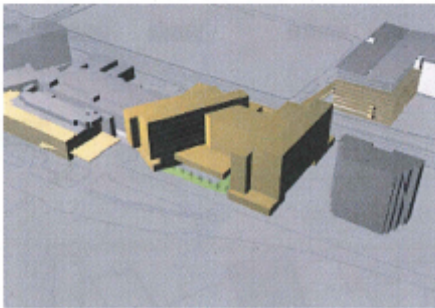
Building Renders



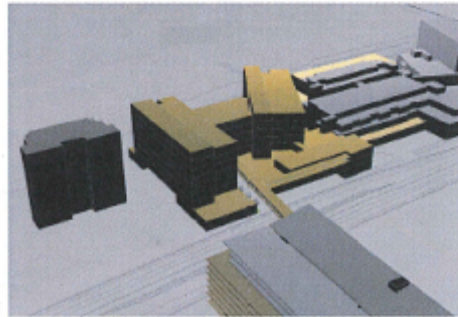
Block D - viewed from the East



Block D - viewed from the South West

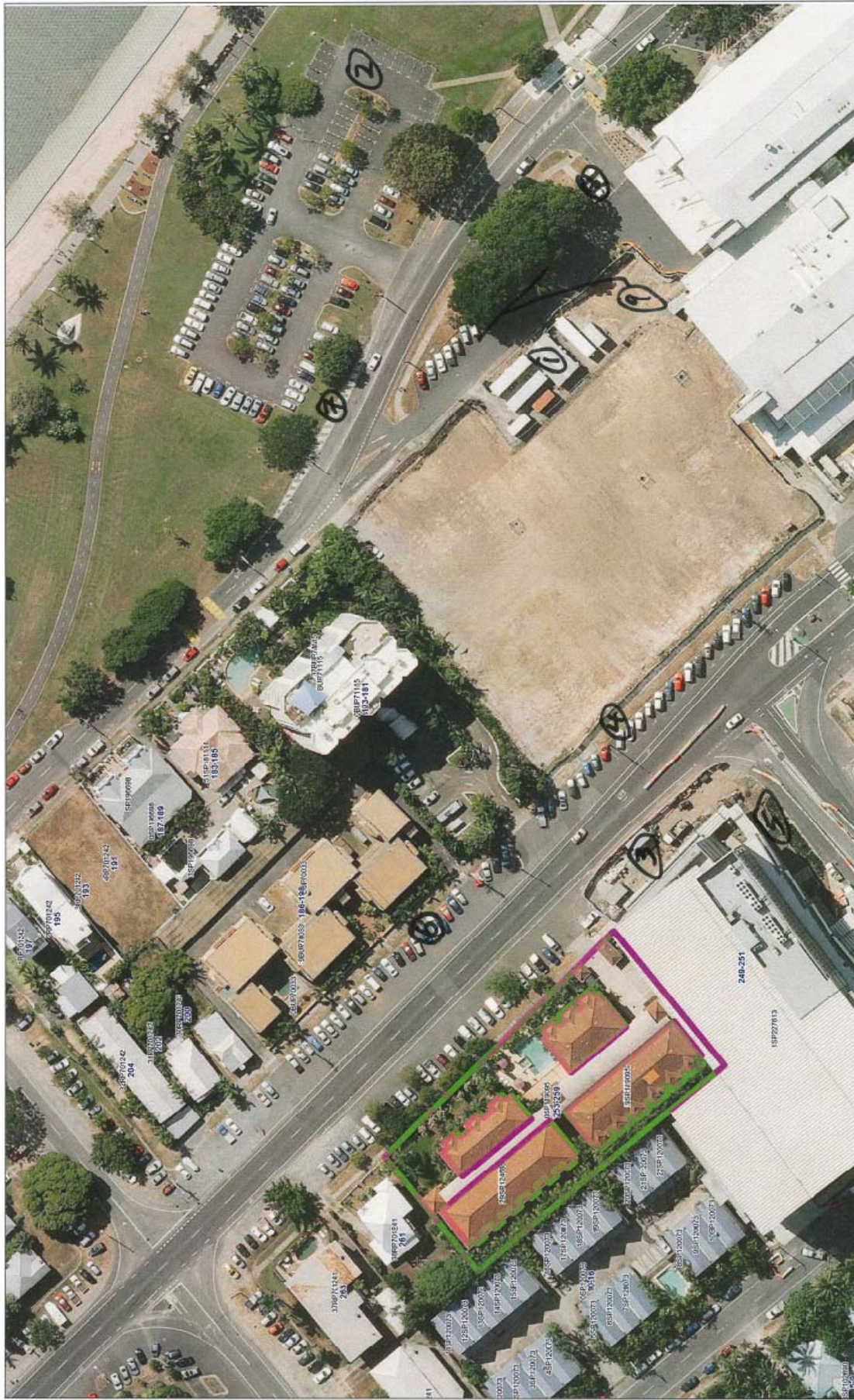


Block D - viewed from the North



Block D - viewed from the North West

APPENDIX C – Proposed Locations



	<p>Map Layer: Sheet of</p>
<p>CAIRNS REGIONAL COUNCIL Appendix A Site Locations Considered - CBH Redevelopment</p>	
<p>Cairns Regional Council COPYRIGHT This document is and shall remain the property of Cairns Regional Council. Using or copying this document or any part of it without specific authorisation is absolutely prohibited.</p>	<p>Map Scale: 1:863.9 DO NOT SCALE</p>
<p>P.O. Box 359 Cairns, QLS, 4870</p>	<p>Author: 608 Zane Witekowsky, 19 October 2011 Fax: (07) 4044 3022 Tel: (07) 4044 3044</p>

APPENDIX D

PREVIOUS REQUEST TO LOCATE CAIRNS BASE HOSPITAL REDEVELOPMENT SITE OFFICES WITHIN A PORTION OF ESPLANADE CAR PARK

FINANCE & ADMINISTRATION COMMITTEE 16 MARCH 2011	2
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REQUEST TO USE PORTION OF ESPLANADE CAR PARK ADJACENT TO CAIRNS BASE HOSPITAL EMERGENCY HELIPAD – LOT 711 ON NR7289 – DIVISION 5

K Richardson : 19/3/3-95: #3058276

RECOMMENDATION:

That Council advises the applicant that it does not consent to the location of a project office complex within the Esplanade Car Park adjacent to the Emergency Helipad, Lot 711 on NR7289, The Esplanade, Cairns.

INTRODUCTION:

The appointed Managing Contractor for the completion of the Cairns Base Hospital Redevelopment (the applicant), has requested Council allow it to locate a project office complex on the portion of the Esplanade Car Park adjacent to the emergency helipad that is currently closed to the public.

BACKGROUND:

Lot 711 on NR7289 is a Reserve for Park and Recreation purposes held by Council as trustee. As such, its use is governed by a Land Management Plan which has been prepared by Council officers and approved by a delegate of the Minister administering the *Land Act 1994*.

In June 2009, in conjunction with Queensland Health, Council agreed to temporarily close 30 off street parking bays of the Esplanade car park (i.e. located within the reserve area) in front of the Cairns Base Hospital. This was due to safety concerns raised by Emergency Management Queensland helicopter pilots in relation to strong air turbulence generated from helicopter blades during approach to the landing zone.

It is this section of the car park that is the subject of this report.

The Cairns Base Hospital (CBH) is in the process of extensive redevelopment and refurbishment. A construction firm (the applicant) has been appointed by the Queensland Government to complete the construction of the new Block D and the refurbishment of blocks A, B, C and the Mental Health Unit. They have requested

Council's approval to install temporary transportable offices and meeting rooms within this temporarily closed off street parking area. It is proposed that one 33m x 12m and one 12m x 7m single story transportable buildings and a transportable toilet block be installed. Council officers have been advised that the applicant requires approx 360m² of office space to contain up to 30 staff, meeting rooms with capacity to hold up to 30 people, and associated toilet facilities. In addition to this, a further facility of approx 72m² is required to accommodate six staff and a meeting room for up to 12 people. The buildings would be linked by covered walkways and the perimeter of the temporary facilities, which will also include exclusive car parking for 12 vehicles, would be fenced with 2.4m solid hoarding fencing, with vehicular access from the existing car park.

The applicant also proposes that power, water, communications and a sewer rising main be provided from the adjacent construction site via underground conduits bored under the Esplanade. Sewer and grey waste would be pumped via a rising main into the sewer system of the existing hospital.

COMMENT:

Inner City Facilities

The closure of this section of car park was enacted to allow safe operation of emergency helicopter landing until an appropriate alternative could be found. Queensland Health (QH) has been working towards a permanent solution for emergency helicopter patient transfers since June 2009. This process has taken longer than anticipated, but QH have advised that they are actively working to ensure a permanent, safe and sustainable outcome is achieved as quickly as possible.

To date the offshore platform has been seen as the preferred option. QH has advised that design of the offshore platform is well advanced, with an identical platform having been commissioned on Thursday Island in December 2010. A briefing report on progress to date will shortly be supplied to Council by QH.

QH have stated that they intend to construct the replacement helipad as soon as possible following approval. Should Council allow the use of the car park by the construction firm, there is a possibility that the helipad safety space may cease to be an issue before the overall works being managed from the planned construction site are completed. If this occurred then from that time Council would be allowing them to use the car parking space as a work site rather than it be re-opened as car parking for use by the public when visiting the Esplanade reserve.

It has also been noted that should the offshore option be approved, construction may potentially require use of this area, such as for heavy vehicle access around the current helipad during the works, materials handling or otherwise. If the unused car park area is made available to the construction firm for up to two years, this option would not be available. Potential impact to other areas of the car park or to other areas of Esplanade parklands may therefore be much greater should the construction site be approved.

It is also noted that previous agreement with Qld Health for "temporary" use of the Esplanade Reserve resulted in the current permanent car park. This precedent raises concern that any other approved "temporary" use may have a similar "permanent" result.

Inner City facilities recommend Council allow priority firstly to the emergency helipad requirements, and once the current issues are resolved, to re-opening the car park to general public use. There are a range of potential areas suitable for location of temporary facilities within reasonable distance to the base hospital, and it would be more appropriate that these be utilised.

Development Assessment

Development Assessment does not support the proposed construction of a Project Office within the Esplanade Car Park adjacent to the Emergency Helipad, Lot 711 on NR7289, The Esplanade, Cairns. The proposed use is defined as a Business Facility (Office). A Business Facility (Office) is an Impact Inconsistent Use on this site as the site is located within the Open Space Planning Area. It is noted that the proposal is unlikely to comply with the Purpose of the Open Space Planning Area. The Shopping and Business Facilities Code also requires a certain level of visual amenity and architectural design which is unlikely to be satisfied by a "demountable" type of structure. The provision of sufficient car parking would also be an issue as the Parking Rate would be 1 per 25 m² (rate for parking outside City Centre Planning Area). Should 432 m² of Office space be proposed, a total of 18 car parking spaces would be required.

It should be noted that the proposed temporary project office may be considered as a component of the Development Application for the hospital expansion. Ministerial Designation has been received for the hospital expansion and as such the proposal could potentially be considered as ancillary to the development. If the proposal is considered ancillary to the development, the Assessment Manager will be the State and not Council. However, in this circumstance, Development Assessment is of the opinion that there are sufficient grounds to warrant a Material Change of Use Application considered against the Planning Scheme due to the size (more than 400m²) of the proposal which will impact significantly the area and may be inconsistent with the Helipad use nearby.

Property Services

Under the provisions of the *Land Act 1994*, the subject land has been set aside as a community purpose reserve, i.e. a Reserve for Park and Recreation purposes, with Council appointed as trustee to manage the land for the benefit of the community. In terms of the Department of Environment and Resource Management's policy for secondary use of Trust land, secondary use may be authorised by the Trustee as long as the intended secondary use is consistent with the reserve purpose and the public interest in the land is not jeopardised.

A Land Management Plan (Cairns Esplanade North Parklands Secondary Use Management Plan) has been prepared and outlines how Council as Trustee will govern and manage the use of the subject land. The Land Management Plan was only approved by a delegate of the Minister administering the *Land Act 1994* following community consultation.

The proposal to use part of the reserve for a project office complex is inconsistent with the reserve purpose and is inconsistent with the objects of the approved Land Management Plan.

The proposed construction of the project offices and works associated with providing services to the site suggest an element of permanency and commercial usage and should this proposal be approved, land tenure would need to be addressed accordingly.

The only two options for tenure for this proposal are by way of a trustee lease or trustee permit.

Any **trustee lease** would need the approval of the State (DERM). Council, as Trustee of the Reserve, should ensure any tenure is consistent with, and does not diminish, the reserve purpose before seeking this approval. Should a trustee lease be approved by the State, amendments to the Land Management Plan will be required and Public Consultation may again be necessary. This can be a lengthy process which could delay installation of the project office. There may be community and local land owners objection to this proposal and at this stage it is unknown if DERM would consent.

A **trustee permit** can be issued for up to three (3) years, without seeking approval from the State. Due to the uncertainty around the permanency of the construction, Property Services do not recommend this approach.

Further, in terms of Section 176 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*, a local government cannot enter into a contract (in this case, a lease or permit) over a valuable non-current asset (land) without completing a tender process. As this is a situation where the applicant is the soul entity who could benefit from tenure over this site, Council would need to seek Ministerial exemption in terms of Section 185(1)(e) of the *Local Government (Finance, Plans and Reporting) Regulation 2010* from complying with Section 176 of the Act.

CONSIDERATIONS:

Corporate and Operational Plans:

This report was prepared in accordance with Corporate Plan Goal 6 – Striving for Organisational Excellence.

Statutory:

Management of the Esplanade reserve and any associated tenures is conducted in terms of the *Land Act 1994*. Disposal of land and seeking exemption from the tendering process is conducted in terms of the *Local Government (Finance, Plans and Reporting) Regulation 2010*.

Policy:

N/A

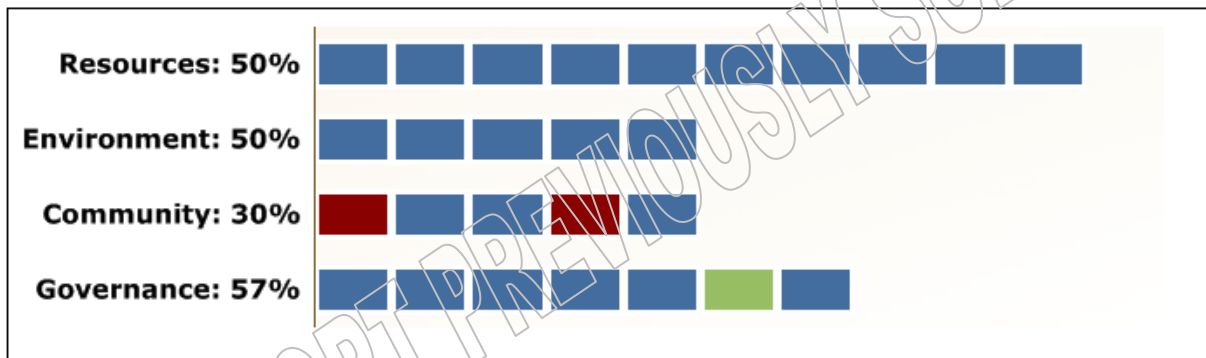
Financial and Risk:

There are no financial implications for Council should the proposal not proceed. If the proposal was approved by Council, there is a risk of a temporary structure and associated connected services becoming a permanent fixture on the Esplanade. This would need to be addressed in specific lease/trustee permit clauses and it is envisaged

that a more non-standard lease will therefore be required and costs associated with establishing tenure, rectification of the site etc. must be borne by the applicant. Should tenure be granted over the subject site then lease rental, rates and charges would be payable by the applicant. As the applicant would be offered a commercial lease/permit, then commercial lease rental assessed on the Unimproved Capital Value of the site would be applied. Given the location is considered to be prime real estate, potential lease rental would be calculated accordingly. Not proceeding with the request for tenure would see Council forgoing potential rental income from the site. In light of the concerns raised in the comments section of the report, the retention of the Reserve for its dedicated purpose in order to protect the amenity and security of public access substantially mitigates this loss.

Sustainability:

The Cairns Regional Council Sustainability Assessment has been completed in relation to the proposed use of the land in terms of tenure. In undertaking this analysis, officers answer a series of questions based on the four sustainability principles. The table shows how many of the questions generated a positive rating (green), a neutral or not applicable rating (blue) or a negative rating (red) to each question.



Allowing use of the subject land as proposed will have a mainly neutral effect on Council's sustainability however it has some negative effects in relation to the reduction of public open space and amenity.

CONSULTATION:

As per the comments section of this report.

OPTIONS:

1. That Council advises the applicant that it does not consent to the location of a project office complex within the Esplanade Car Park adjacent to the Emergency Helipad, Lot 711 on NR7289, The Esplanade, Cairns.
2. That Council approves the location of a Project Office at the Car Park adjacent to the Emergency Helipad, Lot 711 on NR7289, The Esplanade Cairns, subject but not limited to the following:

- use of the site to be formalised by way of a Trustee Lease or Trustee Permit, with terms and conditions to be negotiated
- Ministerial exemption being sought and obtained from the tendering provisions in accordance with Section 185(1)(e) of the *Local Government (Finance, Plans and Reporting) Regulation 2010*.
- all costs and approvals associated with locating a Project Office on the site to be the responsibility of the applicant
- 'in-principle' approval being obtained from the Minister for Environment and Resource Management

Furthermore, Council delegate authority to the Mayor and Chief Executive Officer in accordance with section 257 of the *Local Government Act 2009* to:

- negotiate, determine and approve any and all matters, including execution associated with and the proposed trustee lease;
- amending and approving any and all matters, including public consultation (if required) outcomes associated with the land management plan; and
- negotiate, determine and approve any and all matters, including execution associated with any required trustee permit.

CONCLUSION:

That Council concur with the recommendation of this report.

ATTACHMENTS:

Aerial photo
Proposed layout

L Giacomi
Team Leader, Property and Administration

L Kirchner
Manager Governance

S Philpott
General Manager Corporate Services

Aerial Locality Map



Excerpt of Minutes – Finance & Administration Committee – 16 March 2011 (#3093015)

Council notes the apology of Councillor Leu and grants leave of absence.

PURPOSE OF MEETING

To consider the matters listed on the agenda.

Council expresses its sympathy to the people of Japan following the earthquake and tsunami.

- 1. REQUEST FOR SUPPORT FOR CONSTITUTIONAL RECOGNITION OF LOCAL GOVERNMENT 1
L.Kirchner : 1/3/87: 3089438

LESINA / GREGORY

That Council resolves to formally support the Australian Local Government Associations campaign for constitutional recognition of local government.

carried

- 2. REQUEST TO USE PORTION OF ESPLANADE CAR PARK ADJACENT TO CAIRNS BASE HOSPITAL EMERGENCY HELIPAD – LOT 711 ON NR7289 – DIVISION 5 9
K Richardson : 19/3/3-95: #3058276

LESINA / BONNEAU

That Council advises the applicant that it does not consent to the location of a project office complex within the Esplanade Car Park adjacent to the Emergency Helipad, Lot 711 on NR7289, The Esplanade, Cairns.

carried with Councillor Blake voting against the motion

- 3. PROPOSED RESERVE FOR PARK AND RECREATION PURPOSES OVER UNALLOCATED STATE LAND DESCRIBED AS LOT 52 ON USL21656, GREENPATCH, GORDONVALE..... 17
Cheryl Dean 19/3/3-95: #3063250

Withdrawn by Council officers

APPENDIX E

Photographs of Site 4 – Approved Location



Figure 1 - Lake Street – Northbound Lane, looking South



Figure 2 - North End of Site Offices



Figure 3 - Interface between Best Western Hotel and Site offices(Far Left)



Figure 4 – Lake Street, Southbound Lane, Looking South



Figure 5 – South End of Site Offices (Bathroom amenities on Left)



Figure 5 – Pedestrian Access– Taken from office entrance (See Fig 3). Temporary office facilities in the foreground, bathroom amenities to the background)