



# **MINUTES**

**Wednesday, 15 March 2023**

**Ordinary Council Meeting**

**MINUTES OF MAREEBA SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS  
ON WEDNESDAY, 15 MARCH 2023 AT 9:00AM**

**1 MEMBERS IN ATTENDANCE**

Cr Angela Toppin (Mayor), Cr Kevin Davies, Cr Mary Graham, Cr Lenore Wyatt, Cr Lachlan (Locky) Bensted, Cr Daniel (Danny) Bird, Cr Mario Mlikota

**2 APOLOGIES/LEAVE OF ABSENCE/ABSENCE ON COUNCIL BUSINESS**

Nil

**3 BEREAVEMENTS/CONDOLENCES**

A minute's silence was observed as a mark of respect for those residents who passed away during the previous month.

**4 DECLARATION OF CONFLICTS OF INTEREST**

Cr Bensted informed the meeting that he has a prescribed conflict of interest in relation to *ITEM 9.5 EXPRESSION OF INTEREST EOI-MSC2023-02 LEASE & OPERATION OF AQUATIC FACILITIES AND CARAVAN PARK* as he sister-in-law is employed by one of the tenderers. Cr Bensted advised that he would leave the room while the matter is discussed and voted on.

Cr Davies informed the meeting that he has a prescribed conflict of interest in relation to *ITEM 9.5 EXPRESSION OF INTEREST EOI-MSC2023-02 LEASE & OPERATION OF AQUATIC FACILITIES AND CARAVAN PARK* as he is involved in the Mareeba Swimming Club. Cr Davies advised that he would leave the room while the matter is discussed and voted on.

**5 CONFIRMATION OF MINUTES**

**RESOLUTION 2023/36**

Moved: Cr Mario Mlikota

Seconded: Cr Lachlan (Locky) Bensted

That the minutes of Ordinary Council Meeting held on 15 February 2023 be confirmed.

**CARRIED**

**6 BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING**

Nil

**7 DEPUTATIONS AND DELEGATIONS**

Nil

**8 CORPORATE AND COMMUNITY SERVICES**

**8.1 MAREEBA 232 PTY LTD - MATERIAL CHANGE OF USE - SHOPPING CENTRE AND FOOD AND DRINK OUTLET - LOT 78 ON SP298287 AND LEASE A IN LOT 20 ON NR7137 - 232 BYRNES STREET AND CLOSE STREET, MAREEBA - MCU/22/0003**

**RESOLUTION 2023/37**

Moved: Cr Daniel (Danny) Bird

Seconded: Cr Kevin Davies

1. That in relation to the following development application:

APPLICATION		PREMISES	
<b>APPLICANT</b>	Mareeba 232 Pty Ltd	<b>ADDRESS</b>	232 Byrnes Street and Close Street, Mareeba
<b>DATE LODGED</b>	13 July 2022	<b>RPD</b>	Lot 78 on SP298287 and Lease A in Lot 20 on NR7137
<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Material Change of Use – Shopping Centre and Food and Drink Outlet		

and in accordance with the Planning Act 2016, the applicant be notified that the application for a development permit for the development specified in (A) is:

Approved by Council in accordance with the approved plans/documents listed in (B), subject to assessment manager conditions in (C), assessment manager’s advice in (D), concurrence agency conditions in (E), relevant period in (F), further permits in (G), and further approvals from Council listed in (H);

And

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

(A) APPROVED DEVELOPMENT: Development Permit for Material Change of Use – Shopping Centre and Food and Drink Outlet

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
TA#19.0298.17 A0.00 rev. 7	Cover Sheet	Thomson Adsett	18/01/2023
TA#19.0298.17 A0.10 rev. 7	Site Context	Thomson Adsett	18/01/2023
TA#19.0298.17 A1.01 rev. 18A	Site Plan	Thomson Adsett	19/12/2022
TA#19.0298.17 A1.02 rev. 14	Development Plan	Thomson Adsett	18/01/2023
TA#19.0298.17 A2.01 rev. 12	Ground Floor Plan - Supermarket	Thomson Adsett	18/01/2023
TA#19.0298.17 A2.02 rev. 6	Roof Plan - Supermarket	Thomson Adsett	18/01/2023
TA#19.0298.17 A2.03 rev. 6	Elevations - Supermarket	Thomson Adsett	18/01/2023
TA#19.0298.17 A2.04 rev. 6	Elevations - Supermarket	Thomson Adsett	18/01/2023
TA#19.0298.17 A2.05 rev. 6	Sections - Supermarket	Thomson Adsett	18/01/2023
TA#19.0298.17 A4.01 rev. 6	Ground Floor Plan – Fast Food	Thomson Adsett	11/07/2022
TA#19.0298.17 A4.02 rev. 5	Elevations – Fast Food	Thomson Adsett	06/07/2022
TA#19.0298.17 A5.01 rev. 6	3D Views	Thomson Adsett	18/01/2023
TA#19.0298.17 A5.02 rev. 6	3D Views	Thomson Adsett	18/01/2023
1604-002 Rev. F	Rankin Street Median Extension Concept	Trinity Engineering and Consulting	22/12/22

(C) ASSESSMENT MANAGER’S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

1. Development must be carried out generally in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:
  - found necessary by Council’s delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
  - to ensure compliance with the following conditions of approval and the conditions of the State Referral Agency.
2. Timing of Effect
  - 2.1 The conditions of the development permit must be complied with to the satisfaction of Council’s delegated officer prior to the commencement of the use except where specified otherwise in these conditions of approval.

2.2 Prior to the commencement of use, the applicant must notify Council that all the conditions have been complied with, except where specified otherwise in these conditions of approval.

2.3 Prior to the commencement of use, the applicant must provide a letter from the State Referral Agency confirming that the department is satisfied their conditions are complied with and/or that the department has no objections to the commencement of the use.

### 3. General

3.1 The development approval would not have been issued if not for the conditions requiring the construction of infrastructure within the conditions of approval.

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

3.3 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.

#### 3.4 Emissions

Emissions associated with operational activities must not cause an 'environmental nuisance' within the meaning of the Environmental Protection Act (1994) to any sensitive receptor and comply with the Air Quality Objectives as stated within Schedule 1 of the Environmental Protection (Air) Policy 2019.

#### 3.5 Waste Management

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

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

#### 3.6 Trolley Bays

Trolley bay areas must be provided on the site generally in accordance with Drawing No. TA#19.0298.17 A1.02 Rev. 14.

#### 3.7 Rubbish Bins

Waste bins must be provided at each pedestrian entrance to the proposed development.

#### 3.8 Amenity

3.8.1 The southern wall of the supermarket must be finished in a combination of Woolworths green, Dulux monument and Dulux vivid white to prevent the dominance of any one colour, to the satisfaction of Council's delegated officer.

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

3.9 No trucks, other than service vehicles for the shopping centre, are permitted to park on the subject land when the shopping centre is closed to the public. All service vehicles must leave the subject land as soon as reasonably practical after serving the shopping centre.

3.10 Advertising signage

The placement and sizing of advertising signage is to be generally in accordance with the approved plans.

4. Infrastructure Services and Standards

4.1 Access – Rankin Street

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

Where applicable, the applicant/developer must ensure that any redundant vehicle crossovers are removed and reinstated with kerb and channel.

4.2 Stormwater Drainage/Water Quality

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

4.2.2 Prior to the issue of a development permit for operational works, the applicant/developer must submit a revised Stormwater Management Plan prepared and certified by a suitably qualified design engineer (RPEQ) that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

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

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

4.3 Car Parking/Internal Driveways

The applicant/developer must ensure that the development is provided with on-site car parking spaces, generally in accordance with Drawing No. TA#19.0298.17 A1.02 rev.14, which are available for use solely for the parking of vehicles associated with the use of the premises. All car parking spaces must be sealed, line-marked and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.

Car parking shade structures must generally be provided in accordance with Drawing No. TA#19.0298.17 A1.01 rev. 18A.

Prior to the issue of a development permit for operational works, the applicant/developer must submit engineering plans and specifications, prepared by a Registered Professional Engineer of Queensland (RPEQ) or an Architectural Building Designer, for the construction of proposed car parking facilities and internal driveways demonstrating:

- Compliance with Australian Standard AS2890.1 Off Street Parking – Car Parking Facilities;
- Compliance with Australian Standard AS2890.2 – Parking Facilities (Off-street Parking) Commercial Vehicle Facilities;
- Compliance with Australian Standard AS2890.3 Bicycle Parking Facilities;
- Compliance with Australian Standard AS2890.6 – Parking Facilities – Off-street parking for people with disabilities;
- A sign must be erected in proximity to the access driveway indicating the availability of on-site car parking.

#### 4.4 Frontage Works - Byrnes Street

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

- 4.4.1 Kerb and channelling for the full frontage of Lot 78 on SP298287.
- 4.4.2 Signage and line marking as per the Department of Transport and Main Roads Manual of Uniform Traffic control Devices (MUTCD).
- 4.4.3 Entry/exit arrangements in accordance with the extent of works shown on Drawing No. TA#19.0298.17 A1.02 Rev.14.
- 4.4.4 A paved footpath, including kerb ramps and associated tactile indicators must be constructed on Byrnes Street to the general extent indicated on Drawing No. TA#19.0298.17 A1.02 Rev.14. The footpath must be constructed in accordance with the FNQROC Development Manual. No section of paved footpath is to be less than two (2) metres in width.

Prior to the issue of a development permit for operational works, the applicant/developer must submit engineering plans and specifications for the construction of proposed works.

#### 4.5 Frontage Works - Rankin Street

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

- 4.5.1 Kerb and channelling for the full frontage of Lot 78 on SP298287.
- 4.5.2 Signage and line marking as per the Department of Transport and Main Roads Manual of Uniform Traffic control Devices (MUTCD).
- 4.5.3 On street car parking and entry/exit arrangements in accordance with the extent of works shown on Drawing No. TA#19.0298.17 A1.02 Rev.14

4.5.4 A paved footpath, including kerb ramps and associated tactile indicators must be constructed on Rankin Street to the general extent indicated on Drawing TA#19.0298.17 A1.02 Rev.14. The footpath must be constructed in accordance with the FNQROC Development Manual. No section of paved footpath is to be less than two (2) metres in width.

Prior to the issue of a development permit for operational works, the applicant/developer must submit engineering plans and specifications for the construction of proposed works.

#### 4.6 Frew Street Works

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

4.6.1 Widening of the sealed pavement on the western side of Frew Street to the existing kerb and channel.

4.6.2 Appropriate line marking to allow for RV/larger vehicle parking on the western side of Frew Street.

4.6.3 Construction of a cul-de-sac head at the southern end of Frew Street to allow for turning of RV/larger vehicles.

4.6.4 Construction of concrete footpath and pedestrian level crossing as shown on Drawing No. 1604-002 Revision F in accordance with the FNQROC Development Manual and Queensland Rail standards. No section of paved footpath is to be less than two (2) metres in width.

Prior to the issue of a development permit for operational works, the applicant/developer must submit engineering plans and specifications for the construction of proposed works.

#### 4.7 Landscaping

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

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

4.7.3 The landscape plan should be generally consistent with green areas shown on Drawing No. TA#19.0298.17 A1.02 Rev.14 and demonstrate compliance with the Landscaping Code. Plant species are to be generally selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.

4.7.4 The landscape plan must also provide for the landscaping of Byrnes Street and Rankin Street frontages.

4.7.5 A minimum of 25% of new plants is provided as larger, advanced stock with a minimum plant height of 0.7 metres and mulched to a minimum depth of 0.1 metres with organic mulch.

4.7.6 The landscaping of the site must be carried out in accordance with the endorsed landscape plan/s, and prior to the commencement of the use,



and mulched, irrigated and maintained to the satisfaction of Council's delegated officer.

#### 4.8 Lighting

All lighting installed upon the premises including car parking areas must be certified by Ergon Energy (or such other suitably qualified person). The vertical illumination at 1.5 metres outside the boundary of the subject land must not exceed eight (8) lux measured at any level upwards from ground level.

#### 4.9 Water Supply

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

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

4.9.2 Prior to the issue of a development permit for operational works, the applicant/developer must submit engineering plans and specifications for the connection of the development to Council's reticulated water supply system demonstrating compliance with Condition 4.9.1.

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

#### 4.10 Sewerage Connection

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

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

4.10.2 Prior to the issue of a development permit for operational works, the applicant/developer must submit engineering plans and specifications for the connection of the development to Council's reticulated sewerage system demonstrating compliance with Condition 4.10.1.

(D) ASSESSMENT MANAGER'S ADVICE

(a) An Adopted Infrastructure Charges Notice has been issued with respect to the approved development. The Adopted Infrastructure Charges Notice details the type of infrastructure charge/s, the amount of the charge/s and when the charge/s are payable.

(b) The Adopted Infrastructure Charges Notice does not include all charges or payments that are payable with respect to the approved development. A number of other charges or payments may be payable as conditions of approval. The applicable fee is set out in Council's Fees & Charges Schedule for each respective financial year.

(c) Food Premises

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

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

(e) Compliance with applicable codes/policies

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

(f) Compliance with Acts and Regulations

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

(g) Environmental Protection and Biodiversity Conservation Act 1999

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

(h) Cultural Heritage

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

(E) REFFERAL AGENCY CONDITIONS

State Assessment and Referral Agency response dated 24 February 2023

(F) RELEVANT PERIOD

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

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

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

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

(H) OTHER APPROVALS REQUIRED FROM COUNCIL

- Compliance Permit for Plumbing and Drainage Work

2. That an Adopted Infrastructure Charges Notice be issued for the following infrastructure charge/s for:

Category	Use Charge	Unit of Measure	Charge Rate	No of Units	Amount
<b>Proposal</b>					
Commercial (Retail)	Shopping Centre	Per m2 of GFA	\$130.00	4,469	\$580,970.00
Commercial (Retail)	Food and Drink Outlet	Per m2 of GFA	\$130.00	270	\$35,100.00
<b>Credit</b>					
High Impact Industry	Sawmill	Per m2 of GFA	\$51.00	6,000	\$306,000.00
<b>TOTAL</b>					<b>\$310,070.00</b>

**CARRIED**

**8.2 COUNCIL POLICY REVIEW****RESOLUTION 2023/38**

Moved: Cr Mary Graham

Seconded: Cr Daniel (Danny) Bird

That Council:

1. Repeals the
  - (a) Standard Requirements for Public Liability Insurance for Approval Holders – adopted 30 March 2020;
  - (b) Revenue Policy – adopted 20 April 2022.
2. Adopts the
  - (a) Standard Requirements for Public Liability Insurance for Approval Holders;
  - (b) Revenue Policy

**CARRIED**

**8.3 COMMUNITY HOUSING ANNUAL RENT REVIEW****RESOLUTION 2023/39**

Moved: Cr Mario Mlikota

Seconded: Cr Lenore Wyatt

That Council adopts the annual community housing rent review.

**CARRIED**

**8.4 MAREEBA TENNIS CLUB COMMUNITY LOAN****RESOLUTION 2023/40**

Moved: Cr Lenore Wyatt

Seconded: Cr Mary Graham

That Council approves an interest-free loan to the Mareeba Tennis Club for \$50,000 subject to them securing sufficient grant funding.

**CARRIED**

**8.5 DEVELOPMENT & GOVERNANCE FEES AND CHARGES 2023/24****RESOLUTION 2023/41**

Moved: Cr Lenore Wyatt

Seconded: Cr Kevin Davies

That Council adopt the attached proposed Development and Governance 2023/24 fees.

**CARRIED**

**8.6 FINANCIAL STATEMENTS PERIOD ENDING 28 FEBRUARY 2023****RESOLUTION 2023/42**

Moved: Cr Mario Mlikota

Seconded: Cr Lenore Wyatt

That Council:

1. receives the Financial Report for the period ending 28 February 2023;
2. empanels the contractor listed below to add to the Sole Supplier Register.

**CARRIED**

**8.7 VISITOR INFORMATION CENTRE BROCHURE DISPLAY FEES 2023/24****RESOLUTION 2023/43**

Moved: Cr Lenore Wyatt

Seconded: Cr Lachlan (Locky) Bensted

That Council adopts the recommended Visitor Information Centre Tourism Brochure Display Fees and Charges for 2023/24.

**CARRIED**

**9 INFRASTRUCTURE SERVICES****9.1 INFRASTRUCTURE SERVICES, CAPITAL WORKS MONTHLY REPORT - FEBRUARY 2023****RESOLUTION 2023/44**

Moved: Cr Daniel (Danny) Bird

Seconded: Cr Mario Mlikota

That Council receives the Infrastructure Services Capital Works Monthly Report for the month of February 2023.

**CARRIED**

**9.2 MAREEBA WALKING NETWORK PLAN: PRIORITY WORKS PROGRAM****RESOLUTION 2023/45**

Moved: Cr Mary Graham

Seconded: Cr Lenore Wyatt

That Council adopts the Mareeba Walking Network Plan (WNP) Priority Works Program.

**CARRIED**

**9.3 KURANDA WALKING NETWORK PLAN: PRIORITY WORKS PROGRAM****RESOLUTION 2023/46**

Moved: Cr Mario Mlikota

Seconded: Cr Mary Graham

That Council adopts the Kuranda Walking Network Plan Priority Works Program.

**CARRIED**

**9.4 PETITION - DIMBULAH POOL****RESOLUTION 2023/47**

Moved: Cr Kevin Davies

Seconded: Cr Lachlan (Locky) Bensted

That Council receives the report and maintains the current position.

**CARRIED**

At 9:28 am, Cr Lachlan (Locky) Bensted left the meeting. At 9:28 am, Cr Kevin Davies left the meeting.

**9.5 EXPRESSION OF INTEREST EOI-MSC2023-02 LEASE & OPERATION OF AQUATIC FACILITIES AND CARAVAN PARK****RESOLUTION 2023/48**

Moved: Cr Daniel (Danny) Bird

Seconded: Cr Lenore Wyatt

That Council delegate authority to the CEO to short-list and invite those selected respondents to provide written tenders for operation and management of Council's aquatic facilities and the Dimbulah Caravan Park, after consultation with the Councillors.

**CARRIED**

At 9:29 am, Cr Kevin Davies returned to the meeting. At 9:30 am, Cr Lachlan (Locky) Bensted returned to the meeting.

**9.6 INFRASTRUCTURE SERVICES, TECHNICAL SERVICES OPERATIONS REPORT - FEBRUARY 2023****RESOLUTION 2023/49**

Moved: Cr Kevin Davies

Seconded: Cr Mario Mlikota

That Council receives the Infrastructure Services, Technical Services Operations Report for February 2023.

**CARRIED**

**9.7 INFRASTRUCTURE SERVICES, WATER AND WASTE OPERATIONS REPORT - FEBRUARY 2023****RESOLUTION 2023/50**

Moved: Cr Mario Mlikota

Seconded: Cr Lachlan (Locky) Bensted

That Council:

1. receives the Infrastructure Services, Water and Waste Operations Report for February 2023; and
2. approves the Mareeba Water Treatment Plant Detailed Design of Clarifiers 1 & 2 Project; and
3. acknowledges the funding of \$287,990.97 received from the Queensland State Government under the Building Our Regions Program and Council's co-contribution of \$71,683.03 to the project.

**CARRIED**

**9.8 T-MS2023-04 BICENTENNIAL LAKES TRUNK GRAVITY MAIN UPGRADE****RESOLUTION 2023/51**

Moved: Cr Daniel (Danny) Bird

Seconded: Cr Lenore Wyatt

That Council awards Tender T-MS2023-04 Bicentennial Lakes Trunk Gravity Main Upgrade to FGF Developments Pty Ltd for the amount of \$3,772,747.16 (excluding GST).

**CARRIED**

**9.9 INFRASTRUCTURE SERVICES, WORKS SECTION ACTIVITY REPORT - FEBRUARY 2023****RESOLUTION 2023/52**

Moved: Cr Kevin Davies

Seconded: Cr Daniel (Danny) Bird

That Council receives the Infrastructure Services, Works Progress Report for the month of February 2023.

**CARRIED**

**10 OFFICE OF THE CEO****10.1 MAREEBA MULTICULTURAL FESTIVAL COMMITTEE CHARTER****RESOLUTION 2023/53**

Moved: Cr Mary Graham

Seconded: Cr Mario Mlikota

That Council adopts the Mareeba Multicultural Festival Advisory Committee Charter as attached to the report.

**CARRIED**

**11 CONFIDENTIAL REPORTS**

Council determined that it was not necessary to close the meeting to discuss ITEM 11.1

**11.1 AGREEMENT UNDER SECTION 87 OF THE NATIVE TITLE ACT 1993 (CTH) - WAKAMAN PEOPLE #3 AND WAKAMAN PEOPLE #4****RESOLUTION 2023/54**

Moved: Cr Lenore Wyatt

Seconded: Cr Daniel (Danny) Bird

That Council:.

1. Notes the content of this report;
2. agree to enter the section 87A Agreements as attached;
3. authorise Andrew Kerr of Moray & Agnew Lawyers to execute the section 87A agreements as attached on behalf of Council.

**CARRIED**



**12 BUSINESS WITHOUT NOTICE**

**13 NEXT MEETING OF COUNCIL**

The next meeting of Council will be held at 9:00am on 19 April 2023.

There being no further business, the meeting closed at 9.49am.

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Cr Angela Toppin

Chairperson