



# **MINUTES**

**Wednesday, 18 October 2023**

**Ordinary Council Meeting**

**MINUTES OF MAREEBA SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS  
ON WEDNESDAY, 18 OCTOBER 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**

**5 CONFIRMATION OF MINUTES**

**RESOLUTION 2023/194**

Moved: Cr Kevin Davies

Seconded: Cr Lenore Wyatt

That the minutes of Ordinary Council Meeting held on 20 September 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 CHANGE OF DEVELOPMENT APPROVAL - BTM & S STANKOVICH PTY LTD - MATERIAL CHANGE OF USE - BUSINESS, SHOPS AND RESTAURANT IN THREE (3) STAGES - LOTS 1 & 2 ON SP298298 - 2-8 & 10 KAROBEAN DRIVE, MAREEBA - DA/13/0164**

**RESOLUTION 2023/195**

Moved: Cr Mary Graham

Seconded: Cr Lachlan (Locky) Bensted

It is recommended that:

1. “In relation to the application to change the following development approval:

APPLICATION		PREMISES	
<b>APPLICANT</b>	BTM & S Stankovich Pty Ltd	<b>ADDRESS</b>	2-8 & 10 Karobean Drive, Mareeba
<b>DATE REQUEST FOR CHANGE TO DEVELOPMENT APPROVAL LODGED</b>	21 August 2023	<b>RPD</b>	Lots 1 & 2 on SP298298
<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Material Change of Use – Business, Shops and Restaurant in three (3) stages		

and in accordance with the Planning Act 2016, the following

- (a) The approved plan/s of Council’s amended Decision Notice issued on 31 January 2017 be amended as follows:

<b>Plan/Document Number</b>	<b>Plan/Document Title</b>	<b>Prepared by</b>	<b>Dated</b>
<del>TP6 A.1</del>	<del>Master Plan</del>	<del>Hunt Design</del>	<del>29/11/2016</del>
TP6 A.2	Floor Plan	Hunt Design	29/11/2016
TP6 A.3	Roof Plan	Hunt Design	29/11/2016
TP6 A.4	Roof Plan	Hunt Design	29/11/2016
TP6 A.5	Roof Plan	Hunt Design	29/11/2016
SD.001	Cover Sheet - New Medical Centre	Peddle Thorp	13/06/13
SD.002	Site Plan	Peddle Thorp	13/06/13
SD.003	Ground Floor Plan	Peddle Thorp	13/06/13
SD.004	Roof Plan	Peddle Thorp	13/06/13
SD.005	Building Elevations	Peddle Thorp	13/06/13
SD.006	Building Elevations - Sheet 2	Peddle Thorp	13/06/13
SD.007	Building Sections	Peddle Thorp	13/06/13
SD.008	Artists Impression	Peddle Thorp	13/06/13
SD.009	Artists Impression	Peddle Thorp	13/06/13
<del>DA-200 – Staging</del>	<del>Stage: ——— Medical Centre</del>	<del>TRG</del>	<del>25/09/13</del>

<b>0703 DA01 B</b>	<b>Site Plan</b>	<b>Gregory G Terzi</b>	<b>June 2022</b>
<b>0703 DA02 G</b>	<b>Proposed Floor Plan</b>	<b>Gregory G Terzi</b>	<b>Jan 2023</b>
<b>0703 DA03 D</b>	<b>Proposed Elevations</b>	<b>Gregory G Terzi</b>	<b>Jan 2023</b>
-	<b>Masterplan</b>	<b>BTM&amp;S Stankovich Pty Ltd</b>	<b>July 2023</b>
-	<b>Stage 1 and 2 Car Parking Layout Plan</b>	-	-

CARRIED

## 8.2 APPLICATION FOR CONVERSION TO FREEHOLD OF PERPETUAL LEASE OVER LOT 17 ON NR4024, 37 VAUGHAN STREET, MAREEBA

### RESOLUTION 2023/196

Moved: Cr Mario Mlikota

Seconded: Cr Lenore Wyatt

That Council advise the Department of Resources that Council has no objection to conversion to freehold of Perpetual Lease NCL 9/1623 described as Lot 17 on Crown Plan NR4024, situated at 37 Vaughan Street, Mareeba.

CARRIED

## 8.3 PROPOSED MAJOR AMENDMENT NO.1 OF 2023 TO THE MAREEBA SHIRE COUNCIL PLANNING SCHEME 2016 - PUBLIC CONSULTATION

### RESOLUTION 2023/197

Moved: Cr Daniel (Danny) Bird

Seconded: Cr Lenore Wyatt

That Council:

1. Endorses the Major Amendment No.1 of 2023 - Consultation Report and makes no change to Major Amendment No.1 of 2023 in response to the submissions;
2. Responds to all submitters;
3. Gives notice to the Minister requesting approval to adopt Major Amendment No.1 of 2023 without change;
4. Delegate authority to the Chief Executive Officer to undertake all statutory steps, under the *Planning Act 2016* and the Minister's Guidelines and Rules, to complete and adopt Major Amendment No.1 of 2023 to the Mareeba Shire Council Planning Scheme 2016; and
5. Instruct Council officers to submit a report to Council detailing the steps taken to complete and adopt Major Amendment No.1 of 2023 following the adoption of Major Amendment No.1 of 2023.

**CARRIED**

#### **8.4 OPERATIONAL PLAN 2023/24 PROGRESS REPORT**

##### **RESOLUTION 2023/198**

Moved: Cr Mario Mlikota

Seconded: Cr Kevin Davies

That Council receives and notes the progress report on the implementation of the 2023/24 Operational Plan for the period July to Sept 2023.

**CARRIED**

#### **8.5 DEVELOPMENT AND GOVERNANCE QUARTERLY REPORT - JULY TO SEPTEMBER 2023**

##### **RESOLUTION 2023/199**

Moved: Cr Mary Graham

Seconded: Cr Daniel (Danny) Bird

That Council receives the quarterly report of the Development and Governance Group for the July to September 2023 quarter.

**CARRIED**

#### **8.6 FINANCIAL STATEMENTS PERIOD ENDING 30 SEPTEMBER 2023**

##### **RESOLUTION 2023/200**

Moved: Cr Mario Mlikota

Seconded: Cr Kevin Davies

That Council:

1. receives the Financial Report for the period ending 30 September 2023;
2. endorses the emergency order.

**CARRIED**

#### **8.7 VALUELESS LAND TO ACQUIRE**

##### **RESOLUTION 2023/201**

Moved: Cr Daniel (Danny) Bird

Seconded: Cr Lenore Wyatt

That Council:

1. acquires the lands in the Schedule below in accordance with Section 149(1) of the *Local Government Regulation 2012* as it considers that the value of the lands if they were sold would in each case be less than the total amount of the overdue rates [and charges];
2. delegates authority to the Chief Executive Officer to sign a notice of intention to acquire the lands to be given to all interested parties and to take all further steps necessary to complete the acquisition process in accordance with Sections 150 and 151 of the *Local Government Regulation 2012*.

**CARRIED**

## **8.8 AUDITOR-GENERAL'S 2023 FINAL REPORT**

### **RESOLUTION 2023/202**

Moved: Cr Kevin Davies

Seconded: Cr Lachlan (Locky) Bensted

That Council receive and note the attached report.

**CARRIED**

## **8.9 NAMING OF NEW KURANDA CEMETERY**

### **RESOLUTION 2023/203**

Moved: Cr Mario Mlikota

Seconded: Cr Mary Graham

That the new Kuranda cemetery located on Kuranda Heights Road be named Kuranda Heights Cemetery.

**CARRIED**

## **9 INFRASTRUCTURE SERVICES**

### **9.1 TRAFFIC ADVISORY COMMITTEE - MINUTES OF MEETING HELD 19 SEPTEMBER 2023**

#### **RESOLUTION 2023/204**

Moved: Cr Kevin Davies

Seconded: Cr Lenore Wyatt

That Council:

1. receives the minutes of the Traffic Advisory Committee Meeting held Tuesday, 19 September 2023; and
2. the Traffic Advisory Committee's to support the Department of Transport and Main Roads' (TMR's) proposal to reduce the speed limit on the Mulligan Highway through Bibohra to 80km/h.

**CARRIED**

## **9.2 PARKS AND OPEN SPACES QUARTERLY REPORT JULY 2023 - SEPTEMBER 2023**

### **RESOLUTION 2023/205**

Moved: Cr Daniel (Danny) Bird

Seconded: Cr Mario Mlikota

That Council receives the Parks and Open Spaces Action Plan Progress Report for the months of July 2023 – September 2023.

**CARRIED**

## **9.3 INFRASTRUCTURE SERVICES, CAPITAL WORKS MONTHLY REPORT - SEPTEMBER 2023**

### **RESOLUTION 2023/206**

Moved: Cr Lachlan (Locky) Bensted

Seconded: Cr Lenore Wyatt

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

**CARRIED**

## **9.4 CAPITAL PROJECT PRIORITISATION AND DECISION MAKING 2024/25**

### **RESOLUTION 2023/207**

Moved: Cr Mario Mlikota

Seconded: Cr Mary Graham

That Council adopts the Project Prioritisation Criteria to develop the 2024/25 Proposed Capital Works Program.

**CARRIED**

## **9.5 FLEET REPLACEMENT - VP376930 GRADER**

### **RESOLUTION 2023/208**

Moved: Cr Kevin Davies

Seconded: Cr Daniel (Danny) Bird

That Council accepts the tender from Hastings Deering for supply and delivery of one (1) Caterpillar 140 articulated motor grader, at a value of \$543,500 (excl GST).

**CARRIED**

**9.6 INFRASTRUCTURE SERVICES, TECHNICAL SERVICES OPERATIONS REPORT - SEPTEMBER 2023****RESOLUTION 2023/209**

Moved: Cr Lenore Wyatt

Seconded: Cr Lachlan (Locky) Bensted

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

**CARRIED**

**9.7 INFRASTRUCTURE SERVICES, WATER AND WASTE OPERATIONS REPORT - SEPTEMBER 2023****RESOLUTION 2023/210**

Moved: Cr Lenore Wyatt

Seconded: Cr Daniel (Danny) Bird

That Council:

1. receives the Infrastructure Services, Water and Waste Operations Report for September 2023; and
2. accepts the proposal received from Container Exchange (QLD) Limited (COEX) and Cairns Recycling for expansion of Eligible Container recycling solutions in Mareeba Shire to be undertaken in conjunction with Council:
  - a. Kuranda Bag Drop – Arara Street, Kuranda;
  - b. Eligible Container Bins – Public bin trial, Kuranda CBD; and
  - c. Transfer Station Collection and Management – Mareeba Shire Waste Transfer Stations.

**CARRIED**

**9.8 INFRASTRUCTURE SERVICES, WORKS SECTION ACTIVITY REPORT - SEPTEMBER 2023****RESOLUTION 2023/211**

Moved: Cr Daniel (Danny) Bird

Seconded: Cr Kevin Davies

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

**CARRIED**



**10 OFFICE OF THE CEO**

**10.1 ANNUAL REPORT 2022/23**

**RESOLUTION 2023/212**

Moved: Cr Mario Mlikota

Seconded: Cr Mary Graham

That Council adopts the Annual Report for the 2022/23 Financial Year.

**CARRIED**

**10.2 PROPOSED CHRISTMAS SHUTDOWN AND CHANGE IN JANUARY 2024 COUNCIL MEETING DATE**

**RESOLUTION 2023/213**

Moved: Cr Lenore Wyatt

Seconded: Cr Daniel (Danny) Bird

That Council approves:

1. The 2023/24 Christmas/New Year closure from midday on Friday 22 December 2023 and reopen Tuesday 2 January 2024; and
2. The change in date for the January Council Meeting to Wednesday 24 January 2024.

**CARRIED**

**11 CONFIDENTIAL REPORTS**

Nil

**12 BUSINESS WITHOUT NOTICE**

Nil

**13 NEXT MEETING OF COUNCIL**

The next meeting of Council will be held at 9:00am on 15 November 2023.

There being no further business, the meeting closed at 9:51am.

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Cr Angela Toppin

Chairperson