Mareeba
SHIRE COUNCIL

MINUTES

Wednesday, 17 July 2024

Ordinary Council Meeting

MINUTES OF MAREEBA SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS
ON WEDNESDAY, 17 JULY 2024 AT 09:30AM

1 MEMBERS IN ATTENDANCE

Cr Amy Braes, Cr Nipper Brown, Cr Ross Cardillo, Cr Kevin Davies, Cr Mary Graham, Cr Angela Toppin (Mayor), Cr Lenore Wyatt

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 Wyatt informed the meeting that she has a declareable conflict of interest in relation to *ITEM 8.1* KanjIni Co-Op Limited - Material Change of Use as her relative is a submitter. As a result of this declareable conflict of Interest, Cr Wyatt informed the meeting that she will leave the room whilst the matter is discussed and voted on.

Cr Wyatt informed the meeting that she has a declareable conflict of interest in relation to *ITEM 10.1* Licence Agreement for Use of Kuranda Destination Tourism Media Marketing Tools as she is a memebr of the board. As a result of this declareable conflict of Interest, Cr Wyatt informed the meeting that she will leave the room whilst the matter is discussed and voted on.

Cr Brown informed the meeting that he has a declareable conflict of interest in relation to *ITEM 8.2* R & M Patane - Material Change of Use as his relative is a submitter. As a result of this declareable conflict of Interest, Cr Brown informed the meeting that he will leave the room whilst the matter is discussed and voted on.

Cr Brown informed the meeting that he has a declareable conflict of interest in relation to *ITEM 10.1* Licence Agreement for Use of Kuranda Destination Tourism Media Marketing Tools as he is a memebr of the board. As a result of this declareable conflict of Interest, Cr Brown informed the meeting that he will leave the room whilst the matter is discussed and voted on.

5 CONFIRMATION OF MINUTES

RESOLUTION 2024/107

Moved: Cr Kevin Davies
Seconded: Cr Nipper Brown

That the minutes of Ordinary Council Meeting held on 19 June 2024 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 KANJINI CO-OP LIMITED - MATERIAL CHANGE OF USE - OUTDOOR SPORT AND RECREATION, FUNCTION FACILITY AND TOURIST PARK - LOT 66 ON RP896904, LOT 67 ON SP328197 AND LOT 68 ON SP282408 - 545 KAY ROAD AND 483 EMERALD FALLS ROAD, MAREEBA - MCU/22/0002

Defer untill August meeting

At 09:32 am, Cr Nipper Brown left the meeting.

8.2 R & M PATANE - MATERIAL CHANGE OF USE - TOURIST PARK (UP TO 74 PERSONS MAXIMUM) - LOTS 1, 2 & 3 ON SP311305 AND LOT 4 ON NR3750 - 49 FICHERA ROAD, MAREEBA - MCU/23/0021

RESOLUTION 2024/108

Moved: Cr Lenore Wyatt
Seconded: Cr Amy Braes

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	R & M Patane	**ADDRESS**	49 Fichera Road, Mareeba
DATE LODGED	5 October 2023	**RPD**	Lots 1, 2 & 3 on SP311305 and Lot 4 on NR3750
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use – Tourist Park (up to 74 persons maximum)		

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), relevant period in (E), further permits in (F), and further approvals from Council listed in (G);

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 – Tourist Park (up to 74 persons maximum)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
0744 DA01 C	Proposed Overall Site	Gregory G Terzi	06/12/2023
0744 DA02 C	Site-1/B	Gregory G Terzi	06/12/2023
0744 DA03 B	Site-2/A, -2/B and Site 3	Gregory G Terzi	06/12/2023
0744 DA04 C	Site-4	Gregory G Terzi	06/12/2023

(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.

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 of the development permit have been complied with, except where specified otherwise in these conditions of approval.

3. General

   3.1 The applicant 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.

   3.2 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to commencement of the use and at the rate applicable at the time of payment.

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 Waste Management

The applicant shall ensure there is no on site disposal of refuse associated with the approved use unless such refuse is disposed of in refuse bins provided in accordance with the following:

(i) No refuse is to be stored on site outside the refuse bins at any time.

(ii) An on-site refuse storage area for all refuse bins must be provided and be screened from view from adjoining properties and road reserve by a 1 metre wide landscaped screening buffer, 1.8m high solid fence or building.

Lids or coverings must be installed on all refuse storage bins when not in use to prevent wildlife scavenging.

3.5 Emissions

Emissions associated with the development must not cause an 'environmental nuisance' within the meaning of the *Environmental Protection Act (1994)* to any sensitive receptor.

Tourist Park guests are not permitted to play amplified music of any kind.

3.6 Bushfire Management

3.6.1 A Bushfire Management Plan, incorporating evacuation procedures, campfire guidelines and fire break/trail maintenance for the campground must be prepared to the satisfaction of Council's delegated officer. The approved use must comply with the requirements of the Management Plan at all times.

3.6.2 The applicant must ensure any open fires are appropriately managed and contained.

3.7 A site manager/s must be present on-site at all times to ensure compliance with these conditions of approval.

3.8 Signage

3.8.1 No more than 1 advertising sign for the approved development is permitted on the subject site.

3.8.2 The sign must not exceed a maximum sign face area of 6m2 and must not move, revolve, strobe or flash.

3.8.3 The sign must be kept clean, in good order and safe repair for the life of the approval.

3.8.4 The sign must be removed when no longer required.

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

3.9 The campground shall not accommodate more than 74 persons at any time.

Upon request, booking records must be made available to Council demonstrating compliance with this condition.

3.10 The maximum length of stay for any self-contained campers must not exceed seven (7) consecutive days.

4. Infrastructure Services and Standards

4.1 Access Crossover

All access crossovers used for this development must be upgraded/constructed/maintained (from the edge of Fichera Road to the property boundary) in accordance with FNQROC Development Manual standards, to the satisfaction of Council's delegated officer.

4.2 Road Safety Assessment

A Road Safety Assessment must be undertaken by a suitably qualified RPEQ that identifies safety risks for vehicles using:

- Fichera Road (between Tinaroo Creek Road and the access into Camping Site 1/B).

The road safety assessment/s must be consider (but not be limited to) the following:

(i) Road geometry (horizontal & vertical).

(ii) Carriageway width (pavement, seal and shoulders) – ability for opposing traffic to safely pass each other.

(iii) Vehicle sightlines.

(iv) Intersection treatments.

(v) Approaches to the Fichera Road Tinaroo Creek bridge.

(vi) Other roadside hazards.

The road safety assessment must provide recommendations on practical treatments to reduce the risk of any hazards to acceptable levels (e.g. localised pavement widening, signage, linemarking, road edge delineation etc.). The road safety assessment must be submitted to Council for review and agreed works

must be undertaken by the applicant at no cost to Council, prior to the commencement of the use.

The value (as agreed by Council's delegated officer) of the agreed works undertaken by the applicant shall be credited against the adopted infrastructure charge payable for this development.

The abovementioned works must be approved by Council as part of a subsequent application for operational works.

4.3 Stormwater Drainage/Water Quality

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

4.3.2 All stormwater drainage must be discharged to an approved legal point of discharge.

4.4 Car Parking/Internal Driveways

4.4.1 The applicant/developer must ensure that the development is provided with sufficient on-site car parking. No parking of vehicles associated with the development is permitted to occur outside the property boundary or within road reserve.

4.4.2 All car parking spaces, and trafficable areas must be surface treated with gravel or maintained with an intact grass cover so as to minimise erosion and must be appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.

4.4.3 All parking spaces and trafficable areas must be maintained in good order and safe repair for the life of the development, to the satisfaction of Council's delegated officer.

A sign must be erected in proximity to the access driveway indicating the availability of on-site parking.

4.5 Non-Reticulated Water Supply

All non-potable water supplied to campground visitors must be clearly labelled at each tap - Non Potable Water - not safe for Human Consumption.

In the event that the campground is provided with a potable water supply, it must be treated so as to be potable (safe for drinking in accordance with National Health Medical Research Guidelines).

4.6 On-Site Wastewater Management

4.6.1 No black or grey water from any campground guest is to be discharged on site.

4.6.2 Any accidental discharge of black or grey water on site must be reported to Council immediately.

4.6.3 Should permanent ablutions facilities be constructed onsite, all on site wastewater disposal associated with these facilities must be in compliance with the latest version of On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of the Council's delegated officer.

4.6.4 Any on-site wastewater treatment system with a total daily peak design capacity of at least 21 equivalent persons (EP) is an Environmentally Relevant Activity (ERA 63 - Sewerage Treatment) and an Environmental Authority is required.

4.7 Lighting

Lighting associated with the development must be set up to minimise light spillage and not cause nuisance to any neighbouring property. Where permanent outdoor lighting is proposed, the developer shall locate, design and install lighting in order to prevent the potential for light spillage to cause nuisance to neighbours and must be provided in accordance with Australian Standard 1158.1 – Lighting for Roads and Public Spaces.

Illumination resulting from direct, reflected or other incidental light emanating from the subject land does not exceed eight (8) lux when measured at any point 1.5m outside the property boundary of the subject site. The lighting fixtures installed on site must meet appropriate lux levels as documented within Australian Standard 4282 – Control of the Obtrusive Effects of Outdoor Lighting.

(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) The change in the use of the building may also require a change in the classification of the building under the Building Act. You are advised to contact a Building Certifier to establish if a change in the classification of the building is required.

(d) 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.

(e) 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.

(f) 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.

(g) 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.

(h) Motor Home Park/Caravan Park/Camping Ground

The applicant is advised that an application to Council for approval to operate under Council *Local Law No 1 (Administration) 2018* is required prior to the commencement of the motor home park/caravan park/camping ground.

(i) Electric Ants

Electric ants are designated as restricted biosecurity matter under the *Biosecurity Act 2014*.

Certain restrictions and obligations are placed on persons dealing with electric ant carriers within the electric ant restricted zone. Movement restrictions apply in accordance with Sections 74–77 of the *Biosecurity Regulation 2016*. Penalties may be imposed on movement of electric ant carriers and electric ants in contravention of the legislated restrictions. It is the responsibility of the applicant to check if the nominated property lies within a restricted zone.

All persons within and outside the electric ant biosecurity zone have an obligation (a ***general biosecurity obligation***) to manage biosecurity risks and threats that are under their control, they know about, or they are expected to know about. Penalties may apply for failure to comply with a general biosecurity obligation.

For more information please visit the electric ant website at Electric ants in Queensland | Business Queensland or contact Biosecurity Queensland 13 25 23.

(E) 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).

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

- Development Permit for Operational Works (Dependent on Road Safety Assessment)

(G) OTHER APPROVALS REQUIRED FROM COUNCIL

- Access approval arising from condition number 4.1 (Please contact Planning Section to obtain application form and applicable fee)

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

Development Type	**Rate**	**Measure**	**Charge**	**Credit Detail**	**Balance**
	per 10 vpd	**vpd**			
Tourist Park	**$5,452.00**	**1.12**	$6,106.00	**Nil**	**$6,106.00**
TOTAL CURRENT AMOUNT OF CHARGE					**$6,106.00**

3. Operational works application to be brought to Council for decision

CARRIED

COUNCILLOR GRAHAM VOTED AGAINST THE MOTION

At 09:41 am, Cr Nipper Brown returned to the meeting.

8.3 APPLICATION FOR THE INCLUSION OF AN ADDITIONAL PURPOSE ON TERM LEASE 0/217691 - LOT 434 ON SP136214, LOCALITY OF PALMER

RESOLUTION 2024/109

Moved: Cr Ross Cardillo
Seconded: Cr Nipper Brown

That Council offer no objection to the inclusion of the additional purpose of low key tourism on Term Lease 0/217691 over land described as Lot 434 on SP136214, Locality of Palmer and advise the Department of Resources that low key tourism may require development approval under the Mareeba Shire Council Planning Scheme 2016.

CARRIED

8.4 TWO RIVERS COMMUNITY SCHOOL - MATERIAL CHANGE OF USE - EDUCATIONAL ESTABLISHMENT - LOT 71 ON SP292140 - CHEWKO ROAD & 267 MCIVER ROAD, MAREEBA - MCU/23/0012

RESOLUTION 2024/110

Moved: Cr Amy Braes
Seconded: Cr Lenore Wyatt

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	Two Rivers Community School	**ADDRESS**	Chewko Road & 267 McIver Road, Mareeba
DATE LODGED	27 July 2023	**RPD**	Lot 71 on SP292140
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use – Educational Establishment		

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 – Educational Establishment

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
162/A021 Issue 5	Existing Site - 2021	LIFE Design Consulting	24/07/2023
162/A031 Issue 9	Masterplan – Final Entire Site	LIFE Design Consulting	10/10/2023
162/A041b Issue 7	Masterplan -2041 School	LIFE Design Consulting	10/10/2023
162/A041c Issue 6	Masterplan 2041 School B&W	LIFE Design Consulting	10/10/2023
162/A111 Issue 5	Stage 1 Plan	LIFE Design Consulting	24/07/2023
162/A112 Issue 3	Stage 1 Plan – Parking and Drop-off	LIFE Design Consulting	24/07/2023
162/A121 Issue 5	Stage 2 Plan	LIFE Design Consulting	24/07/2023
162/A131 Issue 6	Stage 3 Plan	LIFE Design Consulting	24/07/2023
162/A141 Issue 4	Stage 4 Plan	LIFE Design Consulting	24/07/2023
162/A151 Issue 4	Stage 5 Plan	LIFE Design Consulting	24/07/2023
162/A161 Issue 7	Final Plan	LIFE Design Consulting	24/07/2023
162/A162 Issue 3	Final Plan – Parking and Drop-off	LIFE Design Consulting	24/07/2023
162/A901 Issue 4	3D Views - Birdseye	LIFE Design Consulting	24/07/2023
162/A902 Issue 4	3D Views - Birdseye	LIFE Design Consulting	24/07/2023
162/A903 Issue 4	3D View from Entry	LIFE Design Consulting	24/07/2023
162/A911 Issue 4	3D Views – Internal courtyard	LIFE Design Consulting	24/07/2023

(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.
2. Timing of Effect
   2.1 The conditions of the development permit applicable to each stage must be complied with to the satisfaction of Council's delegated officer prior to the commencement of the relevant stage of the use except where specified otherwise in these conditions of approval.
   2.2 Prior to the commencement of each stage of the use, the applicant must notify Council that all the conditions of the development permit have been complied with, except where specified otherwise in these conditions of approval.

3. General

3.1 The development approval would not have been issued if not for the conditions requiring the construction of infrastructure or the payment of infrastructure charges within the conditions of approval or the Adopted Infrastructure Charges Notice.

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 payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to commencement of the use and at the rate applicable at the time of payment.

3.4 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.

3.5 Waste Management

3.5.1 On site refuge 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.

3.5.2 Where bulk bins are used and are to be serviced on site, prior to the issue of a development permit for building works, Council's delegated officer must be satisfied 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 only.

3.5.3 All waste storage areas must remain covered and no food scraps disposed of on-site so as to not encourage scavenging from wildlife and birdlife.

3.6 Noise Nuisance

Refrigeration equipment, pumps, compressors and mechanical ventilation systems must be located, designed, installed and maintained to achieve a maximum noise level of 3dB(A) above background levels as measured from noise sensitive locations and a maximum noise level of 8dB(A) above background levels as measured from commercial locations.

3.7 Air Conditioner & Building Plant Screening

The applicant/developer is required to install and maintain suitable screening to all air conditioning, lift motor rooms, plant and service facilities located at the top of or on the external face of the building. The screening structures must be constructed from materials that are consistent with materials used elsewhere on the facade of the building. There are to be no individual external unscreened air conditioning units attached to the exterior building facade.

3.8 Emissions

Emissions associated with the development must not cause an 'environmental nuisance' within the meaning of the Environmental Protection Act (1994) to any sensitive receptor.

3.9 Safety fencing

A child proof fence or physical barrier is provided to prevent unintended access to the following areas, directly from indoor or outdoor areas intended to accommodate children:

(a) Vehicle manoeuvring and parking areas;

(b) Refuse storage and servicing areas; and

(c) Air conditioning, refrigeration plant and mechanical plant.

The location and extent of fencing shall be determined by the applicant/developer after carrying out a risk assessment.

3.10 Student Enrolments

The total number of enrolled students shall not exceed three hundred (300), unless prior approval is granted by Council for an expansion of the existing use.

3.11 Bushfire Management

3.11.1 A Bushfire Hazard Management Plan for the site, incorporating evacuation procedures, must be prepared to the satisfaction of Council's delegated officer. The approved use must comply with the requirements of the Bushfire Hazard Management Plan at all times.

3.11.2 An on-site water supply for firefighting purposes must be provided with a minimum capacity of 5,000 litres that must comprise either:

(a) a stand-alone tank; or

(b) a reserve section in the bottom part of the main water supply tank; or

(c) a dam; or

(d) a swimming pool.

Where tank water supply is provided, the outlet must be fitted with a 50mm ball valve with a camlock fitting for connection to firefighting appliances.

3.12 Biosecurity Management Plan

A Biosecurity Management Plan must be prepared and implemented for the site.

4. Infrastructure Services and Standards

4.1 Development Access

4.1.1 The access off Chewko Road must be designed and constructed in accordance with FNQROC Development Manual standard drawing

for Rural Access S1105. The width and turn radius of the seal must be determined based on swept paths of the largest vehicle that would enter and exit the site.

4.1.2 The full length of the access road from Chewko Road to the property boundary must be upgraded/constructed to provide pavement and seal of a suitable standard to accommodate expected traffic volumes accessing the school.

4.1.3 The access road must be of a suitable width to accommodate two-way traffic including two buses passing each other. Turning paths confirming that vehicles can safely navigate the bends along the access road must be provided as part of the Operational Works application.

4.1.4 The railway level crossing must be upgraded in accordance with the State Assessment and Referral Agency response dated 30 May 2024.

4.1.5 The intersection of the existing access to the neighbouring properties to the south must be formalised from the new access road.

The works described above must be undertaken prior to commencement of use of Stage 1, at no cost to Council and will require approval under an Operational Works permit.

4.2 External Works

4.2.1 Design and construct the widening of Chewko Road pavement and seal on both approaches to the access intersection to provide trafficable shoulders of a width and length in accordance with Austroads Guide to Traffic Management Part 6 and Austroads Guide to Road Design Part 4A for a Rural Basic left and right turn treatment (BAL and BAR).

The works described above must be undertaken prior to commencement of use of Stage 1, at no cost to Council and will require approval under an Operational Works permit.

4.3 Revised Traffic Impact Assessment – Stage 6

4.3.1 A revised Traffic Impact Assessment (TIA) report must be submitted to Council prior to Stage 6 when all facilities constructed as part of Stage 1 to 5 is in operation. The TIA should analyse the impact that the development related traffic will have on Council's road network as a result of this stage and be based on actual traffic counts at the time.

Any external works determined to be required by Council following review of the revised assessment must be undertaken at no cost to Council and will require approval under an Operational Works permit.

4.4 Car Parking/Internal Driveways

4.4.1 The applicant/developer must ensure the development is provided with staged on-site car parking spaces generally in accordance with

the approved plans, which are available solely for the parking of vehicles associated with the use of the premises.

4.4.2 All car parking spaces and internal driveways must be concrete, bitumen or asphalt sealed and appropriately drained prior to the commencement of the use and to the satisfaction of Council's delegated officer.

4.4.3 The car park must be designed in accordance with AS2890.1 Off-Street Car Parking including parking bay dimensions, aisle widths, speed control etc. The design is to be certified by an RPEQ that the car park provisions comply with Australian standards.

4.4.4 An internal traffic circulation design plan demonstrating swept paths must be submitted as part of the development application for Operational Works to demonstrate that adequate provision has been made for the manoeuvring of vehicles and buses.

4.4.5 All parking spaces and trafficable areas must be maintained in good order and safe repair for the life of the development, to the satisfaction of Council's delegated officer.

4.5 Stormwater Management

4.5.1 Prior to building or operational works commencing, the applicant/developer must submit a Stormwater Management Plan and Report 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.

The Stormwater Management Plan must allow for the proposed staging of the development.

4.5.2 The Stormwater Management Plan must ensure a non-worsening effect on surrounding land as a consequence of the development, and must take all reasonable and practicable measures to ensure discharge occurs in compliance with the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual.

4.5.3 The applicant/developer must construct the stormwater drainage infrastructure for the development in accordance with the approved Stormwater Management Plan and Report.

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

4.6 Landscaping and Fencing

4.6.1 Prior to the commencement of the use of the site, a landscape plan must be prepared and submitted to Council's delegated officer for consideration and approval.

4.6.2 The landscaping plan must incorporate the following:

(i) A minimum 10 metre wide vegetated landscape buffer for the full length of the buffer zone shown on the approved plans.

(ii) A minimum 10 metre wide vegetated landscape buffer for 115 metres along the common boundary with Lot 1 on RP708284, directly to the south of the sports field/running track.

(iii) A 1.8 metre high colorbond (neutral colour) solid screen fence must be established along the site's common boundary with Lot 1 on RP708284 for the full length of the vegetated landscape buffers required under (i) and (ii).

(iv) The planting of one (1) shade tree for every six (6) parking spaces.

4.6.3 Landscaping associated with 4.6.2 (i) and (ii) must include ground cover, shrubs and trees that will grow to form an effective buffer of no less than four (4) metres in height.

4.6.4 Plant species are to be generally selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.

4.6.5 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.

4.6.6 All landscaping must be maintained for the life of the development.

4.7 Lighting

Where installed, external lighting must be designed and installed in accordance with *AS4282 – Control of the obtrusive effects of outdoor lighting* so as not to cause nuisance to residents or obstruct or distract pedestrian or vehicular traffic.

4.8 Non-Reticulated Water Supply

The development must be provided with a potable water supply that can satisfy the standards for drinking water set by the Australian Drinking Water Guidelines 2004 (National Health and Medical Research Council and the National Resource Management Ministerial Council).

All non-potable sources of water must be sign posted "non-potable water supply".

4.9 On-Site Wastewater Management

All on site effluent disposal associated with the approved use must be in compliance with the latest version of On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of the Council's delegated officer.

Note: Any on-site wastewater treatment system with a total daily peak design capacity of at least 21 equivalent persons (EP) is an Environmentally

Relevant Activity (ERA 63 - Sewerage Treatment) and an Environmental Authority is required.

4.10 Electricity Supply

The development must be connected to the electricity supply network.

4.11 Telecommunications Infrastructure

The development must be provided with a connection to the national broadband network or telecommunication services.

(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) 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.

(d) 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.

(e) 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.

(f) 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.

(g) Electric Ants

Electric ants are designated as restricted biosecurity matter under the *Biosecurity Act 2014*.

Certain restrictions and obligations are placed on persons dealing with electric ant carriers within the electric ant restricted zone. Movement restrictions apply in accordance with Sections 74–77 of the *Biosecurity Regulation 2016*. Penalties may be imposed on movement of electric ant carriers and electric ants in contravention of the legislated restrictions. It is the responsibility of the applicant to check if the nominated property lies within a restricted zone.

All persons within and outside the electric ant biosecurity zone have an obligation (a ***general biosecurity obligation***) to manage biosecurity risks and threats that are under their control, they know about, or they are expected to know about. Penalties may apply for failure to comply with a general biosecurity obligation.

For more information please visit the electric ant website at Electric ants in Queensland | Business Queensland or contact Biosecurity Queensland 13 25 23.

(E) REFFERAL AGENCY CONDITIONS

State Assessment and Referral Agency conditions dated 30 May 2024.

(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:

Development Type	Rate	Measure	Charge	Credit Detail	Balance
Educational Establishment	**per m2 GFA**	**GFA**			
Stage 1	**$65.25**	To be determined at building stage	To be determined at building stage	**$13,084.80**	To be determined at building stage

Stage 2	**$65.25**	To be determined at building stage	To be determined at building stage		To be determined at building stage
Stage 3	**$65.25**	To be determined at building stage	To be determined at building stage		To be determined at building stage
Stage 4	**$65.25**	To be determined at building stage	To be determined at building stage		To be determined at building stage
Stage 5	**$65.25**	To be determined at building stage	To be determined at building stage		To be determined at building stage
Stage 6	**$65.25**	To be determined at building stage	To be determined at building stage		To be determined at building stage
TOTAL CURRENT AMOUNT OF CHARGE					To be determined at building stage

3. Operational works application to be brought to Council for decision

CARRIED

8.5 DEVELOPMENT & GOVERNANCE QUARTERLY REPORT - APRIL TO JUNE 2024

RESOLUTION 2024/111

Moved: Cr Nipper Brown
Seconded: Cr Kevin Davies

That Council

1. receives the quarterly report of the Development and Governance Group for the April to June 2024 quarter and
2. approve a selective Approved Inspection Program (as attached) to be carried out to ensure compliance with the registration and microchipping requirements if the *Animal Management (Cats & Dogs) Act 2008*; and
3. approve a selective Approved Inspection Program be carried out to ensure compliance with section 14 of *Local Law No. 2 (Animal Management) 2018* - duty to provide proper enclosure and prevent the animal from wandering."

CARRIED

8.6 OPERATIONAL PLAN 2023/24 PROGRESS REPORT

RESOLUTION 2024/112

Moved: Cr Amy Braes
Seconded: Cr Mary Graham

That Council receives and notes the progress report on the implementation of the 2023/24 Operational Plan for the period April to June 2024.

CARRIED

8.7 COUNCIL POLICY REVIEW

RESOLUTION 2024/113

Moved: Cr Lenore Wyatt
Seconded: Cr Amy Braes

That Council:

1. Repeals the:
   (a) Water Restriction Policy – adopted 19 July 2023
   (b) Public Interest Disclosure Management Plan – adopted 19 July 2023
   (c) Process for Making Local Laws – adopted 19 July 2017
   (d) Statement of Management Intent – Flying-fox Roost Management – adopted 3 December 2014
   (e) Procurement Policy – adopted 21 June 2023
2. Adopts the:
   (a) Water Restriction Policy
   (b) Public Interest Disclosure Management Plan
   (c) Statement of Management Intent – Flying-fox Roost Management
   (d) Procurement Policy

CARRIED

8.8 SALE OF LOTS 418 AND 419 K2351 KINGSBOROUGH

RESOLUTION 2024/114

Moved: Cr Mary Graham
Seconded: Cr Nipper Brown

That Council:

1. Determines that section 236(1)(c)(iv) of the *Local Government Regulation 2012* (Qld) applies to the proposed sale of Lots 418 and 419 K2351 Caledonia Street Kingsborough*;*
2. Approves the sale of Lots 418 and 419 K2351 to the owners of adjoining Lot 401 SP334809 conditional upon:

(a) The buyer meeting the required combined unimproved formal land valuation of $10,000.00 exclusive of GST for Lots 418 and 419; and

(b) The amalgamation of Lots 418 and 419 into the land holdings of Lot 401 SP334809; and

(c) all administrative costs associated with preparation of instruments including but not limited to, Contract of Sale, surveying of the land, transfer of title, and Titles Registry fees being borne by the buyer.

CARRIED

8.9 LEASE F - MAREEBA AIRPORT AVIATION INDUSTRIAL PARK

RESOLUTION 2024/115

Moved: Cr Mary Graham
Seconded: Cr Amy Braes

That Council:

1. Rescind resolution ITEM-12 Mareeba Aerodrome – Lease Area F – R & L Rudd of Wednesday 16 May 2018; and
2. Consent to continued tenure of lease area F commencing 22 August 2024 by R & L Rudd on hold over of the existing terms under Queensland Titles Registry dealing reference Lease 718058473 for a period not exceeding 12 months.

CARRIED

8.10 FINANCIAL STATEMENTS PERIOD ENDING 30 JUNE 2024

RESOLUTION 2024/116

Moved: Cr Kevin Davies
Seconded: Cr Nipper Brown

That Council receives the Financial Report for the period ending 30 June 2024.

CARRIED

8.11 SAVANNAH IN THE ROUND SPONSORSHIP

RESOLUTION 2024/117

Moved: Cr Nipper Brown
Seconded: Cr Mary Graham

That Council provides a cash donation of $5,000 to Sound Australia towards delivering Savannah in the Round 2024.

CARRIED

9 INFRASTRUCTURE SERVICES

9.1 TRAFFIC ADVISORY COMMITTEE - MINUTES OF MEETING HELD 18 JUNE 2024

RESOLUTION 2024/118

Moved: Cr Kevin Davies
Seconded: Cr Lenore Wyatt

That Council receives the minutes of the Traffic Advisory Committee Meeting held Tuesday, 18 June 2024.

CARRIED

9.2 LONG TERM ASSET MANAGEMENT PLAN 2024-25 TO 2033-34

RESOLUTION 2024/119

Moved: Cr Amy Braes
Seconded: Cr Kevin Davies

That Council adopts the Long Term Asset Management Plan 2024-25 to 2033-34

CARRIED

9.3 INFRASTRUCTURE SERVICES, CAPITAL WORKS MONTHLY REPORT - JUNE 2024

RESOLUTION 2024/120

Moved: Cr Mary Graham
Seconded: Cr Kevin Davies

That Council receives the Infrastructure Services Capital Works Monthly Report for the month of June 2024.

CARRIED

9.4 PARKS AND OPEN SPACES QUARTERLY REPORT APRIL 2024 - JUNE 2024

RESOLUTION 2024/121

Moved: Cr Kevin Davies
Seconded: Cr Mary Graham

That Council receives the Parks and Open Spaces Action Plan Progress Report for the months of April 2024 – June 2024.

CARRIED

9.5 INFRASTRUCTURE SERVICES, TECHNICAL SERVICES OPERATIONS REPORT - JUNE 2024

RESOLUTION 2024/122

Moved: Cr Kevin Davies
Seconded: Cr Ross Cardillo

That Council receives the Infrastructure Services, Technical Services Operations Report for June 2024.

CARRIED

9.6 T-MSC2024-14 2024-2025 WATER MAIN REPLACEMENT

RESOLUTION 2024/123

Moved: Cr Kevin Davies
Seconded: Cr Mary Graham

That Council awards Tender T-MSC2024-14 2024-2025 Water Main Replacement to A & B Civil Pty Ltd for the amount of $942,718.47 excluding GST.

CARRIED

9.7 INFRASTRUCTURE SERVICES, WATER AND WASTE OPERATIONS REPORT - JUNE 2024

RESOLUTION 2024/124

Moved: Cr Amy Braes
Seconded: Cr Ross Cardillo

That Council receives the Infrastructure Services, Water and Waste Operations Report for June 2024.

CARRIED

9.8 WATER WASTEWATER & WASTE FEES AND CHARGES 2024/25

RESOLUTION 2024/125

Moved: Cr Ross Cardillo
Seconded: Cr Lenore Wyatt

That Council adopts the proposed Deemed Commercial Fees for Water Wastewater and Waste Fees and Charges for 2024/25.

CARRIED

9.9 INFRASTRUCTURE SERVICES, WORKS SECTION ACTIVITY REPORT - JUNE 2024

RESOLUTION 2024/126

Moved: Cr Kevin Davies
Seconded: Cr Mary Graham

That Council receives the Infrastructure Services, Works Progress Report for the month of June 2024.

CARRIED

10 OFFICE OF THE CEO

At 10:19 am, Cr Lenore Wyatt and Cr Nipper Brown left the meeting.

10.1 LICENCE AGREEMENT FOR USE OF KURANDA DESTINATION TOURISM MEDIA MARKETING TOOLS

RESOLUTION 2024/127

Moved: Cr Kevin Davies
Seconded: Cr Mary Graham

That Council

1. Determines that section 236(1)(b)(ii) by operation of section 236(2) of the *Local Government Regulation 2012* (Qld) applies to the proposed transfer of its Kuranda.org website, and associated Facebook and Instagram social media account assets; and
2. Approves the transfer by means of a licence agreement of Council's Kuranda.org website, and associated Facebook and Instagram social media account assets to Mareeba Shire Tourism Inc.

CARRIED

At 10:21 am, Cr Lenore Wyatt and Cr Nipper Brown returned to the meeting.

11 CONFIDENTIAL REPORTS

Nil

12 BUSINESS WITHOUT NOTICE

Nil

13 NEXT MEETING OF COUNCIL

The next meeting of Council will be held at 09:00am on 21 August 2024.

There being no further business, the meeting closed at 10:21am.

.....

Cr Angela Toppin

Chairperson