



# **MINUTES**

**Wednesday, 20 November 2024**

**Ordinary Council Meeting**

**MINUTES OF MAREEBA SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS  
ON WEDNESDAY, 20 NOVEMBER 2024 AT 9:00AM**

**1 MEMBERS IN ATTENDANCE**

Cr Angela Toppin (Mayor), Cr Amy Braes, Cr Nipper Brown, Cr Ross Cardillo, Cr Kevin Davies, Cr Mary Graham, 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 Davies declared a prescribed conflict of interest in relation to *ITEM 8.11 MAREEBA ROTARY CLUB CAROLS BY CANDLELIGHT*. The nature of the conflict is that Cr Davies is an Executive Officer of Mareeba Rotary. As a result of this prescribed conflict Cr Davies advised the meeting that he would leave the room whilst the matter is discussed and voted on.

**5 CONFIRMATION OF MINUTES**

**RESOLUTION 2024/195**

Moved: Cr Amy Braes

Seconded: Cr Kevin Davies

That the minutes of Ordinary Council Meeting held on 16 October 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 CHANGE OF DEVELOPMENT APPROVAL - BTM & S STANKOVICH PTY LTD - RECONFIGURING A LOT - SUBDIVISION (2 INTO 26 LOTS) AND MATERIAL CHANGE OF USE - MULTIPLE DWELLING (25 X DWELLING HOUSES) - LOT 2 ON SP298298 & LOT 48 ON SP320488 - MERINDAH CLOSE & KAROBEAN DRIVE, MAREEBA - MCU/21/0009**

**RESOLUTION 2024/196**

Moved: Cr Mary Graham

Seconded: Cr Nipper Brown

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>	Merindah Close & Karobean Drive, Mareeba
<b>DATE REQUEST FOR CHANGE TO DEVELOPMENT APPROVAL LODGED</b>	3 October 2024	<b>RPD</b>	Lot 2 on SP298298 & Lot 48 on SP320488
<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Reconfiguring a Lot – Subdivision (2 into 26 lots) and Material Change of Use – Multiple Dwelling (25 x Dwelling Houses)		

and in accordance with the Planning Act 2016, the following:

- (a) The description of the approved development (Decision Details) in the Decision Notice dated 16 September 2021 be amended as follows:

Type of Approval: Development Permit for Reconfiguring a Lot - Subdivision (2 into ~~26~~ **27** Lots) and Material Change of Use - Multiple Dwelling (~~25~~ **26** x Dwelling Houses)

- (b) The approved plan/s of Council’s Decision Notice dated 16 September 2021 be amended as follows:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
<del>Plan Ref: 8673</del>	<del>Development Plan</del>	<del>Twine Surveys Pty Ltd</del>	<del>20/04/2021</del>
<u>Plan Ref: 8673 Rev C</u>	<u>Development Plan</u> <u>Plan of Lots 2, 6 – 31</u> <u>Cancelling Lot 48 on</u> <u>SP320488 and Lot 2 on</u> <u>SP298298</u>	<u>Twine Surveys Pty Ltd</u>	<u>28/08/2024</u>

- (c) Condition 4.1 (Reconfiguring a Lot Component) of Council’s Decision Notice dated 16 September 2021 be amended as follows:

4.1 Access

- (a) Access to each allotment must be constructed (from the edge of the road pavement to the property boundary of each lot) in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

The provision of roll-over kerb along the frontage of each allotment will satisfy this condition.

**An asphalt sealed or reinforced concrete driveway (no bitumen) must be provided within the access handle for Lot 29. The driveway will:**

- **have a minimum formation width of three (3) metres**
- **be constructed for the full length of the access handle and connect with the required access crossover/kerbing**
- **be formed with one-way crossfall to cater for stormwater drainage such that any stormwater runoff is contained within the access strip or drains to the kerbing**
- **service and utility conduits (electricity, water supply, telecommunications) are to be provided for the full length of the concrete or sealed driveway constructed within the access handle of the battle axe allotment(s).**

- (b) A driveway crossover application must be submitted, the relevant fee paid, and the final works inspected and approved prior to the endorsement of any plan of survey creating any lot/s that incorporates a dwelling/s and associated driveway/s. The applicant/developer may construct multiple driveway/access crossovers at one time which can be considered under the one driveway crossover application.

- (d) Condition 2.1 (Material Change of Use Component) of Council’s Decision Notice dated 16 September 2021 be amended as follows:

2.1 This development permit authorises the construction of a maximum of ~~25~~ **26** dwelling houses on the subject land, however, prior to the occupation of any dwelling house (other than for display house purposes), the allotment on which the dwelling house is situated must be created on a plan of survey as a separate allotment and registered with the Department of Resources (Titles), unless otherwise approved by Council's delegated officer.

- 2. That an amended Adopted Infrastructure Charges Notice be issued for the following infrastructure Charges:

Development Type	Rate	Measure	Charge	Credit Detail	Balance
<b><i>Payable at time of subdivision of each lot</i></b>					
	<b><i>\$ per Lot</i></b>	<b><i>Lots</i></b>		<b><i>Lots</i></b>	
Residential	\$21,808.00	26 Lots	\$567,008.00	Nil	\$567,008.00
<b>TOTAL CURRENT AMOUNT OF CHARGE</b>					<b>\$567,008.00</b>

3. A Notice of Decision on Request to Change a Development Approval be issued to the applicant advising of Council’s decision”.

**CARRIED**

**8.2 CHANGE OF DEVELOPMENT APPROVAL - TW HEDLEY PTY LTD - RECONFIGURING A LOT (1 INTO 45 LOTS) - LOT 46 ON SP210288 (FORMERLY PART OF LOT 2 ON RP720057) - 189 RAY ROAD & RAYFIELD AVENUE, MAREEBA - REC/07/0083 (RAYFIELD ESTATE)**

**RESOLUTION 2024/197**

Moved: Cr Ross Cardillo

Seconded: Cr Mary Graham

It is recommended that:

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

APPLICATION		PREMISES	
<b>APPLICANT</b>	TW Hedley Pty Ltd	<b>ADDRESS</b>	189 Ray Road and Rayfield Avenue, Mareeba
<b>DATE REQUEST FOR CHANGE TO DEVELOPMENT APPROVAL LODGED</b>	21 October 2024	<b>RPD</b>	Lot 46 on SP210288 (Formerly Part of Lot 2 on RP720057)
<b>TYPE OF APPROVAL</b>	Development Permit		

and in accordance with the Planning Act 2016, the following:

- (a) The Council Resolution included on the Decision Notice dated 18 September 2007 be amended as follows:

Resolved that Council:-

- A. Issue a Development Permit for the application made by Mareeba Lifestyle Developments Pt Ltd for the reconfiguration of land described as Lot 2 on RP720057, Parish of Tinaroo, situated at 189 Ray Road, Mareeba into 45 lots ~~as indicated on~~ **generally in accordance with** Drawing No. 1095-SK1 Amdt C **(Stage 1) and Drawing No. 004-2403-01-DRG-1001 Rev A (Stage 2)** ~~submitted with the application~~, subject to the following conditions:-
  - (b) Condition one (1) of Council’s Decision Notice dated 18 September 2007 be deleted and an Adopted Infrastructure Charges Notice be issued in its place.
  - (c) Condition two (2) - External Works of Council’s Decision Notice dated 18 September 2007 be deleted.
  - (d) Condition five (5) (iii) only of Councils Decision Notice dated 18 September 2007 be deleted and an Adopted Infrastructure Charges Notice be issued in its place.
  - (e) Condition six (6) (iv) only of Councils Decision Notice dated 18 September 2007 be deleted and an Adopted Infrastructure Charges Notice be issued in its place.

- (f) Condition seven (7) of Council's Decision Notice dated 18 September 2007 be amended as follows:

7. *Wastewater Disposal*

~~The developer shall provide a Site and Soil Evaluation Report prepared by a suitably qualified Registered Professional Engineer acceptable to Council, for the proposed development. The report shall be prepared in accordance with the requirements of AS1547.2000 and shall specifically address those issues pertaining to the planning, rezoning and subdivision of land. The developer shall warrant that each lot within the proposed subdivision is of sufficient size and soil classification to dispose of wastewater generated by any development consistent with the zoning of the land without impacting on any adjoining lands. The report will include a detailed investigation of problem lots within the development. AS1547.2000 provides direction on the preparation of such a report and guidance on the minimum level of testing required to produce such a report.~~

**At the time of construction of a new dwelling on each lot, any associated on-site effluent disposal system must be constructed in compliance with the latest version On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of the Council's delegated officer.**

- (g) Condition 11 of Council's Decision Notice dated 18 September 2007 be deleted and an Adopted Infrastructure Charges Notice be issued in its place.
- (h) Condition 12 of Council's Decision Notice dated 18 September 2007 be amended as follows:

12. Access

- (i) The applicant is to construct an access to the proposed allotments to the Mareeba Shire access requirements of the FNQROC Development Manual and to the satisfaction of the Manager Civil Works. These accesses must be constructed from the edge of the road pavement to the property boundary.

**The provision of rollover/layback kerbing along all new internal access road/s will satisfy this requirement.**

- (ii) the applicant is to construct the access ~~way~~ **handle driveways** for proposed ~~Lot 30~~ **Lots 30, 48 and 58** to a minimum **3 metre wide** all weather hard standing surface (i.e. asphalt, bitumen, concrete), from the new road to the main body of ~~the~~ **each** allotment.

- (i) To support the issue of an Adopted infrastructure Charges Notice, additional advice clauses (a) and (b) must be included on Council's Decision Notice dated 18 September 2007 as follows:
- (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.

- That an Adopted Infrastructure Charges Notice be issued for the following infrastructure Charges in lieu of deleted Conditions one (1), five (5) (iii), six (6) (iv) and 11:

Development Type	Rate	Measure	Charge	Credit Detail	Balance
	<i>\$ per Lot (20% discount - no sewer)</i>	<i>Lots</i>		<i>1 Lot</i>	
Stage 2 – Rural Residential Lots 46-68	\$17,446.40	23 Lots	\$401,267.20	\$17,446.40	\$383,820.80

- A Notice of Decision on Request to Change a Development Approval be issued to the applicant advising of Council’s decision”.

**CARRIED**

**8.3 MAX SLADE DESIGNS PTY LTD - MATERIAL CHANGE OF USE - OUTDOOR SALES, SHOWROOM AND WAREHOUSE (VEHICLE STORAGE YARD, DEALERSHIP EGRESS AND WAREHOUSE) - LOT 30 ON RP700534 & LOT 45 ON SP300453 - 236 WALSH STREET & 275-289 BYRNES STREET, MAREEBA - MCU/24/0014**

**RESOLUTION 2024/198**

Moved: Cr Lenore Wyatt

Seconded: Cr Amy Braes

- That in relation to the following development application:

APPLICATION		PREMISES	
<b>APPLICANT</b>	Max Slade Designs Pty Ltd	<b>ADDRESS</b>	236 Walsh Street and 275-289 Byrnes Street, Mareeba
<b>DATE LODGED</b>	8 July 2024	<b>RPD</b>	Lot 30 on RP700534 & Lot 45 on SP300453
<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Material Change of Use – Outdoor Sales, Showroom and Warehouse (Vehicle Storage Yard, Dealership egress and Warehouse)		

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 – Outdoor Sales, Showroom and Warehouse (Vehicle Storage Yard, Dealership Egress and Warehouse)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
Sheet A100b	Overall Masterplan 09 23	Max Slade Designs	18 <sup>th</sup> April 2024
Sheet A306	Walsh Street – Civil Works	Max Slade Designs	18 <sup>th</sup> April 2024

(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/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.



3.2 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

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

3.5 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.

3.6 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.

3.7 Hours of Operation

The operating hours shall be between 8am and 5pm Monday to Friday and between 8am and 12pm Saturday. No operations are permitted within Lot 30 on RP700534 outside of these hours or on Sundays or Public Holidays.

3.8 Signage

No signage is permitted to be erected along the Walsh Street frontage of the site.

4. Infrastructure Services and Standards

4.1 Access

A **commercial** access crossover must be constructed (from the edge of Walsh Street 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 Management

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

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

## 4.3 Car Parking/Internal Driveways

4.3.1 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.

4.3.2 All car parking spaces and internal driveways must be constructed in compliance with the following standards/to the satisfaction of Council's delegated officer:

- Australian Standard AS2890:1 Off Street Parking - Car Parking Facilities;
- Australian Standard AS1428:2001 - Design for Access and Mobility.

## 4.4 Landscaping and Fencing

4.4.1 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.

4.4.2 The landscape plan must include landscaping and fencing generally in accordance with the approved Overall Masterplan (Sheet A100b) and in 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.

4.4.3 The landscaping plan must incorporate the following:

- (i) A 1.8 metre high (neutral colour) solid screen fence must be established along the full length of the site's common boundary with Lot 0 on BUP70871 and Lot 2 on RP708060.
- (ii) A 1.5 metre high (neutral colour) solid screen fence must be established along the full length of the site's Walsh Street frontage, excluding the site exit.
- (iii) The fencing is to be erected prior to the commencement of the use and maintained in good order for the life of the development, to the satisfaction of Council's delegated officer.

4.4.4 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.

4.4.5 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.

#### 4.5 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.

### (D) ASSESSMENT MANAGER'S ADVICE

(a) 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.

(b) 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.

(c) 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.

(d) 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).

(e) 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).

## (f) 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 27 August 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

- Nil

## (H) OTHER APPROVALS REQUIRED FROM COUNCIL

- Access approval arising from condition number 4.1

**CARRIED**

**8.4 NEGOTIATED ADOPTED INFRASTRUCTURE CHARGES NOTICE - S & M PINESE - MATERIAL CHANGE OF USE - TOURIST PARK (UP TO 74 PERSONS MAXIMUM) - LOT 1 & 2 ON RP744876 - 76-82 AND 84-128 KENNEDY STREET, DIMBULAH - MCU/24/0012**

**RESOLUTION 2024/199**

Moved: Cr Nipper Brown

Seconded: Cr Kevin Davies

It is recommended that:

1. In relation to the following development approval:

APPLICATION		PREMISES	
<b>APPLICANT</b>	S & M Pinese	<b>ADDRESS</b>	76-82 and 84-128 Kennedy Street, Dimbulah
<b>DATE REQUEST FOR NDN LODGED</b>	2 September 2024	<b>RPD</b>	Lot 1 and 2 on RP744876
<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Material Change of Use – Tourist Park (up to 74 Persons Maximum)		

and in accordance with the Planning Act 2016, the following

- (a) The Adopted Infrastructure Charges Notice issued for Development Approval MCU/24/0012 on 26 August 2024 be maintained.

2. A written notice be issued to the applicant advising of Council’s decision.”

**CARRIED**

**8.5 AGISTMENT LAND OCCUPANCY PERMIT - PART OF LOT 20 RP748320**

**RESOLUTION 2024/200**

Moved: Cr Mary Graham

Seconded: Cr Amy Braes

That Council:

1. Approve the issue to RT & JT McCarthy Trading as Lillysprings, ABN 84 516 967 663 of an Agistment Land Occupancy Permit for a term of 10 years commencing 1 January 2025 on the terms set out in this report; and
2. Delegate authority to the Chief Executive Officer to finalise and execute the Agistment Land Occupancy Permit in accordance with requirements under Council’s *Use of Council Land for Agistment Purposes Policy*; and
3. Does not support the proposed permanent partial road closures pending finalisation of the Ray Road drainage study.

**CARRIED**

## 8.6 COUNCIL POLICY REVIEW

### RESOLUTION 2024/201

Moved: Cr Amy Braes

Seconded: Cr Lenore Wyatt

That Council:

1. Repeals the:
  - (a) Building Over or Near Sewerage Infrastructure Policy – adopted 16 April 2024
  - (b) Building Over or Near Sewerage Infrastructure Procedure – adopted 16 April 2024
  - (c) Terms of Reference Traffic Advisory Committee – adopted 15 July 2020
  - (d) Community Loans Policy – adopted 18 November 2020
  - (e) Media Management Policy – adopted 18 November 2020
2. Adopts the:
  - (a) Building Over or Near Sewerage Infrastructure Policy
  - (b) Building Over or Near Sewerage Infrastructure Procedure
  - (c) Terms of Reference Traffic Advisory Committee
  - (d) Community Loans Policy
  - (e) Media Management Policy

**CARRIED**

## 8.7 LEASE RENEWAL OF TERM - MAREEBA MOUNTAIN GOATS INC.

### RESOLUTION 2024/202

Moved: Cr Kevin Davies

Seconded: Cr Lenore Wyatt

That Council:

1. Approve the issuing of new leases over the whole of Lot 858 NR7516 and lease area B in Lot 156 NR2175 to the Mareeba Mountain Goats Inc. for term of ten years commencing 1 January 2025; and
2. Decide that section 236(1)(b)(ii) of the Local Government Regulation 2012 (Qld) applies to point one (1) above; and
3. Delegate authority to the Chief Executive Officer to negotiate, finalise and execute the necessary lease tenure instruments in accordance with requirements in Council's *Community Group Exclusive Use of Council Land and Facilities Policy* and *Community Tenure Guidelines*.

**CARRIED**

**8.8 DELEGATIONS UPDATE NOVEMBER 2024****RESOLUTION 2024/203**

Moved: Cr Mary Graham

Seconded: Cr Amy Braes

That:

1. Council delegates to the Chief Executive Officer all the powers appearing in the attached document titled Register of Delegations – Council to Chief Executive Officer with such powers to be exercised subject to any limitations and conditions declared therein; and
2. Any prior delegations of power relating to the same matters are revoked.

**CARRIED****8.9 BUILDING CERTIFICATION FEES****RESOLUTION 2024/204**

Moved: Cr Mary Graham

Seconded: Cr Ross Cardillo

That Council adopts the updated Building Certification Fees.

**CARRIED****8.10 FINANCIAL STATEMENTS PERIOD ENDING 31 OCTOBER 2024****RESOLUTION 2024/205**

Moved: Cr Nipper Brown

Seconded: Cr Kevin Davies

That Council;

1. Receives the Financial Report for the period ending 31 October 2024; and
2. Empanels the 11 suppliers to be added to the Sole Supplier Register; and
3. Receive and note the 2024 Final Management Report.

**CARRIED**

At 9:15 am, Cr Kevin Davies left the meeting.

**8.11 MAREEBA ROTARY CLUB CAROLS BY CANDLELIGHT****RESOLUTION 2024/206**

Moved: Cr Amy Braes

Seconded: Cr Nipper Brown

That Council endorses the in-kind assistance estimated at \$5,200 towards Mareeba Rotary Club's 2024 Carols by Candlelight event.

**CARRIED**

**ALL COUNCILLORS VOTED IN FAVOUR OF THE MOTION**

At 9:16 am, Cr Kevin Davies returned to the meeting.

**8.12 SOCIAL HOUSING****RESOLUTION 2024/207**

Moved: Cr Lenore Wyatt

Seconded: Cr Amy Braes

That Council:

1. Notes the estimated completion date of February 2025 for the new social housing duplex in Mareeba, which is project managed by Mareeba Community Housing Company, funded by the Queensland Department of Housing with trustee land provided by Mareeba Shire Council.
2. Notes approval by the Queensland Government to fund the construction of a new social housing triplex for low-income seniors in Mareeba with construction to be managed by Mareeba Community Housing Company on Council trustee land.
3. Intends to subdivide and freehold all lots with social housing dwellings in order to divest the properties to the preferred provider, Mareeba Community Housing Company, with costs met by the funded social housing service.

**CARRIED**

**8.13 COUNCIL MEETING PRESENTATION FORMAT****RESOLUTION 2024/208**

Moved: Cr Mary Graham

Seconded: Cr Lenore Wyatt

That Council does not introduce livestream services in respect of Council ordinary meetings conducted in the Rankin Street Chambers.

**CARRIED**



**9 INFRASTRUCTURE SERVICES****9.1 2025-2026 CAPITAL PROJECT PRIORITISATION****RESOLUTION 2024/209**

Moved: Cr Lenore Wyatt

Seconded: Cr Kevin Davies

That Council adopts the Project Prioritisation Criteria to develop the 2025/26 Proposed Capital Works Program.

**CARRIED**

**9.2 INFRASTRUCTURE SERVICES, CAPITAL WORKS MONTHLY REPORT - OCTOBER 2024****RESOLUTION 2024/210**

Moved: Cr Mary Graham

Seconded: Cr Kevin Davies

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

**CARRIED**

**9.3 T-MSC2024-25 KURANDA AND SURROUNDING AREAS CLEANING CONTRACT****RESOLUTION 2024/211**

Moved: Cr Lenore Wyatt

Seconded: Cr Nipper Brown

That the Council endorses the awarding of Tender T-MSC2024-25 Kuranda and Surrounding Areas Cleaning Contract to Just Focus for the amount of \$282,923.88 (excl. GST), for a period of two (2) years with potential one (1) year extension option.

**CARRIED**

**9.4 T-MSC2024-24 OAKFOREST BARRON RIVER BRIDGE REFURBISHMENT****RESOLUTION 2024/212**

Moved: Cr Kevin Davies

Seconded: Cr Mary Graham

That the Council awards Tender T-MSC2024-23 Oak Forest Barron River Bridge Refurbishment to Neater Constructions for the amount of \$450,667 (excl. GST).

**CARRIED**

**9.5 T-MSC2024-27 DAVIES PARK LIGHTING UPGRADE****RESOLUTION 2024/213**

Moved: Cr Kevin Davies

Seconded: Cr Lenore Wyatt

That the Council awards Tender T-MSC2024-27 MBA Davies Park Lighting Upgrade to i-Lec Group Pty Ltd for the amount of \$274,996 (excl. GST).

**CARRIED**

**9.6 INFRASTRUCTURE SERVICES, TECHNICAL SERVICES OPERATIONS REPORT - OCTOBER 2024****RESOLUTION 2024/214**

Moved: Cr Nipper Brown

Seconded: Cr Ross Cardillo

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

**CARRIED**

**9.7 INFRASTRUCTURE SERVICES, WATER AND WASTE OPERATIONS REPORT - OCTOBER 2024****RESOLUTION 2024/215**

Moved: Cr Amy Braes

Seconded: Cr Nipper Brown

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

**CARRIED**

**9.8 INFRASTRUCTURE SERVICES, WORKS SECTION ACTIVITY REPORT - OCTOBER 2024****RESOLUTION 2024/216**

Moved: Cr Nipper Brown

Seconded: Cr Mary Graham

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

**CARRIED**

**9.9 PEST MANAGEMENT ADVISORY COMMITTEE - MINUTES OF MEETING HELD 3 OCTOBER 2024****RESOLUTION 2024/217**

Moved: Cr Ross Cardillo

Seconded: Cr Nipper Brown

That Council

1. receives the minutes of the Pest Management Advisory Committee Meeting held Thursday, 3 October 2024; and
2. agrees to extend the review of the Terms of Reference established in 2022 until September 2025 to ensure sufficient time for effective implementation.

**CARRIED****10 CONFIDENTIAL REPORTS**

Nil

**11 BUSINESS WITHOUT NOTICE****11.1 PROPOSED LOCAL LAW AMENDMENTS****RESOLUTION 2024/218**

Moved: Cr Amy Braes

Seconded: Cr Mary Graham

That Council extends the deadline for submissions on the proposed amendments of the Local Laws until 4 December 2024.

**CARRIED****11.2 LEAVE OF ABSENCE - FEBRUARY MEETING****RESOLUTION 2024/219**

Moved: Cr Mary Graham

Seconded: Cr Kevin Davies

That Cr Wyatt be granted a leave of absence for the Council Meeting scheduled for 19 February 2025.

**CARRIED**

**12 NEXT MEETING OF COUNCIL**

The next meeting of Council will be held at 9:00am on 18 December 2024.

There being no further business, the meeting closed at 9:50am.

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Cr Angela Toppin

Chairperson