



MINUTES

Wednesday, 19 March 2025

Ordinary Council Meeting

**MINUTES OF MAREEBA SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS
ON WEDNESDAY, 19 MARCH 2025 AT 9:00AM**

1 MEMBERS IN ATTENDANCE

Cr Angela Toppin (Mayor), Cr Amy Braes, Cr Nipper Brown, Cr Ross Cardillo, 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 Cardillo declared a prescribed conflict of interest in relation to *ITEM 8.5 Community Trustee Lease - Team Mareeba Boxing Inc. - Lease A in Lot 1 CPM356165*. Cr Cardillo advised that the nature of the conflict is that he is an Executive of Mareeba Boxing Inc and as such, will leave the room whilst the matter is discussed and voted on.

5 CONFIRMATION OF MINUTES

RESOLUTION 2025/39

Moved: Cr Mary Graham

Seconded: Cr Amy Braes

That the minutes of Ordinary Council Meeting held on 19 February 2025 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 SHIRE JOB TRAINING ASSOCIATION INC - MATERIAL CHANGE OF USE - CHILD CARE CENTRE (EXPANSION) - LOT 200 ON SP213026 - 41B ANZAC AVENUE. MAREEBA - MCU/25/0001

RESOLUTION 2025/40

Moved: Cr Nipper Brown

Seconded: Cr Lenore Wyatt

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	Mareeba Shire Job Training Association Inc	ADDRESS	41B Anzac Avenue, Mareeba
DATE LODGED	16 January 2025	RPD	Lot 200 on SP213026
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use – Child Care Centre (Expansion)		

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 – Child Care Centre (Expansion)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
2406QITE A01 3	Title Page	NE Architecture	27-11-24
2406QITE A02 3	Site Plan	NE Architecture	27-11-24
2406QITE A03 3	Floor Plan	NE Architecture	27-11-24
2406QITE A04 3	3D Cutaway	NE Architecture	27-11-24
2406QITE A05 3	3D View	NE Architecture	27-11-24
2406QITE A06 2	Elevations	NE Architecture	27-11-24

(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 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.

3.8 Hours of Operation

The operating hours shall be between 6.30am and 6pm Monday to Saturday. No operations are permitted on Sunday or Public Holidays.

4. Infrastructure Services and Standards

4.1 Access Works

In order to help the flow of traffic to and from the shared carpark and reduce queuing on Anzac Avenue, the existing 13-metre-wide two direction carpark access must be upgraded/constructed to include a reinforced concrete “kerb cut-out and ramp” to allow vehicles to enter and exit the carpark more smoothly and efficiently. The access upgrade must be designed and constructed in accordance with FNQROC development manual standards, to the satisfaction of Council’s delegated officer.

4.2 Stormwater Drainage/Water Quality

4.2.1 Prior to building 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.

4.2.2 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.

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

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

4.3 Landscaping and Fencing

4.3.1 The development must be landscaped generally in accordance with Plan 2406QITE A03 3 (Floor Plan) dated 27-11-24.

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

4.3.3 The existing boundary solid screen fence must be maintained in good order for the life of the development, to the satisfaction of Council's delegated officer.

4.3.4 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.

4.3.5 The landscaping of the site must be carried out in accordance with the landscape plan/s, and prior to the commencement of the use, and mulched, irrigated and maintained to the satisfaction of Council's delegated officer.

4.4 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 surrounding residents or obstruct or distract pedestrian or vehicular traffic.

4.5 Water Supply

The applicant/developer must connect the proposed development to Council's reticulated water supply 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, the applicant/developer is required to extend or upgrade 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 in accordance with FNQROC Development Manual standards (as amended).

If a new or upgraded water service connection is required to service the development, it must be provided in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

4.6 Sewerage Connection

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 or upgrade 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).

(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.

- (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.

(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 Building Work
- Development Permit for Operational Works

(G) 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
	per m2 GFA	GFA (m2)			
Child Care Centre	\$108.80	197	\$21,433.60	Nil	\$21,433.60
TOTAL CURRENT AMOUNT OF CHARGE					\$21,433.60

CARRIED

8.2 NQ FARMING PTY LTD TTE - RECONFIGURING A LOT - SUBDIVISION (1 LOT INTO 27 LOTS) IN TWO (2) STAGES - LOT 453 ON SP247821 - 30 PETERS STREET, MAREEBA - RAL/23/0010

RESOLUTION 2025/41

Moved: Cr Lenore Wyatt

Seconded: Cr Ross Cardillo

That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	NQ Farming Pty Ltd TTE	ADDRESS	30 Peters Street, Mareeba
DATE LODGED	4 September 2023	RPD	Lot 453 on SP247821
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot – Subdivision (1 lot into 27 lots) in two (2) stages		

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 of Reconfiguring a Lot – Subdivision (1 lot into 27 lots) in two (2) stages

(B) **APPROVED PLANS:**

Plan/Document Number	Plan/Document Title	Prepared by	Dated
9118-LL1 Rev A	Development Plan Proposed Reconfiguration of a Lot (1 Lot into 27 Lots) Staged Development	Twine Surveys Pty Ltd	26.07.2023
-	Link Road location	-	-

(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, and subject to any alterations:
 - found necessary by the 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 endorsement of the plan of survey for each stage of the development, or alternative documentation as approved by the Land Title Act, 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 or the Adopted Infrastructure Charges Notice must be made prior to the endorsement of the plan of survey, or alternative documentation as approved by the Land Title Act and at the rate applicable at the time of payment.
 - 3.3 The developer must relocate (in accordance with FNQROC standards) any services such as water, sewer, drainage, telecommunications and electricity that are not wholly located within the lots that are being created/serviced where required by the relevant authority, unless approved by Council's delegated officer.
 - 3.4 Where utilities (such as sewers on non-standard alignments) traverse lots to service another lot, easements must be created in favour of Council for access and maintenance purposes. The developer is to pay all costs (including Council's legal expenses) to prepare and register the easement documents.
 - 3.5 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.
 - 3.6 Charges

All outstanding rates, charges, and expenses pertaining to the land are to be paid in full.

4. Infrastructure Services and Standards

4.1 Stormwater Drainage

- (a) The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.
- (b) Prior to works commencing the applicant 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.
- (c) Prior to works commencing the applicant must submit a Stormwater Quality 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 Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline to the satisfaction of Council's delegated officer.
- (d) The Stormwater Quality Management Plan must include an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia) to the satisfaction of Council's delegated officer.
- (e) The applicant/developer must construct the stormwater drainage infrastructure in accordance with the approved Stormwater Management Plan and/or Stormwater Quality Management Plan and Report.
- (f) Temporary drainage is to be provided and maintained during the construction phase of the development, discharged to a lawful point and not onto the construction site.
- (g) All stormwater channels through private property must be registered, with the easement for drainage purposes in favour of Council. All documentation leading to the registration of the easement must be completed at no cost to Council.
- (h) All stormwater drainage collected from the site must be discharged to an approved legal point of discharge.
- (i) The applicant (at their cost) must video all stormwater lines and submit the video for inspection by Council's delegated officer prior to the development being taken "off maintenance" to ensure that no defects have occurred during the 12 month maintenance period.
- (j) All drainage easements must be constructed to prevent erosion. Construction may be in the form of a concrete invert, with outlet protection.

4.2 Earthworks

All earthworks must be carried out in accordance with the requirements of the FNQROC Development Manual (as amended) to the satisfaction of Council's delegated officer.

4.3 Roadworks/footpaths - Internal

- (a) The subdivision internal roads must be designed and constructed to Access Street standard in accordance with Council's FNQROC Development Manual, as detailed in Table D.1.1
- (b) Individual property access must be designed in accordance with the requirements of FNQROC Development Manual. Appropriate distances are required from intersections and tangent points in accordance with AS2890.1.

The provision of layback/roll-over kerbing along the frontage of each allotment will satisfy this condition for all non-rear (access handle) lots.

- (c) For all rear (access handle) lots:

An asphalt sealed, or concrete driveway shall be provided within each access handle of the proposed lots/s to the satisfaction of Council's delegated officer. The driveway will:

- have a minimum formation width of 3 metres
- be constructed for the full length of the access handle
- be formed with one-way crossfall to cater for stormwater drainage such that any stormwater runoff is contained within the access handle
- service and utility conduits are to be provided for the full length of the concrete or sealed driveway constructed within the access handle.

- (d) The diameter of the cul-de-sacs must be suitable for the largest refuse collection vehicle used throughout the shire to be able to turn around in a forward direction. Swept path diagrams must be submitted as part of the development application for Operational Works to demonstrate this requirement.
- (e) A temporary asphalt vehicle turnaround at the end of all partially constructed roads must be provided of a sufficient size to turnaround a refuse collection vehicle, either in a continuous forward movement or by a three-point turn.
- (f) Two (2) metre wide concrete pedestrian footpaths must be installed along one side of the internal road/s. The horizontal alignment of all footpaths must comply with the FNQROC development Manual (specifically Standard Drawing S1004A).

4.4 Roadworks - External (Peters Street and unnamed road reserve connecting to the new internal road) – **Stage 1**

Peters Street, from the eastern boundary of Lot 12 on M356104 (33 Peters Street), and the unnamed road reserve connecting to the new internal road, must be designed and constructed to Access Street standard in accordance with Council's FNQROC Development Manual, as detailed in Table D.1.1.

4.5 Link road to The Edge Estate – **Stage 2**

- (a) A 15.5 metre wide (Access Street) road reserve must be opened between the new internal road and Lot 300 on SP336263 (The Edge Estate). The road reserve must connect to a proposed road reserve to be located generally within the confines of proposed Lot 5 as shown on Drawing 1458 – C01 (marked as Link Road).
- (b) A new road linking the new internal road to Antonio Drive must be designed and constructed to Access Street standard in accordance with Council's FNQROC Development Manual, as detailed in Table D.1.1.

4.6 Water Supply

- (a) A water service connection must be provided to each proposed lot in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer
- (b) Where the existing reticulated water supply does not currently service the site or is not at an adequate capacity, the developer is required to extend or upgrade 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 in accordance with FNQROC Development Manual standards (as amended).

4.7 Sewerage Connection

- (a) The 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.
- (b) Where sewerage connections are not available to the site, or where existing connections are not satisfactory for the proposed development, the developer is required to extend or upgrade 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).

4.8 Electricity provision/supply

The applicant/developer must ensure that an appropriate level of electricity supply is provided to each allotment in accordance with FNQROC

Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

Written advice from an Electricity Service Provider is to be provided to Council indicating that an agreement has been made for the provision of power reticulation.

4.9 Telecommunications

The applicant/developer must enter into an agreement with a telecommunication carrier to provide telecommunication services to each allotment and arrange provision of necessary conduits and enveloping pipes.

4.10 Lighting

Prior to the issue of a development permit for Operational Works a Rate 2 lighting scheme is to be prepared by an Ergon Energy approved consultant and submitted to Council for approval. The Rate 2 lighting scheme is to be designed in accordance with the relevant Road Lighting Standard AS/NZS 1158 and the FNQROC Development Manual. The applicable lighting category is to be determined from the Road Hierarchy Table D1.1.

4.11 Street Trees

One (1) street tree must be at the planted at centre of each lot's road frontage. Corner allotments must have a street tree planted on each frontage.

All street trees must be provided in accordance with the FNQROC Development Manual - Design Manual D9 Landscaping.

Plans for the development works required under Conditions 4.1 - 4.11 must be submitted to Council for approval as part of a subsequent application for operational works.

(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) Easement Documents

Council has developed standard easement documentation to assist in the drafting of formal easement documents for Council easements. Please contact the Planning Section for more information regarding the drafting of easement documents for Council easements.

(d) Endorsement Fees

Council charges a fee for the endorsement of a Survey Plan, Community Management Statements, easement documents, and covenants. The fee is set out in Council's Fees & Charges Schedule applicable for each respective financial year.

(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) 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) 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](http://ElectricantsinQueensland.com.au) or contact Biosecurity Queensland 13 25 23.

(E) RELEVANT PERIOD

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

- Reconfiguring a Lot – four (4) years (starting the day the approval takes effect).

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

- Development Permit for Operational Works

(G) OTHER APPROVALS REQUIRED FROM COUNCIL

- Nil

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

Development Type	Rate	Measure	Charge	Credit Detail	Balance
Residential	\$ per Lot	Lots		Lots	
Stage 1	\$21,808.00	12 Lots	\$261,696.00	1 lot	\$239,888.00
Stage 2	\$21,808.00	15 Lots	\$327,120.00	Nil	\$327,120.00
TOTAL CURRENT AMOUNT OF CHARGE					\$567,008.00

CARRIED

8.3 WYLANDRA PROPERTIES PTY LTD - RECONFIGURING A LOT - SUBDIVISION (1 INTO 14 LOTS AND BALANCE AREA) - LOT 224 ON SP276715 - RAY ROAD, MAREEBA - RAL/24/0009

RESOLUTION 2025/42

Moved: Cr Nipper Brown

Seconded: Cr Mary Graham

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	Wylandra Properties Pty Ltd	ADDRESS	Ray Road, Mareeba
DATE LODGED	28 June 2024	RPD	Lot 224 on SP276715
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot – Subdivision (1 into 14 Lots and Balance Area)		

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), referral agency response 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 Reconfiguring a Lot – Subdivision (1 into 14 Lots and Balance Area)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
9406-LL1-Rev A	Development Plan	Twine Surveys Pty Ltd	7/06/2024

(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 development as submitted with the application, and subject to any alterations:
 - found necessary by the 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 endorsement of any plan of survey, or alternative documentation as approved by the Land Title Act, 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 or the Adopted Infrastructure Charges Notice must be made prior to the endorsement of the plan of survey, or alternative documentation as approved by the Land Title Act and at the rate applicable at the time of payment.
 - 3.3 The developer must relocate (in accordance with FNQROC standards) any services such as water, sewer, drainage, telecommunications and electricity that are not wholly located within the lots that are being created/serviced where required by the relevant authority, unless approved by Council's delegated officer.
 - 3.4 Where utilities (such as sewers on non-standard alignments) traverse lots to service another lot, easements must be created in favour of Council for access and maintenance purposes. The developer is to pay all costs (including Council's legal expenses) to prepare and register the easement documents.
 - 3.5 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.
 - 3.6 Charges

All outstanding rates, charges, and expenses pertaining to the land are to be paid in full.
 - 3.7 The north-east corner of Lot 175 must be truncated similar to all other corner allotments included in the development.
 - 3.8 An easement in favour of Council is to be established over the detention basin required by Condition 4.2. The easement must specifically protect and preserve the detention basin as a strategic stormwater asset and must be established over any open earth drains, or flow paths constructed between the development and the detention basin as identified on any future operational works plan/s approved by Council "for construction". The easement area must also include practical access from a constructed road. The easement must state that Council is not responsible for the upkeep and maintenance of the detention basin. The extent of the

easement must be approved by Council's delegated officer and is to extend 5 metres beyond the toe of any detention basin wall batter.

Council will agree to the extinguishment of the easement as future stages of the estate are developed and the detention basin is deemed to be no longer necessary.

4. Infrastructure Services and Standards

4.1 Stormwater Drainage

- (a) The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.
- (b) Prior to works commencing the applicant 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.
- (c) Prior to works commencing the applicant must submit a Stormwater Quality 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 Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline to the satisfaction of Council's delegated officer.
- (d) The Stormwater Quality Management Plan must include an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia) to the satisfaction of Council's delegated officer.
- (e) The applicant/developer must construct the stormwater drainage infrastructure in accordance with the approved Stormwater Management Plan and/or Stormwater Quality Management Plan and Report.
- (f) Temporary drainage is to be provided and maintained during the construction phase of the development, discharged to a lawful point and not onto the construction site.
- (g) All stormwater channels through private property must be registered, with the easement for drainage purposes in favour of Council. All documentation leading to the registration of the easement must be completed at no cost to Council.
- (h) All stormwater drainage collected from the site must be discharged to an approved legal point of discharge.
- (i) The applicant (at their cost) must video all stormwater lines and submit the video for inspection by Council's delegated officer prior to the development being taken "off maintenance" to ensure that no defects have occurred during the 12 month maintenance period.

- (j) All drainage easements must be constructed to prevent erosion. Construction may be in the form of a concrete invert, with outlet protection.

4.2 Detention Basin

A detention basin, with a design capacity of no less than 3,500m³, must be constructed in the balance land generally in accordance with the position and orientation shown on *Plan 160-010-C126 Rev A Prepared by ERSCON Consulting Engineers, dated 14/02/2025*, submitted as part of Operational Works application OPW/25/0002.

The detention basin outlet/s must discharge to the balance land.

4.3 Earthworks

All earthworks must be carried out in accordance with the requirements of the FNQROC Development Manual (as amended) to the satisfaction of Council's delegated officer.

4.4 Roadworks - Internal

- (a) The subdivision internal roads must be designed and constructed in accordance with the relevant Road Hierarchy Classification contained in Table D1.1 of the FNQROC Development Manual, to the satisfaction of Council's delegated officer.
- (b) Individual property access must be designed in accordance with the requirements of FNQROC Development Manual. Appropriate distances are required from intersections and tangent points in accordance with AS2890.1.

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

- (c) Temporary asphalt vehicle turnaround at the end of all partially constructed roads must be provided of a sufficient size to turnaround a refuse collection vehicle, either in a continuous forward movement or by a three-point turn.

4.5 Water Supply

- (a) A water service connection must be provided to each proposed lot in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer
- (b) Where the existing reticulated water supply does not currently service the site or is not at an adequate capacity, the developer is required to extend or upgrade 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 in accordance with FNQROC Development Manual standards (as amended).

4.6 Wastewater Disposal

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.

4.7 Electricity provision/supply

The applicant/developer must ensure that an appropriate level of electricity supply is provided to each allotment in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

Written advice from an Electricity Service Provider is to be provided to Council indicating that an agreement has been made for the provision of power reticulation.

4.8 Telecommunications

The applicant/developer must enter into an agreement with a telecommunication carrier to provide telecommunication services to each allotment and arrange provision of necessary conduits and enveloping pipes.

4.9 Lighting

Prior to the issue of a development permit for Operational Works a Rate 2 lighting scheme is to be prepared by an Ergon Energy approved consultant and submitted to Council for approval. The Rate 2 lighting scheme is to be designed in accordance with the relevant Road Lighting Standard AS/NZS 1158 and the FNQROC Development Manual. The applicable lighting category is to be determined from the Road Hierarchy Table D1.1.

Plans for the development works required under Conditions 4.1 - 4.9 must be submitted to Council for approval as part of a subsequent application for operational works.

(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) Easement Documents

Council has developed standard easement documentation to assist in the drafting of formal easement documents for Council easements. Please contact the Planning Section for more information regarding the drafting of easement documents for Council easements.

(d) Endorsement Fees

Council charges a fee for the endorsement of a Survey Plan, Community Management Statements, easement documents, and covenants. The fee is set out in Council's Fees & Charges Schedule applicable for each respective financial year.

(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) Transportation of Soil

All soil transported to or from the site must be covered to prevent dust or spillage during transport. If soil is tracked or spilt onto the road pavements as a result of works on the subject site, it must be removed prior to the end of the working day and within four (4) hours of a request from a Council Officer.

(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.

(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.

(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) REFERRAL AGENCY RESPONSE

Ergon Energy Advice Agency response dated 17 July 2024.

(F) RELEVANT PERIOD

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

- Reconfiguring a Lot – four (4) years (starting the day the approval takes effect);

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

- Development Permit for Operational Works

(H) OTHER APPROVALS REQUIRED FROM COUNCIL

- Nil

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

Development Type	Rate	Measure	Charge	Credit/discount Detail	Balance
	<i>\$ per Lot</i>	<i>Lots</i>		<i>Lots</i>	
Rural Residential (no sewer & roads component – 40% discount)	\$13,084.80	14 Lots	\$183,187.20	Nil	\$183,187.20
TOTAL CURRENT AMOUNT OF CHARGE					\$183,187.20

CARRIED

8.4 PARADISE OUTDOOR ADVERTISING - OPERATIONAL WORKS - ADVERTISING DEVICE (FREESTANDING DIGITAL/STATIC SIGN) - LOT 6 ON RP726416 - 230 BYRNES STREET, MAREEBA - OPW/24/0006

RESOLUTION 2025/43

Moved: Cr Amy Braes

Seconded: Cr Mary Graham

That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	Paradise Outdoor Advertising	ADDRESS	230 Byrnes Street, Mareeba
DATE LODGED	24 October 2024	RPD	Lot 6 on RP726416
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Operational Works – Advertising Device (Freestanding Sign)		

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:

Refused by Council for reasons set out in (B).

(A) REFUSED DEVELOPMENT: Development Permit for Operational Works – Advertising Device (Freestanding Sign)

(B) ASSESSMENT MANAGER’S REASONS FOR REFUSAL:

1. The proposed development conflicts with Performance Outcome PO6 of the Centre zone code:

PO6

Development complements and integrates with the established built character of the Centre zone, having regard to:

- (a) roof form and pitch;
- (b) eaves and awnings;
- (c) building materials, colours and textures; and
- (d) window and door size and location.

2. The proposed development conflicts with Performance outcome PO8 (d) and (e) of the Centre zone code:

PO8 – Amenity

Development must not detract from the amenity of the local area, having regard to:

- (a) noise;
- (b) hours of operation;
- (c) traffic;
- (d) advertising devices;
- (e) visual amenity;
- (f) privacy;

- (g) lighting;
- (h) odour; and
- (i) emissions.

3. The proposed development conflicts with 9.4.1.2 Purpose and Overall outcomes (a), (b), (c), (d) and (h) of the Advertising devices code:

9.4.1.2 Purpose

- (1) The purpose of the Advertising devices code is to regulate the location, siting, number, content and design requirements for advertising devices to protect the visual character and amenity of the urban and rural areas of the region, whilst supporting the promotion of business and enterprise.
 - (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Advertising devices are designed, sited and integrated so that they do not detract from the existing character and amenity of an area and contribute to a coherent and harmonious streetscape;
 - (b) Advertising devices are of a scale, dimension and quality to minimise adverse visual impacts;
 - (c) Advertising devices do not result in visual clutter;
 - (d) Advertising devices do not impact on pedestrian or road safety and do not obscure the view of any official traffic, safety or information sign;
 - (h) Billboards are limited to identified localities.
4. The proposed development conflicts with Acceptable Outcome AO1.1 (g) and Performance Outcome PO1 of the Advertising devices code:

PO1 – Public safety

Advertising devices are designed, sited and constructed to maintain the efficient function of road infrastructure and not impede safe vehicular and pedestrian movements.

AO1.1

Advertising devices do not:

- (a) resemble traffic control devices; or
- (b) give instructions to traffic; or
- (c) resemble a hazard or warning light through colour or method of operation, if visible from a road; or
- (d) cause interference with the visibility and effectiveness of hazard or warning lights; or
- (e) encroach onto any part of a road, road reserve, pedestrian or cycle path; or
- (f) incorporate highly reflective materials and finishes; or
- (g) cause significant visual or physical obstruction of, or distraction to, vehicular or pedestrian traffic.

5. The proposed development conflicts with Acceptable Outcome AO2.1, AO2.2 and Performance Outcome PO2 of the Advertising devices code:

PO2 – Character and amenity

Advertising devices are designed and located to:

- (a) avoid visual clutter;
- (b) avoid overshadowing of adjoining premises or public places;
- (c) prevent loss of daylight or sunlight access for nearby uses;
- (d) be consistent with the built and natural character of the immediate surrounds; and
- (e) allow for the identification of premises, uses and business.

AO2.1

Advertising devices:

- (a) do not move, revolve, strobe or flash;
- (b) are not painted or erected on a roof (excluding awnings) or structure (such as a silo or tank);
- (c) do not incorporate overt or explicit language or visual content that is likely to be offensive to the general public;
- (d) primarily advertise a business and/or commercial premises rather than products;
- (e) are located on the property to which the advertising relates;
- (f) do not protrude above the roofline or parapet; and are limited to those devices identified in **Table 9.4.1.3B**

AO2.2

The number, type and design of advertising devices complies with **Table 9.4.1.3D**.

6. The proposed development conflicts with Acceptable Outcome AO4 and Performance Outcome PO4 of the Advertising devices code:

PO4

Freestanding advertising devices, where located on land fronting a state-controlled road, are appropriately located and designed to:

- (a) not impact on the safety and efficiency of the state controlled road network; and
- (b) preserve rural character and landscape values.

AO4

Freestanding advertising devices:

- (a) have a maximum sign face area of 18m² and a maximum sign face width of 6 metres;
- (b) are sited a minimum of 1 kilometre from all existing freestanding advertising devices whether or not they are on the same side of the road;
- (c) are of a design and colour that is compatible with existing adjacent development; and
- (d) are only located on properties with frontage to either side of the sections of State-controlled road identified in **Table 9.4.1.3C**.

7. There are not sufficient town planning grounds, or an overriding need in terms of benefit to the community to justify approval of the application despite these identified conflicts.

CARRIED

At 9:09 am, Cr Ross Cardillo left the meeting.

8.5 COMMUNITY TRUSTEE LEASE - TEAM MAREEBA BOXING INC. - LEASE A IN LOT 1 CPM356165

RESOLUTION 2025/44

Moved: Cr Amy Braes

Seconded: Cr Lenore Wyatt

That Council:

1. Decide that exemption provisions under section 236(1)(b)(ii) of the *Local Government Regulation 2012* (Qld) apply to the proposed community lease arrangement outlined in this report; and
2. Approve the issuing of a new community lease tenure instrument to Team Mareeba Boxing Inc. over Lease A in Lot 1 on M356165, Abbott Street Mareeba, for a term of ten (10) years.

CARRIED

ALL COUNCILLORS VOTED IN FAVOUR OF THE MOTION

At 9:11 am, Cr Ross Cardillo returned to the meeting.

8.6 LAND TENURE USER AGREEMENT - LOT 276 DA344 - 33 MAIN STREET MOUNT MOLLOY - JULATTEN AND MOLLOY ASSOCIATION OF RATEPAYERS AND RESIDENTS INC. (JAMARR)

RESOLUTION 2025/45

Moved: Cr Nipper Brown

Seconded: Cr Mary Graham

That Council:

1. Decide that exemption provisions under section 236(1)(b)(ii) of the *Local Government Regulation 2012* (Qld) apply to the proposed land tenure arrangement outlined in this report; and
2. Approve the issuing of a new User Agreement tenure instrument to the Julatten and Molloy Association of Ratepayers and Residents Inc. for shared use of the premises located upon Lot 276 DA344, 33 Main Street Mount Molloy until terminated by either party.

CARRIED

8.7 AWARD OF TENDER - T-MSC2025-01 - LAND TENURE INSTRUMENT FOR MANAGEMENT OF PART OF LOT 214 SP297028 - WETHERBY ROAD MOUNT MOLLOY

RESOLUTION 2025/46

Moved: Cr Amy Braes

Seconded: Cr Nipper Brown

That Council awards contract for Tender T-MSC2025-01 – Management of part of Lot 214 SP297028 Wetherby Road Mount Molloy, to Hatfield Contracting for use of the portion of the land

east of Wetherby Road for agistment purposes only, at the tendered annual land rental fee value payable to Council of not less than \$4,000.00 per annum (excl GST) increased annually in accordance with published quarter CPI rates for a term of ten (10) years.

CARRIED

8.8 AWARD OF TENDER - T-MSC2024-21 - COMMERCIAL REAL ESTATE SERVICES FOR MARKETING AND SALE OF LAND AT MAREEBA INDUSTRIAL PARK

RESOLUTION 2025/47

Moved: Cr Lenore Wyatt

Seconded: Cr Amy Braes

That Council awards Tender MSC2024-21 – Commercial Real Estate Services For Marketing and Sale of Land at Mareeba Industrial Park to Mareeba Property Office for the amount of:

1. \$18,785.00 (excl GST) for the first term (2 years);
2. \$15,942.00 (excl GST) for the option period (2 years);
3. 2.5% (excl GST) commission for each parcel of land sold.

CARRIED

8.9 ENVIRONMENTAL HEALTH AND LOCAL LAW FEES AND CHARGES 2025/26

RESOLUTION 2025/48

Moved: Cr Nipper Brown

Seconded: Cr Mary Graham

That Council adopt the 2025/26 fees and charges in the schedule attached to this report for Animal Management, Local Laws, and Environmental Health.

CARRIED

8.10 SALE OF LAND DUE TO RATES IN ARREARS**RESOLUTION 2025/49**

Moved: Cr Lenore Wyatt

Seconded: Cr Ross Cardillo

That Council:

- 1 Sell the land listed below due to the rates and charges which have accrued on the rateable lands remaining unpaid for three (3) years or longer, in accordance with section 140 of the *Local Government Regulation 2012*; and

Property No	Property Description
10287	Lot 15 LD 29, Lot 2 RP 703296
10291	Lot 163 C 5041
10304	Lot 80 C 5041, Lot 81 C 5041, Lot 82 C 5041
10502	Lot 1 MPH 31324
10772	Lot 2 RP 715132
12278	Lot 2 RP 713438
14046	Lot 1 MPH 25181
16059	Lot 302 M 4872
17171	Lot 9 RP 725850
17296	Lot 1 RP 861070
17297	Lot 2 RP 861070
19917	Lot 1 RP 895742
20612	Lot 9 RP 909807
60393	Lot 59 SP 143218

- 2 Delegate to the Chief Executive Officer its power to take all further steps under Chapter 4, Part 12 Division 3 of the *Local Government Regulation 2012* to effect sale of land (including, for avoidance of doubt, the power to end sale procedures including the authority to remove a property where circumstances arise whereby the continuation of this action is considered unwarranted or inappropriate).

CARRIED

8.11 FINANCIAL STATEMENTS PERIOD ENDING 28 FEBRUARY 2025**RESOLUTION 2025/50**

Moved: Cr Mary Graham

Seconded: Cr Amy Braes

That Council receives the Financial Report for the period ending 28 February 2025.

CARRIED

8.12 COMMUNITY HOUSING ANNUAL RENT REVIEW**RESOLUTION 2025/51**

Moved: Cr Amy Braes

Seconded: Cr Mary Graham

That Council adopts the annual community housing rent review.

CARRIED

8.13 COMMUNITY HOUSING SERVICE DEED**RESOLUTION 2025/52**

Moved: Cr Lenore Wyatt

Seconded: Cr Nipper Brown

That Council executes a Deed of Variation to extend the Long-Term Community Housing Service for Seniors Service Deed with MCHC for a three year-period 1 July 2025 – 30 June 2028.

CARRIED

9 INFRASTRUCTURE SERVICES**9.1 TENDER AWARD - T-MSC2025-03 MAREEBA CBD BLUEPRINT****RESOLUTION 2025/53**

Moved: Cr Lenore Wyatt

Seconded: Cr Ross Cardillo

That Council awards tender MSC2025-03 Mareeba CBD Blueprint to GHD for the amount of \$1,222,000 (excl. GST), subject to finalisation of contract negotiations.

CARRIED

9.2 INFRASTRUCTURE SERVICES, CAPITAL WORKS MONTHLY REPORT - FEBRUARY 2025**RESOLUTION 2025/54**

Moved: Cr Amy Braes

Seconded: Cr Ross Cardillo

It is recommended that Council:

1. receives the Infrastructure Services Capital Works Monthly Report for the month of February January 2025,
2. allocates an additional \$80,000 from the Aerodromes depreciation reserve for a new project - Mareeba Airport Floodgate and Drainage Improvements, and
3. notes that a new project will be created for the Arara Street Kuranda Footpath Connection, to be funded from existing funds in Council's Footpath Upgrade Program and the Australian Government Active Transport Program.

CARRIED

9.3 INFRASTRUCTURE SERVICES, DISASTER RECOVERY OPERATIONS REPORT - FEBRUARY 2025**RESOLUTION 2025/55**

Moved: Cr Amy Braes

Seconded: Cr Lenore Wyatt

That Council receives the Infrastructure Services, Disaster Recovery Operations Report for February 2025.

CARRIED

9.4 TENDER AWARD - T-MSC2024-33 MSC DRFA - EASTERN ROADS PACKAGE**RESOLUTION 2025/56**

Moved: Cr Lenore Wyatt

Seconded: Cr Amy Braes

That Council awards the contract for T-MSC2024-33 MSC DRFA 2024 – Eastern Roads Package to IKCO Pty Ltd T/A Ikin Civil for a value of up to \$5,303,585.07 (excl. GST) subject to receipt of funding approvals from the Queensland Reconstruction Authority (QRA).

CARRIED

9.5 TENDER AWARD - T-MSC2024-36 MSC DRFA - DIMBULAH ROADS PACKAGE**RESOLUTION 2025/57**

Moved: Cr Mary Graham

Seconded: Cr Nipper Brown

That Council awards the contract for T-MSC2024-36 MSC DRFA 2024 – Dimbulah Roads Package to Cheshire Contractors Pty Ltd for a value of up to \$3,927,544.14 (excl. GST) subject to receipt of funding approvals from the Queensland Reconstruction Authority (QRA).

CARRIED

9.6 TENDER AWARD - T-MSC2024-35 MSC DRFA - MID-WESTERN ROADS PACKAGE**RESOLUTION 2025/58**

Moved: Cr Lenore Wyatt

Seconded: Cr Ross Cardillo

That Council awards the contract for T-MSC2024-35 MSC DRFA 2024 – Mid-Western Roads Package to Gregg Construction Pty Ltd for a value of up to \$5,434,783.75 (excl. GST) subject to receipt of funding approvals from the Queensland Reconstruction Authority (QRA).

CARRIED

9.7 TENDER AWARD - T-MSC2024-34 MSC DRFA - WESTERN ROADS PACKAGE**RESOLUTION 2025/59**

Moved: Cr Mary Graham

Seconded: Cr Amy Braes

That Council awards the contract for T-MSC2024-34 MSC DRFA 2024 – Western Roads Package to Gregg Construction Pty Ltd for a value of up to \$6,513,209.96 (excl. GST) subject to receipt of funding approvals from the Queensland Reconstruction Authority (QRA).

CARRIED

9.8 TENDER AWARD - T-MSC2025-05 MSC DRFA PROGRAM MANAGEMENT 2025-27**RESOLUTION 2025/60**

Moved: Cr Lenore Wyatt

Seconded: Cr Nipper Brown

That Council awards the contract for T-MSC2025-05 MSC DRFA Program Management 2025-27 to ARO Industries Pty Ltd for the value of \$502,125.00 (excl. GST).

CARRIED

9.9 INFRASTRUCTURE SERVICES, TECHNICAL SERVICES OPERATIONS REPORT - FEBRUARY 2025

RESOLUTION 2025/61

Moved: Cr Mary Graham

Seconded: Cr Amy Braes

That Council receives the Infrastructure Services, Technical Services Operations Report for February 2025.

CARRIED

9.10 INFRASTRUCTURE SERVICES, WATER AND WASTE OPERATIONS REPORT - FEBRUARY 2025

RESOLUTION 2025/62

Moved: Cr Lenore Wyatt

Seconded: Cr Mary Graham

That Council receives the Infrastructure Services, Water and Waste Operations Report for February 2025.

CARRIED

9.11 TENDER AWARD T-MSC2025-04 - SUPPLY AND DELIVERY OF TYPE 4.3 ROAD BASE, BURKE DEVELOPMENTAL ROAD

RESOLUTION 2025/63

Moved: Cr Ross Cardillo

Seconded: Cr Amy Braes

That Council awards Tender T-MSC2025-04 Supply & Delivery of Type 4.3 Road Base – Burke Developmental Road to MC Group Pty Ltd for \$462,000 (excl. GST), subject to Council's tender being accepted by the Department of Transport and Main Roads (TMR).

CARRIED

9.12 INFRASTRUCTURE SERVICES, WORKS SECTION ACTIVITY REPORT - FEBRUARY 2025

RESOLUTION 2025/64

Moved: Cr Nipper Brown

Seconded: Cr Mary Graham

That Council receives the Infrastructure Services, Works Progress Report for the month of February 2025.

CARRIED

10 OFFICE OF THE CEO

10.1 PETITION OBJECTING TO THE PLAN OF THE NEW ACCESS ROAD THROUGH LOT 5 OF THE EDGE ESTATE

RESOLUTION 2025/65

Moved: Cr Lenore Wyatt

Seconded: Cr Nipper Brown

That Council receives the petition and a report be tabled at a future Council meeting.

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 16 April 2025.

There being no further business, the meeting closed at 9:40am.

.....
Cr Angela Toppin

Chairperson