



Ordinary Meeting

Council Chambers
Date: 17 August 2016
Time: 9:00am

MINUTES

MEMBERS IN ATTENDANCE

Members Present: Cr T Gilmore (Mayor), Crs, E Brown, K Davies, M Graham, A Pedersen, A Toppin and L Wyatt.

APOLOGIES/LEAVE OF ABSENCE/ABSENCE ON COUNCIL BUSINESS

Nil

BEREAVEMENTS/CONDOLENCES

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

DECLARATION OF ANY MATERIAL PERSONAL INTERESTS/ CONFLICTS OF INTEREST

There were no Material Personal Interests or Conflicts of Interest declared by any Councillor or Senior Council Officer in relation to the items of business listed on the Agenda.

CONFIRMATION OF MINUTES

Moved by Cr Wyatt

Seconded by Cr Pedersen

"That the Minutes of the Ordinary Council Meeting held on 20 July 2016 be confirmed as true and correct."

CARRIED

BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETINGS

Nil

CORPORATE AND COMMUNITY SERVICES

REGIONAL LAND USE PLANNING

ITEM-1 BTM & S STANKOVICH PTY LTD - RECONFIGURING A LOT - SUBDIVISION (1 INTO 23 LOTS & DRAINAGE/BALANCE AREA) LOT 200 SP284130 - JANNALI COURT & KAROBEAN DRIVE, MAREEBA - DA/16/0048

Moved by Cr Wyatt

Seconded by Cr Graham

"1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	BTM & S Stankovich Pty Ltd	ADDRESS	Jannali Court & Karobean Drive, Mareeba
DATE LODGED	27 July 2016	RPD	Lot 200 on SP284130
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot - Subdivision (1 into 23 lots and drainage/balance area)		

and in accordance with the Sustainable Planning Act 2009, 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 Reconfiguring a Lot - Subdivision (1 into 23 lots and drainage/balance area)

(B) **APPROVED PLANS:**

Plan/Document Number	Plan/Document Title	Prepared by	Dated
7691 - LL1 (Sheet 1 of 2)	Proposed Development Of Lot 200 on SP284130	Twine Surveys Pty Ltd	18/04/2016
7691 - LL1 (Sheet 2 of 2)	Proposed Development of Lot 200 on SP284130	Twine Surveys Pty Ltd	18/04/2016

(C) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

1. Development must be carried out substantially 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 of the development, 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 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 Access

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.

Prior to the issue of a certificate of classification for any future dwelling on Lot 12, a bitumen/asphalt sealed or reinforced concrete driveway shall be provided within the access handle of the lot. The driveway will:

- have a minimum formation width of 3 metres;
- be constructed for the full length of the access handle (from the edge of the layback kerb to the point in which the lot widens out);
- be formed with one-way cross fall to cater for stormwater drainage such that any stormwater runoff is contained within the access handle; and
- include service and utility conduits provided for the full length of the bitumen or concrete driveway.

Note:A notation will be placed on the rates record for Lot 12 with regards to the access driveway requirement mentioned above.

4.2 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) The proposed drainage area shall be dedicated for public use land/drainage purposes. All documentation leading to the dedication of this land must be completed at no cost to Council.
- (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.

4.3 Roadworks - Internal

- (a) Karobean Drive is to be extended to service Lots 100 - 105 and is to be constructed to Collector Road standard (of the same width as the existing section of Karobean Drive) in accordance with the FNQROC Development Manual (as amended) to the satisfaction of Council's delegated officer.
- (b) Jannali Court is to be constructed to service Lots 2 - 18 and is to be constructed to Access Street standard in accordance with the FNQROC Development Manual (as amended) to the satisfaction of Council's delegated officer.
- (c) Temporary turnaround areas, with a gravel surface, must be provided at the end of any new road construction adjacent to the balance area of the overall subdivision to allow traffic manoeuvring.
- (d) The existing concrete footpath is to be extended along the eastern side of the proposed Karobean Drive extension in accordance with the FNQROC Development Manual.

4.4 Water Supply

- (a) 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).

- (b) 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.

4.5 Sewerage Connection

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.

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).

4.6 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 **underground** power reticulation.

4.7 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.

4.8 Lighting

Street lighting must be provided to all roads in accordance with FNQROC Development requirements (as amended) and to the satisfaction of Council's delegated officer.

(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) Notation on Rates Record

A notation will be placed on Council's Rate record with respect to lots 5 - 10 regarding the following conditions:

- a registered easement over the subject site

(g) 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.

(h) 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.environment.gov.au

(i) 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.datsip.qld.gov.au

(F) RELEVANT PERIOD

When approval lapses if development not started (s.341)

- Reconfiguring a Lot requiring Operational Works – 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:

Development Type	Rate	Measure	Charge	Credit Detail	Balance
	<i>\$ per Lot</i>	<i>Lots</i>		<i>Lots</i>	
Residential	\$17,700.00	23	\$407,100.00	Nil	\$407,100.00
TOTAL CURRENT AMOUNT OF CHARGE					\$407,100.00

CARRIED

ITEM-2 H SELITA - RECONFIGURING A LOT - SUBDIVISION (1 INTO 2 LOTS) - LOT 99 SP173505 - 679 SPRINGMOUNT ROAD, DIMBULAH - DA/16/0046

Moved by Cr Brown

Seconded by Cr Toppin

"That Council officers prepare a Report outlining conditions for approval."

CARRIED

GOVERNANCE AND COMPLIANCE

ITEM-3 DTMR SUBLEASE OF RAILWAY CORRIDOR AND RAILWAY AVENUE

Moved by Cr Pedersen

Seconded by Cr Wyatt

"That Council delegate authority for the Chief Executive Officer to finalise arrangements for the Council to enter into a sublease with the Department of Transport and Main Roads regarding two sections of Rail Corridor in Mareeba. The delegated authority is subject to the sublease meeting all other conditions and requirements that may be necessary for such arrangements. Once the negotiations for the lease are finalised it will be brought back to Council for approval."

CARRIED

ITEM-4 REPORT ON TRANSFER OF LEASE FROM COX TO NQ AERO CLUB

Moved by Cr Brown

Seconded by Cr Toppin

"That Council:

1. Consent to the transfer of Lease H at the Mareeba aerodrome from P & M Cox to the North Queensland Aero Club; and
2. On transfer of the existing lease, offer to cancel that lease and issue a new lease to the Aero Club for the current standard lease term of 20 years plus two 10 year options; and
3. Advise the North Queensland Aero Club that all costs associated with the transfer and cancellation of the existing lease and issue of a new lease, including any legal fees incurred by Council, will be the responsibility of the Club."

CARRIED

ITEM-5 DELEGATIONS

Moved by Cr Pedersen

Seconded by Cr Wyatt

"That:

1. Council delegates the exercise of the powers contained in the attached Instrument of Delegation to the Chief Executive Officer, with such powers to be exercised subject to any limitations contained in Schedule 1 of the Instrument of Delegation.
2. Any prior delegations of power relating to the same matters contained in the attached Instrument of Delegation are revoked. "

CARRIED

**ITEM-6 DEVELOPMENT AND GOVERNANCE QUARTERLY
REPORT**

Moved by Cr Brown

Seconded by Cr Davies

"That Council receive and note the quarterly report of the Development and Governance Group for April to June 2016."

CARRIED**LOCAL LAWS****ITEM-7 SELECTIVE APPROVED ANIMAL INSPECTION
PROGRAM**

Moved by Cr Graham

Seconded by Cr Davies

"That Council:

1. Approve a selective Approved Inspection Program (as attached) to be carried out to ensure compliance with the registration and microchipping requirements if the Animal Management (Cats & Dogs) Act 2008; and
2. Approve a selective Approved Inspection Program (as attached) be carried out to ensure compliance with section 14 of Local Law No. 2 Animal Management 2011 - duty to provide proper enclosure and prevent the animal from wandering."

CARRIED**FINANCE****ITEM-8 FINANCIAL STATEMENTS FOR PERIOD ENDING 31
JULY 2016.**

Moved by Cr Brown

Seconded by Cr Davies

"That Council note the financial report for the period ending 31 July 2016."

CARRIED**COMMUNITY WELLBEING****ITEM-9 ECONOMIC DEVELOPMENT PRIORITIES**

Moved by Cr Wyatt

Seconded by Cr Brown

"That Council endorse the priority projects and roles to orient strategic economic development partners to facilitate economic growth in the shire."

CARRIED

ITEM-10 GREAT INLAND WAY TOURISM SIGNAGE

Moved by Cr Toppin

Seconded by Cr Wyatt

"That Council approve the signage recommended in this report for installation by the Department of Transport and Main Roads at nil cost to Council to promote the Great Inland Way drive route."

CARRIED**INFRASTRUCTURE SERVICES****TECHNICAL SERVICES****ITEM-11 BUILDING OUR REGIONS PROGRAM - DETAILED APPLICATION STAGE FOR TATE RIVER**

Moved by Cr Pedersen

Seconded by Cr Toppin

"That Council endorse the following project proposal for the Queensland State Government Building our Regions Program detailed application stage and commit to funding the management and costs associated with the on-going operation and maintenance of the asset and also commit to funding its capital co-contribution as follows:

1. Tate River Crossing Safety and Accessibility Upgrade. Total Project Cost \$960,000. Building our Regions Funding Application \$336,000. Council's financial contribution commitment: \$240,000. Current funding approved under the Community Resilience Program: \$384,000."

CARRIED**ITEM-12 TENDER EVALUATION TMSC2016-06 LEASE OF OLD KURANDA LIBRARY BUILDING, THOOREE STREET, KURANDA**

Moved by Cr Pedersen

Seconded by Cr Toppin

"That Council accept a tender from Hobbit Pty Ltd for \$39,600.00 (inclusive of GST) per year plus CPI increase for the next four (4) years for the lease of the former Kuranda Library building for the purpose of relocating the Kuranda Post Office."

CARRIED

4. Upgrading of the crossing approaches to meet FNQROC standard, (8m formation, 5.5m Type 2.2 gravel, 3.5m two coat hot bitumen seal) and that it be maintained by the applicants for a period of twelve months after practical completion, prior to final acceptance by Council;
5. The applicants are responsible for all costs associated with the opening and upgrade works."

CARRIED

ITEM-17 **MAREEBA AIRPORT UPGRADING - JULY 2016
PROGRESS REPORT**

Moved by Cr Toppin

Seconded by Cr Brown

"That Council note the July 2016 progress report on the Mareeba Airport Upgrading."

CARRIED

WORKS

ITEM-18 **MCIVER ROAD, MAREEBA - REQUEST TO EXTEND
SEAL**

Moved by Cr Davies

Seconded by Cr Graham

"That Council advise the petitioners that given this projects current ranking on the Project Prioritisation Tool (PPT), this cannot be considered at this time."

CARRIED

ITEM-19 **INFRASTRUCTURE SERVICES - WORKS SECTION
PROGRESS REPORT - JULY 2016**

Moved by Cr Wyatt

Seconded by Cr Graham

"That Council receive and note the Infrastructure Services, Transport Infrastructure, Parks and Gardens and Bridge Sections, Progress Report for the month of July 2016."

CARRIED

WATER & WASTE**ITEM-20 CONTRACT TMSC2015-13 MAREEBA WASTEWATER TREATMENT PLANT - DESIGN & CONSTRUCTION - JULY 2016 PROGRESS REPORT**

Moved by Cr Graham

Seconded by Cr Wyatt

"That Council note the July 2016 progress report on the Mareeba Wastewater Treatment Plant."

CARRIED**ITEM-21 INFRASTRUCTURE SERVICES - WASTE OPERATIONS REPORT - JULY 2016**Moved by Cr Toppin
Pedersen

Seconded by Cr

"That Council receive and note the Infrastructure Services, Waste Operations Progress Report, July 2016."

CARRIED**ITEM-22 INFRASTRUCTURE SERVICES - WATER AND WASTEWATER GROUP - MONTHLY OPERATIONS REPORT - JULY 2016**

Moved by Cr Brown

Seconded by Cr Wyatt

"That Council receive and note the July 2016 Monthly Water and Wastewater Report."

CARRIED**ITEM-23 INFRASTRUCTURE SERVICES - TECHNICAL SERVICES - MONTHLY ACTIVITIES REPORT - JULY 2016**

Moved by Cr Graham

Seconded by Cr Pedersen

"That Council receive and note the Infrastructure Services Technical Services Monthly Report for the month of July 2016."

CARRIED

BUSINESS WITHOUT NOTICE

Nil

NEXT MEETING OF COUNCIL

The next meeting of Council will be held at 9:00 am on Wednesday 21 September 2016.
There being no further business, the meeting closed at 9:56 am.

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Cr Tom Gilmore
Mayor