



MINUTES

Wednesday, 17 April 2019

Ordinary Council Meeting

**MINUTES OF MAREEBA SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS
ON WEDNESDAY, 17 APRIL 2019 AT 9:00AM**

1 MEMBERS IN ATTENDANCE

Cr Tom Gilmore (Mayor), Cr Alan Pedersen (Deputy Mayor), Cr Edward (Nipper) Brown, Cr Kevin Davies, Cr Mary Graham, Cr Angela Toppin, 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 ANY MATERIAL PERSONAL INTERESTS/CONFLICTS OF INTEREST

Nil

5 CONFIRMATION OF MINUTES

RESOLUTION 2019/51

Moved: Cr Kevin Davies

Seconded: Cr Mary Graham

That the minutes of Ordinary Council Meeting held on 19 March 2019 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 F HARVIE - RECONFIGURING A LOT - SUBDIVISION (1 INTO 2 LOTS) - LOT 1 ON RP719105 - 2 KEARNEY STREET, MAREEBA - RAL/18/0035****RESOLUTION 2019/52**

Moved: Cr Alan Pedersen

Seconded: Cr Angela Toppin

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	F Harvie	ADDRESS	2 Kearney Street, Mareeba
DATE LODGED	20 November 2018	RPD	Lot 1 on RP719105
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot - Subdivision (1 into 2 lots)		

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 Reconfiguring a Lot - Subdivision (1 into 2 lots)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
-	2 Kearney Street - New Lot	F Harvie	-

(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 endorsement of the plan of survey, except where specified otherwise in these conditions of approval.
3. General
 - 3.1 The development approval would not have been issued if not for the conditions requiring the construction of infrastructure or the payment of infrastructure charges within the conditions of approval or the Adopted Infrastructure Charges Notice.
 - 3.2 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.
 - 3.3 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior the endorsement of the plan of survey and at the rate applicable at the time of payment.
 - 3.4 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.
 - 3.5 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.
 - 3.6 Where approved existing buildings and structures are to be retained, setbacks to any new property boundaries are to be in accordance with Planning Scheme requirements for the relevant structure and/or Queensland Development Code.

- 3.7 All development works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements and to the satisfaction of Council's delegated officer.

3.8 Charges

All outstanding rates, charges and expenses pertaining to the land are to be paid in full prior to the endorsement of a plan of survey.

3.9 Slope Stability

For any new building work proposed on a slope of 15% or greater, the applicant/developer must provide Council with a site specific geotechnical report prepared by a suitably qualified Registered Professional Engineer of Queensland (RPEQ) that certifies:

- the long-term stability of the development site; and
- that the development site will not be adversely affected by land slide/slip activity originating on sloping land above the development site.

4. Infrastructure Services and Standards

4.1 Access

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

4.2 Frontage Works - Kearney Street

Prior to the endorsement of the plan of survey, the applicant/developer is required to construct the following works, designed in accordance with FNQROC Development Manual standards to the satisfaction of Council's delegated officer:

- The development side of Kearney Street only, for the full frontage of the subject land, must be widened and kerb and channel installed, to achieve an overall formation width of approximately 6.5 metres.

The widening works must be bitumen or asphalt standard, and must include sufficient overlapping of the existing paves surface to ensure an appropriate bond of surfaces is achieved, to the satisfaction of Council's delegated officer; and

- Streetlighting is to be designed and installed in accordance with FNQROC Development Manual standards.

Prior to works commencing, plans for the works described above must be approved as part of a subsequent application for operational works.

4.3 Stormwater Drainage

- 4.3.1 The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development and must take all reasonable and practical measures to ensure discharge occurs in compliance with the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual, to the satisfaction of Council's delegated officer.
- 4.3.2 All stormwater drainage must be collected from site and discharged to an approved legal point of discharge.

4.4 Water Supply

- 4.4.1 The developer must provide each proposed allotment with a water service connection in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.
- 4.4.2 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).

4.5 Sewerage Connection

- 4.5.1 The developer must provide a connection for each proposed allotment to Council's reticulated sewerage system in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.
- 4.5.2 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 power reticulation to each lot.

4.7 Telecommunications

The applicant/developer must demonstrate that a connection to the national broadband network is available for each allotment, or alternatively, enter into an agreement with a telecommunication carrier to provide telecommunication services to each lot and arrange provision of necessary conduits and enveloping pipes.

(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) 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) Water Meters/Water Service Connection

Prior to the water service connection works commencing, a Water Quotation, Connection, Disconnection Request must be lodged with Council. The cost of the required water connection will be determined based upon the assessment of the Water Quotation Request. The Water Quotation Request must be lodged and the required connection fee paid prior to the signing of the survey plan.

- (d) Property Connection to existing sewer main (house connection branch installation)

Prior to the property connection to the existing sewer main commencing, a request for a Property Connection Quotation must be lodged with Council. The cost of the required property connection will be determined based upon the assessment of the Property Connection Quotation Request. The Property Connection Quotation Request must be lodged and the required connection fee paid prior to the signing of the survey plan.

- (e) 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.

- (f) 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.

(g) Notation on Rates Record

A notation will be placed on Council's Rate record with respect to each lot regarding the following conditions:

- conditions regarding development on sloped land

(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.

(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

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

Development Type	Rate	Measure	Charge	Credit Detail	Balance
	<i>\$ per Lot</i>	<i>Lots</i>		<i>Lots</i>	
Residential	\$18,340.00	2	\$36,680.00	1 lot (\$18,340.00)	\$18,340.00
TOTAL CURRENT AMOUNT OF CHARGE					\$18,340.00

CARRIED

8.2 PORKDIG PTY LTD - MATERIAL CHANGE OF USE - SERVICE STATION & FOOD AND DRINK OUTLET - LOT 701 AND 702 ON M3565 - 1 HERBERTON STREET AND 255 BYRNES STREET, MAREEBA - MCU/18/0007

RESOLUTION 2019/53

Moved: Cr Edward (Nipper) Brown

Seconded: Cr Kevin Davies

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	Porkdig Pty Ltd	ADDRESS	1 Herberton Street and 255 Byrnes Street, Mareeba
DATE LODGED	23 March 2018	RPD	Lot 701 and 702 on M3565
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Service Station & Food and Drink Outlet		

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 - Service Station & Food and Drink Outlet

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
12-A101 Rev 1	Title page	Michael Ferris and Ptnrs Pty Ltd	26 Oct 2018
12-A203 Rev 1	Site Plan	Michael Ferris and Ptnrs Pty Ltd	26 Oct 2018
12-A205 Rev 1	Floor Plan - Level 1	Michael Ferris and Ptnrs Pty Ltd	26 Oct 2018
12-A301 Rev 1	Elevations	Michael Ferris and Ptnrs Pty Ltd	26 Oct 2018
12-A401 Rev 1	Architectural Sections	Michael Ferris and Ptnrs Pty Ltd	26 Oct 2018

(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 1 metre wide landscaped screening buffer, 1.8m high solid fence or building.

Where bulk bins are used and are to be serviced on site, certification by a Registered Professional Engineer of Queensland (RPEQ) must be provided to Council prior to the issue of a building permit which demonstrates that internal access is of adequate design and construction to allow waste collection/delivery vehicles to enter and exit the site in a forward gear.

3.5 Noise Nuisance

3.5.1 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.

3.5.2 The applicant 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.

4. Infrastructure Services and Standards

4.1 Access

Both proposed access crossovers must be upgraded/constructed to a commercial access crossover standard (from the edge of Byrnes/Herberton Street pavement to the property boundary of the subject land) in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

Any redundant vehicle crossovers must be removed and kerb and channel and any footpaths reinstated, to the satisfaction of Council's delegated officer.

4.2 Stormwater Drainage/Water Quality

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 Prior to building 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.

4.2.3 The Stormwater Management Plan and Report must include provisions to intercept and control stormwater flows along driveways.

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

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

4.2.6 In addition to the Stormwater Management Plan, and prior to building works commencing, the applicant/developer must submit an Oily Water Management Plan, prepared and certified by a suitably qualified design engineer (RPEQ). The Plan must demonstrate how contaminants such as oil and/or fuel will be removed and stored prior to stormwater being discharged from the site.

4.3 Car Parking/Internal Driveways

4.3.1 The applicant/developer must ensure the development is provided with a minimum of 10 on-site car parking spaces (including 1 disabled parking space) as well as 1 RV parking space and 1 service vehicle parking space which are available solely for the parking of vehicles associated with the use of the premises. These parking spaces must be provided in addition to any fuel bowser parking spaces and car wash bay spaces.

4.3.2 All car parking spaces and trafficable areas must be concrete sealed, line-marked and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.

4.3.3 All car parking spaces and trafficable areas 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.

4.3.4 The applicant/developer must ensure the development is provided with 3 bicycle parking spaces in proximity to the shop/food and drink outlet building entrances.

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

4.4 Landscaping

4.4.1 Prior to the commencement of the use, a landscape plan must be prepared for the site and submitted to Council's delegated officer for consideration and approval. The extent of landscaping on site should be generally consistent with that shown on the submitted plan/s (Site Plan).

4.4.2 All plant varieties must be generally in accordance with Schedule A of Planning Scheme Policy No. 9 (Landscaping Policy).

4.4.3 The landscaping of the site must be carried out in accordance with the endorsed landscaping plan, and irrigated, mulched and maintained for the life of the development to the satisfaction of Council's delegated officer.

4.5 Fencing

Prior to the commencement of the use, the applicant/developer must erect a 1.8m high solid screen colorbond fence (of neutral colour) along the entire length of the eastern boundaries of Lots 701 and 702 on M3565.

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

4.6 Lighting

The developer shall locate, design and install lighting to operate from dusk to dawn within all areas where the public will be given access, which prevents the potential for light spillage to cause nuisance to neighbours and must be provided in accordance with Australian Standard 1158.1 – Lighting for Roads and Public Spaces.

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

NOTE: The design is to integrate the principles of Crime Prevention through Environmental Design (CPTED) theory. Lighting design is to illuminate potential areas of concealment and is to project illumination so that a human face is easily discernible from 15 metres and there is to be sufficient night lighting, which renders people, colours, vegetation and objects correctly. i.e. 'white' light. Particular attention should be given to pathways, driveways and common external spaces.

4.7 Signage

4.7.1 The number, type and size of advertising signage, including pylon signage, is limited to that shown on the submitted plans and must not move, revolve, strobe or flash (can be illuminated).

4.7.2 The pylon signage must be designed and installed so as to not impede the vision of any pedestrian or vehicle using the Byrnes and Herberton Street intersection, to the satisfaction of Council's delegated officer.

4.8 Water Supply

4.8.1 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).

4.8.2 A water service connection must be provided to the subject land in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

4.9 Sewerage Connection

4.9.1 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).

4.9.2 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.

(D) ASSESSMENT MANAGER'S ADVICE

- (a) A number of other charges or payments may be payable as a result of conditions of approval. The applicable fees are set out in Council's Fees & Charges Schedule for each respective financial year.

- (b) Water Meters/Water Service Connection

Prior to the water service connection works commencing and the installation of the meters by Council, an application for a Plumbing Compliance Permit is required to be submitted with detailed hydraulic drawings. The cost of the required water connection and meter (capping of any existing meter may be required) will be determined based upon the approved hydraulic drawings at the time of lodgement of a Water Quotation Request.

- (c) Property Connection to existing sewer main (house connection branch installation)

Prior to the property connection to the existing sewer main commencing, a request for a Property Connection Quotation must be lodged with Council. The cost of the required property connection will be determined based upon the assessment of the Property Connection Quotation Request.

- (d) 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.

- (e) A Trade Waste Permit will be required prior to the commencement of use for the food and drink outlet component of the development only (trade waste permit will not be issued for the service station).

- (f) 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.

- (g) 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.

(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

(E) REFFERAL AGENCY CONDITIONS

Department of State Development, Manufacturing, Infrastructure and Planning conditions dated 7 February 2019.

(F) RELEVANT PERIOD

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

- Material Change of Use – six (6) years (starting the day the approval takes effect);

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

- Development Permit for Building Work

(H) OTHER APPROVALS REQUIRED FROM COUNCIL

- Compliance Permit for Plumbing and Drainage Work
- Access approval arising from condition number 4.1 (Please contact Planning Section to obtain application form and applicable fee)

CARRIED

8.3 RENEWAL OF TERM LEASE 235183 OVER LOT 43 ON DA358, LOCALITY OF MOUNT MOLLOY

RESOLUTION 2019/54

Moved: Cr Mary Graham

Seconded: Cr Kevin Davies

That Council advise the Department of Natural Resources, Mines and Energy that Council has no objection to the renewal of the term lease over land described as Lot 43 on DA358, being Reserve

for Racecourse purposes (RES. 3564), situated at 206 Bakers Road, Mount Molloy, further, the reserve is still required for its gazetted purpose and Council as trustee is not prepared to offer a trustee lease/permit.

CARRIED

8.4 RENEWAL OF TERM LEASE 216331 OVER LOT 469 ON HG509, LOCALITY OF MUTCHILBA

RESOLUTION 2019/55

Moved: Cr Edward (Nipper) Brown

Seconded: Cr Angela Toppin

That Council advise the Department of Natural Resources, Mines and Energy that due to gravel deposits on Reserve for Gravel Purposes Lot 469 on HG509 being exhausted, the land is no longer required for its gazetted purpose and Council has no objection to the renewal of the term lease over Lot 469 on HG509, situated at 232 Chisari Road, Mutchilba.

CARRIED

8.5 FURTHER DEALING OF TERM LEASE 0/234597 OVER LOT 153 ON HG529, LOCALITY OF DIMBULAH

RESOLUTION 2019/56

Moved: Cr Lenore Wyatt

Seconded: Cr Edward (Nipper) Brown

That Council advise the Department of Natural Resources, Mines and Energy that Council has no objection to the renewal of the term lease over land described as Lot 153 on HG529, situated at Walsh Street, Dimbulah, further, Council does not support the deletion of Condition G61 to allow an application to be made for the conversion of Lot 153 on HG529 to freehold as Lot 153 may be required for a public purpose in the future.

CARRIED

8.6 FURTHER DEALING OF SPECIAL LEASE 9/51478 OVER LOT 452 ON NR5432 AND LOT 351 ON NR8084, LOCALITY OF MAREEBA

RESOLUTION 2019/57

Moved: Cr Kevin Davies

Seconded: Cr Mary Graham

That Council advise the Department of Natural Resources, Mines and Energy that Council has no objection to the renewal of the special lease for golf course purposes over land described as Lot 452 on NR5432 and Lot 351 on NR8084, situated at Vaughan Street, Mareeba.

CARRIED

8.7 FURTHER DEALING OF PASTORAL HOLDING 9/5154 OVER LOT 5154 ON PH713, LOCALITY OF BARWIDGI

The Mayor advised that this has been withdrawn and will be brought back to a future meeting.

8.8 SURRENDER AND REISSUE FOR PERMIT TO OCCUPY 235754 OVER LOT A ON AP21134 AND LOT 1 ON MPH1965, LOCALITY OF ALMADEN**RESOLUTION 2019/58**

Moved: Cr Mary Graham

Seconded: Cr Angela Toppin

That Council advise the Department of Natural Resources, Mines and Energy that Council has no objection to the reissue of a permit to occupy over land described as Lot A on AP21134 and Lot 1 on MPH1965, situated at Main Street, Almaden, further, Council does not support the freeholding of the subject land unless the minor encroachment of Main Street is resolved during the freeholding process.

CARRIED

8.9 ASSIGNMENT OF LICENCE AGREEMENT AT CHILLAGOE HUB BY JW AND AL EVANS**RESOLUTION 2019/59**

Moved: Cr Edward (Nipper) Brown

Seconded: Cr Alan Pedersen

That Council approves the assignment of the Licence Agreement held by James William Evans and Antonia Lompay Evans for the operation of the Post Office at the Chillagoe Hub facility to Tanya Caterina Whiting effective 1 April 2019, subject to the following conditions being satisfied:

1. All debts due and payable to Council by JW and AL Evans in relation to the operation of their licenced area being paid in full prior to the formalisation of the assignment to the new licensee;
2. JW and AL Evans to ensure that any responsibilities, incumbent upon the licensee and as defined in the licence agreement, are made known to the new licensee so as to provide for a smooth transition for the handover to the new licensee;
3. Each party to the Licence Agreement being responsible for their own legal costs.

CARRIED

8.10 OPERATIONAL PLAN 2018/19 PROGRESS REPORT JANUARY - MARCH QUARTER**RESOLUTION 2019/60**

Moved: Cr Angela Toppin

Seconded: Cr Mary Graham

That Council receive and note the progress report on implementation of the 2018/19 Operational Plan for the January to March Quarter.

CARRIED

8.11 DEVELOPMENT AND GOVERNANCE QUARTERLY REPORT - JANUARY TO MARCH 2019**RESOLUTION 2019/61**

Moved: Cr Kevin Davies

Seconded: Cr Mary Graham

That Council receive and note the quarterly report of the Development and Governance Group for the January to March 2019 quarter.

CARRIED

8.12 DELEGATIONS UPDATE MARCH 2019**RESOLUTION 2019/62**

Moved: Cr Edward (Nipper) Brown

Seconded: Cr Lenore Wyatt

That:

1. Council delegates the exercise of the powers contained in the attached Tables of Delegable Powers and Instruments of Delegation to the Chief Executive Officer, with such powers to be exercised subject to any limitations; and
2. Any prior delegations of power relating to the same matters are revoked.

CARRIED

8.13 AMENDED REGULATORY FEES AND CHARGES 2019/20**RESOLUTION 2019/63**

Moved: Cr Edward (Nipper) Brown

Seconded: Cr Angela Toppin

That Council adopt the amended 2019/20 fees as listed for Animal Management and Local Law Activities.

CARRIED

8.14 FINANCIAL STATEMENTS PERIOD ENDING 31 MARCH 2019

RESOLUTION 2019/64

Moved: Cr Edward (Nipper) Brown

Seconded: Cr Kevin Davies

That Council note the financial report for the period ending 31 March 2019.

CARRIED

8.15 CEMETERIES FEES AND CHARGES 2019/20

RESOLUTION 2019/65

Moved: Cr Angela Toppin

Seconded: Cr Edward (Nipper) Brown

That Council adopt the proposed Cemeteries Fees and Charges 2019/20.

CARRIED

8.16 2018/19 REGIONAL ARTS DEVELOPMENT FUND (RADF) COMMUNITY GRANT APPLICATIONS

RESOLUTION 2019/66

Moved: Cr Angela Toppin

Seconded: Cr Lenore Wyatt

That Council approves the Regional Arts Development Fund (RADF) Advisory Committee recommendation to fund eleven projects to a total of \$35,113 through the 2018/19 RADF Community Grant Round.

CARRIED

8.17 2019/20 REGIONAL ARTS DEVELOPMENT FUND (RADF) STRATEGY

RESOLUTION 2019/67

Moved: Cr Angela Toppin

Seconded: Cr Kevin Davies

That Council

1. Adopts the 2019/20 Regional Arts Development Fund Strategy; and
2. Submits an Expression of Interest to Arts Queensland for a \$35,000 Regional Arts Development Fund grant for 2019/20 to build on cultural tourism, public mural partnerships and youth arts engagement activities in the shire; and

3. Co-contributes \$13,000 to the 2019/20 Regional Arts Development Fund Strategy as outlined in this report.

CARRIED

8.18 VISITOR INFORMATION CENTRE TOURISM BROCHURE DISPLAY FEES AND CHARGES 2019/20

RESOLUTION 2019/68

Moved: Cr Lenore Wyatt

Seconded: Cr Alan Pedersen

That Council endorse the 2019/20 fee of \$140 per annum for brochure displays and \$75 per annum for display of additional brochures.

CARRIED

8.19 LIBRARY SERVICE FEES AND CHARGES FOR 2019/20

RESOLUTION 2019/69

Moved: Cr Angela Toppin

Seconded: Cr Mary Graham

That Council adopt the proposed Library Service Fees and Charges for 2019/20.

CARRIED

8.20 STANDING ORDERS (MEETING PROCEDURES) FOR COUNCIL MEETINGS

RESOLUTION 2019/70

Moved: Cr Angela Toppin

Seconded: Cr Mary Graham

That Council:

1. Repeals the Standing Orders (Meeting Procedures) for Council Meetings adopted on 21 November 2018; and
2. Adopts the amended Standing Orders (Meeting Procedures) for Council Meetings as attached.

CARRIED

9 INFRASTRUCTURE SERVICES**9.1 GRANT FUNDING FOR INFRASTRUCTURE PROJECTS****RESOLUTION 2019/71**

Moved: Cr Kevin Davies

Seconded: Cr Edward (Nipper) Brown

That Council:

1. Confirms its funding co-contributions towards Building our Regions funding for the Barang Street Sewerage Pump Station Upgrade and Mareeba Industrial Park Expansion; and
2. Endorses the grant application under the Disaster Resilience Fund for the Chillagoe Town Drinking Water Reservoir and commits its funding co-contribution towards the project if successful.

CARRIED

9.2 MAREEBA AIRPORT UPGRADING - MARCH 2019 PROGRESS REPORT**RESOLUTION 2019/72**

Moved: Cr Lenore Wyatt

Seconded: Cr Angela Toppin

That Council receives the March 2019 progress report on the Mareeba Airport Upgrade Project.

CARRIED

9.3 INFRASTRUCTURE SERVICES, TECHNICAL SERVICES MONTHLY ACTIVITIES REPORT - MARCH 2019**RESOLUTION 2019/73**

Moved: Cr Lenore Wyatt

Seconded: Cr Mary Graham

That Council receives the Infrastructure Services, Technical Services Monthly Report for the month of March 2019.

CARRIED

9.4 INFRASTRUCTURE SERVICES, WORKS SECTION ACTIVITY REPORT - MARCH 2019**RESOLUTION 2019/74**

Moved: Cr Alan Pedersen

Seconded: Cr Edward (Nipper) Brown

That Council receives the Infrastructure Services, Works Progress Report for the month of March 2019.

CARRIED

9.5 TENDER TMSC2019-07 ANZAC AVENUE BRIDGE DECK REPLACEMENT SUBSTRUCTURE

RESOLUTION 2019/75

Moved: Cr Angela Toppin

Seconded: Cr Edward (Nipper) Brown

That Council delegates authority to the Chief Executive Officer to enter into, negotiate, and finalise a contract for TMSC2019-07 Anzac Avenue Bridge Deck Replacement Substructure, after consultation with Councillors.

CARRIED

9.6 WASTE MANAGEMENT SERVICES STRATEGY PUBLIC CONSULTATION

RESOLUTION 2019/76

Moved: Cr Kevin Davies

Seconded: Cr Lenore Wyatt

That Council adopts the Waste Management Services Strategy 2018 - 2027 and Community Snapshot.

CARRIED

9.7 INFRASTRUCTURE SERVICES, WATER AND WASTEWATER GROUP MONTHLY OPERATIONS REPORT - MARCH 2019

RESOLUTION 2019/77

Moved: Cr Edward (Nipper) Brown

Seconded: Cr Alan Pedersen

That Council receives the Infrastructure Services, Water and Wastewater Progress Report for the month of March 2019.

CARRIED

9.8 INFRASTRUCTURE SERVICES, WASTE OPERATIONS REPORT - MARCH 2019

RESOLUTION 2019/78

Moved: Cr Lenore Wyatt

Seconded: Cr Kevin Davies

That Council receives the Infrastructure Services, Waste Operations Progress Report, March 2019.

CARRIED

10 CONFIDENTIAL REPORTS

Nil

11 BUSINESS WITHOUT NOTICE

11.1 MT MOLLOY BUS SHELTER

RESOLUTION 2019/79

Moved: Cr Edward (Nipper) Brown

Seconded: Cr Lenore Wyatt

That Council erect a bus shelter at Mt Molloy.

CARRIED

11.2 YELLOW CRAZY ANTS

RESOLUTION 2019/80

Moved: Cr Tom Gilmore

Seconded: Cr Alan Pedersen

That Council write to the State Government requesting that they match the Commonwealth Government funding for the Yellow Crazy Ants eradication program.

CARRIED

12 NEXT MEETING OF COUNCIL

The next meeting of Council will be held at 9:00am on 15 May 2019.

There being no further business, the meeting closed at 9:30am.

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Cr Tom Gilmore

Chairperson