



MINUTES

Wednesday, 18 November 2020

Ordinary Council Meeting

**MINUTES OF MAREEBA SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS
ON WEDNESDAY, 18 NOVEMBER 2020 AT 9:00AM**

1 MEMBERS IN ATTENDANCE

Cr Angela Toppin (Mayor), Cr Kevin Davies, Cr Mary Graham, Cr Lenore Wyatt, Cr Lachlan (Locky) Bensted, Cr Daniel (Danny) Bird, Cr Mario Mlikota

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

5 CONFIRMATION OF MINUTES

RESOLUTION 2020/175

Moved: Cr Mario Mlikota

Seconded: Cr Kevin Davies

That the minutes of Ordinary Council Meeting held on 14 October 2020 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 EXTENSION TO CURRENCY PERIOD - CLEANGEN PROJECTS PTY LTD - MATERIAL CHANGE OF USE - UTILITY INSTALLATION (SOLAR FARM) - LOT 413 ON NR4876 - LOCKWOOD ROAD, MAREEBA - DA/16/0050

RESOLUTION 2020/176

Moved: Cr Mary Graham

Seconded: Cr Lachlan (Locky) Bensted

1. "That in relation to the application to extend the currency period for the following development approval:

APPLICATION		PREMISES	
APPLICANT	Cleangen Projects Pty Ltd	ADDRESS	Lockwood Road, Mareeba
DATE REQUEST FOR EXTENSION OF CURRENCY PERIOD LODGED	30 June 2020	RPD	Lot 413 on NR4876
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Utility Installation (Solar Farm)		

and in accordance with the Planning Act 2016, the following

- (a) The currency period be extended for 2 years only, from 21 March 2022 to 21 March 2024.

CARRIED

8.2 CHANGE APPLICATION - SND DEVELOPERS PTY LTD - MATERIAL CHANGE OF USE - SHORT-TERM ACCOMMODATION - LOT 71 ON SP136296 - 28 KEEBLE STREET, MAREEBA - MCU/18/0019

RESOLUTION 2020/177

Moved: Cr Daniel (Danny) Bird

Seconded: Cr Lenore Wyatt

It is recommended that:

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

APPLICATION			PREMISES	
APPLICANT	SND Developers Pty Ltd		ADDRESS	28 Keeble Street, Mareeba
DATE REQUEST FOR CHANGE TO DEVELOPMENT APPROVAL LODGED	6 October 2020	RPD	Lot 71 on SP136296	
TYPE OF APPROVAL	Development Permit			
PROPOSED DEVELOPMENT	Material Change of Use - Short-term Accommodation			

and in accordance with the Planning Act 2016, the following

- (a) The approved plan/s of Council’s Decision Notice issued on 21 November 2018 be amended as follows:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
<i>1323-A-00</i>	<i>Cover Sheet</i>	<i>Humac-Design</i>	-
<i>1323-A-01B</i>	<i>Site Plan</i>	<i>Humac-Design</i>	<i>11.09.2018</i>
<i>1323-A-02B</i>	<i>Floor Plan</i>	<i>Humac-Design</i>	<i>11.09.2018</i>
<i>1323-A-03B</i>	<i>First Floor Plan</i>	<i>Humac-Design</i>	<i>11.09.2018</i>
<i>1323-A-04B</i>	<i>Elevations</i>	<i>Humac-Design</i>	<i>11.09.2018</i>
<u>20093 Rev 6</u>	<u>Cover Sheet & Site Plan</u>	<u>Baudesign architects</u>	<u>05-11-2020</u>
<u>20093 Rev 6</u>	<u>Ground Floor Plan</u>	<u>Baudesign architects</u>	<u>05-11-2020</u>
<u>20093 Rev 6</u>	<u>First Floor & Roof Plan</u>	<u>Baudesign architects</u>	<u>05-11-2020</u>
<u>20093 Rev 6</u>	<u>Elevations</u>	<u>Baudesign architects</u>	<u>05-11-2020</u>

- (b) Condition 4.4 of Council’s Decision Notice issued on 21 November 2018 be amended as follows:

4.4 Car Parking/Internal Driveways

The developer must ensure that the development is provided with a minimum of 25 on-site car parking spaces, two (2) 22 seater bus parking bays and eight (8) bicycle parking spaces which are available solely for the parking of vehicles associated with the use of the premises.

Car parking spaces 17, 24 and 25 may be left as greenspace/landscaping until such time as there is a demonstrated need for further on site car parking spaces, to the satisfaction of Council's delegated officer. If a need for further on site car parking is demonstrated, the developer must construct car parking spaces 17, 24 and 25 within three (3) months of receiving a written direction from Council to construct these car parking spaces.

All car parking spaces and internal driveways/vehicle manoeuvring areas must be concrete, asphalt or bitumen sealed, line marked where necessary, and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.

All car parking spaces and internal driveways must be constructed in compliance with the following standards and 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;
- Australian Standard AS2890.3 – Bicycle Parking Facilities.

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

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

CARRIED

8.3 CHANGE OF DEVELOPMENT APPROVAL - D CLELAND - MATERIAL CHANGE OF USE - MOTOR HOME PARK - LOT 1 ON RP708214 - 59 ROGERS ROAD, BIBOOHRA - MCU/17/0001

RESOLUTION 2020/178

Moved: Cr Kevin Davies

Seconded: Cr Mario Mlikota

It is recommended that:

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

APPLICATION		PREMISES	
APPLICANT	D Cleland	ADDRESS	59 Rogers Road, Biboohra
DATE REQUEST FOR CHANGE TO DEVELOPMENT APPROVAL LODGED	9 October 2020	RPD	Lot 1 on RP708214
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Motor Home Park		

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

- (a) Condition 4.2.1 of Council’s Decision Notice issued on 16 November 2017 be amended as follows:

4.2 Rogers Road

4.2.1 A 100 metres long single coat dust seal on Rogers Road, in the prevailing wind direction is to be completed within three years of the commencement of the use, for the purpose of minimising dust impacts on the dwelling house on Lot 1 on RP711202, to the satisfaction of Council’s delegated officer.

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

CARRIED

8.4 R LAMONACA - RECONFIGURING A LOT - SUBDIVISION (1 INTO 2 LOTS) - LOT 14 ON SP202891 - 235 KENNEALLY ROAD, MAREEBA - RAL/20/0015

RESOLUTION 2020/179

Moved: Cr Lachlan (Locky) Bensted

Seconded: Cr Lenore Wyatt

- (A) That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	R Lamonaca	ADDRESS	235 Kenneally Road, Mareeba
DATE LODGED	8 October 2020	RPD	Lot 14 on SP202891
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.

(B) APPROVED DEVELOPMENT: Development Permit for Reconfiguring a Lot - Subdivision (1 into 2 Lots)

(C) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
140_04	Proposed Reconfiguration	Robin Trotter Cadastral Surveyor	31/07/2020

(D) 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.

3.2 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.

3.3 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to 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 Any existing buildings or structures (pools/tennis courts or fences) and/or incidental works that straddle the new boundaries must be altered, demolished or removed, as required, to align with the new property boundaries and/or be wholly contained within a new allotment, unless approved by Council's delegated officer.

3.7 All 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.

3.9 An easement in gross for the purpose of drainage must be established over Lot 16 generally in accordance with the extent shown on the approved plan, to the satisfaction of Council's delegated officer.

All costs associated with the easement are to be paid by the applicant/developer and Council should have no ongoing maintenance responsibility over the easement area.

4. Infrastructure Services and Standards

4.1 Access

An access crossover **to each allotment**, must be upgraded/constructed from the edge of the road pavement, to the property boundary of each respective allotment, in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

4.2 Stormwater Drainage

The applicant 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.

4.3 Water Supply

Lot 16 must be provided with a water supply via:

- (a) a bore or bores are provided in accordance with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or
- (b) A minimum two (2) megalitre water allocation from SunWater's irrigation supply network; or
- (c) on-site water storage tank/s:
 - (i) with a minimum capacity of 90,000L;
 - (ii) fitted with a 50mm ball valve with a camlock fitting;
 - (iii) which are installed and connected prior to the occupation or use of the development.

4.4 On-Site Wastewater Management

At the time of construction of a new dwelling on proposed Lot 16, 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.

4.5 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.

4.6 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.

(E) 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.environment.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.datsip.qld.gov.au

(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

- Nil

(H) OTHER APPROVALS REQUIRED FROM COUNCIL

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

(I) 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>1 Lot</i>	
Residential	\$11,568.00	2 Lots	\$23,136.00	\$11,568.00	\$11,568.00
TOTAL CURRENT AMOUNT OF CHARGE					\$11,568.00

CARRIED

8.5 APPLICATION FOR RENEWAL/CONVERSION OF SPECIAL LEASE 9/52541 OVER LOT 41 ON MPH14276, 7 ALMADEN STREET, ALMADEN

RESOLUTION 2020/180

Moved: Cr Mary Graham

Seconded: Cr Lenore Wyatt

That Council advises the Department of Natural Resources, Mines and Energy that Council has no objection to either the renewal of Special Lease 9/52541 over Lot 41 on MPH14276, situated at 7 Almaden Street, Almaden, or the conversion of Lot 41 on MPH14276 to freehold.

CARRIED

8.6 PROPOSED MAJOR AMENDMENT NO.1 OF 2020 TO THE MAREEBA SHIRE COUNCIL PLANNING SCHEME 2016 - PUBLIC CONSULTATION

RESOLUTION 2020/181

Moved: Cr Mario Mlikota

Seconded: Cr Daniel (Danny) Bird

That Council:

1. Endorses the Major Amendment No.1 of 2020 - Consultation Report and make the recommended minor change to Major Amendment No.1 of 2020 addressing an issue raised in the submissions.
2. Determines that the minor change to Major Amendment No.1 of 2020 does not make it significantly different to the version released for public consultation.
3. Responds to all submitters; and

4. Gives notice to the Minister that the process, he instructed Council to undertake, has been complied with and he now can approve the adoption of Major Amendment No.1 of 2020 (as amended in response to the submissions).

CARRIED

CR BENSTED RECORDED HIS VOTE AGAINST THE MOTION.

8.7 BIG MITCHELL CREEK R26 RESERVE

RESOLUTION 2020/182

Moved: Cr Lenore Wyatt

Seconded: Cr Lachlan (Locky) Bensted

That Council:

1. Consents to lodgement by adjoining landowner Southedge Pastoral Pty Ltd, of an application for grazing Term Lease tenure over reserve land on Lot 10 DA214; and
2. restricts public access to the Reserve pending a decision by DNRME on the application.

CARRIED

8.8 ASSIGNMENT OF INTEREST - LEASE AW AT MAREEBA AIRPORT AVIATION INDUSTRIAL PARK

RESOLUTION 2020/183

Moved: Cr Daniel (Danny) Bird

Seconded: Cr Kevin Davies

That Council consent to the assignment of all interests in Lease AW located at Mareeba Airport Aviation Industrial Park held by Taikaka Pty Ltd, as assignors, Dealing Number 720148231 being Lease AW in Lot 20 RP748320 on SP320481, to Bram Pollock Investments Pty Ltd, as assignee, conditional upon:

- a) Full payment of all amounts of lease rental and rates, fees and charges due as at the date of the assignment being effected, including any outstanding amounts;
- b) Cost of all legal fees associated with lease interest assignment and lodgement of necessary legal instruments with the Titles Office to effect the assignment being borne by the assignor. This includes any legal fees, reasonably incurred by Council, to achieve this outcome; and
- c) Full adherence by the assignor and assignee to conditions contained in Clause 12 'Transfer, Sub-letting and Mortgaging' and all sub-clauses relevant thereto, as contained in the Lease.

CARRIED

8.9 COUNCIL POLICY REVIEW**RESOLUTION 2020/184**

Moved: Cr Mario Mlikota

Seconded: Cr Kevin Davies

That Council:

1. Repeals the following policies and procedures:
 - (i) Standing Orders (Meeting Procedures) for Council Meetings adopted 18 March 2020;
 - (ii) Business Continuity Management Plan adopted on 18 April 2018;
 - (iii) Historical Town Policy adopted 19 June 2019;
 - (iv) Sewer Overflow Policy adopted 1 July 2015; and
 - (v) Community Loans Policy adopted 1 July 2016.
2. Adopts the following policies and procedures:
 - (i) Standing Orders (Meeting Procedures) for Council Meetings (reviewed);
 - (ii) Business Continuity Management Plan;
 - (iii) Media Management Policy;
 - (iv) Sewer Overflow Policy; and
 - (v) Community Loans Policy.

CARRIED

8.10 DELEGATIONS UPDATE NOVEMBER 2020**RESOLUTION 2020/185**

Moved: Cr Mary Graham

Seconded: Cr Daniel (Danny) Bird

That:

1. Council delegates the exercise of the powers contained in the attached Table of Delegable powers, with such powers to be exercised subject to any limitations and conditions; and
2. Any prior delegations of power relating to the same matters are revoked.

CARRIED

8.11 OPERATIONAL PLAN 2020/21 PROGRESS REPORT JULY 2020 TO SEPTEMBER 2020**RESOLUTION 2020/186**

Moved: Cr Mary Graham

Seconded: Cr Lachlan (Locky) Bensted

That Council receives and notes the progress report on implementation of the 2020/21 Operational Plan for the period July 2020 to September 2020.

CARRIED

8.12 PLUMBING CERTIFICATION SERVICES NEW PROCESS AND FEES**RESOLUTION 2020/187**

Moved: Cr Lachlan (Locky) Bensted

Seconded: Cr Kevin Davies

That Council:

1. Adopts the plumbing permit extensions and lapsing process in this report, as well the associated 2020/21 fees attached; and
2. Notes Council will be formally accepting temporary plumbing approvals and adopts the associated 2020/21 fees attached.

CARRIED

8.13 LICENCE AGREEMENT FOR USE OF KURANDA DESTINATION TOURISM MEDIA MARKETING TOOLS**RESOLUTION 2020/188**

Moved: Cr Lenore Wyatt

Seconded: Cr Lachlan (Locky) Bensted

That Council approve the disposal of Council's Facebook and Instagram social media account assets under section 236(1)(b)(ii) by operation of section 236(2) via grant of a Licence Agreement to community organisation Kuranda Traders Association Incorporated.

CARRIED

8.14 FINANCIAL STATEMENTS PERIOD ENDING 31 OCTOBER 2020**RESOLUTION 2020/189**

Moved: Cr Kevin Davies

Seconded: Cr Daniel (Danny) Bird

That Council receives the Financial Report for the period ending 31 October 2020.

CARRIED

8.15 VALUELESS LAND TO ACQUIRE**RESOLUTION 2020/190**

Moved: Cr Mary Graham

Seconded: Cr Daniel (Danny) Bird

That Council:

1. acquires the lands in the Schedule below in accordance with Section 149(1) of the *Local Government Regulation 2012* as it considers that the value of the lands if they were sold would in each case be less than the total amount of the overdue rates [and charges];
2. delegates authority to the Chief Executive Officer to sign a notice of intention to acquire the lands to be given to all interested parties and to take all further steps necessary to complete the acquisition process in accordance with Sections 150 and 151 of the *Local Government Regulation 2012*.

CARRIED

8.16 REGIONAL ARTS DEVELOPMENT FUND (RADF) 2020/21 COMMUNITY GRANT OUT OF ROUND APPLICATION**RESOLUTION 2020/191**

Moved: Cr Mario Mlikota

Seconded: Cr Lenore Wyatt

That Council approves a community grant to the value of \$1,800 for Julatten Theatre Group under the Regional Arts Development Fund for 2020/21.

CARRIED

9 INFRASTRUCTURE SERVICES**9.1 INFRASTRUCTURE SERVICES, CAPITAL WORKS MONTHLY REPORT - OCTOBER 2020****RESOLUTION 2020/192**

Moved: Cr Kevin Davies

Seconded: Cr Mary Graham

That Council:

1. Receives the Infrastructure Services Capital Works Monthly Report for the month of October 2020; and
2. In relation to the Chillagoe Reservoir Upgrade project, Council:
 - a. has budgeted its financial contribution for the project
 - b. is committed to delivering the Chillagoe Critical Water Infrastructure Project, and
 - c. acknowledges responsibility for any funding shortfall if costs or other contributors change

CARRIED

9.2 PARKS AND OPEN SPACES STRATEGY - COMMUNITY ENGAGEMENT**RESOLUTION 2020/193**

Moved: Cr Daniel (Danny) Bird

Seconded: Cr Lachlan (Locky) Bensted

That Council:

1. Receives this report; and
2. Commences community engagement via a survey to guide the development of the Parks and Open Space Strategy.

CARRIED

9.3 CAPITAL PROJECT PRIORITISATION AND DECISION MAKING 2021/22**RESOLUTION 2020/194**

Moved: Cr Kevin Davies

Seconded: Cr Lenore Wyatt

That Council adopts the Project Prioritisation Tool (PPT) criteria and risk assessment methodology for prioritising capital works projects for the 2021/22 capital works program.

CARRIED

9.4 MAREEBA WATER STRATEGY**RESOLUTION 2020/195**

Moved: Cr Mary Graham

Seconded: Cr Lachlan (Locky) Bensted

That Council:

1. Adopts the CitiWater Technology recommendation that the future water supply infrastructure will remain at Kowa Street and not at Nardello's Lagoon; and
2. Adopts the Kowa Street Sub Option B as the financial model for its redevelopment, however when suitable grant funding opportunities arise bring forward the projects identified in Kowa Street Sub Option C.

CARRIED

9.5 KURANDA CEMETERY**RESOLUTION 2020/196**

Moved: Cr Mario Mlikota

Seconded: Cr Mary Graham

That Council:

1. Notes the Consultation Report received during the Kuranda Cemetery public consultation process;
2. Endorses the purchase of the property located at 70 Kuranda Heights Road, Kuranda property, in accordance with delegation as provided at Council's Ordinary Meeting of 14 October 2020, Item 8.11;
3. Submits a Development Application, for the Material Change of Use and Reconfiguration of the property; and
4. Endorses the engagement of a suitably qualified Consultant to assist with the design of the Kuranda Cemetery Layout.

CARRIED

9.6 APPLICATION FOR PERMANENT ROAD CLOSURE ABUTTING LOT 884 ON NR4531, KENNEDY HIGHWAY, MAREEBA**RESOLUTION 2020/197**

Moved: Cr Kevin Davies

Seconded: Cr Lenore Wyatt

That Council, advise the applicant by way of a formal letter that:

1. Council offers no objection to the permanent closure of the State Controlled road reserve, subject to the following conditions.
 - (i) Access arrangements and requirements need to be agreed upon between any third-party utility providers and the proponent prior to closure i.e. Powerlink/Telstra/Sunwater etc.
 - (ii) The proponent is wholly responsible for all costs associated with finalising the process.

CARRIED

9.7 APPLICATION FOR PERMANENT ROAD CLOSURE ABUTTING LOT 134 ON HG480; 40 GENTILE DRIVE, MAREEBA**RESOLUTION 2020/198**

Moved: Cr Daniel (Danny) Bird

Seconded: Cr Mario Mlikota

That Council as the Road Manager, advise the applicant and the Department of Natural Resources, Mines and Energy that:

1. Council offers no objection to the permanent closure of the road reserve, subject to the following conditions;
 - (i) The closure does not create a new Lot and that it must be amalgamated with the adjoining property/properties.
 - (ii) To ensure Council maintenance activities can be undertaken, the new road reserve width is to reflect the east-west section of road reserve containing Gentile Drive, or alternatively, the properties new boundary alignment is to be a minimum of 12.5 metres from the road's centre line. The revised road reserve width is to be the greater of the two (2) proposed alternatives.
 - (iii) Where practical, the fence is to be located on the new boundary alignment and no fencing is to encroach onto the new road reserve.
 - (iv) Access arrangements and requirements need to be agreed upon between any third-party utility providers and the proponent prior to closure i.e. Ergon/Telstra/Sunwater etc.
 - (v) The proponent is wholly responsible for all costs associated with finalising the process; or

2. If closure is not granted by Council, the proponent is to meet the following conditions.
- (i) The fencing is to be removed from the subject land.
 - (ii) The subject land is to be revegetated in a similar fashion prior to the clearing and fencing activities.
 - (iii) The proponent is wholly responsible for all costs associated with removing the fencing and revegetation works.

CARRIED

9.8 T-MSC2020-19 MAREEBA POUND UPGRADE

RESOLUTION 2020/199

Moved: Cr Daniel (Danny) Bird

Seconded: Cr Kevin Davies

That Council delegates authority to the Chief Executive Officer to award the contract for T-MSC2020-19 Mareeba Pound Upgrade after consultation with Councillors.

CARRIED

9.9 T-MSC2020-13 GAMBOOLA CROSSING CAUSEWAY REMEDIATION WORKS - TENDER EVALUATION

RESOLUTION 2020/200

Moved: Cr Daniel (Danny) Bird

Seconded: Cr Mary Graham

That Council:

1. Awards Tender T-MSC2020-13 Gamboola Crossing Causeway Remediation Works to King Concreting Pty Ltd (Trading as CIVFORM) for the amount of \$423,217.24 (ex GST) subject to Queensland Reconstruction Authority (QRA) approval; and
2. Endorses the approval of provisional works subject to QRA approval for the additional works.

CARRIED

9.10 T-MSC2020-16 MAREEBA SHIRE COUNCIL SOLAR PROJECT TENDERS**RESOLUTION 2020/201**

Moved: Cr Lenore Wyatt

Seconded: Cr Mario Mlikota

That Council delegates authority to the Chief Executive Officer to award the contract for T-MSC2020-16 Design, Supply and Installation of Solar Photovoltaic (PV) Systems at Council sites detailed in this report following consultation with Councillors.

CARRIED**9.11 INFRASTRUCTURE SERVICES, TECHNICAL SERVICES OPERATIONS REPORT - OCTOBER 2020****RESOLUTION 2020/202**

Moved: Cr Kevin Davies

Seconded: Cr Mary Graham

That Council receives the Infrastructure Services, Technical Services Operations Report for October 2020.

CARRIED**9.12 CHILLAGOE WATER INFRASTRUCTURE PROJECT****RESOLUTION 2020/203**

Moved: Cr Daniel (Danny) Bird

Seconded: Cr Lenore Wyatt

That Council receives this report outlining the progress of the Chillagoe Water Infrastructure Project.

CARRIED**9.13 INFRASTRUCTURE SERVICES, WATER AND WASTE OPERATIONS REPORT - OCTOBER 2020****RESOLUTION 2020/204**

Moved: Cr Lachlan (Locky) Bensted

Seconded: Cr Kevin Davies

That Council receives the Infrastructure Services, Water and Waste Operations Report for October 2020.

CARRIED

9.14 BARRON RIVER CROCODILE SURVEY**RESOLUTION 2020/205**

Moved: Cr Lenore Wyatt

Seconded: Cr Lachlan (Locky) Bensted

That Mareeba Shire Council lobby relevant government departments to have the saltwater crocodiles (*crocodylus porosus*) removed from the Two Mile Creek and Lake Mitchell systems.

CARRIED

9.15 INFRASTRUCTURE SERVICES, WORKS SECTION ACTIVITY REPORT - OCTOBER 2020**RESOLUTION 2020/206**

Moved: Cr Lachlan (Locky) Bensted

Seconded: Cr Kevin Davies

That Council receives the Infrastructure Services, Works Progress Report for the month of October 2020.

CARRIED

10 OFFICE OF THE CEO**10.1 LOCAL GOVERNMENT WASTE MANAGEMENT ADVISORY COMMITTEE MEETING****RESOLUTION 2020/207**

Moved: Cr Kevin Davies

Seconded: Cr Mario Mlikota

That Council approves Cr Wyatt's participation in LAWMAC at Townsville City Council scheduled for 19 and 20 November 2020 and the consecutive quarterly LAWMAC meetings scheduled for 18- 19 February 2021; 20-21 May 2021; 19-20 August 2021; 18-19 November 2021 with venues yet to be confirmed.

CARRIED

10.2 NOMINATION FOR LGAQ EXECUTIVE DISTRICT REPRESENTATIVE 2020-2024**RESOLUTION 2020/208**

Moved: Cr Mary Graham

Seconded: Cr Lenore Wyatt

That Council nominate Councillor Peter Scott for nomination as the candidate for the Far North LGAQ Executive position.

CARRIED

10.3 APPOINTMENT OF GREAT WHEELBARROW RACE ADVISORY COMMITTEE MEMBERS**RESOLUTION 2020/209**

Moved: Cr Mario Mlikota

Seconded: Cr Daniel (Danny) Bird

That Council:

1. Notes the appointment of Councillor Lachlan Bensted as the Chair and Deputy Mayor Kevin Davies as his proxy; and
2. Appoints the following additional members of the Great Wheelbarrow Race Advisory Committee:

Robert Miller

Natasha Srhoj

Terry Roos

Deborah Qazim

Charlton Best

Billie Fincham

Jonathan Bell

CARRIED

11 CONFIDENTIAL REPORTS

Nil

12 BUSINESS WITHOUT NOTICE

12.1 CEO CONTRACT

RESOLUTION 2020/210

Moved: Cr Kevin Davies

Seconded: Cr Daniel (Danny) Bird

That Council renews the Chief Executive Officer's contract, and authorises the Mayor to take the required action to finalise and manage the contract.

CARRIED

12.2 BARRON RIVER BRIDGE KURANDA

RESOLUTION 2020/211

Moved: Cr Kevin Davies

Seconded: Cr Mary Graham

That Council as a matter of urgency, write to the Minister for Transport and Main Roads requesting an update on the condition of the Barron River Bridge at Kuranda and what action the State intends to take.

CARRIED

13 NEXT MEETING OF COUNCIL

The next meeting of Council will be held at 9am on 16 December 2020.

There being no further business, the meeting closed at 9:53am.

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Cr Angela Toppin

Chairperson