



Ordinary Meeting

Atherton Council Chambers, Atherton

Date: 17 June 2009

Time: 9:34am

MINUTES

MEMBERS IN ATTENDANCE

Members Present: Cr T Gilmore (Mayor), Crs L Curtis, J Jensen, S Linwood, E McGrath, A Pedersen, R Sorensen and F Williams.

OFFICERS IN ATTENDANCE

Officers Present: IM Church (Chief Executive Officer), AW Lambert (General Manager Executive Services), R Kirkman (General Manager Infrastructure Services), T Adil (General Manager Civil Works), S Ripper (General Manager Environment & Development), A Smith (General Manager Financial Services), M Hyde (General Manager Community Services), B Nancarrow (Manager Urban & Regional Planning), T O'Brien (Manager Health & Environment), R Holmes (Media and Communications Officer) and J Hunter (Minute Secretary).

APOLOGIES/LEAVE OF ABSENCE

An apology was received from Cr Adams.

Resolved

"That Cr Adams be granted leave of absence from this Meeting."

CARRIED

DECLARATION OF ANY MATERIAL PERSONAL INTERESTS/ CONFLICTS OF INTEREST BY COUNCILLORS

Cr Pedersen declared a Material Personal Interest in relation to Item-36 Panel of Suitable Providers - Occasional Plant and Truck Hire 2009/2010.

Crs Curtis and Linwood declared a conflict of interest in relation to Item-21 - Financial and In-Kind Support as members of Tableland Sport and Recreation Association and Cr Jensen declared a conflict of interest in relation to Item-10 - Kuranda Conservation Community Nursery Inc as her partner is involved with this organisation.

CONFIRMATION OF MINUTES

Moved by Cr Pedersen

Seconded by Cr McGrath

"That the Minutes of the Ordinary Council Meeting held on 3 June 2009 be confirmed as true and correct, subject to the resolution under Item-18 being amended to read as follows:

**ITEM-18 LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND
INC - 113TH ANNUAL CONFERENCE - 24 - 27 AUGUST
2009 - BRISBANE CONVENTION & EXHIBITION CENTRE**

Moved by Cr Linwood

Seconded by Cr Williams

- "1. That Council nominate the Mayor and Cr Sorensen as Council's delegates to attend the Local Government Association of Queensland Inc - 113th Annual Conference to be held in Brisbane from 24 to 27 August 2009, with the Chief Executive Officer to attend as an observer;

AND FURTHER that if any other Councillors wish to attend, they notify Val Pead-Lewis to arrange for registration.

2. A motion be submitted to the Conference that the Local Government Association of Qld Inc lobby the State Government to consider further claims for amalgamation costs beyond those submitted prior to 31 March 2009."

CARRIED

CARRIED

BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETINGS

ADHOC-1

NOMINATIONS FOR FNQ RDA BOARD

Moved by Cr Williams

Seconded by Cr Linwood

"That Council endorse the nomination of Crs Jensen and Sorensen for the position of Director on the FNQ RDA."

CARRIED

ADHOC-2 MALANDA SEWERAGE SCHEME

Resolved

"That the requested report on the options available to residents for payment of the costs of connection to the Malanda Sewerage Scheme be submitted to the first Council Meeting in August 2009."

CARRIED**RECEIPT OF INWARD CORRESPONDENCE**

Resolved

"That the inward correspondence be received for consideration."

CARRIED**RECEIPT OF OFFICERS' MONTHLY REPORTS**

Resolved

"That the General Managers' Monthly Reports be received for consideration."

CARRIED**CONSIDERATION OF INWARD CORRESPONDENCE AND OTHER MATTERS****PLANNING & INFRASTRUCTURE****ITEM-1 CAMDEN NEON PTY LTD - DECISION NOTICE - OPERATIONAL WORKS (FREESTANDING SIGN) - LOT 1 ON SP188113 - 1-7 HIGH STREET, ATHERTON - IPA09-21(OW)**

Moved by Cr Williams

Seconded by Cr Linwood

That in relation to the application lodged with Council on 14 April 2009 by Camden Neon Pty Ltd for Operational Works in respect of Lot 1 on SP188113, located at 1 - 7 High Street, Atherton:

In accordance with the *Integrated Planning Act 1997* as amended, the applicant be notified that the application for a Development Permit for Operational Works (Freestanding Sign) for premises described in (A) herein is approved in accordance with the plans/documents listed in (B) and subject to conditions listed in (C) and advice listed in (D).

(A) DETAILS OF PREMISES AND APPROVED USE

LOCATION: 1-7 High Street, Atherton

PROPERTY DESCRIPTION: Lot 1 on SP188113

AREA OF LAND: 2,976m²

OPERATIONAL WORKS: Freestanding Sign

APPROVED PLANS: Camden Neon Drawing No. Hi-Ford SK3 dated 1 April 2009 (DW#1584477).

(B) APPROVED PLANS AND DOCUMENTS

The approved plans and/or documents for this development approval are listed in the following table:

Plan/Document Number	Plan/Document Title	Prepared by	Dated	Date received by Council
Hi-Ford SK3	Proposed Internally Illuminated Business Identification Signs.	Camden Neon Pty Ltd	01/04/09	14/04/2009

(C) ASSESSMENT MANAGER'S CONDITIONS

- (1) Development must be carried out substantially in accordance with the approved plans, facts and circumstances as submitted with the application, subject to any alterations:
 - (a) found necessary by the Chief Executive Officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
 - (b) to ensure compliance with the following conditions of approval.
- (2) The content of the sign must relate to businesses or companies and not be used solely for advertising products.
- (3) The sign must be kept clean, in good order and safe repair for the life of the approval. If evidence is obtained that the sign is not being well maintained in an appropriate clean and safe condition, Council may take action towards revoking the approval.
- (4) The sign must be removed when no longer required.
- (5) The erection and use of the advertisement must comply with the Building Act and all other relevant Acts, Regulations and these approval conditions.

(D) ASSESSMENT MANAGER'S ADVICE

- (a) 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.

CARRIED

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 the condition(s) of this approval.

3.2 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.

4. Waste Management

An on site refuse storage area must be provided and be screened from view from adjoining properties and road reserves by a 1 metre wide landscaped screening buffer or 1.8m high solid fence.

5. Bushfire Management

A Bushfire Management Plan must be prepared in accordance with Appendix 8 of State Planning Policy 1/03 - Mitigating the Adverse Impacts of Flood, Bushfire and Landslide to the satisfaction of Council's delegated officer. The approved use must comply with the requirements of the Management Plan at all times.

6. Hours of Operation

The operating hours shall be between 7:00am and 5:00pm Monday to Friday. No operations are permitted on Saturday, Sunday or Public Holidays.

7. Signage

Only one (1) on site sign is permitted to advertise the development. The signage is to be in accordance with:

- (1) The sign must not exceed the building height.
- (2) The sign must not exceed 2.4 metres x 1.2 metres or a maximum area of 2.9m².
- (3) The sign must relate to businesses or companies and is not to advertise products only.
- (4) The sign must be kept clean, in good order and safe repair for the life of the approval. If evidence is obtained that the sign is not being well maintained in an appropriate clean and safe condition, Council may take action towards revoking the approval.
- (5) The sign must be removed when no longer required.
- (6) The erection and use of the advertisement must comply with the Building Act and all other relevant Acts, Regulations and these approval conditions.

8. Infrastructure Services and Standards

8.1 Stormwater Drainage

- (a) The design and construction of stormwater drainage for the proposed development is to be in accordance with the requirements of the Queensland Urban Drainage Manual (QUDM) 1992 and the FNQROC Development Manual. Prior to the works required under Condition 8 commencing, a Stormwater Drainage Plan satisfying these requirements must be lodged with Council and is to be to the satisfaction of Council's delegated officer.
- (b) All stormwater drainage must be collected from site and discharged to an approved legal point of discharge.
- (c) The applicant must include Water Sensitive Design solutions for the control of stormwater on the subject-site.
- (d) Demonstrate that the subject site is capable of being drained of its potential roof water without affecting adjoining lots. Where roofwater from the subject site cannot be drained to the street, an inter-allotment drainage collection system must be provided.

8.2 Car Parking/Internal Driveways/Access

- (1) A Commercial access crossover must be constructed (from the edge of the road pavement to the property boundary of the subject lot) in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

The access is to be bitumen sealed from the Tower Street road pavement to the entrance into the warehouse development on the subject land.

- (2) The developer must ensure that the development is provided with a minimum of three (3) on-site car parking spaces and one (1) delivery vehicle space which are available for use solely for the parking of vehicles associated with the use of the premises. All car parking spaces must be sealed, clearly marked and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.
 - (3) All access driveways, car parking areas, delivery areas and the like must be bitumen sealed in accordance with the FNQROC Development Manual (as amended) and to the satisfaction of Council's delegated officer.
 - (4) Prior to works commencing, the developer must submit engineering plans and specifications for the construction of proposed car parking facilities and internal driveways demonstrating:
 - Compliance with Australian Standard AS2890:1 Off Street Parking – Car Parking Facilities;
 - Compliance with Australian Standard AS2890.3 Bicycle Parking Facilities (*if required*);
 - Compliance with Australian Standard AS1428:2001 – Design for Access and Mobility
 - A sign must be erected in proximity to the access driveway indicating the availability of on-site car parking.
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9. Landscaping and Fencing

- (a) 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 plan is to include the following:
- 1.8 metre high solid fences along the entire side boundaries of the development site;
 - 1 metre wide landscaping strips in accordance with Part 6 Division 15 - Landscaping Code along the entire Tower Street frontage of the development site (excepting pedestrian access point and driveway).
 - 1 metre wide landscaping strips in accordance with Part 6 Division 15 - Landscaping Code along the entire Bluff Street frontage of the development site.
 - All of the landscaped areas must be mulched and irrigated.
- (b) The landscaping of the site must be carried out in accordance with the endorsed landscaping plan, and irrigated, mulched and maintained to the satisfaction of Council's delegated officer.

10. Lighting

Where outdoor lighting is required 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.

11. Retail Sale to General Public

There are to be no retail sales to the general public on the subject land.

12. Building Compliance

The applicant must provide written evidence to Council demonstrating that all buildings and structures on the site are certified and approved under the Building Act.

13. Amalgamation

Prior to the commencement of the use, the subject allotments must be amalgamated and the survey plan registered.

(D) ASSESSMENT MANAGER'S ADVICE

- (a) 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.deh.gov.au.

- (b) 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.nrw.qld.gov.au.

- (c) 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.

- (d) The change in the use of the building may also require a change in the classification of the building under the Building Act. The applicant is advised to contact a Building Certifier to establish if a change in the classification of the building is required.

CARRIED

Cr Curtis voted against the motion.

ITEM-3

S GORNALL - NEGOTIATED DECISION NOTICE - MATERIAL CHANGE OF USE - (RESTAURANT & EXPANSION OF SERVICE STATION) & PRELIMINARY APPROVAL MATERIAL CHANGE OF USE - LOT 1 ON RP728967 & LOTS 1&2 ON RP733938 - 11 GILLIES HIGHWAY & 1 & 3-5 SHORT STREET, YUNGABURRA

Moved by Cr Williams

Seconded by Cr Curtis

"That in relation to representations made by S Gornall regarding approval conditions of the development application for Material Change of Use in respect of Lot 1 on RP728967 and Lots 1 and 2 on RP733938 situated at 11 Gillies Highway and 1 & 3-5 Short Street, Yungaburra:

1. Condition 5 (Part 2) remain as agreed to by Council on 8 April 2009.

2. A written notice be issued to the applicant and referral agencies advising of Council's decision."

CARRIED

ITEM-4

M & A BRITTS - NEGOTIATED DECISION NOTICE - MATERIAL CHANGE OF USE (DWELLING HOUSE & CARETAKER'S RESIDENCE) & RECONFIGURING A LOT (BOUNDARY REALIGNMENT) - LOT 2 ON RP702088, LOT 1 ON RP700388 & L1/RP700396- CNR PERKINS & DENBIGH STREETS, HERBERTON- 08/03

Moved by Cr Linwood

Seconded by Cr Pedersen

"That in relation to representations made by M & A Britts regarding approval conditions of the development application for Material Change of Use and Reconfiguring a Lot (boundary realignment) in respect of Lot 2 on RP702088, Lot 1 on RP700388 and Lot 1 on RP700396 situated at the corner of Perkins and Denbigh Streets, Herberton:

1. Condition 8 of Council's Decision Notice issued on 4 March 2009 be amended to read as follows:

Prior to Council's endorsement and release of the plan of survey, the proposed lot/s shall be connected at the applicant's expense to Council's reticulated water supply system in accordance with Council's Planning Scheme Policy No 4 (Urban Water Supply) or in accordance with the Planning Scheme Policy current at the time of payment. A water meter supplied by Council is to be connected. For guidance only, the standard applicable water meter fee in 2008/09 is \$397.10, and a further connection fee of \$381 will also apply.

2. Condition 9 of Council's Decision Notice issued on 4 March 2009 be amended to read as follows:

A screening fence with a minimum height of 1 metre and a maximum height of 1.8 metres is to be provided along the full extent of the eastern boundary of the proposed Lot 20.

3. Conditions 13 and 14 of Council's Decision Notice issued on 4 March 2009 be amended to read as follows:

On-site Effluent Disposal

13) An assessment prepared by an appropriately qualified person in accordance with the On-site Sewerage Code, prepared by the Department of Natural Resources, shall be lodged with Council identifying whether the existing on-site effluent system on proposed Lot 20 is adequate to meet requirements of the latest version of On-Site Domestic Wastewater Management Standard (ASNZ1547) for the Service Station, Workshop and Caretaker's uses. Any necessary requirements and works to upgrade the existing on-site effluent system must be to the satisfaction of Council's delegated officer and completed prior to the signing of the survey plan by Council.

14) The applicant must provide a site and soil evaluation report prepared by an accredited site and soil evaluator, that evaluates the existing site constraints and which

ENVIRONMENTAL SERVICES

ITEM-10 KURANDA CONSERVATION COMMUNITY NURSERY INC - FERAL PIGS IN KURANDA

Moved by Cr Jensen

Seconded by Cr Williams

"That Council advise the Kuranda Conservation Community Nursery that assistance will be provided to the Organisation and the Kuranda community with the removal of feral pig carcasses from the residential areas in and around Kuranda."

CARRIED

MORNING TEA ADJOURNMENT

The meeting adjourned for morning tea at 10:25am and resumed at 11:00am.

During morning tea the Mayor presented certificates of appreciation to 12 staff members who have received public acknowledgement of the service provided by them.

Cr Curtis presented cheques on behalf of the NQ Sports Foundation to the Tablelands Cycle Club and The Great Wheelbarrow Race Committee.

ADMINISTRATION

ITEM-11 MAY 2009 MONTHLY REPORT - GENERAL MANAGER EXECUTIVE SERVICES

Moved by Cr Pedersen

Seconded by Cr Jensen

"That Council adopt the Monthly Report for May 2009 submitted by the General Manager Executive Services."

CARRIED

ITEM-12 MAY 2009 MONTHLY REPORT - WORKPLACE HEALTH & SAFETY

Moved by Cr Pedersen

Seconded by Cr Curtis

"That Council adopt the Workplace Health & Safety Monthly Report submitted by the Co-ordinator, Workplace Health and Safety."

CARRIED

BUDGET, FINANCE & AUDIT

ITEM-14 WARRANT REPORT

Moved by Cr Linwood

Seconded by Cr Williams

"That Council receive and adopt the Warrant Report for May 2009 submitted by the General Manager Financial Services."

CARRIED

ITEM-15 MAY 2009 MONTHLY REPORT - GENERAL MANAGER FINANCIAL SERVICES

Moved by Cr McGrath

Seconded by Cr Pedersen

"That Council adopt the May 2009 Monthly Report submitted by the General Manager Financial Services."

CARRIED

SPORT, RECREATION, ARTS, CULTURE & COMMUNITY DEVELOPMENT

ITEM-17 JULATTEN HALL STAGE EXTENSIONS

Moved by Cr Pedersen

Seconded by Cr McGrath

"That Council:

1. Request the Building Certifier to compile a Building Report on other options with regard to carrying out the stage extension at the Julatten Hall;
2. Authorise the Divisional Councillor, Building Certifier and Coordinator of Land and Facilities to determine the best option for the stage extension based on the findings of the Building Certifier; and
3. Authorise the Coordinator Land & Facilities to have new plans drawn up based on the best option determined by the Divisional Councillor, Building Certifier and Co-ordinator of Land and Facilities."

CARRIED

ITEM-20 WINSOME BOARD - REQUEST FOR ASSISTANCE FOR PROMOTION OF TABLELAND GALLERIES AND ARTISTS

Moved by Cr Linwood

Seconded by Cr Curtis

"That in response to a request from Ms Winsome Board for assistance in promoting Ravenshoe and Tableland Galleries and Artists, Council support:

- The creation of a virtual Tablelands Arts Trail for the Tablelands Regional Council website resulting from the RADF Arts Register, with Visitor Information Centres promoting the Arts Trail. (Road signage for the Arts Trail will be considered during the development of the Arts Trail later in 2009 along with potential funding sources for this signage. A report to council on these matters will be prepared after the Arts Trail concept has been developed); and
- Ms Board contacting Tropical Tablelands Tourism to discuss the promotion of regional arts tourism.

That Council not support:

- Tablelands Regional Gallery advertising commercial artists and galleries in its public space;
- Visitor Information Centres promoting commercial artists unless in accordance with the Brochure Display Policy;
- Council meeting the costs of signage for commercial galleries; and
- Property rates reduction for commercial galleries."

CARRIED**ITEM-21 FINANCIAL AND IN-KIND SUPPORT - JUNE 2009**

Moved by Cr Curtis

Seconded by Cr Pedersen

"That Council:

- 1) Approve the following fifteen (15) application requests for donations totalling \$22,058.80 which includes 5 staff approved requests for a total of \$404.00.
- 2) Not approve five (5) applications for a total of \$14,106.65
- 3) Hold over one application for \$523.74 pending completion of the Parks Strategy.

FINANCIAL DONATIONS - \$18,500.00**APPROVED****TABLELAND SPORT AND RECREATION ASSOCIATION***Financial contribution – ongoing*

- Donation of \$5,000.00 to hold the annual Tablelands Sports Star awards in 2009/10. This event is to celebrate and reward those who have excelled in their chosen sport within the TRC region. This funding will enable the association to raise the profile of the event and increase membership. This application is supported by
-

Penny Curran, Land and Facilities. In 2008/09, \$500 from FIKS was approved for the awards ceremony in 2008.

\$5,000.00

JAGGAN HALL ASSOCIATION

Financial contribution – one off

- Donation of \$5,000.00 for upgrade of facilities including, replacement of external access doors, fitting of panic bars to doors, supply and fit of emergency “exit” lights to doorways. This is a regularly used facility and needs to undergo upgrades to maintain current safety standards.

\$5,000.00

HERBERTON MEMORIAL BOWLS CLUB

Financial contribution – one off

- Donation of \$5,000.00 to upgrade facilities and install lighting to allow night time activities to be held. This will increase membership and participation in events, therefore enabling the club to become a more sustainable and profitable group.

\$5,000.00

(Subject to the Club's application for Sport & Recreation funding being successful or other funding being available to complete the project)

MULUNGU ABORIGINAL

Financial contribution – one off

- Donation towards NAIDOC Week Activities in Mareeba – July 2009. Original request was for \$10,000.00 but recommend Council approve \$500.00 as \$450 has been approved already for a schools based program in the region for NAIDOC Week activities.

\$500.00

ATHERTON GOLF CLUB

Financial assistance – one off

- Request is for Council to reseal car-park at golf club.

\$3,000

(This funding is subject to successful sourcing of further funds by the Golf Club to complete the job.)

TOTAL:

\$18,500

IN-KIND SUPPORT - \$350

APPROVED

MALANDA SWIMMING CLUB

In-Kind Support- ongoing

- In Kind Support of \$350.00 at the Malanda Show for the use of:
 - Stage two kitchen for burger stall
 - 12 long tables
 - 70 chairs
 - 3 cattle yard panels
 - 1 portable fluoro

\$350.00

REMITTANCE OF COUNCIL FEES AND CHARGES - \$2,804.80 **APPROVED**

ATHERTON TURF CLUB

Remittance – ongoing

- Request is for ongoing remittance of equipment hire fees for use of 150 chairs and tables for regular race meets. Atherton Turf Club profile is increasing and subsequently higher public attendance is occurring thus the need for extra seating. Annual cost is \$1414.50 **\$1,414.50**

KURANDA RECREATION CENTRE

Remittance – ongoing

- Rates remittance- total cost of \$961.50 (includes only property rates-6 monthly). **\$722.50**

HERBERTON QCWA

Remittance - ongoing

- Rates remittance (property rates at 50% per 12 months) **\$342.00**

COAST TO COAST BIKE RIDE -

Remittance - Ongoing

- Merriland Hall hire fees for camping overnight at Atherton during the Bike Ride **\$325.80**

TOTAL: **\$2,804.80**

APPLICATIONS NOT APPROVED - \$14,630.39

MILLAA MILLAA GARDEN CLUB

Financial contribution – one off

- Donation of \$1,536.70 for the purchase of chainsaw trousers (\$208.96), photocopier (\$804.00), first aid equipment and first aid training for 3 volunteers (\$523.74). Request is to ensure the safety of volunteers who regularly undertake work to beautify the Millaa Millaa region. Photocopier use is for printing of regular newsletters which are distributed within the larger Tablelands region. Application is for a total of \$1,536.70, however, it is recommended they receive \$523.74 for First Aid equipment and training only as they have already been approved \$1,425.30 by FIKS from the 08/09 budget. **\$523.74**

(Held over subject to Parks Strategy)

ATHERTON STATE SCHOOL PARENTS AND CITIZENS ASSOCIATION

"Many Ways Strong" Program

Financial contribution – one off

- Donation of \$2,000.00 to purchase resources for this program which works with indigenous pre prep children and their families with the aim of increasing skills and confidence in at risk children

for when they begin schooling. Application is for a total of \$10,000.00, however, it is recommended they receive \$2,000.00 as we are expecting applications from other similar programs at other schools in the region.

\$2,000.00

HERBERTON HORSE CLUB

Financial contribution – one off

- Donation of \$5,000.00 to purchase and install equipment to upgrade kitchen to a commercial standard. This will enable the club to offer catering services, which will enable them to hold a wider variety of events including the 8 hour Mountain Bike Marathon, Wondecla Field-Day and The North Qld Games.

\$5,000

CHILLAGOE BUSHMANS CARNIVAL ASSOCIATION

Foregone revenue – one off

- Remittance of water service fees

\$386.65

VARIETY CLUB

Financial Contribution – one off

- Donation towards the Variety Special Children's Christmas Party at the Cairns Showground. Fourteen community organisations from across the region are invited to participate. Tablelands families are invited, but have to organise their own transport etc. Likely to be limited benefit to Tablelands children

\$220.00

TROPICAL TABLELANDS TOURISM

Cash donation - one off

Request is for payment of TTNQ Platinum membership for TTT. Refer separate report for full details, "Request for Assistance by Tropical Tablelands Tourism". There are sufficient funds remaining in the FIKS budget 08/09 to cover this donation.

\$6,500.00

TOTAL:

\$14,630.39

STAFF APPROVED APPLICATIONS - \$404

ATHERTON & DISTRICT ANIMAL WELFARE SOCIETY

Remittance - ongoing

Remittance of fees for the disposal of animal carcasses at the Atherton land fill. This was a previous commitment by Atherton Shire Council

\$200.00

OUR SAVIOUR LUTHERAN CHURCH

Remittance - ongoing

Weekly stall held by George Knopke in Byrnes Street, Mareeba to raise funds for the church. Remittance of Goods for Sale on Footpath Permit annually. Previous commitment by Mareeba Shire Council

\$104.00

SOPHIE PENNA*Financial contribution – one off*

Attending U/18 State Hockey Titles, Brisbane

\$100.00**MAREEBA AMBULANCE COMMITTEE***In-kind support – one off*

Hire of Davies Park to hold Annual Ambulance Christmas Carnival

nil**TABLELAND CYCLE SPORTS INC.***In-kind support – one off*

Use of Tepon Airstrip grounds for annual 8 hr mountain bike marathon

nil**TOTAL:****\$404.00"****CARRIED****ITEM-22****HERBERTON MINING CENTRE - ENDORSEMENT AS A DEDUCTIBLE GIFT RECIPIENT - ESTABLISHMENT OF GIFT FUND AND ADVISORY COMMITTEE**

Moved by Cr Linwood

Seconded by Cr Sorensen

"That Council:

1. Establish the Herberton Mining Centre Gift Fund and account for all gifts, contributions and transfers to and from the fund separately from other organisational transactions.
2. Accept the Terms of Reference for the Herberton Mining Centre Gift Fund Advisory Committee which is an advisory committee to the Tablelands Regional Council established under Section 453 of the Local Government Act 1993.
3. Call for Expressions of Interest for the Community Skills-Based positions on the Advisory Committee as per the Terms of Reference for the Herberton Mining Centre Gift Fund Advisory Committee Clause 5.4.
4. Nominate the Division 2 Councillor (Cr Linwood) or delegate as Chairperson of the Committee."

CARRIED

PLANT & WORKS

ITEM-26 **DEPARTMENT OF ENVIRONMENT AND RESOURCE
MANAGEMENT - APPLICATION FOR PROPOSED
PERMANENT ROAD CLOSURE OVER AN AREA OF ROAD
ABOUT 4800M2 ABUTTING THE SOUTHERN BOUNDARY OF
LOT 10 ON RP867000**

Moved by Cr Linwood

Seconded by Cr Curtis

"That in relation to the letter from the Department of Environment and Resource Management regarding the permanent road closure over an area of about 4800m² abutting the southern boundary of Lot 10 on RP867000, locality of Kuranda, Council advise the Department of Environment and Resource Management that it opposes the proposed permanent road closure informing the Department that the area of land abutting Lot 10 on RP867000 is identified for future development. However, Council has no objection to a temporary road closure."

CARRIED

ADDRESS

Paul Smith of Boar Busters attended the meeting at 12:15pm and gave a PowerPoint presentation to Council of the services that his business could provide to Council in relation to removal of feral pigs.

Mr Smith left the meeting at 12:40pm.

ITEM-27 **DAVIES PARK STREETLIGHTING - DOYLE STREET,
MAREEBA**

Moved by Cr McGrath

Seconded by Cr Pedersen

"That Council approve the proposed streetlighting improvements on Doyle Street, Mareeba as discussed with Ergon Energy and allocate budget funding under the 2009 - 2010 capital works program."

CARRIED

ITEM-33 ROAD SAFETY AUDIT - THERESA CREEK ROAD & MOREGATTA ROAD, VIA MILLAA MILLAA

Moved by Cr Sorensen

"That Council list the proposed works detailed in the rectification schedules prepared for Theresa Creek Road and Moregata Road for consideration in the 2009/2010 Capital Works Programme."

LAPSED FOR WANT OF A SECONDER

Moved by Cr Pedersen

Seconded by Cr Curtis

"That Council list the proposed works detailed in the rectification schedules prepared for Theresa Creek Road and Moregata Road for consideration in future Capital Works Programmes."

CARRIED

LUNCH ADJOURNMENT

The Meeting adjourned for lunch at 1:02pm and resumed at 1:30pm.

ITEM-34 TENDER TRC- 21 WORKSHOP TRUCK

Moved by Cr Pedersen

Seconded by Cr McGrath

"That Council purchase one (1) Mitsubishi Fuso Fighter FK6 truck from Trucks North at a total cost of \$140,902.30 including GST and Council's existing Vehicle 628 be retained and transferred to the water and sewerage section."

CARRIED

ITEM-35 TENDER TRC - 23 MINI EXCAVATOR

Resolved

"That consideration of the purchase of a mini excavator be held over and Council officers investigate this matter further and report back to the next meeting of Council with their findings."

CARRIED

ATTENDANCE

Cr Pedersen left the meeting at 1:32pm while Item-36 was discussed.

**ADHOC-4 10 MAIN STREET, ATHERTON - REQUEST TO REPAIR
VEHICULAR ACCESS TO PROPERTY**

The Mayor advised he had received a request from Mr Alan Favier for Council to review its decision not to repair damage to the footpath and driveway that provides access to 10 Main Street, Atherton.

Resolved

"That the footpath and driveway be inspected by Council and the matter then given further consideration."

CARRIED

WATER & SEWERAGE

**ITEM-46 DIMBULAH WATER SUPPLY UPGRADE MAY 2009 -
PROGRESS REPORT**

Moved by Cr Pedersen

Seconded by Cr McGrath

"That Council receive and note the report entitled "Dimbulah Water Supply Upgrade May 2009 - Progress Report" prepared by the General Manager Civil Works."

CARRIED

ITEM-47 MALANDA SEWERAGE MAY 2009 PROGRESS REPORT

Moved by Cr Sorensen

Seconded by Cr Pedersen

"That Council receive and note the report entitled 'Malanda Sewerage - May 2009 Progress Report' prepared by the Project Consultant Brian Smyth."

CARRIED

1. The proposal conflicts with the Queensland Government's Far North Queensland Regional Plan 2031 and the State Planning Regulatory Provisions.
2. The proposal conflicts with the subdivision requirements of the Mareeba Shire Planning Scheme 2004.
3. Council does not support the creation of a new road for access to one lot.
4. The protection of vegetation can be achieved by more acceptable means such as a statutory covenant.

However, Council does not object to the conversion to freehold over the subject land in its entirety. Council suggests that considering the non-compliance with both State and Local Government requirements for subdivision that the entirety of Lot 206 on CP846868 be converted to freehold tenure with a statutory covenant included on the title to ensure protection of vegetation and environmental values.

AND FURTHER that if the Department does not consider the above alternative acceptable and two titles are to be created, Council does not support the creation of a new road for access to one lot. Council requires that the proposed area of road be incorporated as part of the proposed balance of the lease. Furthermore, Council requires that the following conditions be met prior to the registration of a new survey plan for the two lots:

Access

1. An access crossover must be constructed (from the edge of the road pavement to (a) the property boundary of the proposed Freehold lot and (b) to the end of the access handle for the proposed leasehold lot) in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.
2. The applicant 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.

Bushfire Management

3. Any new dwelling erected on the subject land shall be in accordance with State Planning Policy 1/03, in particular:
 - (i) Shall achieve a setback from hazardous vegetation of 1.5 times the predominant mature canopy tree height or 10 metres, whichever is greater.
 - (ii) An on-site water storage of not less than 5,000 litres, with a 50mm male camlock fire brigade fitting where necessary, is to be provided at the same time the dwelling is constructed.
 - (iii) The dwelling should be located in the location of lowest hazard within the allotment.
4. A Bushfire Management Plan is prepared for the proposed allotments in accordance with the requirements of State Planning Policy 1/03. This management plan is to be submitted to Council for approval prior to the signing of the new plan of survey.

Roadworks Contribution

5. The applicant must pay a contribution for roadworks to Council in accordance with Mareeba Shire Planning Scheme Policy 6 - Augmentation of the Road Network Contribution for the equivalent of one (1) additional allotment at the rate applicable at time of payment."

CARRIED

CLOSURE OF MEETING

Moved by Cr Pedersen

Seconded by Cr Sorensen

"That in accordance with Section 463(1)(a, e, h) of the Local Government Act 1993, the Meeting be closed to the public at 2:09pm to discuss matters relative to:

- The appointment, dismissal or discipline of employees
- Contracts proposed to be made by Council
- Other business for which a public discussion would be likely to prejudice the interest of the local government or someone else, or enable a person to gain a financial advantage."

CARRIED

OPENING OF MEETING

Moved by Cr Linwood

Seconded by Cr Sorensen

"That the meeting be opened at 3:02pm."

CARRIED

ITEM-13 MAY 2009 MONTHLY REPORT - MANAGER HUMAN RESOURCES

Moved by Cr Jensen

Seconded by Cr Linwood

"That Council adopt the Monthly Report for May 2009 submitted by the Manager Human Resources."

CARRIED

ITEM-16 DEBTOR'S REPORT - MAY 2009

Moved by Cr McGrath

Seconded by Cr Williams

"That Council adopt the May 2009 Monthly Debtors Report and the General Manager Financial Services take appropriate action in relation to the 63 accounts that have been outstanding for more than 60 days and whose balance is less than \$100."

CARRIED

ADHOC-7 CASSOWARY RECOVERY GROUP

The Mayor advised of an invitation by the Wet Tropics Management Authority to nominate a representative on the Cassowary Recovery Group.

Resolved

"That Cr Jensen represent Council on the Cassowary Recovery Group."

CARRIED

ADHOC-8 Q150 PUBLICATION

The Mayor advised of a letter received from the Premier of Queensland regarding the Q150 publication being prepared by Bookmen Publishers which Council had previously declined to participate in.

Resolved

"That Council confirm its previous decision not to participate in the Q150 publication."

CARRIED

ADHOC-9 COMMUNITY PLANNING

Cr Sorensen advised that she had attended an LGAQ Community Planning Workshop on 12 June 2009 and updated Council on legislation regarding the requirement for Council to have in place a Community Plan.

The Mayor suggested that the Local Government Association of Queensland should produce a Community Plan template that can be modified by each individual local government to suit their particular requirements.

Cr Sorensen also updated Council on her attendance at the recent Sustainable Region Initiative meeting.

Cr Sorensen also advised that she had attended a Women in Government workshop in Brisbane on Monday, 15 June 2009.

ADHOC-13 GREENHILLS ROAD, KURANDA

Cr Jensen advised that she had been approached by residents of Greenhills Road, Kuranda with their concerns about the condition of the road. The road is narrow and unsafe and technical staff were requested to inspect the road and report back to Council.

ADHOC-14 MCBEAN ROAD

Cr Pedersen requested that the verges on McBean Road be attended to.

ADHOC-15 STREET SWEEPER SCHEDULE

Cr Pedersen requested a copy of the Street Sweeper Schedule for Dimbulah be forwarded to him.

ADHOC-16 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION - NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT

The Mayor advised that he and the Chief Executive Officer will not now be attending the ALGA National General Assembly of Local Government in Canberra during the week commencing 22 June 2009.

ADHOC-17 FLAG - MAIN STREET, TOLGA

Cr Curtis advised that he had been informed by a Tolga resident that a new flag is required for the flagpole at Tolga.

ADHOC-18 VOTE OF THANKS TO FINANCE SECTION

Moved by Cr Pedersen

Seconded by Cr Linwood

"That a vote of thanks be recorded for the efforts of the Finance staff in preparing the 2009/2010 budget."

CARRIED

ADHOC-19 CLOCK IN ATHERTON MAIN STREET

It was noted that the clock in Atherton's Main Street is not working and it was suggested that the clock either be repaired or removed.

NEXT MEETING OF COUNCIL

The next meeting of Council will be held at Malanda
9:00 am on Wednesday 1 July 2009

There being no further business, the meeting closed at 3.38 pm.

.....
Cr Tom Gilmore
Mayor

Ian Church
Chief Executive Officer