



# Ordinary Meeting

TRC Boardroom, 45 Mabel Street, Atherton

Thursday, 14 December 2023

at 9:00 AM

## MINUTES

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### 1. MEMBERS IN ATTENDANCE

Members Present: Cr R Marti (Mayor), Cr K Cardew (Deputy Mayor), Crs A Haydon, D Bilney, D Clifton, P Hodge and B Wilce.

### 2. OFFICERS IN ATTENDANCE

G Rinehart (Chief Executive Officer), H Jackson (General Manager Community & Corporate Services), M Vis (General Manager Infrastructure & Environmental Services), D O'Connor (Senior Planning Officer), S Savich (Manager Strategic Assets), T Vallance (Strategic Communications), K Coutts (Executive Assistant Mayor & Councillors) and J Hunter (Minute Secretary).

### 3. APOLOGIES/LEAVE OF ABSENCE

No apologies

### 4. ACKNOWLEDGEMENT OF COUNTRY

The Chairperson delivered this Acknowledgement of Country — *'I acknowledge the Traditional Custodians of the land on which we work and live, and pay respect to Elders past, present and emerging.'*

## 5. BEREAVEMENTS/CONDOLENCES

A minute's silence was observed as a mark of respect for the members of our community who have recently passed. We wish their family and friends peace and comfort during this challenging time.

## 6. DECLARATION OF ANY CONFLICTS OF INTEREST BY COUNCILLORS AND SENIOR COUNCIL OFFICERS

**Cr Annette Haydon** declared that she has a **Perceived Conflict of Interest**, (as defined in 150ES of the *Local Government Act 2009*), in relation to *ITEM-11.6 Councillor Conduct Matter*, as she is the Councillor in the complaint. **Cr Haydon** declared that she proposes to exclude herself from the meeting while this matter is debated and the vote is taken.

**Mark Vis**, General Manager Infrastructure and Environment Services, declared that he has a **Conflict of Interest**, pursuant to the *Public Sector Ethics Act 1994* and Council's Code of Conduct, in relation to *Item-11-6 Councillor Conduct Matter*, due to the fact that he was participating in the investigation as a witness. Mr Vis declared that he proposes to exclude himself from the meeting while the item is discussed and decided.

**Hilary Jackson**, General Manager Community & Corporate Services, declared that she has a **Conflict of Interest**, pursuant to the *Public Sector Ethics Act 1994* and Council's Code of Conduct, in relation to *Item-16-6 Councillor Conduct Matter*, due to the fact that she was participating in the investigation as a witness. Ms Jackson declared that she proposes to exclude herself from the meeting while the item is discussed and decided.

There were no other conflicts of interest declared by any Councillor or senior Council officer in relation to the items of business listed on the agenda.

## 7. CONFIRMATION OF MINUTES

Moved by Cr Hodge

Seconded by Cr Wilce

"That the Minutes of the Ordinary Council Meeting held on 23 November 2023, be confirmed as true and correct.

**CARRIED UNANIMOUSLY**

## 8. BUSINESS ARISING/ACTIONS OUT OF MINUTES OF PREVIOUS MEETINGS

No business arising.

## 9. DEPUTATIONS AND DELEGATIONS

### DEPUTATION

Mr Brett Blennerhasset, owner of Goshen Station, attended the meeting at 9.08am regarding the condition of Cashmere-Kirrama Road, Mt Garnet. The presentation concluded at 9.23am.

### DEPUTATION

Mr Michael Neal attended the meeting at 9.23am regarding Item-12.8. *'Brandon Lane, Herberton - Permanent Road Closure'* on the agenda. The presentation concluded at 9.35am.

### DEPUTATION

Mr Ken Goleby & Ms Julie Lewis attended the meeting at 9.35am regarding Item-11.1. *'JA Lewis & KL Goleby - Reconfiguring a lot (1 lot into 3 lots) - Lot 21 on RP219079 - 58 Third Avenue, Tarzali - RAL23/0016'* on the Agenda. The presentation concluded at 9.44am.

### DEPUTATION

Ms Louise Terzi – attended the meeting at 9.44am regarding Item-13.8 *'Proposed TRC Local Laws Amendments – including Community Consultation'*. The presentation concluded at 9.51am.

## 10. MAYORAL MINUTE

### ADHOC-1 SUSPEND STANDING ORDERS

Moved by Cr Marti

“That standing orders are suspended to allow Item-13.8 *'Proposed TRC Local Laws Amendments – including Community Consultation'* to be dealt with as the next item of business.”

**CARRIED UNANIMOUSLY**

### ADHOC-2 SUSPEND STANDING ORDERS

Moved by Cr Hodge

“That Standing Orders are suspended to allow discussion on Item-13.8. *'Proposed TRC Local Laws Amendments Including Community Consultation'*.”

**CARRIED UNANIMOUSLY**

## ADHOC-3 RESUME STANDING ORDERS

Moved by Cr Hodge

“That discussion on Item-13.8. ‘*Proposed TRC Local Laws Amendments Including Community Consultation*’ has concluded and Standing Orders are resumed.”

**CARRIED UNANIMOUSLY**

## ITEM-13.8. ‘PROPOSED TRC LOCAL LAWS AMENDMENTS INCLUDING COMMUNITY CONSULTATION’

Moved by Cr Bilney

Seconded by Cr Wilce

"That, in accordance with the Council’s local law-making process B) Making an “other” local law, Council:

1. Notes the outcomes from the public consultation as documented in the body of this report;
2. Notes that following the outcome of community and officer consultation, **no change** to Subordinate Local Law No. 2 (Animal Management) 2023 Schedule 1 (circumstances under which keeping an animal is prohibited), Item 1 in column 1 (dogs), Column 2 (allotment size and maximum number) is proposed.
3. Notes that following the outcome of community and officer consultation, **no change** to Subordinate Local Law No. 2 (Animal Management) 2023 Schedule 1 (circumstances under which keeping an animal is prohibited), Item 7 in column 1 (stock as defined), Column 2 (allotment size and maximum number) is proposed.
4. Notes that following the outcome of community and officer consultation, the proposal to include a minimum of 4000m<sup>2</sup> per stock (as defined) in Subordinate Local Law No. 2 (Animal Management) 2023 Schedule 4 (specific standards for keeping particular animals), Item 8 in column 1 (stock as defined), Column 2 (specific standards) is **not supported**.
5. Notes that following the outcome of community and officer consultation, **no change** to Subordinate Local Law No. 2 (Animal Management) 2023 Schedule 5 (prohibition on breeding animals), Item 1 in column (dogs), Column 2 (circumstances where it is not prohibited to breed animals).
6. Resolves pursuant to section 29(2) of the *Local Government Act 2009* to make “Amending Local Law No. 1 (Miscellaneous Local Laws) 2023)

## Tablelands Regional Council

# Amending Local Law No. 1 (Miscellaneous Local Laws) 2023

## Part 1 Preliminary

### Short title

This amending local law may be cited as *Tablelands Regional Council Amending Local Law No.1 (Miscellaneous Local Laws) 2023*.

### Object

The object of this amending local law is to –

- (a) define ‘urban area’;
- (b) amend local laws to prescribe the minimum requirements for the keeping of animals.

## Part 2 Amendment of Tablelands Regional Council Local Law No. 1 (Administration) 2019

### Local Law amended

This part amends the *Tablelands Regional Council Local Law No. 1 (Administration) 2019*.

### Amendment of Schedule 1 Dictionary

Schedule 1, in alphabetical order—

insert—

**Urban area** means land used in towns—

- (a) including residential zones, industrial zones, community facility zones and centre zones; but generally not including:
  - (ii) rural residential zones; and
  - (iii) land the subject of a preliminary approval overriding the planning scheme where the use proposed is a use ordinarily occurring in one of the zones identified in paragraph (a) of this definition.”

**EXPLANATORY NOTE TO ASSIST COUNCILLOR VOTE:** *This amendment has the effect of introducing a definition for “urban area” – a term which is used elsewhere in Local Laws but has not been properly defined.*

## Part 3 Amendment of Tablelands Regional Council Subordinate Local Law No. 2 (Animal Management) 2019

### Subordinate Local Law amended

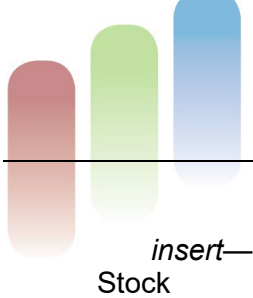
This part amends the *Tablelands Regional Council Subordinate Local Law No. 2 (Animal Management) 2023*.

### Amendment of Schedule 2 – Keeping of animals that requires a permit.

1. Column 1 Species or breed of animal, Column 2, Section (3)—

*Omit—*

Stock A permit is required to keep stock in an urban area.



insert—  
Stock

A permit is required to keep stock in an urban area or on a lot that is less than 8,000m<sup>2</sup>.

**EXPLANATORY NOTE TO ASSIST COUNCILLOR VOTE:** *This item has the effect of introducing a permit to keep stock (as defined) on a block between 600m<sup>2</sup> and 8000m<sup>2</sup>. A permit is already required (under the existing Local Law) to keep stock in an urban area. Keeping of stock on a block smaller than 600m<sup>2</sup> is already prohibited under the existing Local Law).*

#### Amendment of Schedule 4 - Specific standards for keeping particular animals

2. Column 1 Species or breed of animal, Column 2, Section (3)—  
omit—

Horse (including a racehorse), donkey, ass, mule, cow, bull, camel, buffalo and other domesticated animals of a similar size and sheep, goat, alpaca, llama and other animals of a similar size

3. Each owner of, and responsible person for, an animal which is kept free range or in a paddock on premises must ensure that shelter of a clean, dry and shady nature is provided together with a minimum space per animal as prescribed in the Model Code of Practice for the Welfare of Animals published from time to time by the Commonwealth Scientific and Industrial Research Organisation.

Insert—

Horse (including a racehorse), donkey, ass, mule, cow, bull, camel, buffalo and other domesticated animals of a similar size and sheep, goat, alpaca, llama and other animals of a similar size

3. Each owner of, and responsible person for, an animal which is kept free range or in a paddock on premises must ensure:

- a. a shelter of a clean, dry and shady nature is provided; and
- b. the minimum space per animal provided is as prescribed in the Model Code of Practice for the Welfare of Animals published from time to time by the Commonwealth Scientific and Industrial Research Organisation.

Note: Relevant structures under this provision must comply with the Building Act 1975 and Building Code of Australia.

**EXPLANATORY NOTE TO ASSIST COUNCILLOR VOTE:** *This item has the effect of more clearly defining the requirements for keeping of specific animals and introduces the note regarding requirement for compliant structures.*

#### Amendment of Schedule 5 - Prohibition on breeding animals

Insert, in Column 2, for the animals prescribed in column 1—

Noisy Bird      The owner holds a permit to breed the animal on a lot size smaller than 10,000m<sup>2</sup>.

Bird              The owner holds a permit to breed the animal on a lot size smaller than 2,000m<sup>2</sup>.

Racing Pigeon	The owner holds a permit to breed the animal on a lot size smaller than 800m <sup>2</sup> .
Special Bird	The owner holds a permit to breed the animal on a lot size smaller than 20,000m <sup>2</sup> .
Stock	The owner holds a permit to breed the animal on a lot size smaller than 10,000m <sup>2</sup> .

***EXPLANATORY NOTE TO ASSIST COUNCILLOR VOTE:*** *This item has the effect of enabling a permit to breed animals in circumstances where it was previously prohibited.*

7. Resolves that there will be no fee for the application or issue of permits associated with the keeping of stock in the 23/24 Schedule of Fees and Charges, or the 24/25 Schedule of Fees and Charges.
8. Notes that Council does not consider that the proposed amendments affect State Interests or contain anti-competitive provisions:
9. Delegates the power to the Chief Executive Officer pursuant to section 257 of the *Local Government Act 2009* to:
  - (a) Take all necessary steps to publish the Amending Local Laws in accordance with section 29B of the *Local Government Act 2009*;
  - (b) Provide copies of the consolidated versions of the Amending Local Laws to the Minister in accordance with section 32 of the *Local Government Act 2009*; and
  - (c) Update Council's Local Laws Register in accordance with section 32(4) of the *Local Government Act 2009*.

**LOST 4-3**

## **11. CHIEF EXECUTIVE OFFICER**

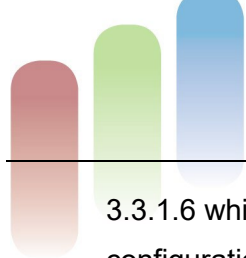
### **11.1. JA LEWIS & KL GOLEBY - RECONFIGURING A LOT (1 LOT INTO 3 LOTS) - LOT 21 ON RP219079 - 58 THIRD AVENUE, TARZALI - RAL23/0016**

Moved by Cr Wilce

Lapsed for want of a seconder

"That Council refuse the development application for Reconfiguring a Lot (1 Lot into 3 Lots) over land described as Lot 21 on SP219079 located at 58 Third Avenue, Tarzali for the following reasons:

1. The proposed development conflicts with Strategic Framework Specific Outcome 3.3.1.4 which seeks to ensure that Rural residential development is contained within identified rural residential areas to prevent further fragmentation and alienation of agricultural land.
2. The proposed development conflicts with Strategic Framework Specific Outcome

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- 3.3.1.6 which seeks to ensure that rural areas are retained in the current lot configuration for primary industry.
3. The proposed development conflicts with Strategic Framework Specific Outcome 3.3.11.1.1 as it will result in the fragmentation of rural land.
  4. The proposed development conflicts with Strategic Framework Specific Outcome 3.3.12.1.1 as it will result in regional landscape and rural production values being compromised by subdivision.
  5. The proposed development conflicts with Strategic Framework Specific Outcome 3.3.12.1.7 as rural areas preserve land for future uses beyond the life of the planning scheme.
  6. The proposed development conflicts with Overall Outcome (j) of the Reconfiguring a lot code as the development does not seek to maintain rural landholdings in viable parcels.
  7. The proposed development conflicts with Performance Outcome PO1 of the Reconfiguring a lot code as it would result in lots of insufficient area and dimensions to:
    - a. be consistent with the existing or desired amenity of the Rural zone;
    - b. accommodate land uses intended within the Rural zone.
  8. The proposed development conflicts with Performance Outcome PO13 of the Reconfiguring a lot code as it seeks to create small lots for rural lifestyle or rural residential purposes.
  9. The proposed development conflicts with Purpose of the Rural zone code, as the development:
    - a. will not protect the rural character and scenic amenity of the region;
    - b. does not preserve land in large holdings;
  10. The proposed development conflicts with the requirements of the Regional Landscape and Rural Production Area of the Far North Queensland Regional Plan 2009-2031 in that larger lot sizes are promoted to ensure economic viability of rural land holdings, and to protect important agricultural lands and areas of ecological significance from encroachment by urban and rural residential development.
  11. Compliance with the Strategic Framework and Assessment Benchmarks cannot be achieved through the imposition of lawful development conditions.”



**An alternate motion was proposed:**

Moved by Cr Hodge

Seconded by Cr Cardew

**The reason for the decision:**

The application is considered to be generally consistent with the provisions of the Tablelands Regional Council Planning Scheme 2016 v4 and can be approved subject to reasonable and relevant conditions.

“That a development permit for Reconfiguring a Lot (1 lot into 3 lots) and Access Easement on land described as Lot 21 on SP219079 situated at 58 Third Avenue, Tarzali, be approved subject to the following conditions:

**APPROVED PLANS/DOCUMENTS:**

Plan No.	Rev.	Plan Name	Date
9292-LL1	C	Proposed Reconfiguration of a Lot (1 lot into 3 lots) and Access Easement	27 February 2023

**ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)**

1.	Development must be carried out substantially in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations: <ul style="list-style-type: none"> <li>- 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</li> <li>- to ensure compliance with the following conditions of approval.</li> </ul>
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 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	Written confirmation of the location of existing services for the land must be provided to Council. In any instance where existing services are contained within another lot, the following applies, either: <ul style="list-style-type: none"> <li>A. Relocate the services to comply with this requirement; or</li> </ul>

	B. Arrange registration of necessary easements over services located within another lot prior to, or in conjunction with, the lodgement of the Plan of Survey creating the lot.
3.3	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 the proposed new lot unless approved by Council's delegated officer.
3.4	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.
3.5	All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.
3.6	Charges All outstanding rates, charges and expenses pertaining to the land are to be paid in full.
4	Access
4.1	Provide concrete crossover / aprons (or other approved surface) with a maximum width of 6 metres to proposed Lot 25 in accordance with FNQROC Development Manual Standards. Technical details are to be submitted to Council as part of an application for Operational Work.
4.2	Construct a sealed access driveway (bitumen, concrete or asphalt), a minimum of 3m wide, for the full length of the access easement. All works are to be in accordance with FNQROC Development Manual standards. Technical details are to be submitted to Council as part of an application for Operational Work.
5	Water Supply
5.1	Prior to the commencement of use of a dwelling house on proposed Lot 23 and Lot 24, the developer/landowner must either: A. Provide an on onsite water storage tank/s with a minimum capacity of at least 90,000 litres and a single tank of not less than 10,000 litres dedicated for fire-fighting purposes only which is to be fitted with a 50mm ball valve with a camlock fitting; or B. Provide evidence demonstrating that sufficient reticulated water supply is available.

6	Service Conduits
6.1	Provide underground service conduits with capacity for all lots, including provision for water, electricity and telecommunications, with associated access pits if necessary, for the entire length of the access easement.
7.	On-site waste water management
7.1	The development must be serviced by an on-site sewage disposal system. A site-specific on-site sewerage disposal master plan must be provided prior to Council endorsement of the plan of survey.  The master plan must meet the outcomes of the Tablelands Regional Council Planning Scheme 2016, the FNQROC Development Manual, AS1547 and the Queensland Plumbing and Wastewater Code and be prepared by an appropriately qualified and experienced person.
7.2	At the time of building construction on proposed Lot 23 and Lot 24 an on-site effluent disposal system must be constructed generally in accordance with the report required by Condition 7.1 and in compliance with the latest version On-Site Domestic Wastewater Management Standard (AS/NZS1547) to the satisfaction of the Council's delegated officer.
8.	Services
8.1	Stormwater Drainage/Water Quality  The applicant must ensure a no-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.  All stormwater drainage must be discharged to a lawful point of discharge.
8.2	Electricity provision/supply  The applicant/developer must ensure that a suitable 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.
8.3	Telecommunications  The applicant/developer must demonstrate the ability to provide telecommunication services to each allotment, to the satisfaction of Council's delegated officer.

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ASSESSMENT MANAGER'S ADVICE

(a) Electric Ants

Electric ants are designated as restricted biosecurity matter under the Biosecurity Act 2014.

The electric ant restricted zone exists in five local government areas including the Tablelands Regional Council.

Certain restrictions and obligations are placed on persons dealing with electric ant carriers within the electric ant restricted zone. Movement restrictions apply in accordance with Sections 74–77 of the Biosecurity Regulation 2016. Penalties may be imposed on movement of electric ant carriers and electric ants in contravention of the legislated restrictions. It is the responsibility of the applicant to check if the nominated property lies within the restricted zone.

All persons have a general biosecurity obligation under the Biosecurity Act 2014 to manage biosecurity risks and threats that are under their control, they know about, or they are expected to know about. Penalties may apply for failure to comply with a general biosecurity obligation.

For more information please visit the electric ant website at [www.daf.qld.gov.au/anthunt](http://www.daf.qld.gov.au/anthunt) or contact Biosecurity Queensland 13 25 23.

(b) Infrastructure Charges Notice

An Infrastructure Charges Notice has been issued with respect to the approved development. The Infrastructure Charges Notice details the type of infrastructure charge/s, the amount of the charge/s and when the charge/s are payable.

(c) Charges & Payments

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) 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) Compliance with Acts and Regulations

The erection and use of the building must comply with the *Building Act 1975* and all other relevant Acts, Regulations and Laws, and these approval conditions.

(e) Specifications and Drawings

Details of Council’s specifications and standard drawings can be viewed on the FNQROC website.

CURRENCY PERIOD

The development approval lapses at the end of the following period (the *currency period*)—

- Reconfiguring a lot – Four (4) years (starting the day the approval takes effect).

INFRASTRUCTURE CHARGES

That Council issue an Infrastructure Charges Notice for the following infrastructure charges:

Calculation				
Catchment/s	Credits/Charge Exclusions	Demand	Charge Category	Charge amount
Rural	Credit for 1 existing lot and Charge Exclusion of 70% as no access to reticulated sewerage, reticulated water or urban stormwater infrastructure.	3 lots (2 additional lots)	\$22,500/lot (before Credits and Charge Exclusions)	\$67,500.00
<b>Total Charge less Credits and Charge Exclusions</b>				<b>\$13,500.00</b>

**CARRIED 6-1**

**11.2. B WALSH - RECONFIGURING A LOT (2 LOTS INTO 3 LOTS) IN 2 STAGES - LOT 11 AND 12 RP703885 - 14 OAK STREET & 3 ROSENBLADE STREET, YUNGABURRA RAL23/0012**

Moved by Cr Clifton

Seconded by Cr Wilce

- (A) That Council resolve that the application does not conflict with a relevant instrument and approve a Development Permit for a Reconfiguring a Lot on land described as Lot 11 and Lot 12 on RP703885, situated at 14 Oak Street, Yungaburra subject to the following:

APPROVED PLANS/DOCUMENTS:

Plan No.	Rev.	Plan Name	Date
DA001	-	Stage 1	23 January 2023
DA002	-	Stage 2	23 January 2023

ASSESSMENT MANAGER’S CONDITIONS (COUNCIL)

1.	Development must be carried out substantially in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:
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	<p>(a) 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</p> <p>(b) to ensure compliance with the following conditions of approval.</p>
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 Council approval of the plan of survey for stage 1, except where specified otherwise in these conditions of approval.
2.2	Prior to Council approving the plan of survey for reconfiguring a lot (under the Land Title Act 1994, as amended), the Applicant must provide written confirmation to Council that all of the conditions of this approval 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	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.
3.3	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.
3.4	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 the proposed new lot unless approved by Council's delegated officer.
3.5	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.
3.6	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.
3.7	Charges

	All outstanding rates, charges and expenses pertaining to the land are to be paid in full prior to the endorsement of the plan of subdivision.
3.8	<p>Staging</p> <p>The applicant/ developer must develop the site in accordance with the stages identified on the approved plans of development with the stages to be developed in the consecutive numeric order of stage as identified on the plans. The applicant must comply with each condition of this development approval as it relates to each stage, unless otherwise specifically stated in this approval.</p>
4.	Infrastructure Services and Standards
4.1	<p>Water supply</p> <p>Prior to the approval of the plan of survey for Stage 1, a separate water service connection and meter(s) must be provided to lots 1 and 2 in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.</p>
4.2	<p>Prior to the approval of the plan of survey for Stage 2, a separate water service connection and meter(s) must be provided to lots 1 and 3 in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.</p>
4.3	<p>Sewerage Connection</p> <p>Prior to the approval of the plan of survey for Stage 1, undertake the following sewerage works:</p> <ul style="list-style-type: none"> <li>(a) Extend the reticulated sewerage infrastructure to provide the ability for lots 1 to 3 to connect to Council's existing infrastructure; and</li> <li>(b) Provide a single internal sewer connection to lots 1 to 3 in accordance with the FNQROC Development Manual;</li> <li>(c) Provide easements in favour of Council having a nominal width of 3 metres over all new sewers that are on a non-standard alignment.</li> </ul> <p>The above works must be designed and constructed in accordance with the FNQROC Development Manual. All works must be carried out generally in accordance with the approved plan(s), to the requirements and satisfaction of Council.</p> <p>Note: A Development Permit for Operational Work is required for the above works.</p>
4.4	<p>Prior to the approval of the plan of survey for Stage 2, undertake the following sewerage works:</p> <ul style="list-style-type: none"> <li>(a) Connect the existing Dwelling houses to the new internal sewer connection serving the respective lot; and</li> </ul>

	<p>(b) Decommission and remove any redundant sewer property connection. The above works must be designed and constructed in accordance with the FNQROC Development Manual. All works must be carried out generally in accordance with the approved plan(s), to the requirements and satisfaction of Council.</p> <p>Note: A Development Permit for Operational Work is required for the above works.</p>
4.5	<p>Stormwater Drainage/Water Quality</p> <p>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.</p>
4.6	<p>Electricity provision/supply</p> <p>Prior to the approval of the plan of survey for Stage 1:</p> <p>(a) The applicant/developer must ensure that a suitable level of electricity supply is provided to lots 1 and 2 in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.</p> <p>(b) 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.</p>
4.7	<p>Prior to the approval of the plan of survey for Stage 2:</p> <p>(a) The applicant/developer must ensure that a suitable level of electricity supply is provided to lots 1 and 3 in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.</p> <p>(b) 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.</p>
4.8	<p>Telecommunications</p> <p>The applicant/developer must demonstrate the ability to provide telecommunication services to each allotment within each stage, to the satisfaction of Council's delegated officer.</p>
4.9	<p>Access</p>
4.9.1	<p>Prior to the approval of the plan of survey for Stage 2:</p> <p>(a) Provide an access crossover to proposed Lot 3 via Oak Street. The crossover must be constructed (from the kerb and channel to the property boundary) generally in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.</p>



*Note: A non-standard access crossover consisting of two concrete strips in accordance with the surrounding character is supported.*

ASSESSMENT MANAGER'S ADVICE

(a) Infrastructure Charges

As the proposed development does not trigger additional demand in accordance with Council's Adopted Infrastructure Charges Notice an Infrastructure Charges Notice has not been issued.

(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) 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) Compliance with Acts and Regulations

The erection and use of the building must comply with the *Building Act 1975* and all other relevant Acts, Regulations and Laws, and these approval conditions.

(e) Specifications and Drawings

Details of Council's specifications and standard drawings can be viewed on the FNQROC website.

(f) Connection to Council Water Supply

A copy of this permit and the approved water reticulation design must be submitted to Council with the appropriate application form for connection to Council's water supply. Council will respond to the application with a quotation for the work and upon payment will schedule the works for connection.

(g) Connection to Council Sewer

A copy of this permit and the approved sewer reticulation design must be submitted to Council with the appropriate application form for connection to Council's sewer supply. Council will respond to the application with a quotation for the work upon payment will schedule the works for connection.

(h) Proposed Lot 2

The existing structure/s on proposed Lot 2 are not approved for habitable use.

REFERRAL AGENCY CONDITIONS

Not applicable

CURRENCY PERIOD

This approval, granted under the provisions of the *Planning Act 2016*, shall lapse six (6) years from the day the approval takes effect in accordance with the provisions of Section 85 of the *Planning Act 2016*.

FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Operational Works

OTHER APPROVALS REQUIRED FROM ASSESSMENT MANAGER (COUNCIL)

- Nil

B. That Council issue an Infrastructure Charges Notice for the following infrastructure charge/s:

Stage 1 (Boundary realignment):

Calculation			
Catchment			Charge amount
Yungaburra			
Proposed demand	\$22,500.00/lot x 2 lots		\$45,000.00
Less credit	\$22,500.00/lot x 2 lots		\$45,000.00
<b>Total Charge</b>			<b>\$Nil</b>

Stage 2 (1 lot into 2 lots):

Calculation			
Catchment			Charge amount
Yungaburra			
Proposed demand	\$22,500.00/lot x 2 lots		\$45,000.00
Less credit	\$22,500.00/lot x 1 lots		\$22,500.00
<b>Total Charge</b>			<b>\$22,500.00</b>

**CARRIED UNANIMOUSLY**

**11.3. STANDING ORDERS POLICY REVIEW**

Moved by Cr Hodge

Seconded by Cr Bilney

"That Council:

- 1) Adopt the Standing Orders as presented in Attachment 1 of the officer's report.
- 2) Adopt the Model Meeting Procedures as presented in Attachment 2 of the officer's report.

**CARRIED UNANIMOUSLY**

#### 11.4. ADVISORY COMMITTEES' POLICY

Moved by Cr Clifton

Seconded by Cr Wilce

"That Council adopt the updated Advisory Committees Policy attached to the officer's report."

**CARRIED UNANIMOUSLY**

#### 11.5. INVESTMENT INCENTIVE POLICY UPDATE & AMENDMENTS

Moved by Cr Cardew

Seconded by Cr Bilney

"That Council:

1. Endorse the amendments to the Investment Incentive Policy which include:
  - a. Including the development of new 'Dual Occupancy' dwellings in the low density residential zone as eligible development; and
  - b. Including the development of new 'Secondary Dwellings' in the medium and low density residential zones as eligible development; and
  - c. Extending the policy period to 30 June 2026 for all eligible developments.
2. Delegating authority to the Chief Executive Officer pursuant to the Local Government Act 2009 to finalise all matters associated with this report and the amendment of the Investment Incentive Policy."

**CARRIED UNANIMOUSLY**

#### MORNING TEA ADJOURNMENT

The meeting adjourned for morning tea at 10.37am and resumed at 10.51am.

#### 11.6. COUNCILLOR CONDUCT MATTER

##### **ATTENDANCE**

*Cr Haydon dealt with the declared **Declarable Conflict of Interest** by leaving the meeting at 10.52am.*

*Mr Vis & Ms Jackson dealt with a declared **Conflict of Interest** by leaving the meeting at 10.52am.*

Moved by Cr Marti

Seconded by Cr Wilce

"That Council:

- (a) Pursuant to section 150AF(2)(b) and 150AF(3) of the *Local Government Act 2009* ("**LG Act**"), and having regard to the matters set out in this Report:
  - (i) Council decides to conduct the investigation of Cr Haydon's alleged conduct by adopting the material collected by the Office of the Independent Assessor

("OIA") and provided to Council on 9 November 2023 ("the OIA Material") without further investigation;

- (ii) notes the reason for its decision in paragraph (a)(i) of this resolution is to ensure the effective management of Council's resources in circumstances where the OIA Material discloses no significant questions of fact to be further investigated in relation to the alleged conduct;
- (b) Pursuant to section 150AG(1)(a) of the LG Act, decides that Cr Haydon has engaged in inappropriate conduct in respect of the matters set out in the referral notice provided by the OIA and dated 9 November 2023;
- (c) Pursuant to section 150AH(1) of the LG Act, orders that no further action be taken in respect of the inappropriate conduct."

**CARRIED UNANIMOUSLY**

### **ATTENDANCE**

*Cr Haydon Mr Vis and Ms Jackson returned to the meeting at 10.53am.*

## **12. INFRASTRUCTURE & ENVIRONMENT SERVICES**

### **12.1. T-TRC2023-19 PROVISION OF MANAGEMENT SERVICES - LAKESIDE CARAVAN PARK**

Moved by Cr Hodge

Seconded by Cr Clifton

"That Council:

1. Award Tender T-TRC2023-19 for the provision of management services for Lakeside Caravan Park to Brenton Clark and Patrice Smalley trading as Financial Forecasts for a period of twelve (12) months with the option to extend for one additional year at Council's discretion commencing on Thursday, 25 January, 2024 for the lump sum of \$118,800.00 including GST plus 10% of gross revenue commission fee as per the management agreement contract section 10.2 – payment for the services.
2. Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to negotiate, finalise and execute any and all matters associated with these arrangements including variation to the contract with the constraints of Council's endorsed operational budget."

**CARRIED UNANIMOUSLY**

## **12.2. MILLAA MILLAA IMPROVEMENT PLAN - CONCEPT DESIGN**

Moved by Cr Cardew

Seconded by Cr Bilney

"That Council:

1. Endorse stages 1, 2 and 3 of the Plan as the deliverable design and construction phase for the 2023/24 financial year.
2. The preliminary design for further stages 4, 5, 6 and 7 is revised based on community feedback received that the bus parking should not be located in the lower car park.
3. Delegate authority to the Chief Executive Officer to finalise all matters associated with this report."

**CARRIED UNANIMOUSLY**

## **12.3. 39 GRACE STREET, HERBERTON - CONCEPT DESIGN**

Moved by Cr Haydon

Seconded by Cr Bilney

"That Council:

1. Endorse the 39 Grace Street, Herberton concept design, July 2023, issue E attached to the officer's report.
2. Give consideration to additional parking in future stages.
3. Endorse Stages 1, 2 and 3 of the Plan as the deliverable design and construction phase for the 2023/24 financial year.
4. Delegate authority to the Chief Executive Officer to finalise all matters associated with this report."

**CARRIED UNANIMOUSLY**

## **12.4. PEST MANAGEMENT ADVISORY COMMITTEE**

Moved by Cr Bilney

Seconded by Cr Wilce

"That Council receive and note the unconfirmed minutes of the Pest Management Advisory Committee Meeting held on 14 November 2023 and:

1. Note that the PMAC support motion number 2 of the 20 October 2023 Agricultural Advisory Committee Meeting pending detailed consideration of feasible options, including development of interactive weed mapping to improve information exchange between all TRC staff and landholders.
2. Resolve to consider the installation of automated washdown facilities to improve the uptake and efficiency of weed seed prevention."

**CARRIED 4-3**

## **12.5. RAIL TRAIL ADVISORY COMMITTEE**

Moved by Cr Bilney

Seconded by Cr Wilce

"That Council:

1. Receive and note the confirmed Minutes of the Rail Trail Advisory Committee Meeting held on 30 August 2023.
2. Receive and note the unconfirmed minutes of the Rail Trail Advisory Committee held on 29 November 2023.
3. Amend the Terms of Reference, section 7. Meetings to reflect meetings will be held at least once every three months at a time and location that suits members."

**CARRIED UNANIMOUSLY**

## **12.6. T-TRC2023-13 MALANDA INTEGRATED WATER SUPPLY**

Moved by Cr Hodge

Seconded by Cr Wilce

"That Council:

1. Award Contract T-TRC2023-13 – Malanda Integrated Water Supply to FGF Developments Pty Ltd for a total lump sum price of \$8,326,977.55 including GST.
2. Approve additional expenditure of up to \$889,057.82 including GST if the 'if-ordered' items are identified as being required during the construction phase of the project.
3. Approve a contingency allowance of \$1,249,046.63 including GST to account for any variations that may arise during the course of the contract.
4. Delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to enter into contract, negotiate, finalise and execute any and all matters associated with these contracts including variations up to the approved project budget."

**CARRIED UNANIMOUSLY**

## **12.7. T-TRC2023-15 YUNGABURRA RAW WATER INTAKE REPLACEMENT CONTRACT AWARD**

Moved by Cr Clifton

Seconded by Cr Wilce

"That Council:

1. Awards Contract T-TRC2023-15 - Yungaburra Raw Water Intake Replacement to CivilPlus Constructions Pty Ltd for a total lump sum price of \$3,248,808.85 including GST.

2. Approves additional expenditure of up to \$380,868.64 including GST if the 'if-ordered' items are identified as being required during the design and construction phases of the project.
3. Approves a contingency allowance of \$487,321.33 to account for any variations that may arise during the course of the contract.
4. Delegates authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to enter into contract, negotiate, finalise and execute any and all matters associated with these contracts including variations up to the approved project budget."

**CARRIED UNANIMOUSLY**

### **12.8. BRANDON LANE, HERBERTON - PERMANENT ROAD CLOSURE**

Moved by Cr Cardew

Seconded by Cr Haydon

"That Council in relation to Lot 307 H2535,26 Broadway, Herberton:

1. Provide support for the Permanent Road Closure of an encroachment of approximately 5m to retain a road reserve width of 15m of Brandon Lane, Herberton subject to the following conditions:
  - Letter of no objection to be obtained from Telecommunications providers and Ergon,
  - Letter of no objection to be obtained from the Department of Transport and Main Roads (TMR) given it adjoins a TMR road corridor,
  - All costs associated with closure, including survey to be borne by the applicant,
2. Delegate authority to the Chief Executive Officer to do all things required to enact the approval."

**CARRIED UNANIMOUSLY**

### **12.9. EACHAM PLACE - PERMANENT ROAD CLOSURE**

Moved by Cr Bilney

Seconded by Cr Wilce

"That Council supports the application to convert the area to Park Reserve and advise the Department of Resources."

**CARRIED UNANIMOUSLY**

## 13. COMMUNITY & CORPORATE SERVICES

### 13.1. FINANCIAL REPORT - NOVEMBER 2023

Moved by Cr Hodge

Seconded by Cr Clifton

"That Council receive and note the Financial Report for November 2023."

**CARRIED UNANIMOUSLY**

### 13.2. 1ST BUDGET REVIEW

Moved by Cr Clifton

Seconded by Cr Hodge

"That:

- a) Pursuant to section 170 part (3) of the *Local Government Regulation 2012*, Council's first revised budget for the 2023-24 financial year is adopted and will be supported by the following documentation on Council's website shortly after adoption:
  - i. Statement of Financial Position
  - ii. Income Statement
  - iii. Statement of Changes in Equity
  - iv. Statement of Cash Flows
  - v. Council's Business Activity Statement
  - vi. Long Term Financial Plans
  - vii. Financial Sustainability Measures
  - viii. Revised Capital Budget
- b) Council note that following budget supporting documents remain unchanged from the versions originally adopted for the 2023-24 year on the 29<sup>th</sup> of June 2023.
  - i. Revenue Statement
  - ii. Revenue Policy
- c) Council note that all rates and utility charges remain as adopted on the 29<sup>th</sup> of June 2023 for the 2023-24 year.
- d) Council receive the following revised budget working papers as supporting documents for the 2023-24 Revised Budget
  - i. Capital Revised Budget Summary and Report
  - ii. Comprehensive Income Statement."

**CARRIED UNANIMOUSLY**



### 13.3. 2022-23 FINAL AUDIT REPORT

Moved by Cr Hodge

Seconded by Cr Clifton

"That Council, Pursuant to section 213 part (3) of the Local Government Regulation 2012, receives and notes the 2023 Final Management Letter and the 2023 Closing Report issued by the Queensland Audit Office."

**CARRIED UNANIMOUSLY**

### 13.4. 2024-25 FEES & CHARGES

Moved by Cr Haydon

Seconded by Cr Wilce

"That Council adopt the 2024/25 Fees and Charges listed in the attachment of this report pursuant to section 97 of the *Local Government Act*."

**CARRIED UNANIMOUSLY**

### 13.5. LEASE RENEWAL - AMPLITEL PTY LTD

Moved by Cr Cardew

Seconded by Cr Wilce

"That Council:

- (a) Note that section 236(1)(c)(vi) of the Local Government Regulation 2012("the LG Reg") provides that a local government may dispose of a valuable non-current asset other than by tender or auction if, for the disposal of land or an interest in land, the disposal is for the purpose of a lease for a telecommunication tower;
- (b) Resolve that the exception to dispose of a valuable non-current asset other than by tender or auction pursuant to section 236(1)(c)(vi) of the LG Reg applies to the proposed lease considered by Council and which is described in paragraph (c) of this resolution;
- (c) Delegate to the Chief Executive Officer the power to negotiate, finalise and execute on behalf of Council, a lease over Lease C in Lot 23 on RP 728915 to Amplitel Pty Ltd for the operation of a telecommunication tower, on commercial terms (including a market rental), for no more than 20 years including any options from 1 April 2024."

**CARRIED UNANIMOUSLY**

### 13.6. DELEGATION OF STATUTORY POWERS 2023

Moved by Cr Hodge

Seconded by Cr Cardew

"That Council receive and note the summary register of all powers delegated by Council to the Chief Executive Officer of Council pursuant to section 257(5) of the Local Government Act 2009 and endorse publication of this register on Council's website."

**CARRIED UNANIMOUSLY**

### **13.7. CAIRNS DISTRICT SKI & POWERBOAT CLUB LICENCE RENEWAL**

Moved by Cr Clifton

Seconded by Cr Wilce

"That Council resolve:

1. To grant a Licence to occupy the Cairns District and Power Boat and Ski Club Inc over Part of Lot 2 on RP 747291 inclusive of the Clubhouse, over the area as indicated in the attached sketch plan;
2. To enter into a licence agreement for up to three (3) years;
3. To include overnight stays outside of the Council's Standard Terms Licence Agreement;
4. To keep the licence fee at the current rate, outside of the Council's Standard Terms Licence Agreement;
5. Delegate the power to the Chief Executive Officer to negotiate and finalise the licence."

### **ATTENDANCE**

Cr Clifton left the meeting at 11.53am and returned 11.54am

### **ADJOURNMENT**

The meeting adjourned at 11.54am and resumed at 11.56am.

**CARRIED 5-2**

Cr Cardew voted against the motion.

### **13.9. PRIORS CREEK PUBLIC ART**

Moved by Cr Hodge

Seconded by Cr Clifton

"That Council

1. Acknowledge the work of the community-based Public Art Assessment Panel in assessing all submissions for the public art installation, and
2. Resolve to select 'Mabi Tree Kangaroo' by John Fish Studio at a cost of \$200,000 excl GST for the major public art installation at Priors Creek."

**CARRIED 6-1**

### **13.10. AUDIT RISK & IMPROVEMENT COMMITTEE - 6 DECEMBER 2023**

Moved by Cr Clifton

Seconded by Cr Hodge

"That Council receive and note the Unconfirmed Minutes of the Audit, Risk & Improvement Committee meeting held on 6 December 2023."

**CARRIED UNANIMOUSLY**

## 14. NOTICE OF MOTION

No Notice of Motion submitted.

## 15. BUSINESS WITHOUT NOTICE

### ADHOC-4 CASHMERE-KIRRAMA ROAD, MOUNT GARNET

Moved by Cr Haydon

Seconded by Cr Cardew

“That Council address the problematic areas on Cashmere Kirrama Road as defined in the presentation by B Blennerhassett, owner of Goshen Station at the earliest opportunity.”

**CARRIED UNANIMOUSLY**

### CLOSURE OF MEETING

Moved by Cr Hodge

Seconded by Cr Wilce

"That in accordance with Section 254J of the Local Government Regulation 2012, the meeting be closed to the public at 12.11pm to discuss matters relative to:

#### 16.1. Petersen Creek Walking Track - December Update

- (e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.
- (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

#### 16.2. Proposed Sale of Land - Lakeside Drive, Yungaburra

- (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

#### 16.3. Social Housing - Extension of Management Agreement

- (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

#### 16.4. Aerodrome Lease Renewal - IOR Aviation Pty Ltd

- (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

16.5. Tablelands Community Housing - Kelly Street, Atherton

- (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

**CARRIED UNANIMOUSLY**

**OPENING OF MEETING**

Moved by Cr Hodge

Seconded by Cr Wilce

"That the meeting be opened at 12.19pm."

**CARRIED UNANIMOUSLY**

**16. CONFIDENTIAL ITEMS**

**16.1. PETERSEN CREEK WALKING TRACK - DECEMBER UPDATE**

Moved by Cr Clifton

Seconded by Cr Wilce

"That Council note the content of the officer's report."

**CARRIED UNANIMOUSLY**

**16.2. PROPOSED SALE OF LAND - LAKESIDE DRIVE, YUNGABURRA**

Moved by Cr Clifton

Seconded by Cr Bilney

"That Council:

1. Note the outcome of preliminary inquiries with current leaseholders of residential land located at Lakeside Drive Yungaburra;
2. Approve Option 1 - the proposed project to offer for sale to the current leaseholders, the residual interest in each of Lots 11-20 on RP 808383, located on Lakeside Drive, Yungaburra;
3. Subject to formal confirmation of interest from the current leaseholders of the residential properties, delegate the power to the Chief Executive Officer pursuant to the *Local Government Act 2009* to negotiate and finalise all matters associated with the sale of TRC's residual interest in each of the lots to each of the current leaseholders and subject the obtaining of Ministerial approval for the proposed sale."

**CARRIED UNANIMOUSLY**

**16.3. SOCIAL HOUSING - EXTENSION OF MANAGEMENT AGREEMENT**

Moved by Cr Cardew

Seconded by Cr Wilce

"That Council:

1. In accordance with section 235(b) of the *Local Government Regulation 2021* and clause 2(a) of the Housing Management Agreement between Tablelands Regional

Council and Tableland Community Housing Association Incorporated, extend the term of the current Agreement to manage TRC's social housing tenancies, maintenance and reporting for a further 12 months to 31 March 2025, without first inviting quotes or tenders due to the specialised nature of the services; and

2. Delegate the power to the Chief Executive Officer to negotiate, finalise and execute the Deed of Variation to the Housing Management Agreement."

**CARRIED UNANIMOUSLY**

#### **16.4. AERODROME LEASE RENEWAL - IOR AVIATION PTY LTD**

Moved by Cr Cardew

Seconded by Cr Hodge

"That Council resolve to:

1. Apply section 236(1)(c)(iii) of the Local Government Regulation 2012 (Qld) and renew the Trustee Lease over Lease D on Lot 553 on CP NR5363 to IOR Aviation Pty Ltd; and
2. Delegate the authority to the Chief Executive Officer to negotiate and finalise the terms of the Trustee Lease generally, including but not limited to the following salient terms:
  - a. Term is to be no more than 15 years;
  - b. Rent is to be determined by way of an independent valuation; and
  - c. Trustee Lessee to be responsible for Council costs, including the preparation, stamping and registration of the Trustee Lease."

**CARRIED UNANIMOUSLY**

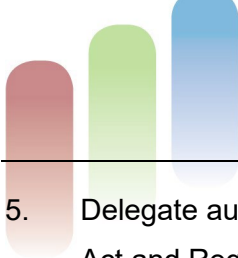
#### **16.5. TABLELANDS COMMUNITY HOUSING - KELLY STREET, ATHERTON**

Moved by Cr Cardew

Seconded by Cr Haydon

"That Council:

1. Approve the proposed disposal by gifting of part of Lot 3 on SP334768 to Tablelands Community Housing (TCH), a community organisation, in accordance with s236(1)(b)(ii) of the Local Government Regulation;
2. Require TCH to be responsible for all costs associated with disposal of part of Lot 3 SP334768, including but not limited to costs of reconfiguration of the lot, transfer and registration;
3. Delegate authority to the Chief Executive Officer pursuant to the Local Government Act and Regulations to negotiate and finalise all matters associated with the disposal by transfer of part of Lot 3 on SP334768 to TCH;
4. Require TCH to complete construction on Lot 3 on SP334768 within 3 years of the date of transfer of the land, failing which TCH will be required to hand the land back to Council by way of transfer of title at TCH's own cost;



5. Delegate authority to the Chief Executive Officer pursuant to the Local Government Act and Regulations to commence discussions for the proposed disposal by gifting of another part of Lot 3 on SP334768 to Blue Care Atherton Respite Service, a community organisation, in accordance with s236(1)(b)(ii) of the Local Government Regulation."

**CARRIED UNANIMOUSLY**

## **17. NEXT MEETING OF COUNCIL**

The next meeting of Council will be held at Atherton

9:00 am on 11 January 2024 - Planning Committee

9.00am on 25 January 2024 - Ordinary Meeting

There being no further business, the meeting closed 12.22pm.

.....  
 Cr Rod Marti  
 Mayor

.....  
 Gary Rinehart  
 Chief Executive Officer