



Ordinary Meeting

TRC Coordination Centre, 15 Vernon Street, Atherton

Thursday, 23 March 2023

at 9:00 AM

MINUTES

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), K Whitehead (Coordinator Community Development) S Savich (Manager Strategic Assets), J King (Project Manager), D Fletcher (Manager Roads & Projects), B Gardiner (Manager Water & Waste), E Bowden (Manager Finance), P Turner (Coordinator Legal & Governance), B Rutherford (Community Engagement Officer), T Vallance (Strategic Communications), A Loudon (Executive Support Officer) and J Hunter (Minute Secretary).

3. APOLOGIES/LEAVE OF ABSENCE

No apologies.

4. ACKNOWLEDGEMENT OF COUNTRY

The Mayor delivered the following 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 Hodge declared that he has a **Declarable Conflict of Interest** (as defined in 150EQ(4)(a)(b) of the *Local Government Act 2009*), in relation to *Item-11.1. Carinya Home for the Aged Atherton C/- Urban Sync Pty Ltd - Material Change of Use : Multiple Dwelling - Lot 1 on RP709589 - 2 Mazlin Street, Atherton MCU22/0023* as he is a board member of the Carinya Home for the Aged Committee.

Cr Hodge declared that he proposes to exclude himself from the meeting while this matter is debated and the vote is taken.

Cr Hodge declared that in relation to *Item-12.5 Transfer of Trusteeship – Atherton Performing Arts Theatre & Land* he is a patron of the Atherton Performing Arts Theatre but is not on the management committee nor does he take part in any of the decision making. He declared that he proposes to remain in the meeting while this matter is debated and the vote is taken.

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.

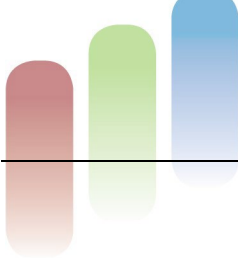
7. CONFIRMATION OF MINUTES

Moved by Cr Wilce

Seconded by Cr Bilney

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

CARRIED UNANIMOUSLY



Moved by Cr Hodge

Seconded by Cr Haydon

"That the Minutes of the Planning Committee Meeting held on 9 March 2023, as amended, be confirmed as true and correct."

CARRIED UNANIMOUSLY

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

No business arising from the Ordinary Meeting or Planning Committee Meeting.

9. DEPUTATIONS AND DELEGATIONS

No Deputations.

10. MAYORAL MINUTE

No Mayoral Minutes.

11. CHIEF EXECUTIVE OFFICER

11.1. CARINYA HOME FOR THE AGED ATHERTON C/- URBAN SYNC PTY LTD - MATERIAL CHANGE OF USE : MULTIPLE DWELLING - LOT 1 ON RP709589 - 2 MAZLIN STREET, ATHERTON MCU22/0023

ATTENDANCE

*Cr Hodge dealt with the declared **Declarable Conflict of Interest** by leaving the meeting at 9.06am.*

Moved by Cr Cardew

Seconded by Cr Wilce

- (A) That Council determines that the application does not conflict with a relevant instrument and that a Development Permit be issued for a Material change of use – Multiple Dwellings on land described as Lot 1 on RP709589, situated at 2 Mazlin Street Atherton, subject to the following conditions:

APPROVED PLANS/DOCUMENTS:

Plan/ Document Number No.	Rev.	Plan/ Document Title	Date
1578-PD-A-01	P3	Site Plan	05/09/22

Plan/ Document Number No.	Rev.	Plan/ Document Title	Date
1578-PD-A-02	P3	Ground Floor Units	05/09/22
1578-PD-A-03	P2	First Floor Units	05/09/22
1578-PD-A-04	P2	Elevations	05/09/22
220580	-	Site-Based Stormwater Management Plan	10-02-2023

ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

1.	<p>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:</p> <ul style="list-style-type: none"> - found necessary by Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and - to ensure compliance with the following conditions of approval.
2.	Timing of Effect
2.1	The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the commencement of the use except where specified otherwise in these conditions of approval.
2.2	Prior to the commencement of use, the Applicant/Developer 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 conditions of this approval.
3.2	All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to commencement of the use and at the rate applicable at the time of payment.

3.3	All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.
3.4	Property connections for public utilities (i.e. water, sewerage, electricity and telecommunications) must be located such that they would be contained within common property if/when a survey plan for reconfiguration is registered. Alternatively, where property connections would traverse one lot to service another lot, easements are created in favour of the relevant lot for access and maintenance purposes to the satisfaction of Council's delegated officer. The developer is to pay all costs associated with the preparation and registration of the easement documents.
3.5	Prior to commencement of use, the multiple dwellings must be provided with a communal on-site refuse bin storage area: (a) that is screened from adjoining residential uses and the road reserve by solid fencing, or similar, and has a minimum height of 1.5m in accordance with approved plans; and (b) includes a water connection.
3.6	External wall-mounted motors associated with air-conditioning are either to be located on non-street facing walls or are to be provided with screening that compliments the materials and finishes of the subject building.
3.7	Letterbox Each Multiple Dwelling is to be provided with an individual letter box that is located within the lot boundaries adjacent to the road frontage.
3.8	Clothes Drying Area Sufficient area for clothes drying is to be provided for each Multiple Dwelling in addition to the private open space requirements that is appropriately screened from view from adjoining properties and the street.
3.9	Storage Each unit shall have a suitable secure storage area provided within their enclosed garages. For the ground floor units, a minimum area of 2.5m ² shall be provided and for the first floor units, the area shall be a minimum of 3.6m ² , generally as per the approved plans. The storage areas shall have a minimum height of 2.1m.
3.10	Privacy

	<p>(a) Where any windows of bedrooms or living areas face directly onto the driveway servicing the complex, screening measures are to be provided in the form of fixed external window screens having a maximum transparency of 25%.</p> <p>(b) Solid 1.8m high fencing or similar screening measures must be erected in between habitable rooms overlooking habitable rooms of other dwellings to ensure a suitable amount of privacy and amenity is maintained.</p>
3.11	<p>Landscaping and Fencing</p> <p>(a) Prior to lodging of an application seeking a Development Permit for Building Works, landscaping and fencing plans, prepared in accordance with Planning Scheme Policy No. 6 must be submitted to Council's delegated officer for consideration and endorsement. The plans must nominate species in accordance with Schedule A of the policy.</p> <p>(b) A landscaping strip shall be provided:</p> <p>(i) approximately 3 metres wide along the entire frontage of the site excluding the vehicle access point in accordance with approved plans; and</p> <p>(ii) approximately 1.5m wide along the side and rear boundaries.</p> <p>(c) Screen fencing 1.8m in height with a maximum of 25% transparency is to be provided between the areas of private open space, save for as otherwise required/permitted by the conditions of approval.</p> <p>(d) Any fencing erected along the road frontage of the site must be at least 50% transparent and of height 1.2m as per approved plans.</p> <p>(e) A solid 1.8m high fence must be provided to the side and rear boundaries as per approved plans.</p> <p>(f) Landscaping and fencing works are to be carried out substantially in accordance with the endorsed landscaping plans prior to commencement of the approved use and landscaping is to be maintained at a suitable standard to the satisfaction of Council's delegated officer for the life of the development.</p> <p>(g) Any tree plantings shall be a minimum of 2m from underground water, sewer or electricity mains and offset 4m from any inspection chamber.</p> <p>(h) Landscaping plantings shall have a maximum height of 3.5m at maturity if planted below/within 4m of any overhead electricity lines.</p>
3.12	<p>Charges</p> <p>All outstanding rates, charges and expenses pertaining to the land are to be paid in full prior to the commencement of the use.</p>
4.	Infrastructure
4.1	Access

	<p>(a) The access crossover must be constructed to service the development, from the edge of the road pavement to the property boundary of the subject lots, substantially in accordance with the relevant FNQROC Development Manual requirements and the approved plans.</p> <p>(b) Prior to commencement of the above-described works, the details of the works must be submitted and approved as part of an Operational Works application.</p> <p>(c) During the construction phase, any damage to the road reserve (i.e. footpath/kerb and channel) must be replaced in accordance with council's standards.</p>
4.2	<p>Stormwater Drainage</p> <p>(a) All necessary steps must be taken to ensure that the development has a non-worsening effect on surrounding land, including the road reserve, and all stormwater is to be directed to an approved lawful point of discharge.</p> <p>(b) As part of the operational works, the developer must demonstrate a non-worsening of stormwater conditions as a result of the development. The site works must be undertaken substantially in accordance with Rodgers Consulting Engineers Site-Based Stormwater Management Plan, dated 10-02-2023.</p> <p>(c) During construction, temporary drainage, erosion and sediment control measures must be installed to direct run-off to a lawful point of discharge clear of works. Soil erosion and sediment control (SESC) plans must be prepared by a suitably qualified professional and submitted to Council for approval.</p>
4.3	<p>Car Parking/Internal Driveways</p> <p>(a) The following on-site parking facilities shall be provided to service the development substantially in accordance with the approved plans:</p> <ul style="list-style-type: none"> • One covered on-site space for each Multiple Dwelling; • Eight (8) visitor car parking spaces; and • One dedicated vehicle wash-down bay (including tap and signage) <p>(b) All car parking facilities, associated ramps, and driveways must be provided in accordance with the latest amendment of the Australian/New Zealand Standard AS/NZ 2890.1. All car parking facilities must be kept available for parking and maintained to a safe operating standard at all times thereafter.</p>
4.4	<p>Electricity Provision/Supply</p> <p>An appropriate level of electricity supply is to be provided to each Multiple Dwelling substantially in accordance with the relevant FNQROC Development Manual standards (as amended) prior to commencement of use.</p>
4.5	<p>Telecommunications</p>

	<p>The ability to provide telecommunication services to each Multiple Dwelling must be demonstrated and any necessary conduits must be in place in accordance with the FNQROC Development Manual (as amended) prior to commencement of the use.</p>
<p>4.6</p>	<p>Water Supply</p> <p>(a) The development must connect to Council’s existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards (as amended).</p> <p>(b) Each Multiple Dwelling (and the common property - if applicable) is required to be separately metered with meters located adjacent to the road frontage (and placed in common property - if applicable).</p>
<p>4.7</p>	<p>Sewerage Reticulation</p> <p>(a) The Applicant/Developer must connect each Multiple Dwelling to Council’s reticulated sewerage system in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council’s delegated officer.</p> <p>(b) As part of an application for Operational Works, the Applicant/Developer (at no cost to Council) must realign the existing sewer main traversing the property. In particular,</p> <p>(i) The existing sewer between manholes A36/1 and A2/17 must be realigned. The new sewer must connect to manhole A36/1 and run parallel to the Lot 4 on SP200272 property boundary connecting back into the existing sewer network.</p> <p>(ii) Once realigned, the existing sewer between manholes A36/1 and A2/17 must be made redundant and removed from site.</p>
<p>4.8</p>	<p>Footpath</p> <p>The Applicant/Developer is required to undertake the following works in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council’s delegated officer:</p> <p>(a) Construction of a 2m-wide concrete footpath for the full length of the road frontage, in accordance with the FNQROC Development Manual section D1.19;</p> <p>(b) Footpath earthworks and concrete finishing that achieves a level transition between the adjoining footpath/verge surfaces;</p> <p>(c) Earthworks, topsoiling and turf reinstatement of all disturbed verge areas not subject to the above works; and</p>

	<p>(d) Any necessary adjustments and relocations to public utility services resulting from these works.</p> <p>Prior to works commencing, plans for the above-described works must be approved as part of an Operational Works application.</p>
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ASSESSMENT MANAGER’S ADVICE

(i) 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.

(ii) Charges & Payments

The 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.

(iii) 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.

(iv) 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.

(v) 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.

(vi) 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

network. Council will respond to the application with a quotation for the work upon payment will schedule the works for connection.

(vii) Building Work Noise

The hours of audible noise associated with construction and building work on site must be limited to between the hours of:

- 6.30 a.m. to 6.30 p.m. Monday to Saturday; with
- No work on Sundays or Public Holidays.

(viii) Building Over/Adjacent to Services

The Applicant/Developer is advised that any proposed building structures located over or adjacent to existing services will, in accordance with QDC MP1.4, be required to make an application to Council for consent under Section 191 of the *Water Supply (Safety and Reliability) Act 2008* for building over or adjacent to services.

CURRENCY PERIOD

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

- for any part of the development approval relating to a material change of use—if the first change of use does not happen within **6 years** after the approval starts to have effect;

The approval, to the extent it relates to the development or aspect not completed, lapses at the end of the currency period. (Refer to Section 85 “Lapsing of approval at end of currency period” of the *Planning Act 2016*.)

FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Building Work
- Development Permit for Operational Works

OTHER APPROVALS REQUIRED FROM ASSESSMENT MANAGER (COUNCIL)

- Compliance Permit for Plumbing and Drainage Work

(B) That Council issue an Infrastructure Charges Notice for the following infrastructure charge:

Calculation				
Catchment/s	Existing credit	Additional demand	Charge Category	Charge amount
Atherton PIA	\$22,500.00	4 x 3 bdrm units 12 x 2 bdrm units	\$22,500.00 per each 3 bdrm units \$18,000.00 per each 2 bdrm units	\$306,000.00 - \$22,500.00

	Deemed credit (1 x residential lot)		(\$306,000.00)	
Total Charge less credits				\$283,500.00

CARRIED UNANIMOUSLY

ATTENDANCE

Cr Hodge returned to the Meeting at 9.08am.

11.2. AGRICULTURAL ADVISORY COMMITTEE - 17 FEBRUARY 2023

Moved by Cr Clifton

Seconded by Cr Wilce

“That Council receive and note the Unconfirmed Minutes of the Agricultural Advisory Committee Meeting held on 17 February 2023.”

CARRIED UNANIMOUSLY

12. INFRASTRUCTURE & ENVIRONMENT SERVICES

12.1. T-TRC2022-06 RAVENSHOE WQIP STAGE 2 - DESIGN & CONSTRUCTION

Moved by Cr Haydon

Seconded by Cr Wilce

"That Council

1. Award Ravenshoe WQIP Stage 2 – Design and Construction Contract T-TRC2022-06 Separable Portion 1 to HEH Civil Pty Ltd for the lump sum amount of \$9,116,395.20 including GST.
2. Award Ravenshoe WQIP Stage 2 – Design and Construction Contract T-TRC2022-06 Separable Portion 3 to HEH Civil Pty Ltd for the lump sum amount of \$7,346,735.00 including GST.
3. Approve additional expenditure of up to \$415,283 including GST if the ‘if-ordered’ items are identified as being required during the design and construction phases of the project.
4. Continue to investigate the potential cost saving items identified in the Tender submission from HEH and provide a report back to Council for noting on the outcome of these investigations.
5. Approve a variation to the previously endorsed Ravenshoe WQIP Stage 2 - PMCA Services for Contract T-TRC2022-06 to GHD Pty Ltd from the amount of \$366,456.20 including GST to \$415,456.80 including GST to reflect the change in project timeframes and associated additional project management fees.

6. 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 contracts including variations up to the approved project budget."

CARRIED UNANIMOUSLY

12.2. T-TRC2022-17 HITCHCONOLE ROAD EMBANKMENT STABILISATION

Moved by Cr Wilce

Seconded by Cr Bilney

"That Council:

1. Award T-TRC2022-17 for the delivery of Hitchconole Road Embankment Stabilisation to Lift-Tek Pty Ltd (T/A Dempsey Cranes & Construction) for the amount of \$425,699.95 including GST (Option 1 Soil Nailing).
2. Increase the project budget for the Embankment Stabilisation at Hitchconole Road to \$516,249.82 at the 2nd review of the 22/23 capital budget.
3. Endorse further investigation of the alternative solution from Dempsey Cranes & Construction (Option 2 Gravity Blocks). A report would then be supplied to council noting the outcome of these investigations.
4. Delegate the authority to the Chief Executive Office in accordance with *the Local Government CT 2009* to negotiate, finalise and execute and any and all matters associated with these arrangements including variations to the contract with the constraints of Council's endorsed capital budget allocation.

CARRIED UNANIMOUSLY

12.3. T-TRC2022-16 MOOMA ROAD UPGRADE

Moved by Cr Cardew

Seconded by Cr Haydon

"That Council:

1. Award T-TRC2022-16 for the delivery of Mooma Rd Upgrade to Watto's Earthmoving & Machinery Hire Pty Ltd for the amount of \$1,155,485.65 including GST.
2. Increase the project budget for the sealing of Mooma Road to \$1,287,584.44 at the 2nd review of the 22/23 capital budget.
3. Delegates the authority to the Chief Executive Office in accordance with *the Local Government Act 2009* to negotiate, finalise and execute and any and all matters associated with these arrangements including variations to the contract with the constraints of Council's endorsed capital budget allocation.

CARRIED UNANIMOUSLY

12.4. RAIL TRAIL COMMITTEE - TERMS OF REFERENCE

Moved by Cr Bilney

Seconded by Cr Wilce

"That Council:

1. Pursuant to section 264(b) of the *Local Government Regulation 2012* establish a Rail Trail Advisory Committee as per the attached Terms of Reference (as amended to include a representative from Mareeba Shire Council and two (2) Councillors).
2. Appoint Councillors Bilney (chair) and Cr Wilce (member) to the committee."

CARRIED 5-2

Crs Clifton & Cardew voted against the motion.

12.5. TRANSFER OF TRUSTEESHIP - ATHERTON PERFORMING ARTS THEATRE & LAND

Moved by Cr Hodge

Seconded by Cr Cardew

"That Council resolve to:

1. Apply the exemption contained in s 236 (1) (b) (i) or (ii) *Local Government Regulation 2012*.
2. Dispose of the Atherton Performing Arts Theatre on 6 Silo Road, Atherton known as Lot 14 on A31949 by relinquishing Council's trusteeship and advising the State (represented by the Department of Resources) that Council supports:
 - a. the change of purpose of the reserve; and
 - b. appointment of the Atherton Performing Arts Incorporated to become the new trustee of the reserve.
3. Delegate authority to the Chief Executive Officer to negotiate and finalise the terms of disposal in accordance with Tablelands Regional Council Asset Disposal Policy, Local Government Act 2009 and Local Government Regulation 2012."

CARRIED UNANIMOUSLY

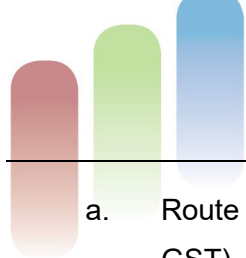
12.6. T-TRC2022-03 EXTENSION - SUPPLY OF CLEANING SERVICE - CORPORATE FACILITIES

Moved by Cr Hodge

Seconded by Cr Bilney

"That Council:

1. Extend tender T-TRC2022-03 Supply of Cleaning Services (Corporate Facilities) to Penelope's Performance for a period of one year commencing Tuesday, 2 May 2023 for:

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- a. Route 1 – Penelope’s Performance for the tendered amount of \$62,244.00 (excl. GST)
 - b. Route 2 - Penelope’s Performance for the tendered amount of \$129,480.00 (excl. GST)
 - c. Route 3 - Penelope’s Performance for the tendered amount of \$39,312.00 (excl. GST)
 - d. Route 4 - Penelope’s Performance for the tendered amount of \$65,676.00 (excl. GST)
 - e. Route 5 - Penelope’s Performance for the tendered amount of \$21,684.00 (excl. GST)
2. Delegates 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 variations to the contract within the constraints of Council’s endorsed operational budget allocation.
 3. Delegates 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 fit-for-purpose service levels and frequencies of routes within separable portions of the contract.”

CARRIED UNANIMOUSLY

13. COMMUNITY & CORPORATE SERVICES

13.1. FINANCIAL REPORT - FEBRUARY 2023

Moved by Cr Hodge

Seconded by Cr Clifton

“That Council receive and note the Financial Report for February 2023.”

Question on Notice

Cr Bilney requested further information on Capital item C000561 – Malanda Falls CV replace grey water pipe.

CARRIED UNANIMOUSLY

13.2. 2023-24 FEES & CHARGES - PART 1 OF 2

Moved by Cr Hodge

Seconded by Cr Clifton

"That Council adopt the 2023/24 Fees and Charges listed in the amended attachment of this report pursuant to section 97 of the *Local Government Act*."

CARRIED UNANIMOUSLY

13.3. TABLELANDS REGION CYCLING STRATEGY & ADVISORY COMMITTEE

Moved by Cr Wilce

Seconded by Cr Bilney

"That Council:

1. Establish a Cycling Advisory Committee as per the attached Terms of Reference (as amended to include 2 Councillors).
2. Appoint Councillors Bilney (Chair) and Wilce (member) to the committee.
3. Name the strategy, Tablelands Region Cycling Strategy 2023-33."

CARRIED 5-2

Crs Clifton & Cardew voted against the motion

13.4. PRIORS CREEK ROAD OPENING

Moved by Cr Wilce

Seconded by Cr Hodge

"That Council resolve:

1. To apply the exemption relating to the disposal of valuable non-current assets under s 236(1)(b)(i) to surrender the sub-lease over Lot 21 on SP306387, Atherton;
2. To support the opening of road over Lot 21 on SP306387; and
3. To delegate the power to the Chief Executive Officer to do all things and sign all documents necessary to facilitate the surrender of sub-lease and road opening application referred to in Items 1 and 2 of this resolution."

CARRIED UNANIMOUSLY

13.5. AUDIT RISK & IMPROVEMENT COMMITTEE - 8 MARCH 2023

Moved by Cr Clifton

Seconded by Cr Hodge

"That Council

1. Receive and note the Unconfirmed Minutes of the Audit, Risk & Improvement Committee meeting held on 8 March 2023, and
2. Endorse the adoption of the Risk Aligned Two Year Strategic Internal Audit Plan FY2023 – FY2024 incorporating the Annual Internal Audit Plan FY2023 – March 2023."

CARRIED UNANIMOUSLY

14. NOTICE OF MOTION

14.1. MAYOR ROD MARTI - LEAVE OF ABSENCE

Moved by Cr Marti

Seconded by Cr Hodge

"That the Mayor be granted leave of absence from Monday, 3 April to Friday 21 April 2023."

CARRIED UNANIMOUSLY

MORNING TEA ADJOURNMENT

The meeting adjourned for morning tea at 10.05am and resumed at 10.15am.

15. BUSINESS WITHOUT NOTICE

ADHOC-1 GODFREY ROAD, KAIRI

Moved by Cr Cardew

Seconded by Cr Clifton

"That Council reallocate the \$70,000 in the current budget for the partial seal of Godfrey Rd. to prepare a full design for the entire length of Godfrey Rd in preparation for future works and funding opportunities."

LOST 3-4

Question on Notice:

Cr Cardew requested officers investigate the request from the local supplier to be added to the prequalified list for provision of traffic control services.

ADHOC-2 TRAFFIC CONTROL SERVICES

Moved by Cr Cardew

Seconded by Cr Clifton

"That the Chief Executive Officer provide a report to Council on the engagement of traffic control services."

CARRIED UNANIMOUSLY

ADHOC-3 INSTALLATION OF CAMERAS – TABLELANDS REGIONAL COUNCIL

Moved by Cr Marti

Seconded by Cr Cardew

"That the Mayor writes to the Queensland Minister of Police Mark Ryan MP seeking the support of his department for the purchase and installation of cameras within the Tablelands Regional Council."

CARRIED UNANIMOUSLY

CLOSURE OF MEETING

Moved by Cr Wilce

Seconded by Cr Bilney

"That in accordance with Section 255(1) of the *Local Government Regulation 2012*, the meeting be closed to the public at 10.49am to discuss matters relative to:

16.2. Excess Water - 14 Marnane Road, Tolga

- (d) rating concessions; and
- (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;

16.1. Extension of Tablelands Community Housing Association Inc (TCHA) Management Contract

- (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. Approval of s87 Agreement Wakaman Native Title Determination

- (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;
- (i) a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.

ADHOC-4 Discussion on Malanda Falls Caravan Park Tender

- (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;
- (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;

CARRIED UNANIMOUSLY

OPENING OF MEETING

Moved by Cr Wilce

Seconded by Cr Clifton

"That the meeting be opened at 11.26am."

CARRIED UNANIMOUSLY

16. CONFIDENTIAL ITEMS

16.1. EXTENSION OF TABLELANDS COMMUNITY HOUSING ASSOCIATION INC (TCHA) MANAGEMENT CONTRACT

Moved by Cr Hodge

Seconded by Cr Clifton

"That Council resolve to:

1. Apply the exemption under s 235 *Local Government Regulation 2012* to extend the Housing Management Agreement with Tablelands Community Housing Inc for up to twelve (12) months for the following reasons:
 - a. The contract is a medium sized or large contractual arrangement as defined under the *Local Government Regulation*.
 - b. Due to need to seek Departmental approval for a third party provider and the terms of any proposed management agreement, that for the purpose of s 235 *Local Government Regulation* the services are specialised or confidential nature and it would be impractical or disadvantageous for the local government to invite quotes or tenders; and
 - c. Owing to the Department's requirement to approve the arrangement, there is only one supplier reasonably available.
2. Delegate the power to the Chief Executive Officer to sign all documents and do all things required to extend the Housing Management Agreement with Tableland Community Housing Association Inc. as required, until such time as the draft terms are considered by Council."

CARRIED UNANIMOUSLY

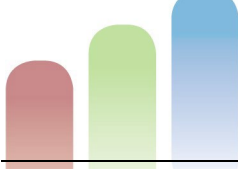
16.2. EXCESS WATER - 14 MARNANE ROAD, TOLGA

Moved by Cr Wilce

Seconded by Cr Cardew

"That Council provide a concession 75% on the outstanding water usage charges for 14 Marnane Road, Tolga, for the current outstanding charges as at 23 March 2023."

CARRIED UNANIMOUSLY



16.3. APPROVAL OF S87 AGREEMENT WAKAMAN NATIVE TITLE DETERMINATION

Moved by Cr Wilce

Seconded by Cr Haydon

"That Council:

- Note the report prepared by Moray & Agnew Lawyers;
- Agree to enter the section 87A agreement;
- Andrew Kerr from Moray & Agnew Lawyers be authorised to sign the section 87A agreement on Councils behalf.

CARRIED UNANIMOUSLY

ADHOC-4 T-TRC2022-04 LEASE AND OPERATION OF THE MALANDA FALLS CARAVAN PARK

Moved by Cr Hodge

Seconded by Cr Bilney

"That the final date for the submission of the above Tender (T-TRC2022-04) be close of business Thursday, 6 April 2023 and a report is presented to the April Ordinary Meeting."

CARRIED UNANIMOUSLY

17. NEXT MEETING OF COUNCIL

The next meeting of Council will be held at Atherton

Planning Committee - 9:00 am on 13 April 2023

Ordinary Meeting - 9:00am on 27 April 2023

There being no further business, the meeting closed 11.29am.

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Cr Rod Marti

Mayor

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Gary Rinehart

Chief Executive Officer