



Ordinary Meeting

TRC Coordination Centre, 15 Vernon Street, Atherton

Wednesday, 25 January 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), K Reaston (Acting Executive Manager Development Services), C Anderson (Executive Manager Project Management Office), E Bowden (Manager Finance), T Vallance (Strategic Communications), A Loudon (Executive Support Officer) and J Hunter (Minute Secretary).

3. APOLOGIES/LEAVE OF ABSENCE

Nil

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 David Clifton declared that he has a **Prescribed Conflict of Interest** (as defined in 150EQ(4)(a)(b) of the *Local Government Act 2009*), in relation to:

11.2. White Enterprises Pty Ltd – Road Name Request

The Prescribed Conflict of Interest arises because a person who is a related party of his has an interest in this matter:

1. Name of related party: *RPS*
2. The nature of my relationship with this related party: *close family member*
3. The nature of the related party's interests in this matter: *The submitting entity is RPS of which a close family member is the Principal Planner.*

Cr Clifton declared that he proposes to exclude himself from 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 Cardew

"That the Minutes of the Ordinary Council Meeting held on 15 December 2022, be confirmed as true and correct.

CARRIED UNANIMOUSLY

Moved by Cr Hodge

Seconded by Cr Wilce

"That the Minutes of the Planning Committee Meeting held on 12 January 2023, be confirmed as true and correct.

CARRIED UNANIMOUSLY

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

No business arising from the previous meetings.

9. DEPUTATIONS AND DELEGATIONS

No Deputations.

10. MAYORAL MINUTE

No Mayoral Minute.

11. CHIEF EXECUTIVE OFFICER

11.1. ENERGIA PROPERTY HOLDINGS PTY LTD - MATERIAL CHANGE OF USE FOR SHOP & SHOPPING CENTRE - LOT 5 RP857661 - 70 GRIGG STREET, RAVENSHOE - MCU22/0024

Moved by Cr Haydon

Seconded by Cr Cardew

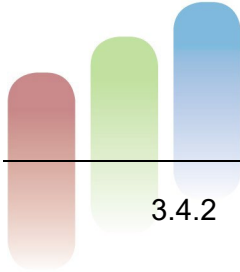
- (A) That Council resolve that the application does not conflict with a relevant instrument and approve a Development Permit for a Material Change of Use (Shop & Shopping Centre) on land described as Lot 5 on RP857661, situated at 70 Grigg Street, Ravenshoe subject to the following:

APPROVED PLANS/DOCUMENTS:

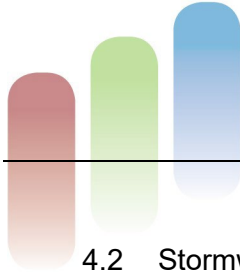
Plan No.	Plan Name	Date
Drawing No. 1801 – SD002, Revision C	<i>Contents Page</i> , prepared by BRD Group	July 2022
Drawing No. 1801 – SD101, Revision B	<i>Existing Site Plan</i> , prepared by BRD Group	July 2022
Drawing No. 1801 – SD103, Revision C	<i>Proposed Floor Plan</i> , prepared by BRD Group	July 2022
Drawing No. 1801 – SD104, Revision C	<i>Proposed Roof Plan</i> , prepared by BRD Group	July 2022
Drawing No. 1801 – SD201, Revision D	<i>Proposed Elevations</i> , prepared by BRD Group	July 2022
Drawing No. 1801 – SD202, Revision C	<i>Proposed Sections</i> , prepared by BRD Group	July 2022
Drawing No. 1801 – SD301, Revision C	<i>Perspectives</i> , prepared by BRD Group	July 2022
Drawing No. 1801 – SD102, Revision E	<i>Proposed Site Plan</i> , prepared by BRD Group	July 2022

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:
 - found necessary by Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
 - to ensure compliance with the following conditions of approval.
2. Timing of Effect
 - 2.1 The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the commencement of the use except where specified otherwise in these conditions of approval.
 - 2.2 Prior to the commencement of use, the applicant must notify Council that all the conditions of the development permit have been complied with, except where specified otherwise in these conditions of approval.
 - 2.3 Prior to the commencement of use, the applicant must provide a letter from the Department of Transport and Main Roads confirming that the department is satisfied their conditions are complied with and/or that the department has no objections to the commencement of the use.
3. General
 - 3.1 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.
 - 3.2 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to commencement of the use and at the rate applicable at the time of payment.
 - 3.3 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.
 - 3.4 Building appearance
 - 3.4.1 Building finishes (excluding signage) must comprise of neutral colours and must not incorporate un-painted or un-rendered finishes.



- 3.4.2 The underside of the awning must be positioned a minimum of 3m and a maximum of 4.2m above the finished level of the footpath.
- 3.4.3 Windows on the building fronting the road must be located between 60-90cm above the footpath level.
- 3.5 Waste Management
 - 3.5.1 External on-site refuse storage areas must be screened from view from adjoining properties and the road reserve by a 1.8m high solid fence.
 - 3.5.2 Bulk bins must be stored and serviced on-site and the collection location must be selected to enable collection vehicles to enter and exit the site safely in forward gear.
- 3.6 Noise Nuisance
 - 3.6.1 The Applicant/Developer is required to install and maintain suitable screening to all air conditioning, lift motor rooms, plant and service facilities located at the top of, or on the external face of, the building as is necessary to minimise noise impacts. The screening structures must be constructed from materials that are consistent with materials used elsewhere on the facade of the building. There are to be no individual external unscreened air conditioning units attached to the exterior building facade.
- 4. Infrastructure Services and Standards
 - 4.1 Frontage works
 - 4.1.1 A footpath must be constructed for the full width and frontage of the site (excluding the vehicle crossover) in accordance with the stated standards in Planning Scheme Policy 4 – FNQROC Development Manual and Planning Scheme Policy 10 - Footpaths.
 - 4.1.2 During the construction phase, any damage to the road reserve (i.e. footpath/kerb and channel) must be repaired in accordance with the FNQROC development manual, to the satisfaction of Council's delegated officer.
 - 4.1.3 Kerb and channel must be constructed the entire width and frontage of the site (excluding the vehicle crossover) in accordance with the FNQROC Development Manual.
 - 4.1.4 Prior to works commencing, plans for the works described in conditions 4.1.1 – 4.1.3 must be approved as part of an application for Operational Works.



4.2 Stormwater Drainage/Water Quality

4.2.1 An appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) must certify that stormwater drainage results in a no worsening of stormwater conditions outside of the development site.

4.2.2 A stormwater management plan in accordance with Condition 4.3.1 must be approved as part of an application for Operational Works.

4.3 Car Parking/Internal Driveways

4.3.1 On-site Car Parking

Prior to the commencement of the approved use, the Applicant/Developer must ensure that the development is provided with a minimum of 43 on-site car parking spaces, including a minimum of two (2) disabled space and one (1) SRV space, in accordance with AS2890.1, AS2890.2 and AS2890.6 (as amended).

4.3.2 Secure bicycle parking facilities for a minimum of two (2) bikes must be provided within the boundaries of the site.

4.3.3 Vehicle parking and manoeuvring areas must have turning circles designed in accordance with AP34/95 (Austroads 1995) Design Vehicles and Turning Path Templates.

4.3.4 Pavements for car parking bays and access ways are constructed of either:

- compacted gravel base of 75mm minimum thickness with reinforced concrete surface of 100mm minimum thickness for parking areas and 150mm minimum thickness for access ways; or
- compacted gravel base of 150mm minimum thickness with a minimum thickness of 25mm of asphalt surfacing.

4.3.5 Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking and circulation of vehicles.

4.3.6 The parking area is to be sealed, drained, and line marked prior to the commencement of the use.

4.3.7 No loading/unloading is to occur in the road reserve and all vehicles are to enter and exit the site in forward gear.

4.3.8 Pedestrian routes from the parking area to building entrances are to be safe and clearly identifiable.

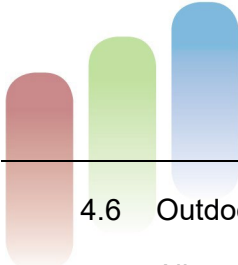


4.4 Excavation and filling

- 4.4.1 Excavation or filling at any point on a lot is to be no greater than 1.5m above or below natural ground level.
- 4.4.2 Retaining walls have a maximum height of 1.5m and are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.
- 4.4.3 Excavation or filling at any point on a lot is to include measures that protect trees at the foot or top of cut or fill batters by the use of appropriate retaining methods and sensitive earth removal or placement and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.

4.5 Landscaping and Fencing

- 4.5.1 Prior to the commencement of landscaping and fencing works, a landscaping and fencing plan, prepared in accordance with Planning Scheme Policy No. 6 is to be submitted to Council's delegated officer for endorsement. The plan must nominate species in accordance with Schedule A of the policy.
- 4.5.2 A 1.8 metre high solid screen fence must be constructed along the northern boundary with Lot 106 on RP705736 from the front boundary to the edge of the sealed parking area.
- 4.5.3 A 1.8 metre high solid screen fence must be constructed along the southern boundary with Lot 1 on RP712248 for the length of the parking area.
- 4.5.4 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.
- 4.5.5 Tree planting must be a minimum of 2m from any underground water, sewer or electricity mains and offset 4m from any inspection chamber.
- 4.5.6 All landscaping shall be maintained to the reasonable satisfaction of Council for the life of the use including the:
 - replacement of diseased or dying plants;
 - trimming of plants and shrubs;
 - reapplication of mulch over exposed soil; and
 - the removal of noxious weeds and/or declared pest plant species.



4.6 Outdoor Lighting

All external lighting must be designed, installed and operated so as to prevent the potential for light spillage to cause nuisance or to pose a safety hazard to motorists in accordance with AS4282 (Control of the Obtrusive Effects of Outdoor Lighting), to the satisfaction of Council's delegated officer.

4.7 Water Supply

4.7.1 A water service connection and meter(s) must be provided to the development in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer. The location and number of meters will be determined by Council's delegated officer upon the lodgement of a quotation request from Council's Infrastructure Services.

4.7.2 Where the existing reticulated water supply does not currently service the site or is not at an adequate capacity, the applicant/developer is required to extend or upgrade the reticulated water supply infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards (as amended).

4.8 Sewerage Connection

4.8.1 The developer must connect the proposed development to Council's reticulated sewerage system in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

4.8.2 Where sewerage connections are not available to the site, or where existing connections are not satisfactory for the proposed development, the developer is required to extend or upgrade the reticulated sewerage infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards (as amended).

4.9 Electricity provision/supply

The applicant/developer must ensure that a suitable level of electricity supply is provided to the development in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

ASSESSMENT MANAGER'S ADVICE

- (a) Prior to, or at the time of seeking building certification, an application to build over Council's sewer infrastructure must be lodged with Council's Building Services unit accompanied by structural engineer-certified plans demonstrating that sufficient measures would be incorporated into the footing design to protect said infrastructure in accordance with section D7.16 of the FNQROC Development Manual and QDC MP1.4.
- (b) An Infrastructure Charges Notice has been issued with respect to the approved development. The Adopted Infrastructure Charges Notice details the type of infrastructure charge/s, the amount of the charge/s and when the charge/s are payable.
- (c) 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.
- (d) 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.

- (e) Compliance with Acts and Regulations

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

- (f) 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.derm.qld.gov.au.

REFERRAL AGENCY CONDITIONS

Copies of the concurrence agency responses from the Department of State Development,

Local Government, Infrastructure and Planning and the Department of Transport and Main Roads, dated 27 October 2022 and 22 December 2022, are attached.

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.

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/s:

Infrastructure charges calculation				
Catchment	Charge Category	Total demand	Existing Credit	Calculation
Ravenshoe PIA	Shop & Shopping Centre: \$130.00 per m ² of GFA	1000m ² GFA x \$130.00 = \$130,000.00	790m ² x \$130.00 = \$102,700.00	\$130,000.00 – \$102,700.00 = \$27,300.00
Ravenshoe PIA	Shop & Shopping Centre: \$6.00 per m ² impervious area	3,000m ² impervious area x \$6.00 = \$18,000.00	790m ² x \$6.00 = \$4,740.00	\$18,000.00 – \$4,740.00 = \$13,260.00
Total Charge less credits				\$40,560.00

CARRIED UNANIMOUSLY

11.2. WHITE ENTERPRISES PTY LTD – ROAD NAME REQUEST

ATTENDANCE

*Cr Clifton dealt with the declared **Prescribed Conflict of Interest** by leaving the meeting at 9.09am.*

Moved by Cr Bilney

Seconded by Cr Wilce

"That Council approve the road names, Florey Court, Burnet Close, Eccles Road, Bragg Close and Cornforth Court, for the future roads of the Green Hills Estate."

CARRIED UNANIMOUSLY

ATTENDANCE

Cr Clifton returned to the meeting at 9.10am.

11.3. AGRICULTURAL ADVISORY COMMITTEE

Moved by Cr Clifton

Seconded by Cr Wilce

"That Council receive and note the Unconfirmed Minutes of the Agricultural Advisory Committee Meeting held on 21 November 2022 and 16 December 2022."

CARRIED UNANIMOUSLY

11.4. ADOPTION OF EXERCISE SHAKE OUT RECOMMENDATIONS

Moved by Cr Wilce

Seconded by Cr Hodge

"That Council adopts the three Exercise Shake Out Lessons Identified Action Plans outlined in Attachment 1 of the officer's report."

CARRIED UNANIMOUSLY

11.5. REZONING & SUBDIVISION OF PART OF LOT 2 ON NR7968, 42 MABEL STREET, ATHERTON

Moved by Cr Haydon

Seconded by Cr Bilney

"That Council receive and note the report concerning the rezoning and subdivision of part of Lot 2 on NR7968, 42 Mabel Street, Atherton."

CARRIED UNANIMOUSLY

On Notice: Future workshop on the zoning of the proposed lot.

12. INFRASTRUCTURE & ENVIRONMENT SERVICES

12.1. CONSTRUCTION OF DRIVEWAYS, CROSSOVERS & ACCESS FROM COUNCIL CONTROLLED ROADS INTO PRIVATE PROPERTY

Moved by Cr Cardew

Seconded by Cr Wilce

"That Council receive the officer's report and open it for discussion."

CARRIED UNANIMOUSLY

An amendment to the officer's recommendation was:

Moved by Cr Cardew

Seconded by Cr Wilce

"That Council

1. Note the information in relation to the legislative framework for the construction and maintenance of driveways, crossovers and access from Council controlled roads into private property provided in this report.
2. Develop a Policy for Driveways, Crossovers and Access from Council controlled roads where works have been undertaken by Council and these works have diminished, worsened, or adversely effected the existing driveway crossover access to properties to ensure property owners are not disadvantaged due to these works and the level of their existing access is maintained due to these works."

CARRIED UNANIMOUSLY

13. COMMUNITY & CORPORATE SERVICES

13.1. FINANCIAL REPORT - DECEMBER 2022

Moved by Cr Bilney

Seconded by Cr Clifton

"That Council:

1. Receive and note the Financial Report for December 2022.
2. Endorse the 2023/24 Budget Development Strategy.
3. Receive and note the Operational Plan Quarterly Report for the period ending December 2022.

Amendment to the motion

Moved by Cr Hodge

Seconded by Cr Clifton

"That Council:

1. Receive and note the Financial Report for December 2022.

2. Receive and note the 2023/24 Budget Development Strategy.
3. Receive and note the Operational Plan Quarterly Report for the period ending December 2022.

CARRIED UNANIMOUSLY
amendment becomes the motion
CARRIED UNANIMOUSLY

Councillor Request: Cr Hodge requested a list of sundry debtors to be forwarded to Councillors.

Question on Notice: Cr Peter Hodge requested further information on the line items on the Local Supplier listing:

2/12/2022	Moodie Outdoor Products P/L	Goods Materials & Services-Services	69,935.00	No local contractors located
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20/12/2022	Grillex Pty Ltd	Contour Double BBQ	\$41,416.02	Not available locally
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9/12/2022	Davidson Executive and Boards Pty Ltd	Contractors Services	\$50,000.00	Not available locally
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Question on Notice: Cr Cardew queried the reduction in percentage of local spend.

13.2. AUDIT RISK & IMPROVEMENT COMMITTEE - 7 DECEMBER 2022

Moved by Cr Hodge

Seconded by Cr Clifton

"That Council receive and note the Unconfirmed Minutes of the Audit, Risk & Improvement Committee meeting held on 7 December 2022."

CARRIED UNANIMOUSLY

13.3. CUSTOMER REQUEST MANAGEMENT

Moved by Cr Cardew

Seconded by Cr Wilce

"That Council receive and note the report entitled Customer Request Management."

CARRIED UNANIMOUSLY

13.4. CORPORATE PLAN

Moved by Cr Hodge

Seconded by Cr Bilney

"That Council:

1. Adopt the revised Corporate Plan 2021–2026 attached to this report.
2. Update references in the Age-Friendly Strategy 2022–27, Transport Strategy 2019–24 and Youth Strategic Plan 2019–24 to align with the Tablelands 2030+ Community Plan.
3. Include updates on initiatives that progress the Tablelands 2030+ Community Plan desired outcomes as part of the Annual Report.

CARRIED UNANIMOUSLY

14. NOTICE OF MOTION

No Notice of Motions.

15. BUSINESS WITHOUT NOTICE

ADHOC-1 MOUNT GARNET POOL

Moved by Cr Bilney

Seconded by Cr Cardew

“That a workshop with councillors be held on the operation of the Mount Garnet pool with the view of presenting a report to Council.”

CARRIED UNANIMOUSLY

ADHOC-2 ACCESS TO 193 PICNIC CROSSING ROAD

Moved by Cr Cardew

Seconded by Cr Hodge

“That Council provide temporary access to the property at RN193 Picnic Crossing Road as soon as possible until such time as the permanent access is installed due to the impact of Council roadworks on Picnic Crossing Road resulting in the existing driveway access being disabled.”

CARRIED UNANIMOUSLY

16. CONFIDENTIAL ITEMS

No confidential items.



17. NEXT MEETING OF COUNCIL

The next meeting of Council will be held at Atherton

Planning Committee Meeting 9:00am on 9 February 2023

Ordinary Meeting 9:00 am on 23 February 2023

There being no further business, the meeting closed 10.23am.

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Cr Rod Marti

Mayor

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Gary Rinehart

Chief Executive Officer