



Ordinary Meeting

TRC Coordination Centre, 15 Vernon Street, Atherton

Thursday, 26 October 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), S Lisle (Executive Manager Development Services), K Reaston (Planning Consultant), S Dean (Senior Advisor Disaster Management), S Savich (Manager Strategic Assets), D Fletcher (Manager Roads & Projects), B Gardiner (Manager Water & Waste), E Bowden (Manager Finance), R Barton (Financial Accountant), Y Ruppin (Legal & Governance Project Officer), M Kerley (Legal & Governance Advisor), B Rutherford (Community Engagement), T Vallance (Strategic Communications) and J Hunter (Minute Secretary).

3. APOLOGIES/LEAVE OF ABSENCE

ADHOC-1 CR PETER HODGE – LEAVE OF ABSENCE

Moved by Cr Hodge

Seconded by Cr Wilce

“That Cr Peter Hodge be granted leave of absence from 15 December 2023 to 5 February 2024.”

CARRIED UNANIMOUSLY

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 Peter 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. Major Amendment to the Tablelands Regional Council Planning Scheme 2016

The Conflict of Interest arises as he is one of the submitters to the amendments of the Planning Scheme. Cr Hodge 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 Bilney

"That the Minutes of the Ordinary Council Meeting held on 28 September 2023, be confirmed as true and correct.

CARRIED UNANIMOUSLY

Moved by Cr Haydon

Seconded by Cr Wilce

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

CARRIED UNANIMOUSLY

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

No business arising – 28 September 2023

No business arising – 12 October 2023

9. DEPUTATIONS AND DELEGATIONS

ADHOC-2 PETITION – PETERSEN CREEK WALKING TRACK

The Mayor tabled a petition received from the Yungaburra Association Inc

Moved by Cr Marti

Seconded by Cr Wilce

“That Council receive the petition presented by the (Ken Jack) on behalf of the Yungaburra Association Inc regarding the Petersen Creek Walking Track.”

CARRIED UNANIMOUSLY

ATTENDANCE

Annette and Roger Wadley on behalf of the Tinaroo Sailing Club addressed the Councillors at 9.08am regarding the grant application that the Club is submitting to the Department of Tourism, Innovation and Sport for funds to build a new toilet block at the Club’s premises on Black Gully Road, Tinaroo. The presentation concluded at 9.15am.

10. MAYORAL MINUTE

No mayoral minute

11. CHIEF EXECUTIVE OFFICER

11.1. MAJOR AMENDMENT TO THE TABLELANDS REGIONAL COUNCIL PLANNING SCHEME 2016

ATTENDANCE

Cr Hodge dealt with the declared **Declarable Conflict of Interest** by leaving the meeting at 9.16am.

Moved by Cr Cardew

Seconded by Cr Wilce

“That Council:

1. Notes the submissions received during the public consultation period on the proposed Tablelands Regional Council Planning Scheme 2016 Version 5 Major Amendment;
2. Notes the Consultation Report (Attachment 1) that details how Council has dealt with each properly made submission on the proposed Tablelands Regional Council Planning Scheme 2016 Version 5 Major Amendment;
3. Endorses the changes made to the proposed Tablelands Regional Council Planning Scheme 2016 Version 5 Major Amendment to address issues raised in submissions, as detailed in the Consultation Report;
4. Write to each submitter advising how their submission was considered and addressed;

5. Give notice to the Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning requesting to adopt the proposed Tablelands Regional Council Planning Scheme 2016 Version 5 Major Amendment;
6. Notes that a report to adopt the proposed Tablelands Regional Council Planning Scheme 2016 Version 5 Major Amendment will be subject to a future report to Council; and
7. Delegates authority to the Chief Executive Officer pursuant to the Local Government Act 2009 to finalise all matters associated with public consultation and the Ministers consideration of the proposed Tablelands Regional Council Planning Scheme 2016 Version 5 Major Amendment.

CARRIED UNANIMOUSLY

ATTENDANCE

Cr Hodge returned to the meeting at 9.23am.

11.2. ADOPTION OF LOCAL DISASTER MANAGEMENT PLAN - 2023

Moved by Cr Wilce

Seconded by Cr Haydon

"That Council adopt V9 of the Tablelands Local Disaster Management Plan dated October 2023.

CARRIED UNANIMOUSLY

ADHOC-3 ATHERTON SES LOCAL GROUP

Moved by Cr Wilce

Seconded by Cr Hodge

"Council acknowledge the SES's continued contribution to the preparation, response and recovery from disasters in our region and acknowledge the significant achievements of the Atherton SES Local Group."

CARRIED UNANIMOUSLY

12. INFRASTRUCTURE & ENVIRONMENT SERVICES

12.1. T-TRC2023-11 EOI MALANDA FALLS CARAVAN PARK

Moved by Cr Bilney

Seconded by Cr Hodge

"That Council:

1. Shortlist Draks NQ and John McBride as the compliant and competent respondents to the invitation for expressions of interest, T-TRC2023-11, for the lease of the business, land and buildings comprising Malanda Falls Caravan Park under *section 228 (7)(a) of the Local Government Regulation 2012*; and

2. Invite written tenders from Draks NQ and John McBride *under section 228(7)(b) of the Local Government Regulation 2012* for the lease of business, land and buildings comprising Malanda Falls Caravan Park, being part of Lot 22 on SP182452.
3. Officer's prepare a report to be presented to the December Ordinary Meeting with an update to the tender process."

CARRIED UNANIMOUSLY

12.2. T-TRC2023-14 SUPPLY AND DELIVERY OF COMMERCIAL VEHICLES

Moved by Cr Cardew

Seconded by Cr Hodge

"That Council:

1. In accordance with section 234 (1) of the local Government regulation award T-TRC2023-14 for the purchase of fourteen (14) Dual Cab utilities and six (6) 4x4 Single Cab utilities to John Cole Toyota for the amount of \$1,349,920.64 including GST and on road costs.
2. Approve the disposal via auction house of the 19 replaced vehicles as per the TRC asset Disposal policy section 4.4.7 Infrastructure Asset Disposed as part of a Capital Project proceeding.
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 these arrangements including variations to the contract within the constraints of Council's endorsed Capital budget allocation."

CARRIED 6-1

12.3. WATER ASSET MANAGEMENT PLAN 2023-2032

Moved by Cr Hodge

Seconded by Cr Cardew

"That Council:

1. Receive and adopt the Water Asset Management Plan 2023 – 2032 attached to the officer's report.
2. Consider the outlined plan for recommendations in future budget deliberations."

CARRIED UNANIMOUSLY

12.4. WASTEWATER ASSET MANAGEMENT PLAN 2023-2032

Moved by Cr Hodge

Seconded by Cr Wilce

"That Council:

1. Receive and adopt the Wastewater Asset Management Plan 2023 – 2032 attached to the officer's report.
2. Consider the outlined plan for recommendations in future budget deliberations."

CARRIED UNANIMOUSLY

12.5. ROAD NAMING POLICY REVIEW

Moved by Cr Bilney

Seconded by Cr Haydon

"That Council adopt the updated Road Naming Policy as attached to the report."

LOST 3-4

ADHOC-4 ROAD NAMING POLICY REVIEW

Moved by Cr Hodge

Seconded by Cr Clifton

"That consideration of Item 12.5 Road Naming Policy Review be deferred to the November Ordinary meeting to allow for a further workshop with Councillors."

CARRIED 5-2

12.6. CONTRACT T-TRC2021-12 SUPPLY OF CONTRACT OPERATOR FOR ATHERTON LANDFILL WASTE RECEIVAL FACILITY (EXTENSION 2)

Moved by Cr Wilce

Seconded by Cr Cardew

"That Council:

1. Award a 12-month extension of Contract T-TRC2021-12 Supply of Contract Operator for Atherton Landfill Waste Receival Facility for the amount of \$133,042.50 (incl. GST) commencing on 1 November 2023.
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 this contract including variations up to the approved operational budget allocation."

CARRIED UNANIMOUSLY

13. COMMUNITY & CORPORATE SERVICES

13.1. FINANCIAL REPORT - SEPTEMBER 2023

Moved by Cr Hodge

Seconded by Cr Clifton

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

QUESTIONS ON NOTICE

Cr Clifton requested an explanation on the below item in the Local Supplier List

22/09/2023	KRDPS-QLD-PTY-LTD-T/AS-Urban-Planning-North	Planning and compliance assistance	100,000.00	Local-Buy-Contract
------------	---	------------------------------------	------------	--------------------

Cr Haydon requested further information on the below item from the Local Supplier List (specifically the email mentioned and the no other local providers)

Order-Date	Supplier-Name	Description	Amount-(GST-Inc)	Order-Comments
11/09/2023	Mareeba-Shire-Council	Travel	4,521.00	Earthtech Laboratories were contacted but failed to respond (please see email attached) No other local providers

CARRIED UNANIMOUSLY

13.2. EACHAM HISTORICAL SOCIETY LICENCE FEE REDUCTION

Moved by Cr Bilney

Seconded by Cr Wilce

"That Council delegate the power to the Chief Executive Officer to review and amend the Licence Agreement, including the licence fee and outgoings."

CARRIED UNANIMOUSLY

13.3. AUDIT RISK & IMPROVEMENT COMMITTEE - 9 OCTOBER 2023

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 9 October 2023."

CARRIED UNANIMOUSLY

13.4. IMPLEMENTATION OF GRANT GOVERNANCE REVIEW RECOMMENDATIONS

Moved by Cr Hodge

Seconded by Cr Clifton

"That consideration of Item 13.4 Implementation of Grant Governance Review Recommendations be deferred to the November Ordinary meeting to allow for a further workshop with Councillors."

CARRIED UNANIMOUSLY

13.5. CARETAKER PERIOD POLICY

Moved by Cr Wilce

Seconded by Cr Cardew

"That Council adopt the Caretaker Period Policy attached to the officer's report."

CARRIED UNANIMOUSLY

13.6. QUEENSLAND HERITAGE ACT 1992 DELEGATION OF STATUTORY POWERS

Moved by Cr Hodge

Seconded by Cr Cardew

“That Council resolve to delegate its power to the Chief Executive Officer under the legislation as detailed in the attached instrument of delegation.

CARRIED UNANIMOUSLY

MORNING TEA ADJOURNMENT

The meeting adjourned for morning tea at 10.08am and resumed at 10.21am.

14. NOTICE OF MOTION

No Notice of Motion submitted

15. BUSINESS WITHOUT NOTICE

ADHOC-5 TINAROO SAILING CLUB

Moved by Cr Clifton

Seconded by Cr Cardew

“That Council:

1. Provide in principle support for the application for funds to construct a new ablution block by the Tinaroo Sailing Club.
2. Delegate to the Chief Executive Officer the power to do all things necessary to complete the in-principal process.”

CARRIED UNANIMOUSLY

ADOC-6 MOUNT GARNET POOL

Moved by Cr Hodge

Seconded by Cr Haydon

“That officer’s workshop with Councillors the options for the Mount Garnet pool and prepare a detailed report to be presented Council.”

CARRIED UNANIMOUSLY

QUESTION ON NOTICE

Cr Hodge raised a concern from a member of the public about the street sign “Main Street North”.

Cr Hodge raised a request from a Tolga resident at when Tolga was getting their “entrance signage”.

CLOSURE OF MEETING

Moved by Cr Hodge

Seconded by Cr Cardew

"That in accordance with Section 254J of the *Local Government Regulation 2012*, the meeting be closed to the public at 10.45am to discuss matters relative to:

16.1. Atherton Chinatown - National Trust of Australia

- (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. Priors Creek EOI - Sale of Freehold Land

- (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. Petersen Creek Report

- (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.

CARRIED UNANIMOUSLY

OPENING OF MEETING

Moved by Cr Hodge

Seconded by Cr Wilce

"That the meeting be opened at 11.03am."

CARRIED UNANIMOUSLY

16. CONFIDENTIAL ITEMS

16.1. ATHERTON CHINATOWN - NATIONAL TRUST OF AUSTRALIA

Moved by Cr Hodge

Seconded by Cr Clifton

"That Council:

1. Give in principle support to the National Trust of Australia (Queensland) to develop a Masterplan at no cost to Council over the precinct known as Atherton Chinatown and adjoining parcels to include:
2. 3RP912545
3. 1RP735211
4. 2RP867109

5. 1RP740536
6. 402NR541
7. 12SP113936
8. 2RP702561
9. Fong On Road Reserve; and
10. Requests NTAQ to present a draft of the Masterplan to Council for discussion and feedback prior to presenting the final plan for endorsement."

CARRIED UNANIMOUSLY

16.2. PRIORS CREEK EOI - SALE OF FREEHOLD LAND

Moved by Cr Wilce

Seconded by Cr Clifton

"That Council:

1. Shortlist Lakehouse Properties Pty Ltd and Clarkson Family Trust for the Priors Creek Development Sale of the Land under section 228 (7)(a) of the *Local Government Regulation 2012*; and
2. Invite written tenders (Request for Tenders) from Lakehouse Properties Pty Ltd and Clarkson Family Trust under section 228(7)(b) of the *Local Government Regulation 2012* for the sale of freehold lots within the Priors Creek Development (SP310236).

CARRIED UNANIMOUSLY

16.3. PETERSEN CREEK WALKING TRACK

Moved by Cr Clifton

Seconded by Cr Hodge

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

CARRIED UNANIMOUSLY

17. NEXT MEETING OF COUNCIL

The next meeting of Council will be held at Atherton

Planning Committee - 9.00am on 9 November 2023

Ordinary Meeting - 9.00am on 23 November 2023

There being no further business, the meeting closed 11.08am.

.....

Cr Rod Marti

Mayor

.....

Gary Rinehart

Chief Executive Officer