



Ordinary Meeting

TRC Coordination Centre, 15 Vernon Street, Atherton

Wednesday, 24 April 2024

at 9:00 AM

MINUTES

1. MEMBERS IN ATTENDANCE

Members Present: Cr R Marti (Mayor), Cr Dave Bilney (Deputy Mayor), Crs K Cardew, A Haydon, M Baade, C Spanos and K Lang.

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), A Finocchiaro (Executive Manager Economic Development), S Savich (Manager Strategic Assets), S Glaskin (Project Officer), E Bowden (Manager Finance), S McHardie (Manager Community Services), B Rutherford (Community Engagement Officer), S Dean (Senior Advisory Emergency Management), T Vallance (Strategic Communications), K Coutts (Executive Assistant Mayor & Councillors) and A Loudon (Minute Secretary).

3. APOLOGIES/LEAVE OF ABSENCE

Nil

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 Baade declared that in relation to *Item-16.1 Peterson Creek Walking Trail Tenure* she is a member of the Yungaburra Association Committee but is not on the management committee nor does she take part in any of the decision making. She declared that she 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 Dave Bilney

Seconded by Cr Kevin Cardew

"That the Minutes of the Post Election Council Meeting held on 09 April 2024, be confirmed as true and correct.

CARRIED UNANIMOUSLY

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

No business arising for the Post Election Council Meeting held on 09 April 2024.

9. DEPUTATIONS AND DELEGATIONS

Mary Reace attended the meeting 9.03am regarding Peakes Gully, Atherton water issues. The presentation concluded at 9.11am.

Michelle Saunders attended the meeting 9.11am regarding Peakes Gully, Atherton water issues. The presentation concluded at 9.27am.

Joe Moro, Lawrence Masasso, Maryann Salvetti and Kelly Hodgkinson from FNQ Growers attended the meeting 9.28am regarding Rates on the regions farming community. The presentation concluded at 9.46am.

10. MAYORAL MINUTE

Nil

11. CHIEF EXECUTIVE OFFICER

11.1. MILLAA MILLAA PROGRESS ASSOC - COMMUNITY PROJECT REQUEST - MILLAA MILLAA MASTER PLAN

Move by Cr Dave Bilney

Seconded by Cr Maree Baade

"That Council approves the Community Project Request application submitted by the Millaa Millaa Progress Association to develop the Millaa Millaa Master Plan and include \$25,000 excluding GST in the 2023/24 operational budget."

CARRIED UNANIMOUSLY

11.2. RAL240001 - RAL 1 INTO 2 LOTS - 41SP164497 - 13 COLEMAN ROAD WEST, EAST BARRON

Move by Cr Kevin Cardew

Seconded by Cr Con Spanos

(A) That a Development Permit be issued for a Reconfiguring a lot - one (1) lot into two (2) lots on land described as Lot 41 on SP164497 situated at 13 Coleman Road, EAST BARRON be approved in full subject to the following conditions:

APPROVED PLANS/DOCUMENTS:

Plan No.	Plan Name	Date
9466-LLI-RevA	<i>Development Plan - Plan of Lots 1 & 2 - Cancelling Lot 41 on SP16497, prepared by Twine Surveys Pty Ltd</i>	16.11.2023

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: <ol style="list-style-type: none"> 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 b. 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 an application being made to Council for 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	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.
3.3	All outstanding rates, charges and expenses pertaining to the land are to be paid in full.
3.4	The Applicant/Developer must relocate (in accordance with FNQROC standards) any services such as 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.
4.	<p>Access</p> <p>(a) The access crossover servicing the proposed Lot 1 must be constructed (from the edge of the road pavement or to the property boundary) in accordance with the FNQROC Development Manual (Rural Standard), to the satisfaction of Council's delegated officer;</p> <p>(b) Where the existing access crossover is not constructed to FNQROC Development Manual standard, a plan of the proposed crossover must be submitted for endorsement by Council's delegated officer prior to the commencement of access works.</p>
5.	<p>Building Exclusion Area – Lot 2</p> <p>No new buildings or structures are permitted inside the identified building exclusion area on the approved plan. Driveways, fences, landscape plantings and effluent disposal may be located inside the identified building exclusion area provided such works are deemed appropriate by Council's delegated officer.</p> <p>A notation will be placed on Council's rates record for Lot 2 to alert purchasers to the Building Exclusion Area.</p>
6.	<p>Electricity</p> <p>(a) The applicant/developer must ensure that Proposed Lot 2 is connected to the electricity supply network 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 to the Proposed Lot 2.</p>

ASSESSMENT MANAGER'S ADVICE

- (a) At the time of plan sealing, a notation will be placed on Council's rates records for the subject lots to alert landowners and potential purchasers to the building exclusion area identified on the approved plans and the relevant terms mentioned within Condition 5 of the Assessment Manager's conditions.
- (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 charges, the amount of the charges and when the charges are payable.

- (c) This Decision Notice and the Infrastructure Charges Notice do 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) Specifications and Drawings

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

- (f) Endorsement Fees

Please be advised that Council charges a fee for the endorsement of a Survey Plan, Community Management Statements, easement documents, and covenants. The fee is set out in Council's Fees & Charges Schedule applicable for each respective financial year.

- (g) Cultural Heritage

The Aboriginal Cultural Heritage Act 2003 requires anyone who carries out a land use activity to exercise a duty of care. Land users must take all reasonable and practicable measures to ensure their activity does not harm Aboriginal cultural heritage. The duty of care applies to any activity where Aboriginal cultural heritage is located. This includes cultural heritage located on freehold land and regardless of whether or not it has been identified or recorded in a database. Consultation with the Aboriginal party for an area may be necessary if there is a high risk that the activity may harm Aboriginal cultural heritage. The cultural heritage duty of care can be met by acting:

- in compliance with gazetted cultural heritage duty of care guidelines available at: <https://www.datsip.qld.gov.au/resources/datsima/people-communities/culturalheritage/duty-of-care-guidelines.pdf> ;
- under an approved Cultural Heritage Management Plan (CHMP) developed under Part 7 of the Acts; or
- under a native title agreement or another agreement with an Aboriginal party that addresses cultural heritage.

- (h) 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 or contact Biosecurity Queensland 13 25 23.

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 reconfiguring a lot—if a plan for the reconfiguration that, under the *Land Title Act 1994*, is required to be given to a local government for approval is not given to the local government within **4 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

Nil

OTHER APPROVALS REQUIRED FROM ASSESSMENT MANAGER (COUNCIL)

Nil

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

Calculation				
Catchment	Existing credits / charge exclusions	Demand	Charge Category	Charge amount
Rural	\$6,750.00 (1 x existing lot with 30% charge exclusions for water supply,	2 x lots (\$13,500 including charge exclusions for water supply, sewer and stormwater)	For reconfiguring a lot as per Table 4.2.2 for “Dwelling house” (3 or more	\$13,500.00

	sewer and stormwater)		bedrooms) of Adopted Infrastructure Charges Resolution (No. 1 of 2019)	
Total Charge less Credits				\$6,750.00

CARRIED 4-3

Division

Crs Cardew, Spanos, Bilney and Haydon voted for the motion

Crs Marti, Baade and Lang voted against the motion

11.3. LOCAL DISASTER MANAGEMENT GROUP TERMS OF REFERENCE, STRUCTURE & MEMBERSHIP

Move by Cr Dave Bilney

Seconded by Cr Kylie Lang

"That Council

1. adopts the Terms of Reference for the Tablelands Local Disaster Management Group
2. assigns Cr Kylie Lang and Cr Dave Bilney as interim Chairperson of the LDMG Recovery Group with the reconsideration of the chair in July's Ordinary Council Meeting.
3. assigns a Councillor as advocate to each of the Recovery Subgroups

Cr Maree Baade	Human-Social Recovery Subgroup
Cr Con Spanos	Public Health & Environment Subgroup
Cr Annette Haydon	Economic Subgroup
Cr Kylie Lang	Infrastructure Subgroup
4. endorses the need for divisional councillors to engage with their local Community Disaster Team."

CARRIED UNANIMOUSLY

11.4. LGAQ POLICY EXECUTIVES DISTRICT REPRESENTATIVES NOMINATION

Move by Cr Maree Baade

Seconded by Cr Dave Bilney

That Council not nominate a Councillor to the Policy Executive and advise LGAQ accordingly."

CARRIED UNANIMOUSLY

11.5. ADVISORY COMMITTEE MINUTES

Move by Cr Annette Haydon

Seconded by Cr Kevin Cardew

"That Council

1. Receive and note the unconfirmed minutes of
2. Regional Arts Development Fund Advisory Committee Meeting held on 29 February 2024
3. Rocky Creek War Memorial Park Advisory Committee Meeting held on 29 February 2024
4. Tablelands Regional Art Gallery Advisory Committee Meeting held on 13 March 2024."

CARRIED UNANIMOUSLY

MORNING TEA ADJOURNMENT

The meeting adjourned for morning tea at 10.20am and resumed at 10.51am.

11.6. ADVISORY COMMITTEE TO COUNCIL

Move by Cr Maree Baade

Seconded by Cr Kevin Cardew

"That Council

1. Endorse the recommended advisory committees for the 2024 – 2028 term of Council,
2. Endorse the following Councillor representatives for each committee.

Advisory committee	Councillor Chair representative	Councillor representative
Rating Advisory Committee	Cr Dave Bilney	Cr Kevin Cardew
Agriculture Advisory Committee	Cr Kevin Cardew	Cr Maree Baade
Audit, Risk and Improvement Committee		Cr Rod Marti & Cr Con Spanos
Cycling Advisory Committee (incorporating Rail Trail Advisory Committee ToR)	Cr Dave Bilney	Cr Con Spanos
Herberton Mining Centre Advisory Committee	Cr Annette Haydon	
Youth and Inclusion Advisory Committee	Cr Kylie Lang	
Natural Asset Management Advisory Committee (incorporating Pest Management Advisory Committee ToR)	Cr Maree Baade	
Reconciliation Action Advisory Committee	Cr Rod Marti	Cr Maree Baade
Regional Arts Development Fund (RADF) Advisory Committee	Cr Kevin Cardew	Cr Kylie Lang
Rocky Creek War Memorial Park Advisory Committee	Cr Kylie Lang	
Tableland Regional Gallery Advisory Committee	Cr Kylie Lang	Cr Maree Baade

Gift Fund Committees		
Tableland Regional Gallery Gift Fund Advisory Committee	Cr Con Spanos	Cr Kylie Lang
Malanda Falls Visitor Centre Gift Fund Advisory Committee	Cr Dave Bilney	
Herberton Mining Centre Gift Fund Advisory Committee	Cr Annette Haydon	Cr Kevin Cardew
Ravenshoe Visitor Centre Gift Fund Advisory Committee	Cr Annette Haydon	

Delegate authority to the Mayor to endorse the Terms of Reference for the new Rating Advisory Committee"

INCLUSION INTO THE MOTION

Move by Cr Kevin Cardew

Seconded by Cr Maree Baade

Traffic Advisory Committee Cr Kevin Cardew as Chairperson and Cr Con Spanos as Member.

CARRIED UNANIMOUSLY

12. INFRASTRUCTURE & ENVIRONMENT SERVICES

12.1. T-TRC2023-01 DRY HIRE OF PLANT & EQUIPMENT - WASTE SITES

Move by Cr Kylie Lang

Seconded by Cr Annette Haydon

That Council

1. Extends contract T-TRC2023-01 Dry Hire of Plant & Equipment – Waste Sites to North West Services Pty Ltd for a lump sum of \$366,827.18 incl GST (and inclusive of the 2.5% discount of \$9,170.68 incl GST) for a period of 52 weeks, with the option for a further one year extension at the sole discretion of Council, for the following separable portions:
 - i. SP1 – Supply of 15 tonne Excavator – Quoted Price \$76,050.00 ex GST (incl discount)
 - ii. SP2 – Supply of Compactors – Quoted Price \$136,890.00 ex GST (incl discount)
 - iii. SP3 – Supply of Forklift – Quoted Price \$11,280.75 ex GST (incl discount)
 - iv. SP4 – Supply of Front End Loader – Quoted Price \$66,670.50 ex GST (incl discount)
 - v. SP5 – Supply of Track-Mounted Skid Steers – Quoted Price \$42,588.00 ex GST (incl discount).
2. Delegates authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to enter into, negotiate, finalise, and execute any and all matters associated with or in relation to this contract."

CARRIED UNANIMOUSLY

12.2. T-TRC2024-03 - SUPPLY OF CLEANING SERVICES - CORPORATE FACILITIES AND PUBLIC AMENITIES

Move by Cr Kylie Lang

Seconded by Cr Dave Bilney

"That Council:

1. Award tender T-TRC2024-03 Supply of Cleaning Services (Corporate Facilities and Public Amenities) as specified below as separable portions with identified frequency options of delivery in relation to routes 1, 2 and 4 for an initial period of twelve (12) months commencing Thursday, 2 May 2024, with an option to extend for another twelve (12) months at Council(s) discretion:
 - a. Route 1 (B) Corporate Facilities – Penelope’s Performance for the tendered amount of \$76,362.00 (excl. GST)
 - b. Route 2 (A) Corporate Facilities - Penelope’s Performance for the tendered amount of \$160,524.00 (excl. GST)
 - c. Route 3 Corporate Facilities - Penelope’s Performance for the tendered amount of \$44,252.00 (excl. GST)
 - d. Route 4 (B) Corporate Facilities - Penelope’s Performance for the tendered amount of \$63,960.00 (excl. GST)
 - e. Route 5 Corporate Facilities - Penelope’s Performance for the tendered amount of \$24,960.00 (excl. GST)
 - f. Route 1 Public Amenities - Penelope’s Performance for the tendered amount of \$101,856.00 (excl. GST)
 - g. Route 2 Public Amenities - Penelope’s Performance for the tendered amount of \$86,832.00 (excl. GST)
 - h. Route 3 Public Amenities - Penelope’s Performance for the tendered amount of \$130,674.00 (excl. GST)
 - i. Route 4 Public Amenities - Penelope’s Performance for the tendered amount of \$120,881.00 (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."

CARRIED UNANIMOUSLY

12.3. T-TRC2024-09 RAVENSHOE NETBALL COURT SHELTER

Move by Cr Annette Haydon

Seconded by Cr Kevin Cardew

"That Council:

1. Award T-TRC2024-09 for the construction of Ravenshoe Netball Court Shelter to Richard Field Constructions Pty Ltd for \$778,261.00 including GST.
2. 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. T-TRC2024-12 ASPHALT OVERLAY PROGRAM

Move by Cr Dave Bilney

Seconded by Cr Annette Haydon

"That Council:

1. Award T-TRC2024-12 for the Asphalt Overlay Program to Pioneer North Queensland Pty Ltd for \$352,833.53 including GST.
2. 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

COMMUNITY & CORPORATE SERVICES

13.1. FINANCE REPORT - MARCH 2024

Move by Cr Dave Bilney

Seconded by Cr Maree Baade

1. That Council receive and note the Financial Report for March 2024.
2. Amend the 2023/24 capital budget to reallocate a total of \$190,212 to emerging capital projects as per the following table. These changes are a reallocation only, there is no increase to the overall 2023/24 capital budget.

New Project	New Project Details	New Project Budget	Nominated Projects for Funds to be Reallocated from	Remaining Budget on Projects being reduced
Atherton STP Step Screen Replacement	Investigations have found that the step screen replacement is urgently required.	25,000	C000651 Malanda Integrated Water Connection	3,888,719

Water Mobile Generator Trailer	Trailer is required to enable transport of the new emergency power backup generator.	20,000	C000720 Waste Ravenshoe - Boundary Realignment	20,000
Replacement of High Level Booster Pump Malanda	Pumps can not adequately handle growth in this catchment and is at the end of its asset life so requires replacement to manage the increasing load.	50,000	C000651 Malanda Integrated Water Connection	3,838,719
Atherton Waste Transfer Station - Generator Plug	To provide a safe connection for emergency generators.	15,000	C000653 Water Treatment Plant Filter.	85,000
Picnic Crossing Road - Water Main	Replacement is required as repeated breaks and disruptions are being experienced in this area impacting water service levels.	20,000	C000653 Water Treatment Plant Filter (\$15,000) C000646 Water Bore Level Monitors and Bulk Water (\$5,000)	C000653 = 70,000 C000646 = 130,157
Malanda Falls Picnic Shelter	During a severe storm on the 7th April 2023, the picnic shelter at Malanda Falls was damaged beyond repair by fallen trees. Insurance has approved the replacement of this shelter. With an excess of \$5,000 already paid for this event our insurance agent will fund the balance of this work.	60,212	C000664 - Road pavement rehabilitation. (An underspend is expected on this project by 30 June due to wet weather implications. With budget adjustments made to the 2024/25 year, the full program of works will be delivered across this financial year and next).	2,532,980

3. 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 the replacement of the Malanda Falls Picnic Shelter by contractors engaged by council's insurer. This delegation extends to includes any variations to associated contracts for the replacement of the picnic shelter within the constraints of the Council endorsed capital budget allocation.
4. That Council endorse the addition of two specialist suppliers being Resource Hub Pty Ltd for specialist waste operations support and Bing Technologies as a specialist printing provider for rate and similar notices with encrypted BPay coding as described in this report."

CARRIED UNANIMOUSLY

13.2. COUNCILLORS TO BE CONSIDERED EMPLOYEES FOR SUPERANNUATION AND TAX PURPOSES

Move by Cr Kylie Lang

Seconded by Cr Kevin Cardew

"That Council resolve to be an eligible local governing body, pursuant to s 446-5 of Schedule 1 of the Tax Act, meaning that the remuneration of Councillors will be subject to withholding tax under Part 2-5 (about Pay As You Go withholding), and that councillors are taken to be "employees" for the purposes of the Super Act."

CARRIED UNANIMOUSLY

14. NOTICE OF MOTION

Nil

15. BUSINESS WITHOUT NOTICE

Nil

16. CONFIDENTIAL ITEMS

CLOSURE OF MEETING

Moved by Cr Maree Baade

Seconded by Cr Dave Bilney

"That in accordance with Section 254J of the Local Government Regulation 2012, the meeting be closed to the public at 11.03am to discuss matters relative to:

16.1. Peterson Creek Walking Trail Tenure

- (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. Reserve Land Carinya Home for the Aged

- (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.

16.3. Routine Maintenance Performance Contract 2024 26

- (b) industrial matters affecting employees;
- (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. Land Restoration Fund Pilot Project LRF061 Variation

- (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 Con Spanos

Seconded by Cr Kylie Lang

"That the meeting be opened at 11.39am.

CARRIED UNANIMOUSLY

16.1. PETERSON CREEK WALKING TRAIL TENURE

Move by Cr Maree Baade

Seconded by Cr Dave Bilney

"That Council lie the matter on the table until the May Ordinary Council meeting to allow the Chief Executive Officer to:

1. make further enquiries in relation to the survey, valuation and tenure matters considered in the closed meeting, including by engaging consultants to provide further advice to Council;
2. explore potential funding opportunities, including private funding opportunities (YAI Et al) to formalise access to the Petersen Creek walking track; and
3. hold further discussions with the owner of Lot 1 on RP 734318 (the Lot) in relation to the walking track and other matters relating to the Lot.
4. Cr Baade tabled letters from Yungaburra Beautification Inc and Yungaburra Accommodation.

CARRIED UNANIMOUSLY

16.2. RESERVE LAND CARINYA HOME FOR THE AGED

Move by Cr Con Spanos

Seconded by Cr Maree Baade

"That Council:

- a. delegates to the Chief Executive Officer the power to take all necessary steps, including sign all documents, to facilitate the divestment of its interest in Lot 802 on SP 168112 ("**the Land**") to Carinya Home for the Aged ("**Carinya**");
- b. agrees to remit to Carinya any amounts paid to Council by the Department of Resources as part of the divestment of the Land;
- c. to the extent required to give effect to paragraphs (a) or (b) of this resolution, decides that the exception in section 236(1)(b)(ii) of the *Local Government Regulation 2012*

applies to Council in relation to the disposal of its interest in the Land, including on the terms contemplated by paragraph (b) of this resolution, to Carinya.”

CARRIED UNANIMOUSLY

16.3. ROUTINE MAINTENANCE PERFORMANCE CONTRACT 2024 26

Move by Cr Annette Haydon

Seconded by Cr Dave Bilney

"That Council

1. Resolve to enter into an agreement with the Department of Transport and Main Roads to provide Routine Maintenance Performance Contract (RMPC) services for 2024/26 and
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 the Routine Maintenance Performance Contract."

CARRIED 6-1
Cr Cardew voted against the motion

16.4. LAND RESTORATION FUND PILOT PROJECT LRF061 VARIATION

Move by Cr Dave Bilney

Seconded by Cr Kylie Lang

"That Council:

1. Endorse the proposed variation to the Land Restoration Fund Pilot Project LRF 061 ("**LRF Project**") described in the Department of Environment, Science and Innovation's correspondence dated 19 April 2024 attached to this report, subject to the project proponent Native Conifer Carbon Sink's acceptance of relevant side agreement amendments.
2. Delegate to the Chief Executive Officer the power to:
 - do any and all things required to give effect to the proposed variation described in paragraph 1 of this resolution.
 - generally, administer the contractual arrangements forming part of the LRF Project for the remainder of its term as the Chief Executive Officer considers appropriate.

including by negotiating, finalising and executing any documents on behalf of Council”.

CARRIED UNANIMOUSLY



17. NEXT MEETING OF COUNCIL

The next meeting of Council will be held at Atherton
9:00 am on 23 May 2024.

There being no further business, the meeting closed 11.43am.

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Cr Rod Marti
Mayor

.....
Gary Rinehart
Chief Executive Officer

Unconfirmed