



# **MINUTES**

**Wednesday, 15 May 2024**

**Ordinary Council Meeting**

**MINUTES OF MAREEBA SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS  
ON WEDNESDAY, 15 MAY 2024 AT 9:00AM**

**1 MEMBERS IN ATTENDANCE**

Cr Angela Toppin (Mayor), Cr Amy Braes, Cr Nipper Brown, Cr Ross Cardillo, Cr Kevin Davies, Cr Mary Graham, Cr Lenore Wyatt

**2 APOLOGIES/LEAVE OF ABSENCE/ABSENCE ON COUNCIL BUSINESS**

Nil

**3 BEREAVEMENTS/CONDOLENCES**

A minute's silence was observed as a mark of respect for those residents who passed away during the previous month.

**4 DECLARATION OF CONFLICTS OF INTEREST**

Nil

**5 CONFIRMATION OF MINUTES**

**RESOLUTION 2024/60**

Moved: Cr Lenore Wyatt

Seconded: Cr Kevin Davies

That the minutes of Ordinary Council Meeting held on 16 April 2024 be confirmed.

**CARRIED**

**6 BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING**

Nil

**7 DEPUTATIONS AND DELEGATIONS**

Nil

**8 CORPORATE AND COMMUNITY SERVICES**

**8.1 CALDANTE HOLDINGS PTY LTD - MATERIAL CHANGE OF USE - FUNCTION FACILITY - LOT 45 ON N157358 - 121 DOUGLAS TRACK, SPEEWAH - MCU/23/0014**

**RESOLUTION 2024/61**

Moved: Cr Nipper Brown

Seconded: Cr Ross Cardillo

(A) That in relation to the following development application:

APPLICATION		PREMISES	
<b>APPLICANT</b>	Caldante Holdings Pty Ltd	<b>ADDRESS</b>	121 Douglas Track, Speewah
<b>DATE LODGED</b>	28 June 2023	<b>RPD</b>	Lot 45 on N157358
<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Material Change of Use – Function Facility		

and in accordance with the Planning Act 2016, the applicant be notified that the application for a development permit/preliminary approval for the development specified in (A) is:

Approved by Council in accordance with the approved plans/documents listed in (B), subject to assessment manager conditions in (C), assessment manager’s advice in (D), relevant period in (E), further permits in (F), and further approvals from Council listed in (G);

And

The assessment manager does not consider that the assessment manager’s decision conflicts with a relevant instrument.

(B) APPROVED DEVELOPMENT: Development Permit for Material Change of Use – Function Facility

(C) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
AU009935-1C	Proposed Material Change of Use – Function Facility	RPS AAP Consulting Pty Ltd	17/07/2023

(D) ASSESSMENT MANAGER’S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

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.

## 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 Waste Management
  - 3.4.1 On site refuse storage area/s must be provided and be screened from view from adjoining properties and road reserve by one (1) metre wide landscaped screening buffer or 1.8m high solid fence or building.
  - 3.4.2 Where bulk bins are used and are to be serviced on site, Council's delegated officer must be satisfied that internal access is of adequate design and construction to allow waste collection/delivery vehicles to enter and exit the site in a forward gear only.
- 3.5 Function Type/Size and Frequency

**Note:** For the purposes of this approval, functions proposed to be held on-site are categorised into 3 sizes as follows (not including function organisers or catering/bar/audio staff):

- Small function – Up to 20 guests.
- Medium function – Between 21 and 99 guests.
- Large function – Between 100 and 150 guests.

**Note:** For the purposes of this approval, the following time periods are applicable:

- Daytime hours – 7am-6pm.
- Evening hours – 6pm-10pm

- *Nighttime hours – 10pm-Midnight*

3.5.1 No functions accommodating more than 150 guests are permitted on-site at any time.

3.5.2 Only 1 function is permitted on-site on any given day.

3.5.3 In order to minimise impacts on Cassowaries and threatened frog species, only 1 function per month that involves amplified music/loudspeakers is to be held at either Location 5 or 6.

3.5.4 Large Functions

A maximum of two (2) large functions can be held in any calendar month, regardless of whether they include amplified music/loudspeakers. Any large function held over daytime hours only may be held Monday to Saturday, excluding Sundays and Public Holidays. Any large function running over evening or nighttime hours must be held on either a Friday or Saturday only.

3.5.5 Small, Medium and/or Large Functions

(i) A combined total of three (3) small, medium or large functions are permitted on-site in any calendar month **where amplified music/loudspeakers are proposed and/or when running outside daytime hours**. To achieve compliance with Condition 3.5.4 only a maximum of two (2) of these functions may be large sized functions.

Only one (1) of these three (3) monthly functions is permitted to run up until **midnight** with the two (2) other functions permitted to operate up until **10pm only**. These three (3) specific functions which include amplified music/loudspeakers must be held on either a Friday or Saturday only.

(ii) A further eight (8) functions (maximum of six (6) small and two (2) medium sized functions) are permitted in any calendar month where operating over **daytime hours only and where not involving amplified music/loudspeakers of any kind**. These functions can be held Monday to Saturday only, excluding Sundays and Public Holidays.

(iii) In accordance with (i) and (ii) above, no more than 11 functions are to be held on-site in any calendar month.

3.5.6 If a monthly allocation of functions is not held over any given month, these functions cannot be “banked” and used in any other calendar month.

A register of all functions held and scheduled on site must be kept and made available to Council for review upon request.

3.5.7 It is the responsibility of the applicant/developer or function organiser to ensure all guests and function staff have vacated the property before the mandated function end time. All noise generating devices, including portable cold rooms/cooling equipment and audio equipment must be turned off before the function end time.

Staff are permitted to remain on site to pack up/clean up after daytime functions (remaining on-site till no later than 9pm), however for functions with 10pm and midnight end times, this must occur next day during daytime hours only.

### 3.6 Function Restrictions (by location)

**Note:** For the purposes of this approval, function Locations are those locations identified on “Figure 6.2: Function areas for assessment” of the Noise Impact Assessment prepared by Dedicated Acoustics dated 6 October 2023.

**Note:** For the purposes of this approval, “regulated devices” is any device that emits sound such as speakers, loudspeakers etc. and “aircon/cooling equipment” is any mechanical plant responsible for air-conditioning or cooling including cold-rooms and generators.

**No live music/bands are permitted on-site at any time.**

**No Fireworks are permitted on-site at any time.**

#### Location 1

- (i) Small outdoor functions are permitted only (no more than 20 guests);
- (ii) Functions must cease no later than 10pm;
- (iii) No alcoholic beverages are to be served past 9pm;
- (iii) The maximum aggregate sound levels, defined by peak levels on a meter which may be set to a slow sample rate must not exceed:
  - 82 dB(A) for regulated devices at source; or
  - 71 dB(A) for regulated devices at 1 metre from source (for convenience);
  - 90 dB(A) for aircon/cooling equipment at source; or
  - 79 dB(A) for aircon/cooling equipment at 1 metre from source.

#### Location 2

- (i) Small outdoor functions are permitted only (no more than 20 guests);
- (ii) Functions must cease no later than 12am (midnight);
- (iii) No alcoholic beverages are to be served past 11pm;
- (iii) The maximum aggregate sound levels, defined by peak levels on a meter which may be set to a slow sample rate must not exceed:
  - 87 dB(A) for regulated devices at source; or
  - 76 dB(A) for regulated devices at 1 metre from source (for convenience);
  - 92 dB(A) for aircon/cooling equipment at source; or
  - 81 dB(A) for aircon/cooling equipment at 1 metre from source.

#### Location 3

- (i) Small, medium and large outdoor functions are permitted (no more than 150 guests);
- (ii) Functions must cease no later than 10pm;

- (iii) No alcoholic beverages are to be served past 9pm;
- (iii) The maximum aggregate sound levels, defined by peak levels on a meter which may be set to a slow sample rate must not exceed:
  - 90 dB(A) for regulated devices at source; or
  - 79 dB(A) for regulated devices at 1 metre from source (for convenience);
  - 95 dB(A) for aircon/cooling equipment at source; or
  - 84 dB(A) for aircon/cooling equipment at 1 metre from source.

**Location 4**

- (i) Small, medium and large outdoor functions are permitted (no more than 150 guests);
- (ii) Functions must cease no later than 12am (midnight);
- (iii) No alcoholic beverages are to be served past 11pm;
- (iii) The maximum aggregate sound levels, defined by peak levels on a meter which may be set to a slow sample rate must not exceed:
  - 84 dB(A) for regulated devices at source; or
  - 73 dB(A) for regulated devices at 1 metre from source (for convenience);
  - 89 dB(A) for aircon/cooling equipment at source; or
  - 78 dB(A) for aircon/cooling equipment at 1 metre from source.

**Location 5**

- (i) Small indoor only functions are permitted within the structure at location 5 (no more than 20 guests);
- (ii) Functions must cease no later than 10pm;
- (iii) No alcoholic beverages are to be served past 9pm;
- (iii) The maximum aggregate sound levels, defined by peak levels on a meter which may be set to a slow sample rate must not exceed:
  - 87 dB(A) for regulated devices at source; or
  - 76 dB(A) for regulated devices at 1 metre from source (for convenience);
  - 92 dB(A) for aircon/cooling equipment at source; or
  - 81 dB(A) for aircon/cooling equipment at 1 metre from source.

**Location 6**

- (i) Small, medium and large indoor only functions are permitted within the structure at location 6 (no more than 150 guests);
- (ii) Functions must cease no later than 10pm;
- (iii) No alcoholic beverages are to be served past 9pm;
- (iii) The maximum aggregate sound levels, defined by peak levels on a meter which may be set to a slow sample rate must not exceed:
  - 87 dB(A) for regulated devices at source; or
  - 76 dB(A) for regulated devices at 1 metre from source (for convenience);

- 92 dB(A) for aircon/cooling equipment at source; or
- 81 dB(A) for aircon/cooling equipment at 1 metre from source.

### 3.7 Noise Management Plan

A Noise Management Plan (NMP) must be prepared which demonstrates how the use will comply with Conditions 3.5 and 3.6 of this approval, as well as *Part 7 – Mitigation* and *Part 8 - Recommendations* included in the Review of Assessment prepared by A.P. Bleeksma dated 12 March 2024. The NMP must include, but not be limited to:

- (i) The applicant/developer/function organiser must maintain a website (not a social media page) which includes a calendar of functions including but not limited to any large function, functions operating after 6pm or any function that includes amplified music/noise. The calendar is required to provide notification to interested residents. The calendar must include contact details for the function organiser/function manager for the purposes of submitting and logging noise complaints.
- (ii) Maintain a complaints register which details the nature of each complaint, the time it was made, and the action taken to rectify the complaint. Following each event, the applicant must notify Council of all complaints and remedy actions. The complaints register must be made available to Council upon request.
- (iii) Noise monitoring at source point and/or 1 metre from source every hour to ensure ongoing compliance with noise limits listed in Condition 3.6
- (iv) No subwoofers are to be used at any time.
- (v) Guests must remain in the designated function area and must not wander throughout the property.
- (vi) Demonstrate how loitering in the designated car parking area/s, which may cause noise nuisance for residents, will be avoided and enforced.
- (vii) Provide further details as to how the applicant/developer/function organiser will ensure the conditions of this approval are complied with, in particular how the applicant/developer/Function organiser is going to ensure that all guests and staff have vacated the property by the mandated function end time.

The NMP must be endorsed by Council's delegated officer prior to the commencement of the use.

The NMP must be implemented for every function with the requirements made known to all function organisers.

### 3.8 Acoustic Compliance Report

An acoustic compliance report is to be submitted to Council within six (6) months of the commencement of the use, or after a combined six (6) medium or large functions are held that include amplified music. The Acoustic compliance report



must demonstrate that the functions held in that period complied with the following:

- (i) Conditions 3.5 and 3.6 (where applicable);
- (ii) The endorsed Noise Management Plan;
- (iii) Inclusion of any other relevant conditions including in this Development Permit.

### 3.9 Noise Complaints

Should Council or the applicant/developer/function organiser receive ongoing complaints from any particular sensitive receptor/s, and Council officer determine that these complaints are substantiated, the applicant/developer/function organiser must purchase and set up a Type 1 sound logging device capable of recording and logging continuous noise at the property boundary of the complaint/s origin (the closest boundary to the subject site).

Source sound levels emitted from either regulated devices or aircon/cooling equipment from functions should be adjusted to ensure noise levels at the sensitive receptor/s comply with the maximum allowable limits outlined in the Review of Assessment prepared by A.P. Bleeksma dated 12 March 2024 (as derived from the Environmental Protection Act s440 and the Environmental Protection (Noise) Policy 2019 Acoustic Quality Objectives).

If regulated device or aircon/cooling equipment is required to be adjusted to achieve compliance, these adjusted noise levels (in dB(A)) must be applied to future functions held on-site and the Noise Management Plan must be amended to ensure ongoing compliance utilising adjusted noise levels.

Any amended Noise Management Plan with the revised noise levels must be endorsed by Council's delegated officer prior to being implemented.

## 4. Infrastructure Services and Standards

### 4.1 Access Crossover

A commercial access crossover must be upgraded/constructed (from the edge of Douglas Track to the property boundary) in accordance with FNQROC Development Manual standards, to the satisfaction of Council's delegated officer.

### 4.2 External Works – Douglas Track

4.2.1 Douglas Track (from where the existing bitumen seal ends, to a point 10 metres past the site access) must be upgraded to a minimum 4.5m wide bitumen sealed carriageway with 1.2m wide gravel shoulders in accordance with Table D1.4 (<100 vehicle movements per day) of the FNQROC development Manual.

The upgrade of this section of the road should include a bitumen/asphalt or concrete seal upgrade (in accordance with FNQROC Standards) to the development access as well as any access crossover servicing Lot 90 on RP732904 and Lot 7 on RP748802.

The abovementioned works must be approved by Council as part of a subsequent application for operational works, and the works completed **prior to the commencement of the use.**

4.2.2 A Road Safety Assessment must be undertaken by a suitably qualified RPEQ that identifies safety risks for vehicles using Douglas Track (between the eastern side of the Douglas Track/Speewah Road intersection and the subject site). The safety assessment should be consider (but not be limited to) the following:

- (i) Road geometry (horizontal & vertical).
- (ii) Carriageway width (pavement, seal and shoulders) – ability for opposing traffic to safely pass each other.
- (iii) Vehicle sightlines.
- (iv) Intersection treatments.
- (v) Causeway crossing including the sharp bends/approaches either side.
- (vi) Other roadside hazards.

The report should provide recommendations on practical treatments to reduce the risk of any hazards to acceptable levels (e.g. localised pavement widening, signage, linemarking, road edge delineation etc.). The report should be submitted to Council for review and agreed works should be undertaken by the applicant/developer at no cost to Council.

The abovementioned works must be approved by Council as part of a subsequent application for operational works.

The development application required for the operational works associated with 4.2.2 must be “properly made” to Council within 12 months of the commencement of the use. Once approved, the operational works must be completed within 6 months of the Decision Notice being issued for the operational works, or a further period agreed to by Council’s delegated officer (for reasons relating to weather related construction delays or unforeseen engineering related delays only).

#### 4.3 Stormwater Drainage/Water Quality

4.3.1 The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.

4.3.2 All stormwater drainage must be discharged to an approved legal point of discharge.

#### 4.4 Car Parking/Internal Driveways

4.4.1 The applicant/developer must ensure that the development is provided with an informal space on site capable of accommodating up to 60 vehicles and three (3) buses with the added provision for spillover parking if required. No parking of guest or staff vehicles or buses is permitted to occur outside the property boundary or within road reserve.

4.4.2 All car parking spaces, and trafficable areas must be surface treated with gravel or maintained with an intact grass cover so as to minimise dust and erosion and must be appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.

4.4.3 Should Council receive a substantiated dust nuisance complaint, the applicant/developer must install an appropriate surface treatment to the car parking area and other trafficable areas on-site to alleviate the nuisance, to the satisfaction of Council's delegated officer.

4.4.4 All parking spaces and trafficable areas must be maintained in good order and safe repair for the life of the development, to the satisfaction of Council's delegated officer.

A sign must be erected in proximity to the access driveway indicating the availability of on-site parking.

#### 4.5 Non-Reticulated Water Supply

The development must be provided with a potable water supply, which may be provided by catering staff, at each function location that can satisfy the standards for drinking water set by the Australian Drinking Water Guidelines 2004 (National Health and Medical Research Council and the National Resource Management Ministerial Council).

All non-potable sources of water must be sign posted "non-potable water supply" or similar in order to deter consumption.

#### 4.6 On-Site Wastewater Management

Should permanent ablutions facilities be constructed onsite, all on site wastewater disposal associated with these facilities must be in compliance with the latest version of On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of the Council's delegated officer.

Any on-site wastewater treatment system with a total daily peak design capacity of at least 21 equivalent persons (EP) is an Environmentally Relevant Activity (ERA 63 - Sewerage Treatment) and an Environmental Authority is required.

Portable toilets are authorised for use on-site for functions, however no black or grey water is to be disposed of on-site, unless through an approved on-site wastewater disposal system.

The applicant/developer/function organiser must ensure that adequate ablutions facilities are provided based on the size of each individual function.

#### 4.7 Lighting

Lighting associated with evening and nighttime functions must be set up to minimise light spillage and not cause nuisance to any neighbouring property. Where permanent outdoor lighting is proposed, the developer shall locate, design and install lighting in order to prevent the potential for light spillage to cause nuisance to neighbours and must be provided in accordance with Australian Standard 1158.1 – Lighting for Roads and Public Spaces.

Illumination resulting from direct, reflected or other incidental light emanating from the subject land does not exceed eight (8) lux when measured at any point

1.5m outside the property boundary of the subject site. The lighting fixtures installed on site must meet appropriate lux levels as documented within Australian Standard 4282 – Control of the Obtrusive Effects of Outdoor Lighting.

5. Additional Payment Condition (section 130 of the Planning Act 2016)

5.1 The additional payment condition has been imposed as the development will create additional demand on trunk infrastructure which will create additional trunk infrastructure costs for council.

5.2 The developer must pay \$11,318.50 as a contribution toward trunk infrastructure with the amount of the contribution increased on 1 July each year in accordance with the increase for the PPI index for the period starting on the day the development approval takes effect, adjusted by reference to the 3-yearly PPI index average to the date of payment.

5.3 The trunk infrastructure for which the payment is required is:

- The trunk transport network servicing the land (\$11,318.50)

5.4 The developer may elect to provide part of the trunk infrastructure instead of making the payment.

5.5 If the developer elects to provide part of the trunk infrastructure the developer must:

- Discuss with Council's delegated officer the part of the works to be undertaken;
- Obtain the necessary approvals for the part of the works;
- Indemnify the Council in relation to any actions, suits or demands relating to or arising from the works;
- Take out joint insurance in the name of the Council and the developer in the sum of \$20,000,000 in relation to the undertaking of the works;
- Comply with the reasonable direction of Council officers in relation to the completion of the works;
- Complete the works to the standards required by the Council; and
- Complete the works prior to the commencement of the use.

5.6 The value, as agreed by Council's delegated officer, of the external works required under Condition 4.2.1 will be credited towards the additional payment required under Condition 5.2. Any credit will not exceed \$11,318.50.

(E) ASSESSMENT MANAGER'S ADVICE

(a) 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.

(b) The change in the use of building/s on-site may also require a change in the classification of the building/s under the Building Act. You are advised to contact a Building Certifier to establish if a change in the classification of the building is required.

(c) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

(d) Compliance with Acts and Regulations

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

(e) Environmental Protection and Biodiversity Conservation Act 1999

The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from [www.dcceew.gov.au](http://www.dcceew.gov.au).

(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.dsdsatsip.qld.gov.au](http://www.dsdsatsip.qld.gov.au).

(g) Electric Ants

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

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 a restricted zone.

All persons within and outside the electric ant biosecurity zone have an obligation (a **general biosecurity obligation**) 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 [Electric ants in Queensland | Business Queensland](http://Electric ants in Queensland | Business Queensland) or contact Biosecurity Queensland 13 25 23.

**(F) RELEVANT PERIOD**

When approval lapses if development not started (s.85)

- Material Change of Use – six (6) years (starting the day the approval takes effect).

**(G) OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS**

- Development Permit for Operational Works

**(H) OTHER APPROVALS REQUIRED FROM COUNCIL**

- Access approval arising from condition number 4.1 (Please contact Planning Section to obtain application form and applicable fee)

**CARRIED**

**8.2 SUBLEASE OF LEASE AW - TOM GILMORE MAREEBA AVIATION INDUSTRIAL PRECINCT****RESOLUTION 2024/62**

Moved: Cr Amy Braes

Seconded: Cr Mary Graham

That Council consents to the sublease of Lease AW in Lot 20 RP748320 in SP320481, dealing no. 720148231, to Prophurst Pty Ltd ACN 119 666 027.

**CARRIED**

**8.3 DELEGATIONS UPDATE MAY 2024****RESOLUTION 2024/63**

Moved: Cr Kevin Davies

Seconded: Cr Lenore Wyatt

That Council delegate to the CEO all powers appearing in the document titled "Table of delegable powers – Local Law 7 (Aerodromes) 2019" attached to this report.

**CARRIED**

## 8.4 COUNCIL POLICY REVIEW

### RESOLUTION 2024/64

Moved: Cr Nipper Brown

Seconded: Cr Mary Graham

That Council:

1. Repeals the:
  - (a) Sanitary Drainage Policy – adopted 20 May 2020
  - (b) Sewerage Connection Policy – adopted 20 May 2020
  - (c) Community Tenure Guidelines – adopted 24 January 2024
  - (d) Revenue Policy – adopted 15 March 2023
2. Adopts the:
  - (a) Sanitary Drainage Policy
  - (b) Sewerage Connection Policy
  - (c) Community Tenure Guidelines
  - (d) Revenue Policy

**CARRIED**

## 8.5 CONDUCT STANDING COMMITTEE

### RESOLUTION 2024/65

Moved: Cr Amy Braes

Seconded: Cr Mary Graham

That Council:

1. Establish a Conduct Standing Committee under section 264(1)(a) of the *Local Government Regulation 2012* (Qld); and
2. Delegate the Mayor's obligatory ex-officio membership to the Conduct Standing Committee as established under section 12(4)(f) of the *Local Government Act 2009* (Qld) to the Deputy Mayor in accordance with section 12(5) of the *Local Government Act 2009* (Qld); and
3. Adopt the attached document titled 'Terms of Reference – Conduct Standing Committee', to govern the operation of the Conduct Standing Committee.

**CARRIED**

**8.6 OPERATIONAL PLAN 2023/24 PROGRESS REPORT****RESOLUTION 2024/66**

Moved: Cr Lenore Wyatt

Seconded: Cr Amy Braes

That Council receives and notes the progress report on the implementation of the 2023/24 Operational Plan for the period January to March 2024.

**CARRIED**

**8.7 OPERATIONAL PLAN 2024/25****RESOLUTION 2024/67**

Moved: Cr Lenore Wyatt

Seconded: Cr Ross Cardillo

That the Operational Plan for the 2024/25 financial year, as attached, be adopted.

**CARRIED**

**8.8 FINANCIAL STATEMENTS PERIOD ENDING 30 APRIL 2024****RESOLUTION 2024/68**

Moved: Cr Mary Graham

Seconded: Cr Amy Braes

That Council;

1. receives the Financial Report for the period ending 30 April 2024
2. seeks approval under *Section 235(c) of the Local Government Regulation 2012* for an exemption from tendering for works to be completed by 31 May 2024 on behalf of Department of Transport and Main Roads.

**CARRIED**



**9 INFRASTRUCTURE SERVICES****9.1 INFRASTRUCTURE SERVICES, CAPITAL WORKS MONTHLY REPORT - APRIL 2024****RESOLUTION 2024/69**

Moved: Cr Kevin Davies

Seconded: Cr Nipper Brown

That Council receives the Infrastructure Services Capital Works Monthly Report for the month of April 2024.

**CARRIED**

**9.2 ADJUSTMENT IN STAFF COMPLEMENT****MOTION**

Moved: Cr Kevin Davies

Seconded: Cr Ross Cardillo

That Council

1. Increases the overall staff complement by an additional 0.76 full time equivalent; and
2. Discontinue the process for tender T-MSC2024-11 Chillagoe Maintenance – Various Facilities.

**LOST**

**9.2 TENDER T-MSC2024-11 CHILLAGOE MAINTENANCE – VARIOUS FACILITIES****RESOLUTION 2024/70**

Moved: Cr Angela Toppin

Seconded: Cr Lenore Wyatt

That a Report be presented at the next Council Meeting in relation to tender T-MSC2024-11 Chillagoe Maintenance – Various Facilities.

**CARRIED**

**9.3 INFRASTRUCTURE SERVICES, TECHNICAL SERVICES OPERATIONS REPORT - APRIL 2024****RESOLUTION 2024/71**

Moved: Cr Mary Graham

Seconded: Cr Nipper Brown

That Council receives the Infrastructure Services, Technical Services Operations Report for April 2024.

**CARRIED**

**9.4 TENDER AWARD - T-MSC2024-02 MOWING AND LAWN MAINTENANCE WATER AND WASTE**

**RESOLUTION 2024/72**

Moved: Cr Mary Graham

Seconded: Cr Amy Braes

That Council awards Tender T-MSC2024-02 Mowing and Lawn Maintenance Water & Waste to CD Nastasi AG Pty Ltd for the amount of \$202,997.00 (excl GST).

**CARRIED**

**9.5 INFRASTRUCTURE SERVICES, WATER AND WASTE OPERATIONS REPORT - APRIL 2024**

**RESOLUTION 2024/73**

Moved: Cr Kevin Davies

Seconded: Cr Lenore Wyatt

That Council receives the Infrastructure Services, Water and Waste Operations Report for April 2024.

**CARRIED**

**9.6 INFRASTRUCTURE SERVICES, WORKS SECTION ACTIVITY REPORT - APRIL 2024**

**RESOLUTION 2024/74**

Moved: Cr Ross Cardillo

Seconded: Cr Lenore Wyatt

That Council receives the Infrastructure Services, Works Progress Report for the month of April 2024.

**CARRIED**

**10 OFFICE OF THE CEO**

**10.1 COUNCILLOR ATTENDANCE AT CONFERENCES**

**RESOLUTION 2024/75**

Moved: Cr Mary Graham

Seconded: Cr Nipper Brown

That Council:

1. Approves the attendance of Cr Wyatt at the Local Authority Waste Management Action Committee Forum (LAWMAC) in Cairns on the 20 June 2024; and
2. Approves the attendance of Councillors at events relevant to their appointed roles on various Committees and Associations.

**CARRIED**

**11 CONFIDENTIAL REPORTS**

Nil

**12 BUSINESS WITHOUT NOTICE**

Nil

**13 NEXT MEETING OF COUNCIL**

The next meeting of Council will be held at 9:00am on 19 June 2024.

There being no further business, the meeting closed at 9:31am.

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Cr Angela Toppin

Chairperson