



ORDINARY MEETING

15 APRIL 2026

9.03 A.M.

PRESENT: Cr A Eden (Chairperson)
Cr B Moller
Cr M Tickner
Cr C Zeiger
Cr T Tim
Cr R Pyne
Cr K Vallely
Cr A Middleton
Cr R Coghlan
Cr B Olds

APOLOGY:

OFFICERS:

K Gouldthorp	Chief Executive Officer
H McBride	Director People and Organisational Performance
M Davey	Director Planning, Growth and Sustainability
M Wuth	Director Cairns Infrastructure and Assets
D Puia	Director Lifestyle and Community
J Ritchie	Acting Chief Financial Officer
N Masasso	Director Economic Development and Advocacy
B Nancarrow	Executive Manager Development & Planning
A Patterson	Executive Manager Licensing & Compliance
P Rogato	Public Affairs Coordinator
L Vigar	Public Affairs Advisor
J Conway	Executive Officer
S Cottrell	Minute Secretary

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1. APOLOGY

Nil

2. PRESCRIBED CONFLICT OF INTEREST / DECLARABLE CONFLICT OF INTEREST

Cr Anna Middleton declared that she had a prescribed conflict of interest in Item 5.1 Cairns Art Gallery Precinct Board Director Appointments, as she is an Independent Board Director on the Cairns Art Gallery Precinct Board. The matter before Council relates to the approval of appointments to that Board.

As a current Board Director, she is part of the governing body whose composition is being considered by Council. This creates a conflict between her role as Councillor making a decision about the Board and her position as a Director of that same entity, which could be perceived to affect her impartiality in the decision-making process.

For transparency, she also advised that she has a current contract in her personal capacity with one of the applicants for Architectural services, Roger Mainwood.

In view of this prescribed conflict of interest, she will leave the meeting and will not participate in the discussion or vote on this matter.

Cr Amy Eden advised that she will be declaring a conflict of interest in relation to Item 5.1, Cairns Art Gallery Precinct Ltd Board Director Appointments.

This arises as she is currently a Director on the Board of the Cairns Art Gallery Precinct Ltd. She also noted that she was Chair of the Board recruitment panel for these appointments.

Given this interest, she will leave the meeting while this matter is discussed and voted on.

The Mayor moved a motion to change the order of business to bring 'Urgent business not on the agenda' forward to Item 4.

EDEN / ZEIGER

carried unanimously

URGENT BUSINESS NOT ON THE AGENDA

Acknowledgement of Paul Matthews contribution to Council.

Acknowledgement of Cr Moller, Cr Zeiger and Cr Olds for their length of service to Council.

3. MAYORAL MINUTE

3.1 CAIRNS CELEBRATES 150 YEARS – DISTRIBUTION OF PROMOTIONAL STICKERS

EDEN / ZEIGER

That Council direct that the distribution of the Cairns Celebrates 150 Years promotional stickers resumes immediately.

Cr Moller proposed an alternate motion. The motion was changed with the consent of the movers. The alternate motion was then put and carried.

That Council direct that the distribution of the Cairns Celebrates 150 Years promotional stickers be considered in a workshop within 4 weeks of today's date.

carried unanimously

Cr Tickner left the meeting at 9.46am

Cr Tickner returned to the meeting at 9.48am

4. CONFIRMATION OF MINUTES OF ORDINARY MEETING 25 MARCH 2026

EDEN / TICKNER

That the Minutes of the Ordinary Meeting held on Wednesday, 25 March 2026 be confirmed with the below amendment.

Question taken on notice:

Mayor Eden "I would like to just take the opportunity to ask the CEO, I didn't know that the stickers had been recalled, Cr Zeiger, that's such a shame I've heard such good things and I was trying to find out where I could get some more. So Mr. CEO are you able to enlighten us on that please?"

The CEO advised he would take the question on notice.

carried with Cr Moller, Cr Vallely and Cr Olds voting against the motion

5. OPEN SESSION – OFFICERS’ REPORTS

Cr Eden & Cr Middleton left the meeting at 9.56 am and Cr Olds assumed the chair.

5.1 CAIRNS ART GALLERY PRECINCT BOARD DIRECTOR APPOINTMENTS

..... 39
EO | 93/1/2 | #7853403

MOLLER/ VALLELY

That Council:

1. **Appoints the following three applicants as Board Directors of the Cairns Art Gallery Precinct Ltd, effective from 15 April 2026 for a three-year term:**
 - **Mr Mark Taylor**
 - **Mr Tony Albert**
 - **Mr Roger Mainwood**

2. **Appoints the following applicant to the Board Finance Committee of the Cairns Art Gallery Precinct Ltd effective from 15 April 2026 for a one-year term:**
 - **Mr Stephen Nossal**

3. **Thanks, the following retiring Directors for their service to the Cairns Community:**
 - **Mr David Quigley (15 years of service)**
 - **Cr Kristy Valley (6 years of service)**
 - **Mr Eric Olufson (5 years of service)**
 - **Cr Rob Pyne (2 years of service)**
 - **Cr Trevor Tim (2 years of service)**

4. **Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any and all matters relating to the above Board Director and Board Committee appointments.**

carried unanimously

Cr Eden & Cr Middleton returned to the meeting at 10.02 am and Cr Eden resumed the chair.

**5.2 SECURING CAIRNS HOUSING FOUNDATIONS PLAN – RESIDENTIAL
ACTIVATION FUND ROUND 2 APPLICATION..... 43**
EDA | 58/6/3-01 | #7847236

EDEN / MOLLER

That Council:

1. Approves the Residential Activation Fund Round 2 application to the Queensland Department of State Development, Infrastructure and Planning for essential infrastructure works for the Mount Peter PDA as outlined in this report;
2. Notes that a subsequent report will be presented to Council in respect of the application which details the estimated costs associated with the infrastructure works and amount of funding applied for; and
3. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise and submit the application and deal with any and all matters arising from it.

carried unanimously

5.3 IMPLEMENTATION OF LEVEL 4 WATER RESTRICTIONS 51
CIA | 87/15/1-02 | #7851093

OLDS / TICKNER

That Council notes the report and actions taken to implement level 4 water restrictions between 15 and 21 March 2026.

carried unanimously

5.4 PETITION - HOLLOWAYS BEACH EROSION..... 60
CIA | 81/1/13 | #7850035

COGHLAN / OLDS

That Council:

1. Notes the petition received regarding the erosion of Holloways Beach.
2. Notes the actions already being undertaken by Council.

carried unanimously

5.5 COMMUNITY PARTNERSHIPS GRANT – OUT OF ROUND APPLICATIONS
 68
 L&C | 63/18/1 | #7797481

ZEIGER / MOLLER

That Council:

1. Approves \$45,000 (ex GST) funding from the Community Partnerships Grant stream to the following applicants:
 - a. Far North Queensland Hospital Foundation for the BDO Arrow Experience – Wangetti Edition to the value of \$5,000 (ex GST).
 - b. GOPIO Cairns Inc for the Unity Cricket Cup 2026 to the value of \$10,000 (ex GST).
 - c. North Queensland International Motor Raceway Association Incorporated for Thunder in the Canefields 2026 to the value of \$20,000 (ex GST).
 - d. Southern Suburbs Junior Rugby League Club for the Nate Myles Cup to the value of \$10,000 (ex GST).
2. Supports the application received from The Cairns Agricultural Pastoral and Mining Association for the Annual Cairns Show 2026 and enters into a one-year Resource and Performance Agreement to the value of \$80,000 (ex GST).
3. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any and all matters relating to the above agreement.

carried unanimously

5.6 PREFERRED SUPPLIER ARRANGEMENT (PSA) 3025 – CLEANING SERVICES FOR CREATIVE LIFE FACILITIES
 80
 L&C | 63/1/473 | #7847660

ZEIGER / OLDS

That Council:

1. Awards Preferred Supplier Arrangement (PSA) 3025 Cleaning Services for Creative Life Facilities and appoints the following suppliers on a schedule of rates basis to each separable portion:
 - Separable Portion 1 - CPAC
 - First Preference – Biniris (Aust) Pty Ltd

- **Second Preference – CMBM Facilities Services Pty Ltd**
- **Separable Portion 2 - MMP**
 - **First Preference – Taylor Made Enterprises Pty Ltd**
 - **Second Preference – SKG Cleaning Services Pty Ltd**
- **Separable Portion 3 - Tanks Art Centre**
 - **First Preference – Biniris (Aust) Pty Ltd**
 - **Second Preference – CMBM Facilities Services Pty Ltd**

for a term of two years commencing 1 May 2026, with two extension options of up to 12 months each, available at Council's discretion.

2. **Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into a contract, negotiate, finalise and execute any and all matters associated with or in relation to this contract subject to Council's normal procurement policies and practices.**

carried unanimously

5.7 DISPOSAL OF A VALUABLE NON-CURRENT ASSET BEING PART OF LOT 1 ON RP721342, MARSHALL STREET, MACHANS BEACH - DIVISION 8.. 86 PGS | 55/2/4 | #7760227

COGHLAN / OLDS

That Council:

1. **Applies the exception in section 236(1)(c)(iv) of the *Local Government Regulation 2012* for the disposal of a valuable non-current asset being part of Council freehold Lot 1 on RP721342, Marshall Street, Machans Beach other than by tender or auction, to the owner of the adjoining land being Lot 12 on RP709125, 147 O' Shea Esplanade, Machans Beach; and**
2. **Supports the disposal of land for the reasons outlined in Table 1 of this report which satisfy the following requirements:**
 - a. **The land is not suitable to be offered for disposal by tender or auction;**
 - b. **There is not another person who owns other adjoining land who wishes to acquire the land;**
 - c. **It is in the public interest to dispose of the land without tender or auction; and**
 - d. **The disposal is otherwise in accordance with sound contracting principles; and**

3. Delegates authority to the Chief Executive Officer pursuant to section 257 of the *Local Government Act 2009*, to negotiate and finalise any and all matters associated with the land dealing subject but not limited to the terms and conditions of the report.

carried unanimously

5.8 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR SHORT-TERM ACCOMMODATION AND A DWELLING HOUSE – 60 KEWARRA STREET, KEWARRA BEACH – DIVISION 9 97
PGS | 8/8/1673 | #7850061

OLDS / COGHLAN

That the Council approves the Development Application for a Material Change of Use for Short-Term Accommodation and a Dwelling house over land formally described as Lot 14 on RP728024 situated at 60 Kewarra Street, Kewarra Beach subject to the conditions provided below.

PART A: Material Change of Use

Note: This part applies to the aspect of development relating to a Material Change of Use.

Approved Plan(s) and Document(s)

The term 'approved plan(s) and document(s)' or similar expression means:

Plan or Document	Reference	Date
60 Kewarra Street Site Plan	Drawing No. SK001, Prepared by Planning Plus	28 April 2025
Operational Management Plan	DA 13092/2024, Prepared by Lisa Day.	1 October 2025

Assessment Manager Conditions

General Requirements		Timing
1.	<p>Approved Plan(s) and Document(s)</p> <p>The development is to be completed and carried out generally in accordance with the approved plan(s) and document(s) above, except where modified by the conditions of this Development Permit.</p>	At all times.
2.	<p>Maintain the Approved Development</p> <p>Maintain the approved development generally in accordance with the approved plan(s) and document(s), and any relevant approval required by these conditions of approval.</p>	At all times.

3.	<p>Currency Period</p> <p>This development approval, granted under the provisions of the <i>Planning Act 2016</i> (Qld), lapses six (6) years from the day the development approval takes effect, in accordance with the provisions of section 85 of the <i>Planning Act 2016</i> (Qld).</p>	As stated.
4.	<p>Notice of Intention to Commence Use</p> <p>Written notice must be given to Council that the development fully complies with this Development Permit.</p> <p>Return the attached “Notice of Intention to Commence Use” (attached at Appendix 2).</p>	Prior to Commencement of Use.
5.	<p>Operational Management Plan</p> <p>The use must operate in accordance with the Operational Management Plan included in the Approved Plan(s) and Document(s). Specifically, the Plan must be upheld through providing the following measures:</p> <ul style="list-style-type: none"> a. The property manager may be either: <ul style="list-style-type: none"> i. The landowner; or, ii. Property Agent licenced in accordance with Section 26 of the <i>Property Occupation Act 2014</i> and registered with the Office of Fair Trading QLD. b. When submitting the Notice of Intention to Commence Use, include copies of written notification provided to adjoining landowners informing them of the use. c. Refuse bins must be: <ul style="list-style-type: none"> i. screened from the street and adjoining properties; ii. placed at the kerbside for weekly collection; and; iii. if scheduled collection is missed, alternative collection within 24 hours. d. A registrar of complaints must be available for review. The registrar must include: <ul style="list-style-type: none"> i. Date and time of complaint; ii. Reason for complaint; iii. Name, address and contact information of complainant; iv. Resolution actions taken in response to complaint; and, v. Time taken to resolve complaint. e. Guests must sign an agreement to follow the Code of Conduct provided in Appendix A prior to checking in. 	As stated AND At all times.

6.	<p>Limitation of Use</p> <p>The approved use of Short-term Accommodation does not facilitate the following:</p> <ul style="list-style-type: none"> a. Home-based businesses; or, b. Subleasing of rooms; or, c. Events, functions, parties, gatherings or similar. 	<p>At all times.</p>
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ADVICE

1.	<p>Planning Laws</p> <p>Information relating to the <i>Planning Act 2016</i> (Qld), <i>Planning Regulation 2017</i> (Qld) and Development Assessment Rules is located on the Queensland Government's planning website.</p>	
2.	<p>Definitions</p> <p>All terms used in this development approval have those definitions as defined under the <i>Planning Act 2016</i> (Qld) and <i>Planning Regulation 2017</i> (Qld) (as at the date of the approval), Queensland Development Code and CairnsPlan 2016.</p> <p>To the extent of any inconsistency, the order of precedence of the above instruments is as follows:</p> <ul style="list-style-type: none"> a. <i>Planning Act 2016</i> (Qld); b. <i>Planning Regulation 2017</i> (Qld); c. Queensland Development Code; d. CairnsPlan 2016; and e. FNQROC Development Manual. 	
3.	<p>Future Compliance</p> <p>This approval does not negate the requirement for compliance of any future use with CairnsPlan 2016 or any future in force planning schemes, all other relevant Local Laws and other statutory requirements.</p>	

LAND USE DEFINITIONS*

In accordance with Schedule 24 of the *Planning Regulation 2017*, and CairnsPlan 2016 the approved land use of Short-term accommodation is defined as:

“short-term accommodation—

- (a) means the use of premises for—***
- (i) providing accommodation of less than 3 consecutive months to tourists or travellers; or***
 - (ii) a manager's residence, office, or recreation facilities for the exclusive use of guests, if the use is ancillary to the use in subparagraph (i); but***

- (b) *does not include a hotel, nature-based tourism, resort complex or tourist park.”*

carried unanimously

5.9 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR SHORT-TERM ACCOMMODATION AND A DWELLING HOUSE – 27 KEWARRA STREET, KEWARRA BEACH – DIVISION 9 134
PGS | 8/8/1692 | #7850496

OLDS / COGHLAN

That the Council approves the Development Permit for a Material Change of Use for a Short-Term Accommodation and a Dwelling House over land formally described as Lot 14 on RP728024 situated at 60 Kewarra Street, Kewarra Beach subject to the conditions provided below.

PART A: Material Change of Use

Note: This part applies to the aspect of development relating to a Material Change of Use.

Approved Plan(s) and Document(s)

The term 'approved plan(s) and document(s)' or similar expression means:

Plan or Document	Reference	Date
Site Plan – 27 Kewarra Street, Kewarra Beach	Prepared by WildPLAN Pty Ltd	4 September 2025
Floor Plan	Prepared by WildPLAN Pty Ltd	4 September 2025
Operational Management Plan	Prepared by WildPLAN Pty Ltd	18 March 2026

Assessment Manager Conditions

General Requirements	Timing
<p>1. Approved Plan(s) and Document(s)</p> <p>The development is to be completed and carried out generally in accordance with the approved plan(s) and document(s) above, except where modified by the conditions of this Development Permit.</p>	At all times.
<p>2. Maintain the Approved Development</p> <p>Maintain the approved development generally in accordance with the approved plan(s) and document(s), and any relevant approval required by these conditions of approval.</p>	At all times.

3.	<p>Currency Period</p> <p>This development approval, granted under the provisions of the <i>Planning Act 2016</i> (Qld), lapses six (6) years from the day the development approval takes effect, in accordance with the provisions of section 85 of the <i>Planning Act 2016</i> (Qld).</p>	As stated.
4.	<p>Notice of Intention to Commence Use</p> <p>Written notice must be given to Council that the development fully complies with this Development Permit.</p> <p>Return the attached “Notice of Intention to Commence Use” (attached at Appendix 2).</p>	Prior to Commencement of Use.
5.	<p>Operational Management Plan</p> <p>The use must operate in accordance with the Operational Management Plan included in the Approved Plan(s) and Document(s). Specifically, the Plan must be upheld through providing the following measures:</p> <ol style="list-style-type: none"> a. The property manager may be either: <ol style="list-style-type: none"> i. The landowner; or, ii. Property Agent licenced in accordance with Section 26 of the <i>Property Occupation Act 2014</i> and registered with the Office of Fair Trading QLD. b. When submitting the Notice of Intention to Commence Use, include copies of written notification provided to adjoining landowners informing them of the use. c. Refuse bins must be: <ol style="list-style-type: none"> i. screened from the street and adjoining properties; ii. placed at the kerbside for weekly collection; and; iii. if scheduled collection is missed, alternative collection within 24 hours. d. A registrar of complaints must be available for review. The registrar must include: <ol style="list-style-type: none"> i. Date and time of complaint; ii. Reason for complaint; iii. Name, address and contact information of complainant; iv. Resolution actions taken in response to complaint; and, v. Time taken to resolve complaint. e. Prior to checking in guests must sign a Code of Conduct the regulates the following: <ol style="list-style-type: none"> i. Noise and behavioural expectations, including quiet hours past 10:00pm; ii. No additional visitors; iii. No gatherings, functions or excessive noise generating activities; iv. Vehicle parking limited to on-site spaces; and, v. Waste requirements. 	<p>As stated</p> <p>AND</p> <p>At all times.</p>

6.	<p>Limitation of Use</p> <p>The approved use of Short-term Accommodation does not facilitate the following:</p> <ul style="list-style-type: none"> a. Home-based businesses; or, b. Subleasing of rooms; or, c. Events, functions, parties, gatherings or similar. 	At all times.
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ADVICE

1.	<p>Planning Laws</p> <p>Information relating to the <i>Planning Act 2016</i> (Qld), <i>Planning Regulation 2017</i> (Qld) and Development Assessment Rules is located on the Queensland Government's planning website.</p>
2.	<p>Definitions</p> <p>All terms used in this development approval have those definitions as defined under the <i>Planning Act 2016</i> (Qld) and <i>Planning Regulation 2017</i> (Qld) (as at the date of the approval), Queensland Development Code and CairnsPlan 2016.</p> <p>To the extent of any inconsistency, the order of precedence of the above instruments is as follows:</p> <ul style="list-style-type: none"> a. <i>Planning Act 2016</i> (Qld); b. <i>Planning Regulation 2017</i> (Qld); c. Queensland Development Code; d. CairnsPlan 2016; and e. FNQROC Development Manual.
3.	<p>Future Compliance</p> <p>This approval does not negate the requirement for compliance of any future use with CairnsPlan 2016 or any future in force planning schemes, all other relevant Local Laws and other statutory requirements.</p>

LAND USE DEFINITIONS*

In accordance with Schedule 24 of the *Planning Regulation 2017*, and CairnsPlan 2016 the approved land use of Short-term accommodation is defined as:

“short-term accommodation—

- (a) means the use of premises for—***
 - (i) providing accommodation of less than 3 consecutive months to tourists or travellers; or***
 - (ii) a manager's residence, office, or recreation facilities for the exclusive***

use of guests, if the use is ancillary to the use in subparagraph (i); but (b) does not include a hotel, nature-based tourism, resort complex or tourist park.”

carried unanimously

5.10 REQUEST FOR PRE-REQUEST RESPONSE NOTICE FOR PROPOSED MINOR CHANGE TO DEVELOPMENT APPROVAL FOR FABCOT PTY LTD – 171-173 & 175 TRINITY BEACH ROAD, TRINITY BEACH – DIVISION 9..
..... 170
PGS | 8/30/248 | #7851061

OLDS / COGHLAN

That Council:

- A. Issues FABCOT Pty Ltd with a Pre-Request Response Notice for the proposed Minor Change to the Development Approval for Material Change of Use for a Shopping Centre, Health Care Service, Child Care Centre, Food and Drink Outlet and Service Station (Development Permit), Reconfiguring a Lot - 2 Lots into 4 Lots (Development Permit) and 1 Lot into 14 Lots (Preliminary Approval) and Operational Work (Advertising Device – Pylon Sign).
- B. Notes the Pre-Request Response Notice confirms that Council does not object to the Proposed Minor Change, where it is consistent with the package of Changed Approved Plans and Documents and Development Conditions, provided at Attachment 1.
- C. Notes that FABCOT Pty Ltd will apply to the Planning and Environment Court, as the Responsible Entity for the proposed Minor Change; and
- D. Delegates authority, pursuant to the *Local Government Act 2009*, to the Chief Executive Officer, for the future conduct and resolution of the proposed Change Application in the Planning and Environment Court, where substantially in accordance with the package of Changed Approved Plans and Documents and Development Conditions, provided at Attachment 1.

carried unanimously

5.11 AUDITOR-GENERAL'S OBSERVATION REPORT ON THE INTERIM AUDIT FOR THE YEAR ENDING 30 JUNE 2026..... 249
F&BS | 63/8/12-07 | #7852840

MOLLER / TIM

That Council note the Auditor-General's Observation Report on the interim audit for the year ending 30 June 2026.

carried unanimously

6. URGENT BUSINESS NOT ON THE AGENDA

Item moved forward (refer to minutes prior to item 3).

7. CLOSED SESSION – OFFICERS' REPORTS

MOLLER / OLDS

AT 11.08 AM COUNCIL RESOLVED TO GO INTO CLOSED SESSION TO DISCUSS THE FOLLOWING ITEMS FOR THE REASONS INDICATED UNDER THE LOCAL GOVERNMENT REGULATIONS 2012 (LGR).

Item	Reason	LGR section
BUDGETARY MATTER – OUTSTANDING DEBT REPORT F&BS 63/8/31-01 #7834760	<i>Matter relates to the local government's budget</i>	254J(3)(c)

carried unanimously

AT 11.09 AM COUNCIL RESOLVED TO MOVE OUT OF CLOSED SESSION

OLDS / COGHLAN

carried unanimously

RESOLUTIONS ARISING FROM MATTERS DISCUSSED IN CLOSED SESSION.

7.1 BUDGETARY MATTER – OUTSTANDING DEBT REPORT 251
F&BS | 63/8/31-01 | #7834760

COGHLAN / VALLELY

That Council:

- 1. Notes the status of the outstanding debt owed to Council as at 27 March 2026; and**
- 2. Endorses the write off for rates in the sum of \$33,233.71 for assessment 443077.**

carried unanimously

THE MEETING CLOSED AT 11.10 AM

The minutes of this meeting were confirmed at the Ordinary Meeting held on
Wednesday 29th April 2026