



GENERAL MEETING AGENDA

TUESDAY
26 SEPTEMBER 2023
at 8.30AM

PRESENT –

APOLOGY –

GRANTING OF LEAVE OF ABSENCE –

PRAYER –

DECLARATIONS OF INTEREST –

MINUTES - Confirmation of Minutes of General Meeting held on 29 August 2023.

PETITION -

BUSINESS

1. INFRASTRUCTURE AND UTILITY SERVICES

- 1.1 INFRASTRUCTURE and UTILITY SERVICES ACTIVITY REPORT *Report # 01*
Consideration of Report to Council from Director Infrastructure and Utility Services dated 14 September 2023 regarding summary of activities undertaken during the month ending 31 August 2023.

Recommended – That Council receive and note the information in the Report.

- 1.2 INFRASTRUCTURE and UTILITY SERVICES MONTHLY STATUS REPORT *Report # 02*
Consideration of Report to Council from Director Infrastructure and Utility Services dated 14 September 2023 regarding monthly Infrastructure and Utility Services Status Report for the month ending 31 August 2023.

Recommended – That Council receive and note the information in the Report.

- 1.3 APPEAL of WATER LEAK RELIEF DECISION *Report # 03*
Consideration of Report to Council from Director Infrastructure and Utility Services dated 15 September 2023 regarding an appeal of decision by Chief Executive Officer regarding a Water Leak Relief Application by property owners of 24 Bruce Parade Lucinda.

Recommended – That Council reject the appeal on the basis that the previous decision by the Chief Executive Officer was made correctly and the leak does not qualify for relief in accordance with the Council's Water Leak Relief Policy.

2. CORPORATE and COMMUNITY SERVICES

- 2.1 CORPORATE and COMMUNITY SERVICES ACTIVITY REPORT *Report # 04*
Consideration of Report to Council from Director Corporate and Community Services dated 15 September 2023 regarding summary of activities undertaken during the month ending 31 August 2023.

Recommended – That Council receive and note the information in the Report.

- 2.2 CORPORATE and COMMUNITY SERVICES STATUS REPORT *Report # 05*
Consideration of Report to Council from Director Corporate and Community Services dated 14 September 2023 regarding monthly Corporate and Community Services Status Report for the month ending 31 August 2023.

Recommended – That Council receive and note the information in the Report.

- 2.3 FINANCIAL PERFORMANCE REPORT for the PERIOD ENDING 31 AUGUST 2023 *Report # 06*
Consideration of Report to Council from Financial Services Manager dated 13 September 2023 informing stakeholders of Council's financial performance and interim position to 31 August 2023 and to measure progress against Council's approved budget.

Recommended – That Council receive and note the information in the Report.

- 2.4 REGIONAL ECONOMIC DEVELOPMENT GRANT APPLICATION
FORREST BEACH SURF LIFE SAVING CLUB *Report # 07*
Consideration of Report to Council from Development and Regulatory Services Manager dated 14 September 2023 regarding a Regional Economic Development Grant application received from Forrest Beach Surf Life Saving Club and seeking approval of the Assessment Panel recommendation for funding.

Recommended – That Council approve the funding of \$3,000 (excl. GST) for the Forrest Beach Surf Life Saving Club's 2023 Carnival.

- 2.5 HSC 23/12 – HIRE AND MAINTENANCE OF A SWIMMING ENCLOSURE AT FORREST BEACH *Report # 08*
Consideration of Report to Council from Finance Manager dated 15 September 2023 informing of the tender process undertaken, the evaluation outcome, and to recommend an appropriate contractor for the hire and maintenance of a swimming enclosure at Forrest Beach associated with Tender HSC 23/12.

Recommended – That Council:

- A. **Appoint KJ Moss Pty Ltd t/a Uninet Enclosure Systems as Council's preferred tenderer for HSC 23/12 – Hire and Maintenance of a Swimming Enclosure at Forrest Beach; and**
- B. **Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009*, to negotiate and enter into contract, finalise and execute any and all matters in relation to this procurement activity.**

- 2.6 APPLICATION for CONVERSION to FREEHOLD
CANTAMESSAS ROAD ABERGOWRIE LOT 119 on CWL2123 *Report # 09*
Consideration of Report to Council from Development and Regulatory Services Manager dated 7 September 2023 regarding a request from the Department of Natural Resources seeking Council's views and comments concerning an Application for Conversion to Freehold Land described as Lot 119 on CWL2123. The allotment is approximately 20.26ha in size, unimproved, zoned Rural and is currently leased for agricultural use.

Recommended – That Council advise the Department of Resources it has no objection in relation to the Application for Conversion to Freehold Land described as Lot 119 on CWL2123, subject to noting it is the landowners responsibilities to ensure and maintain all access provisions.

2.7 REFERRAL AGENCY RESPONSE – DESIGN and SITING

17 BARRAMUNDI STREET TAYLORS BEACH – LOT 122 on RP726627

Report # 10

Consideration of Report to Council from Development and Regulatory Services Manager dated 6 September 2023 concerning a request for a Referral Agency Response – Design and Siting variation lodged by Robert and Colleen Ford seeking to establish a new Class 10a patio extension structure on the eastern portion of the property located at 17 Barramundi Street Taylors Beach – Lot 122 on RP726627. The proposed siting entails an encroachment on the front boundary setback towards Barramundi Street. The property has an area of 708m² and is currently improved with a single dwelling, shed and swimming pool. The proposed Class 10a structure has dimensions of 3.38m (W), 6.6m (L) and 3.51m (H). The structure is proposed to be constructed at 2.618m from the rear boundary in lieu of the 6m Queensland Development Code (QDC) requirement.

Recommended - That Council issue a Referral Agency Response for the proposed Class 10a patio extension structure on land located at 17 Barramundi Street Taylors Beach, formally described as Lot 122 on RP726627, subject to conditions, as set out in Attachment A.

2.8 REFERRAL AGENCY RESPONSE – DESIGN and SITING

17 FRASER STREET INGHAM – LOT 5 on RP706965

Report # 11

Consideration of Report to Council from Development and Regulatory Services Manager dated 6 September 2023 concerning a request for a Referral Agency Response – Design and Siting variation lodged by Benk Marketing Services Pty Ltd t/a Patio World on behalf of Graham and Jo-Anne Grieve seeking to establish a new Class 10a deck structure on the northern portion of the property located at 17 Fraser Street Ingham – Lot 5 on RP706965. The proposed siting entails an encroachment on the two front boundary setbacks towards Griffith Street and Fraser Street. The property has an area of 1,206m² and is currently improved with a single dwelling. The proposed Class 10a structure has dimensions of 3.6m (W), 6.788m (L) and 5.39m (H). The structure is proposed to be constructed at 5.7m from the front boundary towards Fraser Street and 2.4m from the front boundary towards Griffith Street in lieu of the 6m Queensland Development Code (QDC) requirement.

Recommended - That Council issue a Referral Agency Response for the proposed Class 10a deck structure on land located at 17 Fraser Street Ingham, formally described as Lot 5 on RP706965, subject to conditions, as set out in Attachment A.

2.9 REFERRAL AGENCY RESPONSE – DESIGN and SITING

26 TREVALLY STREET TAYLORS BEACH – LOT 100 on RP725121

Report # 12

Consideration of Report to Council from Development and Regulatory Services Manager dated 6 September 2023 concerning a request for a Referral Agency Response – Design and Siting variation lodged by Ryan Bird c/- Rapid Building Approvals on behalf of Richard Jones seeking to establish a new Class 10a shed structure on the north-eastern portion of the property located at 26 Trevally Street Taylors Beach – Lot 100 on RP725121. The proposed siting entails an encroachment on the rear boundary setback towards the boundary of Lot 392 on CP899640 and side boundary setback towards the boundary of Lot 101 on RP725121. The property has an area of 708m² and is currently improved with a single dwelling and garden shed. The proposed Class 10a structure has dimensions of 10.0m (W), 11.4m (L) and 4.072m (H). The structure is proposed to be constructed at 500mm from the rear boundary and 900mm from the side boundary in lieu of the 1.5m Queensland Development Code (QDC) requirement.

Recommended - That Council issue a Referral Agency Response for the proposed Class 10a shed structure on land located at 26 Trevally Street Taylors Beach, formally described as Lot 100 on RP725121, subject to conditions, as set out in Attachment A.

2.10 RECONFIGURING A LOT – SUBDIVISION (TWO LOTS INTO SIX LOTS)
49098 and 49124 TOWNSVILLE ROAD TOOBANNA
LOT 1 on RP732217 and LOT 2 on RP735015

Report # 13

Consideration of Report to Council from Development and Regulatory Services Manager dated 8 September 2023 concerning a Development Application from Northpoint Planning on behalf of John Peebles for Reconfiguring a Lot – Subdivision (One Lot into Six Lots) at 49098 and 49124 Townsville Road Toobanna formally known as Lot 1 on RP732217 and Lot 2 on RP735015. The subject allotment is designated within the General Residential Zone of the Planning Scheme. The subject allotments are connected to Council's reticulated water services, however are not connected to Council's sewerage services. Lot 1 on RP73221 contains a dwelling house and ancillary structures and Lot 2 on RP735015 is currently unimproved vacant land. The proposed reconfiguration will result in Lot 1 with an area of 2.052ha, Lot 2 with an area of 801m², Lot 3 with an area of 8,915m², Lot 4 with an area of 8,950m², lot 5 with an area of 9,007m² and Lot 6 with an area of 1,619m².

Recommended - That Council approve the proposed Reconfiguration of Land – Subdivision (Two Lots into Six Lots) on land located at 49089 and 49124 Townsville Road Toobanna formally known Lot 1 on RP732217 and Lot 2 on RP735015, subject to conditions as set out in Attachment A.

2.11 RECONFIGURING A LOT – SUBDIVISION (TWO LOTS INTO TWO LOTS)
23 FERN STREET and 11 ACACIA STREET FORREST BEACH
LOTS 403 and 418 on A7741

Report # 14

Consideration of Report to Council from Development and Regulatory Services Manager dated 12 September 2023 concerning a Development Application from Hansen Surveys Pty Ltd on behalf of Denise Bray for Reconfiguring a Lot – Subdivision (Two Lots into Two Lots) at 23 Fern Street and 11 Acacia Street Forrest Beach formally known as Lots 403 and 418 on A7741. Lot 403 has frontage to Fern Street and is improved with an existing dwelling, Lot 418 has frontage to Acacia Street and is also improved with an existing dwelling and shed. The proposed rearrangement is to allow for formalised access to Lot 403 from Acacia Street and will result in Lot 403 with an area of 1,190m² and Lot 418 with an area of 834m².

Recommended - That Council approve the proposed Reconfiguration of Land – Rearrangement of Boundaries (Two Lots into Two Lots) on land located at 26 Fern Street and 11 Acacia Street Forrest Beach, formally known as Lot 403 on A7741 and Lot 418 on A7741, subject to conditions, as set out in Attachment A.

2.12 RECONFIGURATION OF LAND – REARRANGEMENT OF BOUNDARIES (FOUR LOTS INTO FOUR LOTS)
FORREST BEACH ROAD BRAEMEADOWS
LOTS 2, 3 and 4 on RP726065 and Lot 1 on RP712276

Report # 15

Consideration of Report to Council from Development and Regulatory Services Manager dated 8 September 2023 concerning a Development Application from Neil and Liz Bosworth for Reconfiguration of Land – Rearrangement of Boundaries (Four Lots into Four Lots) at Forrest Beach Road Braemeadows, formally known as Lots 2, 3 and 4 on RP726065 and Lot 1 on RP712276. The subject allotment is designated within the Rural Zone of the Planning Scheme. The subject land has no existing dwellings and comprises a total area of 54.4ha with all allotments falling under the 30ha minimum lot size. The proposed reconfiguration will result in Lot 1 with an area of 11ha, Lot 2 with an area of 12.5ha, Lot 3 with an area of 9.2ha Lot 4 with an area of 22.8ha and 10m wide drainage easements within each lot.

Recommended – That Council approve the proposed Reconfiguration of Land – Rearrangement of Boundaries (Four Lots into Four Lots) on land located at Forrest Beach Road Braemeadows, formally known as Lot 2 on RP726065, Lot 3 on RP726065, Lot 4 on RP726065 and Lot 1 on RP712276, subject to conditions, as set out in Attachment A.

3. MAYOR AND CHIEF EXECUTIVE SERVICES

- 3.1 MAYOR and CHIEF EXECUTIVE SERVICES ACTIVITY REPORT *Report # 16*
Consideration of Report to Council from Chief Executive Officer dated 14 September 2023 concerning summary of activities undertaken during the month ending 31 August 2023.

Recommended – That Council receive and note the information in the Report.

- 3.2 MAYOR and CHIEF EXECUTIVE SERVICES MONTHLY STATUS REPORT *Report # 17*
Consideration of Report to Council from Chief Executive Officer dated 14 September 2023 concerning monthly Mayor and Chief Executive Services Status Report for the month ending 31 August 2023.

Recommended – That Council receive and note the information in the Report.

- 3.3 APPOINTMENT OF CHIEF EXECUTIVE OFFICER *Report # 18*
Consideration of Report to Council from Chief Executive Officer dated 14 September 2023 regarding appointment of Mary-Anne Uren to the position of Chief Executive Officer in accordance with Section 194 of the *Local Government Act 2009*.

Recommended – That Council appoint Mary-Anne Uren to the position of Chief Executive Officer effective from Monday 13 November 2023 for a five year term.

- 3.4 COUNCILLOR MONTHLY ACTIVITY REPORT *Report # 19*
Consideration of Report to Council from Chief Executive Officer dated 14 September 2023 providing Councillor Activity Reports for the month ending 31 August 2023 to ensure transparency and public scrutiny.

Recommended – That Council receive and note the information in the Report.

CONFIDENTIAL ITEM

4. INFRASTRUCTURE AND UTILITY SERVICES

Item 4.1 is to be considered in Closed Session under Division 3 Section 275 1 (f) of the Local Government Regulation as it is a matter involving legal proceedings.

- 4.1 WARRENS HILL LANDFILL CELL ONE CAPPING FAILURE *Report # 20*
Consideration of Report to Council from Director Infrastructure and Utility Services dated 18 September 2023 seeking delegation to authorise the Chief Executive Officer to negotiate a resolution regarding the failure of the Cell One Capping Project at Warrens Hill Landfill and Resource Recovery Centre.

Recommended – That Council authorise the Chief Executive Officer to negotiate a resolution with GHD regarding the failure of the Cell One Capping Project at Warrens Hill Landfill and Resource Recovery Centre.

LATE BUSINESS

Matters referred to Council following close of agenda, subject to resolution of Council to accept a late report.

Michelle Webster
CHIEF EXECUTIVE OFFICER