



GENERAL MEETING AGENDA

TUESDAY
27 SEPTEMBER 2022
at 8.30AM

PRESENT –

APOLOGY –

PRAYER –

DECLARATIONS OF INTEREST –

MINUTES - Confirmation of Minutes of General Meeting held on 30 August 2022.

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 12 September 2022 regarding summary of activities undertaken during the month ending 31 August 2022.

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 12 September 2022 regarding monthly Infrastructure and Utility Services Status Report for the month ending 31 August 2022.

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

- 1.3 2022-2023 CAPITAL PROJECTS STATUS REPORT for MONTH ENDING 31 AUGUST 2022 **Report # 03**
Consideration of Report to Council from Director Infrastructure and Utility Services dated 12 September 2022 regarding a Status Report that provides a breakdown of projects as approved in the 2022-2023 Capital Works Program for the month ending 31 August 2022.

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

- 1.4 PATHWAY INSPECTION POLICY REVIEW **Report # 04**
Consideration of Report to Council from Acting Infrastructure Assets Manager dated 7 September 2022 seeking adoption of updated draft Pathway Inspection Policy recently reviewed with no material changes made or deemed to be necessary at this time.

Recommended – That Council adopt the Pathway Inspection Policy as presented.

- 1.5 VEHICLE ACCESS POLICY REVIEW **Report # 05**
Consideration of Report to Council from Acting Infrastructure Assets Manager dated 7 September 2022 seeking adoption of updated draft Vehicle Access Policy outlining responsibility of both Council and property owners and providing guidance on requirements to install or modify existing accesses.

Recommended – That Council adopt the Vehicle Access Policy as presented.

2. CORPORATE and COMMUNITY SERVICES

2.1 CORPORATE and COMMUNITY SERVICES ACTIVITY REPORT **Report # 06**

Consideration of Report to Council from Director Corporate and Community Services dated 14 September 2022 regarding summary of activities undertaken during the month ending 31 August 2022.

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

2.2 CORPORATE and COMMUNITY SERVICES STATUS REPORT **Report # 07**

Consideration of Report to Council from Director Corporate and Community Services dated 12 September 2022 regarding monthly Corporate and Community Services Status Report for the month ending 31 August 2022.

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

2.3 FINANCIAL PERFORMANCE REPORT for the PERIOD ENDING 31 AUGUST 2022 **Report # 08**

Consideration of Report to Council from Finance Manager dated 20 September 2022 regarding a report of Council's financial performance and interim position for the month ending 31 August 2022.

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

2.4 RECONFIGURING a LOT – SUBDIVISION – ONE LOT into THREE LOTS **Report # 09**
HELENS HILL ROAD HELENS HILL – LOT 8 on RP709082

Consideration of Report to Council from Development and Regulatory Services Manager dated 15 September 2022 concerning Development Application from Milford Planning on behalf of Robert Homewood for Reconfiguring a Lot – Subdivision – One Lot into Three Lots at 80 Helens Hill Road Helens Hill, formally described as Lot 8 on RP709082. The land is improved with a dwelling and shed and is approximately 21.6ha in size and it is proposed to subdivide the property (currently 21.6ha) into three allotments including the existing land under cropping (Lot 1 being 18.1ha) and two smaller allotments (Lot 2 being 1.52ha and Lot 3 being 1.89ha) in the northern corner. The existing dwelling and access arrangement will be wholly contained within proposed Lot 1. Proposed Lots 2 and 3 are located to the north with the common boundary for proposed Lot 1 following an existing minor waterway. All proposed lots have direct access to Helens Hill Road.

Recommended – That Council approve the proposed Reconfiguring a Lot – Subdivision - One Lot into Three Lots on land located at 80 Helens Hill Road Helens Hill and formally described as Lot 8 on RP709082, subject to reasonable and relevant conditions, as set out in Attachment A.

2.5 RECONFIGURING a LOT – CREATION of ACCESS and SERVICES EASEMENT **Report # 10**
STONE RIVER ROAD TREBONNE – LOTS 1 and 2 on RP738929

Consideration of Report to Council from Development and Regulatory Services Manager dated 7 September 2022 concerning Development Application from Hansen Surveys Pty Ltd on behalf of Sylvia Poggio for Reconfiguring a Lot – Creation of Access and Services Easement at 395 Stone River Road Trebonne, formally described as Lots 1 and 2 on RP738929. Lot 1 on RP738929 is improved with a domestic dwelling and shed and is approximately 1,279m² in size. Lot 2 on RP738929 is improved with several farm sheds, a domestic shed and agricultural farming land and is approximately 33.42ha in size. Both allotments have direct access to the street frontage of Stone River Road. The proposed rearrangement will result in an access and service easement, which will house the access point to Lot 2 on RP738929 and access to the rear of Lot 1 on RP738929, a water tank, bore pump and domestic shed. The proposed easement will burden Lot 2 on RP738929 and benefit Lot 1 on RP738929. The proposed easement is 852m².

Recommended – That Council approve the proposed Reconfiguring a Lot – Creation of Access and Services Easement on land located at 395 Stone River Road Trebonne (Lot 1 on RP738929) and 399 Stone River Road Trebonne (Lot 2 on RP738929), subject to conditions as set out in Attachment A.

2.6 REFERRAL AGENCY RESPONSE – DESIGN and SITING
DAVIDSON STREET INGHAM – LOT 3 on RP717163

Report # 11

Consideration of Report to Council from Development and Regulatory Services Manager dated 12 September 2022 concerning a Referral Agency Response – Design and Siting variation lodged by Carla Hebbard seeking a retrospective approval on a combined Class 10a shed and shed extension structure on the north western portion of the property at 57 Davidson Street Ingham described as Lot 3 on RP717163, which entails an encroachment to the side boundary towards the allotment boundary of Lot 4 on RP717163. The property has an area of 813m² and is currently improved with an existing dwelling. The Class 10a structure has dimensions of 6.6m wide, 5.92m long, and 3.5m high for the storage shed, and dimensions of 3.2m wide, 12m long, and 3.5m high for the shed. The structure is constructed at 0m to the side boundary from its outermost projection.

Recommended – That Council issue a Referral Agency Response for the combined Class 10a shed and shed extension structure on land located at 57 Davidson Street Ingham, formally described as Lot 3 on RP717163, subject to conditions, as set out in Attachment A.

2.7 REFERRAL AGENCY RESPONSE – DESIGN and SITING
MONA ROAD HALIFAX – LOT 236 on SP204142

Report # 12

Consideration of Report to Council from Development and Regulatory Services Manager dated 11 September 2022 concerning a Referral Agency Response – Design and Siting variation lodged by Rapid Building Approval on behalf of Barry and Theresa Weatherly seeking to establish a singular Class 10a garage structure on the western portion of the property at 35 Mona Road Halifax described as Lot 236 on SP204142, which entails an encroachment to the rear boundary towards the allotment boundary of Lot 233 on USL39558. The property has an area of 490m² and is currently unimproved vacant land. The proposed Class 10a structure has dimensions of 18m wide, 12m long, and a peak height of 6.47m. The structure is proposed to be constructed at 1.5m to the rear boundary from its outermost projection.

Recommended – That Council issue a Referral Agency Response for the proposed Class 10a garage structure on land located at 35 Mona Road Halifax, formally described as Lot 236 on SP204142, subject to conditions, as set out in Attachment A.

2.8 REFERRAL AGENCY RESPONSE – DESIGN and SITING
JASMINE CLOSE ALLINGHAM – LOT 13 on SP195681

Report # 13

Consideration of Report to Council from Development and Regulatory Services Manager dated 7 September 2022 concerning a Referral Agency Response – Design and Siting variation lodged by Jane and Ian Blakey seeking to establish a combined Class 10a open carport and enclosed garage/storage structure on the southern portion of the property at 10 Jasmine Close Allingham described as Lot 13 on SP195681, which entails an encroachment to the road frontage of Jasmine Close Allingham. The property has an area of 1,006m² and is currently improved with a Class 1a dwelling. The Class 10a structure has dimensions of 5.2m wide, 22.6m long, and 3.3m high. The structure is proposed to be constructed at 1m to the front boundary from its outermost projection.

Recommended – That Council issue a Referral Agency Response for the proposed combined Class 10a open carport and enclosed garage/storage structure on land located at 10 Jasmine Close Allingham, formally described as Lot 13 on SP195681, subject to conditions, as set out in Attachment A.

**2.9 REFERRAL AGENCY RESPONSE – DESIGN and SITING
CASSIA STREET ALLINGHAM – LOT 23 on RP725655**

Report # 14

Consideration of Report to Council from Development and Regulatory Services Manager dated 20 September 2022 concerning a Referral Agency Response – Design and Siting variation lodged by Ingham Building and Roofing on behalf of Thomas and Teana Arkink seeking to establish a combined Class 10a open carport and carport extension structure on the south western portion of the property at 19 Cassia Street Allingham described as Lot 23 on RP725655, which entails an encroachment to both the side boundary towards the allotment boundary of Lot 24 on RP725655 and the road frontage of Cassia Street Allingham. The property has an area of 966m² and is currently improved with an existing dwelling and associated a Class 10a outbuildings. The Class 10a structure has dimensions of 8.25m wide, 6m long, and a peak height of 3.95m for the carport structure, and dimensions of 3.4m wide, 10.38m long, and a peak height of 3.95m for the carport extension structure. The structure is proposed to be constructed at 0m to the side boundary and 0.76m to the road frontage of Cassia Street Allingham.

Recommended – That Council issue a Referral Agency Response refusing the proposed Class 10a structure on land formally described as Lot 23 on RP725655 and located at 19 Cassia Street Allingham, given it is inconsistent with, and is not able to be conditioned to be consistent with, the performance criteria relevant to the Referral Agency Response. In particular:

- A. The proposed Class 10a structure is not consistent with the purpose of the QDC MP1.2 which is to “To provide good residential design that promotes the efficient use of a lot, an acceptable amenity to residents, and to facilitate off street parking”; and**
- B. The proposed Class 10a structure is not consistent with performance criteria specified by Performance Outcome 1 and 2 of the Queensland Development Code MP1.2, in particular:**
 - i. The scale of the proposed structure, being 16.38 metres in length sited on the side boundary and 8.25 metres in width sited along 0.76m from the front boundary, provides an unacceptable streetscape having regard to the overall bulk of the structure which will adversely impact on the amenity of the current and future residents of the neighbouring property and the streetscape.**

**2.10 REFERRAL AGENCY RESPONSE – DESIGN and SITING
THE ESPLANADE ALLINGHAM – LOT 351 on CWL2348**

Report # 15

Consideration of Report to Council from Development and Regulatory Services Manager dated 11 September 2022 concerning a Referral Agency Response – Design and Siting variation lodged by Hugh Markwell on behalf of Christine and Graham Gibson seeking to establish a Class 10a garage and entry colonnade structure to be incorporated in the proposed Class1a dwelling on the north western portion of the property at 30 The Esplanade Allingham described as Lot 351 on CWL2348, which entails an encroachment to the road frontage of The Esplanade Allingham. The property has an area of 708m² and is currently unimproved vacant land. The garage structure has dimensions of 7m wide, 6.6m long, and 3.5m high. The structure is proposed to be constructed at 3.5m to the front boundary from its outermost projection.

Recommended – That Council issue a Referral Agency Response for the proposed garage and entry colonnade structures, on land located at 30 The Esplanade Allingham, formally described as Lot 351 on CWL2348, subject to conditions, as set out in Attachment A.

**2.11 PROPOSED TRUSTEE LEASE over LOT 118 on CWL3455
TOWNSVILLE ROAD INGHAM – BUREAU of METEOROLOGY**

Report # 16

Consideration of Report to Council from Development and Regulatory Services Manager dated 14 September 2022 seeking Council approval of request from Bureau of Meteorology to enter into a Trustee Lease with Council over a portion of the Ingham Airport, formally described as Lot 118 on CWL3455 at 49593 Townsville Road Ingham for a proposed term of ten (10) years. The subject land is zoned Community Facilities, is approximately 56.1ha in size, and is predominately utilised as an airport and associated hangar/s site. The site proposed for lease is for a weather station with an area of approximately 16m by 16m, and centred approximately 20m to 25m south of the windsock. The area will be unfenced and will integrate into the airport seamlessly.

Recommended – That Council:

- A. Pursuant to section 237(2) of the Local Government Regulation 2012, dispose of its interest over part of Lot 118 on CWL3455 to the Bureau of Meteorology, being a Government Agency, without first going to tender as an exception exists for this arrangement under section 236(1)(b)(i) of the Regulation;**
- B. Enter a Trustee Lease for ten years, over part of Lot 118 on CWL3455, subject to the Prescribed Terms pursuant to the *Land Act 1994* and conditions relevant to the Trustee Lease; and**
- C. Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into finalising and executing any and all matters associated with, or in relation to the Trustee Lease.**

**2.12 PROPOSED LICENCE AGREEMENT over LOT 193 on SP118947
MARINA PARADE INGHAM – RESERVE for PARK and RECREATION**

Report # 17

Consideration of Report to Council from Development and Regulatory Services Manager dated 14 September 2022 seeking Council approval of request from Ingham State High School to enter into a Licence Agreement with Council over a portion of Reserve land on Marina Parade Ingham, formally described as Lot 193 on SP118947 for a proposed term of five (5) years. Council is the nominated Trustee of the Reserve for Park and Recreation, being Reserve 729, which is zoned Recreation and Open Space and is approximately 25.7ha in size. The allotment was historically utilised for sporting activities such as athletics, under a Trustee Lease between Council and Herbert River Athletics Club, who have since requested to surrender the Trustee Lease. It is proposed for the site to have a community garden with 3 plot areas totalling approximately 8,200m² including small crops (example pumpkins) for Plot A, legumes (example beans) for Plot B, and clean seeds (example cane) for Plot C. The proposed small crop projects are to provide gardens for the community and will support Ingham State High School students who are completing competencies such as Certificate in Agriculture, to assist them towards completing Year 11 and 12 with a focus on key industry in the district.

Recommended – That Council:

- A. Enter a Licence Agreement with Ingham State High School for five years commencing 1 November 2022 to 30 September 2027, over new Licence Area A, on Marina Parade Ingham, formally described as Lot 193 on SP118947; and**
- B. Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into finalising and executing any and all matters associated with, or in relation to, the Licence Agreement.**

2.13 RENEWAL of LICENCE AGREEMENT over LOT 43 on I22490

Report # 18

COOPER STREET INGHAM – RESERVE for SHOWGROUNDS and RECREATION

Consideration of Report to Council from Development and Regulatory Services Manager dated 14 September 2022 seeking Council approval of request from Tully Gym and Tramp Club to enter into a further Licence Agreement with Council over the Ingham Showgrounds Pavilion located at 27-29 Cooper Street Ingham, formally described as Lot 43 on I22490, for a proposed term of three (3) years. Council is the nominated Trustee of the Reserve for Showgrounds and Recreation, being Reserve 141, which is zoned Recreation and Open Space and is approximately 145,080m² in size. The Pavilion has been utilised by the Tully Gym and Tramp Club for numerous years, as the group has held historical agreements over the facility such as a Trustee Lease and Licence Agreement. The Club's current Licence Agreement lapsed as of 1 July 2022 and an extension was granted until 30 September 2022 for the proposed renewal to be considered.

Recommended – That Council:

- A. Enter a Licence Agreement with Tully Gym and Tramp Club Inc. for three years commencing 1 October 2022 to 30 August 2025, over part of Lot 43 on I22490, Licence F and H, at Cooper Street Ingham; and**
- B. Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into finalising and executing any and all matters associated with, or in relation to, the Licence Agreement.**

2.14 COMMUNITY ACTIVITY GRANT APPLICATIONS 2022-2023

Report # 19

Consideration of Report to Council from Director Corporate and Community Services dated 16 September 2022 seeking Council consideration of Community Activity Grant applications received which exceeds the Community Activity Grants Panel delegation of \$2,000. The Community Activity Grants Program is funded by Council to support local organisations and individuals in areas of achievement, community activities, community organisation support, and festivals and events.

Recommended – That Council approve the following Community Activity Grant applications:

- A. The Annual Forrest Beach Surf Lifesaving Carnival to the value of \$3,500 (excl. GST); and**
- B. The Maraka Festival to the value of \$12,000 (excl. GST).**

2.15 2021-2022 FLEET REPLACEMENT PROGRAM – SALES and RECOVERIES

Report # 20

Consideration of Report to Council from Director Corporate and Community Services dated 12 September 2022 updating Council on the performance delivery of Council's 2021-2022 Fleet Replacement Program, and covering the purchase of 14 fleet items, disposal of vehicles identified to be replaced by those said purchases, and money recovered from the trade or auction of old assets.

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

2.16 SALE of LAND for RECOVERY of OVERDUE RATES

Report # 21

Consideration of Report to Council from Finance Manager dated 4 September 2022 seeking Council approval to commence the process to sell properties in the Residential and Sugar Cane/Forestry categories with overdue rates and charges that have remained overdue for a period in excess of three (3) years.

Recommended – That Council:

A. Commence the process to sell the following properties for overdue rates and charges:

Property ID	Legal Property Description
100433	Lot 363 CWL 2554
105226	Lot 39 RP 723170
100095	Lot 25 H 28414
100094	Lot 66 RP 706737
106444	Lot 25 RP 738534
103290	Lot 28 A 9113

B. Authorise the Chief Executive Officer to:

1. Provide the necessary Notices and take all necessary actions to affect the sales;
2. Appoint an auctioneer to conduct the sale by Public Auction;
3. Authorise the Chief Executive Officer to set a reserve price for the land in accordance with the Local Government Regulation 2012;
4. If the reserve price for the land is not reached at the auction, enter into negotiations with any bidder who attended the auction to sell the land by agreement. However, the price for the land under the agreement must not be less than the reserve price for the land; and
5. Approve the auction date in accordance with legislative requirements.

3. MAYOR AND CHIEF EXECUTIVE SERVICES

3.1 MAYOR and CHIEF EXECUTIVE SERVICES ACTIVITY REPORT

Report # 22

Consideration of Report to Council from Chief Executive Officer dated 12 September 2022 concerning summary of activities undertaken during the month ending 31 August 2022.

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

3.2 MAYOR and CHIEF EXECUTIVE SERVICES MONTHLY STATUS REPORT

Report # 23

Consideration of Report to Council from Chief Executive Officer dated 12 September 2022 concerning monthly Mayor and Chief Executive Services Status Report for the month ending 31 August 2022.

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

3.3 COUNCILLOR MONTHLY ACTIVITY REPORT

Report # 24

Consideration of Report to Council from Chief Executive Officer dated 12 September 2022 providing Councillor Activity Reports for the month ending 31 August 2022 to ensure transparency and public scrutiny.

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

LATE BUSINESS

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

Kelvin Tytherleigh
CHIEF EXECUTIVE OFFICER