



GENERAL MEETING AGENDA

TUESDAY
26 APRIL 2022
at 8.30AM

PRESENT -

APOLOGY -

PRAYER -

DECLARATIONS OF INTEREST -

MINUTES - Confirmation of Minutes of General Meeting held on 29 March 2022.

BUSINESS

1. INFRASTRUCTURE AND UTILITY SERVICES

- 1.1 INFRASTRUCTURE and UTILITY SERVICES ACTIVITY REPORT **Report # 01**
Consideration of Report to Council from Acting Director Infrastructure and Utility Services dated 11 April 2022 regarding summary of activities undertaken during the month ending 31 March 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 11 April 2022 regarding monthly Infrastructure and Utility Services Status Report for the month ending 31 March 2022.

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

- 1.3 2021-2022 CAPITAL PROJECTS STATUS REPORT for MONTH ENDING 31 MARCH 2022 **Report # 03**
Consideration of Report to Council from Acting Director Infrastructure and Utility Services dated 11 April 2022 regarding a Status Report that provides a breakdown of projects as approved in the 2021-2022 Capital Works Program for the month ending 31 March 2022.

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

- 1.4 2021 EVENTS - DRFA QUARTERLY PROGRESS REPORT to 31 MARCH 2022 **Report # 04**
Consideration of Report to Council from Infrastructure Assets Manager dated 6 April 2022 providing a comprehensive account of the delivery of the Disaster Recovery Funding Arrangements (DRFA) program by Loneragan Project Services Pty Ltd for Council for the 2021 Tropical Cyclones Imogen and Niran and associated low pressure systems.

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

- 1.5 QUEENSLAND 2020-21 BETTERMENT FUNDING SUBMISSION – REVISED SCOPE **Report # 05**
Consideration of Report to Council from Infrastructure Assets Manager dated 6 April 2022 outlining changes to scope and Council contribution amounts for the projects nominated under the betterment funding framework previously presented to Council's Special Meeting on 2 November 2021 for Covells, Gangemis, Quabbas, Gologglys, Hamleigh, Orient and Capellaris Roads.

Recommended – That Council receive and note the revised submission to Queensland Reconstruction Authority (QRA) under the Queensland 2020-21 Betterment Fund for seven priority road projects with a total project value of \$2,795,000 (excl. GST), comprised of a total In Kind Contribution of \$559,000 (excl. GST) and QRA Funding of \$2,236,000 (excl. GST).

1.6 REGIONAL AIRPORT PROGRAM – ROUND 3
Report # 06

Consideration of Report to Council from Infrastructure Assets Manager dated 11 April 2022 seeking approval to submit the Ingham Aerodrome Upgrade Project to the Regional Airport Program for funding from the Australian Government to improve drainage and access issues at the Ingham Aerodrome in addition to upgrading fencing, safety equipment and signage.

Recommended – That Council submit the Ingham Aerodrome Upgrade Project to the Regional Airport Program for \$400,000 (excl. GST) with a co-contribution of \$200,000 (excl. GST).

1.7 COASTAL and ESTUARINE RISK MITIGATION PROGRAM – 2022-23
Report # 07

Consideration of Report to Council from Infrastructure Assets Manager dated 14 April 2022 seeking approval to submit the Taylors Beach Groyne Replacement and Lucinda Groyne Replacement Projects to the Department of Environment and Science for consideration under the Coastal and Estuarine Risk Mitigation Program (CERMP) for funding from the Australian Government.

Recommended – That Council submit the following projects in order of priority to the Department of Environment and Science for consideration under the Coastal and Estuarine Risk Mitigation Program:

Project	Council's Co-Contribution (excl. GST)	Requested Funding Amount (excl. GST)	Estimated Total Project Value (excl. GST)
Taylors Beach Groyne Replacement	\$152,500	\$457,500	\$610,000
Lucinda Groyne Replacement	\$30,000	\$90,000	\$120,000

1.8 COCONUT DE-NUTTING PROGRAM and REDUCTION STRATEGY
Report # 08

Consideration of Report to Council from Natural Assets Manager dated 12 April 2022 seeking approval of proposed alternative coconut de-nutting and management strategy across the Shire which aligns with agreed resource allocations and reduction of annual costs.

Recommended – That Council:

- A. Approve the overall reduction of the number of Coconut Palms in Council's Reserves that require de-nutting to less than 330 Palms to reduce the annual twice-yearly maintenance costs and risk management from \$120,000 + per annum to approximately \$33,000 per annum in line with previously agreed expenditure and resource allocations;
- B. Endorse Strategy 1:3 – One Coconut Palm removed for every three Coconut Palms de-nutted (1 in 4) over a period of 3 years at a cost of \$254,375 with an ongoing annual maintenance cost of approximately \$33,750; and
- C. Review the Coconut Management Policy to ensure that it is consistent with the desired outcomes and to ensure that the principles and resources required to maintain the strategy are supported.

2. CORPORATE and COMMUNITY SERVICES
2.1 CORPORATE and COMMUNITY SERVICES ACTIVITY REPORT
Report # 09

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

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

2.2 CORPORATE and COMMUNITY SERVICES STATUS REPORT
Report # 10

Consideration of Report to Council from Director Corporate and Community Services dated 11 April 2022 regarding monthly Corporate and Community Services Status Report for the month ending 31 March 2022.

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

- 2.3 FINANCIAL PERFORMANCE REPORT for the PERIOD ENDING 31 MARCH 2022 **Report # 11**
Consideration of Report to Council from Finance Manager dated 20 April 2022 regarding a report of Council's financial activities for the month ending 31 March 2022.

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

- 2.4 HSC 21/29 – SUPPLY and DELIVERY of BULK FUELS and OILS **Report # 12**
Consideration of Report to Council from Finance Manager dated 11 April 2022 outlining the tender process undertaken and evaluation outcome of Tender HSC 21/29 – Supply and Delivery of Bulk Fuels and Oils which closed on 2 March 2022.

Recommended – That Council:

- A. **Appoint Ocwen Energy Pty Ltd t/a Lowes Petroleum Service as Council's preferred supplier for the supply and delivery of bulk fuel and bulk oils; 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.**

- 2.5 HSC 22/02 – DRFA PROGRAM SEALED ROADS – RECONSTRUCTION WORKS **Report # 13**
Consideration of Report to Council from Finance Manager dated 11 April 2022 outlining the tender process undertaken and evaluation outcome of Tender HSC 22/02 – DRFA Program Sealed Roads – Reconstruction Works which closed on 14 March 2022.

Recommended – That Council:

- A. **Approve the awarding of Tender HSC 22/02 – DRFA Program Sealed Roads – Reconstruction Works to R Marbelli & S Marbelli t/a Timrith Transport for the tendered price of \$1,397,868.05 (excl. GST), subject to the written acceptance of the revised QRA budget funding; 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 RF005237 – SUPPLY and DELIVERY of ONE 4WD SPACE CAB UTILITY **Report # 14**
Consideration of Report to Council from Finance Manager dated 11 April 2022 outlining the request for quotation process undertaken and evaluation outcome of RF005237 – Supply and Delivery of One 4WD Space Cab Utility which closed on 2 March 2022.

Recommended – That Council accept the offer received from Devietti Motors Pty Ltd for the Supply and Delivery of a 2022 Mazda BT-50 XT Freestyle Utility, with trade of plant PA00173 for a net change over of \$31,762.40 (excl. GST).

- 2.7 RECONFIGURING a LOT – REARRANGEMENT of BOUNDARIES - TWO LOTS into TWO LOTS **Report # 15**
MUDIES ROAD INGHAM - LOTS 3 and 4 on RP855063
Consideration of Report to Council from Development and Regulatory Services Manager dated 8 April 2022 concerning Development Application for Reconfiguring a Lot – Rearrangement of Boundaries – Two Lots into Two Lots at Mudies Road Ingham formally described as Lots 3 and 4 on RP855063. The application was lodged by Todd and Louise Cockburn.

Recommended – That Council approve the proposed Reconfiguring a Lot – Rearrangement of Boundaries - Two Lots into Two Lots on land located at Mudies Road Ingham and formally known as Lots 3 and 4 on RP855063, subject to conditions as set out in Attachment A.

2.8 RECONFIGURING a LOT – REARRANGEMENT of BOUNDARIES - TWO LOTS into TWO LOTS *Report # 16*
KIRKWOODS ROAD BLACKROCK – LOT 2 on SP262852 and LOT 4 on SP164487

Consideration of Report to Council from Development and Regulatory Services Manager dated 8 April 2022 concerning Development Application for Reconfiguring a Lot – Rearrangement of Boundaries – Two Lots into Two Lots at Kirkwoods Road Blackrock formally described as Lot 2 on SP262852 and Lot 4 on SP164487. The application was lodged by Atkinson & Booy Surveys on behalf of John and Bruce Board.

Recommended – That Council approve the proposed Reconfiguring a Lot – Rearrangement of Boundaries - Two Lots into Two Lots on land located at Kirkwoods Road Blackrock and formally known as Lot 2 on SP262852 and Lot 4 on SP164487, subject to conditions as set out in Attachment A.

2.9 RECONFIGURING a LOT – CREATION of ACCESS EASEMENT *Report # 17*
LONG POCKET ROAD LONG POCKET – LOT 2 on RP705198

Consideration of Report to Council from Development and Regulatory Services Manager dated 8 April 2022 concerning Development Application for Reconfiguring a Lot – Creation of Access Easement at Long Pocket Road Long Pocket formally described as Lot 2 on RP705198. The application was lodged by Tokin King Lateef Lawyers and Notaries on behalf of Wilmar Sugar (Herbert) Pty Ltd.

Recommended – That Council approve the proposed Reconfiguring a Lot – Creation of Access Easement on land located at Long Pocket Road Long Pocket and formally described as Lot 2 on RP705198, subject to conditions, as set out in Attachment A.

2.10 BUILDING WORK ASSESSABLE AGAINST PLANNING SCHEME (BWAP) - RURAL SITING ASSESSMENT *Report # 18*
247 FOUR MILE ROAD BRAEMEADOWS – LOT 4 on SP237053

Consideration of Report to Council from Development and Regulatory Services Manager dated 12 April 2022 concerning Development Permit for Building Work Assessable against the Planning Scheme – Rural Siting Assessment for establishment of a new dwelling (Class 1a) structure on land described as Lot 4 on SP237053 and located at 247 Four Mile Road Braemeadows. The proposed structure is to be located 5m from the western boundary, 5.9m from the eastern boundary and will have a maximum height of 5.22m, with the height at the eaves being 2.8m. The application was lodged by Cougar Homes Pty Ltd on behalf of Janna Hyrapietia.

Recommended – That Council approve the proposed Building Work Assessable Against Planning Scheme for the Dwelling (Class 1a) structure on land located at 247 Four Mile Road Braemeadows, and formally described as Lot 4 on SP237053, subject to conditions as set out in Attachment A.

2.11 PROPOSED TRUSTEE LEASE over LOT 312 on CWL1973 – MT CORDELIA *Report # 19*
RESERVE FOR QUARRY PURPOSES

Consideration of Report to Council from Development and Regulatory Services Manager dated 8 April 2022 seeking Council approval of request from Robert Corsaro to obtain a Trustee Lease over Quarry Road Mt Cordelia, formally described as Lot 312 on CWL1973. Council is nominated Trustee of Reserve for Quarry Purposes, being Reserve 594, and as Mr Corsaro is the owner of the adjoining land formally described as Lot 238 on CWL2823 currently utilised for quarry purposes, the proponent is seeking to enter a formal Trustee Lease over Lot 312 on CWL1973 to expand on current quarry operations.

Recommended – That Council:

- A. Resolve that in accordance with section 236(2) of the Local Government Regulation 2012, an exception applies under section 236(c)(iv)(A) to dispose of Council's interest in Lot 312 on CWL1973 as Trustee of the land;**
- B. Make an offer for a Trustee Lease over Lot 312 on CWL1973 to the adjoining land owner, Robert Corsaro, for twenty (20) years commencing 1 May 2022 to 30 April 2042, with an annual rental set at 1.5% of the land value of the land, subject to CPI increase annually;**
- C. Resolve that the Trustee Lease is a lease of a reserve to be granted without competition under section 125(2) of the *Land Act 1994*; and**
- D. Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise and execute any and all matters associated with or in relation to the Trustee Lease.**

2.12 PROPOSED LICENCE AGREEMENT with HERBERT CANE PRODUCTIVITY SERVICES LIMITED (HCPSL) Report # 20 at WARRENS HILL LANDFILL and RECOVERY CENTRE - LOT 89 on CWL2997

Consideration of Report to Council from Development and Regulatory Services Manager dated 11 April 2022 seeking Council approval of request from Herbert Cane Productivity Services Limited (HCPSL) to enter into an ongoing land dealing arrangement (5 plus 5 years) with Council, to facilitate the installation of a new GPS base station at the Warrens Hill Landfill and Recovery Centre on Warrens Hill Road Blackrock, formally known as Lot 89 on CWL2997, to enhance the GPS signal that HCPSL transmit across the district. Council is Trustee for Reserve 862. The proposed GPS base station is a 5m x 5m area which will be located approximately 5m from the rear boundary and approximately 4-5m from the existing telecommunications tower utilised by Crocmedia (Licence Area D). The proposed lease area is accessible via Warrens Hill Radio Tower Access Road, being a private road on the allotment.

Recommended – That Council:

- A. Enter into a Licence Agreement with Herbert Cane Productivity Services Limited (HCPSL) for ten years commencing 1 May 2022 to 30 April 2032, over new Licence Area E, on 45 Warrens Hill Road Blackrock formally known as Lot 89 on CWL2997; 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 SALE of LAND for RECOVERY of OVERDUE RATES

Report # 21

Consideration of Report to Council from Finance Manager dated 14 April 2022 seeking Council approval to sell properties in the Residential category 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	Category	Legal Property Description
100234	Residential	Lot 15 RP 715002
103302	Residential	Lot 3 RP 711132
100038	Residential	Lot 21 RP 703790
101617	Residential	Lot 4 RP 721814
100094	Residential	Lot 66 RP 706737
102901	Residential	Lot 13 I 22416
106304	Residential	Lot 14 SP 110335

- 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. Set a reserve price for the land in accordance with the Local Government Regulation 2012;
 4. Enter into negotiations, if the reserve price for the land is not reached at the auction, with any bidder who attended the auction to sell the land by agreement. The price for the land under the agreement however, must not be less than the reserve price for the land; and
 5. Approve the Auction date in accordance with legislative requirements.

2.14 RATES PAYMENT INCENTIVE SCHEME

Report # 22

Consideration of Report to Council from Director Corporate and Financial Services dated 1 April 2022 regarding drawing the winner of the \$2,000 Rates Payment Incentive Scheme adopted as part of the 2021-2022 Budget to encourage and reward ratepayers for paying their rates on time and in full.

Recommended – That Council:

- A. Receive and note the information in the Report; and**
- B. Draw the winner of the \$2,000 Rates Payment Incentive Scheme.**

3. MAYOR AND CHIEF EXECUTIVE SERVICES

3.1 MAYOR and CHIEF EXECUTIVE SERVICES ACTIVITY REPORT

Report # 23

Consideration of Report to Council from Chief Executive Officer dated 11 April 2022 concerning summary of activities undertaken during the month ending 31 March 2022.

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

3.2 MAYOR and CHIEF EXECUTIVE SERVICES MONTHLY STATUS REPORT

Report # 24

Consideration of Report to Council from Chief Executive Officer dated 11 April 2022 concerning monthly Mayor and Chief Executive Services Status Report for the month ending 31 March 2022.

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

3.3 QUEENSLAND RECONSTRUCTION AUTHORITY (QRA) NORTH QUEENSLAND RECOVERY and RESILIENCE GRANTS – PROJECT VARIATION

Report # 25

Consideration of Report to Council from Chief Executive Officer dated 14 April 2022 concerning Council's intention to respond to the Queensland Reconstruction Authority (QRA) letter dated 16 December 2020 advising of an opportunity to submit a Program of Works, up to a maximum of \$857,000 for projects and activities deemed essential for the recovery of communities and to increase resilience. Due to inability to recruit the Community Resilience Officer position, alternative projects for this funding program are provided for consideration.

Recommended – That Council:

- A. Repeal resolution 230221-19 in so far as it relates to the employment of a Community Resilience Officer; and**
- B. Adopt in its place the following projects to be submitted for the North Queensland Recovery and Resilience Grants Program:**

Project	Estimated Cost (excl. GST)
VMS Radar	\$ 12,000.00
Disaster Volunteer Development Program	\$ 30,000.00
Evacuation Centre Upgrades	\$ 89,067.45
Total	\$131,067.45

3.4 COUNCILLOR MONTHLY ACTIVITY REPORT

Report # 26

Consideration of Report to Council from Chief Executive Officer dated 11 April 2022 providing Councillor Activity Reports for the month ending 31 March 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



GENERAL MEETING LATE AGENDA

TUESDAY
26 APRIL 2022
at 8.30AM

1. CORPORATE and COMMUNITY SERVICES

1.1 CHANGE APPLICATION (MINOR CHANGE) – MATERIAL CHANGE OF USE
NATURE BASED TOURISM - (BOUTIQUE TOURIST LODGE)
LOT 22 on CWL806711 – PELORUS ISLAND

Report # 27

Consideration of Report to Council from Development and Regulatory Services Manager dated 19 April 2022 concerning a Change Application from Planz Town Planning Pty Ltd on behalf of Orpheus Island Nominees Pty Ltd for an existing Development Permit for Material Change of Use – Nature Based Tourism (Boutique Tourist Lodge) on the single leasehold allotment on Pelorus Island described as Lot 22 on CWL806711, originally approved by Council in June 2019. The proposed change application relates to the layout, building height and footprint of the proposed Boutique Tourist Lodge and associated Caretakers Accommodation, which incorporates further refined engineering solutions and erosion control designs. The development does not impact on the existing landforms on site, as no excavation forms part of the development.

Recommended – That Council approve the Change Application (Minor Change) in relation to an existing Development Permit (MCU19\0001) for Material Change of Use – Nature Based Tourism (Boutique Tourist Lodge) on Pelorus Island, formally described as Lot 22 on CWL806711, subject to reasonable and relevant conditions as set out in Attachment A.

Kelvin Tytherleigh
CHIEF EXECUTIVE OFFICER