



# **LOCAL GOVERNMENT MEETING**

**11 February 2016**

## **MINUTES**

Cr Bill Shannon	Mayor
Cr Glenn Raleigh	Division 1
Cr Bryce Macdonald	Division 2
Cr Alister Pike	Division 3
Cr Mark Nolan	Division 4
Cr Ian Rule	Division 5
Cr Kylie Farinelli	Division 6

Please find attached, minutes for the Local Government Meeting to be held in the Shire Hall - Level 2 Board Room, 70 Rankin Street, Innisfail commencing at 9.00am.

**Terry Brennan**  
**CHIEF EXECUTIVE OFFICER**

# MINUTES

<b>9.00am</b>	<b>Opening prayer by Pastor Will Spann, Innisfail Family Baptist Church, representing the Innisfail Council of Clergy</b>
<b>10.00am – 10.30am</b>	<b>Morning Tea</b>

<b>1. CONFIRMATION OF MINUTES .....</b>	<b>2</b>
1.1 Confirmation of Minutes of Local Government Meeting, 21 January 2016.....	2
<b>2. RECEIPT OF MINUTES.....</b>	<b>3</b>
2.1 Receipt of Minutes of CCRC Traffic Consultative Committee Meeting, 1 December 2015 .....	3
<b>3. BUSINESS FROM PREVIOUS MINUTES .....</b>	<b>3</b>
<b>4. MANAGEMENT .....</b>	<b>3</b>
<b>5. WORKS.....</b>	<b>4</b>
5.1 Works Capital Report - January 2016.....	4
5.2 NDRRA Works Program Progress Report - January 2016 .....	4
5.3 Operation of Innisfail Commercial Wharf .....	5
5.4 Victory Creek Bridge Replacement, Jubilee Road .....	6
<b>6. COMMUNITY .....</b>	<b>7</b>
6.1 Innisfail Regional Library Update - January 2016 .....	7
6.2 Mission Beach Aquatic Facility Project Update.....	8
<b>7. PLANNING &amp; ENVIRONMENT.....</b>	<b>9</b>
7.1 DEV2015-0063 - Proposal for a Material Change of Use for Low Impact Industry (Machinery Storage Shed) on land described as Lot 3 on SP106833, situated at Old Tully Road, Birkalla .....	9
<b>8. CORPORATE .....</b>	<b>13</b>
8.1 Six Monthly Budget Review to 31 December 2015.....	13
8.2 Early payout of certain Council Loans .....	14
<b>9. NOTICE OF MOTION .....</b>	<b>14</b>
<b>10. GENERAL BUSINESS .....</b>	<b>14</b>
10.1 Request for linemarking - Coolibah Street, Wongaling Beach .....	14
10.2 Application for 'B Double' route - Short Street, Goondi Hill .....	15
10.3 Plans to upgrade the Blackwood and Ash Street intersections with the Bruce Highway, Innisfail .....	15
<b>11. CONFIDENTIAL .....</b>	<b>16</b>
11.1 Request to seek Council's assistance to enforce a QCAT order under the Neighbourhood Disputes (Dividing Fences and Trees) Act 2011.....	16
11.2 Update on Enterprise Bargaining Negotiations.....	16

**PRESENT:**

Crs B Macdonald (Acting Mayor), G Raleigh, A Pike, M Nolan, I Rule and K Farinelli and Mr T Brennan (Chief Executive Officer), Mr P Cochrane (Director Corporate Services), Mr D Trotter (Director Works), Ms G Visini (Works Engineer), Ms J Lightfoot (Communications Officer) and Ms J Cooksley (Minutes Clerk).

**APOLOGIES:**

Cr B Shannon (Mayor)

**OPENING PRAYER:**

The Acting Mayor, Cr Bryce Macdonald welcomed Pastor Will Spann of the Innisfail Family Baptist Church and invited Pastor Spann to open the meeting with prayer.

On completion of the blessing Pastor Spann left the meeting.

**1. CONFIRMATION OF MINUTES**

**1.1 CONFIRMATION OF MINUTES OF LOCAL GOVERNMENT MEETING, 21 JANUARY 2016**

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**Recommendation:**

**"That the Minutes of the Local Government Meeting held on 21 January 2016 be confirmed as a true and correct record."**

**Moved Cr I Rule**

**Seconded Cr A Pike**

**Resolution Number 1188**

**"That the Recommendation be adopted."**

**FOR - Unanimous**

**CARRIED**

**2. RECEIPT OF MINUTES**

**2.1 RECEIPT OF MINUTES OF CCRC TRAFFIC CONSULTATIVE COMMITTEE MEETING, 1 DECEMBER 2015**

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**Recommendation:**

**"That the Minutes of the CCRC Traffic Consultative Committee Meeting held on 1 December 2015 be received and noted."**

**Moved Cr I Rule**

**Seconded Cr G Raleigh**

**Resolution Number 1189**

**"That the Recommendation be adopted."**

**FOR - Unanimous**

**CARRIED**

**3. BUSINESS FROM PREVIOUS MINUTES**

**3.1 MINUTES OF CCRC TRAFFIC CONSULTATIVE COMMITTEE - MATTERS ARISING FROM PREVIOUS MEETING**

*Item 8 - Right-hand turn into Comoon Loop Road*

Cr Ian Rule advised he had spoken to the Department of Transport & Main Roads (DTMR) concerning the turn into Common Loop Road off the Bruce Highway and DTMR acknowledged the issue raised, with possible options to address the issue being reviewed.

*Item 28 - Ongoing complaints about the unsealed vehicle access crossover at the Raw Materials business on Tully/Mission Beach Road*

Cr Alister Pike asked for the issue of the unsealed vehicular access crossover (VAC) on the Tully/Mission Beach Road to be continued to be pursued through DTMR with the property owner.

**4. MANAGEMENT**

Nil

## **5. WORKS**

### **5.1 WORKS CAPITAL REPORT - JANUARY 2016**

#### **Executive Summary:**

The Works Department has adopted its Capital Works Program for the 2015-16 financial year. The status of individual projects is reported monthly.

#### **Recommendation:**

**“That Council receive the report and acknowledge the status of Capital Works projects managed by the Works Department.”**

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**Moved Cr A Pike**

**Seconded Cr M Nolan**

**Resolution Number 1190**

**"That the Recommendation be adopted."**

**FOR - Unanimous**

**CARRIED**

### **5.2 NDRRA WORKS PROGRAM PROGRESS REPORT - JANUARY 2016**

#### **Executive Summary:**

The Natural Disaster Relief and Recovery Arrangements (NDRRA) Works Program is a substantial program to be delivered by 30 June 2016. Eligible works under the NDRRA Works Program are funded by the Commonwealth Government (75%) and the Queensland Government (25%) over and above the Council's trigger point.

#### **Recommendation:**

**“That Council acknowledge the status of the NDRRA Works Program.”**

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**Moved Cr G Raleigh**

**Seconded Cr K Farinelli**

**Resolution Number 1191**

**"That the Recommendation be adopted."**

**FOR - Unanimous**

**CARRIED**

9.30am Ms M Darveniza (Director Community Services) and Mr D Horton (Manager Planning Services) entered the meeting.

### **5.3 OPERATION OF INNISFAIL COMMERCIAL WHARF**

#### **Executive Summary:**

The Innisfail Commercial Wharf was opened to the public on Monday, 25 January 2016. Operation and use of this facility is to be undertaken in accordance with legislation, including Council's Local Laws.

#### **Recommendation:**

**"That:**

- 1. Council receive the report; and**
  - 2. Council officers install signage at the Innisfail Commercial Wharf and implement a permit system for commercial use."**
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**Moved Cr I Rule**

**Seconded Cr M Nolan**

**Resolution Number 1192**

**"That the Recommendation be adopted."**

**FOR - Unanimous**

**CARRIED**

9.45am Ms M Fazackerley (Coordinator Special Projects & Planning) entered the meeting.

#### **5.4 VICTORY CREEK BRIDGE REPLACEMENT, JUBILEE ROAD**

##### **Executive Summary:**

Council has been successful in its application for funding to replace Victory Creek Bridge on Jubilee Road, Daradgee under the Federal Government's "Bridge Renewal Program". Funding is on a "dollar for dollar" basis and to remain eligible for the funding Council is required to commit its financial contribution for the project.

##### **Recommendation:**

**"That:**

- 1. Council amend the 10 Year Forward Capital Works Program to bring forward the replacement of the Victory Creek Bridge on Jubilee Road, Daradgee by allocating \$518,000 of its own funds in Year 1 (2016-17) and \$1,000,000 of its own funds in Year 2 (2017-18) with remaining funds being matched dollar-for-dollar by the Commonwealth Government's Bridge Renewal Program; and**
- 2. Proposed funding be considered as part of the 2016-17 Capital Works budget deliberations."**

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**Moved Cr I Rule**

**Seconded Cr A Pike**

**Resolution Number 1193**

**"That the Recommendation be adopted."**

**FOR - Unanimous**

**CARRIED**

9.50am      Ms G Visini left the meeting.

## **6. COMMUNITY**

### **6.1 INNISFAIL REGIONAL LIBRARY UPDATE - JANUARY 2016**

#### **Executive Summary:**

The Innisfail Library was damaged during Tropical Cyclone Larry in 2006 and has been located in temporary accommodation since that time. The provision of a new library was seen as a high priority and investigations into the options for design and funding for a new Regional Library Hub began in 2009.

In December 2013 Council approved the option to redevelop the site at Alan Maruff House for the new Innisfail Regional Library. Full designs, costings and tender documentation were developed and tenders were called in May 2014. In July 2014 the tender for the construction of the Innisfail Regional Library was awarded to Allan Sultana Construction Pty Ltd.

The total capital budget for the project (including design, construction and project management costs) is \$5.15M with Queensland Government contributing \$2M toward the total project costs.

In a report to Council in December 2013 it was also noted there would also be some operational costs associated with the temporary relocation of the library whilst the Allan Maruff site was under redevelopment. The final operational costs are included in this report.

Construction of the new Innisfail Regional Library began in August 2014. The site office and all construction equipment were removed on 22 October 2015. Practical Completion was issued on 4 November 2015 and Council took possession of the new library the same day. The new library opened to the public on Monday 23 November 2015 and the official opening was held on Saturday, 12 December 2015. Some minor works have since been undertaken to finalise the IT installations and furnish.

#### **Recommendation:**

**"That the report be received and noted."**

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**Moved Cr A Pike**

**Seconded Cr G Raleigh**

**Resolution Number 1194**

**"That the Recommendation be adopted."**

**FOR - Unanimous**

**CARRIED**

10.00am Ms M Fazackerley left the meeting.



## **6.2 MISSION BEACH AQUATIC FACILITY PROJECT UPDATE**

### **Executive Summary:**

A strategy to source funding for the Mission Beach Aquatic Facility has been successful and Council has been approved for grants of \$3.49M from both the Commonwealth Governments, National Stronger Regions' Fund and the Queensland Government's Building our Regions, Regional Capital Fund. Funding agreements with both bodies are currently being finalised and the construction drawings will be finalised in preparation for a tender process later in the year. It is expected that construction will commence by 30 September 2016.

### **Recommendation:**

**“That the report be received and noted.”**

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**Moved Cr A Pike**

**Seconded Cr G Raleigh**

**Resolution Number 1195**

**"That the Recommendation be adopted."**

**FOR - Unanimous**

**CARRIED**

10.05am      Mr M Allpress (Manager Environmental Services) entered the meeting.

## **7. PLANNING & ENVIRONMENT**

### **7.1 DEV2015-0063 - PROPOSAL FOR A MATERIAL CHANGE OF USE FOR LOW IMPACT INDUSTRY (MACHINERY STORAGE SHED) ON LAND DESCRIBED AS LOT 3 ON SP106833, SITUATED AT OLD TULLY ROAD, BIRKALLA**

#### **Executive Summary:**

Council is in receipt of an application for Material Change of Use for Low Impact Industry (Machinery Storage Shed). The application was prepared by IB Logistics Pty Ltd for the establishment of a Low Impact Industry (Machinery Storage Shed) on land described as Lot 3 on SP106833, situated at Old Tully Road, Birkalla.

The application is Impact Assessable and therefore public notification was required. No properly made submissions were received by Council.

The Application did not trigger referral to any external agencies.

The subject site is located within the Regional Landscape and Rural Production Area as indicated in the Far North Queensland Regional Plan (FNQRP) 2009-2031. The Far North Queensland Regional Plan requirements are now incorporated into the Cassowary Coast Planning Scheme 2015.

The application is generally consistent with the provisions of the Cassowary Coast Regional Council Planning Scheme 2015 and therefore the application for Material Change of Use for Low Impact Industry (Machinery Storage Shed) is recommended for approval, subject to reasonable and relevant conditions.

#### **Recommendation:**

**“That a Development Permit be issued for a Low Impact Industry (Machinery Storage Shed) on land described as Lot 3 on SP106833, situated at Old Tully Road, Birkalla, subject to the following conditions:**

#### **Material Change of Use**

- 1. Proposal: That the development is to be undertaken generally in accordance with the application, documentation and the plans in the table below, accepted by Council on 4 January 2016 relating to Development Application No. DEV2015/0063, excepting where varied by the following conditions:**

<b>Plan Number</b>	<b>Plan Name</b>	<b>Date</b>
<b>Job No. 1276, Drawing Number: 1/6</b>	<b>Floor Plan</b>	<b>Dated: Nov 2015 Received by Council: 21 December 2015</b>
<b>Job No. 1276, Drawing Number: 2/6</b>	<b>Elevations</b>	<b>Dated: Nov 2015 Received by Council: 21 December 2015</b>
<b>Job No. 1276, Drawing Number: 6/6</b>	<b>Site Plan</b>	<b>Dated: Nov 2015 Received by Council: 21 December 2015</b>

**7.1 DEV2015-0063 - PROPOSAL FOR A MATERIAL CHANGE OF USE FOR LOW IMPACT INDUSTRY (MACHINERY STORAGE SHED) ON LAND DESCRIBED AS LOT 3 ON SP106833, SITUATED AT OLD TULLY ROAD, BIRKALLA (CONT'D...)**

- 2. Timing of Effect:** The conditions of the Development Permit must be complied with prior to commencement of use, except where specified otherwise in these conditions of approval. Prior to the Commencement of Use, Council is to be advised in order to carry out a compliance assessment of the use to confirm the conditions of approval have been met.
- 3. Amended Plans:** An amended set of plans incorporating any of the changes required by these conditions shall be provided to Council to be endorsed by the Director Planning & Environmental Services, prior to an application being made for building work.
- 4. Car Parking & Internal Works:** The applicant/owner must ensure that the development provides a minimum of six (6) on-site car parking spaces which includes one (1) disabled car parking space. The applicant/owner is to provide an amended site plan showing the location of the proposed car parks for endorsement by the Director Planning & Environmental Services.  
All car parking facilities and internal works must comply with the following requirements:
  - All car parking facilities (excluding the disabled carpark which is to be sealed), associated maneuvering areas and internal works are to be to an all weathered gravel standard, appropriately drained and marked; and
  - All car parking facilities and manoeuvring areas are to be designed and constructed to comply with Australian Standard AS1428 Design for Access and Mobility and Australian Standard AS2890.1 Parking Facilities – off street car parking; and
  - All car parking facilities are to be maintained and available at all times.

All works must be constructed in accordance with the Development Permit to the satisfaction of the Director Planning & Environmental Services, prior to the commencement of use.

- 5. Lot Access:** The applicant/owner must apply to Council's Asset Engineering Section of the Works Department for approval of an appropriate access crossover for this development to the required standards from Old Tully Road to the property boundary. The access crossover is to be constructed prior to the Commencement of the Use to the satisfaction of the Manager Asset Engineering. Future maintenance of the access is the responsibility of the land owner.
- 6. Landscaping:** The applicant/owner is to provide a Landscaping Plan in accordance with the Landscaping Code of the Cassowary Coast Regional Council Planning Scheme and addressing the following items:
  - A 1m wide (minimum) landscaping strip must be provided along the full frontage of the property (excepting access to the site) containing species listed in Planning Scheme Policy SC6.4 - Landscaping;The Landscaping Plan is to be provided for review and endorsement by the Director Planning & Environmental Services, with all landscaping works being complete to the satisfaction of the Director Planning & Environmental Services, prior to the commencement of use.

- 7.1 **DEV2015-0063 - PROPOSAL FOR A MATERIAL CHANGE OF USE FOR LOW IMPACT INDUSTRY (MACHINERY STORAGE SHED) ON LAND DESCRIBED AS LOT 3 ON SP106833, SITUATED AT OLD TULLY ROAD, BIRKALLA (CONT'D...)**
7. **Erosion and Sediment Control:** Effective erosion and sediment control must be maintained at all times during and after construction work until there is adequate vegetation cover, paved or other controls to prevent any silt run-off from the site to the satisfaction of the Director Planning and Environmental Services.
8. **Stormwater:** The applicant/owner must ensure that the flow of all external stormwater from the property is directed to a lawful point of discharge, such that stormwater does not adversely affect surrounding properties, to the requirements and satisfaction of the Director Planning and Environmental Services.
9. **Public Utilities - Alterations:** Any relocation or alteration to any public utilities in association with works pertaining to this development must be undertaken as required by the relevant service provider and at no cost to Council.
10. **Environmental Nuisance:** The applicant/owner is to ensure that noise from either air conditioning units, service equipment, swimming pool filters or other mechanical equipment must not emanate from the subject land to a degree that would, in the opinion of the Director Planning and Environmental Services, create an environmental nuisance having regard to the provisions of the *Environmental Protection Act 1994*, Environmental Protection (Noise) Policy 1997 and Environmental Protection Regulation 1998 (Part 2A – Environmental Nuisance).
11. **Night Lighting:** The applicant/owner is to ensure that all night lighting is designed and constructed to the satisfaction of the Director, Planning & Environmental Services so as to ensure that light emitted from the subject site does not, in the opinion of the Director Planning & Environmental Services, create an environmental nuisance having regard to the provisions of the Environmental Protection Act 1994 and Environmental Protection Regulation 1998 (Part 2A – Environmental Nuisance).
12. **Waste Bins:** The applicant/owner is to ensure waste bins and storage areas are to be screened from view, to the satisfaction of the Director Planning & Environmental Services.

**Assessment Managers Advice:**

- a) **Relevant Period:** The relevant period for the development approval (Material Change of Use) shall be four (4) years starting the day the approval is granted or takes effect. In accordance with Section 341 of *SPA*, the development approval for Material Change of Use lapses if the building work under the approval is not complete within the abovementioned relevant period. However, if there are one or more related approvals for the development approval for Material Change of Use, the relevant period is taken to have started on the day the latest related approval takes effect. (Please refer to Section 341(7) of *SPA* for the meaning of related approval).

An applicant may request Council to extend the relevant period provided that such request is made in accordance with Section 383 of *SPA* and before the development approval lapses under Section 341 of *SPA*.

**7.1 DEV2015-0063 - PROPOSAL FOR A MATERIAL CHANGE OF USE FOR LOW IMPACT INDUSTRY (MACHINERY STORAGE SHED) ON LAND DESCRIBED AS LOT 3 ON SP106833, SITUATED AT OLD TULLY ROAD, BIRKALLA (CONT'D...)**

- b) **Notice of Intention to Commence Use:** The applicant/owner must return to Council the attached Notice of Intention to Commence Use after acceptance of and compliance with these or negotiated conditions (or court determined conditions) and prior to the commencement of the use. This will allow a check for compliance with conditions to be carried out by Council officers.
- c) **Required Approvals:** A Development approval for Building, Plumbing & Drainage Work and On-site Waste Water Treatment System will be required, with a permit for these works issued prior to any works commencing;
- d) **Cultural Heritage:** The applicant/owner is to ensure compliance with the requirements of the Aboriginal Cultural Heritage Act and in particular 'the duty of care' that it imposes all landowners, developers and the alike.
- e) **Engineering Works:** The applicant/owner is to ensure that the engineering works involved in the proposed development are designed and constructed in accordance with the FNQROC Development Manual.
- f) **Environmental Nuisance:** The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks and construction phases of this development, are to adhere to their "general environmental duty" to minimise the risk of causing environmental harm.

Environmental harm is defined by the Act as any adverse affect, or potential adverse affect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the Council to cause undue disturbance or annoyance to persons or affect property not connected with the use."

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Moved Cr K Farinelli

Seconded Cr G Raleigh

Resolution Number 1197

"That the Recommendation be adopted."

FOR - Unanimous

CARRIED

10.10am - 10.35am The meeting adjourned for morning tea. It was noted when the meeting reconvened that Ms M Darveniza was no longer in attendance and that Mr A Page (Manager of Finance) had entered the meeting.

The Acting Mayor informed the meeting that Andrew Page had accepted a position with another Council and this was his last meeting. Furthermore, Cr Macdonald acknowledged the contribution made by Andrew in the efficient and effective management of Council's finances during his time as Manager of Finance with the Council and wished him every success in his future endeavours. The other Councillors concurred with the Acting Mayor's sentiments.

## **8. CORPORATE**

### **8.1 SIX MONTHLY BUDGET REVIEW TO 31 DECEMBER 2015**

#### **Executive Summary:**

A budget review has been carried out for the six month period ending 31 December 2015.

The purpose of the review is to promote sound financial management and accountability by having each Director and Manager review in detail the components of the budgets within their areas of responsibility.

A detailed review of the Operating budget and Capital budget has confirmed that some adjustments are required.

#### **Recommendation:**

**"That the budget review for the six months to 31 December 2015 be received and noted."**

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**Moved Cr G Raleigh**

**Seconded Cr M Nolan**

**Resolution Number 1198**

**"That the Recommendation be adopted."**

**FOR - Unanimous**

**CARRIED**

## **8.2 EARLY PAYOUT OF CERTAIN COUNCIL LOANS**

### **Executive Summary:**

The purpose of this report is for Council to consider a forecast of loan payout savings for all Council loans under \$1,000,000 with the Queensland Treasury Corporation forecasted for the 15 February 2016.

The Manager of Finance will be available at the Council meeting to answer any questions Councillors may have.

### **Recommendation:**

**“That Council payout all four loans under \$1,000,000 with the Queensland Treasury Corporation on 15 February 2016 based on a total saving of \$168,746.58.”**

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**Moved Cr A Pike**

**Seconded Cr G Raleigh**

**Resolution Number 1199**

**"That the Recommendation be adopted."**

**FOR - Crs A Pike, G Raleigh, B Macdonald  
and K Farinelli**

**AGAINST - Crs M Nolan and I Rule**

**CARRIED**

The Chief Executive Officer thanked the Manager of Finance for his efforts during the term of his employment with the Council and wished him all the best in his new position with Southern Downs Regional Council.

## **9. NOTICE OF MOTION**

Nil

## **10. GENERAL BUSINESS**

### **10.1 REQUEST FOR LINEMARKING - COOLIBAH STREET, WONGALING BEACH**

Cr Alister Pike advised the meeting that there is some concern within the community about the alignment of Coolibah Street where it meets Sanctuary Crescent at Wongaling Beach and asked whether Council officers had considered his request for linemarking? Cr Pike was advised that the matter was with the Director Works for review with technical staff having provided a report on the matter.

**10. GENERAL BUSINESS (CONT'D...)**

**10.2 APPLICATION FOR 'B DOUBLE' ROUTE - SHORT STREET, INNISFAIL**

Cr Pike advised the meeting that the business owner of Innisfail Express Parcels had raised concerns with him about Council's decision not to approve an application for a 'B Double' route along Short and Cassowary Streets, Goondi Hill. The Director Works advised Cr Pike that the application was rejected on the grounds that the roads are not constructed to the required standard for 'B Double' access and that an alternate route is available. This matter to be referred to the Cassowary Coast Traffic Consultative Committee to review.

**10.3 PLANS TO UPGRADE THE BLACKWOOD AND ASH STREET INTERSECTIONS WITH THE BRUCE HIGHWAY, INNISFAIL**

Cr Rule asked whether Council officers could provide an update on the progress of the upgrade of the Blackwood and Ash Street intersections with the Bruce Highway? The Director Works advised Cr Rule that a DMR representative had recently visited both sites and had spoken with Council officers with a view to undertaking some preliminary design work for possible upgrades of both intersections.

11.20am Messrs D Trotter, P Cochrane, D Horton and Ms J Lightfoot left the meeting.

**MOVE INTO COMMITTEE - 11.20AM**

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Moved Cr K Farinelli

Seconded Cr G Raleigh

Resolution Number 1200

"That as per Section 275(1)(b) and (h) of the Local Government Regulation 2012, the meeting be closed to the public to discuss a request for assistance to enforce a QCAT Order under the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011* and Council's Enterprise Bargaining negotiations."

FOR - Unanimous

CARRIED

11.45am Mr M Allpress left the meeting.

**MOVE OUT OF COMMITTEE - 11.50AM**

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Moved Cr K Farinelli

Seconded Cr I Rule

Resolution Number 1201

"That the meeting be reopened to the public."

FOR - Unanimous

CARRIED



## **11. CONFIDENTIAL**

### **11.1 REQUEST TO SEEK COUNCIL'S ASSISTANCE TO ENFORCE A QCAT ORDER UNDER THE NEIGHBOURHOOD DISPUTES (DIVIDING FENCES AND TREES) ACT 2011**

#### **Executive Summary:**

A request has been received from a resident of Wongaling Beach seeking Council's assistance to enforce a QCAT order under the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011* against their neighbour in relation to a number of tree issues.

#### **Recommendation:**

**"That Council resolve to advise the affected resident that it is not prepared to undertake work as requested under Chapter 3, Part 8, Section 88 of the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011* as other legal processes are still available for them to pursue the enforcement of the QCAT Order."**

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**Moved Cr K Farinelli**

**Seconded Cr I Rule**

**Resolution Number 1202**

**"That the Recommendation be adopted."**

**FOR - Unanimous**

**CARRIED**

### **11.2 UPDATE ON ENTERPRISE BARGAINING NEGOTIATIONS**

#### **Executive Summary:**

The Council's current enterprise bargaining certified agreement (EBA) was nominally due to expire on 30 June 2014. Council has been endeavouring for some time to undertake negotiations for a new EBA but due to legislative processes instigated by successive State Governments and legal appeals by the current State Government and Unions, it has been unable to do so, as have the majority of local governments in Queensland.

Recent discussions with officers from the LGAQ indicate that they are unsure when a decision will be handed down on the appeals that have been heard by the Industrial Court and there is a possibility the single award may be referred back to the Qld Industrial Relations Commission for further review. If this occurs, the current EBA negotiations will be further delayed.

Due to the ongoing delays in the negotiating process the matter of an interim pay increase has become a more pressing consideration. The LGAQ has advised that most Queensland Councils have now taken steps to award an interim pay increase and it is a matter for Council to decide its position on this matter.

It is considered appropriate that Council give consideration to this matter and agree to award an interim pay increase to staff due to the current and possible ongoing delays in being able to recommence EBA negotiations. An increase in pay rates based on the recent December quarter CPI figure is recommended along with a lump sum back pay amount to current staff employed prior to 1 July 2015.

## **11.2 UPDATE ON ENTERPRISE BARGAINING NEGOTIATIONS (CONT'D...)**

### **Recommendation:**

**“That due to the lengthy and possible ongoing delays associated with the current Enterprise Bargaining negotiations as a result of factors beyond the control of Council and its workforce, Council agree to award:**

- 1. an interim pay increase of 1.7% to the current rates of pay applicable to all award-based employees from the pay period commencing 13 February 2016; and**
- 2. a lump sum payment of \$1,000 to all current full time award based employees employed by Council prior to 1 July 2015, with a pro rata payment on a full time equivalent basis being made to current part time and casual staff employed by Council prior to 1 July 2015.”**

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**Moved Cr G Raleigh**

**Seconded Cr K Farinelli**

**Resolution Number 1203**

**"That the Recommendation be adopted."**

**FOR - Unanimous**

**CARRIED**

**12.00pm**      **There being no further business, the Mayor declared the meeting closed.**

**CONFIRMED AS A TRUE AND CORRECT RECORD THIS 25th DAY OF FEBRUARY 2016.**

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**Acting Mayor**