

Thursday, 9 July 2020

9:00 AM

Innisfail Shire Hall
Level 4 Auditorium
70 Rankin Street
Innisfail Q 4860



Cr Mark Nolan - Mayor
Cr Barry Barnes - Division 1
Cr Teresa Millwood - Division 2
Cr Trudy Tschui - Division 3
Cr Nicholas Pervan - Division 4
Cr Jeff Baines - Division 5
Cr Kylie Farinelli - Division 6

LOCAL GOVERNMENT MEETING

UNCONFIRMED MINUTES

Welcome

Cr M Nolan (Chairman) welcomed everyone and opened the Local Government Meeting at 9:00am

Present

Crs M Nolan (Mayor), B Barnes (Deputy Mayor), T Millwood, T Tschui, N Pervan, J Baines and K Farinelli, Mr J Gott (Chief Executive Officer), Mr D Goodman (Director Infrastructure Services), Mr A Sadler (Director Delivery Services), Mr G Singh (Chief Financial Officer), Ms K Brennan (Manager Customer Experience), Ms J Williams (Senior Librarian), Mr N McKee (Principal Design Solutions), Ms I Newman (Senior Planning Officer), Mr M Fitzgerald (ICT Operations Customer Service Officer) and Mrs J Sands (Minutes Clerk)

Acknowledgement of Country

The Mayor acknowledged the traditional owners and caretakers of the land on which the meeting is being held and paid his respects to the elders, past, present and emerging.

Apologies

Nil

Declaration of Material Personal Interest or Conflicts of Interest (including perceptions of Conflict of Interest)

COUNCILLORS & STAFF

Material Personal Interests

Conflicts of Interest (including perceptions of COI)

Cr M Nolan (Chairman) invited those present to use this opportunity to make public any Material Personal Interests and/or Conflicts of Interest (real or perceived) in respect of the Items in the Agenda.

Councillors should use this opportunity to disclose and/or comment on other Councillors and/or Staff interests in accordance with the Act and Regulations.

DECLARATION

No Conflicts of Interest; No Conflict of Duty and No Material Personal Interests have been declared.

1. CONFIRMATION OF MINUTES

1.1 Minutes of the Local Government Meeting dated 25 June 2020

Recommendation

"That the Minutes of the Local Government Meeting held on 25 June 2020 be confirmed as a true and correct record."

Moved Cr N Pervan

Seconded Cr B Barnes

Resolution Number LG0729

"That the Recommendation be adopted."

FOR: Unanimous

CARRIED

2. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

9:01am Mr B Jones (Senior Planner/Strategic Planner) entered the meeting.

3. COMMUNITY & CULTURE

3.1 Libraries and Customer Service Report

Executive Summary

This report is a period update on what has been happening in the Libraries and Customer Service team during the month of June. This report will provide statistics from Customer Service and an update on what is happening in Libraries and Local History/Museums.

Recommendation

"That the report be received and noted."

Moved Cr T Millwood

Seconded Cr T Tschui

Resolution Number LG0730

"That the Recommendation be adopted."

FOR: Unanimous

CARRIED

9:07am Ms K Anderson (Customer Experience Officer) entered the meeting

9:14am Mr A Sadler, Ms K Brennan, Ms J Williams and Ms K Anderson left the meeting

4. PLANNING & REGIONAL DEVELOPMENT

4.1 MCU20/0016 - Material Change of Use for a Warehouse (Storage Shed) on land described as Lot 232 on NR7479 situated at 162 Mourilyan Harbour Road, Mourilyan Executive Summary

Applicant:	P & A Gill Pty Ltd
Consultant:	Gilvear Planning
Application Date:	20 April 2020
Proposal:	Material Change of Use for a Warehouse (Storage Shed)
Class of proposed building works:	Class 7
Real Property Description:	Lot 232 NR 7479
Property Address:	162 Mourilyan Harbour Road, Mourilyan
Land Area:	4751m ²
FNQRP Zone:	Rural landscape and regional production area
Planning Instrument:	Cassowary Coast Regional Council Planning Scheme 2015
Zone	Rural zone
Overlays	Acid sulfate soils overlay (High probability acid sulfate soils) Coastal protection overlay (Coastal zone) Flood hazard overlay (Low flood hazard) Scenic amenity overlay (Tourist route/State controlled road)
Referral Agencies:	State Assessment and Referral Agency (SARA) -Technical agency: Department of Transport and Main Roads (DTMR)
Level of Assessment:	Impact assessable
Land Use Codes:	Industrial activities code
Existing Use of Land:	Vacant land improved by single 99m ² shed
Existing Approvals:	Nil
No. of Submissions:	Zero (0)

Recommendation

“That a Development Permit be issued for MCU20/0016 - Material Change of Use for a Warehouse (Storage Shed) on land described as Lot 232 on NR7479 situated at 162 Mourilyan Harbour Road, Mourilyan” subject to the following conditions:

Assessment Manager's Conditions

1. Approved Plans and Supporting Documentation		
Condition		Timing
The development must be undertaken generally in accordance with the application, documentation received by Council on 17 April 2020 and 5 May 2020 and plans in the table below, which forms part of this approval, except where varied by the following conditions.		At all times
Plan/Drawing Number	Plan Name	Date
Unnumbered	Site plan	Received by Council on 5 May 2020
21685-0-GILL PTY PTD Page 1/1	Elevations 1	8 April 2020 Received by Council on 17 April 2020
21685-7-GILL PTY LTD Page 1/1	Elevations 2	8 April 2020 Received by Council on 17 April 2020

2. Setbacks	
Condition	Timing
The applicant/owner is to ensure that the Warehouse (Storage Shed) is located a minimum distance of 9 metres to the front property boundary, 6 metres to the eastern side boundary, and 10 metres to the rear property boundary, measuring from the outermost projection (including the fascia and guttering), to the satisfaction of the Director Infrastructure Services.	At all times

3. Limitations of Use	
Condition	Timing
The applicant/owner must ensure that the use is limited to storage only and does not involve industrial uses including, but not limited to, the major servicing of vehicles and other noise generating activities (including the operation of machinery and equipment).	Prior to the commencement of the use and maintained at all times

4. Car Parking	
Condition	Timing
<p>The applicant/owner is to ensure that the development provides a minimum of nine (9) car parking spaces, including one (1) disabled car parking space on the subject site, located in accordance with the approved site plan. All car parking facilities must comply with the following requirements, to the satisfaction of the Director Infrastructure Services:</p> <ul style="list-style-type: none">• All car parking facilities are designed and constructed in accordance 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 imperviously sealed, drained, line marked and signed to reflect their designated purpose, and maintained and available at all times.	<p>Prior to commencement of the use and at all times</p>

5. Works - Internal	
Condition	Timing
<p>The applicant/owner must, at no cost to Council, provide an internal gravel driveway with a minimum width of 6 metres as shown on the approved site plan.</p>	<p>Prior to the commencement of the use and maintained at all times</p>

6. Hours of Operation	
Condition	Timing
<p>The applicant/owner must ensure that the hours of operation for public access to the Self-Storage Facility are limited to:</p> <ul style="list-style-type: none">• 5:00am to 7:00pm Monday – Sunday.• No visits on public holidays.	<p>At all times</p>

7. Landscaping	
Condition	Timing
<p>The applicant/owner is to provide landscaping buffers at the following locations:</p> <ul style="list-style-type: none"> • along the common boundary with the adjoining residential use to the east, from the front property boundary to the front building alignment of the shed/carport on adjoining Lot 3 on RP724938; and • along the front property boundary (fronting Mourilyan Harbour Road) adjacent to, and for the full length of, the internal driveway, except for that of the access crossover. <p>The landscaping shall incorporate shrubs, clumping palms and/or compact trees that:</p> <ol style="list-style-type: none"> 1. Are planted a maximum spacing of 1 metre; 2. Will grow to a height of at least 2 metres; 3. Will grow to form a dense screen of no less than 2 metres in height. 	<p>Prior to the commencement of the use and maintained at all times</p>

8. Building Material	
Condition	Timing
<p>The applicant/owner must ensure that the external colours and finishes of all buildings comprise natural colours, in order to blend in with the surrounding natural environment. Paint should be of a low reflective quality which does not cause excessive glare (including flashing, guttering and downpipes), to the satisfaction of the Director Infrastructure Services.</p>	<p>Prior to the issuing of the Final Inspection Certificate and remain so at all times</p>

9. Acid Sulfate Soils Investigation	
Condition	Timing
<p>The applicant/owner is to ensure that, if any acid sulfate soils are identified on the site, that an Acid Sulfate Soils Management Plan is implemented to mitigate any potential hazards. The plan must be provided to Council for endorsement prior to implementation.</p>	<p>At all times</p>

10. Waste Bins and Storage Area	
Condition	Timing
The applicant/owner must provide a hardstand area in a suitable location for the storage of refuse receptacles.	Prior to commencement of the use

11. Liquid wastes and contaminating substances	
Condition	Timing
The applicant/owner is to ensure that all liquid wastes are contained and removed from the site. Storage areas of potentially contaminating substances must covered and contained to prevent ingress of rainfall or run off and to control spillage.	At all times

12. Noise	
Condition	Timing
The applicant/owner is to ensure that noise from the site does not emanate from the subject land to a degree that would, in the opinion of the Manager Regulatory Services, create an environmental nuisance having regard to the provisions of the <i>Environmental Protection Act 1994</i> , <i>Environmental Protection (Noise) Policy 2019</i> and <i>Environmental Protection Regulation 2019</i> . No noise generating activities, including the use of power tools and machinery, is to occur.	At all times

13. Advertising Devices	
Condition	Timing
The applicant/owner is to ensure that all advertising devices erected on site comply with the requirements of 9.4.1 Advertising Devices Code of the Cassowary Coast Regional Council Planning Scheme 2015.	At all times

14. Night Lighting	
Condition	Timing
The applicant/owner is to ensure that all night lighting is designed and constructed to the satisfaction of the Manager Regulatory Services so as to ensure that light emitted from the subject site does not create environmental nuisance in accordance with the provisions of the <i>Environmental Protection Act 1994</i> and <i>Environmental Protection Regulation 2008 (Part 2A – Environmental Nuisance)</i> .	At all times

15. Excavating and Filling	
Condition	Timing
The applicant/owner is to ensure that any excavating and filling is carried out in compliance of the requirements of 9.4.3 Excavating and Filling Code of the Cassowary Coast Regional Council Planning Scheme 2015. Any excavating and filling activities where the total volume of material moved is more than 200m ³ , will require the lodgement of an Operational Works application with Council.	At all times

16. Erosion and Sediment Controls	
Condition	Timing
Effective erosion and sediment controls must be maintained during and after the construction, installation and maintenance of the site until there is adequate vegetation cover, paved or other controls to prevent any silt run-off from the site.	At all times

17. Stormwater Discharge	
Condition	Timing
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 satisfaction of the Director Infrastructure Services.	At all times

18. Public Infrastructure/Utilities	
Condition	Timing
Any relocation or alteration to any public utilities (including stormwater infrastructure) in association with building work must be undertaken as required by the relevant service provider and at no cost to Council.	At all times

Concurrence Agency Conditions:

The State Assessment and Referral Agency (SARA) issued a Referral Response with conditions, shown as Attachment 5.

Advice:

1. Currency Period
<p>The currency period for the development approval (Material Change of Use) shall be six (6) years starting the day the approval is granted or takes effect. In accordance with section 85 of the <i>Planning Act 2016 (PA)</i>, the development approval for Material Change of Use lapses if the building work under the approval is not complete within the abovementioned currency period.</p> <p>An applicant may request Council extend the currency period provided that such request is made in accordance with section 86 of <i>PA</i> and before the development approval lapses under section 85 of <i>PA</i>.</p>

2. Further Approvals Required
<p>An application for a Development Permit for Building Works is required for the proposed development. This application/s are required to be approved prior to any works commencing on site.</p>

3. Hydraulic Consultant
<p>It is advised that the applicant/owner engage a hydraulic consultant as soon as practicable to confirm that there is adequate fire hydrant coverage and sufficient fire flow and pressure to meet fire safety requirements before constructing the building. Council's Water Section of the Infrastructure Services Department can conduct a hydrant flow test subject to the fee outlined in Council's Fees and Charges Schedule.</p>

4. Cultural Heritage
<p>The applicant/owner is to ensure compliance with the requirements of the <i>Aboriginal Cultural Heritage Act 2003</i> and in particular 'the duty of care' that imposes landowners, developers and the like.</p>

5. 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.

6. Compliance with Laws

The approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory legislation.

7. Environmental Nuisance

The *Environmental Protection Act 1994* states 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 effect, or potential adverse effect 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.

Moved Cr K Farinelli

Seconded Cr T Millwood

Resolution Number LG0731

"That the Recommendation be adopted."

FOR: Unanimous

CARRIED

9:16am Mr A Sadler re-entered the meeting

4.2 MCU20/0008 – Development application for Material Change of Use for an Indoor Sport and Recreation Facility (Fitness Centre) on land described as Lot 19 on RP713521, situated at 10 Wright Street, Goondi Bend

Executive Summary

Applicant:	Noel Bradley Higgins
Application Date:	2 March 2020
Proposal:	Material Change of Use for an Indoor Sport and Recreation Facility (Fitness centre)
Class of proposed building works	Class 6
Real Property Description:	Lot 19 RP 713521
Property Address:	10 Wright Street, Goondi Bend
Land Area:	1011.9m ²
FNQRP Zone:	Urban Footprint
Planning Instrument:	Cassowary Coast Regional Council Planning Scheme 2015
Zone	Township Zone
Local Plan	Innisfail Local Plan
Precinct	Residential
Overlays	Acid Sulphate Soils – Low Probability Flood Hazard – High Hazard
Referral Agencies:	Nil
Level of Assessment:	Impact
Land Use Codes:	Recreational Activities Code
Existing Use of Land:	Light Industry/Shopping Group (2-6 shops)
Existing Approvals:	Nil
No. of Submissions:	0

Recommendation

“That a Development Permit be issued for a Material Change of Use for an Indoor Sport and Recreation (Fitness centre) on land described as Lot 19 on RP713521 situated at 10 Wright Street, Goondi Bend, subject to the following conditions:

Assessment Manager's Conditions:

1. Approved Plans and Supporting Documentation	
Condition	Timing
The development must be undertaken generally in accordance with the application, documentation received by Council on 2 March 2020, 29 May 2020 and 2 June 2020 and plans in the table below, which forms part of this approval, except where varied by the following conditions.	At all times

Plan/Drawing Number	Plan Name	Date
No Plan No.	Site Plan	Dated: No Date Received by Council: 2 June 2020
Plan No. TCAR200033 - 3	Elevations	Dated: 29/05/2020 Received by Council: 29 May 2020

2. Hours of Operation

Condition	Timing
The use to allowed to operate between the hours of 6:00am to 6:00pm Monday to Friday, and 06:00am to 12:00pm on Saturdays. No audible noise is permitted outside these hours or on Sundays and public holidays to the satisfaction of the Manager Planning Services.	At all times

3. Erosion and Sediment Controls

Condition	Timing
Effective erosion and sediment controls must be maintained during and after the construction, installation and maintenance of the site until there is adequate vegetation cover, paved or other controls to prevent any silt run-off from the site.	At all times

4. Stormwater Discharge

Condition	Timing
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 satisfaction of the Manager Planning Services.	At all times

5. Public Infrastructure/Utilities	
Condition	Timing
Any relocation or alteration to any public utilities (including stormwater infrastructure) in association with building work must be undertaken as required by the relevant service provider and at no cost to Council.	At all times

6. Water Connection	
Condition	Timing
The applicant/owner must ensure the development is connected to the existing reticulated water system prior to commencement of the use of the use in accordance with the FNQROC Development Manual and to the satisfaction of the Manager Planning Services. The applicant/owner is to apply to Council's Water Section of the Infrastructure Services Department to install a water service fitted with an appropriate sized water meter at no cost to Council. The fee/charge for the water service connection and any associated upgrades required to be carried out by Council is per Council's Register of Regulatory Fees at the rate applicable on application and must be paid prior to the works being undertaken.	Prior to the commencement of the use

7. Sewerage Connection	
Condition	Timing
The applicant/owner must ensure the development is connected to the existing reticulated sewerage system prior to commencement of the use of the use in accordance with the FNQROC Development Manual and to the satisfaction of the Manager Planning Services.	Prior to the commencement of the use

8. Vehicle Access	
Condition	Timing
The applicant/owner must apply to Council's Asset Engineering Section of the Infrastructure Services Department, for approval of an appropriate vehicle access crossover for this development in accordance with the FNQROC Development Manual from Wright Street to the property boundary. Future maintenance of the access is the responsibility of the land owner.	Prior to the commencement of construction

9. Car Parking	
Condition	Timing
<p>The applicant/owner is to ensure that the development provides a minimum of 12 carparks on the subject site. All car parking facilities must comply with the following requirements, to the satisfaction of the Manager Planning Services:</p> <ul style="list-style-type: none">• All car parking facilities are designed and constructed in accordance 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 excluding the disable carpark are to be to an all weathered gravel surface, drained and maintained. Disable Carpark is to be sealed and located with access to the building.	At all times

10. Waste Bins and Storage Area	
Condition	Timing
The waste bin and storage areas must be screened from view of adjoining properties and road frontages, to the satisfaction of the Manager Planning Services.	At all times

11. Landscaping	
Condition	Timing
The applicant/owner is to ensure that all landscaping works are carried out in accordance with the approved plan (No Plan No. Site Plan, No Date, Received by Council on 2 June 2020).	Prior to the commencement of use and maintained at all times

12. Noise	
Condition	Timing
The applicant/owner is to ensure that noise from the site must not emanate from the subject land to a degree that would, in the opinion of the Manager Regulatory Services, create an environmental nuisance having regard to the provisions of the <i>Environmental Protection Act 1994</i> , <i>Environmental Protection (Noise) Policy 2019</i> and <i>Environmental Protection Regulation 2019</i> .	At all times

13. Advertising Devices	
Condition	Timing
The applicant/owner is to ensure that all advertising devices erected on site are in accordance with 9.4.1 Advertising Devices Code of the Cassowary Coast Regional Council Planning Scheme 2015.	At all times

14. Street Numbering/Public Safety	
Condition	Timing
The applicant/owner is to ensure that the street numbers are clearly identifiable from Wright Street. Warning or information signs are to be erected at the site where necessary to do so to ensure public safety.	At all times

15. Night Lighting	
Condition	Timing
The applicant/owner is to ensure that all night lighting is designed and constructed to the satisfaction of the Manager Regulatory Services so as to ensure that light emitted from the subject site does not create environmental nuisance in accordance with the provisions of the Environmental Protection Act 1994 and Environmental Protection Regulation 2008 (Part 2A – Environmental Nuisance.	At all times

16. Excavating and Filling	
Condition	Timing
The applicant/owner is to ensure that all excavating and filling works are carried out in compliance with 9.4.3 Excavating and Filling Code of the Cassowary Coast Regional Council Planning Scheme 2015, to the satisfaction of the Manager Planning Services.	At all times

Assessment Manager's Advice:

1. Currency Period
<p>The currency period for the development approval (Material Change of Use) shall be six (6) years starting the day the approval is granted or takes effect. In accordance with section 85 of the <i>Planning Act 2016 (PA)</i>, the development approval for Material Change of Use lapses if the building work under the approval is not complete within the abovementioned currency period.</p> <p>An applicant may request Council extend the currency period provided that such request is made in accordance with section 86 of <i>PA</i> and before the development approval lapses under section 85 of <i>PA</i>.</p>

2. Further Approvals Required
<p>An application for a Development Permit for Building Work and Plumbing/Drainage Work is required for the proposed development. This application/s are required to be approved prior to any works commencing on site.</p>

3. Cultural Heritage

The applicant/owner is to ensure compliance with the requirements of the *Aboriginal Cultural Heritage Act 2003* and in particular 'the duty of care' that imposes landowners, developers and the like.

4. 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.

5. Compliance with Laws

The approval does not negate the requirement for compliance with all other relevant local Laws and other statutory legislation.

6. Environmental Nuisance

The *Environmental Protection Act 1994* states 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 effect, or potential adverse effect 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.

7. Adopted Infrastructure Charges

The applicant/owner must contribute in accordance with Council's Infrastructure Charges Resolution (No.1) 2019, made under the Planning Act 2016. The adopted infrastructure charge is payable prior to the commencement of the use. Payment is to be made to Council in accordance with the Adopted Infrastructure Charges Notice attached to the decision notice.

Moved Cr N Pervan

Seconded Cr B Barnes

Resolution Number LG0732

"That the Recommendation be adopted."

FOR: Unanimous

CARRIED

9:20am Mr B Jones and Ms I Newman left the meeting

5. ASSET SUSTAINABILITY

5.1 Cardier Road, Wangan - Petition to extend Pathway

Executive Summary

Council received a petition signed by 587 petitioners, requesting that a missing pedestrian link along Cardier Road, between Mundoo State School and Meyer Avenue (refer Figure 1), be constructed and upgraded to cater for pedestrians and cyclists (mainly for student safety reasons). The petition received letters of support from Shane Knuth and the Qld Police Service.

Existing pedestrian facilities comprise:

- a narrow bitumen track at the northern (School) end of Cardier Road; and
- an existing concrete footpath at the southern end (connecting to Meyer Avenue).

The total length of the existing bitumen track plus the missing link and the footpath from the School to Meyer Avenue is 1.0km and the length of the missing link is 550m.

The construction of a full width reinforced concrete pedestrian/cycle path from the School to Meyer Avenue cannot be supported at this stage, as the route is not a high priority facility in the CCRC Implementation Pathway Plan, a strategic document that sets priorities and identifies key network links for future pathway works within the Region.

At this stage, Council could improve the walking / riding surface on the eastern verge of Cardier Road as an interim safety measure. There is an open earth stormwater channel, existing services, and driveway crossovers to negotiate, however, a decomposed granite walking track would provide a safer route than walking and cycling along the edge of the road as is current practice.

Recommendation

"That Council:

- 1. Informs the petitioner that the provision of a full width reinforced concrete pedestrian/cycle path on Cardier Road will not be undertaken at this stage as the route is not identified in Council's Principal Cycle Network Implementation Plan which is based on regional prioritisation factors;**
- 2. Consider the allocation of funds to install 550m of decomposed granite walking track (approximately 900mm in width) from Lae Street to the existing bitumen track from the School (i.e. the missing link) to provide a safer route for school children;**

3. **Encourage Mundoo State School to seek assistance through the Department of Transport and Main Roads (TMR) and make application for funding through the School Transport Infrastructure Program (STIP), should the School consider a major upgrade is required."**

Moved Cr N Pervan

Seconded Cr J Baines

Resolution Number LG0733

"That the Recommendation be adopted."

FOR: Unanimous

CARRIED

5.2 Contract CCW000047 Bulgun Reservoir - Civil Works June 2020 Status Update

Executive Summary

This report is provided to keep Council informed on the progress of Contract CCW000047 for the construction of the 4.5ML Bulgun Intake Reservoir and associated works.

Recommendation

"That the report be received and noted."

Moved Cr T Tschui

Seconded Cr T Millwood

Resolution Number LG0734

"That the Recommendation be adopted."

FOR: Unanimous

CARRIED

5.3 Tully Multi-Use Sporting Complex and Grandstand - Status Update

Executive Summary

This report is provided to keep the Council informed on the progress of the Tully Multi-Use Sporting Complex and Grandstand project. Works continue to progress well with the project now into the final fit-out stage. The project is on track for completion in late July, however there is the potential that wet weather may delay the completion of the carpark works.

Recommendation

"That the report be received and noted."

Moved Cr T Millwood

Seconded Cr N Pervan

Resolution Number LG0735

"That the Recommendation be adopted."

FOR: Unanimous

CARRIED

5.4 Infrastructure Services Capital Report - June 2020

Executive Summary

The Infrastructure Services Department has adopted its Capital Works Program for the 2019/20 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 Infrastructure Services Department."

Moved Cr T Millwood

Seconded Cr T Tschui

Resolution Number LG0736

"That the Recommendation be adopted."

FOR: Unanimous

CARRIED

6. GENERAL BUSINESS

6.1 Proposed Amendments to Organisational Structure

Executive Summary

Chapter 6, Division 2, Section 196 (1) of the Local Government Act 2009 states that a local government must, by resolution, adopt an organisational structure that is appropriate to the performance of the local government's responsibilities.

It follows that any amendments to the organisational structure are also adopted by resolution of Council.

At the 20 May 2020 Council meeting, a majority of Councillors voted to endorse recommended changes to the organisation structure as being appropriate to the performance of the local government's responsibilities; enabling the proposed organisation structure to proceed to consultation processes with Unions and employees where necessary in accordance with commitments set out in the Cassowary Coast Regional Council Certified Agreement 2019.

A twenty-one day consultation period closed at 4:30 pm on 10 June, 2020.

20 submissions were received as part of the consultation process and these have been carefully considered and discussed with the Executive Management Team. As a consequence of consultation with employees and Unions, some changes to the original recommended structure are recommended.

In addition to the changes recommended in the report presented to Council on 20 May 2020 and the recommended changes below which are consequential to the process of consultation; further amendments are recommended to the structure. These further amendments are the result of having identified additional opportunities for savings as part of budget preparation processes for the 2020/21 budget.

The details of each change is set out in the body of this report and summarised in the recommendations below.

The savings in the order of \$902,000 in the first year and savings in the order of \$1,038,000 p.a. in subsequent years, reported in the 20 June report to Council will change as a result of the recommended changes in this report that have occurred as part of both the process of consultation or as a result of the budget process.

It should be noted that the 6 labouring positions, the Ganger roles being re titled and reclassified to Plumber roles and the Supervisor Capital Works are each roles where the cost of the roles is to the capital budget and do not impact on the operational budget. The cost of these roles have been included in the capital budget.

The three new apprentice roles recommended represent costs of \$78,177 in year one and \$156,354 in year two and approximately seventy percent of the costs of the plumbing roles is able to be charged to capital budgets so the impact of the operational budget for the two additional plumbing roles is only \$14,600 in year one and \$29,200 in year two. The costs are seen as an investment in growing talent in the region to produce qualified tradespeople and potentially provide future succession for trade roles. Apprentice costs will be variable from year to year as apprentices finish their apprenticeship and assessments are made whether to recruit apprentices in the same trades each year. While not yet confirmed, subsidies are expected to be received to reduce these costs.

The overall savings to the operational budget with addition of the recommended roles are now in the order of \$905,900 in year one and \$1,003,300 in subsequent years. This represents an improved saving of \$3,900 in year one and a decrease of only \$34,700 in subsequent years, while at the same time seeing the creation of 12 new opportunities for roles that ensure front line service delivery to ratepayers and the community.

The organisation chart view of the proposed changes appears at Attachment 1.

Recommendation

"That Council, by Resolution approve that:

1. The title of the existing position of Coordinator Governance Change to Governance Lead and also have the Communications Team report to the role.

2. The structure of the Communications Team proposed in the 20 May 2020 report change from:

Senior Media Communications Advisor and Senior Organisational Communications Advisor

to

Team Leader Communications and Communications Advisor

with

the Communications Advisor Role reporting to the role of Team Leader Communications;

and the role of Team Leader Communications Reporting to the Governance Lead.

3. The Position of Special Projects Coordinator which did report directly to the role of Director Planning & Regional Development and most recently to the Director Delivery Services be disestablished.

4. The structure and titles of positions supporting the treatment of water and wastewater be amended:

Position Titles:

- Position Number 30049 change title from Senior Water Treatment Plant Operator to Senior Operator;**
- Position Number 30051 change title from Treatment Systems Attendant to Senior Operator;**
- Position Number 30045 change title from Senior Wastewater Treatment Plant Operator to Senior Operator;**
- Position Numbers 30046, 30047, 30048 change title from Sewerage Treatment Plant Assistant Operator to Assistant Operator.**
- Position Number 30050 change title from Water Treatment Plant Assistant Operator to Assistant Operator.**
- Position Number 30080 change in title from Trainee Water & Sewerage Treatment Operator to Assistant Operator after completion of the required Certificate qualification and demonstration of required competency.**

Additional Role:

- One additional role of Senior Operator to report to Position Number 30043 – Coordinator Treatment; and

5. Six new labouring positions be established in the Water And Wastewater Section for the purpose of completing capital work from the 10 Year capital works plan and that these labourer positions report to the following roles:

- Two to Position 30076 – Plumber/Ganger Water & Sewerage
- One to Position 30073 – Plumber
- One to Position 30079 – Plumber
- One to Position 30066 – Plumber/Ganger Water
- One to Position 30069 – Plumber

6. Re-title And Reclassify Position Numbers 30066 And 30076 from Gangers to Plumbers.

7. Two new Apprentice Plumber Positions and one new Apprentice Fitter Position be established.

8. A new position of Supervisor Capital Works – Water & Wastewater be established.

9. A New role of Water Administration Officer be established.

10. Position Number 25000 – Caterer be disestablished

11. All other changes to and recommendations regarding the structure endorsed at the 20 May Meeting of Council and not affected by recommendations one to ten, now be formally approved for implementation following completion of the consultation processes with unions and employees."

Moved Cr M Nolan

Seconded Cr B Barnes

Resolution Number LG0737

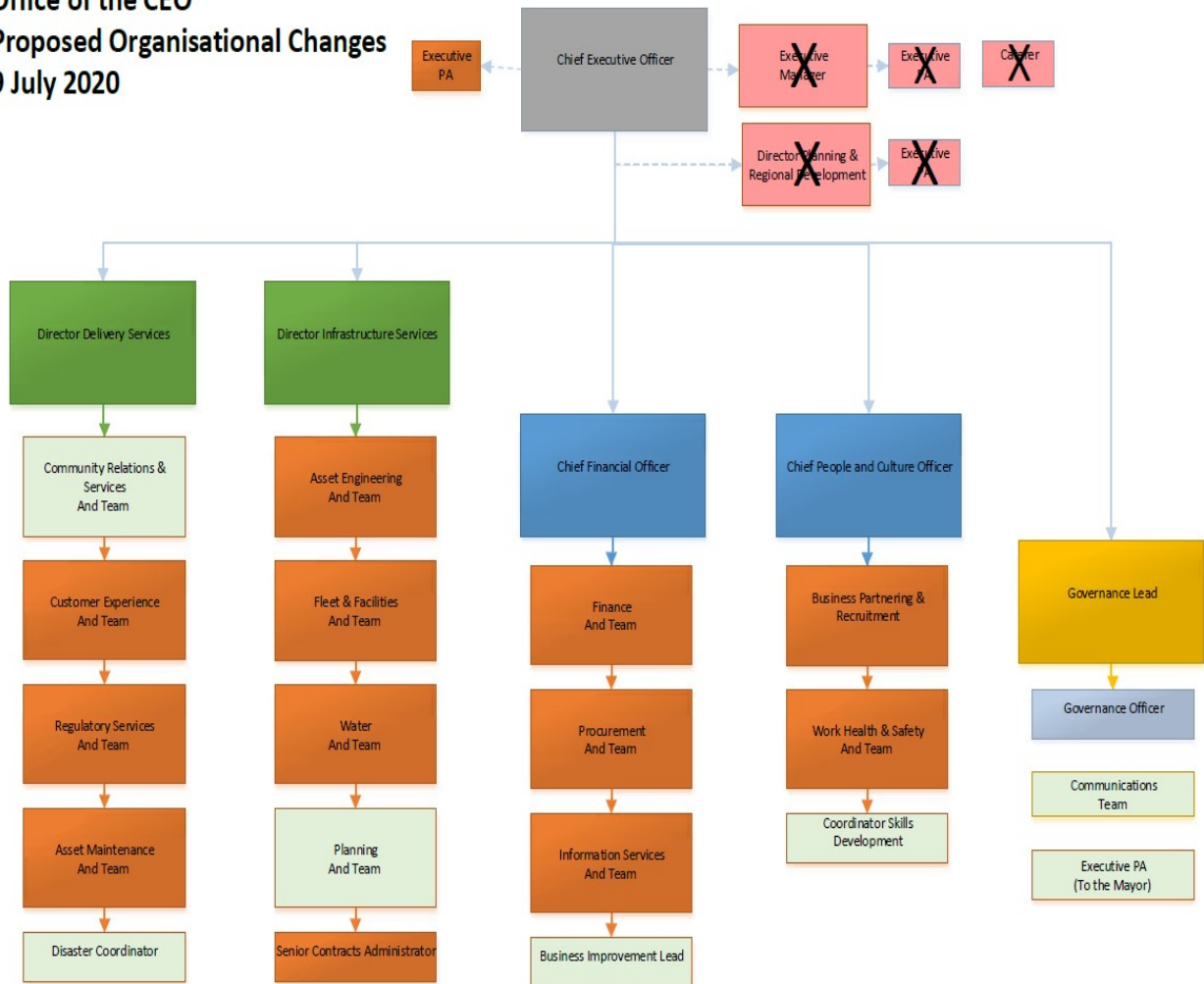
"That the Recommendation be adopted."

FOR: Unanimous

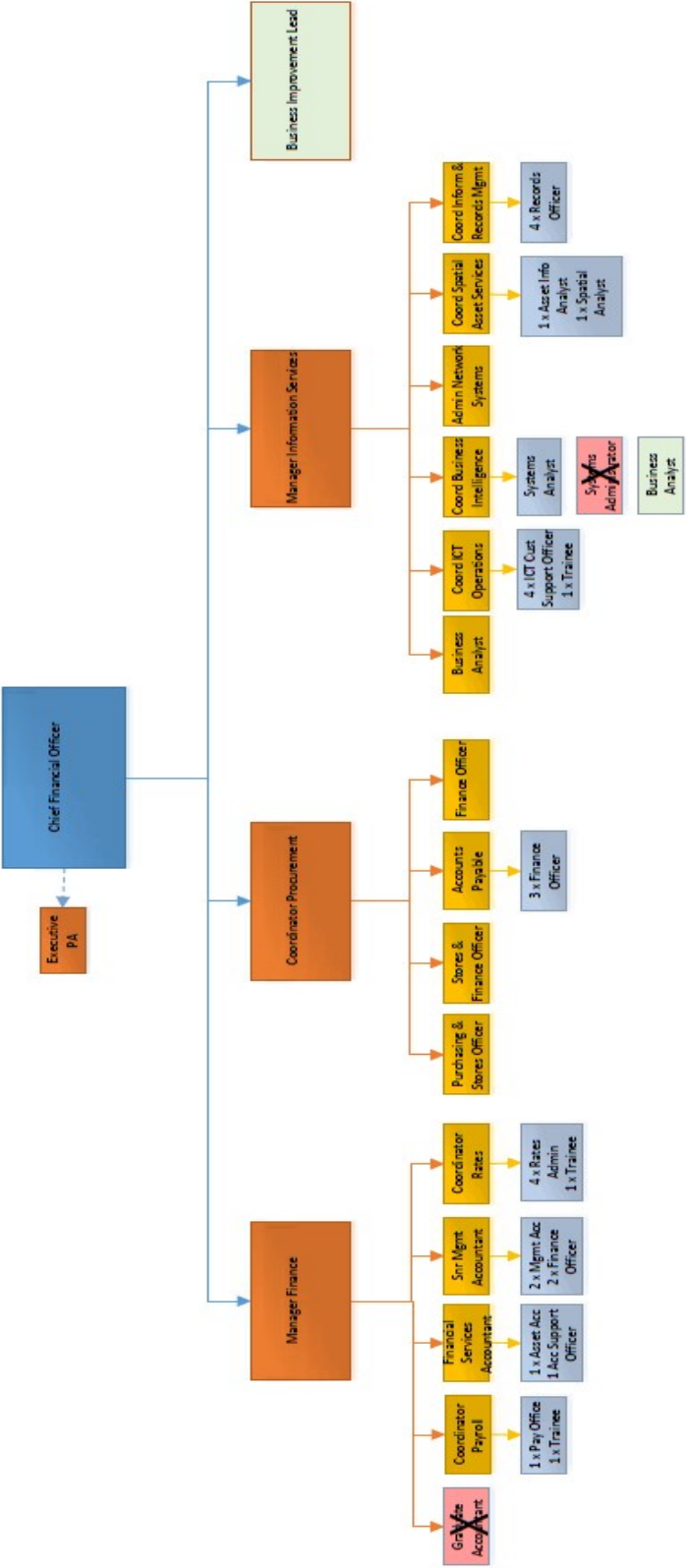
CARRIED

ATTACHMENT 1

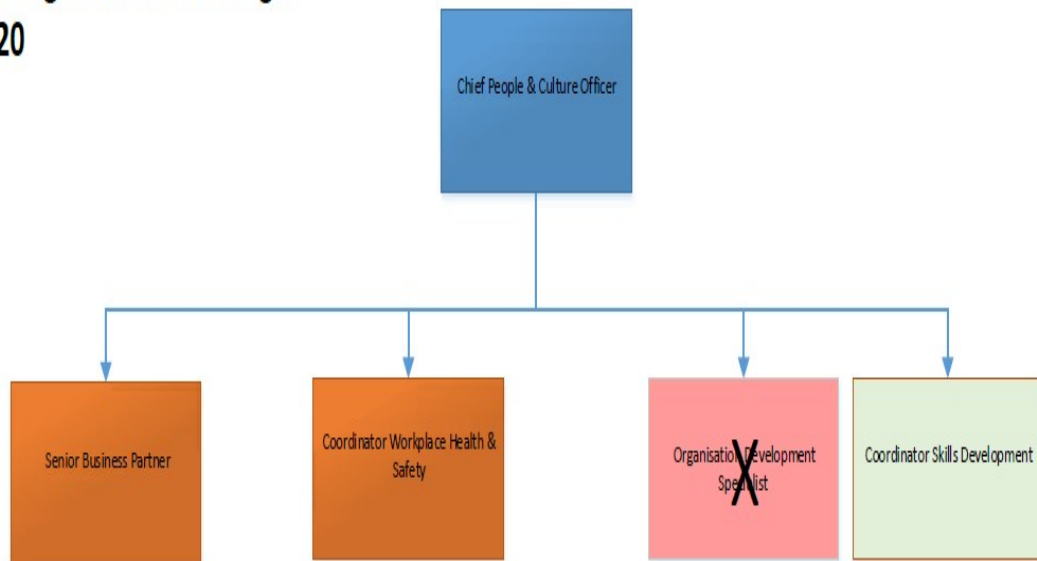
Office of the CEO
Proposed Organisational Changes
9 July 2020



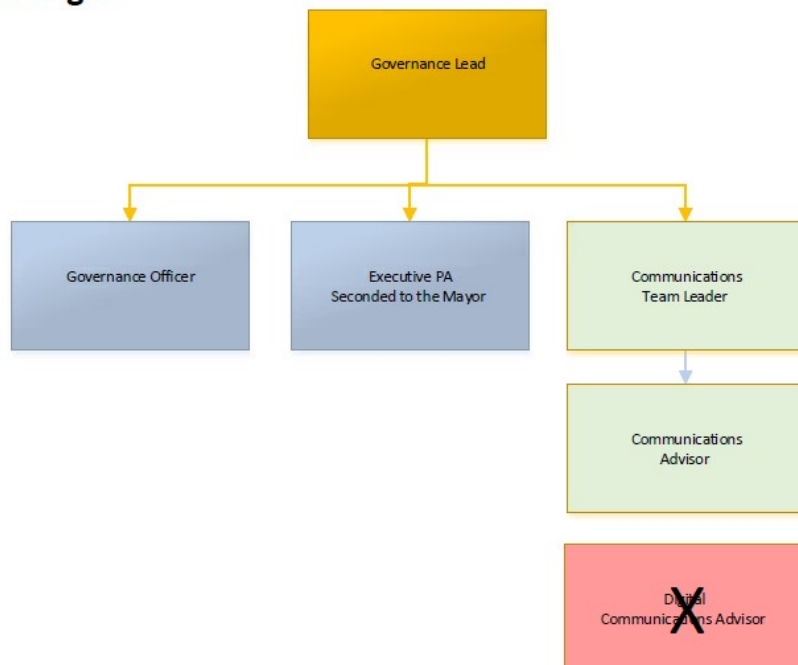
Office of the CFO
Proposed Organisational Changes
9 July 2020



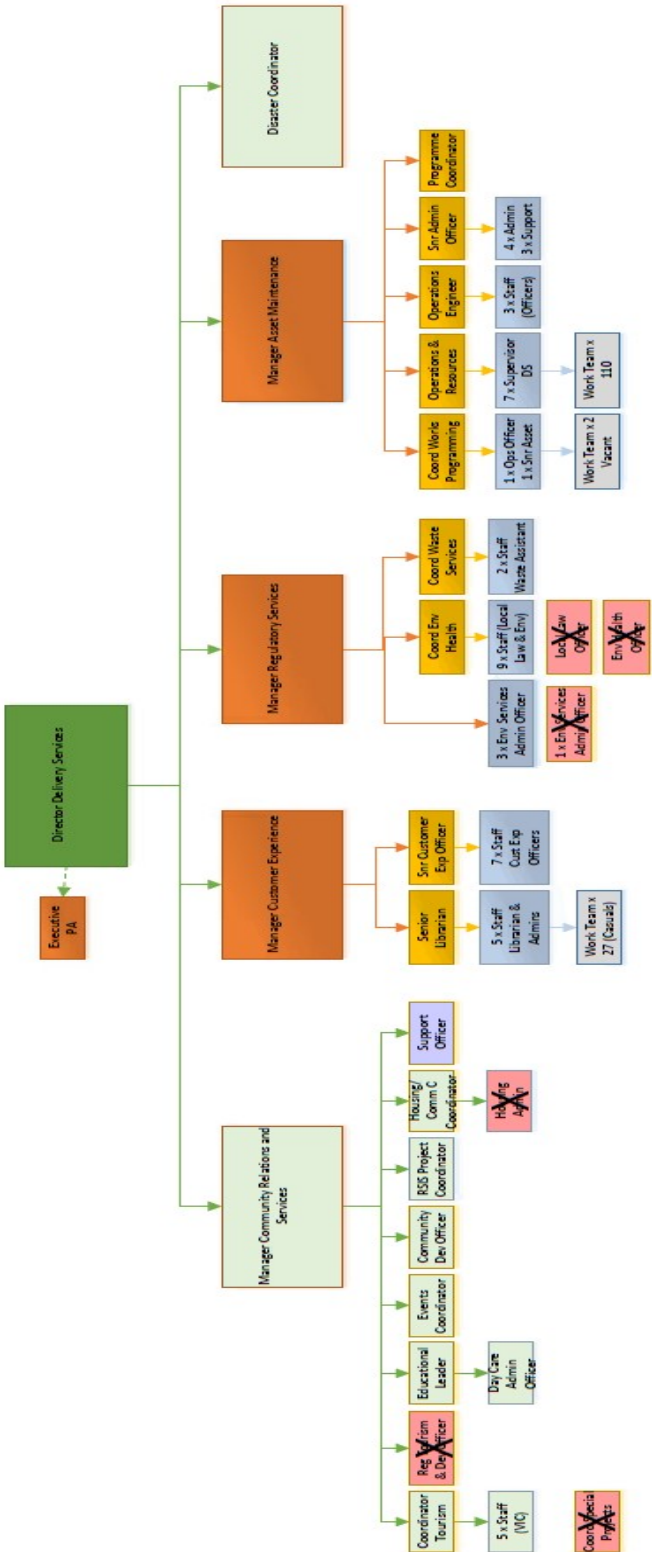
People and Culture
Proposed Organisational Changes
9 July 2020



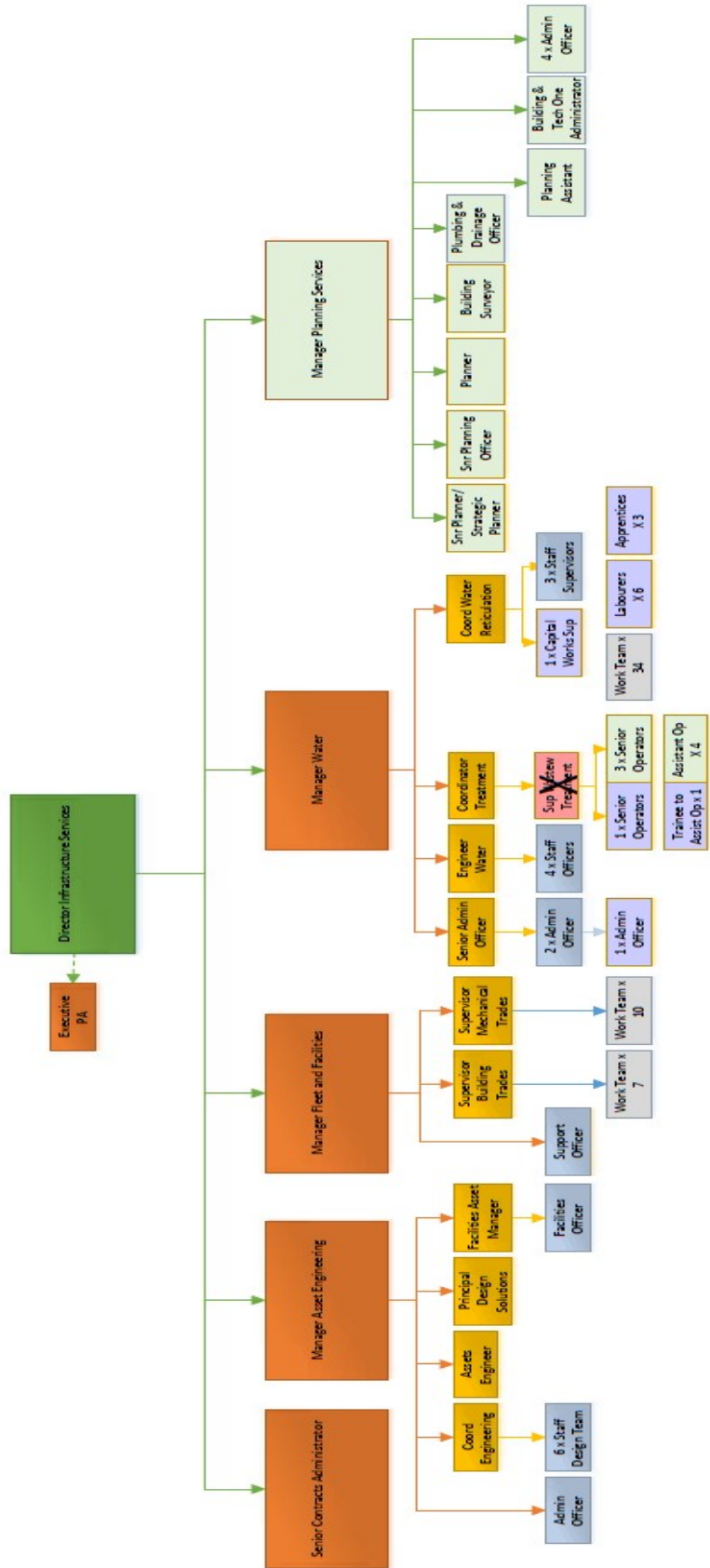
Governance
Proposed Organisational Changes
9 July 2020



Delivery Services
Proposed Organisational Changes
9 July 2020



Infrastructure Services
Proposed Organisational Changes
9 July 2020



6.2 Condolences to the Jones Family

Cr T Millwood offered condolences to the Jones Family in Tully in respect of the passing of Mary Jones - a very active member of the community.

MOVE INTO COMMITTEE - 9:51am

Moved Cr J Baines

Seconded Cr B Barnes

Resolution Number LG0738

"That in relation to Agenda Items 7.1 and 7.2, I move, pursuant to Section 275(1)(e) of the Local Government Regulation 2012, that the meeting be closed to the public so that Council can discuss contracts proposed to be made by it.

FOR - Unanimous

CARRIED

9:52am Cr K Farinelli and Mr J Gott left the meeting

9:53am Mr J Gott re-entered the meeting

MOVE OUT OF COMMITTEE - 9:57am

Moved Cr T Tschui

Seconded Cr B Barnes

Resolution Number LG0739

"That the meeting be re-opened to the public."

FOR: Unanimous

CARRIED

6.3 Legal Costs

Cr T Millwood requested feedback from Mr G Singh (Chief Financial Officer) in relation to legal costs in the Budget. General discussion was held regarding legal costs and the processes currently in place and changes expected going forward.

6.4 Lifting of COVID-19 Restricting - Activity in the Community

Cr B Barnes acknowledged the lifting of COVID-19 restrictions and the activities that are now happening in the community including the Cardwell Markets and other activities throughout the region.

6.5 Passing of Duncan Paterson

Cr N Pervan offered condolences to Mary Paterson in respect of the passing of Duncan Paterson who contributed a lot to the community and community groups over the years.

6.6 Cassowaries

Cr J Baines advised of his attendance together with Cr Tschui at the recent community meeting in Mission Beach last week in relation to caring for cassowaries in the light of incidents involving vehicles and cassowaries within the region over the last month. A positive meeting well supported by the community and various Departments including the Department of Transport and Main Roads overpass at Smith's Gap which includes the world first wildlife crossing bridge funded by the Federal Government. Cr Baines also asked that community focus on the slogan Speeding and Feeding - Don't Do It With Cassowaries.

7. CONFIDENTIAL REPORTS

7.1 Contract CCW000113 - Regional Sewer Relining Program

Executive Summary

The purpose of this report is for Council to consider submitted tenders and award Contract CCW000113 - Regional Sewer Relining Program.

Council undertakes annual in-situ sewer rehabilitation works in the Innisfail and Tully sewerage schemes to maintain the sewer reticulation network. As our neighbouring councils undertake similar works, the Far North Queensland Regional Organisation of Councils (FNQROC) invited tenders on behalf of council for the 2020/21 Regional Sewer Relining Program under a collective procurement arrangement, with each council forming an individual contract with the selected contractor.

The sewer relining works were split into two packages to enhance competitive pricing and competition:

Package 1 – Works associated with relining sewer lines up to 225 mm diameter

Package 2 – Works associated with relining sewer lines greater than 225mm diameter

Three submissions were received for both Packages 1 and 2 and these were evaluated by the Project Steering Committee which included officers from FNQROC and each of the participating Councils.

Relining Solutions Pty Ltd is recommended for both packages as they provided a highly competitive submission, have the required capability, and have previously provided a good service to council/other councils in the region.

Recommendation

"That:

1. Contract CCW000113 - Regional Sewer Relining Program for Package 1 and Package 2 be awarded to Relining Solutions Pty Ltd on a Schedule of Rates basis for the tendered amount of \$1,103,418.24 (excluding GST) from the award date to 30 June 2021 with an option to vary the contract to include works in FY2021/22 and FY2022/23;

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

3. A status report be provided to Council as the contract materially changes, covering matters, including but not limited to program, costs, quality and risk; and

4. The Chief Executive Officer be authorised to approve up to two 12 month extensions of the initial 12 month contract period."

Moved Cr B Barnes

Seconded Cr J Baines

Resolution Number LG0740

"That the Recommendation be adopted."

FOR: Unanimous

CARRIED

7.2 Sole Supplier and Suppliers of Services of a Specialised or Confidential Nature

Executive Summary

It is a requirement under the Local Government Regulation 2012 to:

- Invite written quotations where the carrying out of works or the supply of goods and services involves costs greater than \$15,000 in a financial year or over the proposed term of the contractual arrangement.
- Invite tenders where the carrying out of works or the supply of goods and services involves costs greater than \$200,000 in a financial year, or over the proposed term of the contractual arrangement.

Additionally Council's Procurement Policy contains provisions regarding obtaining quotations for amounts less than \$15,000 and the process for when quotes cannot be sought.

The Local Government Regulation 2012 acknowledges that there are instances where it will not always be possible to meet the requirements of seeking quotes from the required number of suppliers, or the calling of tenders, and provides a number of exceptions to manage these instances.

Procurement has coordinated this report to enable a register of sole suppliers and suppliers of specialised or confidential services to be established and to ensure that legislative requirements are met.

This coordinated approach ensures that the majority of these exceptions are presented to council in a consolidated report instead of various reports throughout the year.

Recommendation

"That Council:

- 1. deem the report and attachment as a confidential document and treat this in accordance with sections 171 and 200 (5) of the Local Government Act 2009 and that the document remain confidential unless Council decides otherwise by resolution.**

2. resolve in accordance with section 235(a) and (b) of the Local Government Regulation 2012 that it is satisfied that the suppliers listed in Attachment 1 are sole suppliers and/or suppliers of specialised or confidential services for the 2020/2021 financial year."

Moved Cr T Tschui

Seconded Cr T Millwood

Resolution Number LG0741

"That the Recommendation be adopted."

FOR: Unanimous

CARRIED

8. MEETING CLOSURE

10:10am There being no further business, the Mayor declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD THIS 23RD DAY OF JULY 2020

Cr M Nolan, Mayor