



ORDINARY MEETING

1 MAY 2024

9 A.M.

PRESENT: Cr A Eden (Chairperson)
Cr B Moller
Cr M Tickner
Cr C Zeiger
Cr T Tim
Cr R Pyne
Cr K Vallely
Cr A Middleton
Cr R Coghlan
Cr B Olds

OFFICERS:

C Posgate	Acting Chief Executive Officer
E Johnson	Director Planning, Growth and Sustainability
M Wuth	Director Cairns Infrastructure and Assets
D Puia	Director Lifestyle and Community
L Whitton	Director Finance & Business Services
N Masasso	Director Economic Development and Advocacy
T Volling	Acting Executive Manager Marketing & Communications
A Patterson	Executive Manager Licensing & Compliance
T Dendle	Executive Manager Community Spaces
C Simmons	Executive Manager Development & Planning
P Rogato	Media Coordinator
A Turnbull	Executive Manager Office of the CEO
S Cottrell	Minute Secretary

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CLOSED SESSION

- 1. BUDGETARY MATTER – OUTSTANDING DEBT REPORT 12**
63/8/31-01 | #7375070v1

PRESCRIBED CONFLICT OF INTEREST / DECLARABLE CONFLICT OF INTEREST

There were no conflict of interests or material personal interests declared.

PURPOSE OF MEETING

To consider the matters listed on the agenda.

CONFIRMATION OF MINUTES OF ORDINARY MEETING 06/03/24 AND STATUTORY MEETING HELD ON 12/04/2024 AND SPECIAL MEETING HELD ON 24/04/2024

MOLLER / OLDS

That the Minutes of the Ordinary Meeting held on Wednesday, 6 March 2024, Statutory Meeting held on Friday, 12 April 2024 and Special Meeting held on Wednesday, 24 April 2024 be confirmed.

carried unanimously

1. RECRUITMENT PANEL – CHIEF EXECUTIVE OFFICER VACANCY
.....57
65/9/1-01 | # 7406328

OLDS / TICKNER

That Council:

1. Approves the establishment of a recruitment panel to undertake the recruitment and recommendation process for the vacant role of Chief Executive Officer.
2. Appoints the following Councillors as the recruitment panel:
 - Mayor (Chair)
 - Deputy Mayor
 - Cr Tickner
 - Cr Zeiger
3. That the recruitment panel report to Council on the preferred applicant or applicants for formal interview by the Council and appointment of the new Chief Executive Officer by Council.

carried unanimously

2. CEO MONTHLY REPORT59
93/1/2 | #7399816

OLDS / COGHLAN

1. That Council notes:
 - a) The status of Council Resolutions.
 - b) The planned review into Safety at Natural Waterways and Natural Areas.
 - c) The CEO Month in Review.
 - d) The wrap up of the Declaration of Office 2024.
 - e) The Ex-Tropical Cyclone Jasper Flooding Recovery Update, including the intention to lodge an \$11M Disaster Recovery Funding Arrangements submission for the proposed replacement Lower Kamerunga Cycleway Bridge.
2. That Council approves:
 - a) The Play Our Way Program Application – Redlynch Community Sports Facilities.
 - b) Retrospectively, a financial contribution of \$3000 to the Stratford Bowls Club in order for them to conduct their ANZAC Day remembrance event.

carried unanimously

3. CAIRNS WATER SECURITY STAGE 1 – FUNDING.....80
58/6/3-01 | #7389595

MOLLER / TICKNER

That Council:

1. Reconfirms the *Cairns Water Security – Stage 1* Project as Council’s Number One Advocacy Priority;
2. Reconfirms the additional funding commitments sought from both the State and Federal Governments (in accordance with Table 1 in this report) to support the total project cost; and
3. Delegates authority to the Mayor and Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any and all matters relating to the above and to lead Council’s advocacy activities in relation to this matter.

carried unanimously

4. MAJOR EVENTS SPONSORSHIP – CAIRNS AMATEURS 2024-2026.....89
52/1/16 | #7378551

OLDS / COGHLAN

That Council:

- 1. Supports the transfer of sponsorship of up to \$225,000 (ex GST) comprised of \$75,000 (ex GST) per annum, to the Cairns Jockey Club Inc to deliver the Cairns Amateurs Carnival from 2024 to 2026 under Council’s Major Events Sponsorship program;
- 2. Resolves in accordance with section 235(b) of the Local Government Regulation 2012, it is satisfied that the event provider is a Specialised Supplier and that they be added to the Sole Supplier Register for the remainder of the 2023/24 financial year; and
- 3. Delegates authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to finalise any and all matters relating to the above.

carried unanimously

5. AUDITOR-GENERAL’S OBSERVATION REPORT ON THE INTERIM AUDIT FOR THE YEAR ENDING 30 JUNE 202493
63/17/2-01 | #7403309

MOLLER / COGHLAN

That Council notes the Auditor-General’s Observation Report on the interim audit for the year ending 30 June 2024.

carried unanimously

6. FINANCIAL PERFORMANCE REPORT FOR THE PERIOD ENDED 29 MARCH 202499
63/17/2-01 | #7375361

TIM / VALLELY

That Council notes the financial performance report for the period ended 29 March 2024.

carried unanimously

7. Q3 OPERATIONAL PLAN 2023-24 PROGRESS REPORT 123
83/3/1-01 | #7175696

OLDS / VALLELY

That Council notes the Q3 Operational Plan 2023-24 Progress Report.

carried unanimously

8. DECLARATION OF SERVICE AREAS (WATER AND SEWERAGE)
..... **136**
87/15/1-01 | #7402095

MOLLER / ZEIGER

That Council:

1. Declare amended water and sewerage service areas as part of an annual review pursuant to section 161 of the *Water Supply (Safety and Reliability) Act 2008*.
2. Make mapping of the updated declared water service area and the declared sewerage service area publicly available by publishing on the Cairns Regional Council website.

carried unanimously

9. TENURE ARRANGEMENT – OFFER OF FREEHOLD LEASE TO LIONS CLUB OF CAIRNS MARLIN COAST OVER PART OF LOT 191 ON NR6528, 85-93 OLEANDER STREET HOLLOWAYS BEACH – DIVISION 8..... 142
19/28/352 | #7372971

COGHLAN / OLDS

That Council:

1. Applies an exception in accordance with section 236(2) of the *Local Government Regulation 2012* for the disposal (via lease) of a valuable non-current asset other than by tender or auction pursuant to section 236(1)(b)(ii) being for the purpose of issuing a tenure arrangement to a community organisation;

- 2. Supports the offer of a freehold lease to the Lions Club of Cairns Marlin Coast over part of Council freehold land described as lot 191 on NR6528, 85-93 Oleander Street, Holloways Beach, subject but not limited to the terms and conditions herein;
- 3. Authorises the Executive Manager Licensing and Compliance to negotiate and finalise any and all matters relating to the freehold lease arrangement.

carried unanimously

10. PERMANENT ROAD CLOSURE OVER PART OF ROAD ADJOINING LOT 485 ON SP323637, 2-48 COOK STREET PORTSMITH - DIVISION 5 148
55/2/4-03 | #7383967

PYNE / VALLELY

That Council:

- 1. Provides approval as road manager to support an application under section 99(1)(b) of the *Land Act 1994* being made by the adjoining landowner of lot 485 on SP323637 for permanent closure of the subject area of local government-controlled road subject to:
 - a. A Deed of Agreement between Council and Ports North to provide formalised access over part of lot 485 on SP323637 for maintenance purposes for the Fearnley Street drain; and
 - b. The landowner being responsible for all costs associated with the road closure application and access requirements.
- 2. Authorises the Executive Manager Licensing and Compliance to negotiate and finalise any and all matters relating to the proposed permanent road closure, Deed of Agreement and access requirements.

carried unanimously

11. RESOURCE AND PERFORMANCE AGREEMENT GIFTED GLOBAL GREEN PROGRAM 154
61/7/2-01 | #7360358

ZEIGER / COGHLAN

That Council:

1. Approves a three-year Resource and Performance Agreement with the Holloways Beach Environmental Education Centre to support their Gifted Global Green program for \$10,000 (plus up to \$1,000 in-kind event support) per annum, commencing 1 July 2024 until 30 June 2027.
2. Delegates authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to finalise any and all matters associated with the Resource and Performance Agreement.

carried unanimously

12. REGISTER OF PREQUALIFIED SUPPLIERS (ROPS) 2947 – SUPPLY AND LAYING OF ASPHALTIC CONCRETE 169
63/1/409 | #7398927

OLDS / ZEIGER

That Council:

1. Approves the establishment of Register of Prequalified Suppliers (ROPS) 2947 – Supply and Laying of Asphaltic Concrete and appoints Boral Resources (Qld) Pty Ltd, FGF Bitumen Pty Ltd, NQ Asphalt Pty Ltd and Pioneer North Queensland Pty Ltd, for a period of three years commencing 1 July 2024, with two extension options of up to two years each, available at Council’s discretion.
2. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into contract, negotiate, finalise and execute any and all matters associated with or in relation to this arrangement subject to Council’s normal procurement policies and practices.

carried unanimously

13. CAIRNS LIBRARIES – KEY BENCHMARKING OUTCOMES.....174
52/4/4-01 | # 7357543

ZEIGER / PYNE

That Council notes the key benchmarking outcomes of Cairns Regional Council's library services 2022-23 and the positioning of Cairns Libraries across benchmarked Queensland libraries.

carried unanimously

14. APPLICATION FOR MONUMENT IN PUBLIC SPACE186
52/8/1-01 | #7401934

MOLLER / TICKNER

That Council:

1. Approves the installation of a monument at the Aeroglen Dog Off Leash Park, to serve as acknowledgement of the working dogs of the Queensland Police Service.
2. Notes that the monument, including its installation and relevant permits or approvals are to be fully funded by the applicant and unveiled on 7 June 2024.
3. Notes that the proposed initiative has followed the provisions of the Acknowledgements, Memorials and Monuments General Policy in particular provision 2.4, significant contribution to the community.
4. Delegates authority to the Chief Executive Officer under the provisions of the *Local Government Act 2009* to approve the exact placement and specification for the statue.

carried unanimously

BUSINESS NOT ON THE AGENDA

1. NORTH QUEENSLAND GAMES

COGHLAN

Thank you to the Mayor, fellow Councillors and Executive for wearing the North Queensland Games t-shirts to promote the games being held this weekend.

carried unanimously

2. PETITION – BUNNY JARRETT PARK DOG OFF LEASH AREA

MIDDLETON / PYNE

That the petition (#7400950) requesting Council keep Bunny Jarrett Park as a Dog-off-Leash area, be received and referred to officers to report back to the Council.

carried unanimously

3. PETITION - CLYDE BRIDGE OVER RUSSELL RIVER

MOLLER / TICKNER

That the petition requesting Council undertake a review of the existing Clyde Bridge over the Russell River, be received and referred to officers to bring to Council via Workshop. (Petition DM#7402327).

carried unanimously

There is one item in closed session. This item relates to a budgetary matter.

Can I please have a mover and a seconder to move into Closed Session under Section 254J(3)(c) of the Local Government Regulations 2012.

CLOSED SESSION

COGHLAN / OLDS

COUNCIL RESOLVED TO GO INTO CLOSED SESSION TO DISCUSS THE FOLLOWING MATTERS AS LISTED IN THE AGENDA:

- 1. BUDGETARY MATTER – OUTSTANDING DEBT REPORT195
63/8/31-01 | #7375070v1**

carried unanimously

OUT OF CLOSED SESSION

COUNCIL RESOLVED TO MOVE OUT OF CLOSED SESSION

MOLLER / OLDS

carried unanimously

RESOLUTIONS ARISING FROM MATTERS DISCUSSED IN CLOSED SESSION.

- 1. BUDGETARY MATTER – OUTSTANDING DEBT REPORT195**
63/8/31-01 | #7375070v1

OLDS / COGHLAN

That Council notes the status of the outstanding debt owed to Council as at 29 March 2024.

carried unanimously

THE MEETING CLOSED AT 10.14 AM

CONFIRMED THIS DAY OF 2024

.....
MAYOR/CHAIR

.....
CHIEF EXECUTIVE OFFICER