

<b>ORDINARY MEETING</b>  <b>21 DECEMBER 2023</b>	<b>17</b>
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## **PROPERTY MATTERS RESOLVED UNDER DELEGATIONS – 1 JULY 2022 TO 30 JUNE 2023**

55/2/3 | #7108760

### **RECOMMENDATION:**

**That Council notes the property matters considered under delegation from 1 July 2022 until 30 June 2023**

### **EXECUTIVE SUMMARY:**

This report provides a summary of all the property matters executed under delegation and resolution during the period 1 July 2022 until 30 June 2023.

- Minor Property matter delegation: 12 matters
- Acquisitions for a public purpose delegation: 6 matters
- Issuing tenure in accordance with the Tenures Policy: 38 matters

### **COMMENT:**

The following matters were resolved under the **Minor Property Matter delegation**:

<b>MATTER</b>
1. No support to allow encroachments to remain on Council reserve for drainage purposes from a property on Cayley Street, Trinity Beach
2. Supported renewal of licence agreement on Bunda Street, Cairns City
3. Support an amendment to proposed easement area over part of a Council owned property in Ainscow Drive, Bentley Park
4. Support an application to purchase reserve for health (Aged Peoples Home) purposes Cairns Road, Gordonvale
5. Support a request to remove Administrative Advice for a property on Pine Creek Road, East Trinity
6. Support a proposed partial revocation of reserve and road opening over part of Kamerunga Rd (Western Arterial Road), Kamerunga
7. Support the finalisation for compensation claims from various road resumptions made by the State

MATTER
8. No support for proposed road closure of unnamed road adjoining Captain Cook Hwy, Barron
9. Support a renewal of licence agreements from Burnett Street to Anderson Road, Whiterock and Stratford Parade, Stratford
10. Support a road opening over part of Swallow Road, Edmonton
11. No support for a request from a lot in Hardwick Street, Stratford for Council to provide and maintain an easement for erosion issues from creek that runs through the rear of a property
12. Support for a surrender of a freehold licence on Evans Road, Bramston Beach

The following matters were resolved under the **acquisitions for a public purpose delegation** of Council:

MATTER
1. Support for an easement for water supply purposes over a property in Maynard Close, Mount Sheridan
2. Support for easements for drainage purposes over 4 properties in Bradford Street, and Hillview Crescent, Whitfield
3. Support for a resumption over part of a site on Redlynch Intake Road, Redlynch
4. Support for an easement for water supply Mount Peter Road, Mount Peter
5. Support for a resumption for road purposes, Johnson Road, White Rock
6. Support for a resumption for an easement for drainage purposes Maitland Road, Gordonvale

The following matters were resolved under the **tenure arrangements in accordance with the policy delegation** of Council:

MATTER
1. Support for a freehold lease over part Coombak Close, Edmonton
2. Support for a trustee permit over part of Sheppards Street, Gordonvale
3. Support for an amendment to freehold lease over part Farmer Street, Edmonton
4. Support for an Agreement for Use over part of The Esplanade/Pier Point, Cairns City
5. Support for the renewal of tenure arrangement over part of The Esplanade/Pier Point, Cairns City
6. Support for a proposed trustee lease over part of Charles Street Martyn Street, Manunda

MATTER
7. Support for a road permit adjoining a lot located on Shields Street, Cairns City
8. Support for a proposed road permit adjoining a lot located on Woopen Creek Road, Woopen Creek
9. Support for an amendment of leased area over part of Meerawa Road, Aloomba
10. Support with conditions proposed sale of Council freehold land for pool encroachment (from Morris St) and removal of shed on Maree Street, Freshwater
11. Support for a trustee permit over park of Mulgrave Road, Parramatta Park
12. Support for road permit adjoining a lot located on Links Drive, Woree
13. Support for a road permit adjoining a lot 2 located on Shields Street, Cairns City
14. Support for a trustee permit over part of Windarra Street, Woree
15. Support for an amendment to a trustee lease to address long term tenure rental fees over part of Behan Street, Manunda
16. Support to purchase part of Council freehold located on McFarlane Drive, Kanimbla by a property owner from Kingfish Street, Kanimbla
17. Support for a request assign a telecommunication provider's tenure arrangements to their engaged contractor for the management of all their land tenure matters
18. Support for permanent road closure and boundary realignment over part of Charles Street, Cairns North
19. Support for a request to extend freehold lease over part of Farmer Street, Edmonton
20. Support for the surrender of current trustee lease and issue of new trustee lease for a longer term over part of Kamerunga Road, Freshwater
21. Support for a permanent road closure and interim road permit until the road closure is finalised over part of Peacock Street, Trinity Beach
22. Support for a road permit adjoining 2 lots on Cook Street, Portsmith
23. Support for Council to terminate a freehold lease due to inactivity and exiting of committee over part of Marshall Street, Machans Beach
24. Support for freehold lease over part of Trinity Beach Road, Trinity Beach
25. Support for a road permit adjoining lot on Dexter Road, Gordonvale
26. Support for a trustee permit over part of Kern Street, Gordonvale
27. Support for permanent road closure to formalise encroachments on road reserve from Poinsettia Street, Holloways Beach
28. No support to allow the purchase of part of adjoining Council freehold land located on Prior Street, Edmonton

MATTER
29. Support for concurrent application permanent road closure and purchase of unallocated state land (USL) located to adjoining lot on Gillies Range Road, Little Mulgrave
30. Support for a freehold lease over part of Wolff Street Edmonton
31. Support for a road permit in the Esplanade Dining Precinct for an adjoining business, The Esplanade, Cairns City
32. Support for a trustee permit for bike bank over part of 93-105 Lake Street, Cairns City
33. Support for a road permit due to change of ownership in the Esplanade Dining Precinct for adjoining business, The Esplanade, Cairns City
34. Support for a Licence Agreement over part of Council reserve, Arnold Street, Aeroglen
35. No support for a freehold lease renewal located over part of Oleander Street, Holloways Beach
36. Support for a trustee lease over part of Church Street, Babinda
37. Support for a freehold licence agreement over part of Jacaranda Street, Holloways Beach
38. Support for a permanent road closure adjoining Price Road, Bartle Frere.

**OPTIONS:** (Recommended)

That Council notes the property matters considered under delegation in the six months from 1 July 2022 until 30 June 2023.

**CONSIDERATIONS:**

Risk Management:

The Divisional Councillor has been notified of each matter and may refer any matter to Council should they consider it warranted as part of the delegation process.

Council Finance and the Local Economy:

All Matters have been finalised within the approved budget provisions.

Corporate and Operational Plans:

This report was prepared in accordance with Corporate Plan:

Focus 4 – Community & Culture - Fostering a vibrant and healthy community where everyone feels they belong:

- Support diverse sport, cultural and community groups that contribute to wellbeing
- Provide spaces and programs for the wellbeing of the community

And

Focus 5 – Focused Council – Being a leader in local government:

- Build effective partnerships with community and governments
- Maintain sound financial management including robust long-term modelling
- Ensure decision making is collaborative, transparent and accountable

Statutory:

All matters have been dealt with in accordance with the *Local Government Act 2009*, *Land Act 1994* and *Land Titles Act 1994*.

**CONSULTATION:**

All Minor Property Matters have been considered by the “Commentary on Property” group. All other matters, if not considered in the Commentary on Property group, have been considered in consultation with the relevant area of Council holding asset ownership as well as with the Executive Leadership Team and notifications to the Divisional Councillor.



Amy Patterson  
Executive Manager - Licensing and Compliance



Ed Johnson  
Director - Planning, Growth and Sustainability