



GENERAL MEETING AGENDA

TUESDAY
28 JUNE 2022
at 9.00AM

PRESENT -

APOLOGY -

PRAYER -

DECLARATIONS OF INTEREST -

MINUTES - Confirmation of Minutes of General Meeting held on 31 May 2022.

BUSINESS

1. INFRASTRUCTURE AND UTILITY SERVICES

- 1.1 INFRASTRUCTURE and UTILITY SERVICES ACTIVITY REPORT **Report # 01**
Consideration of Report to Council from Director Infrastructure and Utility Services dated 13 May 2022 regarding summary of activities undertaken during the month ending 31 May 2022.

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

- 1.2 INFRASTRUCTURE and UTILITY SERVICES MONTHLY STATUS REPORT **Report # 02**
Consideration of Report to Council from Director Infrastructure and Utility Services dated 13 June 2022 regarding monthly Infrastructure and Utility Services Status Report for the month ending 31 May 2022.

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

- 1.3 2021-2022 CAPITAL PROJECTS STATUS REPORT for MONTH ENDING 31 MAY 2022 **Report # 03**
Consideration of Report to Council from Director Infrastructure and Utility Services dated 13 June 2022 regarding a Status Report that provides a breakdown of projects as approved in the 2021-2022 Capital Works Program for the month ending 31 May 2022.

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

- 1.4 HSC 22/03 – MANAGEMENT of HALIFAX RESOURCE RECOVERY CENTRE **Report # 04**
Consideration of Report to Council from Utility Services Manager dated 13 June 2022 outlining the tender process undertaken and evaluation outcome of Tender HSC 22/03 – Management of Halifax Resource Recovery Centre which closed on 13 May 2022.

Recommended – That Council:

- A. Exercise its rights under section 228 (9) of the Local Government Regulations 2012 and not accept the tender received; and
- B. Commence operations of the Halifax Resource Recovery Centre utilising internal resources on expiry of the current Agreement.

1.5 2021 AERIAL IMAGERY ACQUISITION DATA REQUEST **Report # 05**

Consideration of Report to Council from Acting Infrastructure Assets Manager dated 8 June 2022 outlining the process and negotiations undertaken in regards to the on-selling of aerial imagery acquired through Queensland Spatial Information Council (QSIC) to other organisations within the Hinchinbrook community to encourage working partnerships with various local and state agencies to promote economies of scale.

Recommended – That Council delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009*, to negotiate and enter into contracts, finalise and execute any and all matters in relation to the on-selling of aerial imagery acquired through Queensland Spatial Information Council to other organisations within the Hinchinbrook community.

1.6 REEF GUARDIAN COUNCIL PROGRAM – FINAL REPORT for 2021-2022 FINANCIAL YEAR **Report # 06**

Consideration of Report to Council from Utility Services Manager dated 13 June 2022 summarising the outcomes achieved through the implementation of actions and activities taken by Council over the 2021-2022 financial year which contributes towards the delivery of Council's Reef Guardian Local Action Plan 2020-2024.

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

2. CORPORATE and COMMUNITY SERVICES

2.1 CORPORATE and COMMUNITY SERVICES ACTIVITY REPORT **Report # 07**

Consideration of Report to Council from Director Corporate and Community Services dated 16 June 2022 regarding summary of activities undertaken during the month ending 31 May 2022.

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

2.2 CORPORATE and COMMUNITY SERVICES STATUS REPORT **Report # 08**

Consideration of Report to Council from Director Corporate and Community Services dated 13 June 2022 regarding monthly Corporate and Community Services Status Report for the month ending 31 May 2022.

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

2.3 FINANCIAL PERFORMANCE REPORT for the PERIOD ENDING 31 MAY 2022 **Report # 09**

Consideration of Report to Council from Finance Manager dated 17 June 2022 regarding a report of Council's financial performance and position for the month ending 31 May 2022.

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

2.4 HSC 22/11 – LEASE and MANAGEMENT of the
JL KELLY MEMORIAL THEATRE (INGHAM QUEENSLAND) **Report # 10**

Consideration of Report to Council from Finance Manager dated 16 June 2022 outlining the tender process undertaken in relation to the lease and management of the JL Kelly Theatre associated with Tender HSC 22/11 which closed on 23 May 2022.

Recommended – That Council note that no submissions were received for the lease and management of the JL Kelly Memorial Theatre.

2.5 REFERRAL AGENCY RESPONSE – DESIGN and SITING
FERRERO STREET LUCINDA – LOT 17 on L46925

Report # 11

Consideration of Report to Council from Development and Regulatory Services Manager dated 13 June 2022 concerning a Referral Agency Response – Design and Siting variation lodged by David Tilley seeking to establish a singular Class 10a open patio structure on the western portion of the property off the existing dwelling located at 14 Ferrero Street Lucinda and described as Lot 17 on L46925 which entails an encroachment on the side boundary towards the allotment boundary of Lot 18 on L46925. The open patio structure is proposed to be constructed at 500mm to the side boundary from its outermost projection, with dimensions being 4.3m wide, 9.0m long, and a height of 3.75m with a 3° pitch to the roofline.

Recommended – That Council issue a Referral Agency Response for the proposed Class 10a open patio structure on land located at 14 Ferrero Street Lucinda, formally described as Lot 17 on L46925, subject to conditions, as set out in Attachment A.

2.6 REFERRAL AGENCY RESPONSE – DESIGN and SITING
DENNEY STREET LUCINDA – LOT 23 on SP279694

Report # 12

Consideration of Report to Council from Development and Regulatory Services Manager dated 13 June 2022 concerning a Referral Agency Response – Design and Siting variation lodged by Glenn Sexton Pty Ltd on behalf of Richelle Sexton seeking to establish a Class 1a dwelling, a Class 10a enclosed garage, and Class 10b plunge pool on the property which is unimproved vacant land described as Lot 23 on SP279694 located at 15 Denney Street Lucinda. The proposed site coverage of all structures and impervious roofed areas total 287.69m², being 59.55% of the total allotment size. The maximum height of all structures is 4.2m with a 25° roof pitch to the structures peak, and the structures are proposed to be constructed 295mm from the front boundary, 0mm to the northern side boundary, 200mm to the rear boundary, and 200mm to the southern side boundary.

Recommended – That Council issue a Referral Agency Response for the proposed Class 1a dwelling and associated outbuildings (Class 10a and 10b) on land located at 15 Denney Street Lucinda, formally described as Lot 23 on SP279694, subject to conditions as set out in Attachment A.

2.7 REFERRAL AGENCY RESPONSE – DESIGN and SITING
42 WATTLE STREET ALLINGHAM – LOT 4 on A7746

Report # 13

Consideration of Report to Council from Development and Regulatory Services Manager dated 13 June 2022 concerning a Referral Agency Response – Design and Siting variation lodged by Chris and Ngaire McRae seeking to establish a Class 10a open carport and shed structure on the western portion of the property which is unimproved vacant land at 42 Wattle Street Allingham described as Lot 4 on A7746, and entails an encroachment to both the rear boundary towards the allotment boundary of Lot 6 on SP306393, and the secondary road frontage of undeveloped Pine Street Allingham. The Class 10a open carport and shed structure is proposed to be constructed at 500mm to the rear boundary from its outermost projection, and 4m to the secondary road frontage of undeveloped Pine Street Allingham, with dimensions being 7.5m wide, 10m long, and a height of 3.32m to the awning eave and 4.54m to the peak of the roofline.

Recommended – That Council issue a Referral Agency Response for the proposed Class 10a open carport and shed structure on land located at 42 Wattle Street Allingham, formally described as Lot 4 on A7746, subject to conditions, as set out in Attachment A.

2.8 REFERRAL AGENCY RESPONSE – DESIGN and SITING Report # 14
CORAL TREE COURT ALLINGHAM – LOT 7 on SP188121

Consideration of Report to Council from Development and Regulatory Services Manager dated 13 June 2022 concerning a Referral Agency Response – Design and Siting variation lodged by Kenneth Barnes seeking to establish a singular Class 10a shed structure on the southwestern portion of the property adjacent to the existing dwelling at 12 Coral Tree Court Allingham described as Lot 7 on SP188121, which entails a minor encroachment along the side boundary towards the allotment boundary of Lot 8 on SP188121. The proposed Class 10a shed structure is proposed to be constructed 703mm to the side boundary from its outermost projection, with dimensions being 8m wide, 15m long, a height of 3.8m to the eave, and 4.87m to the peak of the roofline.

Recommended – That Council issue a Referral Agency Response for the proposed Class 10a shed structure on land located at 12 Coral Tree Court Allingham, formally described as Lot 7 on SP188121, subject to conditions, as set out in Attachment A.

2.9 REFERRAL AGENCY RESPONSE – DESIGN and SITING Report # 15
JOHN DORY STREET TAYLORS BEACH – LOT 69 on RP723878

Consideration of Report to Council from Development and Regulatory Services Manager dated 13 June 2022 concerning a Referral Agency Response – Design and Siting variation lodged by Christopher Regazzoli seeking to establish a singular Class 10a open patio structure on the eastern portion of the property off the existing dwelling at 110 John Dory Street Taylors Beach described as Lot 69 on RP723878, which entails an encroachment on the side boundary towards the allotment boundary of Lot 67 on RP723879. The proposed Class 10a open patio structure is proposed to be constructed 1.4m to the side boundary from its outermost projection, with dimensions being 4.6m wide, 11.2m long, and a height of 2.2m fascia with a 7° pitch to the roofline.

Recommended – That Council issue a Referral Agency Response for the proposed Class 10a open patio structure on land located at 110 John Dory Street Taylors Beach, formally described as Lot 69 on RP723878, subject to conditions, as set out in Attachment A.

2.10 OPERATIONAL WORK – EXCAVATION OF LAND Report # 16
IRWIN ROAD via FORREST BEACH ROAD BRAEMEADOWS – LOT 1 on RP714163

Consideration of Report to Council from Planning Consultant dated 14 June 2022 concerning Development Application for Operational Work (Excavation of Land) received from Paul Mizzi on behalf of David Hobbs at Irwin Road via Forrest Beach Road Braemeadows, formally described as Lot 1 on RP714163, retrospectively submitted in response to Show Cause and Enforcement proceedings commenced by Council.

Resolution – That Council approve the Development Application for a Development Permit for Operational Work – Excavation of Land on land known as Lot 1 on RP714163 and located at Irwin Road Braemeadows, subject to conditions as set out in Attachment A.

2.11 APPLICATION for CONVERSION to FREEHOLD OF TERM LEASE 0/234725 Report # 17
TARAKAN ROAD ABERGOWRIE – LOT 137 on CWL3262

Consideration of Report to Council from Development Regulatory Services Manager dated 13 June 2022 concerning a request from Department of Resources seeking Council's views and comments regarding an Application for Conversion to Freehold Land described as Lot 137 on CWL3262 located at Tarakan Road Abergowrie. The allotment is currently leased vacant land for agricultural use to Robert and Margaret Carey, its current lease term commenced on 28 January 2011, and is due to expire on 27 January 2041. The allotment is zoned Rural, is approximately 14.33ha in size, and access to the allotment is via Lyons Road, which is a Council road subject to maintenance. It is intended that the agricultural use onsite continue for cane growing purposes.

Recommended – That Council advise the Department of Resources it has no objection in relation to the Application for Conversion to Freehold Land described as Lot 137 on CWL3262.

**2.12 APPLICATION for CONVERSION to FREEHOLD OF TERM LEASE 0/234670
TARAKAN ROAD ABERGOWRIE – LOT 175 on CWL3224**

Report # 18

Consideration of Report to Council from Development Regulatory Services Manager dated 13 June 2022 concerning a request from Department of Resources seeking Council's views and comments regarding an Application for Conversion to Freehold Land described as Lot 175 on CWL3224 located at Tarakan Road Abergowrie. The allotment is currently leased vacant land for agricultural use to Robert and Margaret Carey, its current lease term commenced on 22 December 2010, and is due to expire on 21 December 2040. The allotment is zoned Rural, is approximately 11.51ha in size, and access to the allotment is via Tarakan Road, which is a Council road subject to maintenance. It is intended that the agricultural use onsite continue for cane growing purposes.

Recommended – That Council advise the Department of Resources it has no objection in relation to the Application for Conversion to Freehold Land described as Lot 175 on CWL3224.

**2.13 APPLICATION for CONVERSION to FREEHOLD OF TERM LEASE 0/234728
LYONS ROAD ABERGOWRIE – LOT 185 on CWL3224**

Report # 19

Consideration of Report to Council from Development Regulatory Services Manager dated 13 June 2022 concerning a request from Department of Resources seeking Council's views and comments regarding an Application for Conversion to Freehold Land described as Lot 185 on CWL3224 located at Lyons Road Abergowrie. The allotment is currently leased vacant land for agricultural use to Robert and Margaret Carey, its current lease term commenced on 28 January 2011, and is due to expire on 27 January 2041. The allotment is zoned Rural, is approximately 11.41ha in size, and access to the allotment is via Lyons Road, which is a Council road subject to maintenance. It is intended that the agricultural use onsite continue for cane growing purposes.

Recommended – That Council advise the Department of Resources it has no objection in relation to the Application for Conversion to Freehold Land described as Lot 185 on CWL3224.

**2.14 APPLICATION for CONVERSION to FREEHOLD OF TERM LEASE 0/233765
GIBSONS ROAD ABERGOWRIE – LOT 182 on CWL3203**

Report # 20

Consideration of Report to Council from Development Regulatory Services Manager dated 13 June 2022 concerning a request from Department of Resources seeking Council's views and comments regarding an Application for Conversion to Freehold Land described as Lot 182 on CWL3203 located at Gibsons Road Abergowrie. The allotment is currently leased vacant land for agricultural use to Brendon Tonto, its current lease term commenced on 11 November 2009, and is due to expire on 10 November 2039. The allotment is zoned Rural, is approximately 10.85ha in size, and access to the allotment is via Gibsons Road, which is a Council road subject to maintenance. It is intended that the agricultural use onsite continue for cane growing purposes.

Recommended – That Council advise the Department of Resources it has no objection in relation to the Application for Conversion to Freehold Land described as Lot 182 on CWL3203.

**2.15 QUEENSLAND PROTECTED AREA ESTATE of HIGH CONSERVATION VALUE
PELORUS ISLAND – LOT 3 on SP181657**

Report # 21

concerning a request from Department of Environment and Science seeking Council's views and comments regarding potential inclusion of the Pelorus Island Reserve formally described as Lot 3 on SP181657 into the Queensland Protected Area Estate to protect areas of high conservation value, specifically areas within regional ecosystems with an "Of Concern" and "Endangered" biodiversity status under the *Nature Conservation Act 1992*. The Pelorus Island Recreation Reserve (number 13381) is currently under Trustee by Council and is zoned Environmental Management and Conservation in accordance with Council's Planning Scheme 2017.

Recommended – That Council advise the Department of Environment and Science:

- 1. That it does not support the inclusion of Lot 3 on SP181657 into a protected estate as Hinchinbrook Shire Council continues to undertake land (weed and pest) management of the Island; and**
- 2. That protection proposed would likely impede community use and small-scale economic development opportunities on the Island.**

3. MAYOR AND CHIEF EXECUTIVE SERVICES

- 3.1 MAYOR and CHIEF EXECUTIVE SERVICES ACTIVITY REPORT *Report # 22*
Consideration of Report to Council from Chief Executive Officer dated 13 June 2022 concerning summary of activities undertaken during the month ending 31 May 2022.

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

- 3.2 MAYOR and CHIEF EXECUTIVE SERVICES MONTHLY STATUS REPORT *Report # 23*
Consideration of Report to Council from Chief Executive Officer dated 13 June 2022 concerning monthly Mayor and Chief Executive Services Status Report for the month ending 31 May 2022.

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

- 3.3 NORTH QUEENSLAND ECONOMIC DIVERSIFICATION GRANT – ROUND ONE *Report # 24*
Consideration of Report to Council from Chief Executive Officer dated 21 June 2022 seeking approval to withdraw Council's nominated project "Hinchinbrook Grain in the Rain" under the North Queensland Economic Diversification Grant. The project, which involves the establishment of regional grain storage and drying facilities, is no longer viable due to higher than expected input costs, low commodity prices, adverse environmental factors, and a new large scale facility being opened by the private sector.

Recommended – That Council:

- A. Receive and note the information in the Report; and
- B. Approve the withdrawal of Council's nominated project under the North Queensland Economic Diversification Grant.

- 3.4 2022 CHRISTMAS CLOSE DOWN *Report # 25*
Consideration of Report to Council from Chief Executive Officer dated 10 June 2022 regarding Council's intended closure times of its facilities over the 2022 Christmas period in order to provide advice to staff and the general public of Council's intention within the required timeframe.

Recommended – That Council approve the following closure times for the 2022 Christmas Close Down:

- A. Close the Lannercost Street Office from 5.06pm Wednesday 21 December 2022 and re-open on Tuesday 3 January 2023;
- B. Close the Council Martin Street Depot at 4.00pm on Friday 16 December 2022 and re-open on Tuesday 3 January 2023 excluding for those employees rostered on duty to undertake essential services during the shutdown period;
- C. Close the Council Water and Sewerage Depot at 4.00pm on Friday 16 December 2022 and re-open on Monday 2 January 2023 excluding for those employees rostered on duty to undertake essential services during the shutdown period;
- D. Close the Hinchinbrook Shire Library and TYTO Regional Art Gallery from 4.00pm Wednesday 21 December 2022 and re-open on Tuesday 3 January 2023;
- E. Close the Halifax Library Sub-Branch from 12.00pm Wednesday 21 December 2022 and re-open on Wednesday 4 January 2023;
- F. Close the Hinchinbrook Visitor Information Centre on Christmas Day, Boxing Day and New Years Day – Sunday 25 December 2022, Monday 26 December 2022 and Sunday 1 January 2023; and
- G. Close the Warrens Hill Landfill and Resource Recovery Centre on Christmas Day – Sunday 25 December 2022.

3.5 COUNCILLOR REPRESENTATION – NORTH QUEENSLAND REGIONAL ORGANISATION of COUNCILS REPRESENTATION on the STATEWIDE OVERSIGHT GROUP **Report # 26**

Consideration of Report to Council from Chief Executive Officer dated 13 June 2022 seeking appointment of a Councillor to represent the North Queensland Organisation of Councils (NQROC) on the Statewide Oversight Group comprised of members from various Local Government regions in Queensland for a three year term. The Group is coordinated by the Department of Agriculture and Fisheries to support the development, alignment and implementation of projects that are funded through the Land Protection Fund.

Recommended – That Council appoint Councillor Kate Milton to represent the North Queensland Organisation of Councils on the Statewide Oversight Group.

3.6 LEAVE OF ABSENCE – COUNCILLOR ANDREW LANCINI **Report # 27**

Consideration of Report to Council from Chief Executive Officer dated 23 June 2022 regarding request from Councillor Andrew Lancini for leave of absence from Council for the period Sunday 26 June 2022 to Friday 1 July 2022 inclusive for recreation leave.

Recommended – That Council approve leave of absence to Councillor Andrew Lancini for the period Sunday 26 June 2022 to Friday 1 July 2022 inclusive for recreation leave.

3.7 CHIEF EXECUTIVE OFFICER – ANNUAL LEAVE **Report # 28**

Consideration of Report to Council from Chief Executive Officer dated 10 June 2022 seeking appointment of an Acting Chief Executive Officer during approved Chief Executive Officer leave from Monday 26 September 2022 to Friday 14 October 2022 inclusive.

Recommended – That Council:

- A. Approve leave of absence for the Chief Executive Officer from Council from Monday 26 September 2022 to Friday 14 October 2022 inclusive;
- B. Appoint Director Infrastructure and Utility Services to the position of Acting Chief Executive Officer for the period from Monday 26 September 2022 to Friday 14 October 2022 inclusive; and
- C. Approve the visit to Hinchinbrook's Sister City Conzano in Italy.

3.8 COUNCILLOR MONTHLY ACTIVITY REPORT **Report # 29**

Consideration of Report to Council from Chief Executive Officer dated 10 June 2022 providing Councillor Activity Reports for the month ending 31 May 2022 to ensure transparency and public scrutiny.

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

LATE BUSINESS

Matters referred to Council following close of agenda, subject to resolution of Council to accept a late report.

Kelvin Tytherleigh
CHIEF EXECUTIVE OFFICER