



## GENERAL MEETING MINUTES

HELD: ADMINISTRATION CENTRE  
COUNCIL CHAMBERS  
25 LANNERCOST STREET  
INGHAM QLD 4850

TUESDAY 28 FEBRUARY 2023  
at 8.30AM

- PRESENT**
- R Jayo Mayor (Chair)
  - AP Cripps Deputy Mayor
  - ME Brown Councillor
  - AJ Lancini Councillor
  - DM Marbelli Councillor
  - KS Milton Councillor
  - WG Skinner Councillor
  - K Tytherleigh Chief Executive Officer (CEO)
  - J Stewart Director Infrastructure Utility Services (DIUS)
  - B Exelby Director Corporate and Community Services (DCCS)
  - C Fulton Executive Support Officer (ESO)

**APOLOGY** -

**PRAYER** - Councillor DM Marbelli began the meeting with a Prayer.

**DECLARATIONS OF INTEREST** -

Mayor R Jayo invited Councillors to use this opportunity to make public any Declarations of Interest. No interests were declared.

**PREVIOUS MINUTES** - *Moved Councillor Lancini*  
*Seconded Councillor Milton*

**Resolution - That the Minutes of the General Meeting held on 31 January 2023 be approved as a correct record of proceedings and the Minutes be authorised and signed by the Mayor.**

**Carried 7-0  
280223-00**

## **BUSINESS**

### **1. INFRASTRUCTURE AND UTILITY SERVICES**

#### **1.1 INFRASTRUCTURE and UTILITY SERVICES ACTIVITY REPORT**

Consideration of Report to Council from Director Infrastructure and Utility Services dated 13 February 2023 regarding summary of activities undertaken during the month ending 31 January 2023.

*Moved Councillor Skinner*  
*Seconded Councillor Milton*

**Resolution – That Council receive and note the information in the Report.**

**Carried 7-0  
280223-01**

#### **1.2 INFRASTRUCTURE and UTILITY SERVICES MONTHLY STATUS REPORT**

Consideration of Report to Council from Director Infrastructure and Utility Services dated 13 February 2023 regarding monthly Infrastructure and Utility Services Status Report for the month ending 31 January 2023.

*Moved Councillor Milton*  
*Seconded Councillor Lancini*

**Resolution – That Council receive and note the information in the Report.**

**Carried 7-0  
280223-02**

**1.3 2022-2023 CAPITAL PROJECTS STATUS REPORT for MONTH ENDING 31 DECEMBER 2022**

Consideration of Report to Council from Director Infrastructure and Utility Services dated 13 February 2023 regarding a Status Report that provides a breakdown of projects as approved in the 2022-2023 Capital Works Program for the month ending 31 January 2023.

*Moved*        *Councillor Marbelli*  
*Seconded*   *Councillor Brown*

**Resolution – That Council receive and note the information in the Report.**

**Carried 7-0  
280223-03**

**1.4 SUNNYBANK ROAD WATER MAIN EXTENSION**

Consideration of Report to Council from Utility Services Manager dated 13 February 2023 regarding a request for extension of reticulated water service area along Sunnybank Road east from Forrest Beach Road intersection.

*Moved*        *Councillor Cripps*  
*Seconded*   *Councillor Milton*

**Resolution – That Council:**

- A.    **Approve the extension of the water main along Sunnybank Road, subject to full cost recovery via an upfront contribution or annual contribution (special charge) per assessment over a term of 20 years;**
- B.    **Note that the construction of the water main extension along Sunnybank Road will be funded from a combination of landowner upfront contributions, and borrowings; and**
- C.    **Authorise the Chief Executive Officer to develop an overall plan to apply a special charge to the remaining benefited properties to service the repayment of borrowings.**

**Carried 7-0  
280223-04**

**1.5 GRASSOS ROAD – REQUEST for AMENDMENT to MAINTAINED LENGTH**

Consideration of Report to Council from Director Infrastructure and Utility Services dated 13 February 2023 regarding a request to amend the Road Register to extend the maintained length of Grassos Road due to additional landholders using the road for access.

*Moved*        *Councillor Skinner*  
*Seconded*   *Councillor Milton*

**Resolution – That Council approve an amendment to the Road Register to add 945m of Class 7 road between CH3725 to CH4670, and the remaining length of Grassos Road to become Class 8 road category.**

**Carried 7-0  
280223-05**

**2. CORPORATE and COMMUNITY SERVICES**

**2.1 CORPORATE and COMMUNITY SERVICES ACTIVITY REPORT**

Consideration of Report to Council from Director Corporate and Community Services dated 13 February 2023 regarding summary of activities undertaken during the month ending 31 January 2023.

*Moved*        *Councillor Cripps*  
*Seconded*   *Councillor Marbelli*

**Resolution – That Council receive and note the information in the Report.**

**Carried 7-0  
280223-06**

**2.2 CORPORATE and COMMUNITY SERVICES STATUS REPORT**

Consideration of Report to Council from Director Corporate and Community Services dated 13 February 2023 regarding monthly Corporate and Community Services Status Report for the month ending 31 January 2023.

*Moved Councillor Cripps*  
*Seconded Councillor Brown*

**Resolution – That Council receive and note the information in the Report.**

**Carried 7-0  
280223-07**

*DIUS J Stewart left the meeting at 9.50am*

**2.3 FINANCIAL PERFORMANCE REPORT for the PERIOD ENDING 31 OCTOBER 2022**

Consideration of Report to Council from Director Corporate and Community Services dated 14 February 2023 regarding a report of Council's financial performance and interim position for the month ending 31 January 2023, including recommendations for reallocation of project funds to Warrens Hill Landfill and Resource Recovery Centre Cell One Capping.

*Moved Councillor Cripps*  
*Seconded Councillor Brown*

**Resolution – That Council:**

- A. Approve the following amended budget allocations:**
- i. Warrens Hill Landfill and Resource Recovery Centre Cell One Capping rectification - \$542,100;
  - ii. Sewer Manhole Refurbishment Program - \$20,000;
  - iii. Sewer Rising Main Renewals - \$90,000;
  - iv. Sewerage Pumping Stations Renewal Design - \$Nil;
  - v. Hydrant and Flow Renewal Program - \$100,000;
  - vi. Water Main Renewal Program - \$140,000;
  - vii. Forrest Beach Drainage - \$420,000; and
  - viii. Pennas and Baillies Bridges Renewal - \$32,900.

- B. Receive and note the information contained in this Report.**

**Carried 7-0  
280223-08**

*The Mayor adjourned the meeting at 9.55am for morning tea and resumed the meeting at 10.05am. DIUS was present when the meeting resumed.*

*Mayor R Jayo left the meeting at 10.06am and Deputy Mayor AP Cripps assumed the Chair.*

**2.4 REFERRAL AGENCY RESPONSE – DESIGN AND SITING**

**MONA ROAD HALIFAX – LOT 258 on CWL3410**

Consideration of Report to Council from Development and Regulatory Services Manager dated 8 February 2023 concerning a request for a Referral Agency Response - Design and Siting variation lodged by David Gode seeking to establish a new Class 10a boat shed structure on the southern portion of the property at 39 Mona Road Halifax, which entails an encroachment toward the road frontage of Mona Road and side boundary towards the allotment boundary of Lot 259 on CWL3412. The property has an area of 541m<sup>2</sup> and is currently improved with an existing dwelling and outbuildings. The proposed Class 10a structure has dimensions of 3.6m wide, 9m long and 3.9m high. The structure is proposed to be constructed at 900mm to the front boundary and 500mm to the side boundary.

*Moved Councillor Marbelli*  
*Seconded Councillor Milton*

**Resolution – That Council Council issue a Referral Agency Response for the proposed Class 10a boat shed structure on land located at 39 Mona Road Halifax, formally described as Lot 258 on CWL3410, subject to conditions, as set out in Attachment A.**

**Carried 6-0  
280223-09**

**2.5 REFERRAL AGENCY RESPONSE – DESIGN AND SITING**

**PATTERSON PARADE LUCINDA – LOT 304 on L4697**

Consideration of Report to Council from Development and Regulatory Services Manager dated 8 February 2023 concerning a request for a Referral Agency Response – Design and Siting variation lodged by Andrew and Larry Beasley seeking to establish a new Class 10a patio structure on the eastern portion of the property at 26 Patterson Parade Lucinda, which entails an encroachment toward the road frontage of Patterson Parade. The property has an area of 1,012m<sup>2</sup> and is currently unimproved vacant land. The proposed building works includes a new Class 1a dwelling, with the proposed Class 10a patio to be attached to the front of the structure. The Class 10a structure has dimensions of 6m wide, 4.2m long and 5.6m high. The structure is proposed to be constructed at 3m to the front boundary.

*Moved Councillor Lancini*  
*Seconded Councillor Brown*

**Resolution – That Council issue a Referral Agency Response for the proposed Class 10a patio structure on land located at 26 Patterson Parade Lucinda, formally described as Lot 304 on L4697, subject to conditions, as set out in Attachment A.**

**Carried 6-0  
280223-10**

*Mayor Jayo returned to the meeting and resumed the Chair at 10.09am*

**2.6 REFERRAL AGENCY RESPONSE – DESIGN AND SITING**

**EDDLESTON DRIVE CORDELIA – LOT 249 on CWL1656**

Consideration of Report to Council from Development and Regulatory Services Manager dated 8 February 2023 concerning a request for a Referral Agency Response – Design and Siting variation lodged by Fair Dinkum Builds Townsville c/- Rapid Building Approvals on behalf of Phillip Strid seeking to replace a singular Class 10a carport structure on the north-western portion of the property at 40 Eddleston Drive Cordelia, which entails an encroachment toward the road frontage of Eddleston Drive. The property has an area of 721m<sup>2</sup> and is currently improved with an existing dwelling. The proposed Class 10a structure has dimensions of 6.2m wide, 6.2m long and 3.2m high. The structure is proposed to be constructed at 3.2m to the front boundary.

*Moved Councillor Cripps*  
*Seconded Councillor Lancini*

**Resolution – That Council issue a Referral Agency Response for the proposed Class 10a carport structure on land located at 40 Eddleston Drive Cordelia, formally described as Lot 249 on CWL1656, subject to conditions, as set out in Attachment A.**

**Carried 7-0  
280223-11**

**2.7 REFERRAL AGENCY RESPONSE – DESIGN AND SITING**

**MARINA PARADE INGHAM – LOT 707 on I22450**

Consideration of Report to Council from Development Regulatory Services Manager dated 8 February 2023 concerning a request for Referral Agency Response – Design and Siting variation lodged by Wayne and Angelina Brescianini seeking to establish a singular Class 10a shed structure on the north-eastern portion of the property at 54 Marina Parade Ingham, which entails an encroachment on the rear boundary towards the allotment boundary of Lot 3 on SP118947, being Council Trustee Land, known as Reserve 729 for park and recreation. The property has an area of 1,012m<sup>2</sup> and is currently improved with an existing dwelling. The Class 10a structure has dimensions of 9m wide, 14m long and 4.7m high. The structure is proposed to be constructed 300mm to the rear boundary.

*Moved        Councillor Cripps*  
*Seconded    Councillor Marbelli*

**Resolution – That Council issue a Referral Agency Response for the proposed Class 10a shed structure on land located at 54 Marina Parade Ingham, formally described as Lot 707 on I22450, subject to conditions, as set out in Attachment A.**

**Carried 7-0  
280223-12**

**2.8 BUILDING WORK ASSESSABLE AGAINST PLANNING SCHEME (BWAP)**

**547 WARRENS HILL ROAD BLACKROCK – LOT 1 on RP732185**

Consideration of Report to Council from Development and Regulatory Services Manager dated 8 February 2023 concerning Development Application seeking a Development Permit for Building Work Assessable against the Planning Scheme (Rural Siting Assessment) for establishment of a new shed (Class 10a) structure on land described as Lot 1 on RP732185 and located at 547 Warrens Hill Road Blackrock. The proposed structure is to be located 5m from the rear and side boundaries. The application was lodged by Daniel and Kristine Collins.

*Moved        Councillor Cripps*  
*Seconded    Councillor Milton*

**Resolution – That Council approve the proposed Building Work Assessable Against Planning Scheme for the Shed (Class 10a) structure on land located at 547 Warrens Hill Road Blackrock, and formally described as Lot 1 on RP732185, subject to conditions, as set out in Attachment A.**

**Carried 7-0  
280223-13**

**2.9 CHANGE REPRESENTATIONS on DECISION NOTICE**

**MATERIAL CHANGE OF USE: EXTENSION TO EXISTING HOTEL AND SHOP (NEW CAR PARK)**

**6 and 8 KEAST STREET LUCINDA**

Consideration of Report to Council from Development and Regulatory Services Manager dated 13 February 2023 concerning a Request for Negotiated Decision Notice following issue of a Decision Notice (Approval) on 17 October 2022 for Material Change of Use – Extension to Existing Hotel and Shop (New Car Park) on land situated at 6 and 8 Keast Street Lucinda formally described as Lots 1 and 4 on SP186122 and Lot 2 on RP19629. The applicant is BNC Planning Pty Ltd on behalf of Jenk Holdings Pty Ltd requesting an amendment to the Conditions of Approval relating to the landscaping.

*Moved        Councillor Cripps*  
*Seconded    Councillor Lancini*

**Resolution – That Council issue a Negotiated Decision Notice with amendment to Condition 7 of the Conditions of Approval, associated with MCU22\0001, on land located at 6 and 8 Keast Street Lucinda and formally described as Lots 1 and 4 on SP186122 and Lot 2 on RP19629, as per the amended conditions set out in Attachment A.**

**Carried 7-0  
280223-14**

**2.10 TEMPORARY ROAD CLOSURE of a PORTION OF LEGGES ROAD BRAEMEADOWS**

Consideration of Report to Council from Development and Regulatory Services Manager dated 8 February 2023 concerning a request from the Lower Herbert Water Management Authority for a temporary road closure, which is approximately 1,070 metres in length, to a portion of Legges Road Braemeadows for a term of 10 years. The proposal is sought to reduce damage to the area and to retain and protect existing infrastructure within the immediate location.

*Moved            Councillor Cripps*  
*Seconded      Councillor Brown*

**Resolution – That Council:**

- A. Approve the Temporary Road Closure to a portion of Legges Road Braemeadows, for a period of ten years, subject to:
- i. The proponent installing provisions which restrict public access and signage, at no cost to Council;
  - ii. The submission of development/proposal plans, which must be endorsed by Council;
  - iii. The proposed closure area must be maintained by the proponent at all times, at no cost to Council;
  - iv. Each immediate adjoining landowner which incurs restricted access must be provided keys for entry;
  - v. The proponent completing a public notification and information program to inform the community of this decision and the reason for it; and
- B. Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into finalising and executing any and all matters associated with, or in relation to the Temporary Road Closure.
- Carried 7-0  
280223-15

**2.11 PROPOSED ROAD USE DEED OF AGREEMENT  
BETWEEN HINCHINBROOK SHIRE COUNCIL and POWERLINK**

Consideration of Report to Council from Development and Regulatory Services Manager dated 8 February 2023 regarding execution of a Road Use Deed of Agreement.

*Moved            Councillor Brown*  
*Seconded      Councillor Marbelli*

**Resolution - That Council:**

- A. Enter into a Road Use Deed of Agreement with Powerlink; and
- B. Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into finalising and executing any and all matters associated with, or in relation to the Road Use Deed of Agreement.
- Carried 7-0  
280223-16



3. MAYOR AND CHIEF EXECUTIVE SERVICES

3.1 MAYOR and CHIEF EXECUTIVE SERVICES ACTIVITY REPORT

Consideration of Report to Council from Chief Executive Officer dated 13 February 2023 concerning summary of activities undertaken during the month ending 31 January 2023.

*Moved*        *Councillor Marbelli*  
*Seconded*   *Councillor Brown*

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

Carried 7-0  
280223-17

3.2 MAYOR and CHIEF EXECUTIVE SERVICES MONTHLY STATUS REPORT

Consideration of Report to Council from Chief Executive Officer dated 13 February 2023 concerning monthly Mayor and Chief Executive Services Status Report for the month ending 31 January 2023.

*Moved*        *Councillor Milton*  
*Seconded*   *Councillor Skinner*

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

Carried 7-0  
280223-18

3.3 CHIEF EXECUTIVE OFFICER – ANNUAL LEAVE

Consideration of Report to Council from Chief Executive Officer dated 9 February 2023 seeking appointment of an Acting Chief Executive Officer during approved Chief Executive Officer leave from Tuesday 1 August 2023 to Wednesday 23 August 2023 inclusive for recreation leave.

*Moved*        *Councillor Lancini*  
*Seconded*   *Councillor Cripps*

Resolution – That Council:

- A. Approve leave of absence for the Chief Executive Officer from Council from Tuesday 1 August 2023 to Wednesday 23 August 2023 inclusive; and
- B. Appoint Director Corporate and Community Services to the position of Acting Chief Executive Officer for the period from Tuesday 1 August 2023 to Wednesday 23 August 2023 inclusive.

Carried 7-0  
280223-19

3.4 COUNCILLOR OPPORTUNITIES –  
FUTURE LIBRARIES: BETTER COMMUNITIES STAKEHOLDER SYMPOSIUM

Consideration of Report to Council from Director Corporate and Community Services dated 22 February 2023 concerning Council representation at the Future Libraries: Better Communities Stakeholder Symposium in Brisbane on Thursday 16 March and Friday 17 March 2023.

*Moved*        *Councillor Milton*  
*Seconded*   *Councillor Lancini*

Resolution – That Council nominate Councillor Donna Marbelli to attend the *Future Libraries: Better Communities stakeholder symposium* from Thursday 16 March 2023 and Friday 17 March 2023.

Carried 7-0  
280223-20



3.5 COUNCILLOR MONTHLY ACTIVITY REPORT

Consideration of Report to Council from Chief Executive Officer dated 16 February 2023 providing Councillor Activity Reports for the month ending 31 January 2023 to ensure transparency and public scrutiny.

*Moved*        *Councillor Marbelli*

*Seconded*   *Councillor Brown*

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

Carried 7-0  
280223-21

**LATE BUSINESS**

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

CONCLUSION – This concluded the business of the meeting which closed at 10.36am

**APPROVED, CONFIRMED and ADOPTED on 28 March 2023**

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Councillor R Jayo – MAYOR