



GENERAL MEETING MINUTES

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

TUESDAY 28 MARCH 2023
at 8.30AM

- PRESENT**
- AP Cripps Deputy Mayor (Chair)
 - 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**
- R Jayo Mayor

- PRAYER**
- Councillor AP Cripps began the meeting with a Prayer.

DECLARATIONS OF INTEREST -

Deputy Mayor AP Cripps invited Councillors to use this opportunity to make public any Declarations of Interest.

Councillor KS Milton

**Item 2.10 – Other Change Application – Material Change of Use – Extractive Industry
895 Lannercost Extension Road Lannercost – Lot 3 On Rp725204**

In accordance with Section 150EN of the *Local Government Act 2009*, Councillor KS Milton informed the meeting she has a Declarable Conflict of Interest in relation to Item 2.10 as she has a registered Quarry on her property.

Having regard to the nature of her Declarable Conflict of Interest, Councillor KS Milton informed the meeting that she will leave the meeting room while the matter is considered and voted on.

Councillor DM Marbelli

**Item 2.10 – Other Change Application – Material Change of Use – Extractive Industry
895 Lannercost Extension Road Lannercost – Lot 3 On Rp725204**

In accordance with Section 150EN of the *Local Government Act 2009*, Councillor DM Marbelli informed the meeting she has a Declarable Conflict of Interest in relation to Item 2.10 as her husband Paul is related as first cousin to Ramon and Steven Marbelli of Timrith Transport who are quarry owners.

In accordance with Section 150EP of the *Local Government Act 2009*, Councillor DM Marbelli informed the meeting she has a Declarable Conflict of Interest in relation to Item 2.10 as the owner of the quarry is a close member of the family.

Having regard to the nature of her Declarable Conflicts of Interest, Councillor DM Marbelli informed the meeting that she will leave the meeting room while the matter is considered and voted on.

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

Resolution - That the Minutes of the General Meeting held on 28 February 2023 be approved as a correct record of proceedings and the Minutes be authorised and signed by the Mayor.

**Carried 6-0
280323-00**

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 March 2023 regarding summary of activities undertaken during the month ending 28 February 2023.

Moved Councillor Skinner
Seconded Councillor Milton

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

**Carried 6-0
280323-01**

1.2 INFRASTRUCTURE and UTILITY SERVICES MONTHLY STATUS REPORT

Consideration of Report to Council from Director Infrastructure and Utility Services dated 13 March 2023 regarding monthly Infrastructure and Utility Services Status Report for the month ending 28 February 2023.

Moved Councillor Milton
Seconded Councillor Lancini

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

**Carried 6-0
280323-02**

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 March 2023 regarding a Status Report that provides a breakdown of projects as approved in the 2022-2023 Capital Works Program for the month ending 28 February 2023.

Moved Councillor Skinner
Seconded Councillor Milton

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

**Carried 6-0
280323-03**

**1.4 REEF GUARDIAN COUNCIL PROGRAM – INCLUSION of ASPIRATIONAL PROJECTS
In LOCAL ACTION PLAN and IDENTIFICATION of PROJECTS ELIGIBLE for FUNDING**

Consideration of Report to Council from Waste and Compliance Services Coordinator dated 16 March 2023 seeking endorsement of the updated Reef Guardian Council Local Action Plan.

Moved Councillor Milton
Seconded Councillor Marbelli

Resolution – That Council receive and note the updated Reef Guardian Council Local Action Plan for Hinchinbrook Shire.

**Carried 6-0
280323-04**

1.5 HINCHINBROOK ROAD SAFETY ADVISORY COMMITTEE (HRSAC)
TERMS of REFERENCE AMENDMENT

Consideration of Report to Council from Infrastructure Operations Manager dated 1 March 2023 requesting Council adopt the amended Hinchinbrook Road Safety Advisory Committee Terms of Reference as presented.

Moved *Councillor Skinner*
Seconded *Councillor Lancini*

Resolution – That Council adopt the Hinchinbrook Road Safety Advisory Committee Terms of Reference as presented.

Carried 6-0
280323-05

1.6 MINOR INFRASTRUCTURE PROGRAM FUNDING – SHOWGROUNDS LIGHTING PROJECT

Consideration of Report to Council from Director Infrastructure and Utility Services dated 13 March 2023 seeking endorsement of submission of the Ingham Showgrounds Lighting Enhancement Project to the Minor Infrastructure Program and commitment to allocate \$49,413 (excl. GST) in the 2023-2024 budget for the required co-contribution.

Moved *Councillor Marbelli*
Seconded *Councillor Brown*

Resolution – That Council submit the Ingham Showgrounds Lighting Enhancement Project to the Minor Infrastructure Program and commit to an allocation of \$49,413 (excl. GST) in the 2023-2024 budget for the required co-contribution.

Carried 5-1
280323-06

Councillor WG Skinner recorded his vote against the motion.

1.7 DUNGENESS ENTERPRISE CHANNEL DREDGING and BREAKWATER PROJECT –
SOLE SUPPLIER ENGAGEMENT – WATER TECHNOLOGY

Consideration of Report to Council from Director Infrastructure and Utility Services dated 14 March 2023 seeking approval to appoint Water Technology as the sole supplier consultant to complete remaining studies required for the Dungeness Dredging project valued at \$281,480 (excl. GST).

Moved *Councillor Brown*
Seconded *Councillor Lancini*

Resolution – That Council:

- A. Approve in accordance with section 235(a) and 235(b) of the Local Government Regulation 2012, to appoint Water Technology as a sole supplier to complete the remaining studies required for the Dungeness Dredging project. The work is valued at \$281,480 (excl. GST); and
- B. Delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to enter into contracts, negotiate, finalise and execute any and all matters associated with or in relation to the sole suppliers, subject to Council's normal procurement policies and procedures.

Carried 6-0
280323-07

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 10 March 2023 regarding summary of activities undertaken during the month ending 28 February 2023.

Moved Councillor Marbelli

Seconded Councillor Brown

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

**Carried 6-0
280323-08**

2.2 CORPORATE and COMMUNITY SERVICES STATUS REPORT

Consideration of Report to Council from Director Corporate and Community Services dated 13 March 2023 regarding monthly Corporate and Community Services Status Report for the month ending 28 February 2023.

Moved Councillor Brown

Seconded Councillor Marbelli

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

**Carried 6-0
280323-09**

2.3 FINANCIAL PERFORMANCE REPORT for the PERIOD ENDING 28 FEBRUARY 2022

Consideration of Report to Council from Director Corporate and Community Services dated 17 March 2023 regarding a report of Council's financial performance and interim position for the month ending 28 February 2023 and to measure progress against Council's approved budget.

Moved Councillor Brown

Seconded Councillor Lancini

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

**Carried 6-0
280323-10**

2.4 72 HOUR TRIAL STAY AT COUNCIL OWNED RECREATIONAL VEHICLE (RV) PARKS
MANAGEMENT OF FORREST BEACH RV PARK

Consideration of Report to Council from Development and Regulatory Services Manager dated 21 March 2023 seeking approval of a trial of extending the maximum stay at the TYTO and Forrest Beach RV Parks to 72 hours for the 2023 season and approve renewal of the Memorandum of Agreement with the Forrest Beach Progress Association for the 2023 season.

Moved Councillor Brown

Seconded Councillor Skinner

Resolution – That Council:

- A. Approve the trial of extending the maximum stay to 72 hours for the 2023 season at the Forrest Beach RV Park, as well as the TYTO RV Park; and
- B. Approve renewing the MoA with the Forrest Beach Progress Association to cover the 2023 season.

**Carried 5-1
280323-11**

Councillor KS Milton recorded her vote against the motion.

The Deputy Mayor AP Cripps adjourned the meeting at 10.06am for morning tea and a presentation to a departing staff member. The meeting resumed at 10.35am.

Councillor ME Brown advised that with regard to Item 2.5.G, as previously advised during panel discussions and during Council Briefing Session, in accordance with Section 150EN of the *Local Government Act 2009*, Councillor ME Brown informed the meeting she has a Declarable Conflict of Interest in relation to Item 2.5.G as her grandchildren attend the C&K Kindergarten and her daughter is on the committee.

Having regard to the nature of her Declarable Conflict of Interest in Item 2.5.G Councillor ME Brown informed the meeting that she will leave the meeting room while the matter is considered and voted on.

2.5 COMMUNITY ACTIVITY GRANT APPLICATIONS Q3 2022-2023

Consideration of Report to Council from Development and Regulatory Services Manager dated 22 March 2023 seeking Council consideration of Community Activity Grant (CAG) applications received. The Community Activity Grants Program is funded by Council to support local organisations and individuals in areas of achievement, community activities, community organisation support and festivals and events.

Recommendation – That Council approve the following CAG applications:

- A. Hinchinbrook Sport Fishing - \$3,500 (excl. GST) – Moderate Event
- B. Ingham Sugar City Rodeo - \$10,000 (excl. GST) plus \$2,000 in-kind – Major Event
- C. Australian Italian Festival - \$10,000 (excl. GST) plus \$2,000 in-kind – Signature Regionally Significant Event

That Council note the panel approved applications as follows:

- A. Nathan Venturato - \$250 (excl. GST) – Community High Achiever
- B. Lachlan Buckman - \$250 (excl. GST) – Community High Achiever
- C. Lucinda Progress Association - \$1,600 – Community Activity
- D. Ingham Ladies Bowls Club - \$500 (excl. GST) – Community Event
- E. Taylors Beach Progress Association Inc. - \$2,000 (excl. GST) – Community Activity
- F. Ingham Squash Racquets Association - \$2,000 (excl. GST) – Community Activity
- G. C&K Ingham Community Kindergarten - \$1,155 (excl. GST) – Moderate Event

Moved Councillor Marbelli

Seconded Councillor Brown

Resolution – That Council move an amendment to the motion to separate Item G. C&K Ingham Community Kindergarten from the resolution for separate consideration.

Carried 6-0
280323-12a

Moved Councillor Brown

Seconded Councillor Marbelli

Resolution – That Council approve the following CAG applications:

- A. Hinchinbrook Sport Fishing - \$3,500 (excl. GST) – Moderate Event
- B. Ingham Sugar City Rodeo - \$10,000 (excl. GST) plus \$2,000 in-kind – Major Event
- C. Australian Italian Festival - \$10,000 (excl. GST) plus \$2,000 in-kind – Signature Regionally Significant Event

That Council note the panel approved applications as follows:

- A. Nathan Venturato - \$250 (excl. GST) – Community High Achiever
- B. Lachlan Buckman - \$250 (excl. GST) – Community High Achiever
- C. Lucinda Progress Association - \$1,600 – Community Activity
- D. Ingham Ladies Bowls Club - \$500 (excl. GST) – Community Event
- E. Taylors Beach Progress Association Inc. - \$2,000 (excl. GST) – Community Activity
- F. Ingham Squash Racquets Association - \$2,000 (excl. GST) – Community Activity

Carried 6-0
280323-12b

In accordance with the Declaration of Interest for Item 2.5.G Councillor ME Brown excluded herself from the meeting at 10.42am while the matter was discussed and vote taken.

*Moved Councillor Marbelli
Seconded Councillor Milton*

Resolution – That Council note the panel approved applications as follows:

G. C&K Ingham Community Kindergarten - \$1,155 (excl. GST) – Moderate Event.

**Carried 5-0
280323-12c**

Councillor ME Brown returned to the meeting at 10.44am

2.6 CEMETERY LOWERING DEVICE FEE

Consideration of Report to Council from Development and Regulatory Services Manager dated 21 March 2023 seeking approval of a new service fee for the use of a Council owned lowering device at cemeteries controlled by Council in place of the current hire fee.

*Moved Councillor Brown
Seconded Councillor Skinner*

Resolution - That Council approve a new service fee of \$350 (incl. GST) for the use of a Council owned lowering device at cemeteries controlled by Council, in place of the current \$40 (incl. GST) hiring fee.

**Carried 6-0
280323-13**

**2.7 REFERRAL AGENCY RESPONSE – DESIGN AND SITING
BLACKROCK ROAD BLACKROCK – LOT 3 on RP862164**

Consideration of Report to Council from Development and Regulatory Services Manager dated 10 March 2023 concerning a request for a Referral Agency Response – Design and Siting variation lodged by Stephen and Dianna Casanovas seeking to establish a new Class 10a carport structure on the western portion of the property at 76 Blackrock Road Blackrock which entails an encroachment into the required setback toward the road frontage of Blackrock Road. The property has an area of 2,025m² and is currently improved with a dwelling and an associated outbuilding. The proposed Class 10a structure has dimensions of 7m wide, 9m long and 4.5m high. The structure is proposed to be constructed at 3.6m to the front boundary.

*Moved Councillor Marbelli
Seconded Councillor Milton*

Resolution – That Council issue a Referral Agency Response for the proposed Class 10a carport structure on land located at 76 Blackrock Road Blackrock, formally described as Lot 3 on RP862164, subject to conditions, as set out in Attachment A.

**Carried 6-0
280323-14**

**2.8 REFERRAL AGENCY RESPONSE – DESIGN AND SITING
BLUEGUM STREET ALLINGHAM – LOT 19 on SP186108**

Consideration of Report to Council from Development and Regulatory Services Manager dated 10 March 2023 concerning a request for a Referral Agency Response – Design and Siting variation lodged by Andrew and Francisca Williams seeking to establish a singular Class 10a open carport structure on the north eastern portion of the property at 10 Bluegum Street Allingham which entails an encroachment to the required setback on the side boundary towards the allotment boundary of Lot 20 on SP186108, which is also owned by Andrew and Francisca Williams. The property has an area of 872m² and is unimproved vacant land. The proposed Class 10a structure has dimensions of 3.5m wide, 11m long and 3.7m high. The structure is proposed to be constructed at 300mm to the side boundary.

Moved Councillor Lancini
Seconded Councillor Brown

Resolution – issue a Referral Agency Response for the proposed Class 10a open carport structure on land located at 10 Bluegum Street Allingham, formally described as Lot 19 on SP186108, subject to conditions, as set out in Attachment A.

**Carried 6-0
280323-15**

**2.9 OPERATIONAL WORKS – FILLING OF LAND and RETAINING WALL
EDDLESTON DRIVE CORDELIA – LOT 138 on SP328301**

Consideration of Report to Council from Development and Regulatory Services Manager dated 10 March 2023 concerning Development Application for Operational Work – Filling of Land and Retaining Wall on land located at 114 Eddleston Drive Cordelia formally described as Lot 138 on SP328301. The proposed filling area is located on the northern portion of the property, which includes filling of two areas. The subject land is zoned General Residential, is approximately 1,961m² and is improved with an existing dwelling and associated outbuildings. Proposed filling areas total 48.6m³ of fill with an existing concrete wall to be raised to a maximum height of 740mm to act as a retaining wall.

Moved Councillor Milton
Seconded Councillor Lancini

Resolution – That Council approve the proposed Operational Work – Filling of Land and Retaining Wall on land located at 114 Eddleston Drive Cordelia, formally described as Lot 138 on SP328301, subject to reasonable and relevant conditions, as set out in Attachment A.

**Carried 6-0
280323-16**

In accordance with the Declarations of Interest for Item 2.10, Councillors KS Milton and DM Marbelli excluded themselves from the meeting at 11.02am while the matter was discussed and vote taken.

**2.10 OTHER CHANGE APPLICATION – MATERIAL CHANGE OF USE – EXTRACTIVE INDUSTRY
895 LANNERCOST EXTENSION ROAD LANNERCOST – LOT 3 on RP725204**

Consideration of Report to Council from Development and Regulatory Services Manager dated 10 March 2023 concerning a Change Application in relation to a Development Permit lodged by Mortons Earthmoving Pty Ltd on behalf of the property owner Francesco Succio for Material Change of Use – Extractive Industry (annual extraction, screening and haulage of rock or other material up to 30,000 tonnes) at 895 Lannercost Extension Road Lannercost formally known as Lot 3 on RP725204. The proposed Change Application relates to the increase of extractive industry use activities (extraction, screening and haulage of rock or other material) from 30,000 tonnes to 100,000 tonnes annually.

Moved Councillor Lancini
Seconded Councillor Brown

Resolution – That Council approve the proposed change to the Development Permit for Material Change of Use – Extractive Industry (Annual extraction, screening and haulage of rock or other material up to 100,000 tonnes), on land located at 895 Lannercost Extension Road, Lannercost, formally known as Lot 3 on RP725204, subject to conditions, as set out in Attachment A.

**Carried 4-0
280323-17**

Councillors KS Milton and DM Marbelli returned to the meeting at 11.06am.

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 March 2023 concerning summary of activities undertaken during the month ending 28 February 2023.

Moved Councillor Marbelli

Seconded Councillor Skinner

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

**Carried 6-0
280323-18**

3.2 MAYOR and CHIEF EXECUTIVE SERVICES MONTHLY STATUS REPORT

Consideration of Report to Council from Chief Executive Officer dated 13 March 2023 concerning monthly Mayor and Chief Executive Services Status Report for the month ending 28 February 2023.

Moved Councillor Marbelli

Seconded Councillor Milton

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

**Carried 6-0
280323-19**

3.3 QUARTERLY OPERATIONAL PLAN REPORT

and HALF YEARLY CORPORATE PLAN REPORT as at 31 December 2022

Consideration of Report to Council from Chief Executive Officer dated 13 March 2023 seeking adoption of the Quarterly Operational Plan Report and Half Yearly Corporate Plan Report for the quarter/half year ending 31 December 2022.

Moved Councillor Lancini

Seconded Councillor Brown

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

**Carried 6-0
280323-20**

3.5 COUNCILLOR MONTHLY ACTIVITY REPORT

Consideration of Report to Council from Chief Executive Officer dated 13 March 2023 providing Councillor Activity Reports for the month ending 28 February 2023 to ensure transparency and public scrutiny.

Moved Councillor Brown

Seconded Councillor Marbelli

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

**Carried 6-0
280323-21**

LATE BUSINESS

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

*Moved Councillor Lancini
Seconded Councillor Brown*

Resolution - That Council accept the late business item as tabled for consideration concerning appointment of an external contractor for management of the psychological health and safety of workers.
Carried 6-0
280323-22a

*Moved Councillor Skinner
Seconded Councillor Lancini*

That Council close the meeting to the public and move into Closed Session at 11.26am under Section 254J(3)(b),(f) and (g) of the *Local Government Regulation 2012*, to discuss the following item:

Item 4.1 – Appointment of an external contractor for management of the psychological health and safety of workers.
Carried 6-0

CEO K Tytherleigh excluded himself from the meeting at 11.29am and took no further part in discussions. ESO C Fulton was also requested to leave the meeting at 11.32am and took no further part in discussions.

*Moved Councillor Lancini
Seconded Councillor Milton*

That Council move out of the Closed Meeting at 12.45pm
Carried 6-0

CEO K Tytherleigh and ESO C Fulton returned to the meeting at 12.45pm

4. CORPORATE and COMMUNITY SERVICES

4.1 APPOINTMENT of an EXTERNAL CONTRACTOR for MANAGEMENT OF PSYCHOLOGICAL HEALTH and SAFETY OF WORKERS

Consideration of Report to Council from Director Corporate and Community Services dated 27 March 2023 seeking appointment of an external contractor to provide independent advice and assessment regarding the management of psychological health and safety of workers.

*Moved Councillor Brown
Seconded Councillor Lancini*

Resolution - That the Director Infrastructure and Utility Services be delegated the authority to engage an appropriately qualified person to undertake relevant actions regarding this matter, and report back to Council accordingly.
Carried 6-0
280323-22b

CONCLUSION – This concluded the business of the meeting which closed at 12.46am

APPROVED, CONFIRMED and ADOPTED on 26 April 2023

Councillor AP Cripps – DEPUTY MAYOR