



GENERAL MEETING MINUTES

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

TUESDAY 29 JUNE 2021
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 and Utility Services Delivery (DIUS)
B Exelby Director Corporate and Financial Services (DCFS)
P Cohen Acting Director Community and Development Services (A/DCDS)
C Fulton Acting Executive Officer (EO)

PRAYER - Mayor Jayo began the meeting with Prayer

APOLOGY - Nil

DECLARATIONS OF INTEREST -

Mayor R Jayo invited Councillors to use this opportunity to make public any Declarations of Interest.

Item 3.8 – HSC 21/04 – Supply of Topsoil for Warrens Hill Landfill Facility

In accordance with Section 150EN and 150EQ of the *Local Government Act*, Councillor DM Marbelli informed the meeting she has a Declarable Conflict of Interest in relation to Item 3.8 as her husband Paul is related as cousin to Ramon and Steven Marbelli of Timrith Transport who are tenderers for HSC 21/04. Having regard to the nature of her Declarable Conflict of Interest, Councillor DM Marbelli informed the meeting that she will leave the meeting room while the matter is considered and voted on.

Item 3.17 – Reconfiguring a Lot – Subdivision of Land (One Lot into Two Lots and access easement) – Halifax Road Ingham – Lot 361 on SP214657

In accordance with Sections 150EI and 150EM of the *Local Government Act*, Councillor KS Milton informed the meeting she has a possible Declarable Conflict of Interest in relation to Item 3.17 with potential commercial matter. 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.

PREVIOUS MINUTES - *Moved Councillor Lancini*
Seconded Councillor Marbelli

Resolution - That the Minutes of the General Meeting held on 25 May 2021 be approved as a correct record of proceedings and the Minutes be authorised and signed by the Mayor.

**Carried 7-0
290621-00**

BUSINESS

1. INFRASTRUCTURE AND UTILITY SERVICES

1.1 INFRASTRUCTURE and UTILITY SERVICES ACTIVITY REPORT for MONTH ENDING 31 MAY 2021

Consideration of Report to Council from Director Infrastructure and Utility Services dated 14 June 2021 regarding summary of activities undertaken during the month ending 31 May 2021.

Moved Councillor Milton
Seconded Councillor Brown

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

**Carried 7-0
290621-01**

A/DCDS Paul Cohen and CSTL Alya Palmer entered the meeting at 8.47am

1.2 MONTHLY STATUS REPORT

Consideration of Report to Council from Director Infrastructure and Utility Services dated 14 June 2021 regarding monthly Infrastructure and Utility Services Status Report for the month ending 31 May 2021.

Moved Councillor Skinner
Seconded Councillor Milton

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

**Carried 7-0
290621-02**

1.3 2020-2021 CAPITAL PROJECTS STATUS REPORT for MONTH ENDING 31 MAY 2021

Consideration of Report to Council from Director Infrastructure and Utility Services dated 14 June 2021 regarding a Status Report that provides a breakdown of projects as approved in the 2020-2021 Capital Works Program for the month ending 31 May 2021.

Moved Councillor Skinner
Seconded Councillor Lancini

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

**Carried 7-0
290621-03**

DCFS Brett Exelby entered the meeting at 9.06am

1.4 FLOOD WARNING INFRASTRUCTURE NETWORK (FWIN) PROGRESS REPORT

Consideration of Report to Council from Utility Services Manager dated 8 June 2021 regarding consideration of suitable sites for additional Flood Warning Infrastructure in the event that Queensland Reconstruction Authority allocate remaining funds to Hinchinbrook.

Moved Councillor Marbelli
Seconded Councillor Skinner

Resolution – That Council:

- A. Receive and note the information in the Report; and
- B. Confirm that the following sites are Council's preferred extra sites in order of preference if funding becomes available:
 - i. Camera looking at the gauge boards – Halifax Flood Alert Station;
 - ii. Camera and signage (2) and sensor on either end of Halifax Washaway; and
 - iii. Camera looking at the gauge boards – Gleneagle Flood Alert Station.

**Carried 7-0
290621-04**

2. COMMUNITY and DEVELOPMENT SERVICES

2.1 COMMUNITY and DEVELOPMENT SERVICES ACTIVITY REPORT

Consideration of Report to Council from Director Community and Development Services dated 14 June 2021 regarding summary of activities undertaken during the month ending 31 May 2021.

Moved *Councillor Marbelli*
Seconded *Councillor Brown*

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

**Carried 7-0
290621-05**

2.2 MONTHLY STATUS REPORT

Consideration of Report to Council from Director Community and Development Services dated 14 June 2021 regarding monthly Community and Development Services Status Report for the month ending 31 May 2021.

Moved *Councillor Brown*
Seconded *Councillor Marbelli*

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

**Carried 7-0
290621-06**

2.3 COMMUNITY ACTIVITY GRANT APPLICATIONS JUNE 2021

Consideration of Report to Council from Director Community and Development Services dated 9 May 2021 seeking Council consideration of Community Activity Grant applications received for the 2020-2021 financial year. 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.

Moved *Councillor Marbelli*
Seconded *Councillor Lancini*

Resolution – That Council approve the applications from the applications as follows:

- A. Herbert River Athletics Club – 100th Anniversary Barnes Cup – Application to assist with event costs for the amount requested: \$6,899 (excl. GST) on behalf of Herbert River School Sport;
- B. Ingham Tennis Association – Ingham Open Age Tournament – Application to assist with event costs for the amount requested: \$1,000 (excl. GST); and
- C. Ingham Bridge Club Inc. – Hinchinbrook Challenge Congress – Application to assist with event costs for the amount requested: \$1,500 (excl. GST).

That Council reject the applications from the applications as follows:

- D. Australian Volunteer Coastguard Association Inc. – Application for Community Group Support for ongoing operational costs and maintenance of rescue vessels and station base: \$10,000 (excl. GST);
- E. FNQ Community Arts – Rootbound Festival – Application to assist with event costs for the amount requested: \$5,000 (excl. GST); and
- F. Ingham Bowls Club – Application for Community Group Support for repairs to the bowling green following severe rainfall in 2019 for the amount requested: \$5,000 (excl. GST) as it fails to comply with Policy. To be reviewed under Ingham Autofest funds reallocation.

**Carried 7-0
290621-07**

2.4 ROUND TWO 2020-2021 REGIONAL ARTS DEVELOPMENT FUND (RADF)

Consideration of Report to Council from Acting Director Community and Development Services dated 16 June 2021 seeking Council endorsement of the recommendation from the RADF Committee.

Moved Councillor Marbelli
Seconded Councillor Brown

Resolution - That Council endorse the recommendation from the RADF Committee and approve the specific projects as follows:

- A. Taylors Beach Progress Association – application to design and create ‘Taylors Beach Basketball and Netball Court Community Artwork’ for the amount requested: \$8,013 (excl. GST);
- B. Tropical North Show Jumping – application to produce ‘Jumping into the future by closing the gap’ feature jump for the amount requested: \$4,165 (excl. GST);
- C. Warrgamay, Biyaygiri and Nywaigi. – application to complete ‘Yaminie’ artwork for the initial amount requested: \$6,941 (excl. GST); and

That Council endorse the recommendation from the RADF Committee and not approve the specific project as follows:

- D. Sandi Robb – application to complete project ‘Art in Objects: The Buk Ti community collection through the eye of the lens’ for the amount requested: \$5,550 (excl. GST);

That All funded projects are to be completed, including financial acquittals, before 1 July 2022. Carried 7-0
290621-8

2.5 TROPICAL COAST TOURISM INCORPORATED SERVICE LEVEL AGREEMENT

Consideration of Report to Council from Director Community and Development Services dated 15 June 2021 seeking endorsement of the Service Level Agreement for 2021-2022 between Council and Tropical Coast Tourism Incorporated.

Moved Councillor Brown
Seconded Councillor Lancini

Resolution – That Council:

- A. Endorse the Tropical Coast Tourism Incorporated Service Level Agreement for 2021-2022;
- B. Nominate Councillor Brown as Council’s representative on the TCT Board of Directors; and
- C. Delegate authority to the Chief Executive Officer via relevant staff in accordance with the *Local Government Act 2009* to enter into a contract, negotiate, finalise and execute any and all matters associated with or in relation to this Service Level Agreement. Carried 7-0
290621-9

2.6 COMMUNITY SPORTING GROUPS PROJECT FUNDING

Consideration of Report to Council from Acting Director Community and Development Services dated 21 June 2021 regarding recent requests for financial assistance from various local sporting clubs and seeking Council's approval to reallocate available funds to assist these sporting clubs.

Recommended – That Council:

- A. Reallocate \$20,000 (excluding GST) from the Project 20CE0005 to contribute to lighting upgrades to the Ingham Tennis Association facility;
- B. Reallocate a maximum \$50,000 (excluding GST) from Project 20CE0005 to contribute to facility improvements at the Ingham Showgrounds to facilitate use by the Herbert River Cricket Club, subject to the successful negotiation for the use of the Ingham Showgrounds;
- C. Reallocate \$5,000 (excluding GST) from Project 20CE0005 to Ingham Bowls Club for green repairs; and
- D. Delegate authority to the Chief Executive Officer via relevant staff in accordance with the Local Government Act 2009 to enter into a contract, negotiate, finalise and execute any and all matters associated with or in relation to these projects.

Officer recommendation set aside and replaced with the following resolution:

*Moved Councillor Marbelli
Seconded Councillor Milton*

Resolution – That Council:

- A. **Reallocate \$20,000 (excluding GST) from Project 20CE0005 to contribute to lighting upgrades to the Ingham Tennis Association facility;**
- B. **Reallocate funding from Project 20CE0005 to contribute to facility improvements at the Ingham Showgrounds to facilitate installation of cricket pitch infrastructure, subject to the successful negotiation for the use of the Ingham Showgrounds;**
- C. **Reallocate \$5,000 (excluding GST) from Project 20CE0005 to Ingham Bowls Club for green repairs; and**
- D. **Authorise the Chief Executive Officer to utilise funding from such project for restoration of infrastructure damage to the showgrounds due to recent show events from such allocation; and**
- E. **Delegate authority to the Chief Executive Officer via relevant staff in accordance with the *Local Government Act 2009* to enter into a contract, negotiate, finalise and execute any and all matters associated with or in relation to these projects.**

**Carried 7-0
290621-10**

The meeting adjourned at 10.00am for morning tea

The meeting resumed from morning tea at 10.15am RSM Paul Cohen was present when the meeting resumed

2.7 TENDERS FOR TYTO RESTAURANT AND VISITOR INFORMATION CENTRE

Consideration of Report to Council from Acting Director Community and Development Services dated 21 June 2021 seeking Council's approval to invite tenders for the individual lease of the TYTO Restaurant and the Visitor Information Centre.

Moved Councillor Lancini
Seconded Councillor Brown

Resolution – That Council:

- A. In accordance with section 228 of the Local Government Regulation 2012, invites written tenders for the operation of the Tyto Restaurant for a minimum three year lease, with an option for an additional three years; and
- B. In accordance with section 228 of the Local Government Regulation 2012, invites written tenders for the operation of the Visitor Information Centre, including the associated RV Park, that at a minimum:
 - i. Is for a ten year lease term, with an option for an additional five years;
 - ii. Provides for seven day trading;
 - iii. Maintains the operation of the RV Park;
 - iv. Maintains the Visitor Information Centre activities and accreditation; and
 - v. Includes a visitor experience component.
- F. Delegates authority to the Chief Executive Officer in accordance with the provisions of the *Local Government Act 2009* to negotiate, determine and finalise any and all matters relating to the tender documentation.

Carried 7-0
290621-11

3. CORPORATE and FINANCIAL SERVICES

3.1 CORPORATE and FINANCIAL SERVICES ACTIVITY REPORT

Consideration of Report to Council from Director Corporate and Financial Services dated 10 June 2021 regarding summary of activities undertaken during the month ending 31 May 2021.

Moved Councillor Cripps
Seconded Councillor Milton

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

Carried 7-0
290621-12

DCFS Brett Exelby entered the meeting 10.19am

3.2 MONTHLY STATUS REPORT

Consideration of Report to Council from Director Corporate and Financial Services dated 14 June 2021 regarding monthly Corporate and Financial Services Status Report for the month ending 31 May 2021.

Moved Councillor Cripps
Seconded Councillor Marbelli

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

Carried 7-0
290621-13

- 3.3 FINANCIAL PERFORMANCE REPORT for the PERIOD ENDING 31 MAY 2021
Consideration of Report to Council from Director Corporate and Financial Services dated 18 June 2021 regarding a report of financial activities for the month ending 31 May 2021.

Moved *Councillor Cripps*
Seconded *Councillor Skinner*

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

**Carried 7-0
290621-14**

DIUS James Stewart entered the meeting at 10.33am

- 3.4 EXTERNAL AUDIT – 2020 FINAL MANAGEMENT LETTER
Consideration of Report to Council from Director Corporate and Financial Services dated 18 June 2021 providing the Auditor-General's Observation report (Final Management Letter) for noting.

Moved *Councillor Cripps*
Seconded *Councillor Lancini*

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

**Carried 7-0
290621-15**

- 3.5 AUDIT COMMITTEE MEETING MINUTES – 16 APRIL 2021 and 4 JUNE 2021
Consideration of Report to Council from Director Corporate and Financial Services dated 11 June 2021 providing Audit Committee Minutes from meetings held 16 April and 4 June 2021 for Council's information.

Moved *Councillor Cripps*
Seconded *Councillor Skinner*

Resolution – That Council receive and note the Minutes from the Audit Committee held on 16 April 2021 and 4 June 2021.

**Carried 7-0
290621-16**

- 3.6 2021 INTERIM REPORT from the QUEENSLAND AUDIT OFFICE
Consideration of Report to Council from Director Corporate and Financial Services dated 11 June 2021 tabling of the Queensland Audit Office 2021 Interim Report.

Moved *Councillor Cripps*
Seconded *Councillor Marbelli*

Resolution – That Council receive and note the information in the 2021 Interim Report from the Queensland Audit Office.

**Carried 7-0
290621-17**

- 3.7 HSC 21/02 – PROVISION for DE-NUTTING and/or REMOVAL of COCONUT PALMS
Consideration of Report to Council from Director Corporate and Financial Services dated 11 June 2021 outlining findings of tender process and evaluation outcome for HSC 21/02 – Provision for De-Nutting and/or Removal of Coconut Palms.

Moved *Councillor Cripps*
Seconded *Councillor Lancini*

Resolution – That Council accepts and appoints DL CM Taylor as the Preferred Supplier for Provision for De-Nutting and/or Removal of Coconut Palms for a period of 24 months commencing 1 July 2021.

**Carried 7-0
290621-18**

In accordance with the Declaration of Interest for Item 3.8 Councillor DM Marbelli excluded herself from the meeting at 10.52am while the matter was discussed and vote taken.

Meeting was suspended at 10.53am due to technical issue with livestreaming

Meeting resumed without livestream 10.55am

3.8 HSC 21/04 – SUPPLY of TOPSOIL for WARRENS HILL LANDFILL FACILITY

Consideration of Report to Council from Director Corporate and Financial Services dated 11 June 2021 outlining findings of tender process and evaluation outcome for HSC 21/04 – Supply of Topsoil for Warrens Hill Landfill Facility.

*Moved Councillor Milton
Seconded Councillor Skinner*

Resolution – That Council approve the awarding of tender HSC 21/04 – Supply of Topsoil for Warrens Hill Landfill Facility to Timrith Transport for the tendered price of \$220,000 (excl. GST).

**Carried 6-0
290621-19**

Councillor D Marbelli returned to the meeting at 11.02am.

3.9 HSC 21/07 – SUPPLY and SPRAYING of BITUMINOUS PRODUCTS

Consideration of Report to Council from Director Corporate and Financial Services dated 11 June 2021 outlining findings of tender process and evaluation outcome for HSC 21/07 – Supply and Spraying of Bituminous Products.

*Moved Councillor Skinner
Seconded Councillor Milton*

Resolution – That Council accepts and appoints Koppen Construction Pty Ltd as the Preferred Supplier for Supply and Spraying of Bituminous Products for a period of 24 months commencing 1 July 2021.

**Carried 7-0
290621-20**

3.10 EXTENSION TO CURRENCY PERIOD – RECONFIGURING A LOT FOR SUBDIVISION OF ONE LOT INTO TWO LOTS – MARTIN STREET INGHAM – LOT 2 on CP903860

Consideration of Report to Council from Planning Consultant dated 14 June 2021 concerning request to extend the currency period for a Development Permit for Reconfiguring a Lot (one Lot into Two Lots) on land described as Lot 2 on CP903860 and located at Martin Street Ingham. Original Development Permit was approved on 24 November 2015, subject to conditions. The original development permit was granted a currency period of two (2) years, was subsequently extended for an additional two (2) years in 2017 and an additional 18 months in 2019, with the current laps date being 28 May 2021.

*Moved Councillor Cripps
Seconded Councillor Milton*

Resolution – That Council approve the request to extend the currency period of the Development Permit for Reconfiguring a Lot for Subdivision of One Lot into Two Lots on land described as Lot 2 on CP903860 at Martin Street Ingham for two (2) years, extending the currency period to the 28 May 2023. In addition, the extension is to be accompanied by an amended Infrastructure Charges Notice aligning with Council's current Infrastructure Charges Resolution as outlined in Attachment C.

**Carried 7-0
290621-21**

**3.11 BUILDING WORK ASSESSABLE AGAINST PLANNING SCHEME (RURAL SITING ASSESSMENT)
THREE MILE ROAD BRAEMEADOWS – Lot 10 on RP710070**

Consideration of Report to Council from Planning Consultant dated 14 June 2021 concerning request for a Development Permit for Building Work Assessable Against a Planning Scheme (Rural Siting Assessment) on land formally described as Lot 10 on RP710070 and located at 20 Three Mile Road Braemeadows. The application has been lodged by Peter and Robyn Mowat for a proposed Class 10a structure comprising two enclosed bays and one open bay located 8.22m from the southern side boundary.

Moved *Councillor Cripps*
Seconded *Councillor Skinner*

**Resolution – That Council approve the proposed building works assessable against the Hinchinbrook Shire Planning Scheme 2017 for the Class 10a structure on land formally described as Lot 10 on RP710070 and located at 20 Three Mile Road, Braemeadows subject to conditions as set out in Attachment A. Carried 7-0
290621-22**

A/DCDS Paul Cohen excluded himself from the meeting at 11.06am while item 3.12 was discussed as he is related to the applicant

**3.12 BUILDING WORK ASSESSABLE AGAINST PLANNING SCHEME (RURAL SITING ASSESSMENT)
BRUCE HIGHWAY YURUGA – Lot 1 on CWL3501**

Consideration of Report to Council from Planning Consultant dated 14 June 2021 concerning a request for Development Permit for Building Work Assessable Against a Planning Scheme (Rural Siting Assessment) on land formally described as Lot 1 on CWL3501 and located at 47534 Bruce Highway Yuruga. The application has been lodged by Steven and Elda Gileppa for a proposed Class 10a structure comprising three (3) open bays and located 2m from the north-eastern side property boundary.

Moved *Councillor Cripps*
Seconded *Councillor Lancini*

**Resolution – That Council approve the proposed building works assessable against the Planning Scheme for the Class 10a structure on land formally described as Lot 1 on CWL3501 and located at 47534 Bruce Highway, Yuruga subject to conditions as set out in Attachment A. Carried 7-0
290621-23**

A/DCDS Paul Cohen returned to the meeting at 11.07am.

Livestreaming recommenced at 11.10am

**3.13 BUILDING WORK ASSESSABLE AGAINST PLANNING SCHEME (RURAL SITING ASSESSMENT)
SCOVAZZIS ROAD TOOBANNA – Lot 2 on RP746785**

Consideration of Report to Council from Planning Consultant dated 14 June 2021 concerning a request for Development Permit for Building Work Assessable Against a Planning Scheme (Rural Siting Assessment) on land formally described as Lot 2 on RP746785 and located at 31 Scovazzis Road Toobanna. The application has been lodged by Errol and Erin Cerutti for a proposed Class 10a structure comprising two (2) enclosed bays and located 8m from the northern boundary and 6m from the eastern boundary.

Moved *Councillor Cripps*
Seconded *Councillor Lancini*

**Resolution – That Council approve the proposed building works assessable against the Planning Scheme for the Class 10a structure on land formally described as Lot 2 on RP746785 and located at 31 Scovazzis Road Toobanna, subject to conditions as set out in Attachment A. Carried 7-0
290621-24**

3.14 REFERRAL AGENCY RESPONSE – RESIDENTIAL DESIGN and SITING
ABBOTT STREET INGHAM – LOT 3 on RP746809

Consideration of Report to Council from Planning Consultant dated 14 June 2021 concerning a Development Application lodged by the landowner Heath Bahr seeking to establish a Class 10a structure (enclosed shed) to be located 1 metre from the side boundaries of the property described as Lot 3 on RP746809 and situated at 1 Abbott Street Ingham.

Moved *Councillor Lancini*
Seconded *Councillor Skinner*

Resolution – That Council issue a Referral Agency Response for the proposed Class 10a structure on land formally described as Lot 3 on RP746809 and located at 1 Abbott Street Ingham subject to conditions, as set out in Attachment A.

**Carried 7-0
290621-25**

3.15 REFERRAL AGENCY RESPONSE – RESIDENTIAL DESIGN and SITING
RENOUF STREET INGHAM – LOT 3 on SP239267

Consideration of Report to Council from Planning Consultant dated 14 June 2021 concerning a Development Application lodged by the landowners Russell and Anna Andrews seeking to establish a Class 1a structure (dwelling) to be located 2.77 metres from the front boundary on property described as Lot 3 on SP239267 and situated at 6 Renouf Street Ingham.

Moved *Councillor Cripps*
Seconded *Councillor Milton*

Resolution – That Council issue a Referral Agency Response for the proposed Class 1a structure (dwelling) on land formally described as Lot 3 on SP239267 and located at 6 Renouf Street, Ingham subject to conditions, as set out in Attachment A.

**Carried 7-0
290621-26**

3.16 REFERRAL AGENCY RESPONSE – RESIDENTIAL DESIGN and SITING
JOHN DORY STREET TAYLORS BEACH – LOT 4 on RP732206

Consideration of Report to Council from Regulatory Services Manager dated 14 June 2021 concerning a Referral Agency Response – Design and Siting lodged by landowners Craig and Rose Lynch seeking to establish a Class 10a structure (open boat shed) on property described as Lot 4 on RP732206 and located at 135 John Dory Street Taylors Beach. The proposed structure is to be built to the shared boundary with Lot 5 on RP732206.

Moved *Councillor Cripps*
Seconded *Councillor Lancini*

Resolution – That Council issue a Referral Agency Response refusing the proposed Class 10a structure on land formally described as Lot 4 on RP732206 and located at 135 John Dory Street, Taylors Beach, given it is inconsistent with, and is not able to be conditioned to be consistent with, the performance criteria relevant to the Referral Agency Response. In particular:

- A. The proposed Class 10a structure is not consistent with the Purpose of the QDC MP1.2 which is to “*To provide good residential design that promotes the efficient use of a lot, an acceptable amenity to residents, and to facilitate off street parking*”; and
- B. The proposed Class 10a structure is not consistent with performance criteria specified by Performance Outcome 2 of the Queensland Development Code MP1.2, in particular the scale of the proposed structure, being 20 metres in length, immediately adjoins 40% of the boundary which will adversely impact on the amenity of the current and future residents of the neighbouring property.

**Carried 7-0
290621-27**

In accordance with the Declaration of Interest for Item 3.17 Councillor KS Milton excluded herself from the meeting at 11.19am while the matter was discussed and vote taken.

**3.17 RECONFIGURING A LOT – SUBDIVISION OF LAND (ONE LOT INTO TWO LOTS AND ACCESS EASEMENT)
HALIFAX ROAD INGHAM – Lot 361 on SP214657**

Consideration of Report to Council from Planning Consultant dated 14 June 2021 concerning Development Application for Reconfiguring a Lot – Subdivision of Land (One Lot into Two Lots) and access easement at 151 Halifax Road Ingham formally known as Lot 361 on SP214657. The application was lodged by Hansen Surveys on behalf of landowners Paul, Natal and Rita Cauchi. The land is located in the Rural Zone of the Hinchinbrook Shire Planning Scheme 2017, is an area of 31.03ha and is utilised for cane cropping.

*Moved Councillor Cripps
Seconded Councillor Lancini*

Resolution – That Council refuse the proposed Reconfiguring a Lot – Subdivision of Land (One Lot into Two Lots) and Access Easements on land known as Lot 361 on SP214657 and located at 151 Halifax Road, Ingham, given it is inconsistent with, and is not able to be conditioned to be consistent with, the assessment benchmarks relevant to the development. In particular:

- A. The proposed development is not consistent with the purpose and overall outcomes sought for the Rural Zone Code, in particular:**
- i. The proposed development, due to the size and configuration of the proposed lots, does not protect the productive capacity of the land for rural uses and associated value adding industry;**
 - ii. The proposed development, due to the size and configuration of the proposed lots, does not provide for the protection of Class A and B agricultural land for sustainable agricultural use;**
 - iii. The proposed development, due to the size and configuration of the proposed lots, does not maintain the capacity of the land for rural uses and activities by protecting and managing significant natural resources and processes;**
 - iv. The proposed development, due to the size and configuration of the proposed lots, does not maintain the rural and landscape character, scale and amenity of the zone; and**
 - v. The proposed development, due to its location and the flood hazard that affects the land, will not result in people and property being located in accessible areas for emergency management.**
- B. The proposed development is not consistent with purpose and overall outcomes of the Reconfiguring a Lot Code, in particular:**
- i. The proposed development results in allotment sizes which are half the 30ha minimum area intended for the Rural Zone, and therefore not of sufficient area to be suitable for the rural uses or activities sought for the Rural Zone;**
 - ii. The proposed development results in an irregular shaped allotment joined at a vertex that is not rectangular in shape;**
 - iii. The proposed development includes irregular shaped allotments with areas that are not consistent with the purpose and overall outcomes of the zone;**
 - iv. The proposed development results in the creation of a new allotment within the high hazard flood area and therefore increases the potential to increase the risk to life or property;**
 - v. The proposed development does not result in lots with suitable areas, dimensions and shapes for the intended rural uses when taking into account the environmental constraints of the site; and**
 - vi. The proposed development will result in a net increase in the number of allotments in the Rural Zone.**
- C. The proposed development results in allotments of a size that is likely to contribute to a net loss in overall agricultural productivity and will impact the future use of land within the Priority Agricultural Area, which is inconsistent with the assessment benchmarks under Regional Outcome 1.1 of the North Queensland Regional Plan.**

**Carried 6-0
290621-28**

Councillor KS Milton returned to the meeting at 11.22am.

3.18 TRUSTEE PERMIT of FISHING HUT LOCATED WITHIN Lot 382 on SP288711 CASSADY BEACH

Consideration of Report to Council from Regulatory Services Manager dated 8 June 2021 concerning an application for Trustee Permit for an existing Fishing Hut located within Council's Recreation Reserve being Lot 382 on SP288711. The fishing hut is located at Cassady Beach and has been occupied since 1970.

Recommendation - That Council:

- A. Approve a Trustee Permit between Council and Michael Ufer and Kurtis Cassady over fishing hut J located within Lot 382 on SP288711 Reserve for Recreation within Cassady Beach; and
- B. Apply the annual fee of \$702 (excl GST) subject to CPI increase as per Council's 2020-2021 Schedule of Fees and Charges.

Officer recommendation set aside and replaced with the following resolution:

*Moved Councillor Cripps
Seconded Councillor Skinner*

Resolution – That Council:

- A. Approve a Trustee Permit between Council and Michael Ufer and Kurtis Cassady over fishing hut J located within Lot 382 on SP288711 Reserve for Recreation within Cassady Beach; and
- B. Apply the annual fee of \$702 (excl. GST) subject to Council's Schedule of Fees and Charges. Carried 7-0
290621-29

3.19 HERBERT RIVER JOCKEY CLUB – WATER CHARGES

Consideration of Report to Council from Director Corporate and Financial Services dated 18 June 2021 concerning an ongoing issue regarding charges owing by the Herbert River Jockey Club and previous requests for Council assistance by waiver of water charges raised through essentially concealed leaks that occurred upon the premises.

*Moved Councillor Marbelli
Seconded Councillor Lancini*

Resolution – That Council approve to waive an amount of \$10,775.86 being the Excess Water Charge, plus interest of \$1,456.76 accrued to date, totalling \$12,232.62 levied against the Herbert River Jockey Club.
Carried 7-0
290621-30

3.20 2021-2022 COUNCILLOR REMUNERATION

Consideration of Report to Council from Director Corporate and Financial Services dated 18 June 2021 concerning not increasing the Councillor Remuneration from the determined remuneration paid in the 2019-2020 financial year for the 2021-2022 financial year.

*Moved Councillor Milton
Seconded Councillor Lancini*

Resolution – That Council not accept the proposed increase as referenced in the Local Government Remuneration Commission Report issued 30 November 2020 and remain on existing remuneration levels.

*Mayor R Jayo and Councillors Brown, Milton and Marbelli voted for the motion
Councillors WG Skinner, AP Cripps and AJ Lancini voted against the motion*

**Carried 4-3
290621-31**

4. GOVERNANCE

4.1 OFFICE of the MAYOR and CHIEF EXECUTIVE OFFICER ACTIVITY REPORT

Consideration of Report to Council from Chief Executive Officer dated 14 June 2021 concerning summary of activities undertaken in the Office of the Mayor and Chief Executive Officer during the month ending 31 May 2021.

Moved Councillor Lancini
Seconded Councillor Marbelli

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

**Carried 7-0
290621-32**

DIUS James Stewart and DCFS Brett Exelby left the meeting at 11.44am

4.2 MONTHLY STATUS REPORT

Consideration of Report to Council from Acting Chief Executive Officer dated 14 June 2021 concerning monthly Office of the Mayor and Chief Executive Officer Status Report for the month ending 31 May 2021.

Moved Councillor Lancini
Seconded Councillor Marbelli

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

**Carried 7-0
290621-33**

DCFS Brett Exelby returned to the meeting at 11.46am

4.3 2021-24 WORKS for QUEENSLAND (W4Q) FUNDING – PROJECT VARIATION

Consideration of Report to Council from Chief Executive Officer dated 18 June 2021 seeking a variation to projects to be submitted for the 2021-24 works for Queensland Program.

Moved Councillor Cripps
Seconded Councillor Skinner

Resolution – That Council:

- A. Rescind resolution 300321-33; and
- B. Adopt the following as suitable projects to be submitted for the 2021-24 Works for Queensland (W4Q) Program:

Project	W4Q Project Budget (excl. GST)
Vince Corbett Park Toilet Renewal	\$250,000
Kehl/Lehane/Row/Druery Street Kerb and Channel Renewal	\$355,000
Roati Street Kerb and Channel Renewal	\$225,000
Herbert Street Stormwater Renewal	\$600,000
Relining of Sewer Mains	\$560,000
Upgrade of Water and Telemetry System	\$80,000
Replacement Sewer Camera	\$80,000
Council's Total 2021-24 Allocation	\$2,150,000

**Carried 7-0
290621-34**

4.4 2021 CHRISTMAS CLOSE DOWN

Consideration of Report to Council from Chief Executive Officer dated 14 June 2021 regarding Council's intended closure times of its facilities over the 2021 Christmas period in order to provide advice to staff and the general public of Council's intention within the required timeframe.

Moved Councillor Milton
Seconded Councillor Cripps

Resolution – That Council approve the following closure times for the 2021 Christmas Close Down:

- A. Close the Lannercost Street Office from 5.06pm Wednesday 22 December 2021 and re-open on Wednesday 5 January 2022;
- B. Close the Council Martin Street Depot at 4.00pm on Friday 17 December 2021 and re-open on Monday 10 January 2022 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 17 December 2021 and re-open on Monday 10 January 2022 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 22 December 2021 and re-open on Wednesday 5 January 2022;
- E. Close the Halifax Library Sub-Branch from 12.00pm Wednesday 22 December 2021 and re-open on Wednesday 5 January 2022;
- F. Close the Hinchinbrook Visitor Information Centre on Christmas Day, Boxing Day and New Years Day – Saturday 25 December 2021, Sunday 26 December 2021 and Saturday 1 January 2022; and
- G. Close the Warrens Hill Landfill and Resource Recovery Centre on Christmas Day – Saturday 25 December 2021.

**Carried 7-0
290621-35**

4.5 COUNCILLOR OPPORTUNITIES – ATTENDANCE at 2021 LGAQ ANNUAL CONFERENCE

Consideration of Report to Council from Chief Executive Officer dated 14 June 2021 concerning Council representation at 2021 LGAQ Annual Conference in Mackay from Monday 25 to Wednesday 27 October 2021.

Moved Councillor Lancini
Seconded Councillor Marbelli

Resolution – That the Mayor, Chief Executive Officer and interested Councillors attend the LGAQ Conference in Mackay from Monday 25 to Wednesday 27 October 2021.

**Carried 7-0
290621-36**

4.6 COUNCILLOR ACTIVITY REPORT as at 31 MAY 2021

Consideration of Report to Council from Chief Executive Officer dated 16 June 2021 providing Councillor Activity Reports for the month ending 31 May 2021 to ensure transparency and public scrutiny.

Moved Councillor Skinner
Seconded Councillor Milton

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

**Carried 7-0
290621-37**

CONCLUSION – This concluded the business of the meeting which closed at 11.56am

APPROVED, CONFIRMED and ADOPTED on 27 July 2021

Councillor R Jayo – MAYOR