



GENERAL MEETING MINUTES

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

TUESDAY 30 MAY 2023
at 8.30AM

- PRESENT**
- R Jayo Mayor (Chair)
 - AP Cripps Councillor
 - ME Brown Councillor
 - AJ Lancini Councillor
 - DM Marbelli Councillor
 - KS Milton Councillor
 - WG Skinner Councillor
 - M Webster Acting Chief Executive Officer (A/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 ME Brown began the meeting with a Prayer.

ESO A Melvin was also present when the meeting commenced at 8.30am.

DECLARATIONS OF INTEREST -

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

Councillor ME Brown

Item 2.8 – HSC 23/04 – Supply, install and service of Supervisory Control and Data Acquisition (SCADA)

In accordance with Section 150EP of the *Local Government Act 2009*, Councillor ME Brown informed the meeting she has a possible Declarable Conflict of Interest in relation to Item 2.11 as her brother-in-law and sister's business is a subcontractor to a tenderer on this project.

Councillor DM Marbelli

Item 2.9A – Community Activity Grant Q4 2022-2023

In accordance with Section 150EP of the *Local Government Act 2009*, Councillor DM Marbelli informed the meeting she has a possible Declarable Conflict of Interest in relation to Item 2.11 as her Father-In-Law is a life member of the Macknade Community Sporting Club Inc.

Councillor KS Milton

Item 2.11 – Change Application to Reconfiguring a Lot – Subdivision (One Lot into Two Lots) Milton Road Upper Stone – Lot 60 on CWL715

In accordance with Section 150EJ of the *Local Government Act 2009*, Councillor KS Milton informed the meeting she has a possible Prescribed Conflict of Interest in relation to Item 2.11 as her husband is the owner of part of the property and she and her husband are the business owners.

PREVIOUS MINUTES - *Moved Councillor Lancini*
Seconded Councillor Marbelli

Resolution - That the Minutes of the General Meeting held on 26 April 2023 be approved as a correct record of proceedings and the Minutes be authorised and signed by the Mayor.

**Carried 7-0
300523-00a**

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 15 May 2023 regarding summary of activities undertaken during the month ending 30 April 2023.

Moved *Councillor Milton*
Seconded *Councillor Marbelli*

Resolution – That Council request the Department of Environment and Science to include the TYTO Wetlands in the Crocodile Management Plan area as Zone C or the most appropriate zone, after discussion with the Department.

Carried 7-0
300523-01a

Moved *Councillor Skinner*
Seconded *Councillor Milton*

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

Carried 7-0
300523-01b

1.2 INFRASTRUCTURE and UTILITY SERVICES MONTHLY STATUS REPORT

Consideration of Report to Council from Director Infrastructure and Utility Services dated 15 May 2023 regarding monthly Infrastructure and Utility Services Status Report for the month ending 30 April 2023.

Moved *Councillor Milton*
Seconded *Councillor Lancini*

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

Carried 7-0
300523-02

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 15 May 2023 regarding summary of activities undertaken during the month ending 30 April 2023.

Moved *Councillor Marbelli*
Seconded *Councillor Cripps*

Resolution – That Council receive and note the information in the Report.
300523-03

Carried 7-0

2.2 CORPORATE and COMMUNITY SERVICES STATUS REPORT

Consideration of Report to Council from Director Corporate and Community Services dated 15 May 2023 regarding monthly Corporate and Community Services Status Report for the month ending 30 April 2023.

Moved *Councillor Cripps*
Seconded *Councillor Marbelli*

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

Carried 7-0
300523-04

2.3 FINANCIAL PERFORMANCE REPORT for the PERIOD ENDING 30 APRIL 2023

Consideration of Report to Council from Director Corporate and Community Services dated 17 May 2023 regarding a report of Council's financial performance and interim position for the month ending 30 April 2023 and to measure progress against Council's approved budget.

Moved *Councillor Cripps*
Seconded *Councillor Marbelli*

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

**Carried 7-0
300523-05**

2.4 GRANT POLICY FRAMEWORK

Consideration of Report to Council from Director Corporate and Community Services dated 10 May 2023 seeking adoption of the Grant Policy Framework.

Moved *Councillor Marbelli*
Seconded *Councillor Brown*

Resolution – That Council adopt the Grant Policy Framework as presented which will take effect from 1 July 2023.

**Carried 7-0
300523-06**

2.5 STRATEGIC RISK REGISTER

Consideration of Report to Council from Director Corporate and Community Services dated 15 May 2023 seeking adoption of the Strategic Risk Register.

Moved *Councillor Cripps*
Seconded *Councillor Brown*

Resolution - That Council adopt the Strategic Risk Register as presented.

**Carried 7-0
300523-07**

The meeting adjourned for morning tea at 9.58am and resumed at 10.15am.

2.6 2023-2024 ANNUAL POLICY REVIEW

Consideration of Report to Council from Director Corporate and Community Services dated 10 May 2023 seeking adoption of the following Policies in preparation of Council's 2023-2024 Budget:

- Debt Policy;
- Entertainment and Hospitality Policy;
- Financial Hardship Policy;
- Fraud and Corruption Prevention Policy;
- Investment Policy;
- Procurement Policy;
- Rate and Rebates Concession Policy;
- Rate Recovery Policy;
- Related Party Transactions Policy; and
- Water Leak Relief Policy.

Recommended – That Council adopt the following policies:

- Debt Policy;
- Entertainment and Hospitality Policy;
- Financial Hardship Policy;
- Fraud and Corruption Prevention Policy;
- Investment Policy;
- Procurement Policy;
- Rate and Rebates Concession Policy;
- Rate Recovery Policy;
- Related Party Transactions Policy; and
- Water Leak Relief Policy.

Moved Councillor Cripps
Seconded Councillor Brown

Resolution - That Council move to amend the resolution to defer adoption of the Debt Policy for further consideration of borrowings and the Financial Hardship Policy pending minor amendments. Carried 7-0
300523-08a

Moved Councillor Cripps
Seconded Councillor Lancini

Resolution - That Council adopt the following policies:

- Entertainment and Hospitality Policy;
- Fraud and Corruption Prevention Policy;
- Investment Policy;
- Procurement Policy;
- Rate and Rebates Concession Policy;
- Rate Recovery Policy;
- Related Party Transactions Policy; and
- Water Leak Relief Policy.

Carried 7-0
300523-08b

10.27am Utility Services Manager (USM) G Tansley entered the meeting.

2.7 HSC 22/18 – WATERFALL CREEK BRIDGE REPLACEMENT (DESIGN AND CONSTRUCT).
EL ALAMEIN ROAD ABERGOWRIE

Consideration of Report to Council from Finance Manager dated 15 May 2023 informing of the tender process undertaken, the evaluation outcome, and to recommend an appropriate contractor to deliver the Waterfall Creek Bridge Replacement (Design and Construct) associated with tender HSC 22/18.

Moved Councillor Lancini
Seconded Councillor Milton

Resolution – That Council:

- A. Approve the awarding of tender HSC 22/18 – Waterfall Creek Bridge Replacement (Design and Construct), El Alamein Road Abergowrie to Keita Services Pty Ltd for the tendered price of \$595,798.00 (excl. GST); and
- B. Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009*, to negotiate and enter into contract, finalise and execute any and all matters in relation to this procurement activity.

Carried 7-0
300523-09

In accordance with the Declaration of Interest for Item 2.8 Councillor ME Brown excluded herself from the meeting at 10.27am while the matter was discussed and vote taken.

*Moved Mayor Jayo
Seconded Councillor Lancini*

That Council close the meeting to the public and move into closed session at 10.31am under Section 254J(g) of the Local Government Regulation 2012 to discuss Item 2.8. Carried 6-0

*Moved Mayor Jayo
Seconded Councillor Marbelli*

That the meeting move out of closed session at 10.47am Carried 6-0

2.8 HSC 23/04 – SUPPLY, INSTALL AND SERVICE OF
SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA)

Consideration of Report to Council from Finance Manager dated 15 May 2023 informing of the tender process undertaken, the evaluation outcome, and to recommend an appropriate contractor to deliver the supply install and service of SCADA associated with tender HSC 23/04.

*Moved Councillor Lancini
Seconded Councillor Skinner*

Resolution – That Council:

- A. Appoint 360 Engineering Pty Ltd as Council's Preferred Tenderer to deliver the Supply, Install and Service of SCADA associated with tender HSC 23/04; and
- B. Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009*, to negotiate and enter into contract, finalise and execute any and all matters in relation to this procurement activity.

Carried 6-0
300523-10

Councillor ME Brown returned to the meeting and USM G Tansley left the meeting at 10.47am.

Councillor DM Marbelli informed the meeting she has a possible Declarable Conflict of Interest in relation to Item 2.9 as her Father-In-Law is a life member of the Macknade Community Sporting Club Inc. Upon further discussion with Councillors it was decided that Cr DM Marbelli would not be required to leave the meeting whilst discussion on this Item took place as the decision has already been made by the panel and the item is just for noting.

2.9 COMMUNITY ACTIVITY GRANT APPLICATIONS Q4 2022-2023

Consideration of Report to Council from Development and Regulatory Services Manager dated 15 May 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 Community Activity Grant applications:

- A. Herbert River Pastoral and Agricultural Association Inc - \$15,000 (excl. GST) plus \$2,000 in-kind – Signature Regionally Significant Event; and
- B. Australian Italian Festival – \$5,000 increase to the original grant funding approval of \$10,000 (excl. GST) plus \$2,000 in-kind – Signature Regionally Significant Event.

That Council note the panel approved applications as follows:

- A. Trebonne State School Parents and Citizens Association - \$500 (excl. GST) – Community Activity;
- B. Queensland Country Women’s Association - \$1,720 (excl. GST) – Moderate Event;
- C. Ingham State High School Parents and Citizens Association Inc - \$750 (excl. GST) – Community Group Support; and
- D. Ingham Bowls Club Inc. - \$650 (excl. GST) – Community Support Group.

That Council note the panel approved applications as follows:

- A. Macknade Community Sporting Club Inc - \$650 (excl. GST) – Community Activity.

Mayor R Jayo moved that Item 2.9 lay on the table for further investigation at 10.53am.

Carried 7-0

2.10 DOG REGISTRATION AND FOOD BUSINESS LICENSING 2023-2024 FEES

Consideration of Report to Council from Development and Regulatory Services Manager dated 23 May 2023 seeking adoption of the 2023-2024 Schedule of Fees and Charges for Dog Registrations and Food Business Licensing as presented.

Moved Councillor Lancini
Seconded Councillor Skinner

Resolution - That Council adopt the following 2023-2024 Fees and Charges for Dog Registrations and Food Business Licensing as presented to take effect from 1 July 2023 and delegate the Chief Executive Officer to implement the amendment as follows:

Dog Registration	Unit	Proposed 2023-2024 Fees and Charges
Where an animal is registered, and the period of registering is less than 9 months, a pro-rata fee only is payable.		
Under the age of 3 months at the time of registration - written proof may be required	Once off only	\$0
Desexed and microchipped	Per dog/per year	\$22.00
Desexed no microchip (only applicable if born before 2009)	Per dog/per year	\$130.50
Entire and Microchipped Dog	Per dog/per year	\$130.50
Assistance or Working Dog in accordance with <i>Animal Management (Cats & Dogs) Act 2008</i> - written proof may be required	Per dog/per year	FREE
Declared Dangerous or Menacing dog	Per dog/per year	\$438.50
Replacement registration tag	Each	\$11.00
Food Business Licensing	Unit	Proposed 2023-2024 Fees and Charges
Where a business licence is applied for, and the period of registering is less than 9 months, a pro-rata fee only is payable.		
Food business licence - Category 1	Annual Fee	\$300
Food business licence - Category 2	Annual Fee	\$360
Food business licence - Category 3.	Annual Fee	\$400
Food business licence - Category 4	Annual Fee	\$900
Food business licence - Category 5	Annual Fee	\$0

Carried 7-0
 300523-12

In accordance with the Declaration of Interest for Item 2.11 Councillor KS Milton excluded herself from the meeting at 10.58am while the matter was discussed and vote taken.

**2.11 CHANGE APPLICATION to RECONFIGURING A LOT – SUBDIVISION (ONE LOT INTO TWO LOTS)
MILTON ROAD UPPER STONE – LOT 60 ON CWL715**

Consideration of Report to Council from Development and Regulatory Services Manager dated 8 May 2023 concerning a request for a Minor Change Development Application from BNC Planning on behalf of property owners David and Kate Milton, from Reconfiguring a Lot – Subdivision (one Lot into Three Lots) to Reconfiguring a Lot – Subdivision (one Lot into Two Lots) at Milton Road Upper Stone formally known as Lot 60 on CWL715. The property has an area of 3,213ha and is currently improved with an existing dwelling and associated outbuildings. The proposed reconfiguration will result in Lot 60 with an area of 2,951ha and Lot 1 with an area of 262.5ha.

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

Resolution – That Council approve the proposed Change Development Application for Reconfiguring a Lot – Subdivision (One Lot into Two Lots) on land located at Milton Road Upper Stone, formally known as Lot 60 on CWL715, subject to conditions, as set out in Attachment A.

**Carried 6-0
300523-13**

Councillor KS Milton returned to the meeting at 11.00am.

**2.12 REFERRAL AGENCY RESPONSE – DESIGN AND SITING
50 CASSADY STREET INGHAM – LOT 12 on RP721038**

Consideration of Report to Council from Development and Regulatory Services Manager dated 5 May 2023 concerning a request for a Referral Agency Response – Design and Siting variation lodged by CEP Constructions c/- Rapid Building Approvals on behalf of the property owner Jesse Spina seeking to establish a new Class 10a Open carport structure on the southern portion of the property at 50 Cassady Street Ingham, which entails an encroachment on the side boundary setback towards the allotment boundary of Lot 2 on RP714701. The property has an area of 809m² and is currently improved with a singular dwelling. The proposed Class 10a structure has dimensions of 3.7m wide, 9.2m long and 3.3m high. The structure is proposed to be constructed at 500mm to the side boundary.

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

Resolution – That Council issue a Referral Agency Response for the proposed Class 10a open carport structure on land located at 50 Cassady Street Ingham, formally described as Lot 12 on RP721038, subject to conditions, as set out in Attachment A.

**Carried 7-0
300523-14**

**2.13 REFERRAL AGENCY RESPONSE – DESIGN AND SITING
CARR CRESCENT LUCINDA – LOT 11 on L46927**

Consideration of Report to Council from Development and Regulatory Services Manager dated 5 May 2023 concerning a request for a Referral Agency Response – Design and Siting variation lodged by Richard Peeke Building and Carpentry Services on behalf of property owner Daniel Ambrose seeking to establish a new Class 10a open boat shed structure on the western portion of the property which entails an encroachment on the side boundary towards Lot 41 on L46927. The property has an area of 995m² and is currently improved with a singular dwelling and associated outbuildings. The proposed Class 10a structure has dimensions of 4.5m wide, 14.3m long and 4m high. The structure is proposed to be constructed at 600mm to the side boundary.

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

Resolution – That Council issue a Referral Agency Response for the proposed Class 10a open boat shed structure on land located at 6 Carr Crescent Lucinda, formally described as Lot 11 on L46927, subject to conditions, as set out in Attachment A.

**Carried 7-0
300523-15**

**2.14 RECONFIGURING A LOT – REARRANGEMENT OF BOUNDARIES (TWO LOTS INTO TWO LOTS)
OLD WHARF ROAD MACKNADE – LOT 2 on SP27228 AND lot 322 ON sp263072**

Consideration of Report to Council from Development and Regulatory Services Manager dated 10 May 2023 concerning a Development Application from Hansen Surveys Pty Ltd on behalf of property owner Giovanni Toigo for Reconfiguring a Lot – Rearrangement of Boundaries (Two Lots into Two Lots) at 249 Old Wharf Road Macknade formally known as Lot 2 on SP217228 and Lot 322 on SP263072. The subject allotment is not connected to Council's reticulated water network or sewerage network, Lot 2 on SP217228 is improved with an existing dwelling and associated outbuildings and is 7,988m² in size, Lot 322 on SP263072 is improved with farm buildings and agricultural cropping land and is 95.42ha in size. The proposed reconfiguration will result in Lot 322 with an area of 94.69ha and Lot 2 with an area of 1.5288ha.

Moved Councillor Lancini
Seconded Councillor Cripps

Resolution - That Council approve the proposed Development Application for Reconfiguring a Lot – Rearrangement of Boundaries (Two Lots into Two Lots) on land located at 249 Old Wharf Road Macknade, formally known as Lot 2 on SP217228 and Lot 322 on SP263072, subject to conditions, as set out in Attachment A.

**Carried 7-0
300523-16**

**2.15 TRUSTEE PERMIT of FISHING HUT LOCATED WITHIN LOT 165 on CWL3150
SEAFORTH HUT – HUT 14**

Consideration of Report to Council from Development and Regulatory Services Manager dated 5 May 2023 concerning an application from Darren Firth and Nathan Henderson for a Trustee Permit over existing fishing hut 14 located within Council's Camping and Recreation Reserve being Lot 165 on CWL3150, situated at Seaforth which has historically been occupied by Owen, Stella and Evan Copley who are seeking to relinquish their right and interest into the fishing hut.

Moved Councillor Cripps
Seconded Councillor Milton

Resolution – That Council:

- A. Approve a Trustee Permit between Hinchinbrook Shire Council and Darren Michael Firth and Nathan Henderson, over Fishing Hut 14 located within Lot 165 on CWL3150, Reserve for Camping and Recreation within Seaforth;**
- B. Apply an annual fee as per Council's Schedule of Fees and Charges, subject to CPI increase; and**
- C. 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 Trustee Permit.**

**Carried 7-0
300523-17**

2.16 CONDITIONAL OFFER FOR PURCHASE – 88 CARTWRIGHT STREET INGHAM
LOT 23 on SP132668

Consideration of Report to Council from Development and Regulatory Services Manager dated 15 May 2023 regarding the potential purchase of land situated at 88 Cartwright Street Ingham formally described as Lot 23 on SP132668 which is currently owned by Queensland Rail locally known as Merv Wacker Park. The land is zoned Community Facilities in the Hinchinbrook Shire Planning Scheme 2017 and has an area of 3,075m², is freehold land and is improved with a memorial for Merv Wacker. The subject land has previously been leased to Council for the purpose of a community park.

Recommended – That Council:

- A. Approve the purchase of 88 Cartwright Street Ingham, formally described as Lot 23 on SP132668, from Queensland Rail for the purchase price offered being \$52,500 (excl GST); 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 purchase.

Moved Councillor Cripps
Seconded Councillor Marbelli

Resolution - That this matter be deferred pending a further report to Council which outlines history of the park and any planning overlays and constraints for possible development.
Carried 7-0
300523-18

11.13am DCCS B Exelby was excused from the meeting to seek clarification of information sought by Council.

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 15 May 2023 concerning summary of activities undertaken during the month ending 30 April 2023.

Moved Councillor Marbelli
Seconded Councillor Brown

Resolution – That Council receive and note the information in the Report.
Carried 7-0
300523-19

3.2 MAYOR and CHIEF EXECUTIVE SERVICES MONTHLY STATUS REPORT

Consideration of Report to Council from Chief Executive Officer dated 15 May 2023 concerning monthly Mayor and Chief Executive Services Status Report for the month ending 30 April 2023.

Moved Councillor Skinner
Seconded Councillor Lancini

Resolution – That Council receive and note the information in the Report.
Carried 7-0
300523-20

3.3 COUNCILLOR MONTHLY ACTIVITY REPORT

Consideration of Report to Council from Chief Executive Officer dated 15 May 2023 providing Councillor Activity Reports for the month ending 30 April 2023 to ensure transparency and public scrutiny.

Moved Councillor Milton
Seconded Councillor Marbelli

Resolution – That Council receive and note the information in the Report.
Carried 7-0
300523-21

The meeting adjourned at 11.29am pending provision of further information from DCCS B Exelby the meeting resumed at 12.02pm to reconsider Item 2.9.

Mayor R Jayo moved that Item 2.9 be taken off the table at 12.02 when the meeting resumed.

Carried 7-0

2.9 COMMUNITY ACTIVITY GRANT APPLICATIONS Q4 2022-2023

Consideration of Report to Council from Development and Regulatory Services Manager dated 15 May 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.

Moved Councillor Brown
Seconded Councillor Marbelli

Resolution - That an amendment to the recommendation be made to amend Items A and B as follows:

- A. Herbert River Pastoral and Agricultural Association Inc - \$10,000 (excl. GST) plus \$7,000 in-kind - Signature Regionally Significant Event; and**
- B. Australian Italian Festival - increase to the original grant funding approval of \$2,000 in-kind to \$7,000 - Signature Regionally Significant Event.**

And further that Council note the panel approved applications as follows:

- A. Trebonne State School Parents and Citizens Association - \$500 (excl. GST) - Community Activity;**
- B. Queensland Country Women's Association - \$1,720 (excl. GST) - Moderate Event;**
- C. Ingham State High School Parents and Citizens Association Inc - \$750 (excl. GST) - Community Group Support;**
- D. Ingham Bowls Club Inc. - \$650 (excl. GST) - Community Support Group; and**
- E. Macknade Community Sporting Club Inc - \$650 (excl. GST) - Community Activity.**

Carried 7-0
300523-11

It was noted that approval of the Minutes of the Special Meeting held on 23 May 2023 was overlooked at the commencement of the meeting.

Moved Councillor Cripps
Seconded Councillor Brown

Resolution - That the Minutes of the Special Meeting held on 23 May 2023 be approved as a correct record of proceedings and the Minutes be authorised and signed by the Mayor.

Carried 7-0
300523-00b

CONCLUSION - This concluded the business of the meeting which closed at 12.05pm

APPROVED, CONFIRMED and ADOPTED on 27 June 2023

Councillor R Jayo - MAYOR