



GENERAL MEETING MINUTES

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

TUESDAY 27 JULY 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 Executive Support Officer (ESO)

PRAYER - Councillor Andrew Cripps 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 3.13 – Request for Negotiated Decision Notice – Outdoor Sport and Recreation (Horse Riding Facility) – Seris Road Peacock Siding – Lot 1 on RP703060

In accordance with Section 150EI and 150EM of the *Local Government Act*, Councillor WG Skinner informed the meeting he has a Prescribed Conflict of Interest in relation to Item 3.13 as his wife Rhonda is a Committee Member of the Riding for the Disabled Association Incorporated. Having regard to the nature of his Prescribed Conflict of Interest, Councillor WG Skinner informed the meeting that he 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 29 June 2021 and the Special Budget Meeting held 13 July 2021 be approved as a correct record of proceedings and the Minutes be authorised and signed by the Mayor.

**Carried 7-0
270721-00**

BUSINESS

1. INFRASTRUCTURE AND UTILITY SERVICES

1.1 INFRASTRUCTURE and UTILITY SERVICES ACTIVITY REPORT for MONTH ENDING 30 JUNE 2021

Consideration of Report to Council from Director Infrastructure and Utility Services dated 14 July 2021 regarding summary of activities undertaken during the month ending 30 June 2021.

Moved Councillor Milton
Seconded Councillor Skinner

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

**Carried 7-0
270721-01**

1.2 MONTHLY STATUS REPORT

Consideration of Report to Council from Director Infrastructure and Utility Services dated 12 July 2021 regarding monthly Infrastructure and Utility Services Status Report for the month ending 30 June 2021.

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

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

**Carried 7-0
270721-02**

1.3 2020-2021 CAPITAL PROJECTS STATUS REPORT for MONTH ENDING 30 JUNE 2021

Consideration of Report to Council from Director Infrastructure and Utility Services dated 14 July 2021 regarding a Status Report that provides a breakdown of projects as approved in the 2020-2021 Capital Works Program for the month ending 30 June 2021.

Moved **Councillor Skinner**
Seconded **Councillor Marbelli**

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

**Carried 7-0
270721-03**

1.4 NDRRA and DRFA QUARTERLY PROGRESS REPORT to 31 DECEMBER 2020

Consideration of Report to Council from Infrastructure Assets Manager dated 8 July 2021 providing a comprehensive account of the delivery of the Natural Disaster Relief and Recovery Arrangements (NDRRA) and Disaster Recovery Funding Arrangements (DRFA) programs by Lonergan Project Services Pty Ltd for Council for the 2018 March Flooding event, 2018 Tropical Cyclone Nora, 2018 Tropical Cyclone Owen and 2019 Monsoon Trough.

Moved **Councillor Brown**
Seconded **Councillor Lancini**

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

**Carried 7-0
270721-04**

1.5 2021 EVENTS - DRFA QUARTERLY PROGRESS REPORT TO 30 JUNE 2021

Consideration of Report to Council from Infrastructure Assets Manager dated 8 July 2021 providing a comprehensive account of the delivery of the Disaster Recovery Funding Arrangements (DRFA) program by Lonergan Project Services Pty Ltd for Council for the 2021 Tropical Cyclones Imogen and Niran and associated low pressure systems.

Moved **Councillor Marbelli**
Seconded **Councillor Lancini**

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

**Carried 7-0
270721-05**

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 10 July 2021 regarding summary of activities undertaken during the month ending 30 June 2021.

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

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

**Carried 7-0
270721-06**

2.2 MONTHLY STATUS REPORT

Consideration of Report to Council from Director Community and Development Services dated 12 July 2021 regarding monthly Community and Development Services Status Report for the month ending 30 June 2021.

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

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

**Carried 7-0
270721-07**

2.3 ECONOMIC STIMULUS MONSTER RAFFLE INITIATIVE OUTCOME

Consideration of Report to Council from Acting Director Community and Development Services dated 10 July 2021 providing details of outcomes achieved as a result of the Monster Raffle initiative.

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

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

**Carried 7-0
270721-08**

2.4 TENDER for HINCHINBROOK AQUATIC CENTRE

Consideration of Report to Council from Acting Director Community and Development Services dated 16 July 2021 seeking Council endorsement to invite written tenders for the operation of the Hinchinbrook Aquatic Centre.

Moved **Councillor Brown**
Seconded **Councillor Skinner**

Resolution - That Council:

- A. In accordance with section 228 of the Local Government Regulation 2012, invite written tenders for the operation of the Hinchinbrook Aquatic Centre for a minimum three year lease, with an option for an additional three years; and
- B. 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 and officer evaluation.

**Carried 7-0
270721-09**

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 July 2021 regarding summary of activities undertaken during the month ending 30 June 2021.

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

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

**Carried 7-0
270721-10**

3.2 MONTHLY STATUS REPORT

Consideration of Report to Council from Director Corporate and Financial Services dated 12 July 2021 regarding monthly Corporate and Financial Services Status Report for the month ending 30 June 2021.

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

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

**Carried 7-0
270721-11**

3.3 FINANCIAL PERFORMANCE REPORT for the PERIOD ENDING 30 JUNE 2021

Consideration of Report to Council from Director Corporate and Financial Services dated 19 July 2021 regarding a report of financial activities for the month ending 30 June 2021

Moved **Councillor Cripps**
Seconded **Councillor Brown**

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

**Carried 7-0
270721-12**

3.4 HSC 21/08 – SUPPLY and DELIVERY of READY MIXED CONCRETE

Consideration of Report to Council from Director Corporate and Financial Services dated 9 July 2021 outlining findings of tender process and evaluation outcome for HSC 21/08 – Supply and Delivery of Ready Mixed Concrete.

Moved **Councillor Brown**
Seconded **Councillor Lancini**

Resolution – That Council accept and appoint all suppliers to a Pre-Qualified Arrangement commencing 1 August 2021 and concluding on 30 June 2023.

**Carried 7-0
270721-13**

3.5 HSC 21/16 – DESIGN and CONSTRUCT – SHADE STRUCTURE for ROTARY PARK PLAYGROUND

Consideration of Report to Council from Director Corporate and Financial Services dated 15 June 2021 outlining findings of tender process and evaluation outcome for HSC 21/16 – Design and Construct – Shade Structure for Rotary Park Playground.

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

Resolution – That Council approve the awarding of tender HSC 21/16 – Design and Construct – Shade Structure for Rotary Park Playground to Urban Play Pty Ltd for Option B for the tendered price of \$256,180.00 (excl. GST).

**Carried 7-0
270721-14**

3.6 REFERRAL AGENCY RESPONSE – RESIDENTIAL DESIGN and SITING
DOLPHIN CRESCENT TAYLORS BEACH – LOT 112 on T8582

Consideration of Report to Council from Planning Consultant dated 13 July 2021 concerning a referral agency response – Design and Siting variation lodged by Auditore Builders Pty Ltd for Peter and Catherine Devietti seeking to establish a Class 10a structure (garage) on property described as Lot 112 on T8582 located at 3 Dolphin Crescent Taylors Beach. The proposed structure is to be located a minimum of 4.8 metres and maximum of 5.3 metres from the front boundary, noting the front boundary is truncated and therefore boundary setback varies.

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

Resolution – That Council issue a Referral Agency Response for the proposed Class 10a structure (garage) on land located at 3 Dolphin Crescent Taylors Beach and formally described as Lot 112 on T8582, subject to conditions, as set out in Attachment A.

**Carried 7-0
270721-15**

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

Consideration of Report to Council from Planning Consultant dated 13 July 2021 concerning a referral agency response – Design and Siting variation lodged by Craig and Rose Lynch seeking to establish a Class 10a structure (open boat shed) on property described as Lot 4 on RP732206 located at 135 John Dory Street Taylors Beach. The proposed structure is to be located 0.5 metres from the side boundary.

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

Resolution – That Council issue a Referral Agency Response for the proposed Class 10a structure on land located at 135 John Dory Street Taylors Beach and formally described as Lot 4 on RP732206, subject to conditions, as set out in Attachment A.

**Carried 7-0
270721-16**

3.8 REFERRAL AGENCY RESPONSE – DESIGN and SITING
DAVIDSON STREET INGHAM – LOT 3 on RP718468

Consideration of Report to Council from Planning Consultant dated 13 July 2021 concerning a referral agency response – Design and Siting variation lodged by Affordable Steel Buildings on behalf of the landowner Cameron Russell seeking to establish a Class 10a structure (shed) on property described as Lot 3 on RP718468 and located at 35 Davidson Street Ingham. The proposed structure is to be located 6.2 metres from the front boundary, 1.5 metres from the side boundary and 1.9 metres from the rear boundary

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

Resolution – That Council issue a Referral Agency Response for the proposed Class 10a building (shed) on land located at 35 Davidson Street Ingham and formally described as Lot 3 on RP718468 subject to conditions, as set out in Attachment A.

**Carried 7-0
270721-17**

**3.9 REFERRAL AGENCY RESPONSE – DESIGN and SITING
HINCHINBROOK COURT HALIFAX – LOT 12 on SP214756**

Consideration of Report to Council from Planning Consultant dated 13 July 2021 concerning a referral agency response – Design and Siting variation lodged by the landowner Diane Taylor seeking to establish a Class 1a building (dwelling) on property described as Lot 12 on SP214756 and located at 2 Hinchinbrook Court Halifax. The proposed structure is to be located 1.5 metres from the front boundary.

Moved Councillor Cripps
Seconded Councillor Marbelli

Resolution – That Council issue a Referral Agency Response for the proposed Class 1a building (dwelling) on land located at 2 Hinchinbrook Court Halifax and formally described as Lot 12 on SP214756, subject to conditions, as set out in Attachment A.

**Carried 7-0
270721-18**

**3.10 REFERRAL AGENCY RESPONSE – DESIGN and SITING
GRUNTER STREET TAYLORS BEACH – LOT 87 on RP724090**

Consideration of Report to Council from Planning Consultant dated 13 July 2021 concerning a referral agency response – Design and Siting variation lodged by Shaun Tabone on behalf of the landowners Ronald and Elaine Brom seeking to establish a Class 10a structure (patio extension) on property described as Lot 87 on RP724090 and located at 8 Grunter Street Taylors Beach. The proposed structure is to be located 4.32 metres from the front property boundary.

Moved Councillor Cripps
Seconded Councillor Milton

Resolution – That Council issue a Referral Agency Response for the proposed Class 10a patio extension to the dwelling on land located at 8 Grunter Street Taylors Beach and formally described as Lot 87 on RP724090, subject to conditions, as set out in Attachment A.

**Carried 7-0
270721-19**

**3.11 RECONFIGURING A LOT – BOUNDARY REALIGNMENT (TWO LOTS into TWO LOTS)
ABERGOWRIE ROAD and DALRYMPLE ROAD ABERGOWRIE – Lot 38 on CWL956 and Lot 97 on CWL1568**

Consideration of Report to Council from Planning Consultant dated 13 July 2021 concerning Development Application for Reconfiguring a Lot – Boundary Realignment (Two Lots into Two Lots) at 3026 Abergowrie Road and Dalrymple Road Abergowrie formally described as Lot 38 on CWL956 and Lot 97 on CWL1568. The application was lodged by Hansen Surveys on behalf of landowners Joseph and Gerrard Grotelli. The proposed boundary realignment is to enable the farming activities and the existing dwelling on Lot 38 to be provided on separate allotments. Lot 97 will be dissolved as part of the proposed boundary realignment and subsumed into Lot 38.

Moved Councillor Cripps
Seconded Councillor Lancini

Resolution – That Council approve the proposed Reconfiguring a Lot – Boundary Realignment (Two Lots into Two Lots) on land located at 3026 Abergowrie Road and Dalrymple Road Abergowrie and formally described as Lot 38 on CWL956 and Lot 97 on CWL1568, subject to the conditions as set out in Attachment A.

**Carried 7-0
270721-20**

**3.12 PROPOSED MATERIAL CHANGE OF USE – DWELLING HOUSE
AMOS ROAD COOLBIE – Lot 4 on SP284274**

Consideration of Report to Council from Planning Consultant dated 14 June 2021 concerning receipt of a Development Application lodged by Building Approval Company on behalf of New Wave Housing Construction for landowners Rodney Cronin and Susan Connolly seeking a Development Permit for Material Change of Use – Dwelling House on land described as Lot 4 on SP284274 and located at 4 Amos Road Coolbie. The proposal comprises the construction of a single dwelling house on land outside of Council's reticulated water and sewerage service area. The land is designated Rural Zone of the Hinchinbrook Shire Planning Scheme 2017 and is currently vegetated. The proposed dwelling house will be developed in a cleared area of 2ha.

Moved Councillor Cripps
Seconded Councillor Milton

Resolution – That Council approve the proposed Material Change of Use – Dwelling House on land located at 4 Amos Road Coolbie and formally described as Lot 4 on SP284274, subject to the conditions as set out in Attachment A.

**Carried 7-0
270721-21**

In accordance with the Declaration of Interest for Item 3.13 Councillor WG Skinner excluded himself from the meeting at 9.45am while the matter was discussed and vote taken.

**3.13 REQUEST FOR NEGOTIATED DECISION NOTICE (MCU21/0001)
OUTDOOR SPORT and RECREATION (HORSE RIDING FACILITY)
SERIS ROAD PEACOCK SIDING - Lot 1 on RP703060**

Consideration of Report to Council from Planning Consultant dated 13 July 2021 concerning Request for a Negotiated Decision Notice from Ingham Riding for the Disabled Association Incorporated for Material Change of Use – Outdoor Sport and Recreation (Horse Riding Facility) on land situated at 14 Seris Road Peacock Siding and formally described as Lot 1 on RP703060 wherein the applicant has requested amendment to Condition 3 of approval to clarify that the Development Permit does not restrict the ongoing use of the subject site for private use.

Moved Councillor Cripps
Seconded Councillor Lancini

Resolution – That Council issue a Negotiated Decision Notice with amendment to Condition 3 to provide further clarity that the Development Permit does not restrict the ongoing use of the subject site for private use or accepted development under the Hinchinbrook Shire Planning Scheme 2017, on land located at 14 Seris Road Peacock Siding and formally described as Lot 1 on RP703060, as per the amended conditions set out in Attachment A.

**Carried 6-0
270721-22**

Councillor WG Skinner returned to the meeting at 9.58am

Councillor ME Brown informed the meeting that in accordance with Section 150EN and 150EQ of the Local Government Act, she may have a Declarable Conflict of Interest in Item 3.14 as the landowners are her neighbours. Councillors discussed the matter and believed Councillor ME Brown does not have a Declarable Conflict of Interest and was not required to leave the meeting.

3.14 RENEWAL of TERM LEASE OVER Lot 136 on CWL2517 – LEE CREEK ROAD ABERGOWRIE

Consideration of Report to Council from Regulatory Services Manager dated 7 July 2021 concerning a request from Department of Resources seeking Council's views and/or requirements regarding an application for renewal of a Term Lease of the whole of Lot 136 on CWL2517 and located along Lee Creek Road Abergowrie.

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

Resolution – That Council advise the Department of Resources that it has no objection in relation to the application to renew the Term Lease over land located along Lee Creek Road Abergowrie and formally described as Lot 136 on CWL2517.

**Carried 7-0
270721-23**

4. GOVERNANCE

4.1 OFFICE of the MAYOR and CHIEF EXECUTIVE OFFICER ACTIVITY REPORT

Consideration of Report to Council from Chief Executive Officer dated 12 July 2021 concerning summary of activities undertaken in the Office of the Mayor and Chief Executive Officer during the month ending 30 June 2021.

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

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

**Carried 7-0
270721-24**

4.2 MONTHLY STATUS REPORT

Consideration of Report to Council from Chief Executive Officer dated 12 July 2021 concerning summary of activities undertaken in the Office of the Mayor and Chief Executive Officer during the month ending 30 June 2021.

Moved **Councillor Brown**
Seconded **Councillor Skinner**

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

**Carried 7-0
270721-25**

The meeting adjourned at 10.05am for morning tea and to have discussions with Member for Gregory, Lachlan Millar.

The meeting resumed from morning tea at 10.53am. DIUS J Stewart was not present when the meeting resumed.

4.3 HINCHINBROOK SHIRE COUNCIL PRIORITY PROJECTS 2021-2022

Consideration of Report to Council from Chief Executive Officer dated 20 July 2021 seeking adoption of the Hinchinbrook Shire Council Priority Projects 2021-2022.

Moved **Councillor Marbelli**
Seconded **Councillor Lancini**

Resolution – That Council adopt the Hinchinbrook Shire Council Priority Projects 2021-2022 as presented.

**Carried 7-0
270721-26**

4.4 QUARTERLY OPERATIONAL PLAN REPORT and HALF YEARLY CORPORATE PLAN REPORT
as at 30 JUNE 2021

Consideration of Report to Council from Chief Executive Officer dated 12 July 2021 seeking adoption of the Quarterly Operational Plan Report and Half Yearly Corporate Plan Report for the quarter/half year ending 30 June 2021.

Moved **Councillor Brown**
Seconded **Councillor Lancini**

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

**Carried 7-0
270721-27**

4.5 COUNCILLOR ACTIVITY REPORT as at 30 JUNE 2021

Consideration of Report to Council from Chief Executive Officer dated 12 July 2021 providing Councillor Activity Reports for the month ending 30 June 2021 to ensure transparency and public scrutiny.

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

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

**Carried 7-0
270721-28**

Mayor R Jayo questioned whether correspondence has been forwarded to Forrest Beach residents concerning living in sheds as these matters are required to be communicated to residents. Director Corporate and Financial Services advised that correspondence would be forwarded today.

Councillor KS Milton took the opportunity to commend staff for their work on the Rotary Park playground upgrade which has been very well received by the community and requested her appreciation be passed on to the respective employees.

CONCLUSION – This concluded the business of the meeting which closed at 10.56am.

APPROVED, CONFIRMED and ADOPTED on 31 August 2021

Councillor R Jayo – MAYOR