



GENERAL MEETING MINUTES

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

TUESDAY 28 SEPTEMBER 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
- K Tytherleigh Chief Executive Officer (CEO)
M Accornero Infrastructure Assets Manager (IAM)
B Exelby Director Corporate and Financial Services (DCFS)
B Edwards Executive Officer (EO)

- APOLOGY** - WG Skinner Councillor

Waste and Compliance Coordinator V Aster was also in attendance when the meeting commenced.

- PRAYER** - Councillor Kate Milton began the meeting with Prayer

DECLARATIONS OF INTEREST -

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

- **Item 3.5 – Building Work Assessable Against Planning Scheme – Rural Siting Assessment – Hawkins Creek Road Hawkins Creek – Lot 2 on RP750123**
- In accordance with Section 150EI and 150EM of the *Local Government Act 2009*, Councillor ME Brown informed the meeting she has a Declarable Conflict of Interest in relation to Item 3.5 as she is related as Aunt to Joshua Russell who is the applicant. Having regard to the nature of her Declarable Conflict of Interest, Councillor ME Brown informed the meeting that she will leave the meeting room while the matter is considered and voted on.
- **Item 3.10 – Request for Proposed Permanent Road Closure – Adjoining Lot 1 on RP709247 – 346 Abergowrie Road Abergowrie**
- In accordance with Section 150EI and 150EM of the *Local Government Act 2009*, Councillor ME Brown informed the meeting she has a Declarable Conflict of Interest in relation to Item 3.10 as she is a member of the Abergowrie/Long Pocket QLD Country Women's Association who is the applicant. Having regard to the nature of her Declarable Conflict of Interest, Councillor ME Brown informed the meeting that she will leave the meeting room while the matter is considered and voted on.
- **Item 3.6 – Building Work Assessable Against Planning Scheme – Rural Siting Assessment – Bullock Paddock Road Macknade – Lot 5 on RP744159**
- In accordance with Section 150EI and 150EM of the *Local Government Act 2009*, Mayor R Jayo informed the meeting he has a Declarable Conflict of Interest in relation to Item 3.6 as he is related as Uncle to David and Sharna Girgenti who are the applicants. Having regard to the nature of her Declarable Conflict of Interest, Mayor R Jayo 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 31 August 2021 be approved as a correct record of proceedings and the Minutes be authorised and signed by the Mayor.

**Carried 6-0
280921-00**

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 September 2021 regarding summary of activities undertaken during the month ending 31 August 2021.

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

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

**Carried 6-0
280921-01**

1.2 MONTHLY STATUS REPORT

Consideration of Report to Council from Director Infrastructure and Utility Services dated 13 September 2021 regarding monthly Infrastructure and Utility Services Status Report for the month ending 31 August 2021.

Moved **Councillor Milton**
Seconded **Councillor Marbelli**

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

**Carried 6-0
280921-02**

1.3 2021-2022 CAPITAL PROJECTS STATUS REPORT for MONTH ENDING 31 AUGUST 2021

Consideration of Report to Council from Director Infrastructure and Utility Services dated 13 September 2021 regarding a Status Report that provides a breakdown of projects as approved in the 2021-2022 Capital Works Program for the month ending 31 August 2021.

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

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

**Carried 6-0
280921-03**

1.4 REVIEW of the ANNUAL RURAL CLEAN UP PROGRAM

Consideration of Report to Council from Utility Services Manager dated 13 September 2021 concerning review conducted of the Annual Rural Clean Up Program to determine whether the current program can be improved to better cater for rural Hinchinbrook communities to dispose of larger items prior to the storm season.

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

Resolution – That Council:

- A. Receive and note the proposed revision of the Rural Clean Up Program; and**
- B. Delegate to the Chief Executive Officer to undertake consultation with the community prior to Council making a decision to change and implement the reviewed program.**

**Carried 6-0
280921-04**

1.5 FORREST BEACH LIFEGUARD SERVICES 2021-2024

Consideration of Report to Council from Public Spaces and Biosecurity Manager dated 7 September 2021 concerning revised quote received from Surf Life Saving Queensland to provide lifeguard services to Hinchinbrook Shire Council for the upcoming 2021-2022 summer season.

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

Resolution – That Council:

- A. Acknowledge Surf Life Saving Queensland’s proposal for 2021-2022, and formally decline the offer; and**
- B. Seek to negotiate an alternate offer for provision of more flexible lifeguard services with Surf Life Saving Queensland or any alternate provider for peak holiday periods.**

**Carried 6-0
280921-05**

1.6 ENVIRONMENTAL STATEMENT

Consideration of Report to Council from Public Spaces and Biosecurity Manager dated 6 September 2021 concerning adoption of an Environmental Statement to demonstrate Council’s commitment to continuous improvement of its environmental performance.

Councillor Cripps moved a motion to make an amendment to the Environmental Statement to remove the Carbon Footprint Heading and Statement.

Mayor Jayo spoke against the motion in that he is happy for the Carbon Footprint Heading and Statement to remain.

Councillor Milton spoke against the motion also.

The Mayor took the vote and Councillor Cripps voted for the amended motion and the balance of five Councillors voted against the motion. Motion lost.

Moved **Councillor Milton**
Seconded **Councillor Brown**

Resolution – That Council adopt the Environmental Statement as presented to demonstrate its commitment to a sustainable future by minimising the environmental impacts associated with its operations, planning, and procurement.

**Carried 5-1
280921-06**

2. COMMUNITY and DEVELOPMENT SERVICES

2.1 COMMUNITY and DEVELOPMENT SERVICES ACTIVITY REPORT

Consideration of Report to Council from Acting Director Community and Development Services dated 10 September 2021 regarding summary of activities undertaken during the month ending 31 August 2021.

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

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

**Carried 6-0
280921-07**

Councillor ME Brown took the opportunity to acknowledge and congratulate JK’s Delicatessen, Council’s Tasman Turtle event, the Australian Italian Festival and Raven Tours for their nominations as finalists in the recent North Queensland Tourism and Events Awards.

2.2 MONTHLY STATUS REPORT

Consideration of Report to Council from Acting Director Community and Development Services dated 13 September 2021 regarding monthly Community and Development Services Status Report for the month ending 31 August 2021.

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

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

**Carried 6-0
280921-08**

2.3 COMMUNITY ACTIVITY GRANT APPLICATIONS Q1 2021-2022

Consideration of Report to Council from Acting Director Community and Development Services dated 25 August 2021 seeking Council consideration of Community Activity Grant applications received for Quarter 1 of the 2021-2022 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.

Councillor AJ Lancini left the meeting at 9.45am

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

Resolution – That Council approve the following applications:

- A. Herbert River Jockey Club – \$12,500 (excl. GST) – Ingham Family Race Day;**
- B. Forrest Beach Surf Life Saving – \$3,140 (excl. GST) – Forrest Beach Surf Life Saving Carnival; and**
- C. Ingham Maraka Festival Inc. – \$12,000 (excl. GST) – 2021 Maraka Festival.**

That Council endorse the Panel approved applications as follows:

- D. Ingham Arts Festival – \$1,728 (excl. GST) – Ingham Arts Festival;**
- E. Noorla Bowls Club – \$600 (excl. GST) – Invitational 4's;**
- F. Herbert Valley Voices – Hinchinbrook Community Support Centre – \$820 (excl. GST) – Sheet Music;**
- G. Abergowrie State School P&C – \$1,238 (excl. GST) – Yarning Circle Official Opening;**
- H. Lucinda Progress Association – \$950 (excl. GST) – Lucinda Christmas Carols;**
- I. Tropical North Showjumping Club – \$1,100 (excl. GST) – Tropical North Show Jumping Championship; and**
- J. Ingham Squash Association – \$ 2,000 (excl. GST) – Qld Squash Northern Region Junior Qualifier.**

That Council deny the following application:

- K. Australian Volunteer Coastguard – \$5,000 (excl. GST) – Operational Support.**

**Carried 5-0
280921-09**

Councillor AJ Lancini returned to the meeting at 9.48am

2.4 ROUND ONE 2021-2022 REGIONAL ARTS DEVELOPMENT FUND

Consideration of Report to Council from Acting Director Community and Development Services dated 16 September 2021 seeking Council endorsement of RADF Committee recommendation to support local RADF arts and culture funding applications.

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

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

- A. Ingham Family History Association – application to capture and display the story of the pioneer families in Hinchinbrook ‘Early Settlers – Lower Herbert District’ for the amount requested: \$1,770 (excl. GST);
- B. Lucinda Progress Association – application to design and create ‘Borello Park Community Mural’ for the amount requested: \$8,367 (excl. GST); and

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

- C. Australian Italian Festival – application for film workshops and festival of ‘Who Am I?’ for the amount requested: \$6,080 (excl. GST);
- D. Australian Italian Festival – application for design and creation of ‘The Art Entrance’ to a museum in Conzano, Italy, for the amount requested: \$10,000 (excl. GST); and
- E. Sandi Robb – application to complete project ‘Art in Objects: The Buk Ti community collection through the eye of the lens’ for the amount requested: \$5,250 (excl. GST).

**Carried 6-0
280921-10**

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 September 2021 regarding summary of activities undertaken during the month ending 31 August 2021.

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

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

**Carried 6-0
280921-11**

The meeting adjourned at 10.10am for morning tea with Bruce Valinoti who has retired from his position as Truck Driver with Council after 37 years of service.

The General Meeting resumed at 10.30am

3.2 MONTHLY STATUS REPORT

Consideration of Report to Council from Director Corporate and Financial Services dated 13 September 2021 regarding monthly Corporate and Financial Services Status Report for the month ending 31 August 2021.

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

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

**Carried 6-0
280921-12**

3.3 FINANCIAL PERFORMANCE REPORT for the PERIOD ENDING 31 AUGUST 2021

Consideration of Report to Council from Acting Finance Manager dated 16 September 2021 regarding a report of Council's financial activities for the month ending 31 August 2021.

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

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

**Carried 6-0
280921-13**

Mayor R Jayo took the opportunity to acknowledge funding mentioned in the Financial Performance Report provided to Council by the Queensland Department of Education in the sum of \$50,000 (incl. GST) relating to flying fox dispersal activities conducted on the grounds of the Ingham State School.

3.4 RF004870 - SUPPLY and DELIVERY of ONE CREW CAB TRUCK with CRANE

Consideration of Report to Council from Director Corporate and Financial Services dated 15 September 2021 outlining findings of Request for Quotation process and evaluation outcome for RF004870 – Supply and Delivery of One Crew Cab Truck with Crane.

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

Resolution – That Council receive and note the information pertaining to the Request for Quotation process undertaken for RF004870 – Supply and Delivery of One Crew Cab Truck with Crane.

**Carried 6-0
280921-14**

In accordance with the Declaration of Interest for Item 3.5, Councillor ME Brown excluded herself from the meeting at 10.47am while the matter was discussed and vote taken.

**3.5 BUILDING WORK ASSESSABLE AGAINST PLANNING SCHEME – RURAL SITING ASSESSMENT
HAWKINS CREEK ROAD HAWKINS CREEK – LOT 2 on RP750123**

Consideration of Report to Council from Planning Consultant dated 13 September 2021 concerning Development Permit for Building Work Assessable Against the Planning Scheme – Rural Siting Assessment lodged by Joshua Russell seeking to establish a 20m x 12m Class 10a shed structure to replace an existing shed on the southeast corner of property described as Lot 2 on RP750123 located at Hawkins Creek Road Hawkins Creek. The proposed structure will comprise four enclosed bays and will be located 4m from the southern boundary (where 10m from a rural property boundary clearance is prescribed), and 15m from the eastern boundary with a maximum height of 5.366m and height at the eaves being 4.2m.

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

Resolution – That Council approve the Development Application for Building Work Assessable Against Planning Scheme for the Class 10a shed structure on land located at 1039 Hawkins Creek Road Hawkins Creek, and formally described as Lot 2 on RP750123 subject to conditions, as set out in Attachment A.

**Carried 5-0
280921-15**

Councillor ME Brown returned to the meeting at 10.48am

In accordance with the Declaration of Interest for Item 3.6, Mayor R Jayo excluded himself from the meeting at 10.48am while the matter was discussed and vote taken.

Councillor Cripps assumed the Chair.

**3.6 BUILDING WORK ASSESSABLE AGAINST PLANNING SCHEME – RURAL SITING ASSESSMENT
BULLOCK PADDOCK ROAD MACKNADE – LOT 5 on RP744159**

Consideration of Report to Council from Planning Consultant dated 13 September 2021 concerning Development Permit for Building Work Assessable Against the Planning Scheme – Rural Siting Assessment lodged by David and Sharna Girgenti seeking to establish a 12m x 11m Class 10a shed structure on the northern boundary adjacent to the existing dwelling house on property described as Lot 5 on RP744159 located at Bullock Paddock Road Macknade. The proposed structure will comprise three enclosed bays and an open lean-to facing the existing dwelling house and will be located 1.5m from the northern boundary (where 10m from a rural property boundary clearance is prescribed), with a maximum height of 4.543m and height at the eaves being 3.5m.

Moved Councillor Milton
Seconded Councillor Marbelli

Resolution – That Council approve the Development Application for the proposed Building Work Assessable Against the Planning Scheme for the Class 10a shed structure on land located at 487 Bullock Paddock Road Macknade, and formally described as Lot 5 on RP744159 subject to conditions, as set out in Attachment A.

**Carried 5-0
280921-16**

Mayor R Jayo returned to the meeting at 10.49am and Mayor resumed the Chair.

**3.7 REFERRAL AGENCY RESPONSE – DESIGN and SITING
WILLOW STREET ALLINGHAM – LOT 211 on A7741**

Consideration of Report to Council from Planning Consultant dated 13 September 2021 concerning a Referral Agency Response – Design and Siting variation lodged by BNC Planning Pty Ltd for David and Sonya Bell seeking to establish a dwelling (Class 1a) on property described as Lot 211 on A7741 located at 16 Willow Street Allingham. The proposed structure will have a maximum height of approximately 5.541m at its apex, 4.304m at its highest eaves, include two double garages facing the Willow Street frontage, each set back 1m from the respective side boundary. The width of the structure is 18.1m leaving a setback of 1m to each side boundary.

Moved Councillor Lancini
Seconded Councillor Brown

Resolution – That Council issue a Referral Agency Response for the proposed Dwelling (Class 1a) on land located at 16 Willow Street Allingham and formally described as Lot 211 on A7741, subject to conditions, as set out in Attachment A.

**Carried 6-0
280921-17**

**3.8 RECONFIGURING A LOT
BOUNDARY REALIGNMENT (TWO LOTS into TWO LOTS) and ACCESS EASEMENT CREATION
275 HAWKINS CREEK ROAD HAWKINS CREEK – LOT 9 on SP124627 and LOT 22 on SP284860**

Consideration of Report to Council from Planning Consultant dated 13 September 2021 concerning Development Application for Reconfiguring a Lot – Boundary Realignment - Two Lots into Two Lots and Access Easement Creation at 275 Hawkins Creek Road Hawkins Creek formally described as Lot 9 on SP124627 and Lot 22 on SP284860. The application was lodged by Hansen Surveys on behalf of landowners John Russo, Frank Russo and Kate Russo.

Moved Councillor Cripps
Seconded Councillor Marbelli

Resolution – That Council approve the proposed Reconfiguring a Lot – Boundary Realignment - Two Lots into Two Lots and Access Easement Creation on land located at 275 Hawkins Creek Road Hawkins Creek and formally described as Lot 9 on SP124627 and Lot 22 on SP284860, subject to conditions, as set out in Attachment A.

**Carried 6-0
280921-18**

3.9 REQUEST for PROPOSED APPOINTMENT of TRUSTEE – LOT 19 on CWL3095

Consideration of Report to Council from Regulatory Services Manager dated 13 September 2021 concerning request from Department of Resources seeking Council's views and comments in relation to a proposal for Council to be appointed as Trustee over Lot 19 on CWL3095, Reserve for Environmental Purposes known as Mahogany Glider habitat which is historically and currently unimproved vacant land approximately 66.04ha in size. The allotment is burdened by Regulated Vegetation and Wetland, Bushfire Risk, Endangered or Vulnerable Wildlife Habitat and appears to have a river network running through the centre of the property.

Moved Councillor Milton
Seconded Councillor Cripps

Resolution – That Council:

- A. Advise the Department of Resources that Council does not consider being appointed Trustee of Lot 19 on CWL3095 represents a community benefit, as it does not have a suitable community use or need for the Reserve; and**
- B. Decline the offer to be appointed Trustee of the Reserve.**

**Carried 6-0
280921-19**

In accordance with the Declaration of Interest for Item 3.10, Councillor ME Brown excluded herself from the meeting at 10.56am while the matter was discussed and vote taken

3.10 REQUEST for PROPOSED PERMANENT ROAD CLOSURE

ADJOINING LOT 1 on RP709247 – 346 ABERGOWRIE ROAD ABERGOWRIE

Consideration of Report to Council from Regulatory Services Manager dated 13 September 2021 concerning request from Department of Resources seeking Council's views and comments in relation to Permanent Road Closure application adjoining 2346 Abergowrie Road Abergowrie formally known as Lot 1 on RP709247 owned by the QLD Country Women's Association to facilitate an extension to the existing Community Hall. The proposed closure area (Lot C) is approximately 920m² and is intended to align with the neighbouring properties boundary locations abutting the road frontage.

Moved Councillor Cripps
Seconded Councillor Marbelli

Resolution – That Council offer no objection to the permanent road closure of part of Abergowrie Road, approximately 920m² in area, adjacent to property located at 2346 Abergowrie Road Abergowrie and formally described as Lot 1 on RP709247 on the following provisions:

- A. The proposed closure area must allow for and maintain a lawful access to the allotment; and**
- B. The proposed closure area must not impede or impact on the ongoing use of the adjoining bus stop.**

**Carried 5-0
280921-20**

Councillor ME Brown returned to the meeting at 11.00am

3.11 TRANSFER FISHING HUT from STEINBERG to MARTIN within LOT 382 on SP288711

Consideration of Report to Council from Regulatory Services Manager dated 13 September 2021 concerning transfer of Fishing Hut identified as Lot D on AP22318 and located within Council's Cassady Creek Reserve area being Lot 382 on SP288711 from current deceased Permittee Mr Arthur Steinberg to proposed permit holders Clint and Heidi Martin who are community members known to the Steinberg family who have a desire to take over the permit for fishing hut and are willing to maintain the fishing hut as per Council's regulations under a new Trustee Permit.

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

Resolution – That Council:

- A. Approve a Trustee Permit between Council and Clint and Heidi Martin over Lot D on AP22318 located within Lot 382 on SP288711 Reserve for Recreation within Cassady Beach; and
- B. Apply the annual fee of \$713 (excl. GST) for the 2021-2022 financial year; and
- C. Apply an annual fee as per Council's Schedule of Fees and Charges for the relevant financial year.

**Carried 6-0
280921-21**

4. GOVERNANCE

4.1 OFFICE of the MAYOR and CHIEF EXECUTIVE OFFICER ACTIVITY REPORT

Consideration of Report to Council from Chief Executive Officer dated 13 September 2021 concerning summary of activities undertaken in the Office of the Mayor and Chief Executive Officer during the month ending 31 August 2021.

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

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

**Carried 6-0
280921-22**

4.2 MONTHLY STATUS REPORT

Consideration of Report to Council from Chief Executive Officer dated 13 September 2021 concerning monthly Office of the Mayor and Chief Executive Officer Status Report for the month ending 31 August 2021.

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

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

**Carried 6-0
280921-23**

4.3 COUNCILLOR MONTHLY ACTIVITY REPORT

Consideration of Report to Council from Chief Executive Officer dated 13 September 2021 providing Councillor Activity Reports for the month ending 31 August 2021 to ensure transparency and public scrutiny.

Moved **Councillor Milton**
Seconded **Councillor Brown**

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

**Carried 6-0
280921-24**

- 4.4 ADDITIONAL MEMBER APOINTMENT to HINCHINBROOK LOCAL DISASTER MANAGEMENT GROUP CORE GROUP
Consideration of appointment of Halifax State Emergency Services (SES) Local Controller as an additional member to the Hinchinbrook Local Disaster Management Group (LDMG) Core Group due to reestablishment of Halifax as a SES Unit confirmed under the *Fire and Emergency Services Act 1990*.

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

Resolution – That Council appoint the Halifax SES Local Controller to the Hinchinbrook Local Disaster Management Group (LDMG) Core Group.
**Carried 6-0
280921-25**

Mayor R Jayo took the opportunity to acknowledge the good work carried out by Gio Tantalo and Trevor Hulbert to get the Halifax SES operational with 18 members on board.

5. GENERAL BUSINESS

5.1 CHRISTMAS IN HINCHINBROOK

Councillor DM Marbelli sought clarification on the location of the Christmas Tree in Rotary Park for this year's Christmas in Hinchinbrook festivities.

Councillors also discussed lighting and sponsorship opportunities for Christmas in Hinchinbrook 2021.

CEO advised that an update would be provided to Councillors on the 2021 Christmas in Hinchinbrook preparations at the next Briefing Session.

5.2 PROCUREMENT

Mayor R Jayo suggested a customer satisfaction survey be carried out on Council's procurement suppliers to obtain feedback as to whether suppliers are satisfied with Council's processes and to ensure suppliers have the confidence and inclination to do business with Council.

CEO advised that a customer satisfaction survey would be carried out of all Council's suppliers via survey monkey.

5.3 YOUTH DEVELOPMENT STRATEGY

Mayor R Jayo requested an update on the progress of the Youth Development Strategy.

CEO advised that an update would be provided to Councillors on the progress of the Youth Development Strategy at the next Briefing Session.

CONCLUSION – This concluded the business of the meeting which closed at 11.30am.

APPROVED, CONFIRMED and ADOPTED on 19 October 2021

Councillor R Jayo – MAYOR