



GENERAL MEETING MINUTES

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

TUESDAY 23 NOVEMBER 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 Utility Services (DIUS)
- P Cohen Acting Director Community and Development Services (A/DCDS)
- B Edwards Executive Assistant (EA)

APOLOGY - Nil

PRAYER - Councillor Andrew Lancini 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 3.6 – HSC 21/23 – DRFA Program Southwest Unsealed Road – Reconstruction Works

In accordance with Section 150EI and 150EM of the *Local Government Act 2009*, Councillor DM Marbelli informed the meeting she has a Declarable Conflict of Interest in relation to Item 3.6 as her husband Paul is related as first cousin to Ramon and Steven Marbelli of Timrith Transport who are tenderers for HSC 21/23. 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.

PREVIOUS MINUTES - *Moved Councillor Lancini*
Seconded Councillor Marbelli

Resolution - That the Minutes of the General Meeting held on 19 October 2021 and Minutes of the Special Meeting held on 2 November 2021 be approved as a correct record of proceedings and the Minutes be authorised and signed by the Mayor.

**Carried 7-0
231121-00**

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 8 November 2021 regarding summary of activities undertaken during the month ending 31 October 2021.

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

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

**Carried 7-0
231121-01**

1.2 MONTHLY STATUS REPORT

Consideration of Report to Council from Director Infrastructure and Utility Services dated 8 November 2021 regarding monthly Infrastructure and Utility Services Status Report for the month ending 31 October 2021.

Moved **Councillor Skinner**
Seconded **Councillor Lancini**

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

**Carried 7-0
231121-02**

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

Consideration of Report to Council from Director Infrastructure and Utility Services dated 8 November 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 October 2021.

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

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

**Carried 7-0
231121-03**

1.4 HINCHINBROOK LOCAL GOVERNMENT AREA BIOSECURITY PLAN

Consideration of Report to Council from Natural Assets Manager dated 8 November 2021 regarding review of Hinchinbrook Local Government Area Biosecurity Plan (HLGABP) by Council officers and relevant stakeholders in April 2021 in line with the requirements of the *Biosecurity Act 2014* for endorsement by Council.

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

Resolution – That Council receive and note the contents of the Report.

**Carried 7-0
231121-04**

1.5 TREE PLANTINGS AND REPLACEMENT FOR HERBERT STREET (22DRN003)

Consideration of Report to Council from Natural Assets Manager dated 16 November 2021 regarding removal and replacement of trees in Herbert Street as part of the Herbert Street Stormwater Drainage Renewal Program.

Moved **Councillor Marbelli**

Seconded **Councillor Milton**

Resolution – That Council:

- A. Approve the planting of a mix of flowering and evergreen shade trees as outlined in the Herbert Street Landscaping Proposal to provide a balance of functionality and aesthetics in the park throughout the year; and**
- B. Prioritise the installation of landscape infrastructure and plantings to complement the park trees by establishing landscaping, gardens, focal points, and connections.**

**Carried 7-0
231121-05**

1.6 BUILDING OUR REGIONS FUNDING – ROUND SIX

Consideration of Report to Council from Utility Services Manager dated 15 November 2021 seeking endorsement of a grant application under the construction stream of Building our Regions Round Six.

Moved **Councillor Cripps**

Seconded **Councillor Milton**

Resolution – That Council:

- A. Receive and note the information in the report;**
- B. Endorse a grant application under the construction stream of Building Our Regions Round 6 for the Orient Road Water Main Project with a co-contribution from benefited residents; and**
- C. Endorse a grant application under the planning stream for the Ingham Sewerage Treatment Plant Inlet Upgrade.**

**Carried 7-0
231121-06**

1.7 WASTE DISPOSAL VOUCHERS REVIEW

Consideration of Report to Council from Acting Utility Services Manager dated 3 November 2021 presenting proposed changes to virtual waste disposal vouchers.

Moved **Councillor Lancini**

Seconded **Councillor Cripps**

Resolution – That That Council:

- A. Discontinue the use of free vouchers for the disposal of general waste;**
- B. Allow for the use of up to four free green waste (domestically sourced) disposal vouchers per household per year; and**
- C. Review applicable Council policies and procedures to reflect the proposed changes.**

**Carried 7-0
231121-07**

1.8 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE (LRCI) FUNDING – PHASE THREE

Consideration of Report to Council from Director Infrastructure and Utility Services Manager dated 10 November 2021 concerning an extension to the LRCI Program and proposed projects for completion under this program.

Moved Councillor Skinner
Seconded Councillor Lancini

Resolution – That Council:

- A. Receive and note the information in the Report;**
- B. Approve the nomination of the projects as described hereunder to the Local Roads and Community Infrastructure Program – Phase Three for the sum of \$756,646 (excl. GST); and**

Project	Project Budget (excl. GST)
McGordon Creek Bridge Remedial Works	\$115,000
Humpty Back Bridge Remedial Works	\$145,000
Miles Street Stormwater Drainage Renewal	\$226,500
Bitumen Reseal Program	\$270,146
Council's Total Allocation	\$756,646

- C. Authorise the Chief Executive Officer via relevant staff to commence progression and implementation of projects.**

**Carried 7-0
231121-08**

1.9 REQUEST for WORKS to UNMAINTAINED SECTION of GANGEMIS ROAD

Consideration of Report to Council from Director Infrastructure and Utility Services Manager dated 18 November 2021 regarding request received from two residents requesting Council to undertake works on the unmaintained section of Gangemis Road, which is in poor condition, to improve access under the Maintenance of Gravel Roads Policy.

Moved Councillor Milton
Seconded Councillor Skinner

Resolution – That Council seek a design and construct lump sum contract to undertake the remediation and construction works of Section 1 and Section 2 of Gangemis Road including a 24 month warranty to rectify defects.

**Carried 7-0
231121-09**

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 1 November 2021 regarding summary of activities undertaken during the month ending 31 October 2021.

Moved Councillor Brown
Seconded Councillor Marbelli

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

**Carried 7-0
231121-10**

2.2 MONTHLY STATUS REPORT

Consideration of Report to Council from Acting Director Community and Development Services dated 8 November 2021 regarding monthly Community and Development Services Status Report for the month ending 31 October 2021.

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

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

**Carried 7-0
231121-11**

2.3 COMMUNITY ACTIVITY GRANT APPLICATIONS Q2 2021-2022

Consideration of Report to Council from Acting Director Community and Development Services dated 1 November 2021 seeking Council consideration of Community Activity Grant applications received for the second quarter 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.

Recommendation – That Council:

- A. Approve the following applications:
 - i. Ingham Rugby Union Club – \$4,950 (excl. GST) – Cutting Loose After the Crush; and
 - ii. Herbert River Museum and Gallery Inc. - \$3,600 (excl. GST) – Herbert River Museum 30th Anniversary.
- B. Endorse the panel approved applications as follows:
 - i. Taylors Beach Progress Association –\$1,710 (excl. GST) – Taylors Beach Fishing Tournament; and
 - ii. Ingham Ladies Bowls Club Inc. – \$500 (excl. GST) – Invitational 4's.
- C. Endorse the panel declined application as follows:
 - i. Forrest Beach Progress Association –\$1,000 (excl. GST) – Financial Support.
- D. Endorse the panel recommendation as follows:
 - i. Ingham Dirt Bike Club – \$1,000 (excl. GST) – Approved Financial Support, In kind support for loan and equipment.

Councillor AP Cripps advised that he disagreed with the Community Activity Grants Assessment Panel recommendation to decline the application of the Forrest Beach Progress Association and was going to move an amendment to the motion.

Pursuant to Section 254H of the Local Government Regulation 2012, discussion took place that suggested that on this occasion there was a need to approve the Forrest Beach Progress Association's application, even though it was outside of the scope of the Community Activity Grant Policy.

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

Resolution - That the recommendation be amended to approve the Forrest Beach Progress Association application.

**Carried 5-2
231121-12**

Councillor DM Marbelli and Councillor WG Skinner recorded their votes against the motion

Mayor R Jayo, Councillor AJ Lancini, Councillor AP Cripps, Councillor ME Brown and Councillor KS Milton voted for the motion

Moved Councillor Cripps
Seconded Councillor Lancini

Resolution – That Council:

A. Approve the following applications:

- i. Ingham Rugby Union Club – \$4,950 (excl. GST) – Cutting Loose After the Crush; and
- ii. Herbert River Museum and Gallery Inc. - \$3,600 (excl. GST) – Herbert River Museum 30th Anniversary.
- iii. Forrest Beach Progress Association –\$1,000 (excl. GST) – Financial Support.

B. Endorse the panel approved applications as follows:

- iii. Taylors Beach Progress Association –\$1,710 (excl. GST) – Taylors Beach Fishing Tournament; and
- iv. Ingham Ladies Bowls Club Inc. – \$500 (excl. GST) – Invitational 4's.

C. Endorse the panel recommendation as follows:

- ii. Ingham Dirt Bike Club – \$1,000 (excl. GST) – Approved Financial Support, In kind support for loan and equipment.

**Carried 7-0
231121-13**

The Chair adjourned the General Meeting at 9.58am for morning tea and resumed the General Meeting at 10.13am

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 11 November 2021 regarding summary of activities undertaken during the month ending 31 October 2021.

Moved Councillor Cripps
Seconded Councillor Marbelli

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

**Carried 7-0
231121-14**

3.2 MONTHLY STATUS REPORT

Consideration of Report to Council from Director Corporate and Financial Services dated 8 November 2021 regarding monthly Corporate and Financial Services Status Report for the month ending 31 October 2021.

Moved Councillor Skinner
Seconded Councillor Cripps

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

**Carried 7-0
231121-15**

3.3 FINANCIAL PERFORMANCE REPORT for the PERIOD ENDING 31 OCTOBER 2021

Consideration of Report to Council from Acting Finance Manager dated 12 November 2021 regarding a report of Council's financial activities for the month ending 31 October 2021.

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

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

**Carried 7-0
231121-16**

3.4 EXTERNAL AUDIT – 2021 FINAL MANAGEMENT LETTER

Consideration of Report to Council from Director Corporate and Financial Services dated 11 November 2021 providing the Auditor-General's Observation report (Final Management Letter) for noting.

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

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

**Carried 7-0
231121-17**

3.5 AUDIT COMMITTEE MEETING MINUTES – 21 OCTOBER 2021

Consideration of Report to Council from Director Corporate and Financial Services dated 11 November 2021 providing Audit Committee Minutes from meeting held on 21 October 2021 for Council's information.

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

Resolution – That Council receive and note the Minutes from the Audit Committee held on 21 October 2021.

**Carried 7-0
231121-18**

In accordance with the Declaration of Interest for Item 3.6 Councillor DM Marbelli excluded herself from the meeting at 10.37am while the matter was discussed and vote taken.

Councillor KS Milton advised Councillors that she had no declaration of interest in this item as all gravel is to be sourced from Charters Towers as per tender documentation released.

3.6 HSC 21/23 – DRFA PROGRAM SOUTHWEST UNSEALED ROAD – RECONSTRUCTION WORKS

Consideration of Report to Council from Director Corporate and Financial Services dated 8 November 2021 informing Council of the tender process, evaluation outcome and to recommend a contractor to be appointed to deliver the HSC 21/23 - DRFA Program Southwest Unsealed Road Reconstruction Works.

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

Resolution – That Council:

- A. Approve the awarding of tender HSC 21/23 – DRFA Program Southwest Unsealed Road Reconstruction Works to R & S Marbelli T/A Timrith Transport for the tendered price of \$2,180,176.55 (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 6-0
231121-19**

Councillor DM Marbelli returned to the General Meeting at 10.39am

**3.7 REFERRAL AGENCY RESPONSE – DESIGN and SITING
LEICHHARDT STREET ALLINGHAM - LOT 10 on SP186121**

Consideration of Report to Council from Planning Consultant dated 4 November 2021 concerning a Referral Agency Response – Design and Siting variation lodged by GKC Shed Erectors for Norelle Bussey seeking to establish a freestanding awning (Class 10a) on property described as Lot 10 on SP186121 located at 38 Leichhardt Street Allingham. The proposed awning will be constructed from steel and has a skillion style roof with a maximum building height of 3.27m. The awning will be built in line with the Class 1a structure on the 786m2 property and will be within 0.9m of the side boundary shared with 36 Leichhardt Street Allingham.

Moved Councillor Cripps
Seconded Councillor Marbelli

Resolution – That Council issue a Referral Agency Response for the proposed freestanding awning (Class 10a) on land located at 38 Leichhardt Street Allingham and formally described as Lot 10 on SP186121, subject to conditions, as set out in Attachment A.

**Carried 7-0
231121-20**

3.8 PURCHASE of STATE LAND being LOT 11 on A7748 for FORREST BEACH TOWN CENTRE

Consideration of Report to Council from Contract Planner dated 12 November 2021 concerning purchase of State Land – Reserve for Local Government and Recreation described as Lot 11 on A7748 for Forrest Beach Town Centre.

Moved Councillor Cripps
Seconded Councillor Lancini

Resolution – That Council:

- A. Receive and note the offer from the Queensland Government Department of Resources to purchase Lot 11 on A7748;**
- B. Decline the offer from the Queensland Government Department of Resources to purchase Lot 11 on A7748 until such time as greater certainty of market value and the process of addressing Native Title Rights and Interests is resolved; and**
- C. Invite the Nywaigi People to enter into an Indigenous Land Use Agreement (ILUA) that would enable the State to issue freehold tenure to Council for Lot 11 on A7748.**

**Carried 7-0
231121-21**

3.9 NEW TRUSTEE LEASE over FORREST BEACH HALL – CASSADY BEACH ALLINGHAM

Consideration of Report to Council from Regulatory Services Manager dated 3 November 2021 concerning Expressions of Interest received for lease and management of the Forrest Beach Hall (formerly known as the Forrest Beach Senior Citizens Hall) located at Cassady Beach Allingham and described as Lot 382 on SP288711. Two submissions were received from Forrest Beach Progress Association and Shock Boxing NQ, however Shock Boxing NQ withdrew their submission due to making alternative arrangements. Seeking Council's approval to enter into a five (5) year Trustee Lease with Forrest Beach Progress Association.

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

Resolution – That Council:

- A. Enter a Trustee Lease with Forrest Beach Progress Association Inc. for a period of five (5) years, over the Forrest Beach Hall located at Cassady Beach Allingham, formally known as Lot 382 on SP288711; 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 Trustee Lease.**

**Carried 7-0
231121-22**

**3.10 NEW LICENCE AGREEMENT with HINCHINBROOK SPORTFISHING CLUB
SHED BLD409 of INGHAM SHOWGROUNDS – LOT 43 ON I22490**

Consideration of Report to Council from Regulatory Services Manager dated 8 November 2021 concerning request from Hinchinbrook Sportfishing Club for a formal Licence Agreement with Council for the ongoing use of Shed BLD409 at the Ingham Showgrounds, located on Lot 43 on I22490 for storage and monthly meeting purposes. The Club have utilised the facility for over ten years and are a non-for-profit community organisation that has been supporting the local community since 1971.

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

Resolution – That Council:

- A. Approve a Licence Agreement between Council and Hinchinbrook Sportfishing Club for five years commencing 1 December 2021 to 30 November 2026, over Shed BLD409 within Part of 43 on I22490 for an annual rental of \$20 (excl. GST), subject to CPI increase annually; 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 Licence Agreement.**

**Carried 7-0
231121-23**

**3.11 PROPOSED REDUCTION of 2021-2022 ANNUAL LICENCE FEE
SEALINK QUEENSLAND – YANKS JETTY ORPHEUS ISLAND**

Consideration of Report to Council from Regulatory Services Manager dated 8 November 2021 concerning request from SeaLink Queensland for reduction in Annual Licence Fee for commercial use of Yanks Jetty on Orpheus Island for the period 1 July 2021 until 30 June 2022 on the grounds that the Jetty is under repair and as such the business has been instructed not to utilise the facility until the maintenance works are completed. SeaLink also advise that due to the impact of COVID-19 pandemic both on local tourism visitation numbers and subsequent fiscal impact to business operations, they have made the decision to suspend offering the service to undertake Orpheus Island tours.

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

Resolution – That Council provide in principle support to pro rata the SeaLink Queensland Annual Licence Fee for the 2021-2022 Financial Year due to the physical inability to use Yanks Jetty located on Orpheus Island due to works being from 1 July 2021 to 31 October 2021.

**Carried 7-0
231121-24**

4. GOVERNANCE

4.1 OFFICE of the MAYOR and CHIEF EXECUTIVE OFFICER ACTIVITY REPORT

Consideration of Report to Council from Chief Executive Officer dated 8 November 2021 concerning summary of activities undertaken in the Office of the Mayor and Chief Executive Officer during the month ending 31 October 2021.

Moved Councillor Marbelli
Seconded Councillor Cripps

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

**Carried 7-0
231121-25**

4.2 MONTHLY STATUS REPORT

Consideration of Report to Council from Chief Executive Officer dated 8 November 2021 concerning monthly Office of the Mayor and Chief Executive Officer Status Report for the month ending 31 October 2021.

Moved Councillor Milton
Seconded Councillor Cripps

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

**Carried 7-0
231121-26**

4.3 HINCHINBROOK SHIRE COUNCIL 2020-2021 ANNUAL REPORT

Consideration of Report to Council from Chief Executive Officer dated 8 November 2021 regarding adoption of the 2020-2021 Annual Report.

Moved Councillor Cripps
Seconded Councillor Brown

Resolution – That Council adopt the 2020-2021 Annual Report as tabled.

**Carried 7-0
231121-27**

4.4 HINCHINBROOK LOCAL DISASTER MANAGEMENT PLAN (LDMP)

Consideration of Report to Council from Chief Executive Officer dated 8 November 2021 regarding adoption of the Hinchinbrook Local Disaster Management Plan version 2.

Moved Councillor Cripps
Seconded Councillor Lancini

Resolution – That Council adopt the Hinchinbrook Local Disaster Management Plan version 2 as presented, and copies be forwarded to Members detailed in Distribution List contained within the Plan.

**Carried 7-0
231121-28**

4.5 2022 COUNCIL MEETING SCHEDULE

Consideration of Report to Council from Chief Executive Officer dated 8 November 2021 seeking approval of proposed 2022 General Ordinary Meeting dates.

Moved *Councillor Cripps*
Seconded *Councillor Brown*

Resolution – That Council:

A. Approve the following General Ordinary Meeting dates for Hinchinbrook Shire Council for 2022 located at Council's main office, 25 Lannercost Street, Ingham to commence at 8.30am:

- Tuesday 25 January;
- Tuesday 22 February;
- Tuesday 29 March;
- Tuesday 26 April;
- Tuesday 31 May;
- Tuesday 28 June;
- Tuesday 26 July;
- Tuesday 30 August;
- Tuesday 27 September;
- Tuesday 18 October;
- Tuesday 22 November; and
- Tuesday 13 December.

B. Schedule public "Shed" Meetings for the Lower Herbert area on Tuesday 30 August 2022, and the Mt Fox area on Tuesday 11 October 2022.

**Carried 7-0
231121-29**

4.6 LEAVE of ABSENCE – COUNCILLOR KATE MILTON

Consideration of Report to Council from Chief Executive Officer dated 8 November 2021 regarding request from Councillor Kate Milton for leave of absence from Council for the period Wednesday 24 November 2021 to Wednesday 22 December 2021 inclusive for recreation leave.

Moved *Councillor Marbelli*
Seconded *Councillor Skinner*

Resolution – That Council approve leave of absence to Councillor Kate Milton for the period Wednesday 24 November 2021 to Wednesday 22 December 2021 inclusive for recreation leave.

**Carried 7-0
231121-30**

4.7 COUNCILLOR MONTHLY ACTIVITY REPORT

Consideration of Report to Council from Chief Executive Officer dated 15 November 2021 providing Councillor Activity Reports for the month ending 31 October 2021 to ensure transparency and public scrutiny.

Moved *Councillor Brown*
Seconded *Councillor Milton*

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

**Carried 7-0
231121-31**

CONCLUSION – This concluded the business of the meeting which closed at 11.03am.

APPROVED, CONFIRMED and ADOPTED on 14 December 2021

Councillor R Jayo – MAYOR