



GENERAL MEETING MINUTES

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

TUESDAY 28 NOVEMBER 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 Uren Chief Executive Officer (CEO)
 M Webster Interim Chief Executive Officer (I/CEO)
 J Stewart Director Infrastructure Utility Services (DIUS)
 B Exelby Director Corporate and Community Services (DCCS)
 C Fulton Executive Support Officer (ESO)

APOLOGY - Nil

PRAYER - Councillor KS Milton began the meeting with a Prayer.

GRANTING OF LEAVE OF ABSENCE -
Councillor Kate Milton advised she will no longer be seeking leave of absence in December 2023.

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

Councillor KS Milton

Item 1.8 – Referral Agency Response – Design and Siting – Denney Street Lucinda – Lot 2 on SP279694

In accordance with Section 150EP of the *Local Government Act 2009*, Councillor KS Milton informed the meeting of a Declarable Conflict of Interest in relation to Item 2.10 as the applicant is her Sister-in-Law.

Mayor R Jayo welcomed new CEO Mary-Anne Uren to Council and thanked Interim CEO Michelle Webster for doing a wonderful job during her six months with us.

PREVIOUS MINUTES - *Moved Councillor Lancini*
 Seconded Councillor Marbelli

Resolution - That the Minutes of the General Meeting held on 24 October 2023 be approved as a correct record of proceedings and the Minutes be authorised and signed by the Mayor.

**Carried 7-0
281123-00a**

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 16 November 2023 regarding summary of activities undertaken during the month ending 31 October 2023.

Moved *Councillor Skinner*
Seconded *Councillor Milton*

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

**Carried 7-0
281123-01**

1.2 INFRASTRUCTURE and UTILITY SERVICES MONTHLY STATUS REPORT

Consideration of Report to Council from Director Infrastructure and Utility Services dated 16 November 2023 regarding monthly Infrastructure and Utility Services Status Report for the month ending 31 October 2023.

Moved *Councillor Milton*
Seconded *Councillor Skinner*

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

**Carried 7-0
281123-02**

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 16 November 2023 regarding summary of activities undertaken during the month ending 31 October 2023.

Moved *Councillor Marbelli*
Seconded *Councillor Cripps*

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

**Carried 7-0
281123-03**

2.2 CORPORATE and COMMUNITY SERVICES STATUS REPORT

Consideration of Report to Council from Director Corporate and Community Services dated 16 November 2023 regarding monthly Corporate and Community Services Status Report for the month ending 31 October 2023.

Moved *Councillor Cripps*
Seconded *Councillor Lancini*

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

**Carried 7-0
281123-04**

2.3 FINANCIAL PERFORMANCE REPORT for the PERIOD ENDING 31 OCTOBER 2023

Consideration of Report to Council from Financial Services Manager dated 16 November 2023 informing stakeholders of Council's financial performance and interim position to 31 October 2023 and to measure progress against Council's approved budget.

Moved *Councillor Cripps*
Seconded *Councillor Skinner*

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

**Carried 7-0
281123-05**

2.4 FINANCIAL PERFORMANCE REPORT (AMENDED) for the PERIOD ENDING 30 September 2023

Consideration of Amended Report to Council from Financial Services Manager dated 20 November 2023 informing stakeholders of a typographical error identified within the financial performance report Appendix 1 for the period ended 30 September 2023.

Moved *Councillor Cripps*
Seconded *Councillor Marbelli*

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

**Carried 7-0
281123-06**

2.5 AUDIT and RISK COMMITTEE MINUTES – AUGUST and OCTOBER 2023

Consideration of Report to Council from Director Corporate and Community Services dated 16 November 2023 providing Audit and Risk Committee Minutes from meetings held on 18 August 2023 and 12 and 30 October 2023 for Council's information.

Moved *Councillor Cripps*
Seconded *Councillor Lancini*

Resolution – That Council receive and note the minutes from the Audit and Risk Committee meetings held on Friday 18 August, Thursday 12 and Monday 30 October 2023.

**Carried 7-0
281123-07**

2.6 COMMUNITY ACTIVITY GRANT ANNUAL REPORT – FINANCIAL YEAR ENDING 30 JUNE 2023

Consideration of Report to Council from Economic Development and Tourism Coordinator dated 16 November 2023 providing an Annual Report of Community Activity Grants allocated during the 2022-2023 financial year.

Moved *Councillor Brown*
Seconded *Councillor Marbelli*

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

**Carried 7-0
281123-08**

2.7 JL KELLY THEATRE – QUARTER 1 UPDATE 30 SEPTEMBER 2023

Consideration of Report to Council from Economic Development and Tourism Coordinator dated 16 November 2023 providing a quarterly update of operations at the JL Kelly Theatre to 30 September 2023.

Moved *Councillor Marbelli*
Seconded *Councillor Milton*

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

**Carried 7-0
281123-09**

2.8 COMMUNITY GRANT APPLICATIONS – 2023-2024

Consideration of Report to Council from Economic Development and Tourism Coordinator dated 10 November 2023 seeking approval of the Community Grant Assessment Panel recommendation to grant \$3,000 (excl. GST) to Women in Sugar Herbert for the 23rd Women in Sugar Australia Conference.

Moved *Councillor Brown*
Seconded *Councillor Milton*

Resolution – That Council approve a grant of \$3,000 (excl. GST) to Women in Sugar Herbert for the 23rd Women in Sugar Australia Conference.

**Carried 7-0
281123-10**

2.9 PROPOSED TRUSTEE LEASE OVER PART of LOT 149 on SP142859

Consideration of Report to Council from Development and Regulatory Services Manager dated 16 November 2023 concerning a request from LiquaForce, as an adjoining landowner, to enter into a Trustee Lease over part of land described as Lot 149 on SP142859. Land is zoned Industry and is known as Reserve for Town Purposes with Council as Trustee.

Moved Councillor Cripps
Seconded Councillor Marbelli

Resolution – That Council as Trustee of the land:

- A. Pursuant to the Local Government Regulation 2012, disposes its interest in parts of Lot 149 on SP142859 to the requesting adjoining landowner for a five year term, without first going to tender as an exception exists for this arrangement under section 236(1)(c)(iv) of the Regulation; and**
- B. Delegates 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
281123-11**

In accordance with Declaration of Interest for Item 2.10 at the commencement of the General Meeting, Councillor KS Milton excluded herself from the meeting at 9.17am while the matter was discussed and vote taken.

**2.10 REFERRAL AGENCY RESPONSE – DESIGN and SITING
DENNEY STREET LUCINDA – LOT 2 on SP279694**

Consideration of Report to Council from Development and Regulatory Services Manager dated 16 November 2023 concerning a request for a Referral Agency Response – Design and Siting variation lodged by John and Heather Johnson seeking to establish a new Class 10a carport structure entailing an encroachment on the front boundary setback towards Denney Street and side boundary setback towards the boundary of Lot 1 on SP279694. The proposed structure has dimensions of 5m (W), 10m (L) and 3.858m (H). The structure is proposed to be constructed at 4,000mm from the front boundary and 200mm from the side boundary.

Moved Councillor Lancini
Seconded Councillor Cripps

Resolution – That Council issue a Referral Agency Response for the proposed Class 10a awning structure on land located at Denney Street Lucinda, formally described as Lot 2 on SP279694, subject to conditions, as set out in Attachment A.

**Carried 6-0
281123-12**

Councillor KS Milton returned to the meeting at 9.20am

**2.11 ASSESSMENT of CONVERSION to FREEHOLD
PERPETUAL LEASE GHPA 24/1489 DESCRIBED as LOT 49 on CWL3541**

Consideration of Report to Council from Development and Regulatory Services Manager dated 16 November 2023 concerning a request from Department of Resources seeking Council's views concerning an Assessment of Conversion to Freehold Land owned by Arthur and Edward Hobbs and described as Lot 49 on CWL3541, situated at Helens Hill.

Moved Councillor Milton
Seconded Councillor Cripps

Resolution – That Council advise the Department of Resources it has no objection in relation to the Assessment of Conversion to Freehold Land described as Lot 49 on CWL3541, subject to ensuring Wilmar Sugar Pty Ltd can exercise their rights under their lease agreement to obtain access to their leased area and it is the landowner's responsibilities to ensure and maintain all access provisions.

**Carried 7-0
281123-13**

2.12 ASSESSMENT of CONVERSION to FREEHOLD

TERM LEASE 0/233722 DESCRIBED as LOT 61 on CWL3079

Consideration of Report to Council from Development and Regulatory Services Manager dated 6 November 2023 concerning a request from Department of Resources seeking Council's views concerning an Assessment of Conversion to Freehold Land owned by Robert John Taylor and described as Lot 61 on CWL3079, situated at Coconut Lane Forrest Beach.

Moved Councillor Marbelli

Seconded Councillor Cripps

Resolution – That Council advise the Department of Resources it has no objection in relation to the Assessment of Conversion to Freehold Land described as Lot 61 on CWL3079, subject to noting it is the landowner's responsibility to ensure and maintain all access provisions.

**Carried 7-0
281123-14**

2.13 RECONFIGURATION OF LAND – REARRANGEMENT OF BOUNDARIES

(TWO LOTS INTO TWO LOTS) – 446 HAWKINS CREEK ROAD HAWKINS CREEK

LOT 41 on SP293930 and Lot 2 on RP710109

Consideration of Report to Council from Development and Regulatory Services Manager dated 16 November 2023 concerning a Development Application from Hansen Surveys Pty Ltd on behalf of Gerrard and Joseph Grotelli for Reconfiguration of Land – Rearrangement of Boundaries (Two Lots into Two Lots) at 446 Hawkins Creek Road Hawkins Creek, formally known as Lot 41 on SP293930 and Lot 2 on RP710109. The proposed reconfiguration will result in Lot 41 with an area of 79.44ha and Lot 43 with an area of 3,788m².

Moved Councillor Cripps

Seconded Councillor Lancini

Resolution – That Council approve the proposed Reconfiguration of Land – Rearrangement of Boundaries (Two Lots into Two Lots) on land located at 446 Hawkins Creek Road Hawkins Creek, formally known as Lot 41 on SP293930 and Lot 2 on RP710109, subject to conditions, as set out in Attachment A.

**Carried 7-0
281123-15**

2.14 BUILDING WORK ASSESSABLE AGAINST PLANNING SCHEME (BWAP)

856 HAWKINS CREEK ROAD HAWKINS CREEK – LOT 1 on RP708778

Consideration of Report to Council from Development and Regulatory Services Manager dated 13 November 2023 concerning a Development Application from Rapid Building Approval on behalf of Jane West seeking a Development Permit for BWAP (Rural Zone Code) to establish a new Class 10a shed structure, which is proposed to be sited 5.01m from the front property boundary (Hawkins Creek Road), 8.21m from the front property boundary (Palmas Road) and 7.16m from the side property boundary. The subject land is unimproved vacant land and the proposed structure has dimensions of 15m (W) x 4.3m (D) x 3.74m (H).

Moved Councillor Cripps

Seconded Councillor Marbelli

Resolution – That Council approve the proposed Building Work Assessable Against Planning Scheme for the Class 10a shed structure on land located at 856 Hawkins Creek Road, Hawkins Creek, and formally described as Lot 1 on RP708778, subject to conditions, as set out in Attachment A.

**Carried 7-0
281123-16**

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 16 November 2023 concerning summary of activities undertaken during the month ending 31 October 2023.

Moved Councillor Marbelli

Seconded Councillor Lancini

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

**Carried 7-0
281123-17**

3.2 MAYOR and CHIEF EXECUTIVE SERVICES MONTHLY STATUS REPORT

Consideration of Report to Council from Chief Executive Officer dated 16 November 2023 concerning monthly Mayor and Chief Executive Services Status Report for the month ending 31 October 2023.

Moved Councillor Cripps

Seconded Councillor Brown

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

**Carried 7-0
281123-18**

3.3 2023-2024 QUARTERLY OPERATIONAL PLAN REPORT as at 30 SEPTEMBER 2023

Consideration of Report to Council from Chief Executive Officer dated 16 November 2023 providing the 2023-2024 Quarterly Operational Plan Report at 30 September 2023.

Moved Councillor Marbelli

Seconded Councillor Lancini

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

**Carried 7-0
281123-19**

3.4 TERMS of REFERENCE – COUNCILLOR PORTFOLIO MEETINGS

Consideration of Report to Council from Chief Executive Officer dated 16 November 2023 seeking adoption of the Terms of Reference for Councillor Portfolio Meetings.

Moved Councillor Lancini

Seconded Councillor Brown

Resolution – That Council adopt the Terms of Reference for Councillor Portfolio Meetings.

**Carried 7-0
281123-20**

3.5 2022-2023 ANNUAL REPORT

Consideration of Report to Council from Chief Executive Officer dated 16 November 2023 seeking adoption of the 2022-2023 Annual Report.

Moved Councillor Jayo

Seconded Councillor Cripps

Resolution – That Council adopt the 2022-2023 Annual Report as tabled.

**Carried 7-0
281123-21**

3.6 2024 COUNCIL MEETING SCHEDULE

Consideration of Report to Council from Chief Executive Officer dated 10 November 2023 seeking approval of proposed 2024 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 2024 located at Council's main office, 25 Lannercost Street Ingham to commence at 8.30am:

- Tuesday 23 January;
- Tuesday 20 February;
- Tuesday 12 March;
- Tuesday 23 April;
- Tuesday 28 May;
- Tuesday 25 June;
- Tuesday 30 July;
- Tuesday 27 August;
- Tuesday 24 September;
- Tuesday 29 October;
- Tuesday 26 November; and
- Tuesday 10 December.

B. Schedule public "Shed" Meetings for the Lower Herbert area on Tuesday 11 September 2024, and the Mt Fox area on Tuesday 1 October 2024.

Carried 7-0
281123-22

3.7 COUNCILLOR MONTHLY ACTIVITY REPORT

Consideration of Report to Council from Chief Executive Officer dated 16 November 2023 providing Councillor Activity Reports for the month ending 31 October 2023 to ensure transparency and public scrutiny.

Moved *Councillor Milton*
Seconded *Councillor Lancini*

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

Carried 7-0
281123-23

CONCLUSION – This concluded the business of the meeting which closed at 9.37am.

APPROVED, CONFIRMED and ADOPTED on 12 December 2023

Councillor R Jayo – MAYOR