



## GENERAL MEETING MINUTES

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

TUESDAY 29 AUGUST 2023  
at 8.30AM

- PRESENT**
- AP Cripps      Councillor (Chair)
  - ME Brown    Councillor
  - AJ Lancini    Councillor
  - DM Marbelli   Councillor
  - KS Milton    Councillor
  - WG Skinner   Councillor
  - M Webster    Chief Executive Officer (CEO)
  - J Stewart    Director Infrastructure Utility Services (DIUS)
  - A Flint      Executive Support Officer (ESO)

**APOLOGY**    -

**PRAYER**    -    Councillor DM Marbelli began the meeting with a Prayer.

**GRANTING OF LEAVE OF ABSENCE**    -

Mayor Ramon Jayo requested leave of absence from Council for the period Wednesday 23 August 2023 to Wednesday 6 September 2023 inclusive for recreational leave.

*Moved                Councillor Lancini*  
*Seconded        Councillor Marbelli*

**Resolution – That Council endorse:**

- A.    Approval of leave of absence to Mayor Ramon Jayo for the period Wednesday 23 August 2023 to Wednesday 6 September 2023 inclusive for recreational leave; and
- B.    Appointment of Deputy Mayor Andrew Cripps as Acting Mayor during this period. Carried 6-0  
290823-00a

**DECLARATIONS OF INTEREST** -

Acting Mayor AP Cripps invited Councillors to use this opportunity to make public any Declarations of Interest.

**Councillor ME Brown**

**Item 2.8** – Operational Works – Operational Works Associated with MCU20\0006 (New Student Carpark for Gilroy Santa Maria College) – 15 Chamberlain Street Ingham – Lot 32 on RP709282

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 2.8 as she is a member of the Gilroy Santa Maria College Finance Committee.

**PREVIOUS MINUTES**    -    *Moved                Councillor Marbelli*  
   *Seconded        Councillor Lancini*

**Resolution - That the Minutes of the General Meeting held on 25 July 2023 be approved as a correct record of proceedings and the Minutes be authorised and signed by the Mayor.**

Carried 6-0  
290823-00b

**PETITION –**

A petition has been submitted drawing Council's attention to a potential safety concern on Mill Road, Macknade. This petition is requesting that Council take action to mitigate a potential safety issue.

*Moved Councillor Lancini*

*Seconded Councillor Brown*

**Resolution – That Council:**

- A. Receive the petition from Salvatore Zullo and 54 other people requesting Council to take action to mitigate a potential safety issue; and
- B. Request the Chief Executive Officer refer the petition to the Hinchinbrook Road Safety Advisory Committee to investigate the matter and respond to the lead petitioner.

Carried 6-0  
290823-00c

**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 August 2023 regarding summary of activities undertaken during the month ending 31 July 2023.

*Moved Councillor Skinner*

*Seconded Councillor Milton*

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

Carried 6-0  
290823-01

**1.2 INFRASTRUCTURE and UTILITY SERVICES MONTHLY STATUS REPORT**

Consideration of Report to Council from Director Infrastructure and Utility Services dated 17 August 2023 regarding monthly Infrastructure and Utility Services Status Report for the month ending 31 July 2023.

*Moved Councillor Milton*

*Seconded Councillor Marbelli*

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

Carried 6-0  
290823-02

**1.3 ASSET MANAGEMENT STEERING COMMITTEE – QUARTERLY UPDATE to 30 JUNE 2023**

Consideration of Report to Council from Director Infrastructure and Utility Services dated 16 August 2023 regarding quarterly information from Asset Management Steering Committee meetings.

*Moved Councillor Skinner*

*Seconded Councillor Milton*

**Resolution – That Council receive and note the information provided.**

Carried 6-0  
290823-03

1.4 WASTE SERVICES ACTIVITY REPORT 2022-2023 FINANCIAL YEAR

Consideration of Report to Council from Development and Regulatory Services Manager dated 16 August 2023 regarding Waste Services Activity Report for the 2022-2023 financial year.

*Moved Councillor Lancini*  
*Seconded Councillor Milton*

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

**Carried 6-0  
290823-04**

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 August 2023 regarding summary of activities undertaken during the month ending 31 July 2023.

*Moved Councillor Marbelli*  
*Seconded Councillor Skinner*

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

**Carried 6-0  
290823-05**

2.2 CORPORATE and COMMUNITY SERVICES STATUS REPORT

Consideration of Report to Council from Director Corporate and Community Services dated 17 August 2023 regarding monthly Corporate and Community Services Status Report for the month ending 31 July 2023.

*Moved Councillor Marbelli*  
*Seconded Councillor Lancini*

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

**Carried 6-0  
290823-06**

*Finance Manager (FM) M O'Toole entered the meeting at 9.49am*

2.3 FINANCIAL PERFORMANCE REPORT for the PERIOD ENDING 31 JULY 2023

Consideration of Report to Council from Financial Services Manager dated 17 August 2023 informing stakeholders of Council's financial performance and interim position to 31 July 2023 and to measure progress against Council's approved budget.

*Moved Councillor Marbelli*  
*Seconded Councillor Skinner*

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

**Carried 6-0  
290823-07**

*FM M O'Toole left the meeting at 9.58am*

2.4 PRIVACY and CONFIDENTIAL INFORMATION POLICY

Consideration of Report to Council from Director Corporate and Community Services dated 22 August 2023 seeking adoption of the Privacy and Confidential Information Policy and endorsement of the Privacy and Confidential Information Procedure and Privacy Statement setting out Council's position and principles in relation to the management of personal information as required by the *Information Privacy Act 2009* and the management of confidential information as required by the *Local Government Act 2009*.

*Moved Councillor Lancini*  
*Seconded Councillor Brown*

Resolution – That Council:

- A. Adopt the Privacy and Confidential Information Policy;
- B. Endorse the Privacy and Confidential Information Procedure and Privacy Statement;
- C. Note that the adoption of clause A above repeals and supersedes all historical policies relating to information privacy and/or confidential information management; and
- D. Delegate authority to the Chief Executive Officer to make any administrative updates to existing policies that require referencing to the adopted policy as per clause A above.

Carried 6-0  
290823-08

*The meeting adjourned at 10.05am for morning tea and resumed at 10.20am*

2.5 AUDIT and RISK COMMITTEE CHAIRPERSON – EXTENSION of TENURE

Consideration of Report to Council from Director Corporate and Community Services dated 19 August 2023 seeking approval to extend the tenure of the Chairperson of the Audit and Risk Committee.

*Moved Councillor Lancini*  
*Seconded Councillor Marbelli*

Resolution – That Council:

- A. Seek to extend the tenure of Campbell Charlton for a further one (1) year as Audit and Risk Committee Chairperson through to 30 June 2024; and
- B. Authorise the Chief Executive Officer to finalise the relevant extension of time agreement.

Carried 6-0  
290823-09

*FM M O'Toole entered the meeting at 10.23am*

**2.6 HSC 23/13 – FORREST BEACH DRAINAGE IMPROVEMENTS**

Consideration of Report to Council from Finance Manager dated 22 August 2023 informing of the tender process undertaken, the evaluation outcome, and to recommend an appropriate contractor to deliver the Forrest Beach Drainage Improvements project associated with tender HSC 23/13.

*Moved Councillor Milton*  
*Seconded Councillor Lancini*

**Resolution – That Council:**

- A. Approve the awarding of tender HSC 23/13 – Forrest Beach Drainage Improvements to Keita Services Pty Ltd for the tendered price of \$203,506.45 (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  
290823-10**

*FM M O'Toole left the meeting at 10.25am*

*Development and Regulatory Services Manager (DRSM) V Aster entered the meeting at 10.25am*

**2.7 MANBARRA PEOPLE CLAIM DETERMINATION QUD331/2022**

Consideration of Report to Council from Development and Regulatory Services Manager dated 14 August 2023 regarding an invitation for Council to become a Party to Manbarra People Native Title Claim QUD331/2022.

*Moved Councillor Skinner*  
*Seconded Councillor Lancini*

**Resolution – That Council:**

- A. Approve to become a Party to the Native Title Claim by Walter Palm Island & Ors on behalf of the Manbarra People V State of Queensland determination Federal Court File No QUD331/2022; and**
- B. Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalising and executing any and all matters associated with or in relation to the Manbarra People Determination.**

**Carried 6-0  
290823-11**

*In accordance with the Declaration of Interest for Item 2.8 Councillor ME Brown excluded herself from the meeting at 10.28am while the matter was discussed and vote taken*

**2.8 OPERATIONAL WORKS – OPERATIONAL WORKS ASSOCIATED WITH MCU20\0006 (NEW STUDENT CARPARK FOR GILROY SANTA MARIA COLLEGE) – 15 CHAMBERLAIN STREET INGHAM – LOT 32 on RP709282**

Consideration of Report to Council from Development and Regulatory Services Manager dated 31 July 2023 regarding the Development Application received from I4 Architecture Pty Ltd on behalf of The Roman Catholic Trust Corporation for the Diocese of Townsville for Operational Works – construction of new student carpark for Gilroy Santa Maria College associated with MCU20\0006 at 15 Chamberlain Street Ingham, formally known as Lot 32 on RP709282.

*Moved Councillor Marbelli*  
*Seconded Councillor Lancini*

**Resolution – That Council approve the proposed Development Application for Operational Works – Construction of New Carpark, Stormwater Drainage and Landscaping (associated with MCU20\0006) on land located at 15 Chamberlain Street Ingham, formally known as Lot 32 on RP709282, subject to conditions, as set out in Attachment A.**

**Carried 5-0  
290823-12**

Councillor ME Brown returned to the meeting at 10.36am.

**2.9 RECONFIGURING a LOT – REARRANGEMENT of BOUNDARIES (TWO LOTS INTO TWO LOTS)  
45 SCOTT STREET (LOT 1 RP725046) and 54 SCOTT STREET (LOT 14 SP214756) HALIFAX**

Consideration of Report to Council from Development and Regulatory Services Manager dated 9 August 2023 concerning a Development Application from Atkinson & Booy Surveys Pty Ltd on behalf of Roberto Firmi for Reconfiguring a Lot – Rearrangement of Boundaries (Two Lots into Two Lots) 45 Scott Street (Lot 1 RP725046) and 54 Scott Street (Lot 14 SP214756) Halifax. The subject allotments are designated within the General Residential Zone of the Planning Scheme. Lot 1 RP725046 is currently improved with an engineering workshop and is 885m<sup>2</sup> in size, Lot 14 SP214756 is currently unimproved vacant land and is 1,243m<sup>2</sup> in size. The proposed configuration will result in Lot 1 RP725046 with an area of 1,288m<sup>2</sup> and Lot 14 SP214756 with an area of 841m<sup>2</sup>.

*Moved Councillor Milton*  
*Seconded Councillor Brown*

**Resolution – That Council approve the proposed Development Application for Reconfiguring a Lot – Rearrangement of Boundaries (Two Lots into Two Lots) on land located at 45 Scott Street and 54 Scott Street Halifax, formally known as Lot 1 RP725046 and Lot 14 SP214756, subject to conditions, as set out in Attachment A.**

**Carried 6-0  
290823-13**

**2.10 BUILDING WORK ASSESSABLE AGAINST PLANNING SCHEME (BWAP)  
285 FOUR MILE ROAD BRAEMEADOWS – LOT 4 on RP723408**

Consideration of Report to Council from Development and Regulatory Services Manager dated 9 August 2023 concerning a Development Application from Scott Gibson Building on behalf of Robert and Tanya Giliberto seeking a Development Permit for Building Work Assessable Against the Planning Scheme (Rural Zone). The landowner is seeking to establish a new Class 1a dwelling structure on the southern portion of the property located at 285 Four Mile Road Braemeadows – Lot 4 on RP723408, which involves an encroachment on the two side boundary setbacks towards the allotment boundaries of Lot 3 on RP720352 and Lot 2 on RP725198, and an encroachment on the front boundary setback towards to the road frontage of Four Mile Road. The property has an area of 1,558m<sup>2</sup> and is currently unimproved vacant land. The proposed Class 1a structure has the following dimensions of 22.27m (L) x 15.3m (W) x 2.7m (H) to the eaves, with a 17.5° pitch roof. The proposed structure seeks the setback of 9.81m from the side property boundary (toward the boundary of Lot 2 on RP725198), 9.81m from the side property boundary (toward the boundary of Lot 3 on RP720352), and 6m from the front property boundary (toward Four Mile Road).

*Moved Councillor Milton*  
*Seconded Councillor Marbelli*

**Resolution – That Council approve the proposed Building Work Assessable Against Planning Scheme for the Class 1a dwelling structure on land located at 285 Four Mile Road Braemeadows, and formally described as Lot 4 on RP723408, subject to conditions, as set out in Attachment A.**

**Carried 6-0  
290823-14**



**2.11 REFERRAL AGENCY RESPONSE – DESIGN AND SITING**

**26 TREVALLY STREET TAYLORS BEACH – LOT 100 on RP725121**

Consideration of Report to Council from Development and Regulatory Services Manager dated 4 August 2023 concerning a request for a Referral Agency Response – Design and Siting variation lodged by Ryan Bird C/- Rapid Building Approvals on behalf of Richard Jones seeking to establish a new Class 10a shed structure on the north-eastern portion of the property located at 26 Trevally Street Taylors Beach – Lot 100 on RP725121. The proposed siting entails an encroachment on the rear boundary setback towards the allotment boundary of Lot 392 on CP899640 and side boundary setback towards the allotment boundary of Lot 101 RP725121. The property has an area of 708m<sup>2</sup> and is currently improved with a single dwelling and garden shed. The proposed Class 10a structure has the following dimensions of 10m (W), 11.4m (L) and 4.072m (H). The structure is proposed to be constructed at 0m from the rear boundary and 900mm from the side boundary, both are in lieu of the 1.5m Queensland Development Code (QDC) requirement.

Recommendation – That Council issue a Referral Agency Response for the proposed Class 10a shed structure on land located at 26 Trevally Street Taylors Beach, formally described as Lot 100 on RP725121, subject to conditions, as set out in Attachment A.

Adoption of the recommendation lapsed for the want of a mover.

*Moved            Councillor Lancini*  
*Seconded      Councillor Brown*

Resolution – That Council defer consideration of this matter pending further consultation with the Applicant concerning non-compliance with the Hinchinbrook Shire Planning Scheme 2017, in regards to having a zero setback to the rear of the property formally described as Lot 100 on RP725121.

Carried 6-0  
290823-15

DRSM V Aster left the meeting at 10.54am

**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 17 August 2023 concerning summary of activities undertaken during the month ending 31 July 2023.

*Moved            Councillor Skinner*  
*Seconded      Councillor Marbelli*

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

Carried 6-0  
290823-16

**3.2 MAYOR and CHIEF EXECUTIVE SERVICES MONTHLY STATUS REPORT**

Consideration of Report to Council from Chief Executive Officer dated 17 August 2023 concerning monthly Mayor and Chief Executive Services Status Report for the month ending 31 July 2023.

*Moved            Councillor Marbelli*  
*Seconded      Councillor Milton*

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

Carried 6-0  
290823-17



**3.3 HINCHINBROOK SHIRE COUNCIL – ORGANISATIONAL STRUCTURE**

Consideration of Report to Council from Director Corporate and Community Services dated 19 August 2023 regarding a proposal of a realignment of activities from within the Economy and Events function and the creation of a temporary 12 month position to oversee the functions of community events, JL Kelly Theatre and the TYTO function centre.

*Moved           Councillor Milton*  
*Seconded      Councillor Lancini*

**Resolution – That Council:**

- A.     Adopt the Organisational Structure as presented pursuant to section 196 (1) of the *Local Government Act 2009*;**
- B.     Is of the opinion that the Organisational Structure as presented is appropriate to the performance of its Local Government's responsibilities; and**
- C.     Authorise the Chief Executive Officer to implement any changes required associated with the revised Organisational Structure.**

**Carried 6-0  
290823-18**

**3.4 ESTABLISHMENT of BUDGET and STRATEGY WORKSHOP**

Consideration of Report to Council from Chief Executive Officer dated 23 August 2023 proposing the discontinuation of the Budget/Expenses Review Committee and establishment of a Budget and Strategy Workshop (BSW) which will be a formal workshop arrangement to create a forum that supports elected members to obtain information, briefings and to workshop matters that will assist to formulate future decision making.

*Moved           Councillor Marbelli*  
*Seconded      Councillor Milton*

**Resolution – That Council:**

- A.     Disestablish the Budget/Expenses Review Committee and repeal related terms of reference, effective immediately;**
- B.     Endorse the creation of a Budget and Strategy Workshop; and**
- C.     Endorse the Budget and Strategy Workshop Terms of Reference.**

**Carried 6-0  
290823-19**

**3.5 COUNCILLOR MONTHLY ACTIVITY REPORT**

Consideration of Report to Council from Chief Executive Officer dated 17 August 2023 providing Councillor Activity Reports for the month ending 31 July 2023 to ensure transparency and public scrutiny.

*Moved           Councillor Lancini*  
*Seconded      Councillor Marbelli*

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

**Carried 6-0  
290823-20**

**CONCLUSION** – This concluded the business of the meeting which closed at 11.18am.

**APPROVED, CONFIRMED and ADOPTED on 26 September 2023**

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**Councillor AP Cripps – ACTING MAYOR**