



MINUTES OF THE GENERAL MEETING OF THE HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS
INGHAM ON TUESDAY
23 JUNE 2015
AT 9.00 AM

-
- ATTENDANCE
- Present were Councillors R Bow, PD Lynch, MG Tack, LR Molachino, DG Carr, SJ Kaurila and WG Skinner
 - Also present was the Chief Executive Officer (DA McKinlay), Executive Manager Engineering Services (J Stewart), Executive Manager Environment and Community Services (TV Tanase) and Executive Assistant (BK Edwards)

- PRAYER
- Councillor R Bow opened the meeting with prayer

1. MINUTES
- *Moved* Councillor Molachino
Seconded Councillor Skinner

Resolved that the Minutes of the General Meeting held on 26 May 2015 be approved as a correct record of proceedings and be signed by the Mayor.

Carried

2. BUSINESS

2.1 CORPORATE SERVICES

2.1.1 CORPORATE SERVICES ACTIVITY REPORT

Consideration of monthly Corporate Services Activity Report for May 2015.

Moved Councillor Tack
Seconded Councillor Kaurila

That the Report be received and noted.

Carried – 230615-01

2.1.2 MONTHLY STATUS REPORT

Consideration of monthly Executive Manager Corporate Services Status Report for June 2015.

Moved Councillor Lynch
Seconded Councillor Skinner

That the Report be received and noted.

Carried – 230615-02

2.1.3 FINANCIALS

Consideration was given to a report of financial activities as at 31 May 2015.

Moved Councillor Tack
Seconded Councillor Lynch

That the Report be received and noted.

Carried – 230615-03

2.1.4 2015 / 2016 REVENUE POLICY

Consideration of Report to Council from Executive Manager Corporate Services dated 9 June 2015 regarding adoption of 2015 / 2016 Revenue Policy.

Moved Councillor Lynch
Seconded Councillor Carr

That Council adopt the Revenue Policy as presented.

Carried – 230615-04

2.2 ENGINEERING

2.2.1 ENGINEERING SERVICES ACTIVITY REPORT

Consideration of monthly Engineering Services Activity Report for May 2015.

Moved Councillor Lynch
Seconded Councillor Carr

That the Report be received and noted.

Carried – 230615-05

2.2.2 MONTHLY STATUS REPORT

Consideration of monthly Executive Manager Engineering Services Status Report for June 2015.

Moved Councillor Skinner
Seconded Councillor Carr

That the Report be received and noted.

Carried – 230615-06

2.2.3 WATER AND SEWERAGE WORKS PROGRAM REPORT

Consideration was given to a report of water and sewerage operations for the month of May 2015.

Moved Councillor Carr
Seconded Councillor Kaurila

That the Report be received and noted.

Carried – 230615-07

Media and Communications Officer, K Spano entered the meeting at 9.10 am

2.2.4 WORKS PROGRAM REPORT

Consideration was given to a report of civil operations for the month of May 2015.

Moved Councillor Skinner
Seconded Councillor Carr

That the Report be received and noted.

Carried – 230615-08

Senior Economic Development and Tourism Officer, B Christie-Johnston entered the meeting at 9.15 am

2.2.5 AECOM NDRRA REPORT

Consideration of AECOM's NDRRA General Progress Report as at 31 May 2015.

Moved Councillor Lynch
Seconded Councillor Kaurila

That the Report be received and noted.

Carried – 230615-09

2.2.6 NATURAL DISASTER RELIEF AND RECOVERY ARRANGEMENTS (NDRRA) INFRASTRUCTURE RESTORATION 2014 PROGRAM – SUMMARY OF PROGRESS OF CONTRACT WORKS

Consideration of Report to Council from Infrastructure Engineer dated 16 June 2015 providing summary of progress of contract works for NDRRA infrastructure restoration 2014 program.

Moved Councillor Skinner
Seconded Councillor Carr

That the Report be received and noted.

Carried – 230615-10

2.2.7 AWARD OF CONTRACT HSC 15/05 DESIGN AND CONSTRUCT REPLACEMENT BRIDGE – LANNERCOST CREEK – LANNERCOST EXTENSION ROAD

Consideration of Report to Council from Infrastructure Engineer dated 16 June 2015 regarding tenders received for HSC 15/05 Design and Construct Replacement Bridge – Lannercost Creek – Lannercost Extension Road.

Moved Councillor Carr
Seconded Councillor Lynch

Planning and Development Coordinator, L Doutré entered the meeting at 9.19 am

That Council award a Design and Construct Contract HSC 15/05 Design and Construct Replacement Bridge – Lannercost Creek to a consortium of firms including GHD Pty Ltd (designers) and King Concreting (Qld) Pty Ltd trading as Civform for a total contract lump sum price of \$1,118,597.50 (adjusted) excluding GST, subject to formal verification of the price.

Carried – 230615-11

2.2.8 HSC 15/18 SUPPLY AND DELIVERY OF 20KG BAGGED CEMENT

Consideration of Report to Council from Works Engineer dated 10 June 2015 regarding tenders received for HSC 15/18 Supply and Delivery of 20kg Bagged Cement.

Moved Councillor Skinner
Seconded Councillor Kaurila

That Council accept the offer by Ingham Agencies and Company for HSC 15/18 Supply and Delivery of 20kg Bagged Cement for a period of 24 months commencing 1 July 2015.

Carried – 230615-12

2.2.9 HSC 15/24 SUPPLY AND DELIVERY OF ONE NEW PLANT TRAILER

Consideration of Report to Council from Fleet Manager dated 26 May 2015 regarding tenders received for HSC 15/24 Supply and Delivery of one new Plant Trailer.

Moved Councillor Molachino
Seconded Councillor Skinner

That Council accept the offer from Roger Willex for HSC 15/24 Supply and Delivery of one only new Plant Trailer for \$32,786.45.

Carried – 230615-13

2.2.10 HSC 15/25 SUPPLY AND DELIVERY OF ONE NEW MEDIUM TRUCK SINGLE AXLE TIPPER

Consideration of Report to Council from Fleet Manager dated 26 May 2015 regarding tenders received for HSC 15/25 Supply and Delivery of one new Medium Truck Single Axle Tipper.

Moved Councillor Carr
Seconded Councillor Molachino

That Council accept Westco Truck Sales offer for HSC 15/25 Supply and Delivery of one only new Medium Truck Single Axle Tipper with trade of Unit 261 for \$82,963.50.

Carried – 230615-14

2.2.11 HSC 15/26 SUPPLY AND DELIVERY OF TWO NEW DUAL CAB TIPPERS

Consideration of Report to Council from Fleet Manager dated 26 May 2015 regarding tenders received for HSC 15/26 Supply and Delivery of two new Dual Cab Tipper.

Moved Councillor Skinner
Seconded Councillor Molachino

That Council accept Westco Truck Sales offer for HSC 15/26 Supply and Delivery of two only new Dual Cab Tipper with trade of Units 38 and 385 for \$154,443.78.

Carried – 230615-15

2.2.12 THE UPGRADE OF SCUDERIS ROAD / NEAMES INLET ROAD INTERSECTION AT MACKNADE - ADDENDUM

Consideration of Report to Council from Infrastructure Engineer dated 10 June 2015 regarding options for the upgrade of Scuderis Road / Neames Inlet Road Intersection at Macknade.

Moved Councillor Lynch
Seconded Councillor Carr

That Council endorse Option 4 which includes a reduction in the regulated speed along Neames Inlet Road, minor intersection upgrade with some clearing of cane over an area of approximately 20m² of cane farm at an estimated construction cost of \$10,800 and include on the Forward Works Program.

Carried – 230615-16

2.2.13 DUNGENESS FISHING PLATFORM – AMENDED 10 JUNE 2015

Consideration of Report to Council from Executive Manager Engineering Services dated 10 June 2015 providing an update on the repairs carried out to the Dungeness Fishing Platform.

Moved Councillor Lynch
Seconded Councillor Molachino

That the Report be received and noted.

Carried – 230615-17

2.3 DEVELOPMENT AND PLANNING

2.3.1 ECONOMIC DEVELOPMENT AND PLANNING ACTIVITY REPORT

Consideration of monthly Economic Development and Planning Activity Report for May 2015.

Moved Councillor Molachino
Seconded Councillor Kaurila

That the Report be received and noted.

Carried – 230615-18

2.3.2 MONTHLY STATUS REPORT

Consideration of monthly Executive Manager Development and Planning Status Report for June 2015.

Moved Councillor Molachino
Seconded Councillor Kaurila

That the Report be received and noted.

Carried – 230615-19

2.3.3 RECONFIGURATION OF A LOT – SUBDIVISION OF TWO LOTS INTO THREE LOTS – LOTS 1 AND 2 ON RP726421, PARISH OF CORDELIA – HALIFAX ROAD, FORESTHOME

Consideration of Report to Council from Planning and Development Coordinator dated 10 June 2015 in relation to a request for reconfiguration of land approval over Lots 1 and 2 on RP726421, Parish of Cordelia. (066/0247)

Moved Councillor Kaurila
Seconded Councillor Molachino

That the matter lay on the table.

Carried – 230615-20

2.3.4 MATERIAL CHANGE OF USE – UNDEFINED USE (SHORT STAY RECREATIONAL VAN PARK) – LOT 2 ON I22468 - CORNER DAVIDSON STREET AND COOPER STREET, INGHAM

Consideration of Report to Council from Planning and Development Coordinator dated 6 June 2015 in relation to application for material change of use over Lot 2 on I22468. (058/0379)

Moved Councillor Molachino

Seconded Councillor Kaurila

That Council approve the proposed development of a Short Stay Recreational Van Park (Undefined Use) on Lot 2 on I22468, subject to the following proposed conditions:

1. Approved Plan(s)

Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), being the 'Layout Plan' prepared by The DM Group, referenced as SK-001 Rev P2 and dated 2 March 2015 and in accordance with:

- a. The specifications, facts and circumstances as set out in the application submitted to Council.

Except where otherwise directed by Conditions.

2. Amendment to Design

The proposed development must be amended to accommodate the following changes:

- a. The hardstand area shown on the plan is to be relocated to the northern section of Lot 2 (adjacent Lot 4 on I224103), with the entry/exit crossover into the site also relocated to the north.

Details of the above amendments must be endorsed by the Chief Executive Officer prior to the commencement of works and completed to the satisfaction of Council.

3. Timing of Effect

Conditions of the Development Permit must be satisfied prior to the commencement of use, except where specified otherwise in these conditions of approval.

4. Approved Use

Unless otherwise approved by the Chief Executive Officer, the site is approved for:

- a. Use for maximum of 50 self-contained recreational vehicles at any one time for the exclusive use of financial members of the Caravan and Motorhome Club of Australia (CMCA)
- b. A maximum length of stay of five nights within any 21 night period for each member
- c. Electricity usage is to be limited to the nominated site custodian.

Camping, or other means of accommodation are not permitted, unless otherwise approved by the Chief Executive Officer.

5. Hardstand Area

The proposed hardstand area is to be imperviously sealed, such that no material is carried from the subject site during more significant rainfall events. The hardstand area is also to be finished at the existing ground level and not built up, so as not to impact upon the existing flood volume storage of the land. Appropriate drainage measures must be employed to ensure that stormwater from the impervious area is directed to the lawful point of discharge and a 'no-worsening' scenario to neighbouring and downstream properties is maintained.

All works and drainage measures must be completed to the satisfaction of the Chief Executive Officer, prior to the commencement of use.

6. External Works

Undertake the following works external to the site at no cost to Council:

- a. Construct a concrete crossover and apron to the site from Davidson Street in accordance with IPWEA Standard Drawings and good engineering practice. The crossover should incorporate appropriate drainage culvert(s) such that the existing hydraulic capacity of the informal spoon drain within the Davidson Street road reserve is maintained
- b. Repair any damage to existing roadway (including removal of concrete slurry from roads and drainage lines) that may occur during and works carried out in association with the construction of the approved development.

All works are required to be completed to the satisfaction of the Chief Executive Officer, prior to the commencement of use.

7. Water and Sewer Works

Undertake the following water supply and sewerage works internal to the subject land:

- a. The dual bay dump point, as shown on Layout Plan SK-001 Rev P2 and dated 2 March 2015, is to be connected to the existing sewer manhole (M4-5) centrally located on the subject site. The dump point and the connection are to be designed and constructed to a suitable design in accordance with IPWEA Standard Drawings
- b. Provide a single internal water connection to the lot.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to commencement of use.

8. Damage to Infrastructure

In the event that any part of Council's existing sewer or water infrastructure is damaged as a result of construction activities occurring on the site, the applicant/owner must notify Council immediately of the affected infrastructure and have it repaired or replaced at the developer's cost.

9. Existing Drainage Systems

All existing creeks and drainage systems must be left in their current state, including no channel alterations and no removal of vegetation unless consented to in writing by the Chief Executive Officer.

10. Lawful Point of Discharge

All stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of the Chief Executive Officer.

11. Landscaping

A five metre wide landscape buffer must be provided along both:

- The full length of the common boundary to Lot 1 on I22479 (being the current Motel Ingham), being sited at least 1.5 metres from the common boundary to allow maintenance access
- The full length of the site frontage to Cooper Street.

The landscaping to be used must consist of 75 per cent of native and endemic species. Landscaping is to be of a height and composition such that it provides meaningful separation from the neighbouring property and effectively screens the site from existing residential properties on Cooper Street.

Plantings are to be established at ground level so as not to impact or impede stormwater flows across the site or the impact upon the existing flood volume storage.

All landscaping is to be established within 60 days of the commencement of use and is to be maintained at all times to the satisfaction of the Chief Executive Officer.

12. Fencing

Fencing on the site should be limited to 1.2 metres in height and must be of a form that:

- a. Does not impede stormwater flows across and external to the site
- b. Allows for passive visual surveillance of the site from Davidson Street and Townsville Road.

Details on the fencing and the nominated pedestrian gate to Townsville Road must be provided to Council to the satisfaction of the Chief Executive Officer, prior to the commencement of works.

13. Site Management Plan

The site must operate in accordance with the Draft 'RV Park Management Plan' prepared on 27 May 2015. The draft plan is to be amended to include:

- a. Further detail on the function of the custodial role and/or management of the park during the close season (or other times the park is vacant)
- b. Detail the specific instructions to future visitors that access to the site (from Davidson Street) must be via McIllwraith Street
- c. Site specific details for the provision of waste (private contractor arrangements if relevant)
- d. Specifying that camp fires are not permitted on the site
- e. Specifying that the use of low-decibel generators are permitted on the site.

The amended Management Plan is to be submitted to Council for endorsement by the Chief Executive Officer prior to the commencement of use. Upon endorsement, the park is to operate in accordance with the provisions of the management plan at all times, unless otherwise approved by the Chief Executive Officer.

14. Emergency Management Plan

The site must operate in accordance with the 'Emergency Management Plan' dated 27 May 2015, with the custodian and occupants to follow any instructions from Council or other relevant authorities regarding evacuation and resumption.

15. Generators (or Noise)

Noise from recreational vehicles, generators or other mechanical equipment, must not emanate from the subject land to a degree that would, in the opinion of the Chief Executive Officer, create an environmental nuisance having regard to the provisions of Chapter 8 Part 3B of the *Environmental Protection Act 1994*.

16. Signage

The applicant is to submit details on the proposed signage fronting Townsville Road to the satisfaction of the Chief Executive Officer, prior to the commencement of works.

Councillor MG Tack called for a division

Councillors R Bow, PD Lynch, WG Skinner, LR Molachino, DG Carr and SJ Kaurila voted for the motion

Councillor MG Tack voted against the motion

Carried – 230615-21

The meeting adjourned for morning tea at 10.17 am and Media and Communications Officer, K Spano left the meeting

The meeting resumed at 10.30 am

2.3.5 SITING RELAXATION APPLICATION FOR KENNETH JOHN MACKAY – LOT 117 A7743, PARISH OF CORDELIA – 30 WILLOW STREET, ALLINGHAM

Consideration of Report to Council from Planning and Development Coordinator dated 8 June 2015 in relation to a siting relaxation application for the construction of a new garage at 30 Willow Street, Allingham. (061/0004)

Moved Councillor Kaurila
Seconded Councillor Molachino

That Council approve the siting relaxation application for the new garage on Lot 117 on A7743, described as 30 Willow Street, Allingham, on the grounds that the proposed location of the new structure will not significantly impact upon the existing amenity enjoyed by the neighbouring property or be of visual detriment to the existing streetscape, subject to the following conditions:

1. Carry out the approved development generally in accordance with the approved plans, and in accordance with:-
 - a) The specifications, facts and circumstances as set out in the application submitted to Council
 - b) The following conditions of approval and the requirements of Council's Planning Scheme.

Except where modified by these conditions of approval.

Use

2. The use of the garage shall be for purposes ancillary to the residential use of land.

Lawful Point of Discharge

3. All stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of the Chief Executive Officer.

Finish

4. The exterior colour and materials of any proposed structures must be of a non-reflective. Details of the proposed building materials and colour scheme for the exterior walls, features and roof, including any changes to the building materials and colour scheme must receive prior approvals from the Chief Executive Officer.

Landscaping Works

5. The applicant is to establish landscaping in the 750mm setback area between the garage and the side boundary. The landscaping should be of a minimum height of 3 metres should effectively screen and soften the side wall of the structure. All landscaping is to be established within thirty (30) days of the completion of the garage and is to be maintained at all times to the satisfaction of the Chief Executive Officer.

Carried – 230615-22

2.3.6 INFRASTRUCTURE CHARGES LEVY – 1 JULY 2015 TO 30 JUNE 2016 – CONTINUATION OF ADOPTED INFRASTRUCTURE CHARGES POLICY UNDER NEW LOCAL GOVERNMENT INFRASTRUCTURE PLAN (LGIP)

Consideration of Report to Council from Planning and Development Coordinator dated 9 June 2015 regarding the adoption of minor changes to existing adopted infrastructure charges resolution 2013 to allow Council to continue to levy contributions from new development. (058/0001)

Moved Councillor Carr
Seconded Councillor Skinner

That Council resolve to:

- a) Continue to levy infrastructure charges and impose conditions for trunk infrastructure for the period of 1 July 2015 to 30 June 2016
- b) Update the existing Adopted Infrastructure Charges Resolution 2013 (as contained within the Hinchinbrook Shire Planning Scheme 2005) in accordance with State requirements, specifically the adoption of the default conversion criteria (4.2.2) with the Statutory Guideline 03/14 dated 12 June 2014.

That Council note that the existing Priority Infrastructure Plan and Adopted Infrastructure Charges Policy are required to be replaced by a new Local Government Infrastructure Plan and new Charges Policy within the next financial year. Carried – 230615-23

2.3.7 COUNCILLOR OPPORTUNITIES – ATTENDANCE AT DEVELOPING NORTHERN AUSTRALIA CONFERENCE

Consideration of Report to Council from Executive Manager Development and Planning dated 2 June 2015 regarding Councillor attendance at the Developing Northern Australia Conference to be held in Townsville from 20 to 23 July 2015. (004/0004)

Moved Councillor Kaurila
Seconded Councillor Skinner

That the Mayor, Councillor Tack and Councillor Carr attend the Developing Northern Australia Conference to be held in Townsville from 20 to 23 July 2015. Carried – 230615-24

Senior Economic Development and Tourism Officer, B Christie-Johnston and Planning and Development Coordinator, L Doutre left the meeting at 10.40 am

2.4 ENVIRONMENT AND COMMUNITY SERVICES

2.4.1 ENVIRONMENT AND COMMUNITY SERVICES ACTIVITY REPORT

Consideration of monthly Environment and Community Services Activity Report for May 2015.

Moved Councillor Lynch
Seconded Councillor Molachino

That the Report be received and noted. Carried – 230615-25

2.4.2 MONTHLY STATUS REPORT

Consideration of monthly Executive Manager Environment and Community Services Status Report for June 2015.

Moved Councillor Kaurila
Seconded Councillor Lynch

That the Report be received and noted. Carried – 230615-26

2.4.3 REQUEST FOR MEMORIAL BENCH SEAT – MR ALEXANDER (LEX) FRASER

Consideration of Report to Council from Works Supervisor Parks and Gardens dated 26 May 2015 regarding request received for a memorial bench seat to be placed at Forrest Beach for the late Alexander (Lex) Fraser).

Moved Councillor Kaurila
Seconded Councillor Skinner

That Council approve the request based on the following conditions:

1. All costs associated with the purchase and placement is met by the requesting parties
2. Council is engaged to procure a standard recycled plastic bench seat
3. Council is engaged to assemble and erect the seat and affix a plaque supplied by the requesting parties
4. Council officers to meet with Roslyn Warren to select a suitable location.

Carried – 230615-27

Councillor DG Carr declared a Real Conflict of Interest in Item 2.4.4 (as defined in Section 173 of the Local Government Act 2009) as his wife is the artist involved in the project and she is a member of the Mercer Lane Mosaic Committee and excluded himself from the meeting while the matter was debated and the vote taken.

Councillor PD Lynch declared a Real Conflict of Interest in Item 2.4.4 (as defined in Section 173 of the Local Government Act 2009) as his wife is employed by House of Harvey and excluded himself from the meeting while the vote was taken.

2.4.4 MERCER LANE MOSAIC CHANGE OF CIRCUMSTANCES

Consideration of Report to Council from Executive Manager Environment and Community Services dated 4 June 2015 regarding request received from Karen Venables concerning installation of commemorative ceramic tiles on the posts supporting the Mercer Lane awning.

Moved Councillor Skinner
Seconded Councillor Molachino

That Council approve the request from the Mercer Lane Mosaic Committee to install commemorative ceramic tiles on the posts supporting the Mercer Lane awning, subject to abiding by the following conditions:

1. No tiles will be installed on the two posts adjacent to the House of Harvey display window in Mercer Lane
2. Content on the commemorative tiles is to be suitable for public display in so far as it will not cause offence to the general community
3. Up to four tiles may be placed above the post collar and up to four tiles placed below the post collar
4. Methods of affixing the tiles to the poles are to be determined in consultation with and agreed to by Council's nominated officer
5. The two posts on the curb edge (closest to Lannercost Street) will not be made available to feature commemorative tiles. Carried – 230615-28

Councillor DG Carr and Councillor PD Lynch returned to the meeting.

2.4.5 REVIEW OF DELEGATIONS – COUNCIL TO CHIEF EXECUTIVE OFFICER

Consideration of Report to Council from Environmental Health Technical Officer dated 4 June 2015 regarding review of Council's Register of Delegations.

Moved Councillor Kaurila
Seconded Councillor Skinner

That all powers referred to in Schedule 1 titled "Register of Delegations – Council to Chief Executive Officer - Version No. 2015.01" as presented are hereby delegated by Council to the Chief Executive Officer of Council pursuant to section 257 of the *Local Government Act 2009*. Carried – 230615-29

2.5 GOVERNANCE

2.5.1 OFFICE OF THE CEO ACTIVITY REPORT

Consideration of monthly Corporate Governance Activity Report for May 2015.

Moved Councillor Lynch
Seconded Councillor Molachino

That the Report be received and noted. Carried – 230615-30

2.5.2 MONTHLY STATUS REPORT

Consideration of monthly Chief Executive Officer Status Report for June 2015.

Moved *Councillor Kaurila*
Seconded *Councillor Carr*

That the Report be received and noted.

Carried – 230615-31

2.5.3 OPERATIONAL PLAN 2015 / 2016

Consideration of Report to Council from Chief Executive Officer dated 9 June 2015 regarding adoption of the 2015 / 2016 Operational Plan.

Moved *Councillor Tack*
Seconded *Councillor Skinner*

That Council adopt the Operational Plan 2015 / 2016 as presented.

Carried – 230615-32

2.5.4 COUNCILLOR ACTIVITY REPORT

Consideration of Councillor Activity Reports as at 31 May 2015 to ensure transparency and public scrutiny of Councillor workload.

Moved *Councillor Lynch*
Seconded *Councillor Molachino*

That the Report be received and noted.

Carried – 230615-33

CONFIDENTIAL ITEMS

2.6 ENGINEERING

Moved *Councillor Carr*
Seconded *Councillor Kaurila*

That pursuant to Division 3 Section 275 (1) (f) of the *Local Government Regulation 2012*, Council resolve to go into Closed Meeting to discuss Item 2.6.1 as it is starting or defending legal proceedings involving the local government. *Carried*

Discussions took place in Closed Session on the above referred to item.

Moved *Councillor Tack*
Seconded *Councillor Molachino*

That Council return to Open Meeting.

Carried

2.6.1 BLACKBIRD CIVIL CLAIM FOR TENDERING COSTS

Consideration of Report to Council from Infrastructure Engineer dated 9 June 2015 regarding claim for tendering costs received from Blackbird Civil following the award of Contract HSC 15/08 to Timrith Transport in April 2015.

Moved *Councillor Molachino*
Seconded *Councillor Kaurila*

That Council reject the claim submitted by Blackbird Civil Pty Ltd for reimbursement of tendering expenses related to the Tender HSC 15/08 Restoration of Infrastructure Asset as advised by Solicitors McCullough Robertson Lawyers in their written advice dated 5 June 2015. Carried – 230615-34

2.7 ENVIRONMENT AND COMMUNITY SERVICES

Moved Councillor Molachino
Seconded Councillor Carr

That pursuant to Division 3 Section 275 (1) (h) of the *Local Government Regulation 2012*, Council resolve to go into Closed Meeting to discuss Item 2.7.1 as it is other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage. *Carried*

Discussions took place in Closed Session on the above referred to item.

Moved Councillor Molachino
Seconded Councillor Carr

That Council return to Open Meeting. *Carried*

2.7.1 INFORMATION TECHNOLOGY NORTH QUEENSLAND (ITNO) – INGHAM AND FORREST BEACH WATER TOWERS

Consideration of Report to Council from Community Services Officer dated 11 June 2015 regarding application from Information Technology North Queensland (ITNO) for approval to install internet infrastructure on Ingham Water Tower and renewal of licence agreement for Forrest Beach Water Tower infrastructure installation.

Moved Councillor Kaurila
Seconded Councillor Lynch

That Council grant 'in principle' approval for the installation of internet infrastructure on the Ingham Water Tower and the issue of a Licence Agreement for both the Ingham and Forrest Beach Water Towers upon the provision by ITNQ of:

- certified plans of the proposed infrastructure for installation
- written agreement from owner of existing infrastructure, should such infrastructure be repurposed for the installation of ITNQ equipment

and upon the following conditions being met:

- that Council is satisfied the issue of interference to existing and proposed infrastructure is adequately addressed at installation and during all times of operation
- that Council is satisfied that ITNQ has sufficient insurance coverage for this activity
- that ITNQ address the requirement of being an identified legal entity in order to be able to be issued a Licence Agreement
- that the negotiation of Licence Agreement terms is carried out in due course and results in a mutually acceptable agreement.

Carried – 230615-35

3. CONCLUSION – This concluded the business of the meeting which closed at 11.25 am

APPROVED and adopted on 28 July 2015

MAYOR