



MINUTES OF THE GENERAL MEETING OF THE HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS
INGHAM ON TUESDAY
28 JANUARY 2014
AT 9.00 AM

- ATTENDANCE
- Present were Councillors R Bow, PD Lynch, MG Tack, LR Molachino, DG Carr and WG Skinner
 - Also present was the Chief Executive Officer (LE Mash), Acting Executive Manager Engineering Services (C Gray), Executive Manager Environment and Community Services (TV Tanase), Executive Manager Development and Planning (RF Pennisi), Executive Manager Corporate Services (D Tombs) and Executive Assistant (BK Edwards)
- APOLOGY
- An apology for non-attendance was received from Councillor SJ Kaurila and it was resolved that leave of absence be granted until 15 February 2014.
- Lynch and Molachino
- PRAYER
- Councillor Skinner opened the meeting with prayer

Water and Sewerage Manager P Martin, Accountant F Robertson and Corporate Communications and Media Officer K Spano were present when the meeting commenced

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

Resolved that the Minutes of the General Meeting held on 10 December 2013 and Special Meeting held on 18 December 2013 be approved as a correct record of proceedings and be signed by the Mayor.

Carried

Mayor Bow adjourned the General Meeting until 1.00 pm for the purpose of convening a Local Disaster Management Group (LDMG) Meeting at 9.30 am due to the developing weather system in the Coral Sea.

Deputy Mayor, Councillor PD Lynch resumed the meeting at 1.00 pm as the Mayor was not in attendance and the Deputy Mayor tendered the Mayor's apologies.

Water and Sewerage Manager P Martin, Town Planning and Development Officer B Christie-Johnston and Corporate Communications and Media Officer K Spano were present when the meeting resumed.

2. BUSINESS

2.1 DEVELOPMENT AND PLANNING

2.1.1 ECONOMIC DEVELOPMENT AND PLANNING ACTIVITY REPORT

Consideration of monthly Economic Development and Planning Activity Report for December 2013.

Moved Councillor Molachino
Seconded Councillor Tack

That the Report be received and noted.

Carried – 280114-01

2.1.2 MONTHLY STATUS REPORT

Consideration of monthly Executive Manager Development and Planning Status Report for January 2014.

Moved Councillor Skinner
Seconded Councillor Carr

That the Report be received and noted.

Carried – 280114-02

2.1.3 INGHAM FAMILY MEDICAL PRACTICE

Seeking a change to existing development approval for Material Change of Use - Inclusion of Pharmaceutical Dispensary within existing Medical Centre over Lot 20 on RP703690 dated 17 December 2013 at 22 Heard Street Ingham. (058/0241)

Consideration of Report to Council from Town Planning and Development Officer dated 21 January 2014.

Moved Councillor Carr
Seconded Councillor Molachino

That Council approve the request to change the existing development approvals to facilitate the commencement of a pharmaceutical dispensary within the existing medical centre, subject to the following conditions:-

Conditions of Development	Time at which compliance with condition is required
The conditions of development for this development permit are as follows:	
General The development of the site is to be generally in accordance with the following plans that are to be the approved Plans of Development, except as altered by any other condition of this approval: (i) Drawing: Version 1.0 – Proposed Change to Existing Approval, Pharmaceutical Dispensary, Lot 20 on RP703690, 22 Heard Street Ingham dated 12 December 2013.	At all times

Carried – 280114-03

2.1.4 LCD PROPERTIES PTY LTD

Seeking a Development Permit for Material Change of Use – Shop over part of Lot 1 on RP735965 and Lot 1 on RP712748 dated 29 November 2013 at 79-85 Herbert Street Ingham. (058/0371)

Consideration of Report to Council from Town Planning and Development Officer dated 21 January 2014.

Moved Councillor Skinner
Seconded Councillor Molachino

That the Development Permit of LCD Properties Pty Ltd for Material Change of Use – Shop over part of Lot 1 on RP735965 and Lot 1 on RP712748 be approved in full subject to the following conditions:-

Conditions of Development The conditions of development for this development permit are as follows:	Time at which compliance with condition is required
(a) The development of the site is to be generally in accordance with the following plans that are to be the approved Plans of Development, except as altered by any other condition of this approval: (i) Proposal Plan – Prepared by Brazier Motti, Plan No: 29908/001 B, dated 6 December 2013.	At all times
(b) All stormwater is to be directed to either kerb and channel; or underground systems, as applicable; or otherwise legal point of discharge, as approved by Council.	At all times
(c) The vertical illumination resulting from direct, reflected or incidental light coming from the site must not exceed 8 lux when measured at any point 1.5m outside of the boundary at any level from ground level up.	Prior to the use commencing
(d) Provision of sealed car parking spaces as per Schedule 4 of the Hinchinbrook Shire Planning Scheme (1 space per 20m ² of retail floor space) and adequate access and manoeuvring space, incorporating kerbing and access to Council's standards.	Prior to the use commencing

Carried – 280114-04

2.1.5 MATT KANGAS

Seeking a Development Permit for Reconfiguring a Lot – Rearrangement of Boundaries over Lot 1 on CWL1369 and Lot 2 on CWL2102 dated 19 December 2013 at Abergowrie Road Abergowrie. (071/0018)

Consideration of Report to Council from Town Planning and Development Officer dated 21 January 2014.

Moved Councillor Tack
Seconded Councillor Molachino

That the Development Permit of Matt Kangas for Reconfiguring a Lot – Rearrangement of boundaries over Lot 1 on CWL1369 and Lot 2 on CWL2102 be approved in full subject to the following conditions:-

Conditions of Development The conditions of development for this development permit are as follows:	Time at which compliance with condition is required
(a) The reconfiguration of the land is to be generally in accordance with the following plans that are to be the approved Plans of Development, except as altered by any other condition of this approval: (i) Proposed Lots 1 and 2, cancelling Lot 1 on CWL1369 and Lot 2 on CWL2102 Abergowrie Road Abergowrie Owners: Hannu Tapio Kangas and Matti Arvi Johan Kangas Dwg T0084701 prepared by Lester Franks dated 30 October 2013.	At all times
(b) The Applicant must provide property access to both lots to Hinchinbrook Shire Council Standards or demonstrating that such is already in existence.	Prior to Council releasing the survey plan.
(c) The Applicant must demonstrate that all utility services to the proposed new lots are separate and located wholly within the particular lot being served.	Prior to Council releasing the survey plan.

Carried – 280114-05

2.1.6 GLENN MOUNSER

Seeking a change to existing approval for Reconfiguring a Lot - Subdivision of Land: one (1) lot into two (2) lots - amendment of lot sizes over Lot 38 on I2247 dated 6 January 2014 at 9 McIlwraith Street, Ingham. (065/0153)

Consideration of Report to Council from Town Planning and Development Officer dated 16 January 2014.

Moved Councillor Molachino
Seconded Councillor Skinner

That Council approve the request to change the development approval for Reconfiguration of Land - Subdivision of one (1) lot into two (2) lots with no change to the conditions of approval attached to the Decision Notice dated 24 September 2013. Carried – 280114-06

2.1.7 JAI PETER POPPI

Seeking a change to existing approval for Reconfiguring a Lot - Subdivision of Land: one (1) lot into two (2) lots - amendment of lot sizes over Lot 2 on RP733090 dated 6 December 2013 at Forrest Beach Road Allingham. (066/0237)

Consideration of Report to Council from Town Planning and Development Officer dated 20 January 2014.

Moved Councillor Molachino
Seconded Councillor Carr

That Council approve the request to change the development approval for Reconfiguration of Land: Subdivision of one (1) lot into two (2) lots subject to the following conditions:-

Conditions of Development	Time at which compliance with condition is required
The conditions of development for this development permit are as follows:	
General (a) The development of the site is to be generally in accordance with the following plans that are to be the approved Plans of Development, except as altered by any other condition of this approval: (i) Plan Amendment to Development Approval (066/0237) dated 7 November 2013 received with Request to Change or Extend an Existing Approval.	At all times
Site Access (b) The applicant must construct property accesses to all lots in accordance with Hinchinbrook Shire Council standards or demonstrate such is already in existence.	Prior to Council releasing the survey plan.
Utility services (c) The Applicant must demonstrate that all utility services to the lots are separate and located wholly within the particular lot being served.	Prior to Council releasing the survey plan.

Carried – 280114-07

2.1.8 DEPARTMENT OF NATURAL RESOURCES AND MINES – APPLICATION FOR SURRENDER OF STATE LAND ON LOT 131 ON CWL337

Consideration of Report to Council from Town Planning and Development Officer dated 17 January 2014. 2013 regarding a request from the Department seeking Council's views and / or requirements in relation to an application for Surrender of State Land on Lot 131 on CWL337 and potential sale of land to adjoining land owners.

Moved Councillor Tack
Seconded Councillor Molachino

That Council advise the Department of Natural Resources and Mines that it has neither objection nor any requirements in relation to the application to Surrender Lot 131 on CWL377. Carried – 280114-08

2.1.9 DEPARTMENT OF NATURAL RESOURCES AND MINES – APPLICATION FOR PURCHASE OF STATE LAND ON LOT 4 ON AP2824

Consideration of Report to Council from Town Planning and Development Officer dated 17 January 2014 regarding a request from the Department seeking Council's views and / or requirements in relation to an application for purchase of State Land on Lot 4 on AP2824 and the most appropriate tenure for Lots 2, 3 and 40 on AP2824.

Moved Councillor Carr
Seconded Councillor Skinner

That Council advise the Department of Natural Resources and Mines that it has neither objection nor any requirements in relation to the application to purchase State Land on Lot 4 on AP2824 or any proposed change of tenure of Lots 2, 3 and 40 on AP2824.

Carried – 280114-09

Town Planning and Development Officer B Christie-Johnstone left the meeting at 1.16 pm

2.1.10 SPONSORSHIP 2014 HERBERT RIVER RUGBY LEAGUE INC – PRE-SEASON TRIAL AND “MATT BOWEN SEVENS”

Consideration of Report to Council from Town Planning and Development Officer dated 17 January 2014 regarding a request from Executive Manager Development and Planning regarding Herbert River Rugby League Inc.'s request for Council support to hold pre-season trial games for 2014 and the final of the “Matty Bowen Sevens” at the Ingham Showgrounds on Saturday 15 February 2014.

Moved Councillor Molachino
Seconded Councillor Tack

That Council support the upcoming pre-season trials and “Matty Bowen Sevens” by providing inkind support to the Herbert River Rugby League Inc in the sum of \$200 (excl GST) and that the Club pay for the additional services and hire of the facility. LOST

Moved Councillor Molachino
Seconded Councillor Tack

That Council support the upcoming pre-season trials and “Matty Bowen Sevens” by providing financial support to the Herbert River Rugby League Inc in the sum of \$400 (excl. GST) towards the hire of the Ingham Showgrounds. Carried – 280114-10

2.1.11 NORTH QUEENSLAND SPORTSTAR AWARDS

Consideration of Report to Council from Sports and Recreation Officer dated 21 January 2014 regarding Council's nominations for the North Queensland Sportstar of the Year Awards to be held in Charters Towers on Saturday 1 March 2014.

Moved Councillor Carr
Seconded Councillor Tack

That Council delegate Mayor Rodger Bow, Councillor Lawrence Molachino and Sports and Recreation Officer Rebecca Love to decide on the nominations for the Sportstar Awards.

Carried – 280114-11

2.2 CORPORATE SERVICES

2.2.1 FINANCE SERVICES ACTIVITY REPORT

Consideration of monthly Finance Services Activity Report for December 2013.

Accountant F Robertson entered the meeting at 1.34 pm

Moved Councillor Molachino
Seconded Councillor Tack

That the Report be received and noted. Carried – 280114-12

2.2.2 MONTHLY STATUS REPORT

Consideration of monthly Executive Manager Corporate Services Status Report for January 2014.

Moved Councillor Skinner
Seconded Councillor Tack

That the Report be received and noted. Carried – 280114-13

2.2.3 FINANCIALS

Consideration was given to a report of financial activities as at 31 December 2013.

Acting Infrastructure Engineer M Wilkinson entered the meeting at 1.35 pm

Moved Councillor Tack
Seconded Councillor Molachino

That the Report be received and noted. Carried – 280114-14

Accountant F Robertson left the meeting at 1.36 pm

2.3 ENGINEERING

2.3.1 ENGINEERING SERVICES ACTIVITY REPORT

Consideration of monthly Engineering Services Activity Report for December 2013.

Moved Councillor Carr
Seconded Councillor Skinner

That the Report be received and noted. Carried – 280114-15

2.3.2 MONTHLY STATUS REPORT

Consideration of monthly Executive Manager Engineering Services Status Report for January 2014.

Moved Councillor Skinner
Seconded Councillor Molachino

That the Report be received and noted. Carried – 280114-16

2.3.3 WATER AND SEWERAGE WORKS PROGRAM REPORT

Consideration was given to a report of water and sewerage operations for the month of December 2013.

Moved Councillor Skinner
Seconded Councillor Carr

That the Water and Sewerage Works Program Report be received and noted. Carried – 280114-17

2.3.4 WORKS PROGRAM REPORT

Consideration was given to a report of civil operations for the month of December 2013.

Moved *Councillor Carr*
Seconded *Councillor Skinner*

That the Works Report be received and noted.

Carried – 280114-18

2.3.5 AECOM NDRRA REPORT

Consideration of Aecom's NDRRA General Progress Report as at 31 December 2013.

Moved *Councillor Skinner*
Seconded *Councillor Tack*

That the Report be received and noted.

Carried – 280114-19

2.3.6 NDRRA INFRASTRUCTURE RESTORATION PROGRAM - HSC 13/02 - YELDHAM AND VON ALPIN STREETS – PAVEMENT REHABILITATION

Consideration of Report to Council from Acting Executive Manager Engineering Services dated 8 January 2014 regarding tenders received for HSC 13/02 – Yeldham and Von Alpin Streets – Pavement Reconstruction.

Moved *Councillor Carr*
Seconded *Councillor Skinner*

That Council award the contract HSC 13/02 - Yeldham and Von Alpin Streets – Pavement Rehabilitation to Keita Services for the tender sum of \$307,246.35 (excl. GST) which includes \$175,720.76 (excl. GST) [previously resolved] plus \$131,525.59 (excl. GST) for the complementary works component on Von Alpin Street and NDRRA works on Von Alpin Street.

Carried – 280114-20

2.3.7 NDRRA INFRASTRUCTURE RESTORATION PROGRAM - HSC 13/44 – NDRRA PAVEMENT MT FOX ROAD – MICHAEL CREEK CAUSEWAY REHABILITATION

Consideration of Report to Council from Acting Executive Manager Engineering Services dated 7 January 2014 regarding tenders received for HSC 13/44 – NDRRA Pavement Mt Fox Road – Michael Creek Causeway Rehabilitation.

Moved *Councillor Carr*
Seconded *Councillor Molachino*

That Council award the Contract HSC 13/44 Michael Creek Causeway Rehabilitation (Alternative 1 - Betterment Option) to John Andrews Grader Hire (JAGH) for a tender price of \$511,676.60 for works approved by the Queensland Reconstruction Authority (QldRA) inclusive of a "Betterment" component.

Furthermore, the resolution is subject to the Tenderer being prepared to commit to an agreement stating that the current Award price will remain fixed to the completion of works. Council will only award the contract if the superintendent can verify that the tender submission is complete in regard to items, quantities and extensions. Carried – 280114-21

2.3.8 NDRRA INFRASTRUCTURE RESTORATION PROGRAM - HSC 13/46 – NDRRA – REHABILITATION OF MULTIPLE ROADS AND STREETS

Consideration of Report to Council from Acting Executive Manager Engineering Services dated 8 January 2014 regarding tenders received for HSC 13/46 – NDRRA – Rehabilitation of Multiple Roads and Streets.

Moved *Councillor Molachino*
Seconded *Councillor Tack*

That Council award the Contract HSC 13/46 – Rehabilitation of Multiple Roads and Streets to John Andrews Grader Hire (JAGH) for the tender sum of \$188,025.30 (excl. GST).

Carried – 280114-22

2.3.9 NDRRA INFRASTRUCTURE RESTORATION PROGRAM - HSC 13/47 – OFFER TO UNDERTAKE REGULATORY PAVEMENT MARKING HSC ROAD NETWORK

Consideration of Report to Council from Works Engineer dated 17 January 2014 regarding tenders received for HSC 13/47 – Offer to Undertake Regulatory Pavement Marking HSC Road Network.

Moved Councillor Skinner
Seconded Councillor Molachino

That Council accept submitted rates for HSC 13/47 – Offer to undertake Regulatory Pavement Marking HSC Road Network from Allstate Linemarking Services Pty Ltd.

Carried – 280114-23

2.3.10 TENDER - HSC 13/51 – PROVISION OF STREET SWEEPING SERVICES FOR HINCHINBROOK SHIRE COUNCIL

Consideration of Report to Council from Works Engineer dated 15 January 2014 regarding tenders received for HSC 13/51 – Provision of Street Sweeping Services for Hinchinbrook Shire Council.

Moved Councillor Carr
Seconded Councillor Skinner

That Council accept submitted rates for HSC 13/51 – Provision of Street Sweeping Services for Hinchinbrook Shire Council from Specialised Pavement Services Pty Ltd.

Carried – 280114-24

2.3.11 NDRRA INFRASTRUCTURE RESTORATION PROGRAM - HSC 13/53 – GEOTECHNICAL SERVICES

Consideration of Report to Council from Acting Infrastructure Engineer dated 20 January 2014 regarding tenders received for HSC 13/53 – Geotechnical Services.

Moved Councillor Carr
Seconded Councillor Skinner

That Council award the Contract HSC 13/53 Geotechnical Services to Coffey for the tender sum of \$57,900 per month (excl GST) for 10 months.

Carried – 280114-25

Councillor LR Molachino declared a real Material Personal Interest in Item 2.312 (as defined in section 173 of the Local Government Act 2009) and excluded himself from the meeting while the matter was debated and the vote taken.

2.3.12 PROPOSED PERMANENT ROAD CLOSURE BEING LOT 10 ON SP255354, LOT 11 ON SP255354 AND LOT 4 ON SP136981 (TEMPORARY CLOSED ROADS) – PARISH OF TREBONNE (HELEN'S HILL)

Consideration of Report to Council from Acting Infrastructure Engineer dated 20 January 2014 regarding Department of Natural Resources and Mines request for Council's views in relation to the permanent road closure of a total area of about 1.89ha being parts of the Bruce Highway adjoining Lots 10 on SP255354, Lot 11 on SP255354 and Lot 4 on SP136981 which is currently subject to a Temporary Closure being planted to cane (shown on Drawing TSV2013-59).

Moved Councillor Tack
Seconded Councillor Carr

That Council reject the application for permanent road closure and maintain the current temporary road closure.

Carried – 280114-26

Councillor LR Molachino returned to the meeting.

2.3.13 APPLICATION FOR TEMPORARY ROAD CLOSURE – ABERGOWRIE ROAD

Consideration of Report to Council from Acting Infrastructure Engineer dated 20 January 2014 regarding Department of Natural Resources and Mines request for Council's views in relation to the temporary road closure of part of Abergowrie Road adjoining Lot 1 on RL2950 (shown as Lot A on drawing TSV2013-58) for proposed cane planting.

Moved Councillor Carr
Seconded Councillor Tack

That Council advise it has no objection to the proposed temporary road closure.

Carried – 280114-27

2.3.14 UNAUTHORISED CONSTRUCTION AND HABITATION OF STORAGE SHEDS

Consideration of Report to Council from Acting Infrastructure Engineer dated 20 January 2014 regarding Council's proposed course of action to address the issue of habitation of non-habitable buildings within the Shire.

Moved Councillor Carr
Seconded Councillor Tack

That the matter lay on the table.

Carried – 280114-28

2.3.15 SITING RELAXATION APPLICATION FEE AMENDMENT

Consideration of Report to Council from Acting Executive Manager Engineering Services dated 14 January 2014 regarding increasing the Residential Siting Relaxation Application fee by \$1.00 from \$149.00 to \$150.00 to match the Building Works Assessable Against the Planning Act (BWAP) application fee.

Moved Councillor Molachino
Seconded Councillor Skinner

That the Residential Siting Relaxation Application fee of \$149.00 be increased to \$150.00 in the 2013 / 2014 Fees and Charges to match the Building Works Assessable Against the Planning Act (BWAP) Application fee.

Carried – 280114-29

2.3.16 SITING RELAXATION APPLICATION – 47 SIR ARTHUR FADDEN PARADE INGHAM – LOT 57 ON RP727375

Consideration of Report to Council from Technical Officer dated 20 January 2014 in relation to a Siting Relaxation Application lodged by Mr Paul Dezolt for a proposed open carport at his property at 47 Sir Arthur Fadden Parade Ingham (Lot 57 on RP727375).

Moved Councillor Molachino
Seconded Councillor Tack

That the Siting Relaxation Application of Mr Paul Dezolt be approved on the grounds that the proposed carport is unlikely to impact on the outlook and view of neighbouring residents and is unlikely to be a nuisance and safety issue to the public, subject to the following condition:-

- a. The structure is built in accordance with the plans submitted with the Siting Relaxation Application received by Council on 17 January 2014.

Carried – 280114-30

2.3.17 SITING RELAXATION APPLICATION – 3 FRASER STREET INGHAM – LOT 2 ON RP715466

Consideration of Report to Council from Technical Officer dated 16 January 2014 in relation to a Siting Relaxation Application lodged by Mr Leonard Smith for a proposed dwelling at 3 Fraser Street Ingham (Lot 2 on RP715466).

Moved Councillor Molachino
Seconded Councillor Skinner

That the Siting Relaxation Application of Mr Leonard Smith be approved on the grounds that the applicant has best positioned the dwelling to avoid building over Council's sewer main and that the proposed dwelling is unlikely to impact on the outlook and view of neighbouring residents or be a nuisance and safety issue to the public, subject to the following condition:-

- a. The structure is built in accordance with the plans submitted with the Siting Relaxation Application received by Council on 15 January 2014.

Carried – 280114-31

2.3.18 SITING RELAXATION APPLICATION – 27 BANKSIA STREET FORREST BEACH – LOT 21 ON RP738534

Consideration of Report to Council from Technical Officer dated 9 January 2014 in relation to a Siting Relaxation Application lodged by Mr Stephen Moore for a proposed open carport at 27 Banksia Street Allingham (Lot 21 on RP738534).

Moved Councillor Molachino
Seconded Councillor Carr

That the Siting Relaxation Application of Mr Stephen Moore be approved on the grounds that the proposed carport is unlikely to impact on the outlook and view of neighbouring residents and is unlikely to be a nuisance and safety issue to the public, subject to the following condition:-

- a. The structure is built in accordance with the plans submitted with the Siting Relaxation Application received by Council on 8 January 2014. Carried – 280114-32

2.3.19 SITING RELAXATION APPLICATION – 9 CHAMBERLAIN STREET INGHAM – LOT 35 ON RP709282

Consideration of Report to Council from Technical Officer dated 16 January 2014 in relation to a Siting Relaxation Application lodged by Mr Antonio Iafano for a proposed open carport at his property at 9 Chamberlain Street Ingham (Lot 35 on RP709282).

Moved Councillor Molachino
Seconded Councillor Skinner

That Council not approve the Siting Relaxation Application submitted by Mr Antonio Iafano for a proposed carport to the front of his property at 9 Chamberlain Street Ingham (Lot 35 on RP709282) on the grounds that the addition of an open carport would create the total length of buildings within the side boundary clearance to be more than 9m, which may adversely impact on the amenity and privacy of residents on the adjoining lot. Carried – 280114-33

The meeting adjourned at 2.19 pm and resumed at 2.28 pm

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 December 2013.

Moved Councillor Molachino
Seconded Councillor Skinner

That the Report be received and noted. Carried – 280114-34

2.4.2 MONTHLY STATUS REPORT

Consideration of monthly Executive Manager Environment and Community Services Status Report for January 2014.

Moved Councillor Skinner
Seconded Councillor Molachino

That the Report be received and noted. Carried – 280114-35

2.4.3 LIONS CLUB OF INGHAM INC LEASE OF PART OF LEO PARK – 35-39 SARTORISI STREET TREBONNE

Consideration of Report to Council from Community Services Officer dated 8 January 2014 regarding Lease of part of Leo Park (1,000m²) at 35-39 Sartorisi Street Trebonne being Lease A in Lot 6 on RP707512 to Lions Club of Ingham Inc. for ten (10) years with a ten (10) year option period commencing 1 January 2014 and rental figure of \$330.99 (incl GST) with annual CPI increases. (092/0182)

Moved Councillor Molachino
Seconded Councillor Skinner

That Council approve a ten (10) year lease with one option period of ten (10) years to Lions Club of Ingham Inc. with a total land area 1003m² for part of Leo Park at 35-39 Sartorisi Street Trebonne described as Lease A in Lot 6 on RP707512 commencing 1 January 2014 subject to the following terms:-

- Compliance with all clauses of the lease;
- Annual rental of \$330.99 (GST incl) per annum rental with annual CPI increase;
- Minimum Public Liability insurance of \$10,000,000;
- All expenses associated with registering the lease are paid by the Lions Club of Ingham Inc. Carried – 280114-36

2.4.4 LEASE OF TYTO CONFERENCE CENTRE – OFFICES 1B, 2 AND 3 TO FNQ NRM LTD T/A TERRAIN NRM IN LOT 801 ON SP225261 AT 73-75 McILWRAITH STREET INGHAM

Consideration of Report to Council from Community Services Officer dated 13 January 2014 regarding Lease of Offices 1B, 2 and 3 at TYTO Conference Centre in Lot 801 on SP225261 to FNQ NRM Ltd T/A Terrain NRM due to expire on 18 February 2014. (079/0192)

Moved Councillor Molachino
Seconded Councillor Carr

That Council approve a standard Tenancy Agreement to be drawn up between FNQ NRM Ltd T/A Terrain NRM over TYTO Conference Centre, Office 1B, 2 and 3 in Lot 801 on SP 225261 at 73–75 McIlwraith Street Ingham for a further term of two (2) years being 19 February 2014 to 18 February 2016 in the sum of \$1,145 per month inclusive of all outgoings plus GST for the term of the agreement and that FNQ NRM Ltd T/A Terrain NRM pay all costs associated with document preparation. Carried – 280114-37

2.4.5 GOLD CARD PERSONAL TRAINING GYM – DEAN POPPI

Consideration of Report to Council from Community Services Officer dated 10 January 2014 regarding request received from Gold Card Personal Training Gym – Accredited Trainer Dean Poppi in relation to a reduction in hire fees for a 6 month period for regular hire of the Ingham Showgrounds Pavilion mezzanine floor only, for boxing and fitness training. (041/0001)

Moved Councillor Skinner
Seconded Councillor Molachino

That Council approve the reduced fee of \$8.70 per hour based on the hire fee for the Ingham Showgrounds Pavilion shed hourly rate, for a period of six (6) months from booking commencement date for hire of Ingham Showgrounds Pavilion mezzanine floor for the purpose of boxing and fitness training for Gold Card Personal Training Gym – Accredited Trainer Dean Poppi.

That all cleaning of the mezzanine area will be the responsibility of the Gold Card Personal Training Gym and removal of equipment will be required for the Ingham Annual Show on the dates specified annually for that event. Carried – 280114-38

2.4.6 REQUEST FROM JOSEPH VANSCHERPENSEEL TO DECLARE "WET AREA" FOR PRIVATE WEDDING AT TYTO PRECINCT

Consideration of Report to Council from Community Services Officer dated 6 January 2014 regarding request for Council declaration of "wet area" for a private wedding at the TYTO Precinct on 9 August 2014 between the hours of 1.00pm and 12 midnight. (092/0171)

Moved Councillor Molachino
Seconded Councillor Skinner

That Council approve the declaration of 'wet area' for private VanScherpenseel wedding at TYTO Precinct 9 August 2014 between the hours of 1.00pm and 12midnight in the area specified on the attached plan described as public common area in between TYTO Conference Centre, Hinchinbrook Library, Gallery and Amphitheatre.

Subject to the provision of consent in writing from Mr Joseph VanScherpenseel accepting responsibility for the following:-

- All fees associated with the compulsory public notice and signage for the proposed event;
- Responsibility for containment of guests within the designated area;
- Adherence to terms and conditions for hire of the facility including leaving the area clean after use;
- Use of glass is prohibited in public areas. Carried – 280114-39

2.4.7 PEST SURVEY PROGRAM

Consideration of Report to Council from Executive Manager Environment and Community Services dated 13 January 2014 seeking Council approval for a Pest Survey Program allowing authorised officers to carry out pest surveys throughout the Hinchinbrook Shire.

Moved Councillor Skinner
Seconded Councillor Carr

That Council approve the Pest Survey Program to be conducted for the whole of the Hinchinbrook Local Government Area, valid for a period of three (3) months commencing on 29 January 2014.

Further that Council note the purpose of the Program is to survey and map areas for the control of Pond Apple, Hymenachne, Aleman Grass, Singapore Daisy, Giant Sensitive Plant, Mikania Vine, Siam Weed, Glush Weed and Acacia Curassavica. Carried – 280114-40

2.4.8 COMMERCIAL WASTE ACCEPTANCE CRITERIA FOR HALIFAX TRANSFER STATION

Consideration of Report to Council from Executive Manager Environment and Community Services dated 21 January 2014 regarding request received to investigate option of acceptance of commercial waste at the Halifax Transfer Station.

Moved Councillor Skinner
Seconded Councillor Molachino

That Council approve the acceptance of limited commercial waste at Halifax Transfer Station as a trial from 1 February 2014 until 30 June 2014.

Limited commercial waste is to be determined as general commercial waste only, in particular putrescible waste. Other commercial waste matter (eg green waste, inert waste, construction and demolition waste) will not be accepted.

That Council adopt the new fees of \$5.50 per 240L wheelie bin and \$38 per ute / trailer load in its Register of Fees and Charges. Carried – 280114-41

2.5 GOVERNANCE

2.5.1 OFFICE OF THE CEO ACTIVITY REPORT

Consideration of monthly Corporate Governance Activity Report for December 2013.

Moved Councillor Tack
Seconded Councillor Skinner

That the Report be received and noted. Carried – 280114-42

2.5.2 MONTHLY STATUS REPORT

Consideration of monthly Chief Executive Officer Status Report for January 2014.

Moved Councillor Molachino
Seconded Councillor Carr

That the Report be received and noted. Carried – 280114-43

2.5.3 COUNCILLOR ACTIVITY REPORT

Consideration of Councillor Activity Reports as at 31 December 2013 to ensure transparency and public scrutiny of Councillor workload.

Moved *Councillor Tack*
Seconded *Councillor Skinner*

That the Report be received and noted.

Carried – 280114-44

2.6 ENVIRONMENT AND COMMUNITY SERVICES

2.6.1 AUSTRALIAN FOSTERING SUSTAINABLE BEHAVIOUR WORKSHOP

Consideration of Report to Council from Executive Manager Environment and Community Services dated 23 January 2014 regarding Councillor attendance at the Australian Fostering Sustainable Behaviour Workshop to be held in Townsville on 24 and 25 February 2014.

Moved *Councillor Molachino*
Seconded *Councillor Carr*

That Council approve the attendance of Councillor Sherry Kaurila at the Australian Fostering Sustainable Behaviour Workshop in Townsville on 24 and 25 February 2014.

Carried – 280114-45

2.7 ENGINEERING

Moved *Councillor Tack*
Seconded *Councillor Molachino*

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 2.7.1 as it is a legal matter.

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

Moved *Councillor Skinner*
Seconded *Councillor Carr*

That Council return to Open Meeting.

2.7.1 PROPOSED RESUMPTION OF ENCROACHMENT – SERI'S ROAD

Consideration of Report to Council from Acting Executive Manager Engineering Services dated 19 January 2014 seeking Council's direction in relation to resumption of land adjacent to Seri's Road Stone River.

Moved *Councillor Molachino*
Seconded *Councillor Tack*

That Council accept a Counter Offer submitted by Giudes and Elliott Solicitors on behalf of their client for a total sum of \$5,000 to resolve the issue in full and allow transfer of the land area in question to the State as Road Reserve.

That acceptance of the offer will confirm that Council will not continue with the current action to compulsorily resume the parcel as previously resolved.

Carried – 280114-46

3. CONCLUSION – This concluded the business of the meeting which closed at 2.51 pm

APPROVED and adopted on 18 February 2014

MAYOR