



MINUTES OF THE GENERAL MEETING OF THE HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS
INGHAM ON WEDNESDAY
29 JANUARY 2013
AT 9.05 AM

- ATTENDANCE
- Present were Councillors R Bow, PD Lynch, DG Carr, WG Skinner, LR Molachino SJ Kaurila and MG Tack
 - Also present was the Chief Executive Officer (LE Mash), Manager Engineering Services (BE Leach), Manager Corporate and Economic Development (RF Pennisi), Manager Environmental Health Services (TV Tanase), Finance Manager (CJ Trost), Acting Infrastructure Engineer (C Gray) and Executive Secretary (BK Edwards)

- PRAYER
- Councillor R Bow opened the meeting with prayer

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

Resolved that the Minutes of the General Meeting held on 19 December 2012 be approved as a correct record of proceedings and be signed by the Mayor. *Carried*

2. BUSINESS

2.1 FINANCIALS

Consideration was given to a report of financial activities as at 31 December 2012.

Moved Councillor Molachino
Seconded Councillor Kaurila

That the Report be received and noted.

That Council's Revised 2012 / 2013 Budget as attached be adopted. *Carried - 290113-1*

Manager Engineering Services, BE Leach and Works Engineer, J Devietti entered the meeting at 9.30 am

2. WORKS REPORT

Consideration was given to a report of civil operations for the month of December 2012.

Moved Councillor Carr
Seconded Councillor Skinner

That the Works Report be received and noted.

Carried - 290113-2

Works Engineer, J Devietti left the meeting at 9.40 am

3. OPERATIONAL ACTION 1.0 - COMMUNITY

3.1 REENACTMENT FESTIVAL – PUB WITH NO BEER

Consideration of Report to Council from Manager Corporate and Economic Development dated 25 January 2013 regarding request for financial and inkind assistance to the Pub With No Beer Reenactment Festival to be held in Ingham on 20 April 2013.

Moved Councillor Kaurila
Seconded Councillor Lynch

That the matter lay on the table.

Carried - 290113-3

3.2 2012 NORTH QUEENSLAND ART AWARDS – 12 APRIL 2013

Consideration of Report to Council from Manager Corporate and Economic Development dated 14 January 2013 seeking Council's direction regarding a request from Townsville City Council to support the 2012 North Queensland Art Awards by way of identifying a local person to be a judge on the Award Assessment Panel and for Council to liaise with local artists and art groups to promote nominations for the awards.

Moved Councillor Molachino
Seconded Councillor Kaurila

That Council support the 2012 North Queensland Art Awards by way of identifying a local person to be a judge on the Award Assessment Panel and for Council to liaise with local artists and art groups to promote nominations for the Awards.

Carried - 290113-4

4. OPERATIONAL ACTION 2.0 - ECONOMY

4.1 HINCHINBROOK CHAMBER OF COMMERCE – ECONOMIC PUBLICATION

Consideration of Report to Council from Manager Corporate and Economic Development dated 23 January 2013 regarding Hinchinbrook Chamber of Commerce's invitation to Council to be a major advertiser and significant contributor of content in their economic publication for a planned release in early 2013.

Moved Councillor Tack
Seconded Councillor Skinner

That Council secure the two (2) middle pages for the sum of \$3,300 (incl GST) in the economic publication being developed by the Hinchinbrook Chamber of Commerce, Industry and Tourism Inc by way of a reallocation of funds from the provision made for area promotion.

Carried - 290113-5

4.2 APPLICATION FOR PERPETUAL LEASE FOR RECREATION (GUN CLUB) OVER LOT 88 ON CROWN PLAN CWL 3679 – PARISH OF TREBONNE

Consideration of Report to Council from Manager Corporate and Economic Development dated 4 January 2013 regarding request from the Department of Natural Resources and Mines for Council's views and / or requirements for granting of a perpetual lease over Lot 88 on Crown Plan CWL 3670 Parish of Trebonne, or the renewal of the special lease, to the Herbert River Gun Club Inc.

Moved Councillor Molachino
Seconded Councillor Lynch

That Council advise the Department that it offers no objection to the granting of a Perpetual Lease or the renewal of the Special Lease over Lot 88 on Crown Plan CWL3679.

Carried - 290113-6

4.3 SITING RELAXATION APPLICATION – 6 MCKENZIE STREET INGHAM

Consideration of Report to Council from Acting Manager Engineering Services dated 15 January 2013 in relation to a Siting Relaxation Application lodged by Mr Steve Barnett for a proposed open carport to be constructed 1.8m from the front boundary of his dwelling at 6 McKenzie Street Ingham (Lot 2 on RP721299).

Moved Councillor Carr
Seconded Councillor Kaurila

That the Siting Relaxation Application of Mr Steve Barnett be approved on the grounds that the proposed open carport is expected to facilitate acceptable streetscape and is unlikely to impact on the outlook and views of neighbouring residents, and subject to the following:-

- (a) The structure is to be built in accordance with the site plans submitted with the Siting Relaxation Application and received by Council on 17 December 2012.

Carried - 290113-7

Town Planning and Development Officer, B Christie-Johnston entered the meeting at 9.55 am

4.4 WOLTER ROWLANDS PLANNING GROUP

Consideration of Development Application for Reconfiguring a Lot: Subdivision of Land – One (1) Lot into 2 Lots at 92 Eddleston Drive Cordelia described as Lot 224 on CWL 952.

Consideration of Report to Council from Acting Manager Engineering Services dated 7 January 2013 in relation to the application. (066/0234)

Moved Councillor Lynch
Seconded Councillor Molachino

That the Development Application of Wolter Rowlands Planning Group for Reconfiguring a Lot: Subdivision of Lot 224 on CWL952 into two allotments of 763 m² suitable for single residential dwellings be approved in full subject to the following conditions:-

| Conditions | 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 the development, except as altered by any other condition of this approval:- <ul style="list-style-type: none"> a. Proposed Reconfiguration, Lots 224 and 226, cancelling lot 224 on CWL952, 92 Eddleston Street, Cordelia – Drawing 43139/01A and dated 19/06/2012; b. Onsite Sewerage Treatment and Disposal Report: Lot Reconfiguration, Lot 224 Eddleston Drive, Cordelia – Job No: WOL0028, Revision A prepared by Northern Consulting Engineers. A note referencing this requirement will be attached to the Hinchinbrook Shire Council Rates Database; | At all times |
| (b) The Conditions listed in the Schedule attached to the Department of Environment and Heritage Protection Permit (“EHP Permit number SPCC04636112”) attached to Department of Environment and Heritage Protection Concurrence Agency Response (Reference: 390651/NOR/045571 dated 2 October, 2012) form part of the approval; | At all times |
| (c) The Conditions listed in the Schedule (“Concurrence Agency Conditions and Statement of Reasons”) attached to Department of Transport and Main Roads Concurrence Agency response (Reference: TMR 12-003501 dated 29 August, 2012) form part of the approval; | At all times |
| (d) Submission of a proposal to satisfy Hinchinbrook Shire Scheme requirements (Refer section 6.19, Table 29, Outcome 3) regarding creation of new lots in the mapped flood area for consideration and approval of Council. This submission is also to include detail to demonstrate that stormwater and surface drainage has been catered for in a manner so as to not cause nuisance to adjoining properties. Such submission, when/if approved to form part of the approval; | Prior to the commencement of any civil works including access works |

| | | |
|-----|--|--|
| (e) | The requirements of the Advice Agency Response - Referable Wetland included within the EHP Advice Response (Permit number SPAR04636012) attached to Department of Environment and Heritage Protection Response (Reference: 390651 and dated 3 October 2012) form part of the approval; | At all times |
| (f) | Provision of a separate water reticulation service to each lot, via extension/modification of existing mains as necessary; | Prior to the commencement of any civil works |
| (g) | Payment to the Council of water headworks contribution of \$1,685 (one (1) additional lots x \$1,685); | Prior to the commencement of any civil works |
| (h) | Payment to the Council of public open space contribution of \$1,685 (one (1) additional lots x \$1,685); and | Prior to the commencement of any civil works |
| (i) | Provide evidence that there is an existing electricity supply or provide an electricity supply to each lot. Evidence of an existing supply must be in a form acceptable to Hinchinbrook Shire Council. | Prior to the commencement of any civil works |

Carried - 290113-8

Town Planning and Development Officer, B Christie-Johnston left the meeting.
The meeting adjourned for morning tea at 10.10 am and resumed at 10.23 am

4.5 NA AND OGV DOUGLAS

Consideration of Development Application for Reconfiguring a Lot: Rearrangement of Boundaries at Milton Road Helen's Hill described as Lot 10 on SP140416 and Lot 520 on SP177983.

Consideration of Report to Council from Infrastructure Engineer dated 21 January 2013 in relation to the application. (072/0023)

Moved Councillor Skinner
Seconded Councillor Kaurila

That the proposed Development Application of NA and OGV Douglas for Reconfiguring a Lot: Rearrangement of Boundaries at Milton Road, Helen's Hill (Lot 10 on SP140416 and Lot 520 on SP177983) be approved in full subject to the following conditions:-

| Conditions | 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:- Proposed boundary realignment for Lot 520 on SP177983 and Lot 10 on SP140416 as shown on sketch Drawing "Map ID 50091a" (Watercourse Map for ERMP) with hand drawn boundary delineation, supplied with the application received 11 December 2012; | At all times |
| (b) The Applicant must construct (or demonstrate that such is already in existence) two accesses off Milton Road to service each of the new lots created by the rearrangement of boundaries at locations suitable to the Applicant. The accesses must be constructed to an approved Hinchinbrook Shire Council Standard; and | Prior to Council signing the survey plans for the newly created lots |
| (c) The Applicant demonstrating that all utility services to the two (2) lots are separate and wholly contained within the particular lot being served. | Prior to Council signing the survey plans for the newly created lots |

Carried - 290113-9

5. OPERATIONAL ACTION 3.0 - ENVIRONMENT

5.1 NATURAL DISASTER RELIEF AND RECOVERY ARRANGEMENTS (NDRRA) INFRASTRUCTURE RESTORATION PROJECT – TENDER REVIEW – HSC 12/18 – PAVEMENT REPAIRS MOREHEAD STREET INGHAM

Consideration of Report to Council from Acting Manager Engineering Services dated 18 January 2013 regarding tenders received from HSC 12/18 – Pavement Repairs Morehead Street, Ingham.

Moved Councillor Carr
Seconded Councillor Molachino

That Council award the contract HSC 12/18 – Pavement Repairs Morehead Street Ingham to RHA Australia Pty Ltd for the (alternative) tender (Option A) for an amount of \$190,061.92 on the basis that RHA Australia Pty Ltd have complied with the Value for Money considerations included in Item 8 of the Tender Report. *Carried - 290113-10*

5.2 REQUEST FOR WAIVER OF DEVELOPMENT APPLICATION FEES FOR BUILDING WORK REQUIRING ASSESSMENT AGAINST THE BUILDING ACT 1975 - BUILDING APPLICATION TO DEMOLISH A SHED AT 27 BOYD STREET INGHAM – LOT 24 ON I22434

Consideration of Report to Council from Acting Manager Engineering Services dated 18 January 2013 regarding request received for waiver of Development Application fee for building work requiring assessment against the *Building Act 1975* being for a permit to demolish a derelict shed at 27 Boyd Street, Ingham.

Moved Councillor Carr
Seconded Councillor Kaurila

Councillor PD Lynch declared he would abstain from voting

That the request for fee waiver in relation to the Development Application for Building Works to demolish a shed at 27 Boyd Street Ingham – Lot 24 on I22434 be declined. *Lost - 290113-11*

Moved Councillor Kaurila
Seconded Councillor Carr

Councillor PD Lynch declared he would abstain from voting

That the request for fee waiver in relation to the Development Application for Building Works to demolish a shed at 27 Boyd Street Ingham – Lot 24 on I22434 be declined however an instalment plan be devised in consultation with the property owner to address their particular financial situation. *Carried - 290113-12*

5.3 UPDATE ON BIODIVERSITY FUND APPLICATIONS.

Consideration of Report to Council from Manager Environmental Health Services dated 9 January 2013 providing an update on expression of interest applications being developed by Council and its stakeholders for a number of locally based and cross regional projects to be submitted under the new Biodiversity Fund such as The Palm Creek Project, The Cattle / Francis Creek Project, Terrain NRM's Rainforest to Rangelands Project, Minimising the Spread of Pond Apple Project, and Myrtle Rust Research Project.

Moved Councillor Tack
Seconded Councillor Skinner

That the Report be received and noted. *Carried - 290113-13*

Acting Infrastructure Engineering, C Gray left the meeting at 10.55 am

6. OPERATIONAL ACTION 4.0 – GOVERNANCE

6.1 2011 / 2012 ANNUAL REPORT

The Hinchinbrook Shire Council 2011 / 2012 Annual Report was tabled as provided for under the *Local Government Act 1993*.

Moved Councillor Molachino
Seconded Councillor Kaurila

That the Hinchinbrook Shire Council 2011 / 2012 Annual Report as tabled be adopted.

Carried - 290113-14

6.2 NATIONAL COMPETITION POLICY

Consideration of amended Competition and Water Reform Policy.

Moved Councillor Skinner
Seconded Councillor Carr

That Council adopt the Competition and Water Reform Policy as amended for the 2011 / 2012 Annual Report.

Carried - 290113-15

6.3 MAKING FLY IN FLY OUT (FIFO) WORK IN REGIONAL COMMUNITIES CONFERENCE

Consideration of Council attendance at Making FIFO Work in Regional Communities Conference to be held in Rockhampton on 25 and 26 March 2013.

Moved Councillor Lynch
Seconded Councillor Carr

That Council send a delegate/s to the Making FIFO Work in Regional Communities Conference in Rockhampton on 25 and 26 March 2013.

Carried - 290113-16

Cr Tack recorded his vote against the motion

MISCELLANEOUS CORRESPONDENCE

NAIDOC WEEK

Consideration of letter received 17 December 2012 thanking Council for supporting the NAIDOC Week School Initiatives 2012 which included colouring-in, short story, creative and essay writing competitions for school students. Forwarding the 2012 final report noting names of competition winners. (007/0012)

Moved Councillor Lynch
Seconded Councillor Skinner

That the list of correspondence be received and noted.

Carried - 290113-17

7. COUNCILLOR ACTIVITY REPORT

Consideration of Councillor Activity Reports as at 23 January 2013 to ensure transparency and public scrutiny of Councillor workload.

Moved Councillor Molachino
Seconded Councillor Skinner

That the Report be received and noted.

Carried - 290113-18

Moved Councillor Kaurila
Seconded Councillor Lynch

That the Report for Reenactment Festival – Pub With No Beer previously laid on the table now be considered.

Town Planning and Development Officer, B Christie-Johnston and Manager Technical Services, G Weston entered the meeting at 11.25 am

8. OPERATIONAL ACTION 1.0 - COMMUNITY

8.1 REENACTMENT FESTIVAL – PUB WITH NO BEER

Consideration of Report to Council from Manager Corporate and Economic Development dated 25 January 2013 regarding request for financial and inkind assistance to the Pub With No Beer Reenactment Festival to be held in Ingham on 20 April 2013.

Moved *Councillor Kaurila*
Seconded *Councillor Lynch*

That Council provide in kind support for the event to a total value of \$1200 for the provision and servicing of two (2) mobile toilets, provision of additional rubbish bins and rubbish removal, use of power and water and assistance with directional signage and that Mr Ryman be advised that he will need to fund the fliers and media coverage and that Mr Ryman be advised that should the actual cost of the assistance for these items exceed \$1200, that an invoice will be sent to him for the difference.

Further that Lannercost Street be closed on 20 and 21 April 2013 to accommodate the event and be added to the Annual Event List for Road Closures.

Councillor PD Lynch left the meeting at 11.45 am and returned at 11.47 am

Carried - 290113-19

Manager Technical Services, G Weston left the meeting.

Moved *Councillor Lynch*
Seconded *Councillor Carr*

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 2.9.1 as it is a legal matter.

Councillor MG Tack declared a perceived conflict of interest in Item 2.9.1 (as defined in Section 173 of the Local Government Act 2009) due to his membership of the Ingham Coast Guard of which the landowner involved in this matter is also a member and excluded himself from the meeting while the matter was debated and the vote was taken.

Councillor PD Lynch left the meeting at 11.50 am

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

Moved *Councillor Molachino*
Seconded *Councillor Carr*

That Council return to Open Meeting.

Councillor MG Tack returned to the meeting and did not vote.

9. OPERATIONAL ACTION 2.0 - ECONOMY

9.1 ENFORCEMENT NOTICES – UNAUTHORISED OPERATIONAL WORKS – FILLING OF LAND - 8 DOLPHIN CRESCENT TAYLORS BEACH - LOT 3 ON T85811 AND LOT 392 ON CP899640

Consideration of Report to Council from Manager Engineering Services seeking Council direction in relation to unauthorised operational works (filling of land) on Lot 3 on T85811 and Lot 392 on CP899640. (116/0105)

Moved *Councillor Skinner*
Seconded *Councillor Carr*

That Council proceed to the enforcement stage in regard to unauthorised filling at 8 Dolphin Crescent, Taylors Beach – Lot 3 on T85811 and Lot 392 on CP899640. *Carried - 290113-20*

3. CONCLUSION – This concluded the business of the meeting which closed at 12.04 pm

APPROVED and adopted on 19 February 2013

MAYOR