



MINUTES OF THE GENERAL MEETING
OF THE
HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS
INGHAM ON TUESDAY
16 APRIL 2013
AT 9.05 AM

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- 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 Environmental Health Services (TV Tanase), Finance Manager (CJ Trost) and Executive Secretary (BK Edwards)

- PRAYER
- Councillor LR Molachino opened the meeting with prayer

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

Resolved that the Minutes of the General Meeting held on 19 March 2013 be approved as a correct record of proceedings and be signed by the Mayor. *Carried*

2. BUSINESS

2.1 FINANCE

2.1.1 MONTHLY STATUS REPORT

Consideration of monthly Finance Manager Status Report for April 2013.

Moved Councillor Lynch
Seconded Councillor Kaurila

That the Report be received and noted.

Carried - 160413-01

2.1.2 FINANCIALS

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

Moved Councillor Skinner
Seconded Councillor Lynch

That the Report be received and noted.

Carried - 160413-02

2.2 ENGINEERING

Manager Engineering Services, BE Leach and Works Engineer, J Devietti entered the meeting at 9.10 am

2.2.1 MONTHLY STATUS REPORT

Consideration of monthly Manager Engineering Services Status Report for April 2013.

*Moved Councillor Skinner
Seconded Councillor Molachino*

That the Report be received and noted.

Carried - 160413-03

2.2.2 WORKS REPORT

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

*Moved Councillor Lynch
Seconded Councillor Skinner*

That the Works Report be received and noted.

Carried - 160413-04

2.2.3 CYCLONE YASI NDRRA RECOVERY PHASE.

Consideration of Council's NDRRA Restoration Program Summary Report in conjunction with AECOM as at 26 March 2013.

*Moved Councillor Skinner
Seconded Councillor Lynch*

That the Report be received and noted.

Carried - 160413-05

Infrastructure Engineer, C Gray entered the meeting at 9.25 am

2.2.4 NDRRA INFRASTRUCTURE RESTORATION PROGRAM – HSC 12/11 MINOR PAVEMENT REPAIRS – PUMP STATION ROAD

Consideration of Report to Council from Infrastructure Engineer dated 4 April 2013 regarding tenders received for NDRRA Infrastructure Restoration Program – HSC 12/11 Minor Pavement Repairs – Pump Station Road.

*Moved Councillor Carr
Seconded Councillor Kaurila*

That Council award the contract HSC 12/11 Minor Pavement Repairs – Pump Station Road to Timrith Transport for the tendered sum of \$285,538.20 (excl GST). This award will be subject to the determination that there are no impediments identified during the period leading up to the issuing of a letter of acceptance.

Carried - 160413-06

2.2.5 ASSET MANAGEMENT POLICY

Consideration of Report to Council from Infrastructure Engineer dated 3 April 2013 seeking Council's endorsement of proposed Asset Management Policy and review of related policies, Asset Management Plans and Procedures as required in the Asset Management Policy.

*Moved Councillor Kaurila
Seconded Councillor Lynch*

That Council endorse the proposed Asset Management Policy which in draft form was dated 22 March 2013 and Council endorse the review of related policies, Asset Management Plans and Procedures as required in the Asset Management Policy.

Carried - 160413-07

2.2.6 SITING RELAXATION APPLICATION – 10 BARRAMUNDI STREET TAYLORS BEACH

Consideration of Report to Council from Infrastructure Engineer dated 6 April 2013 in relation to a Siting Relaxation Application lodged by Brian and Christine Newman for a proposed 9m x 9m shed at 10 Barramundi Street Taylors Beach (Lot 91 on RP724090).

Moved Councillor Lynch
Seconded Councillor Kaurila

That the Siting Relaxation Application of Brian and Christine Newman be approved on the grounds that the proposed shed is unlikely to adversely impact on the amenity and privacy of neighbouring residents, subject to the following conditions:-

- (a) The structure is built in accordance with the site plans submitted with the Siting Relaxation Application received by Council on 14 March 2013. *Carried - 160413-08*

2.3 CORPORATE AND ECONOMIC DEVELOPMENT

2.3.1 TERRI MOTTI c/-BRAZIER MOTTI PTY LTD

Consideration of Report to Council from Town Planning and Development Officer dated 9 April 2013 regarding request received from Terri Motti dated 19 February 2013 seeking a Development Permit for Reconfiguring a Lot – Subdivision of Land – One (1) lot into Two (2) lots and access easements over Lot 4 on SP142853 and Lot 6 on SP142853 at Kirkwood’s Road Blackrock. (065/0151)

Moved Councillor Skinner
Seconded Councillor Carr

That the proposed Development Permit for Reconfiguring a Lot – Subdivision of Land – One (1) lot into Two (2) lots and access easements over Lot 4 on SP142853 and Lot 6 on SP142853 at Kirkwood’s Road Blackrock be approved 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) Proposed reconfiguration, Lots 1 and 2 and Access EMT A in Lot 4 on SP142853, Cancelling Lot 6 on SP142853, Plan No. 29849/001 B, dated 19 December 2012.	At all times
(b) The Applicant must provide a property access to both lots to Hinchinbrook Shire Council Standards off Kirkwood’s Road, Blackrock; or demonstrating that such is already in existence.	Prior to Local Government release of 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 Local Government release of survey plan

Carried - 160413-09

2.3.2 SUCROGEN (HERBERT) PTY LTD

Consideration of Report to Council from Town Planning and Development Officer dated 9 April 2013 regarding request received from Sucrogen (Herbert) Pty Ltd dated 6 March 2013 seeking a Development Permit for Material Change of Use – Caretaker’s Residence over Lot 3 on RP707191 at 1212 Stone River Road Peacock Siding. (058/0363)

Moved Councillor Lynch
Seconded Councillor Molachino

That the proposed Development Permit for a Material Change of Use – Caretaker’s Residence over Lot 3 on RP707191 at 1212 Stone River Road Peacock Siding be approved 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: (ii) Sucrogen Shed and Caretakers residence, Plan No: Map 1, dated 4 March 2013; (iii) Sucrogen Shed and Caretakers residence, Plan No: Map 2, dated 4 March 2013;	At all times
(b) Property access off Stone River Road to internal access track be constructed to Council’s Standards.	Prior to use commencing
(c) The applicant must obtain necessary Building approvals for construction/establishment of the residence.	Prior to use commencing
(d) The residence must be provided with a reliable supply of potable water.	Prior to use commencing
(e) A sufficient buffer distance between the proposed shed and Caretaker’s Residence is to be provided.	Prior to use commencing

Carried - 160413-10

2.3.3. SUCROGEN (HERBERT) PTY LTD

Consideration of Report to Council from Town Planning and Development Office dated 10 April 2013 regarding request received from Sucrogen (Herbert) Pty Ltd dated 6 March 2013 seeking a Development Permit for Material Change of Use – Caretaker’s Residence over Lot 2 on SP218606 at Orient Road The Orient. (058/0364)

Moved Councillor Kaurila
Seconded Councillor Carr

That the proposed Development Permit for a Material Change of Use – Caretaker’s Residence over Lot 2 on SP218606 at Orient Road The Orient be approved 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: (iv) Sucrogen Shed and Caretakers residence, Plan No: Map 1, dated 4 March 2013; (v) Sucrogen Shed and Caretakers residence, Plan No: Map 2, dated 4 March 2013.	At all times
(b) Property access off Helen’s Hill Road to internal access track be constructed to Council’s Standards.	Prior to use commencing
(c) The applicant must obtain necessary Building approvals for construction/establishment of the residence.	Prior to use commencing
(d) The residence must be provided with a reliable supply of potable water.	Prior to use commencing

Carried - 160413-11

2.3.4 SHANE MULLER AND JULIA POWELL

Consideration of Report to Council from Town Planning and Development Officer dated 10 April 2013 regarding request received from Shane Muller and Julia Powell on 14 March 2013 seeking a Development Permit for Material Change of Use - Slaughter House processing less than 1,000 tonnes of meat annually over Lot 1 on RP731372 at Taylors Beach Road Taylors Beach. (058/0365)

Moved Councillor Molachino
 Seconded Councillor Lynch

That the proposed Development Permit for a Material Change of Use – Slaughter House processing less than 1,000 tonnes of meat annually over Lot 1 on RP731372 at Taylors Beach Road Taylors Beach be approved 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:	
(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) Site photos and planning report submitted with development application on 14 March 2013.	At all times
(b) Property access off Taylors Beach Road is to be upgraded to Council Standard, Hinchinbrook Shire Council Standard Drawing A005 – Dual Property Access.	Prior to the use commencing
(c) The Applicant must submit an effluent/waste product management plan setting out how all effluent/waste product generated by the use is to be collected, handled and disposed of.	Prior to the use commencing
(d) The use is to be restricted to an annual production of 1,000 tonnes of product.	At all times

Carried - 160413-12

2.3.5 DEPARTMENT OF NATURAL RESOURCES AND MINES

Consideration of Report to Council from Town Planning and Development Officer dated 9 April 2013 regarding correspondence received from Department of Natural Resources and Mines dated 4 February 2013 seeking Council's views and / or requirements in relation to lease renewals for leases expiring in 2015, Lot 131 on CWL337, Lot 93 on CWL1580, Lot 127 on CWL3680 and Lot 102 on CWL3426. (077/0001)

Moved Councillor Carr
 Seconded Councillor Molachino

That Council advise the Department of Natural Resource and Mines that it has no objection to, nor any requirement in relation to the below listed renewal applications:-

Local Government	Tenure Type	Title Ref	Lot on Plan	Expiry Date	Case Reference
Hinchinbrook Shire Council	Special Lease	17571243	Lot 131 on CWL337	30/06/2015	2013/000206-Surrender
Hinchinbrook Shire Council	Special Lease	17571250	Lot 93 on CWL 1580	30/06/2015	2013/000207-Renewal
Hinchinbrook Shire Council	Special Lease	40000885	Lot 127 on CWL3680	30/06/2015	2013/00198-Renewal
Hinchinbrook Shire Council	Special Lease	17572012	Lot 102 on CWL3426	30/09/2015	2013/000424-Renewal

Carried - 160413-13

2.3.6 DEPARTMENT OF NATURAL RESOURCES AND MINES – APPLICATION FOR RENEWAL OF SPECIAL LEASE OVER CAMPING RESERVE ON LOT 68 ON CWL715

Consideration of Report to Council from Town Planning and Development Officer dated 10 April 2013 regarding correspondence received from Department of Natural Resources and Mines dated 20 February 2013 seeking Council's views and / or requirements in relation to lease renewals over Camping Reserve on Lot 68 ON CWL715. (077/0001)

Moved Councillor Kaurila
Seconded Councillor Molachino

That Council advise the Department of Natural Resources and Mines that the reserve is required for its gazetted purpose and that Council is not prepared to issue a Trustee Lease over the Reserve; however Council has no objection and/or requirements to the granting of a new Special Lease over the parcel. *Carried - 160413-14*

2.3.7 ADOPTION OF PROPOSED TEMPORARY LOCAL PLANNING INSTRUMENT 01/2013

Consideration of correspondence received on 9 April 2013 from Department of State Development Infrastructure and Planning advising that the Honourable Jeffrey Seeney, Deputy Premier, Minister for State Development, Infrastructure and Planning has determined Council may adopt the above proposed Temporary Local Planning Instrument (TLPI).

Consideration of a Report to Council from Town Planning and Development Officer dated 9 April 2013 regarding adoption of the TLPI. (056/0002)

Moved Councillor Tack
Seconded Councillor Skinner

That Council adopt *Temporary Local Planning Instrument 01/2013 (Intensive Agriculture)*.
Carried - 160413-15

2.3.8 NBN CO LIMITED REQUEST TO LEASE PART OF LOT 7 ON RP800047

Consideration of Report to Council from Records and Customer Service Manager dated 25 March 2013 seeking Council's approval of request from NBN Co Limited to lease part of Lot 7 on RP800047 to establish the infrastructure required to facilitate the fixed radio (wireless) component of the National Broadband Network on the existing Optus Lattice Tower off Victoria Mill Road, Forrest Beach.

Moved Councillor Molachino
Seconded Councillor Kaurila

That Council approve the standard NBN lease.

That the annual rental fee be \$7,000 per annum exclusive of GST and inclusive of all rates, taxes, statutory and building outgoings for two (2) x ten (10) consecutive lease terms. The rental sum is to be increased by CPI annually.

The commencement date to be the date the parties execute the lease and rental commencement date will be the date upon which construction starts on site as advised to Council in writing.

That any costs associated with the preparation, lodgement or development approval and survey fees for the lease will be at the lessee's expense and no cost to Council. *Carried - 160413-16*

2.3.9 ROAD OPENING OGG STREET LUCINDA

Consideration of Report to Council from Manager Corporate and Economic Development dated 4 April 2013 updating Council on the outstanding issues with respect to the acquisition of reserve land at Ogg Street Lucinda

Moved Councillor Molachino
Seconded Councillor Kaurila

That Council not proceed with the freeholding of the land or dealing with Native Title and that no further action be taken in regards to acquisition of this land. *Carried - 160413-17*

2.3.10 PURCHASE OF CROWN LAND DUNGENESS – LUCINDA COMMUNITY HALL – LOT 382 PARISH OF CORDELIA

Consideration of Report to Council from Manager Corporate and Economic Development dated 4 April 2013 updating Council on the outstanding issues with respect to the acquisition of reserve land at Lucinda Community Hall – Dungeness Road Lucinda

Moved Councillor Kaurila
Seconded Councillor Lynch

That Council not proceed to relinquish the Reserve and continue to maintain it for community purposes and that no further action be taken in relation to acquisition or disposal of this land.

Carried - 160413-18

2.3.11 FORREST BEACH CARAVAN PARK AND ADJOINING RESERVE FOR PARK AND RECREATION

Consideration of Report to Council from Manager Corporate and Economic Development dated 4 April 2013 updating Council on the outstanding issues with respect to the proposed amalgamation of the former Forrest Beach Caravan Park and adjoining Reserve (for Park and Recreation Purposes) for future development.

Moved Councillor Molachino
Seconded Councillor Tack

That Council not proceed with the freeholding of the land or dealing with Native Title and that no further action be taken in regards to acquisition of this land.

Carried - 160413-19

2.3.12 SPONSORSHIP – BENT RODS CAR CLUB 2ND ANNUAL SHOW N SHINE SWAP MEET

Consideration of Report to Council from Manager Corporate and Economic Development dated 4 April 2013 seeking Council's consideration of request received from the Bent Rods Car Club Inc for sponsorship of the second annual Show n Shine Swap Meet to be held on 26 May 2013.

Moved Councillor Lynch
Seconded Councillor Kaurila

That Council provide financial assistance of \$600 (excl GST) to the Bent Rods Car Club Inc as the Car Show qualifies under Council's Support for Events Policy.

That Council also provide inkind support to the value of \$1,000 and any costs exceeding this amount be charged to the Club.

Carried - 160413-20

2.3.13 MONTHLY STATUS REPORT

Consideration of monthly Manager Corporate and Economic Development Status Report for April 2013.

Moved Councillor Kaurila
Seconded Councillor Molachino

That the Report be received and noted.

Carried - 160413-21

The meeting adjourned at 10.20 am for morning tea and resumed at 10.30 am.

Works Engineer, J Devietti and Infrastructure Engineer, C Gray were not present when the meeting resumed.

2.4 ENVIRONMENTAL HEALTH SERVICES

2.4.1 MONTHLY STATUS REPORT

Consideration of monthly Manager Environmental Health Services Status Report for April 2013.

Moved Councillor Skinner
Seconded Councillor Kaurila

That the Report be received and noted.

Carried - 160413-22

2.4.2 CRYSTAL CREEK CAMPING REGULATION

Consideration of Report to Council from Manager Environmental Health Services dated 2 April 2013 regarding regularising camping at Crystal Creek huts area.

Moved Councillor Lynch
Seconded Councillor Molachino

That Council authorise anyone who intends to sleep, occupy or have an association with any campsite in the Camping and Recreation Reserve described as being Lot 120 on CWL3246 and commonly known as the Crystal Creek Huts area for a period of no longer than fourteen (14) days within any three (3) months period (unless otherwise authorised by the Chief Executive Officer) and that signage be erected accordingly at appropriately identified locations notifying of this restriction.

Carried - 160413-23

2.5 GOVERNANCE

2.5.1 QUARTERLY OPERATIONAL PLAN REPORT

Consideration was given to the Quarterly Operational Plan for the quarter ending March 2013.

Moved Councillor Molachino
Seconded Councillor Kaurila

That the Reports be received and noted.

Carried - 160413-24

Manager Engineering Services, BE Leach left the meeting at 10.40 am

2.5.2 MONTHLY STATUS REPORT

Consideration of monthly Chief Executive Officer Status Report for the months February / March.

Moved Councillor Molachino
Seconded Councillor Kaurila

That the Report be received and noted.

Carried - 160413-25

2.5.3 COUNCILLOR ACTIVITY REPORT

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

Moved Councillor Carr
Seconded Councillor Skinner

That the Report be received and noted.

Carried - 160413-26

2.5.4 POLICY REVIEW – EXPENSES REIMBURSEMENT AND PROVISION OF FACILITIES POLICY FOR HINCHINBROOK SHIRE COUNCILLORS

Consideration of Report to Council from Chief Executive Officer dated 11 April 2013 regarding review of Councillors Expenses Reimbursement and Provision of Facilities Policy to allow for the inclusion of a single non telephone companion device that is wi-fi and email capable.

Moved Councillor Kaurila
Seconded Councillor Molachino

That the Expenses Reimbursement and Provision of Facilities Policy for Hinchinbrook Shire Councillors be adopted as presented.

Carried - 160413-27

2.5.5 2013 / 2014 COMMERCIAL CHARGES AND REGULATORY FEES

Consideration of Report to Council from Revenue Supervisor dated 13 April 2013 seeking Council consideration of 2013 / 2014 Commercial Charges and Regulatory Fees to take effect from 1 July 2013.

Moved Councillor Skinner
Seconded Councillor Kaurila

That Council adopt the 2013 / 2014 Commercial Charges and Regulatory Fees to take effect from 1 July 2013.

Carried - 160413-28

Revenue Supervisor, L Winkel entered the meeting at 10.55 am

2.5.6 SALE OF LAND FOR OVERDUE RATES

Consideration of Report to Council from Revenue Supervisor dated 4 April 2013 seeking Council's direction in relation to sale of the following properties due to non-payment of rates in line with Council's Rate Recovery Policy and under Section 138 (4) of the Local Government Regulation 2012:-

- L2 RP710098, Parish of Cordelia;
- L14 RP710650, Parish of Cordelia;
- L2 RP730223, Parish of Cordelia;
- L17 SP145983, Parish of Waterview;
- L3 SP222352, Parish of Trebonne;
- L2 SP217230, Parish of Barrett;
- L910 A9114, Parish of Garrawalt;
- L119 CWL3314, Parish of Waterview;
- L4 RP709238, Parish of Cordelia.

Moved Councillor Kaurila
Seconded Councillor Skinner

That Council resolve pursuant to Section 138 (4) of the Local Government Regulation 2012 to sell land described as:-

- L2 RP710098, Parish of Cordelia;
- L14 RP710650, Parish of Cordelia;
- L2 RP730223, Parish of Cordelia;
- L17 SP145983, Parish of Waterview;
- L3 SP222352, Parish of Trebonne;
- L910 A9114, Parish of Garrawalt;
- L4 RP709238, Parish of Cordelia.

for the recovery of overdue rates and charges.

Carried - 160413-29

2.6 MISCELLANEOUS

2.6.1 QUEENSLAND FITNESS SPORT AND RECREATION SKILLS ALLIANCE

Consideration of correspondence dated 27 March 2013 forwarding 2011 / 2012 Annual Report and noting the Alliance was funded to deliver the Jobs Services Development Office Program to address the needs of sporting clubs and organisations affected by the 2011 floods and cyclone. Programs were developed and delivered across the State to ensure clubs were able to get up and running as quickly as possible and many types of sporting organisations were assisted. (079/0207)

Moved Councillor Molachino
Seconded Councillor Carr

That the list of miscellaneous correspondence be received and noted.

Carried - 160413-30

Moved Councillor Molachino
Seconded Councillor Kaurila

That pursuant to Division 3 Section 275 (1) (d) of the *Local Government Regulation 2012*, Council resolve to go into Closed Meeting to discuss Item 2.7.1 as it is a rating matter.

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

Moved Councillor Lynch
Seconded Councillor Molachino

That Council return to Open Meeting.

2.7 GOVERNANCE

2.7.1 SALE OF LAND FOR OVERDUE RATES – RESERVE PRICE

Consideration of Report to Council from Rates Supervisor dated 10 April 2013 seeking Reserve price for Auction of land at 47 Morehead Street Ingham on Wednesday 17 April 2013.

Moved *Councillor Kaurila*
Seconded *Councillor Carr*

That Council resolve to set the reserve price for Lot 1 on RP717224 as per the Report to Council.
Carried - 160413-31

Moved *Councillor Molachino*
Seconded *Councillor Tack*

That pursuant to Division 3 Section 275 (1) (e) of the *Local Government Regulation 2012*, Council resolve to go into Closed Meeting to discuss Item 2.8.1 as a contract is proposed to be made by these discussions.

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

Moved *Councillor Lynch*
Seconded *Councillor Skinner*

That Council return to Open Meeting.

2.8 CORPORATE AND ECONOMIC DEVELOPMENT

2.8.1 EXPRESSIONS OF INTEREST – LEASING AND MANAGEMENT – KELLY THEATRE

Consideration of Report to Council from Manager Corporate and Economic Development dated 11 April 2013 regarding Expressions of Interest received for the leasing and management of Kelly Theatre.

Moved *Councillor Molachino*
Seconded *Councillor Lynch*

That Council have further discussions regarding the lease of the Kelly Theatre, with the preferred applicant.
Carried - 160413-32

3. CONCLUSION – This concluded the business of the meeting which closed at 11.20 am

APPROVED and adopted on 21 May 2013

MAYOR