



**HINCHINBROOK
SHIRE COUNCIL**

MINUTES OF THE GENERAL MEETING
OF THE
HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS,
INGHAM ON
FRIDAY 23RD MARCH, 2012
AT 10.00 A.M.

ATTENDANCE

- Present were Councillors G. Giandomenico, A.J. Lancini, G.P. Gianotti, D.M. Bosworth, P.D. Lynch, L.R. Molachino and S.J. Kaurila.
- Also present was the Chief Executive Officer (R.W. Clark), Manager Environmental Health Services (T. Tanase), Manager Engineering Services (B.E. Leach), Manager Corporate & Economic Development (R.F. Pennisi) and Executive Secretary (B.K. Edwards).

Works Engineer, D. Di Prima and Infrastructure Engineer, J. Devietti were also present when the meeting commenced.

PRAYER

- The Mayor opened the meeting with prayer.

1. MINUTES

- Resolved that the Minutes of the General Meeting held on the 6th March, 2012 be approved as a correct record of proceedings and be signed by the Mayor.
(Crs. Lancini and Kaurila – Carried)

2. NOTICE OF MOTION – TAYLORS BEACH (JOHN DORY STREET) ROCK PROTECTION PUBLIC ACCESSES

In accordance with the notified intention to amend the following resolution, Cr. P.D. Lynch moved: "the resolution passed by Council at the General Meeting on the 24th January, 2012, relating to *Item 2.11.2. – Access along the Esplanade adjacent to John Dory Street, Taylors Beach, and the potential of Council Policy directed to this matter to affect all coastal communities within Hinchinbrook Shire* and reading:-

" That Council install four (4) sets of stairs to line up with existing public walkways along John Dory Street, Taylors Beach.

That appropriate signage be installed and information sheets be produced to inform the public of access from the beach to the swimming enclosure."

be rescinded and Council adopt the following resolution in its stead:-

That in accordance with the Report to Council from Manager Engineering Services dated 2nd March, 2012 and attached plan, Council relocate the proposed steps at "site B" back to the "original proposed site B", also include a gravel walkway to the "original proposed site B" and that the inclusion of the additional stairs at this location be fully funded by the Taylors Beach Stinger Net Association.

(Cr. Lynch and Cr. Kaurila – Carried)

3. BUSINESS -

1. CEO REPORT OF COUNCILLOR REQUESTS

Consideration of CEO Report of Councillor Requests for the period 3rd March, 2012 to 14th March, 2012.

Resolved – That the advice be received and noted and a Nil Report be recorded.
(Crs. Lancini and Lynch – Carried)

2. WORKS REPORT

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

Resolved – That the Report be received and noted.
(Crs. Gianotti and Bosworth – Carried)

3. FINANCIALS

Consideration was given to a report of financial activities as at the 11th March, 2012.

Works Engineer, D. Di Prima and Infrastructure Engineer, J. Devietti left the meeting at 10.55 a.m.

P.D. Lynch left the meeting at 10.55 a.m.

Resolved - That the Report be received and noted.
(Crs. Lancini and Molachino – Carried)

4. OPERATIONAL ACTION 1.0 - COMMUNITY

1. MICHAEL BARRETT, Ingham, 7th March, 2012, advising that he along with a group of Ingham residents are organising a Murri Easter Extravaganza at the Ingham Showgrounds Pavilion on the 6th to 9th April, 2012. Entry is a gold coin donation. In the past this group has taken kids on weekend fishing, camping and swimming trips which have been very successful. Due to this success the group is organising this Extravaganza to give the kids more confidence and opportunities. The eventful nights will include an under 18 disco on the Friday night (6th), a talent show for people of all ages and members of the community on the Saturday night (7th), and a Church service on the Sunday morning (8th). These events will be heavily supervised with no alcohol allowed on the premises. Also advising that this event is being advertised outside of the Shire to attract more people to the event. Requesting Council's financial support to help with the hire of the Showgrounds Pavilion and to offset the cost of running the events and to help make it enjoyable and memorable for all to remember. (012/0002)

Resolved – That as the event fulfils Council's Support for Events Policy guidelines, the group is entitled to receive financial assistance in the sum of \$200 (excl. GST).
(Crs. Lancini and Kaurila – Carried)

2. KATE CARR, Cordelia, 14th March, 2012, advising of her concept development proposal for public art in Rotary Park called *Unity in Yasi*. The proposal will encompass six to seven concrete bollards placed to alternating sides of the newly constructed concrete walkway in Rotary Park. Each bollard will be mosaic to represent organisations that played a pivotal role in major restoration and assistance to our community during the events of Cyclone Yasi i.e. SES, Ergon, HSC, Qld Police, Australian Army, Qld Fire & Rescue, and volunteers. The project is aimed to incorporate the bright and varied colours of each organisation to compliment the existing vibrant colours of the playground shade sails and play equipment and make this project an eye-catching piece which holds substantial representational meaning and value to the community, enabling the viewer to reflect on the unity shown during the events of Cyclone Yasi.

Resolved - That Council agree in principle to the project, subject to any final design to be approved by Council.

That Council invite Kate Carr to attend its Deputation Day on Thursday 17th May, 2012.
(Crs. Lancini and Kaurila – Carried)

5. OPERATIONAL ACTION 2.0 - ECONOMY

1. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Atherton, 21st February, 2012, providing a response to Council's letter dated 15th February, 2012 regarding Council's recent decision that it believes that the cane plantings over road reserve adjacent to Lot 7 on RP705355 (Neames Inlet Road, Macknade) and Lot 8 on RP705355 (Costa Road, Macknade) are not impacting on the roads and that the matter of cane plantings on the roadway falls within the Department's responsibility as owners of the land (road reserve) and the resources within.

Cr. P.D. Lynch returned to the meeting at 11.00 a.m.

Resolved – That Council advise the Department of Environment & Resource Management that the alleged cane growing on the road reserve does not impact on road users as the subject road reserve is not used as a public road nor maintained by Council, and consequently, Council proposes to take no further action in relation to this matter.
(Crs. Gianotti and Kaurila – Carried)

2. DEPARTMENT OF COMMUNITY SAFETY (DCS), Brisbane, 2nd March, 2012, advising that the Mount Fox Rural Fire Brigade (RFB) has identified property described as Lot 46 on Crown Plan WU44 at Mount Fox Road, Mount Fox as suitable to establish a fire shed for use by the RFB. The property is Reserve land for camping purposes with Council as Trustee and currently a Trustee Lease over the whole property is registered to John Joseph and Marilyn Jean Morrissey which expires on the 30th November, 2016. Requesting Council's approval for the Department to enter into a Trustee sub-lease arrangement with Mr. and Mrs. Morrissey for the Mount Fox RFB. The area required is approximately 900m² adjacent to the western boundary of the school which would be supported with a 10m wide access easement to Mount Fox Road. The Trustee sub-lease would expire on the 30th November, 2016 in accordance with the head lease. Also requesting Council to accept the Department's proposal for land tenure and apply to the Department of Environment & Resource Management for approval of a Trustee sub-lease. Further advising that only the Minister for Police, Corrective Services and Emergency Services or his delegate is authorised to approve a lease on behalf of DCS and therefore is requesting Council's approval to potentially enter into negotiations for a Trustee sub-lease with Mr. and Mrs. Morrissey. They would not consider that leasing arrangements have been entered into until a formal lease document is agreed and executed.

Resolved – That Council advise the Department of Community Safety that it has no objections regarding the issue of a sub-lease over Lot 46 on WU44 Parish of Wairuna, subject to the Department being responsible for the sub-lease preparation and registration, and any other costs associated with the proposal.
(Crs. Lancini and Molachino – Carried)

Acting Infrastructure Engineer, C. Gray entered the meeting at 11.04 a.m.

3. SITING RELAXATION APPLICATION – 12 RENOUF STREET, INGHAM.
Consideration of Report to Council from Acting Infrastructure Engineer dated 9th March, 2012 in relation to a Siting Relaxation Application lodged by John and Letisha Coco to construct a proposed storage shed to be erected at the rear of their property at 12 Renouf Street, Ingham.

Resolved – That Council approve the Siting Relaxation Application of John and Letisha Coco on the grounds that the proposed storage shed is unlikely to impact on the outlook and privacy of neighbouring residents, and that other similar sized sheds have been approved and have set a precedent for this type of development throughout Hinchinbrook Shire.
(Crs. Lancini and Gianotti – Carried)

4. SITING RELAXATION APPLICATION – 14 CARTWRIGHT STREET, INGHAM.

Consideration of Report to Council from Acting Infrastructure Engineer dated 13th March, 2012 in relation to a Siting Relaxation Application lodged by Ms. Jane Roati to construct a proposed "Summer House" to be erected at the rear of the proposed residence of her property at 14 Cartwright Street, Ingham.

Resolved – That Council approve the Siting Relaxation Application of Ms. Jane Roati on the grounds that the proposed "Summer House" is unlikely to impact on the outlook and privacy of neighbouring residents, and that other similar sized structures with similar setbacks have been approved in the past.

(Crs. Lynch and Lancini – Carried)

5. SITING RELAXATION APPLICATION – 26 ALLAMANDA AVENUE, ALLINGHAM.

Consideration of Report to Council from Acting Infrastructure Engineer dated 13th March, 2012 in relation to a Siting Relaxation Application lodged by Kerry and Robert Alford to construct a proposed extension to an existing residence on the Fern Street (Coastal Reserve) frontage of the property at 26 Allamanda Avenue, Allingham.

Resolved – That Council approve the Siting Relaxation Application of Mr. and Mrs. Alford on the grounds that the proposed extension is unlikely to impact on the outlook and privacy of neighbouring residents, will preserve the visual amenity of the Coastal Reserve (Fern Street Esplanade), will preserve the visual amenity of the Allamanda Avenue frontage and that other similar structures with similar boundary setbacks already exist in the area.

(Crs. Kaurila and Lancini – Carried)

6. TOWNSVILLE CITY COUNCIL, Townsville, 12th March, 2012, advising contract with Paradise Outdoor Advertising (POA) for the cyclone preparedness billboards for the 3 Council areas expires this month. POA have offered a new 3 year contract where new skins are required for the sites. Forwarding summary of the offer from POA with costs for the previous 3 year campaign also shown. EMQ has indicated that they will again partner the campaign and requesting Council to advise whether it wishes to continue with this campaign for the next 3 years as per the POA offer.

Resolved – That Council agree to the proposal to re-enter into a three (3) year arrangement to continue with a roadside billboard on Townsville Road advising of the affects of cyclones in the area, subject to both Burdekin and Townsville undertaking the project and that budget provision be made in the coming three (3) years for the project.

(Crs. Lynch and Kaurila – Carried)

Town Planning & Development Officer, B. Christie-Johnston entered the meeting at 11.14 a.m.

7. PALM ISLAND BARGE COMPANY PTY LTD, Ingham, 16th February 2012, seeking approval for a proposed Material Change of Use of premises: From Dwelling to Commercial Premises & Storage Depot (Impact Assessable), Lot 37 on CWL217, 12 Bruce Parade, Lucinda. Land is zoned *Village* (058/0343)

Further consideration was given to an Engineering Planning Assessment Report from Acting Manager Engineering Services, dated 18th March, 2012 regarding the proposed Material Change of Use.

Consideration was also given to a further Planning Assessment Report to Council from Town Planning & Development Officer, dated 18th March 2012 regarding the proposed Material Change of Use.

Resolved – That the proposed Development Application for a Material Change of Use: From Dwelling to Commercial Premises & Storage Depot lodged by Palm Island Barge Company Pty. Ltd. at 12 Bruce Parade, Lucinda (Lot 37 on CWL217) be approved subject to the following conditions:-

- (a) That the proponents develop and submit a "Transport & Storage Management Plan" [TSMP] to deal with potential impacts and mitigate any potential "Nuisance" prior to the "Storage" use commencing. The TSMP must deal with the frequency of movements, the type of movements, the hours of operation (with some way of dealing with emergencies and special events), the ability or otherwise to park delivery and transshipment vehicles on site and operate loading equipment at the same time, storage of equipment and freight on site, and any conflicts between the storage and commercial activities. This report needs to be acceptable to Council's Town Planning, and Engineering Services Departments prior to the use commencing;
 - (b) That no Storage or Freight activities occur during hours likely to impinge on the lifestyle of nearby residents and or the amenity of the area i.e. having a large number of freight movements on Sundays, Public Holidays or overnight. The exact hours are to be defined in the TSMP submitted by the proponent and be acceptable prior to the "storage" use commencing;
 - (c) That car parking and other operating facilities are completed and inspected by Council's compliance officer prior to any use commencing;
 - (d) That no parking of heavy vehicles including rigid body and articulated trucks should occur in Bruce Parade due to the storage operations component of the business;
 - (e) That other than in an "emergency" as defined in the TSMP, not more than fifteen loaded pallets are stored on site at any time;
 - (f) That prior any structural alteration to the office or store commencing a "Development Application for Building" is submitted and approved;
 - (g) The applicant must address within the TSMP, measures for limiting or preventing the unloading/loading of freight within the gazetted Council road reserve (Bruce Parade); and
 - (h) The applicant must address within the TSMP, measures for minimising the visual impact of freight stored on site
- (Crs. Kaurila and Lancini – Carried)*

Town Planning & Development Officer, B. Christie-Johnston left the meeting at 11.20 a.m.

6. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. PUBLIC REQUESTS FOR THE PLACEMENT OF MEMORIAL SEATING WITHIN THE HINCHINBROOK SHIRE.

Consideration of Report to Council from Manager Technical Support dated 12th March, 2012 seeking Council's direction in relation to public requests for the placement of memorial seating within the Shire.

Resolved – That Council consider each request on its merits and having regard to engineering scrutiny, public need and the applicant providing the full funding for the cost of purchase, installation and fixing of a memorial plaque.

(Crs. Kaurila and Gianotti – Carried)

2. DEPARTMENT OF TRANSPORT & MAIN ROADS, Townsville, 12th March, 2012, advising that the Department has decided, subject to the approval of the Minister, to proceed with the requested changes to the state-controlled road network at the intersection of Farrell Drive and Macrossan Street, Halifax. The Department intends to undertake the re-declaration of Road 824 Ingham – Halifax – Bemerside Road and Road 8241 Halifax – Lucinda Point Road, pursuant to the *Transport Infrastructure Act 1994*, section 24 to revoke Macrossan Street, River Road and Hoffensetz Street at no cost to the department and declare Alma Street and Scott Street a state-controlled road. Further advising that in accordance with the *Transport Infrastructure Act 1994*, section 25, the Department intends to undertake the formal declaration of Road 824 Ingham – Halifax – Bemerside Road and Road 8241 Halifax – Lucinda Point Road for the entire length. As the Government is in caretaker role, should Council agree to the re-declaration, the gazettal of these two roads will not proceed until after the caretaker period and the wishes of the Government are known and the Minister has reviewed and approved the re-declaration. (109/0001)

Resolved – That Council confirm support for the proposal in writing, subject to a satisfactory explanation of the Department of Transport and Main Roads' reference to costs.

(Crs. Lancini and Bosworth – Carried)

3. A. & F. WILLIAMS, Allingham, 13th March, 2012, advising that they have received water bill for their property at 8 Bluegum Street, Allingham which is extremely high due to their watering system. Explaining that the power supply to their meter box was not working and when Ergon arrived to fix it they advised Mr. and Mrs. Williams that recently there was a lightning strike in the street and Ergon had to repair the power supplies to some properties and a street light. Their watering system is approximately 1 meter away from the meter box and upon checking, they found that the electronic watering unit was damaged the same way as the electronic power meter and it appears that the lightning strike may have affected the watering unit. Their previous bills show they do not waste water and requesting Council to show some leniency due to the fact this situation was out of their control. (013/0007)

Resolved – That Council not waive the excess water charge on the grounds that the claim does not meet any of the criteria used in previous applications that have been approved for reductions but Council allow reasonable time in which to make the payment without penalty.
(Crs. Gianotti and Molachino – Carried)

4. PEST SURVEY PLAN.
Consideration of a Pest Survey Plan Program to be conducted for the whole of the Hinchinbrook Local Government area to survey and map areas for the control of Pond Apple, Hymenachne, Giant Sensitive Plant, Mikania Vine, Siam Weed and Acacia curassavica to comply with *the Land Protection (Pest and Stock Route Management) Act 2002*.

Resolved – in accordance with the *Land Protection (Pest and Stock Route Management) Act 2002*, Council authorises a Pest Survey Program to be conducted for the whole of the Hinchinbrook Local Government area, valid for a period of three months starting on the 29th March, 2012. The purpose of the program is to survey and map areas for the control of Pond Apple, Hymenachne, Giant Sensitive Plant, Mikania Vine, Siam Weed and Acacia curassavica.
(Crs. Lynch and Bosworth – Carried)

5. CYCLONE YASI NDRRA RECOVERY PHASE.
Consideration of Council's NDRRA Restoration Program Summary Report in conjunction with AECOM.

Resolved – That the Report be received and noted.
(Crs. Lancini and Lynch – Carried)

7. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION, Canberra, 27th February, 2012, advising that the National General Assembly of Local Government (NGA) will be held at the National Convention Centre in Canberra from the 17th to 20th June, 2012. The theme for this year's NGA is "*National Voice, Local Choice – Infrastructure, Planning, Services*". Forwarding NGA Registration Brochure containing full details of the program, business agenda and associated events. Early Bird Registration closes on the 27th April, 2012.

Resolved – That Council nominate 2 positions for the Mayor and a Councillor to attend the National General Assembly of Local Government Conference in June, 2012.
(Crs. Lancini and Kaurila – Carried)

2. AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION, Cairns, advising that the Australian Local Government Women's Association (ALGWA) State Conference will be held at the Hilton in Cairns from the 25th to 27th July, 2012. Forwarding Registration Brochure with early bird registration closing on the 1st June, 2012.

Resolved – That consideration be deferred to a future General Meeting.
(Crs. Lancini and Lynch – Carried)

3. NORTH QUEENSLAND SPORTSTAR AWARDS.
Consideration was given to the appropriate nominations for the Sportstar Awards to be held in Sarina on the 21st April, 2012. Nominations for the Awards (Junior, Senior, Service to North Queensland Sport, and North Queensland Athlete with a Disability) close on the 28th March, 2012.

Resolved – That Council delegate Cr. Pino Giandomenico, Cr. Lawrence Molachino and Community Representative Rebecca Love to decide on the nominations for the Sportstar Awards.

(Crs. Lancini and Kaurila – Carried)

MISCELLANEOUS CORRESPONDENCE

1. QUEENSLAND RECONSTRUCTION AUTHORITY, Brisbane, 2nd March, 2012, updating Council on the liaison arrangements with the Authority. Advising that as the Authority has transitioned from a stand-alone North Queensland Office; the Authority has a designated North Queensland Liaison Officer to ensure the needs of the region are appropriately served. As the current Liaison Officer, Mr. David Ham will be leaving the Authority in the near future; Ms. Kate Isles will be appointed as the North Queensland Liaison Officer and is well versed in all aspects of the Authority's activities. These arrangements will commence from the 27th March, 2012 and Ms. Isles can be contacted on ph. 3008 7262 or email kate.isles@qldra.org.au Contact with the Authority regarding NDRRA funding will continue as per the current arrangements. (120/0022)
2. NORTHERN QUEENSLAND AUSINDUSTRY, Townsville, 6th March, 2012, thanking Council for its recent letter regarding the extension of the Small Business Advisory Service Natural Disaster Assistance Program for a further 12 months currently being delivered by the Hinchinbrook Chamber of Commerce. Advising that they have forwarded the letter to the Small Business Programs division of AusIndustry for formal comment and response.(120/0022)

Resolved – That the list of correspondence be received and noted.

(Crs. Lancini and Kaurila – Carried)

REPORT OF CLUBS / ORGANISATIONS RECEIVING SUPPORT FOR EVENTS / INDIVIDUAL ACHIEVEMENTS POLICIES - FUNDING

1. INGHAM ROD & REEL CLUB.
Financial assistance paid towards the Club's **18th annual Hinchinbrook Catch & Release Tournament on 18th & 19th May, 2012.**
2. CHRISTIE LEAHY.
Financial assistance paid towards Christie's **participation in Qld Cyclones Broomball Squad at 2012 Australian National Broomball Championships, Melbourne - 7th to 11th March 2012**

Resolved – That the list be received and noted.

(Crs. Bosworth and Kaurila – Carried)

8. COUNCILLOR ACTIVITY REPORT
Consideration of Councillor Activity Reports as at the 14th March, 2012 to ensure transparency and public scrutiny of Councillor workload.

Resolved – That the Report be received and noted.

(Crs. Bosworth and Lancini – Carried)

9. OPERATIONAL ACTION 2.0 - ECONOMY

1. SITING RELAXATION APPLICATION – 12 HERRING STREET, TAYLORS BEACH.
Consideration of Report to Council from Acting Infrastructure Engineer dated 19th March, 2012 in relation to a Siting Relaxation Application lodged by Gregory and Leigh O'Keeffe to construct a proposed single storey residence at 11 Herring Street, Taylors Beach.

Resolved – That Council approve the Side Boundary Siting Relaxation Application submitted by Gregory and Leigh O'Keeffe for a proposed single storey residence at 12 Herring Street, Taylors Beach on the grounds that the proposed structure complies with the performance requirements of the Queensland Development Code.

(Crs. Lancini and Bosworth – Carried)

2. SITING RELAXATION APPLICATION – 67 PATTERSON PARADE, LUCINDA.

Consideration of Report to Council from Acting Infrastructure Engineer dated 19th March, 2012 in relation to a Siting Relaxation Application lodged by Carmelo Auditore on behalf of P. & G. Russo to construct a proposed extension (boat shed) to an existing residence at 67 Patterson Parade, Lucinda.

Resolved – That Council approve the Siting Relaxation Application submitted by Carmelo Auditore on behalf of P. & G. Russo on the grounds that the proposed extension is unlikely to impact on the outlook and privacy of neighbouring residents, will preserve the visual amenity of the Patterson Parade frontage and that other similar structures with similar boundary setbacks already exist in the area.

(Crs. Lancini and Bosworth– Carried)

10. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. FORREST BEACH PROGRESS ASSOCIATION INC., Allingham, 13th March, 2012, advising that the Association agreed unanimously at its monthly meeting on the 5th March, 2012 to light the “Welcome” sign to the beach and stressing that they feel it will be necessary due to the risk of vandalism, that the top solar light be located high and out of reach, and contained in a cage. The meeting also agreed to include the lighting of the Memorial as part of the Foreshore Master Plan. (079/0128)

Resolved – That Council install solar lighting to the “Welcome to Forrest Beach” entrance statement.

(Crs. Lynch and Kaurila – Carried)

11. OPERATIONAL ACTION 4.0 - GOVERNANCE

MISCELLANEOUS CORRESPONDENCE

1. DEPARTMENT OF LOCAL GOVERNMENT & PLANNING, Brisbane, 9th March, 2012, thanking Council for completing its 'Annual Return on Governance' for 2011 as part of the Department's Sustainability and Reporting process. Council's 2011 Return proves that its community planning and financial planning processes have been established which provide support to Council's long-term sustainability strategy. The Return also indicates the establishment of its risk management processes providing additional assistance to Council's long-term planning processes and advising that it is encouraging to see Council's continued work towards comprehensive risk management processes. Acknowledging that Council has established comprehensive community engagement planning processes and adopted its Community Engagement Policy which is a significant achievement and encouraging to note Council's work undertaken in this important area. Recommending that Council collect and evaluate feedback from the community to gauge the effectiveness of its community engagement process. (007/0096)

2. THE HON. KATE ELLIS MP. MINISTER FOR EMPLOYMENT PARTICIPATION.

Forwarding Certificate of Appreciation to Council in recognition of its valuable contribution to the success of National Green Jobs Corps.

Resolved – That the list of correspondence be received and noted.

(Crs. Lancini and Kaurila – Carried)

4. CONCLUSION – This concluded the business of the meeting which closed at 11.58 p.m.

5. APPROVED and adopted this 17th day of April, 2012.

MAYOR