



**HINCHINBROOK
SHIRE COUNCIL**

MINUTES OF THE GENERAL MEETING
OF THE
HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS,
INGHAM ON
THURSDAY 14TH JUNE, 2012
AT 9.14 A.M.

-
- ATTENDANCE
- Present were Councillors R. Bow, P.D. Lynch, L.R. Molachino, S.J. Kaurila, D.G. Carr, W.G. Skinner and M.G. Tack.
 - Also present was the Chief Executive Officer (R.W. Clark), Manager Engineering Services (B.E. Leach), Manager Corporate & Economic Development (R.F. Pennisi), Finance Manager (C.J. Trost), Manager Environmental Health Services (T. Tanase) and Executive Secretary (B.K. Edwards).

Works Engineer, J. Devietti was in attendance when the meeting commenced.

- PRAYER
- The Deputy Mayor opened the meeting with prayer.

1. MINUTES
- Resolved that the Minutes of the General Meeting held on the 22nd May, 2012 be approved as a correct record of proceedings and be signed by the Mayor.
(Crs. Lynch and Carr – Carried unanimously)

2. BUSINESS –

1. CEO REPORT OF COUNCILLOR REQUESTS

Consideration of CEO Report of Councillor Requests for the period 18th May, 2012 to 7th June, 2012.

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

2. WORKS REPORT

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

Manager Corporate & Economic Development, R. Pennisi entered the meeting at 9.50 a.m.

Resolved – That the Report be received and noted.
(Crs. Skinner and Carr – Carried)

Works Engineer, J. Devietti left the meeting at 9.55 a.m.

3. FINANCIALS

Consideration was given to a report of financial activities as at the 6th June, 2012.

The meeting adjourned at 10.00 a.m. for morning tea and resumed at 10.30 a.m.

Resolved - That the Report be received and noted.
(Crs. Tack and Kaurila – Carried)

4. OPERATIONAL ACTION 1.0 - COMMUNITY

Works Engineer, J. Devietti entered the meeting at 10.51 a.m.

1. INGHAM TENNIS ASSOCIATION, Ingham, 16th May, 2012, advising the Club is currently redeveloping courts 6, 7, 12 and 13 through a grant secured from QLD State Government, Tennis Australia and Tennis Queensland. The Club has also secured another grant from RACQ to assist with providing drains to remove water quickly and prevent and correct areas from erosion. A grant for \$12,000 has been obtained from RACQ however the quoted works is for \$14,000. Requesting Council to consider providing the remaining \$2,000 to complete these works as the Club has 150 members. The Club believes they are pushing well above their own weight in improving the aging facility and have done so this far by and large on their own. (012/0002)

Resolved – That consideration be deferred to a future General Meeting pending an inspection of the proposed drainage works by Engineering Services.
(Crs. Molachino and Carr – Carried)

Works Engineer, J. Devietti left the meeting at 11.05 a.m.

2. CLAIRE MAMMINO, Ingham, 1st June, 2012, advising that she is organising a Roaring 20's Gala Ball at the Hinchinbrook Shire Hall on Saturday 11th August, 2012 to raise funds for Cancer Patient Support and Research. Claire is taking part in the CancerFREE Challenge as she is Ingham's CancerFREE Challenge Hope Ambassador for the Australian Cancer Council Challenge 2012. It is anticipated that the Hope Gala Ball will be an annual event that will be enjoyed by locals and tourists alike. Attending an event like this would normally cost up to \$150 per person, but with the support of local sponsors Claire is hoping to provide this high quality Gala for \$75 per person. Paul Tabone and Leslie Martin from Aria Productions Entertainment and Events have extensive experience organizing first class events nationally and internationally. Along with Opera in the Wetlands, Aria Productions are also credited with a multitude of internationally and nationally renowned events. They intend on marketing the ball by advertising on the radio (Sea FM, HotFM, 4KZ, ABC Classic FM), television (WIN, Channel 7), Websites (Hope Gala Ball, Aria Productions, Wots on, The List, Event Guides) and flyer drops to Townsville, Ingham and Cairns). Requesting Council's sponsorship or inkind donation to the event. Sponsorship packages are available Bronze (\$100-\$500), Gold (\$1,000) and Platinum (\$5,000). (012/0002)

The Mayor adjourned the meeting at 11.15 a.m. for himself and the Deputy Mayor, Cr. Patrick Lynch to attend the funeral of the late Bob Dunbar.

The meeting resumed at 12.30 p.m. following lunch.

Resolved – That Council provide financial assistance in the sum of \$200 (excl. GST) as the event fulfils Council's Support for Events Policy.
(Crs. Lynch and Kaurila – Carried)

3. HERBERT RIVER JOCKEY CLUB, Ingham, 15th May, 2012, advising the Club's traditional "Ingham Gold Cup" will be held on Saturday 1st September, 2012 and the "Festivities & Fetlocks" on the 24th November, 2012. Seeking Council's sponsorship of these events (012/0002)

Resolved – That Council provide sponsorship in the 2012 / 2013 budget in the sum of \$2,250 (incl. GST) with \$1,430 inkind support to the Herbert River Jockey Club for the 2012 Annual Races and should cost of the work exceed the budget allocation, an invoice for the excess amount above \$1,430 will be sent to the Club for payment.
(Crs. Lynch and Molachino – Carried)

Cr. P.D. Lynch declared a real conflict of interest in Item 2.4.4. (as defined in section 173 of the Local Government Act 2009) due to his membership of the Ingham Lions Club and excluded himself from the meeting while the matter was debated and the vote was taken.

4. LIONS CLUB OF INGHAM INC., Ingham, 22nd May, 2012, advising the Club plans to hold the Hinchinbrook Family Fishing Classic in Lucinda on Friday 28th and Saturday 29th September, 2012. Requesting permission to use Borello Park for the three days including Sunday 30th September, 2012 to dismantle and clean up, and to access power and water for the event. Requesting Council to once again provide cash sponsorship as well as inkind sponsorship by providing Council staff to help erect marquee and stalls on the Friday morning. (039/0005)

Resolved – That Council provide sponsorship in the 2012 / 2013 budget in the sum of \$450 (excl. GST) with \$900 in kind support to the Lions Club of Ingham Inc. for the 2012 Hinchinbrook Family Fishing Classic and should cost of the work exceed the budget allocation, an invoice for the excess amount above \$900 will be sent to the Club for payment.
(Crs. Kaurila and Skinner – Carried)

Cr. P.D. Lynch returned to the meeting.

5. BURDEKIN SHIRE COUNCIL, Ingham, 30th May, 2012, advising that registrations are now open for the 2012 Burdekin Crime Prevention and Community Safety Conference in Ayr on the 6th and 7th September, 2012. (044/0030)

Resolved – That Cr. Marc Tack attend the 2012 Burdekin Crime Prevention and Community Safety Conference in Ayr on the 6th and 7th September, 2012.
(Crs. Lynch and Carr – Carried)

5. OPERATIONAL ACTION 2.0 - ECONOMY

1. NBN CO. LIMITED – LEASE OF PORTION OF FORREST BEACH WATER TOWER – INSTALLATION OF FIXED RADIO (WIRELESS) COMPONENT OF THE NATIONAL BROADBAND NETWORK.

Consideration of Report to Council from Customer & Corporate Services Officer dated 31st May, 2012 regarding a request received by NBN Co. Limited to lease a portion of the Forrest Beach Water Tower (part of Lot 370 on CWL2758) for the purpose of installation of fixed radio (wireless) component of the National Broadband Network.

Resolved – That Council approve the standard National Broadband Network lease with an additional clause added to reflect the principle that if the Forrest Beach Water Tower is decommissioned, Council accepts no responsibility for the ongoing maintenance of the facility.
(Crs. Kaurila and Skinner – Carried)

Resolved – That the annual rental fee be \$13,500 (ex. GST) to be increased by CPI annually for the term of 2 x 10 year consecutive leases with no option periods. 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.
(Crs. Molachino and Tack – Carried)

Cr. D.G. Carr declared a perceived conflict of interest in Item 2.5.2. (as defined in section 173 of the Local Government Act 2009) due to his family's membership of the Ingham Gymnastics Club and excluded himself from the meeting while the matter was debated and the vote was taken.

2. INGHAM GYMNASTICS CLUB – PROPOSED AWNING.

Consideration of Report to Council from Customer & Corporate Services Officer dated 31st May, 2012 regarding a request received by the Ingham Gymnastics Club to secure Council approval to install roof insulation and construct an awning to be attached to the eastern side of the Showgrounds Pavilion Shed through a funding application to the Gambling Community Benefit Fund.

Resolved – That the matter lay on the table.
(Crs. Kaurila and Molachino – Carried)

Cr. D.G. Carr returned to the meeting.

3. HINCHINBROOK RUGBY LEAGUE FOOTBALL CLUB INC. (HERBERT RIVER CRUSHERS) – ADDITIONAL AREA OF LAND.

Consideration of Report to Council from Customer & Corporate Services Officer dated 31st May, 2012 regarding a request received the Hinchinbrook Rugby League Football Club Inc. (Herbert River Crushers) to use an area of land adjoining their current trustee lease situated at Sportsman Parade for the purpose of additional shaded spectator area and further request for Council to accept responsibility of the annual inspection / maintenance of the large trees situated on the site.

Resolved –That Council approve the use of the area of land adjoining Hinchinbrook Rugby League Football Club Inc. Trustee Lease described as Lease A on part of Lot 97 on Plan CWL3190 for the sole purpose of a shaded spectator area, on the condition that the Hinchinbrook Rugby League Football Club Inc. accepting responsibility for the ongoing maintenance of the area.

(Crs. Lynch and Kaurila – Carried)

Resolved –That Council also accept responsibility for the annual inspection / maintenance of the large trees situated on the site, subject to the area being secured with no access into the old dump site.

(Crs. Carr and Lynch – Carried)

Manager Technical Services, G. Weston entered the meeting at 1.05 p.m.

Cr. Tack moved and Cr. Molachino seconded to reconsider Item 2.5.4.

Cr. D.G. Carr declared a perceived conflict of interest in Item 2.5.4. (as defined in section 173 of the Local Government Act 2009) due to his family's membership of the Ingham Gymnastics Club and excluded himself from the meeting while the matter was debated and the vote was taken.

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Resolved – That consideration be deferred to a future General Meeting pending receipt of a detailed design of the proposal from the Ingham Gymnastics Club.

(Crs. Lynch and Molachino – Carried)

Cr. D.G. Carr returned to the meeting.

Manager Technical Services, G. Weston left the meeting at 1.09 p.m.

5. RON RICHARDS, Abergowrie, 29th May, 2012, requesting Council to reassess its decision to object against Permanent Road Closure application of area currently temporarily closed at end of Dalrymple Road, Abergowrie over Lot 1 on RL6373. Advising road comes to a dead end as on other side of Elphinstone Creek is State Forest and a road closure by them allowing only their own personnel to have access only. (026/0001)

Consideration was also given to a Report to Council from Acting Infrastructure Engineer dated 1st June, 2012 providing a summary of events leading up to Council's previous decision to object against the application.

Resolved – That Council offer no objection to the Permanent Road Closure over parcel Lot 1 on RL6373.

(Crs. Kaurila and Skinner – Carried)

Cr. Lynch moved and Cr. Molachino seconded to consider the Mona Landing Boat Ramp Facility Matter.

Cr. D.G. Carr declared a perceived conflict of interest in Item 2.6.1. (as defined in section 173 of the Local Government Act 2009) due to his personal relationship with the owners of the land and excluded himself from the meeting while the matter was debated and the vote was taken.

6. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. MONA LANDING BOAT RAMP FACILITY.

Consideration of Report to Council from Manager Engineering Services dated 4th June, 2012 providing an update of the status of the Mona Landing Boat Ramp Facility matter.

Resolved – That the matter lay on the table until the General Meeting on Tuesday 3rd July, 2012.

(Cr. Lynch – Carried)

Cr. D.G. Carr returned to the meeting.

Cr. Lynch moved to continue with the items of business

7. OPERATIONAL ACTION 2.0 - ECONOMY

1. CLAIM FOR VEHICLE DAMAGE – DISASTER CREEK – COLLAPSE OF CULVERT.

Consideration of Report to Council from Chief Executive Officer dated 5th June, 2012 regarding a request received Mr. Ross Greenwood on the 5th April, 2012 seeking compensation from Council after his vehicle suffered damage when the road culvert across Disaster Creek collapsed underneath him on the 22nd March, 2012.

Resolved – That the matter lay on the table.
(Crs. Kaurila – Carried)

2. DEPARTMENT OF NATURAL RESOURCES & MINES, Townsville, 23rd April, 2012, seeking Council's views and / or requirements in relation to an application by R.H. & L.M. Rowe for Renewal / Conversion of Special Lease 24/46594 over Lot 102 on Plan CWL1965 at Lee Creek Road, Abergowrie. Proposed use of the land is for agricultural (sugar cane growing) purposes.
(077/0001)

Resolved – That Council advise the Department that it has no objection to, nor any requirements in relation to the application for Renewal / Conversion of Special Lease 24/46594 over Lot 102 on Plan CWL1965 at Lee Creek Road, Abergowrie.
(Crs. Kaurila and Skinner – Carried)

3. SITING RELAXATION APPLICATION – 18 BANKSIA STREET, ALLINGHAM.

Consideration of Report to Council from Acting Infrastructure Engineer dated 27th May, 2012 in relation to a Siting Relaxation Application lodged by Mr. Jeffrey Mundt for a proposed extension to an existing house via addition of an open carport on one side and an awning over a patio on the opposite side of the existing residence at 18 Banksia Street, Allingham.

Resolved – That Council approve the Siting Relaxation Application submitted by Mr. Jeffrey Mundt on the grounds that the proposed carport and awning are unlikely to impact on the outlook and privacy of neighbouring residents.
(Crs. Carr and Kaurila – Carried)

4. BRAZIER MOTTI, Townsville, 24th May, 2012, on behalf of *Sucrogen (Herbert) Pty. Ltd.* seeking approval of the proposed Reconfiguration of Land (subdivision) into two (2) lots via lease (exceeding 10 years) of Lot 2 on SP218606 at Helen's Hill Road, Helen's Hill. Land is zoned *Rural*.
(068/0044)

Further consideration was given to an Engineering Planning Report from Acting Infrastructure Engineer dated 1st June, 2012 regarding the proposed Reconfiguration of Land.

Resolved - That the Development Application for Reconfiguring a Lot over Lot 2 on SP218606 be approved.
(Crs. Molachino and Kaurila – Carried)

5. GILKERSON LEGAL, Brisbane, 7th June, 2012, forwarding Report on Native Title Determination Application QUD85/2005 for Gugu Badhun People and draft s87 Agreement and Determination for Council's consideration.

Resolved – That Council consents to a determination of native title in QUD85/2005 (Gugu Badhun People) substantially in the terms of the draft consent determination, wish such amendments as may be required to enable the consent determination to be made by the Federal Court.
(Crs. Kaurila and Lynch – Carried)

Resolved – That Council authorise the Mayor or in his absence the Chief Executive Officer to endorse on its behalf any incidental changes made to the draft determination as referred to in paragraph 1 of this resolution which are required to enable the Federal Court to make the determination.
(Crs. Kaurila and Skinner – Carried)

Resolved – That Council authorise Gilkerson Legal to execute an agreement under section 87 of the *Native Title Act 1993* confirming Council's consent to the draft determination orders.
(Crs. Carr and Molachino – Carried)

8. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. 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. Tack and Skinner – Carried)

2. TENDER REVIEWS – NATURAL DISASTER RELIEF & RECOVERY ARRANGEMENTS (NDRRA) WORK – HSC 11/76 – CULVERT REPAIRS TO CAPELLARI'S ROAD.

Consideration of Report to Council from Manager Engineering Services dated 4th June, 2012 regarding tenders received for NDRRA restoration works associated with culvert structures on Capellari's Road which is maintained by Council.

Resolved – That Council award HSC 11/76 – Culvert Repairs to Capellari's Road to RMS Engineering and Construction with the tender sum being \$480,200.44 (excl. GST).
(Crs. Molachino and Skinner – Carried)

3. TENDER REVIEWS – NATURAL DISASTER RELIEF & RECOVERY ARRANGEMENTS (NDRRA) WORK – HSC 11/85 – REHABILITATION ABERGOWRIE ROAD, LANNERCOST EXTENSION ROAD AND WALLAMAN FALLS ROAD.

Consideration of Report to Council from Manager Engineering Services dated 1st June, 2012 regarding tenders received for NDRRA restoration works associated with pavement reconstruction on the Shire maintained section of Abergowrie Road, the full length of Lannercost Extension Road, and the lower section of Wallaman Falls Road.

Resolved – That Council agree to progress negotiations with the recommended tenderer with a view to the award of contract HSC 11/85 – Rehabilitation Abergowrie Road, Lannercost Extension Road and Wallaman Falls Road to Allciv for the tendered sum being \$4,798,048.10 (excl. GST). This award will be subject to the determination that there are no impediments identified during the negotiating period.
(Crs. Tack and Carr – Carried)

The meeting adjourned at 2.02 p.m. and resumed at 2.13 p.m.

Cr. Kaurila and Cr. Molachino were not present when the meeting recommenced.

4. SUBMISSION OF DRINKING WATER QUALITY MANAGEMENT PLAN.

Consideration of Report to Council from Manager Water & Sewerage dated 5th June, 2012, seeking Council's endorsement of a submission made to the Department of Environment & Resource Management (DERM) for Council's Drinking Water Quality Management Plan to comply with the provisions of the *Water Supply (Safety and Reliability) Act 2008*.

Resolved – That Council receive and note the "Drinking Water Quality Management Plan" as supplied to DERM for approval.
(Crs. Lynch and Skinner – Carried)

5. REQUEST TO JOIN INGHAM SEWERAGE SCHEME - VICTORIA PLANTATION SCHOOL.

Consideration of Report to Council from Manager Water & Sewerage dated 5th June, 2012, seeking Council's direction in relation to a request from Parker Hydraulic Consulting Group on behalf of the Department of Education for Victoria State School to join the Ingham Sewerage Scheme through the rising main to the Community Wetlands.

Cr. Molachino returned to the meeting at 2.15 p.m.

Water & Sewerage Manager entered the meeting at 2.18 p.m.

Resolved – That Council allow the Victoria Plantation School to connect to the sewerage scheme through their onsite treatment plan with the following conditions:-

- All effluent discharged to Council sewer is to be the equivalent of Class (C);
- The Department of Education is responsible for all maintenance / repair work on their sewerage treatment plant and rising main;

- A flowmeter is to be installed on the pump line to measure daily flows;
- Quarterly test report on the performance of the onsite Treatment plant to be forwarded to Council;
- 6 monthly testing of BOD/SS/and Faecal Coliforms to be completed by a NATA certified Laboratory and the results forwarded to Council;
- Payment of a Headworks contribution of \$3,270.00 (2*\$1,635.00);
- Payment of all costs associated with installation of the plant and pump main;
- Construction as per submitted plan number H01 by Parker Hydraulic Consulting Group; and
- Payment of all plumbing and Drainage Inspection Fees.

(Crs. Lynch and Carr – Carried)

6. DRAINAGE CONCERNS.

Consideration of Report to Council from Manager Engineering Services dated 6th June, 2012 seeking Council's direction in relation to undertaking a drainage scoping exercise for known drainage trouble spots in urban areas of the Shire.

Resolved – That the matter lay on the table.

(Cr. Lynch – Carried)

7. REVIEW OF SPEED LIMIT THROUGH TOWNSHIP OF INGHAM – NATIONAL HIGHWAY – REQUEST FROM HINCHINBROOK ROAD SAFETY ADVISORY COMMITTEE (HRSAC).

Consideration of Report to Council from Manager Engineering Services dated 1st June, 2012 seeking Council's consideration of a request from the Hinchinbrook Road Safety Advisory Committee to lobby the Department of Transport and Main Roads to lower the speed zone in the Ingham Townsville (national highway) from 60km/hr to 50km/hr.

Environmental Health Technical Officer, B. Bampton entered the meeting at 2.22 p.m.

Resolved – That Council provide a recommendation to Department of Transport and Main Roads that the speed limit on the Bruce Highway from the Townsville Road / McIlwraith Street intersection north along Herbert Street to the Cartwright Street lights be reduced to 50km/hr.

(Crs. Molachino and Carr – Carried)

Cr. Kaurila returned to the meeting at 2.26 p.m.

9. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. CONTINUATION OF PROCESS FOR THE ADOPTION OF HINCHINBROOK SHIRE COUNCIL'S REVISED / REVIEWED LOCAL LAWS.

Consideration of Report to Council from Environmental Health Technical Officer dated 1st June, 2012 seeking Council's adoption of Local Laws and Subordinate Laws in line with the new *Local Government Act 2009* to review its Local Laws on a regular basis.

Resolved – That Council resolve to –

satisfy the conditions imposed by the Minister about each proposed "other" local law of Council under section 29A(4) of the Local Government Act 2009; and

make each proposed local law listed in schedule 1 as advertised; and

adopt each proposed model local law listed in schedule 2; and

make each proposed subordinate local law listed in schedule 3 as advertised; and

make each proposed local law listed in schedule 4 with amendments as particularised in schedule 4; and

make each proposed subordinate local law listed in schedule 5 with amendments as particularised in schedule 5.

SCHEDULE 1

Local Law (Repealing) Local Law (No. 1) 2012 (formerly Local Law (Repealing) Local Law (No. 1) 2011);

Local Law No. 1 (Administration) 2012 (formerly Local Law No. 1 (Administration) 2011);
Local Law No. 7. (Aerodromes) 2012 (formerly Local Law No. 7 (Aerodromes) 2011).

SCHEDULE 2

Model Local Law No. 2 (Animal Management) 2010, to be known as Local Law No. 2 (Animal Management) 2012;

Model Local Law No. 3 (Community and Environmental Management) 2010, to be known as Local Law No. 3 (Community and Environmental Management) 2012;

Model Local Law No. 5 (Parking) 2010, to be known as Local Law No. 5 (Parking) 2012;

Model Local Law No. 6 (Bathing Reserves) 2010 to be known as Local Law No. 6 (Bathing Reserves) 2012.

SCHEDULE 3

Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2012 (formerly Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011);

Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2012 (formerly Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011);

Subordinate Local Law No. 1.3 (Establishment or Occupation of a Temporary Home) 2012 (formerly Subordinate Local Law No. 1.3 (Establishment or Occupation of a Temporary Home) 2011);

Subordinate Local Law No. 1.5 (Keeping of Animals) 2012 (formerly Subordinate Local Law No. 1.5 (Keeping of Animals) 2011);

Subordinate Local Law No. 1.6 (Operation of Camping Grounds) 2012 (formerly Subordinate Local Law No. 1.6 (Operation of Camping Grounds) 2011);

Subordinate Local Law No. 1.7 (Operation of Cane Railways) 2012 (formerly Subordinate Local Law No. 1.7 (Operation of Cane Railways) 2011);

Subordinate Local Law No. 1.8 (Operation of Caravan Parks) 2012 (formerly Subordinate Local Law No. 1.8 (Operation of Caravan Parks) 2011);

Subordinate Local Law No. 1.9 (Operation of Cemeteries) 2012 (formerly Subordinate Local Law No. 1.9 (Operation of Cemeteries) 2011);

Subordinate Local Law No. 1.10 (Operation of Public Swimming Pools) 2012 (formerly Subordinate Local Law No. 1.10 (Operation of Public Swimming Pools) 2011);

Subordinate Local Law No. 1.11 (Operation of Shared Facility Accommodation) 2012 (formerly Subordinate Local Law No. 1.11 (Operation of Shared Facility Accommodation) 2011);

Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2012 (formerly Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2011);

Subordinate Local Law No. 1.13 (Undertaking Regulated Activities regarding Human Remains) 2012 (formerly Subordinate Local Law No. 1.13 (Undertaking Regulated Activities regarding Human Remains) 2011);

Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2012 (formerly Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011);

Subordinate Local Law No. 1.15 (Carrying out Works on a Road or Interfering with a Road or its Operation) 2012 (formerly Subordinate Local Law No. 1.15 (Carrying out Works on a Road or Interfering with a Road or its Operation) 2011);

Subordinate Local Law No. 1.16 (Gates and Grids) 2012 (formerly Subordinate Local Law No. 1.16 (Gates and Grids) 2011);

Subordinate Local Law No. 1.17 (Reservation of Bathing Reserve for Training, Competition etc) 2012 (formerly Subordinate Local Law No. 1.17 (Reservation of Bathing Reserve for Training, Competition etc) 2011);

Subordinate Local Law No. 1.18 (Bringing or Driving a Motor Vehicle onto a Local Government Controlled Area) 2012 (formerly Subordinate Local Law No. 1.18 (Bringing or Driving a Motor Vehicle onto a Local Government Controlled Area) 2011);

Subordinate Local Law No. 2 (Animal Management) 2012 (formerly Subordinate Local Law No. 2 (Animal Management) 2011);

Subordinate Local Law No. 3 (Community and Environmental Management) 2012 (formerly Subordinate Local Law No. 3 (Community and Environmental Management) 2011);

Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2012 (formerly Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011);

Subordinate Local Law No. 5 (Parking) 2012 (formerly Subordinate Local Law No. 5 (Parking) 2011);

Subordinate Local Law No. 6 (Bathing Reserves) 2012 (formerly Subordinate Local Law No. 6 (Bathing Reserves) 2011).

SCHEDULE 4

Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2012 (formerly Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011).

Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2012

Section 9(1)–

omit, insert–

‘This section applies if, in the local government’s opinion, it is necessary for land adjoining a road to be fenced to prevent the risk of–

animals escaping from the land onto the road; or

interference with the safe movement of traffic or the safe use of the road.’

(2) Section 11 –

omit, insert–

11 Compliance notice about a road or footpath crossing

(1) The local government may give a compliance notice to a person who is the owner or occupier of land adjoining or adjacent to a road to do 1 or more of the following–

perform work on the land or the road;

construct a vehicle crossing to provide vehicular access between the land and the road to a standard specified by the local government in the compliance notice;

maintain or repair a vehicle crossing which provides vehicular access between the land and the road to a standard specified by the local government in the compliance notice if, in the opinion of an authorised person, the vehicle crossing–

is not effective for its intended purpose; or

is causing a nuisance or poses a risk of a nuisance; or

constitutes an actual or potential safety hazard;

alter a vehicle crossing, or construct a new or modified vehicle crossing between the land and the road to a standard specified by the local government in the compliance notice if, in the opinion of an authorised person, the vehicle crossing is no longer adequate having regard to–

the volume or nature of traffic using the vehicle crossing; or

the manner in which the vehicle crossing is used by traffic; or

changes in the use of the land to which the vehicle crossing provides access; or

changes in the usual or expected standard of vehicle crossing provision in the relevant locality.

(2) However, a compliance notice may only be given under subsection (1), if the work to be carried out is required as a direct result of the intentional act or negligence of the person and, in the reasonable opinion of an authorised person, the work should be performed to—
protect public health, safety or amenity; or
prevent environmental harm or environmental nuisance; or
prevent interference with the safe movement of traffic or the safe use of a road.

SCHEDULE 5

Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2012 (formerly Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2011).

Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2012 (formerly Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2011).

Schedule 1, section 3(1)(c), before 'the name'^{3/4}

insert^{3/4}

'if available'^{3/4};

Schedule 1, section 3(7)(d), after 'content'^{3/4}

insert^{3/4}

'if available';

Schedule 1, section 4(1)(a)(vii), 'potential'^{3/4}

omit, insert^{3/4}

'likely';

Schedule 3, section 35(2)(a), '45'^{3/4}

omit, insert^{3/4}

'48';

Schedule 3, section 35(2)(b), after 'degrees'^{3/4}

insert^{3/4}

'unless the space between each face is filled or cladded';

Schedule 3, section 36(2)(a), after 'degrees'^{3/4}

insert^{3/4}

'unless the space between each face is filled or cladded';

Schedule 3, section 36(2)(b), '40'^{3/4}

omit, insert^{3/4}

'48';

Schedule 4, section 3^{3/4}

omit, insert^{3/4}

'3 If an advertising device advertises an activity being conducted on premises^{3/4}the activity must be able to be lawfully conducted on the premises.';

Schedule 4, section 18, 'The advertising device must blend'^{3/4}

omit, insert^{3/4}

'An advertising device at a location must be compatible';

Schedule 4, section 25, '45'^{3/4}

omit, insert^{3/4}

'48'.

(Crs. Kaurila and Carr – Carried)

2. 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 confirm that the Mayor, Cr. Rodger Bow and Cr. Patrick Lynch have been nominated to attend the National General Assembly of Local Government Conference in June, 2012.

(Crs. Kaurila and Molachino – Carried)

Environmental Health Technical Officer, B. Bampton left the meeting at 2.45 p.m.

3. CONFIDENTIALITY POLICY & PROCEDURES FOR COUNCILLORS.
Consideration of Draft Confidentiality Policy & Procedures for Councillors.

Resolved – That the Confidentiality Policy & Procedures for Councillors be adopted.

(Crs. Molachino and Skinner – Carried)

MISCELLANEOUS CORRESPONDENCE

1. CRIME & MISCONDUCT COMMISSION, Ingham, 16th May, 2012, forwarding Councillor Conduct Guide for distribution to Councillors developed to assist local government Councillors meet their obligations under the *Local Government Act 2009*. The Guide addresses some of the complex issues and situations that Councillors may face in performing their duties, and is intended as a practical reference tool to guide ethical behaviour and maintain the integrity of public office. (007/0080)

2. ELECTORAL COMMISSION QUEENSLAND, Brisbane, 16th May, 2012, advising that in September, 2011 ECQ provided indicative costs for Council of the 2012 quadrennial elections and the setup and operation of the Local Government Elections Branch (LGEB). Estimates provided were:-
 - a. Quadrennial elections \$84,830
 - b. LGEB Setup cost \$ 9,739
 - c. LGEB Operations \$19,478

ECQ is required to recover costs attributable to each Council and remit these funds to State Treasury. ECQ has worked to minimise the cost impact on Council of the ongoing LGEB costs and the total cost of the Branch for 2011/2012 comprises setup costs of \$640,000 and operating costs of \$210,300.

Forwarding ECQ's invoice for the costs attributable to Council for the LGEB which are exclusive of GST as follows:-

- LGEB Setup cost \$9,739.13
- LGEB Operations \$3,200.22

Advising that invoices for the cost of the recent elections will be issued early in the 2012/2013 financial year, including a dissection of the election costs attributable to Council. (004/0018)

3. DEPARTMENT OF REGIONAL AUSTRALIA, LOCAL GOVERNMENT, ARTS AND SPORT, Canberra, 23rd May, 2012, forwarding a copy of the *2008-09 Local Government National Report* tabled in the Federal Parliament on the 15th May, 2012 in accordance with the *Local Government (Financial Assistance) Act 1995*. The Report details the distribution of the Australian Government Financial Assistance Grants to local government for 2008-09 and provides an account of initiatives that seek to improve the efficiency and effectiveness of local government services to the community. The Report is also available on the Department's website at www.regional.gov.au. The 2009-10 *Local Government National Report* is currently with the graphic designer and is expected to be available in the coming months. (011/0018)

4. FORREST BEACH PROGRESS ASSOCIATION INC., Allingham, 29th May, 2012, advising that the Association at its meeting this month agreed to accept responsibility of the payment of mending the tennis court net as and when required as the Association takes the takings for the court. The members noted however that in any situation where the net is vandalised, they should not be held responsible for repair or replacement costs. The net will be collected from the trim shop shortly and play can begin. (079/0128)

Resolved – That the list of correspondence be received and noted.
(Crs. Lynch and Carr – Carried)

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

1. HERBERT RIVER GUN CLUB INC.
Financial assistance paid towards Club's Annual Clay Target Shoot on the 9th, 10th and 11th June, 2012.
2. CLAIRE MAMMINO.
Financial assistance paid towards Tour-de-Cure 2012 dinner hosted at TYTO Conference Centre on the 12th May, 2012.

Resolved – That the list be received and noted.
(Crs. Skinner and Kaurila – Carried)

10. OPERATIONAL ACTION 1.0 - COMMUNITY

1. ROTARY PARK – PROMOTIONAL BANNERS.
Consideration of Report to Council from Customer & Corporate Services Officer dated 12th June, 2012 regarding promotion of Hinchinbrook Shire main attractions through the banner holders, erected during Rotary Park upgrade, on the light poles.

Resolved – That Council approve the purchase and installation of banners portraying the Shires' identified main attractions for the benefit of positive promotion of the Hinchinbrook Shire from Signman Says Company at a cost of \$163 (excl. GST) each.

The list of heritage listed attractions to include – "Original Pub with no Beer"; Wallaman Falls; Jourama Falls; Lucinda Jetty / Fishing; TYTO Wetlands, TYTO Information Centre; Broadwater National Park; Historical Halifax / Museum; Hinchinbrook Channel / Fishing; New Ingham Cemetery and TYTO Regional Art Gallery; Sugar Cane; Local beaches along with other attractions identified by Council.

(Crs. Kaurila and Molachino – Carried)

11. OPERATIONAL ACTION 2.0 - ECONOMY

1. SANTO SORBELLO FOR AND ON BEHALF OF S. & C. SORBELLO HOLDINGS, Ingham, 5th June, 2012, seeking approval of the proposed Development Application for Building Work Assessable against a Planning Scheme (BWAP) – Boundary Setback Relaxation (Rural Siting Relaxation) for proposed new agricultural shed at 320 Long Pocket Road, Long Pocket described as Lot 20 on CWL2103. Land is zoned *Rural*. (058/0346)

Further consideration was given to a Report to Council from Technical Officer dated 7th June, 2012 regarding the application.

Resolved – That Council approve the Building Works Assessable against a Planning Scheme (BWAP) submitted by Santo Sorbello for and on behalf of S. & C. Sorbello Holdings, on the grounds that the proposed building work is in conformance with the relative specific outcomes of the Rural Zone Code of the Hinchinbrook Shire Planning Scheme 2005.

(Crs. Kaurila and Carr – Carried)

2. EXPRESSION OF INTEREST - HSC 12/63 PROVIDE SERVICES FOR PLANNING AND ENGINEERING CONSULTANCY.

Consideration of Report to Council from Manager Corporate & Economic Development dated 13th June, 2012 regarding provision of assistance to Council with managing and assessing planning and engineering documentation and compliance with relevant document permits.

Resolved – That Council engage the services of AECOM for the HSC 12/63 Services for Planning and Engineering Consultancy. This will be subject to Council's ongoing need for these services and should they not be required then Council reserves the right to terminate this engagement of service at anytime.

(Crs. Carr and Skinner – Carried)

3. RECONFIGURING A LOT: REARRANGEMENT OF BOUNDARIES – BURSILL HOLDINGS PTY LTD (BURSILL FAMILY TRUST) - DENNEY STREET, LUCINDA, LOTS 1 ON SP197688 & LOT 1 ON SP176048

Consideration of Report to Council from Manager Engineering Services dated 13th June 2012 regarding the Development Application for Reconfiguration of Land (Rearrangement of Boundaries) at Denney Street, Lucinda between Lots 1 on SP197688 and Lot 1 on SP176048. (066/0230)

Resolved – That the proposed Development Application for Reconfiguration of Land (Rearrangement of Boundaries) at Denney Street, Lucinda between Lots 1 on SP197688 and Lot 1 on SP176048 be approved subject to the following conditions:-

- (a) The approved reconfiguration being as per the sketch plan included with the IDAS application received by Council on the 12th March 2012; and
- (b) The development to meet all requirements of the Department of Environment and Resource Management [DERM] concurrence agency response and advice agency response received at Council office on the 24th May, 2012.

(Crs. Lynch and Skinner – Carried)

4. DEVELOPMENT APPLICATION FEES FOR BUILDING WORK – DEMOLITION OF UNSAFE FARM STRUCTURES.

Consideration of Report to Council from Manager Engineering Services dated 13th June 2012 regarding request received from Norquip Contracting Pty. Ltd seeking Council approval to the waiving of fees associated with the demolition of farm buildings / structures which are considered unsafe or derelict and that were damaged as a result of the Cyclone Yasi event.

Resolved – That Council advise the applicant that Council is not prepared to waive the demolition fees for unsafe building structures.

(Crs. Lynch and Carr – Carried)

12. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. NATURAL DISASTER RELIEF & RECOVERY ARRANGEMENTS (NDRRA) – INFRASTRUCTURE RESTORATION PROGRAM – TENDER REVIEW – HSC 11/74 – NDRRA FLOODWAY / CAUSEWAY REPAIRS TO LAFFEY'S ROAD AND PETTIT'S ROAD, PEACOCK SIDING.

Consideration of Report to Council from Manager Engineering Services dated 12th June, 2012 regarding tenders received for HSC 11/74 for restoration works associated with floodway / causeway repairs on Laffey's Road and Pettit's Road, Peacock Siding.

Resolved – That Council award HSC 11/74 – NDRRA Floodway / Causeway Repairs to Laffey's Road and Pettit's Road, Peacock Siding to JAGH Civil Contractors with the tendered sum being \$396,085.14 (excl. GST).

(Crs. Skinner and Tack – Carried)

2. NATURAL DISASTER RELIEF & RECOVERY ARRANGEMENTS (NDRRA) – INFRASTRUCTURE RESTORATION PROGRAM – TENDER REVIEW – HSC 11/79 – NDRRA ROAD DRAIN CLEARING WORKS.

Consideration of Report to Council from Manager Engineering Services dated 12th June, 2012 regarding tenders received for HSC 11/79 for restoration works associated with road drain clearing of roads maintained by Council.

Resolved – That Council award HSC 11/79 – NDRRA Road Drain Clearing Works to Timrith Transport with the tender sum being \$207,660 (excl. GST).

(Crs. Skinner and Carr – Carried)

3. NATURAL DISASTER RELIEF & RECOVERY ARRANGEMENTS (NDRRA) – INFRASTRUCTURE RESTORATION PROGRAM – TENDER REVIEW – HSC 12/21 – NDRRA MINOR REHABILITATION WORKS NEW 2012 EVENT.

Consideration of Report to Council from Manager Engineering Services dated 12th June, 2012 regarding tenders received for HSC 12/21 for minor rehabilitation works required throughout the Shire as a result of the new March, 2012 event.

Resolved – That Council accept the tender of JAGH Civil Constructions in the amount of \$1,657,500 (excl. GST) for HSC 12/21 – NDRRA Minor Rehabilitation Works New 2012 Event.

(Crs. Lynch and Carr – Carried)

4. HSC 12/58 – SUPPLY & DELIVERY OF 1 NEW 4 CYLINDER 4WD SINGLE CAB DIESEL UTILITY.
Consideration of Report to Council from Manager Engineering Services dated 12th June, 2012 regarding tenders received for HSC 12/58 Supply and Delivery of 1 New 4 Cylinder 4WD Single Cab Diesel Utility.

Resolved – That Council accept Devietti Holden's offer for one (1) only new Holden "RG" Colorado "DX" Cab Chassis 4WD, 2.8 litre turbo diesel intercooled engine, with five (5) speed manual for a purchase price of \$36,448.15 (incl. GST).
(Crs. Carr and Skinner – Carried)

13. OPERATIONAL ACTION 2.0 - ECONOMY

CLOSED MEETING – That pursuant to Chapter 5 Part 2 Division 3 Section 72 (1) (h) of the *Local Government (Operations) Regulation 2010*, Council resolve to go into Closed Meeting to discuss Item 2.13.1. as it could prejudice the interests of Council.
(Crs. Lynch and Tack – Carried)

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

OPEN MEETING - Resolved that Council return to Open Meeting.
(Crs. Carr and Kaurila – Carried)

1. CLAIM FOR VEHICLE DAMAGE – DISASTER CREEK – COLLAPSE OF CULVERT.
Consideration of Report to Council from Chief Executive Officer dated 5th June, 2012 regarding a request received Mr. Ross Greenwood on the 5th April, 2012 seeking compensation from Council after his vehicle suffered damage when the road culvert across Disaster Creek collapsed underneath him on the 22nd March, 2012.

Resolved – That Council advise that it has no liability in relation to this incident.
(Crs. Tack and Kaurila – Carried)

Resolved – That Council make an ex gratia payment to Mr. Greenwood of \$300 in recognition of his good citizenship in this instance.
(Crs. Tack and Kaurila – Carried)

14. OPERATIONAL ACTION 3.0 - ENVIRONMENT

CLOSED MEETING – That pursuant to Chapter 5 Part 2 Division 3 Section 72 (1) (e) of the *Local Government (Operations) Regulation 2010*, Council resolve to go into Closed Meeting to discuss Item 2.14.1. as a contract is proposed to be made.
(Crs. Carr and Skinner – Carried)

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

OPEN MEETING - Resolved that Council return to Open Meeting.
(Crs. Carr and Skinner – Carried)

1. DRAINAGE CONCERNS.
Consideration of Report to Council from Manager Engineering Services dated 6th June, 2012 seeking Council's direction in relation to undertaking a drainage scoping exercise for known drainage trouble spots in urban areas of the Shire.

The Manager Engineering Services briefed Council on his report in relation to the cost advantage in dealing with AECOM as a preferred supplier in this regard on the basis of their existing establishment in the Shire.

Resolved – That Council engage AECOM by utilising the preferred supplier arrangement under the Local Government Association of Queensland (LGAQ) Local Buy facility to undertake an Urban Drainage Scoping Study in line with their fee proposal which would be tailored to suit the overall drainage budget amount.
(Crs. Kaurila and Molachino – Carried)

15. OPERATIONAL ACTION 3.0 - ENVIRONMENT

CLOSED MEETING – That pursuant to Chapter 5 Part 2 Division 3 Section 72 (1) (e) of the *Local Government (Operations) Regulation 2010*, Council resolve to go into Closed Meeting to discuss Item 2.15.1. as it is "Commercial in Confidence".

(Crs. Tack and Carr – Carried)

Water & Sewerage Manager, P. Martin entered the meeting at

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

OPEN MEETING - Resolved that Council return to Open Meeting.

(Crs. Molachino and Kaurila – Carried)

1. GHD CONTRACT 421564000 - HINCHINBROOK ELEVATED RESERVOIR REPAIRS.

Consideration of Report to Council from Manager Water & Sewerage and tender assessment from GHD regarding tenders received for repairs to Elevated Reservoirs at Ingham and Tokalon and minor works to Halifax and Forrest Beach Reservoirs.

Resolved – That Council award GHD Contract 421564000 – Hinchinbrook Elevated Reservoir Repairs and associated works on the Ingham Tokalon, Halifax and Forrest Beach Water Towers to Brice Engineers Pty. Ltd. for the tender sum being \$336,900 (excl. GST) based on GHD's tender assessment.

(Crs. Carr and Skinner – Carried)

CLOSED MEETING – That pursuant to Chapter 5 Part 2 Division 3 Section 72 (1) (e) of the *Local Government (Operations) Regulation 2010*, Council resolve to go into Closed Meeting to discuss Item 2.15.2. as it is "Commercial in Confidence".

(Crs. Skinner and Lynch – Carried)

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

OPEN MEETING - Resolved that Council return to Open Meeting.

(Crs. Kaurila and Skinner – Carried)

2. HG PROJECT No. 1014-130589-01 – HINCHINBROOK SHIRE COUNCIL FLUORIDATION PROJECT.

Consideration of Report to Council from Manager Water & Sewerage regarding tenders received for fluoridation project for the Shire.

Resolved – That Council authorise the Mayor and Chief Executive Officer to finalise tender negotiations with the successful applicant when Harrison Grierson's final assessment is provided from interviewing the two lowest Tenderers to ensure timelines for the implementation of fluoride dosing into the water supplies are met.

(Crs. Kaurila and Carr – Carried)

Resolved – That Council authorise the Mayor and Chief Executive Officer to investigate increased funding options with the State Government should the final tendered price be more than provided by the Fluoridation Subsidy.

(Crs. Molachino and Skinner – Carried)

CLOSED MEETING – That pursuant to Chapter 5 Part 2 Division 3 Section 72 (1) (f) of the *Local Government (Operations) Regulation 2010*, Council resolve to go into Closed Meeting to discuss Item 2.15.3. as it is a legal matter.

(Crs. Skinner and Molachino – Carried)

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

OPEN MEETING - Resolved that Council return to Open Meeting.

(Crs. Carr and Lynch – Carried)

Cr. M.G. Tack declared a perceived conflict of interest in Item 2.15.3. (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.

3. ENFORCEMENT NOTICE – 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 dated 6th June, 2012 seeking Council's direction in relation to unauthorized operational works (filling of land) at 8 Dolphin Crescent, Taylors Beach.

Resolved – That Council proceed to enforcement stage in regard to unauthorised filling at 8 Dolphin Crescent, Taylors Beach – Lot 3 on R85811 and Lot 392 on CP899640.
(Crs. Lynch and Kaurila – Carried)

Cr. M.G. Tack returned to the meeting.

The meeting was adjourned at 4.25 p.m. and resumed at 4.30 p.m.

CLOSED MEETING – That pursuant to Chapter 5 Part 2 Division 3 Section 72 (1) (e) of the *Local Government (Operations) Regulation 2010*, Council resolve to go into Closed Meeting to discuss Item 2.15.4. as it is "Commercial in Confidence".

(Crs. Kaurila and Skinner – Carried)

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

Rates Supervisor, S. Oswald entered the meeting at 4.48 p.m.

OPEN MEETING - Resolved that Council return to Open Meeting.

(Crs. Tack and Lynch – Carried)

4. MAM'S PLANT HIRE PTY. LTD., Ingham, 5th June, 2012, forwarding submission to extend their domestic wheelie bin collection service contract with Council for 3 years to June, 2016.

Further consideration of Report to Council from Manager Environmental Health Services dated 7th June, 2012 regarding Mam's Plant Hire's submission.

Resolved – That Council is prepared in accordance with the provisions of the Contract to extend the current term of the Contract for an additional three (3) year period on the terms and conditions contained therein including the offer made by the Contractor on the 5th June, 2012 on the grounds that Council believes it represents the best value overall for the community at this point in time.

(Crs. Kaurila and Tack – Carried)

CLOSED MEETING – That pursuant to Chapter 5 Part 2 Division 3 Section 72 (1) (d) of the *Local Government (Operations) Regulation 2010*, Council resolve to go into Closed Meeting to discuss Item 2.16.1. as it is a rating issue.

(Crs. Carr and Skinner – Carried)

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

OPEN MEETING - Resolved that Council return to Open Meeting.

(Crs. Skinner and Kaurila – Carried)

16. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. SALE OF LAND FOR OVERDUE RATES.

Consideration of Report to Council from Rates Supervisor dated 7th June, 2012 seeking Council's consideration of selling land on the following property which has overdue rates for more than three years as under Section 74 Chapter 2 Part 12 Overdue Rates and Charges of the *Local Government (Finance, Plans and Reporting) Regulation 2010*, Council can take action to sell land in the Shire on which an overdue rate has remained unpaid for three years:-

PROPERTY NO.	PROPERTY	AMOUNT OWING	YEARS UNPAID
103931	47 Morehead Street, Ingham	\$20,171.10	3 years

Resolved – That in accordance with 74 Chapter 2 Part 12 Overdue Rates and Charges of the *Local Government (Finance, Plans and Reporting) Regulation 2010*, action commence to sell the following land on which overdue rates have remained unpaid for three years:-

PROPERTY NO.	PROPERTY	AMOUNT OWING	YEARS UNPAID
103931	47 Morehead Street, Ingham	\$20,171.10	3 years

(Crs. Carr and Lynch – Carried)

CLOSED MEETING – That pursuant to Chapter 5 Part 2 Division 3 Section 72 (1) (c) of the *Local Government (Operations) Regulation 2010*, Council resolve to go into Closed Meeting to discuss Item 2.16.2. as it is a budget issue.

(Crs. Kaurila and Skinner – Carried)

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

OPEN MEETING - Resolved that Council return to Open Meeting.

(Crs. Carr and Kaurila – Carried)

2. 2012 / 2013 COMMERCIAL CHARGES, REGULATORY FEES & OTHER CHARGES.

Consideration was given to a draft Schedule of Commercial Charges, Regulatory Fees & Other Charges for 2012 / 2013.

Resolved – That the amended draft Schedule of Commercial Charges, Regulatory Fees & Other Charges for 2012 / 2013 be adopted.

(Crs. Tack and Carr – Carried)

CLOSED MEETING – That pursuant to Chapter 5 Part 2 Division 3 Section 72 (1) (d) of the *Local Government (Operations) Regulation 2010*, Council resolve to go into Closed Meeting to discuss Items 2.17.1. as it is a rating issue.

(Crs. Molachino and Skinner – Carried)

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

OPEN MEETING - Resolved that Council return to Open Meeting.

(Crs. Molachino and Kaurila – Carried)

17. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. REQUEST TO NOT PROCEED WITH LEGAL ACTION FOR NON PAYMENT OF RATES BASED ON AN APPROVED REPAYMENT PLAN.

Consideration of Report to Council from Rates Supervisor dated 12th June, 2012 requesting Council's direction in relation to non payment of rates on property described as Lot 398 on CWL3157 and Lot 535 on CAR124166.

Resolved – That Council accepts the payment plan as proposed.

(Crs. Molachino and Lynch – Carried)

CLOSED MEETING – That pursuant to Chapter 5 Part 2 Division 3 Section 72 (1) (b) of the *Local Government (Operations) Regulation 2010*, Council resolve to go into Closed Meeting to discuss Item 2.17.2. as it is an industrial matter affecting employees

(Crs. Molachino and Kaurila – Carried)

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

OPEN MEETING - Resolved that Council return to Open Meeting.

(Crs. Carr and Kaurila – Carried)

Rates Supervisor, S. Oswald left the meeting at 5.30 p.m.

2. COUNCIL'S ENTERPRISE BARGAINING AGREEMENT.

Consideration of progress to date in relation to negotiation of a new Enterprise Bargaining Agreement with employees and their respective Unions.

Resolved –That Council continue negotiations and that at the Enterprise Bargaining Meeting on Thursday 21st June, 2012, Councillors Tack and Kaurila be observers in lieu of the Mayor and Deputy Mayor.

(Crs. Skinner and Lynch – Carried)

3. CONCLUSION – This concluded the business of the meeting which closed at 6.11 p.m.

4. APPROVED and adopted this 3rd day of July, 2012.

MAYOR