



MINUTES OF THE GENERAL MEETING  
OF THE  
HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS,  
INGHAM ON  
TUESDAY 3<sup>RD</sup> JULY, 2012  
AT 9.15 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), and Executive Secretary (B.K. Edwards).

PRAYER

- Cr. L.R. Molachino opened the meeting with prayer.

1. MINUTES

- Resolved that the Minutes of the General Meeting held on the 14<sup>th</sup> June, 2012 be approved as a correct record of proceedings and be signed by the Mayor.  
(Crs. Tack and Carr – Carried)

2. BUSINESS –

*Corporate Communications & Media Officer, K. Spano entered the meeting at 9.20 a.m.*

1. NOTICE OF MOTION – MONA BOAT RAMP

*Cr. D.G. Carr declared a perceived conflict of interest in Item 2.1. (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.*

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 12<sup>th</sup> July, 2011, relating to *Item 2.4.10. – Mona Landing Boat Ramp and Parking Facilities* and reading:-

" That Council intends to compulsorily acquire the required land at Mona Boat Ramp being 7,925m<sup>2</sup> identified as A in red, 6,977m<sup>2</sup> identified as B in green, and 4,510m<sup>2</sup> identified as C in blue on Council Sketch Plan No. 6964 previously submitted to Council and that the appropriate legal formalities be investigated for further consideration by Council."

be repealed.  
(Crs. Lynch and Molachino – Carried unanimously)

Cr. P.D. Lynch also moved that this matter be given further consideration by Council.

Resolved – That the status quo of the lease be upheld at this time and that further discussions be held with the Carr family regarding the future tenure of the area beyond the term of the lease.  
(Crs. Lynch and Molachino – Carried unanimously)

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

2. CEO REPORT OF COUNCILLOR REQUESTS  
Consideration of CEO Report of Councillor Requests for the period 8<sup>th</sup> June, 2012 to 29<sup>th</sup> June, 2012.

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

3. OPERATIONAL ACTION 1.0 - COMMUNITY

1. INGHAM SUGAR CITY RODEO COMMITTEE – HERBERT RIVER ROTARY CLUB, Ingham, received 18<sup>th</sup> June, 2012, advising that the 17<sup>th</sup> Ingham Sugar City Rodeo will be held on Saturday 8<sup>th</sup> September, 2012 at the Ingham Showgrounds and seeking Council's sponsorship of this event.  
(012/0002)

*Cr. S.J. Kaurila entered the meeting at 9.35 a.m.*

Resolved – That Council provide sponsorship in the sum of \$500 (incl. GST) to the Herbert River Rotary Club for the 2012 Ingham Sugar City Rodeo.  
(Crs. Carr and Molachino – Carried)

*Acting Infrastructure Engineer, C. Gray entered the meeting at 9.38 a.m.*

4. OPERATIONAL ACTION 2.0 - ECONOMY

1. DEPARTMENT OF NATURAL RESOURCES & MINES, Townsville, 12<sup>th</sup> June, 2012, advising that due to Council's views and requirements provided to the Department in February, 2011 as part of their initial investigation regarding application for Permanent Road Closure of part of Ufer's Road, Bemerside, the Department is now proposing to reduce the area originally applied for to Lot R on Drawing CNS10/098A with an area of 1.03ha (from 1.13ha). Requesting Council to give fresh consideration to the reduced area for permanent road closure submit. (077/0001)

Resolved – That Council advise the Department that it has no objection to the revised proposal subject to the existing access road construction being contained in the 20 metre road reserve (CNS 10/098A).  
(Crs. Carr and Molachino – Carried)

2. DEPARTMENT OF NATURAL RESOURCES & MINES, Toowoomba, 22<sup>nd</sup> June, 2012, seeking Council's views and / or requirements regarding an application received from the Department of Community Safety to lease approximately 2860m<sup>2</sup> of Lot 33 on CWL3212 for the purpose of constructing a Rural Fire Shed at Bambaroo School Road, Bambaroo. (075/0001)

Resolved – That Council advise the Department that it has no objection to, nor any requirements to the Department of Community Safety's application to lease approximately 2860m<sup>2</sup> of Lot 33 on CWL3212 for the purpose of constructing a Rural Fire Shed at Bambaroo School Road, Bambaroo.  
(Crs. Lynch and Kaurila – Carried)

3. SITING RELAXATION APPLICATION – 54 MARINA PARADE, INGHAM.  
Consideration of Report to Council from Acting Infrastructure Engineer dated 18<sup>th</sup> June, 2012 in relation to a Siting Relaxation Application from Mr. Grant Rix of Cassowary Coast Homes, for and on behalf of Mr. Wayne and Mrs. Angelina Brescianini for a proposed new dwelling to be erected at the front of the property at 54 Marina Parade, Ingham.

Resolved – That Council approve the Siting Relaxation Application submitted by Mr. Grant Rix of Cassowary Coast Homes for and on behalf of Mr. Wayne and Mrs. Angelina Brescianini for a proposed dwelling at 54 Marina Parade, Ingham – Lot 707 on I22450 on the grounds that the proposed structure is unlikely to impact on light, ventilation, outlook and views of neighbouring and adjoining residents.  
(Crs. Kaurila and Carr – Carried)

Cr. L.R. Molachino declared a perceived conflict of interest in Item 2.4.4. (as defined in section 173 of the Local Government Act 2009) due to his personal relationship with the neighbour of the adjacent land and excluded himself from the meeting while the matter was debated and the vote was taken.

4. SITING RELAXATION APPLICATION – 52 PATTERSON PARADE, LUCINDA.

Consideration of Report to Council from Acting Infrastructure Engineer dated 27<sup>th</sup> June, 2012 in relation to a Siting Relaxation Application from Development Certification on behalf of Mr. Gareth and Mrs. Kim Moncrieff for a proposed shed to be erected on the side and rear boundary at 52 Patterson Parade, Lucinda.

Resolved – That consideration be deferred to a future General Meeting pending receipt of further information in relation to the application.

(Crs. Tack and Skinner – Carried)

Cr. L.R. Molachino returned to the meeting.

5. SITING RELAXATION APPLICATION – 62 BRUCE PARADE, LUCINDA.

Consideration of Report to Council from Acting Infrastructure Engineer dated 26<sup>th</sup> June, 2012 in relation to a Siting Relaxation Application from Development Certification on behalf of Ms. Donna Schifilliti for a proposed shed to be erected on the side and front boundary (Vass Street) at 62 Bruce Parade, Lucinda.

Resolved – That Council not approve the Siting Relaxation Application submitted by Development Certification on behalf of Ms. Donna Schifilliti for a proposed shed at 62 Bruce Parade, Lucinda (Lot 612 on L46913) on the grounds that the proposed structure does not allow access to the side or rear shed to maintain the structure and could be expected to have a negative impact on the outlook and views of neighbouring adjoining residents and will set a precedent for future development throughout Ingham.

(Crs. Lynch and Kaurila – Carried)

6. SITING RELAXATION APPLICATION – 8 SALMON STREET, TAYLORS BEACH.

Consideration of Report to Council from Acting Infrastructure Engineer dated 26<sup>th</sup> June, 2012 in relation to a Siting Relaxation Application from Affordable Steel Buildings on behalf of Mr. Colin and Mrs. Margaret Fuller for a proposed extension to an existing house via addition of an open carport at 8 Salmon Street, Taylors Beach.

Resolved – That Council approve the Siting Relaxation Application submitted by Affordable Steel Buildings on behalf of Mr. Colin and Mrs. Margaret Fuller on the grounds that the proposed extension to the existing house of an open carport is expected to facilitate acceptable streetscape and unlikely to impact on the outlook and views of neighbouring adjoining residents and subject to the following condition:-

(a) The structure is to be built in accordance with the plans submitted with the Siting Relaxation Application.

(Crs. Kaurila and Skinner – Carried)

7. GEOFFREY ROY STRICKLAND, 19<sup>th</sup> April 2012, Allingham, - seeking approval for a proposed material change of use of premises (Code Assessable): from dwelling to home occupation (Thai Takeaway), Lot 4 on RP733788, 3 Bloodwood Street, Allingham. Land is zoned residential. (058/0348)

Consideration given to a Planning Assessment Report to Council from Town Planning & Development Officer dated 27<sup>th</sup> June, 2012 regarding the proposed Material Change of Use application.

Resolved – That the proposed Development Application for a Material Change of Use – Code Assessment – utilising part of existing dwelling to prepare, cook and sell Thai take-away food at 3 Bloodwood Street, Allingham (Lot 4 on RP733788) be approved subject to the following conditions:-

(a) The development is limited to the production of a maximum of sixty (60) servings per a day, on the designated days of Friday, Saturday and Sunday;

(b) The general public cannot purchase or pickup takeaway food orders from the premises;

- (c) A limited delivery service may operate from the premises in accordance with a takeaway delivery operations plan to be submitted by the applicant for Council's consideration and approval;
- (d) The following drawings and documents are the 'approved plans':

Plan/Document Name	Received by Council
Applicant Planning Report	19 <sup>th</sup> April 2012
Site Plan 1:100 (Lot 4 on RP733788) as marked up by Council's Manager Engineering Services	19 <sup>th</sup> April 2012
Site Plan 1: 200 (Food Preparation and Cooking area & Entrance and Reception) as marked up by Council's Manager Engineering Services	19 <sup>th</sup> April 2012
Applicant's reply to Council's Request for further information	29 <sup>th</sup> May 2012

- (e) Development shall be carried out, and there after retained, generally in accordance with the approved plans.

That the applicant be advised:-

- (i) A valid food business licence must be obtained prior to the use commencing  
(Crs. Lynch and Skinner – Carried)

8. OPTUS PTY. LTD. c/- AURECON AUSTRALIA PTY. LTD., Brisbane, 30<sup>th</sup> April, 2012, seeking approval for Material Change of Use of Premises: (Impact Assessable) –Telecommunications Facility, Lot 290 on CWL2004, 4 Dungeness Road, Lucinda. (058/0349)

Consideration was given to a Planning Assessment Report to Council from Town Planning & Development Officer dated 26<sup>th</sup> June, 2012.

Resolved – That the proposed Development Application for a Material Change of Use – Impact Assessment – Telecommunications Facility at 4 Dungeness Road, Lucinda (Lot 290 on CWL2004) be approved subject to the following conditions:-

- (a) That the proposed development be constructed in accordance with the Development Application and attached site plan submitted to Council on 1<sup>st</sup> May, 2012;
- (b) That the proposal complies with all referral agency conditions (Advice Agency Response – Referable Wetlands – Department of Environment and Resource Management [DERM] Permit No. SPAR04177412 dated the 9<sup>th</sup> May, 2012);
- (c) That the structure has a valid building approval;
- (d) That the lease for the site is finalised to the satisfaction of Hinchinbrook Shire Council;
- (e) That an appropriate arrangement is made to purchase electricity for the transmitter and equipment shelter from Hinchinbrook Shire Council and if no satisfactory arrangement can be made that a separate service is provided at the developers cost; and
- (f) That at the conclusion of construction works that the site is left in a tidy condition and all damage to retained vegetation, turf or facilities are restored to a pre- construction condition.

(Crs. Skinner and Lynch – Carried)

9. PORT BELLBIRD PTY. LTD. & RAELINE FIRTH AS TRUSTEE FOR EMSA FAMILY TRUST, Ingham, 11<sup>th</sup> May, 2012, seeking approval for Material Change of Use Premises (Impact Assessable) – Multiple Unit Development, Lots 1 and 2 on SP239267, 2-4 Renouf Street, Ingham. (058/0350)

Consideration was given to a Planning Assessment Report to Council from Manager Engineering Services dated 27<sup>th</sup> June, 2012.

Resolved – That Council refuse the application on the grounds that the proposed development is of the greater intensity than what is appropriate in that area under the Town Planning Scheme.

(Crs. Carr and Skinner – Carried)

That Council made the above decision which was contrary to the Officer recommendation on the grounds that the proposed 60% site coverage was too intense and will result in unfavourable impacts in that location.

The meeting adjourned at 10.50 a.m. for morning tea and resumed at 11.10 a.m.

Acting Infrastructure Engineer, C. Gray was also in the meeting when it resumed.

10. PORT BELLBIRD PTY. LTD. & RAELINE FIRTH AS TRUSTEE FOR EMSA FAMILY TRUST, Ingham, 20<sup>th</sup> June, 2012, seeking approval for Reconfiguration of a Lot: Community Title Scheme, Lot 3 on RP892898, 30 Eleanor Street, Ingham. (066/0321)

Consideration was given to a Planning Assessment Report to Council from Acting Infrastructure Engineer dated 2<sup>nd</sup> July, 2012.

Resolved – That the proposed Reconfiguration of Land (subdivision) – Community Title Scheme of Lot 3 on RP892898 at 30 Eleanor Street, Ingham be approved subject to the following conditions:-

- a). That the Reconfiguration of a Lot proceeds in accordance with the plans submitted with the ROL application including the enclosed Building Floor Plan; and
- b). That all conditions outlined in the Material Change of Use (File 058/0287-1) Decision Notice and subsequent "Change to an Existing Approval" continue to apply in full.  
(Crs. Molachino and Kaurila – Carried)

Town Planning & Development Officer, B. Christie-Johnston entered the meeting at 11.15 a.m.

11. MEDALCLIFF PTY. LTD., Oxenford, 14<sup>th</sup> May, 2012, seeking approval for Material Change of Use of Premises (Impact Assessable) – Multiple Unit Development, Lot 20 on SP238138, 12 Marginata Court, Allingham. (058/0351)

Consideration was given to a Planning Assessment Report to Council from Town Planning & Development Officer dated 2<sup>nd</sup> July, 2012.

Corporate Communications & Media Officer, K. Spano entered the meeting at 11.18 a.m.

Resolved – That the proposed Development Application for a Material Change of Use of Premises – Impact Assessment – Multiple Unit Development at 12 Marginata Court, Allingham (Lot 20 on SP238138) be approved subject to the following conditions:-

- (a) The following documents and drawings are the 'approved plans':

Plan/Document Name	Received by Council
Applicant Planning Report	14 <sup>th</sup> May 2012
Waste water disposal report, as prepared by Neil Rupp Plumbing	14 <sup>th</sup> May 2012
Site plan: Proposed Studio Units, Marginata Court, Forrest Sands Estate, Stage 3, DA-01, Dated 5 <sup>th</sup> April 2012	14 <sup>th</sup> May 2012
Floor plan: Proposed Studio Units, Marginata Court, Forrest Sands Estate, Stage 3, DA-02, Dated 5 <sup>th</sup> April 2012	14 <sup>th</sup> May 2012
Elevations: Proposed Studio Units, Marginata Court, Forrest Sands Estate, Stage 3, DA-03, Dated 5 <sup>th</sup> April 2012	14 <sup>th</sup> May 2012

- (b) Development must be carried out generally in accordance with the 'approved plans';
- (c) Provide a screened Rubbish Bin Storage enclosure;
- (d) Provide suitable multiple letter-boxes adjacent to the front entrance of the property;

- (e) Provide a suitable screen fence at least 1.8 metre high around the perimeter of the development site not including the front (Street) boundary;
- (f) Provide a Water Supply Headworks contribution of \$1,685.00 (Infrastructure Charges Calculation: 4 x 0.5 units – multiple unit development, single bedroom = \$3,370.00, minus existing credit (one network contribution charge) = \$1,685.00; and
- (g) Provide a Public Open Space & Recreational Infrastructure Service Contribution of \$1,685.00 (Infrastructure Charges Calculation: 4 x 0.5 units – multiple unit development, single bedroom = \$3,370.00, minus existing credit (one network contribution charge) = \$1,685.00.

That the applicant be advised:

- (i) A development permit for operational works may be required for onsite works; and
- (ii) The developer must obtain the appropriate Building Certification for the development.

*(Crs. Kaurila and Carr – Carried)*

12. BRAZIER MOTTI, Townsville, 24<sup>th</sup> 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)

Consideration was given to an Engineering Planning Report from Acting Infrastructure Engineer dated 29<sup>th</sup> June, 2012 regarding the proposed Reconfiguration of Land.

Resolved - That the proposed Development Application for Reconfiguration of Land (subdivision) into two (2) lots via lease (exceeding 10 years) of Lot 2 on SP218303 at Helen's Hill Road, Helen's Hill be approved subject to the following conditions:-

- (a) The following drawing is the 'approved plan':

Plan/Document Name	Received by Council
Proposed Reconfiguration, Lease A in Lot 2 on SP218606, Parish of Waterview, County of Cardwell. Plan No. 29406/003 A, dated 23 <sup>rd</sup> May, 2012	25 <sup>th</sup> May, 2012

- (b) Development must be carried out generally in accordance with the 'approved plan';
  - (c) The development to meet all requirements of the Department of Transport and Main Roads [DTMR] concurrence agency response received at Council office on the 25<sup>th</sup> June, 2012; and
  - (d) The development to meet all requirements of the Powerlink Queensland concurrence agency response received at Council office on the 19<sup>th</sup> June, 2012.
- (Crs. Kaurila and Molachino – Carried)*

13. EVERSON TOWN PLANNING FOR KLOR PTY. LTD., Townsville, 5<sup>th</sup> June, 2012, Request to Change Existing Approval, Reconfiguring a Lot – Subdivision of Land, Lot 1 on RP726535, Cooper Street, Ingham. (065/0120)

Consideration was given to a Report to Council from Town Planning & Development Officer dated 29<sup>th</sup> June, 2012.

Resolved – That Council approve the Request to Change Existing Approval for Reconfiguration of Land (subdivision) over Lot 1 on RP726535 at Cooper Street, Ingham subject to the following conditions:-

- (a) The following drawing is the 'approved plan':

Plan/Document Name	Received by Council
Cooper Street, Ingham, Lot 1 on RP726535. Proposed Use Reconfiguring a Lot - 1:3 Subdivision	6 <sup>th</sup> June, 2012

- (b) Development must be carried out generally in accordance with the 'approved plan';
- (c) The Developer will need to demonstrate that the acceptable solution S1.1 clause (ii) of the "Flooding and Inundation Code" can be achieved;
- (d) That the Developer provides invert crossing to each allotment to Council's required standard;
- (e) That the Developer demonstrates that suitable disposal of stormwater runoff from each of the allotments can be achieved without impacting on other allotments within the development or neighbouring properties
- (f) One additional payment to the Council of water headworks contribution of \$1,635 (one (1) additional lot x \$1,635);
- (g) One additional payment to the Council of sewerage headworks contribution of \$1,635 (one (1) additional lot x \$1,635);
- (h) One Additional Payment to the Council of public open space contribution of \$1,635 (one (1) additional lot x \$1,635); and
- (i) That the applicant add a standard truncation to the Cooper Street frontage of the south-western boundary of the western-most block.

*(Crs. Kaurila and Carr – Carried)*

14. QUENTIN BOSWORTH, Ingham, 23<sup>rd</sup> May, 2012, request to extend Development Approval Currency Period, Lot 2 on RP738517, 171 Moravcik's Road, Arnot Creek. (067/0085)

Consideration was given to a Planning Assessment Report to Council from Town Planning & Development Officer dated 2<sup>nd</sup> July, 2012.

Resolved – That Council grant an extension of time for two (2) years until the 23<sup>rd</sup> May, 2014 in which to complete the proposed development.

*(Crs. Carr and Skinner – Carried)*

15. M. & C. DEVON, Wulguru, 12<sup>th</sup> 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 relocation of a three bedroom dwelling at Hawkins Creek Road, Hawkins Creek described as Lot 1 on RP708778. Land is zoned *Rural*. (058/0346)

Further consideration was given to a Report to Council from Acting Infrastructure Engineer dated 24<sup>th</sup> June, 2012 regarding the application.

Resolved – That Council approve the Building Works Assessable against a Planning Scheme (BWAP) submitted by Michael and Carol Devon, on the grounds that the proposed building work is in general conformance with the performance outcomes of the Rural Zone Code of the Hinchinbrook Shire Planning Scheme 2005 and subject to:-

- (a) The structure is to be built in accordance with the plans submitted with the Siting Relaxation Application.

*(Crs. Kaurila and Molachino – Carried)*

*Town Planning & Development Officer, B. Christie-Johnston left the meeting at 11.41 a.m.*

#### 5. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND, Brisbane, 22<sup>nd</sup> June, 2012, advising that registrations are now open for the 2012 Disaster Management for Local Government Conference 2012 to be held from the 30<sup>th</sup> July, 2012 to the 2<sup>nd</sup> August, 2012 at the Ipswich Civic Centre, Ipswich.

*Works Engineer, Dr. J. Devietti entered the meeting at 11.43 a.m.*

Resolved – That the Mayor, Cr. Rodger Bow and Deputy Mayor, Cr. Patrick Lynch (and if appropriate a staff member) attend the 2012 Disaster Management for Local Government Conference 2012 at Ipswich.

*(Crs. Kaurila and Carr – Carried)*

2. NATURAL DISASTER RELIEF & RECOVERY ARRANGEMENTS (NDRRA) INFRASTRUCTURE RESTORATION PROGRAM – TENDER REVIEW – HSC 12/19 – NDRRA CULVERT REPAIRS TO ABSWOLD ROAD AND ELPHINSTONE POCKET ROAD.

Consideration of Report to Council from Acting Infrastructure Engineer dated 26<sup>th</sup> June, 2012 regarding tenders received for NDRRA restoration works associated with culvert repairs to Abswold Road and Elphinstone Pocket Road.

Resolved – That Council award HSC 12/19 – NDRRA Culvert Repairs to Abswold Road and Elphinstone Pocket Road to John Andrews Grader Hire (JAGH) with the tender sum being \$323,134.60 (excl. GST).

*(Crs. Skinner and Molachino – Carried)*

3. 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 commencing on the 30<sup>th</sup> June, 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. Skinner and Lynch – Carried)*

4. DONATION TO SES, TOOBANNA AND BAMBAROO RURAL FIRE BRIGADES.

Consideration of Report to Council from Pest Management Officer dated 26<sup>th</sup> June, 2012 seeking Council direction in relation to payment of donation to SES, Toobanna Rural Fire Brigade and Bambaroo Rural Fire Brigade for conducting controlled burns as part of management of declared pest weed species on all Main Road reserves.

Resolved – That Council pay the agreed amount of \$500 each as a donation to the SES, the Toobanna Rural Fire Brigade, and the Bambaroo Rural Fire Brigade from the confirmed 2012 / 2013 Main Roads Budget allocation.

*(Crs. Kaurila and Skinner – Carried)*

5. INGHAM NORTHERN ENTRANCE STATEMENT.

Consideration of Report to Council from Manager Engineering Services dated 27<sup>th</sup> June, 2012 regarding construction of the Ingham Northern Entrance Statement and seeking a determination of the scope of works for the Ingham Northern Entrance Statement.

Resolved – That the proposed Ingham Northern Entrance Statement (estimated cost \$80,000) be funded (\$40,000) from the 2011 / 2012 Budget and the balance (\$40,000) from the 2012 / 2013 Budget.

*(Crs. Lynch and Kaurila – Carried)*

6. HINCHINBROOK SHIRE COUNCIL ANNUAL PLANT HIRE OFFERS - 2012.

Consideration of Report to Council from Acting Works Engineer dated 28<sup>th</sup> June, 2012 regarding offers received for the following:-

- HSC 12/41 – Hire of Backhoes;
- HSC 12/42 – Hire of Cranes;
- HSC 12/43 – Hire of Dozers;
- HSC 12/44 – Hire of Excavators;
- HSC 12/45 – Hire of Front-End Loaders;
- HSC 12/46 – Hire of Graders;
- HSC 12/47 – Hire of Low Loaders;
- HSC 12/48 – Hire of Rollers;



- HSC 12/49 – Hire of Scrapers & Laser Scoops;
- HSC 12/50 – Hire of Skidsteer Loaders (Bobcats);
- HSC 12/51 – Hire of Slasher/Mowers;
- HSC 12/52 – Hire of Single Axle Trucks;
- HSC 12/53– Hire of Semi Trucks;
- HSC 12/54 – Hire of Traffic Control/Devices/Message Boards;
- HSC 12/55 – Hire of Utilities and Light Commercial Trucks; and
- HSC 12/56 – Hire of Water Trucks.

Resolved –That Council note the offers received and advise the Offerers that their tendered prices submitted will be placed on Council's List of Suppliers and that individual orders will be placed according to Council's requirements, cost effectiveness, and suitability of the various plants offered.

*(Crs. Skinner and Carr – Carried)*

*Works Engineer, Dr. J. Devietti left the meeting at 12.13 p.m.*

## 6. OPERATIONAL ACTION 4.0 - GOVERNANCE

### 1. STRATEGIC MANAGEMENT TEAM (SMT) MEETING MINUTES.

Consideration was given to the Minutes of the SMT Meeting held on the 19<sup>th</sup> June, 2012.

Resolved – That the Minutes be received and noted.

*(Crs. Lynch and Molachino – Carried)*

### 2. COUNCILLOR ORGANISATION / COMMITTEE RESPONSIBILITIES.

Consideration of changes to Councillor Organisation / Committee Responsibilities List and appointment of Councillors as follows:-

- That Cr. Patrick Lynch be removed as a Council representative on the Herbert River Pastoral and Agricultural Association (Show) as Council will be represented by Cr. Lawrence Molachino;
- That a Council representative be appointed to the Hinchinbrook Road Safety Advisory Committee (HRSAC);
- That a Council representative be appointed for Tourism;
- That the Friends of Gallery (FOG) be deleted from the List as the incorporated body no longer exists;
- That the Herbert River Improvement Trust (HRIT), Lower Herbert Water Management Authority (LHWMA), and Audit Committee Council representatives be noted on the List.

Resolved – That Cr. Patrick Lynch be removed as a Council representative on the Herbert River Pastoral and Agricultural Association (Show) as Council will be represented by Cr. Lawrence Molachino.

That Cr. Patrick Lynch be appointed to the Hinchinbrook Road Safety Advisory Committee (HRSAC) as Council's representative.

That Cr. Patrick Lynch be appointed for Tourism as Council's representative.

That the Friends of Gallery (FOG) be deleted from the List as the incorporated body no longer exists.

That the Herbert River Improvement Trust (HRIT) (Cr. David Carr and Cr. Wally Skinner); Lower Herbert Water Management Authority (LHWMA) (Cr. David Carr); and Audit Committee Council representatives (Cr. Rodger Bow and Cr. Sherry Kaurila) be noted on the List as follows:-

<i>Organisation / Committee – Cr. Rodger Bow</i>	<i>Organisation / Committee – Cr. Patrick Lynch</i>
• NQ Development Alliance (NQDA)	• Emergency Management Qld (EMO) (Deputy)
• NQ Regional Organisation of Councils (NQROC)	• Far North Qld Regional Organisation of Councils (FNQROC)
• NQ Regional Roads Group (NQRRG)	• Hinchinbrook Signage Committee
• Hinchinbrook Roads Safety Advisory Committee (HRSAC)	• Ingham Health Consumer Group
• Emergency Management Queensland (EMO)	• Tyto Wetlands Steering Committee
• NQ Local Government Association (NQLGA)	• Tropical Coast Tourism (TCT)
Y Audit Committee	• Audit Committee (Proxy)
	Y Hinchinbrook Roads Safety Advisory Committee (HRSAC)
	Y Tourism
<i>Organisation / Committee – Cr. Marc Tack</i>	<i>Organisation / Committee – Cr. David Carr</i>
• Hinchinbrook Community Support Centre (HCSC)	• Public Open Space Review Team (2 members)
• Hinchinbrook Chamber of Commerce	• NDRRA Project Leadership Team Member (observer)
• Halifax Progress Association	• Hinchinbrook Local Marine Advisory Committee (HLMAC)
• Hinchinbrook Youth Council	• Tyto Wetlands Steering Committee
Y Audit Committee (Proxy)	• Lucinda Progress Association
	• Taylors Beach Progress Association
	• Herbert River Improvement Trust (HRIT)
	• Lower Herbert Water Management Authority (LHWMA)
<i>Organisation / Committee – Cr. Sherry Kaurila</i>	<i>Organisation / Committee – Cr. Wally Skinner</i>
• Regional Arts Development Fund Committee (RADF)	• Terrain NRM
• Tyto Precinct Committee	• Pest Management - FNQPAF
• Hinchinbrook Transport Consortium	• Local Pest Management Group
• Reef Guardian Council	• Integrated Catchment Coordinating Committee (ICM)
• Local Authority Waste Management Advisory Committee (LAWMAC)	• Public Open Space Review Team (2 members)
• Forrest Beach Progress Association	• NDRRA Project Leadership Team Member (observer)
• Audit Committee	• Trebonne Action Group (TAG)
	• Herbert River Improvement Trust (HRIT)
<i>Organisation / Committee – Cr. Lawrence Molachino</i>	
• Australian Italian Festival Association	
• NQ Sports Foundation	
• Showgrounds Advisory Management Committee	
• HR Pastoral & Agricultural Association (Show)	
• Tyto Precinct Committee	

(Crs. Skinner and Carr – Carried)

3. NORTH QUEENSLAND LOCAL GOVERNMENT ASSOCIATION, Ayr, 1<sup>st</sup> June, 2012, advising that the North Queensland Local Government Association (NQLGA) Conference was to be held on the 11<sup>th</sup> to 13<sup>th</sup> July, 2012 at Magnetic Island, however due to the change to the Elections, and the subsequent postponement of a number of training sessions and other State and regional events, the Association has changed the date of the conference to the 8<sup>th</sup> to 10<sup>th</sup> August, 2012 and the venue to Townsville. (007/0003)

NORTH QUEENSLAND LOCAL GOVERNMENT ASSOCIATION, Ayr, 1<sup>st</sup> June, 2012, inviting Council representatives to attend the next NQLGA Conference to be hosted by Townsville City Council at Rydges Southbank from the 8<sup>th</sup> to 10<sup>th</sup> August, 2012. Forwarding Notice of Annual General Meeting (9<sup>th</sup>), Notice of General Meeting (9<sup>th</sup>), Call for agenda items / motions for consideration (deadline is Friday 6<sup>th</sup> July, 2012), call for nominations for executive positions, call for nominations for host councils, and registration information sheet. (007/0003)

Resolved – That Council be represented by the Mayor, Cr. Rodger Bow and Deputy Mayor, Cr. Patrick Lynch, Cr. Sherry Kaurila, and Cr. Lawrence Molachino at the NQLGA Conference in Townsville.

That Council nominate the Mayor, Cr. Rodger Bow for the Vice President or one (1) of the Executive positions.

That Council register its interest to host the NQLGA Conference in 2014.  
(Crs. Carr and Lynch – Carried)

KING & COMPANY SOLICITORS, Brisbane, 13<sup>th</sup> March, 2012, providing legal opinion in response to Council's request dated 31<sup>st</sup> January, 2012 regarding a legal opinion or clarification on teleconferencing and closed meetings and in particular providing information on *Representations to the Department of Local Government & Planning (DLGP)* e.g. for professional people (Planners and Lawyers) to be able to teleconference in to Council to give advice during a closed meeting session. (007/0013)

Resolved – That Council submit a motion to the NQLGA Conference seeking representations to the Department of Local Government & Planning (DLGP) through the Local Government Association of Queensland (LGAQ) to have Section 72 of the *Local Government (Operations) Regulation 2010* amended to allow other persons such as advisers or consultants to take part in a Closed Council Meeting by teleconference and to extend teleconferencing approvals to be able to apply to committee meetings open and / or closed.  
(Crs. Kaurila and Lynch – Carried)

*Chief Executive Officer, R. Clark left the meeting at 12.40 p.m.*

4. EXTENSION TO CHIEF EXECUTIVE OFFICER CONTRACT.  
Consideration of extending Mr. Robert Clark's Contract as Chief Executive Officer to Friday 24<sup>th</sup> August, 2012 to ensure there is a Chief Executive Officer present whilst the recruitment process for a new Chief Executive Officer is taking place.

Resolved – That Council extend the current Chief Executive Officer's Contract to Friday the 24<sup>th</sup> August, 2012.  
(Crs. Lynch and Kaurila – Carried)

*Chief Executive Officer, R. Clark returned to the meeting.*

5. AUDIT COMMITTEE MINUTES.  
Consideration of a Report from the Audit Committee Chairperson dated 31<sup>st</sup> May, 2012.

Resolved – That Council receive and note the Audit Committee Chairperson's Report.  
(Crs. Kaurila and Lynch – Carried)

#### MISCELLANEOUS CORRESPONDENCE

1. QUEENSLAND OMBUDSMAN, Brisbane, 22<sup>nd</sup> June, 2012, forwarding Community Perspective newsletter published to enhance community awareness and understanding of the role of the Queensland Ombudsman which is being circulated widely throughout Queensland to councils, members of parliaments and community organisations. (007/0028)

2. QUEENSLAND RECONSTRUCTION AUTHORITY, Brisbane, 22<sup>nd</sup> June, 2012, advising they are working with technical advisors, councils and LGAO to develop options to minimise cost of reconstruction works. This work identified that the use of internal capacity by local councils can result in lower project costs as well as more timely and fit for purpose outcomes when compared to the use of external contractors. The Deputy Premier has written to the Commonwealth Government proposing implementation of an approach to allow councils to seek NDRRA funding for use of internal workforces where value for money outcomes could be demonstrated which the Commonwealth has now indicated its support for such proposal. Details of the model and a guideline are being developed and will be distributed shortly. Assessment will utilise much of the Authority's current processes, supported by the use of benchmark data. The benchmark comparison would have to clearly demonstrate to the Authority's satisfaction that the use for internal council resources represents a superior estimated cost outcome. (011/0064)
3. AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION, Deakin, 7<sup>th</sup> June, 2012, forwarding copies of the final report of the Expert Panel appointed by the Government to examine options for the recognition of local government in the Australian Constitution. (007/0003)
4. HOPLANTATIONS, South Brisbane, 25<sup>th</sup> June, 2012, advising that effective from July, 2012 they will adopt a new business name of HQ Plantations Pty. Ltd. together with a new logo. (058/0337)

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

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

1. INGHAM NAIDOC COMMITTEE.  
Financial assistance paid towards 2012 NAIDOC Family Fun Day to be held in Rotary Park on 4<sup>th</sup> July, 2012.
2. INGHAM BOWLS CLUB.  
Financial assistance paid towards Club's Invitation Four's Bowling Competition on 28<sup>th</sup> and 29<sup>th</sup> July, 2012.
3. INGHAM VETERANS GOLF SOCIAL CLUB.  
Financial assistance paid towards Club's Open Championships from 23<sup>rd</sup> to 25<sup>th</sup> July, 2012.

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

7. COUNCILLOR ACTIVITY REPORT  
Consideration of Councillor Activity Reports as at the 29<sup>th</sup> June, 2012 to ensure transparency and public scrutiny of Councillor workload.

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

*The meeting adjourned at 1.00 p.m. for lunch and resumed at 2.10 p.m.*

*The Mayor did not return to the meeting due to his need to travel to the Civic Leaders Summit at Twin Waters. The Deputy Mayor, Cr. Patrick Lynch assumed the Chair. Acting Infrastructure Engineer, C. Gray was also in attendance when the meeting resumed.*

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 2.8.1. as a contract is proposed to be made.

(Crs. Molachino 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. Kaurila and Carr – Carried)

8. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. HINCHINBROOK SHIRE WATER FLUORIDATION PROGRAM TENDER AWARD.

Consideration of Report to Council from Acting Infrastructure Engineer dated 27<sup>th</sup> June, 2012 regarding Hinchinbrook Shire Water Fluoridation Program Tender Award.

Resolved – That Council defer consideration to a future General Meeting or Special General Meeting if required, pending receipt of further information from the State Government.  
(Crs. Tack and Kaurila – 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 2.9.1. as it is an industrial matter affecting employees.  
(Crs. Carr and Molachino – Carried)

*Acting Infrastructure Engineer, C. Gray left the meeting at 2.30 p.m.*

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)

9. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. 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 the Chief Executive Officer convey Council's final offer to the Unions' combined Log of Claims subject to the Unions indicating agreement with the outstanding items.

That the Unions be required to indicate acceptance of the offer by Monday 9<sup>th</sup> July, 2012.  
(Crs. Carr and Tack – Carried)

3. CONCLUSION – This concluded the business of the meeting which closed at 2.57 p.m.

4. APPROVED and adopted this 24<sup>th</sup> day of July, 2012.

---

MAYOR