



**HINCHINBROOK
SHIRE COUNCIL**

MINUTES OF THE GENERAL MEETING
OF THE
HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS,
INGHAM ON
TUESDAY 24TH JULY, 2012
AT 9.00 A.M.

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

Corporate Communications & Media Officer, K. Spano was also present when the meeting commenced.

- APOLOGY
- An apology for non-attendance was received from S.J. Kaurila and it was resolved that leave of absence be granted

- PRAYER
- Cr. D.G. Carr opened the meeting with prayer.

1. MINUTES - Resolved that the Minutes of the General Meeting held on the 3rd July, 2012 and Minutes of the Special Meeting held on the 12th July, 2012 be approved as a correct record of proceedings and be signed by the Mayor.
(Crs. Lynch and Skinner – Carried)

2. BUSINESS –

1. CEO REPORT OF COUNCILLOR REQUESTS
Consideration of CEO Report of Councillor Requests for the period 30th June, 2012 to 13th July, 2012.

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

2. HALF YEARLY CORPORATE PLAN & QUARTERLY OPERATIONAL PLAN REPORT & MONTHLY INSTRUCTION SHEETS

Consideration was given to the half yearly Corporate Plan Report and Quarterly Report of activities and progress towards achieving the strategies of all operational functions of Council for the quarter ending June, 2012 and monthly Instruction Sheets for the months April, May and June, 2012.

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

3. WORKS REPORT

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

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

4. FINANCIALS

Consideration was given to a report of financial activities as at the 30th June, 2012.

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

5. OPERATIONAL ACTION 1.0 - COMMUNITY

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 the matter lay on the table.
(Crs. Lynch and Carr – Carried)

2. HINCHINBROOK SHIRE FLAG.

Consideration of Report to Council from Records & Customer Service Manager dated 10th July, 2012, seeking Council's consideration of designing and modernizing a new flag for the Hinchinbrook Shire.

Acting Works Engineer, Dr. J. Devietti entered the meeting at 9.17 a.m.

Resolved – That Council approve the process to design a new flag and hold a community wide competition including the local schools to design a new flag based on criteria to be determined by Council.
(Crs. Carr and Molachino – Carried)

Cr. P.D. Lynch moved and Cr. W.G. Skinner seconded to consider Items 6., 7., and 8. previously laid on the table.

6. HALF YEARLY CORPORATE PLAN & QUARTERLY OPERATIONAL PLAN REPORT & MONTHLY INSTRUCTION SHEETS

Consideration was given to the half yearly Corporate Plan Report and Quarterly Report of activities and progress towards achieving the strategies of all operational functions of Council for the quarter ending June, 2012 and monthly Instruction Sheets for the months April, May and June, 2012.

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

7. WORKS REPORT

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

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

8. FINANCIALS

Consideration was given to a report of financial activities as at the 30th June, 2012.

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

Finance Manager, C. Trost left the meeting at 10.30 a.m.

Cr. P.D. Lynch moved and Cr. D.G. Carr seconded to consider Item 9.1. previously laid on the table.

9. OPERATIONAL ACTION 1.0 - COMMUNITY

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 Council contribute inkind support to land profiling and development of a V drain adjacent to the eastern tennis courts and that appropriate budget provision be made for this work.

(Crs. Lynch and Carr – Carried)

The meeting adjourned for morning tea at 10.32 a.m. and resumed at 10.46 a.m.

Acting Works Engineer, Dr. J. Devietti and Manager Environmental Health Services, T. Tanase were not present when the meeting resumed.

2. RETURNED & SERVICES LEAGUE OF AUSTRALIA (QUEENSLAND BRANCH) – CURRUMBIN PALM BEACH SUB-BRANCH INC. – VETERAN'S SUPPORT CENTRE, Currumbin, 13th June, 2012, advising that the Currumbin / Palm Beach RSL Sub-Branch in conjunction with the Palm Beach / Currumbin High School is producing a collage to commemorate the 100th year of the landing at Gallipoli ANZAC 2015 which will be made from photographs of cenotaphs from around Australia. Seeking Council's assistance to provide at least two standard size photos (one in colour and one in black and white) of the Shire's Cenotaph. Further advising that funding for the Collage is being underwritten by the Currumbin / Palm Beach RSL Sub-Branch and also seeking a \$100 donation towards the project (required at the time of production in mid 2014) and Council will receive a poster for hanging within Council's Chambers. (012/0002)

Acting Infrastructure Engineer, C. Gray entered the meeting at 10.49 a.m.

Resolved – That Council advise that it believes that this request will be better handled by the Herbert River Sub-Branch RSL and will forward this request on to them.

(Crs. Tack and Skinner – Carried)

Cr. P.D. Lynch declared a real conflict of interest in Item 2.9.3. (as defined in section 173 of the Local Government Act 2009) as he is a member of the Maraka Festival Committee and a member of the Ingham Lions Club who are a member of the Maraka Festival Committee and excluded himself from the meeting while the matter was debated and the vote was taken.

3. ROTARY INGHAM MARAKA FESTIVAL, Ingham, received 29th June, 2012, advising that 2012 Ingham Rotary Maraka Festival which is in its 53rd year will be held between the 12th and 27th October, 2012 and requesting Council to once again support the Festival by way of a cash sponsorship for the fireworks and inkind support for the distribution of barricades for the procession and work in Rotary Park where the Mardi Gras is held. (012/0002)

Resolved – That Council provide financial assistance in the sum of \$3,600 (excl. GST) to the 2012 Festival together with the sum of \$6,753 inkind support (including fireworks) and should the cost of the work exceed the budget allocation, an invoice for the excess amount above \$6,753 will be sent to the Club for payment.

(Crs. Molachino and Carr – Carried)

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

4. INGHAM WINGS & WHEELS AIRSHOW, Aitkenvale, 28th June, 2012, seeking Council's approval in principle to stage another Wings & Wheels Airshow at the Ingham Airport in 2013 (most likely July / August). Further requesting Council to consider provision of the following inkind assistance as previously supplied for the inaugural event:-

- Free use of the airport for the duration of the event;
- Waiving of landing fees and any other airport charges for the duration of the event;
- Maintenance of the airport runways, taxiways and grounds to presentation standard in the lead-up to the event (normal maintenance with a bit of "spit and polish" closer to the date);
- Preparation and submission of the traffic management plan to the Department of Transport & Main Roads;
- Erection of sight-barrier material along the airport perimeter fence prior to the event in accordance with the traffic management plan;
- Erection of barriers (temporary fencing) along the road reserve both sides of the highway in accordance with the traffic management plan;
- Change speed signs on the highway as necessary in accordance with the traffic management plan;
- Provision of wheelie bins for rubbish collection around the airport during the event;
- Use of the terminal building as an administration centre prior to, during, and immediately after the event;
- Access to relevant Council staff to discuss airshow requirements in the lead-up to the event;
- Listing for the event on Council's website;
- Permission for brochure distribution through the TYTO Information Centre; and
- Approval to erect advertising banner in the approved location outside Council building one to two weeks prior to the event.

Should Council provide approval in principle, a public meeting will be held soon after to gauge public interest and to seek feedback on favourable dates. (036/0004)

Resolved – That Council provide approval in principle to the staging of another Wings & Wheels Airshow at the Ingham Airport in 2013 and that the sum of \$15,000 inkind assistance be included in the 2013 / 2014 financial year budget.
(Crs. Molachino and Carr – Carried)

10. OPERATIONAL ACTION 2.0 - ECONOMY

1. SITING RELAXATION APPLICATION – 141 PATTERSON PARADE, LUCINDA.
Consideration of Report to Council from Acting Infrastructure Engineer dated 13th July, 2012 in relation to a Siting Relaxation Application from Pendar Pty. Ltd. represented by Ms. Mandie Scott for a proposed open carport to be constructed in front of the existing residence on the side and front boundary of property at 141 Patterson Parade, Lucinda.

Resolved – That Council not approve the Siting Relaxation Application submitted by Pendar Pty Ltd for 141 Patterson Parade, Lucinda on the basis there is sufficient space within the envelope not to require a Siting Relaxation.
(Crs. Molachino and Skinner – Carried)

11. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. FRANK BALDOCK, Allingham, 8th June, 2012, advising there is no adequate footpath between the Forest Glen Retirement Village in Wattle Street, Allingham and the shopping precinct in Leichhardt Street meaning that pedestrians must walk on the roadway to access the shops, or to visit the beachfront or the Doctor's surgery. In the past 2 years concrete footpaths have been installed in other areas of Allingham and as this stretch of roadway is only 800 metres in length, he believes consideration should be given to constructing a proper walkway, at least on one side of the road. There are 22 units in the village precinct, and for some of the residents walking is the only method of accessing the shopping area and the surgery, as well as for daily exercise. Some residents use walking frames and others are contemplating purchasing electric "carts" which at this stage can only be driven on the road and is even more risky than walking. Advising he is happy to meet with Council for an inspection. (034/0008)

Resolved – That Council advise that at this stage Council is not in a position to provide the pedestrian access as requested.

That the Engineering Department provide details to Council of the current forward planning for footpath linkages for each community for further consideration and development of a Policy.
(Crs. Tack and Skinner – Carried)

2. AMENDMENT TO SUBORDINATE LOCAL LAW NO. 4 (LOCAL GOVERNMENT CONTROLLED AREAS, FACILITIES AND ROADS) 2012.

Consideration of Report to Council from Environmental Health Technical Officer dated 3rd July, 2012 seeking amendment to Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2012 to prohibit the use of bicycles, scooters, skateboards and the like in the TYTO Precinct.

Resolved – That because the use of bicycles, scooters, skateboards etc., is considered to be unacceptably dangerous to pedestrians and others in the TYTO Precinct, Council resolves to penalise people who undertake these activities in that location.

That Council propose to make Local Government Controlled Areas, Facilities and Roads (Amendment) Subordinate Local Law (No. 1) 2012.
(Crs. Carr and Molachino – Carried)

3. COMMUNITY SHED MEETINGS.

Consideration of Report to Council from Acting Works Engineer dated 16th July, 2012 formalising discussions held during Council's Deputation Day on the 28th June, 2012 regarding the possibility of holding Community Shed Meetings at other community areas similar to those held by Council with the Mt. Fox community.

Resolved – That Council hold Community Shed Meetings across the Hinchinbrook Shire and schedule accordingly throughout the year.
(Crs. Skinner and Molachino – Carried)

4. 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. Skinner and Molachino – Carried)

5. CYCLONE YASI RESTORATION – COMPLIMENTARY WORKS.

Consideration of Report to Council from Manager Engineering Services dated 12th July, 2012 seeking endorsement from Council regarding his actions in ordering complimentary works at Kirkwood's Road, Blackrock and Eleanor Street, Ingham.

Resolved – That Council endorse its Manager Engineering Services' actions in ordering complimentary works on Kirkwood's Road, Blackrock, and Eleanor Street, Ingham.
(Crs. Lynch and Molachino – Carried)

6. NDRRA INFRASTRUCTURE RESTORATION PROGRAM – TENDER REVIEW HSC 11/82 – NDRRA EL ALAMEIN ROAD REHABILITATION.

Consideration of Report to Council from Acting Infrastructure Engineer dated 12th July, 2012 regarding tenders received for HSC 11/82 - NDRRA restoration works associated with the road rehabilitation to El Alamein Road, Abergowie which is maintained by Council.

Resolved – That Council award HSC 11/82 – NDRRA El Alamein Road Rehabilitation to Timrith Transport with the tender sum being \$326,070 (excl. GST).
(Crs. Skinner and Lynch – Carried)

7. NDRRA INFRASTRUCTURE RESTORATION PROGRAM – TENDER REVIEW HSC 12/20 – NDRRA MARTIN STREET PAVEMENT REPAIRS.

Consideration of Report to Council from Acting Infrastructure Engineer dated 12th July, 2012 regarding tenders received for HSC 12/20 - NDRRA restoration works associated with pavement repairs to Martin Street, Ingham which is maintained by Council.

Resolved – That Council award HSC 12/20 – NDRRA Martin Street Pavement Repairs to Cheshire Contractors with the tender sum being \$113,497.02 (excl. GST).
(Crs. Carr and Skinner – Carried)

8. NDRRA INFRASTRUCTURE RESTORATION PROGRAM – TENDER REVIEW HSC 12/22 – NDRRA MINOR PAVEMENT REPAIRS – VARIOUS ROADS AND STREETS.

Consideration of Report to Council from Acting Infrastructure Engineer dated 12th July, 2012 regarding tenders received for HSC 12/22 - NDRRA restoration works associated with minor pavement repairs for various roads and streets throughout Hinchinbrook Shire which are maintained by Council.

Resolved – That Council award HSC 12/22 – NDRRA Minor Pavement Repairs – Various Roads and Streets to John Andrews Grader Hire (JAGH) with the tender sum being \$532,700 (excl. GST).
(Crs. Skinner and Molachino – Carried)

9. NDRRA GUIDELINES – POSSIBILITY OF LOCAL GOVERNMENTS UNDERTAKING RESTORATION WORKS.

Consideration of Report to Council from Manager Engineering Services dated 16th July, 2012 regarding Preliminary Guidelines recently released by the Queensland Reconstruction Authority which in certain circumstances allow an amount of day labour eligibility.

Resolved – That the Report be received and noted and Council note that a further Report will be provided regarding complimentary works which may have to be funded from Council's normal annual works program and require Council to deploy its day works establishment.
(Crs. Carr and Skinner – Carried)

10. AERODROME LANDING CHARGES – 2012 / 2013.

Consideration of Report to Council from Acting Infrastructure Engineer dated 5th July, 2012 seeking Council's direction in relation to the 2012 / 2013 landing charges for the Aerodrome.

Resolved – That the Report be received and noted and the Mayor, Cr. Molachino, Cr. Tack, the Acting Infrastructure Engineer, C. Gray and Manager Corporate & Economic Development, R. Pennisi meet with the Aerodrome operators to discuss the proposed charges for 2012 / 2013.

That Council seek legal advice as to the extent of Council liability which may be attached to the ongoing use of the Copley Road, Abergowrie Reserve for aviation purposes.
(Crs. Molachino and Lynch – Carried)

12. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. COUNCILLOR CODE OF CONDUCT.

Consideration of Draft Councillor Code of Conduct.

Resolved – That Council adopt the Councillor Code of Conduct.
(Crs. Molachino and Carr – Carried)

2. EXPENSES REIMBURSEMENT & PROVISION OF FACILITIES POLICY FOR HINCHINBROOK SHIRE COUNCILLORS.

Consideration of Draft Expenses Reimbursement and Provision of Facilities Policy for Hinchinbrook Shire Councillors.

Resolved – That Council adopt the Draft Expenses Reimbursement and Provision of Facilities Policy for Hinchinbrook Shire Councillors, subject to the Communications Allowance being increased to \$2,000 per annum to take effect from the 1st August, 2012.
(Crs. Lynch and Skinner – Carried)

MISCELLANEOUS CORRESPONDENCE

1. LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND, Brisbane, 2nd July, 2012, forwarding information to assist with preparation of Council's notes in their Financial Statements dealing with their membership of the two local government self insurance schemes, LGM Queensland and Local Government Workcare. (007/0003)

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

13. OPERATIONAL ACTION 2.0 - ECONOMY

1. REQUEST FOR RELAXATION OF MINIMUM RESIDENTIAL FLOOR LEVEL.

Consideration of Report to Council from Manager Engineering Services dated 23rd July, 2012 in relation to a request for Council to consider relaxing the minimum floor level height for a new dwelling at 54 Marina Parade, Ingham.

Resolved – That Council advise the applicant that it cannot relax the Hinchinbrook Shire Planning Scheme requirements for habitable floor levels of residential properties to be 300mm above the design 100 year flood level.
(Crs. Lynch and Skinner – Carried)

The meeting adjourned at 1.45 p.m. for lunch and resumed at 2.00 p.m.

The HRM, G. Clayton was present 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 2.14.1. as a contract is proposed to be made by this matter.

(Crs. Tack 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. Tack and Lynch – Carried)

14. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. RECRUITMENT OF CHIEF EXECUTIVE OFFICER.

Consideration of Recruitment of Chief Executive Officer recent process carried out by Council.

Resolved – That Council confirm that Ms. Leanne Mash be appointed as Hinchinbrook Shire Council Chief Executive Officer as from Monday 20th August, 2012 in accordance with a five (5) year Employment Contract.
(Crs. Lynch and Carr – Carried unanimously)

The meeting adjourned at 2.16 p.m. and resumed at 3.02 p.m.

Cr. D.G. Carr declared a Material Personal Interest in Item 2.15.1. due to being a shareholder of NQBE and excluded himself from the meeting while the matter was debated and the vote was taken.

Cr. L.R. Molachino also declared a Material Personal Interest in Item 2.15.1. due to being the real estate agent for the project and excluded himself from the meeting while the matter was debated and the vote was taken.

CLOSED MEETING – That pursuant to Chapter 5 Part 2 Division 3 Section 72 (1) (g) of the *Local Government (Operations) Regulation 2010*, Council resolve to go into Closed Meeting to discuss Item 2.15.1. as it is a town planning matter.

(Crs. Lynch 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. Lynch and Skinner – Carried)

15. OPERATIONAL ACTION 2.0 - ECONOMY

1. NORTH QUEENSLAND BIO ENERGY CORPORATION LIMITED MULTI-PURPOSE MILL PROPOSAL.
Consideration of Report to Council from Town Planning & Development Officer dated 24th July, 2012 regarding North Queensland Bio Energy Corporation Limited Multi-purpose Mill Proposal: Engineering and Planning Consultancy Services (AECOM Inception Report).

Resolved – That the Report be received and noted and Council endorse the proposed directions therein.

(Crs. Lynch and Skinner – Carried)

Cr. D.G. Carr and Cr. L.R. Molachino returned to the meeting.

3. CONCLUSION – This concluded the business of the meeting which closed at 4.03 p.m.
4. APPROVED and adopted this 15th day of August, 2012.

MAYOR