



**HINCHINBROOK  
SHIRE COUNCIL**

MINUTES OF THE GENERAL MEETING  
OF THE  
HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS,  
INGHAM ON  
WEDNESDAY 15<sup>TH</sup> AUGUST, 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, S.J. Kaurila and M.G. Tack.
- Also present was the Chief Executive Officer (R.W. Clark), Acting Manager Engineering Services (C. Gray), Manager Corporate & Economic Development (R.F. Pennisi) and Executive Secretary (B.K. Edwards).

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

PRAYER

- Cr. S.J. Kaurila opened the meeting with prayer.

1. MINUTES

- Resolved that the Minutes of the General Meeting held on the 24<sup>th</sup> July, 2012 and Minutes of the Special Meeting held on the 3<sup>rd</sup> August, 2012 be approved as a correct record of proceedings and be signed by the Mayor.  
*(Crs. Carr and Lynch – Carried)*

2. BUSINESS –

1. CEO REPORT OF COUNCILLOR REQUESTS

Consideration of CEO Report of Councillor Requests for the period 14<sup>th</sup> July, 2012 to 9<sup>th</sup> August, 2012.

*Acting Works Engineer entered the meeting at 9.11 a.m.*

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

2. WORKS REPORT

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

*Manager Corporate & Economic Development entered the meeting at 9.28 a.m.*

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

*Acting Works Engineer left the meeting at 9.38 a.m.*

*Finance Manager entered the meeting at 9.40 a.m.*

3. FINANCIALS

Consideration was given to a report of financial activities as at the 10<sup>th</sup> August, 2012.

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

Finance Manager left the meeting at 9.53 a.m.

4. OPERATIONAL ACTION 1.0 - COMMUNITY

1. INGHAM COMMUNITY KINDERGARTEN AND PRE-SCHOOL ASSOCIATION INC., Ingham, 31<sup>st</sup> July, 2012, advising that the Kindergarten has some very tall dead trees on the creek bank outside of their fence and they are concerned they may fall into the Kindergarten, injuring the children. The Centre is a not-for-profit trust held for the community, and their investigation has found that they are responsible for the land outside of their fence line, down to the centre of the creek; however it will be very difficult to find the money necessary to carry out the work needed to make the area safe. The Kindergarten is a small community centre that keeps fees as low as possible so families can afford to send their children to Kindy. As the Council has carried out work on the creek bank in the past, requesting Council to consider carrying out this work again.  
(012/0002)

Resolved – That the requested works be carried out as part of the Herbert River Improvement Trust's Timely Preventative Works approval for removal of debris from Palm Creek.  
(Crs. Skinner and Carr – Carried)

2. ETHNIC COMMUNITY CARE LINKS INC., Townsville, 18<sup>th</sup> July, 2012, extending an invitation to Council to nominate a representative to join the ECCLI Board of Management. Advising that after the last election when Andrew Lancini resigned his position at ECCLI, they lost their connection with Council. The Board benefitted from this partnership and the Ingham ECCLI office continues to be involved and growing stronger with special assistance from Council. The Board meets on a monthly basis at the main office in Townsville on the 3<sup>rd</sup> or 4<sup>th</sup> Wednesday from 12noon to 1.00 p.m. and facilitate with the assistance of the local Council representative on a yearly basis with client / carers in a meeting with the Board to listen to clients concerns / community issues. Also forwarding promotional material and the 2010 / 2011 Annual Report for Council's information.  
(054/0001)

Resolved – That Cr. Patrick Lynch be appointed Council's representative on the ECCLI Board of Management.  
(Crs. Molachino and Kaurila – Carried)

5. OPERATIONAL ACTION 2.0 - ECONOMY

1. SITING RELAXATION APPLICATION – 24 GORTON STREET, TREBONNE.  
Consideration of Report to Council from Acting Infrastructure Engineer dated 30<sup>th</sup> July, 2012 in relation to a Siting Relaxation Application from Latitude Town Planning Services Pty. Ltd. on behalf of Mr. David Herlihy for repairs to an existing enclosed carport attached to the front of an existing residence at 24 Gorton Street, Trebonne (Lot 2 on RP723364).

Resolved – That Council not approve the Siting Relaxation Application submitted by Latitude Town Planning Services Pty. Ltd. on behalf of Mr. David Herlihy for repairs to an existing enclosed carport on the grounds that the pre-existing carport did not have building approval and the configuration of the building may be a risk to the safety of the public using the adjacent street verge. Furthermore, that the owner of the property be issued with a "Show Cause" notice as to why the unapproved shed adjacent to the subject carport should not be removed as there is no valid Development Approval for the structure.  
(Crs. Skinner and Kaurila – Carried)

2. SITING RELAXATION APPLICATION – 113 JOHN DORY STREET, TAYLORS BEACH.  
Consideration of Report to Council from Acting Infrastructure Engineer dated 27<sup>th</sup> July, 2012 in relation to a Siting Relaxation Application from J.B. and L.G. Regazzoli for a proposed shed 1.5m off the rear boundary and 1.2m off the side boundary of property at 113 John Dory Street, Taylors Beach (Lot 2 on RP730050).

Resolved – That Council approve the Siting Relaxation Application submitted by J.B. and L.G. Regazzoli for a proposed shed at 113 John Dory Street, Taylors Beach (Lot 2 on RP730050) on the grounds that the proposed structure will only have a minimal impact on the outlook and views of neighbouring residents and the shed is replacing a pre-existing shed damaged in Cyclone Yasi on the same footprint, subject to the following:-

(a) The structure is to be in accordance with the plans submitted with the Siting Relaxation Application.  
(Crs. Molachino and Kaurila – Carried)

3. DEPARTMENT OF NATURAL RESOURCES & MINES, Toowoomba, 26<sup>th</sup> April, 2012, seeking Council's views and / or requirements regarding an application received for Permit to Occupy over the area of road separating Lot 1 on SP239247 from Lot 2 on WU5 at Glindermann Road, Mt. Fox. The proposed use of the land is for grazing. (077/0001)

Resolved – That Council advise the Department of Natural Resources & Mines that it has no objections to the proposed Permit to Occupy subject to the adjacent landowner not requiring access via Glindermann Road.  
(Crs. Molachino and Kaurila – Carried)

*The meeting adjourned at 10.09 a.m. for morning tea and resumed at 10.33 a.m.*

*Town Planning & Development Officer, B. Christie-Johnston entered the meeting at 10.36 a.m.*

4. CONVERSION OF LAND USE FROM PRODUCTION FORESTRY TO CANE FARMING.  
Consideration of Report to Council from Town Planning & Development Officer dated 3<sup>rd</sup> August, 2012 seeking direction from Council regarding land use conversion (Material Change of Use) of Rural Zoned land from Production Forestry to Cane Farming. (058/0001)

Resolved – That Council agrees that a streamlined development process including applicant checklists, standard conditions, and delegation of decision making to an officer level should be implemented to process town planning applications to convert rural zoned land from production forestry to cane farming.  
(Crs. Tack and Molachino – Carried)

5. EVERSON TOWN PLANNING FOR KLOR PTY LTD.  
Consideration of Report to Council from Town Planning & Development Officer dated 3<sup>rd</sup> August, 2012, regarding a request to extend development approval currency period for Reconfiguring a Lot (Subdivision) of Lot 1 on RP726535 at Cooper Street, Ingham. (065/0120)

Resolved – That an extension of time for two (2) years until the 28<sup>th</sup> August, 2014 in which to complete the proposed development be granted.

That the applicant be advised the relevant application fee will not be refunded on the basis it represents reasonable cost recovery for the processing of the application.  
(Crs. Molachino and Skinner – Carried)

*Cr. D.G. Carr declared a real conflict of interest in Item 2.5.6. (as defined in section 173 of the Local Government Act 2009) as he is related to the applicant and excluded himself from the meeting while the matter was debated and the vote was taken.*

6. LESTER FRANKS CONSULTING SURVEYORS ON BEHALF OF JOHN FRACCHIA.  
Consideration of Report to Council from Town Planning & Development Officer dated 2<sup>nd</sup> August, 2012, regarding a request to extend development approval currency period for Reconfiguring a Lot (Rearrangement of Boundaries) between Lot 3 on RP838285 and Lot 11 on SP200245 at Fracchia's and Forest Home Road, Forest Home. (066/0189)

Resolved – That an extension of time for two (2) years until the 17<sup>th</sup> July, 2014 in which to complete the proposed development be granted. The applicant is advised that a further extension will not be granted if negotiations to close the relevant road have not formally commenced.  
(Crs. Molachino and Lynch – Carried)

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

7. B.W. MORTON PTY. LTD., Lannercost, 29<sup>th</sup> June, 2012, seeking approval for Reconfiguration of a Lot: proposed subdivision of one (1) lot into two (2) lots via Lease (Exceeding 10 Years) over Lot 3 on RP725204 at Durack Road, Lannercost. (066/0321)

Consideration was also given to an Engineering Planning Report from Acting Infrastructure Engineer dated 6<sup>th</sup> August, 2012.

Resolved – That the proposed Reconfiguration of Land (subdivision) – into two (2) lots via Lease (Exceeding 10 Years) over Lot 3 on RP725204 at Durack Road, Lannercost be approved subject to the following conditions:-

- (a) That the boundaries and areas are in accordance with the plan attached to the application namely "Plan of Lease "A" in Lot 3 on RP 725204 – Plan SP238144 dated 29<sup>th</sup> September, 2010;
- (b) No extraction and processing activities are conducted within 20 metres from any site boundary;
- (c) The Applicant must comply with all of the conditions contained in the referral agency response from the Department of Environment and Resource Management (DERM) associated with Permit Number SPCE89170 contained in response Reference No. 352474 (COO910TSV0005) dated 15<sup>th</sup> November, 2011, for the preceding Material Change of Use for this allotment;
- (d) Provision is to be made to establish fire breaks and initiate fuel reduction strategies as appropriate that are not inconsistent with the Permit Number SPCE89170 referred to in the previous condition;
- (e) The Applicant is to construct property accesses to both lots to Council's standard (or demonstrate suitable accesses exist); and
- (f) Ensure that the new boundaries are fenced to prevent unauthorised or accidental public entry (or demonstrates suitable fencing exists).

(Crs. Tack and Kaurila – Carried)

8. LESTER FRANKS CONSULTING SURVEYORS, Ingham, 10<sup>th</sup> July, 2012, on behalf of *Sucrogen (Herbert) Pty. Ltd. and CGF Nominees Pty. Ltd. As Trustee* seeking approval of the proposed Reconfiguration of Land (Rearrangement of Boundaries) between Lot 2 on RP729617, Lot 2 on RP708933, Lot 5 on RP711531, Lot 12 on RP708936 and Lot 2 on RP703746 at New Cemetery Road, Ingham and Victoria Mill Road, Victoria Estate. Land is zoned *Rural*. (066/0233)

Consideration was also given to an Engineering Planning Report from Acting Infrastructure Engineer dated 2<sup>nd</sup> August, 2012 regarding the proposed Reconfiguration of Land.

Resolved – That the proposed Reconfiguration of Land (Rearrangement of Boundaries) between Lot 2 on RP729617, Lot 2 on RP708933, Lot 5 on RP711531, Lot 12 on RP708936 and Lot 2 on RP703746 at New Cemetery Road, Ingham and Victoria Mill Road, Victoria Estate be approved subject to the following conditions:-

- (a) The Applicant constructing property access complying to Hinchinbrook Shire Council standards to both lots, or demonstrating that such is already in existence;
- (b) All utility services (phone, water, electricity) are to be separated and wholly located on the block being served if applicable; and
- (c) The final Survey Plan will be in compliance with the proposal Plan "PROPOSED REARRANGEMENT OF BOUNDARIES INTO LOTS 101 & 102" supplied by Lester Franks Drawing Number T00214\_DA1 Revision 2, and dated 11<sup>th</sup> June, 2012.

(Crs. Carr and Lynch – Carried)

9. RICHARD PEEKE BUILDING & CARPENTRY SERVICES ON BEHALF OF A.E. & W. HOBBS, Ingham, 13<sup>th</sup> July, 2012, seeking approval of the proposed Development Application for Building Work Assessable against a Planning Scheme (BWAP) – Building work proposed within a Medium Bushfire Risk for proposed new residence at 150 Nowak's Road, Stone River described as Lot 57 on CWL456. Land is zoned *Rural*. (058/0346)

Consideration was also given to a Report to Council from Acting Infrastructure Engineer dated 31<sup>st</sup> July, 2012 regarding the application.

Resolved – That Council approve the Building Works Assessable against a Planning Scheme (BWAP) submitted by Richard Peeke Building and Carpentry Services for and on behalf of A.E. & W. Hobbs, on the grounds that the proposed building work is in general conformance with the relatively specific outcomes of the Rural Zone Code of the Hinchinbrook Shire Planning Scheme 2005. The Specific Solution S5.2 can be met with some additional minor works. Conditions for approval of building works in a medium bushfire hazard area shall include:-

- (a) The structure is to be built in accordance with the plans submitted with the Siting Relaxation Application;
- (b) An on-site water tank and/or dam having a minimum permanent capacity of 10,000 L that could be made available, and is accessible, for fire-fighting purposes must be included as part of the development;
- (c) The outlet pipe of any fire fighting storage tank or other facility is a minimum of 50 mm in diameter and fitted with a 50 mm male "camlock" rural fire brigade standard fitting; and
- (d) An area of at least 20 m wide is allocated as a firebreak around the building with the first 10 m from the building comprising a cleared area (fuel free inner zone), while the outer 10 m (fuel reduced outer zone) should be planted with fire resistant vegetation species or grassed.

*(Crs. Molachino and Lynch – Carried)*

10. LAND TENURE – EUCLID STREET AND FANNING STREET.

Consideration of Report to Council from Principal Surveyor dated 3<sup>rd</sup> August, 2012 seeking Council consideration of formalising Euclid and Fanning Streets, Ingham whilst Council is undertaking survey work in the Johnstone Street, Ingham area in conjunction with proposed road openings in that area.

Resolved – That Council formalise the road reservation for Euclid Street and Fanning Street, Ingham and permit connectivity with the proposed access road behind the Royal Hotel by:-

- (a) Opening a 20m wide road at the eastern end of Lot 7 on RP722006;
- (b) Opening the whole of Lot 2 on RP729127 as road;
- (c) Opening a 20m wide road at the easterly end of Lot 3 on RP721012; and
- (d) Widening the Fanning Street Reserve to 15m along the northerly extent of Lot 3 on RP721012.

*(Crs. Lynch and Carr – Carried)*

*Town Planning & Development Officer, B. Christie-Johnston entered the meeting at 11.05 a.m.*

11. LUCINDA PROGRESS ASSOCIATION, Halifax, 9<sup>th</sup> July, 2012, advising they would like to reinstate a tennis court facility at Lucinda since the tennis court facility located in the grounds of the old Lucinda State School is now privately owned. The Association is conducting fund raising activities and intends to see corporate and State Government sponsorship, donations and discount to obtain the remainder of the necessary funds and perceives the first step is to attain land upon which to construct the tennis courts. Forwarding a drawing indicating the proposed location in Lions Park adjacent and running parallel to Patterson Parade and seeking Council's written permission to use this parcel of land. The proposed location would necessitate the relocation of an existing small shelter shed and would also require modification to the existing pipe-fence. (079/0125)

Resolved – That Council agree in principle with the Association's request and invite representatives to a future Deputation to further discuss the proposal.

*(Crs. Kaurila and Molachino – Carried)*

6. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. CYCLONE YASI NDRRA RECOVERY PHASE.

Consideration of Council's NDRRA Restoration Program Summary Report in conjunction with AECOM.

*Acting Works Engineer entered the meeting at 11.15 a.m.*

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

2. REVIEW OF HSC 12 / 68 – SUPPLY AND OR SUPPLY AND DELIVERY OF BITUMEN EMULSION.

Consideration of Report to Council from Acting Works Engineer dated 2<sup>nd</sup> August, 2012 regarding a review of tenders received for Council's Annual Supply and / or Supply and Delivery of Bitumen Emulsion - HSC 12 / 68.

Resolved – That Council accept the offer from Fulton Hogan Industries Pty. Ltd. for HSC 12 / 68 - Supply and / or Supply and Delivery of Bitumen Emulsion.  
(Crs. Skinner and Carr – Carried)

3. REVIEW OF HSC 12 / 62 – TERMITE TREATMENT OF TIMBER BRIDGES.

Consideration of Report to Council from Acting Works Engineer dated 6<sup>th</sup> August, 2012 regarding a review of tenders received for HSC 12/62 - Termite Treatment of Timber Bridges.

*Manager Environmental Health Services, T. Tanase entered the meeting at 11.26 a.m.*

Resolved – That Council accept the offer submitted from Amalgamated Pest Control for HSC 12 / 62 – Termite Treatment of Timber Bridges for the sum of \$4,390 (incl. GST) on the basis that the tenderer is a local company operating out of Ingham.  
(Crs. Lynch and Molachino – Carried)

4. REVIEW OF HSC 12 / 69 – SUPPLY AND / OR SUPPLY AND DELIVERY OF MANUFACTURED PREMIX.

Consideration of Report to Council from Acting Works Engineer dated 2<sup>nd</sup> August, 2012 regarding a review of tenders received for HSC 12/69 – Supply and / or Supply and Delivery of Manufactured Premix.

Resolved – That Council accept the offer submitted from Fulton Hogan Industries Pty. Ltd. for HSC 12 / 69 - Supply and / or Supply and Delivery of Manufactured Premix Emulsion.  
(Crs. Carr and Tack – Carried)

5. BOMAG LANDFILL COMPACTOR REVIEW.

Consideration of Report to Council from Acting Works Engineer dated 7<sup>th</sup> August, 2012 regarding the possible repairs / replacement of Council's BOMAG Landfill Compactor due to the current machine's condition.

Resolved – That Council dispose of the BOMAG Landfill Compactor and dry hire a landfill compactor of similar rating.

That Council undertake a review of the existing Warren's Hill Waste Management Facility operations in conjunction with North West Services, Environmental Health Services, and Engineering Services to determine the most appropriate plant items required.  
(Crs. Molachino and Kaurila – Carried)

6. DUNGENESS SPIT EROSION PROTECTION WORKS.

Consideration of Report to Council from Acting Infrastructure Engineer dated 1<sup>st</sup> August, 2012 seeking Council's endorsement of the Mayor's Economic Review Committee (MERC) decision to withdraw the allocation from the Works Program for the Dungeness Spit Erosion Protection Works and seeking Council's consideration of abandoning the project.

*Manager Environmental Health Services, T. Tanase entered the meeting at 12.10 p.m.*

Resolved – That Council endorse the actions of the Mayors Expenditure Review Committee (MERC) by withdrawing an allocation from the Works Program for the Dungeness Spit Erosion Protection Works and abandon the project in its current form.

That Council will consider however; collaboration with other levels of Government should funding become available towards this project.  
(Crs. Carr and Skinner – Carried)

7. PATTERSON PARADE FORESHORE.

Consideration of Report to Council from Manager Engineering Services dated 2<sup>nd</sup> August, 2012 regarding foreshore protection along Patterson Parade, Lucinda.

Resolved – That Council trial an infill of the groyne field on the northern and southern end of Patterson Parade, Lucinda subject to receiving appropriate State Government Department permits.

That consideration be given to a further report from Council Officers regarding the costs to regularise the existing rock wall.  
(Crs. Lynch and Molachino – Carried)

*Acting Works Engineer left the meeting at 12.33 p.m.*

8. HALIFAX PROGRESS ASSOCIATION REQUEST FOR PLACEMENT OF PICNIC TABLES AND CHAIRS WITHIN HALIFAX POLICE GROUNDS.

Consideration of Report to Council from Manager Technical Support dated 6<sup>th</sup> August, 2012 regarding Halifax Progress Association's request to place two picnic sets of tables and chairs within the Queensland Police Service grounds located at the corner of Victoria Terrace and River Avenue described as Lot 537 on N25470.

Resolved – That Council not approve the Halifax Progress Association's further request to locate two (2) picnic sets of tables and chairs within the Queensland Police Service grounds located at the corner of Victoria Terrace and River Avenue, Halifax described as Lot 537 on N25470 on the basis that the land is not under Council's control.  
(Crs. Molachino and Kaurila – Carried)

9. HALIFAX PROGRESS ASSOCIATION REQUEST FOR REINSTATEMENT OF DECORATIVE STREET LIGHTING AT MACROSSAN STREET, HALIFAX.

Consideration of Report to Council from Manager Technical Support dated 6<sup>th</sup> August, 2012 regarding Halifax Progress Association's request to reinstate the pre-existing festoon lighting in Macrossan Street, Halifax.

Resolved – That Council at this stage not approve the Halifax Progress Association's request to reinstall the decorative lighting as the proposed lighting does not meet with current public lighting standards and invite the Association to meet with Council at a future Deputation Day to discuss the proposal.  
(Crs. Tack and Carr – Carried)

10. HALIFAX PROGRESS ASSOCIATION REQUEST FOR ROAD CLOSURE – MACROSSAN STREET, HALIFAX – 15<sup>TH</sup> SEPTEMBER, 2012.

Consideration of Report to Council from Manager Technical Support dated 6<sup>th</sup> August, 2012 regarding Halifax Progress Association's request to close the western side of Macrossan Street, Halifax, for the purpose of undertaking a street market on Saturday 15<sup>th</sup> September, 2012.

Resolved – That Council approve the estimated expenditure for Council staff to erect road closure signage in Macrossan Street, Halifax on Saturday 15<sup>th</sup> September, 2012.  
(Crs. Lynch and Kaurila – Carried)

*The meeting adjourned at 12.50 p.m. for lunch and resumed at 2.02 p.m.*

*CEO, Robert Clark did not return to the meeting and Rosemary Pennisi resumed as Acting Chief Executive Officer.*

11. HALIFAX PROGRESS ASSOCIATION REQUEST FOR PLACEMENT OF ARTILLERY PIECE AT MACROSSAN STREET, HALIFAX.

Consideration of Report to Council from Manager Technical Support dated 6<sup>th</sup> August, 2012 regarding Halifax Progress Association's request place an artillery piece within the central median of Victoria Terrace at Halifax following the Association's acquirement of the piece from the Australian Defence Force.

Resolved – That Council not approve the Halifax Progress Association's request for permission to place an artillery piece within the central media of Victoria Terrace at Halifax as it currently stands and invite the Association to meet with Council at a future Deputation Day to discuss the proposal.

*(Crs. Carr and Kaurila – Carried)*

7. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. THE HON. JARROD BLEIJIE MP, ATTORNEY – GENERAL AND MINISTER FOR JUSTICE, Brisbane, 19<sup>th</sup> July, 2012, advising as Minister responsible for the administration of the *Holidays Act 1983*, he is empowered to appoint, upon request by the Chief Executive Officer of the local government for the district concerned, a special holiday within a district, and requesting Council to advise of any holidays it wishes to declare for 2013 by Friday 31<sup>st</sup> August, 2012. (079/0020)

Resolved – That Council nominate Friday 5<sup>th</sup> July, 2013 as the Ingham Public Show Holiday.

*(Crs. Molachino and Kaurila – Carried)*

2. CHANGE OF GENERAL MEETING DATE.

Consideration of amending the Wednesday 5<sup>th</sup> September, 2012 General Meeting date to Tuesday 4<sup>th</sup> September, 2012 due to the Mayor and Chief Executive Officer's attendance at the District Disaster Management Group Meeting in Townsville.

Resolved – That Council change the General Meeting scheduled for Wednesday 5<sup>th</sup> September, 2012 to Tuesday 4<sup>th</sup> September, 2012 to allow the Mayor and Chief Executive Officer to attend the District Disaster Management Group Meeting in Townsville.

*(Crs. Tack and Lynch – Carried)*

3. 2012 BURDEKIN CRIME PREVENTION & COMMUNITY SAFETY CONFERENCE.

Consideration of Council's attendance at the 2012 Burdekin Crime Prevention & Community Safety Conference to be held in Ayr on Thursday 6<sup>th</sup> and Friday 7<sup>th</sup> September, 2012. Registration closes on the 24<sup>th</sup> August, 2012. (044/0030)

Resolved – That Cr. Marc Tack attend the 2012 Burdekin Crime Prevention & Community Safety Conference to be held in Ayr on Thursday 6<sup>th</sup> and Friday 7<sup>th</sup> September, 2012.

*(Crs. Skinner and Kaurila – Carried)*

4. WORKERS' COMPENSATION COVER FOR COUNCILLORS.

Consideration of Local Government Association of Queensland (LGAQ) Circular # 2012 – 156 dated 27<sup>th</sup> July, 2012 regarding Local Government Workcare member councils electing to have their councillors covered through the local government workers' compensation self-insurance scheme.

Resolved – That Council continue its Workers' Compensation Cover for Councillors through Workcover.

*(Crs. Molachino and Skinner – Carried)*

5. WORKING CAPITAL FACILITY.

Consideration of Council's application to the Department of Local Government submitted on the 20<sup>th</sup> July, 2012 requesting approval for \$30 million working capital facility for the period until the 30<sup>th</sup> June, 2013 for the duration of the NDRRA works to minimise ongoing risks of cash flow issues.

Resolved – That Council confirm the application to the Department of Local Government submitted on the 20<sup>th</sup> July, 2012 requesting approval for \$30 million working capital facility for the period until the 30<sup>th</sup> June, 2013.

*(Crs. Molachino and Tack – Carried)*



## MISCELLANEOUS CORRESPONDENCE

1. DEPARTMENT OF GEOSPATIAL TECHNOLOGIES, Brisbane, 19<sup>th</sup> July, 2012, advising that under the provisions of the *Transport Infrastructure Act 1994*, Ingham – Halifax – Bemerside Road 824 and Halifax – Lucinda Point Road 8241 have been re-declared to reflect the realignment of the roads through the town of Halifax. The declarations of Macrossan Street and parts of River Avenue and Hoffensetz Street have been revoked, and in lieu thereof, Scott Street and Alma Street have been declared as State-controlled roads. Forwarding copy of the notification published in Queensland Government Gazette No. 53, pages 802 and 803 on Friday 13<sup>th</sup> July, 2012 and relevant road declaration plans. (033/0008)

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

8. COUNCILLOR ACTIVITY REPORT  
Consideration of Councillor Activity Reports as at the 10<sup>th</sup> August, 2012 to ensure transparency and public scrutiny of Councillor workload.

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

*Cr. Carr moved and Cr. Lynch seconded that the late agenda item be considered prior to the Closed Session Items.*

*Town Planning & Development Officer, B. Christie-Johnston entered the meeting at 2.22 p.m.*

9. OPERATIONAL ACTION 2.0 - ECONOMY

1. PORT BELLBIRD PTY. LTD. & RAELINE LOUISE FIRTH AS TRUSTEE FOR EMS FAMILY TRUST: APPEAL OF DEVELOPMENT PERMIT REFUSAL FROM HINCHINBROOK SHIRE COUNCIL.  
Consideration of Report to Council from Town Planning & Development Officer dated 15<sup>th</sup> August, 2012 regarding request from Firth Lawyers for "Without Prejudice" discussions as a proposed mechanism to resolve the appeal prior to proceeding through the formal processes of the Court. (058/0350)

*Manager Environmental Health Services, T. Tanase entered the meeting at 2.25 p.m.*

Resolved – That Council advise that it is prepared to hold "Without Prejudice" discussions with the applicant and their legal representatives.  
(Crs. Lynch and Kaurila – Carried)

*Cr. Tack moved and Cr. Molachino seconded that the meeting now consider the Closed Session Items.*

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 2.10.1. as it is a town planning matter.  
(Crs. Carr 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. Skinner and Molachino – Carried)

10. OPERATIONAL ACTION 2.0 - ECONOMY

1. DEVELOPMENT APPLICATION FOR OPERATIONAL WORKS – CIVIL WORKS – GIUSEPPANTONIO GIANDOMENICO - RENOUF STREET, INGHAM – LOT 13 on SP193128.

Consideration of Report to Council from Manager Engineering Services dated 3<sup>rd</sup> August, 2012 regarding a revised filling proposal to complete works required at Renouf Street, Ingham described as Lot 13 on SP193128.

Resolved – That Council accept a revised filling proposal to complete works required under the earlier Reconfiguring a Lot Approval for Renouf Street, Ingham.  
(Crs. Molachino and Carr – Carried)

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 2.10.2. as it is a town planning matter.

(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. Tack and Skinner – Carried)

2. UNAUTHORISED FILLING OF LAND – 64 EDDLESTON DRIVE, CORDELIA – LOT 93 on SP250797.

Consideration of Report to Council from Manager Engineering Services dated 7<sup>th</sup> August, 2012 regarding unauthorised filling of land at 64 Eddleston Drive, Cordelia described at Lot 93 on SP250797.

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

*Town Planning & Development Officer, B. Christie-Johnston left the meeting at 3.17 p.m.*

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 2.10.3. as it is a commercial-in-confidence leasing matter.

(Crs. Skinner and Carr – Carried)

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

*Cr. Kaurila left the meeting at 3.20 p.m.*

*Customer & Corporate Services Officer, D. Olivero entered the meeting at 3.25 p.m.*

OPEN MEETING - Resolved that Council return to Open Meeting.

(Crs. Lynch and Molachino – Carried)

3. CLAIRE MAMMINO, Ingham, received 29<sup>th</sup> June, 2012, advising Council that due to financial reasons, she is unable to continue with her lease of the TYTO Restaurant and requesting to be released from the balance two (2) years of the lease agreement. (079/0203)

Resolved – That consideration be deferred to a future General Meeting pending receipt of further information.  
(Crs. Tack and Skinner – Carried)

*Customer & Corporate Services Officer, D. Olivero left the meeting at 3.32 p.m.*

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 2.10.4. as it is a commercial-in-confidence leasing matter.

(Crs. Lynch and Molachino – Carried)

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

Cr. Kaurila returned to the meeting at 3.54 p.m.

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

4. INGHAM PICTURE THEATRE.

Consideration of correspondence received from Mrs. Colleen Valenti on the 6<sup>th</sup> August, 2012, in relation to her future intentions regarding the Kelly Theatre lease.

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

(Crs. Skinner and Molachino – 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 2.11.1. as it is a rating matter.

(Crs. Lynch and Carr – Carried)

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

Rates Supervisor, S. Oswald entered the meeting at 4.10 p.m.

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

11. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. SALE OF LAND FOR OVERDUE RATES.

Consideration of Report to Council from Rates Supervisor requesting Council's consideration of selling land on the following residential property described hereunder under Section 74 Division 3 Chapter 2 Rates and Charges 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:-

ASSESSMENT NO.	AMOUNT OWING
103931	\$20,475.70

Resolved – That in accordance with Section 74 Division 3 Chapter 2 Rates and Charges Part 12 Overdue Rates and Charges of the *Local Government (Finance, Plans and Reporting) Regulation 2010*, action commence to sell 47 Morehead Street, Ingham (Property No. 103931) on which overdue rates have remained unpaid for a minimum of three years or longer.

(Crs. Carr and Tack – Carried)

Rates Supervisor, S. Oswald left the meeting at 4.14 p.m.

The Mayor acknowledged that this was the last meeting for the Chief Executive Officer, Robert Clark before his retirement on the 24<sup>th</sup> August, 2012. The Mayor took the opportunity to publicly thank Robert for his loyal service to the Council and the community over the last 31 years and wished him well for a long, happy and healthy retirement.

3. CONCLUSION – This concluded the business of the meeting which closed at 4.17 p.m.

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

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MAYOR