



MINUTES OF THE GENERAL MEETING OF THE HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS
INGHAM ON WEDNESDAY
7 NOVEMBER 2012
AT 9.05 AM

- ATTENDANCE - Present were Councillors R Bow, PD Lynch, DG Carr, WG Skinner, SJ Kaurila and MG Tack
- Also present was the Chief Executive Officer (LE Mash), Manager Engineering Services (BE Leach), Manager Corporate and Economic Development (RF Pennisi), Manager Environmental Health Services (TV Tanase) and Executive Secretary (BK Edwards)
- APOLOGY - An apology for non-attendance was received from Councillor LR Molachino and it was resolved that leave of absence be granted
- PRAYER - Mayor R Bow opened the meeting with prayer
1. MINUTES - Resolved that the Minutes of the General Meeting held on 17 October 2012 and Minutes of the Special Meeting held on 29 October 2012 be approved as a correct record of proceedings and be signed by the Mayor.
(Councillors Lynch and Carr – Carried)
2. BUSINESS –
1. CEO REPORT OF COUNCILLOR REQUESTS
Consideration of CEO Report of Councillor Requests for the period 12 October 2012 to 1 November 2012.

Resolved – That the advice be received and noted.
(Councillors Kaurila and Carr – Carried)
2. OPERATIONAL ACTION 1.0 - COMMUNITY
1. SUPPORT FOR ACHIEVEMENT POLICY
Consideration of whether Council should retain the Support for Achievement Policy reviewed and adopted by Council on 7 August 2008.

Resolved - That Council discontinue the Policy: Support for Achievement.
(Councillors Kaurila and Skinner – Carried)

Councillor PD Lynch declared a material personal interest in Item 2.2.2. (as defined in section 173 of the Local Government Act 2009) due to his employment with the Hinchinbrook Community Support Centre and excluded himself from the meeting while financial assistance for the Hinchinbrook Community Support Centre and Community Bus Service items were discussed.

Cr SJ Kaurila noted her association with the Hinchinbrook Community Support Centre – Community Bus Service and elected to stay in the meeting while the item was debated.

Cr MG Tack noted his association with Meals on Wheels as a volunteer and elected to stay in the meeting while the item was discussed.

The Mayor left the meeting at 9.15am and Deputy Mayor Cr Lynch assumed the Chair. The Mayor returned to the meeting at 9.16am and resumed the Chair.

2. FINANCIAL ASSISTANCE PROVIDED BY COUNCIL TO VARIOUS ORGANISATIONS

Consideration of Report to Council from Manager Corporate and Economic Development dated 24 October 2012 seeking Council's direction regarding financial and inkind assistance to various community organisations which provide either community services support or economic development to the community.

Manager Engineering Services BE Leach and Acting Infrastructure Engineer C Gray entered the meeting at 9.34am

Cr PD Lynch left the meeting at 10.00am during the Hinchinbrook Community Support Centre discussions and returned to the meeting at 10.03am

Resolved – That Council provide the following financial and inkind assistance to various community organisations:-

Organisation	Amount of Financial Assistance	Value of In Kind Support
Hinchinbrook Community Support Centre	\$ 35152.00	\$ 0.00
Herbert River R Museum & Gallery	\$ 3852.50	\$ 0.00
Herbert River District Band	\$ 0.00	\$ 0.00
Ethnic Community Care Links	\$ 1500.00	\$ 0.00
Blue Care	\$ 4330.00	\$ 0.00
Meals on Wheels	\$ 3222.00	\$ 0.00
Hinchinbrook Community Support Centre - Community Bus Service	\$ 3000.00	\$ 0.00
Hinchinbrook Chamber of Commerce	\$ 10000.00	\$ 0.00
Australian Italian Festival	\$ 30500.00	\$ 8100.00

(Councillors Tack and Skinner – Carried)

3. OPERATIONAL ACTION 2.0 - ECONOMY

1. LUCINDA PROGRESS ASSOCIATION

Consideration of correspondence dated 22 October 2012 requesting Council to consider refunding development application fee of \$920 and waive any future building application fees associated with the development proposal for a multiple-purpose court facility at Patterson Parade, Lucinda which the Lucinda Progress Association advise will become a Council asset. (058/0355)

Resolved - That Council provide financial support in the sum of \$1465.55 (ex GST) to the Lucinda Progress Association for the development application and building fees associated with the proposal to erect a multi-purpose court facility at Patterson Parade, Lucinda by way of a reallocation of funds from the provision made for the International Year of the Elderly luncheon project to the donations budget.

(Councillors Lynch and Kaurila – Carried)

2. BELINDA MUSUMECI

10 October 2012, seeking Development Permit for Material Change of Use of Premises - Home Occupation – Dog Grooming Business at 21 MacDonald Street, Ingham described as Lot 8 on I22434.

Consideration was also given to Report to Council from Town Planning and Development Officer dated 30 October 2012 regarding the application. (058/0356)

Resolved –That the proposed Development Application for a Material Change of Use of Premises – Home Occupation – Dog Grooming Business at 21 MacDonald Street, Ingham described as Lot 8 on I22434 be approved subject to the following conditions:-

Conditions of Development	Time at which compliance with condition is required
The conditions of development for this development permit are as follows:	
(a) The development of the site is to generally in accordance with the following plans that are to be the approved Plans of Development, except as altered by any other condition of this approval: i. <i>“B” in the Doghouse – Dog Grooming & Hydrobathing Services, 21 Macdonald Street, Ingham, Site Plan, Prepared by Belinda Musumeci, 27th September, 2012</i>	At all times
(b) Access onto the Hinchinbrook Shire Council Road network must be constructed to Council’s standards. Where an approved access does not exist, the Applicant must gain the appropriate access approvals through Council.	Prior to any works commencing on site
(c) The development is to be generally in accordance with the documents, except as altered by any other condition of this approval: ii. <i>“B” in the Doghouse – Dog Grooming & Hydrobathing Services, 21 Macdonald Street, Ingham, Prepared by Belinda Musumeci, 27th September 2012</i>	At all times

(Councillors Skinner and Kaurila – Carried)

3. ANDY BARRA

23 February 2009, seeking Development Permit for Reconfiguring a Lot - Subdivision of Land – One (1) Lot into Five Lots at Townsville Road, Ingham described as Lot 4 on SP197619.

Consideration was also given to Report to Council from Manager Engineering Services dated 30 October 2012 regarding the application. (065/0126)

Resolved – That Council refuse the application as directed by the Department of Main Roads (now Department of Transport and Main Roads) in their correspondence dated 19 August 2009.

That Council advise the applicant that it does not support the application on the grounds that the proposed lots are of a shape as to be inconsistent with the amenity criteria of the Queensland Residential Development Guidelines and of such a shape and layout to not represent orderly development.

(Councillors Carr and Lynch – Carried)

4. A AND KM CRISAFULLI, L BELLERO, PM BELLERO AND EE HAGENBACH
9 October 2012, seeking Development Permit for Reconfiguring a Lot – Rearrangement of Boundaries at 1533 Abergowrie Road, Abergowrie described as Lot 4 on SP220728 and Lot 3 on RP747880.

Consideration was also given to Report to Council from Manager Engineering Services dated 25 October 2012 regarding the application. (065/0126)

Resolved - That the proposed Development Permit Application for Reconfiguring a Lot - Rearrangement of Boundaries – as Lot 4 on SP220728 and Lot 3 on RP747880 be approved subject to the following conditions:-

Conditions of Development	Time at which compliance with condition is required
The conditions of development for this development permit are as follows:	
(a) Property accesses to Council's standards to be in place to each new lot; and	Prior to Local Government release Survey plan.
(b) The reconfiguration is to be in accordance with the approved plans, Drawing Number T00236-DA1, 12 September 2012.	At all times.

(Councillors Carr and Skinner – Carried)

5. TYTO CULTURAL PRECINCT – PROHIBITING OR RESTRICTING ACCESS TO PUBLIC FACILITIES
Consideration of Report to Council from Manager Corporate and Economic Development Services dated 30 October 2012 regarding implementation and adoption of Unacceptable Behaviour (TYTO Precinct) Policy and Conditions of Entry for TYTO Precinct.

Resolved – That Council adopt the Unacceptable Behaviour (TYTO Precinct) Policy and Conditions of Entry for TYTO Precinct.

(Councillors Kaurila and Lynch – Carried)

The meeting adjourned at 10.25am for morning tea and resumed at 10.40am.

Acting Infrastructure Engineer C Gray was not present in the meeting when it resumed.

4. OPERATIONAL ACTION 3.0 - ENVIRONMENT

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

Resolved – That the Report be received and noted.

(Councillors Kaurila and Carr – Carried)

2. NATURAL DISASTER RELIEF AND RECOVERY ARRANGEMENTS (NDRRA) INFRASTRUCTURE RESTORATION PROGRAM – TENDER REVIEW - HSC 12 / 23 – DISASTER CREEK CULVERT RESTORATION – MOUNT FOX ROAD

Consideration of Report to Council from Manager Engineering Services dated 25 October 2012 regarding offers received for HSC 12 / 23 – Disaster Creek Culvert Restoration – Mount Fox Road.

Resolved – That Council award the contract HSC 12 / 23 – Disaster Creek Culvert Repairs, Mount Fox Road to Keita Constructions for the sum of \$733,847.30 (incl. GST).

(Councillors Carr and Skinner – Carried)

3. HSC 12 / 60 – SUPPLY AND DELIVERY OF READY MIXED CONCRETE
Consideration of Report to Council from Acting Works Engineer dated 25 October 2012 regarding offers received for HSC 12 / 60 – Supply and Delivery of Ready Mixed Concrete.

Resolved – That Council accept the amended offer made by Holcim Australia Pty Ltd for HSC 12 / 60 - Supply and Delivery of Ready Mixed Concrete.
(*Councillors Skinner and Kaurila – Carried*)

4. NATURAL DISASTER RELIEF AND RECOVERY ARRANGEMENTS (NDRRA) INFRASTRUCTURE RESTORATION PROGRAM – TENDER REVIEW - HSC 12 / 67 – PAVEMENT WORKS ON MOUNT FOX ROAD AND WALLAMAN FALLS ROAD

Consideration of Report to Council from Acting Infrastructure Engineer dated 25 October 2012 regarding tenders received for HSC 12 / 67 – Pavement Works on Mount Fox Road and Wallaman Falls Road.

Resolved – That Council award the contract HSC 12 / 67 – Pavement Works on Mount Fox Road and Wallaman Falls Road to Skeen Constructions for the sum of:-

- Package A – Mount Fox Pavements (Range Section Only) \$754,865.98 plus GST; and
- Package B – Wallaman Falls Road (Range Section Only) \$584,169.91 plus GST.

In accordance with scoring criteria in the Tender Assessment supplied.
(*Councillors Skinner and Carr – Carried*)

5. HSC 12 / 74 – ANNUAL SUPPLY OF QUARRY PRODUCTS AND NATURALLY OCCURRING BASE GRAVELS

Consideration of Report to Council from Acting Works Engineer dated 26 October 2012 regarding offers received for HSC 12 / 74 – Annual Supply of Quarry Products and Naturally Occurring Base Gravels.

Resolved – That Council note the offers received and advise the Offerers that offers submitted will be placed on Council's Standing Offer Arrangement Register of Supply of Quarry Products and Naturally Occurring Base Gravels and selected on the basis of price, location of works, suitability, performance and availability.
(*Councillors Carr and Kaurila – Carried*)

6. POSSIBLE COMPLEMENTARY WORKS – NATURAL DISASTER RELIEF AND RECOVERY ARRANGEMENTS (NDRRA) INFRASTRUCTURE RESTORATION PROGRAM

Consideration of Report to Council from Manager Engineering Services dated 31 October 2012 seeking Council's views regarding possible complementary works to be undertaken on a number of Shire roads.

Acting Works Engineer J Devietti and Acting Infrastructure Engineer C Gray entered the meeting at 10.45am

Resolved – That Council investigate undertaking an amount of complementary works in conjunction with its Natural Disaster Relief and Recovery Arrangements (NDRRA) Infrastructure Restoration Program.
(*Councillors Carr and Skinner – Carried*)

7. 2012 / 2013 WORKS PROGRAM – MORTON'S ROAD STATUS UPDATE

Consideration of Report to Council from Acting Works Engineer dated 30 October 2012 providing status update on Morton's Road capital works (Roads to Recovery Project) and revision to program estimate.

Resolved – That Council approve an amendment of the Program Estimate for Morton's Road project to be \$700,000 with additional funds to be brought forward from Roads to Recovery.
(*Councillors Lynch and Kaurila – Carried*)

8. 5 YEAR FOOTPATH REHABILITATION PROGRAM

Consideration of Report to Council from Acting Works Engineer dated 30 October 2012 seeking proposed sites for inclusion in 5 year Footpath Rehabilitation Program as funded through the Current and Forward Works Program.

Resolved – That Council approve the 5 Year Footpath Rehabilitation Program as presented.
(*Councillors Tack and Kaurila – Carried*)

9. 5 YEAR KERB AND CHANNEL REHABILITATION PROGRAM

Consideration of Report to Council from Acting Works Engineer dated 30 October 2012 seeking proposed sites for inclusion in 5 Year Kerb and Channel Rehabilitation Program as funded through the Current and Forward Works Program.

Resolved –That Council approve the 5 Year Kerb and Channel Rehabilitation Program as presented.

(Councillors Skinner and Carr – Carried)

10. POSSIBLE IMPACT TO COUNCIL OF CHANGES TO ENVIRONMENTAL PROTECTION LEGISLATION

Consideration of Report to Council from Environmental Health Officer dated 25 October 2012 updating Council on the Greentape Reduction Program introduced by the State Government aimed at relieving the regulatory burden on small to medium sized businesses involved in Environmentally Relevant Activities.

Resolved –That the Report be received and noted.

(Councillors Kaurila and Skinner – Carried)

11. REVIEW OF CEMETERY INGROUND INTERMENT PROCEDURE

Consideration of Report to Council from Environmental Health Technical Officer dated 22 October 2012 regarding a review of Council's Cemetery Inground Interment Procedure.

Town Planning and Development Officer B Christie-Johnston entered the meeting at 11.15am

Resolved –That Council endorse a new procedure for burials to include that all authorised people intending to conduct an inground interment at any of Council's Cemeteries are to provide their own lowering devices which meet relevant Australian and / or industry standards during the process of each interment.

That Council advise each Funeral Director who intends to conduct an inground interment at any of Council's Cemeteries of the new procedure.

(Councillors Lynch and Carr – Carried)

12. DEPARTMENT OF LOCAL GOVERNMENT

Consideration of Department correspondence dated 12 October 2012 advising the Hon. David Crisafulli MP, Minister for Local Government recently approved a funding allocation of \$8,000 (excl GST) to assist Council with its graffiti management activities in 2012 / 2013 to be used by Council for graffiti management related costs. The Queensland Government as part of its policy on community safety, has committed \$2 million in 2012 / 2013 to support the establishment of a GraffitiSTOP hotline and graffiti management grants to councils choosing to participate. Should Council accept the allocation, ratepayers may call GraffitiSTOP and make a complaint about graffiti. The service will also be text message enabled and the complaint will be emailed directly to Council for appropriate action. This service is also able to refer the complaint to the Queensland Police for appropriate action should the ratepayer observe the graffiti offender. Requesting Council to advise of its decision by 5.00pm 13 November 2012. (100/0003)

Resolved – That Council accept the Department of Local Government's funding allocation of \$8,000 (excl GST) to participate in GraffitiSTOP.

(Councillors Kaurila and Carr – Carried)

5. OPERATIONAL ACTION 4.0 – GOVERNANCE

1. DELEGATIONS - HINCHINBROOK SHIRE COUNCIL TO CHIEF EXECUTIVE OFFICER

Consideration of Report to Council from Environmental Health Technical Officer dated 24 October 2012 requesting Council to formally delegate to the Chief Executive Officer those powers outlined in Schedule 1 of the Report.

Resolved – That Council delegate all powers referred in *Schedule 1 – Register of Delegations – Council to CEO - Ver. 2012_1* to the Chief Executive Officer pursuant to Section 257 of the *Local Government Act 2009*.

(Councillors Kaurila and Skinner – Carried)

MISCELLANEOUS CORRESPONDENCE

1. DEPARTMENT OF JUSTICE AND ATTORNEY-GENERAL

Consideration of letter dated 12 October 2012 advising that pursuant to Section 4 of *Holidays Act 1983* the Attorney-General and Minister for Justice has appointed Friday 5 July 2013 a public holiday for the Shire of Hinchinbrook for the purpose of the Ingham Annual Show. Notification of the appointment of the 2013 special holidays was published in the Government Gazette on 12 October 2012. (079/0020)

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

Acting Works Engineer J Devietti left the meeting at 11.20am

6. COUNCILLOR ACTIVITY REPORT

Consideration of Councillor Activity Reports as at 6 November 2012 to ensure transparency and public scrutiny of Councillor workload.

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

3. CONCLUSION – This concluded the business of the meeting which closed at 11.22am

4. APPROVED and adopted on 28 November 2012

MAYOR