



MINUTES OF THE GENERAL MEETING
OF THE
HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS,
INGHAM ON
TUESDAY 25TH JANUARY, 2011
AT 10.10 A.M.

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- ATTENDANCE
- Present were Councillors G. Giandomenico, A.J. Lancini, G.P. Gianotti, L.R. Molachino, P.D. Lynch and D.M. Bosworth.
 - Also present was the Chief Executive Officer (R.W. Clark), Manager Corporate & Economic Development (R.F. Pennisi), Acting Manager Engineering Services (C. Gray), Manager Environmental Health & Services (T. Tanase) and Executive Secretary (B.K. Edwards).

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

- PRAYER
- The Mayor opened the meeting with prayer and one minutes silence for the people who lost their lives in the 2011 flooding event in the south east corner of Queensland.

1. MINUTES
- Resolved that the Minutes of the General Meeting held on the 9th December, 2010 and the Minutes of the Special Meeting held on the 17th December, 2010 be approved as a correct record of proceedings and be signed by the Mayor.
(Crs. Bosworth and Lynch – Carried unanimously)

2. BUSINESS -

1. CEO REPORT OF COUNCILLOR REQUESTS

Consideration of CEO Report of Councillor Requests for the period 2nd December, 2010 to 19th January, 2011.

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

2. FINANCIALS

Consideration was given to a report of financial activities as at the 25th January, 2011.

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

3. HALF YEARLY CORPORATE PLAN & QUARTERLY OPERATIONAL PLAN REPORT & INSTRUCTION SHEETS

Consideration was given to the December, 2010 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 December, 2010 and monthly Instruction Sheets during the month of December, 2010.

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

4. OPERATIONAL ACTION 1.0 - COMMUNITY

1. MOUNT FOX RURAL FIRE BRIGADE, Vincent, 6th December, 2010, thanking Council for approving the Mount Fox Community Notice Board and requesting Council to provide funding for the notice board and to construct it (undercover black chalk / pin board and tourist type map) for the Mount Fox community. Further advising that the Brigade will maintain the notice board. (040/0009)

Resolved – That Council advise that is unable to provide any financial or inkind support towards this project and suggest that they apply for funding from other sources.
(Crs. Bosworth and Molachino – Carried unanimously)

2. THE QUEENSLAND COUNTRY WOMEN'S ASSOCIATION, Brisbane, 26th November, 2010, advising the Association will celebrate its 90th Anniversary in 2012 and to commemorate the occasion, they are planning to publish a pictorial record of those 90 years of service to local communities across Queensland and beyond. Requesting Council to help in producing this publication by sponsoring a page or pages at \$100 per page on which a black and white acknowledgement line will be printed across the bottom of each page using Council's name and logo. The estimated cost of printing 500 books of approximately 120 pages of A5 size using both black and white and coloured photographs is \$12,000. (012/0002)

Resolved – That Council provide sponsorship in the sum of \$200 (excl. GST) towards the QCWA publication and that the allocation be paid from the Support for Achievement budget.
(Crs. Lynch and Lancini – Carried unanimously)

3. DEPARTMENT OF FAMILIES, HOUSING, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS, inviting Council to apply for funding under the Accessible Communities program which is part of the Australian Government's commitment to improving the lives of people with disability. Accessible Communities is a \$5 million program providing one-off grants to local governments to improve the accessibility of public buildings and facilities for people with disability so that they can fully participate in the community. Councils will be able to apply for up to \$100,000 in funding (to be match by an equal contribution) to construct infrastructure such as ramps, lifts, accessible toilets and hoists for buildings and facilities such as public libraries, town halls, playgrounds and swimming pools. Successful applicants will be funded to begin their project within six months of signing the funding agreement (by 31st December, 2011 at the latest) and must complete the work within one year (by 30th June, 2012 at the latest). Applications for funding will open on the 24th January, 2011 and close on 25th February, 2011.

Resolved – That the debate be adjourned to later in the meeting.
(Crs. Lynch and Molachino – Carried unanimously)

Cr. P.D. Lynch declared a Conflict of Interest in Item 2.4.4. as he is the Lions District Governor 2010/2011 and the local Lions Club provide support to this event and Councillors present considered the issue and decided that Cr. P.D. Lynch does not have a Conflict of Interest and should not leave the room. Cr. P.D. Lynch decided to remain in the meeting.

4. BIG W TOWNSVILLE TO CAIRNS BIKE RIDE 2010 RAISING FUNDS FOR CHILDREN'S CANCER INSTITUTE AUSTRALIA, Garbutt East, 14th December, 2010, advising that the 2011 BIG W Townsville to Cairns Bike Ride as a major fundraiser for research for the Children's Cancer Institute of Australia will take place from Thursday 28th July to Saturday 30th July, 2011 and participants are expected to arrive in Ingham from 1.00 p.m. on Thursday 28th July, 2011 and vacate at dawn the following morning. Requesting Council to once again consider allowing the use of the Showgrounds Pavilion as accommodation for the participants overnight on the 28th, however the Committee requests that Council waive the hall hire fee in lieu of making the traditional direct donation to the CCIA, as this year the Committee has structured costs and fundraising so that all of the costs of running the ride are kept completely separate from all fundraising. Costs are paid by riders and supporters registration fees and some specific sponsorship; all money raised by the riders goes directly to the CCIA. (012/0002)

Resolved - That Council provide sponsorship in the sum of \$250 (excl. GST) towards this event and that the allocation be paid from the Support for Events budget.
(Crs. Gianotti and Lancini – Carried)

In accordance Section 173 (7) of the Local Government Act 2009, it is recorded that all of the Councillors present (G. Giandomenico, A.J. Lancini, G.P. Gianotti, L.R. Molachino, P.D. Lynch and D.M. Bosworth) voted in favour of the resolution for Item 2.4.4.

5. CLARITY PRESS, Newcastle, 9th December, 2010, requesting Council to financially support the distribution of *Heart* magazine through its services in this region. *Heart* celebrates and showcases the achievements of Indigenous Australian women in a quality glossy magazine. Clarity Press is a not for profit body with very limited resources. Launched on the 1st November, 2010, this is only publication dedication to our half million strong indigenous people. Seeking Council's financial sponsorship or alternatively by purchasing a supply of magazines to distribute to local community groups.

Resolved – That Council advise that it cannot support this request at this time.
(Crs. Molachino and Gianotti – Carried)

6. FRESHWATER FISHING AND STOCKING ASSOCIATION OF QUEENSLAND INC. (FFSAQ INC.), Nanango, 15th December, 2010, requesting Council for an annual contribution towards the Association to enhance recreational fishing in Queensland. FFSAQ is the peak body representing freshwater fishers across Queensland and they liaise and negotiate with the State Government and Agencies to secure optimum outcomes for the community generally.(012/0002)

Resolved - That Council advise that it cannot support this request at this time.
(Crs. Gianotti and Molachino - Carried)

5. OPERATIONAL ACTION 2.0 - ECONOMY

1. SITING RELAXATION APPLICATION – 17 BREAM STREET, TAYLORS BEACH.
Consideration of a Report to Council from Acting Manager Engineering Services dated 13th January, 2011 in relation to a Siting Relaxation Application received from i4Architecture Pty. Ltd. on behalf of the owners of a residence at 17 Bream Street, Taylors Beach for a proposed shed to replace an existing smaller shed with proposed side and rear boundary setbacks of 750mm on each boundary.

Resolved – That Council approve the Siting Relaxation Application of i4architecture Pty. Ltd. submitted on behalf of Mr. James Anderson and Mrs. Julie Anderson at 17 Bream Street, Taylors Beach, on the grounds that the proposed shed is expected to maintain the existing amenity of neighbouring residents, and that other similar sized sheds have been approve and have set a precedent for this type of development throughout the Hinchinbrook Shire and particularly in the coastal communities of Lucinda and Taylors Beach.
(Crs. Bosworth and Molachino – Carried unanimously)

2. SITING RELAXATION APPLICATION – 31 SARTORESI STREET, TREBONNE.
Consideration of a Report to Council from Acting Manager Engineering Services dated 13th January, 2011 in relation to a Siting Relaxation Application received from J. and M. Hemmett for a proposed open carport attached to an existing residence at 31 Sartoresi Street, Trebonne. (061/0004)

Resolved – That Council approve the siting relaxation application on the grounds that the proposed structure is not expected to impact on the outlook and views of neighbouring residences and is unlikely to be a nuisance and safety issue to the public.
(Crs. Bosworth and Molachino – Carried unanimously)

3. SITING RELAXATION APPLICATION – 16 MAPLE STREET, ALLINGHAM.
Consideration of a Report to Council from Acting Manager Engineering Services dated 9th January, 2011 in relation to a Siting Relaxation Application received from M. & J. Stubbins for a proposed extension to an existing residence at 16 Maple Street, Allingham for a new fully enclosed garage. (061/0004)

Resolved – That Council not approve the Siting Relaxation Application of Mr. Mark and Mrs. Joanne Stubbins at 16 Maple Street, Allingham, in its current form on the grounds that the proposed extension is expected to reduce the existing amenity of neighbouring residents, and may create an additional impact on the safety of road users in the vicinity.
(Crs. Gianotti and Molachino)

Cr. P.D. Lynch moved an amendment to the motion and the amendment was that the following words be added:-

"That Council may be more disposed to accepting an open structure rather than a closed structure due to visibility".
(Cr. Lynch and Bosworth – Carried)

The amendment was added to the original motion as follows:-

Resolved - That Council not approve the Siting Relaxation Application of Mr. Mark and Mrs. Joanne Stubbins at 16 Maple Street, Allingham, in its current form on the grounds that the proposed extension is expected to reduce the existing amenity of neighbouring residents, and may create an additional impact on the safety of road users in the vicinity. That Council may be more disposed to accepting an open structure rather than a closed structure due to visibility.

(Crs. Lynch and Lancini – Carried unanimously) Cr. Bosworth was absent from the room when the vote was taken.

4. SITING RELAXATION APPLICATION – CNR BEATTS ROAD AND POPPI'S ROAD, ALLINGHAM.
Consideration of a Report to Council from Acting Manager Engineering Services dated 13th January, 2011 in relation to a Siting Relaxation Application received from Glenwood Homes on behalf of A. and H. Borello for a proposed new residence at Corner of Beatts Road and Poppi's Road, Allingham. (061/0004)

Resolved – That Council approve the Siting Relaxation Application of Glenwood Homes submitted on behalf of Mr. and Mrs. Borello on the grounds that the proposed residence is unlikely to impact on the outlook or views of adjacent properties, or create a safety issue in regard to sight distance at the intersection of Beatts Road and Poppi's Road.

(Crs. Lancini and Gianotti – Carried unanimously)

5. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Townsville, 7th January, 2010, seeking Council's views and / or requirements in relation to an application for short term permit to occupy being Lot 26 on CWL10. It is proposed to use the land to acquire additional time to remove livestock.

Resolved – That Council advise the Department that it has no objection to the application for short term permit to occupy over Lot 26 on CWL10 and has no requirements.

(Crs. Lancini and Molachino – Carried unanimously)

6. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Townsville, 11th January, 2010, seeking Council's views and / or requirements in relation to an application for conversion of Special Lease 203317 over Lot 13 on Crown Plan I22466. The proposed use of the land is for retail shopping. Advising that the Department did investigate an application for conversion of this Special Lease in 2005 and it was determined then to reject the application. From that investigation the following issues were found:-

- Public interest could be adversely affected;
- Palm Creek is a boundary watercourse through Ingham except for the leased block;
- Change in tenure may lead to interference with the watercourse;
- Structure of Palm Creek is different to most watercourses so it may be difficult to defend outside the low flow channel as a watercourse under the Water Act 2000 and that any works on the property which alter the flood flows will have undesirable effects.

The applicants have advised there has not been any change in circumstances from the previous application.

Resolved – That Council advise the Department that it objects to the proposed application for conversion of Special Lease 203317 over Lot 13 on Crown Plan I22466 on the grounds that the lot is over a watercourse forming the creek bed of Palm Creek as any further future development could adversely affect the watercourse.

(Crs. Gianotti and Lancini – Carried unanimously)

Cr. Bosworth returned to the meeting at 11.36 a.m.

CLOSED MEETING – That pursuant to Chapter 5 Part 2 Division 3 Section 72 (1) (f) of the *Local Government (Operations) Regulation 2010*, Council resolve to go into Closed Meeting to discuss Item 2.5.7. (Crs. Lancini 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. Lancini and Lynch – Carried unanimously)

7. WILSON RYAN GROSE LAWYERS, Townsville, 14th December, 2010, advising on a “Without Prejudice” basis that their client (Royal Hotel) has rejected Council’s offer made with respect to a proposed road opening at Johnstone Street, Ingham. The principal point of disagreement related to the dedication of their client’s land for road purposes in circumstances where no compensation was being offered by Council. Further advising that Council is not lawfully entitled to deny their client access to Johnstone Street and all other commercial options should be considered before they institute proceedings against Council. Advising that in their assessment there is no merit in meeting with Council in circumstances where re-opening of the formal offer previously made to the landowner is the only option for consideration.
(065/0123)

Resolved – That Council seek a legal opinion on its position in relation to this matter for further consideration.

(Crs. Lancini and Gianotti – Carried unanimously) Cr. Lynch was absent from the room when the vote was taken.

8. REQUEST TO CHANGE AN EXISTING APPROVAL – DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE – TRADE WAREHOUSE – MR. DAVID GOLDSWORTHY – 103 LANNERCOST STREET, INGHAM – LOT 204 on I2242.

Consideration of Report to Council from Manager Engineering Services dated 8th December, 2010, regarding a request received from the applicant to change the existing approval decided by Council on the 31st January, 2008 from an eight (8) commercial unit development down to a four (4) storage unit development.
(058/0194)

Resolved – That Council approve the Request to Change an Existing Approval of Mr. David Goldsworthy as per the application dated 27th October, 2010.

(Crs. Lancini and Bosworth – Carried unanimously)

Cr. Lynch returned to the meeting 11.56 a.m.

9. INGHAM AIRPORT – REQUEST FOR LEASE TO D. & B. BLANCH OF BLANCH AIR PTY. LTD. - PART OF RESERVE FOR LANDING GROUND R411.

Consideration of Report to Council from Customer and Corporate Services Officer dated 1st December, 2010, seeking Council’s direction in relation to a request received from Don and Bobbie Blanch of Blanch Air Pty. Ltd. for an area to lease of part of Reserve for Landing Ground R411 in Lot 118 on Plan CWL3455 which is an approximate area of 2,000m² adjoining Lease C currently tenured to E.G. & M. Blanch.

Further consideration was given to a Report to Council from Customer and Corporate Services Officer dated 9th December, 2010 providing further information in relation to the lessee’s request for an additional area to lease.

Resolved – That the debate be adjourned to later in the meeting.

(Crs. Bosworth and Lynch – Carried unanimously)

The debate on this item resumed at 2.40 p.m. Council’s Customer & Corporate Services Officer, D. Oliver was present during the discussions.

Resolved - That consideration be deferred to a future series of meetings pending the development of an Airport Development Plan.

That Council seek expressions of interest from a consultant to develop the Plan.

(Crs. Molachino and Lynch – Carried unanimously)

10. INGHAM AIRPORT – RENEWAL OF LEASE TO E.G. & M. BLANCH OF BLANCH AIR PTY. LTD. – PART OF RESERVE FOR LANDING GROUND R411.

Consideration of Report to Council from Customer and Corporate Services Officer dated 1st December, 2010, seeking Council's direction in relation to renewing the lease to Edgar George and Mary Blanch of Blanch Air Pty. Ltd. over part of Reserve for Landing Ground R411 in Lot 118 on Plan CWL3455 (Lease C).

Further consideration was given to a Report to Council from Customer and Corporate Services Officer dated 9th December, 2010 providing further information in relation to the lease.

Resolved That the debate be adjourned to later in the meeting.
(Crs. Bosworth and Lynch – Carried unanimously)

The debate on this item resumed at 2.42 p.m. Council's Customer & Corporate Services Officer, D. Oliver was present during the discussions.

Resolved – That consideration be deferred to a future series of meetings pending confirmation from the Department of Environment & Resource Management that Council can extend the lease by twelve (12) months.
(Crs. Molachino and Lynch – Carried unanimously)

11. INGHAM AIRPORT – RENEWAL OF LEASE TO R.N. & H.A. LIDDLE OF LIDDLES AIR SERVICES – PART OF RESERVE FOR LANDING GROUND R411.

Consideration of Report to Council from Customer and Corporate Services Officer dated 1st December, 2010, seeking Council's direction in relation to renewing the lease to Rodger Norman and Heather Ann Liddle of Liddles Air Services over part of Reserve for Landing Ground R411 in Lot 118 on Plan CWL3455 (Lease B).

Further consideration was given to a Report to Council from Customer and Corporate Services Officer dated 9th December, 2010 providing further information in relation to the lease.

Resolved – That the debate be adjourned to later in the meeting.
(Crs. Bosworth and Lynch – Carried unanimously)

The debate on this item resumed at 2.44 p.m. Council's Customer & Corporate Services Officer, D. Oliver was present during the discussions.

Resolved – That consideration be deferred to a future series of meetings pending confirmation from DERM that Council can extend the lease by twelve (12) months.
(Crs. Molachino and Lynch – Carried unanimously)

12. NAMING OF THE NEW LIBRARY AND GALLERY AND OPENING HOURS FOR EACH FACILITY.

Consideration of Report to Council from Manager Corporate and Economic Development dated 19th January, 2011 seeking Council's direction in relation to naming of the new Library and Gallery and opening hours for each facility.

Resolved – That Council adopt the name of "*Hinchinbrook Library*" for the new Ingham Library and the name "*Bob Shepherd Regional Gallery*" for the new Gallery.

That Council endorse the opening hours for the new Gallery of 9.30 a.m. to 5.00 p.m. Monday to Friday and from 9.00 a.m. to noon on Saturday when there is an exhibition and opening hours for the new Library of Monday 9.30 a.m. to 6.00 p.m., and Tuesday – Friday 8.30 a.m. to 6.00 p.m. and Saturday 9.00 a.m. to 12 noon.
(Crs. Bosworth and Lancini – Carried unanimously)

13. UPDATE OF USAGE AGREEMENT AND GUIDELINES FOR THE NEW REGIONAL GALLERY.

Consideration of Report to Council from Manager Corporate and Economic Development dated 19th January, 2011 requesting Council to adopt a Usage Agreement and Guidelines for the new Regional Gallery.

Resolved – That Council adopt the Usage Agreement and Guidelines for the new Regional Gallery.
(Crs. Lancini and Gianotti – Carried unanimously)

14. VARIATION OF OPERATIONAL WORKS APPROVALS.
Consideration of application from Riverdowns Estate Pty. Ltd. dated 12th November, 2010 to vary operational works approval for their subdivision at Riverdowns Estate, Halifax.(116/0084)

Consideration was also given to a Report to Council from Acting Manager Engineering Services dated 24th January, 2011 regarding the applicant's proposal to change the disclosure plan for Riverdowns Estate.

Resolved – That the debate be adjourned to the General Meeting on the 22nd February, 2011 pending an inspection of Riverdowns Estate on Thursday 17th February, 2011.
(Crs. Gianotti and Molachino – Carried unanimously)

15. UPDATE ON LANNERCOST STREETScape COVERED WALKWAYS.
Consideration of update from Manager Technical Services on the Streetscape Covered Walkways in Lannercost Street.

Resolved – That the debate be adjourned to a later part of the meeting.
(Crs. Lynch and Molachino – Carried unanimously)

6. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. LUCINDA PROGRESS ASSOCIATION, Halifax, 10th January, 2011, protesting the closure of the waste transfer facility at Halifax and the Halifax Library as these closures will have the greatest impact on Lucinda as it will change their travel distance from 12kms to 40kms each way to access the Warren's Hill facility and from 12kms to 30kms for library services. Requesting Council to reconsider its closure decisions as both are imperative to the community's needs.
(092/0179)

Resolved – That the advice be received and noted.
(Crs. Bosworth and Lancini – Carried unanimously)

Manager Environmental Health Services, T. Tanase left the meeting at 12.43 p.m.

2. INGHAM AERODROME OPERATIONAL REVIEW – DECEMBER, 2010.
Consideration of Report to Council from Acting Manager Engineering Services dated 16th January, 2011 reporting on the issues highlighted in the operational review carried out of the Ingham Aerodrome by Project Delivery Managers Pty. Ltd. and their report dated 16th December, 2010.

The meeting adjourned at 1.00 p.m. for lunch and resumed at 2.05 p.m. Cr. P.D. Lynch was not present when the meeting resumed.

Consideration was also given to a request received from Christian Smith of Donair Promotions Pty. Ltd. dated 20th December, 2010 seeking inkind support for the Ingham Wings and Wheels Airshow 2011.

Cr. P.D. Lynch returned to the meeting at 2.10 p.m.

Further consideration was given to a response from Christian Smith of Donair Promotions Pty. Ltd. dated 24th January, 2010 regarding the Ingham Wings and Wheels Airshow Risk Assessment carried out by PDM Pty. Ltd.

Council's Customer & Corporate Services Officer, D. Olivero and Manager Technical Services, G. Weston attended the meeting at 2.10 p.m.

Resolved – That Council receive and note the Report from Project Delivery Managers Pty. Ltd. dated 16th December, 2010.

That Council investigate the redirection of funds to reseal the Ingham Aerodrome from the 2011 / 2012 road / reseal budget.

That Council carry out the works identified as A, B, C and D in the Acting Manager Engineering Services' Report dated 16th January, 2011 and that the cost of such work be financed from within the current budget and that details of that be further considered by Council.

That Council investigate the availability of Department of Correctional Services personnel to assist with the preparation of the aerodrome.

That in relation to Item E of the Manager Engineering Services' Report dated 16th January, 2011, Council considers it to be the responsibility of the event organiser to undertake this activity.

(Crs. Molachino and Lynch – Carried unanimously)

3. MAKING CITIES RESILIENT: MY CITY IS GETTING READY.

Consideration of information provided by the Local Government Association of Queensland regarding nomination and participation for cities and local governments in the *Making Cities Resilient: My City is Getting Ready* campaign for 2010 / 2011.

This World Disaster Campaign aims at getting Mayors, local governments and national authorities to take action towards making cities resilient as part of sustainable urbanisations. A ten-point action plan of "ten essentials for city resilience" is the guiding tool for local governments to undertake actions throughout the campaign to reduce risks. It builds on the priorities set out in the international blueprint "*Hyogo Framework for Action 2005 / 2015: Building the resilience of communities and nations to disasters*". The capacity of local government officials and institutions to make cities resilient is a high priority to advance the local implementation.

All cities and local governments interested in participating in the campaign are encouraged to sign-up through isdr-campaign@un.org. By doing so, they will be requested to send the nomination form and to identify areas of action in the campaign in relation to the "ten essentials for city resilience".

Resolved – That Council advise that it is committed to the Making Cities Resilient Campaign.

(Crs. Lynch and Molachino – Carried unanimously)

4. LUCINDA SWIMMING ENCLOSURE - LONG TERM MAINTENANCE OPTIONS.

Consideration of Report to Council from Acting Manager Engineering Services dated 14th January, 2011 regarding long term maintenance options of the Lucinda Swimming Enclosure following damage to the net over the Christmas 2010 weekend.

Resolved – That the Lucinda Swimming Enclosure be removed.

(Crs. Bosworth and – The motion lapsed for want of a seconder)

Resolved – That Council further investigate a more detailed costing of the removal of six (6) piles from the Swimming Enclosure and reinstalling them further west into the beach for further consideration by Council at a future series of meeting.

(Crs. Gianotti and Molachino – Carried – Cr. Bosworth recorded her vote against the motion)

5. HINCHINBROOK SHIRE - ASSET MANAGEMENT ADVANCEMENT PROGRAM 2009 / 2010 – ASSET MANAGEMENT PLANS AS AT 31ST DECEMBER, 2010.

Consideration of Report to Council from Acting Manager Engineering Services dated 17th January, 2011 providing an update on Council's progress with the Asset Management Advancement Program 2009 / 2010 established by the Department of Infrastructure & Planning set up to achieve the Commonwealth Government's target to have all infrastructure asset classes managed by Councils covered by asset management plans by December, 2010.

Resolved – That Council consider the ongoing commitment required to realise the full potential of asset management plans when developing future budgets.

(Crs. Gianotti and Lancini – Carried unanimously)

6. AUSTRALIAN RURAL ROAD GROUP INC., Bingrara, 21st December, 2010, forwarding copy of the inaugural report of the group "*Going Nowhere: The Rural Local Road Crisis Its National Significance and Proposed Reforms*". Advising that they were pleased with the positive response to their presentation on the group's activities and proposed reforms at the recent National Roads Congress in Bunbury, Western Australia and since that time, members of the group have held encouraging discussions with Federal Ministers, the Hon. Simon Crean MP, (Minister for Regional Australia and Regional Development) and Minister the Hon. Anthony Albanese MP (Minister for Infrastructure and Transport). During these discussions it was suggested that their argument would be assisted greatly with the support of an economic study outlining the impact of not substantially increasing the Federal Government's contribution to maintaining and enhancing the vital "first mile" of the agricultural supply chain.

As the study will come at a cost, seeking all current member Councils to contribute an additional \$900 towards the study. Hoping that Council can see that it has already received very good value for its initial contribution of \$100. (105/0005)

Resolved – That Council advise that it is unable to make an additional contribution of \$900 towards the study.

(Crs. Molachino and Bosworth – Carried unanimously)

7. INDUSTRY WASTE LEVY AND WASTE REFORM.

Consideration of Council's submission to the Local Government Association of Queensland dated 19th January, 2011 regarding the proposed industry waste levy and waste reform.

Resolved – That the Report be received and noted and the submission be accepted.

(Crs. Bosworth and Lynch – Carried unanimously)

8. DEPARTMENT OF FAMILIES, HOUSING, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS.

inviting Council to apply for funding under the Accessible Communities program which is part of the Australian Government's commitment to improving the lives of people with disability. Accessible Communities is a \$5 million program providing one-off grants to local governments to improve the accessibility of public buildings and facilities for people with disability so that they can fully participate in the community. Councils will be able to apply for up to \$100,000 in funding (to be match by an equal contribution) to construct infrastructure such as ramps, lifts, accessible toilets and hoists for buildings and facilities such as public libraries, town halls, playgrounds and swimming pools. Successful applicants will be funded to begin their project within six months of signing the funding agreement (by 31st December, 2011 at the latest) and must complete the work within one year (by 30th June, 2012 at the latest). Applications for funding will open on the 24th January, 2011 and close on 25th February, 2011.

Further consideration was given to a Report from Manager Technical Support dated 25th January, 2011 identifying the following projects to be submitted for funding:-

- Rotary Park Upgrade;
- Memorial Gardens Upgrade;
- Blue Care Access;
- Capital Improvements Tyto Wetlands; and
- Macrossan Street Upgrade.

Resolved – That the debate be adjourned to later in the meeting.

(Crs. Lynch and Molachino – Carried unanimously)

The debate on this item resumed at 3.50 p.m. Council's Manager Technical Services, G. Weston was present during the discussions.

That the Report be received and noted and the projects be submitted for funding.

(Crs. Lynch and Molachino – Carried unanimously)

9. UPDATE ON LANNERCOST STREETScape COVERED WALKWAYS.

Consideration of Report from Manager Technical Services dated 19th January, 2011 on the Streetscape Covered Walkways in Lannercost Street.

Resolved – That the debate be adjourned to a later part of the meeting.

(Crs. Lynch and Molachino – Carried unanimously)

The debate on this item resumed at 4.00 p.m. Council's Manager Technical Services, G. Weston was present during the discussions.

That the Report be received and noted and that Council select "Cottage Green" for the roofing colour of the Lannercost Street Covered Walkways East and West.

(Crs. Lynch and Molachino – Carried unanimously)

10. HERBERT RIVER FLOOD ALERT NETWORK – ANNUAL SERVICING FIELD TRIP BY BUREAU OF METEOROLOGY AND HINCHINBROOK SHIRE PERSONNEL – OCTOBER, 2010.

Consideration of Report to Council from Acting Manager Engineering Services dated 19th January, 2011 providing Council with an update on the annual service field trip by Bureau of Meteorology and Hinchinbrook Shire Officers carried out in October, 2010 on the Herbert River Flood Alert Network. Seeking Council's direction in relation to appropriate budget allocations being made in future budgets for replacement of equipment associated with the Herbert River Flood Alert Network.

Resolved – That appropriate budget allocations be made in future budgets for equipment replacement associated with the Herbert River Flood Alert Network.
(Crs. Gianotti and Molachino – Carried unanimously)

7. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. COMMUNITY ENGAGEMENT POLICY.

Consideration of adoption of a Community Engagement Policy as required by the *Local Government Act 2009*.

Resolved – That Council adopt the Draft Community Engagement Policy as presented.
(Crs. Lancini and Lynch – Carried unanimously)

2. COMMUNITY PLAN CONSULTATION AND ENGAGEMENT PROCESS.

Consideration of a draft Report from Chief Executive Officer dated 3rd December, 2010 detailing suggested scope of the issues and stakeholders to be involved in the formulation of the draft Community Plan.

Resolved – That Council form a sub-committee comprising SMT Members and Cr. Sherry Kaurila, Cr. Patrick Lynch and Cr. Maria Bosworth to develop a draft process to scope out the work involved in producing a Community Plan for further consideration by Council
(Crs. Molachino and Bosworth – Carried unanimously)

3. COMMUNITY ENGAGEMENT PROCESS FOR PROPOSED CLOSURE OF HALIFAX AND FORREST BEACH WASTE TRANSFER STATIONS AND HALIFAX LIBRARY.

Consideration of the Report to Council from Chief Executive Officer dated 19th January, 2011 regarding the Community Engagement Process and delivery of information to the Halifax and Forrest Beach communities as part of Council's intention to close the Waste Transfer Stations at Halifax and Forrest Beach and the Halifax Library.

Resolved – That Council allocate separate times for the Halifax Progress Association and Forrest Beach Progress Association to attend Council's Deputation Day on the 17th February, 2011 to address their concerns.
(Crs. Lynch and Molachino – Carried unanimously)

4. NATIONAL TRUST QUEENSLAND, Brisbane, 20th December, 2010, inviting Council to become a member of the National Trust of Queensland for \$85 by the end of February, 2011 and avoid paying the \$35 joining fee. 20% of local governments in Queensland are members of the National Trust and they also assist a number of local governments by providing representatives for local heritage committees and partnering in heritage projects.

The benefits of being a National Trust member include:-

- Membership card offering one adult representative free and discounted entry to Trust properties across Australia and in many other countries, including the UK;
- Two quarterly Trust News magazines (National and State) for your community library;
- The opportunity to conduct tax-deductible heritage conservation appeals;
- The opportunity for you or a local community organization supported by your Council to have community events included in the National Trust's Annual Heritage Festival program free of charge;
- Access to the National Trust's library of reports and files, as well as our database of information on heritage places; and
- The opportunity to partner with the National Trust in the management of heritage properties open to the public.

(007/0012)

Resolved – That Council advise that it does not wish to be a member of the National Trust Queensland.

(Crs. Molachino and Lynch – Carried unanimously)

5. LOCAL GOVERNMENT REMUNERATION AND DISCIPLINE TRIBUNAL, Brisbane, 8th December, 2010, forwarding the Tribunal's 2010 Report which was given to the Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships on the 7th December, 2010. Drawing Council's attention to Section 6 of the Report which records the outcomes of the deliberations of the Tribunal and the Remuneration Schedule which will apply from the 1st January, 2011. Advising that the Schedule reflects the decision of the Tribunal to increase the remuneration levels of Mayors, Deputy Mayors and Councillors by 2.5%.

Advising Council will need to make a resolution about the levels of remuneration to be paid to its Local Government representatives within 90 days of the Remuneration Schedule being gazetted and forward a copy of the resolution to the Tribunal's Secretariat. Should Council wish to vary the remuneration the Tribunal has determined it may make a submission to the Tribunal at any time, under Section 43 of the Regulation. The circumstances relevant to any such request would also need to be provided. (004/0004)

The new annual remuneration range for the Mayor and Councillors is as follows:-

COUNCILLOR	Remuneration range determined (% of Reference Rate of \$133,800)	Remuneration range (pa) (in \$ rounded to nearest \$10)
Mayor	57.5% - 70%	\$76,940 - \$93,660
Deputy Mayor	32.5% - 42.5%	\$43,490 - \$56,870
Councillor	27.5% - 35%	\$36,800 - \$46,830

Resolved – That the advice be received and noted and Council accept the Tribunal's recommendation and apply the base 2.5% to the remuneration component of the Mayor, Deputy and Councillors and the following table of Council Remuneration be adopted to apply as from the 1st January, 2011.

CATEGORY 3 COUNCIL

COUNCILLOR	Current Remuneration + 2.5%	Existing Distance Allowance (based on \$112 / km x distance from residence to Ingham and return)	TOTAL (Remuneration + Distance Allowance)	% of \$133,800
Cr. G. Giandomenico	\$76,940	NIL	\$76,940	57.5%
Cr. A.J. Lancini (Deputy Mayor)	\$43,486	\$4,256	\$47,742	35.7%
Cr. D.M. Bosworth	\$37,464	\$2,240	\$39,704	29.7%
Cr. L.R. Molachino	\$37,464	\$1,120	\$38,584	28.9%
Cr. G.P. Gianotti	\$37,464	\$4,480	\$41,944	31.3%
Cr. S.J. Kaurila	\$37,464	\$5,600	\$43,064	32.2%
Cr. P.D. Lynch	\$37,464	\$1,792	\$39,256	29.3%

(Crs. Gianotti and Lancini – Carried – Cr. Molachino and Cr. Lynch recorded their votes against the motion)

MISCELLANEOUS CORRESPONDENCE

1. MORETON BAY REGIONAL COUNCIL, Strathpine, 22nd November, 2010, forwarding copy of their correspondence sent to the Premier, The Honourable Anna Bligh MP objecting to the introduction of an Industry Waste Levy. (048/0012)

2. INGHAM STATE HIGH SCHOOL, Ingham, 10th December, 2010, thanking Council for its donation towards Shiloh Day's participation in "Creative Generation – State Schools on Stage". (012/0002)
3. HON. STEPHEN ROBERTSON MP, MINISTER FOR NATURAL RESOURCES, MINES AND ENERGY AND MINISTER FOR TRADE, Brisbane, 10th December, 2010, thanking Council for its letter to the Premier concerning land access and proposals to assist in creating available land for residential purposes. Advising that the department acknowledges the difficulties that Council encounters when dealing with land encumbered with native title, and local governments may be entitled to up to a 50% reduction in the purchase of land for a public purpose after first adequately addressing native title. The reduction in purchase price does not exist where the department addresses native title rights over State land.

The department has recently created an Accelerated Unallocated State Land Disposal Unit (AUSLDU) to support the appropriate allocation of USL for urban, recreational and environmental purposes. This will identify priority parcels of USL across the State to be allocated or sold. Once areas are prioritized, the AUSLDU may commence Indigenous Land Use Agreement negotiations with the Traditional Owners. These negotiations will address native title so that land may be adequately dealt with in accordance with public demand and State requirements. The land subject to demand would then be made available for purchase on the open market. (042/0012)

4. HON. RACHEL NOLAN MP, MINISTER FOR TRANSPORT, Brisbane, 13th December, 2010, responding to Council's letter of the 18th October, 2010 regarding the rearrangement of the current port boundaries to include Dungeness in the port precinct and the provision of dredging works to enable all-tide access to the Dungeness entrance channel. Advising that the Dungeness entrance channel is outside of the official port limits of the Port of Lucinda, as prescribed under the Transport Infrastructure (Ports,) Regulation 2005 and the Port of Townsville Limited (PTL) is the responsible Government-Owned Port Authority for the Port of Lucinda. The entrance channel is not dredged by PTL for any port operational purpose, as commercial vessels utilise the Hinchinbrook channel into the Port of Lucinda. While the government does reconsider the boundaries of its ports from time to time, any amendment to official port limits occurs to facilitate the commercial trade of commodities rather than for recreational boating purposes.

Maritime Safety Queensland (MSQ) manages state owned recreational boating facilities in Queensland and also regulates boating safety and commercial vessels. MSQ focuses its recreational boating capital program on providing infrastructure in state boat harbours where access to all tide facilities is available. Dredging of channels through bars at the entrances to coastal creeks and rivers to provide access to public boat launching facilities is not a high priority because benefits gained in the short term are soon lost through siltation, the shifting of sand, and the high maintenance costs of such dredging. MSQ advises that vessels embarking on their voyage to sea via the Dungeness entrance channel need to cross two sand bar systems, one at the Herbert River entrance and the other where Hinchinbrook Channel joins the sea. This would require dredged access at both locations, both of which are subject to shifting sandbanks. At this stage state funds are unable to be allocated to the dredging of the Dungeness entrance channel given the short-term benefits and ongoing maintenance costs. Her department advises that the extension of the Port of Lucinda's port limits will not address the issues outlined by Council, due to the lack of commercial viability of such a capital expense for the Port of Townsville Limited. However, if dredging and its ongoing maintenance is a priority for Council in this location, advising that she has no objection to Council seeking to undertake the work, subject to the appropriate approvals from the relevant state and federal agencies. (042/0012)

5. HON. KATE JONES MP, MINISTER FOR CLIMATE CHANGE AND SUSTAINABILITY, Brisbane, 14th December, 2010, responding to Council's letter dated 18th October, 2010 concerning progress on the opportunity for possible private investment in low impact eco-accommodation at Wallaman Falls. Advising that the option to provide opportunities for private investment in eco-accommodation on and near national parks is one of a number of strategies by the Queensland Government to promote the development of diverse and quality tourism product in Queensland. It is a new direction and because the conservation sector is concerned about potential impacts, it was decided that investigations would be undertaken to ensure that the opportunities identified were environmentally sound and commercially sustainable. Investigations are occurring in a staged process and two sites have already been released for Expression of Interest. It is anticipated that another site will be announced in the near future.

The first site released is at Mission Beach and is well progressed in assessment of applications. An Expression of Interest for Green Mountains in the Lamington National Park in south-east Queensland has also been recently released. With consideration of the unique characteristics and circumstances of each of the identified opportunities, investigations are comprehensive and detailed and may conclude that a site is not a viable opportunity.

Further advising that following rigorous investigations, the Minister recently announced that the Cowan South site on Moreton Island National Park would not be released based on environmental impact and commercial sustainability concerns which reinforces the Government's commitment of ensuring that each of the opportunities is attractive and viable. Agreeing with Council as stated in its letter, that the Wallaman Falls opportunity has been flagged for a number of years and the Minister is keen to work with Council to ensure an outcome for this area. It may be useful for you to meet with representatives from the Department of Environment & Resource Management (DERM), the Department of Employment, Economic Development & Innovation and Tourism Queensland to discuss Council's ideas around this venture and advising that she has asked DERM to contact Council to facilitate progress of this matter. (079/0120)

6. DEPARTMENT OF THE PREMIER & CABINET, Brisbane, 15th December, 2010, advising that Council's application to Arts Queensland's Grittier Places grant program was unsuccessful. The assessment panel determined that the application was ineligible for consideration as the proposed venue is a new facility, and the purpose of the Grittier Places grant program is to transform existing and under-utilised buildings and rooms into creative spaces and places. (079/0177)
7. LOCAL GOVERNMENT GRANTS COMMISSION, Brisbane, 5th January, 2011, forwarding copy of the 2010 Report from the Queensland Local Government Grants Commission on the distribution of the Commonwealth Financial Assistance Grant. (011/0009)
8. LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND LTD., Fortitude Valley, 6th January, 2011, forwarding the joint 2009 / 2010 LGM Queensland and Local Government Workcare Report. (600/0022)
9. CARMEL SCOTT, Upper Stone, 7th January, 2011, advising that in relation to their meeting with Council in December, 2010 regarding the ex Stone River State School facilities they are happy to look into what course of action is available to them. In the interim as soon as weather permits they will commence cleaning up the yard and will advise Council of their decision. Thanking Council for the opportunity to retain the facility for community use and looking forward to working with Council to maintain this facility. (076/0018)
10. DEPARTMENT OF COMMUNITIES, Townsville, 7th January, 2011, advising that Council's application for funding under the Sport and Recreation Infrastructure Program to install shade structures to support aquatic activities at Ingham was unsuccessful. (011/0060)
11. DEPARTMENT OF COMMUNITIES, Townsville, 7th January, 2011, advising that Council's application for funding under the Sport and Recreation Infrastructure Program to CONSTRUCT A SHADE STRUCTURE TO SUPPORT SKATING AT Ingham was unsuccessful. (011/0022)
12. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Toowoomba, 12th January, 2011, forwarding copy of letter sent to Mr. R (Bob) Dunning in relation to the refusal of his application for a permit to occupy over part of Lot 417 on CWL 2855 at 2 Eddleston Road, Cordelia for the following reasons:-
 - The land remain as reserve land for the purpose it was dedicated for.
 - In terms of Section 35(1)(a) of the Land Act 1994, the way land granted in trust by the Governor in Council is used must not be inconsistent with the purpose for which it was granted. This is evidenced by the title showing the land is held in trust by the Hinchinbrook Shire Council for the purpose of Local Government, sub-purpose of Water Supply.
 - In terms of Section 177(4) of the Land Act 1994, if the proposed purpose of the permit is inconsistent with the purpose of the reserve, no improvements, other than boundary fences, are to be built by the permittee.
 - In terms of Section 177C of the Land Act 1994, a valid submission against the permit has been received.

- The items placed on the land, which includes a shipping container, fuel tank, car trailer, sheets of iron and concrete sleepers and anything else belonging to him are required to be removed by the 12th April, 2011. He must take all reasonable and practical measures to ensure the removal of the improvements do not adversely impact upon the surrounding land. Failure to remove the abovementioned improvements may result in the Department taking trespass action in accordance with the provisions of Sections 404 – 413 of the *Land Act 1994*. (076/0001)
13. STATE EMERGENCY SERVICE, Ingham, 16th January, 2011, forwarding Operational report and monthly routine reports for the six month period July to December, 2010. (040/0011)
 14. QUEENSLAND GOVERNMENT NATIONAL BUILDING PROGRAM.
Forwarding information brochure regarding the progress of the Cardwell Range Realignment. (107/0003)
 15. JACKSON WYLES, Ingham, thanking Council for its support at the National Athletic Championships where he came 6th in Long Jump, 4th in the Long Jump Relay for 11 years, 2nd in the Medley Relay, and 4th in the 4 x 200m Relay. (012/0002)
 16. HINCHINBROOK COMMUNITY SUPPORT CENTRE INC., Ingham, 17th December, 2010, forwarding 2009 / 2010 Annual Report. (054/0009)

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

MINUTES OF ORGANISATIONS / COMMITTEES ON WHICH COUNCIL IS REPRESENTED

1. NORTH QUEENSLAND SPORTS FOUNDATION.
Consideration of Minutes of the Board Meeting of the North Queensland Sports Foundation held on the 26th November, 2010.

Resolved – That the list of minutes be received and noted.
(Crs. Bosworth and Molachino – Carried unanimously)

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

1. YAWANA TAPAU.
Participation in Queensland Indigenous Schoolgirls Netball Team to participate in Australian Indigenous Schoolgirls Carnival in Port Macquarie in January, 2011.
2. SHIANE CLEMMENTS AND TAYLA SMALLWOOD.
Participation in Queensland Indigenous Schoolgirls Netball Team to participate in Australian Indigenous Schoolgirls Carnival in Port Macquarie in January, 2011.

Resolved – That the Report be received and noted.
(Crs. Bosworth and Lancini – Carried unanimously)

8. COUNCILLOR ACTIVITY REPORT
Consideration of Councillor Activity Reports as at the 19th January, 2011 to ensure transparency and public scrutiny of Councillor workload.

Resolved – That the Report be received and noted.
(Crs. Bosworth and Lancini – Carried unanimously)

9. OPERATIONAL ACTION 1.0 - COMMUNITY

1. PREMIER'S FLOOD APPEAL.
Consideration of Council's financial support towards the 2011 Premier's Flood Appeal.

Resolved – That Council organise a charity concert to raise funds for the 2011 Premier's Flood Appeal.
(Crs. Lynch and Lancini – Carried unanimously)

10. OPERATIONAL ACTION 2.0 - ECONOMY

1. FINAL DRAFT – HINCHINBROOK SHIRE PLANNING SCHEME AMENDMENTS.

Consideration of a final draft proposal for amendments to the Hinchinbrook Shire Planning Scheme.

Resolved – That consideration be deferred to the General Meeting on the 8th February, 2011.
(Crs. Lynch and Lancini – Carried unanimously)

3. MAYORAL MINUTE -

1. REVIEW OF CHIEF EXECUTIVE OFFICER'S CONTRACT.

Consideration of review of Chief Executive Officer's Contract.

Resolved - That Council consider the review of the Chief Executive Officer's Contract at its 8th February, 2011 General Meeting.

(Crs. Lancini and Lynch – Carried unanimously)

4. CONCLUSION – This concluded the business of the meeting which closed at 5.30 p.m.

5. APPROVED and adopted this 8th day of February, 2011.

MAYOR