



**HINCHINBROOK
SHIRE COUNCIL**

MINUTES OF THE GENERAL MEETING
OF THE
HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS,
INGHAM ON
TUESDAY 22ND FEBRUARY, 2011
AT 10.00 A.M.

ATTENDANCE

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

PRAYER

- The Mayor opened the meeting with prayer.

The meeting adjourned at 10.01 a.m. for morning tea.

1. MINUTES

- Resolved that the Minutes of the General Meeting held on the 25th January, 2011 be approved as a correct record of proceedings and be signed by the Mayor.
(Crs. Lancini and Molachino – Carried unanimously)

2. BUSINESS -

1. FINANCIALS

Consideration was given to a report of financial activities as at the 17th February, 2011.

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

2. OPERATIONAL ACTION 1.0 - COMMUNITY

1. INGHAM GARDEN AND ART FEST – EVA ERHARDT, Ingham, 11th February, 2011, advising that she is exploring the feasibility of coordinating a one day *Ingham Garden and Art Fest* in August, 2011 to attract a new demographic of visitors to the region. Advising that the Botanical Gardens on Palm Terrace would be an ideal location for this Fest with the orchid house and lily pond featuring amongst the key attractions. The trees, parking, and well kept grounds provide convenient conditions for stallholders with shade and easy access to install equipment and access power. In addition, the community hall offers an ideal venue for presenters. Requesting a meeting to discuss this proposal with Council.

Resolved – That Council invite Ms. Erhardt to a future Deputation Day to present Council with a feasibility of coordinating a one day Ingham Garden and Art Fest in August, 2011.
(Crs. Lynch and Molachino – Carried unanimously)

2. TROPICAL COAST TOURISM, Tully, 25th January, 2011, requesting Council to assist the local tourism organisation by financially supporting the reprint of the Explore Magazine in the form of \$10,000 (incl. GST). This magazine plays an important role in marketing the region from Townsville to Gordonvale including both domestic and international visitors. In return for Council's financial assistance Council is offered a ¼ page to advertise its area. (079/0010)

Resolved – That Council advise Tropical Coast Tourism that the \$10,000 (incl. GST) support is not in our current budget but Council would be happy to assist with their application for Cyclone Yasi disaster funding for the reprint and distribution of the Explore Magazine as occurred in post Cyclone Larry.

(Crs. Lancini and Kaurila – Carried unanimously)

3. VITA PER LA VITA, Italy, 16th January, 2011, advising that their Association "Vita per la vita" (life for life) is an Italian public organisation that operates to sensitise people about blood and organ donation. Each year they choose a place to have a solidarity march with torches. During their travels around the world, they usually meet an Italian family of emigrants. This year their destination is Australia and they would like to visit the Herbert River district where there are lots of families from Rovato and Coccaglio. They intend to stay in Ingham from the 7th to 9th August, 2011 and request the use of the Pavilion at the Showgrounds for that period.

Cr. D.M. Bosworth left the meeting at 10.33 a.m.

Resolved – That Council make a donation of \$270 (excl. GST) per night to Vita Per La Vita for the period of their stay (7th to 9th August, 2011) at the Showgrounds Pavilion.

(Crs. Kaurila and Molachino – Carried unanimously)

4. CRYSTAL CREEK COMMUNITY SPORTS & RECREATION ASSOCIATION INC., Ingham, 1st February, 2011, requesting Council to continue its ongoing funding to cover the costs of the Association's two major annual costs being rates and insurance in conjunction with Townsville City Council. The Association hall has the capability of operating as a shared evacuation centre as well as an incident room in the event of a natural disaster. (012/0002)

Cr. D.M. Bosworth returned to the meeting at 10.40 a.m.

Resolved – That Council provide a donation to the Crystal Creek Community Sports & Recreation Association Inc. in the sum of \$1,100 (excl. GST) being approximately 50% of their rates and insurance, and that Council enter into a Memorandum of Understanding with Townsville City Council and the Crystal Creek Community Sports & Recreation Association Inc. in relation to the operation of the Community Hall as an evacuation centre in the event of a natural disaster.

(Crs. Lynch and Kaurila – Carried)

Manager Environmental Health Services, T. Tanase left the meeting at 11.00 a.m.

Cr. L.R. Molachino declared a material personal interest in Item 2.2.5. as he is a member of the Herbert River Pastoral & Agricultural Association Inc. and left the meeting and did not participate in the discussions or resolution thereon.

5. HERBERT RIVER PASTORAL & AGRICULTURAL ASSN INC., Ingham, 18th January, 2011, seeking Council's continued financial sponsorship of the 2011 Ingham Annual Show (129th) to be held on Friday 8th and Saturday 9th July, 2011. (012/0002)

Resolved – That Council provide financial assistance in the sum of \$9,000 (excl. GST) and provide inkind support up to \$12,050 (excl. GST) for the 2011 Ingham Annual Show which is a similar level as applied in previous years. Should the cost of the inkind support exceed the budget allocation, an invoice for the excess amount above \$12,050 (excl. GST) will be forwarded to the Association for payment.

(Crs. Kaurila and Lynch – Carried unanimously)

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

6. DONATIONS BUDGET EXPENDITURE.

Consideration of Report to Council from Manager Corporate & Economic Development dated 17th February, 2011 reporting on the expenditure to date of the Support for Achievement budget, Support for Event budget, and General Donations and Sponsorship budget.

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

3. OPERATIONAL ACTION 2.0 - ECONOMY

1. HON. STIRLING HINCHLIFFE MP, MINISTER FOR INFRASTRUCTURE AND PLANNING, Brisbane, 31st January, 2011, advising that as the Hinchinbrook area was formally defined as an area within a disaster zone due to the community being affected by heavy rainfall and associated flooding between November, 2010 and January, 2011, the State Government is interested in helping to streamline the development assessment process in areas adversely affected by flooding. Some buildings adversely affected by flooding are likely to require minor or substantial repairs, and in some cases, total demolition and rebuilding. Some works associated with rebuilding may require a development permit for building works under Council's planning scheme. Forwarding a template for a Temporary Local Planning Instrument (TLPI) which has been drafted by the Department and is anticipated to be adopted by Local Governments to facilitate the recovery of premises adversely affected by flooding. The TLPI is designed to override the level of assessment for certain development within the planning scheme and provide for a lower level of assessment. The template can be adapted by Council to suit its particular needs. Should Council decide to proceed with the TLPI, the process outlined in *Statutory Guideline 02/09: Making or amending a local planning instrument* must be followed. The Department will endeavour to process any proposed TLPI relating to rebuilding in flood affected areas as a matter of priority.

Resolved – That the advice be received and noted.
(Crs. Kaurila and Gianotti – Carried unanimously)

Acting Infrastructure Engineer, C. Gray and Administration Officer, B. Christie-Johnston attended the meeting at 11.10 a.m.

2. FINAL DRAFT – HINCHINBROOK SHIRE PLANNING SCHEME AMENDMENTS.

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

Cr. P.J. Lynch left the meeting at 12 noon.

Cr. D.M. Bosworth left the meeting at 12.12 p.m.

Resolved – That Council progress to the State Interest Check being the next step of the process to amend the Hinchinbrook Shire Planning Scheme.
(Crs. Kaurila and Lancini – Carried unanimously)

Cr. P.D. Lynch returned to the meeting at 12.15 p.m.

Cr. D.M. Bosworth left the meeting at 12.15 p.m.

Acting Infrastructure Engineer, C. Gray and Administration Officer, B. Christie-Johnston left the meeting at 12.15 p.m.

3. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Townsville, 24th January, 2011, seeking Council's views and / or requirements in relation to an application for Permanent Road Closure being part of Ufer's Road and Mostachetti's Road adjoining Lot 41 on CAR124188 and part of Ufer Road adjoining Lots 42 and 43 on CAR124188. The proposed use of the subject area if the road closure is approved would be for sugar cane purposes. (019/0006)

Resolved – That Council advise the Department that it objects to the proposed closures on the basis that the requested section of Ufer's Road and Mostachetti's Road are both required for road and access purposes.

(Crs. Molachino and Gianotti – Carried)

4. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Townsville, 24th January, 2011, seeking Council's views and / or requirements in relation to an application for Permanent Road Closure being part of Ufer Road adjoining Lot 2 on RP734727. The proposed use of the subject area if the road closure is approved would be for sugar cane purposes.
(019/0006)

Resolved – That Council advise the Department that it objects to the proposal on the basis that the Reserve is required for road purposes, however it is likely that Council would favourably consider a proposal for road closure in this area where a minimum width 20m Road Reserve remains.

(Crs. Gianotti and Molachino – Carried)

5. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Townsville, 19th January, 2011, advising that the Minister for Natural Resources, Mines and Energy, and Minister for Trade is responsible for formalising the suburb / locality boundaries within the State under the *Place Names Act 1994*. In the process of capturing amended cadastral boundaries created on plan SP242543 (G. & A. Accornero), the locality boundary between Foresthome and Victoria Plantation needs to change to reflect the current situation and alleviate confusion in property address information. Seeking Council's consent to include the whole of Lot 3 on SP242543 into the locality of Victoria Plantation as indicated on diagram CHQ 022459/669. (066/0001)

Resolved – That Council advise the Department that it has no objection to the whole of Lot 3 on SP242543 being included in the locality of Victoria Plantation.

(Crs. Molachino and Lynch – Carried)

6. 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 Council agree to acquire the additional land about Gentle Annie Drain on the basis that the developer undertake revegetation works back towards the Paravicini's Road entrance and that a twelve (12) months maintenance period apply to the revegetation works.

(Crs. Gianotti and Kaurila – Carried unanimously)

7. SITING RELAXATION APPLICATION – 13 SIR ARTHUR FADDEN DRIVE, INGHAM.
Consideration of a Report to Council from Acting Infrastructure Engineer dated 14th February, 2011 in relation to a Siting Relaxation Application received from Mr. J. Aili for a proposed storage shed to be erected at the rear of his property in Sir Arthur Fadden Drive, Ingham.
(061/0004)

Resolved – That Council approve the Siting Relaxation Application for Mr. Jason Aili on the grounds that the proposed storage shed is unlikely to impact on the outlook and privacy of neighbouring residents, and that other similar sized sheds have been approved and have set a precedent for this type of development throughout Ingham.

(Crs. Lancini and Molachino – Carried unanimously)

8. SITING RELAXATION APPLICATION – 12 CASSIA STREET, ALLINGHAM.
Consideration of a Report to Council from Acting Infrastructure Engineer dated 16th February, 2011 in relation to a Siting Relaxation Application received from G.J. and E.A. Ryle for a proposed storage shed to be erected at the rear of their property at 12 Cassia Street, Allingham.
(061/0004)

Resolved – That Council approve the Siting Relaxation Application for Mr. and Mrs. Ryle on the grounds that the proposed storage shed is unlikely to impact on the outlook and privacy of neighbouring residents, and that other similar sized sheds have been approved and have set a precedent for this type of development throughout Hinchinbrook Shire.

(Crs. Lancini and Molachino – Carried unanimously)

9. SITING RELAXATION APPLICATION – 14 BOTTLEBRUSH STREET, ALLINGHAM.
Consideration of a Report to Council from Acting Infrastructure Engineer dated 16th February, 2011 in relation to a Siting Relaxation Application received from C. Garnham for a proposed relocated residence at 14 Bottlebrush Street, Allingham. (061/0004)

Resolved – That Council approve the Siting Relaxation Application for Mr. Clifford Garnham on the grounds that the proposed residence is expected to maintain the existing amenity of neighbouring residents. Furthermore, the proposed residence is not likely to impact on the outlook or views of existing properties in the precinct.
(Crs. Lancini and Kaurila – Carried)

10. REQUEST TO CHANGE AN EXISTING APPROVAL – RECONFIGURATION OF LOT – SUBDIVISION OF LAND W.P. & O.J. DAY – 117 SACH'S LANE, VIA INGHAM - LOT 1 on RP720200.
Consideration of Request to Change an Existing Approval received from W.P. & O.J. Day dated 17th January, 2011 for subdivision of land from 1 into 3 lots (as per negotiated decision notice dated 27th April, 2010) to 1 into 4 lots (as demonstrated on Survey Plan 235222). This change will need to incorporate additional headworks charges and consider the need for a remodelled flood mitigation plan (based on the increased intensity of the proposed development on the premises). (066/0207)

Consideration was also given to a Report to Council from Town Planning & Development Officer dated 17th February, 2011 regarding the request to change an existing approval from W.P. & O.J. Day.

Resolved – That Council approve the request from W.P. & O.J. Day to change the existing approval, subject to the existing conditions on the 22nd April, 2010 and the following additional conditions:-

1. That the applicant resubmit flood mitigation plans inclusive of the new proposed lot;
2. Payment to the Council of water headwork's contribution of \$1,555 (one (1) additional lot); and
3. Payment to the Council of Public Open Space contribution of \$1,555 (one (1) additional lot).

(Crs. Molachino and Bosworth – Carried)

Cr. L.R. Molachino declared a material personal interest in Items 2.2.11. and 2.2.12. as he is the Real Estate Agent involved in these matters and left the meeting and did not participate in the discussions or resolution thereon.

11. REQUEST FOR NEGOTIATED DECISION NOTICE – DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE – VACANT LAND TO STEEL & VEHICLE STORAGE DEPOT – MICHAEL PELLERI – 29 HALIFAX ROAD, INGHAM – LOT 1 on RP721508.
Consideration of Report to Council from Manager Engineering Services dated 16th February, 2011 regarding Mr. Michael Pelleri's request for a Negotiated Decision Notice on his Material Change of Use application – Vacant Land to Steel and Vehicle Storage Depot at 29 Halifax Road, Ingham described as Lot 1 on RP721508. The applicant wishes to negotiate the condition relating to the provision of buffer landscaping. (058/0316)

Resolved – That Council advise that it is not prepared to consider negotiating a change to condition (d) of the approval.
(Crs. Lynch and Gianotti – Carried)

12. F.W. & A. TEN BOS, Ingham, 11th November, 2010 seeking approval of the proposed reconfiguration of land (subdivision) of Lots 92 and 195 on CWL3305 into 8 lots at 49516 Townsville Road, Ingham. Land is zoned *Industrial*. (065/0141)

Consideration was also given to an Engineering Planning Report by the Acting Infrastructure Engineer dated 17th February, 2011 regarding the proposed reconfiguration.

Resolved – That the Development Application for Reconfiguration (subdivision) of Lots 92 and 195 on CWL3305 into 8 lots, be approved subject to the following conditions:-

1. Demonstrate compliance with Outcome 1 of the "Flooding and Inundation Code" (Table 29) Hinchinbrook Shire Planning Scheme 2005;

2. Submit details of a suitable intersection design for approval for the intersection between the proposed access road to the development site and the existing service road on the Townsville Road reserve;
3. The Developer will need to demonstrate that the Acceptable Solution S1.1 clause (ii) of the "Flooding and Inundation Code" can be achieved;
4. That the Developer provide kerb and channel with suitable connections to the existing stormwater infrastructure along the proposed access road fronting lots 1 to 8 inclusive (Stage 2 Plan). Kerb and channel must be constructed to Council's standards and be graded in accordance with Council's local practice;
5. The Developer to provide sewerage and water services to Council's standards to service newly created allotments;
6. That the Developer provide sealed access to each of the proposed allotments with appropriate width and commercial vehicle crossings in accordance with Council's standards;
7. That the Developer demonstrates that suitable disposal of stormwater runoff from each of the allotments can be achieved without impacting on other allotments within the development, the Townsville Road reserve or neighbouring properties;
8. Payment to the Council of water headworks contribution of \$9,522 (six (6) additional lots x \$1,587);
9. Payment to the Council of sewerage headworks contribution of \$9,522 (six (6) additional lots x \$1,587);
10. Provision of underground electricity reticulation to each lot, including street lighting to the current Australian Standard AS/NZS 1158.3.1:1999;
11. Provision to Telstra's requirements, of telecommunications conduits under the road at various intervals to serve the proposed lots without requiring future excavation of the sealed road surface;
12. Prior to commencement of civil works, submit to Council for approval of engineering drawings and specifications setting out the proposed works. Payment of an engineering plan scrutiny fee based on 2% of approved cost estimate of engineering construction works;
13. Provision of completion certificates for civil construction works, including "as constructed" surveyed information, to suit Council's software. [Autocad drawing files connected to two (2) Council permanent marks or similar accuracy];
14. Provide a twelve (12) month maintenance period to apply and commencing at practical completion of works. Supply security to be kept by Council for any unfinished works and expected maintenance obligations; and
15. Comply with all of the conditions as described on the Department of Transport and Main Roads Concurrence Agency Response dated 18th January 2011, Ref: 455/154 DCT2485.

*NOTE: That the approval is on the basis of future uses being light industrial only because of access constraints imposed by the limited road access.
(Crs. Lynch and Lancini – Carried unanimously)*

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

The meeting adjourned at 1.02 p.m. for lunch and resumed at 2.10 p.m.

CLOSED MEETING – That pursuant to Chapter 5 Part 2 Division 3 Section 72 (1) (e) and (h) of the *Local Government (Operations) Regulation 2010*, Council resolve to go into Closed Meeting to discuss Item 2.3.13.

(Crs. Lancini and Kaurila – Carried unanimously)

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

OPEN MEETING - Resolved that Council return to Open Meeting.

(Crs. Lancini and Kaurila – Carried unanimously)

Manager Corporate & Economic Development, R.F. Pennisi left the meeting at 3.15 p.m.

13. PEPPER FOR PASSION – TYTO RESTAURANT UPDATE.

Consideration of Report to Council from Chief Executive Officer dated 17th February, 2011 providing an update on the Tyto Restaurant – Pepper for Passion.

Resolved – That consideration be deferred to the next General Meeting on Tuesday 8th March, 2011 pending obtaining further information and discussions with the Lessee by the Mayor, Cr. Pino Giandomenico, Cr. Molachino, Cr. Kaurila and the Chief Executive Officer.
(Crs. Lancini and Lynch – Carried)

4. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. DEPARTMENT OF INFRASTRUCTURE & PLANNING, Brisbane, 15th December, 2010, the new pool safety inspection system commenced on the 1st December, 2010 requiring all pool owners of regulated pools to upgrade to the one pool safety standard by the 30th November, 2015, or earlier, if sold or leased first. To facilitate pool safety inspections in remote areas, Council has been prescribed under schedule 2A of the *Building Regulation 2006* and is able to make a resolution to declare an area as a remote area for the purpose of section 246ACA(2)(b), *Building Act 1975*. This measure is aimed at providing help for pool owners in remote areas to meet their obligation to acquire a pool safety certificate on time and without having to bear the cost of travel by pool safety inspectors to reach a regulated pool situated in a remote area. Once a Local Government has made a resolution to declare an area as a remote area, licensed pool safety inspectors (Council or private inspectors) can inspect pools in that area using documents and any technology that will allow them to satisfy themselves about whether a pool is compliant or non-compliant without an onsite inspection.

Resolved – That consideration be deferred to the next General Meeting on Tuesday 8th March, 2011 pending receipt of further information.
(Crs. Lynch and Lancini – Carried unanimously)

2. CARR'S MONA FARM, Charters Towers, 31st January, 2011, reiterating a number of points for Council to consider prior to a decision being made on the Mona boat ramp lease and advising that they are not in favour of Council's proposed designs as they believe the present lease is adequate in itself for any foreseeable growth in the area and they will continue to assess its usage over the coming years. (042/0013)

Further consideration was given to a Report to Council from Manager Engineering Services dated 17th February, 2011 providing a background of the Mona Landing Boat Ramp facility to date and comments regarding Carr's fresh submission.

Consideration was also given to a further letter dated 19th February, 2011 from Carr's Mona Farm in relation to the matter.

Cr. P.D. Lynch left the meeting at 3.29 p.m.

Resolved – That Council enter into negotiations with the landowners to purchase the land and that the two (2) proposed drawings presented are a point of discussion, however the actual area required does not include the future expansion area i.e. approximately 5,000m².

That Council embark on a public consultation process to seek the views of the Halifax Progress Association and other interested community groups to assist Council make an informed decision on the future of this facility.

That the Manager Engineering Services, Cr. Kaurila and Cr. Gianotti meet with the Carr family for initial negotiations and report back at the next General Meeting on the 8th March, 2011.
(Crs. Gianotti and Kaurila – Carried – Cr. Bosworth recorded her vote against the motion)

5. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. HON. DESLEY BOYLE MP, MINISTER FOR LOCAL GOVERNMENT AND ABORIGINAL AND TORRES STRAIT ISLANDER PARTNERSHIPS, Brisbane, 24th January, 2011, advising that the Queensland Government and LGAO lodged a formal submission with the Commonwealth Government in November, 2009 seeking funding from the Local Government Reform Fund to support the State's Local Governments to develop asset management plans. Announcing that the proposal for \$2.7M has been successful which will promote and accelerate the implementation of integrated asset management and financial management through the development of core asset management plans for key infrastructure assets. A requirement of the project stipulated by the Commonwealth was that the funding included a co-contribution from the participating parties and to meet this requirement, a small financial contribution will be sought from each recipient Local Government to enable the full project benefits to be realized. Council's contribution is expected to be \$12,100 payable at project commencement. As a result of the amount of work to be undertaken in developing asset management plans for all existing infrastructure asset classes, the existing timeframe of 31st December, 2010 for the completion of asset management plans will be extended to 30th September, 2011. It is expected that whole of life costing, community planning processes, and asset management planning will be introduced into Local Government budgeting processes by December, 2011. (007/0096)

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

2. DEPARTMENT OF INFRASTRUCTURE & PLANNING, Townsville, 15th February, 2011, seeking the attendance of the Mayor, all Councillors, and the Chief Executive Officer at a Panel Session in Townsville on Wednesday 23rd March, 2011 from 8.30am to 3.30pm. Participation costs for Council is \$1,308 (\$163 per person). Regional Councillors and Chief Executive Officers have been secured as panel members as well as other presenters of equally high calibre. All panel members between them have a wealth of knowledge and information relevant to local government and the role of a Councillor. Panel members will be thoroughly briefed and will be asked to ensure that their presentation is practical and includes stories, examples and case studies. Ample time has been included in the agenda for participants to informally discuss their own dilemmas, experiences and needs with each panel member. (007/0096)

Resolved – That Cr. Maria Bosworth, Cr. Sherry Kaurila, Cr. Lawrence Molachino, Cr. Patrick Lynch, Mayor Pino Giandomenico and the CEO Robert Clark attend the Panel Session in Townsville on the 23rd March, 2011.
(Crs. Bosworth and Kaurila – Carried)

3. AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION, Deakin, 19th January, 2011, inviting Council to participate in the 2011 National General Assembly of Local Government which will be held at the National Convention Centre in Canberra between the 19th and 22nd June, 2011. Calling for motions for the 2011 NGA under this years theme "Growing with our Community – Partnership, Place and Position" by no later than the 22nd April, 2011. (007/0003)

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

MISCELLANEOUS CORRESPONDENCE

1. QUEENSLAND OMBUDSMAN, Brisbane, 28th January, 2011, Mr. Phil Clarke advising that he has taken up the duty as Queensland Ombudsman from the 10th January, 2011 and is looking forward to working with Council to improve public administration across the State. (007/0028)
2. OUT & ABOUT IN HINCHINBROOK COMMUNITY TRANSPORT, Ingham, 18th January, 2011, advising that Council's subscription towards the Out and About Community Transport project is now valid from and up to June, 2012 with renewal due 1st July, 2012 as sponsors logos have not been placed on the bus as yet.

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

6. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. FORREST BEACH BOAT RAMP.

Consideration of Report to Council from Manager Engineering Services dated 9th December, 2010 providing Council with a summary of the findings from the Forrest Beach Boat Ramp investigation conducted by Engineering Consultants, GHD. This investigation featured extensive community consultation with the aim of determining the most suitable upgrade option for the facility that had universal public acceptance.

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

CLOSED MEETING – That pursuant to Chapter 5 Part 2 Division 3 Section 72 (1) (a) of the *Local Government (Operations) Regulation 2010*, Council resolve to go into Closed Meeting to discuss Item 2.7.1.
(Crs. Bosworth and Gianotti – Carried unanimously)

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

OPEN MEETING - Resolved that Council return to Open Meeting.
(Crs. Bosworth and Gianotti – Carried unanimously)

7. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. REVIEW OF CHIEF EXECUTIVE OFFICER'S CONTRACT.

Consideration of review of Chief Executive Officer's Contract.

Resolved – That consideration be deferred to a future Special Meeting pending receipt by the Mayor of a legal opinion from Council's Lawyers on option conditions for the Chief Executive Officer's Employment Contract.

Upon receipt of this legal opinion a copy will be forwarded to all Councillors for consideration at a Special Meeting to be scheduled.

(Crs. Kaurila and Lancini – Carried – Cr. Bosworth recorded her vote against the motion)

3. CONCLUSION – This concluded the business of the meeting which closed at 4.35 p.m.

4. APPROVED and adopted this 8th day of March, 2011.

MAYOR