



MINUTES OF THE GENERAL MEETING
OF THE
HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS,
INGHAM ON
TUESDAY 28TH JUNE, 2011
AT 9.20 A.M.

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

- PRAYER
- The Mayor opened the meeting with prayer.

1. BUSINESS -

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 1.1.1. as it is a legal matter.
(Crs. Gianotti and Molachino – Carried)

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

During the discussions, the Mayor, Cr. G. Giandomenico and Cr. A.J. Lancini left the meeting to attend a Funeral and it was resolved to appoint Cr. G. Gianotti as Chair.
(Crs. Lynch and Molachino – Carried)

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

The meeting adjourned at 10.11 a.m. for morning tea and resumed at 10.25 a.m.

1. OPERATIONAL ACTION 2.0 - ECONOMY

1. TYTO RESTAURANT COMPENSATION CLAIM.

Consideration of compensation claim made by Hungry Vikings Pty. Ltd. In relation to the TYTO Restaurant.

The Meeting was addressed by Council's legal representative who gave a briefing on what has transpired to date including what occurred at the Mediation held in Townsville on Monday 20th June, 2011.

Resolved – That Council ratify the offer that was made at the Mediation subject to receiving advice from Council's Insurers and that Council's Solicitors be advised to make the offer as an Open Offer to Settle.

(Crs. Lynch and Kaurila - Carried)

2. MINUTES - Resolved that the Minutes of the General Meeting held on the 7th June, 2011 be approved as a correct record of proceedings and be signed by the Mayor.
(Crs. Lynch and Molachino - Carried)

3. BUSINESS -

1. CEO REPORT OF COUNCILLOR REQUESTS

Consideration of CEO Report of Councillor Requests for the period 2nd June, 2011 to 22nd June, 2011.

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

Finance Manager, C. Trost entered the meeting at 10.35 a.m.

2. INSTRUCTION SHEETS

Consideration was given to the monthly Instruction Sheets during the month of May, 2011.

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

Works Engineer, D. Di Prima entered the meeting at 10.45 a.m.

3. FINANCIALS

Consideration was given to a report of financial activities as at the 22nd June, 2011.

Resolved - That the Report be received and noted.
(Crs. Molachino and Kaurila - Carried)

Mr. Christian Smith from Donair Promotions attended the meeting to provide Council with an update on the organisational progress of the 2011 Ingham Wings & Wheels Airshow at 11.00 a.m.

Manager Engineering Services, B. Leach and Acting Infrastructure Engineer, C. Gray entered the meeting at 11.05 a.m.

Mr. Christian Smith left the meeting at 11.15 a.m.

4. WORKS REPORT

Consideration was given to a report of civil operations for the month of May, 2011.

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

Works Engineer, D. Di Prima left the meeting at 11.27 a.m.

5. OPERATIONAL ACTION 1.0 - COMMUNITY

1. INGHAM VETERANS GOLF SOCIAL CLUB, Ingham, 3rd June, 2011, advising the Club will hold their annual Open Championships at the Ingham Golf Course from the 18th to 20th July, 2011 attracting 100 individual players (representing over 30 clubs). Seeking financial assistance to host the Championships. (012/0002)

Resolved – That as the Open Championships qualify under Council's Support for Events Policy, Council provide financial assistance in the sum of \$250 (excl. GST) to the Ingham Veterans Golf Social Club.
(Crs. Molachino and Lynch - Carried)

2. INGHAM SUGAR CITY RODEO, Ingham, received 3rd June, 2011, advising that the 16th Herbert River Rotary Club's Ingham Sugar City Rodeo will be held on Saturday 10th September, 2011 at the Ingham Showgrounds and seeking Council's sponsorship of the 2011 Rodeo.

Resolved – That Council provide sponsorship in the sum of \$500 (incl. GST) to the Herbert River Rotary Club for the 2011 Ingham Sugar City Rodeo.
(Crs. Kaurila and Bosworth - Carried)

3. QUEENSLAND POLICE SERVICES, Halifax, 6th June, 2011, advising they have been considering forming a Blue Light Disco Association in the Lower Herbert area and should they proceed, they intend to apply to become a branch of the Queensland Blue Light Association Inc. (QBLA) and if accepted, they would become the Queensland Blue Light Association Inc., Lower Herbert Branch. The main purpose of the QBLA, Lower Herbert Branch would be to conduct Blue Light Disco's in the Lower Herbert area specifically for youths under the age of 18 years. Strong support has been obtained from local schools, P. & F. Associations, the business community, the local community generally and local youth. Further advising that the Halifax Hall in Argæet Street has been identified as a suitable venue for the disco's and seeking Council's advice as to whether the hall would be made available for hire by the Branch for this purpose and if so, what conditions and fees would be imposed on the hire.

Resolved – That Council allow the proposed use and advise the Association of the hire fees.
(Crs. Kaurila and Lynch - Carried)

4. POWERLINK QUEENSLAND, Virginia, 2nd June, 2011, inviting Council to participate in Powerlink Queensland's Yabulu South to Ingham Community Benefits Program (CBP) to be officially announced in mid June, 2011. As part of this program, community groups in the Hinchinbrook Shire and Townsville City areas will have an opportunity to share in \$112,000 of funding from Powerlink. The CBP aims to provide tangible and lasting benefits to local communities in close proximity to their new transmission lines. Previous CBP's have funded many worthwhile projects across Queensland, such as installing a shade shelter at a local school, purchasing books for a community lending library, and landscaping a respite centre. Council is invited to participate in the program by:-

- Promoting the availability of funding to local community groups through normal Council channels (e.g. newsletters, libraries, website etc.);
- Distributing application kits to interested parties and returning any applications from local community groups to Powerlink for assessment;
- Providing comment on a "shortlist" of applications considered to be of greatest benefit to the local community; and
- Participating in a special event to announce the successful applicants.

Further advising that it is expected that the CBP will close in mid July, 2011 with the event to announce successful applicants expected to be held during September, 2011. Information Kits and Application Forms for distribution will be forwarded shortly for distribution to interested community groups. (040/0007)

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

5. DISASTER MANAGEMENT FOR LOCAL GOVERNMENT CONFERENCE 2011 – THE RACE TO RESILIENCE – ARE WE THERE YET?
Consideration of attendance at Disaster Management for Local Government Conference 2011 to be held in Bundaberg from the 27th to 29th July, 2011.

Resolved – That the Mayor, Cr. Pino Giandomenico, Cr. Patrick Lynch and Manager Corporate & Economic Development, R.F. Pennisi attend the Conference in Bundaberg from the 27th to 29th July, 2011.
(Crs. Molachino and Bosworth - Carried)

6. HINCHINBROOK SHIRE LOCAL AREA WARDEN RADIO SYSTEM – NATURAL DISASTER RESILIENCE PROGRAM (NDRP).
Consideration of Report to Council from Chief Executive Officer dated 22nd June, 2011 regarding a proposal to apply for funding under the Natural Disaster Resilience Program to establish a reliable two-way radio communication throughout the Shire for use by Area Wardens during natural disasters and also by State Emergency Service personnel.

Resolved – That Council submit the project for funding under the Natural Disaster Resilience Program as proposed and Council contribute the sum of \$3,200 as project management inkind support towards the project.
(Crs. Lynch and Bosworth - Carried)

7. UPGRADE IT CONNECTIVITY LOCAL DISASTER COORDINATION CENTRE – NATURAL DISASTER RESILIENCE PROGRAM (NDRP).

Consideration of Report to Council from Chief Executive Officer dated 22nd June, 2011 regarding a proposal to apply for funding to provide IT Network Connectivity for State Government liaison officers in the Hinchinbrook Room for use during Local Disaster Coordination Centre operations.

Resolved – That Council submit the project for funding under the Natural Disaster Resilience Program as proposed.
(Crs. Kaurila and Lynch - Carried)

8. ROUND 2 – 2010 / 2011 RADF APPLICATIONS.

Consideration of Report to Council from Arts & Cultural Officer / RADF Liaison Officer dated 22nd June, 2011 advising Council that the Association received four applications for Round 2 funding for 2010 / 2011. The Committee met on the 31st May, 2011 and agreed to fund two of the projects totalling \$5,716.50 which is available in RADF funds for this financial year and seeking approval from Council for these funds to be distributed.

Resolved – That Council endorse the Committee's recommendation for Round 2 - 2010 / 2011 RADF applications totalling \$5,716.50.
(Crs. Molachino and Bosworth - Carried)

9. NINO MAROLLA & WAYNE LEONARD, Ingham, 10th June, 2011, on behalf of the Ruach Ministries and Christian Outreach Centre requesting permission to hold prayer meetings in the Hinchinbrook Room on the first Friday of every month from 5.30pm to 7.00pm commencing on Friday 5th August, 2011 for the purpose of Christians all over the land putting aside their doctrinal differences and coming together to pray for our leaders, policy makers, politicians, law enforcers and governments, in a desperate attempt to "stem the tide". (092/0007)

Resolved – That Council allow the use of the Hinchinbrook Room by these groups on the first Friday of every month from 5.30pm to 7.00pm commencing on Friday 5th August, 2011, subject to the opening and closing of the Hinchinbrook Room being conducted by a Hinchinbrook Shire Council employee.
(Crs. Kaurila and Lynch - Carried)

10. INGHAM GARDEN & ART FEST, Ingham, 16th June, 2011, requesting use of the Botanical Gardens for the one day *Ingham Garden & Art Fest* on Saturday 21st July, 2012 and seeking to have access to the Gardens from Friday 20th June, 2012 to mark out site plan, install site infrastructure and logistics. Also requesting the following inkind from Council:-

- Public liability insurance for *Ingham Garden & Art Fest* at Botanical Gardens during 20th and 21st July, 2012;
- Access to power points and free use of power from 2 x 10 amps from Council garden shed, 2 x 10 amps from Bush house and 1 x 15 amps from pergola;
- 5 x tagged power leads at least 20 m long;
- Access to water taps, 1 x Bush house and 2 x garden shed;
- Full access and use of Community Centre with toilets and kitchen for workshop;
- Waste removal, 6 x general rubbish and 6 x recycling bins;
- Council workers: 1 x Friday 20th, 12 noon to 5 pm and 2 x Saturday 21st, 6 am to 6 pm to assist organising committee;
- Portable PA system;
- Site map of Botanical Gardens regarding driveway access, paths, water, power points;
- Access and use of bush house;
- Lily pond access to visitors;
- Any number of plastic tables and chairs;
- Promotional TYTO bags with regional information to visitors;
- Permission to erect a number of 3 x 3m marquees plus two large marquees for presenters and guest speakers; and
- Bunting.

Also requesting a meeting in early 2012 with the Chief Executive officer and Mr. Colin Dallavanzi to discuss the items requested. (039/0001)

Resolved – That Council approve in principle the use of the Botanical Gardens and associated infrastructure for the Ingham Garden & Art Fest to be held in July, 2012 and that Council staff liaise with the organiser in addressing costings for the inkind support.
(Crs. Kaurila and Molachino - Carried)

6. OPERATIONAL ACTION 2.0 - ECONOMY

1. SITING RELAXATION APPLICATION – 15 BURKE STREET, INGHAM.

Consideration of a Report to Council from Acting Infrastructure Engineer dated 8th June, 2011 in relation to a Siting Relaxation Application received from Mr. K.J. Williams for a proposed storage shed to be erected at the rear of his property at 15 Burke Street, Ingham.

Resolved – That Council approve the Siting Relaxation Application for Mr. K.J. Williams 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 the Hinchinbrook Shire.
(Crs. - Carried)

2. SITING RELAXATION APPLICATION – 40 MARINA PARADE, INGHAM.

Consideration of a Report to Council from Acting Infrastructure Engineer dated 9th June, 2011 in relation to a Siting Relaxation Application received from D. & K. Crisp for a proposed boat shed to be erected at the side of their property at 40 Marina Parade, Ingham.

Resolved – That Council approve the Siting Relaxation Application for D. & K. Crisp on the grounds that the proposed boat shed is unlikely to impact on the privacy of neighbouring residents, as the neighbour has offered no objection in regard to impacts on amenity, and as Council has approved other similar sized sheds in similar circumstances in the past.
(Crs. - Carried)

That all of the resolutions contained in Operational Action 2.0 - Economy 3.6.1. and 3.6.2. be adopted.

(Crs. Kaurila and Molachino – Carried)

3. SITING RELAXATION APPLICATION – 63 LEICHHARDT STREET, ALLINGHAM.

Consideration of a Report to Council from Acting Infrastructure Engineer dated 21st June, 2011 in relation to a Siting Relaxation Application received from Benck Marketing Services Pty. Ltd. for an on behalf of W. & E. Collins for a proposed double carport to be erected at the front of their property at 63 Leichhardt Street, Allingham.

Resolved – That Council approve the Siting Relaxation Application submitted by Benck Marketing Services Pty. Ltd. for and on behalf of W. & E. Collins on the grounds that the proposed carport is unlikely to impact on the outlook and privacy of neighbouring residents, will preserve the visual amenity of Leichhardt Street and that other similar carport Siting Relaxation Applications have been approved in Hinchinbrook Shire.
(Crs. Molachino and Kaurila - Carried)

4. SITING RELAXATION APPLICATION – 4 HECHT STREET, INGHAM.

Consideration of a Report to Council from Acting Infrastructure Engineer dated 17th June, 2011 in relation to a Siting Relaxation Application received from G. Styles for a proposed storage shed to be erected at the rear of their property at 4 Hecht Street, Ingham.

Resolved – That Council approve the Siting Relaxation Application for G. Styles 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. Lynch and Molachino - Carried)

5. RENEWAL OF LEASE OVER RESERVE FOR SANITARY PURPOSES R536 FOR PURPOSE OF SUGAR CANE CULTIVATION.

Consideration of Report to Council from Customer & Corporate Services Officer dated 2nd June, 2011 regarding request received from Mr. Bruce Mahony to renew Lease over the whole of the Reserve for Sanitary Purposes R536, being Lot 292 on Plan CWL3088 to Mahony & Sons which expired on the 31st July, 2008 for 5 years with an annual rental of \$2,800. Mr. Mahony has also requested that the annual rental of \$2,800 + GST remain with no CPI increase due to poor crop return years that occur on a cyclic basis and that the renewal period be increased to a 10 year period. It is suggested that Public Liability Insurance of \$20,000,000 should be a condition of the lease renewal.

Resolved – That Council renew the Lease over Reserve for Sanitary Purposes R536 being Lot 292 on Plan CWL3088 to Mahony & Sons for a ten (10) year term in the sum of \$2,800 per annum plus GST with a minimum public liability insurance of \$20,000,000.

(Crs. Molachino and Kaurila - Carried)

6. REQUEST FOR LEASE OVER PART OF RESERVE FOR LOCAL GOVERNMENT – REFUSE DISPOSAL PURPOSES R862 (MT. MERCER) FOR THE PURPOSE OF UBINET COMMUNICATIONS TOWER SITE BY ERGON ENERGY.

Consideration of Report to Council from Customer & Corporate Services Officer dated 21st June, 2011 regarding request received by Ergon Energy for a 30 year lease over part of Reserve for Local Government – Refuse Disposal Purposes R862 being Lot 89 on CWL2997 at Mt. Mercer for the purpose of Ubinet Communications Tower Site at an annual rental sum of \$1,000. Report # 14

Resolved – That Council provide a Lease over Part of Reserve for Local Government – Refuse Disposal Purposes R862 being part of Reserve for Local Government – Refuse Disposal Purposes R862 being Lot 89 on CWL2997 at Mt. Mercer to Ergon Energy (Ubinet Communications) for a thirty (30) year term in the sum of \$1,000 per annum plus GST with a minimum public liability insurance of \$20,000,000.

(Crs. Kaurila and Molachino - Carried)

Cr. A.J. Lancini returned to the meeting at 11.55 a.m.

7. EXPRESSION OF INTEREST FOR LEASE OF AIRPORT TERMINAL, INGHAM AERODROME – HSC 11/24

Consideration of Report to Council from Customer & Corporate Services Officer dated 21st June, 2011 regarding Expression of Interest received for the lease of Airport Terminal at Ingham Aerodrome (HSC 11/24).

Resolved – That Council provide a Lease over Airport Terminal, Ingham Aerodrome (Reserve 411) being Lot 118 on CWL3455 to Hinchinbrook Helicopters for a five (5) year term with an option for a further five (5) years in the sum of \$1,560 per annum (incl. GST) with a minimum public liability insurance of \$20,000,000 to commence on the 1st July, 2011 and conclude on the 30th June, 2021.

(Crs. Lynch and Molachino - Carried)

Cr. G. Giandomenico returned to the meeting at 12.00 noon and resumed the Chair.

7. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. HSC 11/25 – SUPPLY & DELIVERY OF SAND FOR PIPE BEDDING AND GENERAL USE.

Consideration of Report to Council from Water & Sewerage Manager dated 6th June, 2011 regarding tenders received for HSC 11/25 for the Supply and Delivery of Sand for Pipe Bedding and General Use.

Resolved – That Council note the two (2) offers received, and consider the recommendation of all Offerers being advised that their tendered prices submitted will be placed on Council's List of Suppliers and that individual orders will be placed according to Council's requirements, cost effectiveness and suitability of the various offered products.

(Crs. Kaurila and Gianotti - Carried)

Cr. P. Lynch declared a Conflict of Interest in Item 3.7.2. as he is a member of the Trebonne Action Group and left the meeting and did not participate in the discussions or resolution thereon.

2. TREBONNE ACTION GROUP, Ingham, 9th June, 2011, proposing an inkind contract for the mowing of Leo Park, Trebonne as the Group believe they would be able to service this need with the frequency it requires. Advising they understand that in the wake of Tropical Cyclone Yasi Council is constantly maintaining the needs of the community and to help Council maintain the upkeep required for the Park they would like to apply for the contract to mow the park. They propose 18-20 mows per year or more if required and are hoping that by taking up this maintenance Council may consider making an agreement that this would be a payment or part payment of the rates charged for the Trebonne shed. (079/0129)

Resolved – That Council staff formulate a recommendation for further consideration.
(Crs. Kaurila and Lancini - Carried)

Cr. P. Lynch returned to the meeting.

3. AERODROME SAFETY INSPECTION – 2011.
Consideration of Report to Council from Acting Infrastructure Engineer dated 7th June, 2011 regarding outcome of safety inspection carried out by Queensland Airport Consultants in accordance with the Civil Aviation Regulations which identified a range of issues required to be addressed.

Resolved – That Council receive and note the Report and approve the recommended works to address deficiencies for inclusion in future Works Programs as funding permits.

That Council endorse the actions taken to date by Council's Technical and Works Managers to address urgent work identified during the course of the safety inspection.
(Crs. Kaurila and Lancini - Carried)

4. HALIFAX BAY RECREATION & LIFESTYLE ASSOCIATION INCORPORATED, Ingham, 7th March, 2011 (received 1st June, 2011), seeking information from Council regarding the Recreational Reserve in the Halifax Bay region namely under Lot 545 on Crown Plan CWL666 and requesting copy of the By-Laws that govern the Recreational Reserve. Advising that the Association is extremely concerned at the manner in which it appears that the State Government intends to "lock up" the Reserve and surrounding land and the impacts that this will have on their way of life in North Queensland. Also advising that they would be interested in ascertaining Council's attitude to their Association possibly taking on a Lease or Permit to Occupy from the Council which appears to be allowable from details published on the Department of Environment & Resource Management's (DERM) website. The Association is planning on arranging a clean up of a derelict hut on Palm Creek which has not been used for many years and is in a bad state of repair. Requesting Council's assistance by way of waiving waste transfer fees as the rubbish includes corrugated iron, timber, glass bottles and aluminium cans. (077/0008)

HALIFAX BAY RECREATION & LIFESTYLE ASSOCIATION INCORPORATED, Ingham, 23rd March, 2011 (received 1st June, 2011), advising that they are aware that the Halifax Bay region was registered on the Department of Environment & Resource Management's (DERM) records as National Park on the 6th December, 2011, a month prior to the only public meeting held with DERM officials in relation to this issue. Forwarding copies of correspondence sent by the Association to the Premier Anna Bligh and Minister Kate Jones on the 7th March, 2011 and further advising they arranged a meeting with Minister Craig Wallace on the 18th March 2011 where the Minister indicated that he was prepared to meet with Minister Jones and take to her a proposal that the huts in the Recreational Reserve be offered Permits to Occupy and that huts in the Unallocated State Land and in the National Park be given permission to relocate the huts to the Recreational Reserve and also be offered Permits to Occupy. Advising Council that whilst this is a significant step forward for the Association, it only assists them in one of their objectives as the wider community uses this area for a wide variety of recreational purposes, including fishing, hunting, motorbike riding, camping and use of the existing huts. Most, if not all of these uses are inconsistent with National Parks regulations. Seeking Council's formal support to a proposal that the Association intends to take to the Government, that the Halifax Bay region, including the National Park and Unallocated State Land, be converted to a Recreation Reserve under the control of Council. Also forwarding a copy of their letter to Minister Wallace dated 21st March, 2011. (077/0008)

HALIFAX BAY RECREATION & LIFESTYLE ASSOCIATION INCORPORATED, Ingham, 30th March, 2011 (received 1st June, 2011), further advising that they understand that DERM may have recently contacted Council in relation to the Halifax Bay region and they would appreciate receiving information as to any recent developments. Also requesting that representatives of the Association be included in any discussions held between Council and DERM that are relevant to this area and to their objectives. (077/0008)

Resolved – That consideration be deferred pending a Deputation with the Association on Council's Deputation Day on Thursday 21st July, 2011.
(Crs. Bosworth and Kaurila - Carried)

5. CYCLONE YASI NDRRA RECOVERY PHASE.

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

Consideration was also given to a Report to Council from Manager Engineering Services dated 28th June, 2011 regarding tender reviews for the NDRRA restoration works (pavement restoration works in Authurs Street and White Street).

Resolved – That the Report be received and noted.

That Council note and endorse the shortening of the tender periods for HSC 11 / 32 – White Street and HSC 11 / 33 – Authurs Street, in view of the urgency required in gearing up the Cyclone Yasi restoration program.

That Council accept the tender of Keita Services in the amount of \$182,854.73 for HSC 11 / 32 – White Street.

That Council accept the tender of Keita Services in the amount of \$211,450.76 for HSC 11 / 33 – Authurs Street.

(Crs. Gianotti and Lynch - Carried)

Water & Sewerage Manager, P. Martin entered the meeting at 12.35 p.m.

The Mayor, Cr. G. Giandomenico left the meeting at 12.40 p.m. and Cr. A. Lancini assumed the Chair.

6. WATER BILL EXEMPTION APPLICATIONS – CYCLONE YASI EVENT AND 6 MONTHLY BILLING CYCLE.

Consideration of Report to Council from Water & Sewerage Manager dated 16th June, 2011, seeking Council's direction in relation to a number of ratepayers requesting a discount in accounts due to meters not being read or billed for a six monthly period instead of the normal three monthly cycle due to Cyclone Yasi and subsequent flooding events.

The Mayor, Cr. G. Giandomenico returned to the meeting at 12.58 p.m.

Resolved – That Council resolve the following:-

- P. Stocco - 24 Peri Street, Toobanna - That Council take into consideration the circumstances of the water usage which was beyond the control of the landowner due to Cyclone Yasi and the 6 monthly billing period and charge the average previous consumption for the property during this similar period.
- Herbert River Band Centre – 59 Mcllwraith Street, Ingham - That Council take into consideration the circumstances of the water usage which was beyond the control of the landowner due to Cyclone Yasi and the 6 monthly billing period and charge the average previous consumption for the property during this similar period.
- T. Duggan – 6 Allamanda Avenue, Allingham - That Council take into consideration the circumstances of the water usage which was beyond the control of the landowner due to Cyclone Yasi and the 6 monthly billing period and charge the average previous consumption for the property during this similar period.
- C. Zappala – 5a Simpson Street, Ingham – That Council make no adjustment as it is evident that the pipe was broken during the construction phase and Council believes the owner must accept responsibility for the use.

- C. Zappala – 160 Patterson Parade, Lucinda - That Council make no adjustment as it is evident that the water was used at the property and is comparable to or lesser than during a similar period last year.
- G.L. & M.R. Battoraro – 66 Marina Parade, Ingham - That Council make no adjustment as it is evident that the water was used at the property and is comparable to or lesser than during a similar period last year.
- Herbert River District Canegrowers – 11-13 Lannercost Street, Ingham - That Council make no adjustment as it is evident that the water was used at the property and is comparable to or lesser than during a similar period last year.
- Herbert River District Canegrowers – Mitre 10 - 58 McIlwraith Street, Ingham - That Council make no adjustment as it is evident that the water was used at the property and Council believes the owner must accept responsibility for the use.
- G. Bisson – Mudie's Road, Victoria Estate - That Council make no adjustment as it is evident that the water was used at the property and Council believes the owner must accept responsibility for the use.
- P. Fisher – 19 Acacia Street, Allingham - That Council make no adjustment as it is evident that the water was used at the property and it is a matter for the landowner to accept responsibility for whomever may have used the water.
- H. Poppi – 27 Poppi's Road, Allingham - That Council take into consideration the circumstances of the water usage which was beyond the control of the landowner due to Cyclone Yasi and the 6 monthly billing period and charge the average previous consumption for the property during this similar period.

(Crs. Molachino and Lynch - Carried)

The meeting adjourned at 1.05 p.m. for lunch and resumed at 2.15 p.m. Cr. Kaurila, Cr. Lynch and Cr. Bosworth were not present when the meeting resumed.

Water & Sewerage Manager, P. Martin and Acting Infrastructure Engineer, C. Gray were also present when the meeting resumed.

7. WASHDOWN FACILITY FOR WEED SEED SPREAD PREVENTION.

Consideration of Report to Council from Manager Environmental Health Services dated 21st June, 2011 regarding further investigations revealing that the construction of a Washdown facility is not feasible.

Resolved – That Council inform the funding provider that, following due consideration, it will not pursue the building of a Washdown Facility due to insufficient funding.

That Council inform the funding provider of the true cost of such a facility.

That Council claim back its expenditure on the Feasibility Study.

That Council include the proposed Washdown Facility in its Recovery Action Plan, in consultation with the Queensland Reconstruction Authority.

(Crs. Molachino and Gianotti - Carried)

Cr. Lynch and Cr. Bosworth returned to the meeting at 2.16 p.m.

8. HSC 11 / 02 – RELINING OF SEWER MAINS.

Consideration of Report to Council from Acting Infrastructure Engineer dated 21st June, 2011 regarding tenders received for the relining of sewer mains.

Resolved – That Contract HSC 11 / 02 Relining of Sewer Mains for the relining of mains from DN150 to DN375 in varying lengths and the reinstatement of house connections within Ingham, be awarded to Underground Asset Services Pty. Ltd. at their tendered price of \$483,722.80 (inc. GST) subject to the verification that contract conditions can be met and that practical completion can be achieved in the current calendar year.

Furthermore that the temporary appointment of a contract inspector is investigated as a form of risk management due to the complex nature of the contract and potential extreme environmental and community impacts in the event of a major failure in the contractor's installation process.

(Crs. Gianotti and Lancini - Carried)

Water & Sewerage Manager, P. Martin left the meeting.

Cr. Kaurila returned to the meeting at 2.19 p.m.

9. HSC 11 / 43 – SALE FOR REMOVAL - STONE RIVER SCHOOL BUILDINGS.
Consideration of Report to Council from Manager Technical Support dated 22nd June, 2011 regarding tenders received for the sale for removal of the two (2) existing school buildings located at the former Stone River State School at Upper Stone.

Resolved – That Council award the tender for the disposal of the school buildings 1 and 2 to House Relocators for the price of \$1,200 each.
(Crs. Kaurila and Molachino - Carried)

10. AMENDMENT TO ROAD REGISTER – MARINA PARADE, INGHAM.
Consideration of Report to Council from Acting Infrastructure Engineer dated 22nd June, 2011 seeking Council's direction in relation to amending the Road Register to include approximately 150m of gazetted road between Dutton Street and MacDonald Street which is a continuation of Marina Parade.

Resolved – That Council amend the Hinchinbrook Shire Road Register to service the Bourke property being 93 Marina Parade.

That such addition to the Road Register is named "Marina Parade".
(Crs. Kaurila and Gianotti - Carried – Cr. Bosworth recorded her vote against the motion)

11. DRAFT FORREST BEACH MANAGEMENT PLAN.
Consideration of Report to Council from Manager Engineering Services dated 22nd June, 2011, seeking direction in relation to the draft Forrest Beach Management Plan as tabled, developed in line with the Lucinda Management Plan and outcomes from the Public Meeting held at Forrest Beach on the 13 April, 2011.

Resolved – That Council receive and note the draft Forrest Beach Management Plan.
(Crs. Kaurila and Lancini - Carried)

8. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. COMMUNITY PLAN – HSC 11/30.
Consideration of Report to Council from Chief Executive Officer regarding tenders received for HSC 11/30 regarding Community Plan Development.

Resolved – That Council authorise the Community Plan Steering Committee to interview the shortlisted consultants and be empowered to select the most suitable consultant and that decision be ratified at a future meeting of Council.
(Crs. Kaurila and Lynch - Carried)

2. 2011 / 2012 COMMERCIAL CHARGES, REGULATORY FEES & OTHER CHARGES – HEALTH & ENVIRONMENT SERVICES – WASTE DISPOSAL FEES.
Consideration was given to a draft Schedule of Commercial Charges, Regulatory Fees & Other Charges in relation to Health & Environment Services for waste disposal fees for 2011 / 2012.

Resolved – That the draft Schedule for Waste Disposal Fees be adopted for the 2011 / 2012 financial year.
(Crs. Lynch and Kaurila – Carried – Cr. Bosworth recorded her vote against the motion)

3. 2011 / 2012 COMMERCIAL CHARGES, REGULATORY FEES & OTHER CHARGES – INFRASTRUCTURE MANAGEMENT.
Consideration of removing Curly Bell Stands from the Infrastructure Management section of the 2011 / 2012 Schedule of Commercial Charges, Regulatory Fees & Other Charges.

Resolved – That the Curly Bell Stands be removed from the Infrastructure Management section 2011 / 2012 Schedule of Commercial Charges, Regulatory Fees & Other Chargers.
(Crs. Lynch and Molachino - Carried)

4. INVESTMENT POLICY.
Consideration of Draft Investment Policy.

Resolved – That Council defer consideration pending Budget discussions.
(Crs. Lynch and Kaurila - Carried)

5. STRATEGIC MANAGEMENT TEAM (SMT) MEETING MINUTES.
Consideration was given to the Minutes of the SMT Meetings held on the 15th December, 2010, 23rd February, 2011, 6th April, 2011, 25th May, 2011, and 22nd June, 2011.

Resolved – That the Minutes be received and noted.
(Crs. Molachino and Lancini - Carried)

MISCELLANEOUS CORRESPONDENCE

1. OFFICE OF THE PREMIER, Brisbane, 30th May, 2011, Premier's Senior Policy Advisor thanking Council for its letter of 12th May, 2011 concerning cyclone shelters in North Queensland and advising on behalf of the Premier that Council's correspondence is receiving attention and a reply will be forwarded as soon as possible. (120/0002)
2. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Brisbane, 30th May, 2011, in reference to Council's letter dated 13th May, 2011 regarding the 2011 land valuations, advising that Council's request to have the valuations released no later than 6 months prior to the 30th June to allow Council's more time to calculate rates is noted. On the current annual valuation cycle, valuations are assessed as at 1st October of the previous year and issued in February / March of the year in which they become effective. This year the issue of valuations was delayed until 3rd May to allow additional time to assess the impacts of adverse natural causes on valuations. In future years it is the Valuer-General's intention to continue providing QVAS electronic valuation data to Councils as early as possible to allow rate modeling to occur. This year the data was made available to Councils on the 6th April, but normally it would be much earlier. To assist landowners with valuation enquiries a toll free number is provided at the top of the contact details list, followed by the departmental website address, and a prominent reference made to these contact details in the valuation notice. Further advising that the decision to include the local government phone numbers on the notice was agreed to with the LGAQ some time ago, and the notice specifically states that local governments will not have determined their rates when the valuations issue, however general rating enquiries should be directed to the local government office as many landowners are not aware of how the valuations are used by local governments to determine rates. (013/0004)
3. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Brisbane, 31st May, 2011, thanking Council for its letter dated 21st April, 2011 regarding the assistance of the Queensland Parks & Wildlife Service (QPWS) in the aftermath of Cyclone Yasi and advising that positive comments are greatly appreciated and have been passed on to those involved. (120/0022)
4. MACKNADE BOWLS CLUB INC., Macknade, 27th May, 2011, thanking Council for its sponsorship of the Ladies Australian Italian Festival Fours for 2011. Unfortunately they could not hold this event to coincide with the actual date of the festival this year due to other commitments in August, and the fact that the date had already been published on the North Queensland District Ladies Bowling Association's Calendar of Events. This year a composite team from Bowen, Blue Water, Cardwell and Halifax won the event and the runners up prize went to a local team. (012/0002)

5. QUEENSLAND RECONSTRUCTION AUTHORITY, Brisbane, 27th May, 2011, as a result of devastation from floods and Cyclone Yasi, Deputy Prime Minister and Treasurer announced a \$315 million Queensland Local Council Package to assist disaster affected communities to repair utilities and infrastructure and support efforts in recovering from the floods and Cyclone Yasi. Day labour costs are deemed ineligible for grant assistance under normal NDRRA circumstances. Under this package a \$50 million payment is being made available to help remote and regional councils employ people to perform important clean-up and repair work. The funding recognizes the unique circumstances of many rural and regional Queensland councils which face difficulty in accessing contract labour due to their distance from major centres and competition with the mining industry. Further advising that the Commonwealth Government has recently clarified its intent for the payment arrangements of day labour costs to local councils under the package and these arrangements have been developed in consultation with the LGAQ and will assist those councils in most need. The Authority will administer funding for this package. The payment arrangements take account of a council's location and their capacity to absorb day labour costs within existing budgets without significant adverse consequences. Forwarding fact sheets and location map outlining eligibility for the payment of day labour costs by Authority. The submission period for day labour costs closed on the 30th November, 2011 subject to review by both the Commonwealth and State Governments in November. Payments have been capped at either \$1 million or \$1.25 million for eligible local governments (Hinchinbrook is \$1 million). (011/0064)
6. LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND, Brisbane, 31st May, 2011, in relation to the Queensland Reconstruction Authority's (QRA) announcement of day labour arrangements for councils and to their correspondence noting that LGAQ had been consulted with regarding that decision on the allocation of the \$50 million NDRRA Special Category D funding, advising that consultation was in the form of a briefing at 6pm, the night before the decision was made by the Premier. Moreover, it was clear to the writer that the limit on funding would preclude the largest councils from receiving any assistance from this allocation. Requesting Council to remember that that the Australian Government through the Minister Assisting the Attorney-General on flood recovery Senator Joe Ludwig has told the Federal Parliament that this package is an upfront payment with the option of providing further tranches of money to address council employment issues. The LGAQ expects the Federal Government to honour this commitment. Post this announcement, the LGAQ President, Mr. Paul Bell has met with the Minister for Regional Australia, Regional Development and Local Government, The Hon. Simon Crean and spoken to Senator Ludwig to press the need for at least two and possibly further \$50 millions tranches of day labour funding. To assist the LGAQ in its efforts to secure this additional funding post 31st November, 2011, requesting interested Councils to quantify the short fall (if any) between the allocation notified by QRA and their estimate of total day labour costs associated with the clean up, emergent works and reconstruction – split into those three categories. Also seeking further advice on the impact (including timing) on Council's workforce if no further NDRRA day labour funding is forthcoming and what alternative strategies has Council contemplated or has in place if this eventuality arises.(011/0064)
7. LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND, Brisbane, 2nd June, 2011, advising that a former deputy premier and treasurer, Joan Sheldon AM has been appointed as the inaugural ethics advisor for local government which shows local government is leading the way in ensuring improved transparency and accountability in the sector. LGAQ has listened to and acted on the strong calls from its membership for local government to take a stand on promoting greater integrity in public life. LGAQ President Paul Bell said "There is a strong appreciation in local government in Queensland that the sector has to do more – and be seen to do more – to bolster public confidence and perceptions about ethical behaviour and integrity in decision making at local council level. The position of Ethics Advisor will give mayors, councillors and Council CEO's access to high standard advice about how to manage particular situations so that ethical and integrity issues are properly addressed". (004/0016)

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

MINUTES OF ORGANISATIONS / COMMITTEES ON WHICH COUNCIL IS REPRESENTED

1. TREBONNE ACTION GROUP.
Consideration of minutes of the Trebonne Action Group Meeting held on the 12th May, 2011.
2. INGHAM SHOWGROUNDS MANAGEMENT ADVISORY COMMITTEE.
Consideration of minutes of the Ingham Showgrounds Management Advisory Committee Meeting held on the 24th May, 2011.

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

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

1. CHRISTY-LEE DUMBLETON.
\$250 provided to Christy-Lee Dumbleton towards her selection in Indigenous Under 16 Queensland School Girls Netball Team to compete in Southern Skies Netball Carnival, Brisbane from the 10th to 15th July, 2011 which is a national event and fulfils Council's Support for Achievement Policy guidelines.

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

9. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. HINCHINBROOK SHIRE COUNCIL ANNUAL PLANT HIRE OFFERS.
Consideration of Report to Council from Works Engineer dated 24th June, 2011 regarding offers for Annual Plant Hire received for a variety of plant items, for use when the need arises, to supplement Council's own Plant Fleet.

Resolved - That Council note the offers received, and all Offerers be advised that their tendered prices submitted will be placed on Council's List of Suppliers and that individual orders will be placed according to Council's requirements, cost effectiveness and suitability of the various plants offered.
(Crs. Kaurila and Lancini - Carried)

10. OPERATIONAL ACTION 2.0 - ECONOMY

1. INGHAM AERODROME.
Consideration of a request from Townsville Enterprise Limited for the funding application they are submitting to Queensland Regional Development Initiative to identify opportunities surrounding the Ingham Airport. Seeking confirmation that Council will provide a cash contribution of \$10,000 and \$5,000 inkind towards the project.

Resolved– That Council support Townsville Enterprise Ltd's application to the Qld Regional Development Initiative (QRDI) for the Ingham In-Flight project and that financial assistance of \$15,000 (\$10,000 in cash and \$5,000 inkind) be provided to the project from the existing budget.
(Crs. Gianotti and Molachino - Carried)

Town Planning & Development Officer, B. Christie-Johnston entered the meeting at 2.56 p.m.

CLOSED MEETING – That pursuant to Chapter 5 Part 2 Division 3 Section 72 (1) (h) of the *Local Government (Operations) Regulation 2010*, Council resolve to go into Closed Meeting to discuss Item 3.11.1. as open discussion could prejudice the interests of Council should the matter at some stage in the future become a legal matter.
(Crs. Lancini and Molachino – Carried)

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

The Mayor left the meeting at 3.08 p.m. and Cr. Lancini assumed the Chair. The Mayor returned to the meeting at 3.11 p.m. and resumed the Chair.

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

11. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. MONA BOAT RAMP.

Consideration of Report to Council from Manager Engineering Services dated 22nd June, 2011 regarding responses received to date from various community groups who have a vested interest in the Mona Landing Boat Ramp Facility.

Resolved – That consideration be deferred to the next General Meeting.

(Crs. Molachino and Kaurila - Carried – Cr. Lancini declared his vote against the motion)

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 3.11.2. as it is a legal matter.

(Crs. Kaurila and Lancini – Carried)

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

OPEN MEETING - Resolved that Council return to Open Meeting.

(Crs. Kaurila and Lancini – Carried)

2. PROPOSED ROAD OPENING – REAR OF ROYAL HOTEL.

Consideration of Report to Council from Manager Engineering Services dated 27th June, 2011 regarding the latest negotiations with the Royal Hotel proprietor in relation to the amount of compensation they are seeking to relinquish land for the access to the rear of businesses in Lannercost Street, Ingham.

Resolved– That Council proceed with the combined dealing (access restriction strip relinquishment and road opening) on the basis that Council is prepared to offer an amount of compensation in the order of up to \$10,000 including legal fees to the Royal Hotel.

(Crs. Gianotti and Kaurila – Carried)

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 3.11.3. as it is a legal matter.

(Crs. Gianotti and Lancini – Carried)

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

OPEN MEETING - Resolved that Council return to Open Meeting.

(Crs. Gianotti and Lancini – Carried)

3. HINCHINBROOK SHIRE COUNCIL LAND ACQUISITION FROM SQUIGGLES INVESTMENTS PTY. LTD. PROPERTY JOHNSTONE STREET PROJECT No. 91954.

Consideration of Report to Council from Manager Engineering Services dated 27th June, 2011 regarding the latest negotiations with the owners in relation to the amount of compensation they are seeking to relinquish the land for the access into Johnstone Street carpark.

Resolved – That Council intends to acquire the land and reiterates its original offer to purchase the land plus \$7,500 (excl. GST) legal costs per landowner.

(Crs. Gianotti and Lancini – Carried)

CLOSED MEETING – That pursuant to Chapter 5 Part 2 Division 3 Section 72 (1) (g) of the *Local Government (Operations) Regulation 2010*, Council resolve to go into Closed Meeting to discuss Item 3.12.1. as it is a planning issue.

(Crs. Gianotti and Lancini – Carried)

Cr. L. Molachino declared a Material Personal Interest in Item 3.12.1. as he is the Real Estate Agent involved in the development and left the meeting and did not participate in the discussions or resolution thereon.

Council's Works Manager, S. Hall entered the meeting at 4.00 p.m.

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

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

12. OPERATIONAL ACTION 2.0 - ECONOMY

1. NORTH QUEENSLAND BIO-ENERGY MATERIAL CHANGE OF USE APPLICATION.
Consideration of briefing on North Queensland Bio-Energy Material Change of Use Application.

Resolved – That the information be received and noted.
(Crs. Gianotti and Lancini - Carried)

Council's Works Manager, S. Hall left the meeting at 5.36 p.m.

Cr. M. Bosworth left the meeting at 5.36 p.m.

4. MAYORAL MINUTE

GENUINE EMERGENCY EXPENDITURE.

Consideration of Council's genuine emergency expenditure.

Resolved – That under Section 101 (2) of the Local Government (Finance, Plans and Reporting) Regulation 2010 Council resolves a genuine emergency required expenditure for the following:-

Cyclone Tasha / Yasi / subsequent event	-	Counter Disaster Operations expenditure	\$407,632
	-	Emergency Works expenditure	\$10,071,805
	-	Transitional Works & Restoration works expenditure (Council budget included \$5million works for Cyclone Olga. Expenditure for Olga & New Event currently exceeds the budget by \$2,691,919)	

Expenditure will continue under this genuine emergency for these purposes until the expenditure is included in the 2011 / 2012 Budget when adopted. These works are funded by NDRRA Subsidy excluding Council's trigger point value which will be funded from the works program budget.
(Crs. Gianotti and Lancini - Carried)

Cr. M. Bosworth returned to the meeting at 5.38 p.m.

5. CONCLUSION – This concluded the business of the meeting which closed at 5.42 p.m.

6. APPROVED and adopted this 12th day of July, 2011.

MAYOR