



MINUTES OF THE GENERAL MEETING  
OF THE  
HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS,  
INGHAM ON  
TUESDAY 26<sup>TH</sup> JULY, 2011  
AT 9.50 A.M.

- 
- ATTENDANCE
- Present were Councillors G. Giandomenico, A.J. Lancini, G.P. Gianotti, L.R. Molachino, D.M. Bosworth, S.J. Kaurila and Cr. P.D. Lynch.
  - Also present was the Finance Manager (C.J. Trost), Manager Environmental Health Services (T. Tanase) and Executive Secretary (B.K. Edwards).

- PRAYER
- The Mayor opened the meeting with prayer.

*The Mayor extended condolences to Cr. Patrick Lynch and Cr. Maria Bosworth on their recent loss.*

1. BUSINESS -

*Ms. Allie Maclure from the Local Government Association of Queensland (contracted by Council) was in attendance at the Meeting to discuss Item 1.1.1. with Council.*

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 1.1.1. as it is an appointment matter.  
(Crs. Lancini and Molachino – Carried)

*Manager Environmental Health Services, T. Tanase left the meeting at 9.55 a.m.*

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

*Ms. Gabrielle Walsh from LGAQ telephoned in to the Closed Session at 10.05 a.m.*

*Ms. Gabrielle Walsh ended the telephone call at 11.03 a.m.*

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

1. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. RECRUITMENT OF CHIEF EXECUTIVE OFFICER.

Consideration of Recruitment of Chief Executive Officer process carried out by Council with the assistance of the Local Government Association of Queensland.

Resolved –That Council extend the Contract of the incumbent Chief Executive Officer for a further 12 months to the 1<sup>st</sup> August, 2012.

*(Crs. Gianotti and Lancini – Carried – Cr. Gianotti, Cr. Molachino, Cr. Kaurila, Cr. Lancini and Cr. Giandomenico voted for the motion – Cr. Lynch and Cr. Bosworth recorded their votes against the motion)*

The meeting adjourned at 11.54 a.m. for morning tea and resumed at 12.14 p.m.

Cr. Molachino requested a leave of absence from the remainder of the meeting due to personal commitments and left the meeting at 12.14 p.m.

Chief Executive Officer, R. Clark, Manager Corporate & Economic Development, R. Pennisi, Manager Environmental Health Services, T. Tanase, Water & Sewerage Manager, P. Martin, Works Engineer, D. Di Prima, Infrastructure Engineer, J. Devietti and IT Manager, C. Valinoti were also in attendance for Item 1.1.2. when the meeting resumed.

The Mayor congratulated incumbent CEO, Robert Clark on the extension of his contract.

CLOSED MEETING – That pursuant to Chapter 5 Part 2 Division 3 Section 72 (1) (c) of the *Local Government (Operations) Regulation 2010*, Council resolve to go into Closed Meeting to discuss Item 1.1.2. as it is a budget issue.

(Crs. Lancini and Gianotti – 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 Gianotti – Carried)

2. CORPORATE SYSTEM.

Consideration of Report to Council from Council's Corporate System Implementation Team (Finance Manager, Water & Sewerage Manager, Infrastructure Engineer, Environmental Health Technical Officer, and ITS Manager) dated 19<sup>th</sup> July, 2011 reporting on the Team's investigations as directed by Council with Civica.

Resolved –That Council approve the Corporate System Implementation Team to continue to negotiate details of the contract with Technology One Limited through the preferred supplier arrangement under Local Buy for further consideration and confirmation of final negotiations with Council.

(Crs. Kaurila and Gianotti – Carried – Cr. Lynch recorded his vote against the motion)

2. CEO REPORT OF COUNCILLOR REQUESTS

Consideration of CEO Report of Councillor Requests for the period 7<sup>th</sup> July, 2011 to 20<sup>th</sup> July, 2011.

Resolved – That the advice be received and noted and a Nil Report be recorded.

(Crs. Gianotti and Lancini – Carried)

3. FINANCIALS

Consideration was given to a report of financial activities as at the 26<sup>th</sup> July, 2011.

Resolved - That the Report be deferred to the next General Meeting on the 9<sup>th</sup> August, 2011.

(Crs. Lancini and Kaurila – Carried)

Water & Sewerage Manager, P. Martin, Infrastructure Engineer, J. Devietti and IT Manager, C. Valinoti left the meeting at 12.32 p.m.

Cr. Bosworth left the meeting at 12.33 p.m. and returned at 12.34 p.m.

Cr. Bosworth requested a leave of absence from the remainder of the meeting due to personal commitments and left the meeting at 12.35 p.m.

4. HALF YEARLY CORPORATE PLAN & QUARTERLY OPERATIONAL PLAN REPORT & MONTHLY INSTRUCTION SHEETS

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

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

*Manager Environmental Health Services, T. Tanase left the meeting at 12.40 p.m.*

5. WORKS REPORT

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

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

*The meeting adjourned at 1.00 p.m. for lunch and resumed at 2.19 p.m.*

*Works Engineer, D. Di Prima was present when the meeting resumed.*

2. MINUTES - Resolved that the Minutes of the General Meeting held on the 12<sup>th</sup> July, 2011 be corrected by deleting the word "motion" and inserting the word "matter" where it appears at the end of Item 2.1. and that the amended Minutes be approved as a correct record of proceedings and be signed by the Mayor.  
(Crs. Lancini and Gianotti - Carried)

3. BUSINESS -

*Manager Engineering Services, B. Leach entered the meeting at 2.22 p.m.*

1. WORKS REPORT

1. DRAFT 2011 / 2012 WORKS PROGRAM.

Consideration was given to a Report to Council from Manager Engineering Services dated 20<sup>th</sup> July, 2011 regarding the draft 2011 / 2012 Works Program and 10 year program worked up by Council's Technical Staff on the basis of priorities previously set by Council.

Resolved – That Council approve the 2011 / 2012 Program and approve in principle the Draft 10 year Forward Works Program.  
(Crs. Gianotti and Lancini – Carried)

*Works Engineer, D. Di Prima left the meeting at 2.49 p.m.*

2. OPERATIONAL ACTION 1.0 - COMMUNITY

1. HERBERT RIVER CRUSHERS RUGBY LEAGUE FOOTBALL CLUB, Ingham, 11<sup>th</sup> July, 2011, advising the Club will hold the Inaugural Men of League Fundraiser Dinner at the Shire Hall on Saturday 13<sup>th</sup> August, 2011. The Men of League Foundation have launched a new initiative which allows grassroots Rugby League Clubs in Queensland and New South Wales to adopt Men of League as a charity partner. Media coverage from this event will promote the district far and wide to many people. Ingham should only benefit from this coverage by more visitors coming to this beautiful area. Great names such as Roon Coote, Noel Kelly, Tony Currie, Steve Calder, and representatives from the Cowboys and Bronco's will be present. Requesting Council to contribute in the hiring fee of the Shire Hall. (012/0002)

Resolved – That Council provide \$250 (excl. GST) to the Club as the event qualifies under Council's Support for Events Policy guidelines.  
(Crs. Kaurila and Lancini – Carried)

2. NAMING OF NEW GALLERY.

Consideration of Report to Council from Arts & Cultural Officer dated 20<sup>th</sup> July, 2011 seeking Council's direction in relation to the naming of the new Gallery.

Further consideration was given to a Report to Council from Manager Library & Cultural Services dated 25<sup>th</sup> July, 2011 seeking Council's direction in relation to naming the Special Collections room within the new Library.

Resolved – That the Gallery building be known as the "TYTO Regional Art Gallery".

That the Main Gallery Room be named "The John Coburn Room".

That the Hinchinbrook Shire Library be named "Hinchinbrook Shire Library - Bob Shepherd Building".

*(Crs. Lancini and Kaurila – Carried)*

3. OPERATIONAL ACTION 2.0 - ECONOMY

1. PALM ISLAND ABORIGINAL SHIRE COUNCIL, Palm Island, 7<sup>th</sup> July, 2011, requesting Council to provide Palm Island Aboriginal Shire Council with a Planning Assessment Officer resource to undertake the assessment of the impending development applications for reconfiguring a lot at the Upper Luma Luma and Outstation sites on Palm Island. Acknowledging they are aware of their responsibilities regarding impending development applications and understand that these would include but may not be limited to a number of services and further acknowledging that a service level agreement and a fee schedule will be required to formalise any arrangement between the two Councils and request this as a matter of urgency. In order to facilitate the start of construction works prior to the ensuing wet season, and to meet the project timeframes, advising that it is anticipated that the decision notice for the development application will be provided by the 12<sup>th</sup> August, 2011. Advising that the *Palm Island Interim Assessment Guideline* will be formally adopted at their Council Meeting on the 12<sup>th</sup> July, 2011 and requesting that a fee proposal including resource availability and schedule of rates is provided at Council's earliest convenience. Further acknowledging its responsibilities in relation to assessment of the subsequent operational works applications for each site and requesting Council to also provide a resource to undertake these impending technical assessments as it is anticipated that these applications will be lodged by the 11<sup>th</sup> August, 2011.

Further consideration was given to a Report to Council from Manager Corporate & Economic Development dated 26<sup>th</sup> July, 2011 seeking Council's direction in relation to providing planning officer support and assisting the Palm Island Aboriginal Shire Council with the processing of their development applications.

Resolved – That Council advise the Palm Island Aboriginal Shire Council that though at the current time we are not in a position to take on the reconfiguration of land at the Upper Luma Luma and Outstation sites, Palm Island application, Council is very interested in providing planning officer support and assisting them with the processing of their Development Applications.

*(Crs. Gianotti and Kaurila – Carried)*

2. DEPARTMENT OF JUSTICE AND ATTORNEY-GENERAL, Brisbane, 5<sup>th</sup> July, 2011, seeking Council's views and or / requirements in relation to an application received by the Department from Serenita @ TYTO for a Commercial Other (Subsidiary On-Premises) Licence over Lot 801 on SP225261. Advising that should the licence be granted it would enable the holder thereof to sell liquor for consumption on the premises with a principal activity of the provision of meals prepared and served to be eaten on the premises (however liquor may be sold to patrons who are non-diners i.e. only there to have a drink). Further advising that the applicant has also indicated their intention to include an outdoor dining area as part of their proposed licensed area. Also forwarding copy of advertising notice relating to the application lodged. (079/0203)

Resolved – That Council advise the Department that it has no objection to the proposed Liquor License being approved for Serenita @ TYTO.

*(Crs. Gianotti and Lancini – Carried)*

3. REQUEST TO CHANGE EXISTING APPROVAL – DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT OF MR. VINCE CASTELLANI - ABERGOWRIE ROAD, ABERGOWRIE – LOT 67 and 68 on SP230961.

Consideration of Report to Council from Manager Engineering Services dated 20<sup>th</sup> July, 2011 regarding Request to Change an Existing Approval by Mr. Lester Franks for and on behalf of Mr. Vince Castellani to enlarge the buffer around the house and shed from 1.1ha to 2.1ha for Development Application for Reconfiguration of a Lot for Lot 67 and 68 on SP230961. (073/0039)

Resolved –That Council accept this minor change to the existing approval issued to Mr. Vince Castellani on the 17<sup>th</sup> March, 2010.  
(Crs. Gianotti and Kaurila – Carried)

4. D.N. SMITH, Allingham, 3<sup>rd</sup> May, 2011, seeking approval of proposed reconfiguration of land (subdivision) Lot 19 on SP227835 and (rearrangement of boundaries) over Lot 19 and Lot 20 on SP227835 at Coconut Street, Forrest Beach. Land is zoned *Residential*. (066/0224)

Consideration was also given to an Engineering Planning Report by the Manager Engineering Services dated 25<sup>th</sup> July, 2011 regarding the proposed reconfiguration.

*Cr. Giandomenico left the meeting at 3.00 p.m. and returned at 3.06 p.m.*

Resolved – That the Development Application for Reconfiguration (subdivision) Lot 19 on SP227835 and (rearrangement of boundaries) over Lot 19 and Lot 20 on SP227835 be approved subject to the following conditions:-

- (a) Final lot layout to be as per the submitted proposal plan Drawing No. 001 dated the 30<sup>th</sup> April 2011;
  - (b) Constructed access to be provided to each proposed lot from the constructed street network in accordance with Council Standards;
  - (c) Surface drainage to be catered for in a manner that lessens possible impacts in receiving areas. Stormwater to be discharged from individual lots to a legal point of discharge;
  - (d) Provision of a separate water reticulation service, to each lot from existing mains in Beatts Road, including enveloping pipes as necessary;
  - (e) Provision of underground electricity reticulation to each lot, to the current Australian Standard AS/NZS 1158.3.1:1999; and
  - (f) Payment to Council as per the Infrastructure Charges Notice.
- (Crs. Gianotti and Lynch – Carried)

#### 4. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND LTD., Brisbane, 1<sup>st</sup> July, 2011, encouraging Council to consider a preventative health program supported by the LGAO that could be of great benefit to Shire residents called *My Pathway to Better Health* which embodies LGAO's new mission for member councils – to connect, innovate and achieve. This program is an online system run by health service provider, Ford Health which is customised for Council's website and works by asking each user a series of health questions then assesses their health risks and, if necessary, refers them to local health providers, activities and services. This program would be particularly useful for rural and remote regions where access to general practitioners is limited because it is a user-friendly system that allows residents to both manage their health in the privacy of their homes and to do so in a timely manner. The program has achieved excellent outcomes for employees working for mining companies in remote communities. It uses health tools that have been successful for more than 10 years and which have been adopted by large corporations such as Rio Tinto, Ergon and Thiess.

The program also has excellent risk management procedures with the Council and LGAO being indemnified by Ford Health on the off chance any medical legal actions arise out of program usage. The program needs Councils support however to proceed because a minimum of 500,000 ABS residents are required. Encouraging Council to consider *My Pathway to Better Health* as part of its budget deliberations and to pay the project video (on the DVD provided) at Council's meeting. (007/0003)

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

2. LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND LTD., Brisbane, 11<sup>th</sup> July, 2011, Circular: 2011-333 – providing a summary of key issues for Local Government in relation to Prime Minister Gillard's announcement on the 10<sup>th</sup> July, 2011 to introduce a carbon price in Australia. The target will cut pollution by at least 5% compared with 2000 levels by 2020 with a view to 80% cuts by 2050. The three year fixed scheme will commence on the 1<sup>st</sup> July, 2011 moving to a full Emissions Trading Scheme in 2015 / 2016. The price is \$23 / tonne in 2012 / 2013, \$24.15 / tonne in 2013 / 2014, and \$25.40 per tonne in 2014 / 2015. Waste will be covered however legacy waste is excluded as negotiated at the time of the CPRS. To avoid displacement from covered and non-covered landfill facilities, an additional threshold of 10,000 tonnes of CO<sub>2</sub>-e (Carbon dioxide equivalent) will apply within a prescribed distance of land landfill facilities. The prescribed distance will be a regulatory matter to be determined. Generally thresholds will be 25,000 tonnes of CO<sub>2</sub>-e. All scope 1 (direct) emissions will be covered by the carbon price mechanism, and legacy waste emissions, will be counted towards thresholds, but not scope 1 emissions from fuels or other sources which will be excluded from the carbon price mechanism. Light commercial vehicles (4.5 tonnes or less gross vehicle mass) and households will not face a carbon price. Other business transport will be subject to an equivalent carbon price, generally applied by reducing business fuel tax credits. The Productivity Commission will conduct a review of fuel excise arrangements including an examination of the merits of a scheme based on a carbon price and energy content of fuels. Cost of fuel inputs for local government will therefore increase. Carbon credit units under the Carbon Farming Initiative (CFI) will be eligible for compliance under the carbon price mechanism under certain conditions. A new body – the Climate Change Authority will be set up to provide expert advice to the Government on all aspects of the carbon pricing mechanism. A review of the CFI will be conducted by the end of 2014 and repeated every 3 years. In summary the Carbon Pricing Mechanism will impact on councils. The main impact will be in relation to management of emissions from landfill. Further work will be required to understand the full costs and practical implementation issues. (079/0029)

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

3. CYCLONE YASI DEBRIS COLLECTION – QUEENSLAND FIRE & RESCUE SERVICE FORREST BEACH.  
Consideration of Report to Council from Manager Engineering Services dated 20<sup>th</sup> July, 2011 seeking authorisation of payment of works not undertaken by Council during Cyclone Yasi debris collection under the authority of the QFRS Forrest Beach at Forrest Beach.

Resolved – That Council authorise Cyclone Yasi cleanup works undertaken under the authority of the Queensland Fire & Rescue Service Forrest Beach as eligible for reimbursement under NDRRA provisions.  
(Crs. Lynch and Kaurila – Carried)

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

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

## 5. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND 115<sup>TH</sup> ANNUAL CONFERENCE.  
Consideration of attendance at LGAQ 115<sup>th</sup> Annual Conference – *Dare to be Different* at the Gold Coast Convention and Exhibition Centre from the 3<sup>rd</sup> to 6<sup>th</sup> October, 2011. Early Bird Registration closes on the 19<sup>th</sup> August, 2011.

Resolved – That Cr. Giandomenico, Cr. Lancini, Cr. Lynch and Chief Executive Officer, R.W. Clark attend the LGAQ 115<sup>th</sup> Annual Conference at the Gold Coast Convention and Exhibition Centre from the 3<sup>rd</sup> to 6<sup>th</sup> October, 2011.  
(Crs. Lynch and Lancini – Carried)

2. LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND – ANNUAL CONFERENCE - CALL FOR MOTIONS.

Consideration of agenda items for the LGAO 115<sup>th</sup> Annual Conference – *Dare to be Different* at the Gold Coast Convention and Exhibition Centre from the 3<sup>rd</sup> to 6<sup>th</sup> October, 2011. To enable a copy of the Preliminary Agenda to be forwarded to member councils prior to the Conference, agenda items must be received by no later than Friday 29<sup>th</sup> July, 2011.

Resolved – That Council formulate the following motions on the following issues:-

- Guidelines for Council contracting work from NDRRA funding; and
- Process involving consideration of complaints made by the CEO against a Councillor.  
(Crs. Kaurila and Gianotti – Carried)

3. HON. CAMERON DICK MP, MINISTER FOR EDUCATION AND INDUSTRIAL RELATIONS, Brisbane, 4<sup>th</sup> July, 2011, advising as Minister responsible for the administration of the *Holidays Act 1983*, he is empowered to appoint, upon request by the Chief Executive Officer of the local government for the district concerned, a special holiday within a district, and requesting Council to advise of any holidays it wishes to declare for 2012 by Friday 29<sup>th</sup> July, 2011.

(079/0020)

Resolved – That Council nominate Friday 6<sup>th</sup> July, 2012 as the Ingham Public Show Holiday.  
(Crs. Gianotti and Lancini – Carried)

MISCELLANEOUS CORRESPONDENCE

1. DIGITAL SWITCHOVER LIAISON OFFICER – NORTH QUEENSLAND, Whitsundays, 14<sup>th</sup> July, 2011, Melissa Wick advising that she has been appointed as the Digital Switchover Liaison Officer for this area and is being hosted at Whitsunday Shire. She will be working with local community groups and organisations to help raise awareness about the digital switchover and what people need to do to get ready for digital TV. Groups that they feel are going to need extra help are, for example the elderly, people of a non-english speaking background, indigenous and low income persons. The Queensland Regional switchover will be switching entirely to digital broadcasting by the 6<sup>th</sup> December, 2011 and forwarding a Regional Queensland Information Fact Sheet and a Household Assistance Scheme Fact Sheet which gives further background information, as well as a map of the switchover area. (040/0015)

2. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Townsville, 12<sup>th</sup> July, 2011, advising that the Application for Road Licence over part of Neames Inlet and Costa Roads adjoining Lot 1 on RP739178 has been finalized and forwarding Recording Advice, copy of AP plan and Government Gazette Notice providing the details for Council's information. (017/0002)

3. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Townsville, received 11<sup>th</sup> July, 2011, forwarding copy of correspondence forwarded by the Department to Spina Kyle Waldon Lawyers on behalf of Mr. L. Girgenti advising that his application for Permanent Road Closure over Lot 1 on Road Licence 8344 and Mostachetti Road, Parish of Marathon has been refused as it has been demonstrated that the road is still needed for its gazetted purpose. (019/0006)

4. THE HON. RACHEL NOLAN MP, MINISTER FOR FINANCE, NATURAL RESOURCES AND THE ARTS, Brisbane, 4<sup>th</sup> July, 2011, advising that Council will receive an allocation of \$23, 333 from the Regional Arts Development Fund (RADF) for the 2011 / 2012 financial year which forms part of more than \$2 million allocated to councils for regional arts projects. (079/0032)

5. ICI, St. Leonards, 8<sup>th</sup> July, 2011, advising they act for *Vodafone* in regard to the deployment and maintenance of its mobile telecommunications network. Vodafone Australia is one of Australia's licensed mobile telecommunications carriers and currently operates a digital mobile network that covers 93 per cent of the Australian population. Vodafone is upgrading the transmission capacity of its network to provide a higher level of product and service options to existing and future customers in metropolitan areas. One of the requirements of the *Industry Code for the Deployment of Mobile Phone Network Infrastructure* is for Vodafone to notify Council, site owners, site occupiers and occupiers of residences in close proximity of a proposed installation. Advising that Vodafone proposes to install Low RF Power radio transmission equipment at the Telstra Radio Terminal at Scott Street, Halifax. (040/0019)

6. AUDITOR-GENERAL OF QUEENSLAND.  
Forwarding Report to Parliament No. 6 for 2011 – Systems to coordinate deliver of the  
*Towards Q2: Tomorrow's Queensland* target – Halve the proportion of Queensland children  
living in a household without a working parent. (007/0012)

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

MINUTES OF ORGANISATIONS / COMMITTEES ON WHICH COUNCIL IS REPRESENTED

1. NORTH QUEENSLAND SPORTS FOUNDATION.  
Consideration of minutes of the North Queensland Sports Foundation Board Meeting held on  
the 14<sup>th</sup> May, 2011.
2. HINCHINBROOK SHIRE YOUTH COUNCIL.  
Consideration of minutes of the Hinchinbrook Shire Youth Council held on the 25<sup>th</sup> May, 2011  
and 14<sup>th</sup> June, 2011.

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

4. CONCLUSION – This concluded the business of the meeting which closed at 3.39 p.m.
5. APPROVED and adopted this 9<sup>th</sup> day of August, 2011.

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MAYOR