



**HINCHINBROOK
SHIRE COUNCIL**

MINUTES OF THE GENERAL MEETING
OF THE
HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS,
INGHAM ON
TUESDAY 9TH AUGUST, 2011
AT 9.50 A.M.

ATTENDANCE - Present were Councillors A.J. Lancini, G.P. Gianotti, L.R. Molachino, D.M. Bosworth, S.J. Kaurila and Cr. P.D. Lynch.

- Also present was the Chief Executive Officer (R.W. Clark), Manager Environmental Health Services (T. Tanase), Manager Corporate & Economic Development (R.F. Pennisi) and Executive Secretary (B.K. Edwards).

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

PRAYER - The Deputy Mayor opened the meeting with prayer.

1. MINUTES - Resolved that the Minutes of the General Meeting held on the 26th July, 2011 be approved as a correct record of proceedings and be signed by the Mayor.
(Crs. Lynch and Molachino - Carried)

2. BUSINESS -

1. CEO REPORT OF COUNCILLOR REQUESTS

Consideration of CEO Report of Councillor Requests for the period 21st July, 2011 to 3rd August, 2011.

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

Deputy Mayor, Cr. A.J. Lancini declared a conflict of interest in Item 2.2.1. as he is a Member of the Halifax Local Ambulance Committee and left the meeting and did not participate in the discussions or resolution thereon.

Cr. G.P. Gianotti and Cr. D.M. Bosworth moved and seconded that Cr. Kaurila assume the Chair.

2. OPERATIONAL ACTION 1.0 - COMMUNITY

1. QUEENSLAND AMBULANCE SERVICE – HALIFAX STATION, Halifax, 20th July, 2011, requesting permission to use the position (grassed area) where the Tree of Knowledge in Halifax stood prior to it being destroyed during Cyclone Yasi to erect a community disaster information billboard. The position is ideal as it is in front of the Ambulance Station and in the main street. During flooding and other major events, the Halifax Ambulance Station Officer in Charge and Police Sergeant are inundated with enquiries regarding river heights etc. at all times of the day and night and they believe that this system will reduce the number of enquiries regarding disaster information and assist the community with disaster preparedness. Further advising that they envision a weatherproof billboard which is lockable to prevent tampering with the keys being held by Sergeant Tantalo and Richard Brown to enable them to update the board regularly. The Halifax Local Ambulance Committee have agreed to meet the cost of the billboard and seeking Council's permission to use the site. (016/0016)

HALIFAX LOCAL AMBULANCE COMMITTEE, Halifax, 20th July, 2011, requesting Council to consider allowing an information board to be erected in the Halifax main street which would show information on impending events. The notice board would show flooding and cyclone information issued specific to the Lower Herbert area which would be physically manned (similar to the Ingham Fire Station) and there is no need for electrical requirements. Advising they believe that this would a service to the public and a possible, central site would be opposite the Ambulance Station near the "Tree of Knowledge" site. (016/0016)

Resolved – That the matter lay on the table pending further information.

Deputy Mayor, Cr. A.J. Lancini returned to the meeting and resumed the Chair.

Manager Environmental Health Services left the meeting.

Cr. S.J. Kaurila declared a conflict of interest in Item 2.2.2. as she is a Life Member of the Herbert River Netball Association and left the meeting and did not participate in the discussions or resolution thereon.

2. HERBERT RIVER NETBALL ASSOCIATION INCORPORATED, Ingham, 2nd August, 2011, advising the Association is applying to the Gambling Community Benefit Fund to upgrade the toilet facilities at Cockburn Park including swapping the male and female toilets, installing disable ramps and disable toilets, new shower and change rooms in the female toilets, flood free mower storage area, roofing the entire building, sealed epoxy flooring, and painting the interior and exterior. Further advising that the Association's Grants Officer has met with the Engineer and Manager Technical Services to discuss the changes and proposed plans are currently with Council to be drawn. Quotes are being sought from various tradespeople to submit with the application. As the total refurbishment may exceed \$35,000 (all quotes not received to date) which is the amount that clubs are able to apply for through the Fund, requesting Council to commit to assisting if there are any additional costs left in the budget. As Council has budgeted in the past for a new toilet block roof, the Association believe that as they are now applying for the roof, perhaps Council may allocate budgeted funds to the extra costs. The poor condition of the facilities at present makes the upgrade a high priority for their members and necessary if their club is to host a carnival in the future. The grant application which is due on the 31st August cannot proceed without assistance from Council to meet the extra costs (if any). With the damage received to their grounds from flooding and Cyclone Yasi, the Club is already financially strained, however the club acknowledges that the Council would be unable to fund these upgrades entirely due to the extraordinary events experienced this year, and this is why they have begun the application for funding process. (012/0002)

Resolved – That Council approve in principle to support the application by the Association up to a value of \$10,000 (excl. GST) that is budgeted in the 2011 / 2012 financial year.
(*Crs. Bosworth and Lynch - Carried*)

Cr. S.J. Kaurila returned to the meeting.

The meeting adjourned at 10.20 a.m. for morning tea and resumed at 10.42 a.m.

3. OPERATIONAL ACTION 2.0 - ECONOMY

1. INGHAM AIRPORT – LEASE TO E.G. & M. BLANCH OF BLANCH AIR PTY. LTD. OVER PART OF RESERVE FOR LANDING GROUND R411 IN LOT 118 on PLAN CWL3455 - LEASE C (AREA OF 1717M²).
Consideration of Report to Council from Customer and Corporate Services Officer dated 25th July, 2011, seeking Council's direction in relation to renewing the lease to Edgar George and Mary Blanch of Blanch Air Pty. Ltd. over part of Reserve for Landing Ground R411 in Lot 118 on Plan CWL3455 (Lease C) and further seeking confirmation of lease rental amount and public liability insurance.

Resolved – That Council issue a new lease to E.G. & M. Blanch of Blanch Air Pty. Ltd. over part of Reserve for Landing Ground R411 in Lot 118 on Plan CWL3455 (Lease C – 1717m²) for a twenty (20) year term in the sum of \$515.10 per annum plus GST (30c per square metre) to be indexed annually by CPI based on the Brisbane index and the rental to be reviewed after every five (5) years with a minimum of public liability insurance of \$20,000,000.
(*Crs. Molachino and Kaurila - Carried*)

2. INGHAM AIRPORT – LEASE TO R.N. & H.A. LIDDLE OF LIDDLES AIR SERVICES OVER PART OF RESERVE FOR PUBLIC PURPOSE - LANDING GROUND R411 IN LOT 118 on PLAN CWL3455 – LEASE B (AREA OF 1372M²).

Consideration of Report to Council from Customer and Corporate Services Officer dated 25th July, 2010, seeking Council's direction in relation to renewing the lease to Rodger Norman and Heather Ann Liddle of Liddles Air Services over part of Reserve for Landing Ground R411 in Lot 118 on Plan CWL3455 (Lease B) and further seeking confirmation of lease rental amount and public liability insurance.

Resolved – That Council issue a new lease to R.N. & H.A. Liddle of Liddles Air Services over part of Reserve for Landing Ground R411 in Lot 118 on Plan CWL3455 (Lease B – 1372m²) for a twenty (20) year term in the sum of in the sum of \$411.60 per annum plus GST (30c per square metre) to be indexed annually by CPI based on the Brisbane index and the rental to be reviewed after every five (5) years with a minimum of public liability insurance of \$20,000,000.

(Crs. Molachino and Kaurila - Carried)

3. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Townsville, 14th July, 2011, seeking Council's views and / or requirements in relation to an application for Permit to Occupy over Lot 1 on Crown Plan PER7154 for D. & J. Carter . Proposed use of the land is Residential namely weekend and holiday.

Resolved – That Council advise the Department that it has no objection to the application for Permit to Occupy over Lot 1 on Crown Plan PER7154 and has no requirements.

(Crs. Molachino and Gianotti - Carried)

4. S. & C. PATTI, Ingham, 29th June, 2011, seeking approval of the proposed Material Change of Use – Code Assessment – Close to Rural Boundary - Siting Relaxation over Lot 2 on RP731971 at 527 Pappin's Road, Helen's Hill. Land is zoned *Rural*. (058/0328)

Further consideration was given to an Engineering Planning Report dated 4th August, 2011 from Infrastructure Engineer regarding the application.

Resolved – That the Development Application for Material Change of Use – Code Assessment –Rural Siting Relaxation over Lot 2 on RP731971 be approved subject to the following conditions:-

(a) The structure is to be built in accordance with Brett Hodginson Building Design's Drawing: Project No. 11-22 AUD – Sheet No. 2 to Sheet No.4, submitted with the Development Application; and

(b) The appropriate building permits are obtained prior to construction.

(Crs. Bosworth and Molachino - Carried)

Cr. L.R. Molachino declared a material personal interest in Item 2.3.5. and left the meeting and did not participate in the discussions or resolution thereon.

5. F.W. & A. TEN BOS, Ingham, 4th July, 2011, seeking change to existing approval for Development Application for proposed reconfiguration (subdivision) into 8 lots of Lot 92 and Lot 195 on CWL3305 at 49516 Townsville Road, Ingham. (065/0141)

Further consideration was given to a Report to Council from Manager Engineering Services dated 4th August, 2011 regarding the application.

Resolved – That Council issue a Revised Decision Notice for the Development Application of Frederik W. and Annelies Ten Bos for Reconfiguring a Lot to amend condition (j) as follows:-

(j) Provision of electricity reticulation (HV backbone) to each lot, including street lighting to the current Australian Standard AS/NZS 1158.3.1:1999.

(Crs. Kaurila and Bosworth - Carried)

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

Chief Executive Officer, R.W. Clark left the meeting.

6. AMENDMENT REQUIRED TO CONDITION OF APPROVAL - DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT AND MATERIAL CHANGE OF USE – RURAL SITING RELAXATION - PAUL JOHN COPPO.

Consideration of Report to Council from Manager Engineering Services dated 4th August, 2011 seeking Council's consideration of correcting condition (b) for the Development Application of Mr. Paul J Coppo for Reconfiguring a Lot – Lots 3 and 4 on RP840610 and Lot 5 on SP197667 at Bruce Highway, Toobanna.

Resolved – That Council issue a revised Decision Notice for the Development Application of Mr. Paul J Coppo for Reconfiguring a Lot amending condition (b) as follows:-

- (b) Evidence from the Applicant that all utility services, if any, to the proposed shed on Lot 4 on RP840610 can be separated from those serving Lot 3 on RP840610 and Lot 5 on SP197667, and will be wholly contained within the particular lot being served.
(Crs. Kaurila and Gianotti - Carried)

Manager Engineering Services, B.E. Leach and Infrastructure Manager, J. Devietti entered the meeting.

7. WOLTER ROWLANDS, Townsville, 19th July, 2011, on behalf of *D.J. & R.G. Perkins* seeking to change the approval in accordance with proposal plan 42620/17A prepared by Rowlands Surveys in order to stage the proposed development and alter the layout of the allotments for Reconfiguration (Rearrangement of Boundaries) over Lots 1 to 5 and Lots 9 to 12 on RP703813 at Four Mile Road and Regazzoli's Road, Braemeadows. (066/0199)

Further consideration was given to a Report to Council from Infrastructure Engineer dated 5th August, 2011 regarding the application.

Resolved – That Council refuse the Request to Change or Extend an Existing Approval of Wolter Rowlands Town Planning Group, for and on behalf of D.J. & R.G. Perkins, as per application dated the 19th July, 2011, due to the reduction of the lot size not addressing Council's current intent regarding rural residential development in the Rural Zone.
(Crs. Kaurila and Gianotti – Carried – Cr. Bosworth recorded her vote against the motion)

Cr. P.J. Lynch and Cr. L.R. Molachino moved and seconded that the Item for the Halifax Bay Recreation & Lifestyle Association Incorporated be moved forward for consideration

4. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. 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 to the General Meeting on the 23rd August, 2011 pending receipt of a Report from the Manager Engineering Services.
(Crs. Gianotti and Lynch - Carried)

Cr. P.J. Lynch and Cr. L.R. Molachino moved and seconded that the Item for the Palm Creek Pedestrian Bridge be moved forward for consideration.

8. PALM CREEK PEDESTRIAN BRIDGE.
Consideration of oral report from Manager Technical Services regarding progress of preliminary investigation and design of the Palm Creek Pedestrian Bridge

Resolved – That the preliminary drawings from the Manager Engineering Services be received and noted and a further report be provided from the Manager Technical Services at a future General Meeting.
(Crs. Kaurila and Molachino - Carried)

5. OPERATIONAL ACTION 2.0 - ECONOMY

1. SITING RELAXATION APPLICATION – 50 WATTLE STREET, ALLINGHAM.
Consideration of a Report to Council from Infrastructure Engineer dated 5th August, 2011 in relation to a Siting Relaxation Application received from Mr. G. McCulloch for and on behalf of G. Doherty for a proposed reduction in the front boundary setback for new dwelling at 50 Wattle Street, Allingham.

Resolved – That Council approve the Siting Relaxation Application submitted by Mr. Glen McCulloch for and on behalf of Mr. Gerard Doherty for a proposed single storey dwelling at 50 Wattle Street, Forrest Beach [Lot 14 on A7747] on the grounds that the proposed structure is expected to facilitate appropriate streetscape and unlikely to impact on the outlook and views of neighbouring residents.
(Crs. Kaurila and Bosworth - Carried)

Infrastructure Engineer, J. Devietti left the meeting.

6. OPERATIONAL ACTION 3.0 - ENVIRONMENT

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

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

2. TENDER REVIEWS – NATURAL DISASTER RELIEF & RECOVERY ARRANGEMENTS (NDRRA) WORK – HSC 11/40 – NDRRA REPAIRS TO ABERGOWRIE ROAD, CELOTTO'S ROAD AND ATKINSON'S POCKET ROAD.
Consideration of Report to Council from Manager Engineering Services dated 4th August, 2011 regarding tenders received from HSC 11/40 NDRRA Repairs to Abergowrie Road, Celotto's Road and Atkinson's Pocket Road.

Resolved – That Council accept the tender of Cheshire Contractors Pty. Ltd. for the amount of \$329,757-35 (excl. GST) for HSC 11/40 – NDRRA repairs to Abergowrie Road, Celotto's Road and Atkinson's Pocket Road.

(Crs. Gianotti and Kaurila - Carried)

3. TENDER REVIEWS – NATURAL DISASTER RELIEF & RECOVERY ARRANGEMENTS (NDRRA) WORK – HSC 11/41 – NDRRA REPAIR TO COVELL'S ROAD.

Consideration of Report to Council from Manager Engineering Services dated 4th August, 2011 regarding tenders received from HSC 11/41 NDRRA Repair to Covell's Road.

Resolved – That Council accept the tender of John Andrews Grader Hire (JAGH) for the amount of \$136,352-00 (excl. GST) for HSC 11/41 – NDRRA repairs to Covell's Road.

(Crs. Gianotti and Molachino - Carried)

Cr. S.J. Kaurila and G.P. Gianotti moved and seconded that the Item for Proposal to Undertake Horse & Carriage Business – Various Locations be moved forward for consideration.

4. PROPOSAL TO UNDERTAKE HORSE & CARRIAGE BUSINESS – VARIOUS LOCATIONS.

Consideration of Report to Council from Works Engineer dated 4th August, 2011 regarding proposal received from Mrs. Stephanie Masters of Carriages of Lannercost seeking approval to operate a horse drawn carriage business within the central business district of Ingham to cater for events like wedding, and operate throughout the year at various locations.

Resolved – That Council approve the request to operate a horse drawn carriage on the listed Council controlled road network for a twelve (12) month period, subject to the following conditions:

- The applicant shall hold a current public liability insurance policy from a reputable insurer for at least \$10 million in the name of the organisation against any claims whatsoever arising from the works, and provide an insurance Certificate of Currency with the interests of the "State of Queensland acting through the Department of Transport and Main Roads" noted thereon. *And a copy forwarded to the office (received).*
- You will be required to obtain a Police Permit. *And a copy forwarded to this office (received).*
- The carriage should stay as close as practicable to the left shoulder of the road.
- Any animal waste which may litter the road must be removed as soon as possible.
- As per police instruction, forward lighting is required in low light conditions and reflectors must be on the rear of the carriage.
- Ideally, the horse should be trained in traffic.

(Crs. Kaurila and Bosworth - Carried)

Chief Executive Officer, R.W. Clark re-entered the meeting.

Cr. M. Bosworth declared a possible conflict of interest in Item 2.6.5 as her child attends the School; however Council decided that Cr. Bosworth does not have a conflict of interest and can participate in the discussions and decision.

5. OUR LADY OF LOURDES CATHOLIC PRIMARY SCHOOL, Ingham, 11th July, 2011, advising they received a higher than normal Water Consumption Rate Notice on the 31st May, 2011 which is considerably higher than their normal account for the same period last year. Further advising that the school was severely damaged during Cyclone Yasi and it was found during the clean up that a pipe was broken in the ground from a fallen tree which necessitated the relaying of the whole water pipe within their grounds. It is understood that Council has been granting consumers who had problems during the Cyclone a discount for that period and as they are usually very vigilant with their water consumption, requesting Council to consider reducing or waiving the Water Notice as the circumstances were beyond their control. (046/0006)

Resolved - 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. Kaurila and Molachino – Carried – Cr. Bosworth voted in favour and all other Councillors present voted in favour so it was a unanimous decision)

6. ITNQ, Cordelia, 15th July, 2011, requesting an extension to the license to have their antenna on the Forrest Beach Water Tower. (500/0404)

Resolved – That Council has no objection to extending the Lease with ITNQ to have their equipment on the Forrest Beach Water Tower for a further five (5) years.
(Crs. Kaurila and Molachino - Carried)

7. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. LOCAL GOVERNMENT REMUNERATION & DISCIPLINE TRIBUNAL, Brisbane, 25th July, 2011, advising in relation to the Tribunal's requirement to determine by 1st December, 2011 the remuneration to be paid in the following calendar year to Mayors, Deputy Mayors and Councillors for all Council (except Brisbane City Council) that the Tribunal has decided to conduct a complete review of the categories of Local Governments as well as the categories to which each Council is assigned. The Tribunal offers the opportunity for Councils and Councilors, including Mayors and Deputy Mayors, to raise matters with the Tribunal that they would like them to give special consideration to when making its annual determination. Inviting representatives from Local Governments, interested parties and the public to make written submissions to the Tribunal by 5pm on Friday 2nd September, 2011. Councillors are also invited to attend a deputation with the Tribunal at the Local Government Association of Queensland's 2011 Annual Conference at the Gold Coast on Wednesday 5th October, 2011. Appointments can be arranged by emailing the Tribunal or telephoning the Secretariat. (004/0004)

Resolved – That consideration be deferred to the General Meeting on the 23rd August, 2011 pending a Report to Council from the Chief Executive Officer.
(Crs. Bosworth and Kaurila - Carried)

2. AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION, Deakin, 28th July, 2011, advising it is time for local government to again mount a campaign for increased and ongoing Roads to Recovery Program funding. The ALGA commissioned research, released at the 2010 National Local Roads and Transport Congress in Bunbury, shows that the national shortfall in the level of funding for local roads amounts to about \$1.2 billion annually. ALGA will be launching local government's Roads to Recovery campaign at the 2011 National Local Roads and Transport Congress being held in Mount Gambier from 16th to 18th November. This campaign needs the support of every council and in advance of the launch requesting Council to pass a resolution of support and forwarding suggested text for the motion. The motion calls for the Roads to Recovery Program to be made permanent at a rate that recognises the backlog of needs on local roads and a continuation of the current popular and successful arrangements. These arrangements provide all councils with certainty of funding and give them the control over the works to be funded. The motion does not link the ongoing Roads to Recovery Program to any source of funding such as fuel excise and the ALGA President has discussed the suggested wording for the motion with all state associations and it has been agreed not to link the campaign to a funding source at this time because of uncertainty arising from the announcements to review fuel excise by the Productivity Commission, the review of the Financial Assistance Grants, and the Henry Taxation Review recommendations on road user charging. The ALGA will be making the strongest possible representations to these reviews to protect and improve local government's financial position. Also requesting Council to write to the Prime Minister, the Leader of the Opposition, Minister for Infrastructure and Transport, Opposition spokesperson for Transport and its Federal Member of Parliament to advise them of Council's support for a new Roads to Recovery Program. Also enclosing possible text for such letters. (011/0031)

Resolved – That Council call on the Federal Government to:-

- recognise the successful delivery of the Roads to Recovery Program by local government since 2000;
- continue the Roads to Recovery Program on a permanent basis to assist local government meet its responsibilities of providing access for its communities;
- continue the Roads to Recovery Program with the current administrative arrangements; and
- provide an increased level of funding under a future Roads to Recovery Program that recognises the shortfall of funding on local roads of \$1.2 billion annually.

(Crs. Bosworth and Kaurila - Carried)

MISCELLANEOUS CORRESPONDENCE

1. DEPARTMENT OF REGIONAL AUSTRALIA, REGIONAL DEVELOPMENT & LOCAL GOVERNMENT, Canberra, 20th July, 2011, thanking Council for its entry for the 2011 National Awards for Local Government and advising that unfortunately in a competitive field, the entry did not receive an Award. Also enclosing a copy of the Winners Book documenting the outcomes of the 2011 Awards. (007/0085)
2. CANCER COUNCIL QUEENSLAND, Brisbane, 22nd July, 2011, thanking Council for its donation towards the Townsville Hospice and Palliative Care Centre. Advising they are committed to providing the best possible care and services to all Queenslanders and the construction of the Townsville Hospice and Palliative Care Centre was the largest single project ever undertaken in the Council's history and is testament to this commitment. Council's support has assistance them in their endeavours to provide a dedicated facility to meet the needs of palliative care across North and Western Queensland. (012/0002)
3. ERGON ENERGY, Townsville, 29th July, 2011, forwarding copy of open letters sent to staff and management of Energex, Newstead, and Staff and Management of Essential Energy, Tweed Heads from the Mayor of Townsville, Cr. Les Tyrell, the Mayor of Hinchinbrook, Cr. Pino Giandomenico, and the Mayor of Cassowary Coast, Cr. Bill Shannon thanking them for their assistance to Ergon Energy in the 3 regions in the wake of Tropical Cyclone Yasi in February this year. (120/0022)
4. INGHAM VETERANS GOLF, Ingham, 29th July, 2011, thanking Council for its contribution towards the successful 2011 Open Championships held in Ingham this month. The event attracted golfers of veteran age from Southern Queensland and centres in New South Wales, Victoria, Western Australia and the Northern Territory, as well as being well supported by players from throughout North Queensland and the local area. Advising that some visitors arrived early before the event and remained for a day or two after to enjoy their experienced in our district. (012/0002)

Resolved – That the list of correspondence be received and noted.
(Crs. Bosworth and Molachino - 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 8th July, 2011.

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

6. COUNCILLOR ACTIVITY REPORT
Consideration of Councillor Activity Reports as at the 3rd August, 2011 to ensure transparency and public scrutiny of Councillor workload.

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

Deputy Mayor, Cr. A.J. Lancini declared a conflict of interest in Item 2.7.1. as he is a Member of the Halifax Local Ambulance Committee and left the meeting and did not participate in the discussions or resolution thereon.

Cr. G.P. Gianotti and Cr.D.M. Bosworth moved and seconded that Cr. Kaurila assume the Chair.

7. OPERATIONAL ACTION 1.0 - COMMUNITY

1. QUEENSLAND AMBULANCE SERVICE – HALIFAX STATION, Halifax, 20th July, 2011, requesting permission to use the position (grassed area) where the Tree of Knowledge in Halifax stood prior to it being destroyed during Cyclone Yasi to erect a community disaster information billboard. The position is ideal as it is in front of the Ambulance Station and in the main street. During flooding and other major events, the Halifax Ambulance Station Officer in Charge and Police Sergeant are inundated with enquiries regarding river heights etc. at all times of the day and night and they believe that this system will reduce the number of enquiries regarding disaster information and assist the community with disaster preparedness. Further advising that they envision a weatherproof billboard which is lockable to prevent tampering with the keys being held by Sergeant Tantalo and Richard Brown to enable them to update the board regularly. The Halifax Local Ambulance Committee have agreed to meet the cost of the billboard and seeking Council's permission to use the site. (016/0016)

HALIFAX LOCAL AMBULANCE COMMITTEE, Halifax, 20th July, 2011, requesting Council to consider allowing an information board to be erected in the Halifax main street which would show information on impending events. The notice board would show flooding and cyclone information issued specific to the Lower Herbert area which would be physically manned (similar to the Ingham Fire Station) and there is no need for electrical requirements. Advising they believe that this would be a service to the public and a possible, central site would be opposite the Ambulance Station near the "Tree of Knowledge" site. (016/0016)

Resolved – That Council approve in principle the signage board subject to the Committee having discussions with the Engineering Department regarding suitability.
(*Crs. Bosworth and Molachino - Carried*)

Deputy Mayor, Cr. A.J. Lancini returned to the meeting and resumed the Chair.

8. OPERATIONAL ACTION 2.0 - ECONOMY

1. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Townsville, 29th July, 2011, seeking Council's views and / or requirements in relation to an application for Permanent Road Closure over part of Taylor Road adjoining Lots 21 and 22 on CAR124188 for the applicant to continue to use Lot 1 on RL451 as a road license.

Resolved - That Council advise the Department that it does not object to the existing temporary closure remaining in place; however it does see that at a later time this road area may be required for road and riparian rehabilitation purposes.
(*Crs. Kaurila and Gianotti - Carried*)

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 2.8.2.
(*Crs. Gianotti and Molachino – Carried unanimously*)

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

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

2. PROPOSED LAND ACQUISITIONS FOR JOHNSTONE STREET EXTENSION.
Consideration of Report to Council from Manager Engineering Services dated 8th August, 2011 seeking Council's direction in relation to the proposed land acquisitions for Johnstone Street extension.

Resolved – That Council make a final offer to Squiggles Pty. Ltd. and Pavone based on their provided unit rate (\$250 per square metre) applied to the area sought for a road opening on Johnstone Street.
(*Crs. Gianotti and Lynch - Carried*)

3. INGHAM WINGS & WHEELS AIR SHOW.

Consideration of Report to Council from Manager Engineering Services dated 8th August, 2011 seeking Council's endorsement of action taken in making preparations for the upcoming Wings & Wheels Air Show.

Resolved – That Council endorse the action taken in making preparations for the upcoming Wings & Wheels Air Show.

(Crs. Gianotti and Bosworth - Carried)

The meeting adjourned at 1.17 p.m. for lunch and resumed at 2.27 p.m.

Manager Engineering Services, B.E. Leach, Infrastructure Engineer, J. Devietti, Town Planning & Development Officer, B. Christie-Johnston and Mr. Simon Dwyer from KHA were also present when the meeting resumed.

Cr. L.R. Molachino declared a material personal interest in Item 2.9.1. and left the meeting and did not participate in the discussions or resolution thereon.

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 2.9.1. as it is a planning issue.

(Crs. Lynch 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. Lynch and Kaurila – Carried unanimously)

The meeting adjourned at 3.35 p.m. for Cr. L. Molachino to present Lachlan Currey and Lindsay Poppi with their 2011 BHP Billiton Cannington Mine North Queensland Sport Development Bursaries.

The meeting then resumed at 3.41 p.m.

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 2.9.1. as it is a planning issue.

(Crs. Kaurila and Lynch – Carried unanimously)

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

OPEN MEETING - Resolved that Council return to Open Meeting.

(Crs. Kaurila and Lynch – Carried unanimously)

9. OPERATIONAL ACTION 2.0 - ECONOMY

1. NORTH QUEENSLAND BIO ENERGY CORPORATION LIMITED (NOBE).

Consideration of Material Change of Use Application – Noxious Offensive or Hazardous Industry (Multi Functional Sugar Ethanol & Power Generation Plant) over Lot 1 on RP715124 and part of Lot 2 on RP727109 at Como Road and Corner of Como Road and Bruce Highway.

Further consideration was given to a Report from Town Planning & Development Officer dated 9th August, 2011 regarding the application.

Resolved – The Development Application for Material Change of Use – Noxious, Offensive or Hazardous Industry (Multi Functional Sugar Ethanol & Power Generation Plant) on land at Como Road and Corner of Como Road and Bruce Highway which is described as Lot 1 on RP715124 and part of Lot 2 on RP727109 for North Queensland Bio Energy Pty. Ltd. be granted a Preliminary Approval subject to the following conditions:-

PRELIMINARY APPROVAL FOR MATERIAL CHANGE OF USE: NOXIOUS, OFFENSIVE OR HAZARDOUS INDUSTRY (MULTI FUNCTIONAL SUGAR ETHANOL & POWER GENERATION PLANT)

- 1 At the time of application for a Development Permit for Material Change of Use required by this Preliminary Approval, all aspects of the proposed use must be included in one (1) application and be in accordance with Council requirements outlined in the conditions below.
- 2 Prior to the issue of a Development Permit, the applicant must submit for Council's consideration and approval a full set of amended plans; including:-
 - (a) Detailed Site Plan;
 - (b) Detailed Elevations;
 - (c) Detailed Sections.
- 3 Prior to the issue of a Development Permit, the applicant must submit for Council's consideration and approval a revised Visual Assessment that provides a detailed assessment of the development.
- 4 Prior to the issue of a Development Permit, the applicant must submit for Council's consideration and approval a revised Road Impact Assessment.

This document is to be based on the cane transportation network as per the Applicant's *Cardno Eppell Olsen's Report 967141, Drawing E.1 – Development Annual Heavy Vehicle Traffic (Thousands) and HSC Drawing NQBE28 – North Queensland Bio Energy Plan – NQBE Nominated Cane Transport Routes*. Any variations to this cane transportation network are to be supported by a revised Social Impact Assessment.

- (a) The revised Road Impact Assessment must identify and assess alternative transport routes to Hamleigh Road / Pomona Road.
 - (b) The applicant must justify the Hamleigh Road / Pomona Road transport route and the applicant's departure from the Road Impact Assessment transport route selection methodology.
- 5 Prior to the issue of a Development Permit, the applicant must submit for Council's consideration and approval a Road Use Management Plan. This Road Use Management Plan is to include measures aimed at reducing social impacts associated with the local road use component of the development.

The Road Use Management Plan is to be based on a cane transportation network as per the Applicant's *Cardno Eppell Olsen's Report 967141, Drawing E.1 – Development Annual Heavy Vehicle Traffic (Thousands) and HSC Drawing NQBE28 – North Queensland Bio Energy Plan – NQBE Nominated Cane Transport Routes* as agreed to by the applicant. Any variations to this transportation network are to be supported by detailed a revised Social Impact Assessment.

- 6 Prior to the issue of a Development Permit, the applicant must develop and submit for Council's consideration and approval, a Tipper Pad Management Policy, which addresses the following points as a minimum:-
 - (a) Turnouts onto the Hinchinbrook Shire road network from tipper pads are to be constructed to the minimum standard detailed in the Hinchinbrook Shire Council Standard Drawings A007 – *Typical Semi Trailer Rural Access Layout on Low Volume Roads*;
 - (b) Where cane transport or transportation is to occur past a residence on an unsealed road, and where that particular road is not otherwise warranted for upgrading to a sealed standard, the Applicant must install dust suppression to that section of the road in accordance with *Hinchinbrook Shire Council Standard Drawings R021 – Dust Suppression Treatment for Low Volume Rural Roads*;
 - (c) Tipper pads must be located a minimum distance of 150 metres from established residences so as to minimise dust and noise nuisance;

- (d) Tipper pads can be located in the Local Road network verge subject to Hinchinbrook Shire Council approval and conformance with Council's Policy for Cane Siding Locations;
- (e) The Applicant is responsible for maintaining the tipper pad and turnout. The section of access pad to roadside and turnout must be maintained in a safe and trafficable condition at all times;
- (f) The Applicant must remove cane waste that accumulates on and about the turnout and access so that vehicle safety is not compromised;
- (g) The applicant must submit for council consideration and approval a methodology for identifying and assessing social impacts that may arise from changing existing tipper pad locations;
- (h) The establishment of new tipper pads or removal of existing tipper pads must not occur without prior council approval; and
- (i) The layout of tipper pads illustrated in *Cardno Eppell Olsen* Report 967141, Drawing C1 - Pad Locations and tonnages, must not be altered without the prior approval of Council.

7 Prior to the issue of a Development Permit; the applicant must submit for Council's consideration and approval a revised Social Impact Assessment, including a revised Social Impact Management Plan.

- (a) The revised Social Impact Assessment must identify the social impacts of the transport routes alternative to Hamleigh Road / Pomona Road.
- (b) The applicant must identify the social impacts from the Hamleigh Road / Pomona Road transport route and the justification for the applicant's departure from the Road Impact Assessment transport route selection methodology.

8 Prior to the issue of a Development Permit, the applicant must submit for Council's consideration and approval a report that considers the impacts of the development on the ecological values and functioning of Trebonne Creek.

Buffer distance should be maximised in order to maintain existing biodiversity values, habitat connectivity and to minimise edge effects. Unless determined by a suitably qualified professional, a buffer width of 200 metres, accepted as a precautionary buffer width by the Department of Environment & Resource Management, is to be imposed which is likely to absorb impacts from external uses to the relevant wetland of high ecological significance.

9 Prior to the issue of a Development Permit, the applicant must submit for Council's consideration and approval a revised report that considers the impacts of the development on the future of the Ingham Landing Strip (e.g. by restricting the possibility of any future licensing of the airport).

Further Development Permits required under the *Sustainable Planning Act 2009* to carry out development where required under the provisions of the applicable planning scheme:-

1. Development Permit: Material Change of Use – Noxious, Offensive or Hazardous Industry (Multi Functional Sugar Ethanol & Power Generation Plant);
2. Operational Work; and
3. Building Work.

CONCURRENCE AGENCY CONDITIONS

- A. Department of Transport and Main Roads: as set out in DTMR's Concurrence Agency Response dated 1st July, 2011.

B. Department of Environment and Resource Management: as set out in DERM's
Notice dated 29th June, 2011.
(Crs. Lynch and Kaurila - Carried)

4. CONCLUSION – This concluded the business of the meeting which closed at 4.55 p.m.

5. APPROVED and adopted this 23rd day of August, 2011.

DEPUTY MAYOR