



MINUTES OF THE GENERAL MEETING
OF THE
HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS,
INGHAM ON
TUESDAY 6TH SEPTEMBER, 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 Chief Executive Officer (R.W. Clark), Manager Corporate & Economic Development (R.F. Pennisi), Finance Manager (C.J. Trost), Manager Engineering Services (B.E. Leach) and Executive Secretary (B.K. Edwards).

PRAYER

- The Mayor opened the meeting with prayer.

1. MINUTES

- Resolved that the Minutes of the General Meeting held on the 23rd August, 2011 be approved as a correct record of proceedings and be signed by the Deputy Mayor.
(Crs. Lancini and Kaurila – Carried – Cr. Bosworth recorded her vote against the motion)

Cr. Bosworth left the meeting at 9.55 a.m.

- Resolved that the Minutes of the Special Budget Meeting held on the 31st August, 2011 be approved as a correct record of proceedings and be signed by the Mayor.
(Crs. Gianotti and Molachino - Carried)

2. BUSINESS -

1. CEO REPORT OF COUNCILLOR REQUESTS

Consideration of CEO Report of Councillor Requests for the period 18th August, 2011 to 31st August, 2011.

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

2. REPORT ON INSTRUCTION SHEET ITEMS – NON-PROGRESSION

Consideration was given to a Report of those separately identified actions in the Instruction Sheets which have not progressed for some considerable time.

Resolved – That consideration be deferred to the next General Meeting pending receipt of Report.
(Crs. Kaurila and Molachino – Carried unanimously)

3. OPERATIONAL ACTION 1.0 - COMMUNITY

1. MARK SPINA, Ingham, 19th August, 2011, advising that a group of local individuals have been campaigning for the relocation of the Italian Remembrance Wall and Alpini Monument from the former international Club grounds. Builders and Engineers have recommended that relocating the Remembrance wall and Alpini Monument would be very risky and that it would be easier to replicate the Wall and Monument by rebuilding it. Quotes have been obtained for the rebuilding at an estimated cost of \$110,000. The Australian Italian Festival Association have pledged their support and will assist the group by being the Association where monetary transactions will be made to ensure transparency and accountability of funds during the project. A grant for memorial Restoration from the Queensland Government is available and closes on the 26th August, 2011 and the group has been informed that should money not be put on the table, then they have no chance of tapping into the grant which they would match dollar for dollar up to \$25,000. The group has sent numerous letters to various government bodies requesting full funding as well as an article in the Herbert River Express seeking donations from the public.

As the group has not asked Council for any donation toward the project offering Council to opportunity to consider placing a donation toward the project. The group acknowledges and appreciates that Council has already allocated a section of land in the Memorial Gardens and provided drawing plans for the proposed new monument. Other grants / funds they are eligible for are available and the group is currently organising an application for a grant that closes on the 30th November, 2011. Should the group be successful in receiving grants, they are still a long way short of the \$110,000 to rebuild the monument and in any case they aim to raise as much as they can and build whatever they can (with Council approval) with the funds raised / granted. (012/0002)

Resolved – That Council provide a letter of support for any funding applications and continue technical support for the rebuilding of the monument.
(Crs. Gianotti and Kaurila – Carried unanimously)

Cr. A.J. Lancini declared a conflict of interest in Item 2.3.2. 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.

2. HALIFAX LOCAL AMBULANCE COMMITTEE, Halifax, 23rd August, 2011, advising the Committee recently held their fundraising morning tea at the Halifax Community Hall and requesting Council to donate the cost of the hall hire to the Committee as they are a not-for-profit organisation whose sole purpose is to raise monies for upgrading and renewing equipment. (092/0171)

Resolved – That Council donate the sum of \$100 to the Halifax Local Ambulance Committee.
(Crs. Kaurila and Lynch – Carried unanimously)

Cr. A.J. Lancini returned to the meeting.

3. G. & N. CASANOVAS, Ingham, received 24th August, 2011, forwarding report on their Wedding Ceremony which was held in the TYTO restaurant overlooking the water and at the Conference Centre on the 25th June, 2011 as requested by Council. (092/0171)

Resolved – That Mr. and Mrs. Casanovas be thanked for their comprehensive Report.
(Crs. Kaurila and Molachino – Carried unanimously)

4. INGHAM ARMY RESERVE DEB BALL COMMITTEE
Consideration of Report to Council from Customer & Corporate Services Officer dated 1st September, 2011 regarding a complaint received from the Ingham Army Reserve Deb Ball Committee regarding a complaint concerning the gas stove in the Shire Hall during the Debutante Ball on the 30th July, 2011.

Resolved – That Council make restitution for lost time due to the unavailability of the Shire Hall gas cooker / stove in the form of a refund of the cost of the Shire Hall kitchen hire fee of \$112.
(Crs. Lancini and Kaurila – Carried unanimously)

5. LOWER HERBERT WATER MANAGEMENT AUTHORITY, Ingham, 24th August, 2011, advising the Authority is in receipt of Council's letter dated 16th August, 2011, however the Authority has already determined the applicable connection fee as relates to Council's contribution for urban run-off to utilise the extensive drainage network maintained by the Authority. Annual CPI of 3.6% has been applied taking the future from \$40,000 to \$41,400 for the 2011 / 2012 financial year. Forwarding invoice for this amount and advising that payment within 30 days would be appreciated. Further advising that the Authority cannot be classified as a sponsorship, grant or general contribution as costs continue to escalate and the Authority has always attempted to contain these. They believe the CPI increase applied is a modest increase. Although extensive discussions regarding the Webbe / Weller recommendations have been held, until such time as confirmation is forthcoming from the Queensland Government, the Authority will continue to operate within the parameters of the *Water Act 2000 and Water Safety and Reliability Act 2008*. (028/0007)

Resolved – That Council believes that its contribution does not constitute a levy but Council accepts that urban drainage does enter the Lower Herbert Water Management Authority's system and has budgeted the amount of \$36,000 in the 2011 / 2012 financial year.

Council also notes that the Herbert River Improvement Trust has undertaken expenditure in the Alligator Ponds drain which has not been carried out previously.
(Crs. Gianotti and Kaurila – Carried unanimously)

4. OPERATIONAL ACTION 2.0 - ECONOMY

1. LESTER FRANKS, Ingham, 10th August, 2011, on behalf of *J. Woods* seeking an extension of approval for two years until 29th October, 2011 (original approval date 29th October, 2009) for completion of the proposed reconfiguration (subdivision) of Lot 1 on RP735214, Parish of Cordelia at 2364 Hawkins Creek Road, Ingham. (066/0203)

Resolved – That an extension of time for two (2) years until the 29th October, 2013 in which to complete the proposed reconfiguration be granted and the applicant be advised that no further extensions will be granted.
(Crs. Gianotti and Molachino - Carried)

2. M.S. KLEMENT, Stone River, 22nd July, 2011, seeking approval of the proposed Material Change of Use – Impact Assessment – Dog Breeding Kennels over Lot 1 on RP746802 at 868 Stone River Road, Siding. Land is zoned *Rural*. (058/0329)

Further consideration was given to a Planning Assessment Report from Manager Corporate & Economic Development dated 31st August, 2011 and Engineering Planning Report from Manager Engineering Services dated 29th August, 2011 regarding the application.

Resolved – That the Development Application for Material Change of Use – Impact Assessment – Dog Breeding Kennels over Lot 1 on RP746802 be approved subject to the following conditions:-

- (a) The approved proposal is as per the applicants Proposal Report of 18th July 2011.
- (b) Prior to commencement of the Use, the applicant is to submit for Council's approval a car parking plan. The plan must provide dust free surfacing catering sufficient for access, parking and manoeuvring for 2 vehicles. The Use is not to commence until approved works have been completed.
- (c) Prior to commencement of the Use, the applicant is to submit for Council's approval a flood impact mitigation plan that effectively mitigates any risk to animal welfare during times of flooding
- (d) Prior to commencement of the Use, the applicant is to submit for Council's approval a landscaping plan aimed at softening the impact of the Use to neighbouring residences.
- (e) The kennel operation be carried out in accordance with relevant animal welfare codes of practice.

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

Cr. L.R. Molachino declared a conflict of interest in Item 2.4.3. as he is the Real Estate Agent for the development and left the meeting and did not participate in the discussions or resolution thereon.

3. WILSON/RYAN/GROSE LAWYERS, Townsville, 30th August, 2011, advising Council that North Queensland Bio-Energy has suspended their Appeal period.

Resolved - That Council receive and note the lodgement of a Suspension Notice by the applicant.
(Crs. Gianotti and Kaurila - Carried)

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

The Mayor congratulated Manager Environmental Health Services Tudor Tanase for receiving the President's Award for Outstanding Contribution to Environmental Health in North Queensland.

The Mayor also introduced new Council employees Mr. Daniel Hyden, Community Development Officer, and Ms. Rebecca Love, Sport & Recreation Officer.

The meeting adjourned at 10.30 a.m. for morning tea and resumed at 10.49 a.m.

4. REQUEST TO CHANGE EXISTING SITING RELAXATION APPROVAL - SIDE BOUNDARY SETBACK – MR. STEPHEN TURNER - 32 CARTWRIGHT STREET, INGHAM – LOT 100 ON RP703683.

Consideration of Report to Council from Infrastructure Engineer dated 1st September, 2011 regarding a request received from Mr. S. Turner to change an existing Siting Relaxation Approval for a proposed shed at 32 Cartwright Street, Ingham, previously approved by Council on the 15th July, 2011. The new proposal is in accordance with a revised plan submitted to Council indicating the proposed shed is to be sited behind the existing workshop and at the same side boundary setback as the original proposal (0.500m).

Resolved – That Council approve the requested change to existing siting relaxation application for Mr. Turner, on the grounds the proposed structure is unlikely to create any additional impact than the original proposal in regards to light, ventilation, amenity and privacy.
(Crs. Molachino and Lancini - Carried unanimously)

5. 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 Lancini – Carried unanimously)

2. HSC 11/48 – GEOTECHNICAL SERVICES.

Consideration of Report to Council from Manager Engineering Services dated 1st September, 2011 regarding tenders received for NDRRA restoration works HSC 11/48 – Geotechnical Services.

Resolved – That Council accept the tender of Soil Engineering Services for the amount of \$4,307,500 (excl. GST) for HSC 11/48 for Geotechnical Services, and in doing so, endorse the actions of the Manager Engineering Services in progressing this work.
(Crs. Gianotti and Kaurila – Carried unanimously)

3. HSC 11/49 – PAVEMENT PATCHING & GENERAL MAINTENANCE.

Consideration of Report to Council from Manager Engineering Services dated 1st September, 2011 regarding tenders received for NDRRA restoration works HSC 11/49 – Pavement Patching & General Maintenance.

Resolved – That Council accept the tender of Cheshire Contractors Pty. Ltd. for the amount of \$2,574,578.41 (excl. GST) for HSC 11/49 for NDRRA Pavement Patching & General Maintenance, and in doing so, endorse the actions of the Manager Engineering Services in progressing the works.
(Crs. Gianotti and Kaurila – Carried unanimously)

4. HSC 11/89 – ANNUAL SUPPLY AND / OR SUPPLY AND DELIVERY OF MANUFACTURED PREMIX.
Consideration of Report to Council from Works Engineer dated 1st September, 2011 regarding tenders received for HSC 11/89 – Annual Supply and / or Supply and Delivery of Manufactured Premix.

Resolved – That Council accept the offer from Boral Resources (Old) Pty. Ltd. for the amount of \$126,210 (excl. GST) for HSC 11/89 for the Annual Supply and / or Supply and Delivery of Manufactured Premix.

(Crs. Gianotti and Molachino – Carried unanimously)

5. HSC 11/90 – DE-NUTTING OF COCONUT PALMS.
Consideration of Report to Council from Works Engineer dated 1st September, 2011 regarding tenders received for HSC 11/90 – De-Nutting of Coconut Palms.

Resolved – That Council accept the offer from Annika Kraaz for the amount of \$23,760 for the De-Nutting of Coconuts Palms in the Hinchinbrook Shire.

(Crs. Lancini and Kaurila – Carried unanimously)

6. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. STRATEGIC MANAGEMENT TEAM (SMT) MEETING MINUTES.
Consideration was given to the Minutes of the SMT Meetings held on the 24th August, 2011.

Resolved – That the Minutes be received and noted.

(Crs. Lancini and Kaurila - Carried)

2. HINCHINBROOK SHIRE COUNCIL ORGANISATIONAL CHARTS.
Consideration of Hinchinbrook Shire Council Organisational Charts for adoption.

Resolved – That the Organisational Structure as presented be adopted by Council.

(Crs. Lancini and Kaurila – Carried unanimously)

MISCELLANEOUS CORRESPONDENCE

1. FRANK GRIFFIN, Allingham, 18th August, 2011, expressing his gratitude to the Mayor and Councillors for reversing the decision when it was thought that the coconut trees in front of their property at Allingham would not constitute any danger. They are so grateful to have the trees removed as they no longer have to worry every time there are strong winds. The workmen did a wonderful job and the front was left in pristine condition for which they are thankful. It is pleasing to know that Ratepayers do have a voice when dissatisfied with a Council decision. (039/0006)
2. QUEENSLAND MUSEUM – MUSEUM OF TROPICAL QUEENSLAND, Townsville, 23rd August, 2011, forwarding Report for the Museum of Tropical Queensland Community pass Program for the 2010 / 2011 financial year. Advising that the Museum is very pleased with the support received by the Hinchinbrook community in what has shown to be a very difficult year in North Queensland. Also forwarding a calendar of the Museums public programs proposed for 2011 / 2012 which also identifies the marketing and promotion mediums associated with each program and requesting Council to review this information and feel free to offer any other opportunities that could help promote the Community Pass to local residents. Also advising that the Director would be very pleased to visit Council to present their achievements to date as well as discuss any future opportunities regarding the Community Pass program or the Museum. (044/0044)
3. ANDREW CRIPPS MP, MEMBER FOR HINCHINBROOK, Ingham, 26th August, 2011, advising that following receipt of a copy of Council's submission to the *Draft National Standard for Construction of Buildings in Flood Hazard Areas in Queensland*, he made presentations on Council's behalf regarding this issue to Hon. Paul Lucas MP, Deputy Premier and Attorney-General, Minister for Local Government and Special Minister for State. Further advising that he will forward to Council a copy of the Minister's response when is in receipt of same. (061/0001)

Resolved – That the list of correspondence be received and noted.

That Council invite the Queensland Museum – Museum of Tropical Queensland to a future Deputation Day to discuss future opportunities regarding the Community Pass program and the Museum.

(Crs. Lancini and Kaurila – Carried unanimously)

7. COUNCILLOR ACTIVITY REPORT

Consideration of Councillor Activity Reports as at the 31st August, 2011 to ensure transparency and public scrutiny of Councillor workload.

Resolved – That the Report be received and noted.

(Crs. Molachino and Lancini – Carried unanimously)

8. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. OPERATIONAL WORKS: FILLING OF LAND AT 15 ACACIA STREET, ALLINGHAM – LOTS 405 AND 416 on A7741 FOR MJM CONSTRUCTIONS.

Consideration of Report to Council from Manager Engineering Services dated 5th September, 2011 regarding revised proposal received for Operational Works: Filling of Land at 15 Acacia Street, Ingham – Lots 405 and 416 on A7741 for MJM Constructions.

Resolved - That Council approve the revised Operational Works: Filling of Land proposal involving the following changes to the original proposal:-

- Fill level is decreased to the level of the Acacia Street dune. Therefore, maximum height of the fill would be around 900mm. This translates to about a 900mm reduction in fill height.
- The house footprint has been moved back towards Acacia Street, a distance of about 6m.
- The fill footprint has been decreased so as to move batter toes away from side boundaries and away from the Acacia Street frontage. The front section of the house is to be constructed on posts rather than built on fill. This move significantly reduces the fill footprint and is sufficient to address the drainage concerns Council had previously expressed.

(Crs. Kaurila and Lancini – Carried unanimously)

2. REQUEST TO EXTEND MAINTAINED LENGTH OF MESSMATE ROAD, STONE RIVER.

Consideration of Report to Council from Manager Engineering Services dated 5th September, 2011 regarding request received from Mr. Lex Exelby to increase the maintained length of Messmate Road, Stone River and install a small RCP in a gully at around chainage 850m.

Resolved – That Council extend the maintained length of Messmate Road to Ch 1000m.

That a written agreement with the landowners be reached for use of the private road in the event of Messmate Road being untrafficable.

That Council negotiate an acceptable outcome between the Main Roads Department and the Qld Reconstruction Authority with respect to the intersection of Exelby's Road and Stone River Road. This may require a consideration by Council for betterment options.

(Crs. Lynch and Gianotti – Carried unanimously)

3. HSC 11/28 – TERMITE TREATMENT OF TIMBER BRIDGES.

Consideration of Report to Council from Works Engineer dated 1st September, 2011 regarding offers received for HSC 11/28 – Termite Treatment of Timber Bridges.

Resolved – That Council endorse the Works Engineer's decision to accept P.O.D.'s Pest Control Pty. Ltd. offer price of \$5,957 for HSC/28 – Termite Treatment of Timber Bridges.

(Crs. Kaurila and Molachino – Carried)

4. HSC 11/51 – NATURAL DISASTER RELIEF & RECOVERY ARRANGEMENTS (NDRRA) REPAIRS TO KIRKWOOD'S ROAD.

Consideration of Report to Council from Manager Engineering Services dated 5th September, 2011 regarding offers received for HSC 11/51 – NDRRA Repairs to Kirkwood's Road.

Resolved – That Council accept the tender of Keita Services for the amount of \$169,860.05 (excl. GST) for HSC 11/51 - Repairs to Kirkwood's Road.
(Crs. Kaurila and Gianotti – Carried unanimously)

5. HSC 11/56 – NATURAL DISASTER RELIEF & RECOVERY ARRANGEMENTS (NDRRA) ROAD DRAIN CLEARING WORKS.

Consideration of Report to Council from Manager Engineering Services dated 5th September, 2011 regarding offers received for HSC 11/56 – NDRRA Road Drain Clearing Works.

Resolved – That Council accept the tender of Timrith Transport in the amount of \$423,210 (excl. GST) for HSC 11/56 - Road Drain Clearing Works.
(Crs. Molachino and Lynch – Carried unanimously)

Manager Environmental Health Services left the meeting at 11.47 a.m.

6. HSC 11/57 – NATURAL DISASTER RELIEF & RECOVERY ARRANGEMENTS (NDRRA) CULVERT AND DRAIN SYSTEM CLEARING WORKS.

Consideration of Report to Council from Manager Engineering Services dated 5th September, 2011 regarding offers received for HSC 11/57 – NDRRA Culvert and Drain System Clearing Works.

Resolved – That Council accept the tender of Complete Environmental Solutions for the amount of \$261,359 (excl. GST) for HSC 11/57 – Culvert and Drain System Clearing Works.
(Crs. Gianotti and Lancini – Carried unanimously)

9. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. REVIEW & CONSEQUENT ADOPTION OF NEW LOCAL LAWS AS A RESULT OF LOCAL LAW REVIEW CONDUCTED AS A COLLABORATIVE APPROACH INVOLVING TOWNSVILLE CITY, CHARTERS TOWERS REGIONAL, BURDEKIN AND HINCHINBROOK SHIRE COUNCILS.

Consideration of Report to Council from Environmental Health Technical Officer dated 31st August, 2011 seeking Council's adoption of Subordinate Local Law No. 1.17 (Reservation of Bathing Reserve for Training, Competition etc.) 2011.

Resolved – That each identified anti-competitive provision as provided has been addressed.
(Crs. Lancini and Kaurila – Carried unanimously)

3. CONCLUSION – This concluded the business of the meeting which closed at 11.54 a.m.

4. APPROVED and adopted this 20th day of September, 2011.

MAYOR