



**HINCHINBROOK  
SHIRE COUNCIL**

MINUTES OF THE GENERAL MEETING  
OF THE  
HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS,  
INGHAM ON  
TUESDAY 11<sup>TH</sup> OCTOBER, 2011  
AT 9.55 A.M.

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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), Finance Manager (C.J. Trost), Manager Environmental Health Services (T. Tanase), Manager Engineering Services (B.E. Leach), Manager Corporate & Economic Development (R.F. Pennisi) 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 20<sup>th</sup> September, 2011 be approved as a correct record of proceedings and be signed by the Mayor.  
(Crs. Lancini and Molachino – Carried)

2. BUSINESS -

1. CEO REPORT OF COUNCILLOR REQUESTS

Consideration of CEO Report of Councillor Requests for the period 15<sup>th</sup> September, 2011 to 5<sup>th</sup> October, 2011.

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

2. OPERATIONAL ACTION 1.0 - COMMUNITY

1. SAM TORRISI, Ingham, 23<sup>rd</sup> September, 2011, informing Council of his intention to resign from his position as the Community Representative of the North Queensland Sports Foundation. Thanking Council for providing him the opportunity to continue on the Foundation for an extended period since the 2008 Local Government Election. He has served on the Foundation for 12 years and did so with the Shire's interest at heart. Suggesting that as Council has recently employed a Sport and Recreation Officer, perhaps Council could consider sending this Officer to the North Queensland Sports Foundation meetings, along with Council's representative, Cr. Lawrence Molachino to gain a strong network of contacts with the board members. Further advising that he intends to retire from him position as Vice Chairman of the Sports Foundation which has held for several years with pride.

Resolved – That Council accept Mr. Torrissi's resignation with regret and thank him for his contribution to the Sports Foundation.  
(Crs. Molachino and Kaurila – Carried)

That Council appoint the new Sport and Recreation Officer, Ms. Rebecca Love to the position that has been vacated by Mr. Torrisi as community representative.  
(Crs. Molachino and Lynch – Carried – Cr. Bosworth recorded her vote against the motion)

3. OPERATIONAL ACTION 2.0 - ECONOMY

1. INGHAM AIRPORT – RENEWAL OF LEASE TO INGHAM AERO CLUB OVER PART OF RESERVE FOR PUBLIC PURPOSE - LANDING GROUND IN LOT 118 on PLAN CWL3455 – R.411 - LEASE A (AREA OF 743.3M<sup>2</sup>).

Consideration of Report to Council from Customer and Corporate Services Officer dated 22<sup>nd</sup> September, 2011, seeking Council's direction in relation to renewing the lease to Ingham Aero Club over part of Reserve for Public Purpose - Landing Ground R411 in Lot 118 on Plan CWL3455 (Lease A) and further seeking confirmation of lease rental amount and public liability insurance.

Resolved – That Council renew the lease to Ingham Aero Club over part of Reserve for Public Purpose - Landing Ground R411 in Lot 118 on Plan CWL3455 (Lease A – 743.3m<sup>2</sup>) for a twenty (20) year term in the sum of \$222.99 per annum plus GST (30c per m<sup>2</sup>) with a minimum of public liability insurance of \$20,000,000 and a rent review to occur every five (5) years.

(Crs. Lancini and Molachino – Carried)

*The meeting adjourned at 10.10 a.m. for morning tea and resumed at 10.40 a.m.*

*Council's Acting Infrastructure Engineer, C. Gray and Town Planning & Development Officer, B. Christie-Johnston were present when the meeting resumed.*

*Council met and welcomed Mr. Mike Webster, Council's new Community Development Officer. Mr. Webster left the meeting.*

*Cr. L.R. Molachino declared a Material Personal Interest in Item 2.3.2. as he is the Real Estate Agent for the development and left the meeting and did not participate in the discussions or resolution thereon.*

2. WILSON RYAN GROSE LAWYERS, Townsville, 3<sup>rd</sup> October, 2011, in reference to Sucrogen (Herbert) Pty. Ltd. –v- Hinchinbrook Shire Council & North Queensland Bio-Energy Corporation Limited – Planning & Environment Court Appeal No. 3728/11, advising they act for North Queensland Bio-Energy Corporation Limited and forwarding copy of their client's Entry of Appearance filed on the 28<sup>th</sup> September, 2011. (058/0321)

*Works Engineer, D. Di Prima entered the meeting.*

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

WILSON RYAN GROSE LAWYERS, Townsville, 6<sup>th</sup> October, 2011, in reference to North Queensland Bio-Energy Corporation Limited –v- Hinchinbrook Shire Council – Planning and Environment Court Appeal, enclosing Notice of Appeal by way of service. (058/0321)

Resolved – That Council file an Entry of Appearance in response to the Notice of Appeal.  
(Crs. Lancini and Kaurila – Carried)

*Town Planning & Development Officer, B. Christie-Johnston left the meeting.*

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

*Cr. D.M. Bosworth was excused from the meeting to attend a funeral.*

3. SITING RELAXATION APPLICATION – 11 VASS STREET, LUCINDA.

Consideration of Report to Council from Infrastructure Engineer dated 3<sup>rd</sup> October, 2011 in relation to a Siting Relaxation Application lodged by Roati Family Trust for a proposed renovation to an existing dwelling at 11 Vass Street, Lucinda (Lot 1 on RP718315) consisting of the construction of a deck (3.8m x 7.25m) approximately 267mm from the Vass Street front boundary facing the ocean (northern boundary) and 492mm to 3.824m from the Vass Street front boundary (eastern boundary).

Resolved – That Council approve the Siting Relaxation Application submitted by Roati Family Trust for a proposed renovation to an existing dwelling at 11 Vass Street, Lucinda (Lot 1 on RP718315), 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. Gianotti and Lancini – Carried)

4. LESTER FRANKS, Ingham, 16<sup>th</sup> August, 2011, on behalf of *Mr. M. Patane, Mr. R. Robino and Ms. J. Harpin* seeking approval of the proposed Reconfiguration of Land and Rearrangement of Boundaries to create a wider access to Lot 1 at 84 Mizzi's Road, Braemeadows between Lots 1 and 3 on SP234192. Land is zoned *Rural*. (066/0226)

Further consideration was given to an Engineering Planning Report from Infrastructure Engineer dated 3<sup>rd</sup> October, 2011 regarding the application.

Resolved – That the Development Application of Lester Franks for and on behalf of Mr. M. Patane, Mr. R. Robino and Ms. J. Harpin for *Reconfiguring a Lot* at Mizzi's Road, Braemeadows between Lots 1 and 3 on SP234192 be approved subject to the following conditions:-

- (a) The development being as per the proposal plan [Drawing No T00429-PO1] submitted with the Development Application;
- (b) The applicant constructing property accesses to all lots to Council's Standard (or demonstrating that a suitable construction exists); and
- (c) The applicant demonstrating that all utility services to the two (2) lots are separate and wholly contained within the particular lot being served.  
(Crs. Lancini and Kaurila – Carried)

#### 4. 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)

*Works Engineer, D. Di Prima left the meeting.*

##### 2. POSSIBLE TIME EXTENSION FOR NDRRA RESTORATION WORKS.

Consideration of Report to Council from Manager Engineering Services dated 6<sup>th</sup> October, 2011, seeking Council's direction in relation to the Queensland Reconstruction Authority's advice of the 13<sup>th</sup> September, 2011 that the Federal Government has the ability to extend the time period for the Tropical Cyclone Yasi restoration works, for a further three years and that the Authority will consider extending Council's time period, upon receipt of supporting documentation i.e. a case outlining why Council is seeking the extension and a cost benefit of the time extension.

Resolved – That Council advise the Queensland Reconstruction Authority that it is presently on track to complete its NDRRA program prior to end of June 2013, however should unfavourable circumstances intervene, it may find it necessary to put a case for an extension through to the end of the 2013 dry season.  
(Crs. Gianotti and Lancini – Carried)

##### 3. PERMISSION TO AUTHORISE NDRRA CONTRACTS.

Consideration of Report to Council from Manager Engineering Services dated 6<sup>th</sup> October, 2011, requesting Council to authorise the Manager Engineering Services to award NDRRA works contract tenders which are not of a sensitive or extraordinary nature during the upcoming Christmas period when Council does not meet to avoid slowing the restoration program.

Resolved – That Council authorise the Chief Executive Officer to award tenders on its behalf during the Christmas break. This authorisation would only apply to tenders that were not of a sensitive or extraordinary nature.  
(Crs. Gianotti and Kaurila – Carried)

4. PUBLIC MEETING – MOUNT FOX.

Consideration of Report to Council from Manager Engineering Services dated 6<sup>th</sup> October, 2011, seeking Council's direction in relation to establishing an appropriate day and time to hold the second annual meeting with the Mount Fox residents as a means of allowing them to have their concerns heard and dealt with in October, 2011.

Resolved – That Council look to hold the next Public Meeting at Mount Fox on Thursday, 27<sup>th</sup> October, 2011 at 8.30 a.m.

*(Crs. Kaurila and Lancini – Carried)*

5. ANNUAL ROAD CLOSURES FOR LOCAL EVENTS.

Consideration of Report to Council from Manager Technical Services dated 6<sup>th</sup> October, 2011, requesting Council to authorise the Manager Engineering Services to process future road closure requests for Ingham Events.

Resolved – That Council approve future road closures for Ingham Events and authorise Manager Engineering Services to process future road closure requests based on generally maintaining the latest approved Traffic Management Plans.

Where an event organiser proposes a significant change to an existing Traffic Management Plan, this would be referred back to Council for its consideration.

*(Crs. Gianotti and Lancini – Carried)*

6. HSC ANNUAL WORKS PROGRAM.

Consideration of Report to Council from Manager Engineering Services dated 6<sup>th</sup> October, 2011, seeking Council's direction in relation to amending the 2011 / 2012 Annual Works Program to accommodate the 2011 / 2012 TIDS allocations in regard to a budgeted shortfall.

Resolved – That Council reallocate funds within the budgeted 2011 / 2012 Annual Works Program to accommodate additional TIDS funding.

*(Crs. Gianotti and Lynch – Carried)*

7. REVIEW OF ROAD REGISTER – MOUNT FOX ROAD NETWORK.

Consideration of Report to Council from Manager Engineering Services dated 6<sup>th</sup> October, 2011, seeking Council's direction in relation to adding sections of Grant's Road, Bloodwood Road, and Milky Pine Road at Mount Fox to Council's Road Register.

Resolved – That Council add the following sections of roads to its Road Register:-

- Grants Road - maintained section Ch.00 (Oak Hills Road) to 628m;
- Bloodwood Road - maintained section Ch.00 (Oak Hills Road) to 1200m; and
- Milky Pine Road - maintained section Ch.00 (Mt Fox Road) to 548m.

*(Crs. Gianotti and Lancini – Carried)*

8. HSC 11/53 – NDRRA REPAIRS TO LYONS, KNOX, GORDON HARVEY & TARAKAN ROADS.

Consideration of Report to Council from Manager Engineering Services dated 6<sup>th</sup> October, 2011, regarding tenders received for NDRRA restoration works HSC 11/53 – Repairs to Lyons, Knox, Gordon Harvey and Tarakan Roads.

Resolved – That Council accept the tender of Cheshire Contractors for the amount of \$480,218.99 (excluding GST) for HSC 11/53 NDRRA Repairs to Lyons, Knox, Gordon Harvey and Tarakan Roads.

*(Crs. Kaurila and Gianotti – Carried)*

9. HSC 11/67 – NDRRA RESTORATION WORKS – PAVEMENT RECONSTRUCTION OF VARIOUS ROADS.

Consideration of Report to Council from Manager Engineering Services dated 6<sup>th</sup> October, 2011, regarding tenders received for NDRRA restoration works HSC 11/567– Pavement Reconstruction of Various Roads.

Resolved – That Council award HSC 11/67 Pavement Reconstruction of Various Roads on a "split basis" to both RMS Engineering in the amount of \$1,752,806.20 (excluding GST) and McIlwain Civil \$1,803,126.10 (excluding GST).

*(Crs. Gianotti and Kaurila – Carried)*

Cr. G. Giandomenico declared a Material Personal Interest in Item 2.4.10. as he is a quarry owner and left the meeting and did not participate in the discussions or resolution thereon. Deputy Mayor, Cr. A.J. Lancini assumed the Chair.

10. HSC 11/66 – SUPPLY OF NATURAL GRAVEL.

Consideration of Report to Council from Manager Engineering Services regarding tenders received for HSC 11/66 - Supply of Natural Gravel.

Resolved – That Council accept the offer of Wild Boar Pit for HSC 11/66 Supply of Natural Gravel Material.

That Council monitor progress of the remaining offerers towards obtaining full approval status with a view to accepting their offers at a later stage.

(Crs. Gianotti and Lynch – Carried)

Cr. G. Giandomenico returned to the meeting and resumed the Chair.

11. TECHNICAL REPORT ON THE STRUCTURAL INTEGRITY AND CONDITION OF YANKS JETTY.

Consideration of Report to Council from Manager Engineering Services dated 6<sup>th</sup> October, 2011 regarding the structural integrity and condition of Yanks Jetty.

Manager Technical Services, G. Weston entered the meeting.

Resolved – That Council investigate the carrying out of holding works for Yanks Jetty and implement preliminary processes to construct the gangway, including costings.

(Crs. Kaurila and Lancini – Carried)

12. HINCHINBROOK MARINE COVE. Lucinda, 13<sup>th</sup> September, 2011, seeking Council's approval for the renewal of permit for golf buggy at Hinchinbrook Marine Cove, Denney Street, Lucinda, as well as a request for a second golf buggy to be used within the existing "Permitted Area of Travel".

Resolved – That Council advise that it has no objection or requirements to the second golf buggy travelling on the carriageway, however the applicant is required to apply for a Route Specific Permit from the Police as the appropriate authority, as the route involves travelling on a carriageway.

(Crs. Kaurila and Lancini – Carried)

Cr. P.D. Lynch declared a Conflict of Interest in Item 2.4.13. and left the meeting and did not participate in the discussions or resolution thereon.

13. TREBONNE ACTION GROUP, Ingham, 9<sup>th</sup> 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)

Further consideration was also given to a Report to Council from Manager Technical Services dated 21<sup>st</sup> September, 2011 regarding an impact assessment undertaken to determine the issues related to agreeing to the Trebonne Action Group's request to mow Leo Park, Trebonne.

Cr. D.M. Bosworth returned to the meeting.

Resolved – That Council enter into an agreement for a trial period of one (1) year with the Trebonne Action Group.

The Trebonne Action Group to produce a Safety Management Plan which includes Work Method Statements associated with the type of work being undertaken and provide necessary Public Liability Insurance Cover to undertake the works and indemnify Council from liability through actions of the Group.

(Crs. Kaurila and Lancini – Carried)

Cr. P.D. Lynch returned to the meeting.

Manager Technical Services, G. Weston left the meeting.

14. THEO VAN DER VELDEN, Mt. Fox, 19<sup>th</sup> September, 2011, advising Council that he carried out work following Cyclone Yasi to clean up the remains of the cyclone debris at the Mt. Fox Waste Transfer Facility following Mams' removal of the bulk of the waste and to ensure that the site was safe for residents to use (i.e. rusted metals, fencing discards, fibre sheetings, nails etc). Also requesting Council to consider supplying a battery to the Mt. Fox Brigade for their tanker truck as the current battery after all attempts to prolong its life have found that it is indeed beyond redemption. As they are a small brigade and have been quite active in recent times, seeking Council's assistance in supplying a reliable battery to make the truck reliable as summer is fast approaching. Further advising that he is asking as a local resident of Mt. Fox and not as a member of the Mt. Fox Fire Brigade as the truck is not owned by the Queensland Fire Services as it is "too old". The truck was kindly donated by past resident Mr. Bernie Barra to the community for fire safety use at a time when they were without any appliance to fight fires. (120/0022)

Resolved – That Council express appreciation to Mr. Van Der Velden for his work.  
(Crs. Lancini and Molachino – Carried)

15. DEPARTMENT OF EMPLOYMENT, ECONOMIC DEVELOPMENT & INNOVATION, Brisbane, 14<sup>th</sup> September, 2011, advising that the Treasurer and Minister for State Development and Trade has approved maximum funding of \$3,104,080 for the following projects:-

Project Location	Maximum Funding	Approved
Fluoridation of the Forrest Beach Water Treatment Plant (WTP)	\$514,602	
Fluoridation of the Halifax WTP	\$559,016	
Fluoridation of the Ingham Depot WTP	\$742,320	
Fluoridation of the Ingham Pumping Station WTP	\$712,618	
Fluoridation of the Macknade WTP	\$575,524	
TOTAL	\$3,104,080	

Also advising that Council's proposed method of taking "batches" of fluoride saturated water to other treatment plants by road is not favoured by the Queensland Health Fluoridation Technical Committee and determined that Council needs to critically analyse and mitigate all risks associated with this approach and compare these risks to adopting "traditional" methods of mixing and dosing fluoride with the final solution to comply with the provisions of the Code, at the time of dosing.

Further advising that Council also included the cost of items which are not considered to be eligible for funding under the Queensland Fluoridation Capital Assistance Program (QFCAP) and consequently funding has been approved based on the cost of constructing "traditional" fluoride dosing plants, where the fluoride chemical is prepared and injected on site, utilizing reasonable construction techniques. Council is not precluded from adopting Council's proposed solution of fluoride dosing, however it needs to identify and address the associated risks as part of its risk assessment. Additional costs associated with the proposed solution are to be born by Council, if such costs exceed the maximum funding approved by the Treasurer and costs of ineligible works will not be funded by QFCAP. (046/0023)

Further consideration was given to a Report to Council from Water & Sewerage Manager dated 5<sup>th</sup> October, 2011 providing an update of Council's Fluoridation process.

Resolved – That the matter lay on the table.  
(Crs. Lynch and Gianotti – Carried)

5. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. THE HON. JAMES SPIGELMAN AC QC, Canberra, 22<sup>nd</sup> September, 2011, advising that the 21<sup>st</sup> June, 2011 the Australian Government announced the establishment of an independent Expert Panel on Constitutional Recognition of Local Government following the Government's earlier commitment to hold a referendum on constitutional recognition of local government during the current Parliament or at the next election. Seeking Council's views on recognising local government in the Australian Constitution and inviting Council to make a written submission. A Discussion Paper has been prepared by the Expert Panel to promote debate and highlight a number of principal issues and considerations and forwarding copy of the Discussion Paper. Submissions close on the 4<sup>th</sup> November, 2011. Also forwarding a media release announcing the Expert Panel's call for submission together with some materials Council wish to tailor for use in support of the Expert Panel's consultation process. (007/0003)

Resolved – That consideration be deferred to the General Meeting on the 8<sup>th</sup> November, 2011 pending receipt of further information.  
(Crs. Lancini and Kaurila – Carried)

2. HON. PAUL LUCAS MP, ATTORNEY-GENERAL, MINISTER FOR LOCAL GOVERNMENT & SPECIAL MINISTER OF STATE, Brisbane, 16<sup>th</sup> September, 2011, advising that the *Local Government Electoral Act 2011* (LGEA) was passed by Parliament on the 25<sup>th</sup> August, 2011 and has now received Royal Assent. The LGEA provides the framework for Local Government elections to be conducted with transparency and integrity to meet community expectations, containing many aspects of the original Local Government electoral legislation. A key feature of the LGEA is transferring responsibility for the conduct and administration of all Local Government elections, including quadrennial elections, by-elections and fresh elections to the Electoral Commission of Queensland, creating an independent, central point of coordination and administration for Local Government electoral arrangements. A copy of the legislation and explanatory notes is available online at [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au). Also advising that recent amendments made to the *Local Government Act 2009* and the *City of Brisbane Act 2010* to clarify Councillor conflict of interest obligations and processes.

The amendments also clarify the jurisdiction of the Brisbane City Council Councillor conduct review panel, the regional conduct review panels and the Local Government Remuneration and Discipline Tribunal to dismiss complaints about Councillors that are lacking in substance or are misconceived. Councillors are still required to record their interests and gifts received in a register of interests that is publicly available. However, the amendments have removed the requirement for other Councillors present at a meeting to decide if the Councillor in question has a conflict of interest. This means that Councillors are now responsible for managing their own potential conflicts of interest in the public interest and in a way that is transparent and accountable. Also, under the amendments, failure to declare a conflict of interest or to adequately manage a conflict of interest by a Councillor will now be dealt with through misconduct avenues. The amendments also mean that a Councillor appointed by the Council to a community group will no longer have a deemed conflict of interest simply because of that appointment. (001/0001)

Resolved – That the advice be received and noted and the Chief Executive Officer provide Council with more information regarding the conflict of interest changes.  
(Crs. Kaurila and Lancini – Carried)

3. ELECTORAL COMMISSION QUEENSLAND, Brisbane, 23<sup>rd</sup> September, 2011, providing Council with an indicative cost for the March, 2012 quadrennial elections and foreshadowing other costs that may be incurred relating to the services to be provided by ECQ during the next financial year.

The ECQ has been advised that the cost of conducting Local Government elections should be apportioned on the following basis:-

Quadrennial Election Cost

- All direct costs attributable to each Council to be charged accordingly. These costs will include venue hire, polling booth staff, printing of ballot papers, scanning of certified lists, (where applicable) office accommodation for returning officers and travel; and

- All indirect (that is, centrally incurred) costs to be apportioned across Councils on a per elector basis. These costs include the call centre, advertising, and information technology costs. The number of electors in each Council as at the Close of Rolls for the quadrennial elections (31<sup>st</sup> January, 2012) will be used for this purpose.

Based on the above prescribed formula, the total cost estimate for the March, 2012 quadrennial election for Hinchinbrook Shire Council is estimated to be \$84,830 which is the best estimate available based on the most up-to-date information, with the final costs to be determined after the election. Final amounts will be confirmed as soon as practicable after the elections.

#### By-elections

In the event that a by-election is required to be undertaken, Council will be invoiced for the direct costs incurred.

#### Local Government Elections Branch (LGEB) – cost of establishment

A small permanent unit within ECQ is required to both plan the quadrennial elections and coordinate by-elections that occur on a regular basis. The cost of maintaining this unit will be \$1.28 million annually, indexed for future years in accordance with movements in the CPI. Actual costs will be used to allocate this charge across all Councils.

The estimated charge for the Hinchinbrook Shire Council is \$19,478 for the 2011/2012 financial year.

An additional one-off charge of \$9,739 will apply to the 2011/2012 financial year as a contribution to the set-up costs of the unit.

ECQ anticipates that the first invoice for payment (covering the next quadrennial elections and the first year of operation of the LGEB) will be issued in June, 2012. Future invoices for the annual costs of the LGEB will also be issued in June each financial year, with any by-election charges levied as soon as practicable after results are declared. (004/0018)

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

#### 4. NORTH QUEENSLAND ECONOMIC DEVELOPMENT CONFERENCE.

Consideration of Council attendance at the fifth North Queensland Economic Development Conference – *Models for Regional Success* to be held at Jupiters Townsville on Thursday 27<sup>th</sup> October, 2011.

Further consideration was given to information dated 11<sup>th</sup> October, 2011 advising that the conference has been cancelled.

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

#### MISCELLANEOUS CORRESPONDENCE

1. LINDSAY POPPI, Allingham, 18<sup>th</sup> August, 2011, thanking Council for nominating him for the BHP Billiton Cannington Mine bursary. The money he was awarded will be put towards his training expenses and future competitions. Advising that he is continuing to train hard, for representative selection of school sport in the coming weeks and if successful, he hopes to be selected to represent North Queensland and to be selected for the National team.
2. SURF LIFE SAVING QUEENSLAND, South Brisbane, 31<sup>st</sup> August, 2011, forwarding 2010 / 2011 Annual Report and advising the of new SLSQ Board of Directors for 2011 / 2012. (079/0013)
3. OFFICE OF THE DIRECTOR-GENERAL, Brisbane, 12<sup>th</sup> September, 2011, notifying Council of the release of the revised Transport Infrastructure Development Scheme (TIDS) policy which reaffirms the Department of Transport and Main Roads' commitment to not only fund local transport infrastructure, but to continue to work in partnership with local government through the Roads Alliance, to deliver maximum value from this investment. Changes to the policy include further simplification of funding categories, increased funding authority for Regional Road Groups and the establishment of minimum expenditure targets. (011/0023)



4. OFFICE OF THE PREMIER, Brisbane, 15<sup>th</sup> September, 2011, thanking Council for its letter dated 17<sup>th</sup> August, 2011 concerning a request for an extension to the cut off date for the Special Disaster Assistance available to primary producers as a result of Cyclone Yasi and informing Council that the Premier has extended the deadline for flood and cyclone assistance for eligible primary producers, small businesses and not-for-profit organizations until the 31<sup>st</sup> January, 2012. The extension includes assistance available in Categories C and D under the Natural Disaster Relief and Recovery Assistance Scheme grant, and to the date that successful applicants under the hardship provisions are required to have the work completed. (120/0022)
5. FORESTRY PLANTATIONS QUEENSLAND PTY. LTD., South Brisbane, 15<sup>th</sup> September, 2011, advising that FPQ is committed to sustainable forest management that balances commercial plantation timber production with a range of complementary forest uses. These include fire management and protection, non-timber production such as grazing and bee-keeping, conservation and public recreation. In support of this commitment, FPQ operations are currently certified against the internationally recognized Australian Forestry Standard and they will seek Forest Stewardship Council certification later this year. Forwarding copy of the recently released *Forest Stewardship Plan*. (079/0152)
6. TOWNSVILLE ENTERPRISE LIMITED, Townsville, 15<sup>th</sup> September, 2011, thanking Council for renewing this membership with Townsville Enterprise and forwarding 2011/ 2012 bronze membership certificate. (079/0033)
7. OFFICE OF THE HON. SENATOR JAN McLUCAS, Cairns, 20<sup>th</sup> September, 2011, advising that public consultation has begun for the 2011/2012 Regional Telecommunications Review with public meetings scheduled for Townsville and Mount Isa later in the year. The Regional Telecommunications Independent Review Committee will examine telecommunications services in regional, rural and remote parts of the country. The Committee will report back to the Government with its findings by 5<sup>th</sup> March, 2012 and encouraging all individuals, businesses and organizations to attend the regional meetings and have their say on telecommunication issues. (040/00190)
8. AUDITOR-GENERAL OF QUEENSLAND – QUEENSLAND AUDIT OFFICE, received 4<sup>th</sup> October, 2011, forwarding Report to Parliament No. 8 for 2011 – Follow up of four audits completed in 2008 and 2009. (006/0002)
9. CANEGROWERS HERBERT RIVER, Ingham, 4<sup>th</sup> October, 2011, forwarding copy of their submission to the Department of Environment & Resource Management regarding Strategic Cropping Land Draft State Planning Policy. (056/0002)

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. INGHAM SHOWGROUNDS MANAGEMENT ADVISORY COMMITTEE.  
Consideration of minutes of the Ingham Showgrounds Management Advisory Committee Meeting held on the 28<sup>th</sup> September, 2011.

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

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

1. INGHAM SQUASH RACQUETS ASSOCIATION.  
\$200 (excl. GST) provided to Ingham Squash Racquets Associations to host Q Squash Northern Region Qualifier on 22<sup>nd</sup> and 23<sup>rd</sup> October, 2011 which fulfils Council's Support for Events Policy guidelines.

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

6. COUNCILLOR ACTIVITY REPORT

Consideration of Councillor Activity Reports as at the 5<sup>th</sup> October, 2011 to ensure transparency and public scrutiny of Councillor workload.

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

7. OPERATIONAL ACTION 2.0 - ECONOMY

1. JASON CARUSO, Ingham, 27<sup>th</sup> July, 2011, seeking approval of the proposed Reconfiguring a Lot – Rearrangement of Boundaries to increase buffer zone over Lots 1 and 36 on SP221816 at Bullock Paddock Road, Macknade. Land is zoned *Rural*. (067/0089)

Further consideration was given to an Engineering Planning Report dated 10<sup>th</sup> October, 2011 from Manager Engineering Services regarding the application.

Resolved – That the Development Application of Jason Caruso for *Reconfiguring a Lot* – Rearrangement of Boundaries over Lots 1 and 36 on SP221816 be approved subject to the following conditions:-

- (a) The applicant to install property accesses in accordance with Council's standards to both lots, or demonstrate that such is already in existence.
- (b) All utility services to the two lots to be separate and wholly contained on the lot being served.

(Crs. Lancini and Kaurila – Carried)

8. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. TAYLORS BEACH ROCKWALL.

Consideration of Report to Council from Manager Engineering Services dated 6<sup>th</sup> October, 2011 advising that the John Dory Street rockwall has been reconstructed after it was extensively damaged in Tropical Cyclone Yasi in February, 2011. As a result, many of the unauthorised private access structures have had to be removed and cannot be reinstated under NDRRA, and therefore residents have requested provision of through access above the high tide level. Seeking Council's consideration of this request.

Resolved – That consideration be deferred to a future General Meeting pending an inspection of the area on Council's Deputation Day on Thursday 20<sup>th</sup> October, 2011.  
(Crs. Lancini and Bosworth – Carried)

*The meeting adjourned at 12.50 p.m. for lunch and resumed at 2.10 p.m.*

*Acting Infrastructure Engineer, C. Gray and Water & Sewerage Manager, P. Martin were in attendance when the meeting resumed.*

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 2.9.1. as it is "Commercial in Confidence" and relates to Council's budget.

(Crs. Lynch 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. Lynch and Lancini – Carried)

9. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. DEPARTMENT OF EMPLOYMENT, ECONOMIC DEVELOPMENT & INNOVATION, Brisbane, 14<sup>th</sup> September, 2011, advising that the Treasurer and Minister for State Development and Trade has approved maximum funding of \$3,104,080 for the following projects:-

Project Location	Maximum Approved Funding
Fluoridation of the Forrest Beach Water Treatment Plant (WTP)	\$514,602
Fluoridation of the Halifax WTP	\$559,016
Fluoridation of the Ingham Depot WTP	\$742,320
Fluoridation of the Ingham Pumping Station WTP	\$712,618
Fluoridation of the Macknade WTP	\$575,524
TOTAL	\$3,104,080

Also advising that Council's proposed method of taking "batches" of fluoride saturated water to other treatment plants by road is not favoured by the Queensland Health Fluoridation Technical Committee and determined that Council needs to critically analyse and mitigate all risks associated with this approach and compare these risks to adopting "traditional" methods of mixing and dosing fluoride with the final solution to comply with the provisions of the Code, at the time of dosing.

Further advising that Council also included the cost of items which are not considered to be eligible for funding under the Queensland Fluoridation Capital Assistance Program (QFCAP) and consequently funding has been approved based on the cost of constructing "traditional" fluoride dosing plants, where the fluoride chemical is prepared and injected on site, utilizing reasonable construction techniques. Council is not precluded from adopting Council's proposed solution of fluoride dosing, however it needs to identify and address the associated risks as part of its risk assessment. Additional costs associated with the proposed solution are to be born by Council, if such costs exceed the maximum funding approved by the Treasurer and costs of ineligible works will not be funded by QFCAP. (046/0023)

Further consideration was given to a Report to Council from Water & Sewerage Manager dated 5<sup>th</sup> October, 2011 providing an update of Council's Fluoridation process.

Resolved – That consideration be deferred to a future General Meeting pending the Mayor having discussions with the Minister for Energy and Water Utilities, The Hon. Stephen Robertson regarding the quantum of funding and criteria limiting the individual project costs.

That Council continue to engage with the consultants to finalise the design and documentation for Option 2 of the Water & Sewerage Manager's Report dated 5<sup>th</sup> October, 2011.

*(Crs. Kaurila and Lancini – Carried)*

*Water & Sewerage Manager, P. Martin and Acting Infrastructure Engineer, C. Gray left the meeting.*

*Rates Supervisor, S. Oswald entered the meeting.*

CLOSED MEETING – That pursuant to Chapter 5 Part 2 Division 3 Section 72 (1) (d) of the *Local Government (Operations) Regulation 2010*, Council resolve to go into Closed Meeting to discuss Item 2.10.1. as it is a rating issue.

*(Crs. Molachino and Kaurila – Carried)*

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

OPEN MEETING - Resolved that Council return to Open Meeting.

*(Crs. Molachino and Kaurila – Carried)*

#### 10. OPERATIONAL ACTION 4.0 - GOVERNANCE

##### 1. SALE OF LAND FOR OVERDUE RATES.

Consideration of Report to Council from Rates Supervisor dated 10<sup>th</sup> October, 2011 advising Council that under Section 74 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*, Notices of Intention to Sell Land for Overdue Rates were issued in April, 2011 to ten properties in the Shire, with seven of the ten properties having paid out their arrears and seeking Council's consideration of a reserve price for the remaining three properties as follows:-

ASSESSMENT NO.	AMOUNT OWING
103931	\$16,217.62
106141	\$198.29
103577	\$1,546.16

Resolved – That Council set the reserve as per Option B as contained in Rates Supervisor's Report dated 10<sup>th</sup> October, 2011.  
(Crs. Gianotti and Kaurila – Carried)

Cr. G. Giandomenico declared a Conflict of Interest in Item 2.11.1. as he is a quarry owner and left the meeting and did not participate in the discussions or resolution thereon. Deputy Mayor, Cr. A.J. Lancini assumed the Chair.

Cr. D.M. Bosworth declared a Material Personal Interest in Item 2.11.1. as she is the owner of the quarry and left the meeting and did not participate in the discussions or resolution thereon.

Rates Supervisor, S. Oswald left the meeting.

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 2.11.1. as it is "Commercial in Confidence" and relates to Council's budget.  
(Crs. Gianotti and Kaurila – 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 Kaurila – Carried)

#### 11. OPERATIONAL ACTION 2.0 - ECONOMY

1. PLANNING & ENVIRONMENT COURT (TOWNSVILLE): APPEAL 148 OF 2011 - BOSWORTH VS HINCHINBROOK SHIRE COUNCIL & DEPARTMENT TRANSPORT & MAIN ROADS (DTMR).  
Consideration of Report to Council from Town Planning & Development Officer dated 11<sup>th</sup> October, 2011 in relation to the Court Order for Appeal for Development Application for Material Change of Use: Quarry 5,000 tonnes to 100,000 tonnes on Lot 1 on RP736915 and part of Lot 2 on RP899128. (058/0266)

Resolved – That Council endorse the amended Decision Notice issued on Friday 7<sup>th</sup> October, 2011.

That Council advise the applicant that its resolution of the 22<sup>nd</sup> March, 2011 remains unchanged.  
(Crs. Gianotti and Lynch – Carried)

Cr. G. Giandomenico returned to the meeting and resumed the Chair.

Cr. D.M. Bosworth returned to the meeting.

3. CONCLUSION – This concluded the business of the meeting which closed at 3.30 p.m.

4. APPROVED and adopted this 25<sup>th</sup> day of October, 2011.

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MAYOR