



**HINCHINBROOK
SHIRE COUNCIL**

MINUTES OF THE GENERAL MEETING
OF THE
HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS,
INGHAM ON
TUESDAY 25TH OCTOBER, 2011
AT 9.49 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 Environmental Health Services (T. Tanase) and Executive Secretary (C.A. Fulton).

PRAYER - The Mayor opened the meeting with prayer.

1. MINUTES - Resolved that the Minutes of the General Meeting held on the 11th October, 2011 be approved as a correct record of proceedings and be signed by the Mayor.
(Crs. Kaurila and Lancini – Carried)

2. PETITION -

MONA BOAT RAMP PETITION.

A petition calling on Council not to resume land for boat ramp parking at Mona Landing was presented to Council by Cr. Bosworth who read the covering letter addressed to CEO to the meeting.

Resolved - That Council accept, receive and note the petition and the matter be considered at a future Council meeting.

(Cr. Kaurila and Cr. Molachino – Carried)

3. BUSINESS -

1. CEO REPORT OF COUNCILLOR REQUESTS

Consideration of CEO Report of Councillor Requests for the period 6th October, 2011 to 19th October, 2011.

Resolved – That the Report be received and noted.

(Crs. Lynch and Kaurila – Carried)

2. WORKS REPORT

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

Resolved – That the Works Report lay on the table.

(Crs. Kaurila and Lancini – Carried)

3. FINANCIALS

Consideration was given to a report of financial activities as at the 21st October, 2011.

Resolved - That the Report lay on the table.
(Crs. Kaurila and Lancini – Carried)

4. QUARTERLY OPERATIONAL PLAN REPORT AND INSTRUCTION SHEETS

Consideration was given to the Quarterly Report of activities and progress towards achieving the strategies of all operational functions of Council for the quarter ending September, 2011 and monthly Instruction Sheets during the month of September, 2011.

Resolved – That the Report lay on the table.
(Crs. Kaurila and Lancini– Carried)

5. OPERATIONAL ACTION 2.0 - ECONOMY

1. SITING RELAXATION APPLICATION – 12 CHESTNUT STREET, ALLINGHAM.

Consideration of Report to Council from Infrastructure Engineer dated 14th October, 2011 in relation to a Siting Relaxation Application lodged by Mr. Stanley Braes for a proposed shed and awning to be constructed on vacant land at 12 Chestnut Street, Allingham (Lot 15 on SP179180) 0.5m from the rear boundary and 0.5m from the side boundary adjacent to 14 Chestnut Street, Allingham.

Resolved – That Council approve the Siting Relaxation Application submitted by Mr. Stanley Braes for a proposed shed at 12 Chestnut Street, Allingham (Lot 15 on SP179180) on the grounds that the proposed structure is unlikely to impact on light, ventilation, outlook and views of neighbouring and adjoining residents with the following condition:-

(a) The structure is to be built of a maintenance free material, such as unpainted or untreated masonry or prefinished steel sheeting.

(Crs. Lancini and Molachino – Carried)

2. SITING RELAXATION APPLICATION – 2 ABBOTT STREET, INGHAM.

Consideration of Report to Council from Infrastructure Engineer dated 14th October, 2011 in relation to a Siting Relaxation Application lodged by Ecobuild Qld on behalf of R. De Bandi for a proposed shed and awning to be constructed, replacing an existing shed, at 2 Abbott Street, Ingham (Lot 59 on I2247) 1m from the front boundary of Cooper Street.

Resolved – The matter lay on the table.
(Crs. Kaurila and Lancini – Carried)

The meeting adjourned for morning tea at 10.00 a.m. and resumed at 10.25 a.m.

Council's Works Engineer, D. Di Prima and Finance Manager, C. Trost were present when the meeting resumed.

Council's Manager Environmental Health Services, T. Tanase left the meeting.

6. WORKS REPORT

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

Council's Manager Engineering Services, B. Leach and Manager Corporate and Economic Development, R. Pennisi and Acting Infrastructure Engineer, C. Gray entered the meeting.

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

Council's Works Engineer, D. Di Prima left the meeting.

7. FINANCIALS

Consideration was given to a report of financial activities as at the 21st October, 2011.

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

8. QUARTERLY OPERATIONAL PLAN REPORT AND INSTRUCTION SHEETS

Consideration was given to the Quarterly Report of activities and progress towards achieving the strategies of all operational functions of Council for the quarter ending September, 2011 and monthly Instruction Sheets during the month of September, 2011.

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

9. OPERATIONAL ACTION 2.0 - ECONOMY

1. SITING RELAXATION APPLICATION – 10 MELALEUCA CLOSE, ALLINGHAM.

Consideration of Report to Council from Infrastructure Engineer dated 14th October, 2011 in relation to a Siting Relaxation Application lodged by Mr. Larry Barnes for a proposed open carport at 10 Melaleuca Close, Allingham (Lot 33 on SP219071) 0.2m from the side boundary setback adjacent to 8 Malaleuca Close, Allingham.

Resolved – That Council approve the Siting Relaxation Application submitted by Mr. Larry Barnes for a proposed open carport at 10 Melaleuca Close, Allingham (Lot 33 on SP219071) on the grounds that the proposed structure is unlikely to impact on light, ventilation, outlook and views of neighbouring and adjoining residents.
(Crs. Kaurila and Bosworth – Carried)

2. ROSS A. BUONACCORSO, Ingham, 25th September, 2011, seeking approval of the proposed Material Change of Use – Code Assessment – Rural Siting Relaxation over Lot 3 on RP709351 at Bemerside Road, Bemerside. Land is zoned *Rural*. (058/0332)

Further consideration was given to an Engineering Planning Report dated 14th October, 2011 from Infrastructure Engineer regarding the application

Resolved – That the Development Application for a Material Change of Use: Rural Siting Relaxation as lodged by Mr. R. Buonaccorso for Material Change of Use – Rural Siting Relaxation over Lot 3 on RP709351 be approved subject to the following conditions:-

- (a) The structure is to be built in accordance with Site Plan and Rolcon Pty. Ltd. plans submitted with the Development Application; and
- (b) The appropriate building permits are obtained prior to construction.

(Crs. Molachino and Kaurila – Carried)

3. LESTER FRANKS, Ingham, 31st August 2011, on behalf of *Alf Girgenti* seeking an extension of approval for two years until 3rd November, 2013 for completion of the proposed reconfiguration (rearrangement of boundaries) between 1 on RP727874 and lot 2 on RP715816. (066/0204)

Further consideration was given to a Report to Council from Town Planning & Development Officer dated 19th October, 2011 regarding the request for extension of the relevant period.

Resolved – That an extension of time for two (2) years until 3rd November, 2013 in which to complete the proposed development be granted and the applicant be advised that no further extensions will be granted.
(Crs. Bosworth and Kaurila – Carried)

4. SITING RELAXATION APPLICATION – 2 ABBOTT STREET, INGHAM.

Consideration of Report to Council from Infrastructure Engineer dated 14th October, 2011 in relation to a Siting Relaxation Application lodged by Ecobuild Qld on behalf of R. De Bandi for a proposed shed and awning to be constructed, replacing an existing shed, at 2 Abbott Street, Ingham (Lot 59 on I2247) 1m from the front boundary of Cooper Street.

Resolved – That Council approve the Siting Relaxation Application submitted by Ecobuild QLD for a proposed shed and awning at 2 Abbott Street, Ingham (Lot 59 on I2247) on the grounds that the proposed structure is replacing an existing cyclone damaged building.
(Crs. Lynch and Molachino – Carried)

Council's Town Planning and Development Officer, B. Christie-Johnston entered the meeting.

5. TEMPORARY STATE PLANNING POLICY 2/11: PLANNING FOR STRONGER, MORE RESILIENT FLOODPLAINS

Consideration of Report to Council from Town Planning Development Officer dated 20th October, 2011, summarising the *Temporary State Planning Policy (TSPP) 2/11: Planning for Stronger, more Resilient Floodplains* and advising that Queensland Reconstruction Authority officers will be travelling to Ingham to meet with Council representatives on Wednesday 2nd November 2011 to discuss the TSPP. (056/0001)

Resolved – That Council receive and note the information and meet with Queensland Reconstruction Authority representatives on 2nd November, 2011.
(Crs. Lancini and Kaurila – Carried)

Council's Town Planning and Development Officer, B. Christie-Johnston left the meeting.

10. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. PEST SURVEY PLAN.

Consideration of a Pest Survey Plan Program to be conducted for the whole of the Hinchinbrook Local Government area to survey and map areas for the control of Pond Apple, Hymenachne, Giant Sensitive Plant, Mikania Vine, Siam Weed and Acacia curassavica to comply with the Land Protection (Pest and Stock Route Management) Act 2002.

Resolved – In accordance with the *Land Protection (Pest and Stock Route Management) Act 2002*, Council authorises a Pest Survey Program to be conducted for the whole of the Hinchinbrook Local Government area, valid for a period of three months starting on the 30th September 2011. The purpose of the program is to survey and map areas for the control of Pond Apple, Hymenachne, Giant Sensitive Plant, Mikania Vine, Siam Weed and Acacia curassavica.

(Crs. Lynch and Kaurila – Carried)

2. CYCLONE YASI NDRRA RECOVERY PHASE.

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

Resolved – That no report was tabled as the Project Leadership Team will meet next week.
(Crs. Lancini and Gianotti – Carried)

3. C. & M. ADAMS, Abergowrie, 21st September, 2011, requesting Council to upgrade Turtle Street, Abergowrie to all weather gravel road as it currently has sugar cane growing in the street and the paddock beside has been lasered and water runs off the paddock into what should be the street, as well as flooding part of their yard. During the wet season they are unable to access their land as at times the water is 3 foot deep in places and they have purchased a canoe to get access to their land, and have to leave their vehicle in Wombat Street. (016/0001)

Resolved – That the matter lay on the table.
(Crs. Kaurila and Molachino – Carried)

4. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Townsville, 14th September, 2011 seeking Council's views and / or requirements in relation to an application received from V. & M.M. Vitale to surrender their road license (purpose of sugar cane growing) over Lot 2 on AP13584 at Ripple Creek. Advising that as the area is under extensive agriculture (namely trees planted as part of Forrest Department, CRRP project in 1993), the road will remain closed after surrender (i.e. Department will not gazette the area as "open road"). (076/0043)

Resolved – That Council advise that it has no objection to the application by V. & M.M. Vitale to surrender Road License over Lot 2 on AP13584 nor has any requirements.
(Crs. Molachino and Kaurila – Carried)

5. DRAFT ORPHEUS ISLAND NATIONAL PARK MANAGEMENT PLAN.

Consideration of advice from Department of Environment and Resource Management (DERM) that the Orpheus Island National Park Management Plan (August 2000) is currently being reviewed and will be replaced with a new plan. Inviting submissions on the draft management plan by Monday 7th November, 2011. (039/0007)

Further consideration was given to a Report to Council from Chief Executive Officer dated 20th October, 2011 regarding the Draft Plan.

Resolved – That Council endorse the Chief Executive Officer's comments and forward our response accordingly.
(Crs. Kaurila and Lancini – Carried)

6. DRAFT HINCHINBROOK AREA ISLAND AND MARINE PARK MANAGEMENT PLAN.

Consideration of advice from Department of Environment and Resource Management (DERM) received on the 10th August, 2011 advising that the Draft Hinchinbrook Area Island and Marine Park Management Plan is currently being reviewed and will be replaced with a new plan. Inviting submissions on the draft management plan by Monday 7th November, 2011. (039/0007)

Further consideration was given to a Report to Council from Chief Executive Officer dated 19th October, 2011 regarding the Draft Plan.

Resolved – That Council endorse the Chief Executive Officer's comments and forward our response accordingly.
(Crs. Kaurila and Bosworth – Carried)

7. C. & M. ADAMS, Abergowrie, 21st September, 2011, requesting Council to upgrade Turtle Street, Abergowrie to all weather gravel road as it currently has sugar cane growing in the street and the paddock beside has been lasered and water runs off the paddock into what should be the street, as well as flooding part of their yard. During the wet season they are unable to access their land as at times the water is 3 foot deep in places and they have purchased a canoe to get access to their land, and have to leave their vehicle in Wombat Street. (016/0001)

Resolved – That Council advise that its records show all blocks in Turtle Street as being vacant, therefore in accordance with its Road Register Policy, it is unable to consider requests for provision of street construction.
(Crs. Kaurila and Molachino – Carried)

8. 131940 – QUEENSLAND GOVERNMENT TRAFFIC AND TRAVEL INFORMATION PARTNERSHIP.

Consideration of a report to Council from Infrastructure Engineer dated 19th October, 2011 regarding a request by the Department of Transport and Main Roads to become involved as a partner in the 131940 traffic and travel information to record and publish road closures due to wet weather and flooding information.

Resolved – That Council approve the establishment of the partnership between Department of Transport & Main Roads for Hinchinbrook Shire Council to be a direct user of the 131940 Traffic and Travel Information to record and publish road closures due to wet weather and flooding information.
(Crs. Bosworth and Molachino – Carried)

Cr. Bosworth left the meeting.

9. POMONA ROAD.

Consideration of Report to Council from Manager Engineering Services dated 19th October, 2011 regarding recent NDRRA restoration works carried out on Pomona Road and a subsequent inspection and meeting at Pomona Road on the 12th and 14th October, 2011.

Resolved – That Council recognizes the problem and it will be available for consideration in a future Forward Works Program.
(Crs. Gianotti and Lancini – Carried)

Cr. Bosworth returned to the meeting.

11. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. INDEPENDENT EXPERT PANEL ON CONSTITUTIONAL RECOGNITION OF LOCAL GOVERNMENT. Consideration of Report to Council from Chief Executive Officer dated 20th October, 2011 regarding the Australian Government's establishment of an independent Expert Panel on Constitutional Recognition of Local Government and inviting public submissions which close on the 4th November, 2011.

Resolved – That Council advise that they choose the following options:-

Option 2 for financial recognition is considered very important because the High Court has questioned the constitutional validity of the Federal Government providing funding direct to Councils e.g. Roads to Recovery.

Option 3 for democratic recognition is about ensuring that at a national level there is a guarantee that local Councils must be elected. Currently that is determined by each State via a normal act of Parliament.

With Option 2 as a priority.
(*Crs. Molachino and Lynch – Carried*)

MISCELLANEOUS CORRESPONDENCE

1. TOWNSVILLE ENTERPRISE, Townsville, undated, enclosing their 2010/2011 Annual Report. (600/0208)
2. INGHAM MEALS ON WHEELS, Ingham, thanking Council for the annual donation which assists with the financial running of the service enabling provision of affordable meals to community members who require them to continue. (012/0002)
3. LOCAL GOVERNMENT GRANTS COMMISSION, Brisbane, 28th September, 2011, advising that the Queensland Local Government Grants Commission has finalised its 2011/2012 Financial Assistance Grant allocation and is progressing the 2012/2013 grant determination process and that the General Purpose Grant component of the Financial Assistance Grant for 2011/2012 was based on the new methodology as an outcome from the review undertaken arising from the 2007 Local Government Reform Commission Report. The Commission has released an Information Paper on its website ([www.qlggc.qld.gov.au](http://www qlggc qld.gov.au)) that details decisions made in reviewing the previous methodology. (011/0018)
4. HINCHINBROOK CHAMBER OF COMMERCE, INDUSTRY AND TOURISM INC., Ingham, 7th October, 2011, thanking Council for approving budget allocation to assist the Chamber with its administration role to Hinchinbrook's business community. (079/0130)
5. JACKSON WYLES, Ingham, 6th October, 2011, enclosing a certificate of thanks for Council's support along with DVD's of his games played during the Under 12 Rugby League National Championships 2011. (600/0185)
6. NORTH QUEENSLAND SPORTS FOUNDATION. Enclosing a copy of their 2010/2011 Annual Report. (079/0025)
7. LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND. Forwarding 2011 Policy Executive Report to Annual Conference. (007/0003)
8. ETHNIC COMMUNITY CARE LINKS INC., Townsville, 12th October, 2011, forwarding the 2010 / 2011 Annual Report and thanking Council for its continued support to their organisation. (054/0001)

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

MINUTES OF ORGANISATIONS / COMMITTEES ON WHICH COUNCIL IS REPRESENTED

1. NORTH QUEENSLAND SPORTS FOUNDATION.

Consideration of Minutes of the North Queensland Sports Foundation Operations Sub-Committee Meeting held on 9th September, 2011.

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

12. MAYORAL MINUTE

Consideration of courses of action open to Council to review the rating category changes in light of objections received from properties which were previously rated in the cane composite category and are now rated in the cane category.

Resolved – That Council seek the views of the Department of Local Government and Planning in relation to the granting of rating concessions under provisions of the Local Government Act.
(Cr. Lynch and Kaurila – Carried Unanimously)

4. CONCLUSION – This concluded the business of the meeting which closed at 12.35 p.m.

5. APPROVED and adopted this 8th day of November, 2011.

MAYOR