



MINUTES OF THE GENERAL MEETING OF THE HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS,
INGHAM ON
TUESDAY 8TH NOVEMBER, 2011
AT 9.35 A.M.

ATTENDANCE

- Present were Councillors A.J. Lancini, G.P. Gianotti, 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), Manager Environmental Health Services (T. Tanase), Manager Engineering Services (B.E. Leach), Finance Manager (C.J. Trost) 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.

Cr. L.R. Molachino was not present when the meeting commenced.

PRAYER

- The Acting Mayor opened the meeting with prayer.

1. MINUTES

- Resolved that the Minutes of the General Meeting held on the 25th October, 2011 be approved as a correct record of proceedings and be signed by the Mayor.
(Crs. Kaurila and Lynch – Carried)

2. BUSINESS -

1. CEO REPORT OF COUNCILLOR REQUESTS

Consideration of CEO Report of Councillor Requests for the period 6th October, 2011 to 2nd November, 2011.

Resolved – That the matter be placed on a future agenda.
(Crs. Bosworth - Lost)

Resolved – That the Report be received and noted.
(Crs. Gianotti and Kaurila – Carried – Cr. Bosworth recorded her vote against the motion)

2. OPERATIONAL ACTION 1.0 - COMMUNITY

1. CRYSTAL CREEK COMMUNITY SPORTS & RECREATION ASSOCIATION INC., Ingham, undated, requesting Council to continue its ongoing funding to cover the costs of the Association's annual insurance in conjunction with Townsville City Council

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

Finance Manager, C.J. Trost entered the meeting.

Resolved – That Council provide a donation to the Crystal Creek Community Sports & Recreation Association Inc. in the sum of \$689.47 (excl. GST) being approximately 50% of their rates and insurance.

(Crs. Kaurila and Lynch – withdrawn)

Resolved – That Council review its concession policy at the next General Meeting to give the Crystal Creek Community Sports & Recreation Association a 100% concession on their General Rate in line with Council's concessions to other similar organisations.

(Crs. Kaurila and Bosworth – Carried)

2. ROUND 1 – 2011 / 2012 RADF APPLICATIONS.

Consideration of Report to Council from Arts & Cultural Officer / RADF Liaison Officer dated 2nd November, 2011 advising Council that the Association received seven applications for Round 1 funding for 2011 / 2012. The Committee met on the 12th October, 2011 and agreed to fund six of the projects totalling \$34,830.00 which is available in RADF funds for this financial year and seeking approval from Council for these funds to be distributed.

Resolved – That Council endorse the Committee's recommendation for Round 1 - 2011 / 2012 RADF applications totalling \$34,830.

(Crs. Lynch and Kaurila – Carried)

3. QUEENSLAND BLUE LIGHT ASSOCIATION INC. [QBLAI] – LOWER HERBERT BRANCH, Halifax, 28th October, 2011, advising that the first "Blue Light Disco" to be conducted by the QBLAI, Lower Herbert Branch will be held at the Lower Herbert Community Hall on 26th November, 2011 between 6.00pm and 9.00pm and seeking financial assistance towards the event, perhaps towards fees associated with hire of hall.

Resolved – That Council provide financial assistance in the sum of \$100 (excl. GST) to the Association to be paid from the Support for Events budget.

(Crs. Bosworth and Kaurila – Carried unanimously)

4. PUBLIC MEETING WITH MT FOX RESIDENTS.

Consideration of a Report to Council from Manager Engineering Services dated 1st November, 2011 in relation to a Public Meeting with Mt Fox residents held on Thursday 27th October, 2011.

Manager Engineering Services, B.E. Leach entered the meeting.

Resolved – That the Report be received and noted.

(Crs. Kaurila and Gianotti – Carried)

The meeting adjourned at 10.15 a.m. for morning tea and resumed at 10.35 a.m.

Council's Town Planning & Development Officer explained to Council the Minister's recent decision to "call-in" the North Queensland Bio-Energy application.

Town Planning & Development Officer left the meeting.

3. OPERATIONAL ACTION 2.0 - ECONOMY

1. SITING RELAXATION APPLICATION – 71 BEATTS ROAD, ALLINGHAM.

Consideration of Report to Council from Acting Infrastructure Engineer dated 28th October, 2011 in relation to a Siting Relaxation Application lodged by Michael Wallace to construct a new residence on a corner lot currently occupied by a shed and associated septic disposal area at 71 Beatts Road, Allingham (Lot 7 on RP743081).

Resolved – That Council approve the Siting Relaxation Application submitted by Mr. Michael Wallace for a proposed new residence at 71 Beatts Road, Lot 7 on RP7743081 on the grounds that the proposed structure is unlikely to impact on the outlook and views of neighbouring residents.

2. SITING RELAXATION APPLICATION – 24 WATTLE STREET, ALLINGHAM.

Consideration of Report to Council from Acting Infrastructure Engineer dated 25th October, 2011 in relation to a Siting Relaxation Application lodged by Michael and Irene Hodgson to extend the existing residence by adding a stand alone bedroom / study linked to existing structure by covered breezeway and deck at 24 Wattle Street, Allingham (Lot 1 on RP725655).

Resolved – That Council approve the Siting Relaxation Application submitted by Mr. Michael and Irene Hodgson for a proposed residential extension at 24 Wattle Street, Allingham (Lot 1 on RP725655) on the grounds that the proposed structure is unlikely to impact on the outlook and views of neighbouring residents or create a safety issue.

That all of the resolutions contained in Operational Action 2.0 – Economy Items 2.3.1. to 2.3.2. – be approved.

(Gianotti and Kaurila – Carried)

3. SITING RELAXATION APPLICATION – 14 GORT STREET, INGHAM.

Consideration of Report to Council from Acting Infrastructure Engineer dated 3rd November, 2011 in relation to a Siting Relaxation Application lodged by David Giliberto to erect a storage shed at the rear of his property at 14 Gort Street, Ingham described as Lot 17 on RP714275.

Resolved – That the matter lay on the table.

(Gianotti and Kaurila – Carried)

4. RENEWAL OF LEASE OVER RESERVE FOR LOCAL GOVERNMENT (ANIMAL REFUGE) R.824.

Consideration of Report to Council from Customer & Corporate Services Officer and Environmental Health Technical Officer dated 31st October, 2011 regarding renewal and registration of lease and ongoing services and viability of the Herbert River Society for Prevention of Cruelty to Animals (HRSPCA) located on Reserve for Local Government (Animal Refuge) R.8224 Lot 69 on CWL3088.

Manager Environmental Health Services, T. Tanase re-entered the meeting.

Resolved – That Council not register the lease documents and Council take action to make safe the buildings on the site with a view that the buildings be demolished as soon as funds are available.

(Crs. Kaurila and Bosworth – Carried)

That the plaque be removed and stored at the Herbert River Museum and Gallery.

(Crs. Lynch and Kaurila – Carried)

Manager Environmental Health Services, T. Tanase and Manager Corporate & Economic Development, R.F. Pennisi left the meeting.

5. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Townsville, 21st October, 2011, in relation to an application for Renewal of Special Lease 24/46554 received for Lot 69 on CWL2839 (A.A. & D.J. Larsen), Reserve for Stock Trucking, seeking confirmation that Reserve 6606 is still required for the purpose of Stock Trucking.

Resolved – That Council has no interest in, nor any requirements for the proposed dealing.

(Crs. Bosworth and Kaurila – Carried)

6. TREVOR R. KYLE, Allingham, 24th May, 2011, seeking approval of the proposed Material Change of Use – Code Assessment – Residential Dwelling to Home Occupation – Frozen Food Storage over Lot 1 on RP736494 at 35 Beatts Road, Allingham. Land is zoned *Residential*.

Further consideration was given to an Engineering Planning Report from Acting Infrastructure Engineer dated 2nd November, 2011 regarding the application.

Further consideration was given to a Planning Assessment Report to Council from Town Planning and Development Officer dated 3rd November, 2011 regarding the proposed Material Change of Use application.

Resolved – That Council approve the Development Application of Trevor Kyle, for a proposed *Material Change of Use- Residential Dwelling to Home Occupation: Frozen Food Storage* at 35 Beatts Road Allingham (Lot 1 on RP736494) subject to the following conditions:-

- (a) That there is no significant change in the scale or intensity of the development without further town planning approval;
 - (b) That there is no change to operating infrastructure (i.e. change in freezer size or a shed extension) without further town planning approval;
 - (c) Commercial operations are restricted to daylight hours; and
 - (d) Council is notified if the home occupation ceases for any reason.
- (Crs. Bosworth and Kaurila – Carried)*

7. ALAN G. LYNN, Ingham, 11th October, 2011, seeking approval of the proposed *Material Change of Use – Code Assessment – Grazing to Intensive Agriculture* over Lot 8 on SP160667 at Sach's Lane, Victoria Estate. Land is zoned *Rural*.

Further consideration was given to an Engineering Planning Report from Acting Infrastructure Engineer dated 2nd November, 2011 regarding the proposed *Material Change of Use* application.

Further consideration was given to a Planning Assessment Report to Council from Town Planning and Development Officer dated 3rd November, 2011 regarding the proposed *Material Change of Use* application.

Resolved – That Council approve the Development Application of Alan Geoffrey Lynn for a proposed *Material Change of Use* to convert an allotment from Grazing Land to Intensive Agriculture at Sachs Lane Victoria Estate (Lot 8 on SP160667) subject to the following conditions:-

- (a) That no significant cut, fill or new drainage operations are carried out which will impact on the drainage patterns in the area and on adjacent properties.
 - (b) That no concentrations of overland flow that impact on the Sachs Lane drainage infrastructure are exacerbated as a result of the development.
 - (c) That development work is carried out at a time of year when rainfall is unlikely and sedimentation of adjacent streams and drainage paths is minimised.
- (Crs. Kaurila and Bosworth – Carried unanimously)*

8. SITING RELAXATION APPLICATION – 14 GORT STREET, INGHAM.
Consideration of Report to Council from Acting Infrastructure Engineer dated 3rd November, 2011 in relation to a Siting Relaxation Application lodged by David Giliberto to erect a storage shed at the rear of his property at 14 Gort Street, Ingham described as Lot 17 on RP714275.

Resolved – That Council approve the Siting Relaxation Application submitted by Mr. David Giliberto for a proposed shed at 14 Gort Street, Ingham (Lot 17 on RP714275) 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. Kaurila and Lynch – Carried)*

8. MERILYN MURPHY, Victoria Estate, 11th August, 2011, seeking approval of the proposed *Reconfiguration of Land (Subdivision)* of one lot into two lots over Lot 1 on RP749711 at 4 Sach's Lane, Victoria Estate. Land is zoned *Village*.

Further consideration was given to an Engineering Planning Report from Acting Infrastructure Engineer dated 2nd November, 2011 regarding the proposed *Reconfiguration of Land*.

Resolved - That Council approve the Development Application for *Reconfiguring a Lot* of Ms Merilyn Joyce Murphy subject to the following conditions:-

- (a) The development is to be generally in accordance with the submitted proposal plan;

- (b) Provision of access crossings to each proposed allotment of the development to be constructed to Hinchinbrook Shire Council Standards;
- (c) Surface drainage to be catered for in a manner that lessens possible impacts on adjacent lots;
- (d) Payment to the Council of water headworks contribution of \$1,635 (one (1) additional lot x \$1,635); and
- (e) Payment to the Council of public open space contribution of \$1,635 (one (1) additional lot x \$1,635);

(Crs. Lynch and Kaurila – Carried)

9. LESTER FRANKS, Ingham, 20th September, 2011, on behalf of *D.G. & K.M. Carr* seeking approval of the proposed Reconfiguration of Land – Rearrangement of Boundaries over Lots 1 and 2 on SP167292 at 986 Halifax Road, Ingham. Land is zoned *Rural*. (066/0227)

Further consideration was given to an Engineering Planning Report dated 2nd November, 2011 from Acting Infrastructure Engineer regarding the reconfiguration of land.

Resolved – That Council approve the Development Application of Mr. D.G. and Mrs. K.M. Carr, for a proposed *Reconfiguring a Lot* at 986 Halifax Road, Ingham (Lot 1 & 2 on SP167292) subject to the following conditions:-

- (a) The boundaries following the reconfiguration are identical to the Lester Franks draft plan (Drawing No: T00452-01, dated 19/09/2011) attached to the Development Application for Reconfiguring a Lot;
- (b) No new access is developed off Catherina Creek Road following the rearrangement of boundaries; and
- (c) The recommendations contained in the Department of Environment and Resource Management [DERM] Advice Agency Response – Referable Wetland DERM Permit No. SPAR03121977 are included as conditions of approval.

(Crs. Lynch and Gianotti – Carried)

4. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. GREG SHANNON, Abergowrie, 18th October, 2011, proposing that a position be created through the Hinchinbrook Shire Council to cater for the need of a snake removal service in the Hinchinbrook Shire.

Resolved – That the matter lay on the table.

(Crs. Lynch and Kaurila – Carried)

2. ABERGELDIE COMPLEX INFRASTRUCTURE, Northgate, 24th October, 2011, advising of proposed available construction hours of work for Lucinda Bulk Sugar Terminal Cyclone Yasi Repair Works project and requesting advice of any legal restrictions to these hours which are nominally:-

Mon-Fri:	6.00 am to 7.00 pm
Sat:	6.00 am to 5.00 pm

The works will occur 6km away from the mainland. Sources of noise are nominally a generator to power the tools and site facilities, crane lifting and abrasive blasting of existing structure, concrete cutting and jackhammering will form a portion of the initial works to remove damaged deck elements. These works will occur during the day but the impact of noise will be negligible.

Manager Environmental Health Services, T. Tanase re-entered the meeting.

Resolved – That Council advise that it has no objection to or any requirements in relation to the hours.

(Crs. Lynch and Kaurila – Carried)

3. GREG SHANNON, Abergowrie, 18th October, 2011, proposing that a position be created through the Hinchinbrook Shire Council to cater for the need of a snake removal service in the Hinchinbrook Shire.

Resolved – That consideration be deferred pending receipt of further information from the Department of Environment & Resource Management regarding their proposal to accept responsibility for snake handling now that the Queensland Fire & Rescue Service has withdrawn its services.

That Council also seek the views of the Local Government Association of Queensland including if other Councils have accepted responsibility for this service.

(Crs. Lynch and Kaurila – Carried)

Manager Environmental Health Services, T. Tanase left the meeting.

4. CYCLONE YASI NDRRA RECOVERY PHASE.

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

Resolved – That the Report be received and noted.

(Crs. Lynch and Kaurila – Carried)

4. HSC 11/55 – NDRRA REPAIRS TO CHALLANDS STREET, INDUSTRIAL AVENUE AND MARKET STREET.

Consideration of Report to Council from Manager Engineering Services dated 2nd November, 2011 regarding HSC 11/55.

Cr. P.D. Lynch left the meeting at 11.49 a.m.

Resolved – That Council endorse the actions of Manager Engineering Services in accepting the tender of John Andrews Grader Hire for the amount of \$1,423,727-19 (excluding GST) for HSC 11/55 – NDRRA Repairs to Challands Street, Industrial Avenue and Market Street.

(Crs. Gianotti and Kaurila – Carried)

5. HSC 11/97 – OFFER TO UNDERTAKE REGULATORY PAVEMENT MARKING ON HINCHINBROOK SHIRE COUNCIL ROAD NETWORK.

Consideration of Report to Council from Works Engineer dated 2nd November, 2011 regarding tenders received for HSC 11/97.

Resolved – That Council accept Lining Systems Australia Pty. Ltd. offer for the annual remarking of the Hinchinbrook Shire Council's Road Network.

(Crs. Gianotti and Kaurila – Carried)

Cr. P.D. Lynch returned to the meeting at 11.51 a.m.

6. REQUEST FOR ROADWORKS TO FURBER ROAD (PREVIOUSLY EWAN ROAD), HIDDEN VALLEY.

Consideration of a Report to Council from Manager Engineering Services dated 2nd November, 2011 regarding a request from Mr. Wayne Giles for Council to undertake maintenance to a section of Furber Road.

Resolved – That the Report be received and noted.

(Crs. Gianotti and Kaurila – Carried)

5. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. ESTABLISHMENT OF AUDIT COMMITTEE.

Consideration of establishment of Audit Committee and members to be appointed to this committee.

Resolved – That Council adopt the draft Audit Committee Policy.

(Crs. Lynch and Kaurila – Carried)

That Council endorse the draft Audit Committee Terms of Reference.

(Crs. Kaurila and Bosworth – Carried)

That Council nominate Cr. Sherry Kaurila and Cr. Lynch to become Audit Committee members.

(Crs. Gianotti and Bosworth – Carried)

That Council nominate Cr. Lancini and Cr. Bosworth to become alternate Audit Committee members.

(Crs. Gianotti and Lynch – Carried)

That the Audit Committee meet twice per year with indicative months for 2011/2012 of December, 2011 and May, 2012.

(Crs. Kaurila and Gianotti – Carried)

That Council endorse the selective nomination process to identify potential prospective Audit Committee external members with significant experience and skills in financial matters, as required by S.159 (1)(b)(ii) of the *Local Government (Finance, Plans & Reporting) Regulations 2010*.

(Crs. Kaurila and Lynch – Carried)

That Council approve that the external member of the Audit Committee be appointed as Committee Chairperson.

(Crs. Lynch and Kaurila – Carried)

2. 2011 CHRISTMAS CLOSE DOWN – TOWN OFFICE AND WORKS DEPARTMENT.

Consideration of office closure times over the 2011 Christmas period.

Resolved – That Council's Shire Office be closed from close of business on Friday 23rd December, 2011 and re-open on Tuesday 3rd January, 2012, and the staff arrangements as in past years apply again for 2011 relating to Federal employees.

That the Council Depot will be closed from close of business on Friday 23rd December, 2011, and resuming Wednesday 18th January, 2012.

(Crs. Bosworth and Kaurila – Carried unanimously)

3. RATING CONCESSIONS – LOCAL GOVERNMENT ACT.

Consideration of information received from the Department of Local Government and Planning regarding authority for Council to amend its budget revenue statement and provide rating concessions for a particular class or category of rating and the circumstances in which that could apply.

Resolved – That the matter lay on the table.

(Crs. Lynch and Kaurila – Carried)

MISCELLANEOUS CORRESPONDENCE

1. AUSTRALIAN-ITALIAN FESTIVAL ASSOCIATION INC., Ingham, undated, thanking Council for its ongoing sponsorship and support of the Festival and enclosing a certificate of appreciation. (079/0027)
2. HON. PHIL REEVES MP, MINISTER FOR CHILD SAFETY AND MINISTER FOR SPORT, Brisbane, 25th October, 2011, advising of approval of application for funding under Round 3 of Sport and Recreation Infrastructure Program to construct a shade structure over the 25 metre pool at Ingham. (011/0060)
3. LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND, Fortitude Valley, 14th October, 2011, advising that motions not debated at the Association's Annual Conference held at the Gold Coast on 5th October, 2011 will be referred to the LGAQ Policy Executive for consideration and action. (007/0003)
4. QUEENSLAND OMBUDSMAN, Brisbane, 17th October, 2011, advising Mr. Andrew Brown has taken duty as Deputy Ombudsman for Queensland from 10th October, 2011 replacing Mr. Forbes Smith who has taken up the role of Energy and Water Ombudsman for Queensland. (007/0028)
5. INGHAM STATE HIGH SCHOOL, Ingham, enclosing Certificate of Appreciation for contribution to 2011 Awards Ceremonies. (600/0185)

6. DEPARTMENT OF LOCAL GOVERNMENT AND PLANNING, Townsville, 31st October, 2011, advising details for scheduled intending candidates sessions for November, which are as follows:-

Monday, 14th November, 5.30pm-7.30pm - PCYC, Ayr;

Wednesday, 16th November, 10.30pm-12.30pm - PCYC, Palm Island;

Monday, 21st November, 5.30pm-7.30pm - QCWA Hall, Denham Street, Townsville;

Thursday, 24th November, 6pm-8pm - Charters Towers Neighbourhood Centre;

Monday, 28th November, 5.30pm-7.30pm - Tyto Conference Centre, Ingham.

Cr Sherry Kaurila will be assisting as guest Councillor at Ayr and Charters Towers and James Gott will be assisting as guest CEO at Ingham and Townsville.

Resolved – That the list of Miscellaneous Correspondence be received and noted.
(Crs. Bosworth and Kaurila – Carried)

MINUTES OF ORGANISATIONS / COMMITTEES ON WHICH COUNCIL IS REPRESENTED

1. STRATEGIC MANAGEMENT TEAM (SMT) MEETING MINUTES.

Consideration was given to the Minutes of the SMT Meeting held on the 26th October, 2011.

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

6. COUNCILLOR ACTIVITY REPORT

Consideration of Councillor Activity Reports as at the 2nd November, 2011 to ensure transparency and public scrutiny of Councillor workload.

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

7. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. ABORIGINAL AND TORRES STRAIGHT ISLANDER SERVICES, NQ REGION, DEPARTMENT OF COMMUNITIES, Townsville, 6th October, 2011, seeking assistance from Council as an Auspice for a project in our region funded by the Department of Communities under the Learning Earning Active Places (LEAP) Strategy for a workshop / forum titled "Young Sisters Stylin Up" to enhance confidence, self esteem and general wellbeing of young Aboriginal and Torres Strait Islander Youth in the Hinchinbrook community.

Further consideration of a Report to Council by Customer & Corporate Services Officer dated 4th November, 2011 in relation to this request.

Resolved – That Council approve the auspice of this proposal and nominates Council's Customer & Corporate Services Officer, Ms. Donna Olivero as the responsible Council Officer for the Aboriginal & Torres Strait Islander Services NQ to contact regarding the administration of the funds.
(Crs. Bosworth and Lynch – Carried)

Manager Corporate & Economic Development, R.F. Pennisi re-entered the meeting.

Manager Engineering Services, B.E. Leach left the meeting.

The meeting adjourned at 12.50 p.m. for lunch and resumed at 2.00 p.m.

Cr. L.R. Molachino was present when the meeting resumed.

Rates Supervisor, S. Oswald and Finance Officer (Rates), J. Duggan were also present when the meeting resumed.

The meeting was addressed by Mr. Brett Bowen and Council gave further consideration to information regarding properties affected by the abolition of the cane composite category and their inclusion in the cane category.

2. RATING CONCESSIONS – LOCAL GOVERNMENT ACT.

Consideration of information received from the Department of Local Government & Planning regarding authority for Council to amend its Budget Revenue Statement and provide rating concessions for a particular class or category of rating and the circumstances in which that could apply.

Resolved – That consideration be deferred to the General Meeting on the 22nd November, 2011 pending receipt of further information from the Department and Council Officers.
(Crs. Bosworth and Kaurila – Carried unanimously)

Finance Manager, C.J. Trost, Rates Supervisor, S. Oswald and Finance Officer (Rates), J. Duggan left the meeting.

4. CONCLUSION – This concluded the business of the meeting which closed at 6.20 p.m.

5. APPROVED and adopted this 22nd day of November, 2011.

ACTING MAYOR