



MINUTES OF THE SPECIAL
GENERAL MEETING
OF THE
HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS,
INGHAM ON
TUESDAY 20TH DECEMBER, 2011
AT 4.00 P.M.

- ATTENDANCE
- Present were Councillors G. Giandomenico, A.J. Lancini, G.P. Gianotti, D.M. Bosworth, P.D. Lynch and S.J. Kaurila.
 - Also present was the Chief Executive Officer (R.W. Clark), Manager Environmental Health Services (T. Tanase), Finance Manager (C.J. Trost), Acting Infrastructure Engineer (C. Gray) and Executive Secretary (B.K. Edwards).

- PRAYER
- The Mayor opened the meeting with prayer.

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

1. BUSINESS -

1. OPERATIONAL ACTION 1.0 - COMMUNITY

1. INGHAM FOOTBALL CLUB INC., Ingham, 7th December, 2011, requesting Council to consider waiving the second set of building certification fees applicable for two separate shade structures to be placed side by side between two football fields at the Fairford Road grounds as the Club was originally advised that when applying for grant funding and again when lodging the building application that only one fee would be applicable. (076/0035)

Resolved – That Council charge one (1) building certification fee for the two (2) shade structures.

(Crs. Gianotti and Kaurila – Carried unanimously)

2. OPERATIONAL ACTION 2.0 - ECONOMY

1. RAMON STEVEN MARBELLI, Ingham, 8th April, 2011, seeking approval of the proposed Material Change of Use – Impact Assessment – From Quarry less than 5,000 tonnes to Quarry 5,000 tonnes – 100,000 tonnes of Lot 591 on FTY1586 at Broadwater Park Drive, Abergowrie State Forest. Land is zoned *Rural*. (058/0325)

Consideration was also given to a Planning Assessment Report by the Manager Engineering Services dated 7th December, 2011 regarding the proposed Material Change of Use.

Consideration was also given to a further Report to Council from Town Planning & Development Officer dated 8th December, 2011 regarding the proposed Material Change of Use.

Resolved – That the matter lay on the table.
(Cr. Giandomenico - Carried)

2. BRYAN MORTON, Ingham, 14th July, 2010, seeking approval of the proposed Material Change of Use – Impact Assessment – From Quarry less than 5,000 tonnes to Quarry up to 15,000 tonnes on Lot 3 on RP725204, Lannercost Road. Land is zoned *Rural*. (058/0314)

Consideration was given to a Planning Assessment Report prepared by the Town Planning & Development Officer dated 15th December, 2011 regarding the proposed Material Change of Use application.

Consideration was also given to an Engineering Assessment Report prepared by the Acting Manager Engineering Services dated 15th December, 2011 regarding the proposed Material Change of Use application.

Resolved – That the matter lay on the table.
(Cr. Giandomenico - Carried)

3. REQUEST TO RELAX SETBACK DISTANCES FOR ONSITE DISPOSAL OF SEPTIC WASTE – C. BARNES – 62 EDDLESTON DRIVE, CORDELIA.

Consideration of Report to Council from Water & Sewerage Manager dated 14th December, 2011 seeking Council's consideration of a request received from Ms. Cassandra Barnes at 62 Eddleston Drive, Cordelia to relax setback distances for onsite disposal of septic waste. The purpose of this request is so that she is not required to install a "Household Sewerage Treatment Plant" (HSTP) with its associated extra costs.

Resolved – That Council reject the request.
(Crs. Gianotti and Lynch – Carried)

4. STONE RIVER STATE SCHOOL FACILITY – PARK MANAGEMENT AGREEMENT.
Consideration of Report to Council from Manager Technical Services dated 16th December, 2011 regarding development of a Management Agreement with the Trebonne Action Group for the maintenance of the stone River State School grounds.

Resolved – That Council agree with both the Agreement and the Maintenance Plan and authorise the Chief Executive Officer to sign and enter into a twelve (12) month agreement with the Trebonne Action Group.
(Crs. Lancini and Kaurila – Carried)

3. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. HSC 11/104 – ANNUAL SUPPLY OF QUARRY PRODUCTS & NATURALLY OCCURRING BASE GRAVELS.

Consideration of Report to Council from Works Engineer dated 1st December, 2011, regarding offers received for HSC 11/104 – Annual Supply of Quarry Products & Naturally Occurring Base Gravels.

Resolved – That the matter lay on the table.
(Cr. Giandomenico - Carried)

HSC 11/104 – ANNUAL SUPPLY OF QUARRY PRODUCTS & NATURALLY OCCURRING BASE GRAVELS.

Consideration of further Report to Council from Works Engineer dated 7th December, 2011, regarding a late submission received for HSC 11/104 – Annual Supply of Quarry Products & Naturally Occurring Base Gravels.

Resolved – That the matter lay on the table.
(Cr. Giandomenico - Carried)

HSC 11/104 – ANNUAL SUPPLY OF QUARRY PRODUCTS & NATURALLY OCCURRING BASE GRAVELS.

Consideration of further Report to Council from Works Engineer dated 9th December, 2011, regarding further late submissions received for HSC 11/104 – Annual Supply of Quarry Products & Naturally Occurring Base Gravels.

Resolved – That the matter lay on the table.
(Cr. Giandomenico - Carried)

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 1.3.2. as it is a “Commercial in Confidence” and legal matter.
(Crs. Lynch and Lancini – Carried)

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

Council's Finance Manager, C. Trost and Town Planning & Development Officer, B. Christie-Johnston entered the meeting at 4.15 p.m.

OPEN MEETING - Resolved that Council return to Open Meeting.
(Crs. Lynch and Lancini – Carried)

2. PROPOSED ACQUISITIONS FOR THE EXTENSION OF JOHNSTONE STREET BEHIND CASRA'S TAVERN BAR & GRILL.

Consideration of Report to Council from Manager Engineering Services dated 7th December, 2011 seeking Council's further consideration and direction in relation to the proposed acquisitions for the extension of Johnstone Street behind Casra's Tavern Bar & Grill.

Consideration was also given to a further Report to Council from Acting Manager Engineering Services dated 16th December, 2011 regarding the matter since the General Meeting on the 13th December, 2011.

Resolved – That consideration be deferred to the General Meeting on the 24th January, 2012.
(Crs. Kaurila and Lynch – Carried)

3. NOMINATED PROJECTS FOR THE TRANSPORT INFRASTRUCTURE DEVELOPMENT SCHEME (TIDS) CYCLE WAY PROPOSAL.

Consideration of a Report to Council from Manager Technical Services dated 16th December, 2010 seeking Council's consideration of proposed cycle way projects for funding under the forthcoming Transport Infrastructure Development Scheme (TIDS) program which is based on a 50 / 50 cost sharing arrangement.

Resolved – That Council nominate the following projects for inclusion in the 2012 /2013 Transport Infrastructure Development Scheme (TIDS) Program:-

- Musgrave Street, Halifax, from the first house near the wash-away to Macrossan Street 1,313m - Total Estimate - \$397,183 (Council's contribution \$198,591).
- Leichhardt Street, Allingham, from the first house up to Fern Street 1,037m - Total Estimate - \$313,693 (Council contribution \$156,846).
- McIlwraith Street from Tully Street to Cartwright Street, Ingham, 1,895m - Total Estimate - \$573,238 (Council contribution \$286,619)

(Crs. Lancini and Bosworth – Carried unanimously)

4. IMPOSITION OF WASTE LEVY AT HINCHINBROOK WASTE MANAGEMENT FACILITIES.

Consideration of Report to Council from Manager Environmental Health Services dated 16th December, 2011 regarding the imposition of a waste levy at the Hinchinbrook Waste Management facilities.

Resolved – That the proposed new waste fees and charges be adopted.

That Council notify the Halifax Progress Association and Forrest Beach Progress Association of the new fees and charges.

(Crs. Kaurila and Gianotti – Carried)

5. 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)

4. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. UNAUDITED FINANCIAL STATEMENTS FOR 2010 / 2011.

Consideration of 2010 / 2011 unaudited Financial Statements.

Resolved – That Council adopt the unaudited financial statements as presented.
(Crs. Lancini and Kaurila – Carried)

Cr. G. Giandomenico and Cr. D.M. Bosworth declared a Material Personal Interest in Item 1.5.1. and Item 1.5.2. as they are Quarry owners and left the meeting and did not participate in the discussions or resolution thereon.

Prior to leaving, Cr. G. Giandomenico took the opportunity to wish all Councillors, staff and the public present a happy and holy Christmas and best wishes for 2012.

Cr. A.J. Lancini assumed the Chair.

5. OPERATIONAL ACTION 2.0 - ECONOMY

1. RAMON STEVEN MARBELLI, Ingham, 8th April, 2011, seeking approval of the proposed Material Change of Use – Impact Assessment – From Quarry less than 5,000 tonnes to Quarry 5,000 tonnes – 100,000 tonnes of Lot 591 on FTY1586 at Broadwater Park Drive, Abergowrie State Forest. Land is zoned *Rural*. (058/0325)

Consideration was also given to a Planning Assessment Report by the Manager Engineering Services dated 7th December, 2011 regarding the proposed Material Change of Use.

Consideration was also given to a further Report to Council from Town Planning & Development Officer dated 8th December, 2011 regarding the proposed Material Change of Use.

Resolved – That the Development Application for Material Change of Use – Impact Assessment – From Quarry less than 5,000 tonnes to Quarry 5,000 tonnes - 100,000 tonnes be approved subject to the following conditions:-

- (a) The quarry access road intersection with Broadwater Park Road is to be upgraded to comply with the Hinchinbrook Shire Council's Standard, SD0025 – *Typical Unkerbed Intersection Layout*, with works to be completed prior to the use commencing;
- (b) Prior to the use commencing the Applicant is to submit a proposal for Council's approval to install the upgraded signage at the quarry road access of Broadwater Park prohibiting public access;
- (c) Prior to the use commencing, the narrow single lane culverts at Chainage 2,300m and 5,100m to be upgraded to comply with the relevant section of the Manual of Uniform Traffic Control Devices (MUTCD);
- (d) Within six (6) months from the date of an approval, the Applicant is to enter a maintenance agreement in conjunction with Queensland Forestry Products (QFP) for the maintenance of Broadwater Park Road to Chainage 5,900m. The agreement is to be worked-up to require maintenance to appropriate public standards on a shared basis reflecting the respective share of haulage generation on the road;
- (e) The approval is for the extraction, screening and haulage of rock up to 15,000 tonnes annually. If the applicant extracts, screens or hauls, or expects to extract, screen or haul in excess of 15,000 tonnes per annum, the applicant shall prepare and submit to the Hinchinbrook Shire Council for consideration and approval a Road Impact Assessment (RIA) & revised Quarry Management Plan; and;

(f) Where it is determined in the RIA, as required by condition (e), or as otherwise determined by the Hinchinbrook Shire Council from alternative information sources, that haulage in excess of 15,000 tonnes per annum will increase the impact on the Council controlled road network, then the applicant may be required to make contributions towards road maintenance and/or future road upgrades.

(Crs. Gianotti and Kaurila – Carried unanimously)

2. BRYAN MORTON, Ingham, 14th July, 2010, seeking approval of the proposed Material Change of Use – Impact Assessment – From Quarry less than 5,000 tonnes to Quarry up to 15,000 tonnes on Lot 3 on RP725204, Lannercost Road. Land is zoned *Rural*. (058/0314)

Consideration was given to a Planning Assessment Report prepared by the Town Planning & Development Officer dated 15th December, 2011 regarding the proposed Material Change of Use application.

Consideration was also given to an Engineering Assessment Report prepared by the Acting Manager Engineering Services dated 15th December, 2011 regarding the proposed Material Change of Use application.

Resolved – That the Development Application for Material Change of Use – Impact Assessment – From Quarry less than 5,000 tonnes to Quarry up to 15,000 tonnes be approved subject to the following conditions:-

- (a) The quarry access road intersection with Lannercost Extension Road is to be upgraded to comply with the Hinchinbrook Shire Council's Standard, R016 – *Typical Unkerbed Intersection Layout for 19m Semi-Trailer*, inclusive of under-drainage if required, with works to be completed prior to the use commencing. The works are to include a "Give Way" sign, installed in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) guidelines at the location shown on the standard drawing above;
- (b) Prior to the use commencing the Applicant is to submit a proposal for Council's approval to install the upgraded signage at the private quarry road access off Durack or Woolley's Road (whichever is applicable) prohibiting public access;
- (c) Prior to the use commencing, the Applicant is to upgrade signage at narrow culverts at Chainage 8,175m and 8,500m to comply with the relevant section of the Manual of Uniform Traffic Control Devices (MUTCD);
- (d) Prior to the use commencing, the Applicant is to upgrade the section/s of Durack Road and Woolley's Road (if applicable) used for public road access to the pit, to comply with the Hinchinbrook Shire Council's standard Drawing R001 for "*Rural Low Volume roads no Cane Traffic*" i.e. 4.0 metre pavement on 5.0 metre formation (Type cross section Type 1A) and maintain in a condition suitable for the vehicle mass and traffic volumes using the public road section of this access;
- (e) The Applicant agrees to carry out any ordinary maintenance on Lannercost Extension Road between Chainage 7740m and Chainage 8600m in excess of a single maintenance grade per annum and the normal Hinchinbrook Shire Council program of scheduled maintenance (inclusive of re-sheeting as required, drainage maintenance and inspections) at the Applicant's cost;
- (f) Obtain a permit from the Hinchinbrook Shire Council prior to commencing any works on public road reserves under the control of the Hinchinbrook Shire Council;
- (g) Comply with the Department of Environment and Resource Management's advice agency response for referable wetlands;
- (h) The approval is for the extraction, screening and haulage of rock or other material up to 15,000 tonnes annually. If the applicant extracts, screens or hauls, or expects to extract, screen or haul in excess of 15,000 tonnes per annum, the applicant shall prepare and submit to the Hinchinbrook Shire Council for consideration and approval a Road Impact Assessment (RIA) examining potential adverse impacts on the Council controlled road network and a revised Quarry Management Plan; and
- (i) Where it is determined in the RIA, as required by condition (h), or as otherwise determined by the Hinchinbrook Shire Council from alternative information sources, that haulage in excess of 15,000 tonnes per annum will increase the impact on the Council controlled road network, then the applicant may be required to make additional contributions towards road maintenance and/or future road upgrades.

(Crs. Gianotti and Kaurila – Carried unanimously)

Council's Works Engineer, D. Di Prima entered the meeting at 5.20 p.m.

6. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. HSC 11/104 – ANNUAL SUPPLY OF QUARRY PRODUCTS & NATURALLY OCCURRING BASE GRAVELS.

Consideration of Report to Council from Works Engineer dated 1st December, 2011, regarding offers received for HSC 11/104 – Annual Supply of Quarry Products & Naturally Occurring Base Gravels.

Resolved – That Council note all complying offers received and advise that all prices submitted will be placed on Council's List of Suppliers. Individual orders will be placed according to Council's requirements, cost effectiveness and suitability of the various offered products.

That Council advise Offerers not complying with necessary permitting / licensing requirements that their offers have been received and noted, but orders will not be placed until the necessary permits / licences have been obtained.

(Crs. Gianotti and Lynch – Carried unanimously)

HSC 11/104 – ANNUAL SUPPLY OF QUARRY PRODUCTS & NATURALLY OCCURRING BASE GRAVELS.

Consideration of further Report to Council from Works Engineer dated 7th December, 2011, regarding a late submission received for HSC 11/104 – Annual Supply of Quarry Products & Naturally Occurring Base Gravels.

HSC 11/104 – ANNUAL SUPPLY OF QUARRY PRODUCTS & NATURALLY OCCURRING BASE GRAVELS.

Consideration of further Report to Council from Works Engineer dated 9th December, 2011, regarding further late submissions received for HSC 11/104 – Annual Supply of Quarry Products & Naturally Occurring Base Gravels.

Resolved – That the two (2) late tenders are non-conforming and will not be accepted.

(Crs. Lynch and Kaurila – Carried)

2. CONCLUSION – This concluded the business of the meeting which closed at 5.22 p.m.

3. APPROVED and adopted this 24th day of January, 2012.

MAYOR