



**HINCHINBROOK
SHIRE COUNCIL**

MINUTES OF THE GENERAL MEETING
OF THE
HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS,
INGHAM
ON THURSDAY 3RD JUNE, 2010
AT 4.05 P.M.

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- ATTENDANCE
- Present were Councillors Cr. A.J. Lancini, G.P. Gianotti, L.R. Molachino, P.D. Lynch, S.J. Kaurila and D.M. Bosworth.
 - Also present was the Chief Executive Officer (R.W. Clark), Manager Engineering Services (B.E. Leach), Manager Corporate & Economic Development, (R.F. Pennisi), Manager Corporate Communications (D. Hoban) 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.

- PRAYER
- The Acting Mayor opened the meeting with prayer.

Cr. S.J. Kaurila was not present when the meeting commenced.

1. MINUTES - Resolved that the Minutes of the General Meeting held on the 13th May, 2010 be approved as a correct record of proceedings and be signed by the Mayor.
(Crs. Lynch and Gianotti – Carried unanimously)

2. COMMITTEE BUSINESS REPORT -
The Joint Committee submitted a report of meeting held on 1st June, 2010.

Resolved – That the report be received for consideration.
(Crs. Lynch and Molachino – Carried unanimously)

BUSINESS -

1. CEO REPORT OF COUNCILLOR REQUESTS

Consideration of CEO Report of Councillor Requests for the period 7th May, 2010 to 26th May, 2010.

Resolved – That the advice be received and noted.
(Crs. Lynch and Molachino – Carried unanimously)

2. FUNCTION II - DEVELOPMENT AND PLANNING

A. PROGRAM A – ECONOMIC DEVELOPMENT

1. THORSBY & HOMEWOOD PTY. LTD., Ingham, 17th May, 2010, on behalf of *G. Torrasi* seeking an extension of approval for twelve (12) months until 17th July, 2011 (original approval date 17th July, 2008) for completion of the proposed reconfiguration (rearrangement of boundaries) between Lots 1 and 2 on RP730721, Parish of Cordelia at Halifax Road, Forest Home. (066/0191)

Resolved – That an extension of time for twelve (12) months until the 17th July, 2011 in which to complete the proposed reconfiguration be granted and the applicant be advised that no further extensions will be granted.

2. THORSBY & HOMEWOOD PTY. LTD., Ingham, 18th May, 2010, on behalf of *G.G. Fracchia* seeking an extension of approval for two (2) years until 17th July, 2012 (original approval date 17th July, 2008) for completion of the proposed reconfiguration (rearrangement of boundaries) between Lot 3 on RP838285 and Lot 11 on SP200245, Parish of Cordelia at Fracchia's Road and Forest Home Road, Forest Home. (066/0189)

Resolved – That an extension of time for two (2) years until the 17th July, 2012 in which to complete the proposed reconfiguration be granted and the applicant be advised that no further extensions will be granted.

3. HINCHINBROOK SHIRE COUNCIL, Ingham, 25th March, 2010, seeking an extension of approval for two (2) years until 10th April, 2012 (original approval date 10th April, 2008) for completion of the proposed reconfiguration (subdivision) into two lots of Lot 1 on RP715466, Parish of Trebonne at 1 Fraser Street, Ingham. (065/0113)

Resolved – That an extension of time for two (2) years until the 10th April, 2012 in which to complete the proposed reconfiguration be granted and the applicant be advised that no further extensions will be granted.

That all of the recommendations contained in Development and Planning – Economic Development 2.2.A.1 to 2.2.A.3 be adopted.

(Crs. Lynch and Gianotti – Carried unanimously)

4. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Townsville, 13th May, 2010, advising that A. & M. Girgenti are currently realigning the boundaries of their freehold properties to give access to Lot 2 on RP715816, and consequently an application has been received to allocate the floating reservation within Lot 2 on RP715816 to a new parcel, shown as Lot 2 on Sketch No. 4450. Seeking Council's views and / or requirements in relation to the application for Purchase / Allocation of Reservation in Title over Lot 2 on RP715816, Parish of Cordelia. (066/0204)

Resolved – That Council advise the Department that it requires the Reservation in Title to be allocated over the existing Paravacini's Road Easement.

(Crs. Gianotti and Lynch – Carried unanimously)

5. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Cairns, 27th April, 2010, seeking Council's views and / or requirements in relation to an application for Permanent Road Closure over Jock's Lodge Road intersecting Lot 345 on CAR12444, Parish of Leach for the proposed purpose of grazing stock.

Resolved – That Council advise the Department that it does not support the proposed Permanent Road Closure of Jock's Lodge Road on the basis that it may alienate a section of Council's future road network.

That Council further advise the Department that it would have no objection to a Temporary Road Closure of Jock's Lodge Road.

(Crs. Gianotti and Molachino – Carried unanimously)

6. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Cairns, 17th May, 2010, seeking Council's views and / or requirements in relation to an application for Renewal of Special Lease 24/44710 to a Term Lease described as Lot 2 on I224110, at Berwick Street, Ingham, Parish of Trebonne. Current use of land is for recreation purposes for The Scout Association of Australia and the proposed use of the land will be for the same purpose. (077/0001)

Resolved – That Council advise the Department that it has no objection to the Renewal of Special Lease 24/44710 to a Term Lease over Lot 2 on I224110 and has no requirements. (Crs. Gianotti and Bosworth – Carried unanimously)

7. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Toowoomba, 21st May, 2010, seeking Council's views and / or requirements in relation to an application for Issue of a Permit to Occupy over Lot A on PER 3652, Parish of Waterview. The proposed use of the land is weekend / holiday, namely a beach hut and the current permittees wish to surrender their permit subject to a new permit being issued to the applicants. The Department advises that the Permit to Occupy is only transferable to immediate family members and the Department is satisfied that the applicants have an immediate relationship to the current permittees. (077/0001)

Resolved - That Council advise the Department that it has no objection to the Issue of Permit to Occupy over Lot A on PER 3652 and has no requirements. (Crs. Gianotti and Molachino – Carried unanimously)

8. C.J. TROST, Ingham, 13th April, 2010, seeking approval of the proposed reconfiguration of land (subdivision) into three lots of Lot 1 on RP840589 and Lot 26 on I22434, Parish of Trebonne at 11-15 Palm Avenue, Ingham. Land is zoned *Residential* (065/0134)

Consideration was also given to a Report to Council from Manager Engineering Services dated 27th May, 2010 regarding the applicant's decision to amend the application to a "2 into 3" reconfiguration.

Resolved – That the Development Application for Reconfiguration (subdivision) into three lots of Lot 1 on RP840589 and Lot 26 on I22424, Parish of Trebonne be approved subject to the following conditions:-

- (a) Lot layout being in accordance with the proposal plan submitted under cover of correspondence dated the 25th May, 2010;
- (b) Provision of property accesses to the two (2) easternmost proposed lots comprising kerb and channel invert crossings and bitumen seal access turnout, seal edge to kerb and channel line to Hinchinbrook Shire Council's standards;
- (c) Profiling of the two (2) eastern most lots and or other approved works, to ensure water drains to the front of lots and/or other legal points of discharge;
- (d) Prior to commencement of civil works, submission of a proposal to satisfy the Hinchinbrook Shire Planning Scheme requirements (Refer Section 6.19, Table 29, Outcome 3) regarding creation of new lots in the mapped flood area for consideration and approval of Council. Such submission, when/if approved to form part of the approval;
- (e) Provision of a separate water reticulation service to each lot;
- (f) Provision of electricity supply to each lot;
- (g) Payment to the Council of water headworks contribution of \$1,555 (one (1) additional lots x \$1,555);
- (h) Payment to the Council of sewerage headworks contribution of \$1,555 (one (1) additional lots x \$1,555);
- (i) Payment to the Council of public open space contribution of \$1,555 (one (1) additional lots x \$1,555).

(Crs. Gianotti and Molachino – Carried unanimously)

9. THORSBY & HOMEWOOD PTY. LTD., Ingham, 12th April, 2010, on behalf of *R. & L. Marbelli* seeking approval of the proposed reconfiguration of land (subdivision) into two lots of Lot 1 on RP719970, Parish of Trebonne at 142 Fairford Road, Ingham. Land is zoned *Rural*. (065/0136)

Consideration was also given to an Engineering Planning Report by the Manager Engineering Services dated 24th May, 2010 regarding the proposed reconfiguration.

Resolved – That the Development Application for Reconfiguration (subdivision) into two lots of Lot 1 on RP719970, Parish of Trebonne be approved subject to the following conditions:-

- (a) The Applicant is to comply with the Department of Transport and Main Roads referral agency conditions including condition Access – 4 – *"The existing access points for proposed Lots 5 and 6 labelled A and B (respectively) on Attachment II are the only permitted access points on the Subject Land"*; A full list of conditions are included in the referral agency response Ref: 830/951 DCT2380, and dated 6th May 2010;
- (b) The Developer demonstrates that suitable disposal of stormwater runoff from each of the allotments can be achieved without impacting on other allotments within the development or neighbouring properties;
- (c) Payment to the Council of water headworks contribution of \$1,555 (One (1) x ETU);
- (d) Payment to the Council of sewerage headworks contribution of \$1,555 (One (1) x ETU); and
- (e) Payment to the Council of public open space contribution of \$1,555 (One (1) x ETU).
(Crs. Lynch and Bosworth – Carried unanimously)

Cr. S.J. Kaurila entered the meeting at 4.12 p.m.

10. LCJ ENGINEERS, Aitkenvale, 22nd May, 2009, on behalf of *J.F. Peebles, J.P. Simpson, R.E. Peebles, R.G. Press and B.J. Press* seeking approval of the proposed reconfiguration of land (subdivision) into forty-six lots of Lots 1 and 2 on RP735015 and Lot 3 on RP883348, Parish of Trebonne at Townsville Road (Bruce Highway) and Scovazzi's Road, Toobanna. Land is zoned *Village*. (065/0128)

Consideration was also given to an Engineering Planning Report by the Manager Engineering Services dated 26th May, 2010 regarding the proposed reconfiguration.

Resolved – That the Development Application for Reconfiguration (subdivision) into forty-six lots of Lots 1 and 2 on RP735015 and Lot 3 on RP883348, Parish of Trebonne be approved subject to the following conditions:-

- (a) Lot layout and general detail to be generally in accordance with the submitted Drawings REC1590/SK1 subject to approved revisions required to satisfy conditions of approval;
- (b) The fronting section of Scovazzi's Road, and the section of Scovazzi's Road leading from the proposed development to the Bruce Highway, to be upgraded to Council's 8 m sealed and kerbed standard;
- (c) The turnout off Scovazzi's Road to the proposed turnout to be upgraded to an appropriate standard. The Applicant to demonstrate that sufficient space exists at this location to obtain an intersection of adequate geometry and visibility;
- (d) All internal roads to be constructed to Council's 8 m sealed and kerbed standard;
- (e) Provision of kerb and channel to Hinchinbrook Shire Council's standard profiles and including invert access crossings to each allotment;
- (f) Provision of surface and underground stormwater drainage as necessary to adequately drain the development, and adjoining lots that currently drain into the development site. The Developer is to demonstrate via an appropriate hydrological method that all stormwater flows exit to a legal point of discharge, and that such flows will not be increased or concentrated so as to create adverse impacts or nuisance;
- (g) Filling and levelling of lots and footpaths, to ensure water drains to the front of lots and/or other legal points of discharge;
- (h) Filling in an approved manner such that a sufficient area of each proposed lot has surface levels above the mapped 1% AEP flood level;
- (i) Provision of an approved road linkage to lands to the south so as to facilitate orderly development of the greater area;
- (j) The Applicant to undertake an approved study/survey to identify possible amenity issues about existing properties that will border roadways and to then undertake mitigation works as necessary. Such works to form part of the approval;
- (k) Provision of a separate water reticulation service to each lot from existing mains, including enveloping pipes as necessary, and provision of works external to the development as/if necessary to ensure adequate flows and pressures are available. The Developer is to demonstrate via an appropriate hydraulic study that adequate supply is available and that supply in existing areas is not compromised;

- (l) The Applicant to note that secondary effluent treatment systems in accordance with LCJ Sewerage Report Rec1590 – February 2010, will be required to be installed on the respective lots as dwellings are constructed. A note to such effect will be placed on the individual lots rating records;
- (m) Payment to the Council of water headworks contribution of \$66,865 (Forty-three (43) additional lots x \$1,555);
- (n) Payment to the Council of public open space contribution of \$66,865 (Forty-three (43) additional lots x \$1,555);
- (o) Provision of underground electricity reticulation to each lot, including network of street lighting for minor roads to the current Australian Standard AS/NZS 1158.3.1:1999;
- (p) Provision to Telstra's requirements, of telecommunications conduits under the road at various intervals to serve the proposed lots without requiring future excavation of the sealed road surface;
- (q) Prior to commencement of civil works, submission to Council for approval of engineering drawings and specifications setting out the proposed works. Payment of an engineering plan scrutiny fee based on 2% of approved cost estimate of engineering construction works;
- (r) Provision of completion certificates for civil construction works, including "as constructed" surveyed information, to suit Council's software. [Autocad drawing files connected to two (2) Council permanent marks or similar accuracy]; and
- (s) A twelve (12) month maintenance period to apply and commencing at practical completion of works. A security to be kept by Council for any unfinished works and expected maintenance obligations.

(Crs. Gianotti and Bosworth – Carried unanimously)

11. THORSBY & HOMEWOOD PTY. LTD., Ingham, 9th April, 2010, on behalf of *L. Glenwright* seeking approval of the proposed reconfiguration of land (rearrangement of boundaries) between Lot 2 and RP737190 and Lot 3 on RP737689, Parish of Cordelia at Cook's Lane, Victoria Estate. Land is zoned *Rural*. (066/0212)

Resolved – That the Development Application for Reconfiguration (rearrangement of boundaries) between Lot 2 on RP737190 and Lot 3 on RP737689, Parish of Cordelia be approved subject to the following conditions:-

- (a) The Applicant construct property access to Council standards to both lots or demonstrate that such already exists; and
- (b) The Applicant to demonstrate that all utility services to the two (2) new lots are separate and wholly located on the particular lot being served.

(Crs. Molachino and Bosworth – Carried unanimously)

12. THORSBY & HOMEWOOD PTY. LTD., Ingham, 29th January, 2010, on behalf of *P. Garbutt* seeking approval of the proposed reconfiguration of land (rearrangement of boundaries) between Lot 1 on RP853348 and Lot 2 on RP720337, Parish of Cordelia at Cook's Lane and Garbutt Road, Victoria Estate. Land is zoned *Rural*. (066/0213)

Consideration was also given to an Engineering Planning Report by the Manager Engineering Services dated 27th May, 2010 regarding the proposed reconfiguration.

Resolved – That the Development Application for Reconfiguration (rearrangement of boundaries) between Lot 1 on RP853348 and Lot 2 on RP720337, Parish of Cordelia be approved subject to the following conditions:-

- (a) The Applicant construct property access to both lots to Council's standard (or demonstrate suitable constructions exist);
- (b) The Applicant demonstrate that a secure and potable supply of water is available to the proposed new small lot; and
- (c) The Applicant demonstrate that electricity supply is available to the proposed new small lot.

(Crs. Gianotti and Lynch – Carried unanimously)

Cr. L.R. Molachino declared a material personal interest in Item 2.2.A.13. and left the meeting and did not participate in the discussions or resolution thereon.

13. S., V., P., M. & D. SPINA, Ingham, 13th April, 2010, seeking approval of the proposed reconfiguration of land (rearrangement of boundaries) between Lot 2 on RP712595, Lot 3 on SP139298 and Lot 5 on SP162485, Parish of Lannercost at Long Pocket Road, Lannercost. Land is zoned *Rural*. (069/0046)

Consideration was also given to an Engineering Planning Report by the Manager Engineering Services dated 26th May, 2010 regarding the proposed reconfiguration.

Resolved – That the Development Application for Reconfiguration (rearrangement of boundaries) between Lot 2 on RP712595, Lot 3 on SP139298 and Lot 5 on SP162485, Parish of Lannercost be approved subject to the following conditions:-

- (a) The Applicant construct property access to both lots to Council's standard (or demonstrate suitable constructions exist);
 - (b) The Applicant demonstrate that all utility services to the two (2) lots are separate and wholly contained within the particular lot being served;
 - (c) The Applicant demonstrate that a potable and secure supply of water is available to the proposed house lot.
 - (d) The proposal be presented on a single survey plan.
- (Crs. Lynch and Gianotti – Carried unanimously)

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

Cr. G. Gianotti declared a material personal interest in Item 2.2.A.14. and left the meeting and did not participate in the discussions or resolution thereon.

14. G.B. CANTONI, and D.P. & F. MOTTI TRADING AS BURKE STREET STORAGE DEPOT, Ingham, 26th February, 2010, seeking approval of the proposed Material Change of Use - Impact Assessment – Storage Shed Depot (Increase Storage Threshold) of Lot 1 on RP727500, Parish of Cordelia at 19-21 Burke Street, Ingham. Land is zoned *Residential*. (058/0306)
Consideration was also given to a Planning Assessment Report by the Manager Corporate & Economic Development dated 24th May, 2010 regarding the proposed Material Change of Use.

Resolved – That conditional approval be granted for the proposed Material Change of Use – Impact Assessment – Storage Shed Depot (Increase Storage Threshold) over Lot 1 on RP727500, Parish of Cordelia, for the following reasons:-

- (a) The proposed development is consistent with the Hinchinbrook Shire Planning Scheme.

The following conditions should be attached to an approval:-

- (a) That the development be generally in line with the sketch plans submitted with the amended proposal;
- (b) That the proposed 3m buffer, as depicted in the submitted drawing, is planted with suitable shrubs and tree varieties to attenuate any noise impacts and to improve the amenity of the area;
- (c) That suitable drainage is installed, or if pre-existing is augmented, to ensure that all stormwater drainage is disposed of in the road reserve at the front of the property and not in neighbouring properties;
- (d) That suitable dust free surfacing is provided in the vehicle manoeuvring areas and designated car parks; and
- (e) That the site be provided with a 1.8m solid boundary fence bounding Lot 2 on RP727500 to provide for privacy, and the balance of the site on the eastern, southern and western boundary up to the existing building be fenced with a 1.8m open safety fence.

(Crs. Lynch and Kaurila – Carried unanimously)

Cr. G.P. Gianotti returned to the meeting.

15. FORESTRY PLANTATIONS QUEENSLAND, Ingham, 8th April, 2010, seeking approval of the proposed Material Change of Use - Code Assessment – Cane Farm & Grazing to Production Forestry of Lot 389 on SP165796, Parish of Lannercost at Carrig Drown Road, Long Pocket. Land is zoned *Rural*. (058/0307)

Consideration was also given to a Planning Assessment Report by the Manager Corporate & Economic Development dated 24th May, 2010 regarding the proposed Material Change of Use application.

Resolved – That conditional approval be granted for the proposed Material Change of Use – Code Assessment – Cane Farm & Grazing to Production Forestry over Lot 389 on SP165796, Parish of Lannercost for the following reasons:-

- (a) The proposed development is consistent with the Hinchinbrook Shire Planning Scheme, Rural Zone Code.

The following conditions should be attached to an approval:-

- (a) The development being as per the proposal plans submitted with the Development Application and operations in accordance with the Australian Forestry Standard (AS4708 -2003) as summarised in the "Sustainable Plantation Management" document submitted with the Development Application;
- (b) Accesses onto the Hinchinbrook Shire Council Road network are to be constructed to Council's standards, and should an approved access not exist, the Applicant is required to gain the appropriate access approvals through Council;
- (c) Managing groundcover at all times to recognise its role in stabilising and retaining nutrients and sediments on site;
- (d) Being consistent with best practice, managing the release of pesticides and nutrients for agricultural purposes so it does not occur in quantities or circumstances that have the potential to result in adverse impacts on site, either directly or indirectly or adversely impact on on-site features of significant value, such as coastal wetlands or waterways;
- (e) Undertake protective measures on land susceptible to soil erosion because of slope, soil, or agricultural practices, to avoid or minimise sediment entering waterways;
- (f) A ten (10m) metre buffer around the entire perimeter of the pine plantation, including between the plantations and native vegetation internal to the property boundary, is to be maintained free of individual pine plants;
- (g) Maintenance to the buffer is to be conducted at regular intervals such as every three (3) months;
- (h) The applicant is to destroy individual pine wildings that have invaded native vegetation, either on site or on adjacent State Lands including land within the banks of watercourses, lakes or springs;
- (i) Exotic pine wildings to be destroyed within the banks of watercourses, lakes and springs must be cut within 20-50cm centimetres of ground level and the ground and root mass must not be disturbed except where necessary for approved excavation;
- (j) All firebreaks and fire management lines are to be located within the subject block to ensure that clearing of remnant vegetation on adjacent lots does not occur; and
- (k) That the applicant is to destroy any crop regrowth that has the potential for harbouring of pests and disease that could threaten the viability of other agricultural industries.

Note: That the matter be referred to the Herbert River Improvement Trust as the proposed development abuts George Creek.

(Crs. Molachino and Gianotti – Carried unanimously)

16. D. BARRON, Ingham, 28th April, 2010, seeking approval of the proposed Material Change of Use – Code Assessment – Close to Rural Boundary - Siting Relaxation over Lot 7 on SP227827, Parish of Waterview at 107 Helen's Hill Road, Helen's Hill. Land is zoned *Rural*.
(058/0309)

Consideration was also given to a Report to Council from Acting Infrastructure Engineer dated 24th May, 2010 regarding the proposed Material Change of Use application.

Resolved – That Council approve the Material Change of Use Application for Mr. David and Mrs. Kellie Barron on the grounds that the proposed residential development will be sited in a location compatible with existing land use in the area, and meets other relevant requirements of the Rural Zone Code.

(Crs. Molachino and Kaurila – Carried unanimously)

17. DESIGN CENTRE (NO) PTY. LTD., Belgian Gardens, 20th April, 2010, seeking approval of the proposed Material Change of Use - Code Assessment – Duplex Unit (2 Detached Dwellings) of Lot 1 on RP721660, Parish of Trebonne at 49-51 McIlwraith Street, Ingham. Land is zoned *Residential*. (058/0308)

Resolved – That conditional approval be granted for the proposed Material Change of Use – Code Assessment – Duplex Unit (2 Detached Dwellings) over Lot 1 of RP721660, Parish of Trebonne for the following reasons:-

- (b) The proposed development is consistent with the Hinchinbrook Shire Planning Scheme, Residential Zone Code.

The following conditions should be attached to an approval:-

- (a) Development is to be carried out generally in accordance with the submitted plans inclusive of landscaping detail;
- (b) Property access/invert crossings to be constructed to Hinchinbrook Shire Council standards. Existing redundant access to be removed and the kerb reinstated;
- (c) All parking, access, and manoeuvring areas, are to be treated with an approved dust free surfacing;
- (d) All stormwater is to be directed to either the kerb and channel, or underground systems, or otherwise approved legal point of discharge as applicable. Any new kerb and channelling, pits, sections of underground line, or other ancillary works, are to be constructed to Hinchinbrook Shire Council standards;
- (e) Perimeter fencing to be constructed to the heights and to the detail shown in the included drawing "Site Plan" Drawing No. D09023 – Sheet 2 – and dated May 2009;
- (f) Payment to the Council of water headworks contribution of \$1,555 (One (1) x ETU's additional);
- (g) Payment to the Council of sewerage headworks contribution of \$1,555 (One (1) x ETU's additional); and
- (h) Payment to the Council of public open space contribution of \$1,555 (One (1) x ETU's additional).

(Crs. Kaurila and Gianotti – Carried unanimously)

18. DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT – APPROVAL – W.P. & O.J. DAY – 117 SACH'S LANE, INGHAM – LOT 1 on RP720200.

Consideration of Report to Council from Manager Engineering Services dated 27th May, 2010 advising the applicant has now made a submission in regard to satisfying conditions (b) and (e) recently revised at Council's General Meeting on the 22nd April, 2010 in relation to his Development Application for Reconfiguring a lot at 117 Sach's Lane, Ingham described as Lot 1 on RP720200. (066/0207)

Resolved - That Council advise the Applicant that their proposed treatments for conditions (b) and (e) of the amended Decision Notice is unacceptable, and that it is necessary for the Applicant to undertake works of an approved nature in both instances.

(Crs. Gianotti and Kaurila – Carried unanimously)

3. FUNCTION V - INFRASTRUCTURE MANAGEMENT

A. PROGRAM A – TRANSPORT

Cr. D.M. Bosworth declared a conflict of interest in Item 2.3.A.1. and left the meeting and did not participate in the discussions or resolution thereon.

1. GILROY SANTA MARIA COLLEGE, Ingham, 10th May, 2010, advising that the College is looking to use Lot 17 Neame Street, Ingham (next to the Gedge Street CSR trainline easement) as an "all weather" access driveway to the College as a safe alternate route to and from school for parents and students so as not to cross the CSR tramline on Chamberlain Street, especially at peak traffic times (8.00am – 9.00am and 3.00pm – 4.00pm). (032/0008)

Consideration was also given to a Report to Council from Manager Engineering Services dated 25th May, 2010 regarding Gilroy Santa Maria College's request for permission to use an existing informal access to the College grounds in a formal manner. The College requests that an all weather access be constructed across the existing road reserve between Neame Street and the College, immediately adjacent to the CSR sugar cane rail easement which runs alongside Gedge Street and continues along a College boundary, crossing Chamberlain Street in the process.

Resolved – That Council advise Gilroy Santa Maria College that the proposed secondary access has been examined by Council's Technical staff, but unfortunately due to constraints imposed by the proximity of the cane line, it is not a workable proposition. However, Council's Technical staff can be made available to review the existing Chamberlain Street access arrangements.

(Crs. Lynch and Molachino – Carried unanimously)

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

B. PROGRAM B – DRAINAGE

1. LOWER HERBERT WATER MANAGEMENT AUTHORITY, Ingham, 30th March, 2010, advising that a recent meeting of the landholder / ratepayers within the Authority area, it was unanimously agreed to support the retention of the Authority operations as they currently exist. Requesting Council to consider supporting the landholders by writing to the Premier's Department and to the Department of Environment & Resource Management (DERM) for the maintenance of current arrangements with elected directors plus Sucrogen and Council representation which has provided cost effective drainage and environmental management for the Authority area. (028/0007)

Consideration was also given to a Report to Council from Chief Executive Officer dated 26th May, 2010 regarding attendance at a meeting with the Lower Herbert Water Management Authority and Department of Environment & Resource Management Officers on Wednesday 26th May, 2010 to discuss the proposed abolition of the Authority and transfer of its responsibilities either to Local Government or into some other appropriate body.

Resolved – That Council support the retention of the Lower Herbert Water Management Authority in its present form of operations and that this decision be conveyed to the State Government.

(Crs. Gianotti and Lynch – Carried unanimously)

C. PROGRAM C – TECHNICAL SERVICES

1. SITING RELAXATION APPLICATION – 146 PATTERSON PARADE, LUCINDA. Consideration of a Report to Council from Acting Infrastructure Engineer dated 25th May, 2010 in relation to a Siting Relaxation Application received for a proposed extension and house raising associated with an existing residence at 146 Patterson Parade, Lucinda.

Resolved – That Council approve the Siting Relaxation Application of Mr. Mark Hall of Mark Hall Building Design for an on behalf of Mr. Alan and Mrs. Sandra Abercrombie on the grounds that the proposed extension is expected to maintain the existing amenity of neighbouring residents, and does not create an additional impact on lighting or ventilation of either property.

(Crs. Kaurila and Molachino – Carried unanimously)

2. IPWEAQ NORTH QUEENSLAND BRANCH SUPERVISOR'S SEMINAR.

Consideration of Report to Council from Manager Engineering Services dated 24th May, 2010, advising Council has been named as hosts of the Northern Division Local Government Supervisor's Seminar on Wednesday 24th to Friday 26th November, 2010 and seeking Council's acceptance of the invitation, agreement to sponsor the event, provide the Shire Hall as the venue, and allow staff time to organise the event.

Resolved – That Council formally accept the invitation to host the IPWEAQ NQ Branch Supervisor's Seminar on Wednesday 24th to Friday 26th November, 2010 and provide sponsorship of \$1,500 (excl. GST) for the event.

That Council provide the Shire Hall in addition to the sponsorship should it be used as the Seminar venue, and allow staff time in organising the event.

(Crs. Gianotti and Kaurila – Carried)

4. FUNCTION IV – HEALTH & ENVIRONMENT SERVICES

A. PROGRAM C – WASTE MANAGEMENT

1. LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND INC., Fortitude Valley, 30th April, 2010, advising that at the Association's 2009 Annual Conference held in Brisbane on the 24th to 27th August, 2009, the motion submitted by Council and the North Queensland Local Government Association was adopted by resolution – *Administration Fee – Serving Notices on Overgrown Allotments – That the LGAO support and lobby for councils to have legal authority to levy an administrative fee for serving notices on overgrown allotments.* Further advising that the LGAO wrote to relevant Ministers and forwarding copy of the response from The Hon. Desley Boyle MP dated 21st April, 2010. The Minister advises that she cannot support the request as it is considered that Councils already possess sufficient powers in relation to overgrown allotments and the ability to recover their costs. Councils have the ability to issue a penalty for non-compliance with a compliance notice and the power to enter land, perform the necessary remedial work and recover the costs from a defaulting landowner. Activities such as inspections and follow up reinspections of overgrown allotments are general regulatory activities undertaken by Councils and the cost of these activities should be funded from general revenue, such as rates. To allow Councils to levy a fee would set an undesirable precedent and would be an inappropriate expansion of the revenue powers of Councils. Such a proposal would be unlikely to receive widespread community support and the Minister is unaware of any State Government agency which has the authority to levy a fee when issuing a compliance notice under similar regulatory regimes. LGAO further advises that they are aware that a similar request by Brisbane City Council received the same response from the Minister and the Council reviewed its process and has now developed an alternative approach that has been successful in significantly reducing inspections and repeat notices to clear. The LGAO NRM and Climate Change Policy Advisor, Dorean Erhart will contact Council shortly to discuss the Brisbane City Council's response and provide a contact person should Council wish to pursue this alternative. (007/0004)

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

B. PROGRAM C – WASTE MANAGEMENT

1. S. & M.M. BLANCO, Ingham, 30th April, 2010, advising that they lost the upper level of their home in a disastrous fire on the 13th January, 2010 at Hamleigh Road, Ingham. The home was insured; however the funds received were not sufficient for full coverage. Demolition was carried out by Marbelli Brothers and all debris moved to the Council waste transfer station. As they are pensioners, requesting Council to consider waiving all fees incurred in this exercise.

Resolved – That Council advise Mr. and Mrs. Blanco that it is unable to waive the dump fees.
(Crs. Gianotti and Molachino – Carried unanimously)

2. VICTORIA HOTEL INGHAM, Ingham, 30th April, 2010, requesting Council to provide a rubbish bin with a butt bin to be either incorporated on top of the bin or stand alongside, to be placed in front of the Hotel at 68 Herbert Street, Ingham. Due to the Hotel's proximity to KFC a considerable amount of rubbish is left on the seat at the front of the hotel and an extreme amount of butts from customers and pedestrians. A metal bin (alike those seen around town) in front of the Hotel would assist in rectifying this problem and beautify the street. (048/0012)

Resolved – That Council advise the Victoria Hotel that they should provide this service to their patrons.
(Crs. Gianotti and Kaurila – Carried unanimously)

5. FUNCTION III – COMMUNITY SERVICES

A. PROGRAM A – COMMUNITY ASSISTANCE

1. LOUISE BROWN, Halifax, 8th May, 2010, advising that in recognition of Rico Cazzulino's service and achievements within the Halifax Fire & Rescue Service and for his retirement, they would like to host an evening at the Halifax Community Hall on the 12th June, 2010. Rico is an upstanding member of the Lower Herbert community and has made many valuable contributions over the years serving as an Auxiliary fire fighter for approximately 27 years and as a member of the Halifax Local Ambulance Committee for 10 years. Requesting Council to consider hiring the hall at a minimal cost in honour of Rico's contributions to the Hinchinbrook community. (012/0002)

Resolved – That Council provide a donation in the sum of \$170 (excl. GST) for the retirement function of Mr. Rico Cazzulino.

(Crs. Kaurila and Molachino – Carried unanimously)

2. SMART SERVICE, Brisbane, 16th April, 2010, inviting Council to affiliate with Companion Card which has been operating for a year in Queensland with more than 3,000 Companion Card holders across the state. Companion Card is issued by the Queensland Government and the application process involves a rigorous assessment so only those people who demonstrate they require significant assistance to participate in community activities receive the card. Affiliation means that the Companion Cardholder pays for one ticket and receives one free for their required companion / carer. Operating as a national project, all national and interstate affiliate organisations can be found on the website and Companion Cardholders may use their cards interstate. Affiliates include major sports and performances venues, tourist attractions, regional pools, county shows and any ticketed events. This card can be applied to any venues or events the Council administers or, if there are none, the Council can still affiliate "in principle" and apply the "Companion Card accepted here" when the Council does have an event or venue. (007/0012)

Resolved – That Council affiliate with Companion Card.

(Crs. Kaurila and Lynch – Carried unanimously)

3. SPECIAL CHILDREN'S CHRISTMAS PARTY, Townsville, 19th April, 2010, requesting Council's financial support towards the 2010 Variety Special Children's Christmas Party to be held on Saturday 6th November, 2010 at the Ryan Community Centre, Kirwan. (012/0002)

Resolved – That Council contribute the standard package of \$220.00 (incl. GST) for the 2010 Special Children's Christmas Party in the 2010 / 2011 financial year.

(Crs. Lynch and Molachino – Carried unanimously)

4. BIG W TOWNSVILLE TO CAIRNS BIKE RIDE 2010 RAISING FUNDS FOR CHILDREN'S CANCER INSTITUTE AUSTRALIA, Garbutt East, 25th May, 2010, advising that the 2010 BIG W Townsville to Cairns Bike Ride as a major fundraiser for research for the Children's Cancer Institute of Australia will take place from Thursday 29th July to Saturday 31st July, 2010 and participants are expected to arrive in Ingham from 1.00 p.m. on Thursday 29th July, 2010. Requesting Council to once again consider allowing the use of the Showgrounds Pavilion as accommodation for the participants overnight on the 29th, however the Committee requests that Council waive the hall hire fee in lieu of making the traditional direct donation to the CCIA, as this year the Committee has structured costs and fundraising so that all of the costs of running the ride are kept completely separate from all fundraising. Costs are paid by riders and supporters registration fees and some specific sponsorship, all money raised by the riders goes directly to the CCIA. (012/0002)

Resolved - That Council provide financial assistance in the sum of \$250 (excl. GST) towards this event.

(Crs. Kaurila and Lynch – Carried unanimously)

5. HERBERT RIVER JOCKEY CLUB, Ingham, 10th May, 2010, advising that the Club's annual race meeting will be held on Friday 27th August and Saturday 28th August, 2010 and seeking Council's financial sponsorship of this year's event. The Club anticipates the event will again be very well attended as has been the trend in recent years. The event has proven to be a much anticipated social experience comprising two days of horse racing, a Ladies Lady Luncheon (Friday) and Fashions of the Field (Saturday) which continues to grow in popularity. (012/0002)

Resolved – That Council defer consideration to budget discussions.
(Crs. Gianotti and Kaurila – Carried unanimously)

B. PROGRAM B – CULTURAL SERVICES

1. APRIL ROUND RADF APPLICATIONS.

Consideration of Report to Council from Arts & Cultural Officer / RADF Liaison Officer dated 24th May, 2010 advising Council that the Association received six applications for the April Round of funding from a number of applicants. The Committee agreed to fund six projects totalling \$25,154 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 the April Round of RADF applications totalling \$25,154.
(Crs. Molachino and Kaurila – Carried unanimously)

C. PROGRAM C – RECREATION

1. SHOWGROUNDS MOWING AND MAINTENANCE.

Consideration of Report to Council from Manager Corporate Communications dated 24th May, 2010, seeking Council direction in relation to the viability of a full time caretaker for the Ingham Showgrounds as requested by the Showgrounds Management Committee.

Further consideration was given to a Report to Council from Manager Corporate Communications dated 3rd June, 2010 regarding the Position Scope for the proposed new TYTO / Showgrounds Caretaker.

Resolved – That Council advertise for a temporary / full time employee for the TYTO / Showgrounds Caretaker position and issue a tender for the mowing of the Showgrounds.
(Crs. Kaurila and Molachino – Carried – Cr. Bosworth recorded her vote against the motion)

D. PROGRAM A – COMMUNITY ASSISTANCE

1. HERBERT RIVER JOCKEY CLUB, Ingham, 19th May, 2010, thanking Council for its continued financial and inkind support of the Ingham Annual Races and advising of concerns they have in relation to the gravelled entrance directly off Marina Parade into their facilities which is continually pot-holed, with rain water usually stagnating in the table drain. Council always maintains and grades the surface which is appreciated, however the Club would like to suggest bitumen or asphalt be laid on this problem area. Also requesting Council to quote on extending the hard surface to their ticket gate and beyond, and whilst the Club is not in a strong financial position, the Club is willing to contribute financially to partner this project.
(012/0002)

Resolved – That Council advise the Club that it is unable to provide the financial assistance at this time.
(Crs. Gianotti and Lynch – Carried unanimously)

6. FUNCTION I - CORPORATE SERVICES

A. PROGRAM A – CORPORATE GOVERNANCE

1. LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND INC., Brisbane, 5th May, 2010, advising that the LGAQ 114th Annual Conference will be held from the 30th August to 2nd September, 2010 at the Mackay Entertainment & Convention Centre. Registration is now open and early bird cut off for registrations is the 16th July, 2010.
(007/0003)

Resolved - That consideration of attendance be deferred to the Committee Business Meeting on Tuesday 22nd June, 2010.

That Council submit a motion to the Conference seeking payment of General Rates on Forestry Plantation Queensland land which is being privatised.
(Crs. Molachino and Lynch – Carried unanimously)

2. HERBERT RIVER EXPRESS COMMUNITY SURVEY RESULTS.

Consideration of request from Cr. D.M. Bosworth dated 7th May, 2010 for Council to acknowledge the recent Herbert River Express Community Survey results and consider the results in Council's future community discussions.

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

3. COUNCIL NEWSLETTER REVITALISATION.

Consideration of Report to Council from Manager Corporate Communications dated 21st May, 2010, seeking Council's direction in relation to improving the current Council newsletter "HSC Happenings".

Resolved – That Council move to publish the Council newsletter in the Herbert River Express on a single page bi-monthly commencing in July, 2010.
(Crs. Lynch and Kaurila – Carried unanimously)

4. 2009 / 2010 FEES & CHARGES SCHEDULE - TOWN PLAN - SHIRE (SUSTAINABLE PLANNING ACT).

Consideration of incorporating Concurrence Agency Assessment Fees and Compliance Assessment Fees into the 2009 / 2010 Fees & Charges Schedule under the *Sustainable Planning Act*.

Resolved - That Council include the following charges in its 2009 / 2010 Fees & Charges Schedule – Concurrence Agency Assessment \$520 and Compliance Assessment \$520.
(Crs. Kaurila and Bosworth – Carried unanimously)

5. COUNCILLOR PATRICK LYNCH, Ingham, 25th May, 2010, advising that he intends to resign as Chairperson of the Showground Advisory Committee following the Committee Meeting on Tuesday 25th May, 2010, due to his overload of commitments. As he has served as Committee Chairperson for the past 2 years and worked hard in the role, he believes that to continue in this role would mean he would not be able to give his all.

Resolved – That the advice be received and noted.

That Cr. Molachino continue as Council's representative on the Showground Advisory Committee and the Committee be authorised to appoint a Chairperson from within the membership.

(Crs. Molachino and Gianotti – Carried unanimously)

6. LEASING ARRANGEMENTS FOR AND FUTURE ASSISTANCE TO THE HERBERT RIVER SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (HRSPCA).

Consideration of Report to Council from Environmental Health Technical Officer dated 19th April, 2010 seeking Council's direction in relation to ongoing lease arrangements with the HRSPCA at Halifax, the state of all structures (buildings and enclosures) at the Shelter, and future financial and inkind support towards the running of the Shelter.

Resolved – That Council conduct a meeting with appropriate internal officers and representatives of the Herbert River Society for the Prevention of Cruelty to Animals (HRSPCA) to gain information about the organisation's direction and ongoing viability for further consideration.

(Crs. Kaurila and Gianotti – Carried unanimously)

B. MISCELLANEOUS CORRESPONDENCE

1. OUR LADY OF LOURDES CATHOLIC PRIMARY SCHOOL, Ingham, 11th May, 2010, advising on behalf of the Our Lady of Lourdes and St. Peter's Halifax Schools that they would like to see assistance with transport costs the outcome of Council's consideration of the Reef HQ Aquarium proposal. As Council does not have unlimited funds to necessarily support full subsidy for all schools, suggesting that consideration be given to providing full subsidy for smaller schools and partial subsidy for larger schools in the district. By providing subsidy for transport, schools may then choose to supplement the cost of entry for students and not have to pass on the cost for transport and entry to families. (044/0044)

2. CANOSSA PRIMARY SCHOOL, Trebonne, 7th May, 2010, advising in relation to the GBRMPA proposal for school visits to Reef HQ Aquarium in Townsville, that their view would be a preference for assistance with transport costs to and from the venue.
3. TOWNSVILLE ENTERPRISE LIMITED (TEL), 12th May, 2010, advising the Wet Tropics Management Authority (WTMA) has initiated to have the Wet Tropics greater region nominated as a National Landscape by Tourism Australia which is a national program operated by Tourism Australia and Parks Australia to forge stronger partnerships between tourism and conservation. This program identifies Australia's iconic landscapes, capturing and promoting the best of Australia sought after by the global target audience, the Experience Seeker. Further advising that a meeting was held in Cairns last month and TEL nominated to support the initiative and be on the Steering Committee. Other councils are also becoming involved and at this stage WTMA are taking the lead. No financial commitment is required from Hinchinbrook. This program does not replace existing marketing efforts but adds an additional layer that focuses on the international appeal of a region. A support letter may be required from Council once the National Assessment Committee makes a judgement about the nomination, and TEL has secured a seat on the Steering Committee to ensure Hinchinbrook stakeholders are kept abreast of the process.
4. HON. DESLEY BOYLE MP, MINISTER FOR LOCAL GOVERNMENT & ABORIGINAL & TORRES STRAIT ISLANDER PARTNERSHIPS, Cairns, 10th May, 2010, responding to Council's request for financial assistance towards the cost overrun of Council's Regional Centres Program, Tyto Wetlands Centre, Southern Gateway and Promenade Component and advising that unfortunately, the funding for RCP has been fully allocated and the Minister is unable to approve additional funding towards the project. Further advising that she is aware of the favourable reports that Council has received from the Ingham Cultural Centre and Tyto Precinct and also understands that, based on Council's 2008 / 2009 financial statement, Council is in a position to afford to pay for the cost overrun associated with the project.
(011/0050)
5. MURWEH SHIRE SES UNIT, Charleville, 12th May, 2010, thanking Council for their kind donation of \$500. During the recent flood event the power in the SES shed was identified as being insufficient. The EOC was operated from the SES shed and the 20 KVA single phase generator could not handle the load from the kitchen used to feed all emergency services personnel. Murweh Shire Council will assist with the upgrade of electrical wiring in the shed from single phase to 3 phase, and the SES Unit has decided to utilise all donations received for the upgrade of their generator.
(012/0002)

Resolved – That the list of miscellaneous correspondence be received and noted.
(Crs. Gianotti and Bosworth – Carried unanimously)

C. PROGRAM C – 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 held on the 27th April, 2010.

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

7. FUNCTION III – COMMUNITY SERVICES

A. PROGRAM A – COMMUNITY ASSISTANCE

1. ST. ANTHONY COMMITTEE, Ingham, received 28th May, 2010, advising that their annual feast day – *Feast of St. Anthony* will be held on Sunday 13th June, 2010 at Bemerside and seeking a donation from Council to assist them in hosting this event. Also extending an invitation to all Councillors and Council staff and their families to attend the feast day.
(012/0002)

Resolved – That as the Feast qualifies under Council's Support for Events Policy, Council provide the sum of \$250 (excl. GST) to the Feast of St. Anthony.
(Crs. Gianotti and Bosworth – Carried unanimously)

3. GENERAL MEETING BUSINESS

1. FUNCTION III – COMMUNITY SERVICES

A. PROGRAM A – COMMUNITY ASSISTANCE

1. LOWER HERBERT COMMUNITY KINDERGARTEN, Halifax, 1st June, 2010, requesting Council to consider allowing the Kindergarten use of the Halifax Hall at a minimal fee (\$10 plus GST) to once again host Bingo events one day a week (Saturday mornings from approximately 9.30am to 11.30am) during the cooler months commencing on the 19th June, 2010. These events raise funds for the Kindy in order to maintain a quality facility at an affordable cost to local families. Parents and Committee members have received enquiries from regular tourists to the area to once again host these regular Bingo events. The Kindergarten undertakes to ensure that the hall, kitchen and toilets are left clean and tidy following each use.

Resolved – That Council provide the Halifax Community Hall to the Lower Herbert Community Kindergarten at a discounted rate of \$10 plus GST to host Bingo every Saturday morning from 9.30am to 11.30am commencing on the 19th June, 2010.

B. PROGRAM B – CULTURAL SERVICES

1. PUBLIC ARTWORK BY JILL CHISM.

Consideration of Report to Council from Manager Corporate & Economic Development dated 2nd June, 2010 seeking Council's endorsement of the Chief Executive Officer's actions in accepting the public artwork by Jill Chism from the Museum and Gallery Services Old. For the purpose of installing the artwork in the new Technology Learning Centre or Gallery.

Resolved – That Council endorse the actions of the Chief Executive Officer in accepting the public artwork by Jill Chism from the Museum and Gallery Services Old.

*That all of the recommendations contained in Community Services – Community Assistance 3.1.A.1 to 3.1.B.1 be adopted.
(Crs. Bosworth and Lynch – Carried unanimously)*

4. CONCLUSION – This concluded the business of the meeting which closed at 4.58 p.m.

5. APPROVED and adopted this 24th day of June, 2010.

ACTING MAYOR