



**HINCHINBROOK
SHIRE COUNCIL**

MINUTES OF THE SPECIAL MEETING
OF THE
HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS,
INGHAM
ON FRIDAY 17TH DECEMBER, 2010
AT 3.50 P.M.

ATTENDANCE

- Present were Councillors G. Giandomenico, G.P. Gianotti, L.R. Molachino, S.J. Kaurila, P.D. Lynch and D.M. Bosworth.
- Also present was the Chief Executive Officer (R.W. Clark), Manager Corporate & Economic Development (R.F. Pennisi), Manager Engineering Services (B.E. Leach) Town Planning & Development Officer (B. Christie-Johnston) and Executive Secretary (B.K. Edwards).

APOLOGY

- An apology for non-attendance was received from Cr. A.J. Lancini and it was resolved that leave of absence be granted.

PRAYER

- The Mayor opened the meeting with prayer.

BUSINESS -

1. OPERATIONAL ACTION 2.0 - ECONOMY

Cr. D.M. Bosworth declared a material personal interest in Item 1.1. and left the meeting and did not participate in the discussions or resolution thereon.

Cr. G. Giandomenico also declared a material personal interest in Item 1.1 and left the meeting and did not participate in the discussions or resolution thereon.

*Cr. L.R. Molachino was appointed to the Chair by the Councillors present.
(Crs. Kaurila and Lynch – Carried unanimously)*

1. B.J. & D.M. BOSWORTH, Ingham, 23rd September, 2008, seeking approval for the proposed Material Change of Use – Impact Assessment – Quarry 5,000 tonnes – 100,000 tonnes over Lot 1 on RP736915 at 159 Bosworth's Road, Ingham. Land is zoned Rural. (058/0266)

Resolved – That consideration be deferred to a later stage of the Special Meeting.
(Crs. Lynch and Gianotti - Carried unanimously)

Cr. D.M. Bosworth and Cr. G. Giandomenico returned to the meeting. Cr. G. Giandomenico resumed the Chair.

2. RENARD DEVELOPMENTS PTY. LTD., Albion, 4th November, 2010, seeking approval for the proposed Material Change of Use – Code Assessment – Vacant Land to Commercial Offices over Lot 5 on RP703699 at 48 Herbert Street, Ingham. Land is zoned Commercial. (058/0322)

Resolved – That approval be granted for the proposed Material Change of Use – Code Assessment - Vacant land to Commercial Offices, subject to the following proposed conditions:-

- (a) That the Developer provides twenty-six (26) off-street sealed car parks and landscaping as indicated on Drawing No DA01 (Project 1008 – dated October 2010). Prior to works commencing the developer is to submit for Council's approval details of the proposed car park and access off Herbert St. The access way off Herbert St is to be a minimum width of 6m and parking layout and manoeuvring provision is to meet relevant standards;
- (b) That the Developer provides a commercial vehicle access crossing to Council standard as detailed in standard drawings "SD 0026" – dated the 16th June 2010 (Minimum width of 6m as per the Department of Transport Main Roads' condition No.4) – Including modifications to the existing footpath profile as applicable to accommodate the new access. Please note Advisory Note No. 2 on the Schedule attached to the Department of Transport and Main Roads' Referral Agency Response;
- (c) The Applicant shall ensure that existing drainage catchments are not altered. All stormwater is to be directed to the kerb and channel, underground systems or an otherwise approved legal point of discharge;
- (d) Payment to Hinchinbrook Shire Council of sewerage headworks contribution of \$1,587
- (e) Payment to Hinchinbrook Shire Council of water headworks contribution of \$1,587
- (f) Prior to installing the proposed pedestrian crossing as shown in the detail "Proposed Pedestrian Crossing" on Drawing No. DA02, the proponent obtain approval from the Department of Transport and Main Roads and submit those details to Council.
- (g) Prior to installing the proposed "PWD" Parking Bay as detailed the drawings "Existing Car Bay turned into new "PWD" Car Bay" Drawing No. DA02, the applicant obtains approval from both the Department of Transport and Main Roads and Council. The applicant to note that approval will only be granted for a layout complying with AS/NZS 2890.6:2009.
- (h) That the proponent must comply with the ten (10) conditions contained in the schedule attached to the Department of Transport and Main Roads' Referral Agency Response (Letter Reference 455/145 DCT#2479 dated 3rd December 2010).

(Crs. Molachino and Lynch – Carried unanimously)

3. REQUEST TO CHANGE OR EXTEND AN EXISTING APPROVAL – NOEL FICHERA & JOSHUA LIDDLE – DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE & RECONFIGURING A LOT – 12 LOT RESIDENTIAL PLUS BALANCE LOT – LOT 368 on CWL2628.

Consideration of Report to Council from Acting Infrastructure Engineer dated 9th December, 2010 seeking Council's direction in relation to a request received from the applicant's Developers to amend condition (m) of the Development Application's Decision Notice in regard to changing from underground to overhead electricity supply as the reticulation location will be in a flood prone portion of the proposed development and an underground installation is not feasible in this instance. (058/0297)

Resolved –That Council amend condition (m) for the Development Application for Noel Fichera and Joshua Liddle for the Material Change of Use and Reconfiguring a Lot to read as follows:-

- (m) Provision of electricity reticulation to each lot, including a network of street lighting for minor roads to current Australian Standard AS/NZS 1158.3.1:1999.

(Crs. Bosworth and Kaurila – Carried unanimously)

2. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. SITING RELAXATION APPLICATION – 5 BROLGA STREET, TOOBANNA.

Consideration of a Report to Council from Acting Infrastructure Engineer dated 9th December, 2010 in relation to a Siting Relaxation Application received from Cassowary Coast Homes for a proposed front extension to an existing residence at 5 Brolga Street, Toobanna. (061/0004)

Resolved – That Council approve the Siting Relaxation Application for Cassowary Coast Homes on the grounds that the proposed extension is unlikely to impact on the existing outlook and views of neighbouring residents in Brolga Street. There is no impact on Safety to the Public.

(Crs. Kaurila and Bosworth – Carried unanimously)

3. OPERATIONAL ACTION 2.0 - ECONOMY

Cr. D.M. Bosworth declared a material personal interest in Item 3.1. and left the meeting and did not participate in the discussions or resolution thereon.

Cr. G. Giandomenico also declared a material personal interest in Item 3.1 and left the meeting and did not participate in the discussions or resolution thereon.

*Cr. L.R. Molachino was appointed to the Chair by the Councillors present.
(Crs. Kaurila and Lynch – Carried unanimously)*

1. B.J. & D.M. BOSWORTH, Ingham, 23rd September, 2008, seeking approval for the proposed Material Change of Use – Impact Assessment – Quarry 5,000 tonnes – 100,000 tonnes over Lot 1 on RP736915 at 159 Bosworth's Road, Ingham. Land is zoned Rural. (058/0266)

Resolved – That approval be granted for the proposed Material Change of Use – Impact Assessment – Quarry 5,000 tonnes – 100,000 tonnes, subject to the following proposed conditions:-

- (a) The applicant is to submit for Council's approval a dust abatement scheme aimed at protecting the residence located on Lot 3 RP882140 from dust nuisance associated with the quarry access road. The proposal is expected to involve a permanent form of surface treatment and may involve a vegetation strip. Works are to be in place prior to June 2011. Prior to that time, dust nuisance is to be controlled by the current method of wetting the access.
- (b) The Quarry access road intersection with Bosworth's Road is to be upgraded to comply with Council's Standard, SD0025 – Typical Un-kerbed Intersection Layout, with works to be completed prior to the use commencing.
- (c) The existing dust suppression at the northern end of Bosworth's Road is to be upgraded to Council's Standard Sealed treatment for heavy vehicle use, 6m seal on an 8m formation on a 50/50 cost sharing basis with Council. Work is to be in place prior to June 2011. The applicant is to submit for Council's approval detail of the proposed widening prior to works commencing.
- (d) That the proponent must comply with the sixteen (16) conditions contained in the schedule attached to the Department of Transport and Main Roads' Referral Agency Response (Letter Reference 455/102 DCT#2185 dated 7th December 2010).
- (e) That the proponent must comply with the conditions of approval as contained in the EPA permit number IPCE01298408 attached to the Environmental Protection Agency (Known now as: Department of Environment & Resource Management) Referral Agency Response (Letter Reference 314532 (TSV7053) dated 8th December, 2008).
- (f) That the applicant provide an annual amount of \$3,059 (indexed annually to CPI) to cover the expected cost of one (1) additional maintenance grade per year to the gravel section of Bosworth's Road.

(Crs. Lynch and Gianotti - Carried unanimously)

Cr. D.M. Bosworth and Cr. G. Giandomenico returned to the meeting. Cr. G. Giandomenico resumed the Chair.

4. CONCLUSION – This concluded the business of the meeting which closed at 5.05 p.m.
5. APPROVED and adopted this 25th day of January, 2011.

MAYOR