



MINUTES OF THE GENERAL MEETING OF THE HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS, INGHAM
ON THURSDAY 25TH JUNE, 2009
AT 4.10 P.M.

ATTENDANCE

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

APOLOGY

- Apologies for non-attendance were received from Cr. G. Giandomenico and Cr. G.P. Gianotti and it was resolved that leave of absence be granted.

PRAYER

- The Deputy Mayor opened the meeting with prayer.

1. MINUTES

- Resolved that the Minutes of the General Meeting held on the 4th June, 2009 be approved as a correct record of proceedings and be signed by the Mayor.
(Crs. Molachino and Lynch - Carried unanimously)

2. COMMITTEE BUSINESS REPORT -

The Joint Committee submitted a report of meeting held on 23rd June, 2009.

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

BUSINESS –

1. CEO REPORT OF COUNCILLOR REQUESTS

Consideration of CEO Report of Councillor Requests for the period 28th May, 2009 to 17th June, 2009.

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

2. FUNCTION II - DEVELOPMENT AND PLANNING

A. PROGRAM A – ECONOMIC DEVELOPMENT

1. THORSBY & HOMEWOOD, Ingham, 10th June, 2009, on behalf of **P. Poppi** seeking an extension of approval for two years until 14th June, 2011 (original approval date 14th June, 2007) for completion of the proposed reconfiguration (subdivision) into two lots of Lot 15 on RP857758, Parish of Cordelia at 41-45 Bottlebrush Street, Allingham.(066/0165)

Resolved – That an extension of time for two years until the 14th June, 2011 in which to complete the proposed reconfiguration be granted and the applicant be advised that a further extension will not be granted.

2. **THORSBY & HOMEWOOD**, Ingham, 29th May, 2009, on behalf of **D.J., R.A., & A. Robino and CSR Sugar** seeking an extension of approval for two years until 23rd June, 2011 (original approval date 23rd June, 2005) for completion of the proposed reconfiguration (rearrangement of boundaries) between Lots 2, 3 and 4 on RP720959, Parish of Cordelia at Robino's Road, Braemeadows. (066/0129)

Resolved – That an extension of time for two years until the 23rd June, 2011 in which to complete the proposed reconfiguration be granted and the applicant be advised that a further extension will not be granted.
(Crs. - Carried unanimously)

That all of the recommendations contained in Development and Planning – Economic Development 2.2.A.1. and 2.2.A.2. be adopted.
(Crs. Bosworth and Molachino – Carried unanimously)

3. **B. & S. DE GRAAFF**, Ingham, 20th February, 2009, seeking approval of the proposed reconfiguration of land (subdivision) into two lots of Lot 6 on SP195689, Parish of Trebonne at 49310 Townsville Road, Toobanna. Land is zoned *Village*.(065/0125)

Resolved – That Council refuse the Application on the following grounds:-

- (a) The Application is a one off reconfiguration of a large block which does not represent orderly development of this area; and
- (b) As directed by the Department of Main Roads' Concurrence Agency advice to refuse the application.

(Crs. Bosworth and Lynch - Carried unanimously)

3. **FINANCIALS**

Consideration was given to a report of financial activities for the month of June, 2009.

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

4. **WORKS REPORT**

Consideration was given to a report of civil operations for the month of May, 2009.

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

5. **FUNCTION II - DEVELOPMENT AND PLANNING**

A. **PROGRAM A – ECONOMIC DEVELOPMENT**

1. **B. & R. PRESS**, Ingham, 12th March, 2009, seeking approval of the proposed reconfiguration of land (subdivision) into five lots of Lot 5 on SP110334, Parish of Trebonne at 49126 Townsville Road, Toobanna. Land is zoned *Village*.(065/0127)

Resolved – That Council refuse the Application on the following grounds:-

- (a) The Application is not compliant with the Hinchinbrook Shire Planning Scheme due to inadequate width and alignment of the proposed internal road;
- (b) As directed by the Department of Main Roads' Concurrence Agency advice to refuse the application.

(Crs. Molachino and Bosworth - Carried unanimously)

2. THORSBY & HOMEWOOD PTY. LTD., Ingham, 20th February, 2009, on behalf of **S.G. Sartor** seeking approval of the proposed reconfiguration of land (rearrangement of boundaries) between Lot 9 on RP703610, Lot 5 on RP705300, Lot 1 on RP705302, Lot 1 on RP705303, Lot 13 on RP716688, Lot 12 on RP716690, Lot 1 on RP729666, Lot 2 on RP744174 and Lot 2 on RP705303, Parish of Marathon at Farrell Drive, Macknade. Land is zoned *Rural*. (067/0083)

THORSBY & HOMEWOOD PTY. LTD., Ingham, 15th June, 2009, referring to Main Roads letter of the 5th June, 2009 requesting Council to refused the proposed rearrangement of boundaries application and advising they have requested Main Roads to reconsider their refusal or to advise of an alternative access requirement. Requesting Council to hold off making a decision of this application until discussions have been held with Main Roads.

Resolved – That Council defer consideration to a future Council Meeting pending the applicant having discussions with the Main Roads Department.
(Crs. Lynch and Bosworth - Carried unanimously)

3. THORSBY & HOMEWOOD PTY. LTD., Ingham, 8th May, 2009, on behalf of **S. & J. Condon & N. Romano** seeking approval of the proposed reconfiguration of land (proposed easements) Easement A in Lot 13 on CWL102, Easement B in Lot 28 on CWL 225, and Easement C in Lot 29 on CWL225, Parish of Berwick at Baillie's Road and Allendale Road, Upper Stone. Land is zoned *Rural*. (072/0022)

Resolved – The Development Application of Mr. Stephen Condon for Reconfiguring a Lot is for the creation of an access easement over an existing track from Baillies Road to Allendale Road, Upper Stone. It is noted that the subject properties also have legal access elsewhere.

The proposal is seen as complying with Council's Planning Scheme and therefore approval is recommended subject to:-

- (a) The development being as per the proposal plans and easement agreement submitted with the Development Application; and
(b) Provision of a constructed access to Council Standard (or demonstrated that a suitable construction exists) at the entrance of the access easement.
(Crs. Kaurila and Lynch - Carried unanimously)

4. MACDONNELLS LAW, Townsville, 29th May, 2009, enclosing a Notice of Appeal No. D131 of 2009 – Quentin Bosworth - v - Hinchinbrook Shire Council, filed in the Planning and Environment Court, Townsville on 28th May, 2009.

ROBERTS NEHMER McKEE, LAWYERS, Townsville, 9th June, 2009, enclosing copy of Entry of Appearance, filed in the Planning and Environment Court on 5th June, 2009 for Planning and Environment Appeal No. D131 of 2009 Quentin Bosworth –v- Hinchinbrook Shire Council. (067/0085)

Resolved – That Council engage a Town Planning Consultant to report on and advise Council on the Appeal.
(Crs. Molachino and Kaurila - Carried unanimously)

5. DEVELOPMENT IN THE VILLAGE ZONE AREA OF TOOBANNA.
Consideration of Report to Council from Manager Engineering Services dated 16th June, 2009, seeking Council's direction in relation to recent decisions by the Department of Main Roads to refuse two Development Applications for Reconfiguring a Lot in the Toobanna area due to its concerns regarding a proliferation of accesses onto the Highway, and the Department's requirement for Council to develop a suitable Local Road Network Plan for the area.

Resolved – That Council proceed with preliminary discussions with the Department of Main Roads Officers and on the basis that fee proposals be sourced to assist Council with the necessary Engineering and Planning Work.
(Crs. Kaurila and Bosworth - Carried unanimously)

6. REQUEST TO NEGOTIATE CONDITIONS OF A DECISION – DEVELOPMENT APPLICATION OF D.J. & R.G. PERKINS – C/- WOLTER ROWLANDS TOWN PLANNING GROUP RECONFIGURING A LOT – PROPOSED REARRANGEMENT OF BOUNDARIES – FOUR MILE ROAD AND REGAZZOLI'S ROAD, BRAEMeadOWS – LOTS 1 – 5 on RP703813 and LOTS 9 – 12 on RP703813.

Consideration of Report to Council from Manager Engineering Services dated 16th June, 2009, seeking Council's direction in relation to a Negotiated Decision Notice in relation to a revised layout plan which has now been submitted for Lots 1 – 5 on RP703813 and Lots 9 – 12 on RP703813, Parish of Cordelia at Four Mile Road and Regazzoli's Road, Ingham.

Resolved – That Council accept the revised layout as satisfying condition (a) of the approval.

(Crs. Molachino and Lynch - Carried unanimously)

7. THE NORTH QUEENSLAND SMALL BUSINESS DEVELOPMENT CENTRE, Townsville, 27th May, 2009, forwarding proposal requesting Council to consider funding subsidy in the sum of \$10,000 toward the support of a Business Field Officers to visit the Hinchinbrook Region.

Manager Environmental Health Services, T. Tanase entered the meeting at 4.16 p.m.

Resolved – That the advice be received and noted and as there are a number of new initiatives yet to be considered in Council's Budget process, Council defer consideration of this matter pending prioritisation of all projects and review of the proposed Budget and advice as to whether Council's application to the Jobs Fund has been successful.

(Crs. Kaurila and Molachino - Carried unanimously)

8. ROBERT DICKSON, Allingham, 16th June, 2009, providing reasons for the siting of his shed at 2 Coral Tree Court, Allingham in support of his Siting Relaxation Application and requesting Council to reconsider his proposal. (061/0010)

Resolved – That Council having reviewed the circumstances involved in the siting of the building and having inspected the site, Council approve the Close to Boundary Siting Relaxation Application on the grounds that the building does not detract from the amenity of the streetscape.

(Crs. Bosworth and Kaurila - Carried)

9. J. & K. VENABLES, Ingham, received 18th June, 2009, requesting Council to consider their proposal to build a Plumbing Workshop and new home on La Spina's property at Origlasso Street, Ingham as they currently run their plumbing business out of their house in Marco Court, a shed in Atkinson Street and from their fathers truck shed on Hawkins Creek Road. It is important for their business and home to be at one location as they also own JK's Deli in Lannercost Street and often have trucks delivering freight after hours. (058/0001)

Resolved – That Council advise the applicant that it is a matter for them to decide whether or not to submit an Impact Assessable Application which requires public notification.

(Crs. Bosworth and Kaurila - Carried unanimously)

B. PROGRAM B – TOURISM

1. GREAT GREEN WAY TOURISM INC., Cardwell, 4th June, 2009, advising that in February, 2009, the system operating Emergency Position Identification Response Beacons (EPIRB's) ceased and with it the eight EPIRB's used for hikers on the Thorsborne Trail on Hinchinbrook Island were made obsolete. Replacement EPIRB's (now known as Personal Locator Beacons [PLB's]) cost \$450 each and tourism operators were not in a position to fund replacements. Great Green Way Tourism Incorporated wrote to many non-profit organisations, including the Cardwell emergency service organisation seeking donations towards the replacement of the PLB's and were fortunate enough to secure three PLB's thanks to the assistance of the Cardwell Lions, Cardwell Chamber of Commerce and themselves.

Seeking Council's assistance to fund two or three PLB's to be used on Hinchinbrook Island as it has been ascertained that these three are not sufficient with as many as 43 bushwalkers on the island at any one time, and in 2008, 286 EPIRB's were borrowed. It is now proved that PLB's are a necessity to add to people's security walking along the trail where phone reception is not available, and Great Green Way Tourism Incorporated have requested the ferry's to charge a donation towards the use of the PLB's to assist with any ongoing costs such as battery repacking and future replacements.(012/002)

Resolved – That Council request that the Great Green Way Tourism Inc. provide further information regarding contributions sought from Cassowary Coast Regional Council and other potential contributors.
(Crs. Kaurila and Molachino - Carried unanimously)

6. **FUNCTION V - INFRASTRUCTURE MANAGEMENT**

A. **PROGRAM A – TRANSPORT**

1. **ANNUAL PLANT HIRE OFFERS.**

Consideration of Report to Council dated 15th June, 2009 from Works Engineer advising that Council's Offers for Annual Plant Hire, which closed on the 2nd June, 2009 were advertised locally for the following items:-

- Hire of Backhoes;
- Hire of Low Loaders;
- Hire of Cranes;
- Hire of Dozers;
- Hire of Excavators;
- Hire of Front-end Loaders;
- Hire of Graders;
- Hire of Rollers;
- Hire of Scraper and Laser Scoops;
- Hire of Skidsteer Loaders (Bobcat);
- Hire of Slasher/Mowers; and
- Hire of Single Axle Trucks.

Seeking Council's endorsement of the annual plant hire offer process and the prepared lists for offered plant.

Resolved – That Council note the Annual Plant Hire Offer process and the prepared lists for offered plant.
(Crs. Lynch and Bosworth - Carried unanimously)

2. **SCHOOL ROAD SAFETY PROGRAMS.**

Consideration of Report to Council from Manager Engineering Services dated 16th June, 2009, seeking Council's direction in relation to Safe Drive Training [Aust] Pty. Ltd. Expressing an interest once again to hire the Ingham Aerodrome to conduct two training programs for the Defensive Driving Course for Ingham State High School Students proposed to be held in November, 2009.

Resolved – That Council permit the use of the Ingham Aerodrome to Safe Drive Training [Aust] Pty. Ltd., for the purpose of conducting the proposed Defensive Driving Course for Ingham State High School students, subject to further discussions with Council's Aerodrome Reporting Officer and airport users.
(Crs. Kaurila and Bosworth - Carried unanimously)

3. **HINCHINBROOK ROAD SAFETY ADVISORY COMMITTEE**, Ingham, 2nd June, 2009, advising Council that the Committee supports the Manager Engineering Services recommendation at its recent meeting to relocate the loading zone in front of Suncorp Insurance & Financial Services to in front of the Video 2000 premises and seeking Council's consideration. (033/0008)

Resolved – That Council agree to relocate the loading zone as recommended by the Report dated 16th March, 2009 and supported by the Hinchinbrook Road Safety Advisory Committee.

HINCHINBROOK ROAD SAFETY ADVISORY COMMITTEE, Ingham, 2nd June, 2009, requesting Council to reinstall wide access ramps to Rotary Park to enable access for twin prams and wide wheel chairs into the park. Advising that the Committee supports this proposal which was raised by the Ingham Parents Support Group following the removal of the pedestrian crossing by the Main Roads Department. (033/0008)

Resolved – That appropriate wide accesses be provided to allow access to Rotary Park.

HINCHINBROOK ROAD SAFETY ADVISORY COMMITTEE, Ingham, 2nd June, 2009, advising that the Committee received correspondence from a resident raising concerns regarding pedestrians crossing Tully Street from the Hinchinbrook Hotel to Overflow who are almost collected by traffic speeding west along Lannercost Street then south into Tully Street. Suggesting that five or six bays need to be for sedans only and there needs to be a pedestrian crossing with a warning sign on the pedestrian crossing by the Main Roads Department. The resident also raised concern that pedestrians crossing Hawkins Street from Grossi's Power Equipment to Casra's Tavern need a pedestrian crossing for a similar reason. Further advising that the Committee discussed this matter at its meeting and offer its views to Council that basic awareness by pedestrians and motorists is required by all road users and that no further action will be taken by the Committee. (033/0008)

Resolved – That a report be provided to Council by Manager Engineering Services with appropriate design and estimate for a pedestrian refuge at Tully Street and Hawkins Street.

(Crs. Bosworth and Kaurila - Carried unanimously)

B. PROGRAM C – TECHNICAL SERVICES

1. SITING RELAXATION APPLICATION – 13 ROATI STREET, INGHAM.

Consideration of Report to Council from Infrastructure Engineer dated 12th June, 2009 in relation to a Siting Relaxation Application received for a proposed new shed 0.2 m from the side boundary adjacent to 15 Roati Street and immediately adjacent to an existing shed.

Resolved – That the Siting Relaxation Application be approved.

2. SITING RELAXATION APPLICATION – 1 FERRERO STREET, LUCINDA.

Consideration of Report to Council from Infrastructure Engineer dated 17th June, 2009 in relation to a Siting Relaxation Application received for a proposed new shed at 1 Ferrero Street, Lucinda.

Resolved – That Council approve the Siting Relaxation Application on the grounds that the proposed shed is not expected to impact upon the amenity of surrounding properties.

3. SITING RELAXATION APPLICATION – 1 FISHER STREET, INGHAM.

Consideration of Report to Council from Infrastructure Engineer dated 17th June, 2009 in relation to a Siting Relaxation Application received for alterations to an existing house at 1 Fisher Street, Ingham.

Resolved – That Council approve the Siting Relaxation Application on the grounds that the proposed alterations to the house are not expected to impact upon the amenity of surrounding properties.

That all of the recommendations contained in Infrastructure Management – Technical Services 2.6.B.1. and 2.6.B.3. be adopted.

(Crs. Kaurila and Bosworth – Carried unanimously)

4. SITING RELAXATION APPLICATION – 20 GREVILLEA STREET, FORREST BEACH.

Consideration of Report to Council from Infrastructure Engineer dated 17th June, 2009 in relation to a Siting Relaxation Application received for a proposed new shed at 20 Grevillea Street, Forrest Beach.

Resolved – That Council not approve the Siting Relaxation Application on the grounds that the proposed shed siting does not conform with the Queensland Development Code.

(Crs. Molachino and Kaurila - Carried unanimously)

C. PROGRAM H – SEWERAGE

1. CONNECTION TO SEWERAGE SYSTEM – LOT 2 ON RP203692, HALIFAX ROAD, INGHAM.

Consideration of Report to Council from Water & Sewerage Manager dated 2nd June, 2009 in relation to an application by M. & K. Raiteri to connect their property being Lot 2 on RP203692, situated at Halifax Road, Ingham to the sewerage scheme.

Resolved – That Council allow M. & K. Raiteri to connect to the Ingham Sewerage Scheme based on their paying for the actual cost of connection plus the normal headworks connection charge of \$1,500.

(Crs. Molachino and Kaurila - Carried unanimously)

7. FUNCTION III – COMMUNITY SERVICES

A. PROGRAM A – COMMUNITY ASSISTANCE

1. HINCHINBROOK COMMUNITY SUPPORT CENTRE, Ingham, advising that an opportunity has arisen for the delivery of a CORES program to our community at a reduced cost provided that a guarantee can be given to fund 6 participants at a cost of \$1,500 each, plus small incidental costs. Requesting that Council consider providing financial support towards the delivery of this program considering the impact of suicide on our community, families, friends or colleagues and the threat of suicide caused by the current economic crisis, recent natural disaster, struggling local businesses and industries. (012/0002)

Resolved – That Council pledge funding of \$1,500 (excl. GST) to fund one participant.

(Crs. Lynch and Kaurila - Carried unanimously)

2. HINCHINBROOK COMMUNITY SUPPORT CENTRE, Ingham, 11th June, 2009, thanking Council for support over the past twelve months and requesting Council to continue its financial support into the 2009 / 2010 financial year. (012/0002)

Resolved – That consideration be deferred for consideration during the Budget preparation.

3. AUSTRALIAN ITALIAN FESTIVAL ASSOCIATION INC., Ingham, 12th June, 2009, seeking Council sponsorship towards the 2010 16th Australian Italian Festival. Advising that the 2009 Festival proved to be successful after being moved to the Pavilion side of the Ingham Showgrounds, however with the ever increasing costs associated with the event, sponsorship such as Council's contribution is especially critical. (012/0002)

Resolved – That consideration be deferred for consideration during the Budget preparation.

4. ROTARY MARAKA FESTIVAL, Ingham, 14th May, 2009, advising that the 2009 Rotary Maraka Festival will be held between 24th and 31st October, 2009 which will celebrate 50 years of Maraka with the first festival being held in 1958. Requesting Council to continue its sponsorship of the festival and advising that the Committee has reserved Major Sponsorship for Council of the Mardi Gras which gives Council sole naming rights for the event. (012/0002)

Resolved – That consideration be deferred for consideration during the Budget preparation.

That all of the recommendations contained in Community Services – Community Assistance 2.7.A.2. and 2.7.A.4. be adopted.

(Crs. Bosworth and Molachino – Carried unanimously)

5. QUEENSLAND ARTS COUNCIL, Brisbane, 27th May, 2009, advising that after 47 years of providing live performances for schools across Queensland, Queensland Arts Council (QAC) has found that this is no longer financially possible which means there are hundreds of small schools with less than 100 students statewide that are at risk of losing access to live arts experiences. Several of these Schools are in the Hinchinbrook Shire including Hinchinbrook Christian (28), Canossa (30), St. Peters (33), Abergowrie (19), Bambaroo State (14), Forrest Beach (69), Halifax (34), Macknade (52), Mount Fox (9), Toobanna (18) and Trebonne (45). Further advising that QAC has developed an Adopt-a-School program which is a partnership approach to solve the problem between local government, small schools, QAC and the State Government. Requesting Council to consider a financial contribution of \$6,000 for this coming financial year, followed by \$12,000 annual contribution until June, 2012 to ensure that during the remainder of this electoral period, these listed small schools have the opportunity to receive a minimum of one live arts experience each semester. (079/0057)

Resolved – That Council is not prepared to subsidise the performances to the extent suggested, however Council is prepared to consider provision of Council facilities to accommodate presentation of these performances for combined schools.

(Crs. Kaurila and Molachino - Carried unanimously)

8. FUNCTION V - INFRASTRUCTURE MANAGEMENT

A. PROGRAM C – TECHNICAL SERVICES

1. UNAUTHORISED OCCUPATION OF BUILDINGS / STRUCTURES IN HINCHINBROOK SHIRE.

Consideration of Background Paper to discuss the apparently increasing incidence of Storage Sheds and such being occupied on a temporary or permanent basis without authorisation.

Resolved – That Council inspect and regularise the current arrangements.

(Crs. Kaurila and Lynch – Motion Withdrawn)

That Council defer consideration to the next series of meetings pending further information being provided.

(Crs. Kaurila and Lynch – Carried unanimously)

9. FUNCTION I - CORPORATE SERVICES

A. PROGRAM A – CORPORATE GOVERNANCE

1. STRATEGIC MANAGEMENT TEAM MEETING MINUTES.

Consideration was given to the Minutes of the SMT Meeting held on the 10th June, 2009.

Resolved – That the Minutes be received and noted.

(Crs. Lynch and Kaurila - Carried unanimously)

2. NORTHERN REGIONAL MANAGERS COORDINATION NETWORK, Townsville, undated, advising an invoice for the Regional Managers Coordination Network (RMCN) membership fees in the sum of \$1,500 for the 2009 / 2010 financial year will be forwarded in early July, 2009. These fees will be utilised to fund the RMCN Executive Support Officer and approved RMCN endorsed events. Membership now includes the three levels of government creating an increasing focus on the importance of the RMCN and the widening of the range of activities being undertaken to necessitate the provision of the dedicated RMCN executive support.

Resolved – That Council participate in the RMCN for 2009 / 2010 to be reviewed towards the end of the financial year.

(Crs. Kaurila and Molachino - Carried unanimously)

3. PROPOSED 2009 / 2010 COMMERCIAL CHARGES, REGULATORY FEES & OTHER CHARGES – HEALTH, WASTE & ENVIRONMENT – WASTE DISPOSAL FEE / TECHNICAL SERVICES – PLUMBING AND DRAINAGE.

Consideration was given to a draft extract schedule of Commercial Charges, Regulatory Fees & Other Charges in relation to Health, Waste & Environment – Waste Disposal Fee for 2009 / 2010 and Technical Services – Plumbing and Drainage for 2009 / 2010.

Resolved - That the draft extract schedules be adopted for the 2009 / 2010 financial year.

(Crs. Bosworth and Kaurila - Carried unanimously)

4. DEPARTMENT OF NATURAL RESOURCES AND WATER, Brisbane, 11th June, 2009, seeking comments from Council by the 13th July, 2009, regarding whether an annual land valuation should be undertaken by the Department to be effective on 30th June, 2010. Further advising that under the *Valuation of Land Act 1944*, the Chief Executive of the Department of Environment & Resource Management must undertake an annual valuation of all land in a local government area except in unusual circumstances or after consideration of the following other criteria:-

- A market survey report which reviews sales and other matters in the area;
- The results of consultation with the relevant local government and appropriate local groups or industry organisations;
- The impact of valuations used for land tax or State land rentals;
- The valuation relativity with adjoining local governments;
- The length of time since the last valuation; and
- The valuation program for the next five years.

The Act further requires that the Chief Executive of the Department must make an annual valuation a minimum of once in each five year period except where unusual circumstances prevent this valuation from occurring. Written notification will be forwarded in late September to Council advising whether this local government area will be valued.

(013/0004)

Resolved – That Council advise the Department that an annual valuation of the Shire should be undertaken by the Department to be effective on 30th June, 2011.

(Crs. Molachino and Kaurila - Carried unanimously)

5. TYTO Q150 PROJECT STEERING COMMITTEE MEETING MINUTES.

Consideration of Minutes of Tyto Q150 Project Steering Committee Meeting held on Tuesday 9th June, 2009 and confirmation of proposed action to discuss with Troppo Architects their engagement to provide a fitout design for kitchen and finishes schedule to reflect the current building design and natural environment and to consider minor amendments to the Lease proposal to readvertise it.

Resolved – That the Minutes be received and endorsed and the proposed actions be proceeded with as soon possible.

(Crs. Lynch and Kaurila - Carried)

B. MISCELLANEOUS CORRESPONDENCE

1. AUSTRALIAN-ITALIAN FESTIVAL.

Forwarding Certificate of Appreciation for Council's sponsorship of the 2009 festival.

2. HON. NEIL ROBERTS MP, MINISTER FOR EMERGENCY SERVICES, Brisbane, 1st June, 2009, advising that Council's application under the SES Subsidy Program for 2009 / 2010 to upgrade the accommodation for Hinchinbrook SES headquarters has been successful and payment of this subsidy in the sum of \$37,500 (excl. GST) will be made on receipt of all the required relevant documentation.

(040/0011)

3. LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND INC., Brisbane, 5th June, 2009, advising that in their 113th year, the Executive has committed to deliver a new, reinvigorated and contemporary Association relevant to today's world. The "Council Connect" program is a committed promise to do what it takes to strengthen LGAQ's ability to understand, support and deliver for Councils. LGAQ is launching a significantly rejuvenated LG Online service benefiting councillors, senior directors, staff and communities, and is establishing in 2009 / 2010 a multi-million dollar "fighting fund" to add weight to local government lobbying efforts. In all, the next 12 months will be one of renewal, representation and important capacity building. (007/0003)
4. INGHAM STATE HIGH SCHOOL, Ingham, 9th June, 2009, thanking Council for its kind donation of \$500 towards Nicole Cross' and Shiloh Day's participation in "Creative Generation – State Schools on Stage". Advising that the girls had a starring role as featured artists in the production and a great highlight was when they performed "Spirit of the Bush" with country music star Lee Kernaghan. Both girls performed superbly and were great ambassadors for their school and district. (012/0002)
5. ANDREW CRIPPS MP, MEMBER FOR HINCHINBROOK, Ingham, received 15th June, 2009, forwarding copy of his Parliamentary Speech regarding the Local Government Bill on the 4th June, 2009. (007/0003)
6. ANDREW CRIPPS MP, MEMBER FOR HINCHINBROOK, Ingham, received 15th June, 2009, forwarding copy of his correspondence forwarded to District Director of Main Roads, Mr. Ian Rose regarding the proposed upgrade of the Bruce Highway between Ingham and the Cardwell Range and canvassing a number of issues regarding *Potential Economic Impact Assessment Report, Potential Isolation from Existing State Controlled Roads, Potential Impact on Tyto Wetlands, Potential Impact on Ingham Airport, Potential Impact on Community Infrastructure and Continuing Consultation*. (007/0003)

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

10. COUNCILLOR ACTIVITY REPORT

Consideration of Councillor Activity Reports as at the 17th June, 2009 to ensure transparency and public scrutiny of Councillor workload.

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

11. FUNCTION II - DEVELOPMENT AND PLANNING

A. PROGRAM A – ECONOMIC DEVELOPMENT

Cr. Lynch declared an interest in Item 2.11.A.1., and left the meeting and took no further part in the discussions or resolution thereon.

1. LIONS CLUB OF INGHAM INC., Ingham, 18th June, 2009, advising that the Club has been approved by the Lions District 201Q2 to build a storage shed for use by the Club and the Trebonne community at Leo Park, Trebonne and have approved an amount of \$90,000 to build the shed as soon as possible. Requesting Council to survey the area and prepare a lease to accommodate the 12 x 20m shed in the name of Lions Club of Ingham which will be located at the centre point between the 2 Rain Trees built on the boundary of the Gorton Street side of the park. Further advising that the Club would prefer a 3 x 3 x 3 lease over the shed area only and are quite happy to accept advice from Council to the best way forward as the project will benefit the Trebonne community as well as the Lions, Lioness and Leo Clubs of Ingham.

**Resolved – That Council conduct a survey of the area at Council's cost and prepare a lease as requested; expenses associated with registering of the lease be paid by Lions Club of Ingham.
(Crs. Molachino and Kaurila - Carried unanimously)**

Cr. Lynch returned to the meeting.

2. INGHAM CBD STREETSCAPE PROJECT.

Consideration of Revised "Theme" Concept Drawings for the Commonwealth Bank and Post Office Elements of the Ingham Streetscape Enhancement Project.

Further consideration was given to a Report to Council from Manager Engineering Services dated 25th June, 2009 regarding the Ingham Streetscape Enhancement Project Steering Committee public consultation conducted on Wednesday 24th June, 2009.

Resolved – That the Ingham Streetscape Enhancement Project's Design Team to be directed to proceed to the detailed design phase of the adopted theme elements.

(Crs. Kaurila and Molachino - Carried unanimously)

12. FUNCTION I - CORPORATE SERVICES

A. PROGRAM A – CORPORATE GOVERNANCE

1. DEPARTMENT OF INFRASTRUCTURE AND PLANNING, Brisbane, 21st May, 2009, advising that Minister Desley Boyle has received a number of approaches from Councils as to whether the method of representation could be changed for the next election as Councils across Queensland are elected on a divided or undivided basis. The Minister has no firm views on the matter at this stage, however is seeking Council's views on whether Councils should be represented on a divided or undivided basis for the next election.

Resolved – That Council's view is that for Rural Councils like ourselves to remain undivided for electoral purposes.

(Crs. Molachino and Kaurila - Carried)

2. LEASE OF PREMISES – 74 LANNERCOST STREET, INGHAM.

Consideration of a report by Manager Corporate Communications dated 4th June, 2009 in relation to the renewal of Commercial Lease of Lot 4 on RP723420, 74 Lannercost Street, Ingham, which expired 30th August, 2008. (092/0036)

Resolved – That Council renew the Lease for a further three year term with two additional option periods of three years (3 + 3 + 3) and negotiations be undertaken with the current Lessee regarding Lease fees in line with current commercial rates.

(Crs. Bosworth and Lynch - Carried unanimously)

3. GENERAL MEETING BUSINESS

1. FUNCTION II - DEVELOPMENT AND PLANNING

A. PROGRAM A – ECONOMIC DEVELOPMENT

1. CLANCY FOX, ASSOCIATE TO HIS HONOUR JUDGE DURWARD SC DISTRICT COURT OF QUEENSLAND, Townsville, 19th June, 2009, forwarding copy of His Honour's Judgement in the matter of Everett – v – Hinchinbrook Shire Council & Anor.

Resolved – That the advice be received and noted.

(Crs. Bosworth and Kaurila - Carried unanimously)

2. **FUNCTION I - CORPORATE SERVICES**

A. **PROGRAM A – CORPORATE GOVERNANCE**

1. LOWER HERBERT WATER MANAGEMENT AUTHORITY, Ingham, 18th June, 2009, forwarding Tax Invoice for Council's contribution towards the operations and maintenance of the Lower Herbert Water Management Authority drainage services provided to urban areas in the sum of \$40,000 for the 2009 / 2010 financial year.

Resolved – That Council defer consideration pending discussions with the Authority regarding the future of the Lower Herbert Water Management Authority.
(Crs. Lynch and Molachino - Carried unanimously)

3. **FUNCTION II - DEVELOPMENT AND PLANNING**

A. **PROGRAM A – ECONOMIC DEVELOPMENT**

1. BURDEKIN SHIRE COUNCIL, Ayr, 22nd June, 2009, forwarding copy of correspondence forwarded to Burdekin Shire Council from Minister for Primary Industries, Fisheries and Rural and Regional Queensland, The Hon. Tim Mulherin dated 18th June, 2009 regarding the success of the Blueprint for the Bush funding application to fund the attendance of Burdekin and Hinchinbrook Shire Councils at the 2009 Country and Regional Living Expo in Brisbane. (044/0038)

Resolved – That Council note the grant and liaise with the Burdekin Shire Council regarding attendance at the 2009 Country and Regional Living Expo in Brisbane.
(Crs. Bosworth and Lynch - Carried unanimously)

CLOSED MEETING – That pursuant to Chapter 6 Section 463 (1) (b) of the *Local Government Act* 1993, Council resolve to go into Closed Meeting to discuss Item 3.4.A.1. of the General Meeting Minutes.
(Crs. Lynch and Kaurila – Carried unanimously)

Manager Engineering Services, B.E. Leach and Manager Corporate & Economic Development, R.F. Pennisi left the meeting at 5.42 p.m.

CEO, R.W. Clark left the meeting at 5.56 p.m.

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

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

4. **FUNCTION I - CORPORATE SERVICES**

A. **PROGRAM A – CORPORATE GOVERNANCE**

1. CHIEF EXECUTIVE OFFICER ANNUAL PERFORMANCE REVIEW.
Consideration of Report to Council from Mayor dated 3rd June, 2009 reporting on annual performance review discussions held by the Mayor and the Deputy Mayor, Cr. Lancini with the CEO, Mr. Robert Clark on Monday 1st June, 2009 as required in accordance with the terms and conditions of his Employment Contract.

Resolved – That Council receive and note the Review Committee's Report and that the Chief Executive Officers remuneration be increased by 4% as from the 1st July, 2009.
(Crs. Kaurila and Lynch - Carried – Cr. Bosworth and Cr. Molachino recorded their votes against the motion)

That Council review its process of auditing the Chief Executive Officer's Key Performance Indicator (KPI's).
(Crs. Lynch and Molachino – Carried unanimously)

4. **CONCLUSION** – This concluded the business of the meeting which closed at 6.05 p.m.
5. **APPROVED** and adopted this 16th day of **July, 2009**.

DEPUTY MAYOR