



# MINUTES OF THE GENERAL MEETING OF THE HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS, INGHAM  
ON THURSDAY 16<sup>TH</sup> JULY, 2009  
AT 4.10 P.M.

## ATTENDANCE

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

## PRAYER

- The Mayor opened the meeting with prayer.

## 1. MINUTES

- Resolved that the Minutes of the General Meeting held on the 25<sup>th</sup> June, 2009 be approved as a correct record of proceedings and be signed by the Mayor.  
(Crs. Lancini and Molachino- Carried unanimously)

## 2. COMMITTEE BUSINESS REPORT -

The Joint Committee submitted a report of meeting held on 14<sup>th</sup> July, 2009.

Resolved – That the report be received for consideration.

## BUSINESS –

### 1. CEO REPORT OF COUNCILLOR REQUESTS

Consideration of CEO Report of Councillor Requests for the period 18<sup>th</sup> June, 2009 to 8<sup>th</sup> July, 2009.

Resolved – That the advice be received and noted.

### 2. WORKS REPORT

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

Resolved – That the Report be received and noted.

***That all of the recommendations contained in Committee Business Report, CEO Report of Councillor Requests and Works Report be adopted.***  
(Crs. Lancini and Molachino – Carried unanimously)

## 3. FUNCTION II - DEVELOPMENT AND PLANNING

### A. PROGRAM A – ECONOMIC DEVELOPMENT

1. DEPARTMENT OF ENVIRONMENT AND RESOURCE MANAGEMENT (DERM), Townsville, 24<sup>th</sup> June, 2009, seeking Council's views and / or requirements in relation to an application received by the Department for Conversion to Freehold Term Lease 231013 over Lot 350 on CWL2348, Parish of Cordelia at The Esplanade, Cassady Beach.  
(077/0001)

**Resolved** - That Council advise DERM that it has no objection to the application to freehold Term Lease No. 231013 over Lot 350 on CWL2348, Parish of Cordelia.  
(Crs. Lynch and Molachino - Carried unanimously)

2. E.,I., & R. FIRMI AND M. FANTI, Ingham, 29<sup>th</sup> April, 2009, seeking approval for the proposed Material Change of Use – Impact Assessment - Multiple Unit Development (3 units) – Reconfiguration of Land – Rearrangement of Boundaries over Lots 76 and 94 on RP884771, Parish of Cordelia. Land is zoned residential. (058/0281)

**Resolved** – That conditional approval be granted for the proposed Material Change of Use – Impact Assessment – Multiple Unit Development (3 Units) and Reconfiguration of Land over Lots 76 & 94 on RP884771, Parish of Cordelia at 18-20 Badila Street, Ingham for the following reasons:-

- The proposed development does not conflict with the Zone land use designation of “rural”; and
- The proposed use will have minimal impact on the amenity of the area and that the development be subject to the following conditions:
  - (a) Development is to be carried out generally in accordance with the proposal plans submitted with the Development Application;
  - (b) Property accesses (inverts through kerbing and channelling) are to be constructed to Hinchinbrook Shire Council’s standards and each nominated driveway and redundant accesses are to be removed;
  - (c) All stormwater is to be directed to either the kerb and channel, or underground systems as applicable. Any new kerb and channelling, pits, sections of underground line, or other ancillary works, are to be to Hinchinbrook Shire Council standards;
  - (d) Payment to the Council of water headworks contribution of \$2,720 (1.75 x ETU’s additional);
  - (e) Payment to the Council of sewerage headworks contribution of \$2,720 (1.75 x ETU’s additional); and
  - (f) Payment to the Council of Public Open Space contribution of \$2,720 (1.75 ETU’s additional).

(Crs. Bosworth and Molachino - Carried unanimously)

3. W.P. AND O.J. DAY, Ingham, 7<sup>th</sup> July, 2009, seeking an extension of approval for two years until 9<sup>th</sup> July, 2011 (original approval date 9<sup>th</sup> July, 1997) for completion of the proposed reconfiguration (subdivision) into four lots of Lot 1 on RP720200, Parish of Cordelia at Sach’s Lane, Ingham. (066/0003)

**Resolved** – That Council refuse the extension of approval on the grounds that **Town Planning Development Conditions** have changed since the original approval in 1997.

(Crs. Kaurila and Lancini - Carried unanimously)

#### 4. **FUNCTION V - INFRASTRUCTURE MANAGEMENT**

##### A. **PROGRAM C – TECHNICAL SERVICES**

1. SITING RELAXATION APPLICATION – 66 MARINA PARADE, INGHAM.  
Consideration of a Report to Council from Infrastructure Engineer dated 26<sup>th</sup> June, 2009 in relation to a Siting Relaxation Application received for a proposed extension to an existing closed-in garage 0.3m from the side boundary adjacent to the Palm Creek Drainage Reserve.

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

(Crs. Bosworth and Kaurila - Carried unanimously)

2. 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 adopt the following suggested course of action:-

1. Publicise the problem advising of Council's concerns and highlighting the various regulations and provisions that apply. Advise that it is necessary that Council commence an enforcement process at the end of a six (6) month period. Further advise that during the six (6) month period individuals are welcome to contact Council to discuss the matter; and
2. Undertake "visual" surveys and commence issue of notices at the end of the six (6) month period. The aim would be to target the obvious cases rather than to carry out an exhaustive investigation.

*(Crs. Lynch and Gianotti - Carried unanimously)*

3. DEVELOPMENT APPLICATION FOR OPERATIONAL WORKS – FILLING OF LAND, 17 GLOVER STREET, INGHAM.  
Consideration of a Report to Council from Manager Engineering Services dated 8<sup>th</sup> July, 2009 in relation to a Development Application for Operational Works – Filling of Land for property situated at 17 Glover Street, Ingham. (116/0075)

Consideration was also given to a further Report to Council from Manager Engineering Services dated 15<sup>th</sup> July, 2009 regarding further discussions held with the applicant on Wednesday 15<sup>th</sup> July, 2009.

**Resolved** – That Council instruct its Manager Engineering Services to approve the revised proposal for the Development Application for Operational Works – Filling of Land, on the basis that no additional filling to that in existence in early 2008 is to take place, that local drainage issues have been addressed and subject to normal conditions.

*(Crs. Kaurila and Bosworth - Carried unanimously)*

## 5. FUNCTION III – COMMUNITY SERVICES

### A. PROGRAM A – COMMUNITY ASSISTANCE

1. INGHAM SUGAR CITY RODEO, Ingham, 15<sup>th</sup> June, 2009, advising that the Herbert River Rotary Club's Ingham Sugar City Rodeo is planned for Saturday 12<sup>th</sup> September, 2009 and seeking sponsorship towards the event. (012/0002)

**Resolved** – That Council support the Rodeo by taking out a sponsorship package of \$1,000 (incl. GST)

2. INGHAM BOWLS CLUB INC., Ingham, 15<sup>th</sup> June, 2009, advising that the Club's Invitation Fours event will be held on Saturday 26<sup>th</sup> and 27<sup>th</sup> July, 2009 with 64 bowlers participating from Proserpine, Charters Towers, Cairns and clubs in between these centres. The event is well supported by bowlers and their families. (012/0002)

**Resolved** – That as the Invitation Fours fulfils Council's Support for Events Policy guidelines, Council provide the sum of \$250 (excl GST) to the Ingham Bowls Club.

*That all of the recommendations contained in Community Services – Community Assistance 2.5.A.1. and 2.5.A.2. be adopted.*

*(Crs. Bosworth and Lancini – Carried unanimously)*

*Cr. P. Lynch declared a personal interest in Item 2.5.A.3. and left the meeting and did not participate in the discussions or resolution thereon.*

3. LIONS CLUB OF INGHAM INC., Ingham, 29<sup>th</sup> June, 2009, seeking Council's support for the 2009 Ingham Lions Hinchinbrook Family Fishing Classic, which will be held on 25<sup>th</sup> and 26<sup>th</sup> September, 2009. (012/0002)

**Resolved** – That in view of the event being held over two days and attracting a significant number of visitors to the Shire, Council provide sponsorship in the sum of \$500 (excl. GST).

**That Council provide inkind support to the Club on Friday 25<sup>th</sup> September, 2009 to the value of \$1,000 and should the cost of the work exceed the budget allocation, an invoice for the excess amount above \$1,000 will be sent to the Club for payment.**

**(Crs. Gianotti and Lancini - Carried unanimously)**

*Cr. P. Lynch returned to the meeting.*

4. DAVID CASALE, Ingham, 19<sup>th</sup> June, 2009, advising that he has recently been selected in two North Queensland sporting teams, being Under 13 Northern Marlins team which will travel to the State Carnival in Brisbane from 2<sup>nd</sup> to 6<sup>th</sup> July, 2009 and the North Queensland Futsal team which will travel to the National Schools Futsal Championships in Albury/Woodonga from 28<sup>th</sup> September to 2<sup>nd</sup> October, 2009. Seeking Council's financial assistance to assist with travel costs associated with these events. (012/0002)

**Resolved** – That as the National Schools Futsal Championships fulfil Council's Support for Achievement Policy, Council provide Mr. Casale with the sum of \$250.

5. FOOD RELIEF NQ, Townsville, undated, advising that they have severed ties with their Brisbane parent company, which enables them to be 100% North Queensland focused. In recognition of this Townsville City Council has contributed \$45,000 to this cause in 2009. Requesting Hinchinbrook Shire Council to consider providing financial assistance in the sum of \$2,500 to the organisation. (012/0002)

**Resolved** – That Council provide financial assistance in the sum of \$2,500 (excl. GST) in support of Food Relief NQ.

6. LOWER HERBERT SENIOR CITIZENS, Halifax, 29<sup>th</sup> June, 2009, advising they are hosting Seniors Week this year on 24<sup>th</sup> August, 2009 and have invited other local senior groups as well as those from Tully, Rollingstone and Charters Towers and seeking Council's financial assistance towards this event. Further requesting a deep freezer for the Halifax Hall as there is currently not one there. (012/0002)

**Resolved** – That as the event fulfils Council's Support for Events Policy, Council provide the sum of \$250 to the Lower Herbert Senior Citizens.

***That all of the recommendations contained in Community Services – Community Assistance 2.5.A.4. and 2.5.A.6. be adopted.***

***(Crs. Bosworth and Lancini – Carried unanimously)***

## **B. PROGRAM C – RECREATION**

1. YABULU FISHING COMPETITION COMMITTEE, Yabulu, 1<sup>st</sup> July, 2009, advising that Yabulu is holding its annual fishing competition at Lucinda on the 5<sup>th</sup> and 6<sup>th</sup> September, 2009 and requesting the use of Borello Park for the weigh in of fish and presentation of the prizes as was done in 2008. A BBQ lunch will be held on Sunday 6<sup>th</sup> September for the presentation of prizes and no alcohol will be sold. Further advising that last year they donated \$2,500 to the Ingham Coast Guard and are hoping to achieve this again this year.

**Resolved** – That Council allow use of Borello Park for the Yabulu Fishing Competition on the 5<sup>th</sup> and 6<sup>th</sup> September, 2009 at Lucinda.

**(Crs. - Carried unanimously)**

**(Crs. Lynch and Molachino - Carried unanimously)**

6. **FUNCTION I - CORPORATE SERVICES**

A. **PROGRAM A – CORPORATE GOVERNANCE**

1. HON. CAMERON DICK MP, ATTORNEY-GENERAL AND MINISTER FOR INDUSTRIAL RELATIONS, Brisbane, 22<sup>nd</sup> June, 2009, advising as Minister responsible for the administration of the *Holidays Act 1983*, he is empowered to appoint, upon request by the local government for the district concerned, a special holiday within a district, and requesting Council to advise of any holidays it wishes to declare for 2010 by Friday 4<sup>th</sup> September, 2009. (079/0020)

**Resolved** – That Council nominate 9<sup>th</sup> July, 2010 as the Ingham Public Show Holiday.

***(Crs. Kaurila and Lynch - Carried unanimously)***

2. DEPARTMENT OF ENVIRONMENT AND RESOURCE MANAGEMENT, Woolloongabba, 22<sup>nd</sup> June, 2009, advising they are the Department responsible for administration for the *Place Names Act 1994* which provides processes for naming areas in geographical features and seeking applications from all councils throughout the State as part of the Q150 celebrations. (011/0046)

**Resolved** – That Council nominate the Tyto Wetlands as a geographical feature.

***(Crs. Kaurila and Lancini - Carried unanimously)***

3. HON. TIM MULHERIN MP, MINISTER FOR PRIMARY INDUSTRIES AND FISHERIES, Brisbane, 25<sup>th</sup> June, 2009, advising they have approved Council's application for funds of \$20,000 (ex. GST) as part of the Blueprint for the Bush Strengthening Rural Communities *Our Place Our Future* funding initiative to develop an Economic Development Strategy for the Hinchinbrook Shire. (079/0081)

**Resolved** – That the advice be received and noted.

***(Crs. Molachino and Kaurila - Carried unanimously)***

4. STRATEGIC MANAGEMENT TEAM MEETING MINUTES.  
Consideration was given to the Minutes of the SMT Meeting held on the 8<sup>th</sup> July, 2009.

**Resolved** – That the Minutes be received and noted.

***(Crs. Lancini and Kaurila - Carried unanimously)***

B. **MISCELLANEOUS CORRESPONDENCE**

1. HON. DESLEY BOYLE MP, MINISTER FOR LOCAL GOVERNMENT AND ABORIGINAL AND TORRES STRAIT ISLANDER PARTNERSHIPS, Brisbane, 4<sup>th</sup> June, 2009, advising of approval of Council's application for Natural Disaster Relief and Recovery Arrangements grant assistance of \$1,348,107.98 for emergency works and immediate post-disaster repairs caused by Tropical Cyclones Charlotte and Ellie and flooding during January – February, 2009. (011/0053)

2. LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND INC., Fortitude Valley, 15<sup>th</sup> June, 2009, advising of developments with respect to abolishing 40% Water and Waste Water Subsidy for Urban Councils. (007/0003)

LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND INC., Fortitude Valley, undated, enclosing copies of various communications between Mr. Greg Hoffman of LGAQ and the Premier's Office, whereby a written commitment to continue the Capital Subsidy Scheme was given two days before the State Election along with a further verbal commitment 3 weeks before the State Budget. (007/0003)

3. BAMBAROO STATE SCHOOL PARENTS & CITIZENS ASSOCIATION, Ingham, 22<sup>nd</sup> June, 2009, thanking Council for sponsorship of the Romanello Shield Carnival. (012/0002)

**Resolved** – That the list of miscellaneous correspondence be received and noted.

***(Crs. Kaurila 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 30<sup>th</sup> June, 2009.

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

**7. COUNCILLOR ACTIVITY REPORT**

Consideration of Councillor Activity Reports as at the 8<sup>th</sup> July, 2009 to ensure transparency and public scrutiny of Councillor workload.

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

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

**A. PROGRAM A – ECONOMIC DEVELOPMENT**

1. PROPOSAL / SITE PLANS FOR VARIOUS COUNCIL APPLICATIONS.  
Consideration of Report to Council from Manager Engineering Services dated 14<sup>th</sup> July, 2009 regarding Council's requirements in relation to proposal / site plans lodged with various Council applications.

**Resolved** – That Council provide applicants with various application notes / procedures by way of detailing Council's requirements including provision of sample proposal plans upon lodgement of an application and the applicants be required to provide sketch plans drawn to scale.  
*(Crs. Kaurila and Lancini - Carried unanimously)*

**9. FUNCTION III – COMMUNITY SERVICES**

**A. PROGRAM A – COMMUNITY ASSISTANCE**

1. INGHAM AERO CLUB. Ingham, 13<sup>th</sup> July, 2009, advising they are having a 50<sup>th</sup> birthday celebration on Saturday 25<sup>th</sup> July, 2009 and seeking support from Council by way of supply of two portable toilets and some temporary barricading for this event. (012/0002)

**Resolved** – That as the event fulfils Council's Support for Events Policy guidelines the Club is entitled to financial assistance in the sum of \$250 (excl. GST).

That Council make barricading available to the Club as requested from the Council Depot.  
*(Crs. Kaurila and Bosworth - Carried unanimously)*

**10. FUNCTION I - CORPORATE SERVICES**

**A. PROGRAM A – CORPORATE GOVERNANCE**

1. TYTO PRECINCT CIP – STRATEGIC PROJECTS (TECHNOLOGY LEARNING CENTRE, REGIONAL GALLERY) DEVELOPMENT – INGHAM – DESIGN CONSULTANCY BRIEF HSC 09 / 52.

Consideration of Report from Chief Executive Officer dated 9<sup>th</sup> July, 2009 on evaluation of tenders received and confirmation of decision by Project Steering Committee on Thursday 2<sup>nd</sup> July, 2009, to appoint the Selection Panels nominated preferred Consultant to carryout the project design.

**Resolved** - That the decision by the Project Steering Committee to appoint Architects North in association with Lahznimmo Architects to carry out the design of the Technology Learning Centre, Regional Gallery, PCYC Youth Space, Office and Business Incubation be endorsed.  
(Crs. Lynch and Lancini - Carried unanimously)

Manager Corporate Communications, D. Hoban entered the meeting at 4.25 p.m.

3. **GENERAL MEETING BUSINESS**

1. **FUNCTION I - CORPORATE SERVICES**

A. **PROGRAM A – CORPORATE GOVERNANCE**

1. **FORREST BEACH SHOP / RESIDENCE.**

Consideration of Report to Council from Manager Corporate Communications dated 15<sup>th</sup> July, 2009 regarding proposed conditions to be offered for leasing of the Forrest Beach Shop.

**Resolved** – That Council offer the Lease of the Forrest Beach Shop / Residence as a three (3) year Lease with two (2) further options of an additional three (3) years.  
(Crs. Kaurila and Bosworth - Carried unanimously)

2. **CATERING RIGHTS TO TYTO FOOD & ENVIRONMENTAL LEARNING (FEL) CENTRE.**

Consideration of Report to Council from Manager Corporate Communications dated 15<sup>th</sup> July, 2009 regarding including exclusive catering rights for the FEL Centre in any lease for the TYTO Restaurant.

**Resolved** – That Council not include the offer of exclusive catering rights for the Food & Environmental Learning (FEL) Centre in any lease for the TYTO Restaurant.  
(Crs. Lynch and Gianotti - Carried unanimously)

Manager Corporate Communications, D. Hoban left the meeting at 4.54 p.m.

**CLOSED MEETING** – That pursuant to Chapter 6 Section 463 (1) (h) of the *Local Government Act* 1993, Council resolve to go into Closed Meeting to discuss Item 3.2.A.1. of the General Meeting Minutes.

(Crs. Gianotti and Lynch - Carried unanimously)

Discussions took place in Closed Session on the above item.

**OPEN MEETING** - Resolved that Council return to Open Meeting.

(Crs. Lynch and Gianotti - Carried unanimously)

2. **FUNCTION V - INFRASTRUCTURE MANAGEMENT**

A. **PROGRAM A – TRANSPORT**

1. **PROPOSED JOHNSTONE STREET CONSTRUCTION – LAND ACQUISITIONS.**

Consideration of Report to Council from Manager Engineering Services dated 16<sup>th</sup> July, 2009 providing an update on the proposed land acquisitions for the proposed Johnstone Street construction project.

**Resolved** – That Council make an offer to the several landowners based on the Unimproved Capital Value (UCV) for the total area of land sought.  
(Crs. Lynch and Lancini - Carried unanimously)

4. **CONCLUSION** – This concluded the business of the meeting which closed at 5.30 p.m.
5. **APPROVED** and adopted this 6<sup>th</sup> day of **August, 2009**.

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**MAYOR**