



**HINCHINBROOK
SHIRE COUNCIL**

**MINUTES OF THE GENERAL MEETING
OF THE
HINCHINBROOK SHIRE COUNCIL**

**HELD IN THE COUNCIL CHAMBERS,
INGHAM
ON THURSDAY 19TH NOVEMBER, 2009
AT 4.20 P.M.**

- ATTENDANCE**
- Present were Councillors A.J. Lancini, G.P. Gianotti, L.R. Molachino 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 Technical Support (G. Weston) and Executive Secretary (B.K. Edwards).

- APOLOGY**
- Apologies for non-attendance were received from Cr. G. Giandomenico, Cr. P.D. Lynch and Cr. S.J. Kaurila and it was resolved that leave of absence be granted.

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

1. **MINUTES**
- Resolved that the Minutes of the General Meeting held on the 29th October, 2009 be approved as a correct record of proceedings and be signed by the Deputy Mayor. (Crs. Bosworth and Molachino - Carried unanimously)

2. **NOTICE OF MOTION – W.P. & O.J. DAY**

In accordance with the Notice of Motion, the Acting Mayor, Cr. A.J. Lancini moved the following resolution:-

That that part of the resolution passed by Council at its General Meeting on the 29th October, 2009, relating to Item 2.5.A.9 – W.P. & O.J. Day and reading:-

- (i) Payment to the Council of sewerage headworks contribution of \$3,110 (two (2) additional lots x \$1,555);

be rescinded.

(Crs. Lancini and Bosworth – Carried unanimously)

3. **COMMITTEE BUSINESS REPORT -**

The Joint Committee submitted a report of meeting held on 17th November, 2009.

Resolved – That the report be received for consideration.

(Crs. Gianotti and Molachino – Carried unanimously)

BUSINESS –

1. CEO REPORT OF COUNCILLOR REQUESTS

Consideration of CEO Report of Councillor Requests for the period 22nd October, 2009 to 11th November, 2009.

Resolved – That the advice be received and noted.

2. FINANCIALS

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

Resolved - That the Report be received and noted.

3. WORKS REPORT

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

Resolved – That the Report be received and noted.

***That all of the recommendations contained in CEO Report of Councillor Requests – 3.1.; Financials – 3.2.; and Works Report – 3.3.be adopted.
(Crs. Bosworth and Gianotti – Carried unanimously)***

4. FUNCTION II - DEVELOPMENT AND PLANNING

A. PROGRAM A – ECONOMIC DEVELOPMENT

1. MT. FOX STATE SCHOOL, Mt. Fox, undated, advising that the school wishes to build a tennis court (multi-purpose court for students and the community to experience tennis, basketball and netball) for the Mt. Fox school and community, however the cheapest quote received to date was approximately \$105,000 which is a huge target for such a small school with a small budget but they are trying their best to save and fundraise for it. The plan is to also commence community social tennis at night with the only charge being for night time usage to help cover electricity costs.

Further advising that the Principal has noticed that the Stone River School tennis court has not been used for the past 3 years and requesting Council to consider allowing the school to have the fence, lights and anything else that could be removed as it would offer significant savings to the school. There would be no cost involved to Council as they would arrange a working bee and remove all the fittings themselves which would be stored at Mt. Fox until such time as they could raise the money to lay the foundations.

Resolved – That Council advise the Mt. Fox State School that the tennis court facilities at Stone River School continue to be used by locals and Council is not in a position to consider a donation of the materials.

However Council would support any requests for applications for funding from appropriate sources.

(Crs. Bosworth and Molachino – Carried unanimously)

2. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Charleville, 14th October, 2009, seeking Council's views and / or requirements in relation to an application received by the Department for Permanent Road Closure of Jock's Lodge Road and Dalrymple Gap Road, Girringun National Park. The proposed use of the subject area, if the road closure is approved would be a specified walking track within Girringun National park. (026/0001)

Resolved - That Council offer no objection to the proposed road closure of Jock's Lodge Road and Dalrymple Gap Road, Girringun National Park, subject to the Dalrymple Walking Track remaining open.

3. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Cloncurry, 13th October, 2009, seeking Council's views and / or requirements in relation to an application received by the Department for Renewal of Term Lease O/230241 over Lot A on SP112469 at Rifle Range Road, Halifax. The proposed use of the subject area is for agricultural. (076/0005)

Resolved – That Council offer no objection to the renewal of the Term Lease for a 5 year period, subject to the condition that existing drainage patterns and channels are maintained, and that channels are kept clean to reduce the impact of flooding in the town of Halifax and rural land immediately adjacent to the parcel, subject to the Lease renewal.

4. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Townsville, 29th October, 2009, seeking Council's views and / or requirements in relation to an application received by the Department from I.R. Craig for Conversion to Freehold Tenure of Special Lease 24/44421 over Lot 138 on CWL3262, Parish of Garrawalt at Kokoda Road (northern end of Tarakan Road), Abergowrie. (075/0001)

Resolved – That Council offer no objection to the conversion of Tenure and advise that Council does not consider that there is any need to impose any requirement on the land owner.

That all of the recommendations contained in Development & Planning – Economic Development 3.4.A.2. and 3.4.A.4. be adopted.

(Crs. Bosworth and Molachino – Carried unanimously)

6. HINCHINBROOK SHIRE COUNCIL, Ingham, 12th October, 2009, seeking approval for the proposed Material Change of Use – Code Assessment – Technology Learning Centre, Regional Gallery and Natural Resource Management Technology, Community Youth Centre and Business Development Space over Lot 801 on SP225261, Parish of Trebonne at 73-75 Mcllwraith Street, Ingham. Land is zoned *Commercial*. (058/0291)

Resolved – That conditional approval be granted for the proposed Material Change of Use – Code Assessment – Technology Learning Centre, Regional Gallery and Natural Resource Management Technology, Community Youth Centre and Business Development Space over Lot 801 on SP225261, Parish of Trebonne for the following reasons:-

- (a) That the Project Manager forward evidence of proposed screening and or landscaping to demonstrate compliance with Outcome 06 – *Lighting Nuisance* as defined in the Commercial Zone Code in regard to the neighbouring residential dwelling;
- (b) That the Project Manager forward a submission in regard to the Plant Room installations to demonstrate compliance with Outcome 07 - *Development abutting Residential Use* in relation to “....potential noise sources such as air-conditioning, refrigeration plant, and other mechanical plants.....” The Code proposes that mechanical plant is “....sited to have a solid wall, or other noise attenuating structure, directly between the adjoining land in the residential zone, and the noise source.” Alternative means of addressing these concerns may be proposed. The alternative means of limiting noise impacts may pertain to building materials, plant design or plant location;
- (c) Payment to the Council of a “ Water Headworks Contribution” for Stage 2 of the development (as assessed for commercial development) for an amount of \$3,110 (two (2) x ETUs @ \$1,555);
- (d) Payment to the Council of a “Sewerage Headworks Contribution” for Stage 2 of the development (as assessed for commercial development) for an amount of \$4,665 (three (3) x ETUs @ \$1,555);
- (e) Prior to commencement of external civil works, submission to Council for approval of “For Construction” engineering drawings and specifications setting out details of the proposed works. Payment of engineering plan scrutiny fee based on 2% of approved cost estimate of engineering construction works;
- (f) Provision of Completion Certificates for civil construction works, including “as constructed” surveyed information, to suit Council's software. [Autocad drawing files in dwg or dxf formats connected to two (2) Council permanent marks];
- (g) 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. In accordance with Council's Commercial Charges, Regulatory Fees & Other Charges a security of 5 % of the value of civil works [Calculated from estimated costs excluding GST] as provided by the Developer.

Note: Adequate car parking is available for the proposed development.

(Crs. Gianotti and Molachino – Carried unanimously)

7. THORSBY & HOMEWOOD PTY. LTD., Ingham, 12th June, 2009, on behalf of **R. Marbelli** seeking approval for the proposed Material Change of Use – Impact Assessment – Develop Rural Zoned Land for Subdivision Purposes over Lot 1 on RP719970, Parish of Cordelia at 142 Fairford Road, Ingham. Land is zoned *Rural*. (058/0283)

Resolved – That consideration of this matter be deferred to the December series of meetings pending receipt of further information in relation to the application.
(Crs. Gianotti and Molachino – Carried unanimously)

5. **FUNCTION V - INFRASTRUCTURE MANAGEMENT**

A. **PROGRAM C – TECHNICAL SERVICES**

1. HINCHINBROOK YOUTH COUNCIL.

Consideration of presentations from Hinchinbrook Youth Council at Deputation Day on the 28th October, 2009 regarding the following items:-

- Construction of toilets at the Ingham Skate Park or refurbishment of the Netball Court toilets to serve the park;
- Improvements at the Skate Park and BMX Track by providing 4 to 5 concrete tables at each site; and
- Installation of shade sails at the Skate Park and their preference for a fixed shade structure.

Resolved – That Council receive and note the items.

That Council hold discussions with the Herbert River Netball Association in relation to public use of the toilet block at Cockburn Park at a future Deputation Day.

That Council does not support the placement of concrete tables and chairs and will consider appropriate tables and chairs for the Skate Park and BMX Track in a future budget

That Council investigate costing options for shade sails, a fixed shade structure, and tree shade at the Skate Park for further consideration.

(Crs. Molachino and Bosworth – Carried unanimously)

B. **PROGRAM A – TRANSPORT**

1. HSC 09 / 75 – ANNUAL SUPPLY OF QUARRY PRODUCTS AND NATURALLY OCCURRING BASE GRAVELS.

Consideration of Report to Council from Works Engineer dated 9th November, 2009 regarding tenders received for the annual supply of quarry products and naturally occurring base gravels.

Resolved – That consideration of this matter be deferred to a Special General Meeting on Monday 23rd November, 2009 at 8.30 a.m.

(Crs. Gianotti and Molachino – Carried unanimously)

C. **PROGRAM C – TECHNICAL SERVICES**

1. S. A. PATANE, Ingham, 17th September, 2009, seeking approval of the proposed Material Change of Use – Code Assessment – Close to Rural Boundary - Siting Relaxation over Lot 24 on SP226405, Parish of Trebonne at 338 Pinnacle Hill Road, Toobanna. Land is zoned *Rural*. (058/02895)

Resolved – That Council approve the Material Change in Use Application for Mr. Sebastiano Patane 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. The Department of Environment & Resource Management requirement in regard to this application is as follows:-

*Any clearing of assessable vegetation that is not authorised to be carried out under this approval, will be subject to a development application for operational works, unless the clearing is exempt development under Schedule 8 of the Integrated Planning Act 1997.
(Crs. Bosworth and Gianotti – Carried unanimously)*

D. PROGRAM E – BUILT ENVIRONMENT

1. HON. STEPHEN ROBERTSON MP, MINISTER FOR NATURAL RESOURCES, MINES AND ENERGY AND MINISTER FOR TRADE, Brisbane, 28th October, 2009, in relation to the Government's decision to transfer functions of the water authorities and trusts to local governments, along with the responsibilities and powers required to undertake their activities, suggesting Council may now wish to commence discussions with the Lower Herbert Water Management Authority and Herbert River Improvement Trust to consider the services provided by them and how these services might best be delivered in the future.

In order to progress river trust function transfers by June, 2010 and water authority function transfers by June, 2011, advising that the Minister has requested the Department of Environment and Resource Management to work closely with Council and the affected entities to determine locally appropriate transfer arrangements as he would appreciate having locally appropriate transfer arrangements for water authority functions determined by June, 2010.

Resolved – That the advice be received and noted and Council continue to have discussions with the Herbert River Improvement Trust and Lower Herbert Water Management Authority to progress the transitional arrangements.
(Crs. Gianotti and Molachino – Carried unanimously)

E. PROGRAM H – SEWERAGE

1. SEWERAGE CONNECTION IN LUCINDA.
Consideration of Report to Council from Water & Sewerage Manager dated 11th November, 2009 regarding an application received by Mr. Stephen Burke requesting permission to connect to the sewerage scheme in Lucinda.

Resolved – That in view of the Lucinda Sewerage Scheme operating at maximum capacity for at least 5 months of the year, Council is not accepting any more connections to the Lucinda Sewerage Scheme, pending either the sewerage of Lucinda, or upgrade of the existing plant to accommodate increased connections.
(Crs. Gianotti and Molachino – Carried unanimously)

6. FUNCTION III – COMMUNITY SERVICES

A. PROGRAM A – COMMUNITY ASSISTANCE

1. CANCER COUNCIL QUEENSLAND, Townsville, 5th November, 2009, advising that as the inaugural Ingham Relay for Life was cancelled this year due to the floods, the organising committee has determined a date for 2010 and requesting the use of the Ingham Showgrounds on Saturday and Sunday 27th and 28th March, 2010. Further advising that as they forfeited Council's generous offer of sponsorship of the event, requesting Council to once again provide any support whether monetary or the inkind donation of the venue would be greatly appreciated. The event aims to attract 200 participants and raise \$20,000 to fund cancer research, patient support services, and prevention and early detection campaigns across North Queensland – with a view to grew year on year. (041/0001)

Resolved – That Council grant permission for the event to be held at the Ingham Showgrounds on the 27th and 28th March, 2010 and provide the sum of \$250 (excl. GST) sponsorship towards the Relay for Life event in Ingham.

2. GREAT BARRIER REEF MARINE PARK AUTHORITY, Townsville, 17th August, 2009, requesting Council to consider setting aside a proportion of its annual operating expenditure budget to financially support the complete or partial subsidy of transport costs for school groups from the Hinchinbrook Shire to visit Reef HQ Aquarium. The transport subsidy would be offered to schools in the 2010 school year. Based on successful achievement of negotiated milestones and outcomes and annual review of Council's discretionary spending, ongoing provision of the transport subsidy would be at the discretion of Council.

Resolved – That Council seek advice from the School Principals Association in relation to their views on the proposal and feedback to Council for further consideration.

***That all of the recommendations contained in Community Services – Community Assistance 3.6.A.1. and 3.6.A.2. be adopted.
(Crs. Bosworth and Molachino – Carried unanimously)***

7. **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 11th November, 2009.

Resolved – That the Minutes be received and noted.

2. **2010 COUNCIL MEETING CALENDAR.**

Consideration of proposed Council Meeting dates for 2010.

Resolved – That the schedule of meeting dates for 2010 as proposed be adopted and advertised.

3. **LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND INC.,** Fortitude Valley, 26th October, 2009, requesting Council feedback on the draft Councillor Code of Contact with Developers drafted by King and Company Solicitors. This draft was developed in response to requests made during workshops at the Association's Annual Conference in August and in response to the introduction of the Local Government Principles in the new *Local Government Act 2009* in Section 4(2)), namely:-

- a. transparent and effective processes, and decision-making in the public interest;
- d. good governance of, and by, local government; and
- e. ethical and legal behaviour of councillors and local government employees.

The LGAQ Executive will consider the draft at its next meeting on Thursday 10th December, 2009. (007/0003)

Resolved – That the advice be received and noted.

4. **DEPARTMENT OF INFRASTRUCTURE & PLANNING,** Townsville, 4th November, 2009, advising that Council's Funding Agreement for \$22,391,037 to restore essential public assets under the Natural Disaster Relief and Recovery Arrangements (NDRRA) (Queensland Monsoonal Flooding and Tropical Cyclones Charlotte and Ellie January and February, 2009) has been signed by the Department and forwarding Council's Agreement for file. Further advising that as all requirements have been met by Council claims can now be processed. (011/0053)

Resolved – That the advice be received and that it be noted that Council has already funded the trigger point contribution in the previous approval of emergency works for this event and that the restoration works are proceeding.

***That all of the recommendations contained in Corporate Services – Corporate Governance 3.7.A.1. and 3.7.A.4. be adopted.
(Crs. Bosworth and Molachino – Carried unanimously)***

5. **REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM (RLCIP).**

Consideration of correspondence from The Hon. Anthony Albanese MP, Minister for Infrastructure, Transport, Regional Development, and Local Government dated 9th October, 2009, advising that Council is eligible to receive \$87,000 under Round Two of the Regional and Local Community Infrastructure Program (RLCIP).

The funding will be distributed to all local governments to support jobs whilst building and modernising infrastructure in communities across Australia and builds on the \$800 Million already provided to local councils and shires through Round One of the RLCIP in 2008 / 2009.

The allocation is a non-competitive allocation provided subject to a number of conditions including a requirement to enter into a funding agreement with the Commonwealth and to complete projects no later than 31st December, 2010.

All project proposals must be submitted by midnight Friday 20th November, 2009. (011/0056)

Further consideration was given to a Report to Council from Manager Engineering Services dated 4th November, 2009, suggesting eligible works for the project.

Resolved – That Council submit improvements to Jack Bonning Park as the nominated project for the implementation of the RLCIP Round Two allocation of \$87,000.
(Crs. Gianotti and Bosworth – Carried)

Manager Technical Support, G. Weston left the meeting at 4.00 p.m.

6. LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND INC., Fortitude Valley, 2nd November, 2009, advising that LGAQ seeks to request Queensland Treasury Corporation (QTC) to issue a new Local Government Workcare Bank Guarantee. The existing guarantee was issued by QTC on the 7th April, 2009 and is for a total guarantee amount of \$36,821,000. The current indemnity (maximum liability) for Council to QTC towards this guarantee is \$108,991.61. QTC will be requested to cancel the existing guarantee and issue a new guarantee in its place. The new total guarantee amount will be \$38,239,000 of which Council's new indemnity amount will be \$117,400.34. Also seeking Council's agreement to establish a Standing Indemnity Arrangement with QTC acting as agent of LGW members. (007/0003)

Resolved – That Council agree to the proposed standing indemnity arrangement and the Chief Executive Officer execute the Deed on behalf of Council.
(Crs. Bosworth and Gianotti – Carried unanimously)

B. MISCELLANEOUS CORRESPONDENCE

1. WENTWORTH GROUP, Sydney, 22nd October, 2009, advising of the public policy implications of the Australian Government legislating to incorporate terrestrial carbon offsets into the Carbon Pollution Reduction Scheme. (044/0031)
2. DEPARTMENT OF JUSTICE AND ATTORNEY-GENERAL, Brisbane, 23rd October, 2009, advising that in pursuance of the provisions of the *Holidays Act 1983*, the Minister has appointed Friday 9th July, 2010 a holiday for the Shire of Hinchinbrook for the purpose of the Ingham Annual Show. (079/0020)
3. GILROY SANTA MARIA COLLEGE – OPTI-MINDS TEAM, Ingham, 27th October, 2009, thanking Council for the generous donation of \$700 which assisted them with travel and accommodation costs to compete in the Science and Engineering Section of the annual Opti-minds State Finals in Brisbane recently. The team successfully solved the Challenge and performed very well. (012/0002)
4. LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND INC., Fortitude Valley, 28th October, 2009, forwarding copy of resolutions adopted by the Association's 2008 Annual Conference held in Cairns on the 1st – 4th September, 2008 in relation to motions submitted by Council for *Elections – Retain or Change the Date* and *Local Government Elections – Councils to have option to Conduct Election In-house*. Also forwarding copy of correspondence that LGAQ received from the Hon. Desley Boyle MP, Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships dated 1st May, 2009.
5. INGHAM VETERANS GOLF, Ingham, 29th October, 2009 thanking Council for its contribution towards the very successful 2009 Open Championships held in July by the Club. This year's event attracted golfers of veteran age from Southern Queensland and centres in New South Wales, Victoria and the Northern Territory, as well as players from throughout North Queensland and the local area. (012/0002)

6. MEDIA STATEMENT – REGIONAL DEVELOPMENT AUSTRALIA – QLD COMMITTEE APPOINTMENTS.
Media Statement dated 29th October, 2009 advising of the Australian and Queensland Governments announcement of the Committee members, Chairs and Deputy Chairs for the 12 Queensland Regional Development Australia (RDA) Committees. Further advising that a full list of appointments is available at www.rda.gov.au (079/0137)
7. DEPARTMENT OF INFRASTRUCTURE & PLANNING, Brisbane, 30th October, 2009, advising that the review of Council's trigger point contribution towards eligible local government asset restoration costs under the Natural Disaster Relief and Recovery Arrangements (NDRRA) for 2009 / 2010 which was scheduled for late 2008, was delayed and is now expected to be completed by 30th November, 2009. Interim trigger points have been calculated using methodology used under the 2008 / 2009 NDRRA arrangements, with updated information for general rates and Queensland's "base" expenditure. Trigger points for smaller councils are calculated as 0.25 per cent of Queensland's "base" expenditure for the current financial year of \$177,000 for 2009 / 2010 whichever is the greater. These interim arrangements, will apply in the event that NDRRA funding is required for a disaster event, until the final methodology is determined, and Council will be advised when the new trigger points are determined.
8. DEPARTMENT OF INFRASTRUCTURE, TRANSPORT, REGIONAL DEVELOPMENT & LOCAL GOVERNMENT, Sydney, advising Prime Minister, The Hon. Kevin Rudd MP, announced on the 25th June, 2009 that additional funding of \$120 Million would be made available in 2009 / 2010 for the Regional Local Community Infrastructure Program – Strategic Projects (RLCIP-SP). The application period for RLCIP-SP Round Two has now opened and applications will close on the 15th January, 2010. (011/0056)
9. DEPARTMENT OF INFRASTRUCTURE & PLANNING, Brisbane, 2nd November, 2009, thanking Council for completing and returning the "Annual Return on Governance" for 2009 which sought to determine whether Councils have developed governance processes that integrate the key planning processes of Council. Advising that the new *Local Government Act 2009* includes a new requirement in respect of community planning and promotes improved governance practices within Local Government in Queensland. Data collected at this stage provides a baseline in respect of the current status of governance practices within Council, and in the Local Government sector generally. Noting from Council's return that Council has yet to integrate its long term financial forecasts with the long term asset management plans and forecasts and encouraging Council to review its risk management policy and methodology and ensure they are up to date, to provide further support in managing the long term financial obligations of Council. (007/0096)
10. TELSTRA, Brisbane, 3rd November, 2009, advising that Telstra conducted a review of Telstra Operated Payphones in the Shire to ensure that our area will have sufficient payphones to meet the community's future needs (e.g. 2 services to 1 service at a site) and a decision was made not to remove any payphone single sites in 2009. The new review will be conducted in 2010.
11. CANCER COUNCIL QUEENSLAND, Brisbane, 5th November, 2009, thanking Council for its support of the Palliative Care Centre in Townsville and reporting that the multi-million dollar Centre has received its first patients, helping to immediately improve specialty care and respite for terminally ill North Queenslanders, under the operational control of Queensland Health. Advising that over 250 people attended the open day following the launch.
12. TERRAIN NATURAL RESOURCE MANAGEMENT, Innisfail, 9th November, 2009, inviting members of Council to the Company's 2009 Annual General Meeting (AGM) on Friday 27th November, 2009 at 3.00 p.m. at the Cairns Colonial Club Resort, Cairns and forwarding copy of the Company's Annual Report for the 2008 / 2009 financial year and 2009 AGM Agenda. (044/0006)
13. TOWNSVILLE ENTERPRISE.
Forwarding 2008 / 2009 Annual Report.
14. HINCHINBROOK COMMUNITY SUPPORT CENTRE INC.
Forwarding 2008 / 2009 Annual Report.

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

8. **COUNCILLOR ACTIVITY REPORT**

Consideration of Councillor Activity Reports as at the 11th November, 2009 to ensure transparency and public scrutiny of Councillor workload.

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

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

A. **PROGRAM A – ECONOMIC DEVELOPMENT**

1. **TYTO RESTAURANT LEASE.**

Consideration of Report to Council from Chief Executive Officer dated 17th November, 2009 requesting Council to endorse the actions taken by the Tyto Selection Committee to finalise lease arrangements with Craig and Karen Lyons following the withdrawal of Tolbright Pty. Ltd.'s lease offer.

Resolved – That Council endorse the actions taken by the Tyto Selection Committee to finalise leasing arrangements with Craig and Karen Lyons following the withdrawal of Tolbright Pty. Ltd.'s lease offer.
(Crs. Gianotti and Molachino – Carried unanimously)

10. **FUNCTION III – COMMUNITY SERVICES**

A. **PROGRAM A – COMMUNITY ASSISTANCE**

1. **ANDY BARRA, ANDY'S ROADHOUSE,** Ingham, 12th November, 2009, advising that Andy and a small band of volunteers are considering holding a New Year's Eve party at Andy's Roadhouse this year with a live band and barbecue steaks and sausages for sale. Drinks will be BYO with no bar supplied which will make the night affordable for many families. The ideal family night out would be that the event could be free, however a live band would mean they would have to charge entry which defeats the purpose of having a "free family night" for everyone to enjoy. Further advising that expenses for the night would be approximately \$3,000 to pay for entertainment. Expenses consist of 5-6 band members at a cost of approximately \$500 per person to perform from 7.00 p.m. until midnight.

Requesting Council to consider providing sponsorship toward the entertainment as the power and venue will be donated by Andy' Roadhouse. This would mean Council would be the major sponsor and a large sign will be displayed at the Roadhouse advertising Council's major sponsorship. An article will also be placed in the local paper stating the reasons why they are having the party at the Roadhouse, and to inform the public of their intentions for doing so. Andy will also include Council's sponsorship in the article should Council decide to sponsor the event.

Should Council not decide to provide sponsorship, the only other option would be for a small fee to be charged at the gate and a raffle to raise money to cover costs of the band. Their intention is also to donate any leftover profit to local charities. (079/0074)

Further consideration was given to a Report to Council from the Chief Executive Officer dated 19th November, 2009 in relation to sponsorship of the event.

Resolved – That Council advise the applicant that it is unable to provide a financial contribution on this occasion.
(Crs. Gianotti and Molachino – Carried – Cr. D.M. Bosworth recorded her vote against the motion)

11. FUNCTION I - CORPORATE SERVICES

A. PROGRAM A – CORPORATE GOVERNANCE

1. WHK AUDIT PARTNERSHIP, Townsville, 6th November, 2009, advising that the 2008 / 2009 Council audit has been completed and the 2008 / 2009 general purpose financial statements have been audited and certified without qualification. (006/0002)

Resolved – That the advice be received and noted and congratulations be conveyed to Council Staff on this achievement.
(*Crs. Bosworth and Molachino – Carried unanimously*)

4. GENERAL MEETING BUSINESS

1. FUNCTION II - DEVELOPMENT AND PLANNING

A. PROGRAM A – ECONOMIC DEVELOPMENT

1. FORREST BEACH SHOP / DWELLING.
Consideration of Council direction in relation to the Forrest Beach Shop / Dwelling.

Resolved – That Council close the premises and advertise for removal of the building.

Should the building not be removed by July, 2010, budget provision be made for demolition of the building and remediation of the site in the 2010 / 2011 financial year.
(*Crs. Gianotti and Molachino – Carried – Cr. D.M. Bosworth recorded her vote against the motion*)

2. INGHAM FOOTBALL CLUB INC., Ingham, 16th November, 2009, advising that with the wallaby saga continuing to be an ongoing issue, and player safety / health the Club's main priority, Ingham Football requests Council's permission to erect a fence around the perimeter of the complex on Fairford Road. An added advantage of the fencing would be the provision of security to the area with the Club suffering numerous break-ins which has amounted to several thousand dollars damage to the clubhouse, and fields being targeted for burn-out practice and the back fields along the old dump verge being continually ripped up from trail / motor bikes. Further advising that Council's Mayor provided a letter of support for the Club's submission for grant funding to erect fencing on the 21st April, 2009 with the funding round due to close on the 30th November, 2009. (076/0004)

Resolved – That Council grant permission to the Ingham Football Club to fence the perimeter of the complex, subject to the following conditions:-

1. public pedestrian access not being denied during times other than when the Club is using the grounds; and
2. subject to the approval of the Minister for Natural Resources, Mines and Energy and Minister for Trade.

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

2. FUNCTION IV- HEALTH & ENVIRONMENT SERVICES

A. PROGRAM B – ENVIRONMENTAL SERVICES

1. PEST SURVEY PLAN.
Consideration of a Pest Survey Program to be conducted for the whole of the Hinchinbrook Local Government area to survey and map areas for the control of Pond Apple, Hymenachne, Giant Sensitive Plant, Mikania Vine, Siam Weed and Acacia curassavica to comply with the Land Protection (Pest and Stock Route Management) Act 2002.

Resolved - In accordance with the *Land Protection (Pest and Stock Route Management) Act 2002*, Council authorises a Pest Survey Program to be conducted for the whole of the Hinchinbrook Local Government area, valid for a period of three months starting on the 15th December, 2009. The purpose of the program is to survey and map areas for the control of Pond Apple, Hymenachne, Giant Sensitive Plant, Mikania Vine, Siam Weed and Acacia Curassavica.
(Crs. Bosworth and Gianotti - Carried unanimously)

3. FUNCTION III - COMMUNITY SERVICES

A. PROGRAM A - COMMUNITY ASSISTANCE

1. INGHAM ROTARY CLUB, Ingham, 18th November, 2009, advising that the combined Rotary Clubs will conduct the annual Carols in the Park on Sunday 6th December, 2009, however due to the looming inclement weather in 2008, and the rain coming down during the Maraka mardi gras, the Clubs believe that the event would be best conducted in the Shire Hall. Requesting Council to consider allowing the Clubs to use the Shire Hall to hold the Carols this year, as well as considering waiving any fees associated with the hire of the hall for this annual community event. (092/0007)

Resolved - That Council allow the use of the Shire Hall free of cost provided the organisers set up the chairs and put them back after the event and leave the hall in a clean and tidy condition.
(Crs. Molachino and Gianotti - Carried unanimously)

CLOSED MEETING - That pursuant to Chapter 6 Section 463 (1) (e) of the *Local Government Act 1993*, Council resolve to go into Closed Meeting to discuss Item 4.4.A.1 of the General Meeting Minutes.
(Crs. Gianotti and Bosworth - Carried unanimously)

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

OPEN MEETING - Resolved that Council return to Open Meeting.
(Crs. Gianotti and Bosworth - Carried unanimously)

4. FUNCTION II - DEVELOPMENT AND PLANNING

A. PROGRAM A - ECONOMIC DEVELOPMENT

1. HSC 09 / 78 - EXPRESSIONS OF INTEREST - TYTO PRECINCT CIP - STRATEGIC PROJECTS - CONSTRUCTION OF LIBRARY (TECHNOLOGY / LEARNING CENTRE), REGIONAL GALLERY, OFFICE SPACE AND YOUTH MEDIA SPACE.

Consideration of submissions for Expressions of Interest for an invitation to tender for construction of the TYTO Precinct CIP - Strategic Projects, *Construction of Library (Technology / Learning Centre), Regional Gallery, Office Space and Youth Media Space.*

Resolved - That Council invite the following firms which expressed an interest to tender for the construction of the Library (Technology / Learning Centre), Regional Gallery, Office Space and Youth Media Space as they all have the capacity to deliver the project:-

- TCS Civil & Building;
 - Hutchinson Builders;
 - Paynter Dixon;
 - McNab; and
 - Mainbrace Constructions Qld Pty. Ltd.
- (Crs. Gianotti and Bosworth - Carried unanimously)

5. **CONCLUSION** - This concluded the business of the meeting which closed at 5.40 p.m.

6. **APPROVED** and adopted this 10th day of December, 2009.

ACTING MAYOR