



MINUTES OF THE GENERAL MEETING OF THE HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS
INGHAM ON WEDNESDAY
27 JANUARY 2016
AT 9.00 AM

-
- ATTENDANCE
- Present were Councillors R Bow, PD Lynch, MG Tack, LR Molachino, DG Carr, SJ Kaurila and WG Skinner
 - Also present was the Chief Executive Officer (DA McKinlay), Executive Manager Engineering Services (J Stewart), Executive Manager Development and Planning (RF Pennisi), Executive Manager Environment and Community Services (TV Tanase), Executive Manager Corporate Services (D Tombs) and Executive Assistant (BK Edwards)

- PRAYER
- Councillor Kaurila opened the meeting with prayer

1. MINUTES
- *Moved* Councillor Molachino
Seconded Councillor Tack
- Resolved that the Minutes of the General Meeting held on 8 December 2015 be approved as a correct record of proceedings and be signed by the Mayor. Carried

Media and Communications officer, K Spano was also in attendance

2. BUSINESS

2.1 CORPORATE SERVICES

2.1.1 CORPORATE SERVICES ACTIVITY REPORT

Consideration of monthly Corporate Services Activity Report for December 2015.

Moved Councillor Skinner
Seconded Councillor Molachino

That the Report be received and noted.

Carried – 270116-01

2.1.2 MONTHLY STATUS REPORT

Consideration of monthly Executive Manager Corporate Services Status Report for January 2016.

Moved Councillor Tack
Seconded Councillor Kaurila

That the Report be received and noted.

Carried – 270116-02

2.1.3 FINANCIALS

Consideration was given to a report of financial activities as at 31 December 2015.

Moved Councillor Tack
Seconded Councillor Skinner

That the Report be received and noted.

Carried – 270116-03

2.1.4 AUDIT COMMITTEE MEETING MINUTES

Consideration of Report to Council from Executive Manager Corporate Services dated 6 January 2016 seeking endorsement of Audit Committee Meeting Minutes held on 21 October 2015.

Moved Councillor Kaurila
Seconded Councillor Tack

That Council receive and note the Audit Committee Meeting Minutes held on 21 October 2015.

Carried – 270116-04

2.1.5 COUNCIL POLICY: POLICY MANAGEMENT

Consideration of Report to Council from Executive Manager Corporate Services dated 6 January 2016 regarding adoption of a Policy Management Policy to ensure a consolidated and structured approach to the management and administration of Council policies.

Moved Councillor Kaurila
Seconded Councillor Carr

That Council approve the Policy Management Policy.

Carried – 270116-05

2.1.6 COUNCIL POLICY: ADMINISTRATIVE ACTION COMPLAINTS MANAGEMENT POLICY

Consideration of Report to Council from Executive Manager Corporate Services dated 6 January 2016 regarding adoption of an updated Administrative Action Complaints Management Policy.

Moved Councillor Skinner
Seconded Councillor Kaurila

That Council approve the amended Administrative Action Complaints Management Policy.

Carried – 270116-06

2.2 ENGINEERING

2.2.1 ENGINEERING SERVICES ACTIVITY REPORT

Consideration of monthly Engineering Services Activity Report for December 2015.

Moved Councillor Skinner
Seconded Councillor Carr

That the Report be received and noted.

Carried – 270116-07

2.2.2 MONTHLY STATUS REPORT

Consideration of monthly Executive Manager Engineering Services Status Report for January 2016.

Moved Councillor Skinner
Seconded Councillor Molachino

That the Report be received and noted.

Carried – 270116-08

2.2.3 WATER AND SEWERAGE WORKS PROGRAM REPORT

Consideration was given to a report of water and sewerage operations for the month of December 2015.

Moved Councillor Carr
Seconded Councillor Skinner

That the Report be received and noted.

Carried – 270116-09

2.2.4 WORKS PROGRAM REPORT

Consideration was given to a report of civil operations for the month of December 2015.

Moved Councillor Lynch
Seconded Councillor Carr

That the Report be received and noted.

Carried – 270116-10

2.2.5 SUMMARY OF GRANT APPLICATIONS ENDING 31 DECEMBER 2015

Consideration of Report to Council from Grants Officer dated 8 January 2016 providing a summary of funding applications submitted for the period ending 31 December 2015.

Moved Councillor Kaurila
Seconded Councillor Molachino

That the Report be received and noted.

Carried – 270116-11

2.2.6 TENDER HSC 15/34 – SUPPLY AND DELIVERY OF ONE ONLY TRUCK MOUNTED VACUUM EXCAVATOR

Consideration of Report to Council from Water and Sewerage Manager dated 11 January 2016 regarding tenders received for HSC 15/34 – Supply and Delivery of One Only Truck Mounted Vacuum Excavator.

Moved Councillor Carr
Seconded Councillor Skinner

That Council accept the offer by Westco Trucks in Garbutt for HSC 15/34 Supply and Delivery of One Only Truck Mounted Vacuum Excavator at a cost of \$290,886.90 (inc GST) plus on road costs.

Carried – 270116-12

Councillor DG Carr declared a Real Conflict of Interest in Item 2.2.7 (as defined in section 173 of the Local Government Act 2009) as he is related to the applicant and excluded himself from the meeting while the matter was debated and the vote taken.

2.2.7 APPLICATION FOR A PERMANENT ROAD CLOSURE ADJOINING LOT 530 ON CWL2142 (FUDRIGA ROAD) HALIFAX - AMENDED

Consideration of Report to Council from Infrastructure Engineer dated 11 December 2015 in relation to request from the Department of Natural Resources and Mines seeking Council's views and/or recommendations in relation to application for permanent road closure of Fudriga Road, Halifax.

Moved Councillor Kaurila
Seconded Councillor Molachino

That Council issue a letter of Non Objection to the Department of Natural Resources and Mines as requested by the applicant JM, JD and DB Mahony for the permanent closure of Fudriga Road, Halifax which adjoins the Mahony property Lot 530 on CWL2142.

Carried – 270116-13

Councillor DG Carr returned to meeting

2.2.8 MOUNT GARDINER ROAD – BUDGET REPORT

Consideration of Report to Council from Executive Manager Engineering Services dated 7 January 2016 updating Council on the Mount Gardiner Road project which was part of the 2015 / 2016 Works Program, was completed at the end of November 2015, and was partly funded under the State Government Transport Infrastructure Development Scheme (TIDS).

Moved Councillor Lynch
Seconded Councillor Skinner

That the Report be received and noted.

Carried – 270116-14

2.2.9 FLOOD ALERT SERVICE TRIP - 2015

Consideration of Report to Council from Infrastructure Engineer dated 11 January 2016 regarding the annual flood alert service trip conducted to ensure that all of the 24 flood alert sites distributed over the entire Herbert River Catchment are fully operational prior to the wet season.

Moved *Councillor Lynch*
Seconded *Councillor Molachino*

That the Report be received and noted.

Carried – 270116-15

2.2.10 REFURBISHMENT OF CLARIFIER–DIGESTER NO. 1 BUDGET REPORT

Consideration of Report to Council from Water and Sewerage Manager dated 6 January 2016 summarising the capital expenditure of the refurbishment of Clarigester No. 1 outlining the reasons for the budget overrun of 36%.

Moved *Councillor Skinner*
Seconded *Councillor Kaurila*

That the Report be received and noted.

Carried – 270116-16

2.3 DEVELOPMENT AND PLANNING

2.3.1 ECONOMIC DEVELOPMENT AND PLANNING ACTIVITY REPORT

Consideration of monthly Economic Development and Planning Activity Report for December 2015.

Moved *Councillor Molachino*
Seconded *Councillor Kaurila*

That the Report be received and noted.

Carried – 270116-17

2.3.2 MONTHLY STATUS REPORT

Consideration of monthly Executive Manager Development and Planning Status Report for January 2016.

Moved *Councillor Molachino*
Seconded *Councillor Kaurila*

That the Report be received and noted.

Carried – 270116-18

2.3.3 SITING RELAXATION APPLICATION – LOT 14 ON L46920, PARISH OF CORDELIA – 31 GOSSNER STREET, LUCINDA

Consideration of Report to Council from Planning and Development Manager dated 11 January 2015 in relation to a Siting Relaxation Application made by Jane Maree Roati for a relocated dwelling at 31 Gossner Street, Lucinda.

Moved *Councillor Kaurila*
Seconded *Councillor Skinner*

That Council approve the siting relaxation for the proposed dwelling on land at 31 Gossner Street, Lucinda, on the grounds that the proposed location will not adversely impact on the residential amenity of neighbouring properties, subject to the following conditions:

Approved Plans

1. Carry out the approved development generally in accordance with the approved drawings and in accordance with:-
 - a. The specifications, facts and circumstances as set out in the application submitted to Council

- b. The following conditions of approval and the requirements of Council's Planning Scheme.

Except where modified by these conditions of approval.

Lawful Point of Discharge

2. All stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of the Chief Executive Officer. Carried – 270116-19

Councillor DG Carr declared a Real Conflict of Interest in Item 2.3.4 (as defined in section 173 of the Local Government Act 2009) as he is a NOBE shareholder and excluded himself from the meeting while the matter was debated and the vote taken.

2.3.4 MATERIAL CHANGE OF USE – NORTH QUEENSLAND BIO ENERGY CORPORATION LIMITED – EXTENSION OF RELEVANT PERIOD FOR MULTIFUNCTIONAL SUGAR, ETHANOL AND ELECTRICITY GENERATION PLANT – CORNER COMO ROAD AND BRUCE HIGHWAY, TOOBANNA - LOT 1 ON RP715124 AND LOT 2 ON RP727109

Consideration of Report to Council from Planning and Development Manager dated 11 January 2016 in relation to a request from North Queensland Bio Energy Corporation Limited (NOBE) to extend the Relevant Period of approval for a multifunctional sugar, ethanol and electricity generation plant at the corner of Como Road and the Bruce Highway, Toobanna by four years (to 26 January 2020) on the grounds that financing the development is a significant undertaking and has been affected by the flow-on impacts of the Global Financial Crisis and uncertainties surrounding the long term world sugar price.

*Moved Councillor Lynch
Seconded Councillor Kaurila*

That Council grant a four year extension of the Relevant Period for the application on the grounds that the application has not substantially changed from that which was previously approved by the Minister for Local Government and Special Minister of State.

Carried – 270116-20

Councillor DG Carr returned to the meeting

Councillor DG Carr declared a Real Conflict of Interest in Item 2.3.5 (as defined in section 173 of the Local Government Act 2009) as he is related to the applicant and excluded himself from the meeting while the matter was debated and the vote taken.

2.3.5 REQUEST FOR EXTENSION OF THE RELEVANT PERIOD – JOHN FRACCHIA - RECONFIGURING A LOT – REARRANGEMENT OF BOUNDARIES – FRACCHIA'S ROAD AND FORESTHOME ROAD, FORESTHOME - LOT 3 ON RP838285 AND LOT 11 ON SP200245, PARISH OF CORDELIA

Consideration of Report to Council from Planning and Development Manager dated 11 January 2016

in relation to an application made by John Fracchia, seeking an extension of the relevant period for a further two years until 15 December 2017 to complete existing reconfiguration of land – rearrangement of boundaries between Lot 3 on RP838285 and Lot 11 on SP200245 at Fracchia's Road and Foresthome Road, Foresthome.

*Moved Councillor Molachino
Seconded Councillor Lynch*

That Council approve the request to extend the development approval currency period for a further two years until 15 December 2017, subject to retaining the following existing conditions:

Conditions of Development	Time at which compliance with condition is required
The conditions of development for this development permit are as follows:	
Site Access (a) The Applicant constructing property access to both lots to Council's standard (or demonstrating suitable constructions exist).	Prior to the Local Government endorsement of the Survey Plan
Utility Services (b) The Applicant demonstrating that all utility services (electricity, water, telephone and septic) to the two lots are separate and wholly contained within the particular lot being served.	Prior to the Local Government endorsement of the Survey Plan

Carried – 270116-21

Councillor DG Carr returned to the meeting

The meeting adjourned at 9.56am for morning tea and resumed at 10.05am

2.3.6 REQUEST FOR EXTENSION OF THE RELEVANT PERIOD – MILFORD PLANNING CONSULTANTS - RECONFIGURING A LOT – SUBDIVISION OF TWO LOTS INTO NINETEEN LOTS – TOWNSVILLE ROAD (BRUCE HIGHWAY) AND SCOVAZZI'S ROAD, TOOBANNA - LOT 2 ON RP735015 AND LOT 3 ON RP883348, PARISH OF TREBONNE

Consideration of Report to Council from Planning and Development Manager dated 11 January 2016

in relation to an application made by Milford Planning Consultants, seeking an extension of the relevant period for a further two years until 15 December 2017 to complete existing reconfiguration of land – subdivision of two lots into nineteen lots over Lot 2 on RP735015 and Lot 3 on RP883348 at Townsville Road (Bruce Highway) and Scovazzi's Road, Toobanna.

Moved Councillor Lynch
Seconded Councillor Molachino

That Council approve the request to extend the development approval currency period for a further two years until 15 December 2017, subject to retaining the following existing conditions:

Conditions of approval	Time at which compliance with condition is required
Approved plans	
(a) The development of the site is to be generally in accordance with the following plans that are to be the approved Plans of Development, except as altered by any other condition of this approval: (i) <i>Layout Plan, Number REC1590, Sheet No. SK10, Revision B, Client: Peebles Developments Pty Ltd.</i>	At all times
External Works	
(b) The fronting section of Scovazzi's Road and the section of Scovazzi's Road leading from the proposed development to the Bruce Highway, to be upgraded to Council's 8m sealed standard.	Prior to release of survey plan
(c) The turnout off Scovazzi's Road to the proposed turnout to be upgraded to an appropriate standard. The Applicant to demonstrate that sufficient space exists at this location to obtain an intersection of adequate geometry and visibility.	Prior to release of survey plan
Internal works	
(d) All internal roads to be constructed to Council's 6m sealed and kerbed standard.	Prior to release of survey plan

Conditions of approval	Time at which compliance with condition is required
(e) Provision of kerb and channel to Hinchinbrook Shire Council's standard profiles and including invert access crossings to each allotment.	Prior to release of survey plan
(f) Provision of surface and underground stormwater drainage as necessary to adequately drain the development and adjoining lots that currently drain into the development site. The Developer is to demonstrate via an appropriate hydrological method that all stormwater flows exit to a legal point of discharge and that such flows will not be increases or concentrated so as to create adverse impacts or nuisance.	Prior to release of survey plan
(g) Filling and levelling of lots and footpaths, to ensure water drains to the front of lots and/or other legal points of discharge.	At all times
(h) Filling and levelling in an approved manner such that a sufficient area of each proposed lot has surface levels above the mapped 1% AEP flood level.	At all times
(i) The Applicant to undertake an approved study/survey to identify possible amenity issues about existing properties that will border roadways and to then undertake mitigation works as necessary. Such works to form part of the approval.	Prior to release of survey plan
(j) Provision of a separate water reticulation service to each lot from existing mains, including enveloping pipes as necessary and provision of works external to the development as/iff necessary to ensure adequate flows and pressures are available. The Developer is to demonstrate via an appropriate hydraulic study that adequate supply is available and that supply in existing areas is not compromised.	Prior to release of survey plan
(k) The Applicant is to note secondary effluent treatment systems in accordance with LCJ Sewerage report REC 1590 – February 2010, will be required to be installed on the respective lots as dwellings are constructed. A note to such effect will be placed on the individual lots rating records.	At all times
(l) Provision of overhead electricity reticulation to each lot, including a network of street lighting to the current Australian Standard.	Prior to release of survey plan
(m) Provision to Telstra's requirements of telecommunications conduits under the road at various intervals to serve the proposed lots without requiring future excavation of sealed road surface.	Prior to release of survey plan
(n) Prior to commencement of civil works, submission to Council for approval of engineering drawings and specification setting out the proposed works. Payment of an engineering plan scrutiny fee based on 2% of approved cost estimates of engineering construction works.	Prior to release of survey plan
(o) Provision of completion certificates for civil construction works, including "as constructed" surveyed information, to suit Council's software [Autocad drawing files connected to two Council permanent marks or similar accuracy].	Prior to release of survey plan
(p) A twelve 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.	Prior to release of survey plan

Carried – 270116-22

2.3.7 REQUEST FOR EXTENSION OF THE RELEVANT PERIOD – 9E PLUS PTY LTD ATF THE SHOUBRIDGE FAMILY TRUST (ERIC SHOUBRIDGE) - RECONFIGURING A LOT – CREATION OF AN ACCESS EASEMENT – 40 LYNN STREET AND 93 HERBERT STREET, INGHAM - LOT 1 ON RP721478 AND LOT 2 ON RP721478, PARISH OF CORDELIA

Consideration of Report to Council from Planning and Development Manager dated 11 January 2016

in relation to an application made by 9E Plus Pty Ltd ATF The Shoubridge Family Trust, seeking an extension of the relevant period for a further two years until 10 December 2017 to complete existing reconfiguration of land – creation of an access easement over Lot 1 on RP721478 and Lot 2 on RP721478 at 40 Lynn Street and 93 Herbert Street, Ingham.

Moved Councillor Kaurila

Seconded Councillor Molachino

That Council approve the request to extend the development approval currency period for a further two years until 10 December 2017, subject to retaining the following existing conditions:

Conditions of Development The conditions of development for this development permit are as follows:	Time at which compliance with condition is required
General (a) The development of the site is to be generally in accordance with the following plans that are to be the approved Plans of Development, except as altered by any other condition of this approval: (i) Reconfiguring a Lot – access easement, 9E Plus Pty Ltd ATF The Shoubridge Family Trust, dated 14.11.2013.	At all times
Site Access (b) That works on the proposed access easement do not interfere with the operation or amenity of the adjacent drainage easement.	At all times
Utility Services (c) That works associated with the proposed access easement do not conflict with existing overland flow paths.	At all times

Carried – 270116-23

2.3.8 REQUEST TO MINISTER OF INFRASTRUCTURE, LOCAL GOVERNMENT AND PLANNING FOR EXTENSION OF TIME FOR PREPARATION OF NEW LOCAL GOVERNMENT INFRASTRUCTURE PLAN (LGIP)

Consideration of Report to Council from Planning and Development Manager dated 11 January 2016 in relation to requesting an extension of time for the preparation of the Local Government Infrastructure Plan (LGIP) from the Minister of Infrastructure, Local Government and Planning to 30 June 2018.

Moved Councillor Kaurila

Seconded Councillor Skinner

That Council resolve to:

- (a) Request an extension from the Minister of Infrastructure, Local Government and Planning for the preparation of the Local Government Infrastructure Plan (LGIP) to 30 June 2018.

That Council note at which time, the existing Priority Infrastructure Plan and Adopted Infrastructure Charges Policy are required to be replaced by the new Local Government Infrastructure Plan and new Charges Policy for that Financial Year.

That Council Officers prepare the application to the Minister before 27 May 2016.

Carried – 270116-24

2.3.9 TRIAL OVERFLOW PARKING SITE FOR SELF CONTAINED RECREATIONAL VEHICLES

Consideration of Report to Council from Executive Manager Development and Planning dated 8 January 2016 in relation to a further trial of overflow parking for self contained recreational vehicles at TYTO from 1 March 2016 to 30 November 2016.

Moved Councillor Tack
Seconded Councillor Lynch

That Council extend the period for the trial 48 hour RV parking site at TYTO from 1 March 2016 to 30 November 2016, subject to the site being closed because of wet weather making it unsuitable for RV parking.

That Council charge \$10 (incl GST) per van per night. Carried – 270116-25

2.4 ENVIRONMENT AND COMMUNITY SERVICES

2.4.1 ENVIRONMENT AND COMMUNITY SERVICES ACTIVITY REPORT

Consideration of monthly Environment and Community Services Activity Report for December 2015.

Moved Councillor Kaurila
Seconded Councillor Skinner

That the Report be received and noted. Carried – 270116-26

2.4.2 MONTHLY STATUS REPORT

Consideration of monthly Executive Manager Environment and Community Services Status Report for January 2016.

Moved Councillor Lynch
Seconded Councillor Molachino

That the Report be received and noted. Carried – 270116-27

2.4.3 HINCHINBROOK SHIRE COUNCIL COMMUNITY GRANTS FUNDING STREAM 2015 / 2016 – HERBERT RIVER MUSEUM / GALLERY INC

Consideration of Report to Council from Active Executive Manager Environment and Community Services dated 4 January 2016 regarding application for community grant received from Herbert River Museum / Gallery Inc. seeking financial assistance in the sum of \$5,000 (excl GST) to assist with running costs for the 2015 / 2016 financial year.

Moved Councillor Kaurila
Seconded Councillor Lynch

That Council resolve to offer Herbert River Museum / Gallery Inc. the payment of \$3,853 ex GST from the 2015 / 2016 Community Grants budget.

Councillor PD Lynch voted for an amendment to the motion as follows:

Moved Councillor Lynch
Seconded Councillor Kaurila

That Council resolve to offer Herbert River Museum / Gallery Inc. the payment of \$4,000 ex GST from the 2015 / 2016 Community Grants budget. Carried – 270116-28

2.4.4 HINCHINBROOK LOCAL DISASTER MANAGEMENT PLAN

Consideration of Report to Council from Community Services Officer dated 8 September 2015 regarding adoption of the reviewed Hinchinbrook Local Disaster Management Plan as per the Disaster Management Act 2003.

Moved Councillor Lynch
Seconded Councillor Kaurila

That Council adopt the Hinchinbrook Local Disaster Management Plan version 1.4, as presented. Carried – 270116-29

2.5 GOVERNANCE

2.5.1 OFFICE OF THE CEO ACTIVITY REPORT

Consideration of monthly Corporate Governance Activity Report for December 2015.

Moved Councillor Molachino

Seconded Councillor Skinner

That the Report be received and noted.

Carried – 270116-30

2.5.2 MONTHLY STATUS REPORT

Consideration of monthly Chief Executive Officer Status Report for January 2016.

Moved Councillor Molachino

Seconded Councillor Lynch

That the Report be received and noted.

Carried – 270116-31

2.5.3 COUNCILLOR ACTIVITY REPORT

Consideration of Councillor Activity Reports as at 31 December 2015 to ensure transparency and public scrutiny of Councillor workload.

Moved Councillor Lynch

Seconded Councillor Molachino

That the Report be received and noted.

Carried – 270116-32

3. CONCLUSION – This concluded the business of the meeting which closed at 10.30 am

APPROVED and adopted on 23 February 2016

MAYOR