



**General Meeting of Council**

**MINUTES**

**Meeting held in the Central Highlands Regional Council Chambers, Emerald Office**

**Tuesday 6<sup>th</sup> May 2008**

**Commenced at 9.05am**

# CENTRAL HIGHLANDS REGIONAL COUNCIL

## GENERAL MEETING OF COUNCIL

TUESDAY 6 MAY 2008

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**MINUTES – GENERAL MEETING**  
**HELD AT 9.05AM TUESDAY 6<sup>TH</sup> MAY 2008 IN THE CENTRAL HIGHLANDS REGIONAL COUNCIL**  
**CHAMBERS, EMERALD OFFICE**

**PRESENT**

**Councillors**

Cr P. Maguire (Mayor).

Crs P. Bell AM, D. Brimblecombe, P. Bulger, K. Hayes, G. Nixon, R. Rolfe, P. Schwarz.

**Officers**

CEO B. Ottone, D/CEO G. Frangos, GM Comm Serv C. Dziewicki, AGM Corp Services H. Stanton, GM E&P P. Day, GM G&CS P. Brumley, AGM CO A. Bullock, AEM – Capella K. Downey, AEM – Springsure A. Shaw, AEM – Blackwater D. Carroll.

**APOLOGY/LEAVE OF ABSENCE**

Cr Hayes moved and Cr Nixon seconded 'That an apology be accepted from, and leave of absence be granted to, Cr P. Haylock for today's meeting'.

Carried

**CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**General Meeting : 21 April 2008**

**Amendment:**

**Replace the following Resolution:**

*Cr Haylock moved and Cr Hayes seconded 'That Council confirms that the Mayor, CEO, Cr Nixon and Cr Bell (if required) be Directors of the Board of the Central Highlands Development Corporation and that the Organisational Structure be amended to include a "Sustainable Regional Development" area which reports to the CEO.'*

**With:**

Cr Haylock moved and Cr Hayes seconded 'That Council confirms that the Mayor, CEO, Cr Nixon and Cr Bell (if required) be Directors of the Board of the Central Highlands Development Corporation and that the Organisational Structure be amended to include a "Sustainable Regional Development".'

**Resolution:**

Cr Rolfe moved and Cr Schwarz seconded 'That the minutes of the above meeting, as printed and circulated to members, and with the above amendment noted, be adopted.'

Carried

**MATERIAL PERSONAL INTEREST, GIFTS & BENEFITS**

Cr Nixon declared a Material Personal Interest in the Closed Session item.

**COMMITTEE RECOMMENDATIONS**

Nil.

**ADDRESS TO COUNCIL**

The Mayor dispensed with standing orders and invited Mrs Jodie Pike to address Council on various issues in relation to the recent flooding event.

It was resolved that the arrangements made by the Mayor be confirmed for a meeting of those affected by flood inundation to be held in the Emerald Town Hall on Tuesday 13<sup>th</sup> June 2008 commencing at 6.00pm for discussions and collection of information on insurance matters in relation to the flood event.

**Adjournment**

The meeting adjourned for a short break at 10.06am and resumed 10.27am.

**CIVIL OPERATIONS SEGMENT****CBD Revitalisation Artwork*****Resolution:***

Cr Hayes moved and Cr Bulger seconded 'That in accordance with Sections 486 (3) (b) and 487 of the Local Government Act 1993, Council approves the engagement of the following artists with a total cost to Council of \$250,000.'

<b>Item</b>	<b>Artist</b>	<b>Allocation Council</b>
Plinths	Margaret Worthington	\$70,000 + sponsorship
Hands on the Wall	Margaret Worthington	\$20,000 + sponsorship
Banners	Catherine Smith	\$28,000 + sponsorship
Mosaics	Darryl Black	\$15,000 + sponsorship
Inlays	Scott Maxwell	Sponsorship
Q150	Scott Maxwell	\$117,000 + sponsorship
<b>Total</b>		<b>\$250,000</b>

Carried

**CBD Revitalisation – Art Streetscape*****Resolution:***

Cr Bell moved and Cr Schwarz seconded 'That Council considers the designs submitted by artists for sections of the streetscape works and advise any changes required to the submitted designs, and further, that the designs as considered above be approved for detailing by the artists to enable materials to be purchased and work commenced on the approved items.'

Carried

**Rifle Range Site Remediation*****Resolution:***

Cr Bell moved and Cr Nixon seconded 'That, in accordance with Section 486 (3) (b) of the Local Government Act 1993, Council approves the engagement of Douglas Partners Pty Ltd to undertake the supervision and monitoring of the remediation of the Rifle Range without obtaining 3 quotes as the supplier provides a specialist service and, further, a genuine emergency exists to have the service carried out.'

Carried

**Acceptance of the Acting General Manager – Civil Operations' Report*****Resolution:***

Cr Hayes moved and Cr Rolfe seconded 'That the Acting General Manager – Civil Operations' Report be received.'

Carried

## **ENVIRONMENT AND PLANNING SEGMENT**

### **Permitted Development Applications**

#### ***Resolution:***

Cr Hayes moved and Cr Brimblecombe seconded 'That the following Permitted Development Applications be received:

- 80.3.1 D650/07 – Lee Miller – 3 Stephan Street, Emerald – Dual Occupancy
- 80.3.2 TP004/08E – Kim Anderson – 5 Bottle Tree Road, Emerald – Dual Occupancy
- 80.3.3 TP005/08E – Brian A Oates – 6 Baker Street, Emerald – Home Occupation
- 80.3.4 TP008/08E – Shannon Grimshaw – 9 Crozier Crescent, Emerald – Home Occupation'

Carried

### **Report on attendance at Local Government Symposium**

#### ***Resolution:***

Cr Nixon moved and Cr Rolfe seconded 'That the above report be received.'

Carried

### **Acceptance of the General Manager – Environment & Planning's Report**

#### ***Resolution:***

Cr Bulger moved and Cr Hayes seconded 'That the General Manager – Environment & Planning's Report be received.'

Carried

## **GOVERNANCE & COMMUNITY SERVICES SEGMENT**

### **Blackwater Art Gallery**

#### ***Resolution:***

Cr Bell moved and Cr Rolfe seconded 'That the Central Highlands Regional Council approves of the gallery space in the Blackwater Civic Centre, currently known as the Duaringa Shire Art Gallery, being re-named "The Blackdown Gallery" with a plaque to be placed for this purpose and, further, that Council confirms its commitment to providing ongoing resources in support of this gallery.'

Carried

### **Blackwater Lions Park Flags**

#### ***Resolution:***

Cr Bell moved and Cr Nixon seconded 'That the Central Highlands Regional Council commits funds in its annual budget on an ongoing basis to enable two sets of flags to be purchased for the Blackwater Lions Park Flag Display, provided the Blackwater Lions Club Inc arranges for replacement of the flags at its expense and complies with all relevant Workplace Health and Safety requirements when replacing the flags. And further, that investigation continues into alternatives to the use of the traditional cloth flag.'

Carried

### **Tenders for Design of All Abilities Playground – Blackwater**

#### ***Resolution:***

Cr Nixon moved and Cr Bell seconded 'That Central Highlands Regional Council accepts a tender amounting to \$32,470, submitted by Insite EM LA of Keperra for Playspace Design and landscape Architecture for All Abilities Recreation Space – Blackwater, on the basis that Council is satisfied that the Company can effectively deliver the product and its tender is the lowest received.'

Carried

### **Acceptance of the General Manager – Governance & Community Services' Report**

Cr Nixon moved and Cr Brimblecombe seconded 'That the General Manager – Governance & Community Services' Report be received.'

Carried

## DECISIONS/INFORMATION OUT OF REPORTS

### CHIEF EXECUTIVE OFFICER' REPORT

#### Rating

#### **Resolution:**

Cr Brimblecombe moved and Cr Nixon seconded 'That the:

- CHRC adopts a twice yearly rating cycle;
- The discount for payment of rates within the prescribed period be 15% for all Council levied rates & charges;
- A 11% interest rate be adopted for all overdue rates and charges effective from the date the rates & charges become overdue;
- The pensioner rate remission be 50% for rates & charges - the primary place of residence must not be part of a commercial enterprise (*remission on water usage charges to be further considered*) - also a cap be considered further (if deemed appropriate);
- Differential rating – classifications on commercial etc to be considered in small towns where such land currently is levied the minimum general rate;
- Special rates/charges continue to apply as at present. Other activities with special benefit from council services and where special rates may be appropriate to be identified.
- The former Bauhinia separate rate to be absorbed into the general rate unless there is a need for a CHRC levy for similar activities of benefit to all ratepayers;
- The two part tariff with access charge & consumption charge be used and/or phased in where possible noting there are some exceptions such as Tieri and that AEC be appointed to review the matter;
- CHRC adopts a scheme based approach to sewerage charges. Residential customers to be charged one equivalent unit regardless of number of pedestals. A standard approach should be used to identify the number of factors/units for other user types. Commercial be charged per pedestal;
- CHRC maintains locality specific refuse charges consistent with all costs for the refuse service including collection and disposal. Ensures consistency in the way that costs are attributed in accordance with a full cost pricing approach; and
- Credit Card payments –
  - All types – bill pay, phone, internet etc
  - Master & Visa cards only (*but not AMEX or Diners Card*)'

Carried

#### Acceptance of the Chief Executive Officer's Report

Cr Hayes moved and Cr Bulger seconded 'That the Chief Executive Officer's Report be received.'

Carried

### MAYOR'S REPORT

#### Acceptance of the Mayor's Report

Cr Bell moved and Cr Rolfe seconded 'That the Mayor's Report be received.'

Carried

## **GENERAL BUSINESS**

### **Cr Schwarz:**

#### **Centenary Park**

Cr Schwarz tabled a submission from the Gumnuts Playgroup requesting grant funding from Council. The report was provided to the GM Governance & Community Services as a project for consideration.

### **Cr Rolfe:**

#### **Bauhinia**

Road issues – need looking at – Email to be sent to Andrew Bullock.

### **Subdivision**

Jones application – Summerby.

### **Cr Bell:**

#### **Resolution:**

Cr Hayes moved and Cr Brimblecombe seconded 'That Council invites Desley Renton from LGAQ to provide training in community development on Monday 30 June 2008.'

Carried

### **Cr Nixon:**

#### **Blackwater Hospital Multipurpose Health Centre**

#### **Resolution:**

Cr Nixon moved and Cr Hayes seconded 'That as a result of the overwhelming community concern expressed at a recent community consultation meeting held at Blackwater, Central Highlands Regional Council writes to the Minister for Health to enquire when the State Government proposes to construct the new Blackwater Hospital multipurpose facilities that were promised as this matter is becoming a more and more urgent issue due to coal mining expansion in the region and a growing population.'

Carried

### **GMCS:**

#### **Water Restrictions**

#### **Resolution:**

Cr Schwarz moved and Cr Bell seconded 'That Council delegates authority to the Mayor to impose complete sprinkler bans as required for the implementation of urgent works on water treatment plants.'

Carried

## **DEPUTY CHIEF EXECUTIVE OFFICER'S REPORT**

### **LATE AGENDA ITEM**

#### **CQLGA Special General Meeting & Workshop 14/15 May 2008**

#### **Resolution:**

Cr Bell moved and Cr Rolfe seconded 'That Cr P. Maguire and Cr K. Hayes (Proxy) be nominated as Council's representatives to the CQ A New Millennium.'

Carried

#### **Resolution:**

Cr Hayes moved and Cr Rolfe seconded 'That Cr P. Maguire and Cr G. Nixon be nominated as Council's representatives to the CQLGA Management Committee.'

Carried

#### **Resolution:**

Cr Hayes moved and Cr Nixon seconded 'That Cr D. Brimblecombe and Cr R. Rolfe (Proxy) be nominated as Council's representatives to the Fitzroy Basin Association.'

Carried

There were no interests in the nomination for CQLGA President.

**CQLGA Working Regionally for You Workshop – 14 & 15 May 2008**

***Resolution:***

Cr Hayes moved and Cr Bulger seconded 'That Crs P. Maguire, D. Brimblecombe, R. Rolfe and CEO (or representative) be authorised to attend the CQLGA Workshop and Special Meeting at the Boyne/Tannum Community Centre on the 14<sup>th</sup> and 15<sup>th</sup> May 2008 as Council delegates.'

Carried

**Acceptance of the Deputy Chief Executive Officer's Report**

***Resolution:***

Cr Brimblecombe moved and Cr Hayes seconded 'That the Deputy Chief Executive Officer's Report be received.'

Carried

**CLOSED SESSION – DEPUTY CHIEF EXECUTIVE OFFICER**

***Material Personal Interest***

*Cr Nixon declared a MPI and left the room and therefore did not partake in discussions or voting.*

**Into Closed Session**

***Resolution:***

Cr Rolfe moved and Cr Bell seconded 'That Council **moves into** Closed Session to discuss a matter from the Deputy CEO of a likely prejudicial matter.'

Carried

**Out of Closed Session**

***Resolution:***

Cr Hayes moved and Cr Schwarz seconded 'That Council **moves out** of Closed Session.'

Carried

***Resolution:***

Cr Bulger moved and Cr Hayes seconded 'That the CEO and the Deputy CEO be authorised to conduct further discussions with the land holder with regards to the Gap Road realignment.'

Carried

**Attendance**

Cr Nixon returned to the meeting.

At 12.18pm members from the Main Roads Department entered the meeting. The officers from the Main Roads Department made a presentation to Council on various matters. The MRD officers departed the meeting for lunch with Council.

**Adjournment**

The meeting adjourned for lunch at 1.05pm and resumed at 2.18pm.

**Attendance**

Cr P. Bell departed the meeting.

GMCS C. Dziewicki departed the meeting.

MSP A. Aylward, MDS L. Lankowski and MEH C. Fraser entered the meeting.

## **CLOSED SESSION – TOWN PLANNING**

### **Into Closed Session**

#### **Resolution:**

Cr Brimblecombe moved and Cr Hayes seconded 'That Council **moves into** Closed Session to discuss a Town Planning matter of a legal nature.'

Carried

### **Out of Closed Session**

#### **Resolution:**

Cr Hayes moved and Cr Brimblecombe seconded 'That Council **moves out** of Closed Session.'

Carried

#### **Resolution:**

Cr Hayes moved and Cr Rolfe seconded 'That Central Highlands Regional Council confirms previous decisions of the former Emerald Shire Council in relation to Development Application D453/06, Appeal No. 1163 of 2007.'

Carried 4-3

Cr Nixon recorded a vote against the resolution.

#### **Attendance**

MSP A. Aylward, MDS L. Lankowski and MEH C. Fraser left the meeting.

## **CLOSURE OF MEETING**

There being no further business, the Mayor closed the meeting at 3.27pm.

CONFIRMED:

MAYOR

DATE