



General Meeting of Council

MINUTES

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

Tuesday 26 April 2016

Commenced at 2.01pm

CENTRAL HIGHLANDS REGIONAL COUNCIL

GENERAL MEETING OF COUNCIL

TUESDAY 26 APRIL 2016

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MINUTES – GENERAL MEETING

HELD AT 2.01PM TUESDAY 26 APRIL 2016 IN THE CENTRAL HIGHLANDS REGIONAL COUNCIL CHAMBERS, EMERALD OFFICE

PRESENT

Councillors

Councillor (Crs) K. Hayes (Mayor), G. Godwin-Smith (Deputy Mayor)

Councillors (Crs) P. Bell AM, C. Brimblecombe, M. Daniels, D. Lacey, A. McIndoe, G. Nixon and C. Rolfe

Officers

Chief Executive Officer S. Mason, Acting General Manager Communities P. Jeston, General Manager Corporate Services J. Bradshaw, General Manager Infrastructure and Utilities G. Joubert, Executive Manager Governance M. Uren, Minute Secretary M. Wills

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

General Council Meeting: 12 April 2016

Resolution:

Cr Nixon moved and seconded by Cr Rolfe “That the minutes of the previous General Meeting held on 12 April 2016 be confirmed.”

2016 / 04 / 26 / 001

Carried (9-0)

Business Arising Out Of Minutes

Nil

Outstanding Meeting Actions

Nil

Conflict of Interest, Personal Gifts and Benefits

Nil

INFRASTRUCTURE AND UTILITIES' SECTION

Council Support to Enhance Rural Fire Service Queensland Capacity - Bluff Rural Fire Brigade Facility Upgrade

Executive Summary:

Council approval is sought to support Council's commitment of \$500,000 to a five year Rural Fire Service facilities upgrade program to enhance capacity and capability of Volunteer Rural Fire members to undertake community education, mitigation and response activities. It should be noted that where possible Council funds will be used to leverage State Government Funding.

Council has received a request from the Bluff Rural Fire Brigade for financial assistance in the order of \$15,000 towards the construction of a new facility at 8 Church Street, Bluff. The estimated cost is \$75,000. The Bluff Rural Services have raised approximately \$15,900, State Government will contribute 25% (\$18,750) and a pledge of \$15,000 has been received from Yarabee Coal on the understanding that the payment only be made after demonstration of all funds secured and approvals are in place. Jellinbah Mining have also committed \$15,000 to this community project.

Resolution:

Cr Godwin-Smith moved and seconded by Cr Rolfe "That Central Highlands Regional Council defer this report and that it be considered during the 2016 / 2017 budget deliberations."

2016 / 04 / 26 / 002

Carried (9-0)

Resolution:

Cr Nixon moved and seconded by Cr Bell "That Central Highlands Regional Council support the construction of a new Bluff Volunteer Rural Fire Facility at 8 Church Street, Bluff and contribute \$15,000 in this financial year towards the construction of this facility to house fire response equipment ensuring the future capacity of the Bluff Rural Fire Service volunteers in undertaking essential community safety activities."

2016 / 04 / 26 / 003

Carried (9-0)

Building our Regions Infrastructure Fund – Round 2 - Yamala Rail Siding Project

Executive Summary:

The two (2) projects Council has already nominated, that qualify for potential funding under the Building our Regions Regional Infrastructure Fund Round 2. Expressions of Interest opened on 4 April 2016 and close 29 April 2016, with notification of outcome expected to be late June 2016. Grain Corp's Yamala Rail Siding Project is potentially not eligible.

Resolution:

Cr Brimblecombe moved and seconded by Cr Daniels "That Central Highlands Regional Council endorse the Yamala Rail Siding Project as its third priority for funding under the Building our Regions Regional Infrastructure Fund Round 2."

2016 / 04 / 26 / 004

Carried (9-0)

Proposed Road Closure adjoining Lot 1 on Survey Plan 224260, Parish of Moodewarra

Executive Summary:

A request has been received to consider the proposed road closure adjoining Lot 1 on Survey Plan 224260, Parish of Moodewarra, Donohoe Road, Emerald. Council has also been in discussions with both property owners about access issues relating to their respective farming operations.

Resolution:

Cr McIndoe moved and seconded by Cr Godwin-Smith “That Central Highlands Regional Council defer its decision on this report subject to further information being provided regarding the road network in the area.”

2016 / 04 / 26 / 005

Carried (9-0)

Attendance

Manager Finance S. Fogg attended the meeting at 2.57pm

Executive Manager Governance M. Uren left the meeting at 2.57pm

Executive Manager Governance M. Uren returned to the meeting at 2.59pm

CORPORATE SERVICES' SECTION

March 2016 Financial Report

Executive Summary:

A Financial Report which summarises the financial performance and position of the Central Highlands Regional Council is presented to council each month to provide a summary on Council's financial performance. While this report complies with statutory obligations, it is also intended to provide additional information to keep Councillors informed in relation to relevant financial matters of Council.

Resolution:

Cr Bell moved and seconded by Cr Brimblecombe “That Central Highlands Regional Council receive the Monthly Financial Report for the month ended 31 March 2016.”

2016 / 04 / 26 / 006

Carried (9-0)

2015 / 2016 Budget Review 2

Executive Summary:

Each year Council must complete an annual budget and long term financial plan each financial year. During the course of the year variances may occur and Council may decide to vary its budget by resolution. The 2015/16 budget has been reviewed based on actual results to the end of March 2016 a number of changes are being suggested. Overall the budget remains in a balanced position.

Resolution:

Cr Rolfe moved and seconded by Cr Brimblecombe “That in accordance with sections 169 and 170 of the *Local Government Regulation 2012* Central Highlands Regional Council adopt the amendment to the 2015 / 2016 budget including:-

1. The statement of income and expenditure;
2. The statement of financial position;
3. The statement of cash flow;
4. The statement of changes in equity;
5. The relevant indicators of sustainability; and the
6. Capital program.”

2016 / 04 / 26 / 007

Carried (9-0)

Attendance

Cr Lacey left the meeting at 3.09pm

Manager Finance S. Fogg left the meeting at 3.09pm

Cr Lacey returned to the meeting at 3.10pm

General Council Meetings – Video Conference/Live Streaming of Meetings

Executive Summary:

In accordance with the requirements of the *Local Government Regulation 2012*, this report seeks direction from Council with regards to utilising video conferencing equipment to conduct live-streaming of Council Meetings.

Resolution:

Cr Daniels moved and seconded by Cr Godwin-Smith “That Central Highlands Regional Council trial live-streaming of Council Meetings for an initial three-month period, upon completion of the technology improvements being undertaken to the Emerald Administration Centre Council Chamber.”

2016 / 04 / 26 / 008

Carried (9-0)

Attendance

Manager Communities L. Lankowski attended the meeting at 3.15pm

General Manager Infrastructure and Assets G. Joubert left the meeting at 3.15pm

General Manager Infrastructure and Assets G. Joubert returned to the meeting at 3.17pm

COMMUNITIES' SECTION

Bluff Urban Street Numbering Project

Executive Summary:

Central Highlands Regional Council and Aurizon have recently cooperated on an urban renumbering project to improve the consistency of numbering in the Bluff Township. This urban renumbering project has identified 157 properties that require renumbering in order to meet the requirements of Australian / New Zealand Standards: AS4819:2011 – Rural and Urban Addressing, with this renumbering intended to improve consistency of numbering and the location of properties by emergency services. This report discusses the findings of this project, and recommends that Council proceed to undertake consultation and renumbering in this area.

Resolution:

Cr Godwin-Smith moved and seconded by Cr Brimblecombe “That Central Highlands Regional Council proceed with the urban renumbering project for the Bluff Township, including community consultation, to renumber 157 properties and improve consistency of numbering and the location of properties by emergency services.”

2016 / 04 / 26 / 009

Carried (9-0)

Attendance

Principal Planner Development Assessment S. Ronnfeldt, attended the meeting at 3.25pm

Manager Communities L. Lankowski left the meeting at 3.25pm

Development Application – 4037/14 – Esdale Sinclair and Associates Pty Ltd – 44 Normanby Street, Dingo

Executive Summary:

The development application is requesting approval to subdivide a single lot into six lots. The industrial site operates as a sawmill within the Dingo township boundary. Five single dwellings are located on the site and were originally used for accommodating sawmill employees. The applicant has applied to subdivide the lot to allow each house to have an individual freehold title separate from the sawmill. The

proposal is inconsistent with the planning scheme in terms of land use, zoning and amenity and is therefore recommended for refusal.

Resolution:

Cr Nixon moved and seconded by Cr Lacey “That the application for Reconfiguration of Lot: One lot into six (6) lots on land located at 44 Normanby Street, Dingo, described as Lot 2 on D4125, be **refused**, subject to the following grounds:

1. The proposed development directly compromises the achievement of the Desired Environmental Outcomes of the *Duaringa Shire Planning Scheme (Amendment 1-2011)* and there are not sufficient grounds to justify approval of the development proposal, despite the conflict.
2. The proposal compromises the achievement of several land use strategies and specific outcomes sought by the *Central Highlands Strategic Framework 2031* particularly in relation to the settlement pattern of villages within the Shire.
3. The proposed land use is inconsistent with the stated purpose of the Village Zone, as outlined in the Village Zone Code of the *Duaringa Shire Planning Scheme 2011*, specifically:
‘4.3.2(2)(f) New development is consistent in location, design, scale and character to that of surrounding development, and has no significant adverse impacts upon the natural environment. ‘
4. There is not an overwhelming need for the proposed subdivision and it cannot be regarded as being in the public interest.
5. Assessment of the development against the relevant Planning Scheme codes demonstrates that the proposed development will have a significant adverse impact on the liveability of the proposed residential lots.
6. The proposal cannot demonstrate compliance with *State Planning Policy 2014 – Planning for liveable communities and housing.*”

2016 / 04 / 26 / 010

Carried (9-0)

Attendance

Principal Planner Development Assessment S. Ronnfeldt left the meeting at 3.31pm
Manager Airport D. Voss attended the meeting at 3.31pm

COMMERCIAL SERVICES' SECTION

Emerald Airport – 2015 Catchment Survey (Passenger Behaviour Review)

Executive Summary:

Between November 2015 and January 2016 Emerald Airport undertook a catchment survey which was facilitated by a reputable third party consultancy firm. The objective of the survey was to develop statistically accurate data which measured travel habits and patterns within the Emerald Airport catchment area. The goal is to then take this collated information and build upon this survey by examining potential new markets and additional sources of revenue for the purpose of further benefiting the Central Highlands region.

Considered by Council.

Attendance

Manager Airport D. Voss left the meeting at 3.51pm
General Manager Central Highlands Development Corporation S. Hobbs and Grants and Projects Officer
K. Senior attended the meeting at 3.52pm

CENTRAL HIGHLANDS DEVELOPMENT CORPORATION

Central Highlands Development Corporation - Quarterly Report

Executive Summary:

The report provides a quarterly update on the Central Highlands Development Corporations Service Level Agreement and the delivery of approved projects and management and administration of the organisation.

Considered by Council.

Attendance

General Manager Corporate Services J. Bradshaw left the meeting at 4.21pm
General Manager Central Highlands Development Corporation S. Hobbs and Grants and Project Officer K.
Senior left the meeting at 4.21pm
General Manager Corporate Services J. Bradshaw returned to the meeting at 4.24pm

GOVERNANCE SECTION

Central Highlands (Qld) Housing Company Ltd.

Executive Summary:

The purpose of this report is to provide Council with background on the formation of the Central Highlands (Qld) Housing Company Ltd and to seek interest of councillors to be invited as Directors on Central Highlands (Qld) Housing Company Board.

Resolution:

Cr Bell moved and seconded by Cr Godwin-Smith "That Central Highlands Regional Council invite Councillors Hayes (Mayor) and Lacey to be Directors of the Central Highlands (Qld) Housing Company Ltd."

2016 / 04 / 26 / 011

Carried (9-0)

Attendance

Cr Bell left the meeting at 4.41pm
Cr Bell returned to the meeting at 4.44pm

CHIEF EXECUTIVE OFFICER'S REPORT

Council Decision Making Framework

Executive Summary:

This report is presented to formalise the Standing Committees that were proposed by Council at its meeting on 12 April 2016.

The technical and legal aspects of the delegations to the Standing Committees are being prepared by King and Company Solicitors and will be presented to the next scheduled Council meeting on 10 May 2016.

Resolution:

Cr Rolfe moved and seconded by Cr Bell “That Central Highlands Regional Council:

1. Pursuant to section 264 of the *Local Government Regulation 2012*:
 - a. Establish the Finance and Infrastructure Standing Committee, Communities Standing Committee and Leadership and Governance Standing Committee;
 - b. Appoint: -
 - i. Councillors Lacey, Rolfe, Brimblecombe, Godwin-Smith and Daniels to the Finance and Infrastructure Standing Committee;
 - ii. Councillors Nixon, Bell, Brimblecombe, Godwin-Smith and Daniels to the Communities Standing Committee; and
 - iii. Councillors Rolfe, Nixon, Brimblecombe, Lacey and McIndoe to the Leadership and Governance Standing Committee.
2. Pursuant to section 12(4)(g) of the *Local Government Act 2009*, that the Mayor is a member of each standing committee;
3. Pursuant to section 267 of the *Local Government Regulation 2012*, appoints:
 Cr Godwin-Smith as the chair of the Finance and Infrastructure Standing Committee,
 Cr Brimblecombe as the chair of the Communities Standing Committee; and
 Cr Lacey as the chair of the Leadership and Governance Standing Committee.
4. Identify the operational areas of interest for each Standing Committee be as identified in this report;
5. Adopt the meeting schedule for each Standing Committee as per the table below:

MONTH		Committee	Time
Week 1	Tuesday	Strategy Meeting	9 am – 1 pm
Week 2	Tuesday	Finance and Infrastructure Standing Committee	9 am – 12 pm
		General Meeting	2 pm – 5 pm
	Wednesday	Leadership and Governance Standing Committee	9 am – 12 pm
		Central Highlands Development Corporation Committee	1 pm – 4 pm
Week 4	Tuesday	Communities Standing Committee	9 am – 12 pm
		General Meeting	2 pm – 5 pm

2016 / 04 / 26 / 012

Carried (9-0)

Attendance

Executive Manager Governance M. Uren left the meeting at 5.08pm
 Executive Manager Governance M. Uren returned to the meeting at 5.10pm

Attendance

Cr Nixon left the meeting at 5.14pm and did not return to the meeting.

General Council Meetings – Consideration for Night Meetings

Executive Summary:

In accordance with the Section 256 (1) of the *Local Government Regulation 2012*, this report seeks direction from Council with regards to conducting night General Council Meetings.

Resolution:

Cr Lacey moved and seconded by Cr Brimblecombe “That Central Highlands Regional Council defer consideration of this report until after the three-month trial of live streaming of Council Meetings.”

2016 / 04 / 26 / 013

Carried (8-0)

Council External Committee Representative – Central Highlands Regional Resource Use Planning (CHRRUP)

Executive Summary:

The Central Highlands Regional Resources Use Planning Cooperative (CHRRUP) is a community-owned organisation designed to improve the sustainability of natural resource use and management.

This report is seeking nomination to replace Cr Daniels as its representative.

Resolution:

Cr Rolfe moved and seconded by Cr McIndoe “That Central Highlands Regional Council nominate Cr Brimblecombe as its representative and Cr Godwin-Smith as its alternative representative on the Central Highlands Regional Resource Use Planning (CHRRUP) Natural Resource Management Group.”

2016 / 04 / 26 / 014

Carried (8-0)

CLOSED SESSION

Into Closed Session

Resolution

Cr Lacey moved and seconded by Cr Godwin-Smith “That Council close its meeting to the public in accordance with Section 275 (1)(f) of the *Local Government Regulation 2012* to discuss legal matters and that Council staff involved in the closed discussions remain in the room.”

2016 / 04 / 26 / 015

Carried (9-0)

Attendance

Acting General Manager Community Services P. Jeston left the meeting and did not return to the meeting.

The meeting was closed at 5.19pm

Out of Closed Session

Resolution

Cr Godwin-Smith moved and seconded by Cr Brimblecombe “That the meeting now be re-opened to the public.”

2016 / 04 / 26 / 016

Carried (9-0)

The meeting was opened at 5.38pm

Iman People # 2 – Native Title Claim QUD6162/1998

Executive Summary:

The purpose of this report is to seek Council's endorsement of the terms of draft consent determination orders recognising the Iman People as the holders of certain native title rights and interests. The determination orders have been negotiated between all the parties to these court proceedings.

The parties to these proceedings are Iman People #2, Banana Shire Council, Central Highlands Regional Council, Maranoa Regional Council and Western Downs Regional Council.

The Court timetable requires each respondent party to return to the State by Wednesday 19 May 2016, an executed copy of the agreement under S87A of the *Native Title Act 1993 (Cth)* (which is **Schedule Two** to this report) confirming their consent to the terms of the determination orders negotiated).

The agreement under S87A of the *Native Title Act 1993 (Cth)* and attached determination orders settle all local government related issues in the claim area (other than 3 parcels in Banana Shire, subject to separate proceedings) save some minor drafting changes.

Resolution:

Cr Bell moved and seconded by Cr Brimblecombe "That having considered the draft agreement under S87A of the *Native Title Act 1993 (Cth)* and determination orders tabled at Council's ordinary meeting on 26 March 2016, Central Highlands Regional Council:

1. Approves, and is prepared to consent to the draft determination orders for QUD6162/1998 (Iman People #2).
2. Authorises the Chief Executive Officer to endorse on its behalf any incidental changes made to the draft determination prior to execution.
3. Authorises Gilkerson Legal to execute an agreement under section 87 of the *Native Title Act 1993 (Cth)* confirming Council's consent to the draft determination orders."

2016 / 04 / 26 / 017

Carried (9-0)

GENERAL BUSINESS

(Verbal matters raised by Councillors either as a question, acknowledgement and or additional follow-up by officers)

Nil

CLOSURE OF MEETING

There being no further business, the Mayor closed the meeting at 5.48pm

CONFIRMED

MAYOR

DATE