



**General Meeting of Council**

# **MINUTES**

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

**Wednesday 20 January 2016**

**Commenced at 2.00pm**

# CENTRAL HIGHLANDS REGIONAL COUNCIL

## GENERAL MEETING OF COUNCIL

WEDNESDAY 20 JANUARY 2016

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**MINUTES – GENERAL MEETING**  
**HELD AT 2.00PM WEDNESDAY 20 JANUARY 2016 IN THE CENTRAL HIGHLANDS REGIONAL**  
**COUNCIL CHAMBERS, EMERALD OFFICE**

**PRESENT**

**Councillors**

Councillor (Crs) P. Maguire (Mayor), G.Nixon (Deputy Mayor)

Councillors (Crs) P. Bell AM, C. Brimblecombe, K. Cracknell, G. Godwin-Smith, K. Pickersgill, G. Sypher

**Officers**

Chief Executive Officer S. Mason, General Manager Communities B. Duke, General Manager Corporate Services J. Bradshaw, General Manager Infrastructure and Utilities G. Joubert, General Manager Commercial Services M. Webster, Executive Manager Governance M. Uren, Coordinator Communications A. Ferris, Minute Secretary M. Wills

**APOLOGIES**

Cr P. Maundrell

**Opening Prayer**

Pastor Honorio Hincapie (St Luke's Anglican Church) delivered the opening prayer.

**LEAVE OF ABSENCE**

***Resolution:***

Cr Nixon moved and seconded by Cr Cracknell "That the apology and a leave of absence be granted for Cr Maundrell for today's meeting."

2016 / 01 / 20 / 001

Carried (8-0)

***Resolution:***

Cr Pickersgill moved and seconded by Cr Nixon "That a leave of absence be granted to Cr Godwin-Smith for the meeting which is to be held on 10 February 2016."

2016 / 01 / 20 / 002

Carried (8-0)

**CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**General Council Meeting: 9 December 2015**

***Resolution:***

Cr Sypher moved and seconded by Cr Brimblecombe "That the minutes of the previous General Meeting held on 9 December 2015 be confirmed."

2016 / 01 / 20 / 003

Carried (8-0)

**BUSINESS ARISING OUT OF MINUTES**

Nil

**OUTSTANDING MEETING ACTIONS**

Nil

**CONFLICT OF INTEREST, PERSONAL GIFTS AND BENEFITS**

Nil

## **COMMITTEE RECOMMENDATIONS / NOTES**

### **Minutes of Meeting – Community Consultation Meetings – Dingo, Big Bend and Comet – 2**

**December 2015**

***Resolution:***

Cr Bell moved and seconded by Cr Nixon “That the minutes of the Community Consultation Meetings held in Dingo, Big Bend and Comet on 2 December 2015 be endorsed.”

**2016 / 01 / 20 / 004**

Carried (8-0)

### **Minutes of Meeting – Community Planning Advisory Committee – 7 December 2015**

***Resolution:***

Cr Bell moved and seconded by Cr Brimblecombe “That the minutes of the Community Planning Advisory Committee Meeting held on 7 December 2015 be endorsed.”

**2016 / 01 / 20 / 005**

Carried (8-0)

***Attendance***

Manager Water Utilities P. Manning, Coordinators Infrastructure J. Hoolihan and M. Zimmerle attended the meeting at 2.16pm

## **INFRASTRUCTURE AND UTILITIES' SECTION**

### **Sale of Treated Water from Tieri Water Operations to Capella Water Operations**

**Executive summary:**

Council has been seeking to secure the supply of treated water to Capella sourced from the Tieri Water Treatment Plant. The water is delivered via a 150 millimetre pipeline installed in 2003 as a drought relief measure. That is, it will not materially increase the amount of water available to Capella in the worst droughts.

The subject of this report is an agreement will formalise existing arrangements in respect of quantity and introduce a payment to Glencore.

***Resolution:***

Cr Brimblecombe moved and seconded by Cr Sypher “That Central Highlands Regional Council finalise an agreement with Glencore, the owner of the water supply to Tieri, for the supply of up to 200 megalitres of treated water per annum to Capella on an “at cost basis” per megalitre, charged on an actual consumption basis.”

**2016 / 01 / 20 / 006**

Carried (8-0)

### **Reallocation of 2015/16 Capital Budget for Central Creek Road to Fairfield Road**

**Executive summary:**

As part of the 2015/16 Capital works budget, Central Highlands Regional Council approved a capital renewal project on both Central Creek Road and Fairfield Road. The scope of these works included renewal of several unsealed sections of each asset by undertaking a gravel re-sheet. In late July 2015, Council received approval of funded works to be undertaken on Central Creek Road as a result of the Central Eastern Queensland Heavy Rainfall and Flooding 21 – 29 January 2015 activated event. The Fairfield Road community as well as Council have identified a real need for additional gravel re-sheeting to

be undertaken on this road. Approval is now sought to reallocate the capital funds of \$256,000 from Central Creek Road to accompany the existing Fairfield Road project. This re-allocation will also allow Shepton Quarry to supply the material through a drill and blast process and manage the existing gravel pit in order to supply this entire area for further Council maintenance and construction works for years to come.

**Resolution:**

Cr Godwin-Smith moved and seconded by Cr Brimblecombe “That Central Highlands Regional Council approve the reallocation of the approved 2015/16 capital renewal re-sheet budget of \$256,000.00 for Central Creek Road, to provide additional funding to the approved budget of \$176,000.00 for the current 2015/16 capital renewal re-sheet project on Fairfield Road.”

**2016 / 01 / 20 / 007**

Carried (8-0)

**Le Porte Rosse Restaurant Footpath Resurfacing**

**Executive summary:**

Mr Neale Parry has approached Central Highlands Regional Council, requesting to carry out works on Council’s footpath. He has identified the works as part of a planned internal and external refurbishment of Le Porte Rosse Restaurant, Emerald. Mr Parry would like to fund the installation of a cobblestone effect footpath to complete the visual effect of the restaurant.

**Resolution:**

Cr Sypher moved and seconded by Cr Nixon “That Central Highlands Regional Council approve, with conditions, the request for resurfacing works on the footpath on the corner of Anakie and Clermont Streets in Emerald, adjacent to Le Porte Rosse restaurant. These conditions could be, but are not limited to colour and specific surface texture (pattern).”

**2016 / 01 / 20 / 008**

Carried (8-0)

**Tender 2015T067C - Black Gully Waste Water Treatment Plant – Detailed Design, Procurement and Construction Support**

**Executive summary:**

Council has negotiated a Transitional Environmental Program with Department of Environment and Heritage Protection (DEHP) for Black Gully Waste Water Treatment Plant (WWTP) which includes undertakings to upgrade Black Gully WWTP.

Tenders were called publicly and closed on 23 November 2015 for the Detailed Design, Procurement and Construction Support. Seven tenders were received and assessed by engineering consultancy Opus.

The design and tendering work for construction will mostly be undertaken in the 2015/16 financial year, with construction activities commencing later in the 2016/17 financial year.

**Resolution:**

Cr Sypher moved and seconded by Cr Godwin-Smith “That Central Highlands Regional Council accepts the tender of CH2M Australia Pty Ltd for the Black Gully Waste Water Treatment Plant - Detailed Design, Procurement and Construction Support, for an amount of \$656,511.00 (GST exclusive) for Tender 2015T067C. This awards Separable Portions 1 and 2 (services during the design and tendering phases).”

**2016 / 01 / 20 / 009**

Carried (7-1)

**Attendance**

Manager Water Utilities P. Manning, Coordinators Infrastructure J. Hoolihan and M. Zimmerle left the meeting at 2.34pm

Manager Finance S. Fogg and Manager Asset Management M. Gatt attended the meeting at 2.34

## **CORPORATE SERVICES' SECTION**

### **Local Government Remuneration and Discipline Tribunal Report 2015**

#### **Executive summary:**

The Local Government Remuneration and Discipline Tribunal has concluded its most recent review of remuneration for Mayors, Deputy Mayors and Councillors of Local Government. Continuing the previous practice of adopting a cautious approach when reviewing the maximum level of remuneration for elected members, the Tribunal has determined that a 2% increase over the 2015 remuneration levels should apply from the 1 July 2016. The new remuneration levels will apply unless the Local Government, by resolution, decides to pay elected members a lesser amount than that determined by the Tribunal and further that a resolution must be made within 90 days of gazettal of the remuneration schedule (gazettal date -11 December 2015). A number of changes have been made this year to the categorisation for noting and the remuneration determinations of the Tribunal are recommended for Council adoption.

#### **Resolution:**

Cr Nixon moved and seconded by Cr Bell "That Central Highlands Regional Council receive the recommendations of the Local Government Remuneration and Discipline Tribunal Report for 2015 and adopt the amendments to the remuneration schedule for the Mayor, Deputy Mayor and Councillors at the rates proposed to apply from 1<sup>st</sup> July 2016."

**2016 / 01 / 20 / 010**

Carried (8-0)

### **Audited Financial Statements – Final Management Report**

#### **Executive summary:**

On completion of the external audit of the 2014/15 Financial Statements, Council's contracted auditors provide a Final Management Report with observations and recommendations in relation to the financial statements. This report has previously been provided to the Audit Committee and is now provided for council's information in line with legislative obligations. The report lists three observations and recommendations in relation to council's property, plant and equipment. These observations have been reviewed by management and addressed to the satisfaction of the external auditors.

#### **Resolution:**

Cr Brimblecombe moved and seconded by Cr Sypher "That Central Highlands Regional Council, in accordance with section 213 of the *Local Government Regulation 2012* receives the Final Management Report from the Queensland Audit Office for the 2014/15 financial year."

**2016 / 01 / 20 / 011**

Carried (8-0)

#### **Attendance**

General Manager Communities B. Duke attended the meeting at 2.51pm

### **December 2015 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 Brimblecombe moved and seconded by Cr Bell "That Central Highlands Regional Council receives the Monthly Financial Report for the month ended 31 December 2015."

**2016 / 01 / 20 / 012**

Carried (8-0)

Attendance

Manager Finance S. Fogg and Manager Asset Management M. Gatt left the meeting at 2.53pm  
Acting Coordinator Development and Planning A. De Klerk, Principal Planner Development Assessment S. Ronnfeldt and Town Planner J Webster attended the meeting at 2.53pm

## **COMMUNITIES' SECTION**

### **Development Application – 4035/11 – Western Contracting Pty Ltd – 13 Esmond Street, Emerald**

#### **Executive Summary**

A request has been submitted to extend the relevant period for Development Permit 4035/11 for a Material Change of Use: Accommodation Building (31 units and ancillary restaurant) on land located at 13 Esmond Street, Emerald, described as Lot 1 on RP617886. A relevant period of four (4) years was attached to the original approval. No 'roll forward' provisions under section 341 of the *Sustainable Planning Act 2009* applied to the development as no further approvals (i.e. Operational works or Building works) has been obtained within the specified timeframes.

The applicant has therefore sought Council's approval for an extension to the relevant period as they were unable to commence development due to financial adversity and the current economic climate within Emerald.

#### **Resolution:**

Cr Bell moved and seconded by Cr Sypher "That the application for a request to extend the relevant period for Development Permit 4035/11 for a Material Change of Use: Accommodation Building (31 units and ancillary restaurant) on land located at 13 Esmond Street, Emerald, described as Lot 1 on RP617886, be **refused** on the following grounds:

1. The proposal did not demonstrate compliance with section 388 of the *Sustainable Planning Act 2009*, specifically relating to current laws and policies, including the consistency to conditions applying to the development."

2016 / 01 / 20 / 013

Carried (8-0)

### **Development Application – 4053/13 – Minumbra Pty Ltd – 17, 417 Capricorn Highway, Bluff**

#### **Executive Summary**

The applicant has requested to negotiate the conditions of approval for a decision made on 23 July 2014 to approve a Material Change of Use for a Workers Accommodation and a Reconfiguration of a Lot to create a lease Lot and an Access Easement over land at 17417 Capricorn Highway, Bluff.

#### **Resolution:**

Cr Godwin-Smith moved and seconded by Cr Brimblecombe "That the Request to Negotiate Conditions of an Existing Approval for a Material Change of Use: Workers Accommodation and Reconfiguring a Lot: One (1) Lease Lot and Access Easement from Minumbra Pty Ltd c/- Sedman Yates on land located at 17,417 Capricorn Highway, Bluff described as Lot 78 on SP230832 and Lot 723 on SP129824 be **approved** subject to the following amended conditions:

#### **2. APPROVED USE**

The use permitted as part of this approval is Workers Accommodation.

This approval has a relevant period of four (4) years and will remain in force until 20 January 2020.

**Timing:** At all times.

**2A. COMPLETION DATE**

Stage 2 of the development approved by this approval must be completed by 20 January 2022. Stages 3A and 3B of the development approved by this approval must be completed by 20 January 2024.

*Advisory Note: Referenced stages are as detailed in condition 9.*

**Timing:** As specified in the wording of this condition.

**4. AMENDED APPROVED PLANS**

The use is to be carried out in accordance with an amended plan incorporating the following:

- (a) A Subdivision Plan detailing the allotment layout including the existing lot and proposed lease lot with dimensioned boundaries; and
- (b) A Subdivision Plan detailing access arrangements in accordance with Conditions 23, 24 and 25 of this Decision Notice; and
- (c) A revised Staging Plan nominating 353 car parking spaces in accordance with Condition 19 of this Decision Notice; and
- (d) Revised Site Based Stormwater Management Plan (SBSMP) as per the requirements of Condition 27.
- (e) A revised Social Impact Assessment Report and Social Impact Management Plan in accordance with Condition 42.

The amended plans and documentation must be submitted to the Chief Executive Officer, or delegate for approval. When approved, these plans will form part of this approval.

**Timing:** Amended approved plans and documentation are to be submitted to Council for Compliance Assessment at the time an Operational Works Application is lodged.

**8. TERM OF LEASE**

The lease must cease thirty (30) years from the date of the approval of this Decision Notice.

This is a ten (10) year lease with two (2) consecutive options to renew for a further period of ten (10) years each subject to compliance with Condition 38 of this Decision Notice.

**Timing:** As specified in the condition.

**9. APPROVED STAGES OF DEVELOPMENT FOR PROPOSED USE**

The development must be undertaken in accordance with the stamped approved staging plan. The staging plan may be subsequently amended subject to Council approval. The development must be carried out in the following stages:

Stage	Development Description	Stage Yield	Nominal Yield
1	(a) Creation of Lease Lot and associated Access Easement (b) Construction of access road from Capricorn Highway including construction of associated rail crossing. (c) Temporary Construction Fly Camp for a maximum of ninety-six (96) rooms. (d) Ancillary temporary central facilities including dining, laundry and recreation; and (e) Temporary water and sewerage services (tanked storage); and (f) Temporary car park comprising of a minimum of 67 car parking spaces. <i>Note: The above temporary construction camp facilities are to</i>	96	96



	<i>have a 24 month sunset period as outlined in Condition 37.</i>		
2	(a) Stage 1: two hundred and forty (240) rooms (b) Common Facilities: (i) Onsite Sewerage Treatment Plant; and (ii) Internal road and pathways; and (iii) Construction of car park comprising a minimum of 168 car parking spaces; and (iv) Construction of Bus set-down and pick-up area; and (v) Acoustic buffer in accordance with the Department of Transport and Main Roads concurrence agency conditions. (vi) Associated infrastructure such as telecommunications, electricity and water. (c) Village Facilities (i) Construction of Manager's residence; (ii) Construction of reception and shop building; (iii) Construction of Central Dining and Kitchen facility; and (iv) Construction of swimming pool, recreation room, gym and multi-purpose court.	240	336
3A	(a) Stage 2: one hundred and sixty-eight (168) rooms; and (b) Construction of car park comprising a minimum of 118 car parking spaces.	168	504
3B	Removal and remediation of non-permanent facilities (including construction camp)	-96	408

**Timing:** At all times.

#### 10. AMENITY – TREATMENT OF TEMPORARY VACANT LAND

Where disturbed areas within the developable land remain vacant or undeveloped for more than 3 months, the following works must to be carried out in accordance with an approved landscape plan:

- (a) the site must be cleared of all declared weeds, rubble, debris and demolition materials;
- (b) the site must be graded, turfed and mown on a regular basis;
- (c) drainage must be provided to prevent ponding;
- (d) the site must be maintained so there is no sediment run-off onto internal roads or footpaths;
- (e) public access must be provided where public safety can be maintained; and
- (f) where fencing is installed to secure boundaries:
  - i. the fencing must be durable and not capable of being pushed or blown over; and
  - ii. the fencing type must not detract from local amenity.

**Timing:** Before commencing the works, approval for the landscape plan must be obtained from the Chief Executive Officer, or delegate.

*Advisory Note: Developable land is land identified on the approved plans in the direct vicinity of the approved improvements, including Stage 1, Stage 2, the construction camp and any areas requiring earthworks to accommodate the sewerage treatment and disposal area.*

#### 11. DETAILED LANDSCAPE PLAN TO BE SUBMITTED FOR APPROVAL

Landscaping and associated earthworks, site preparation and other necessary works are to be carried out in accordance with an approved landscape plan. The plans shall contain the following minimum information:

- (a) Surveyed location and botanical name of existing vegetation, including species' height and spread,
- (b) Specify vegetation to be retained and that to be removed;
- (c) Any structures or significant vegetation on adjoining properties that could impact upon the site;
- (d) Existing contours and proposed finished levels for earthwork;
- (e) Location of existing and proposed services;

- (f) Location and detail of subsurface, stormwater drainage and overland flow path of grassed swales;
- (g) General identification of hard and soft landscape treatments;
- (h) Location, species' botanical name, numbers, pot size and mature height of all proposed planting;
- (i) Location and detail of any entrance statements to the development;
- (j) Details of the treatment of lease land where it directly adjoins road reserve;
- (k) Location of slope batters steeper than 1:4; and
- (l) Details of weed management.

**Timing:** Before commencing the works, approval for the landscape plan must be obtained from the Chief Executive Officer, or delegate. Once approved the landscape plan must be complied with at all times.

### 13. WEED MANAGEMENT

All declared weeds located within the leased area of the site must be removed and destroyed.

**Timing:** At all times.

### 19. CAR PARKING AND BUS BAY PROVISION

A minimum of 353 car parks (0.7 spaces per room) and a minimum of 3 bus bays to service this development must be provided onsite. Car parking provision may be pro-rata on a per stage basis and provided at a rate of 0.7 spaces per room, unless otherwise agreed in writing between the applicant and Council. Car parking and bus bays are to be provided generally in accordance with the approved plan.

A minimum of 267 car parks (0.53 spaces per room) must be provided to the standard specified in condition 21. The remaining eighty-six (86) car parking spaces can be provided to a lesser standard (i.e. gravel/compacted road base) as agreed and approved through the operational works application.

**Timing:** Prior to commencement of use of the relevant stage and at all times thereafter.

### 26. PROVISION OF UTILITIES

Documentary evidence to the Chief Executive Officer or delegate must be provided to demonstrate satisfactory arrangements have been made for the provision of electrical and telecommunication services.

The connections made to telecommunications and electrical services must not compromise the level of service to properties with existing connections.

Generators are not permitted to be used for the provision of electricity.

**Timing:** Prior to commencement of use and at all times thereafter.

### 29. STORMWATER DRAINAGE – SUBMISSION OF A REVISED 'SITE BASED STORMWATER MANAGEMENT PLAN' (SBSMP).

The applicant shall provide a revised Site Based Stormwater Management Plan for the Council's assessment and endorsement. The revised Site Based Stormwater Management Plan must investigate and make recommendations and conclusions in regard to the inundation of the site from Duckworth Creek. The proposed units, the proposed site access, the internal roadways, the proposed sewerage irrigation areas and associated arrangements for the development must not be inundated in the runoff from Duckworth Creek resulting from a 1 in 100 year storm event in the catchment of Duckworth Creek. The revised Site Based Stormwater Management Plan must also report and make recommendations in regard to:

- (a) the size of the existing underground drainage structures under the railway line and the highway;
- (b) the afflux resulting from these structures in a one in one hundred year event;

- (c) the design of the proposed site access into the development with regard to depth of inundation and trafficability resulting from a major storm event in Duckworth Creek;
- (d) the design of the proposed internal roadways with regard to depth of inundation and trafficability resulting from a major storm event in Duckworth Creek; and
- (e) the floor levels of the proposed units.

The recommendations and conclusions of the revised 'Site Based Stormwater Management Plan' must satisfy the Council's standards. The timing for the submission of the revised Site Based Stormwater Management Plan has been included in the conditions herein.

*Advisory note: The interim flood plain assessment overlay for Duckworth Creek (within and adjoining the site) is not shown on the Queensland Reconstruction Authority's web site. The catchment area extrapolated from the Dingo Topographic Map 1:100,000 Series No 8750 - indicates that the Duckworth Creek catchment contains a few thousand hectares and has the potential to inundate the areas adjoining the proposed development. Duckworth Creek passes under the highway and the railway line and the afflux from these drainage structures may affect flood levels within the site. It is understood that the overtopping of the highway occurs at the Bluff Creek crossing and not at the Duckworth Creek crossing.*

**Timing:** As per the timing stated in Condition 4 of this Decision Notice.

### 32. WATER SUPPLY

A connection must be made to Council's water reticulation network that is capable of meeting the needs of the workers accommodation and ancillary facilities in accordance with Council's standards. The extent of works and upgrades required to facilitate the connection and additional demand placed on Council's infrastructure will be decided through an Operational Works application. All works required will be carried out at no cost to Council.

Note: The Developer may as an alternative to the requirement(s) of condition(s) to water supply enter an Infrastructure Agreement with Council, which specifies the development obligations relating to infrastructure for future development of the development site.

The agreement must be prepared and finalised by Council's solicitors at no cost to Council (including the payment of any State tax) and must be executed by the Developer. The agreed repayment date must be negotiated between Council and the Developer as part of the Infrastructure Agreement process.

**Timing:** Prior to the commencement of use.

### 33. ONSITE SEWERAGE TREATMENT

The developer/applicant must ensure that:

- (a) a reticulated sewerage system is provided to all of the approved accommodation units within the development;
- (b) all necessary permits for the for the operation of the onsite sewerage system have been obtained;
- (c) carry out all works in accordance with *AS3500 Plumbing and Drainage* and Council's Standards; and
- (d) be responsible for all costs associated with the connection and inspection of the proposed works.

**Timing:** Prior to commencement of use and all times thereafter.

### 37. SUNSET CLAUSE – TEMPORARY CONSTRUCTION CAMP

The approved Temporary Construction Camp must cease twenty-four (24) months post commencement of the Temporary Construction Camp, unless the applicant/developer submits a Permissible Change application providing demonstrated need for the construction camp to remain. Any extension for the Temporary Construction Camp will be for a maximum period of twelve (12) months. The construction camp must only be occupied by construction workers directly involved in

the construction of the approved development.

*Advisory Note: The applicant will demonstrate need for the extension of the construction camp through providing a project timeline for expected completion of the approved development. An extension will only be granted subject to poor weather conditions which may have resulted in delays to the completion date.*

All built structures and associated infrastructure with the Temporary Construction Camp must be removed and the site rehabilitated in accordance with an approved rehabilitation and exit plan. The applicant is to formally notify Council in writing in ten (10) business days of when the following actions have occurred:

- (a) The date when the commencement of use occurs; and
- (b) Advise when the approved use ceases and buildings are removed from site.

**Timing:** As specified in the condition.

**38. SUNSET CLAUSE**

The use authorised by this development approval must cease on or before 11:59pm on 23 July 2024. This is a ten (10) year lease with two (2) consecutive options to renew for a further period of ten (10) years each. For each option to renew, the applicant/developer must submit an application to the Chief Executive Officer, subject to the following:

- (a) The applicant demonstrates a continued need for the workers accommodation through a Demand and Social Impact Assessment and accompanying Impact Management Plan to the satisfaction of the Chief Executive Officer or delegate; and
- (b) A report of the implementation and assessment of the effectiveness of the originally endorsed Social Impact Management and Implementation Plan required by Condition 42 of this Decision Notice to the satisfaction of the Chief Executive Officer or delegate; and
- (c) An application to extend the period of approval shall be lodged no later than three (3) months prior to the expiry of the current approval.

**Timing:** As specified in the condition.

**39. REHABILITATION AND EXIT PLAN**

Provide to Council a rehabilitation and works exit plan. Ensure that this includes, yet not limited to the following:

- (a) Detail on how the accommodation areas, roads, detention basins, potable water supply infrastructure, sewerage treatment plant and disposal area will be removed at completion of use; and
- (b) Detail on how the subject land will be restored to a state acceptable to Council.

**Timing:** At or before twelve (12) months ahead of the cessation of the use. Once approved the Rehabilitation and Exit Plan must be complied with following the cessation of the use.

**42. SOCIAL IMPACT ASSESSMENT AND SOCIAL IMPACT MANAGEMENT PLAN**

The applicant must submit a revised Social Impact Assessment to the Chief Executive Officer, or delegate for approval. The Social Impact Assessment must be prepared in accordance with the Queensland Government Coordinator-General's *Social Impact Assessment Guideline* dated July 2013 and include local social indicators and identify gaps in local services and community facilities with a particular focus on the village of Bluff.

*Advisory note: it is expected that the local social indicators will be obtained from conducting community engagement and/or liaising with Council's Community Planning and Engagement Team.*

The applicant must submit a Social Impact Management Plan to the Chief Executive Officer or delegate for approval. The Social Impact Management Plan must address the recommendations formulated from the approved Social Impact Assessment. Actions identified within the Social Impact Management Plan must be measurable and reported on a biennial basis after the commencement of the use to Council's Community Planning Engagement Team.

*Advisory note: It is expected that the implementation of the Social Impact Management Plan will result in positive impacts for the village of Bluff.*

The Social Impact Assessment and the Social Impact Management Plan must be prepared by an accredited consultant with a minimum of five (5) years' experience in the field of social planning.

**Timing:** To be submitted within ninety (90) business days from this Decision taking effect and prior to an Operational Works Application being lodged. “

2016 / 01 / 20 / 014

Carried (6-2)

**Development Application – 4083/10 – Caledon Coal Pty Ltd – 364 Tantallon Road, Blackwater**

**Executive Summary**

The applicant has sought Council's approval for a Development Permit to establish a mine workers accommodation village on a rural property located off Tantallon Road, Blackwater. The complex is required to support the operations of the mining project Minyango and the existing Cook Colliery mine. The Minyango project involves the development of an underground coal mine on a mining lease (MLA 80173) located immediately south of Blackwater over an area of 3,325 hectares. The village, located on an adjacent lot, is proposed to accommodate 505 persons.

**Resolution:**

Cr Bell moved and seconded by Cr Brimblecombe “That the combined development application for a Material Change of Use for Workers Accommodation on land located at 364 Tantallon Road, Blackwater, described as Lot 4 on RP520665, is **approved** subject to the following conditions:

**1. PARAMETERS OF APPROVAL**

The development of the premises is to comply with the provisions of the Council's Planning Scheme and Local Laws to the extent that they are not varied by this approval.

**Timing:** Prior to commencement of use and to be maintained at all times thereafter.

**2. APPROVED USE**

The use permitted as part of this approval is Workers Accommodation.

This approval has a currency period of four (4) years and will remain in force until 20 January 2020.

Should the development not be completed within this timeframe, this approval will lapse. A new application will need to be made to Council, unless an approval has been obtained for an extension of this period.

**Timing:** To be maintained at all times after commencement of use.

**Advisory Note:**

*The relevant period of this approval is in accordance with Section 341 of the Sustainable Planning Act 2009.*

**3. APPROVED PLANS AND DOCUMENTATION**

The use shall be carried out in accordance with the stamped approved plans and documentation as detailed in the following schedule and any amendments arising through conditions to this approval:

<b>Drawing Title/Plan Title/Document Title</b>	<b>Prepared by</b>	<b>Date</b>
Illustrated Master Plan	AECOM	Undated
Detailed Plans 1	AECOM	Undated
Detailed Plans 2	AECOM	Undated
Recreation and Dining Building Floor Plans	AECOM	Undated
Floor Plans for Accommodation, Laundry Room, BBQ	AECOM	Undated

Shelter and Picnic Shelter		
Landscaping Strategy	AECOM	Undated

This approval limits this development to part of the lot described as Minyango Village comprising a maximum of two hundred and four (204) rooms and caretakers residence in Stage 1 (S1) and three hundred (300) rooms in Stage 2.

**Timing:** To be maintained at all times.

**4. DECISION NOTICE AND APPROVED PLANS TO BE SUBMITTED WITH SUBSEQUENT APPLICATION**

A copy of this decision notice and accompanying stamped approved plans must be submitted with any building development application relating to or arising from this development approval.

**Timing:** At lodgement of Building Application.

**5. DECISION NOTICE AND APPROVED PLANS TO BE RETAINED ONSITE**

A copy of this decision notice and stamped approved must be retained on site at all times. This decision notice must be read in conjunction with the stamped approved plans to ensure consistency in construction, establishment and maintenance of approved works.

**Timing:** At all times

**6. APPROVED STAGES OF DEVELOPMENT FOR PROPOSED USE**

The development must be undertaken in accordance with the stamped approved staging plan. The staging plan may be subsequently amended subject to Council approval. The development must be carried out in the following stages:

Stage	Development Description	Stage Yield
1	<ul style="list-style-type: none"> <li>• Primary entry road including bus drop off areas;</li> <li>• Car parking provision for 150 spaces</li> <li>• Kitchen and dining hall with multi use recreation court</li> <li>• 68 accommodation buildings (204 rooms)</li> <li>• Managers residence</li> <li>• Landscaped central spine</li> <li>• Laundry and BBQ facilities</li> <li>• Access road around site perimeter</li> </ul>	204 rooms 1 managers residence
2	<ul style="list-style-type: none"> <li>• 100 accommodation buildings (300 rooms)</li> <li>• Car parking – additional 130 spaces</li> </ul>	300 rooms

**Timing:** At all times.

**7. AMENITY – TREATMENT OF TEMPORARY VACANT LAND**

Where some or all of the land remains vacant or undeveloped for more than 3 months, the following works must to be carried out:

- the site must be cleared of all rubble, debris and demolition materials;
- the site must be graded, turfed and mown on a regular basis;
- drainage must be provided to prevent ponding;
- the site must be maintained so there is no sediment run-off onto internal roads or footpaths;
- public access must be provided where public safety can be maintained; and
- where fencing is installed to secure boundaries:
  - iii. the fencing must be durable and not capable of being pushed or blown over; and
  - iv. the fencing type must not detract from local amenity.

**Timing:** Prior to commencement of use and to be maintained at all times thereafter.

**8. AMENITY - LANDSCAPING**

Landscaping and associated earthworks, site preparation and other necessary works are to be carried out in accordance with the approved landscape plan.

**Timing:** Prior to commencement of use of the relevant stage and to be maintained at all times thereafter.

**9. AMENITY – VISUAL**

The landscaped areas are to be maintained at all times and to be kept free of parked vehicles, stored goods, garbage or waste materials.

**Timing:** Prior to commencement of use of the relevant stage and at all times thereafter.

**10. AMENITY – WEED MANAGEMENT**

All declared weeds located on the site must be removed and destroyed.

**Timing:** At all times.

**11. AMENITY – SERVICE EQUIPMENT**

All service equipment, including air conditioning units, waste disposal units (bins) and lighting must be located so as not to cause a nuisance to the occupants of adjoining and neighbouring premises.

All mechanical plant must comply with the noise criteria below:

**Mechanical Plant Noise Limits**

Period	Time	Maximum noise limits at noise sensitive receiver (measured as LA90)
Day	7am – 6pm	51dB(A) + 5dB(A) = 56dB(A)
Evening	6pm-10pm	46 dB(A) + 5dB(A) = 51dB(A)
Night	10pm – 7am	42 dB(A) + 5dB(A) = 47dB(A)

Source: Section 440U of the *Environmental Protection Act 1994*.

**Timing:** To be maintained at all times after commencement of use.

**12. AMENITY – LIGHTING**

Angle or shade lighting is to be used to illuminate the premises, so that light does not directly illuminate or cause any environmental nuisance (e.g. glare) to nearby premises or roads.

Lighting is to be provided in accordance with the relevant Australian Standard and *CPTED (Crime Prevention Through Environmental Design) Guidelines*.

**Timing:** Prior to commencement of use and at all times thereafter.

**13. WASTE MANAGEMENT**

In accordance with the *Environmental Protection Regulation 2008* waste containers are to be located as follows:

- A fixed position at ground level close to the rear alignment of the building; or
- At such other position as may be directed by the Chief Executive Officer, or delegate.

In accordance with the *Environmental Protection Regulation 2008* the waste container storage area is to be constructed as follows:

- Imperviously paved and suitably drained;
- Fitted with a suitable hose cock and hose in the vicinity of the paved area; and
- Screened with a suitable form of enclosure.

**Timing:** Prior to commencement of use and at all times thereafter.

**14. CAR PARKING AND BUS BAY PROVISION**

A minimum of 280 car parks and two (2) bus bays to service this development are to be provided onsite. Car parking provision may be pro-rata on a per stage basis. Car parking and bus bays are to be provided generally in accordance with the approved plan.

**Timing:** Prior to commencement of use of the relevant stage and at all times thereafter.

**15. CAR PARKING – STANDARD**

All car parking spaces are to be line marked and designed in accordance with *Australian Standard AS2890.1: Parking Facilities – Off Street Parking*. All vehicle turning areas are to be designed to Australian Standards and must cater for the largest anticipated vehicle.

All driveways, parking areas and vehicle turning areas are to be maintained clear of obstructions and must not be utilised for the storage of goods or waste materials.

**Timing:** Prior to commencement of use of the relevant stage and at all times thereafter.

**16. CARPARKING – CONSTRUCTION**

The pavement for car parking bays and access ways must be sealed. The pavement must be designed by a suitably qualified professional.

**Timing:** Prior to commencement of use of the relevant stage and at all times thereafter.

**17. PROVISION OF WASH BAY**

One (1) wash bay shall be provided on site. Ensure that the design and construction of the wash bay minimises the transfer of litter, oils and other pollutants to downstream waters.

**Timing:** Prior to commencement of use of the relevant stage and to be maintained at all times thereafter.

**18. ACCESS & INTERNAL ROADWAYS**

Access to the proposed development must be constructed in accordance with the approved plans included in the Tantallon Workers Accommodation Development Application Report prepared by AECOM and dated August 2012.

The proposed access and internal road layout must be capable of providing access and manoeuvring for service and delivery vehicles in accordance with *Australian Standard AS2890.2 – Off Street Commercial Vehicle Facilities* without interfering with the areas designated for parking in the submitted plans.

All vehicles, including delivery vehicles, must be able to enter and exit the site in a forward direction.

Internal roads are to be constructed in accordance with Council's standards as per the approved plans of development and must include the following:

- Sealed pavement; and
- Underground service conduits, where appropriate for water infrastructure, telecommunications and electricity; and
- Suitable safety measures, including warning signage to improve driver awareness of pedestrians and enhance pedestrian safety; and
- Lighting;
- Provision of separation and screening to the Blackwater Cemetery

**Timing:** Prior to commencement of use and at all times thereafter.

**19. PROVISION OF UTILITIES – ELECTRICITY AND TELECOMMUNICATIONS**

Documentary evidence to the Chief Executive Officer or delegate must be provided from relevant electrical and telecommunication service providers that satisfactory arrangements have been made



for the provision of such services.

**Timing:** Prior to commencement of use of the relevant stage.

**20. WORKS – APPLICANT’S EXPENSE**

All works, services, facilities and/or public utility alterations required by this approval or stated condition/s, whether carried out by Council or otherwise, are to be at the developer’s expense unless otherwise specified.

**Timing:** Prior to commencement of use.

**21. EROSION & SEDIMENT CONTROL – GENERAL**

a) An Erosion and Sediment Control Plan (ESCP) is to be submitted with engineering drawings for the approval of the Chief Executive Officer, or delegate. Erosion and Sediment Control Plans are to be prepared in accordance with the Capricorn Municipal Development Guidelines.

b) The requirements of the approved Erosion and Sediment Control Plan are to be implemented on site.

**Timing:** a) Prior to site clearing, construction or commencement of earthworks.  
b) While site and/or building works are occurring.

**22. STORMWATER DRAINAGE – DISCHARGE & DISPOSAL**

All stormwater, with the exception of water captured onsite in rainwater tanks, is to be drained from the site and carried without causing annoyance or nuisance to any person to a point where it may be lawfully discharged. In doing so, the developer/owner must:

- Adequately cater for all stormwater draining to the land, especially for existing stormwater flow paths that are interfered with by the development or by filling of the subject land;
- Not interfere with the natural flow of stormwater unless approved under an Operational Works application;
- Control all flows in order to prevent sediment and/or erosion;
- Not cause concentration of flows on adjoining property or on pedestrian footpaths;
- Not cause ponding on the site or on adjoining land;
- Collect within the premises all stormwater run-off from artificial and roof areas on the site and discharge it to the lawful point of discharge; and
- Ensure that stormwater draining from any area of the site prone to receiving pollutants, e.g. car parking areas, is treated to remove pollutants prior to leaving the site.

Ensure that the post development peak flows from the site are equal to or less than the pre-development peak flows. Detention/retention must be provided, if required.

In achieving the above requirements, the design and construction criteria set forth in the *Queensland Urban Drainage Manual (QDUM)* and *Capricorn Municipal Development Guidelines (CMDG)* are met.

The lawful points of discharge for this site are any natural watercourses onsite. The recommendations detailed within the documents and plans referenced in the Tantalum Workers Accommodation – Stormwater Management Plan prepared by Graham Scott and Associates and dated August 2012 must be undertaken by the developer.

**Timing:** Prior to commencement of use of the relevant stage.

**23. FUTURE RESIDENTIAL DWELLINGS**

All future residential dwellings to be located upon the subject land shall have a finished floor level of 300mm above the Q100 level.

**Timing:** Prior to commencement of use of the relevant stage.

**24. PROVISION OF WATER SUPPLY**

A potable water supply must be provided to the development that is capable of accommodating the needs of the workers accommodation and ancillary facilities. All works required must be undertaken and completed to the satisfaction of Council, at no cost to Council. Lodge to Council a Compliance Assessment regarding the provision of all water (both potable and untreated) imported to the site.

*Advisory note: The applicant is required to provide a Drinking Water Quality Management Plan to Council in accordance with Chapter 3 of the Drinking Water Quality Management Plan Guideline, September 2010 pursuant to Water Supply (Safety and Reliability) Act 2008.*

*Connection to Council's reticulated infrastructure will not be considered an option in the provision of a potable water supply to the development.*

**Timing:** Prior to Operational Works Application Approval and Building Approval.

**25. SEWERAGE TREATMENT**

The system of onsite sewerage treatment and effluent disposal must comply with *Australian Standard AS 1547 – 2000* and the *Queensland Plumbing and Wastewater Code*.

An application must be approved by Council's Plumbing Inspector for a Plumbing Compliance Permit with conditions for an On-Site Treatment Plant prior to construction and use of an on-site sewerage treatment and effluent disposal system.

*Advisory note: The Plumbing and Drainage Act is not exempt under the Mining Act.*

**Timing:** At the Plumbing Approvals Application Stage

**26. DEVELOPMENT STANDARDS – CIVIL WORKS CONSTRUCTION AND MAINTENANCE PERIOD**

All works, services, facilities and/or public utility alterations required by this approval or stated condition/s, whether carried out by the Council or otherwise, shall be at the owner/applicants expense unless otherwise stated.

The construction of all the works shall be undertaken in accordance with good engineering practice and workmanship and generally in accordance with the provision of the *Capricorn Municipal Development Guidelines*.

**Timing:** Prior to the commencement of the use.

**27. DEVELOPMENT STANDARDS – CIVIL WORKS CONSTRUCTION – SUPERVISION OF WORKS**

The construction of all works associated with the proposal shall be supervised by a Registered Practising Engineer of Queensland (RPEQ) whose appointment shall require the approval of the Chief Executive Officer or delegate. On completion of the works the applicant/owner shall give to the Council a Certificate from the engineer stating that the work of constructing the operational works has been completed in accordance with the plans and specification approved by Council.

**Timing:** Prior to the commencement of the use.

**28. SITE MANAGEMENT**

All excavated and/or filled areas are to be retained or battered and suitably drained so as to prevent any subsidence of the area and are to be constructed so as to deny any flow of water into or around the building or neighbouring buildings or on to adjacent land.

Where retaining wall is planned for this purpose and exceeds 1.0 metre in height, plans and specifications shall be checked by the Certifying Authority before work on the retaining wall commences.

**Timing:** Prior to commencement of use and at all times thereafter.

**29. FOOD PREMISES**

The food premises is to be fitted out in accordance with the requirements of *Australia Standard 4674-2004, Design Construction and Fit-Out of Food Premises and Food Safety Standard 3.2.3, Food Premises and Equipment*.

Kitchen exhaust points for the development must be located and operated in accordance with *Australian Standard AS1668.2-2002 “The use of ventilation and air-conditioning in buildings”* (specifically Section 5.10 – Air Discharges).

**Timing:** Prior to commencement of use of the relevant stage and at all times thereafter.

*Advisory Note: All areas where food is to be stored, handled or prepared for sale or sold must be constructed and equipped in accordance with the provisions of the Food Act 2006 and the Food Standards Code. The premises must be registered and the operators licensed with Council under the aforementioned Act prior to the use commencing. Contact Council’s Environmental Health Unit via the Customer Service Centre for further information.*

**30. LIFE SPAN OF DEVELOPMENT**

The approved workers accommodation is required to support the operations of Caledon Resources Pty Ltd. The approved use will have the same life span of the Minyango and Cool Colliery projects. The approved use must cease and land rehabilitated in accordance with Condition 31 at the same time that Caledon Resources Pty Ltd operations cease. All built structures and associated infrastructure must be removed and the site rehabilitated. The Applicant must notify Council in writing in 10 business days of when the approved use ceases and buildings are removed from site.

**Timing:** As specified in the condition.

**31. SUNSET CLAUSE – TEMPORARY CONSTRUCTION CAMP**

All structures associated with accommodating workers involved in the construction phase must be removed when construction is completed.

**Timing:** As specified in the above condition.

**32. REHABILITATION AND EXIT PLAN**

Provide to Council a rehabilitation and works exit plan. Ensure that this includes, yet not limited to the following:

- (a) Detail on how the accommodation areas, roads, detention basins, potable water supply infrastructure, sewerage treatment plant and disposal area will be removed at completion of use; and
- (b) Detail on how the subject land will be restored to a state acceptable to Council and the Department of Environment and Heritage Protection.

**Timing:** At or before 12 months ahead of the cessation of the use.

**33. FURTHER AGREEMENT WITH COUNCIL**

The Developer must enter an agreement with Council regarding the impacts the development will have on the cemetery (and parking area) located at 24 Tantallon Road (Lot 66 on HT447) including relocating the cemetery parking area to a location accepted by Council. Operational Works approval will be required, and any works undertaken must be at no cost to Council.

**Timing:** Before commencement of use.

**ADVICE**

**1. CO-ORDINATION OF OPERATIONAL WORKS ASSESSMENT**

To assist Council to undertake an integrated assessment of the operational works application, all aspects of the works must be included in one (1) application and be in accordance with Council's planning scheme.

**2. ABORIGINAL CULTURAL HERITAGE**

Take all reasonable care and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care") Maximum penalties for the duty of care are \$1,000,000 for a corporation and \$100,000 for an individual.

Act in accordance with cultural heritage duty of care guidelines gazetted under the Aboriginal Cultural Heritage Act 2003, available on DEHP's website, or in accordance with an agreement with the Aboriginal party of the area or a cultural heritage management plan approved under Part 7 of the Aboriginal Cultural Heritage Act 2003.

Undertake a search of the Aboriginal Cultural Heritage Database and the Aboriginal Cultural Heritage register, administered by the Cultural Heritage Unit, Department of Environment and Heritage Protection (DEHP).

Application forms to undertake a free search of Cultural Heritage Register and the Database may be obtained by contacting the Cultural Heritage Coordinator Unit on (07) 32393647 or DEHP's website [www.dehp.qld.gov.au/culturalheritage](http://www.dehp.qld.gov.au/culturalheritage).

**3. CLEARING OF NATIVE VEGETATION**

Any clearing of native vegetation within this lot requires approval from the Department of Environment and Heritage Protection.

**4. WORKS WITHIN A WATERCOURSE**

The applicant is advised that the proposal may involve works within a watercourse which will require referral to the Department of Environment and Heritage Protection under the Water Act 2000 and Sustainable Planning Act 2009 at the time of making an application for operational works.

**5. APPLICANT RESPONSIBILITIES**

The Applicant is responsible for securing all necessary approvals and tenure, providing all statutory notifications and complying with all relevant laws.

Nothing in this Decision Notice alleviates the need for the Applicant to comply with all relevant local, State and Commonwealth laws and to ensure appropriate tenure arrangements have been made where the use of/reliance upon land other than that owned by the applicant is involved. Without limiting this obligation, the applicant is responsible for:

- (a) Obtaining all other necessary approvals, licences, permits, resource entitlements, etc. by whatever name called required by law the development the subject of this approval can be lawfully commenced and to carry out the activity for its duration;
- (b) Providing any notifications provided by law (by way of example only, to notify the administering authority pursuant to the Environmental Protection Act 1994 of environmental harm being caused/threatened by the activity, and upon becoming aware the premises is being used for a 'Notifiable activity');
- (c) Securing tenure/permission from the relevant owner to use private or public land not owned by the Applicant (including for access required by conditions of approval);
- (d) Ensuring the correct siting of structures on the land. An identification survey demonstrating correct siting and setbacks of structures may be requested of the applicant to ensure compliance with this decision notice and applicable codes;
- (e) Providing Council with proof of payment of the Portable Long Service Leave building construction levy (or proof of appropriate exemption) where the value of the Operational Works

- exceeds \$80,000. Acceptable proof of payment is a Q. Leave – Notification and Payment Form approved by the Authority. Proof of payment must be provided before Council can issue a Development Permit for Operational Works. This is a requirement of Section 77(1) of the Building and Construction Industry (Portable Long Service Leave) Act 1991; and
- (f) Making payment of any outstanding Council rates and charges applicable to the development site prior to the lodgement of subdivision plans.

**6. INFRASTRUCTURE CHARGES**

Infrastructure contributions policies under the relevant Planning Scheme have been repealed and are no longer applicable and therefore monetary contribution conditions are no longer included within the Decision Notice. Infrastructure Charges are now levied under an Adopted Infrastructure Charges Resolution by way of an Infrastructure Charges Notice 276 attached to this Decision Notice.

**7. FOOD ACT 2006**

The premise is to be fitted out in accordance with the requirements of Australia Standard 4674-2004, Design Construction and Fit-Out of Food Premises and Food Safety Standard 3.2.3, Food Premises and Equipment.

Kitchen exhaust points for the development must be located and operated in accordance with Australian Standard AS1668.2-2002 "The use of ventilation and air-conditioning in buildings" (specifically Section 5.10 – Air Discharges).

All areas where food is to be stored, handled or prepared for sale or sold must be constructed and equipped in accordance with the provisions of the Food Act 2006 and the Food Standards Code. The premises must be registered and the operators licensed with Council under the aforementioned Act prior to the use commencing.

Contact Council's Environmental Health Unit via the Customer Service Centre for further information.

**2016 / 01 / 20 / 015**

Carried (5-3)

**CHRC Economic Development Incentive Framework – Application No.3**

**Executive Summary**

Consistent with resolution 26 November 2014 and regular promotion via media and website, an application has been received under Council's Economic Development Incentive Framework for consideration. These applications are considered on a *case by case basis* as a stimulus for economic development in the region. This application is for a start-up technology company "SwarmFarm Robotics Pty Ltd" to develop robotic machinery for agriculture. The Enterprise Central Highlands Sub-Committee has been contacted (individually via email) for their consideration of this application.

**Resolution:**

Cr Godwin-Smith moved and seconded by Cr Pickersgill "That pursuant with the Central Highlands Regional Council Economic Development Incentive Framework adopted on 26 November 2014, Council believes that the application by SwarmFarm Robotics for funding towards a start-up technology company to develop robotic machinery for agriculture is in its best economic interests under its Economic Development Incentive Framework and the criteria established and therefore eligible for a once-off development incentive package of approximately \$20,000 over two (2) years to support continued business development. This decision is subject to another funding partner providing a matching contribution over two (2) years."

**2016 / 01 / 20 / 016**

Carried (8-0)

Attendance

Acting Coordinator Development and Planning A. De Klerk and Principal Planner Development Assessment S. Ronnfeldt, Town Planner J Webster left the meeting at 3.37pm

Conflict of Interest

Cr Bell declared a conflict of interest in the following matter (as defined in section 173 of the Local Government Act 2009) due to his board membership of the Central Highlands Healthcare Ltd and dealt with the conflict of interest by leaving the meeting room, taking no part in the debate or discussion of the matter. Cr Bell left the meeting at 3.37pm

Attendance

General Manager Communities, B. Duke left the meeting at 3.42pm  
Governance Officer M. Ryan attended the meeting at 3.42pm

## **GOVERNANCE SECTION**

### **GP Super Clinic – Proposed Leasing Arrangements**

**Executive summary:**

Council and Central Queensland Rural Division of General Practice Inc. (“CQRDGP”) entered into a Deed of Agreement to Lease in December 2013 to address tenure requirements for the development of the GP Super Clinic.

The GP Super Clinic, Emerald was officially opened on 8 December 2015 and is now operational. In accordance with its obligations under clauses 3.8 and 3.9 of the original Deed of Agreement to Lease for the GP Super Clinic, Council is required to finalise leasing arrangements for the facility.

Proposed Leasing Options were presented for consideration by Council in the Strategy and Briefing Forum on 20 January 2016.

**Resolution:**

Cr Sypher moved and seconded by Cr Godwin-Smith “That Council finalise leasing arrangements for the GP Super Clinic in accordance with Option 3 as presented, being the lease agreement with Central Highlands Healthcare Ltd over part of Lot 1 on SP248546 (20,000m<sup>2</sup>) for a period of 20 years and further, that Council obtain the valuation for the purpose of lease execution.”

**2016 / 01 / 20 / 017**

Carried (7-0)

Attendance

Cr Bell returned to the meeting at 3.49pm

Attendance

Cr Maguire left the meeting at 3.54pm and did not return to the meeting  
Cr Nixon assumed the Chair  
General Manager Communities B. Duke returned to the meeting at 3.55pm

## **Operational Plan 2015-2016 – Second Quarter Performance Report**

### **Executive summary:**

The progress and achievements of the 2015-2016 Operational Plan activities during the Quarter 2 of this Financial Year are detailed in the attached report. The Operational Plan 2015-2016 was adopted by Council on July 29<sup>th</sup> 2015.

### **Resolution:**

Cr Brimblecombe moved and seconded by Cr Pickersgill “That Central Highlands Regional Council receive the Operational Plan Performance Review for the Quarter 2 of the 2015-2016 financial year in accordance with Section 174 of the Local Government Regulation 2012.”

**2016 / 01 / 20 / 018**

Carried (7-0)

### **Attendance**

Governance Officer M. Ryan left the meeting at 4.17pm

General Manager Communities B. Duke left the meeting at 4.17pm

## **Council Policies for Adoption**

### **Executive summary:**

The Local Government Act 2009 sets out the role of Council and gives local governments flexibility in how they make decisions and deliver services.

Developing, adopting and reviewing policies is a prime responsibility of the Council under the Local Government Act 2009. The role includes setting local laws and the adoption of policies in the interest of the public within the Local Government Area.

Policy documents (policies, procedures, guidelines) will be reviewed annually. Changes to relevant legislation and or Council’s goals or operations are examples of circumstances that can trigger a requirement to review a policy document prior to its normal review date.

Council’s Governance Framework ensures policies:

- are developed in a consultative, comprehensive and consistent manner
- underpin and support Councils strategic objectives as articulated in the Corporate Plan/Community CH2022 Plan
- provide a clear understanding of the Council and management responsibilities in policy development and review
- ensure consistency with and meet the compliance requirements of legislation
- are consistent with Council’s Vision, Mission and Values.

### **Resolution:**

Cr Bell moved and seconded by Cr Godwin-Smith “That Central Highlands Regional Council adopts the following policies as amended:

1. Council Development Framework
2. Councillor Acceptable Requests Policy
3. Media Relations Policy
4. Councillors Contact with Lobbyists, Developers and Submitters Policy
5. Advertising Policy
6. Code of Conduct for Councillors Policy
7. Enterprise Risk Management Policy
8. Public Interest Disclosure (Whistle Blower) Policy
9. Administration Action Complaints Policy”

	<b>COUNCIL POLICY</b>
	<b>Council Policy Development Framework</b>
POLICY NUMBER:	DEPARTMENT: Chief Executive Officer
EFFECTIVE DATE:	UNIT: Governance

## 1.0 Purpose and Scope

This framework has been developed to ensure that Council's policy development process is managed using a consistent manner, are compliant with legislation and compliment the Council's vision, mission and values.

This policy provides the process within which all other policy documents such as policy, procedures and guidelines for the Council will be developed, adopted, maintained and reviewed.

All policies and procedures and guidelines relating to those policies will be developed using this framework. This framework does not cover work processes used only in a work group, work method statements used in work health and safety or standard operating procedures and manuals.

## 2.0 Reference

Local Government Act 2009  
Local Government Regulation 2012

## 3.0 Definitions

**Council** means Central Highlands Regional Council

## 4.0 Policy Statement

### Policy Type

A policy sets out Council's position and accepted role and assists in decision-making relating to a particular area of activity or issue.

The following policy types will be developed by Council.

### Council Policies

Council Policies are policies that:

- are required by legislation to be adopted by Council (Revenue Policy)
- assist Council in managing its strategic processes (Asset Management Policy)
- set goals or visions on a specific issue (Environmental Policy)

Council policies are adopted by a resolution of Council. A list of these policies is attached as Annexure "A".

### Administrative Policies

Administrative policies are those that are used in the day to day operations of the Council and apply across all or most of the Council. Organisational Development and general finance policies are examples of administrative policies.

These policies are approved by the Chief Executive Officer or Chief Executive Officer delegate.

### Procedures



Some policies may refer to or require procedures to assist in identifying and documenting the processes required to implement the policy. All procedures developed to implement policies must adhere to the policy intent and requirements.

These procedures are approved by the Chief Executive Officer or Chief Executive Officer delegate.

### Policy Approval and Review

The Chief Executive Officer will develop a policy approval and review process which will include:

- principles to be included in considering policy development or review
- legislative compliance and Council jurisdiction
- standards and templates for content and layouts
- standards for consultation
- approval process
- risk evaluation
- an implementation process
- a review cycle
- a policy record management process
- requirements for placing policies on the Council website or intranet

### 5.0 Policy Review

All policies will be reviewed annually or when any of the following occur:

- Relevant legislation, regulations, standards and policies are amended or replaced; and
- Other circumstances as determined from time to time by the Chief Executive Officer / Executive Leadership Team / Managers.

### Annexure “A”

#### Appendix of Policies that are adopted by Council

Policy Name	When to be Adopted/Reviewed	Ideal Frequency
Revenue Policy	Must be adopted as part of the budget process each year	Annually
Debt Policy	Must be adopted as part of the budget process each year	Annually
Investment Policy	Must be adopted but no specific legislated requirement for review	Annually
Advertising Spending Policy	Must be adopted but no specific legislated requirement for review	Annually
Procurement Policy	Must be adopted before the start of each financial year	Annually
Entertainment and Hospitality Policy	Must be adopted but no specific legislated requirement for review	Annually
Administrative Action Complaints Policy	Must be adopted but no specific legislated requirement for review	Annually
Grants to Community Organisations	Must be adopted but no specific legislated requirement for review	Annually
Disposal of Assets Policy	Must be adopted but no specific legislated requirement for review	Annually
Code of Conduct for Staff	Must be adopted but no specific legislated requirement for review	Annually
Acceptable Requests from Councillors Policy	Must be adopted but no specific legislated requirement for review	Annually

Reimbursement of Expenses and Provision of Facilities for Councillors	Must be adopted but no specific legislated requirement for review	Annually
Local Law Making Process Policy	Must be adopted but no specific legislated requirement for review	Annually
Asset Management Policy	Council driven. Review based on Council requirements	Annually
Risk Management Policy	Council driven. Review based on Council requirements	Annually
Budget Policy	Council driven. Review based on Council requirements	Annually
Standing Orders Policy	Not mandated but needed to manage Council meetings	Annually
Code of Conduct for Councillors (includes use of confidential information)	Not mandated but assists Councillors understand their role	Annually
Audit Committee Charter Policy (includes internal audit charter)	Not mandated but needed to direct the audit committee process	Annually
Public Interest Disclosure (Whistle Blowers)	No specific legislated requirement for review	Annually
Work Health and Safety Policy	No specific legislated requirement for review	Annually
Arts and Cultural Policy	Council driven. Review based on Council requirements	Annually
Environmental Policy	Council driven. Review based on Council requirements	Annually
Media Relations Policy	Council driven. Review based on Council requirements	Annually
Developer Incentives Policy	Council driven. Review based on Council requirements	Annually
Fraud and Corruption Control Policy	Council driven. Review based on Council requirements	Annually
Councillor Contact with Lobbyists, Developers and Submitters Policy	Council driven. Review based on Council requirements	Annually

	<b>COUNCIL POLICY</b>
	<b>Councillor Acceptable Requests Policy</b>
POLICY NUMBER:	DEPARTMENT: Chief Executive Officer
EFFECTIVE DATE:	UNIT: Governance

### 1.0 Purpose and Scope

The policy provides Councillors with information they require to obtain advice from the Council to assist them undertake their Councillor role.

The policy covers all requests for assistance, information and advice that a Councillor may require to make decisions, undertake their duties as a Councillor and understand the processes of Council.

## **2.0 Reference**

Local Government Act 2009  
Councillor Confidentiality Policy

## **3.0 Definitions**

**Council** means Central Highlands Regional Council

**Employee** means Council officer or contractor determined by the Chief Executive Officer to be responsible for providing assistance, information or advice on a particular issue

## **4.0 Policy Statement**

Councillors are entitled to seek assistance; information and advice from the Council administration to assist them undertake their role as a Councillor where it directly relates to the discharge of their duties as a Councillor. The process of seeking that assistance, information and advice must comply with this policy.

To assist Councillors being fully informed in respect to decision making and their other responsibilities Council Officers will:

- provide every reasonable assistance;
- ensure that the Chief Executive Officer keeps an up to date list of employees that the Councillors can ask for assistance, information and advice on particular issues
- provide the Councillor with the system for managing the requests for assistance, information and advice
- ensure that Council employees comply with any reasonable request for assistance, information and advice made by the Councillor.

### **4.1 Request for Assistance or Information**

#### **4.1.1 Councillor Responsibility**

Councillors must direct requests for assistance, information or advice on any matter to the Chief Executive Officer or to those employees the Chief Executive Officer has listed as being responsible for the particular area of Council responsibility from which the information is being sought.

All Councillor requests must:

- outline the nature of the decision to be made for which the Councillor requires assistance, information or advice;
- specify the employee of whom the assistance, information or advice is sought;
- provide the request to the relevant employee;
- provide a copy of the request to the Chief Executive Officer;

Councillors can submit their requests by contacting the appropriate employee in person, by telephone, by mail or by email. Councillors may seek information from the Chief Executive Officer or the Chief Executive Officer or delegate for the matter regarding the progress of the request. A Councillor must inform the Chief Executive Officer if they believe an employee has not appropriately responded to a request made under this policy.

Any contact outside of this guideline policy may constitute a breach of the Councillor Code of Conduct and will be treated accordingly.

#### **4.1.2 Information which cannot be sought by a Councillor**

A Councillor cannot seek information:

- that is a record of the regional conduct review panel;
- if disclosure of the information to the Council would be contrary to legislation, an order of the court or tribunal;
- that relate to information about a community member or employee that is subject to the privacy legislation; or
- that would be privileged from production in a legal proceeding on the ground of legal professional privilege.

#### **4.1.3 Councillor Access to Publically Available Information**

A Councillor need not make a request for information under this guideline policy if they are able to obtain the information from publically available sources.

#### **4.1.4 Use of Information**

A person who is or has been a Councillor must not use information that was acquired as a Councillor to gain, directly or indirectly a financial advantage for themselves or someone else or cause detriment to the local government.

A Councillor must not release information that the Councillor knows or should reasonably know is information that is confidential to the local government.

A Councillor that obtains access to Council information or advice must continue to conduct themselves in accordance with the local government principles and Councillor Code of Conduct.

### **4.2 Staff Responsibility**

Only employees listed by the Chief Executive Officer are to respond to requests for assistance, information or advice from a Councillor.

Any work related contact by a Councillor, other than to an officer listed for that purpose by the Chief Executive Officer, must be recorded showing the Councillor concerned, time of contact, reason for contact and any action to be undertaken. This record must be forwarded, in the form of an email or memo, to the Chief Executive Officer or appropriate delegate and a copy placed in Council's record system. If required the Chief Executive Officer or Chief Executive Officer delegate will then organise for the appropriate employee to deal with the request.

An employee who is required to respond to a Councillor request under this policy is responsible for:

- providing sound and impartial advice to the Councillor;
- providing professional assistance and accurate information;
- documenting and recording the request in line with Council procedures developed for processing Councillor requests for assistance, information or advice;
- providing the Chief Executive Officer with a copy of the action taken in relation to the request including providing a copy of any information or advice.

The Chief Executive Officer may provide the copy of the request and the response to all Councillors.

No employee shall comment on any other matter outside of their scope unless authorised by the Chief Executive Officer and they are fully briefed on the matter.

### **5.0 Policy Review**

All policies will be reviewed annually or when any of the following occur:

- Relevant legislation, regulations, standards and policies are amended or replaced; and

Other circumstances as determined

	<b>COUNCIL POLICY</b>	
	<b>Media Relations Policy</b>	
POLICY NUMBER:	DEPARTMENT:	Chief Executive Officer
EFFECTIVE DATE:	UNIT:	Corporate Communications

### 1.0 Purpose and Scope

This policy has been developed to establish the roles and responsibilities within Council in relation to media relations. It applies to all print and electronic media. This policy does not restrict Councillors from undertaking media relations.

### 2.0 Reference

Code of Conduct for Councillors Policy  
Employee Code of Conduct

### 3.0 Definitions

**Council** means Central Highlands Regional Council

### 4.0 Policy Statement

Council recognises the importance of communicating with residents and ratepayers and the role the media plays is pivotal in the provision and distribution of Council information.

To facilitate media relations Council will:

- Communicate openly and honestly with the media in order to maximise public knowledge and understanding of Council’s policies, activities and services
- Provide the media with all information that is public information (i.e. all information to which the public is entitled to receive), and assist the media to accurately present and explain relevant information.
- Prepare comments and information for the media in a timely and consistent manner.

Councillors must:

- not communicate with the public or media on behalf of the Council, unless expressly authorised by the Council to make that communication
- when communicating with the public or the media, make it clear when they are expressing a personal opinion, and when they are speaking on behalf of Council; and
- when communicating with the public or the media to express a personal opinion about a Council resolution, respect the democratic process by first acknowledging that Council resolutions represent the majority view of Council.

### Council Spokesperson

The Mayor is the official spokesperson for Council. Employees are not authorised to speak to the media about Council business without approval from the Chief Executive Officer, the Chief Executive Officer’s delegate or the Mayor.

The Mayor or Chief Executive Officer are to approve all media releases.

Any matter regarded as a critical issue or crisis is to be referred immediately to the Chief Executive Officer through the appropriate line of management.

Council’s Corporate Communications team manages media relations, including the distribution of media releases and community notices.

**Media Management for Councillors**

Requests for media support by Councillors (other than the Mayor) should only be made via the Mayor, and should not be of a political content or persuasion.

**Media Management of Employees**


Employees may be requested to appear in media photographs and footage. Requests must be approved by the appropriate line of management and employees may decline a request to be photographed or filmed.

Employees must ensure they are wearing the appropriate uniform and personal protective equipment when being photographed or filmed by the media. Employees must not offer comments or statements or respond to media questions unless authorised to do so.

**5.0 Policy Review**

All policies will be reviewed annually or when any of the following occur:

- Relevant legislation, regulations, standards and policies are amended or replaced; and
- Other circumstances as determined from time to time by the Chief Executive Officer / Executive Leadership Team / Managers.

	<b>COUNCIL POLICY</b>	
	<b>Councillor Contact with Lobbyists, Developers and Submitters Policy</b>	
POLICY NUMBER:	DEPARTMENT:	Chief Executive Officer
EFFECTIVE DATE:	UNIT:	Governance

**1.0 Purpose and Scope**

This policy states Council’s position on Councillors contact with lobbyists, developers and submitters.

This policy is in addition to any other legal requirements or Council policies and procedures placed on Councillors in relation to such contact.

**2.0 Reference**

- Local Government Act 2009
- Integrity Act 2009

### 3.0 Definitions

**Council** means Central Highlands Regional Council

**Councillors** means the Mayor and Councillors of the Council

### 4.0 Policy Statement

Council will ensure that dealings with lobbyists, developers and submitters are carried out in a transparent, legal, ethical and impartial manner by:

- providing Councillors with guidance on undertaking meetings with lobbyists, developers and submitters;
- ensuring lobbyists, developers and submitters are aware of the appropriate Council processes for making submissions to Council and meeting with Councillors;
- keeping appropriate records of meetings held by Councillors with lobbyists, developers and submitters.

### 5.0 Policy Review

All policies will be reviewed annually or when any of the following occur:

- Relevant legislation, regulations, standards and policies are amended or replaced; and
- Other circumstances as determined from time to time by the Chief Executive Officer / Executive Leadership Team / Managers.

	<b>COUNCIL POLICY</b>	
	<b>Advertising Policy</b>	
POLICY NUMBER:	DEPARTMENT:	Chief Executive Officer
EFFECTIVE DATE:	UNIT:	Governance

### 1.0 Purpose and Scope

The purpose of this policy is to ensure that Central Highlands Regional Council's advertising expenditure is appropriate and in the interest of the public. This policy applies to all advertising conducted by the Council except advertising required for statutory purposes.

### 2.0 Reference

Local Government Act 2009  
Local Government Regulation 2012

### 3.0 Definitions

**Advertising** means promoting to the public an idea, goods or services by using a medium commonly used for promoting ideas, goods or services and for which a fee is paid or there is a cost to Council for the production of the medium.

**Caretaker Period** means the period from the date the quadrennial local government election is called until completion of the election.

**Council** means Central Highlands Regional Council.

#### **4.0 Policy Statement**

Council may incur expenditure for advertising only if the advertising is to provide information or education to the public, and the information or education is provided in the public interest.

Council may place paid advertisements in various media to promote, inform, and educate the public about its services and programs.

Advertising must not be used to promote the achievements or plans of particular Councillors or groups of Councillors. Council must not produce any advertising during the election caretaker period as this might influence voters in an election.

#### **Types of Advertising**

The types of advertising considered appropriate includes:

- advising the public about new or existing services, programs and facilities
- advising the public about changes to existing services, programs and facilities
- increasing the use of a service, program or facility
- achieving Council's plans, goals and objectives
- advising the public of Council meetings, outcomes, legislation and proposed policies
- requesting feedback or comment on Council's business
- recruiting staff, acquiring or disposing of property, plant and equipment, tenders and expressions of interest
- promoting the economic development and sustainability of the Central Highlands region
- public safety and/or emergency situations

#### **Advertising during Elections**

Council must not during the caretaker period in relation to a quadrennial local government election or during the period after the date a by-election or a fresh election is advertised until the day of the election:


- place advertisements relating to future plans unless, and only to the extent that, those plans have been formally adopted by Council
- advertise the activities of Council other than in the manner and form, it is customary for Council to advertise its activities
- place advertisements that seek to influence support for particular candidates, groups of candidates or potential candidates in the election
- bear the costs of advertisements featuring one or more Councillors or containing quotations attributed to individual Councillors. Note: this does not preclude Councillors appearing in unpaid publicity or publicity where the cost is not borne by Council.

#### **5.0 Policy Review**

All policies will be reviewed annually or when any of the following occur:

- Relevant legislation, regulations, standards and policies are amended or replaced; and
- Other circumstances as determined from time to time by the Chief Executive Officer / Executive Leadership Team / Managers.



	<b>COUNCIL POLICY</b>
	<b>Code of Conduct for Councillors Policy</b>
POLICY NUMBER:	DEPARTMENT: Chief Executive Officer
EFFECTIVE DATE:	UNIT: Governance

### 1.0 Purpose and Scope

This Code of Conduct sets out the standards of behaviour expected of Councillors of the Central Highlands Regional Council.

The requirements of this code are in addition to the roles, responsibilities and obligations of Councillors, as set out in the Local Government Act 2009.

The Code of Conduct for Councillors mirrors the Model Code of Conduct for Councillors endorsed by the Local Government Association Queensland (LGAQ).

### 2.0 Reference

Local Government Act 2009  
Councillor Confidentiality Policy

### 3.0 Definitions

**Council** means Central Highlands Regional Council

### 4.0 Policy Statement

#### Key Ethical and Behavioral Obligations

Councillors must:

- ensure their personal conduct does not reflect adversely on the reputation of the Council
- demonstrate respect for fellow Councillors, Council staff and other members of the public
- refrain from harassing, bullying or intimidating fellow Councillors, Council staff or other members of the public
- not communicate with the public or media on behalf of the Council, unless expressly authorised by the Council to make that communication
- when communicating with the public or the media, make it clear when they are expressing a personal opinion, and when they are speaking on behalf of Council; and
- when communicating with the public or the media to express a personal opinion about a Council resolution, respect the democratic process by first acknowledging that Council resolutions represent the majority view of Council.

#### Consequences of Failing to Comply with this Code

Section 176(4) of the Local Government Act 2009 provides:

- (4) Inappropriate conduct is conduct that is not appropriate conduct for a representative of a local government, but is not misconduct, including for example:
- a) a Councillor failing to comply with the local government's procedures; or
  - b) a Councillor behaving in an offensive or disorderly way in a meeting of the local government or any of its committees.

A failure to comply with this code by a Councillor (other than by the Mayor or Deputy Mayor) will be considered inappropriate conduct (as defined in section 176(4) (a) of the Local Government Act 2009) and render a Councillor liable to disciplinary action prescribed by section 181(2) of that Act. Section 181 (2) relevantly provides that the Mayor may make either or both of the following orders that the Mayor considers appropriate in the circumstances:

- a) an order reprimanding the Councillor for the inappropriate conduct
- b) an order that any repeat of the inappropriate conduct be referred to the regional conduct review panel as misconduct.

A failure to comply with this code by the Mayor or Deputy Mayor will be referred to the Chief Executive of the Department who is entitled to take disciplinary action prescribed by section 181(2) of that Act. Again, section 181 (2) relevantly provides that the Chief Executive of the Department may make either or both of the following orders that the Chief Executive considers appropriate in the circumstances:

- a) an order reprimanding the Mayor or Deputy Mayor for the inappropriate conduct
- b) an order that any repeat of the inappropriate conduct be referred to the regional conduct review panel as misconduct.

## 5.0 Policy Review

All policies will be reviewed annually or when any of the following occur:

- Relevant legislation, regulations, standards and policies are amended or replaced; and
- Other circumstances as determined from time to time by the Chief Executive Officer / Executive Leadership Team / Managers.

	<b>COUNCIL POLICY</b>	
	<b>Enterprise Risk Management Policy</b>	
POLICY NUMBER:	DEPARTMENT:	Chief Executive Officer
EFFECTIVE DATE:	UNIT:	Governance

### 1.0 Purpose and Scope

This policy is intended to facilitate an enterprise wide approach to risk management and applies to all areas and risk types of Council.

### 2.0 Reference

AS/NZS ISO 31000:2009, Risk Management – Principles and Guidelines  
 Local Government Act 2009  
 Local Government Regulation 2012  
 Fraud and Corruption Control Policy

### 3.0 Definitions

**Council** means Central Highlands Regional Council

### 4.0 Policy Statement

Council will create an environment where Managers and employees take responsibility for Enterprise Risk Management, through application of consistent Enterprise Risk Management practices as part of their everyday activities.

Council will create this environment by:

- Developing a Risk Management Framework
- Developing a Fraud and Corruption Control Framework
- Developing managers and employees skills and knowledge of risk management; and
- Documenting risks, risk treatment and undertaking risk assessments.

Effective Enterprise Risk Management is important to Council and therefore performance must be reviewed on a regular basis. Enterprise Risk Management performance will be measured and reported in accordance with the procedure set out in the Enterprise Risk Management Framework.

## 5.0 Policy Review

All policies will be reviewed annually or when any of the following occur:

- Relevant legislation, regulations, standards and policies are amended or replaced; and
- Other circumstances as determined from time to time by the Chief Executive Officer / Executive Leadership Team / Managers.

	<b>COUNCIL POLICY</b>	
	<b>Public Interest Disclosure (Whistle Blower) Policy</b>	
POLICY NUMBER:	DEPARTMENT:	Chief Executive Officer
EFFECTIVE DATE:	UNIT:	Governance

## 1.0 Purpose and Scope

This policy defines Council's commitment to public interest disclosure and supports the public interest disclosure procedures implemented by council. The objectives of this policy are:

- (a) To acknowledge Council's obligations as a Public Sector Entity as defined in the *Public Interest Disclosure Act 2010* ("PID Act"); and
- (b) To establish Council's commitment to the promotion and proper management of Public Interest Disclosures

## 2.0 Reference

Public Interest Disclosure Act 2010  
 Public Interest Disclosure (Whistle Blower) Procedure

## 3.0 Definitions

**Council** means Central Highlands Regional Council

**EBA** means Enterprise Bargaining Agreement

**Employees** means a members of staff who is employed on a permanent, part-time, fixed term or casual basis under award and EBA conditions. It also includes the Chief Executive Officer, senior executive employees and other contracted staff. An employee for the purposes of the Public Interest Disclosure Act 2010 does not include unpaid volunteers or contract for service contractors.

#### 4.0 Policy Statement

Council will in relation to Public Interest Disclosures:

- ensure there are public interest disclosure procedures in place to encourage disclosures and manage any disclosures received by Council
- provide protection and maintain confidentiality in relation to disclosures made by public officers or appropriate persons
- ensure employees and Councillors understand how they can make a public interest disclosure
- ensure the risk of reprisals are assessed and managed
- ensure records of public interest disclosures are managed appropriately

#### 5.0 Policy Review

All policies will be reviewed annually or when any of the following occur:

- Relevant legislation, regulations, standards and policies are amended or replaced; and
- Other circumstances as determined from time to time by the Chief Executive Officer / Executive Leadership Team / Managers.

	<b>COUNCIL POLICY</b>	
	<b>Administrative Action Complaints Policy</b>	
POLICY NUMBER:	DEPARTMENT:	Chief Executive Officer
EFFECTIVE DATE:	UNIT:	Governance

#### 1.0 Purpose and Scope

This policy covers complaints in relation to administrative actions of the Council, the Chief Executive Officer as council delegate or the delegates of the Chief Executive Officer.

This policy does not cover requests for service, requests for maintenance or requests for information in the first instance. These requests may be subject to further complaints and dealt with as an administrative action if Council does not respond in accordance with the policies, processes and procedures relating to these requests.

#### 2.0 Reference

Local Government Act 2009  
 Local Government Regulation 2012  
 Administrative Action Complaints Procedure

#### 3.0 Definitions

**Council** means Central Highlands Regional Council

**Administrative Action** means:

- A decision of Council where the decision is not in accordance with the policies, processes and procedures set by Council or legislation applied to or by the Council
- Failure to make a decision where that decision is within the jurisdiction of the Council
- Failure to communicate a decision in writing setting out the reason for a decision
- An act of the Council
- Failure to act by the Council
- The formulation of a proposal or intention
- The making of a recommendation

**Affected person** means a person who is apparently directly affected by the administrative action

**Administrative Action Complaint** means a complaint lodged with council by an affected person in relation to administrative actions

**4.0 Policy Statement**

Council will undertake a fair assessment of administrative action complaints by ensuring there are processes and procedures to manage the:

- assessment of whether the complainant is an affected person;
- independent assessment of the administrative action

Administrative action complaints can be lodged in writing, electronically or by phone.

Council must process anonymous complaints and make reasonable efforts to communicate the determination of these complaints.

The Council will ensure that administrative action complaints are at all times reviewed by a person independent of the original administrative action. The following table sets out the minimum separation between the original decision maker and the reviewer.

Original Decision Making	Reviewer
Mayor (excludes a decision in relation to a complaint about a councillor)	Council. The Council may authorise that a suitable person undertake a review and make recommendations to Council on the matter
Council	Chief Executive Officer or an independent reviewer appointed by Council (see Administrative Complaints Procedure)
Chief Executive Officer	Council or an independent reviewer appointed by council
Departmental General Managers	Chief Executive Officer, another departmental General/Executive Manager or an independent reviewer appointed by the Chief Executive Officer
Departmental Staff	Departmental General/Executive Manager or another Council employee or an independent reviewer determined by the departmental General Manager

## 5.0 Policy Review

All policies will be reviewed annually or when any of the following occur:

- Relevant legislation, regulations, standards and policies are amended or replaced; and
- Other circumstances as determined from time to time by the Chief Executive Officer / Executive Leadership Team / Managers.

2016 / 01 / 20 / 019

Carried (7-0)

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

### **Amended Council Meeting Location**

#### **Executive summary:**

Council Meetings are conducted on the second and fourth Wednesday of the month. This report seeks confirmation of the meeting date for the meeting which is scheduled to be held in Capella in February 2016.

#### **Resolution:**

Cr Sypher moved and seconded by Cr Godwin-Smith "That Central Highlands Regional Council confirm that the General Council Meetings for the remainder of the quadrennial election term will be held in Emerald for the following dates:

Wednesday 10 February 2016;  
Wednesday 24 February 2016; and  
Wednesday 9 March 2016."

2016 / 01 / 20 / 020

Carried (7-0)

#### **Attendance**

Coordinator Infrastructure J. Hoolihan attended the meeting at 4.26pm

## **LATE AGENDA ITEMS**

### **Tender 2015T069E – Traffic Control – Blackwater Rolleston Road**

#### **Executive summary:**

In December 2015 Central Highlands Regional Council (CHRC) invited public tenders to provide traffic control on the Blackwater Rolleston project being delivered by Council for Transport and Main Roads.

#### **Resolution**

Cr Pickersgill moved and seconded by Cr Godwin-Smith "That Central Highlands Regional Council approve the appointment of East Coast Traffic Control in the amount of \$205,000.00 for the provision of traffic control on the Blackwater Rolleston Road."

2016 / 01 / 20 / 021

Carried (7-0)

#### **Attendance**

Coordinator Infrastructure J. Hoolihan left the meeting at 4.27pm

## **National Stronger Regions Fund Round 3 Application for the Emerald Airport Runway Enrichment Project**

### **Executive summary:**

The Australian Government (Department of Infrastructure and Regional Development) National Stronger Regions Fund will provide funding of \$1 billion over 5 years, commencing in 2015 - 2016, to fund priority infrastructure in regional communities.

The objective of the National Stronger Regions Fund (NSRF) is to fund investment ready projects which support economic growth and sustainability of regions across Australia, particularly disadvantaged regions, by supporting investment in priority infrastructure.

Following a detailed analysis of Council's major projects, the Emerald Airport Runway Enrichment Project has been identified as a suitable 'shovel-ready' project to be put forward for this funding round.

The Emerald Airport Runway Enrichment Project (bituminous surface enrichment treatment) was outlined and adopted as the preferred option in a report to Council on 26 August 2015.

Applications open on 15 January, and close 15 March.

### **Resolution**

Cr Cracknell moved and seconded by Cr Godwin-Smith "That Central Highlands Regional Council:

1. Make an application through the National Stronger Regions Fund Round 3 for the Emerald Airport Runway Enrichment Project; and
2. Contribute partner funding to match the NSRF grant in cash on at least a dollar for dollar basis."

**2016 / 01 / 20 / 022**

Carried (7-0)

## **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 Deputy Mayor closed the meeting at 4.29pm

CONFIRMED

MAYOR

DATE