



General Meeting of Council

MINUTES

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

Wednesday 24 February 2016

Commenced at 9.00am

CENTRAL HIGHLANDS REGIONAL COUNCIL

GENERAL MEETING OF COUNCIL

WEDNESDAY 24 FEBRUARY 2016

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MINUTES – GENERAL MEETING
HELD AT 9.00AM WEDNESDAY 24 FEBRUARY 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, G. Godwin-Smith, P. Maundrell, 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

The Mayor asked that Cr Jamie McKenzie (Southern Downs and formerly a Emerald Shire Council employee), Cr Steve Jones (Lockyer Valley Mayor) and local businessman and Emerald resident, George Sicklinger, all who passed away recently be remembered.

Opening Prayer

Reverend Jim Pearson (Emerald Uniting Church) delivered the opening prayer.

A minutes silence was held for Cr Jamie McKenzie, Mayor Cr Steve Jones and Mr George Sicklinger.

Reverend Jim Pearson left the meeting at 9.09am

APOLOGIES

Cr K. Cracknell

LEAVE OF ABSENCE

Resolution:

Cr Nixon moved and seconded by Cr Pickersgill “That an apology and leave of absence be granted for Cr Cracknell for today’s meeting.”

2016 / 02 / 24 / 001

Carried (8-0)

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

General Council Meeting: 10 February 2016

Resolution:

Cr Sypher moved and seconded by Cr Brimblecombe “That the minutes of the previous General Meeting held on 10 February 2016 be confirmed.”

2016 / 02 / 24 / 002

Carried (8-0)

Business Arising Out Of Minutes

Nil

Attendance

General Manager Commercial Services M Webster attended the meeting at 9.10am

Outstanding Meeting Actions

Nil

Conflict of Interest, Personal Gifts And Benefits

Nil

Attendance

Manager Finance S. Fogg and Manager Asset Management M. Gatt attended the meeting at 9.10am

CORPORATE SERVICES' SECTION


Project Decision Framework

Executive summary:

The Project Decision Framework (PDF) is designed to assist local governments in decision making to ensure that concepts and ideas are assessed and selected to deliver value for money and optimal project outcomes. The PDF can also be described as a 'decision pipeline' that outlines the phases of the project lifecycle with the purpose of establishing a common approach for considering proposed projects and their subsequent management through to completion.

Resolution:

Cr Brimblecombe moved and seconded by Cr Bell "That Central Highlands Regional Council (CHRC) approve the Project Decision Framework Policy and endorse the implementation through the development of the 2016/2017 budget.

	ADMINISTRATION POLICY	
	Project Decision Framework Policy	
POLICY NUMBER: [automated #]	DEPARTMENT:	Corporate Services
EFFECTIVE DATE: 01 Month Year	UNIT:	Asset Management

1.0 Purpose and Scope

As a component of Council's Project Decision Framework (PDF), this policy document specifies Council's overarching intentions and guiding project decision making principles. This policy is consistent with, the organisational corporate plan and enables the project decision process, strategic actions and outcomes to be developed and implemented. This policy includes a commitment to legislative compliance as well as continual improvement in project decision making across the organisation.

Project decision making at Central Highlands Regional Council, combines management, governance, financial, economic and technical activities applied to phases of the project lifecycle with the purpose of establishing a common approach for considering opportunities, proposed projects and their subsequent management through to completion.

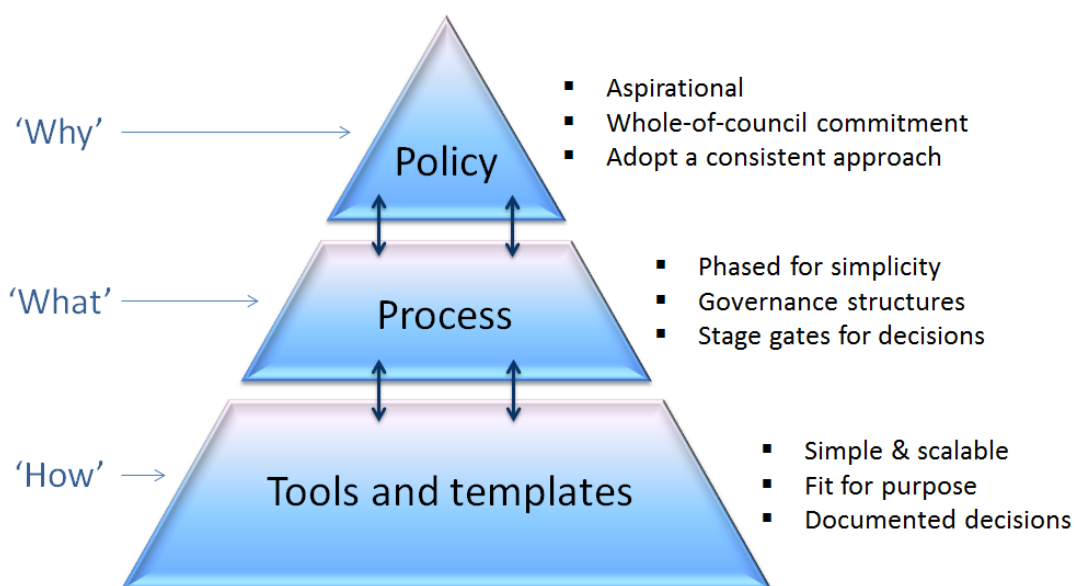
To improve project selection and delivery, Council adopts a structured decision gate process across the project lifecycle **with the initial focus being given to front end phases**. Therefore the project lifecycle phases covered by this policy are categorised as follows:

- Identifying and assessing
- Selecting
- Defining

2.0 Reference

This policy is in accordance with the Local Government Act principles in section 4 (2) (b) ‘*sustainable development and management of assets and infrastructure and delivery of effective services*’.

This policy is aligned with Council’s corporate plans and strategies. It is also central to a suite of related functional level policies that support and guide the management of projects and maximise the business benefits that the opportunities associated with these projects present to Council. Such related functional policies will be subjected to continual review to ensure alignment with all of the higher level elements of the Project Decision Framework User Guide. This policy forms the first part of an integrated approach to decision making in Council, as shown in the following diagram.



3.0 Definitions

CEO refers to Chief Executive Officer

Council refers to Central Highlands Regional Council

The Act shall mean the Local Government Act 2009 (as amended).

The Regulation shall mean the Local Government Regulation 2012 (as amended).

4.0 Policy Statement

Council provides a range of services to the community and, in doing so, is required to ensure these services are sustainable. Typically in any one year, the concepts and ideas that are to be considered at the front end of the formal budget process will be much larger in number than the projects that can actually be supported. Sources of projects, planned or otherwise will include (but not limited to), Community Reference and Consultation group and or unforeseen works, legislative and compliance etc... Important decisions therefore have to be made as to which of the strategies, various concepts and ideas should be progressed for further consideration and those that should not be progressed. Council therefore recognises the benefit in adopting a disciplined approach for consideration of the concepts or ideas, complexity and risks such that approved projects have been subjected to a reasonable level of value for money and assurance type of analysis.

In recognition of the need to establish a system by which project decision making is disciplined, robust and in the best interests of the community, Council aspires to the following:

“To have in place a robust project decision making process to deliver value for money for Council and the community we serve.”

Council's project decision making mission is guided by the following principles:

Project Governance and Accountability

- A disciplined approach towards project selection and in undertaking the 'right' projects across the organisation.
- Project proposals are prioritised based on a common and agreed set of criteria.
- Project selection is linked to strategic intent.
- Accountability for project decision making activities is unambiguous, accepted and met.
- Industry standards and guidelines are used where appropriate.
- Consistent project decision making language is used.

Project Information Management

- Council recognises, identifies, records and maintains project information to a level of detail, accuracy and integration necessary for each project to be managed in accordance with the integrated framework.
- Statutory requirements relating to Council's project work are met (as a minimum).

Project Lifecycle Management

- Projects are managed from a whole-of-life perspective.
- Risks and opportunities are identified and managed in accordance with the Corporate Risk Framework prior to final project selection.
- Prior to approval of any major project that constitutes a renewal or upgrade to an existing service, a critical review, based on demonstrated service needs is undertaken and the 'whole-of-life' cost of that project is determined

Service level management

- A planned approach is taken to growth and demographic change through demand management and infrastructure investment using an agreed growth and demographic model.
- Current and desired levels of service are defined that consider technical and community requirements and the cost of services.

5.0 Policy Review

All policies will be reviewed at least bi-annually or when any of the following evaluations 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 or through a resolution of Council.

This policy is nominated to be reviewed on:

2016 / 02 / 24 / 003

Carried (8-0)

Nogoa River Flood Plain Board Financial Statements

Executive summary:

The Nogoa River Flood Plain Board was wound up effective on the 28 April 2015. The Special Purpose Financial Statements have been developed and independently audited by the Queensland Audit Office. The Queensland Audit Office has issued an unmodified audit opinion for the Board. As part of good governance and for completeness, the Special Purpose Financial Statements are presented for receipt by Council.

Resolution:

Cr Nixon moved and seconded by Cr Maundrell “That Central Highlands Regional Council note the Special Purpose Financial Statements for the period to 28 April 2015 and Independent Auditor’s Report for Nogoa River Flood Plain Board.”

2016 / 02 / 24 / 004

Carried (8-0)

January 2016 Financial Report

Executive summary:

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

Resolution:

Cr Godwin-Smith moved and seconded by Cr Sypher “That Central Highlands Regional Council receive the Monthly Financial Report for the period ending 31 January 2016.”

2016 / 02 / 24 / 005

Carried (7-1)

Capital Expenditure Delivery 2015/16

Executive summary:

The report outlines the current progress being made on the capital expenditure budget for 2015/16 year and what the expected project completion will be for the financial year to 30th June 2016, or beyond where

projects are continuing. The report also provides information in relation to local procurement and where there is a potential to continue local spending.

Resolution:

Cr Nixon moved and seconded by Cr Brimblecombe “That Central Highlands Regional Council receive and note the Capital Expenditure Delivery report for 2015/16.”

2016 / 02 / 24 / 006

Carried (7-1)

Attendance

Manager Finance S. Fogg and Manager Asset Management left the meeting at 9.55am

Executive Manager Governance M. Uren left the meeting at 9.55am

Manager Community and Customer Service L. Lankowski attended the meeting at 9.55am

General Manager Infrastructure and Assets G. Joubert left the meeting at 9.56am

Executive Manager Governance M. Uren returned to the meeting at 9.58am

COMMUNITIES' SECTION

Mobile Black Spot Programme (Round 2) - Confirmation of Nominated Locations and Council Support

Executive summary:

This report seeks to inform Council of nominations for Round 2 of the Mobile Black Spot Programme and confirm Council's support for these nominations and re-nominations, and the level of support offered by Council to proposed base station developments.

Resolution:

Cr Bell moved and seconded by Cr Maundrell “That Central Highlands Regional Council resolve to support the location of new base stations at nominated areas through the provision of leasehold tenure, where available, for a site at zero or concessional cost, and civil works at zero or concessional cost, as appropriate.”

2016 / 02 / 24 / 007

Carried (8-0)

Attendance

Manager Community and Customer Service L. Lankowski left the meeting at 10.02am

Manager Planning and Development P. Jeston attended the meeting at 10.02am

Central Highlands Regional Council Waste Reduction and Recycling Plan 2016-2026

Executive summary:

The Waste Reduction and Recycling Plan 2016 – 2026 has been developed to bring together Councils vision for the future of waste management in the Region as well as supporting the needs of the community and ensure a strong focus on resource recovery is maintained.

Major strategic initiatives include:

1. Data capture;
2. Infrastructure rationalisation and improvement, including landfills and transfer stations;
3. Maximization of waste and recycling collection services;
4. Long term waste disposal options; and
5. Increased waste reduction and recycling initiatives.

This Plan ensures ongoing compliance with the requirements of the *Waste Reduction and Recycling Act 2011* and assists with continuous improvements under the *Environmental Protection Act 1994*. The Plan is also supported by the waste management Capital budget and commercial costs for the ongoing maintenance of Council's waste management facilities.

Resolution:

Cr Sypher moved and seconded by Cr Brimblecombe "That Central Highlands Regional Council adopt the Waste Reduction and Recycling Plan 2016-2026 as presented."

2016 / 02 / 24 / 008

Carried (7-1)

Attendance

Principal Planner Strategic Land Use A. Aylward attended the meeting at 10.10am

General Manager Infrastructure and Assets G. Joubert returned to the meeting at 10.19am

Adoption of Central Highlands Regional Council Planning Scheme and Planning Scheme Policies

Executive summary:

The draft Central Highlands Regional Council Planning Scheme was submitted for final Ministerial review on 16 September 2015. The Deputy Premier, who is also the Minister for Infrastructure, Local Government and Planning, has now given conditional approval for Council to adopt the draft planning scheme. The report proposes Council accept all conditions and adopt the Central Highlands Regional Council Planning Scheme and associated planning scheme policies.

Resolution:

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

1. Adopt the *Central Highlands Regional Council Planning Scheme* in accordance with section 117 *Sustainable Planning Act 2009* and step 9.1, section 2.4A.1 of *Statutory Guideline 04/14 – 'Making and amending local planning instruments'*.
2. Confirms that the *Central Highlands Regional Council Planning Scheme* complies with the conditions imposed on the approval to adopt the proposed planning scheme granted by the Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment on 8 February 2016.
3. Adopt each of the following Planning Scheme Policies in accordance with section 117 *Sustainable Planning Act 2009* and step 5.1, section 3.3.2 of *Statutory Guideline 04/14 – Making and amending local planning instruments'*.
 - i. Planning scheme policy for development works
 - ii. Planning scheme policy for information that Council may require
4. That Council set 04 March 2016 as the commencement date for the *Central Highlands Regional Council Planning Scheme* and the Planning Scheme Policies.
5. Authorise the Chief Executive Officer to do all matters specified in *Statutory Guideline 04/14 – 'Making and amending local planning instruments'*, to complete step 9 of the process for making and amending a planning scheme and step 5 of the process for making or amending a planning scheme policy."

2016 / 02 / 24 / 009

Carried (7-1)

Adoption of Central Highlands Regional Council Charges Resolution No. 11

Executive summary:

This report details the requirements for a new Central Highlands Regional Council Charges Resolution No. 11 to enable the smooth administration of the new regional Council Planning Scheme. This new Charges Resolution will supersede Charges Resolutions Nos. 9 and 10.

Resolution:

Cr Nixon moved and seconded by Cr Maundrell “That Central Highlands Regional Council:

1. In accordance with section 630 (1) of the *Sustainable Planning Act 2009* adopt Charges Resolution No. 11 to have force and effect over the same area as the Central Highland Regional Council Planning Scheme (2016), commencing from midnight on 4 March 2016. In addition Charges Resolution No. 11 shall supersede Charges Resolutions Nos. 9 and 10 which will cease to have force and effect at midnight on 4 March 2016; and
2. Authorise the Chief Executive Officer to finalise administrative matters relating to the finalisation and the adoption of Charges Resolution No. 11.

2016 / 02 / 24 / 010

Carried (8-0)

Attendance

Manager Planning and Development P. Jeston and Principal Planner Strategic Land Use A. Aylward left the meeting at 10.33am

Adjournment

The meeting was adjourned at 10.33am for morning tea.

Meeting resumed at 11.01am

Design and Construction of the Proposed New Emerald Aquatic Centre Waterslides (RFT 2015T068C)

Executive summary:

This report seeks Council’s consideration of recommendations of the Emerald Aquatic Centre Waterslide Project Review Committee in relation to the evaluation process and award of the Design and Construction Services Tender for the proposed new Emerald Aquatic Centre waterslides at Opal Street, Emerald.

Resolution:

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

1. Award the contract for design and construction services for the proposed waterslide development at the Emerald Aquatic Centre with the preferred tenderer, Swimplex Aquatics Pty Ltd, for a total project value of \$752,442 (excluding GST), subject to the successful execution of a 20 year lease agreement for this new facility with Bobtrac Swim School Pty Ltd, with an upfront payment and annual repayments over the duration of the lease term; and
2. That the Chief Executive Officer be delegated the necessary authority to negotiate and execute all documentation necessary to give effect to this decision.”

2016 / 02 / 24 / 011

Carried (6-2)

CLOSED SESSION

Into Closed Session

Resolution

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

2016 / 02 / 24 / 012

Carried (8-0)

Attendance

General Manager Communities Services B. Duke, General Manager Commercial Services M. Webster and General Manager Infrastructure and Assets G. Joubert left the meeting at 11.16am

The meeting was closed at 11.16am

Out of Closed Session

Resolution

Cr Nixon moved and seconded by Cr Bell “That the meeting now be re-opened to the public.”

2016 / 02 / 24 / 013

Carried (8-0)

The meeting was opened at 11.27am

Native Title – ILUA – Barada Barna People Native Title Claim QUD380/2008 and Widi People of the Nebo Estate #2 Native Title Claim (QUD492 of 2013)

Executive summary:

The purpose of this report is to seek Councils’ endorsement of the terms of a proposed local government Indigenous Land Use Agreement (ILUA) with the Barada Barna People. The amended version of the reports were circulated from Crown Law on 2 February 2016 which Gilkerson Legal have advised require consideration and resolution by the end of February 2016.

A brief history and status report for both the Barada Barna People and the Widi People of the Nebo Estate #2 native title claims is contained in a separate report prepared for Council about the proposed native title determination by consent.

Resolution:

Cr Nixon moved and seconded by Cr Brimblecombe “That having reviewed the terms of a settled Indigenous Land Use Agreement (“ILUA”) between the registered native title claimants for Native Title Determination Application QUD380/2008 (Barada Barna People) and Local Government, a copy of which was tabled at Council’s ordinary meeting on 24 February 2016, Central Highlands Regional Council authorises the Mayor and Chief Executive Officer to sign the settled ILUA on Council’s behalf.

Further, that Council authorises the Chief Executive Officer to endorse on its behalf any changes made to the ILUA prior to execution on the basis that such changes do not adversely affect Council’s interests.”

2016 / 02 / 24 / 014

Carried (8-0)

Native Title Consent Determination Orders – Barada Barna People Native Title Claim QUD380/2008 and Widi People of the Nebo Estate #2 Native Title Claim (QUD492 of 2013)

Executive summary:

The purpose of this report is to seek Council's endorsement of the terms of draft consent determination orders recognising both the Barada Barna People and the Widi People of the Nebo Estate #2 as the holders of certain native title rights and interests. The determination orders have been negotiated between all the parties to these court proceedings.

A separate report has been provided seeking the endorsement of the Indigenous Land Use Agreement (ILUA) negotiated with both these groups. The background provided in this report is not repeated in the ILUA report.

Resolution:

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

- A. Approves, and is prepared to consent to the draft determination orders for QUD380/2008 (Barada Barna People) and QUD492/2013 (Widi People of the Nebo Estate #2);
- B. Authorises the Chief Executive Officer to endorse on its behalf any incidental changes made to the draft determination prior to execution;
- C. Authorises Gilkerson Legal to execute an agreement under section 87 of the Native Title Act 1993 confirming Council's consent to the draft determination orders."

2016 / 02 / 24 / 015

Carried (8-0)

GENERAL BUSINESS

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

2016 Sunflower Festival Parade

Resolution:

Cr Sypher moved and seconded by Cr Nixon "That Central Highlands Regional Council enter a float in the 2016 Sunflower Festival Parade."

2016 / 02 / 24 / 016

Carried (8-0)

Attendance

Manager Water Utilities P. Manning attended the meeting at 11.34am

Blackwater Water Treatment Plant Upgrade

Manager Water Utilities P. Manning provided Councillors with a verbal update regarding the progress of the Blackwater Water Treatment Plant upgrade project.

CLOSURE OF MEETING

There being no further business, the Mayor closed the meeting at 11.36am

CONFIRMED

MAYOR

DATE