



General Meeting of Council

MINUTES

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

Tuesday 8 November 2016

Commenced at 2.00pm

CENTRAL HIGHLANDS REGIONAL COUNCIL

GENERAL MEETING OF COUNCIL

TUESDAY 8 NOVEMBER 2016

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MINUTES – GENERAL MEETING
HELD AT 2.00PM TUESDAY 8 NOVEMBER 2016 IN THE CENTRAL HIGHLANDS REGIONAL
COUNCIL CHAMBERS, EMERALD OFFICE

PRESENT

Councillors

Councillor (Crs) K. Hayes (Mayor), G. Godwin-Smith (Deputy Mayor)
Councillors (Crs) P. Bell AM, C. Brimblecombe, D. Lacey, A. McIndoe, G. Nixon and C. Rolfe

Officers

Chief Executive Officer S. Mason, General Manager Communities B. Duke, General Manager Corporate Services J. Bradshaw, Executive Manager Governance M. Uren, Manager Technical Services S. Ripper, Coordinator Communications A. Ferris, Minute Secretary M. Wills

APOLOGIES

Cr M. Daniels

LEAVE OF ABSENCE

That a leave of absence be granted for Cr Daniels (as previously granted) for today's meeting.

Resolution:

Cr Lacey moved and seconded by Cr McIndoe "That a leave of absence be granted for Cr Nixon for the Leadership and Governance Standing Committee for 9 November 2016."

2016 / 11 / 07 /001

Carried (8-0)

Opening Prayer

Pastor Steve Gellatly from the Emerald Baptist Church delivered the opening prayer.

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

General Council Meeting: 24 October 2016

Resolution:

Cr Godwin-Smith moved and seconded by Cr McIndoe "That the minutes of the previous General Meeting held on 24 October 2016 be confirmed."

2016 / 11 / 08 /002

Carried (8-0)

Business Arising Out Of Minutes

Nil

Outstanding Meeting Actions

Cr Nixon enquired on the status of the expression of interest for the Work Camp for Capella.

Conflict of Interest, Personal Gifts and Benefits

Cr Nixon declared that she had received a gift pen and notebook set from the Emerald Christian College at the awards presentation night held on 1 November 2016.

Petitions (if Any)

Nil

COMMITTEE RECOMMENDATIONS / NOTES

Minutes of Meeting – Communities Standing Committee Meeting: 24 October 2016

Resolution:

Cr Brimblecombe moved and seconded by Cr Godwin-Smith “That the minutes of the Communities Standing Committee Meeting held on 24 October 2016 be endorsed.”

2016 / 11 / 08 /003

Carried (8-0)

INFRASTRUCTURE AND UTILITIES' SECTION

Hospital Road - Egan Street Carpark

Executive summary:

Rio Tinto Kestrel Mine is seeking permission to use Central Highlands Regional Council's car park at the corner of Hospital Road and Egan Street, Emerald. The car park was built in 2012 using a contribution from BHP Mitsubishi Alliance (BMA). Following the closure of Gregory and Crinum mines, BMA no longer uses the site.

Resolution:

Cr Nixon moved and seconded by Cr Brimblecombe “That Rio Tinto be advised that Central Highlands Regional Council offers no objection to the use of the car park on Hospital Road. Further to that, a request be made to Rio Tinto for a financial contribution to assist in the maintenance of car parking infrastructure across the Central Highlands Region.”

2016 / 11 / 08 /004

Carried (7-1)

Attendance

Public Liaison Officer (Infrastructure and Utilities) D. Gluzde attended the 2.35pm

Emerald Flood Protection Scheme - Project Update November 2016

Executive summary:

This report is an update of Central Highlands Regional Council's flood risk management initiatives as part of the Emerald Flood Protection Scheme (EFPS), following a previous report to the General Meeting on 24 May 2016. At that meeting, Council adopted a broader multi-faceted approach to flood mitigation as follows:

1. Complete the Business Case (Proof of Concept) for the Emerald Flood Protection Scheme for the Recommended Option (Preferred Levee Alignment);
2. Engage State Government to remove the existing constraints of both the bridge crossings on the Nogoia River by upgrading the Vince Lester Bridge and Queensland Rail Bridge, which will also serve as reliable evacuation route; and
3. Further pursue approvals from State Government for a more aggressive approach to river clearing and excavation to achieve longer term flood mitigation outcomes.

Further an update is provided on status and progress of all current flood mitigation projects as well as associated public liaison activities.

Resolution:

Cr Bell moved and seconded by Cr Brimblecombe “That Central Highlands Regional Council acknowledge that the Emerald Flood Protection Scheme Levee Business Case will not be completed until March, 2017.

Further, and that while Council is discontent in not honouring the community expectation for completion by the end of 2016, Council requests that the Final Report be formally presented to its General Meeting of April 11, 2017 for consideration.”

2016 / 11 / 08 / 005

Carried (7-1)

Attendance

Public Liaison Officer (Infrastructure and Utilities) D. Gluzde left the 2.57pm

Coordinator Development and Planning M. Huelin and Principal Planner Development Assessment S.

Ronnfeldt attended the meeting at 2.57pm

COMMUNITIES' SECTION

4066/09 - 11 Roberts Street Emerald - Request to Extend Relevant Period Material Change of Use - 44 Units (Multiple Dwelling)

Executive Summary

Council is receipt of an application to extend the relevant period of approval of a development proposed to be located at 11 Roberts Street, Emerald. Development Permit 4066/09 Material Change of Use: Multiple Dwelling (44 units) was issued on 10 September 2012 with a four year relevant period. The ‘roll forward’ provisions under the *Sustainable Planning Act 2009* applied to the development when an Operational Works Approval was granted with two years of the planning approval, bringing the expiration date to 29 October 2016. The applicant has requested an extension of a further two years from this date. (ie 29 October 2018).

The *Sustainable Planning Act 2009* sets criteria for the assessment of applications applying to extend the relevant period of approval. A new planning scheme has come into effect and significant studies have been undertaken in regards to flooding since the initial approval. The plans associated with the development are not consistent with Council's current policies and, given the passage of time, the community awareness of the application is likely to have diminished. For these reasons, it is recommended that an extension to the relevant period of approval be refused.

Resolution:

Cr Godwin-Smith moved and seconded by Cr Lacey “That the application for a Request to Change an Existing Approval and Request to Extend the Relevant Period for Material Change of Use: Multiple Dwelling (44 units) on land at 11 Roberts Street, Emerald described as Lot 27 on Survey Plan 186086, is **refused** on the following grounds:

Grounds of Refusal:

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 of conditions applying to the development.”

2016 / 11 / 08 / 006

Carried (8-0)

Attendance

Coordinator Development and Planning M. Huelin and Principal Planner Development Assessment S. Ronnfeldt left the meeting at 3.01pm.

General Manager Communities B. Duke left the meeting at 3.03pm

CORPORATE SERVICES' SECTION

2016 2017 Budget Review 1

Executive summary:

Council adopted the Budget for the 2016/17 financial year in early July 2016 along with long term financial forecasts based on the activities in the operational plan and other key strategic documents. With the first quarter of the financial year complete it is timely to review our performance against the budget. During the course of the year variances may occur and Council may decide to vary its budget by resolution.

The 2016/17 budget has been reviewed based on actual results to the end of September 2016 and a number of changes are proposed to reflect the operational changes and those capital expenditure projects that were carried forward for completion in the 2016/17 financial year. There are no forecast changes to the operating result forecast for the 2016/17, as changes proposed have no net impact upon the forecast result. The capital expenditure has been increased by \$7.7M to \$76,618,570 to reflect works carried forward from the 2015/16 financial year that were commenced and not completed.

Resolution:

Cr McIndoe moved and seconded by Cr Rolfe "That in accordance with sections 169 and 170 of the *Local Government Regulation 2012* Central Highlands Regional Council adopt the amendments to the budget including:-

1. The statement of comprehensive income
2. The statement of financial position
3. The statement of cash flow
4. The statement of change in equity
5. The key financial sustainability metrics
6. Capital program 2016/17."

2016 / 11 / 08 / 007

Carried (8-0)

CHIEF EXECUTIVE OFFICER' REPORT

Selection Panel - General Manager Communities

Executive summary:

The employment contract of the current incumbent in the General Manager Communities position will expire in early 2017, and work has now commenced on the recruitment process for a new General Manager Communities. Subject to the successful identification and shortlisting of a suitable candidate pool, it is intended that interviews be conducted in early to mid-December 2016 to select a replacement for this key executive position. A panel for the selection process is required to be established in accordance with Section 196, subsections (4), (5) and (6) of the Local Government Act 2009 (the Act).

Resolution:

Cr Nixon moved and seconded by Cr Rolfe “That the Central Highlands Regional Council recruitment selection panel for the position of General Manager Communities be comprised of the Mayor Cr Kerry Hayes, Deputy Mayor Cr Gail Godwin-Smith, Cr Brimblecombe and the Chief Executive Officer Scott Mason. Further, and in accordance with the provisions of section 196 of the Local Government Act 2009, which pertains to the appointment of senior executive employees, the constituted and responsible panel proper will comprise the Mayor, Deputy Mayor and Chief Executive Officer only.”

2016 / 11 / 08 / 008

Carried (8-0)

GENERAL BUSINESS

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

Cr Nixon

- CHRC Race Day on 19 November 2019 in Emerald and suggested that a gold coin donation for entry with the proceeds being donated to the Emerald Neighbourhood Centre for the Linking Alms Appeal.

Cr Lacey

- Raised that the Emerald Airport is experiencing a number of car parking issues with fee evasion with users car trailing through the boom gates.

Cr Hayes

- Advised Council that a number of nominations have been accepted by the LGAQ for the following advisory groups:
 - Cr Rolfe on the LGAQ Roads and Transport Advisory Group; and
 - Cr Bell on the LGAQ Resources Communities Advisory Group

Chief Executive Officer S. Mason advised that the Mayor has also been accepted on the LGAQ Economic Development Advisory Group.

CLOSED SESSION

Into Closed Session

Resolution

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

2016 / 11 / 08 / 009

Carried (8-0)

The meeting was closed at 3.25pm

Attendance

Coordinator Communications A. Ferris left the meeting 3.25pm
Land Development Officer P. Ngwira and Manager Water Utilities P. Manning attended the meeting
General Manager Communities B. Duke attended the meeting at 3.29pm
Land Development Officer P. Ngwira left the meeting 3.43pm
Cr Lacey left the meeting at 3.43pm
Cr Lacey returned to the meeting at 3.45pm

Out of Closed Session

Resolution

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

2016 / 11 / 08 / 010

Carried (8-0)

The meeting was opened at 4.39pm

Proposed Acquisition of Land in Rubyvale

Executive summary:

Council has been made aware of residential land being put to the market for sale in Rubyvale. The property owner has offered the land to Council for purchase prior to placing the land for sale to the open market. The lots offered are vacant with water services, but no sewerage services. The acquisition of this land is ideally located for the future development of the Rubyvale Township. It is also an opportune economic climate for acquisition of the land for banking purposes.

Resolution:

Cr McIndoe moved and seconded by Cr Lacey “That Central Highlands Regional Council authorise the Chief Executive Officer or delegate to obtain an independent market valuation of the properties and to enter into negotiations with the property owner for the purposes of acquiring the properties at reasonable market value.”

2016 / 11 / 08 / 011

Carried (8-0)

Blackwater Mine Workers Club Administration

Executive summary:

Council has been requested by the Board of the Blackwater Mine Workers Club / Country Club to give further consideration to requests for support and assistance to allow the club to present a proposal to the Administrators for a further "Deed of Company Arrangement" to allow the Club to continue trading. Council has been requested for a decision on the request as a matter of urgency to allow the Club to submit to the Administrators by the 26 November 2016.

Considered by Council.

CLOSURE OF MEETING

There being no further business, the Mayor closed the meeting at 4.41pm.

CONFIRMED

MAYOR

DATE