



**General Meeting of Council**

# **MINUTES**

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

**Tuesday 13 December 2016**

**Commenced at 2.00pm**

# CENTRAL HIGHLANDS REGIONAL COUNCIL

## GENERAL MEETING OF COUNCIL

TUESDAY 13 DECEMBER 2016

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**MINUTES – GENERAL MEETING**

**HELD AT 2.00PM TUESDAY 13 DECEMBER IN THE CENTRAL HIGHLANDS REGIONAL COUNCIL CHAMBERS, EMERALD OFFICE**

**PRESENT**

**Councillors**

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

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

**Officers**

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

**Attendance**

Cr Bell attended the meeting at 2.01pm

**APOLOGIES**

Nil

**LEAVE OF ABSENCE**

**Resolution:**

Cr Godwin-Smith moved and seconded by Cr Nixon “That a leave of absence be granted for Cr McIndoe for the meetings on 14 February 2017.”

2016 / 12 / 13 / 001

Carried (9-0)

**OPENING PRAYER**

Cr Rolfe lead the opening prayer for today’s meeting.

**CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**General Council Meeting: 22 November 2016**

**Resolution:**

Cr Nixon moved and seconded by Cr Brimblecombe “That the minutes of the previous General Council Meeting held on 22 November 2016 be confirmed.”

2016 / 12 / 13 / 002

Carried (9-0)

**BUSINESS ARISING OUT OF MINUTES**

Nil

**OUTSTANDING MEETING ACTIONS**

Nil

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

Cr Hayes declared that he received a gold card from Virgin Australia and that he has a perceived conflict of interest in the Development Applications 4121/11 and 4080/10 on today's agenda.

Cr Rolfe declared hospitality from Queensland Local Government Mutual

Cr Daniels declared hospitality from Rio Tinto

Cr Godwin-Smith declared hospitality from McArthurs

## **PETITIONS (IF ANY)**

Nil

## **COMMITTEE RECOMMENDATIONS / NOTES**

### **Minutes of Meeting – Audit Committee Meeting: 21 November 2016**

#### **Resolution:**

Cr Brimblecombe moved and seconded by Cr Rolfe "That the minutes of the Audit Committee Meeting held on 21 November 2016 be endorsed subject to an amendment to include CEO Scott Mason's attendance."

2016 / 12 / 13 / 003

Carried (9-0)

### **Minutes of Meeting – Communities Standing Committee Meeting - 22 November 2016**

#### **Resolution:**

Cr Godwin-Smith moved and seconded by Cr Brimblecombe "That the minutes of the Communities Standing Committee Meeting held on 22 November 2016 be endorsed."

2016 / 12 / 13 / 004

Carried (9-0)

#### **Attendance**

Acting Manager Town Planning and Environment M. Lehmann, Acting Principal Planner J. Webster and Town Planner T. Allsop attended the meeting at 2.20pm.

## **INFRASTRUCTURE AND UTILITIES**

Nil

## **COMMUNITIES**

### **Rescinding of Request to Extend Currency Period Policy**

#### **Executive summary:**

A review has been undertaken of Council's "Request to extend currency period" policy as it relates to the *Sustainable Planning Act 2009 (SPA)*. The policy was drafted with the purpose of providing consistent guidelines for Council when considering requests to extend currency [*relevant*] periods associated with development approvals and ensuring currency periods are appropriate for the nature of the use proposed and known development circumstances. This policy has been found to be antiquated and does not value add to the provisions in SPA for making decisions about requests to extend relevant periods, rather it weakens Council's position at times. To facilitate the continued delivery of the strategic land use intent for the Central Highland Regional Council, the current Policy Statement on requests to extend currency [*relevant*] periods should be rescinded and the provisions in the *Sustainable Planning Act 2009* relied upon.

**Resolution:**

Cr Brimblecombe moved and seconded by Cr Rolfe “That Central Highlands Regional Council rescinds Council's "Request to extend currency period" policy on the basis that the *Sustainable Planning Act 2009* legislates provisions for deciding requests to extend relevant periods.”

**2016 / 12 / 13 / 005**

Carried (9-0)

Conflict of Interest

Cr Hayes declared a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to land ownership in the area of the development applications and dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter. Cr Hayes left the room at 2.24pm

Cr Godwin-Smith assumed the chair.

**Development Application – 4121/11 – Dave And Kerrie McMaster – 117 Glengallan Road, Emerald**

**Executive summary:**

A request has been submitted to change and extend the relevant period of an existing approval for a staged reconfiguring a Lot: 1 lot into 5 lots on land located at 117 Glengallan Road, Emerald, described as Lot 2 on RP893387.

The changes relate only to the details contained within Conditions 1, 10, 11, 12 and 13 and do not alter the development intent as originally approved. The applicant has also requested to extend the relevant period of the existing approval for three (3) years in order to continue the works started to complete the development and submit the Survey Plan.

The *Sustainable Planning Act 2009* determines what the assessment manager must have regard to when deciding requests of this nature. Significant statutory changes have been made in the time since the approval was issued and it is considered that the approved development is inconsistent with the current intent of the land. In this regard, the extension time requested by the applicant is recommended to be not supported in this instance and a two (2) year extension is considered more appropriate providing adequate time to complete the development. The applicant has stated that a two (2) year extension would also be acceptable for the completion of the works.

Attendance

Cr McIndoe left the meeting at 2.37pm

Cr McIndoe returned to the meeting at 2.37pm

**Resolution:**

Cr Bell moved and seconded by Cr Daniels “That the application for a Request to Change an Existing Approval and Request to Extend the Relevant Period for a staged Reconfiguring a Lot: One (1) Lot into five (5) Lots on land located at 117 Glengallan Road, Emerald described as Lot 2 on RP893387, is **approved** subject to the following conditions:

Delete Condition 1 as detailed in the Decision Notice:

**13. APPROVED PLAN**

Undertake development as detailed in the following schedule in accordance with the stamped approved plans of development and documents and any amendment arising through conditions of this of this development approval:

Drawing Name	File No./Job No.	Date	Prepared by
Proposed Subdivision	45072-(Proposal-C)-	03/08/12	Murray & Associates (Qld) Pty

of Lot 2 on RP893387 T	McMaster.dwg – Revision C		Ltd Consulting Surveyors
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is approval has a currency period of four (4) years from the date of approval, and will remain in force until 17 October 2016. 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:**

Prior to the release of Survey Plan.

Replace Condition 1 with:

**1. APPROVED PLAN  
(AMENDMENT 1 – 13 DECEMBER 2016)**

Undertake development as detailed in the following schedule generally in accordance with the stamped approved plans of development and documents and any amendment arising through conditions of this of this development approval:

Drawing Name	File No./Job No.	Date	Prepared by
Proposed Subdivision of Lot 2 on RP893387	45072-(Proposal-C)- McMaster.dwg – Revision C	03/08/12	Murray & Associates (Qld) Pty Ltd Consulting Surveyors

This approval has a currency period of ~~four (4)~~ six (6) years from the date of approval, and will remain in force until ~~17 October 2016~~ 17 October 2018. 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:**

Prior to the release of Survey Plan.

Delete Condition 10 as detailed in the Decision Notice:

**10. DEVELOPMENT STANDARDS – ACCESS HANDLES (As amended by Council on 4 January 2013)**

Design and construct the new access handle servicing proposed Lots 2, 3 and 4 incorporating a 4 metre wide driveway within the 10 metre wide access handle in accordance with the *Capricorn Municipal Development Guidelines* and *Emerald Shire Planning Scheme (Amendment No. 1) 2009*.

Seal the new access handle from the access crossover in Glengallan Road to a distance of 20 metres past the existing dwelling unit located on proposed Lot 5 incorporating a width of 4 metres.

**Timing:**

Prior to release of Survey Plan.

Replace Condition 10 with:

**10. DEVELOPMENT STANDARDS – ACCESS HANDLES (INTERNAL ROADWORKS)  
(AMENDMENT 2 – 13 DECEMBER 2016)  
(AMENDMENT 1 – 04 JANUARY 2013)**

Design and construct the new access handle (**internal roadworks**) servicing proposed Lots 2, 3 and 4 incorporating a 4 metre wide driveway within the 10 metre wide access handle in accordance with the *Capricorn Municipal Development Guidelines* and *Emerald Shire Planning Scheme (Amendment No. 1) 2009*.

Seal the new access handle from the access crossover in Glengallan Road to a distance of 20 metres past the existing dwelling unit located on proposed Lot 5 incorporating a width of 4 metres.

**Timing:**

Prior to release of Survey Plan.

Delete Condition 11 as detailed in the Decision Notice:

**11. DEVELOPMENT STANDARDS – ACCESS CROSSOVERS (As amended by Council on 4 January 2013)**

Design and construct the new access driveway between the road pavement in Glengallan Road and the property boundaries for proposed Lots 1 and 3 incorporating a minimum pipe width dimension of 600mm and width of 4 metres as shown on the approved plan of development and in accordance with the *Capricorn Municipal Development Guidelines Standard Drawing CMDG-R-040, Revision A*.

Upgrade and maintain the existing access driveway for proposed Lot 5 incorporating a width of 4 metres in accordance with the *Capricorn Municipal Development Guidelines Standard Drawing CMDG-R-040, Revision A*.

**Timing:**

Prior to release of Survey Plan.

Replace Condition 11 with:

**11. DEVELOPMENT STANDARDS – ACCESS CROSSOVERS (AMENDMENT 2 – 13 DECEMBER 2016) (AMENDMENT 1 – 04 JANUARY 2013)**

Design and construct the new access driveway between the road pavement in Glengallan Road and the property boundaries boundary for proposed Lots 1 and 3 incorporating a minimum pipe width dimension of 600mm and with a width of 4 metres. **Location to be** as shown on the approved plan of development and **construction** in accordance with the *Capricorn Municipal Development Guidelines Standard Drawing CMDG-R-040, Revision A*.

Upgrade and maintain the existing access driveway for proposed Lot 5 incorporating a width of 4 metres in accordance with the *Capricorn Municipal Development Guidelines Standard Drawing CMDG-R-040, Revision A*.

**Timing:**

Prior to release of the Survey Plan

Delete Condition 12 as detailed in the Decision Notice:

**12. DEVELOPMENT STANDARDS – CASH CONTRIBUTION IN LIEU OF WORKS (As amended by Council on 4 January 2013)**

As an alternative to the construction of Glengallan Road, the applicant/developer must pay Thirty-Six Thousand (\$36,000.00) Dollars as a cash contribution to the Council in lieu of constructing the works.

Stage	Cash Contribution
Stage 1	\$7,200.00
Stage 2	\$28,800.00
<b>Total</b>	<b>\$36,000.00</b>

**Timing:**

Prior to release of Survey Plan.

Delete Condition 13 as detailed in the Decision Notice:

**13. DEVELOPMENT STANDARDS – ROAD CONSTRUCTION**

Construct Glengallan Road as follows:

- i) The frontage of the land:

From the end of the existing seal on the western boundary of the land to the eastern boundary; Glengallan Road must be constructed with a 7 metre wide seal consisting of a hot sprayed bitumen prime and two seal coats.

The proposed work must be located on an appropriate alignment within the existing formation.

The pavement must be designed and constructed to Council's standards. The existing pavement may be reused to construct a lower pavement layer. An appropriate gravel shoulder shall be provided on both sides of the proposed seal.

- ii) Associated signage and road edge guide posts:  
All appropriate signage and road edge guide posts must be provided.

**Timing:**

Prior to release of survey plan and maintained at all times thereafter

Replace Condition 13 with:

**13. DEVELOPMENT STANDARDS – ROAD CONSTRUCTION**

Construct Glengallan Road as follows:

- iii) The frontage of the land:  
From the end of the existing seal on the western boundary of the land to the eastern boundary; Glengallan Road must be constructed with a 7 metre wide seal ~~consisting of a hot sprayed bitumen prime and two seal coats.~~

The proposed work must be located on an appropriate alignment within the existing formation.

The pavement must be designed and constructed to Council's standards. The existing pavement may be reused to construct a lower pavement layer. An appropriate gravel shoulder shall be provided on both sides of the proposed seal.

- iv) Associated signage and road edge guide posts:  
All appropriate signage and road edge guide posts must be provided.

**Timing:**

Prior to release of survey plan and maintained at all times thereafter

**2016 / 12 / 13 / 006**

Carried (8-0)

**Development Application– 4080/10 – Katharina Sicklinger C/- Landpartners – 48 and 70 Stones Road, Emerald**

**Executive summary:**

Council received a request to extend the relevant period of an existing approval on 01 November 2016. The Development Permit with reference number 4080/10 for Reconfiguring a Lot: Two (2) Lots into Five (5) Lots located at 48 and 70 Stones Road, Emerald was issued on 22 December 2010 for a four (4) year relevant period. In 2014 an extension request was approved through an appeal order granted by the Planning and Environmental Court, extending the relevant period to 23 December 2016. The applicant has requested an extension for a further four (4) years from this date, to 23 December 2020.

The *Sustainable Planning Act 2009* sets criteria for the assessment of applications applying to extend the relevant period of approval. Significant statutory changes have taken place since the time the extension was approved with the adoption of a new planning scheme, which sets clear land use intent for the subject sites and strategic direction for the surrounding locality, Emerald and the Central Highlands as a whole. The approved development is not considered to be consistent with Council's current policies. At the time of approval the application was assessed as a code application thus no public notification was required. Given



the amount of time and changes in planning schemes, the community awareness of the application is also likely to be very low.

In addition, this is the second extension request that has been made for this approval and to date the development has not been acted on during the six (6) year current approval period. For these reasons and the grounds stated in the recommendation, it is recommended that an extension to the relevant period of approval be refused.

**Resolution:**

Cr Rolfe moved and seconded by Cr Brimblecombe “That the application for a Request to Extend the Relevant Period for Reconfiguring a Lot: Two (2) Lots into five (5) Lots on land at 48 and 70 Stones Road, Emerald described as Lots 4 and 5 on RP616244, is **refused** on the following grounds:

Grounds of Refusal:

1. Laws and policies have changed since the time of the original approval issued. The development approval is inconsistent with the current State planning instruments, specifically:
  - a. State Planning Policy as the approval does not progress the State Interest for agricultural preservation and pursuits.
  - b. The Central Queensland Regional Plan as the site is identified within the Agricultural Priority Development Area and results in fragmentation of good quality agricultural land.
2. The development approval was approved in accordance with a local planning instrument, *Emerald Shire Planning Scheme (Amendment 1) 2008*, that no longer has force and effect and is out dated as it does not reflect the current laws and policies.
3. The State interests are reflected within the *Central Highlands Regional Council Planning Scheme 2016 (Amendment 1)* and the development approval is inconsistent with the intent of the Rural Zone Code, Agricultural Overlay Code and the future intent indicated by the Strategic Framework, as reflected within the current laws and policies.
4. The applicant retains the right to make a new application to Council under the current and superseded local planning instruments. Further rights to make a submission would be available if the application was re-made today as the application is subject to impact assessment under both the current *Central Highlands Regional Council Planning Scheme (Amendment No. 1) 2016* and the superseded *Emerald Shire Planning Scheme ) Amendment No. 3) 2013*.
5. Community consultation has been carried out for the law and policy changes that have occurred since the time of approval, specifically in 2013 and 2014. Community awareness of these changes would reasonably be considered high. Notwithstanding this, the development approval was subject to code assessment and did not require public notification and therefore it could be reasonable considered that community awareness of the development approval is low.
6. A considerable amount of time has lapsed since the development approval in 2010 and no action has been taken by the developer to progress the development. A further extension of four years, as requested by the applicant, to complete the development cannot be supported due to the significant changes in laws and policies since the time of approval.

***Resolution:***

Cr McIndoe moved and seconded by Cr Godwin-Smith “That Central Highlands Regional Council approve a two (2) year extension to an existing approval for reconfiguring a Lot on land at 48 and 70 Stones Road, Emerald, described as Lots 4 and 5 on RP 616244, subject to the issue of an amended infrastructure charges notice to ensure charges align with current charges.”

**2016 / 12 / 13 / 008**

**Procedural Motion**

Cr Brimblecombe moved that the motion lie on the table.”

**2016 / 12 / 13 / 009**

Carried (8-0)

**Attendance**

Cr Hayes returned to the meeting at 3.03pm and resumed the chair  
General Manager B. Duke left the meeting at 3.05pm

**4037/15 - Wallaby Hill Extractive Industry - Request for Infrastructure Charges Waiver**

**Executive summary:**

On 19 September 2016 Council approved, by delegated authority, an application for a Development Permit for a Material Change of Use: Extractive industry (quarry) up to 50,000 tonnes of material per annum. The approval was levied \$8,500 in infrastructure charges in accordance with Council's Charges Resolution Number 10, 2015. A request has been received from Millibourne Pty Ltd seeking to have the infrastructure charges associated with this recent development approval either waived or substantially reduced.

***Resolution:***

Cr Bell moved and seconded by Cr McIndoe “That Central Highlands Regional Council requires the applicant to pay the infrastructure charges calculated in accordance with *Central Highlands Regional Councils Charges Resolution (No. 10) 2015*, as currently levied on the development approval in full, through written agreement to pay \$1,200 per annum.”

**2016 / 12 / 13 / 010**

Carried (8-1)

**Proposed Alignment Amendment to the Central Highlands Regional Council Planning Scheme**

**Executive summary:**

In preparation for the *Planning Act 2016* commencing on 3 July 2017 the Minister for the Department of Infrastructure, Local Government and Planning has made the rules, *Statutory Guideline - Alignment Amendment Rules*, for Local Governments to perform an alignment amendment to their local planning instrument. The preparation of an alignment amendment will assist Council, the development sector and the local community in transitioning to operations under the *Planning Act 2016*.

***Resolution:***

Cr Rolfe moved and seconded by Cr Godwin-Smith “That Central Highlands Regional Council decide to propose to make an alignment amendment to the *Central Highlands Regional Council Planning Scheme* in accordance with section 293 of the *Planning Act 2016* and *Statutory Guideline - Alignment Amendment Rules* for the purpose of being Day 1 ready for the commencement of the new Queensland Planning Act 2016.”

**2016 / 12 / 13 / 011**

Carried (9-0)

Attendance

Acting Manager Town Planning and Environment M. Lehmann, Acting Principal Planner J. Webster and Town Planner T. Allsop left the meeting at 3.14pm.  
Manager Finance S. Fogg attended the meeting at 3.15pm  
Coordinator Governance L. Fry attended the meeting at 3.18pm

## CORPORATE SERVICES

### Monthly Financial Report - November 2016

**Executive summary:**

A Financial Report which summarises the financial performance and position of the Central Highlands Regional Council is presented each month to provide a snapshot 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 Rolfe moved and seconded by Cr Daniels "That Central Highlands Regional Council receive the Monthly Financial Report for the period ended 30 November 2016."

2016 / 12 / 13 / 012

Carried (9-0)

Attendance

Manager Finance S. Fogg left the meeting at 3.32pm

## GOVERNANCE

### Operational Plan - Quarter One Performance Report

**Executive summary:**

The *Local Government Regulation 2012* requires a written assessment of the organisation's progress towards implementation of the annual Operational Plan be presented to a meeting of the council at regular intervals of no more than three months.

The Operational Plan Performance Report for the first quarter ending 30 September 2016 was tabled at the Leadership and Governance Standing Committee at its meeting on 9 November 2016 and endorsed for presentation to, and adoption by council.

This report is to advise council of the organisation's performance in delivering the Operational Plan activities and services during the first quarter and to present the first performance report in its new format.

**Resolution:**

Cr Nixon moved and seconded by Cr Lacey "That Central Highlands Regional Council adopt the Operational Plan Performance Report for the first quarter ending 30 September 2016 in accordance with Section 174 of the *Local Government Regulation 2012*."

2016 / 12 / 13 / 013

Carried (9-0)

Attendance

General Manager Central Highlands Development Corporation S. Hobbs attended the meeting at 3.48pm  
Coordinator Governance L. Fry left the meeting at 3.49pm

General Manager Communities B. Duke returned to the meeting 3.52pm  
General Manager Communities B. Duke left the meeting at 3.54pm  
Chief Executive Officer S. Mason left the meeting at 3.55pm  
General Manager Communities B. Duke returned to the meeting at 3.56pm

## **COMMERCIAL SERVICES**

Nil

## **CENTRAL HIGHLANDS DEVELOPMENT CORPORATION**

### **Central Highlands Development Corporation - Service Level Agreement Update**

#### **Executive summary:**

The report provides an update on the Central Highlands Development Corporations activity for the month of November-December as required through the Service Level Agreement (SLA) performance requirements for the delivery of new and approved projects in addition to management and administration of the organisation.

Central Highlands Development Corporation (CHDC) works in collaboration with CHRC, stakeholders, businesses, the community and government to activate and accelerate sustainable and cohesive responses through innovative and, entrepreneurial strategies that facilitate the opportunities to grow the regions potential and future sustainability.

Considered by Council.

#### Attendance

General Manager Central Highlands Development Corporation S. Hobbs left the meeting at 4.06pm

## **CHIEF EXECUTIVE OFFICER**

Nil

## **GENERAL BUSINESS**

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

Nil

#### Adjournment

The meeting was adjourned at 4.08pm  
The meeting resumed at 4.17pm

#### Attendance

Chief Executive Officer S. Mason returned to the meeting when the meeting resumed  
Acting Manager Town Planning and Environment M. Lehmann, Acting Principal Planner J. Webster, Town Planner T. Allsop attended the meeting at 4.17pm.

Conflict of Interest

Cr Hayes declared a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to land ownership in the area of the development applications and dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter. Cr Hayes left the room at 4.16pm

Cr Godwin-Smith assumed the Chair

Attendance

Cr Lacey left the meeting at 4.17pm

Cr Lacey returned to the meeting at 4.18pm

Procedural Motion

Cr Brimblecombe moved that the following matter be lifted from the table.

**2016 / 12 / 13 / 014**

Carried (6-2)

**Development Application – 4080/10 – Katharina Sicklinger C/- Landpartners – 48 and 70 Stones Road, Emerald**

***Resolution:***

Cr McIndoe moved and seconded by Cr Godwin-Smith “That Central Highlands Regional Council approve a two (2) year extension to an existing approval for reconfiguring a Lot on land at 48 and 70 Stones Road, Emerald, described as Lots 4 and 5 on RP 616244, subject to the issue of an amended infrastructure charges notice to ensure charges align with current charges.”

***Amendment:***

Cr Bell moved and seconded by Cr Daniels “That Central Highlands Regional Council, due to extenuating circumstances acknowledged by Councillors, approves an extension of the relevant period to 23 February 2017 to an existing approval for Reconfiguring Lot on Land at 48 and 70 Stones Road, Emerald described as Lots 4 and 5 on RP616244 on the following grounds:

1. Provide the Chief Executive Officer with a programme to complete all required works applicable to the approval prior to 23 February 2017. This programme must include a schedule of works to complete the development within a timeframe of less than two (2) years; and
2. Subject to the Chief Executive Officer receiving and approving the above mentioned programme, the applicant may lodge a request to extend the relevant period of the approval to facilitate the endorsement of the Survey Plan; and
3. Council will not charge an application fee for this additional extension request; and
4. Council issues an amended infrastructure charge notice to ensure infrastructure charges align with current Charges Resolution's, which would be applicable to the development if the application were remade today.”

**2016 / 12 / 13 / 015**

Carried (5-3)

The amendment became the motion.

The motion was put.

**2016 / 12 / 13 / 016**

Carried (5-3)

Attendance

General Manager Communities B. Duke, Acting Manager Town Planning and Environment M. Lehmann, Acting Principal Planner J. Webster, Town Planner T. Allsop left the meeting at 4.29pm.

Cr Hayes returned to the meeting at 4.30pm and resumed the chair.

## **CLOSED SESSION**

### **Into Closed Session**

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

Cr Godwin-Smith moved and seconded by Cr Lacey “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 / 12 / 13 / 017**

Carried (9-0)

The meeting was closed at 4.31pm

#### Attendance

General Manager Community Services B. Duke left the meeting.

### **Mediation and Settlement of Claim Native Title Update - December 2016**

#### Attendance

Manager Information Services A. Jurd attended the meeting at 4.50pm

Corporate Software

### **Out of Closed Session**

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

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

**2016 / 12 / 13 / 018**

Carried (9-0)

The meeting was opened at 5.36pm

#### Attendance

Cr Daniels left the meeting at 5.36pm

### **Mediation and Settlement of Claim**

#### **Executive summary:**

Central Highlands Regional Council has had a long outstanding claim from a developer for works undertaken as a requirement under an Infrastructure Agreement and additional contracted trunk infrastructure works which included both disputed as well as defective works. The developer had submitted a draft of a Statement of Claim, based on their final, unpaid and disputed progress claim. Council took legal advice and agreed to mediation to settle the matter.

Considered by Council.

## **Native Title Update - December 2016**

### **Executive summary:**

To ensure council is provided with regular status updates on Native Title Claims and Determinations within the Central Highlands Regional Council area, an update will be provided to the General Council Meeting on a regular basis.

The following report provides updates in relation to the following Native Title Claims:

1. Barada Barna People – QUD380/2008 and Widi People of the Nebo Estate #2
2. Barada Kabalbara Yetimarala #1 – QUD383/2013
3. Gaangalu Nation People – QUD400/2012
4. Iman People #2 – QUD6162/1998
5. Wadja People – QUD422/2012
6. Western Kangoulu - QUD229/2013

Considered by Council.

## **LATE CLOSED SESSION**

### **Corporate Software**

#### **Executive summary:**

This report outlines the process and analysis undertaken to determine a preferred supplier for the supply and implementation of a new Corporate Business Software solution that will enable Council to provide better service to the community through modern systems and process and enable the operations to be undertaken more efficiently and effectively over the coming years. The software will enable the organisation to be more responsive and productive in the delivery of services to the community through improved use of technology and the way in which business is performed.

There has been a comprehensive process and analysis undertaken over recent months to provide this recommendation to allow Council to proceed to negotiate with a preferred supplier a contract for the supply, delivery and implementation of a new Corporate Business Software solution and the recommendation seeks approval for this to proceed. A further negotiation is required to finalise the approach and implementation phasing over the next two years.

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

Cr Rolfe moved and seconded by Cr Bell “That Central Highlands Regional Council approve the selection of Technology One as the preferred supplier for Council’s new Corporate Software solution as defined in Council’s Request for Quotation (RFQ No 2016 T014C) for the supply, installation, maintenance and support of a Council Business System , subject to negotiations between the Chief Executive Officer (or his delegate) and Technology One in reaching a satisfactory agreement in regard to final price, implementation delivery, resource supply and contract conditions, including the option to have the product supplied via Software as a Service (SaaS).

And further;

That Central Highlands Regional Council approve that the Chief Executive Officer be authorised to execute a contract between the Council and the successful supplier on completion of this agreement.”

Attendance

Cr Daniels returned to the meeting at 5.37pm

**CLOSURE OF MEETING**

There being no further business, the Mayor closed the meeting at 5.38pm

CONFIRMED

MAYOR

DATE