



General Council Meeting

Meeting of the Central Highlands Regional Council held in the **Council Chambers, 65 Egerton Street, Emerald** on

Tuesday, 13 February 2018
Commenced at 2.30pm

COUNCIL MINUTES

CENTRAL HIGHLANDS REGIONAL COUNCIL

GENERAL MEETING OF COUNCIL

TUESDAY 13 FEBRUARY 2018

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MINUTES – GENERAL COUNCIL MEETING
HELD AT 2.30PM TUESDAY 13 FEBRUARY 2018 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, A. McIndoe, G. Nixon, C. Rolfe and G. Sypher

Officers

Chief Executive Officer S. Mason, Acting General Manager Communities S. Poulter, 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

APOLOGIES

Nil

LEAVE OF ABSENCE

Resolution:

Cr Sypher moved and seconded by Cr Daniels “That a leave of absence be granted for Cr Bell for the meeting which is to be held on 27 February 2018.”

2018 / 02 / 13 / 001

Carried (9-0)

Opening Prayer

Pastor Chris Yelland from Calvary Christian Church delivered the opening prayer.

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

General Council Meeting: 23 January 2018

Resolution:

Cr Sypher moved and seconded by Cr Brimblecombe “That the minutes of the previous General Council Meeting held on 23 January 2018 be confirmed.”

2018 / 02 / 13 / 002

Carried (9-0)

Business Arising Out Of Minutes

Cr Bell requested some clarity over the SunWater Emergency Warning System resolution and requested that Council reconsider the third section of the resolution. Chief Executive Officer S. Mason advised that he will arrange for a further report to Council for the next meeting with regards to the status of this project.

Cr Bell moved a notice of motion to propose a change to resolution 2018/01/23/012 to remove reference to the “Natural Disaster Relief Funding” in reference to the SunWater Emergency Warning System resolution.

Motion lapsed for want of a seconder.

Outstanding Meeting Actions

Nil

Review of Upcoming Agenda Items

Nil

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

Councillors P. Bell and G. Godwin-Smith declared a conflict of interest in item 20.1 Closed Session Agenda item regarding the GP Super Clinic due to their membership on the Board of the GP Super Clinic / Central Highlands Healthcare Limited.

PETITIONS (IF ANY)

Nil

Attendance

Acting Manager Development and Environment K. Worsley, Coordinator Development and Planning S. Mattner, Principal Planner S Ronnfeldt attended the meeting at 3.02pm

COMMUNITIES

Material Change of Use: Intensive Animal Industry (Paringa Feedlot Expansion)

Executive summary:

This application seeks to expand an existing beef cattle feedlot north of Capella. The facility has been operating since 2010 with a capacity of 4,000 standard cattle units (SCU). The current proposal would increase the capacity to 17,600 SCU with an average stocking density of 13.6 square metres per SCU. The subject lot is located in the rural zone where Intensive animal keeping is anticipated as a land use type and is within close proximity of necessary inputs (grain, labour, stock). The development is seeking a change of land use from Animal husbandry to Intensive animal industry on land adjacent to the existing operation.

The main planning and environmental issues associated with beef cattle feedlots relate to the potential impacts on air quality (odour, dust) water quality and quantity (contamination, depletion), noise disturbance, traffic movements and waste management. Three (3) submissions were received in relation to these issues. It is noted that six (6) submissions supported the application.

The planning scheme zone and development codes seek to mitigate potential impacts through the use of appropriate setbacks and buffers from sensitive receptors. Additionally, both state and nationally recognised guidelines have been developed to ensure feedlots are designed efficiently and sustainably in support of value-adding primary industries. The proposed development has been assessed against the requirements of the Central Highlands Regional Planning Scheme 2016. It is considered that the proposed development is generally compliant and as such, the applicant should be provided with a Development Approval containing the conditions detailed in this report.

Resolution:

Cr Sypher moved and seconded by Cr Nixon "That the application for Material Change of Use: Intensive animal industry (17,600 Standard Cattle Units) on land located at 2535, 2677, 3007 and 3847 Retro Corry Road, Capella, described as Lot 15 on CLM296, Lot 10 on CLM298, Lot 21 on CLM299 and Lot 20 on CLM299, is approved subject to the following conditions:

1. ADMINISTRATION

- (a) All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- (b) All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of use, unless otherwise stated.
- (c) Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior to the commencement of use, unless otherwise stated.

- (d) Development Permits for Operational Works and the Plumbing and Drainage Work must be obtained prior to the issue of a Development Permit for Building Works.
- (e) Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- (f) All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2. PARAMETERS OF APPROVAL

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

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

3. APPROVED USE

The use permitted under this development approval is for an *Intensive animal industry* (Feedlot – maximum 17,600 Standard Cattle Units).

Timing: At all times after commencement of the use.

4. APPROVED PLANS AND DOCUMENTS

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

Plan/Document Name	Plan/Document Reference	Dated
Proposed Feedlot Expansion – Development Application	FSA Consulting	30.09.2016
Paringa Feedlot Expansion – Traffic Impact Assessment	FSA0112-002/R01 B	25.09.2017
Paringa Feedlot Expansion - Site Based Management Plan	16T00-8510/1701225	29.09.2017

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

5. EXTENT OF DEVELOPMENT

All buildings, structures and infrastructure associated with the approved *Intensive animal industry* must be located entirely within the bounds of the development envelope as shown on the Approved Site Development Plan (refer to Condition 4)

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

6. WEED MANAGEMENT

All declared weeds located on the development site must be managed in accordance with local best practice and/or the Queensland Government Pest Factsheets.

Timing: To be maintained at all times.

7. AMENITY – LIGHTING

If angle or shade lighting is to be used to illuminate the premises, ensure light does not directly illuminate or cause any environmental nuisance (e.g. glare) to nearby premises or roads. Lighting must be provided in accordance with AS 4282:1997 *Control of the Obtrusive Effects of Outdoor Lighting* (as amended), *CPTED (Crime Prevention through Environmental Design) Guidelines* and *CASA guidelines Lighting Near Aerodromes: Advice to Lighting Designers*.

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

8. OPERATING PROCEDURES

All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Retro Corry Road.

The sedimentation and holding ponds must be designed, constructed and managed to prevent overflow into the water course proximal to the development area. Contaminants must not be permitted to discharge into drainage lines or onto adjoining properties.

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

9. ROADWORKS – RETRO CORRY ROAD

Access: The heavy vehicle access (northern access) from Retro-Corry Road to the feedlot is to be upgraded to a Basic Auxiliary Right (BAR) for northbound traffic and Basic Auxiliary Left (BAL) for southbound traffic, in accordance with the AUSTRROADS Guide to Road Design Part 4A: Unsignalised and signalised intersections.

Pavement: Pavement shall be designed in accordance with the Capricorn Municipal Development Guidelines, Pavement Design D2 Design Guidelines. Design of the access geometry and pavement is to be certified by a Registered Professional Engineer of Queensland (RPEQ) and submitted to Central Highlands Regional Council for approval as an Operational Works Application prior to commencing work.

Timing: At Operational Works application stage.

10. SITE BASED STORMWATER MANAGEMENT PLAN

All stormwater, with the exception of water captured onsite in rainwater tanks, is to be drained from the site without causing annoyance or nuisance to any person to a point where it may be lawfully discharged.

In doing so the developer/owner must:

- Design the drainage system to cater for the fully developed upstream catchment, including designated points for concentrated inflow to the site.
- 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 sedimentation and/or erosion.
- Not cause concentration of flows on adjoining properties, including existing electricity infrastructure.
- Not cause ponding on the site or in adjoining properties, including existing electricity infrastructure.
- Ensure that 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.

The Stormwater Management system may be augmented by the provision of rain water tanks on site.

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

A Site Based Stormwater Management Plan (SBSMP) prepared by Register Practicing Engineer Queensland (RPEQ) must be submitted to Council for approval.

Timing: At Operational Works application stage.

11. DECISION NOTICE AND AMENDED APPROVED PLAN TO BE RETAINED ON-SITE

A copy of this development approval, including all approved plans and documents, must be retained on site at all times. The conditions of this development approval must be read in conjunction with the approved plan to ensure consistency in construction, establishment and maintenance of approved works.

Timing: At all times.

12. WATER SUPPLY

Provide adequate potable water supply at all relevant times and on-site fire-fighting facilities and storage in accordance with the relevant Australia fire standards and Queensland Fire and Emergency Services requirements.

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

13. MANAGEMENT OF OFF SITE IMPACTS

The use of the land must be managed so that the amenity of the area is not detrimentally affected through the:

- (a) transport of materials, goods or commodities to or from the land.
- (b) appearance of any building, works or materials.
- (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
- (d) presence of vermin; and
- (e) any other as appropriate.

14. NUISANCE MONITORING AND MITIGATION

When requested by Council, nuisance monitoring must be undertaken within three (3) months to investigate any genuine complaint of nuisance caused by the feedlot. An analysis of the monitoring data and a report, including nuisance mitigation measures, must be provided to Council within four (4) weeks from the date of Council's request, unless otherwise agreed to in writing. The automatic weather station installed under Final Order BD 1510 of 2007 dated 4 March 2009 must remain operational. The landscape screen/buffer to retro Corry Road required under Development Permit 02-50 dated 4 June 2002 must be maintained.

Timing: As specified within the wording of this condition.

15. SITE MANAGEMENT

- (a) 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.
- (b) Where a retaining wall is planned for this purpose and such a wall exceeds one (1) metre in height, plans and specifications shall be checked by the Principal Certifying Authority before work on the retaining wall commences.

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

16. 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, must be at the developer's expense unless otherwise specified.

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

Advisory Notes:

Note 1: The development at all times must be undertaken in accordance with the:

- a) *National Guidelines for Beef Cattle Feedlots in Australia 2012*; and
- b) *National Beef Cattle Feedlot Environmental Code of Practice 2012*.

Note 2: The feedlot operator shall bear the cost of any possible alteration or repair to any public utility caused by the feedlot and its transport activities.

2018 / 02 / 13 / 003

Carried (9-0)

Attendance

General Manager Infrastructure and Utilities G. Joubert left the meeting at 3.19pm

Proposed Temporary Local Planning Instrument 01/2017

Executive summary:

Further to Council's decision on 12 September 2017, the proposed *Temporary Local Planning Instrument 01/2017 - Material change of use – Renewable energy facilities (TLPI)* in irrigation areas was submitted to the, then Minister for Infrastructure and Planning, the Honourable Jackie Trad MP for consideration. On 22 December 2017, Council received correspondence from the now Minister for State Development, Manufacturing, Infrastructure and Planning, Cameron Dick MP allowing Council to proceed to adopt the proposed TLPI in accordance with Chapter 3, Part 2 of the statutory guideline, Minister's Guidelines and Rules. In addition, the Minister approved Council's request for an earlier effective date of 12 September 2017 in accordance with section 9(4) of the *Planning Act 2016*.

Pursuant to Chapter 3, Part 2, section 9 of the statutory guideline, Minister's Guidelines and Rules, the Council must decide how to proceed in regards to the proposed TLPI.

Resolution:

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

1. Adopt *Temporary Local Planning Instrument 01/2017 - Material change of use – Renewable energy facilities* in accordance with Chapter 3, Part 2, section 9 of the statutory guideline, Minister's Guidelines and Rules; and
2. Authorise the Chief Executive Officer or Delegate to do all the matters outlined in section 9 of the statutory guideline, Minister's Guidelines and Rules for adoption of the TLPI.

And further, that Central Highlands Regional Council:

1. Progress the resolution made by Council on 12 September 2017 to make a major amendment to the Central Highlands Regional Council Planning Scheme 2016 (the Planning Scheme) in accordance with section 20 of the *Planning Act 2016* and Chapter 2, Part 4 of the statutory guideline, Minister's Guidelines and Rules; and
2. Authorise the Chief Executive Officer or Delegate to do all the matters specified in Chapter 2, Part 4 of the statutory guideline, Minister's Guidelines and Rules for making a Major Amendment."

2018 / 02 / 13 / 004

Carried (9-0)

Attendance

General Manager Infrastructure and Utilities G. Joubert returned to the meeting at 3.24pm

Development Application Update

Executive summary:

This report provides a monthly update on development activities currently before the Council for assessment and decision within the Development and Planning Team. This update will be presented monthly at the first General Council Meeting.

This monthly update provides an opportunity for the Councillors to understand the decisions made and to review the current applications before Council. Should the need arise, time can be scheduled to discuss specifics of the application offline with the Assessment Manager from the Development and Planning team.

Considered by Council

Attendance

Acting Manager Development and Environment K. Worsley, Coordinator Development and Planning S. Mattner, Principal Planner S Ronnfeldt left the meeting at 3.27pm

INFRASTRUCTURE AND UTILITIES

Rescind of Council Policy - Emerald Flood Protection Scheme - Acquisition Policy

Executive summary:

The Emerald Flood Protection Scheme – Acquisition Policy was adopted by Council on 12 August 2015. The objective of the policy was, as far as possible, to achieve certainty for stakeholders likely to be affected by future levee infrastructure implemented pursuant to the Emerald Flood Mitigation Project.

Following the presentation to Council of the Business Case for the Emerald Flood Protection Scheme on 11 April 2017, Council resolved to not pursue construction of flood mitigation levees for the township of Emerald, therefore this policy is no longer required. Council is requested to rescind the existing policy by resolution.

Resolution:

Cr Nixon moved and seconded by Cr Sypher “That Central Highlands Regional Council rescind the Emerald Flood Protection Scheme Acquisitions Policy.”

2018 / 02 / 13 / 005

Carried (9-0)

CQ Inland Port -Request for Consideration of Late Closed Session Item

Resolution:

Cr Nixon moved and seconded by Cr Sypher “That Central Highlands Regional Council accept a late verbal closed session report regarding the CQ Inland Port by the Chief Executive Officer.”

2018 / 02 / 13 / 006

Carried (9-0)

LATE AGENDA ITEMS

Minutes of Meeting – Finance and Infrastructure Standing Committee Meeting 13 February 2018, Communities Standing Committee Meeting: 13 February 2018 and Leadership and Governance Standing Committee Meeting 13 February 2018

Resolution:

Cr Rolfe moved and seconded by Cr Godwin-Smith “That the minutes of the:

1. Finance and Infrastructure Standing Committee Meeting held on 13 February 2018;
2. Communities Standing Committee Meeting held on 13 February 2018; and
3. Leadership and Governance Standing Committee Meeting held on 13 February 2018

be confirmed.”

2018 / 02 / 13 / 007

Carried (9-0)

GENERAL BUSINESS

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

Letter to the Minister for Department of Transport and Main Roads

Resolution:

Cr Nixon moved and seconded by Cr Brimblecombe “That Central Highlands Regional Council write to the Minister for Transport and Main Roads requesting consideration for a senior officer to be based in the Emerald Office of the Department of Transport and Main Roads Fitzroy / Central Queensland Region.”

2018 / 02 / 13 / 008

Carried (8-1)

Letter of thanks to Springsure Staff – Do it for Dolly Rodeo

Resolution:

Cr Nixon moved and seconded by Cr Godwin-Smith “That Central Highlands Regional Council formally thank all staff involved in the “Doin’ it for Dolly” Rodeo that was held in Springsure on 9 February 2018.”

2018 / 02 / 13 / 009

Carried (9-0)

Cr Brimblecombe raised concerns that the little red flying foxes are moving back to the Duaringa area and that the Rockhampton Regional Council are currently having problems with them at Westwood and is also concerned that they are only a short distance from Duaringa. CEO Scott Mason advised that he met with the Officer in Charge of the Duaringa Police Station who suggested on behalf of the community that it was easier to move them on now while they are still settling.

Cr Brimblecombe raised affordable housing within the community of Dingo and requested if the Central Highlands (Qld) Housing Company could consider the matter.

Cr Bell advised that he has met with a member of the Emerald Kindergarten Committee and they raised the blocks of land that Council is purchasing adjacent to the Kindergarten. The Kindergarten have asked if council would consider establishing a new committee consisting of councillors and staff to assist and work with the Emerald Kindergarten Committee with future planning of the sites. Councillors Bell, Daniels, McIndoe and Brimblecombe have expressed an interest in sitting on this committee.

CLOSED SESSION

Into Closed Session

Resolution:

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

2018 / 02 / 13 / 010

Carried (9-0)

The meeting was closed at 3.54pm

Conflict of Interest

Councillors P. Bell and G. Godwin-Smith declared a perceived conflict of interest in this matter (as defined in Section 173 of the Local Government Act 2009) due to their membership on the board of the GP Super Clinic / Central Highlands Healthcare Limited and dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.

Crs Bell and Godwin-Smith left the meeting at 3.54pm

Attendance

Acting General Manager Community Services S. Poulter, General Manager Corporate Services J. Bradshaw, General Manager Infrastructure and Utilities G. Joubert and Coordinator Communications A. Ferris left the meeting at 3.54pm
Cr Daniels left the meeting at 3.54pm
Cr Daniels returned to the meeting at 3.55pm
Coordinator Planning and Development S. Mattner attended the meeting at 3.55pm

GP Super Clinic

Attendance

Coordinator Planning and Development S. Mattner left meeting at 4.36pm
General Manager Commercial Services M. Webster and Minute Secretary M. Wills left the meeting at 4.37pm
Minute Secretary M. Wills, General Manager Infrastructure and Utilities G. Joubert returned to the meeting at 4.39pm
Cr Bell and Cr Godwin-Smith returned to the meeting at 4.39pm

Central Queensland Inland Report

Out of Closed Session

Resolution:

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

2018 / 02 / 13 / 011

Carried (9-0)

The meeting was opened at 5.19pm

Conflict of Interest

Councillors P. Bell and G. Godwin-Smith declared a perceived conflict of interest in this matter (as defined in Section 173 of the Local Government Act 2009) due to their membership on the board of the GP Super Clinic / Central Highlands Healthcare Limited and dealt with the perceived conflict of interest by leaving the meeting room, taking no part decision on the matter.

Crs Bell and Godwin-Smith left the meeting at 5.20pm

GP Super Clinic

Executive summary:

This report provides an update for Council in regard to the progress of the lease between Central Highlands Healthcare Limited and Central Highlands Regional Council for land associated with the Emerald GP Super Clinic Site.

Resolved.

That Central Highlands Regional Council receive the report.

2018 / 02 / 13 / 012

Attendance

Crs Bell and Godwin-Smith returned to the meeting at 5.24pm

Acting General Manager Communities S. Poulter returned to the meeting at 5.24pm

Central Queensland Inland Port

Resolution:

Cr Bell moved and seconded by Cr Godwin-Smith “That Central Highlands Regional Council commits to funding part of the funding shortfall for the Capricorn Highway intersection upgrade to the Central Queensland Inland Port at Yamala, which is a component of the overall Inland Port project. The project estimate is \$2,418,856 (excluding Goods and Services Tax) and the shortfall is currently identified as \$483,353. Council commits to funding part of the shortfall on the proviso that project stakeholders, namely the developer (Mr and Mrs Stent-Smith) and the anchor tenant (Graincorp) do likewise and contribute to this shortfall. Council notes that through prudential project management, other savings can be generated from the overall project, specifically through collaboration, joint procurement and sourcing of road base material.

Further, that Councils Chief Executive Officer be delegated the authority to deal with this matter expeditiously.

Further again, that Council formally advise the Department of State Development that the three parties, namely the developer, the anchor tenant and Council are committed to working together collaboratively to secure the funding for the works to be undertaken (as per Schedule C of the Building Our Regions Funding Agreement).”

2018 / 02 / 13 / 013

Carried (9-0)

CLOSURE OF MEETING

There being no further business, the Mayor closed the meeting at 5.27pm

CONFIRMED

MAYOR

DATE