



## **General Council Meeting**

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

**Tuesday, 26 June 2018**  
**Commenced at 2.30pm**

**COUNCIL MINUTES**

# CENTRAL HIGHLANDS REGIONAL COUNCIL

## GENERAL MEETING OF COUNCIL

TUESDAY 26 JUNE 2018

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**MINUTES – GENERAL COUNCIL MEETING**  
**HELD AT 2.30PM TUESDAY 26 JUNE 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, General Manager Communities D. Fletcher, General Manager Corporate Services J. Bradshaw, General Manager Infrastructure and Utilities G. Joubert, General Manager Commercial Services M. Webster, Minute Secretary M. Wills

**APOLOGIES**

Nil

**LEAVE OF ABSENCE**

Nil

**CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**General Council Meeting: 12 June 2018**

**Resolution:**

Cr Brimblecombe moved and seconded by Cr Godwin-Smith “That the minutes of the previous General Council Meeting held on 12 June 2018 be confirmed.”

**2018 / 06 / 26 / 001**

Carried (9-0)

**Business Arising Out Of Minutes**

Cr Bell contacted Mr Black who was the development application applicant for the application on Pilot Farm Road which was refused by Council at its meeting on 12 June 2018, and advised that Council officers should be meeting with Mr Black with regards to his application.

**Outstanding Meeting Actions**

Nil

**Review of Upcoming Agenda Items**

Nil

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

Cr Bell declared a conflict of interest in the closed session matter item 19.1 in relation to the GP Super Clinic (as defined by section 175D of the *Local Government Act 2009*) as follows: -

- (a) Executive and Chairman of the GP Super Clinic Board (Central Highlands Healthcare Limited).

Cr Bell advised that he will be dealing with this declared conflict of interest by leaving the meeting while this matter is discussed and voted on.

Cr Godwin-Smith declared that in accordance and defined in section 175D(3) of the *Local Government Act 2009* regarding the closed session item 19.1 in relation to GP Super Clinic, that as a Council nominee on the GP Super Clinic Board that she intends on staying in the room during discussions.

Cr Hayes declared that he had received hospitality by the way of dinner with McArthurs at the Australian Local Government Association National General Assembly held in Canberra on Monday 18 June 2018.

**PETITIONS (IF ANY)**

Nil

**CORPORATE SERVICES**

**Trust Account Report**

**Executive summary:**

In accordance with the *Local Government Act 2009* and *Local Government Regulation 2012* (the Regulation), a separate trust bank account and separate accounting records are maintained for funds held on behalf of outside parties. Council performs only a custodian role in respect of funds held in the Trust Account and because the monies cannot be used for Council purposes, they are not considered revenue or reflected in the financial statements.

The Regulation allows for money to be transferred from the trust account where the purpose, for which that money is held, no longer exists.

As part of an ongoing audit and review being performed by the finance section, it has been identified that some monies currently held in the trust account relate to balances where either, the purpose for holding these funds no longer exists, the purpose has been resolved, or the purpose cannot be determined.

**Resolution:**

Cr Nixon moved and seconded by Cr Sypher “That Central Highlands Regional Council approve the transfer of \$33,432.21 from the Council Trust Account to general consolidated revenue, representing trust balances where either; the purpose for holding these funds no longer exists, the purpose has been resolved, or the purpose cannot be determined.”

**2018 / 06 / 26 / 002**

Carried (9-0)

**Attendance**

Coordinator Financial Accounting, H. Kirby and Manager Asset Management M. Gatt attended the meeting at 2.44pm

**Reserve Accounts - Reporting Disclosures**

**Executive summary:**

In the preparation of the annual financial statements it is necessary that Council ensures compliance with the Australian Accounting Standards and Interpretations issued by the Australian Accounting Standards Board. The Queensland Audit Office (QAO) and the Department of Local Government, Racing and Multicultural Affairs (the Department), provide advice and guidance to Council in the interpretation of these accounting standards.

In recent years these bodies have provided their interpretation of the relevant accounting standards in relation to the financial reporting treatment of reserve balances in the annual financial statements and to ensure consistency with this guidance, Council intends to no longer report reserve balances in the Statement of Financial Position. This treatment will be effective for the current reporting period, 30 June 2018.

This change represents only a revision of the financial reporting treatment in relation to reserves and it is still intended that the current system for calculating and accounting for detailed reserve movements and balances will be maintained.

***Resolution:***

Cr Nixon moved and seconded by Cr Rolfe “That Central Highlands Regional Council endorse the revised financial reporting treatment in relation to the disclosure of reserve balances in the Annual Financial Statements, on the basis of guidance provided by the Queensland Audit Office and the Department of Local Government, Racing and Multicultural Affairs, in their interpretation of the Australian Accounting Standards.

And further, that the Central Highlands Regional Council resolve to close all existing reserve balances to the retained earnings account, effective for the current reporting period, 30 June 2018.”

**2018 / 06 / 26 / 003**

Carried (9-0)

*Attendance*

Coordinator Financial Accounting, H. Kirby and Manager Asset Management M. Gatt left the meeting at 2.47pm

Manager Governance (fixed term) C. Dendle and Governance Officer M. Ryan attended the meeting at 2.48pm

**Operational Plan 2018-2019**

***Executive summary:***

The 2018-2019 Operational Plan sets out the key activities Council will undertake during the 2018-2019 Financial Year. The activities and progress towards achieving these activities will be monitored and reported to Council on a quarterly basis.

***Resolution:***

Cr Sypher moved and seconded by Cr Brimblecombe “That Central Highlands Regional Council adopt the annual Operational Plan for the 2018-2019 financial year subject to amendments.”

**2018 / 06 / 26 / 004**

Carried (9-0)

*Attendance*

Manager Governance (fixed term) C. Dendle and Governance Officer M. Ryan left the meeting at 3.10pm  
Infrastructure Project Manager K. Downey attended the meeting at 3.11pm

## **INFRASTRUCTURE AND UTILITIES**

**2018T014C - Restoration of Shire Road Assets under the National Disaster Relief and Recovery Arrangements Initiatives – Project Management Support**

***Executive summary:***

Request for tender 2018T014C, for the procurement of consultants to provide project management assistance closed on 8 May 2018.

The consultants appointed through this tender will be required to provide superintendent’s representatives, inspectors and administration support for the delivery of the 2018/19 financial years Natural Disaster Relief and Recovery Arrangement (NDRRA) works. Following appointment, the consultants will also review and issue tender documents for all works to be delivered by external contractors in 2018/19.

This report provides the tender evaluation panel recommendation to award this contract.

**Resolution:**

Cr Rolfe moved and seconded by Cr Daniels “That Central Highlands Regional Council endorse the tender panel recommendation to award tender 2018T014C “Restoration of Shire Road Assets under the National Disaster Relief and Recovery Arrangements Initiatives – Project Management Support” to Shepherd Services Pty Ltd for \$1,350,992.00 (exclusive of goods and services tax).”

2018 / 06 / 26 / 005

Carried (9-0)

Attendance

Infrastructure Project Manager K. Downey left the meeting at 3.18pm

## **DEPARTMENTAL UPDATES**

### **Departmental Updates**

**Executive summary:**

The following information provides an update on key activities for the Office of the Chief Executive Officer.

**Key Activities Summary**

- Ministerial Visit – Minister for Agricultural Industry Development and Fisheries for Mark Furner - 31 May, 2018

Considered by Council.

Attendance

Finance Consultant W. Jensen and Manager Asset Management M. Gatt attended the meeting at 3.22pm

## **LATE AGENDA ITEMS**

### **Monthly Financial Report - May 2018**

**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 Brimblecombe moved and seconded by Cr Godwin-Smith “That Central Highlands Regional Council receive the Monthly Financial Report for the period ended 31 May 2018.”

2018 / 06 / 26 / 006

Carried (9-0)

Attendance

Chief Executive Officer S. Mason left the meeting at 3.44pm

**2017-2018 Budget Review 3**

**Executive summary:**

Council adopted the Budget for the 2017/18 financial year in early July 2017 along with long term financial forecasts based on the activities in the operational plan and other key strategic documents. During the course of the year variances may occur and Council may decide to vary its budget by resolution.

The 2017/18 budget has been reviewed for a final time based on actual results to the end of May 2018 with estimates to reflect the operational changes and capital expenditure projects that are not now anticipated will be completed within the 2017/18 financial year. Additional estimates have also been included to reflect year-end adjustments that will be processed at 30 June 2018. The revised operating result forecast for the 2017/18 financial year is a deficit of \$3,692,347 compared to the previously revised budgeted deficit of \$4,251,565. The capital works program has decreased by \$18.1 million to \$65.3 million, which reflects works expected to be carried out in the 2017/18 financial year, with projects pushed back into 2018/19 financial year.

**Resolution:**

Cr Bell moved and seconded by Cr Godwin-Smith “That in accordance with sections 169 and 170 of the *Local Government Regulation 2012* Central Highlands Regional Council adopt the amendments to the 2017/18 budget including: -

1. The statement of comprehensive income;
2. The statement of financial position;
3. The statement of cash flow;
4. The statement of changes in equity;
5. The key financial sustainability metrics; and
6. Capital works program.”

**2018 / 06 / 26 / 007**

Carried (9-0)

Attendance

Chief Executive Officer S. Mason returned to the meeting at 3.48pm

Finance Consultant W. Jensen and Manager Asset Management M. Gatt left the meeting at 3.48pm

**CLOSED SESSION**

**Into Closed Session**

**Resolution:**

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

**2018 / 06 / 26 / 008**

Carried (9-0)

The meeting was closed at 3.55pm

Attendance

General Manager Community Services D. Fletcher, General Manager Corporate Services J. Bradshaw, General Manager Infrastructure and Utilities G. Joubert left the meeting at 3.55pm

Conflict of Interest

Cr Bell confirmed his previous declaration of interest as a member of the Executive and Chairman of the GP Super Clinic Board (Central Highlands Healthcare Limited), and dealt with his conflict of interest by leaving the meeting and did not participate in discussions, debate and voting on the matter.

Cr Bell left the meeting at 3.55pm.

**GP Super Clinic Site - Request from Central Highlands Healthcare Limited**

Attendance

General Manager Commercial Services M. Webster left the meeting at 4.09pm

Cr Bell returned to the meeting at 4.10pm

General Manager Communities D. Fletcher returned to the meeting at 4.10pm

Manager Planning and Environment K. Byrne and Coordinator Development and Planning S. Mattner and Building Certifier J. Edwards attended the meeting at 4.12pm

**Non-Conforming Building Product Update**

Attendance

General Manager Communities D. Fletcher, Manager Planning and Environment K. Byrne and Coordinator Development and Planning S. Mattner and Building Certifier J. Edwards left the meeting at 4.21pm

General Manager Infrastructure and Utilities and Manager Infrastructure J. Hoolihan and Manager Planning and Environment K. Byrne attended the meeting at 4.22pm

Compliance Officer D. Manendis attended the meeting at 4.23pm

**Access Issues to 1052 Rubyvale Sapphire Road**

Attendance

General Manager Infrastructure and Utilities and Manager Infrastructure J. Hoolihan and Manager Planning and Environment K. Byrne and Compliance Officer D. Manendis left the meeting at 4.44pm

General Manager Corporate Services J. Bradshaw, Manager Asset Management M. Gatt returned to the meeting at 4.44pm

**Debtor Write Off Report - Debtor Account 7.01**

**LATE CLOSED SESSION**

**Request Rates Write Off - Ikerus Pty Ltd**

**Out of Closed Session**

**Resolution:**

Cr McIndoe moved and seconded by Cr Nixon "That the meeting now be re-opened to the public."

**2018 / 06 / 26 / 009**

Carried (9-0)

The meeting was opened at 4.48pm



Attendance

Cr Bell left the meeting at 4.48pm

**GP Super Clinic Site - Request from Central Highlands Healthcare Limited**

**Executive summary:**

The report relates to a request from Central Highlands Healthcare Limited received by Council on 23 April 2018 to transfer Lot 1 on Survey Plan 300939 for a nominal amount, due to a current land valuation by Herron Todd White for the (un-developed) Emerald General Practice Super Clinic two hectare site.

**Resolution:**

Cr Brimblecombe moved and seconded by Cr Sypher “That Central Highlands Regional Council agree to the request from Central Highlands Healthcare Limited, as outlined in their letter received by Council on 23 April 2018, to transfer in freehold title, Lot 1 on Survey Plan 300939 for the nominal amount of \$1.00 in view of the amount paid to Council in the freehold title transfer of Lot 2 on Survey Plan 300939.

Further, that Central Highlands Regional Council proceed to finalise the land transfer transaction to the community organisation in accordance with the request from Central Highlands Healthcare Limited and the Restructure Deed dated 28 March 2018.”

**2018 / 06 / 26 / 010**

Carried (8-0)

Attendance

Chief Executive officer S. Mason left the meeting at 4.50pm and returned at 4.50pm  
Upon request, Cr Bell returned to the meeting at 4.50pm

**Non-Conforming Building Product Update**

**Executive summary:**

Following the tragic fire in a London apartment tower in 2017, subsequent investigations of building fires both internationally and in Australia have heightened concerns regarding the use of non-conforming building products. In response, a multi-disciplinary Taskforce was established in June 2017 which has been working with Queensland Councils with an ultimate goal to ascertain which buildings contain non-conforming products, and to seek compliance.

Considered by Council.

**Debtor Write Off Report - Debtor Account 7.01**

**Executive summary:**

Council’s Credit Management and Debt Collection Procedure requires debts that are considered unrecoverable, or where the cost of recovery is uneconomic to be written off against the impairment provision, in accordance with the authority delegated in the Procedure. Section 5.2(vii) of the Procedure states that debts greater than \$10,000 require the approval of Council.

The purpose of this report is to seek approval to write-off invoices totalling \$24,142.64 in relation to Debtor Account 7.01, as these debts have been confirmed as unrecoverable.

**Resolution:**

Cr Nixon moved and seconded by Cr Godwin-Smith “That Central Highlands Regional Council approve the write off for an amount of \$24,142.64, representing the total value outstanding on the debtor account 7.01 as this debt has been confirmed as unrecoverable.”

**2018 / 06 / 26 / 011**

Carried (9-0)

### **Access Issues to 1052 Rubyvale Sapphire Road**

**Executive summary:**

Council received an “Application for Permit to Construct a New/Additional Vehicular Access” to 1052 Rubyvale Sapphire Road (Lot 5 RP 910333).

Council has subsequently received a complaint from the neighbouring 1056 Rubyvale Sapphire Road (Lot 1 SP 106027) regarding the location of the access and it restricting access to their business.

An assessment of the access application has been carried out and Council staff see no reason to reject the application, however in approving the application the business at 1056 Rubyvale Sapphire Road will be impacted as they have had unrestricted use of the road reserve for an extended period of time.

**Resolution:**

Cr Brimblecombe moved and seconded by Cr Bell “That Central Highlands Regional Council note that an approval be granted for the access application to Lot 5 RP 910333 (1052 Rubyvale Sapphire Road) in its current constructed location subject to construction compliance standards.

And further;

That Central Highlands Regional Council note that a compliance notice be given to Lot 5 RP 910333 (1052 Rubyvale Sapphire Road) and Lot 4 RP 910333 (1050 Rubyvale Sapphire Road) with regard to Signage and Parking.

And further;

That Central Highlands Regional Council note that a compliance notice be given to Lot 1 SP 106027 in relation to access.

**2018 / 06 / 26 / 012**

Carried (7-2)

## **LATE CLOSED SESSION**

### **Request Rates Write Off - Ikerus Pty Ltd**

**Executive summary:**

Council and the owners of property located at Sullivan Street, Emerald (WhiteKnight Group Pty Ltd as Trustee for Ikerus Unit Trust) entered into a settlement deed earlier this year where the Company would undertake certain development works and pay an agreed amount towards outstanding rates and charges. These works and payments are now almost completed/received, and Council is in a position to consider the write off the balance of the outstanding rates and charges. This will only be undertaken when all conditions to the settlement have been finalised.

**Resolution:**

Cr Bell moved and seconded by Cr Rolfe “That subject to receipt of the final payment by the due date of 29 June 2018, Central Highlands Regional Council resolve to write off all outstanding rates and charges with respect to properties described as Lots 1 to 111 on SP252452, as at 30 June 2018. Assessment numbers 750 and 27520 to 27630, totalling \$1,004,696.41.”

**2018 / 06 / 26 / 013**

Carried (9-0)

## **GENERAL BUSINESS**

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

### Cr Nixon

- Attended Royal Flying Doctor Service Day at Buckland recently and advised that the road has turned to bull dust and requires attention.

### Cr Bell

- Has arranged for Central Highlands Healthcare Limited to write to Council for a weight loss challenge between Central Highlands Regional Council and Isaac Regional Council.

## **CLOSURE OF MEETING**

There being no further business, the Mayor closed the meeting at 5.00pm.

CONFIRMED

MAYOR

DATE