

General Council Meeting

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

Tuesday, 7 August 2018
Commenced at 2.30pm

COUNCIL MINUTES

CENTRAL HIGHLANDS REGIONAL COUNCIL

GENERAL MEETING OF COUNCIL

TUESDAY 7 AUGUST 2018

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MINUTES – GENERAL COUNCIL MEETING
HELD AT 2.30PM TUESDAY 7 AUGUST 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, General Manager Communities D. Fletcher, General Manager Corporate Services J. Bradshaw, General Manager Infrastructure and Utilities G. Joubert, Acting General Manager Customer and Commercial Services J. Hoolihan, General Manager Central Highlands Development Corporation S. Hobbs, Coordinator Communications A. Ferris, Minute Secretary M. Wills

APOLOGIES

Nil

LEAVE OF ABSENCE

Resolution:

Cr Brimblecombe moved and seconded by Cr Godwin-Smith “That a leave of absence be granted for Cr Bell for the 28 August 2018 meeting.”

2018 / 08 / 07 / 001

Carried (9-0)

Note: At the General Council Meeting of 28 August 2018 accidentally it was noted that Cr Bell sought leave for the meeting of 28 August 2018 rather than the meeting of 11 September 2018.

Opening Prayer

Captain Marcus Wunderlich from the Emerald Salvation Army delivered the opening prayer.

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

General Council Meeting: 24 July 2018

Resolution:

Cr Daniels moved and seconded by Cr Brimblecombe “That the minutes of the previous General Council Meeting held on 24 July 2018 be confirmed.”

2018 / 08 / 07 / 002

Carried (9-0)

Business Arising Out Of Minutes

Nil

Outstanding Meeting Actions

Cr Nixon requested an update on the status of the Blackwater Mines Workers Club matter.

Cr Rolfe requested an update on the items that have been noted as not started. *CEO Scott Mason provided some verbal updates and requested General Managers to undertake some housekeeping to improve report accuracy.*

Review of Upcoming Agenda Items

Cr Nixon requested for an update to be provided to Councillors with regards to the Crime and Corruption Commission (CCC) Operation Belcarra.

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

Cr Rolfe declared that she has a conflict of interest in Item 12.3 Game Plan Tenure Framework matter (as defined by section 175D of the *Local Government Act 2009*) as follows: -

- (a) President of the Springsure Pastoral and Agricultural Show Society; and
- (b) President of the Central Highlands Agricultural Show Societies.

Cr Rolfe determined that this personal interest is not of sufficient significance that it will lead her to making a decision on the matter that is contrary to the public interest. Cr Rolfe indicated she will best perform her responsibility of serving the overall public interest of the whole of the Council's area by participating in the discussion and voting on this matter.

However, Cr Rolfe acknowledged that the remaining councillors, entitled to vote, must now determine, pursuant to section 175E(4) of the *Local Government Act 2009*: -

- (a) Whether she has a real conflict of interest in this matter or a perceived conflict of interest in this matter; and
- (b) If so, whether: -
 - a. She must leave the meeting while this matter is discussed or voted on; or
 - b. She may participate in the meeting in relation to the matter, including by voting on the matter.

Attendance

Cr Rolfe left the meeting at 2.48pm

Cr McIndoe declared that he has a conflict of interest in Item 12.3 Game Plan Tenure Framework matter (as defined by section 175D of the *Local Government Act 2009*) as follows: -

- (a) Board Member of the Central Queensland Capra's of Rockhampton.

Cr McIndoe determined that this personal interest is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest. Cr McIndoe indicated he will best perform his responsibility of serving the overall public interest of the whole of the Council's area by participating in the discussion and voting on this matter.

However, Cr McIndoe acknowledged that the remaining councillors, entitled to vote, must now determine, pursuant to section 175E(4) of the *Local Government Act 2009*: -

- (a) Whether he has a real conflict of interest in this matter or a perceived conflict of interest in this matter; and
- (b) If so, whether: -
 - a. He must leave the meeting while this matter is discussed or voted on; or
 - b. If he may participate in the meeting in relation to the matter, including by voting on the matter.

Attendance

Cr McIndoe left the meeting at 2.56pm

Cr Sypher declared that she has a conflict of interest in Item 12.3 Game Plan Tenure Framework matter (as defined by section 175D of the *Local Government Act 2009*) as follows: -

- (a) President of the Central Highlands Science which is located within the Emerald Showgrounds facility.

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

Attendance

Cr Sypher left the meeting at 3.00pm

Resolution:

Moved Cr Nixon and seconded Cr Godwin-Smith “That Councillor Rolfe has a perceived conflict of interest in the matter, and notwithstanding the conflict, Councillor Rolfe may participate in the matter, discuss and vote upon it.”

2018 / 08 / 07 / 003

Carried (6-0)

Resolution:

Moved Cr Brimblecombe and seconded Cr Daniels “That Councillor McIndoe has a perceived conflict of interest in this matter and, notwithstanding the conflict, Councillor McIndoe may participate in the matter, discuss and vote upon it.”

2018 / 08 / 07 / 004

Carried (6-0)

Attendance

Cr Rolfe, Cr McIndoe and Cr Sypher returned to the meeting at 3.08pm

PETITIONS (IF ANY)

Nil

Attendance

Manager Planning and Environment K. Byrne and Project Officer Resource Recovery K. Worsley attended the meeting at 3.12pm

COMMUNITIES

Adoption of Waste Management Local Law

Executive summary:

On 12 June 2018, Council proposed to adopt Local Law No. 6 (Waste Management) 2018 (proposed Local Law). Council sought public comments on the proposed Local Law and completed the State Interest Check process required under section 29A of the *Local Government Act 2009* (the Act). This report seeks a resolution from Council to adopt the Local Law.

Resolution:

Cr Brimblecombe moved and seconded by Cr Nixon “That Central Highlands Regional Council, pursuant to section 29(2) of the *Local Government Act 2009*, adopt Local Law No. 6 (Waste Management) 2018.

Further, that Council delegate to its Chief Executive Officer, the power to take all steps necessary to publish the Local Law No. 6 in accordance with section 29B of the *Local Government Act 2009*.”

2018 / 08 / 07 / 005

Carried (9-0)

Attendance

Project Officer Resource Recovery K. Worsley left the meeting at 3.19pm

Coordinator Planning and Development S. Mattner attended the meeting at 3.19pm

Proposed Temporary Local Planning Instrument 01/2018

Executive summary:

Further to Council’s decision on 5 March 2018, the proposed *Temporary Local Planning Instrument 01/2018 - Operational work – within a flood hazard area* (TLPI) was submitted to the Minister for State Development, Manufacturing, Infrastructure and Planning, the Honourable Cameron Dick MP for consideration. On 16 July 2018, Council received correspondence from the Minister outlining his support for 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 31 March 2018 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 now decide how to proceed in regards to the proposed TLPI.

Resolution:

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

1. Adopt *Temporary Local Planning Instrument 01/2018 - Operational work within a flood hazard area* 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 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 5 March 2018 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 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 / 08 / 07 / 006

Carried (9-0)

Attendance

Manager Planning and Environment K. Byrne and Coordinator Development and Planning S. Mattner left the meeting at 3.24pm

Conflict of Interest

In accordance to Cr Sypher’s declaration earlier in the meeting of her conflict of interest declaration Cr Sypher left the meeting at 3.24pm

The Game Plan - Tenure Framework

Executive summary:

To achieve the Game Plan objectives, consistent tenure arrangements are required for sport and active recreation organisations utilising council-owned and controlled land. The Game Plan Advisory Committee has prepared a draft Tenure Framework which advances the Game Plan objectives.

The Game Plan and the Tenure Framework will assist in building relationships and working collaboratively with our sport and active recreation organisations, providing clear and transparent policies and procedures that will lead to a sustainable and progressive sporting region. This report presents amended drafts of both documents based on the first round of community consultation and it seeks council's support to progress to the second round of engagement.

Resolution:

Cr Godwin-Smith moved and seconded by Cr McIndoe "That Central Highlands Regional Council endorse the community engagement presentation and rights of use agreement subject to amendments to reflect the draft rights of use agreement is a proposal for discussion and consultation purposes.

Further, that the second round of community engagement commence through meetings with sport and active recreation organisations across the region."

2018 / 08 / 07 / 007

Carried (8-0)

Attendance

Cr Sypher returned to the meeting at 3.55pm

Manager Planning and Environment K. Byrne attended the meeting at 3.57pm

Local Authority Waste Management Advisory Committee (LAWMAC) Workshop – Rockhampton

Executive summary:

The Local Authority Waste Management Advisory Committee (LAWMAC) has sent a date claimer for a LAWMAC Workshop and Annual General Meeting (AGM) in Rockhampton from Thursday 23 August 2018 to Friday 24 August 2018. It is noted that the Central Highlands Regional Council is a LAWMAC Corresponding Member Council. Given the political nature of waste in Queensland, it may be pertinent for Councillors to consider attending this meeting alongside staff from the Planning and Environment team.

Resolution:

Cr Daniels moved and seconded by Cr Rolfe "That Central Highlands Regional Council receive the report."

2018 / 08 / 07 / 008

Carried (9-0)

Attendance

Senior Planner R. Tait attended the meeting at 4.02pm

Development Application Update for July 2018

Executive summary:

The purpose of this report is to provide the monthly update on development activities currently before Council for assessment and decision within the Planning Team. This report is intended to inform Councillors regarding decisions made during the past month as well as give an overview of the current applications lodged with Council. Should the need arise, time can be scheduled to discuss specific applications offline with the Manager of Planning and Environment and the Assessment Manager.

Resolution:

Cr McIndoe moved and seconded by Cr Daniels “That Central Highlands Regional Council receive this report.”

2018 / 08 / 07 / 009

Carried (9-0)

Attendance

Manager Planning and Environment K. Byrne and Senior Planner R. Tait left the meeting at 4.10pm

CORPORATE SERVICES

Operational Plan 2017-2018 Q4 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.

This report is to advise council of the organisation’s performance in delivering the Operational Plan activities and services during the fourth quarter for 2017-2018.

Resolution:

Cr Brimblecombe moved and seconded by Cr Rolfe “That Central Highlands Regional Council receive the Operational Plan Performance Report for the fourth quarter ending 30 June 2018 in accordance with Section 174 of the Local Government Regulation 2012.”

2018 / 08 / 07 / 010

Carried (9-0)

Attendance

CEO Scott Mason left the meeting at 4.19pm

CEO Scott Mason returned to the meeting at 4.20pm

CUSTOMER AND COMMERCIAL SERVICES

Central Highlands (Qld) Housing Company Pty Ltd - Appointment of Director

Executive summary:

The board plays an important role in setting the vision, purpose and strategies for the Central Highlands (Qld) Housing Company Limited (Housing Company) while good governance also helps provide a framework for establishing responsibility to the board, its clients and key stakeholders.

This report seeks Council's consideration to appoint a new independent Director for the Housing Company.

Resolution:

Cr Sypher moved and seconded by Cr Daniels “That Central Highlands Regional Council appoint community representative Ms Emma McCullagh to be a Director on the Board of the Central Highlands (Qld) Housing Company Limited.”

2018 / 08 / 07 / 011

Carried (9-0)

Attendance

General Manager Communities D. Fletcher left the meeting at 4.21pm and did not return.
Manager Planning and Environment K. Byrne attended the meeting at 4.22pm

CENTRAL HIGHLANDS DEVELOPMENT CORPORATION

Central Highlands Development Corporation - Service Level Agreement Q4 2018

Executive summary:

The following report provides an update on key activities for the Central Highlands Development Corporation.

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 region's economic potential and future sustainability. Central Highlands Regional Council provides financial contribution to CHDC for the delivery of services responding to Key Priority 3 of the CHRC 2017/18 Operational Plan.

Resolution:

Cr Rolfe moved and seconded by Cr Godwin-Smith "That Central Highlands Regional Council accept the 2017/2018 Quarter Four Operational Plan Status Update of the Central Highlands Development Corporation (CHDC) as required by the Service Level Agreement between Council and CHDC."

2018 / 08 / 07 / 012

Carried (9-0)

Attendance

Cr Daniels left the meeting at 4.37pm
Cr Daniels returned to the meeting at 4.39pm
General Manager Infrastructure and Utilities G. Joubert left the meeting at 4.44pm
General Manager Infrastructure and Utilities G. Joubert returned to the meeting at 4.46pm
Cr Bell left the meeting at 4.49pm and did not return.
Manager Community Development S. Poulter attended the meeting at 4.56pm

CHIEF EXECUTIVE OFFICER

Local Government Association of Queensland - Annual Conference - Call for Motions

Executive summary:

The 2018 Local Government Association of Queensland Annual Conference is being held from 29 to 31 October 2018 in Brisbane at the Brisbane Convention and Exhibition Centre.

Submissions are currently being sought for motions for the annual conference and are due by Friday 24 August 2018.

Resolution:

Cr Brimblecombe moved and seconded by Cr Godwin-Smith "That Central Highlands Regional Council endorse the following motions for submission to the 2018 Local Government of Queensland Annual Conference:

1. Funding – Drive Tourism Signage Program;

2. Native Title;
3. Managing local government rates and charges;
4. Forecasting long-term sustainability of local government;
5. Creating synergies between renewable energy uses and appropriate land parcels to avoid high quality agricultural land being utilised;
6. Clearer alignment between renewable energy targets set by the Queensland Government and the capability of energy providers facilitating infrastructure to manage expectations;
7. Increase penalty units for littering and illegal dumping to act as a deterrent for individuals and corporations;
8. Prevention of a recyclables market;

Further, that Central Highlands Regional Council forward a copy of these motions to the Central Queensland Regional Organisation of Councils for their support.”

2018 / 08 / 07 / 013

Carried (8-0)

Attendance

Manager Community Development S. Poulter left the meeting at 5.03pm

Local Government Association of Queensland (LGAQ) - 2018 Annual Conference - Brisbane - 29 to 31 October 2018

Executive summary:

The Local Government Association of Queensland (LGAQ) is the peak body for local government in Queensland. It is a not-for-profit association established solely to serve the state’s 77 councils of which Central Highlands Regional Council is a member. Each year the LGAQ hold a conference that focuses on providing the most contemporary and forward-thinking information to its members with special content for regions of councils that face particular challenges.

The Conference rightly focuses on policy and opportunities to strategically influence and lobby both the Queensland and Australian Governments on issues such as regulatory devolution, grant programmes and funding initiatives. It’s an opportunity to hear from our political leaders, learn about the latest innovative practices and most of all, to connect with other councils, large and small. This report recommends our continued support for this event.

This year’s annual conference is being held in Brisbane from 29 to 31 October 2018.

Resolution:

Cr Sypher moved and seconded by Cr Rolfe “That Central Highlands Regional Council be represented at the 122nd Local Government Association of Queensland Annual Conference to be held at Brisbane from 29 to 31 October 2018 by its Mayor, Cr Kerry Hayes (delegate), Deputy Mayor Cr Gail Godwin-Smith (delegate) and Councillors Rolfe, Nixon and Brimblecombe along with Chief Executive Officer Scott Mason.”

2018 / 08 / 07 / 014

Carried (8-0)

DEPARTMENTAL UPDATES

Communities

Executive summary:

The following report provides an update on key activities for the Infrastructure and Utilities Department.

Key Activities

- ❖ Blackwater Revocation
- ❖ Innovation Funding
- ❖ Taskforce Non-confirming building Products

Resolution:

Cr McIndoe moved and seconded by Cr Nixon “That Central Highlands Regional Council receive the Communities departmental update report, highlighting key activities for the month of July.”

2018 / 08 / 07 / 015

Carried (8-0)

Infrastructure and Utilities

Executive summary:

The following report provides an update on key activities for the Communities department.

Key Activities

- ❖ Activities undertaken by the Disaster Manager, Risk and Resilience

Resolution:

Cr Brimblecombe moved and seconded by Cr Nixon “That Central Highlands Regional Council receive the Infrastructure and Utilities departmental update report.”

2018 / 08 / 07 / 016

Carried (8-0)

LATE AGENDA ITEMS

Minutes of Meeting – Finance and Infrastructure Standing Committee Meeting 7 August 2018, Communities Standing Committee Meeting: 7 August 2018 and Leadership and Governance Standing Committee Meeting: 7 August 2018

Resolution:

Cr McIndoe moved and seconded by Cr Rolfe “That the minutes of the

1. Finance and Infrastructure Standing Committee Meeting held on 7 August 2018;
2. Communities Standing Committee Meeting held on 7 August 2018; and
3. Leadership and Governance Standing Committee Meeting held on 7 August 2018

be confirmed.”

2018 / 08 / 07 / 017

Carried (8-0)

GENERAL BUSINESS

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

Cr Rolfe advised as Chair of the Bowen Basin Regional Roads Transport Group that the group had achieved 100% expenditure for projects with the Transport Infrastructure Development Scheme (TIDS) allocation. However, it was noted that overall the TIDS for the state was underspent at 99% at the end of June 2018.

Capella Community Reference Group

Cr Sypher raised concerns with regards to the Capella Community Reference Group and the project submission under the Works for Queensland for the Capella Bakehouse Tourism Facility. Advice had been received from staff that the project had been approved for funding under Works for Queensland, however has since been advised that this project had not been funded and that the project had not been submitted for consideration. *General Manager Corporate Services advised that this project can be reconsidered at Budget Review 1.*

Attendance

Manager Community Development S. Poulter and Manager Parks and Recreation J. Bryant attended the meeting at 5.24pm

Cr Godwin-Smith raised that the Kevin Driscoll Family Trust had recently provided a generous donation to the Heart of Australia Bus in the amount of \$1,000,000 to fund the second bus. This bus will now be supporting communities of Rolleston, Springsure and Blackwater which is a great benefit to the regional communities.

Letter of Appreciation – Kevin Driscoll Family Trust

Resolution:

Cr Godwin-Smith moved and seconded by Cr Nixon “That Central Highlands Regional Council write to the Kevin Driscoll Family Trust to express its appreciation of their extremely generous donation towards establishment of a second Heart of Australia Bus.”

2018 / 08 / 07 / 018

Carried (8-0)

2018 Queensland Training Awards

Resolution:

Cr Nixon moved and seconded by Cr Godwin-Smith “That Central Highlands Regional Council be represented at the 2018 Queensland Training Awards in Brisbane on 8 September 2018 by Councillors Daniels and Brimblecombe.”

2018 / 08 / 07 / 019

Carried (8-0)

LATE CLOSED SESSION

Into Closed Session

Resolution:

Cr McIndoe moved and seconded by Cr Godwin-Smith “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 / 08 / 07 / 020

Carried (8-0)

Attendance

General Manager Corporate Services J. Bradshaw, General Manager Infrastructure and Utilities G. Joubert, Acting General Manager Commercial Services J. Hoolihan, Manager Planning and Environment K. Byrne and Coordinator Communications A. Ferris left the meeting.

The meeting was closed at 5.31pm

Clean Growth Choices

Out of Closed Session

Resolution:

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

2018 / 08 / 07 / 021

Carried (8-0)

The meeting was opened at 5.43pm

Attendance

Acting General Manager Commercial Services J. Hoolihan returned to the meeting at 5.43pm.

Clean Growth Choices

Executive summary:

Central Highlands Regional Council has been selected to participate in a Clean Growth Choices pilot program that is being conducted in conjunction with the Department of Environment and Heritage Protection. This report is to confirm participation and to identify representatives for the Central Highlands Region.

Resolution:

Cr Brimblecombe moved and seconded by Cr Rolfe “That Central Highlands Regional Council enter into an acceptable Memorandum of Understanding with the Institute for Resilient Regions of the University of Southern Queensland to partner with the Clean Growth Choices consortium to consider and develop economic resilience strategies.

Further that, the Mayor, Councillor Daniels, General Manager Central Highlands Development Corporation and Manager Planning and Environment be authorised representatives and further attend the Clean Growth Choices induction workshop in Brisbane on 17 August 2018.”

2018 / 08 / 07 / 022

Carried (8-0)

CLOSURE OF MEETING

There being no further business, the Mayor closed the meeting at 5.44pm.

CONFIRMED

MAYOR

DATE