

## **General Council Meeting**

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

**Tuesday, 28 August 2018**  
**Commenced at 2.30pm**

**COUNCIL MINUTES**

# CENTRAL HIGHLANDS REGIONAL COUNCIL

## GENERAL MEETING OF COUNCIL

TUESDAY 28 AUGUST 2018

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**MINUTES – GENERAL COUNCIL MEETING**

**HELD AT 2.30PM TUESDAY 28 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 (attended at 2.41pm)

**Officers**

Chief Executive Officer S. Mason, General Manager Communities D. Fletcher, Acting General Manager Corporate Services M. Gatt, General Manager Infrastructure and Utilities G. Joubert, Coordinator Communications A. Ferris, Minute Secretary M. Wills

**APOLOGIES**

Nil

**LEAVE OF ABSENCE**

***Resolution:***

Cr Nixon moved and seconded by Cr Daniels “That a leave of absence be granted for Councillor Godwin-Smith and Councillor Bell for the 11 September 2018 meeting.”

**2018 / 08 / 28 / 001**

Carried (8-0)

**CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**General Council Meeting: 7 August 2018**

***Resolution:***

Cr Brimblecombe moved and seconded by Cr Godwin-Smith “That the minutes of the previous General Council Meeting held on 7 August 2018 be confirmed subject to an amendment noting Cr Bell’s leave of absence.”

**2018 / 08 / 28 / 002**

Carried (8-0)

**Business Arising Out Of Minutes**

Nil

**Outstanding Meeting Actions**

Nil

**Review of Upcoming Agenda Items**

Nil

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

Nil

**PETITIONS (IF ANY)**

Nil

### Attendance

Manger Planning and Environment K. Byrne and Town Planner J. Marsh attended the meeting at 2.38pm  
Cr Sypher entered the meeting at 2.41pm

## **COMMUNITIES**

### **Development Application – MCU188.2-2010 (4064/10) – Extension and Minor Change Application: Material Change of Use: Caravan Park– Lot 60 on SP197267 – Mackenzie Street Blackwater**

#### **Executive summary:**

A request has been submitted to extend the relevant period of a Development Approval for a Material Change of Use: Caravan park, 20 caravan sites, 400m<sup>2</sup> camping sites, 426 units, caretakers' residence and ancillary facilities on land located at 60 Mackenzie Street, Blackwater with an additional four (4) years to 27 July 2022. The original application was required to be publicly notified and 65 properly made and one (1) not properly made submissions were received. If similar application was submitted today to Council, it would be impact assessable and would be required to be publicly notified due to the conflicts with planning legislation.

- On 5 September 2011, the original development approval for a Material Change of Use: Caravan park was approved.
- On 27 July 2012, a related approval for Operational Works was approved.
- On 16 October 2015, a request for extension of relevant period was assessed and subsequently approved, extending the currency period for two (2) years until 27 July 2018. The previous approval to extension of the currency period therefore allowed a six (6) year relevant period.
  - Therefore, in accordance with section 341(4) of the *Sustainable Planning Act 2009*, the relevant period for this development approval expired on 27 July 2018.
  - The applicable planning scheme at the time was the Duaringa Shire Planning Scheme 2007. The previous planning report indicated that no further extensions would be supported by Council. Therefore any additional extensions would require a new application.
- On 11 July 2017, a 'Generally in Accordance' approval was granted and amended the proposed development to include a reduction from 426 rooms to 410 units, with no changes to the 20 caravan sites, a manager's residence and 400m<sup>2</sup> camping sites and ancillary facilities.

#### **Resolution:**

Cr Brimblecombe moved and seconded by Cr Rolfe "That Central Highlands Regional Council **refuse** the application for a Development Permit for Material Change of Use: Caravan park (410 units, 20 caravan sites, a manager's residence, 400m<sup>2</sup> camping sites and ancillary facilities) on land described as Lot 60 on SP197267 at Mackenzie Street Blackwater, subject to the following grounds:

#### **Grounds of Refusal:**

1. The development was originally assessed and decided under the Duaringa Planning Scheme 2007 and originally defined as a Caravan park. On 30 July 2010, the Blackwater Priority Development Area (PDA) was declared by regulation and subsequent 'extension of currency period' and 'generally in accordance' applications were assessed under this Scheme with consideration to the Duaringa Planning Scheme 2007 and any other matters deemed relevant. That approval is inconsistent with the current laws, policies and guidelines that apply to the development as follows:
  - The proposed development is in conflict with the purpose of the Residential zone in that the development does not achieve the residential density, scale or character intended for the zone.
  - The proposed development in its current form cannot be appropriately defined as either a 'Tourist park' or 'Non-resident worker accommodation' and therefore to this degree provides inconsistencies within the Residential zone.
  - The proposed development site is inconsistent with the area designated for 'Non-resident workers' accommodation.
  - The proposed development has a significant shortfall of required carparking spaces onsite.

- The applicant has not demonstrated that an overriding community need still exists for the development to establish on a site where the use is inconsistent with the zoning.

2018 / 08 / 28 / 003

Carried (9-0)

Attendance

Manager Planning and Environment K. Byrne and Town Planner J. Marsh left the meeting at 2.53pm

**Capricorn Enterprise - Memorandum of Understanding 2018 - 2019**

**Executive summary:**

Capricorn Enterprise is the regional tourism organisation that provides tourism marketing on behalf of Central Highlands Regional Council. Each year, council provides funding to Capricorn Enterprise that is matched by Tourism and Events Queensland. A memorandum of understanding is entered into by both organisations that clearly articulates the intended outcomes of service delivery for the coming twelve months.

**Resolution:**

Cr Nixon moved “That Council proceed to the next order of business and that this report be deferred until the next meeting.”

2018 / 08 / 28 / 004

Carried (9-0)

Attendance

Manager Planning and Environment K. Byrne and Coordinator Ranger Services B. Keys attended the meeting at 3.12pm

**Approved Inspection Program**

**Executive summary:**

It has been identified that Central Highland Regional Council (CHRC) is experiencing an increase in animal related requests throughout the region. In turn it is the intention of CHRC Ranger Services to undertake an Approved Inspection Program (AIP) throughout the CHRC region for the purpose of targeting contravention of Local Laws of the Central Highland Regional Council. Ranger Services will undertake a rotational approach to this AIP task with two (2) Rangers attending a designated area for a day long period with the expectation that two (2) days a week will be dedicated to undertaking this exercise. Rangers will commence execution of this task in the outlying urban areas such as Duaringa, Springsure, Capella and the Gemfields and moving inward over the AIP timeframe with the intention of persuading enforcement as the Rangers move closer to the higher levels of registration being within the urban area i.e. the Emerald town centre.

**Resolution:**

Cr Brimblecombe moved and seconded by Cr Godwin- Smith “That Central Highlands Regional Council approve the request for Ranger Services to undertake an approved inspection program of the CHRC area to ensure compliance with relevant Local Laws in accordance with section 133 (subsection 2) of the *Local Government Act 2009*.”

2018 / 08 / 28 / 005

Lost (5-4)

### **Sodium Fluoroacetate (1080) Mapping**

#### **Executive summary:**

The Ranger Services team delivers varying services within the region with one of these services being the assistance to rural landholders in delivery on Central Highlands Regional Council's (CHRC) Biodiversity plan 2017-2020 through Sodium fluoroacetate (1080) baiting. The Ranger Services team provides assistance to landholders in the provision of access to 1080 within the region to combat pest animals in the area. This in turn is aligned with the Biodiversity framework in collaboration with other stakeholders as baiting is undertaken by nearby councils and with state partners such as Department of Agriculture Forestry and Fisheries. CHRC is investigating the implementation of a mapping strategy to identify all properties participating in current baiting in the area.

#### **Resolution:**

Cr Daniels moved and seconded by Cr Rolfe "That Central Highlands Regional Council receive this report on the initiative to implement a 1080 mapping system to capture data related to ongoing baiting in the region."

**2018 / 08 / 28 / 006**

Carried (9-0)

#### **Attendance**

Manager Planning and Environment K. Byrne and Coordinator Ranger Services B. Keys left the meeting at 3.47pm

Consultant Corporate Services W. Jensen attended the meeting at 3.48pm

## **CORPORATE SERVICES**

### **Monthly Financial Report - July 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 of Council's financial performance. While this report complies with statutory obligations, it is also intended to provide additional information to keep Councillors informed of relevant matters impacting on the financial position of Council. At this point in the year it is difficult to identify any trends, but activity levels have been comparable with the same period from previous years.

#### **Resolution:**

Cr Sypher moved and seconded by Cr Nixon "That Central Highlands Regional Council receive the Monthly Financial Report for the period ended 31 July 2018."

**2018 / 08 / 28 / 007**

Carried (9-0)

#### **Attendance**

Consultant Corporate Services W. Jensen left the meeting at 3.58pm

Manager Governance (fixed term) C. Joosen attended the meeting at 3.58pm

### **Update on Belcarra Legislation**

#### **Executive summary:**

This report is intended to provide updated information for the following:

1. Amendments to the Local Government Act following the Crime and Corruption Commissions 'Belcarra report' and the status of their implementation.
2. Governance Officers continue the review of Council Governance Framework and Policies.
3. Advice on proposed administrative arrangements relating to the Public Interest Disclosure Act 2010.
4. Advice on publication by the Crime and Corruption Commission of the report, 'Culture and Corruption Risks in Local Government "Windage report"'.  
4. The Progressing of operational risk management assessments.

**Resolution:**

Cr Godwin-Smith moved and seconded by Cr Rolfe "That Central Highlands Regional Council receive the information report and note:

1. The Local Government Department will undertake training on the amendments to the Local Government Act (The Belcarra amendments) to be held in Emerald in the near future;
2. Council will continue the review of its policy suite to ensure compliance with its legislative obligations, the general local government principles and good governance practice;
3. Note the Officers' review the Public Interest Disclosure Model documents developed by the Office of the Queensland Ombudsman, and where required, report to Council; and further
4. Note that in the further development of its Enterprise Risk Management Framework, Council governance officers undertake a detailed review of the CCC report 'culture and corruption risks in local government' and identify Councils particular operational and departmental fraud and corruption risk and mitigation measures."

**2018 / 08 / 28 / 008**

Carried (9-0)

Attendance

Manager Governance (fixed term) C. Joosen left the meeting at 4.07pm

Manager Water Utilities P. Manning attended the meeting at 4.07pm

General Manager Communities D. Fletcher left the meeting at 4.10pm

General Manager Communities D. Fletcher returned to the meeting at 4.11pm

## **INFRASTRUCTURE AND UTILITIES**

### **Urban Water Restriction Levels**

**Executive summary:**

The Central Highlands Regional Council Drought Management Plan current as 2009, has triggers for imposing water restrictions for users of urban potable water which are brought in to conserve water supplies when required.

**Resolution:**

Cr Nixon moved and seconded by Cr Brimblecombe "That Central Highlands Regional Council receive the information report describing water restriction trigger levels."

**2018 / 08 / 28 / 009**

Carried (9-0)

Attendance

Chief Executive Officer S. Mason left the meeting at 4.20pm

Chief Executive Officer S. Mason returned to the meeting at 4.22pm

## **Raw Water Sales for Domestic Use**

### **Executive summary:**

One of the raw water groups near Emerald has enquired whether council would have water allocation available for trading for domestic use due to the low announced allocations. It is recommended that a decision is made to not make water available for trade at present as there are other options available for stock and domestic users to access additional water, such as purchasing allocation from current water traders or purchasing potable water from Emerald by tanker as is required by any resident across the region not on the town scheme.

### **Resolution:**

Cr Godwin-Smith moved and seconded by Cr Brimblecombe “That Central Highlands Regional Council decline to currently seasonally trade allocation solely for domestic use as there is currently a market for users to purchase water.”

**2018 / 08 / 28 / 010**

Carried (9-0)

### Attendance

Manager Water Utilities P. Manning left the meeting at 4.24pm

## **CENTRAL HIGHLANDS DEVELOPMENT CORPORATION**

### **Central Highlands Development Corporation - Service Level Agreement 2018 – 2021**

### **Executive summary:**

Central Highlands Development Corporation (CHDC) works in collaboration with CHRC, stakeholders, businesses, industry, 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 annually to CHDC for the delivery of services responding to Key Priority 3 of the CHRC Operational Plan and reporting on measurable activities reflected through the Service Level Agreement Schedule B.

The 2015-2018 Service Level Agreement (SLA) between the Central Highlands Regional Council and Central Highlands Development Corporation Ltd (CHDC) is due for renewal as of 1 July 2018. On the 6<sup>th</sup> August, 2018, CHDC Board accepted the Draft 2018-2021 Service Level Agreement for Councils consideration in the delivery of agreed services and activities corresponding to Key Priority 3 of the CHRC Operational Plan and the KPI’s identified in the CHDC 2018-2019 Operational Plan (SLA Schedule B).

### **Resolution:**

Cr Nixon moved “That Central Highlands Regional Council defer this report to the next meeting.”

**2018 / 08 / 28 / 011**

Carried (9-0)



## **CHIEF EXECUTIVE OFFICER**

### **National Economic Development Conference - 16-19 October 2018**

#### **Executive summary:**

The National Economic Development Council Conference and Study Tour is being held in Rockhampton from 16 to 19 October 2018.

The three-day conference will attract economic development practitioners from around the country and around the world; and representatives from all levels of government.

The 2018 conference will feature a compelling program of highly regarded thought-leaders whose knowledge and expertise will challenge delegates, and encourage robust dialogue around the conference's central themes.

#### **Resolution:**

Cr Nixon moved and seconded by Cr Daniels "That Central Highlands Regional Council be represented at the National Economic Development Council Conference and Study Tour to be held in Rockhampton from 16 to 19 October 2018 by Councillors Godwin-Smith and Brimblecombe."

**2018 / 08 / 28 / 012**

Carried (9-0)

## **GENERAL BUSINESS**

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

#### **Cr Rolfe**

- Advised that the use of raw water use at the saleyards is working well with dust suppression and as drinking water for the cattle.

#### **Cr Nixon**

- Tidy Towns - asked if any township had been nominated. If not, can Springsure and Rolleston be nominated? *General Manager Communities advised that three towns have been nominated for the Tidy Towns Competition - Emerald, Capella and Springsure.*
- Requested an update with regards to negotiations with Santos regarding roads and communications in the Arcadia Valley area. *General Manager Infrastructure and Utilities provided a verbal update.*
- Ivy Anderson Home – requested Council give consideration to this project as a major project for political advocacy until project completion. Further, to progress the Ivy Anderson Village Project to a shovel ready state and that Central Highlands Regional Council approve the transfer of \$150,000 at budget review. *Chief Executive Officer S. Mason advised that this will be considered at Budget Review 1 and that a business case and report will need to be presented to Council for consideration.*

#### **Ivy Anderson Home**

##### **Resolution:**

Cr Nixon moved and seconded by Cr Sypher "That Council instruct its Chief Executive Officer to provide a report on advancing the Ivy Anderson Home Village Project."

**2018 / 08 / 28 / 013**

Carried (9-0)

## **CLOSED SESSION**

### **Into Closed Session**

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

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

**2018 / 08 / 28 / 014**

**Carried (9-0)**

The meeting was closed at 4.52pm

#### ***Attendance***

General Manager Infrastructure and Utilities G. Joubert, Coordinator Communications A. Ferris left the meeting at 4.53pm

Manager Planning and Environment K. Byrne and Consultant Corporate Services W. Jensen attended the meeting at 4.53pm

### **One year extension of recycling contract to Orora and Increase to Gate Fees**

#### ***Attendance***

Chief Executive Officer S. Mason left the meeting at 5.07pm and returned at 5.08pm

General Manager Communities D. Fletcher, Acting General Manager Corporate Services M. Gatt, Manager Planning and Environment K. Byrne and Consultant Corporate Services W. Jensen left the meeting at 5.21pm

### **Shepton Quarry - Lease Amendment**

#### ***Attendance***

General Manager Infrastructure and Utilities G. Joubert and Manager Water Utilities P. Manning returned to the meeting at 5.33pm

### **Springsure water incident 13 August 2018**

#### ***Attendance***

Manager Water Utilities P. Manning left the meeting at 5.42pm

### **Infrastructure and Utilities Department**

### **Out of Closed Session**

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

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

**2018 / 08 / 28 / 015**

**Carried (9-0)**

The meeting was opened at 5.49pm

### **One Year Extension of Recycling Contract to Orora and Increase to Gate Fees**

#### ***Executive summary:***

The purpose of this report is to discuss the increase to the gates fees in Councils Recycling Contract with Orora and the extension of the contract for a one year period.

Currently, the gate rate varies from \$92-\$123 a tonne depending on volumes put through the plant by all four (4) Councils set out in the schedule of rates as well as a \$12 a tonne commodity levy. Orora initially proposed a gate fee of \$251 and have since proposed to reduce this with the rates outlined in the recommendation below.

**Resolution:**

Cr Brimblecombe moved and seconded by Cr Daniels “That Central Highlands Regional Council accept the increase in gate fees to ensure the continuation of a recycling service for the Central Highlands region in accordance with the following periods:

- **From 1 November 2018 – 1 January 2019:** \$198/tonne. *The date is to coincide with the Container Refund Scheme commencement date*
- **From 1 January 2019 – 31 December 2019:** \$198/tonne plus CPI
- **From 31 December 2019 – 31 December 2020:** increase to \$212 plus CPI. *The period is the agreed one-year extension to the contract. As a minimum we will need this length of time to secure a long-term facility via any tender process. We need to discuss the future and what Councils want to do.*

And further, that Central Highlands Regional Council agree to an extension of the contract for one year until 31 December 2020.”

**2018 / 08 / 28 / 016**

Carried (8-1)

**Shepton Quarry - Lease Amendment**

**Executive summary:**

In preparation for an Expression of Interest process to be undertaken regarding Shepton Quarry, it has been pertinent for a review of the existing lease to be undertaken to ensure the document is reflective of current requirements and understanding between the Lessor and Council.

**Resolution:**

Cr Nixon moved and seconded by Cr McIndoe “That Central Highlands Regional Council accept the proposed changes to clauses 3.6 and 3.7 of the Shepton Quarry lease as outlined within the report.”

**2018 / 08 / 28 / 017**

Carried (9-0)

**Springsure Water Incident 13 August 2018**

**Executive summary:**

Part of the Springsure town had no water on 13 August 2018 due to the level in one of the reservoirs running low. This was followed by dirty and coloured water complaints. The water levels were built up over the following two days and the network flushed on Tuesday 14 August 2018.

**Resolution:**

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

**2018 / 08 / 28 / 018**

Carried (9-0)

**Departmental Update - Infrastructure and Utilities Department**

**Executive summary:**

The following report provides an update on key activities for the Infrastructure and Utilities Department for the month of August 2018.

- Capricorn Highway (Codenwarra Road to Opal Street / Vince Lester Bridge) Planning Project

***Resolution:***

Cr Brimblecombe moved and seconded by Cr Rolfe “That Central Highlands Regional Council receive the Infrastructure and Utilities departmental update report, highlighting key activities for the month of August 2018.”

**2018 / 08 / 28 / 019**

Carried (9-0)

***Attendance***

Cr Brimblecombe left the meeting at 5.51 pm and did not return.

**CLOSURE OF MEETING**

There being no further business, the Mayor closed the meeting at 5.53pm

CONFIRMED

MAYOR

DATE