

General Council Meeting

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

Tuesday, 13 November 2018
Commenced at 2.30pm

COUNCIL MINUTES

CENTRAL HIGHLANDS REGIONAL COUNCIL

GENERAL MEETING OF COUNCIL

TUESDAY 13 NOVEMBER 2018

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**MINUTES – GENERAL COUNCIL MEETING
HELD AT 2.30PM TUESDAY 13 NOVEMBER 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, 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 Customer and Commercial Services M. Webster, General Manager Infrastructure and Utilities G. Joubert, General Manager Central Highlands Development Corporation S. Hobbs, Corporate Communications Officer J. Lorenzen, Minute Secretary M. Wills

APOLOGIES

Councillor M. Daniels

Resolution:

Cr Nixon moved and seconded by Cr Godwin-Smith “That a leave of absence as previously granted for Councillor Daniels for today’s meeting be recorded.”

2018 / 11 / 13 / 001

Carried (8-0)

Opening Prayer

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

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

General Council Meeting: 23 October 2018

Resolution:

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

2018 / 11 / 13 / 002

Carried (8-0)

LEAVE OF ABSENCE

Nil

Business Arising Out of Minutes

Cr Bell requested a status update on the Bank Guarantee with Coronado Group. *General Manager Corporate Services provided an update advising that he has sought further legal advice regarding Council’s ability to continue to hold the guarantee.*

Cr Godwin-Smith asked if the smaller addendum document to the Central Highlands Regional Council 7 for 46 advocacy document had been prepared as requested at the General Council Meeting of 23 October 2018. *General Manager Communities advised that he had the smaller addendum to distribute to Councillors in the general business section of today’s meeting.*

Outstanding Meeting Actions

Review of Upcoming Agenda Items

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

Cr Nixon declared that she received hospitality from LiquidBlu to attend the National Architecture Awards dinner and two taxi fares in Melbourne on 1 November 2018.

Cr Rolfe declared that she has a real conflict of interest in item 12.5 – Development Applications Update – #14 Santos Toga Pty Ltd MCU028.1-2018 (as defined by section 175D of the *Local Government Act 2009*) as follows: -

- (a) Shareholding in Santos Ltd;

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 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 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. If she may participate in the meeting in relation to the matter, including by voting on the matter."

Cr Rolfe left the meeting at 2.50pm

Resolution:

Cr Brimblecombe moved and seconded by Cr Godwin-Smith "That Councillor Rolfe has a real conflict of interest in the matter and, notwithstanding the conflict, Councillor Rolfe may participate in the matter, discuss and vote upon it."

2018 / 11 / 13 / 003

Carried (7-0)

Attendance

Cr Rolfe returned to the meeting at 2.54pm

PETITIONS (IF ANY)

Nil

Attendance

Manager Planning and Environment K. Byrne attended the meeting at 2.56pm

COMMUNITIES

Update on the Clean Growth Choices Workshop

Executive summary:

Council has been invited to become part of the Clean Growth Choices Pilot Programme through entering into a Memorandum of Understanding (MoU) with the University of Southern Queensland. On 25 September 2018, this information was last tabled by the Acting General Manager Communities at the General Council meeting and Councillors sought some further clarity around the program prior to it being sent back. It was deferred from the meeting on 23 October 2018 due to a delay in seeking a word version of the MoU.

Resolution:

Cr Godwin-Smith moved and seconded by Cr Brimblecombe “That Central Highlands Regional Council endorse the Chief Executive Officer entering into a Memorandum of Understanding for the Clean Growth Choices Pilot Programme with the University of Southern Queensland to establish a partnership focused on the development of economic resilience strategies, collaborative research projects, establishment of joint research appointments and collaborative applications for research grants.”

2018 / 11 / 13 / 004

Carried (6-2)

Update on the Petition prepared by the Queensland Sapphire Miners Association

Executive summary:

On 23 October 2018, at the General Council meeting, a petition was tabled by Chief Executive Officer that was prepared by the Queensland Sapphire Miners Association in relation to numerous legislative and land management issues affecting all proclaimed Designated Fossicking Land and Fossicking Ares within Central Queensland.

Resolution:

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

1. Receive this report; and
2. Write to the Department of Natural Resources Mines and Energy (DNRME) and advise the concerns raised in the petition by the Queensland Sapphire Miners Association.”

2018 / 11 / 13 / 005

Carried (8-0)

Attendance

Manager Planning and Environment K. Byrne left the meeting at 3.17pm
Sport and Recreation Officer C. Wheeler attended the meeting at 3.17pm

Game Plan - Round 2 Engagement Update

Executive summary:

To provide an update on the second round of community engagement with the Game Plan initiative that is currently being carried out across the region with sport and active recreation organisations in regard to the proposed Policy development and Tenure Framework.

Resolution:

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

2018 / 11 / 13 / 006

Carried (8-0)

Attendance

Sport and Recreation Officer C. Wheeler left meeting at 3.25pm

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 Sypher moved and seconded by Cr Godwin-Smith “That Central Highlands Regional Council retrospectively endorse the 2018 – 2019 Memorandum of Understanding between Central Highlands Regional Council and Capricorn Enterprise, subject to being provided a final version with the Central Highlands Regional Council Chief Executive Officers initials next to the amendments.”

2018 / 11 / 13 / 007

Carried (8-0)

Attendance

Manager Planning and Environment K. Byrne, Coordinator Planning and Development J. Kirkwood and Senior Planner R. Tait attended the meeting at 3.30pm

Executive Assistant (Communities) B. Pusey attended the meeting at 3.39pm

Executive Assistant (Communities) B. Pusey left the meeting at 3.41pm

Development Application Update for October 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 Councillor’s 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 Godwin-Smith moved and seconded by Cr Brimblecombe “That Central Highlands Regional Council receive this report.”

2018 / 11 / 13 / 008

Carried (8-0)

Attendance

Manager Planning and Environment K. Byrne, Coordinator Planning and Development J. Kirkwood and Senior Planner R. Tait left the meeting at 3.42pm

Acting Manager Customer Service R. Brosnan and Manager Community Development S. Poulter attended the meeting at 3.42pm

CUSTOMER AND COMMERCIAL SERVICES

2019 Community Engagement Meeting Dates

Executive summary:

This report provides a suggested schedule for Council’s Community Consultations, Community Reference Group and Community Planning Advisory Group meetings in 2019. This schedule forward plans Council’s community engagement to assist councillors and staff in preparing for and attending these forums. Councillor feedback is sought regarding these dates.

Resolution:

Cr Godwin-Smith moved and seconded by Cr Rolfe “That Central Highlands Regional Council adopt the community consultation, community reference group and community planning advisory meeting dates for 2019 in accordance with the following:

Community Consultation Meeting Dates:

6 – 8 February 2019	Comet and Bluff Dingo and Big Bend Duaringa and Bauhinia
15 – 17 May 2019	Tresswell and Buckland areas Arcadia Valley and Carnarvon Gorge Rolleston, Orion and Toprain
21 – 23 August 2019	Tieri and Clermont Rubyvale Road Sapphire and Anakie Willows Gemfields, Bogantungan and Lochington

Community Reference Group Meeting Dates:

Community	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Arcadia Valley	Tue, 5 Mar	Tue, 21 May	Tue, 17 Sep	Tue, 3 Dec
Bauhinia	Fri, 1 Mar	Fri, 7 Jun	Fri, 2 Aug	Fri, 15 Nov
Blackwater	Thurs, 14 Feb	Tue, 14 May	Mon, 19 Aug	Thu, 7 Nov
Bluff	Mon, 25 Feb	Mon, 20 May	Wed, 28 Aug	Mon, 4 Nov
Capella	Wed, 20 Feb	Tue, 21 May	Mon, 26 Aug	Wed, 13 Nov
Comet	Wed, 6 Mar	Wed, 29 May	Mon, 19 Aug	Mon, 18 Nov
Dingo	Mon, 4 Mar	Thu, 30 May	Tue, 3 Sep	Thu, 14 Nov
Duaringa	Thu, 21 Mar	Thu, 6 Jun	Wed, 12 Sep	Thu, 21 Nov
Emerald	Wed, 13 Feb	Wed, 29 May	Wed, 11 Sep	Wed, 27 Nov
Gemfields	Wed, 30 Jan	Wed, 8 May	Wed, 18 Sep	Thu, 28 Nov
Rolleston	Thu, 28 Feb	Fri, 3 May	Tue, 20 Aug	Fri, 22 Nov
Springsure	Mon, 11 Feb	Mon, 27 May	Mon, 23 Sep	Mon, 25 Nov
Tieri	Thur 14 Feb	Thu, 13 Jun	Tue, 30 Sep	Mon, 18 Nov

Community Planning Advisory Meeting Dates:

Friday 25 January 2019
 Wednesday 17 April 2019
 Monday 22 July 2019
 Monday 21 October 2019”

Note: All meetings are held in the Emerald council office.

2018 / 11 / 13 / 009

Carried (8-0)

Attendance

Acting Manager Customer Service R. Brosnan and Manager Community Development S. Poulter left the meeting at 3.53pm
Infrastructure Project Manager K. Downey attended the meeting at 3.53pm

INFRASTRUCTURE AND UTILITIES

Tender panel recommendations to award tender RFT 2018030C - 2017 Restoration of Shire road assets (under NDRRA initiatives)

Executive summary:

Request for Tender (RFT) 2018T030C for the engagement of contractors to deliver Natural Disaster Relief and Recovery Arrangements (NDRRA) stabilisation road restoration works closed on 15 October 2018. This report provides the tender evaluation panel recommendation to award this contract.

Resolution:

Cr Brimblecombe moved and seconded by Cr Rolfe "That Central Highlands Regional Council endorse the tender panel recommendations to award tender RFT 2018T030C - 2017 Restoration of Shire Road Assets (under NDRRA initiatives) – Package Nine (9) (Road Rehabilitation) to Civil Mining and Construction Pty Ltd for \$3,507,934.36 (exclusive of goods and services tax)."

2018 / 11 / 13 / 010

Carried (8-0)

Attendance

Infrastructure Project Manager K. Downey left the meeting at 4.01pm

Building Better Regions Fund Round Three

Executive summary:

The Building Better Regions Fund Round Three (3) is currently open and closes on the 15 November 2018. The purpose of this report is to nominate projects for submission and to ensure these projects are fully funded to match any proposed grant funding, if successful, as a required under the guidelines.

Resolution:

Cr Godwin-Smith moved and seconded by Cr McIndoe "That Central Highlands Regional Council nominate the following projects for applications for grant funding under the Building Better Regions Fund Round Three (3):

1. Emerald Runway Upgrade - \$10.6 million
2. Spelling Yards – Emerald Saleyards - \$1.3 million
3. Nogoia River Recreational Trail Emerald - \$500,000

Further that the budgets for these projects be reviewed at Budget Review two (2) to ensure these projects are fully funded to match any proposed grant funding, if successful, as a requirement under the guidelines."

2018 / 11 / 13 / 011

Carried (8-0)

Attendance

Manager Water Utilities P. Manning attended the meeting at 4.06pm

Minute Secretary M. Wills left the meeting at 4.13pm

Minute Secretary M. Wills returned to the meeting at 4.14pm

Water Restrictions Update

Executive summary:

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

The level of the Fairbairn Dam is being monitored to determine when the level of restrictions will be increased for townships. Council has made some changes in water use to assist in conserving water supplies.

Resolution:

Cr Brimblecombe moved and seconded by Cr Nixon “That Central Highlands Regional Council receive the information report updating the current levels of water restriction and conservation measures.”

2018 / 11 / 13 / 012

Carried (8-0)

Attendance

Manager Water Utilities P. Manning left the meeting at 4.18pm

DEPARTMENTAL UPDATES

Infrastructure and Utilities

Executive summary:

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

- ❖ Capricorn Highway (Codewarra Road to Opal Street) Planning Report

Resolution:

Cr McIndoe moved and seconded by Cr Godwin-Smith “That Central Highlands Regional Council receive the Infrastructure and Utilities departmental update report, highlighting key activities for the month of October.”

2018 / 11 / 13 / 013

Carried (8-0)

LATE AGENDA ITEMS

Blackwater Art Society Building

Executive summary:

The Blackwater Art Society building located at 6 Evans Street, Blackwater is at the end of its' asset life and the report provides options for Council's consideration in relation to the provision of suitable replacement facilities for the group.

Resolution:

Cr Brimblecombe moved “That Central Highlands Regional Council defer this report to a future General Council Meeting subject to further information being provided.”

2018 / 11 / 13 / 014

Carried (8-0)

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

Resolution:

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

1. Finance and Infrastructure Standing Committee Meeting held on 13 November 2018;
2. Communities Standing Committee Meeting held on 13 November 2018 (subject to amendment);
and
3. Leadership and Governance Standing Committee Meeting held on 13 November 2018

be confirmed.”

2018 / 11 / 13 / 015

Carried (8-0)

GENERAL BUSINESS

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

Cr Nixon

- Thanked Council for opportunity her to attend the National Architecture Awards night in Melbourne on 1 November 2018. Blackwater Aquatic Centre had been nominated in two sections at the awards.
- Also thanked Council for allowing her to attend the Local Government Association of Queensland Annual Conference in Brisbane.

Cr Godwin-Smith

- Fitzroy Basin Association (FBA) has recently celebrated its 21st anniversary of the establishment of the Association. A book has been published to commemorate the occasion and she presented it to Council on behalf of FBA.

Cr Brimblecombe

- Thanked Coordinator Ranger Services Mr Brett Keys for the recent work done towards flying foxes, cats and stockroutes in the region.

General Manager Communities provided to Councillors the smaller projects draft addendum document to the Central Highlands Regional Council 7 for 46 advocacy document and sought Councillors feedback to the document.

Cr Bell

- Requested for Council to send a letter of congratulations to Councils who did not support the fly in fly out operations for the Adani Carmichael Mine located north of Clermont. Advice received is that Adani has given up on the application to lock out employment of workers from communities of the Central Highlands including Emerald, Gladstone, Livingstone, Mackay and Moranbah.

CLOSED SESSION

Into Closed Session

Resolution:

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

2018 / 11 / 13 / 016

Carried (8-0)

The meeting was closed at 4.39pm

Attendance

General Manager Corporate Services J. Bradshaw, General Manager Infrastructure and Utilities G. Joubert, General Manager Customer and Commercial Services M. Webster, General Manager Central Highlands Development Corporation S. Hobbs, Corporate Communications Officer J. Lorenzen left the room at 4.39pm

Manager Planning and Environment K. Byrne and Coordinator Ranger Services B. Keys attended the meeting at 4.39pm

Update on Kingower Masterplan

Attendance

General Manager Communities D. Fletcher, Manager Planning and Environment K. Byrne and Coordinator Ranger Services B. Keys left the meeting at 4.57pm

General Manager Corporate Services J. Bradshaw returned to the meeting at 4.58pm

Manager Asset Management M. Gatt attended the meeting at 4.58pm

Rates Concession - Assessment 15744

Sale of Land - Round 3 Report

Attendance

General Manager Corporate Services J. Bradshaw and Manager Asset Management M. Gatt left the meeting at 5.12pm

Out of Closed Session

Resolution:

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

2018 / 11 / 13 / 017

Carried (8-0)

The meeting was opened at 5.13pm

Update on the Kingower Masterplan

Executive summary:

In late 2014, the Central Highlands Regional Council commissioned GHD to undertake a preliminary site assessment and develop an associated concept master plan for approximately 40 ha of land owned by Council located north of Kingower Road and east of the Gregory Highway on land known as “Kingower”. The draft Site Development Report was provided to Council in February 2015 and has since stalled with no further progress to date.

Resolution:

Cr Brimblecombe moved and seconded by Cr Nixon “That Central Highlands Regional Council receive this information report regarding the Kingower site and acknowledge the work required to progress the preliminary site assessment by GHD to consider Kingower as the ideal location for the replacement of the Emerald pound.

Further that, Council identify a three hour timeslot to workshop this matter further.”

2018 / 11 / 13 / 018

Carried (8-0)

Rates Concession - Assessment 15744

Executive summary:

Council has received a request to waive interest of \$9,982.97 that has accrued on the outstanding debt in respect of Assessment 15744. As at 31 October this debt totalled \$65,059.14, including interest on the arrears. The ratepayer claims that the interest, which has accrued since 2015, is not equitable as they were unaware of the debt because they were not serviced with rate notices after the lessee of the premises was placed into administration.

Resolution:

Cr Sypher moved and seconded by Cr Brimblecombe “That Central Highlands Regional Council approve a concession of \$9,982.97, representing the waiver of interest accrued on the debt recorded in respect of Assessment 15744, once a suitable agreement has been entered into for a repayment plan.”

2018 / 11 / 13 / 019

Carried (7-1)

Sale of Land - Round 3 Report

Executive summary:

The purpose of this report is to make a recommendation to Council to issue pre-warning letters to 57 ratepayers to recover outstanding rates and charges prior to proceeding with the Sale of Land process, in accordance with section 140 (2) of the *Local Government Regulation 2012*.

Resolution:

Cr Sypher moved and seconded by Cr Brimblecombe “That the Central Highlands Regional Council issue pre-warning letters to the below properties on the basis that there are no further avenues available to Council for the recovery of the outstanding rates and charges:

Assessment Numbers					
147	1954	4204	10005	15866	17763
187	2049	4224	10045	15877	17788
188	2112	4444	10238	15911	17868
229	2119	4623	15001	16020	25144
268	2410	4833	15030	16294	27106

500	2528	4899	15050	16493	27655
588	2688	5618	15278	16746	27656
889	3046	7412	15550	16776	
1072	3406	7582	15619	17142	
1821	3825	8946	15629	17606	

2018 / 11 / 13 / 020

Carried (8-0)

CLOSURE OF MEETING

There being no further business, the Mayor closed the meeting at 5.18pm

CONFIRMED

MAYOR

DATE