

General Council Meeting

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

Tuesday, 22 January 2019
Commenced at 2.30pm

COUNCIL MINUTES

CENTRAL HIGHLANDS REGIONAL COUNCIL

GENERAL MEETING OF COUNCIL

TUESDAY 22 JANUARY 2019

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MINUTES – GENERAL COUNCIL MEETING
HELD AT 2.30PM TUESDAY 22 JANUARY 2019 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 and G. Sypher

Officers

Chief Executive Officer S. Mason, General Manager Communities D. Fletcher, Acting General Manager Corporate Services R. Ferguson, General Manager Customer and Commercial Services M. Webster, General Manager Infrastructure and Utilities G. Joubert, General Manager Central Highlands Development Corporation S. Hobbs, Coordinator Communications A. Ferris, Minute Secretary M. Wills

APOLOGIES

Councillor C. Rolfe

Resolution:

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

2019 / 01 / 22 / 001

Carried (8-0)

LEAVE OF ABSENCE

Nil

Opening Prayer

Pastor Stephen Gellatly from the Emerald Baptist Church delivered the opening prayer.

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

General Council Meeting: 11 December 2018

Resolution:

Cr Brimblecombe moved and seconded by Cr Nixon “That the minutes of the previous General Council Meeting held on 11 December 2018 be confirmed.”

2019 / 01 / 22 / 002

Carried (8-0)

Business Arising Out of Minutes

Cr Brimblecombe requested an update on his request via the General Business from the December meeting with regards to an amendment to the membership to the Standing Committees. *CEO Scott Mason provided an update to Cr Brimblecombe to the status of the report.*

Cr McIndoe queried if the report will also have the option for the Standing Committees being dissolved.

Outstanding Meeting Actions

Nil

Review of Upcoming Agenda Items

Nil

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

Cr Daniels declared that she has a conflict of interest Closed Session - Departmental Update from the Infrastructure and Utilities for the Sojitz Coal: Gregory and Wilton-Fairhill Project update (as defined by section 175D of the *Local Government Act 2009*) as follows: -

- a) That they own property neighbouring the proposed Wilton Coal mine site; and
- b) Her husband and I are in negotiation with a Make Good Agreement for the potential impact on ground water sources.

However, Cr Daniels acknowledged that the remaining councillors must 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.

Cr Godwin-Smith declared that in accordance and defined in section 175D(3) of the *Local Government Act 2009* regarding to the GP Super Clinic, that as a Council nominated member of the GP Super Clinic Board (Central Highlands Healthcare Limited), that she intends on staying in the room during discussions, and that she had previously declared a conflict of interest and requested the Chief Executive Officer to seek clarification.

The Chief Executive Officer Mr Scott Mason that he will seek clarification and will seek legal advice with regards to Cr Godwin-Smith's declaration.

Cr Bell declared a conflict of interest in the closed session matter item 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).

And requested for the Chief Executive Officer to seek clarification on his declaration to the GP Super Clinic Report.

PETITIONS (IF ANY)

Nil

Attendance

Manager Community Recreation and Facilities J. Bryant attended the meeting at 2.52pm
Chief Executive Officer S. Mason left the meeting at 2.52pm

COMMUNITIES

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 and seconded by Cr Nixon "That Central Highlands Regional Council:

1. Note the comments in relation to 11 Doon Street, Blackwater and 6 Evans Street, Blackwater in terms of suitability for the Blackwater Art Society and their preference to remain at 6 Evans Street, Blackwater.
2. Rescind Resolution CSC 2016/10/24/05 from the 24 October 2016 Communities Standing Committee Meeting which states:

"Cr G. Nixon moved and seconded by Cr M. Daniels That Central Highlands Regional Council agrees in principle to amend the use of the land located at 11 Doon Street, Blackwater to provide space for community, arts and cultural groups and activities, subject to all necessary statutory approvals being obtained, and existing tenancy agreements ended", due to:

- a) The property at 11 Doon Street, Blackwater not being suitable for the relocation of the Blackwater Art Society, and;
 - b) The Blackwater Arts Society's preference to remain at their existing location.
3. Endorse the reallocation of \$150,000 from budget item - Purchase of Community Housing (W18172) - towards the demolition and replacement of the Blackwater Art Society building at 6 Evans Street."

2019 / 01 / 22 / 003

Carried (7-1)

Attendance

Chief Executive Officer S. Mason returned to the meeting at 3.01pm
Governance Officer M. Ryan attended the meeting at 3.02pm

Rolleston Showgrounds Storm Damage

Executive summary:

Extensive damage occurred to the Rolleston Showgrounds on 29 October 2018 when a storm event destroyed the toilet/amenities and damaged other assets. It is proposed that Council fund the repair and replacement of those impacted assets to facilitate the hosting of a campdraft event at the venue on 13-14 April 2019.

Resolution:

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

1. Note the damage that occurred to infrastructure at the Rolleston showgrounds during a local storm event on 29 October 2018;
2. Endorse the allocation of an initial sum of \$120,000 for allocation to the repair and replacement of the Rolleston Showground infrastructure items in preparation for the Rolleston Campdraft Association event in April 2019.

2019 / 01 / 22 / 004

Carried (8-0)

Attendance

Manager Community Recreation and Facilities J. Bryant and Governance Officer M. Ryan left the meeting at 3.05pm

Chief Executive Officer S. Mason provided update on the legal advice with regards to Cr Godwin-Smith's membership on the GP Super Clinic Board and confirmed that she is entitled to remain in the meeting unless she has provided a person guarantee to the Central Highlands Health Board. Advice with regards to Cr Bell is that he is a member of the GP Super Clinic and not as a member on behalf of Council and that he is required to declare a conflict of interest under section 175D of the Act.

Cr Bell advised that he intends on leaving the meeting when this matter is to be discussed.

Attendance

Manager Planning and Environment K. Byrne attended the meeting at 3.09pm

Update on Planning Scheme Amendment Schedule

Executive summary:

The Central Highlands Regional Council is committed to having a dynamic planning scheme which is reviewed both periodically and on an as required basis to integrate key policy changes, economic growth opportunities and community expectations. The benefit of having a dynamic planning scheme ensures that there is ongoing improvement to land use planning and development decision-making.

Resolution:

Cr Nixon moved and seconded by Cr Daniels "That Central Highlands Regional Council receive this report."

2019 / 01 / 22 / 005

Carried (8-0)

Attendance

Coordinator Development and Planning J. Kirkwood and Senior Planner R. Tait attended the meeting at 3.15pm

Development Application Update for December 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 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."

2019 / 01 / 22 / 006

Carried (8-0)

Attendance

Coordinator Development and Planning J. Kirkwood and Senior Planner R. Tait left the meeting at 3.32pm
Ranger M. Clarke attended the meeting at 3.32pm

Rural Services Meeting

Executive summary:

On 24 July 2018, a submission was put forward by Ranger services with regard to a request to re-establish rural service meetings in the Central Highlands Regional Council area. At this time, it was determined that further consideration was required to confirm the format and interest from state agencies and rural landholders to attend these meetings. Ranger services have since met with stakeholders and this report is an update on the outcome of those meetings.

Resolution:

Cr Daniels moved and seconded by Cr Nixon “That Central Highlands Regional Council receive this update report in relation to a scheduled rural service meeting to be held in the Central Highlands Regional Council area at the Emerald Town Hall on 29 March 2019.”

2019 / 01 / 22 / 007

Carried (8-0)

Attendance

Ranger M. Clarke left the meeting at 3.44pm

Administration Assistant C. Pretorius attended the meeting at 3.46pm and left at 3.46pm

Container Deposit Legislation (CRS) Report

Executive summary:

Queensland is one of the most littered states in Australia. Around 3 billion drink and beverage containers are used in Queensland each year. Many of these drink containers end up as being the second most commonly littered item. Many of the drink containers are plastic creating a huge global problem. It poses a huge threat to our waterways and marine life as well as adding to volumes of wastes going to landfills.

The Queensland Government’s Container Refund Scheme commenced on 1 November 2018 and helps increase recycling rates by providing an incentive for people to ‘do the right thing’ and create and support new employment and business opportunities in recycling and collection for many local communities.

The purpose of this report is to provide an update to council on how the Container Refund Scheme has been operating in the Central Highlands.

Resolution:

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

2019 / 01 / 22 / 008

Carried (8-0)

Attendance

Manager Planning and Environment K. Byrne left the meeting at 3.51pm

Coordinator Corporate Communications A. Ferris attended the meeting at 3.52pm

Corporate Communication Quarter 2 Report to Council

Executive summary:

This report is a summary of the activities of the corporate communications team for the second quarter of the 2018-19 financial year.

Resolution:

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

2019 / 01 / 22 / 009

Carried (8-0)

Attendance

Coordinator Corporate Communications A. Ferris left the meeting at 4.02pm
Manager Governance (Fixed Term) C. Joosen attended the meeting at 4.02pm

CORPORATE SERVICES

Local Government Remuneration and Discipline Tribunal Report 2018

Executive summary:

The Local Government Remuneration and Discipline Tribunal (the Tribunal) has concluded its most recent review of remuneration for Mayors, Deputy Mayors and Councillors of Local Governments and has determined that a 2.1% increase over the 2018 remuneration levels should apply from the 1 July 2019.

Resolution:

Cr Sypher moved and seconded by Cr Brimblecombe “That Central Highlands Regional Council receive the recommendations of the Local Government Remuneration and Discipline Tribunal Report for 2018 and adopt the amendments to the remuneration schedule for the Mayor, Deputy Mayor and Councillors at the rates proposed to apply from 1 July 2019.”

2019 / 01 / 22 / 010

Carried (8-0)

Change of Locality Boundary - Mistake Creek Area

Executive summary:

The Department of Natural Resources Mines and Energy (DNRME) has written to Council seeking its views on a proposal to change the locality of Peak Vale and alter locality boundaries – Clermont, Laglan, Frankfield and Peak Vale in the Isaac Regional Council area and to discontinue the locality of Mistake Creek.

Resolution:

Cr Sypher moved and seconded by Cr Godwin-Smith “That Central Highlands Regional Council resolves that it raises no objection to the proposal to alter the locality of Argyll and extend the locality of Peak Vale to include all of Peak Vale station.”

2019 / 01 / 22 / 011

Carried (8-0)

Attendance

Manager Governance (Fixed Term) C. Joosen left the meeting at 4.06pm
Finance Consultant W. Jensen attended the meeting at 4.06pm

Monthly Financial Report - December 2018

Executive summary:

Operating activities are generally in accordance with forecasts, though there have been some delays in rural roads maintenance, recoverable works, and work on the Yamala Inland Port project, which is partially offset by some RPC work undertaken for the Queensland Department of Transport and Main Roads.

Capital works delivery continues to show variances against the original forecast cashflows, though Managers have expressed confidence that the works will be substantially completed within the budget year. The newly created Project Management Office have conducted a review of all projects and are now reviewing the proposed timelines to ensure forecast delivery is realistic or what changes will be needed to ensure completion within the identified timelines. Some adjustments to programming will be identified as part of BR2.

Resolution:

Cr Brimblecombe moved and seconded by Cr Sypher “That Central Highlands Regional Council receive the Monthly Financial Report for the period ended 31 December 2018.”

2019 / 01 / 22 / 012

Carried (8-0)

Attendance

Finance Consultant W. Jensen left the meeting at 4.24pm

Conflict of Interest

Cr Bell declared a conflict of interest in relation to the GP Super Clinic report (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 Bell left the meeting at 4.24pm.

CUSTOMER AND COMMERCIAL SERVICES

GP Super Clinic

Executive summary:

The report provides information for Councillors on the finalisation of matters pertaining to the land transaction between Council and Central Highlands Healthcare Limited involving the transfer of Lots 1 and 2 on SP300939 in freehold tenure.

Resolution:

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

1. Receive the information regarding the finalisation of the land transaction between Council and Central Highlands Healthcare Limited concerning Lots 1 and 2 on SP300939; and
2. Write to the Central Highlands Healthcare Limited to advise that as the land transaction matter between the parties is now complete, that Council no longer has a need for Councillor representation to its board.”

2019 / 01 / 22 / 013

Carried (7-0)

Attendance

Cr Sypher left the meeting to invite Cr Bell back to the meeting at 4.27pm

Cr Sypher and Cr Bell returned to the meeting at 4.28pm

CLOSED SESSION

Into Closed Session

Resolution:

Cr Brimblecombe 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.”

2019 / 01 / 22 / 014

Carried (8-0)

The meeting was closed at 4.29pm

Attendance

General Manager Community Services D. Fletcher, Acting General Manager Corporate Services R. Ferguson, General Manager Infrastructure and Utilities G. Joubert, General Manager Central Highlands Development Corporation S. Hobbs, Communications Officer J. Lorenzen, Minute Secretary M. Wills left the meeting at 4.29pm

Secretary M Wills returned to the meeting at 4.32pm

Sale of Nogoia Rise Land

Land Disposal and Acquisition

Attendance

General Manager Customer and Commercial Services M. Webster left the meeting at 4.47pm

Out of Closed Session

Resolution:

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

2019 / 01 / 22 / 015

Carried (8-0)

The meeting was opened at 4.47pm

Attendance

Acting General Manager Corporate Services R. Ferguson, General Manager Infrastructure and Utilities G. Joubert, General Manager Central Highlands Development Corporation S. Hobbs, Communications Officer J. Lorenzen, returned to the meeting at 4.47pm

General Manager Community Services D. Fletcher returned to the meeting at 4.52pm

INFRASTRUCTURE AND UTILITIES

Yamala Enterprise Area Stormwater Management Master Plan Report

Executive summary:

Council has commenced investigations into future land use planning and infrastructure requirements to support the Yamala Enterprise Area, specifically the future development of the Industry Investigation Zone at Yamala. The first study into stormwater management has been completed. The ‘Yamala Enterprise Area Stormwater Management Master Plan’ is to be endorsed by Council as a background study to be used to inform a future planning scheme amendment and continuing infrastructure investigations.

Resolution:

Cr Godwin-Smith moved and seconded by Cr Sypher “That Central Highlands Regional Council endorse the Yamala Enterprise Area Stormwater Management Master Plan, Revision 5, dated 27 November 2018 for the following purposes:

1. Use as a background study for the purpose of informing a future planning scheme amendment to the Central Highlands Regional Council Planning Scheme in relation to the Yamala Enterprise Area; and
2. Use for stormwater management planning for the Yamala Enterprise Area stormwater catchments.

Further, that Central Highlands Regional Council endorse the ‘Masterplan – Stormwater, Drawing Number ACS-DWG-170087-Masterplan, Sheet 6 of 10, Revision D’ and supporting information contained in the Yamala Enterprise Area Stormwater Management Master Plan for the purpose of informing continuing transport and water supply infrastructure investigations over the Yamala Enterprise Area.”

2019 / 01 / 22 / 016

Carried (8-0)

Inland Queensland Road Network Strategy

Executive summary:

The Inland Queensland Roads Action Project (IQ-RAP) Working Group launched the Inland Queensland Road Network Strategy (IQRNS is the latest version of IQ-RAP) in August 2018 as an advocacy document on behalf of its 28-member Councils in Queensland with Regional Development Australia (RDA) providing Secretariat support for the project. The Chair and Deputy Chairs of the IQ-RAP Working Group wrote to Council on 20 December 2018, seeking ongoing financial support for the IQ-RAP for 2018/19 to support the RDA Secretariat costs to manage the project and support advocacy efforts.

Resolution:

Cr Nixon moved and seconded by Cr Brimblecombe “That Central Highlands Regional Council endorse the Inland Queensland Road Network Strategy to lobby government for funding and continue the financial support of the Inland Queensland Roads Action Project and Regional Development Australia Secretariat in 2018/19 for the sum of \$1,650 (inclusive of goods and services tax).”

2019 / 01 / 22 / 017

Carried (8-0)

Award of Tender 2018T045C - Supply and Installation of Street Lighting

Executive summary:

Central Highlands Regional Council is principal to the Building our Regions funding agreement with the Queensland Department of State Development, Manufacturing, Infrastructure and Planning for the Yamala Rail Siding Project and responsible for delivering the Capricorn Highway and Bonnie Doon Road Intersection Upgrade.

The Tender 2018T045C - Supply and Installation of Street Lighting for this project, as required by the Queensland Department of Transport and Main Roads works approval, was issued on the 21st September 2018. The civil works portion of the intersection upgrade is currently underway and separate to this report.

Resolution:

Cr Brimblecombe moved and seconded by Cr Nixon “That Central Highlands Regional Council endorse the tender panel recommendation to award Tender 2018T045C - Supply and Installation of Street Lighting to Enwise Electrical and Refrigeration Pty Ltd for \$182,726.50 (inclusive of goods and services tax).”

2019 / 01 / 22 / 018

Carried (8-0)

CHIEF EXECUTIVE OFFICER

Selection Panel - General Manager Corporate Services

Executive summary:

The resignation of Mr Jason Bradshaw, General Manager Corporate Services, saw the cessation of his contract with Council on Monday 7 January 2019. Work has now commenced on the recruitment process for a new General Manager Corporate Services. Subject to the successful identification and shortlisting of a suitable candidate pool, it is intended that interviews be conducted on 25 February 2019 to select a replacement for this key executive position. A panel for the selection process is required to be established in accordance with Subsections 196(4-6) of the *Local Government Act 2009* (the Act).

Resolution:

Cr Brimblecombe moved and seconded by Cr Nixon “That the Central Highlands Regional Council recruitment selection panel for the position of General Manager Corporate Services be comprised of Mayor Cr Kerry Hayes, Deputy Mayor Cr Gail Godwin-Smith, Cr Christine Rolfe, Cr Megan Daniels and the Chief Executive Officer Scott Mason.

Further, and in accordance with the provisions of Section 197 of the *Local Government Act 2009*, which pertains to the appointment of senior executive employees, the constituted and responsible panel proper will comprise the Mayor, Deputy Mayor and Chief Executive Officer only.”

2019 / 01 / 22 / 019

Carried (8-0)

Attendance

Manger Water Utilities P. Manning attended the meeting at 5.11pm

General Manger Central Highlands Development Corporation S. Hobbs left the meeting at 5.36pm

General Manger Central Highlands Development Corporation S. Hobbs returned to the meeting at 5.38pm

DEPARTMENTAL UPDATES

Infrastructure and Utilities

Executive summary:

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

- ❖ Water restrictions and conservation update

Resolution:

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

2019 / 01 / 22 / 020

Carried (8-0)

Clarification of Level 1 Water Restrictions

Resolution:

Cr Sypher moved and seconded by Cr Brimblecombe “For the purpose to operationalise the Drought Management Plan to provide clarity regarding the application of level 1 water restrictions at Emerald, Blackwater and Tieri and that Central Highlands Regional Council communicate the following practices:

To make Level 1 and higher restrictions consistent with Level 0, by

- “alternate days” shall be replaced with odd numbered houses on Tuesday, Thursday and Saturday and even numbered houses on Wednesday, Friday and Sunday
- Times for micro spray and drip timers for garden beds be made consistent with level 0 times

2019 / 01 / 22 / 021

Carried (8-0)

Attendance

Manger Water Utilities P. Manning left the meeting at 5.50pm

LATE AGENDA ITEMS

Minutes of Meeting – Finance and Infrastructure Standing Committee Meeting 22 January 2019, Communities Standing Committee Meeting: 22 January 2019 and Leadership and Governance Standing Committee Meeting: 22 January 2019

Resolution:

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

1. Finance and Infrastructure Standing Committee Meeting held on 22 January 2019;
2. Communities Standing Committee Meeting held on 22 January 2019; and
3. Leadership and Governance Standing Committee Meeting held on 22 January 2019

be confirmed.”

2019 / 01 / 22 / 022

Carried (8-0)

GENERAL BUSINESS

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

Cr Godwin-Smith

- Acknowledged the work of Mr Peter Dowling in his role as Community Specialist with BMA in the communities of Emerald and Blackwater and that Council is appreciative of his efforts and wish him all the best.

- Requested for Council to consider desilting some of the waterways around Rolleston, Springsure and Bluff and to provide and update back to Councillors.

Cr Nixon

- Acknowledged the high performance of schools in the Central Highlands in the Better Education Program;
- Australia Day - thanked Council for the opportunity for funding towards some of the smaller communities.

Attendance

Acting General Manager Corporate Services R. Ferguson and General Manger Central Highlands Development Corporation S. Hobbs left the meeting at 5.56pm

Conflict of Interest

Cr Daniels confirmed her previous declaration of conflict of interest due to her and her husband owning a neighbouring property to the Wilton Coal site and their negotiations for a Make Good Agreement for the impact on ground water sources.

However, Cr Daniels 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. She may participate in the meeting in relation to the matter, including by voting on the matter.”

Cr Daniels left the meeting at 5.56pm.

Resolution:

Cr Godwin-Smith moved and seconded by Cr Brimblecombe “That Councillor Daniels has a perceived conflict of interest in the matter and, accordingly, must leave the meeting room, including any place set aside for the public, and stay away while this matter is discussed and voted on.”

2019 / 01 / 22 / 023

Carried (7-0)

Attendance

Cr Daniels returned to the meeting at 6.07pm

CLOSED SESSION

Into Closed Session

Resolution:

Cr Brimblecombe 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.”

2019 / 01 / 22 / 024

Carried (8-0)

The meeting was closed at 6.08pm

Attendance

Manager Planning and Environment K. Byrne and Manager Infrastructure and J. Hoolihan attended the meeting at 6.08pm

General Manager Infrastructure and Utilities G. Joubert left the meeting at 6.55pm and returned at 6.56pm

Rectification of Matters on Lot 163 SP 210551 - Rifle Range Road

Attendance

Cr Sypher left the meeting at 7.01pm

Manager Infrastructure J. Hoolihan left the meeting at 7.01pm

Cr Sypher returned to the meeting at 7.02pm

Regional Economic Development Incentive (REDI) Application - Activ Civil Contracting Pty Ltd

Conflict of Interest

Cr Daniels confirmed her previous declaration of conflict of interest due to her and her husband owning a neighbouring property to the Wilton Coal and their negotiations for a Make Good Agreement for the impact on ground water sources and stayed away while this matter is discussed. Cr Daniels left the meeting at 7.06pm

Attendance

General Manger Communities D. Fletcher and Manager Planning and Environment K. Byrne and Manager Infrastructure left the meeting at 7.06pm

Sojitz Coal: Gregory and Wilton-Fairhill Projects Update

Out of Closed Session

Resolution:

Cr Godwin-Smith moved and seconded by Cr Brimblecombe "That the meeting now be re-opened to the public."

2019 / 01 / 22 / 025

Carried (7-0)

The meeting was opened at 7.11pm

Attendance

Cr Daniels returned to the meeting at 7.12pm

Rectification of matters on Lot 163 SP 210551 - Rifle Range Road

Executive summary:

The owner has requested clarification regarding the land use zoning, both current and historical, of Lot 163 SP210551. Informal discussions have previously been raised many years ago with no further action being required. Since July 2018, the matters were raised by the owner and since then there have been numerous meetings, phone conversations, briefing notes and correspondence occurring between Council Officers, the CEO and Elected members.

The owner has raised other matters than planning including the contention about the rating category of the property and concerns relating to stormwater discharge and the potential requirement of Council to undertake remedial works. Informal legal advice has been sought from King and Company which supports the officer's recommendations contained in this report.

Resolution:

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

1. Authorise the Chief Executive Officer to enter into negotiations for the potential purchase the site in accordance and a current land valuation; or
2. Re-categorise the subject property from “*Large Urban Homesite NPPR*” to “*Rural Residential NPPR*”.

2019 / 01 / 22 / 026

Carried (7-1)

Regional Economic Development Incentive (REDI) Application - Activ Civil Contracting Pty Ltd

Executive summary:

On 4 September 2018, ACTIV Civil Construction Services Pty Ltd, lodged an application under the Regional Economic Development Incentive (REDI) policy for financial assistance.

ACTIV Civil are a local civil contracting business currently employing more than 20 staff in addition to several contractors. Demand for additional staff has grown with their recent expansion into traffic management services.

At the time the application was submitted, there was insufficient information to support the incentives sought. Further assistance has been provided to ACTIV Civil, and further information has now been provided. It is recommended that the application for incentives under the REDI be approved, in the form of rates remissions for one year.

Resolution:

Cr Daniels moved and seconded by Cr Godwin-Smith “That Central Highlands Regional Council in accordance with the Regional Economic Development Incentive policy, provide an incentive to ACTIV Civil Construction Services Pty Ltd for \$9,046.66 for a rate remission for one year (\$8,799.46 for general rates and \$247.50 for water access).”

2019 / 01 / 22 / 027

Carried (8-0)

Sale of Nogoia Rise Land

Executive summary:

In 2014 due to downturn in the region and residential property market, vacant land lots of Nogoia Rise were withdrawn from the market in view of declining property prices. Economic conditions are presently in upturn within the region and it is considered opportune for Council to consider releasing unsold lots in Nogoia Rise Estate back onto the property market. It is proposed that release of the lots should be through a staged approach.

Resolution:

Cr Brimblecombe moved and seconded by Cr Godwin-Smith “That Central Highlands Regional Council:

1. Dispose of 48 Nogoia Rise estate lots by auction generally, through a staged approach as outlined within this report;
2. Where individual lots attract individual buyer interest outside of stage release and demand for sale is confident, provision for call of tender for the lot/s be supported as an alternative sale method in those instances;
3. Reserve price is to be determined by independent valuation of the lots;
4. Special sale conditions are to include a Covenant, Resale Deed and Guarantee and Indemnity delegation to the Chief Executive Officer or delegate for authorisation; and

5. Authorise the Chief Executive Officer or delegate to negotiate offers in the vicinity of the reserve and lot valuation.”

2019 / 01 / 22 / 028

Carried (8-0)

Land Disposal and Acquisition

Executive summary:

This report provides information for Councillor’s consideration regarding the disposal of property described as Lot 11 on DSN867 as it has been identified as surplus to Council’s current and future land requirement needs.

Resolution:

Cr Sypher moved and seconded by Cr Brimblecombe “That Central Highlands Regional Council identifies Lot 11 on DSN867, property known as Kingower, as property surplus to Council’s land requirements. Further, that arrangements be made for its disposal in conjunction with Council’s Vacant Land Strategy.”

2019 / 01 / 22 / 029

Carried (8-0)

Conflict of Interest

Cr Daniels confirmed her previous declaration of conflict of interest due to her and her husband owning a neighbouring property to the Wilton Coal and their negotiations for a Make Good Agreement for the impact on ground water sources and stayed away while the matter was voted on. Cr Daniels left the meeting at 7.15pm

Departmental Update – Infrastructure and Utilities

Executive summary:

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

- ❖ Sojitz Coal – Gregory and Wilton – Fairhill Project Update

Resolution:

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

2019 / 01 / 22 / 030

Carried (7-0)

Attendance

Cr Daniels returned to the meeting at 7.15pm

CLOSURE OF MEETING

There being no further business, the Mayor closed the meeting at 7.15pm.

CONFIRMED

MAYOR

DATE