



General Council Meeting

Meeting of the Central Highlands Regional Council held in the **Council Chambers, 4 Conran Street, Capella** on

Tuesday, 19 February 2019
Commenced at 2.01pm

COUNCIL MINUTES

CENTRAL HIGHLANDS REGIONAL COUNCIL

GENERAL MEETING OF COUNCIL

TUESDAY 19 FEBRUARY 2019

MINUTES CONTENTS

PRESENT	3
APOLOGIES	3
LEAVE OF ABSENCE	3
CONFIRMATION OF MINUTES OF PREVIOUS MEETING	3
General Council Meeting: 5 February 2019	3
Special General Council Meeting: 11 February 2019	3
Review of Upcoming Agenda Items	3
MATERIAL PERSONAL INTEREST, CONFLICT OF INTEREST, PERSONAL GIFTS AND BENEFITS	4
PETITIONS (IF ANY)	4
COMMUNITIES	4
Development Application Update for January 2019	4
CORPORATE SERVICES	5
Financial Assistance Grants	5
2018-2019 Budget Review 2	5
Monthly Financial Report - January 2019	6
INFRASTRUCTURE AND UTILITIES	6
Local Management for Emerald Irrigation Channel Scheme	6
Adoption of the Local Disaster Management Plan	6
Application for Permanent Road Closure of a Road Reserve Off Carnarvon Highway	7
Application for Permanent Road Closure of a section of Old Capricorn Highway	7
Application for Permanent Road Closure of a section of Barlow Road	7
CHIEF EXECUTIVE OFFICER	8
Western Queensland Local Government Association - Call for Motions	8
GENERAL BUSINESS	8
DEPARTMENTAL UPDATES	9
Chief Executive Officer	9
LATE AGENDA ITEMS	9
Emerald Agricultural College - Coaldrake Submission report	9
Departmental Update - Infrastructure and Utilities	9
Local Management for Emerald Irrigation Channel Scheme	10
GENERAL BUSINESS	10
Review of Drought Status for Central Highlands Regional Council Area	10
CLOSED SESSION	11
Opportunity to Acquire - Lot 55 on SP142401 (10 New Street, Emerald)	12
Sale of Land - Notice of Intention	12
Chief Executive Officer	13
CLOSURE OF MEETING	13

MINUTES – GENERAL COUNCIL MEETING
HELD AT 2.01PM TUESDAY 19 FEBRUARY 2019 IN THE CENTRAL HIGHLANDS REGIONAL
COUNCIL CHAMBERS, CAPELLA 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, Acting General Manager Corporate Services R. Ferguson, General Manager Customer and Commercial Services M. Webster, General Manager Infrastructure and Utilities G. Joubert, Corporate Communications Officer J. Lorenzen, Minute Secretary M. Wills

APOLOGIES

Nil

Welcome

Mayor Hayes welcomed and acknowledge Ms Jackie Sinclair, Principal and the student leaders from Capella State High School to our meeting today.

LEAVE OF ABSENCE

Nil

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

General Council Meeting: 5 February 2019

Resolution:

Cr Brimblecombe moved and seconded by Cr McIndoe “That the minutes of the previous General Council Meeting held on 5 February 2019 be confirmed.”

2019 / 02 / 19 / 001

Carried (9-0)

Special General Council Meeting: 11 February 2019

Resolution:

Cr Godwin-Smith moved and seconded by Cr Daniels “That the minutes of the previous Special General Council Meeting held on 11 February 2019 be confirmed.”

2019 / 02 / 19 / 002

Carried (9-0)

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

Cr McIndoe declared that he has a conflict of interest in the closed session report – Opportunity to Acquire – Lot 55 on SP 142401 (New Street, Emerald) (as defined by section 175D of the *Local Government Act 2009*) as follows: -

- (i) Due to previous discussions with the owner of the land regarding potential acquisition of the land for potential sporting clubs and his current dealings with Ensham Resources;
- (ii) That the sporting facility McIndoe Park is named after him.

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

PETITIONS (IF ANY)

Nil

Attendance

Senior Town Planner R. Tait and Coordinator Development and Planning J. Kirkwood attended the meeting at 2.13pm

COMMUNITIES

Development Application Update for January 2019

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

2019 / 02 / 19 / 003

Carried (9-0)

Attendance

Senior Town Planner R. Tait and Coordinator Development and Planning J. Kirkwood left the meeting at 2.22pm

Manager Asset Management M. Gatt and Coordinator Asset Accounting A. Dias attended the meeting at 2.22pm

CORPORATE SERVICES

Financial Assistance Grants

Executive summary:

In the lead up to the 2019 Federal Election the LGAQ has prepared an advocacy plan covering a range of issues to which it is seeking the support of member Councils to advocate on behalf of their respective communities.

The key focus of the advocacy actions will be on securing a “Fairer Tax Share” for Local Government, an on going challenge to improve funding to local government via restoring Federal Assistance Grants to at least 1 percent of the taxes paid by Australians.

Resolution:

Cr Daniels moved and seconded by Cr Nixon “That Central Highlands Regional Council endorse the ‘Federal Election 2019 – What Local Communities Need’ advocacy plan from the Local Government Association of Queensland (LGAQ).

And further, that Central Highlands Regional Council agrees to advocate through local federal representatives, candidates and the local community around the issues within the plan but especially in regard to the restoration of the value of the Financial Assistance Grants to at least 1 percent of the taxes paid by Australians.”

2019 / 02 / 19 / 004

Carried (9-0)

2018-2019 Budget Review 2

Executive summary

Budget review 2 (BR2) has been undertaken to take account for changes since the adoption of the original 2018/19 budget, and to account for identified variances and changes in the works schedule since the adoption of BR1 in September 2018.

The original 2018/19 budget identified a moderate operating surplus of \$0.5 million, and following adjustments at BR1 to account for the early receipt of the Financial Assistance Grant (FAG) and the carryover of projects, the revised position was a deficit of \$4.124 million. Changes identified as part of BR2 now shows a revised forecast for an operating deficit of \$4.322 million. The capital program is forecast to reduce from the BR2 figure of \$98.16 million to \$91.75 million.

Resolution:

Cr Rolfe moved and seconded by Cr Brimblecombe “That Central Highlands Regional Council, in accordance with sections 169 and 170 of the *Local Government Regulation 2012*, adopt the amendments to the budget including: -

1. The statement of income and expenditure;
2. The statement of financial position;
3. The statement of cash flow;
4. The statement of changes in equity;
5. The measures of financial sustainability; and
6. 3 year Capital program 2018/19, 2019/20 and 2020/21.”

2019 / 02 / 19 / 005

Carried (9-0)

Monthly Financial Report - January 2019

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 Roadworks Performance Contract (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. A detailed project by project listing is currently being prepared for submission as part of Budget Review 2 (BR2).

Resolution:

Cr McIndoe moved and seconded by Cr Godwin-Smith “That Central Highlands Regional Council receive the Monthly Financial Report for the period ended 31 January 2019.”

2019 / 02 / 19 / 006

Carried (9-0)

Attendance

Manager Asset Management M. Gatt and Coordinator Asset Accounting A. Dias left the meeting at 3.10pm

Manager Water Utilities P. Manning attended the meeting at 3.10pm

Cr Daniels left the meeting at 3.10pm

Cr Daniels returned to the meeting at 3.12pm

INFRASTRUCTURE AND UTILITIES

Local Management for Emerald Irrigation Channel Scheme

Executive summary:

Central Highlands Regional Council is currently a SunWater customer of the channel irrigation scheme in Emerald. The offer document for the proposal for local management of the channel scheme by Fairbairn Irrigation Network Pty Ltd has been received by Council. This includes a voting form to support the Local Management Proposal.

This report was deferred to seek further advice on this matter.

Attendance

Manager Water Utilities P. Manning left the meeting at 3.19pm

Capella State High School principal and students left the meeting at 3.30pm

Adoption of the Local Disaster Management Plan

Executive summary:

The Local Disaster Management Plan has been reviewed, revised and adopted by the Local Disaster Management Group at its meeting of 29 January 2019. The Plan describes the arrangements required under the Disaster Management Act 2003 outlining the disaster management system and specifying agreed roles and responsibilities and amendments as per State Disaster Management Guidelines. It also describes how the disaster management system works during the event.

Resolution:

Cr Godwin-Smith moved and seconded by Cr Brimblecombe “That Central Highlands Regional Council endorse the Local Disaster Management Plan Version 5.1 endorse subject to amendments.

Further, that the Local Disaster Management Plan be resubmitted to Council by June 2019 for endorsement with the most recent version of the Recovery Strategy template to be utilised.”

2019 / 02 / 19 / 007

Carried (9-0)

Application for Permanent Road Closure of a Road Reserve Off Carnarvon Highway

Executive summary:

Central Highlands Regional Council have received an application for a permanent road closure, from Murray and Associates (QLD) Pty Ltd on behalf of Mr Douglas Logan seeking Council’s endorsement of the proposed road closure of a road reserve off the Carnarvon Highway Parish of Warrinilla.

Resolution:

Cr Nixon moved and seconded by Cr McIndoe “That Central Highlands Regional Council advise the Department of Natural Resources, Mines and Energy that Council does not require the section of road reserve off Carnarvon Highway within Lot 9 on CUE 90, Parish of Warrinilla for road purposes and do not object to the application to permanently close the road.”

2019 / 02 / 19 / 008

Carried (9-0)

Application for Permanent Road Closure of a section of Old Capricorn Highway

Executive summary:

Central Highlands Regional Council have received an application from Mr Charles Prince for a permanent road closure of a section of the Old Capricorn Highway and is seeking Council’s endorsement of this application.

Resolution:

Cr Sypher moved and seconded by Cr Daniels “That Central Highlands Regional Council advise the applicant that Council does not require the section of the road reserve adjacent to the Capricorn Highway adjoining Lot 62 SP140581 and does not object to the permanent road closure.”

2019 / 02 / 19 / 009

Carried (9-0)

Application for Permanent Road Closure of a section of Barlow Road

Executive summary:

That Central Highlands Regional Council reconsider their view on an application for the permanent road closure of a section of Barlow Road, previously considered at the Finance and Infrastructure Standing Committee Meeting of 11 December 2018. Council’s initial position was in support of Department of Natural Resources, Mines and Energy (DNRME) Stock Management’s decision to object to the proposed road closure as it was part of a gazetted stock route.

The applicant sought a review of the objection from both DNRME Stock Route Management and Council. Officers has undertaken an assessment and it has now been determined that Council does not require the road reserve for future road purposes and recommend support of the application to permanently close a section of Barlow Road.

Resolution:

Cr Nixon moved and seconded by Cr Rolfe “That Central Highlands Regional Council advise the Department of Natural Resources, Mines and Energy that Council does not require the section of Barlow Road adjacent Lot 236 on FTY 1965 for road purposes and do not object to the application to permanently close the road.”

2019 / 02 / 19 / 010

Carried (9-0)

Attendance

General Manager Infrastructure and Utilities G. Joubert left the meeting at 3.38pm

Cr Sypher left the meeting at 3.38pm

General Manager Infrastructure and Utilities returned to the meeting at 3.40pm

Cr Sypher returned to the meeting at 3.41pm

CHIEF EXECUTIVE OFFICER

Western Queensland Local Government Association - Call for Motions

Executive summary:

The Western Queensland Local Government Association (WQLGA) 83rd Annual Conference is being held in Longreach from 8 to 10 April 2019, with the Annual General Meeting being held on the Monday 8 April 2019.

Submissions are currently being sought for motions to the WQLGA which are required to be lodged by Friday 8 March 2019.

This report is seeking Council's endorsement of the motions for submission and any other suggested motions from Councillors.

Resolution:

Cr Rolfe moved and seconded by Cr Brimblecombe "That Central Highlands Regional Council develop the following motions for inclusion on the agenda for the Western Queensland Local Government Association Annual Conference:

1. Federal Funding for Aviation Security;
2. Aged Care – Rural Communities;
3. Funding for Plant and Animal Pest Management for communities affected by drought and floods;
and
4. Encourage Queensland State Government to undertake a review, at an appropriate time in the future, of the local government legislative reform post the Crime and Corruption Commission of Queensland Belcarra review."

2019 / 02 / 19 / 011

Carried (8-1)

GENERAL BUSINESS

Cr Brimblecombe requested information on upgrades at the Capella Swimming complex:

1. Shade over the play area at the pool
2. Conversion of the squash courts to an airconditioned child minding area.

Attendance

Cr Brimblecombe left the meeting at 4.02pm and did not return on account of his responsibility to fly to Brisbane to attend the LGAQ Water and Sewerage Advisory Group meeting

DEPARTMENTAL UPDATES

Chief Executive Officer

Executive summary:

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

- ❖ Central Queensland Regional Organisation of Councils

Resolution:

Cr Godwin-Smith moved and seconded by Cr McIndoe “That Central Highlands Regional Council receive the departmental update report for the Office of the Chief Executive Officer, highlighting key activities for the month of January 2019.”

2019 / 02 / 19 / 012

Carried (8-0)

Attendance

General Manager Customer and Commercial Services M. Webster left the meeting at 4.05pm and returned at 4.05pm

LATE AGENDA ITEMS

Emerald Agricultural College - Coaldrake Submission report

Executive summary:

The purpose of this report is to provide an update for Council regarding the Queensland Training and Agricultural College workshop discussion held on Monday 11 February 2019.

Resolution:

Cr Godwin-Smith moved and seconded by Cr Nixon “That Central Highlands Regional Council adopt the response in principle the Central Highlands Development Corporation response to the Queensland government review into the Queensland Agricultural Training Colleges, known as the Coaldrake review.

Further that, delegate to its Chief Executive Officer the responsibility to collate Councillor feedback for finalisation of amendments to the response.”

2019 / 02 / 19 / 013

Carried (8-0)

Departmental Update - Infrastructure and Utilities

Executive summary:

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

- ❖ Inquiry into Mineral Resources (Galilee Basin) Amendment Bill 2018

Resolution:

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

1. Receive the Infrastructure and Utilities departmental update report, highlighting key activities for the month of January 2019; and

2. Seek leave to make a late submission to the Mineral Resources (Galilee Basin) Amendment Bill 2018 to the State Development, Natural Resources and Agricultural Industry Development Committee.”

2019 / 02 / 19 / 014

Carried (8-0)

Attendance

Manager Water Utilities P. Manning attended the meeting at 4.22pm

Local Management for Emerald Irrigation Channel Scheme

Executive summary:

Central Highlands Regional Council is currently a SunWater customer of the channel irrigation scheme in Emerald. The offer document for the proposal for local management of the channel scheme by Fairbairn Irrigation Network Pty Ltd has been received by Council. This includes a voting form to support the Local Management Proposal.

Resolution:

Cr Nixon moved and seconded by Cr Godwin-Smith “That regarding the proposal by the Fairbairn Irrigators Network, Central Highlands Regional Council makes the following decision:

1. It is supportive of the Local Management Proposal;
2. Delegate the shareholding decision to the Mayor and Chief Executive Officer subject to legal advice being sought with regards to shareholding legalities and assurance that the constitution limits the liability exposure of Council; and
3. That an update report be provided to Council.”

2019 / 02 / 19 / 015

Carried (8-0)

Attendance

Manager Water Utilities P. Manning left the meeting at 4.36pm

GENERAL BUSINESS

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

Review of Drought Status for Central Highlands Regional Council Area

Resolution:

Cr Godwin-Smith moved and seconded by Cr Rolfe “That Central Highlands Regional Council request the Local Drought Committee to convene as soon as practicably possible to consider the drought declaration status of the Central Highlands Regional Council area.”

2019 / 02 / 19 / 016

Carried (8-0)

Cr Godwin-Smith

- Fairbairn Dam levels updated today, level is now at 12.51%. Should we be looking at level 2 water restrictions?

Attendance

Cr Rolfe left the meeting at 4.43pm

Cr Sypher

- Requested for a map of the designated stockroutes for Central Highlands Regional Council.

Attendance

Cr Rolfe returned to the meeting at 4.45pm

Cr McIndoe

- Requested maps of all rail corridors and road corridors to be provided to him.

CLOSED SESSION

Into Closed Session

Resolution:

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

2019 / 02 / 19 / 017

Carried (8-0)

The meeting was closed at 4.47pm

Attendance

Cr Bell AM left the meeting at 4.47pm

Corporate Communications Officer J. Lorenzen and Minute Secretary M. Wills left the meeting at 4.48pm

Minute Secretary M. Wills returned to the meeting at 4.52pm

Cr Bell AM returned to the meeting at 4.52pm

Sale of Land - Notice of Intention

Attendance

Cr Daniels left the meeting at 4.58pm

Cr Daniels returned to the meeting at 5.10pm

Chief Executive Officer

Attendance

Cr Daniels returned to the meeting at 5.10pm

Conflict of Interest

Cr McIndoe confirmed his previous conflict of interest in the following matter and left the meeting while the matter was being considered. Cr McIndoe left the meeting at 5.11pm

Attendance

Coordinator Property Services S. Williams attended the meeting at 5.11pm

Opportunity to Acquire - Lot 55 on SP142401 (New Street, Emerald)

Out of Closed Session

Resolution:

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

2019 / 02 / 19 / 018

Carried (7-0)

The meeting was opened at 5.29pm

Opportunity to Acquire - Lot 55 on SP142401 (10 New Street, Emerald)

Executive summary:

An offer to purchase land described as Lot 55 in Survey Plan 142401 being a 55,570m² parcel of vacant land on New Street in Emerald has been made to Council. The acquisition of this land is considered strategic in terms of the future development of regional sporting fields as outlined within the McIndoe Park Football Facility Masterplan Report dated March 2012 and the Recreation and Open Space Strategy dated March 2014. This report provides the rationale and details of the proposed acquisition and seeks Council endorsement to acquire the property.

Resolution:

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

1. Undertake a due diligence investigation of land known as Lot 55 in Survey Plan 142401; and
2. Chief Executive Officer be authorised to negotiate a purchase price, terms and conditions for a contract for sale on behalf of Council.”

2019 / 02 / 19 / 019

Carried (5-2)

Attendance

Cr McIndoe was invited to return to the meeting at 5.41pm

Coordinator Property Services S. Williams left the meeting at 5.41pm

Cr McIndoe returned to the meeting at 5.41pm

Sale of Land - Notice of Intention

Executive summary:

Council’s Rates Recovery Policy and the *Local Government Regulation 2012* outline when it is appropriate for Council to proceed to sale of land on eligible properties. This report lists and recommends those properties that are eligible for sale.

Resolution:

Cr Sypher moved and seconded by Cr Godwin-Smith “That Central Highlands Regional Council;

1. Pursuant to section 140 (2) of the *Local Government Regulation 2012* Central Highlands Regional Council sell the land identified below; and

Assessment Numbers:

15001	17142	188
15030	27106	268
15278	17606	1072

15619	10005	1954
15629	10045	2049
15866	10238	2528
15877	17788	3825
16020	4899	4224
16493	5618	4444
16746	8825	25144
16776	187	

2. Delegate to the Chief Executive Officer its power to take all further steps under Chapter 4, Part 12, Division 3 of the *Local Government Regulation 2012* to affect the sale of the land, including the power to end sale procedures.”

2019 / 02 / 19 / 020

Carried (8-0)

Chief Executive Officer

Executive summary:

The following report provides an update on key activities for the Office of the Chief Executive Officer for the month of February 2019:

- ❖ LGAQ 2019 ROC Assembly

Resolution:

Cr McIndoe moved and seconded by Cr Godwin-Smith “That Central Highlands Regional Council receive the departmental update report for the Office of the Chief Executive Officer, highlighting key activities for the month of February 2019.”

2019 / 02 / 19 / 021

Carried (8-0)

CLOSURE OF MEETING

There being no further business, the Mayor closed the meeting at 5.43pm.

CONFIRMED

MAYOR

DATE