COUNCIL AGENDA

General Council Meeting

Notice is hereby given pursuant to the provisions of the *Local Government Regulation 2012*, that the next Meeting of the Central Highlands Regional Council will be held in the **Council Chambers, 65 Egerton Street, Emerald** on

Tuesday, 14 March 2017
At 2.30 pm

For the purpose of considering the items included on the Agenda.

Michael Parker
Acting Chief Executive Officer

OUR VISION
Working today, growing tomorrow

OUR MISSION
We will provide services and assets responsibly

OUR VALUES
Leadership, Engagement and Fair Representation
Great Customer Service
Innovation
Honesty and Integrity
Teamwork
Respect for All

OUR PRIORITIES
Strong, vibrant communities
Building and maintaining quality infrastructure
Supporting our local economy
Protecting our people and our environment
Proactive, responsible leadership
Strong governance
A workplace of excellence

central highlands regional council

AGENDA CONTENTS

1 PRESENT **3**
2 APOLOGIES **3**
3 LEAVE OF ABSENCE **3**
4 OPENING PRAYER **3**
5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING **3**
5.1 Minutes - General Council Meeting - 28 February 2017 3
6 BUSINESS ARISING OUT OF MINUTES **14**
7 REVIEW OF OUTSTANDING MEETING ACTIONS **14**
8 MATERIAL PERSONAL INTEREST, CONFLICT OF INTEREST, PERSONAL GIFTS AND BENEFITS **14**
9 PETITION **14**
10 COMMITTEE RECOMMENDATIONS / NOTES **14**
10.1 Nil Reports 14
11 INFRASTRUCTURE AND UTILITIES **15**
11.1 Future Ownership of LN1 Drain 15
12 COMMUNITIES **19**
12.1 Adoption of proposed temporary local planning instrument 19
13 CORPORATE SERVICES **25**
13.1 Nil Reports 25
14 GOVERNANCE **26**
14.1 Nil Reports 26
15 COMMERCIAL SERVICES **27**
15.1 Nil Reports 27
16 CENTRAL HIGHLANDS DEVELOPMENT CORPORATION **28**
16.1 Nil Reports 28
17 CHIEF EXECUTIVE OFFICER **29**
17.1 Mayor visit to Adani Operations in India with the Premier 29
18 GENERAL BUSINESS **31**
19 CLOSED SESSION **31**
19.1 Rating Concession - Assessment No. 18242 31
19.2 Rating Concession - Assessment No. 2696 31
19.3 Extension of Discount Period - Public Accommodation 31
20 LATE AGENDA ITEMS **31**
21 CLOSURE OF MEETING **31**

1 PRESENT

2 APOLOGIES

3 LEAVE OF ABSENCE

4 OPENING PRAYER

Pastor Steve Jaensch from the Emerald Lutheran Church will deliver the opening prayer.

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

5.1 Minutes - General Council Meeting - 28 February 2017

General Meeting of Council

MINUTES

Meeting held in the Central Highlands Regional Council, Capella Office

Tuesday 28 February 2017

Commenced at 2.03pm

unconfirmed

CENTRAL HIGHLANDS REGIONAL COUNCIL

GENERAL MEETING OF COUNCIL

TUESDAY 28 FEBRUARY 2017

MINUTES CONTENTS

PRESENT **3**
APOLOGIES **3**
LEAVE OF ABSENCE **3**
CONFIRMATION OF MINUTES OF PREVIOUS MEETING **3**
General Council Meeting: 14 February 2017 3
Conflict of Interest, Personal Gifts and Benefits **3**
Petitions (if Any) **4**
COMMITTEE RECOMMENDATIONS / NOTES **4**
Minutes of Meeting - Audit Committee – 13 February 2017 4
INFRASTRUCTURE AND UTILITIES **4**
Award of Tender 2016T019C - Park Avenue Chlorine Contact Tank Upgrade 4
Award of Tender 2016T034C - Central Highlands Regional Floodway Resilience Program 5
Award of Tender 2016T023E - Dingo Mains Supply Upgrade 5
Award of Tender 2016T021C - Black Gully Wastewater Treatment Plant Upgrade 5
COMMUNITIES **6**
Adoption of Fees for 2016/17 New Blackwater Aquatic Centre 6
CORPORATE SERVICES **7**
Monthly Financial Report - January 2017 7
Local Government Boundary Change Request 7
2016 2017 Budget Review 2 8
CENTRAL HIGHLANDS DEVELOPMENT CORPORATION **8**
Central Highlands Development Corporation - Service Level Agreement Update - January 2017 8
CHIEF EXECUTIVE OFFICER **9**
Condition of Planning Approval Accommodation Building 76-78 Retro Streets Emerald 9
GENERAL BUSINESS **9**
CLOSED SESSION **9**
Rating Concession - Assessment No. 29068 10
CLOSURE OF MEETING **10**

unconfirmed

MINUTES – GENERAL MEETING
HELD AT 2.03PM TUESDAY 28 FEBRUARY 2017 IN THE CENTRAL HIGHLANDS REGIONAL COUNCIL, CAPELLA OFFICE

PRESENT
Councillors
Councillor (Crs) K. Hayes (Mayor), G. Godwin-Smith (Deputy Mayor)
Councillors (Crs) P. Bell AM, C. Brimblecombe, M. Daniels, D. Lacey, A. McIndoe, G. Nixon and C. Rolfe

Officers
Acting Chief Executive Officer M. Parker, General Manager Communities D. Fletcher, General Manager Corporate Services J. Bradshaw, General Manager Infrastructure and Utilities G. Joubert, General Manager Commercial Services M. Webster, Executive Manager Governance M. Uren, Minute Secretary M. Wills

APOLOGIES
Nil

Attendance
Year 5 and 6 students from Capella State School observed today's meeting.

LEAVE OF ABSENCE

Resolution:
Cr Godwin-Smith moved and seconded by Cr McIndoe "That a leave of absence be granted for Cr Nixon for the meetings on 14 March 2017."

2017 / 02 / 28 / 001 Carried (9-0)

CONFIRMATION OF MINUTES OF PREVIOUS MEETING
General Council Meeting: 14 February 2017
Resolution:
Cr Rolfe moved and seconded by Cr McIndoe "That the minutes of the previous General Council Meeting held on 14 February 2017 be confirmed."

2017 / 02 / 28 / 002 Carried (9-0)

Business Arising Out Of Minutes

Acting Chief Executive Officer M Parker advised that the applications for the Building our Regions were lodged last week and that the Building Better Regions Fund will be lodged today.

Outstanding Meeting Actions

Emerald Flood Protection Scheme
Workshop with Councillors is scheduled for 20 March 2017.

Conflict of Interest, Personal Gifts and Benefits
Nil

unconfirmed

Petitions (if Any)
Nil

COMMITTEE RECOMMENDATIONS / NOTES

Minutes of Meeting - Audit Committee – 13 February 2017
Resolution:
Cr Brimblecombe moved and seconded by Cr Rolfe "That the minutes of the Audit Committee Meeting held on 13 February 2017 be endorsed."

2017 / 02 / 28 / 003 Carried (9-0)

Attendance
Manager Water Utilities P. Manning attended the meeting at 2.14pm

INFRASTRUCTURE AND UTILITIES

Award of Tender 2016T019C - Park Avenue Chlorine Contact Tank Upgrade

Executive summary:
The construction of a new disinfection system at the Park Avenue Sewage Treatment Plant is being undertaken under a Transitional Environmental Program to bring the plant into compliance with the Environmental Authority. Tenders have been received for the construction of this facility.

Resolution:
Cr Brimblecombe moved and seconded by Cr Bell "That Central Highlands Regional Council award the contract for tender 2016T019C 'Construction of the Park Avenue Sewage Treatment Plant Chlorine Contact Tank Upgrade Project' to Pensar Pty Ltd at the lump sum tender price of $2,741,042.00 (exclusive of GST).

And further;

That Central Highlands Regional Council provide the following budget allocations for the Park Avenue chlorine contact tank upgrade project:

	Adopted 2016/17	Budget 2017/18
Current Project Budget	$1,792,728	$ 1,200,000

And refer the additional budget allocation to the 2017/18 capital budget."

2017 / 02 / 28 / 004 Carried (9-0)

Attendance
Infrastructure Project Engineer S. Robinson attended the meeting at 2.20pm

unconfirmed

Award of Tender 2016T034C - Central Highlands Regional Floodway Resilience Program

Executive summary:
Central Highlands Regional Council has recently accepted funding under the Natural Disaster Resilience Program (NDRP) for the construction of 24 Concrete Floodways across the region. The delivery of these works was advertised through open tender on the LG Tender Box site for the entire scope of works in five separate packages.

Resolution:
Cr Bell moved and seconded by Cr Brimblecombe "That Central Highlands Regional Council award the contract for tender 2016T034C 'Central Highlands Regional Floodway Resilience Program', packages one to five, to G & R Brown and Sons for a total value of $1,273,547 (exclusive of GST)."

2017 / 02 / 28 / 005 Carried (7-2)

Award of Tender 2016T023E - Dingo Mains Supply Upgrade

Executive summary:
The construction of a replacement mains supply between the Dingo Water Treatment Plant (WTP) and the township is being undertaken to upgrade fire flow requirements to meet desired standards of service. A second mains supply line between the WTP and the Dingo racecourse is being installed to meet a recognised community demand to fulfil ablution and washing requirements at the facility. Tenders have been received and evaluated to enable the proposed installations to occur in parallel.

Resolution:
Cr Godwin-Smith moved and seconded by Cr Rolfe "That Central Highlands Regional Council award tender 2016T023E 'Dingo Mains Supply Upgrade to the Township and the Racecourse Project' to Reay Group Pipe and Civil Pty Ltd at the lump sum tender price of $298,567.00 (exclusive of GST).

And further;

That Central Highlands Regional Council provide the following budget allocations for the Dingo mains supply upgrade to the Township and the Racecourse project:

	Current Year 2016/17
Current Budget	$66,215
Proposed budget increase (BR2)	$353,785

And refer the budget allocations to the 2016/17 Budget Review Two (2)."

2017 / 02 / 28 / 006 Carried (7-2)

Attendance
Students of Capella State School left the meeting at 2.49pm

Award of Tender 2016T021C - Black Gully Wastewater Treatment Plant Upgrade

Executive summary:
The upgrade of the Black Gully Sewage Treatment Plant from 4,000 equivalent persons (EP) capacity to 10,000 EP is being undertaken under a Transitional Environmental Program to bring the plant into compliance with the Environmental Authority. Tenders have been received for the construction of this facility.

unconfirmed

Resolution:
Cr Bell moved and seconded by Cr Brimblecombe "That Central Highlands Regional Council award the contract for tender 2016T021C 'Black Gully Wastewater Treatment Plant Upgrade' to Aquatec-Maxcon for the tender price of $15,680,615.00 (exclusive of GST)."

2017 / 02 / 28 / 007 Carried (9-0)

Attendance
Manager Water Utilities P. Manning and Infrastructure Project Engineer S. Robinson left the meeting at 2.53pm
General Manager Infrastructure and Utilities G. Joubert left the meeting at 2.54pm
General Manager Infrastructure and Utilities G. Joubert returned to the meeting at 2.56pm

COMMUNITIES

Adoption of Fees for 2016/17 New Blackwater Aquatic Centre

Executive summary:
With the new Blackwater Aquatic Centre opening in March, it is necessary to adopt Fees and Charges that will apply for the remainder of the 2016/17 year. Fees exist for the current Blackwater Pool however, the fees for the new Blackwater Aquatic Centre must reflect the significant increase in pools and activities at the new centre. These fees are retained by the newly appointed pool lessees other than the Meeting Room associated with the complex. The current fees for the old pool complex need to be removed from the 2016/17 Fees and Charges Schedule to avoid any confusion for the community.

Resolution:
Cr Brimblecombe moved and seconded by Cr Lacey "That Central Highlands Regional Council adopt the following schedule of Fees and Charges for the new Blackwater Aquatic Centre for the remainder of the 2016/17 year.

Blackwater Aquatic Centre, Hunter Street, Blackwater
Swimming Pool Fees
(To be charged and retained by the Pool Lessee. This revenue is not received by Council)

Admission Per Visit – Casual

- Adult - $4.50
- Child/Spectator/Pensioner - $3.50
- School admission (per person) - $3.50

Season Pass
(Current Season Passes issued for the old Blackwater Pool will be recognised for the remainder of the 2016/17 year at the new facility)

- The pool lessee may negotiate a short term pass for the remainder of this 2016/17 year at their discretion.

Pool Hire After Hours

1. To be negotiated with the pool lessee.

Lifeguard Services

2. To be negotiated with the pool lessee.

Swimming Club

3. To be negotiated with the pool lessee.

Unconfirmed

Hire of Meeting Room at the Blackwater Aquatic Centre
(Bookings will be made through Council and Council will retain these fees.)

- Full day - $200.00
- Half day - $100.00"

2017 / 02 / 28 / 008 Carried (9-0)

Resolution:
Cr Lacey moved and seconded by Cr Rolfe "That Central Highlands Regional Council approve the cancellation and removal of the current Fees that apply to the old current Blackwater Pool (near the Council Office) from the 2016/17 Fees and Charges Schedule."

2017 / 02 / 28 / 009 Carried (9-0)

Attendance
Manager Finance S. Fogg attended the meeting at 2.59pm
Cr McIndoe left the meeting at 3.04pm
Cr McIndoe returned to the meeting at 3.06pm

CORPORATE SERVICES

Monthly Financial Report - January 2017

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 on Council's financial performance. While this report complies with statutory obligations, it is also intended to provide additional information to keep Councillors informed in relation to relevant financial matters of Council.

Resolution:
Cr Rolfe moved and seconded by Cr Daniels "That Central Highlands Regional Council receive the Monthly Financial Report for the period ended 31 January 2017."

2017 / 02 / 28 / 010 Carried (9-0)

Local Government Boundary Change Request

Executive summary:
The Department of Infrastructure, Local Government and Planning (DILGP) wrote to Council seeking views on a proposal for changes to the local government boundaries for Isaac Regional Council and Central Highlands Regional Council identified by the Department of Natural Resources and Mines (DNRM) as a result of ongoing contact with members of the Mistake Creek Area Progress Association (MCAPA). After due consideration, it is proposed not to support the changes as the benefits appear limited and the status quo should remain.

Resolution:
Cr Godwin-Smith moved and seconded by Cr McIndoe "That Central Highlands Regional Council resolves that it does not support the proposed boundary change due to the limited benefits and increased costs for infrastructure maintenance, and that the Acting Chief Executive Officer respond to the Department of Infrastructure, Local Government and Planning rejecting the proposed boundary change."

2017 / 02 / 28 / 011 Carried (9-0)

Unconfirmed

2016 2017 Budget Review 2

Executive summary:
Council adopted the Budget for the 2016/17 financial year in early July 2016 along with long term financial forecasts based on the activities in the operational plan and other key strategic documents. This budget and corresponding strategic documents were updated in November 2016.

The 2016/17 budget has been once more reviewed based on actual results to the end of January 2017 and a number of changes are proposed to reflect the operational changes and capital expenditure adjustments. Forecast changes to the operating result for 2016/17, result in a reduction of the operating surplus from $6.3 million to $2.56 million. The capital expenditure has been increased by $3.3M to $79.7 million to reflect additional works and adjustments to current projects required for the remainder of the 2016/2107 financial year.

Resolution:
Cr Brimblecombe moved and seconded by Cr Nixon "That in accordance with sections 169 and 170 of the *Local Government Regulation 2012* Central Highlands Regional Council adopt the amendments to the 2016/17 budget including:-

1. The statement of comprehensive income
2. The statement of financial position
3. The statement of cash flow
4. The statement of change in equity
5. The key financial sustainability metrics
6. Capital program 2016/17"

2017 / 02 / 28 / 012 Carried (9-0)

Attendance
General Manager Central Highlands Development Corporation S. Hobbs attended the meeting at 3.18pm
General Manager Infrastructure and Utilities G. Joubert and General Manager Communities D. Fletcher left the meeting at 3.19pm
Cr Lacey left the meeting at 3.23pm
General Manager Infrastructure and Utilities G. Joubert and General Manager Communities D. Fletcher returned to the meeting at 3.23pm
Cr Lacey returned to the meeting at 3.26pm
General Manager Communities D. Fletcher left the meeting at 3.32pm
General Manager Communities D. Fletcher returned to the meeting at 3.35pm

CENTRAL HIGHLANDS DEVELOPMENT CORPORATION

Central Highlands Development Corporation - Service Level Agreement Update - January 2017

Executive summary:
The report provides an update on the Central Highlands Development Corporations activity for the month of February as required through the Service Level Agreement (SLA) performance requirements for the delivery of new and approved projects in addition to management and administration of the organisation.

Central Highlands Development Corporation (CHDC) works in collaboration with CHRC, stakeholders, businesses, the community and government to activate and accelerate sustainable and cohesive responses through innovative and, entrepreneurial strategies that facilitate the opportunities to grow the regions potential and future sustainability.

Considered by Council

unconfirmed

Attendance
General Manager Central Highlands Development Corporation S. Hobbs left the meeting at 3.38pm
General Manager Communities D. Fletcher left the meeting at 3.44pm
General Manager Communities D. Fletcher returned to the meeting at 3.47pm

CHIEF EXECUTIVE OFFICER

Condition of Planning Approval Accommodation Building 76-78 Retro Streets Emerald

Executive summary:
Council has been requested to reconsider the enforcement of a Development Approval condition which was raised on 15 January 2008.

Resolution:
Cr Nixon moved and seconded by Cr McIndoe "That the Central Highlands Regional Council defer its decision on the matter until further information has been provided."

2017 / 02 / 28 / 013 Carried (9-0)

GENERAL BUSINESS

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

Flying Foxes
Cr Brimblecombe raised the local concern with regards to flying foxes in Duaringa and asked if there is money allocated in the budget to move them on. General Manager Communities advised that the rangers section have been in discussions with the Department of Environmental and Heritage. The Department have indicated that there are current issues with moving the flying foxes on

Communication plan is being developed which will be communicated to the community.

General Manager Commercial Services also raised concerns with the flying fox colony in the Emerald Botanical Gardens and the impact that it could have on the Emerald Airport.

Mother of Millions – Fernlees
Cr McIndoe requested a report on the mother of millions in Fernlees.

General Manager Communities to provide a report on the state of play regarding pest management report for an upcoming meeting.

CLOSED SESSION

Into Closed Session
Resolution:
Cr McIndoe moved and seconded by Cr Daniels "That Council close its meeting to the public in accordance with Section 275 (1) (d) of the Local Government Regulation 2012 and that Council staff involved in the closed discussions remain in the room."

2017 / 02 / 28 / 014 Carried (9-0)

unconfirmed

The meeting was closed at 4.07pm

Attendance
Cr Rolfe left the meeting at 4.07pm
Manager Finance S. Fogg attended the meeting at 4.08pm
Cr Rolfe returned to the meeting at 4.09pm

Out of Closed Session
Resolution:
Cr Nixon moved and seconded by Cr Lacey "That the meeting now be re-opened to the public."

2017 / 02 / 28 / 015 Carried (9-0)

The meeting was opened at 4.09pm

Rating Concession - Assessment No. 29068

Executive summary:
The local government legislation and adopted rating and revenue policies, provide the ability for Council to allow rebates and remissions to certain groups of ratepayers, in limited circumstances, where broader community outcomes would be enhanced. Council has received a request from a not for profit organisation seeking a general rate remission of 100% to support them in the conduct of activities that are of benefit to the community.

Resolution:
Cr Daniels moved and seconded by Cr Lacey "That Central Highland Regional Council, in accordance with section 122 of the Local Government Regulation 2012 and the Revenue Policy, approve a concession for Assessment No 29068 for 100% of the General Rates applicable and that this concession remain in place for the duration of the property's use in this community service capacity."

2017 / 02 / 28 / 016 Carried (9-0)

Attendance
Cr McIndoe left the meeting at 4.10pm and did not return to the meeting.

CLOSURE OF MEETING

There being no further business, the Mayor closed the meeting at 4.11pm

CONFIRMED

MAYOR

DATE

unconfirmed

6 BUSINESS ARISING OUT OF MINUTES

7 REVIEW OF OUTSTANDING MEETING ACTIONS

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

9 PETITION

9.1 To be tabled (if any)

10 COMMITTEE RECOMMENDATIONS / NOTES

10.1 Nil Reports

11 INFRASTRUCTURE AND UTILITIES

11.1 Future Ownership of LN1 Drain

DECISION ACTION REPORT

Author / Authorising Officer: **Gerhard Joubert, General Manager Infrastructure and Utilities**

EXECUTIVE SUMMARY:

Central Highlands Regional Council (CHRC) met with representatives of SunWater on Thursday 15 and Friday 16 December 2016 to discuss and workshop a range of topics. In attendance from council was the Mayor, Kerry Hayes, the Chief Executive Officer and relevant Council officers.

One of the main topics of discussion was the future upgrade options involving all stakeholders, ownership and management of LN1 Drain. Council indicated it wished to revisit the draft agreement received from SunWater in January 2016.

OFFICER RECOMMENDATION

That Central Highlands Regional Council provide “in principle agreement” to progress discussions on the proposed draft agreement including the future ownership and management of LN1 Drain with SunWater.

REPORT:

The workshop held between SunWater and Central Highlands Regional Council (CHRC) on Friday 16 December 2016 was attended by the following people:

CHRC	Mayor Kerry Hayes Scott Mason (CEO) Gerhard Joubert (General Manager Infrastructure and Utilities) Peter Manning (Manager Water Utilities) Jason Akers, (Manager Infrastructure and Utilities) Michael Parker (Acting Technical Services Manager) Luke Lankowski (Manager Community and Customer Service)
SunWater	Leith Boully (Chair) Colin Bendall (EGM Operations) Olga Kakourakis (Manager Corporate Relations and Strategy Peter McGahan (Commercial Manager) Rob Lewis (General Manager South)
Others	David Kevin (King & Co) Matt Bradbury (Jacobs) Geoff Kavanagh (Jacobs) Annette Smith (Chair LMA)

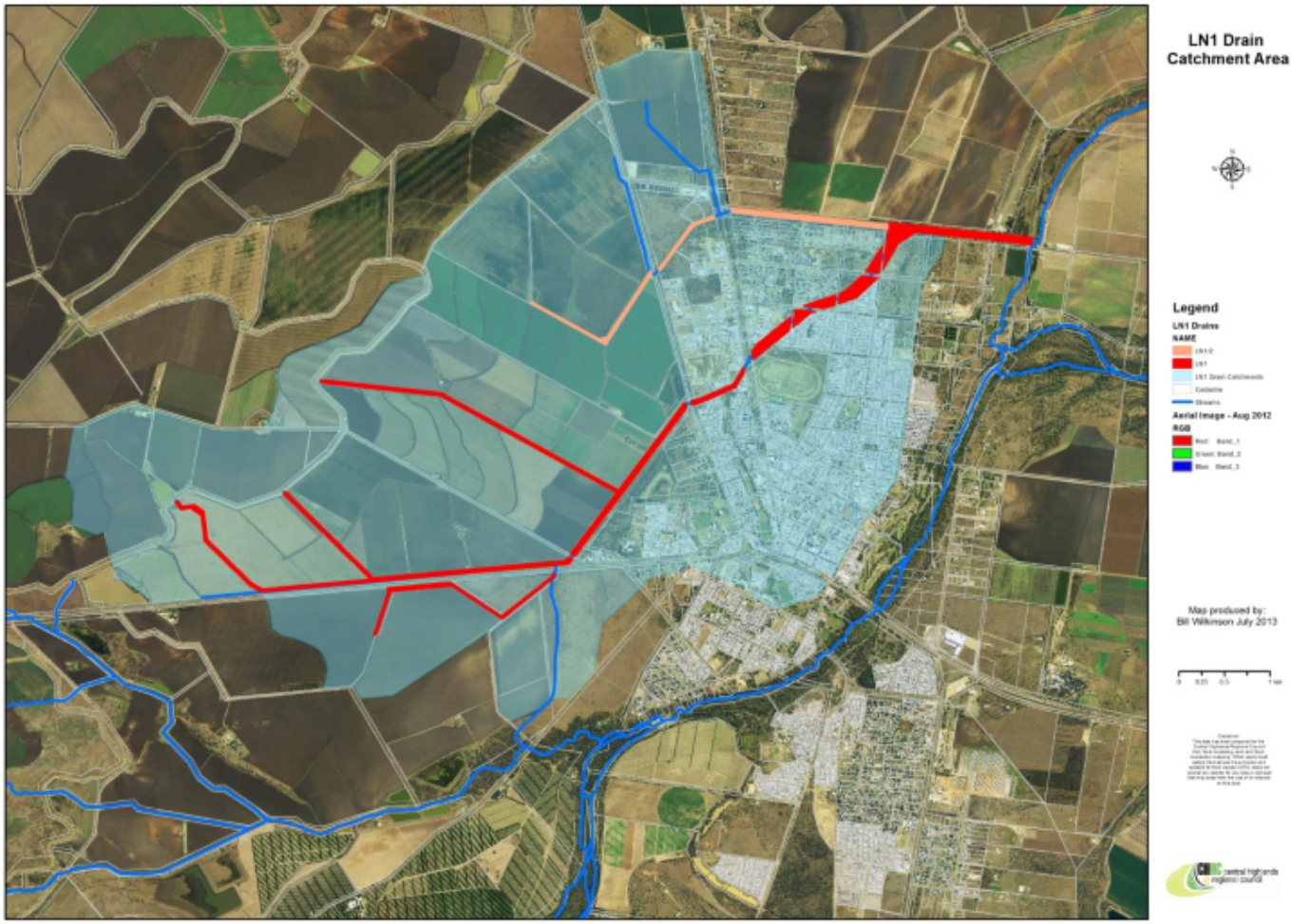
The key outcomes and actions from the meeting are as follows:

1. Council is requested to provide ”in principle agreement” to progress discussions on the future management of LN1 Drain. Council with SunWater. SunWater and Council will work together to make modification that are agreeable to both parties
2. This will involve negotiations of all matters regarding extents, legal responsibilities, ownership, management and Local Management Authority (LMA) responsibilities.
3. Invite SunWater, Queensland Reconstruction Authority (QRA), Department of Transport and Main Roads (DTMR) and the LMA for a meeting and a site visit (walk through) to discuss potential flood mitigation options for the drain. This includes maintenance works done to date by SunWater, the proposed design and upgrades that was submitted previously for funding (2013-14) estimated to

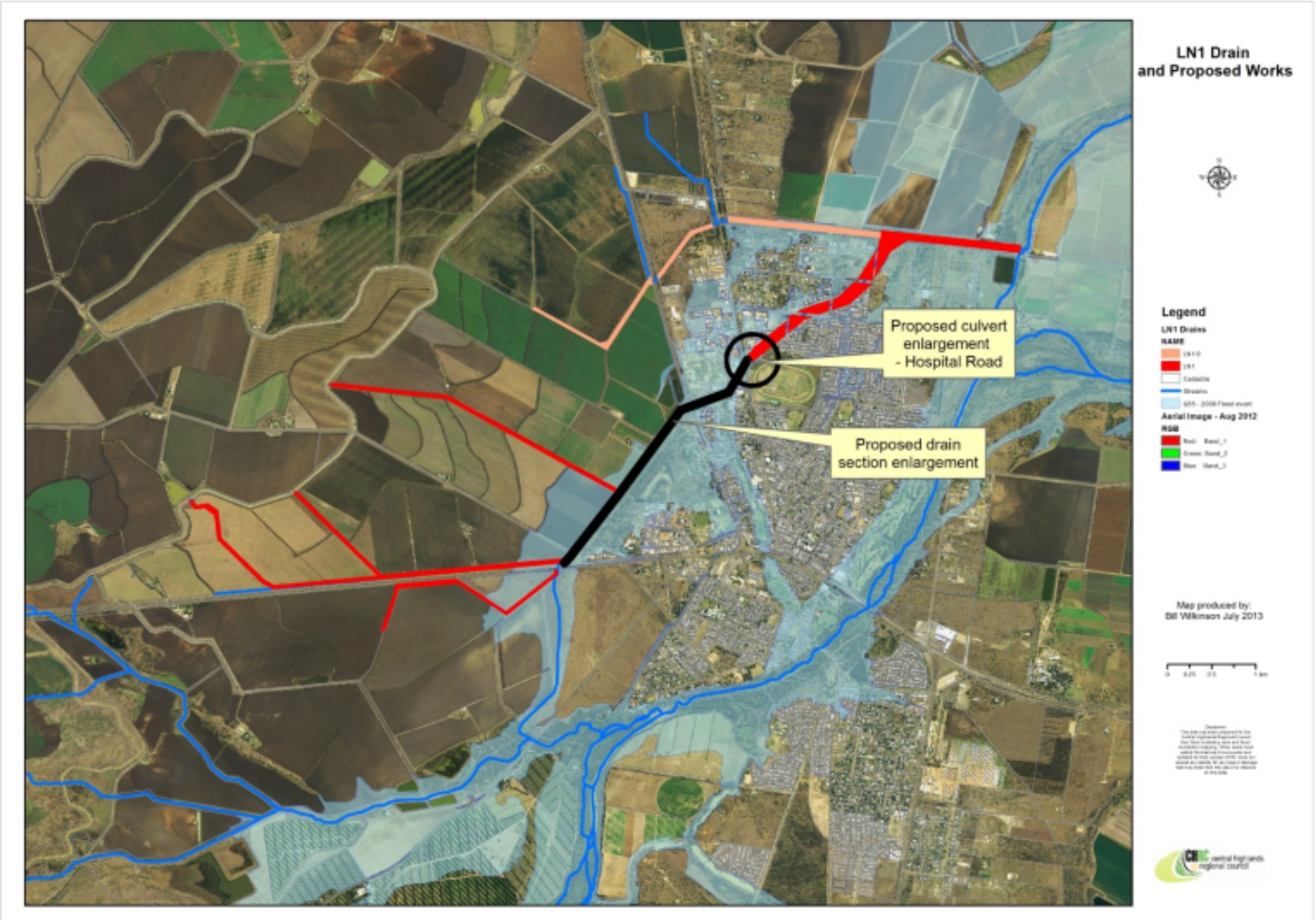
cost $3.75 million and/or any other opportunities to be considered for potential future grant funding, e.g. Natural Disaster Resilience funding. This includes the required upgrades to drainage structures, including the culvert under the Gregory Highway (Hospital Road) (DTMR).

4. A detailed assessment of all potential upgrade options and grant funding opportunities for LN1 Drain to be considered and costed.
5. If transfer of ownership is both considered and successfully negotiated then no agreement will be required.
6. Finally a joint communication from SunWater and Council, including an update to local residents on the Flood Mitigation Study associated with LN1 Drain.

To provide some context on LN1 Drain and it drainage function the map below indicates the LN1 Drain and catchment.

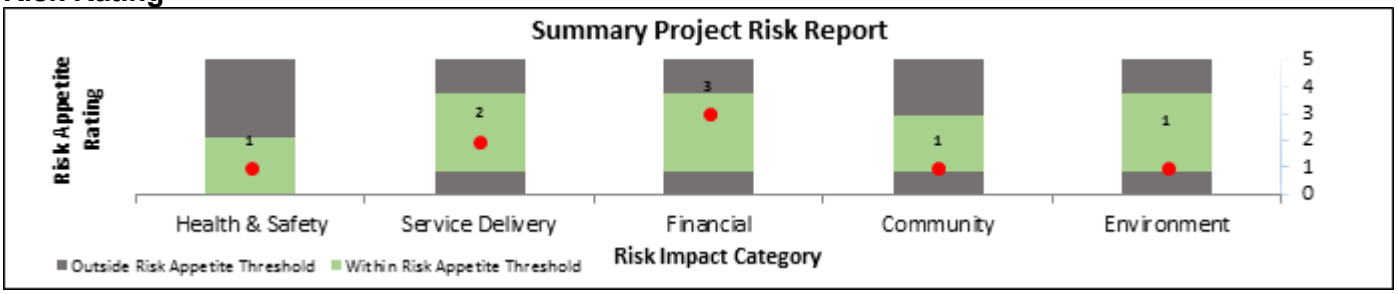


The current scoped and proposed works on LN1 Drain to enlarge its capacity to greater than any 1:10 event is illustrated below.



CONSIDERATIONS / IMPLICATIONS:

Risk Rating



Risk:
Council has to consider all risks about asset ownership, including liability for potential flooding, future capital and operational maintenance requirements.

Corporate/Operational Plan Reference:
Corporate Objective 4
Protecting our people and environment.

Financial:
At this time the full financial cost of the potential ownership of LN1 Drain is not known until "Due Diligence" is undertaken.

Statutory/Policy/Delegations:
This reports seeks delegation from Council to proceed with engagement and negotiations with SunWater. Regular updates and any binding decision will be brought back to Council.

Communication/Engagement:
Negotiations with SunWater on the draft Agreement (January 2016) on future ownership and management of LN1 Drain.

Joint communication from SunWater and CHRC with local residents on function of LN1 Drain, local drainage and Nogoa River flooding.

SunWater, Queensland Reconstruction Authority (QRA), Department of Transport and Main Roads (DTMR) and the LMA on potential upgrades and grant funding opportunities for LN1 Drain.

ATTACHMENTS:

Nil

– END OF REPORT –

12 COMMUNITIES

12.1 Adoption of proposed temporary local planning instrument

DECISION ACTION REPORT

Author: Jaymie Webster, Principal Planner Strategic Land Use

Authorising Officer: Daniel Fletcher, General Manager Communities

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EXECUTIVE SUMMARY:

Further to Council's decision on 22 November 2016 the proposed *Temporary Local Planning Instrument 01/2016 - Operational Work within a flood hazard area* (TLPI) was submitted to the, then, Minister for Infrastructure, Local Government and Planning for consideration. On 6 March 2017 Council received correspondence from the, now, Minster for Transport and Minister for Infrastructure and Planning allowing Council to proceed to adopt the proposed TLPI in accordance with *Statutory Guideline 01/16 Making and amending local planning instruments* (MALPI).

Pursuant to part 4, stage 3, step 5 of MALPI the Council must decide how to proceed in regards to the proposed TLPI.

That Central Highlands Regional Council -

1. Adopt *Temporary Local Planning Instrument 01/2016 - Operational Work within a flood hazard area* in accordance with step 5.1 of section 4.2.1 of *Statutory Guideline 01/16 Making and amending local planning instruments*.
2. Authorise the General Manager Communities to do all the matters specified in *Statutory Guideline 01/16 Making and amending local planning instruments* to complete step 5 of the process for making a temporary local planning instrument.

And further;

That Central Highlands Regional Council –

1. Decide to make a major amendment to the Central Highlands Regional Council Planning Scheme to address the matters covered by the *Temporary Local Planning Instrument 01/2016 - Operational Work within a flood hazard area* in accordance with section 117 of the *Sustainable Planning Act 2009* and step 1.1 of section 2.4A.1 of *Statutory Guideline 01/16 Making and amending local planning instruments*.
2. Authorise the General Manager Communities to do all the matters specified in *Statutory Guideline 01/16 Making and amending local planning instruments* to complete step 1 of the process for making a major amendment to a planning scheme.

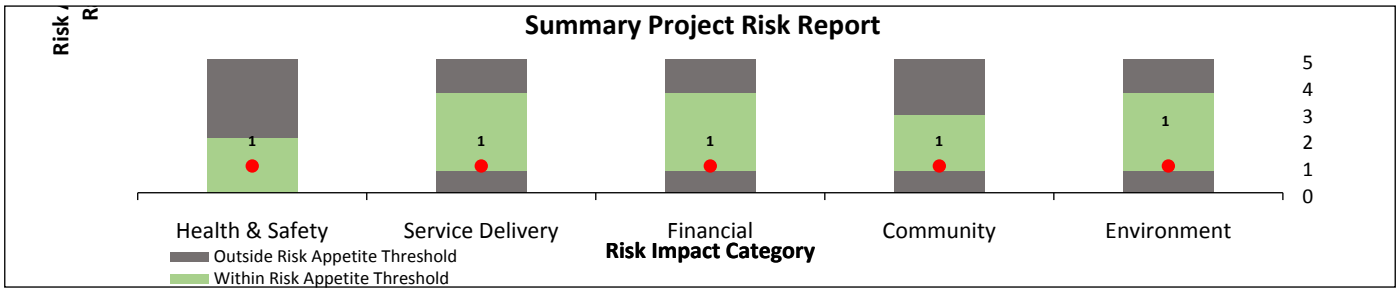
REPORT:

INTRODUCTION

Further to the report presented to Council on 22 November 2016 the proposed *Temporary Local Planning Instrument 01/2016 - Operational Work within a flood hazard area* (TLPI) was submitted to the, then, Minister for Infrastructure, Local Government and Planning for consideration. On 6 March 2017 Council received correspondence from the, now, Minster for Transport and Minister for Infrastructure and Planning allowing Council to proceed to adopt the proposed TLPI in accordance with *Statutory Guideline 01/16 Making and amending local planning instruments* (MALPI).

COMMENT:
In order to protect the planning scheme area from adverse impacts associated with excessive, unmanaged filling in the flood hazard area it was recommended that Council make a temporary local planning instrument, in accordance with section 105 of the *Sustainable Planning Act 2009*. The Department of Infrastructure, Local Government and Planning have considered the proposed TLPI and are satisfied that the TLPI complies with section 105 of the *Sustainable Planning Act 2009* and have approved Council to proceed to adopt the TLPI, as attached to this report.

CONSIDERATIONS / IMPLICATIONS:



Risk:
The proposed adoption of the TLPI does not result in any identified risks that fall outside of the acceptable thresholds as detailed in the above chart.

Corporate/Operational Plan Reference:
4. Protecting our People and our Environment;
4.1.0 - Corporate Plan Strategy: Support the region's growth through integrated, well-planned development.
4.2.0 - Corporate Plan Strategy: Continue to provide and improve development processes to support continued and sustained growth for future generations.
4.4.0 - Corporate Plan Strategy: Develop and deliver initiatives to mitigate, prevent, prepare for, respond to and recover from disasters.

Financial:
The preparation of a temporary local planning instrument was not considered in the 2016/17 budget, notwithstanding this the preparation and gazettal of the temporary local planning instrument will be undertaken by the Development and Planning team with no requirement for support from consultants at this stage. Costs associated with the public notification (i.e. advertisements within the local newspaper) of the temporary local planning instrument have been absorbed within the current budget allocation.

The temporary local planning instrument is an interim measure, during which time Council will need to prepare a major amendment to its Planning Scheme to ensure it contains adequate provisions that advance the strategic intent for development in flood hazard areas. Following discussions with Council's Infrastructure and Utilities Department it is understood that further investigations are required into modelling filling and excavation in floodplain areas to progress any such amendment. These costs are unknown at this stage.

Statutory/Policy/Delegations:
Statutory
The *Sustainable Planning Act 2009* includes provisions allowing local governments to make a temporary local planning instrument, subject to minister approval, provided:

1. *there is a significant risk of serious environmental harm, or serious adverse cultural, economic or social conditions happening in the planning scheme area; and*
2. *the delay involved in using the process stated in the guideline mentioned in section 117(1)* [Statutory Guideline 01/16 - Making and Amending Local Planning Instruments] *to amend the planning scheme would increase the risk; and*
3. *State interests would not be adversely affected by the proposed temporary local planning instrument; and*
4. *the proposed temporary local planning instrument appropriately reflects the standard planning scheme provisions.*

The Minister has considered that the proposed temporary local planning instrument satisfies the above statutory conditions and the steps for preparing a temporary local planning instrument as prescribed in *Statutory Guideline 01/16 Making and Amending Local Planning Instruments* have been followed. The Minister is now supportive of Council proceeding to adopt the proposed TLPI.

Policy
The temporary local planning instrument is proposed to address the inconsistencies in current positions articulated in strategic planning documents. It is understood that the Operational Work provisions for excavation and filling on properties affected by the Flood Hazard Overlay in the *Central Highlands Regional Council Planning Scheme (Amendment 1) 2016* do not deliver on the strategic intent as articulated in the Strategic Framework and the approach taken to pursuing flood mitigation options.

Communication/Engagement:
The *Statutory Guideline 01/16 Making and Amending Local Planning Instruments* does not require Local Governments to undertake public consultation or engagement in the preparation of temporary local planning instruments. If Council decides to adopt the temporary local planning instrument we are required to publish a public notice in the CQ News, the Local Government gazette and update our website.

ATTACHMENTS:

1. Ministerial letter - approval to proceed **[12.1.1]**
2. TLPI version 3 **[12.1.2]**

– END OF REPORT –

Deputy Premier
Minister for Transport and
Minister for Infrastructure and Planning

Queensland Government

Our ref: MC16/5421
Your ref: Temporary Local Planning Instrument 1-2016 (Jaymie Webster)

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Email deputy.premier@ministerial.qld.gov.au

ABN 90 856 020 239

6 MAR 2017

Councillor Kerry Hayes
Mayor
Central Highlands Regional Council
PO Box 21
EMERALD QLD 4720

Dear Councillor Hayes Kerry,

I refer to the Central Highlands Regional Council's (the council) letter of 24 November 2016 requesting consideration of and approval to adopt the proposed *Temporary Local Planning Instrument 01/2016 - Operational work within a flood hazard area* (proposed TLPI 01/2016).

I am pleased to advise I am satisfied that the council's proposed TLPI 01/2016 complies with section 105 of the *Sustainable Planning Act 2009*. The council may now proceed to adopt the version of the proposed TLPI received by the Department of Infrastructure, Local Government and Planning (the department) on 31 January 2017, in accordance with *Statutory Guideline 01/16 Making and amending local planning instruments*.

If you require further information, I encourage you to contact Mr Anthony Walsh, Acting Manager, Planning and Development Services in the department on 4924 2904 or by email at Anthony.Walsh@dilgp.qld.gov.au.

Yours sincerely

JACKIE TRAD MP
DEPUTY PREMIER
Minister for Transport and
Minister for Infrastructure and Planning

Sustainable Planning Act 2009

CENTRAL HIGHLANDS REGIONAL COUNCIL
TEMPORARY LOCAL PLANNING INSTRUMENT 01/2016
(OPERATIONAL WORK – WITHIN A FLOOD HAZARD AREA)

1 Purpose of the Temporary Planning Instrument

1.1 The purpose of Temporary Local Planning Instrument 01/2016 (Operational work – within a flood hazard area) is to ensure that the excavation of land and importation of fill into a flood hazard area is subject to an appropriate level of assessment given that cumulatively such development may cause adverse impacts external to the development site such as reduction of flood storage and changes to flows, velocities or levels for flood events.

2 Duration of the Temporary Planning Instrument

2.1 This temporary local planning instrument 01/2016 (Operational work – within a flood hazard area) will have effect in accordance with the *Sustainable Planning Act 2009* for a period not exceeding 1 year from [insert date of gazettal here] or until proposed Central Highlands Regional Council Planning Scheme Amendment No. 4 comes into effect, whichever occurs first.

3 Application of Temporary Planning Instrument

3.1 This temporary local planning instrument applies to the whole of the Central Highlands Regional Council Planning Scheme area.

3.2 This temporary local planning instrument suspends the operation of the following provisions of the Central Highlands Regional Council Planning Scheme 2016:

- Section 5.10, Table 5.10.1 – Assessment criteria for overlays

to the extent these provisions relate to development which is "Operational work" under the heading "Flood hazard overlay".

4 Definitions

4.1 A term in this instrument has the meaning given it by the Central Highlands Regional Council Planning Scheme.

5 Operational work within a flood hazard area

5.1 For the purposes of administering Section 5.10, Table 5.10.1 of the Central Highlands Regional Council Planning Scheme 2016, to the extent it relates to the development which is "operational work" under the heading "Flood hazard overlay", the following shall apply in addition to any other provisions of that Section not suspended by this temporary local planning instrument:

Development	Level of assessment	Assessment criteria
Flood hazard overlay		
Operational work involving excavating or filling if within a low or significant flood hazard area as per the modelled flood hazard levels or a flood hazard area as per the Queensland floodplain assessment overlay mapping as identified on a Flood hazard overlay map	**Code assessment**	• Flood hazard overlay code
Operational work involving excavating or filling if within a high or extreme flood hazard area as identified on a Flood hazard overlay map	**Impact assessment**	• Flood hazard overlay code
Operational work if within a flood hazard area as identified on a Flood hazard overlay map and involving any physical alteration to a watercourse or floodway, including vegetation clearing	**Code assessment**	• Flood hazard overlay code

Michael Parker

Acting Chief Executive Officer

Central Highlands Regional Council

13 CORPORATE SERVICES

13.1 Nil Reports

14 GOVERNANCE

14.1 Nil Reports

15 COMMERCIAL SERVICES

15.1 Nil Reports

16 CENTRAL HIGHLANDS DEVELOPMENT CORPORATION

16.1 Nil Reports

17 CHIEF EXECUTIVE OFFICER

17.1 Mayor visit to Adani Operations in India with the Premier

DECISION ACTION REPORT

Author: Marnie Wills, Executive Assistant (Mayor and Councillors)

Authorising Officer: Michael Parker, Acting Chief Executive Officer

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EXECUTIVE SUMMARY:

The Central Highlands Regional Council Mayor, Kerry Hayes, has been invited to join Premier Annastacia Palaszczuk and certain other regional Queensland Mayors on a visit to India for meetings with the leadership of Adani, the proponents of the $21 billion Carmichael Coal project, between 16 and 19 March 2017.

The Premier has stated that the meetings will be critical ahead of Adani making its final investment decision in April.

OFFICER RECOMMENDATION

That Central Highlands Regional Council authorise the attendance of the Mayor Cr Kerry Hayes as part of the Queensland Premier's delegation with certain Queensland regional Mayors at meetings with the leadership of Adani, in India, from 16 March 2017 to 19 March 2017.

REPORT:

The Central Highlands Regional Council ("CHRC") Mayor, Kerry Hayes, has been invited to join Premier Annastacia Palaszczuk and certain other regional Queensland Mayors on a visit to India for meetings with the leadership of Adani, the proponents of the $21 billion Carmichael Coal project, between 16 and 19 March 2017.

The Premier has stated that the meetings will be critical ahead of Adani making its final investment decision in April.

Adani has already confirmed to the Premier that the:

- regional headquarters will be based in Townsville;
- remote operations centre will be in Townsville;
- rail and port operations headquarters will be in Bowen;
- mining services based in Mackay;
- rail maintenance and provisioning yard in the Mackay-Bowen region;
- project sourcing centres in Townsville, Charters Towers, Rockhampton, Emerald, Clermont and Moranbah; and
- the shortlist for a Fly in Fly Out hub is Townsville and Rockhampton, with a decision due this year coinciding with the start of early works.

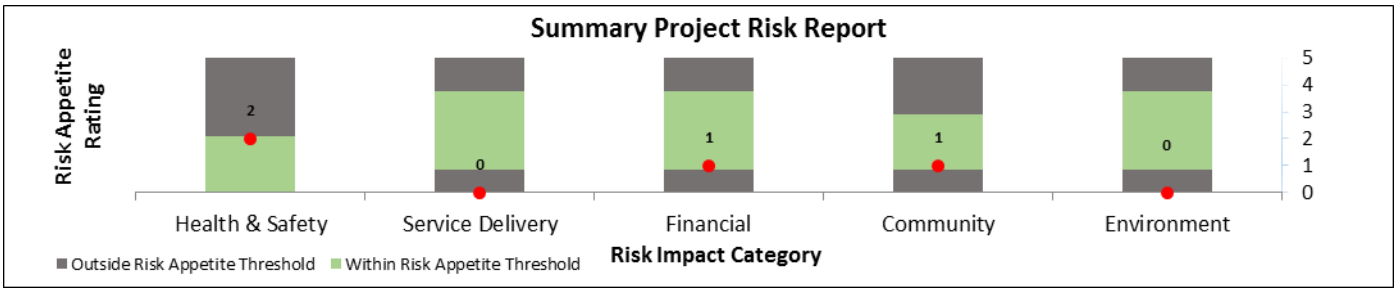
The Premier has stated that she would also use the visit to India to assess a stronger trade and investment presence for the Queensland Government in India.

The Mayor has requested the Premiers' Office to authorise the additional attendance of the General Manager Central Highlands Development Corporation on the visit to India for meetings with Adani leadership. The Mayor has now received confirmation that the attendance has been authorised, and that Council will also cover the costs for travel and accommodation.

Dates of travel will be from 15 March 2017 and 19 March 2017.

CONSIDERATIONS / IMPLICATIONS:

Risk Rating



Risk:
Not applicable

Corporate/Operational Plan Reference:
3. Supporting our Local Economy;
3.1.0 - Corporate Plan Strategy: Support the Central Highlands Development Corporation to facilitate networks and partnership between local business, industry groups and government.

4. Protecting our People and our Environment;
4.1.0 - Corporate Plan Strategy: Support the region's growth through integrated, well-planned development.

Financial:
Indicative costs are as follows:

Flights (Emerald to India return)	$2,000.00
Accommodation (3 nights at approx. $250.00 per night)	$750.00
Total approximate cost per person	$2,750.00

+ meals and transfers

Statutory/Policy/Delegations:
Expense Reimbursement and Provision of Facilities of Mayor and Councillors Policy.

Communication/Engagement:
This provides networking opportunities for the Mayor with the representatives of Adani.

ATTACHMENTS:

Nil

– END OF REPORT –

18 GENERAL BUSINESS

19 CLOSED SESSION

19.1 Rating Concession - Assessment No. 18242

CLOSED SESSION REPORT

This report is CONFIDENTIAL under Section 275 (1) (d) of the Local Government Regulation 2012 which permits the Council meeting to be closed to the public to discuss:

(d) rating concessions;

19.2 Rating Concession - Assessment No. 2696

CLOSED SESSION REPORT

This report is CONFIDENTIAL under Section 275 (1) (d) of the Local Government Regulation 2012 which permits the Council meeting to be closed to the public to discuss:

(d) rating concessions;

19.3 Extension of Discount Period - Public Accommodation

CLOSED SESSION REPORT

This report is CONFIDENTIAL under Section 275 (1) (d) of the Local Government Regulation 2012 which permits the Council meeting to be closed to the public to discuss:

(d) rating concessions;

20 LATE AGENDA ITEMS

21 CLOSURE OF MEETING