



## **General Council Meeting**

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

**Wednesday, 22 September 2021**  
**Commenced at 9.00am**

**COUNCIL MINUTES**

**CENTRAL HIGHLANDS REGIONAL COUNCIL**

**GENERAL MEETING OF COUNCIL**

**WEDNESDAY 22 SEPTEMBER 2021**

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**MINUTES – GENERAL COUNCIL MEETING**  
**HELD AT 9.00AM WEDNESDAY 22 SEPTEMBER 2021 IN THE CENTRAL HIGHLANDS REGIONAL**  
**COUNCIL CHAMBERS, EMERALD OFFICE**

**PRESENT**

**Councillors**

Councillor (Crs) Kerry Hayes (Mayor), Christine Rolfe (Deputy Mayor)  
Councillors (Crs) Charles Brimblecombe, Joseph Burns, Anne Carpenter, Natalie Curtis, Janice Moriarty and Gai Sypher

**Officers**

Acting Chief Executive Officer Michael Parker PSM, Acting General Manager Communities Leisa Donlan, Acting General Manager Corporate Services Scott Greensill, General Manager Customer and Commercial Services Michelle Webster, Acting General Manager Infrastructure and Utilities Jason Hoolihan (attended at 9.22am) and Minute Secretary Marnie Wills

**APOLOGIES**

Cr Megan Daniels

***Resolution:***

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

**2021 / 09 / 22 / 001**

Carried (8-0)

**LEAVE OF ABSENCE**

***Resolution:***

Cr Brimblecombe moved and seconded by Cr Burns “That a leave of absence be granted for Councillor Moriarty for the General Council Meeting on 6 October 2021.”

**2021 / 09 / 22 / 002**

Carried (8-0)

***Resolution:***

Cr Curtis moved and seconded by Cr Carpenter “That a leave of absence be granted for Councillor Burns for the General Council Meeting on 6 October 2021.”

**2021 / 09 / 22 / 003**

Carried (8-0)

**ACKNOWLEDGEMENT OF COUNTRY**

Mayor Hayes acknowledged the traditional custodians of the land on which we meet today and he paid our respects to the elders, past, present and emerging.

**CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**General Council Meeting: 8 September 2021**

***Resolution:***

Cr Moriarty moved and seconded by Cr Sypher “That the minutes of the previous General Council Meeting held on 8 September 2021 be confirmed.”

**2021 / 09 / 22 / 004**

Carried (8-0)

**BUSINESS ARISING OUT OF MINUTES**

Nil

### **OUTSTANDING MEETING ACTIONS**

Councillors reviewed the resolution register (meeting actions) update

### **REVIEW OF UPCOMING AGENDA ITEMS**

Discussions were held regarding upcoming agenda items.

### **CONFLICT OF INTEREST**

Nil

### **PETITIONS (IF ANY)**

Nil

### **Attendance**

Manager Planning and Environment K. Byrne and Acting Principal Planner K. Isles attended the meeting at 9.05am

Coordinator Strategic Land Use H. McLaren-Greiss, attended the meeting at 9.08am

## **DECISION ACTION REPORTS**

### **Communities**

#### **CHA013-2021 - Minor change application - 35 Pritchard Road, Emerald (Lot 13 SP227973) - Village National Holdings Ltd. C/- Murray & Associates (Qld) Pty Ltd**

#### **Executive summary:**

At the general council meeting 11 June 2019, Central Highlands Regional Council (council) resolved to refuse development application MCU033.1-2018 for a Material Change of Use (resolution number 2019/06/11/003) proposing an expansion of a short-term accommodation (extension to an existing motel by 36 rooms) at 35 Pritchard Road, Emerald formally described as Lot 13 on SP227973.

On 5 July 2019, HWL Ebsworth Lawyers filed an appeal with the Planning and Environment Court on behalf of Village National Holdings Limited, referenced as Appeal No. 2390 of 2019. Council engaged King and Company Solicitors to act as its legal representatives in relation to the appeal.

In discussions on a without prejudice basis and then formally through mediation meetings held before the court, council and Village National reached mutual agreement of potential conditions of approval. Based on the agreement, at council meeting 14 October 2020, council resolved to approve the development subject to relevant and reasonable conditions.

Village National is now proceeding with the development including its subsequent Operational Works application. The Operational Works application has identified the need to amend condition 2.9 of the approval dealing with the extent of road upgrade to Pritchard Road. The amendment requires a change and as council has been the previous decision maker, the proposed change has come back to council for decision.

#### **Resolution:**

Cr Byrnes moved and seconded by Cr Brimblecombe "That Central Highlands Regional Council:

1. Approve the minor change application referenced as CHA013-2021 for a Material Change of Use proposing an expansion of a short-term accommodation (extension to an existing motel by 36 rooms) at 35 Pritchard Road, Emerald formally described as Lot 13 on SP227973.
2. Issue a development approval with the following amendment to the conditions of approval:

Replace existing **condition 2.9**

Design and upgrade Pritchard Road from the Gregory Highway intersection to the eastern boundary of lot 13 SP2279335 including necessary connections to a rural residential standard in accordance with Capricorn Municipal Development Guidelines (CMDG) and in particular Table D1.27.02.

a) Design plans for all new road works and drainage works within the road reserve must be lodged and approved by Council prior to construction.

**Timing:** Prior to commencement of the use.

With the following condition:

a) Design and upgrade Pritchard Road from the Gregory Highway intersection to the eastern side of the most eastern existing vehicle access to Lot 13 SP2279335 including necessary connections to a rural residential standard in accordance with Capricorn Municipal Development Guidelines (CMDG) and in particular Table D1.27.02.

b) Design plans for all new road works and drainage works within the road reserve must be lodged and approved by Council prior to construction.

**Timing:** Prior to commencement of the use.

3. Note that all other conditions remain unchanged as per the original decision notice 14 October 2020.

**2021 / 09 / 22 / 005**

Carried (8-0)

Attendance

Acting General Infrastructure and Utilities J. Hoolihan attended the meeting at 9.22am

**Adoption of Charges Resolution No. 14**

**Purpose:**

This report:

1. summarises the results of a review and benchmarking exercise undertaken which has determined that to better support the cost recovery of council's planned trunk infrastructure network, it will be necessary to increase some of the adopted charge rates for certain activities prescribed in Charges Resolution No. 13.
2. seeks council's endorsement of proposed changes to adopted charge rates prescribed in the draft Charges Resolution No. 14.

**Resolution:**

Cr Curtis moved and seconded by Cr Burns "That Central Highlands Regional Council:

1. Adopt Charges Resolution No. 14 pursuant to section 113(1) of the *Planning Act 2016*, to have force and effect over the same area as the Central Highlands Regional Council Planning Scheme 2016 and commencing at 12:00am on 1 January 2022.
2. In addition, Charges Resolution No. 14 supersedes Charges Resolution No. 13 which will remain in effect until 11.59pm on 31 December 2021."

**2021 / 09 / 22 / 006**

Carried (6-2)

*Cr Moriarty requested that her vote be recorded against the motion*

Attendance

Manager Planning and Environment K. Byrne, Acting Principal Planner K. Isles and Coordinator Strategic Land Use H. McLaren-Greiss left the meeting at 9.29am  
Coordinator Disaster Management and Community Resilience G. Bell attended the meeting at 9.29am

**Adoption of the Central Highland Regional Council All Hazards Risk Assessment 2021**

**Purpose:**

This decision reports seeks council resolution on the adoption of the Central Highlands Regional Council All Hazards Risk Assessment 2021.

**Resolution:**

Cr Moriarty moved and seconded by Cr Brimblecombe “That Central Highlands Regional Council endorse the “Central Highlands Regional Council All Hazards Risk Assessment 2021”.

**2021 / 09 / 22 / 007**

Carried (8-0)

Attendance

Coordinator Disaster Management and Community Resilience G. Bell left the meeting at 9.55am  
Manager Finance V. Coleman attended the meeting at 9.55am

**Corporate Services**

**Monthly Financial Report**

**Purpose:**

This report is produced in accordance with section 204 of the Local Government Regulation 2012, meeting the requirement for financial reporting to be presented to council once a month. This ensures adequate oversight of council’s financial position and performance against the latest approved budget and reinforces sound financial management practices throughout the organisation.

**Resolution:**

Cr Rolfe moved and seconded by Cr Brimblecombe “That Central Highlands Regional Council adopt the monthly financial report for the period ended 31 August 2021.”

**2021 / 09 / 22 / 008**

Carried (8-0)

Attendance

Manager Finance V. Coleman left the meeting at 10.04am

**Customer and Commercial Services**

**Christmas / New Year Office Closure**

**Purpose:**

Council has traditionally closed administration buildings and libraries during the Christmas and New Year period. In Tieri, the transaction centre close-down period traditionally coincided with the mine closure periods.

The report seeks council’s determination regarding the Central Highlands Regional Council close-down period for 2021 /2022.

***Resolution:***

Cr Curtis moved and seconded by Cr Moriarty “That Central Highlands Regional Council close all administration buildings and libraries for the period from 12pm Friday 24 December 2021 up to and including Monday 3 January 2022, reopening on Tuesday 4 January 2022 with the appropriate public notice and telephone answering service to be provided, ensuring residents and customers have an avenue for any emergent matters to be attended to.”

**2021 / 09 / 22 / 009**

Carried (8-0)

***Attendance***

Cr Sypher left the meeting at 10.08am

**Infrastructure and Utilities**

**Request for permanent road closure of part of the Comet Street road reserve**

**Purpose:**

This report is to provide council with additional information in relation to the applicant’s request for permanent closure of part of the Comet Street, Rolleston road reserve.

***Procedural motion:***

Cr Rolfe moved “That the report lie on the table.”

***Attendance***

Cr Sypher returned the meeting at 10.10am

**Chief Executive Officer**

**Council Meeting Dates 2022**

**Purpose:**

To allow for planning for meetings and adherence with the statutory requirements of the Local Government Regulation 2012, this report provides a suggested schedule of meeting dates for 2022 for the General Council Meetings.

***Resolution:***

Cr Moriarty moved and seconded by Cr Brimblecombe “That Central Highlands Regional Council adopt the General Council Meeting dates for 2022 as follows:

January	Friday 28 January 2022
February	Wednesday 9 February 2022 Wednesday 23 February 2022 (to be held in Capella)
March	Wednesday 9 March 2022 Wednesday 23 March 2022
April	Wednesday 13 April 2022 Wednesday 27 April 2022
May	Wednesday 11 May 2022 Wednesday 25 May 2022 (to be held in Blackwater)

June	Wednesday 15 June 2022 Wednesday 29 June 2022
July	Wednesday 13 July 2022 Wednesday 27 July 2022
August	Wednesday 10 August 2022 Wednesday 24 August 2022
September	Wednesday 14 September 2022 Wednesday 28 September 2022
October	Wednesday 12 October 2022 Wednesday 26 October 2022 (to be held in Springsure)
November	Wednesday 9 November 2022 Wednesday 23 November 2022
December	Wednesday 14 December 2022
January	Wednesday 25 January 2023.”

**2021 / 09 / 22 / 010**

Carried (8-0)

Adjournment

The meeting was adjourned at 10.14am

The meeting resumed at 10.58am

Attendance

Manager Planning and Environment K. Byrne, Acting Principal Planner K. Isles and Coordinator Strategic Land Use H. McLaren-Greiss attended the meeting at 10.58am

**DECISION ACTION – CLOSED SESSION**

**Into Closed Session**

**Resolution:**

Cr Moriarty moved and seconded by Cr Carpenter “That Council close its meeting to the public in accordance with Section 254 (J) (3) (a) (d) and (g) of the Local Government Regulation 2012 and that Council staff involved in the closed discussions remain in the room.”

- (a) *the appointment, discipline or dismissal of the chief executive officer;*
- (d) *rating concessions;*
- (g) *negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government;*

**2021 / 09 / 22 / 011**

Carried (8-0)

The meeting was closed at 10.59am

Attendance

Manager Finance V. Coleman attended the meeting at 11.14am



**Endorsement of Major Planning Scheme Amendment Floodplain Management.**

**Attendance**

Manager Planning and Environment K. Byrne, Acting Principal Planner K. Isles and Coordinator Strategic Land Use H. McLaren-Greiss left the meeting at 11.16am

**Rate Concession Application - Assessment Nos 25128, 25221, 29316, 2683, 2837, 423, 1181, 1354, 2895, 891, 1714, 2725, 2430, 2448, 2447, 16165, 2864, 15412, 2627**

**Attendance**

Manager Finance V. Coleman left the meeting at 11.22am  
Acting Chief Executive Officer M. Parker, Acting General Manager Community Services L. Donlan, Acting General Manager Corporate Services S. Greensill, Acting General Manager Infrastructure and Utilities J. Hoolihan, General Manager Customer and Commercial Services M. Webster left the meeting at 11.22am

**Appointment of Chief Executive Officer**

**Out of Closed Session**

**Resolution:**

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

**2021 / 09 / 22 / 012**

**Carried (8-0)**

The meeting was opened at 11.41am

**Attendance**

Acting Chief Executive Officer M. Parker, Acting General Manager Community Services L. Donlan, Acting General Manager Corporate Services S. Greensill, Acting General Manager Infrastructure and Utilities J. Hoolihan, General Manager Customer and Commercial Services M. Webster returned to the meeting at 11.43am

**Endorsement of Major Planning Scheme Amendment Floodplain Management**

**Purpose:**

The purpose of this report is to advise Central Highlands Regional Council that the preparation of Planning Scheme Amendment – Planning Scheme (Major 4) Floodplain Management has been finalised with a revised draft to progress to the Minister for state interest review and approval to publicly consult on the proposed amendments.

**Resolution:**

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

1. Resolve as per 2.1 of the Minister’s Guidelines and Rules to amend Planning Scheme Policy – Flood Hazard Assessment Study.
2. Endorse the progress of :-
  - a. the revised draft Planning Scheme Amendment 8 – Planning Scheme (Major 4) Floodplain Management; and
  - b. the draft Planning Scheme Policy – Flood Risk Assessment;

to the State Government seeking the Minister’s consideration of the state interest review and approval to proceed with public notification.

3. Authorise the Chief Executive Officer to do all the matters specified in Chapter 2, Part 4 of the statutory guideline, Minister’s Guidelines and Rules for making a Major Amendment and Amending a Planning Scheme Policy.”

**2021 / 09 / 22 / 013**

Carried (8-0)

**Rate Concession Application - Assessment Nos. 25128, 25221, 29316, 2683, 2837, 423, 1181, 1354, 2895, 891, 1714, 2725, 2430, 2448, 2447, 16165, 2864, 15412, 2627**

**Purpose:**

Council has received a number of requests from not for profit (NFP) organisations seeking concessions in respect of rates and charges.

The Central Highlands Regional Council (council) is able to assist community organisations using the rate exemption provision under section 93(3)(i) of the *Local Government Act 2009* (LG Act), which provides that land used for charitable purposes can be exempt from rating by resolution of a local government.

Pursuant to the adoption of the 2021-2022 Revenue Statement, council resolved to grant a rebate of up to 100% in respect of general rates to eligible NFP organisations. This concession, which is not applicable to utility charges, is granted in accordance with sections 120(1)(b), 121(a) and 122(1)(b) of the Local Government Regulation 2012 (LG Regulation). These sections outline the criteria and type of concession in respect of exemptions for rates granted to NFP organisations.

**Resolution:**

Cr Sypher moved and seconded by Cr Carpenter “That Central Highlands Regional Council in accordance with section 93(3) of the *Local Government Act 2009*, sections 120(1)(b), 121(a) and 122(1)(b) of the Local Government Regulation 2012 and section 2.2(b) of the 2021-2022 Revenue Statement resolves:

1. To approve a rebate of 100% of the general rate levied in respect of assessment number 25128 effective from 1 January 2021, and to allow the concession for the duration of the use of the property as part of a not for profit organisation.
2. To approve an increase in the rebate of general rates from 50% to 100% effective from 1 January 2021 in respect of assessment 25221, and to allow this concession to apply for the duration of the use of the property as part of a not for profit organisation.
3. To not approve a rebate of the general rate levied in respect of assessment number 29316.
4. To not approve a rebate of the general rate levied in respect of assessment numbers 2683, 2837, 423, 1181, 2895, 891, 1714, 2725, 2430, 2448, 2447, 16165, 2864, 15412, 2627.
5. To not approve a rebate of the general rate levied in respect of assessment number 1354.”

**2021 / 09 / 22 / 014**

Carried (8-0)

**Appointment of Chief Executive Officer**

**Purpose:**

This report provides for the appointment of Chief Executive Officer, following the resignation of the former Chief Executive Officer and after an extensive recruitment process.

***Resolution:***

Cr Rolfe moved and seconded by Cr Moriarty “That Central Highlands Regional Council appoint Sharon Houlihan as Chief Executive Officer under the terms of the contract offered.”

**2021 / 09 / 22 / 015**

Carried (8-0)

*Attendance*

Manager Planning and Environment K. Byrne attended the meeting at 11.46am

## **INFORMATION REPORTS**

### **Communities**

#### **Update to council on the Hours of operation review of Resource Recovery facilities within the Central Highlands**

***Purpose:***

This report is an update on the outcome of a Resource Recovery Centre (RRC) hours of operation review.

***Resolution:***

Cr Sypher moved and seconded by Cr Brimblecombe “That Central Highlands Regional Council receive this report regarding the proposed changes to the Resource Recovery Centre operating hours for the duration of the fixed term roles created effective from Saturday 18 September 2021.”

**2021 / 09 / 22 / 016**

Carried (8-0)

*Attendance*

Manager Planning and Environment K. Byrne left the meeting at 11.54am

### **Customer and Commercial Services**

#### **Record of Proceedings - Community Consultation Rolleston, Toprain and Carnarvon Gorge - 31 August 2021**

***Purpose:***

This report provides a record of proceedings from the combined Rolleston, Toprain and Carnarvon Gorge Community Consultation forum held at the Rolleston Memorial Hall on 31 August 2021.

***Resolution:***

Cr Brimblecombe moved and seconded by Cr Carpenter “That Central Highlands Regional Council receive the record of proceedings from the combined Rolleston, Toprain and Carnarvon Gorge Community Consultation forum held at the Rolleston Memorial Hall on 31 August 2021, noting the following actions have been logged as a Customer Request (CRM):

1. Council to inspect drainage problems in Rolleston town streets and consider remedial works where required. [CRM2021/131574]
2. Council to inspect and consider plan to repair bitumen seal on One Mile and when next maintenance grade is scheduled for Dip Road. [CRM2021/131570]
3. Council to replace damaged signs on Warrijo Street, Rolleston. [CRM2021/131476]
4. Council to provide feedback on damaged sections of Carnarvon Highway to Department of Transport and Main Roads (TMR). [CRM2021/131582]
5. Council to inspect and consider plan to address damaged gullies and culverts on Nogun Road. [CRM2021/126151]

6. Council to inspect and undertake pothole repairs to damaged section of Carnarvon Highway near Mount Panorama under the rural maintenance performance contract (RPMC) with TMR. [CRM2021/131580]
7. Council to inspect crumbling sections of bitumen on Carnarvon Gorge Access Road and consider plan to address. [CRM2021/31579]
8. Council to liaise with the Rolleston Cricket Club regarding access to the toilets at the community oval. [CRM2021/131590]”

**2021 / 09 / 22 / 017**

Carried (8-0)

**Record of Proceedings - Community Consultation Arcadia Valley - 31 August 2021**

**Purpose:**

This report provides a record of proceedings from the Arcadia Valley Community Consultation forum held at Arcadia Valley Recreation Hall on 31 August 2021.

**Resolution:**

Cr Carpenter moved and seconded by Cr Burns “That Central Highlands Regional Council receive the record of proceedings from the Arcadia Valley Community Consultation forum held at Arcadia Valley Recreation Hall on 31 August 2021, noting the following actions have been logged as a Customer Request (CRM):

1. Council to inspect ‘Basalt’ gravel pit and include in weed spraying program for roadsides after the wet and before the planned roadwork commences. [CRM2021/131752]
2. Council to replace missing Glen Idol Road sign. [CRM2021/131754]
3. Council to inspect unsealed section of Glen Idol Road and schedule gravel re-sheeting. [CRM2021/131755]
4. Council to inspect and schedule bitumen patching on both ends of the concrete causeway on Arcadia Valley Road. [CRM2021/131757]
5. Council to replace the Basin Road sign for 'Wallaroo' on the Carnarvon Highway. [CRM2021/131811]”

**2021 / 09 / 22 / 018**

Carried (8-0)

**LATE AGENDA ITEMS**

Nil

**GENERAL BUSINESS**

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

Nil

**CLOSURE OF MEETING**

There being no further business, the Mayor closed the meeting at 12.01pm.

CONFIRMED

MAYOR

DATE