

CONFIRMED MINUTES

PLANNING, ENVIRONMENT AND COMMUNITY SERVICES
STANDING COMMITTEE MEETING OF
ISAAC REGIONAL COUNCIL

HELD ON
TUESDAY, 11 AUGUST 2020

COMMENCING AT 9.00AM

CONFIRMED MINUTES

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CONFIRMED MINUTES OF THE
PLANNING, ENVIRONMENT AND COMMUNITY SERVICES
STANDING COMMITTEE MEETING
HELD IN COUNCIL CHAMBERS, MORANBAH
ON TUESDAY 11 AUGUST 2020

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ISAAC REGIONAL COUNCIL
CONFIRMED MINUTES OF THE
PLANNING, ENVIRONMENT AND COMMUNITY SERVICES
STANDING COMMITTEE MEETING
HELD IN COUNCIL CHAMBERS, MORANBAH
ON TUESDAY 11 AUGUST 2020 COMMENCING AT 9.00AM

ATTENDEES

Cr Kelly Vevea, Division Five (Chair)
Mayor Anne Baker
Cr Gina Lacey
Cr Jane Pickels, Division Seven
Cr Viv Coleman, Division Eight
Cr Sandy Moffat (Observer)

OFFICERS PRESENT

Mr Jeff Stewart-Harris, Director Planning, Environment and Community Services
Mr Shane Brandenburg, Manager Economy and Prosperity
Mr Dan Wagner, Manager Liveability and Sustainability
Ms Nishu Ellawala, Manager Community Education and Compliance
Mr Jim Hutchinson, Manager Engaged Communities
Mr Bruce Wright, Manager Community Facilities
Mr Mark Davey, Capital and Program Project Manager
Mrs Tricia Hughes, Coordinator Executive Support
Ms Barbara Franklin, Executive Coordinator, Planning, Environment and Community Services

1. OPENING

The Chair declared the meeting open at 9.03am and acknowledged the traditional custodians of the land on which we meet today and paid her respects to their Elders past, present and emerging.

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2. APOLOGIES

No apologies this meeting.

3. DECLARATION OF CONFLICTS OF INTEREST

No conflict of interests declared.

4. CONFIRMATION OF MINUTES

Confirmation of minutes from Planning, Environment and Community Services Standing Committee Meeting held at the Moranbah Community Centre, Hall 2, Moranbah on Tuesday 14 July 2020.

Resolution No.: PECS0529

Moved: Cr Pickels

Seconded: Cr Coleman

That the Minutes of the Planning, Environment and Community Services Standing Committee Meeting held at Moranbah Community Centre, Hall 2, Moranbah on Tuesday 14 July 2020 are confirmed.

Carried

ATTENDANCE

Mr Martin Bowerman, Senior Communications Advisor entered the meeting room at 9.07am.

Mayor Anne Baker left the meeting room at 9.28am.

Mr Shane Brandenburg left the meeting room at 9.29am and returned at 9.30am.

5. OFFICERS REPORTS

5.1

Regulatory Reset - A risk and Outcome Based Compliance Framework

EXECUTIVE SUMMARY

To provide a summary of the Regulatory Reset Project activities that are currently in progress by the Community Education and Compliance Department for information purposes.

OFFICER'S RECOMMENDATION

That the Committee recommends that Council:

- 1. Receive and note the Risk and Outcome-based Strategic Education and Enforcement Framework.*

Resolution No.: PECS0530

Moved: Cr Lacey

Seconded: Cr Coleman

That the Committee recommends that Council:

1. Receive and note the Risk and Outcome-based Strategic Education and Enforcement Framework.
2. Request that the Enforcement Policy and the five individual enforcement strategies be subject to Council Workshops prior to being formally introduced to the Planning, Environment and Community Services Standing Committee.

Carried

ATTENDANCE

Cr Coleman left the meeting room at 9.40am.

5.2 Compliance Strategy for the Food Act 2006

EXECUTIVE SUMMARY

The purpose of this report is to present the proposed risk and outcome-based Compliance Strategy for the Food Act 2006 (the Strategy) for consideration and endorsement.

OFFICER'S RECOMMENDATION

That the Committee recommends that Council:

1. *Receive and endorse the "The Compliance Strategy for the Food Act 2006"*

Resolution No.: PECS0531

Moved: Cr Lacey

Seconded: Cr Pickels

That the Committee recommends that Council:

1. **Receive and note the "The Compliance Strategy for the Food Act 2006".**
2. **Request that the Compliance Strategy for the Food Act 2006 be subject to a Council Workshop prior to being reintroduced to the Planning, Environment and Community Services Standing Committee.**

Carried

ATTENDANCE

Cr Viv Coleman returned to the meeting room at 9.46am.

5.3 Moranbah Horse and Pony Club Incorporated Tenure Arrangement

EXECUTIVE SUMMARY

The purpose of this report is to consider tenure arrangements for the Moranbah Horse and Pony Club Incorporated on AG on SP232350 being part of Lot 19 on SP158749, Sarchedon Drive, Moranbah.

OFFICER'S RECOMMENDATION

That the Committee recommends that Council:

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1. **Approve to enter into a ten-year lease agreement with Moranbah Horse and Pony Club Incorporated for use of the land at AG on SP232350 being part of Lot 19 on SP158749 the total of which is 45,770 m2.**
 - a. **Lease fees to be charged in accordance with Tenures Policy for Council Owned and/or Controlled Facilities. Size of lease area 15,001 m2 to 50,000 m2 annual rent/usage fee \$800.00 ex GST.**
 - b. **All outgoings will be at the expense of the Trustee Lessee**
 - i. **Rates**
 - ii. **Electricity**
 - iii. **Telephone/Internet**
 - iv. **Water**
 - v. **Cleaning**
 - vi. **Garbage/Waste**
 - vii. **Repairs and Maintenance; and**
 - viii. **Other outgoings as detailed in the In Principle Agreement**
2. **Authorise the Chief Executive Officer to negotiate, vary and execute the legal instruments to action clause 1 above.**

Resolution No.: PECS0532

Moved: Cr Pickels

Seconded: Cr Lacey

That the Committee recommends that Council:

1. **Approve to enter into a ten-year lease agreement with Moranbah Horse and Pony Club Incorporated for use of the land at AG on SP232350 being part of Lot 19 on SP158749 the total of which is 45,770 m2.**
 - a. **Lease fees to be charged in accordance with Tenures Policy for Council Owned and/or Controlled Facilities. Size of lease area 15,001 m2 to 50,000 m2 annual rent/usage fee \$800.00 ex GST.**
 - b. **All outgoings will be at the expense of the Trustee Lessee**
 - i. **Rates**
 - ii. **Electricity**
 - iii. **Telephone/Internet**
 - iv. **Water**

- v. Cleaning
- vi. Garbage/Waste
- vii. Repairs and Maintenance; and
- viii. Other outgoings as detailed in the In-Principle Agreement

2. Authorise the Chief Executive Officer to negotiate, vary and execute the legal instruments to action clause 1 above.

Carried

NOTE: Officers will continue to action outstanding occupancy issue in relation to the area.

5.4

Illegal Dumping Management and Intervention Plan (Pilot Plan)

EXECUTIVE SUMMARY

Councillors have been increasingly receiving reports of illegal dumping across the Region. This report details investigations by a multi-Directorate team and seeks Council's endorsement of a pilot plan to address this issue.

OFFICER'S RECOMMENDATION

That the Committee recommends that Council:

1. ***Endorse the proposed Illegal Dumping Management and Intervention Plan (the Pilot Plan) for a twelve-month trial period with a review in six months.***

Resolution No.: PECS0533

Moved: Cr Coleman

Seconded: Cr Pickels

That the Committee recommends that Council:

1. **Endorse the proposed Illegal Dumping Management and Intervention Plan (the Pilot Plan) for a twelve-month trial period with a review in six months.**

Carried

ATTENDANCE

Mr Dan Wagner left the meeting room at 9.57am and returned at 9.59am.

5.5

2021 Isaac Region Australia Day Awards Programs

EXECUTIVE SUMMARY

This report seeks Council's endorsement of Isaac Region's 2021 Australia Day Awards program and involvement in the annual Australia Day Ambassador Program.

OFFICER'S RECOMMENDATION

That the Committee recommends that Council:

1. *Authorises the Chief Executive Officer to submit an expression of interest to participate in the 2021 Australia Day Ambassador program.*
2. *Approve the continuation of all existing award categories for the Isaac Region Australia Day Awards.*
3. *Approve the existing General Conditions of Entry and Eligibility Criteria for the Isaac Region Australia Day Awards.*
4. *Endorses the nomination period for the 2021 Isaac Region Australia Day Awards commence no later than 7 September 2020 and close 30 November 2020.*
5. *Endorses the judging process for the 2021 Isaac Region Australia Day Awards as outlined in this report.*
6. *Note the judging criteria for each award category as stated in the attachment Isaac Region Australia Day Awards – Entry Criteria and Judging.*

Resolution No.: PECS0534

Moved: Cr Pickels

Seconded: Cr Lacey

That the Committee recommends that Council:

1. **Authorises the Chief Executive Officer to submit an expression of interest to participate in the 2021 Australia Day Ambassador program.**
2. **Approve the continuation of all existing award categories for the Isaac Region Australia Day Awards.**
3. **Approve the existing General Conditions of Entry and Eligibility Criteria for the Isaac Region Australia Day Awards.**
4. **Endorses the nomination period for the 2021 Isaac Region Australia Day Awards commence no later than 7 September 2020 and close 30 November 2020.**

PROCEDURAL MOTION:

Resolution No.: PECS0536

Moved: Cr Lacey

Seconded: Cr Coleman

That the Committee adjourn the meeting for morning tea at 10.26am.

Carried

PROCEDURAL MOTION:

Resolution No.: PECS0537

Moved: Cr Coleman

Seconded: Cr Pickels

That the Committee resume the meeting at 10.40am.

Carried

ATTENDANCE

Cr Gina Lacey, Mr Martin Bowerman and Ms Barbara Franklin were not in the meeting room at the resumption of the meeting.

Cr Gina Lacey and Ms Barbara Franklin returned to the meeting room at 10.42am.

5.7 Domestic Dog Advisory Committee Terms of Reference

EXECUTIVE SUMMARY

This report seeks endorsement to extend the Terms of Reference for the Domestic Dog Advisory Committee for a further 12 months to complete the workplan dated August 2018.

OFFICER'S RECOMMENDATION

That the Committee recommends that Council:

- 1. Adopt the amended Terms of Reference of the Domestic Dog Advisory Committee.***

Resolution No.: PECS0538

Moved: Cr Pickels

Seconded: Cr Coleman

That the Committee recommend that Council:

- 1. Adopt the amended Terms of Reference of the Domestic Dog Advisory Committee.**

Carried

ATTENDANCE

Mr Martin Bowerman entered the meeting room at 10.43am.

5.8 Moranbah 2020 NAIDOC Community Celebration

EXECUTIVE SUMMARY

This report seeks Council's approval to provide in-kind support towards the 2020 Moranbah NAIDOC Community Celebration.

OFFICER'S RECOMMENDATION

That the Committee recommend that Council:

- 1. Approves in-kind support to the value of \$5000 for the Moranbah NAIDOC Committee funded equally from the Community Grants operating budgets of Divisions 3, 4 and 5, to assist with the delivery of the 2020 NAIDOC Community Celebration including:**
 - a. Traffic management planning and road closures by Council staff**
 - b. Purchase of event merchandise and resources for information packs**
 - c. Preparation of communication/marketing materials and event promotion**
 - d. Development of COVIDSafe Event Plan, if required**
- 2. Approve a multi-year commitment to the Moranbah NAIDOC Committee for FY2021-22 and FY2022-23 in accordance with point 1 above.**

Resolution No.: PECS0539

Moved: Cr Lacey

Seconded: Cr Coleman

That the Committee recommend that Council:

1. **Approves in-kind support to the value of \$5000 for the Moranbah NAIDOC Committee funded from NAIDOC budgeted operational funds and the remaining funds from the Community Grants operating budgets of Divisions 3, 4 and 5 equally, to assist with the delivery of the 2020 NAIDOC Community Celebration including:**
 - a. **Traffic management planning and road closures by Council staff**
 - b. **Purchase of event merchandise and resources for information packs**
 - c. **Preparation of communication/marketing materials and event promotion**
 - d. **Development of COVIDSafe Event Plan, if required.**
2. **Approve a multi-year commitment to the Moranbah NAIDOC Committee for FY2021-22 and FY2022-23 in accordance with point 1 above.**

Carried

PROCEDURAL MOTION:

Resolution No.: PECS0540

Moved: Cr Coleman

Seconded: Cr Pickels

That the Planning, Environment and Community Services Standing Committee closes the meeting to the public under section 275 (1) (h) to deliberate on Confidential Reports 5.9 and 5.10 and under section 275 (1) (g) to deliberate on Confidential Report 5.11 at 11.04am.

Carried

PROCEDURAL MOTION:

Resolution No.: PECS0541

Moved: Cr Pickels

Seconded: Cr Coleman

That the Planning, Environment and Community Services Standing Committee opens the meeting to the public at 11.39am.

Carried

CONFIDENTIAL REPORT

Closed under s275 (1) (h) other business for which a public discussion would likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage

5.9 **MCU20/0011 Application to Extend a Currency Period for Priority Development Area Approval DEV2012/363 Material Change of Use (Development Permit) for Non-Residential Workers Accommodation (546 Dwelling Units) with a Plan of Development at 143 Belyando Avenue Moranbah (Cnr of Goonyella Road Curtin Street and Belyando Avenue) Describe as Lot 1 on SP174464**

EXECUTIVE SUMMARY

On 23 June 2020, Council received an application to extend the currency period from BM Alliance Coal Operations Pty Ltd (ABN 67 096 412 752) C/- RPS Australia East Pty Ltd for Priority Development Area approval DEV2012/363 material change of use (development permit) for non-residential workers accommodation (546 dwelling units) with a plan of development at 143 Belyando Avenue Moranbah (Cnr of Goonyella Road, Curtin Street and Belyando Avenue) described as Lot 1 on SP174464.

Council's Liveability and Sustainability department has managed the assessment process for the development application and makes recommendation to Council for a decision on the matter by way of this report.

The application has been assessed in accordance with the *Economic Development Act 2012*.

OFFICER'S RECOMMENDATION

That the Committee recommend that Council:

- 1. Approve the Request to Extend the Currency Period of DEV2012/363 for a further period of two (2) years (expiry of 21 December 2022).**

Resolution No.: PECS0542

Moved: Cr Coleman

Seconded: Cr Pickels

That the Committee refer this report to Council for consideration subject to additional information being provided.

Carried

CONFIDENTIAL REPORT

Closed under s275 (1) (h) other business for which a public discussion would likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage

5.10 Glenden Tenures, Community Facilities and Associated Matters

EXECUTIVE SUMMARY

This report provides an update for Council on a range of community related matters including tenures and community facilities and seeks Council's approval to seek expedient solutions to re-enlivening community facilities for the Community's benefit.

OFFICER'S RECOMMENDATION

That the committee recommends that Council:

- 1. Notes the updates on various community related matters in Glenden;*
- 2. Notes and endorses the planned actions of the Director Planning Environment and Community Services in representing Council to defend Appeal 1480/2020 in the Planning and Environment Court and pursue sustainable futures for Glenden;*
- 3. Authorises the Chief Executive Officer to call wide non-binding Expressions of Interest for tenures of Community Facilities or parts thereof with the opportunity for Council to negotiate further with shortlisted parties to subsequently invite binding bids, and in view of the unique circumstances facing Glenden to expedite timeframes, endorse for these dealings to be brought forward to Council through the Planning Environment and Community Services Standing Committee or directly to Council instead of their usual consideration through the Community Tenures and Facilities Advisory Committee;*
- 4. Notes and endorses the actions and threshold issues to be addressed to resolve tenure issues in Glenden.*

Resolution No.: PECS0543

Moved: Cr Pickels

Seconded: Cr Lacey

That the Committee recommend that Council:

- 1. Notes the updates on various community related matters in Glenden;**
- 2. Notes and endorses the planned actions of the Director Planning Environment and Community Services in representing Council to defend Appeal 1480/2020 in the Planning and Environment Court and pursue sustainable futures for Glenden;**

3. **Authorises the Chief Executive Officer to call wide non-binding Expressions of Interest for tenures of Community Facilities or parts thereof with the opportunity for Council to negotiate further with shortlisted parties to subsequently invite binding bids, and in view of the unique circumstances facing Glenden to expedite timeframes, endorse for these dealings to be brought forward to Council through the Planning Environment and Community Services Standing Committee or directly to Council instead of their usual consideration through the Community Tenures and Facilities Advisory Committee;**
4. **Notes and endorses the actions and threshold issues to be addressed to resolve tenure issues in Glenden.**

Carried

CONFIDENTIAL REPORT

Closed under s275 (1) (g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act

5.11 Draft Isaac Region Local Government Infrastructure Plan - Submission to Queensland Government Seeking Endorsement to Adopt

EXECUTIVE SUMMARY

Public renotification of the draft Isaac Region Local Government Infrastructure Plan (LGIP) (Part 4 of the proposed Isaac Region Planning Scheme) has been undertaken from 8 June 2020 to 4 August 2020. Following public consultation of the draft Isaac Region LGIP, Council must undertake a second independent review and a second state review prior to giving notice to the state government requesting adoption of the draft Isaac Region Local Government Infrastructure Plan, in pursuant to Chapter 5, Part 2, Section 8.5 of the *Minister's Guidelines and Rules Under the Planning Act July 2017*.

OFFICER'S RECOMMENDATION

That the committee recommends that Council:

1. ***Note the contents of the submissions report prepared following the statutory public consultation period in June – August 2020;***
2. ***Resolve to proceed with the adoption process for the Draft Isaac Region Local Government Infrastructure Plan as it reasonably believes the changes resulting from submissions received during public consultation do not result in the Draft Isaac Region Local Government Infrastructure Plan (Part 4 of the Isaac Region Planning Scheme) being significantly different to the version released for public consultation, pursuant to Chapter 5, Part 2, Section 7.9 b) of the Minister's Guidelines and Rules Under the Planning Act July 2017;***

3. ***Engage an Appointed reviewer to conduct a second compliance check of the Draft Isaac Region Local Government Infrastructure Plan which incorporates changes resulting from submissions received during public consultation, pursuant to Chapter 5, Part 2, Section 8.2 of the Minister's Guidelines and Rules Under the Planning Act July 2017;***
4. ***Approve the Draft Isaac Region Local Government Infrastructure Plan (Part 4 of the Isaac Region Planning Scheme) for final Ministerial endorsement, pursuant to Chapter 5, Part 2, Section 8.5 of the Minister's Guidelines and Rules Under the Planning Act July 2017, subject to the following changes as a result of the June-August 2020 public consultation;***
5. ***Supports the delegation of its authority to the Chief Executive Officer to consider and make amendments to the Draft Isaac Region Local Government Infrastructure Plan addressing any conditions imposed by the Appointed reviewer, as a result of the second compliance check, or by the Minister for State Development, Manufacturing, Infrastructure and Planning as a result of the state considering its granting approval for the adoption of Draft Isaac Region Local Government Infrastructure Plan;***
6. ***Delegate authority to the Chief Executive Officer to issue correspondence to the Treasurer and Minister for Infrastructure and Planning to reflect Council's decision.***

Resolution No.: PECS0544

Moved: Cr Coleman

Seconded: Cr Lacey

That the Committee recommend that Council:

1. **Note the contents of the submissions report prepared following the statutory public consultation period in June – August 2020;**
2. **Resolve to proceed with the adoption process for the Draft Isaac Region Local Government Infrastructure Plan as it reasonably believes the changes resulting from submissions received during public consultation do not result in the Draft Isaac Region Local Government Infrastructure Plan (Part 4 of the Isaac Region Planning Scheme) being significantly different to the version released for public consultation, pursuant to Chapter 5, Part 2, Section 7.9 b) of the Minister's Guidelines and Rules Under the Planning Act July 2017;**
3. **Engage an Appointed reviewer to conduct a second compliance check of the Draft Isaac Region Local Government Infrastructure Plan which incorporates changes resulting from submissions received during public consultation, pursuant to Chapter 5, Part 2, Section 8.2 of the Minister's Guidelines and Rules Under the Planning Act July 2017;**
4. **Approve the Draft Isaac Region Local Government Infrastructure Plan (Part 4 of the Isaac Region Planning Scheme) for final Ministerial endorsement, pursuant to Chapter 5, Part 2, Section 8.5 of the Minister's Guidelines and Rules Under the Planning Act July 2017, subject to the following changes as a result of the June-August 2020 public consultation;**

5. Supports the delegation of its authority to the Chief Executive Officer to consider and make amendments to the Draft Isaac Region Local Government Infrastructure Plan addressing any conditions imposed by the Appointed reviewer, as a result of the second compliance check, or by the Minister for State Development, Manufacturing, Infrastructure and Planning as a result of the state considering its granting approval for the adoption of Draft Isaac Region Local Government Infrastructure Plan;
6. Delegate authority to the Chief Executive Officer to issue correspondence to the Treasurer and Minister for Infrastructure and Planning to reflect Council's decision.

Carried

6. INFORMATION BULLETIN REPORTS

6.1 Planning, Environment and Community Services Information Bulletin – August 2020

EXECUTIVE SUMMARY

The Planning, Environment and Community Services Directorate Information Bulletin for August 2020 is provided for Committee review.

OFFICER'S RECOMMENDATION

That the Committee:

1. *Note the Planning, Environment and Community Services Directorate Information Bulletin for August 2020.*

Resolution No.: PECS0545

Moved: Cr Lacey

Seconded: Cr Coleman

That the Committee recommends that Council:

1. Note the Planning, Environment and Community Services Directorate Information Bulletin for August 2020.

Carried

7. GENERAL BUSINESS

7.1 Thank You – 360 Degree Survey Feedback

The Director Planning, Environment and Community Services thanked the Councillors and Officers that provided feedback on the 360 Degree Survey for his Annual Performance Appraisal. The Director thanked all that provided positive feedback on his performance and advised that over the coming twelve months feedback provided will be taken into consideration.

7.2 Tyre Recycling Project Development - Nebo

Cr Coleman requested further information on the new Tyre Recycling Project planned for Nebo.

ACTION: MANAGER ECONOMY AND PROSPERITY

8. CONCLUSION

There being no further business, the Chair declared the meeting closed at 12.00pm.

These minutes were confirmed by the Committee at the Planning, Environment and Community Services Standing Committee Meeting held Tuesday 8 September 2020 in Moranbah.

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CHAIR

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DATE