

# CONFIRMED MINUTES

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**ORDINARY MEETING OF  
ISAAC REGIONAL COUNCIL**

HELD ON

**WEDNESDAY, 29 MARCH 2023**

**COMMENCING AT 10.00AM**

**FLAGGY ROCK COMMUNITY AND RECREATION CENTRE,  
COUNCIL CHAMBERS, FLAGGY ROCK**

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# CONFIRMED MINUTES

## ISAAC REGIONAL COUNCIL

### CONFIRMED MINUTES OF THE ORDINARY MEETING

#### HELD IN FLAGGY ROCK COMMUNITY AND RECREATION CENTRE, FLAGGY ROCK

WEDNESDAY 29 MARCH 2023

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# CONFIRMED MINUTES

## ISAAC REGIONAL COUNCIL

### CONFIRMED MINUTES OF THE ORDINARY MEETING

#### HELD IN FLAGGY ROCK COMMUNITY AND RECREATION CENTRE, FLAGGY ROCK

#### WEDNESDAY 29 MARCH 2023 COMMENCING AT 10.00AM

#### **ATTENDANCE**

Mayor Anne Baker  
Cr Greg Austen, Division One  
Cr Sandy Moffat, Division Two  
Cr Gina Lacey, Division Three  
Cr Simon West, Division Four  
Cr Kelly Veava, Division Five  
Cr Carolyn Franzmann, Division Six  
Cr Jane Pickels, Division Seven  
Cr Viv Coleman, Division Eight

#### **OFFICERS PRESENT**

Mr Jeff Stewart-Harris PSM, Chief Executive Office  
Mr Robert Perna, Director Engineering and Infrastructure  
Mr Darren Fettell, Director Corporate, Governance and Financial Services  
Mrs Mary-Anne Uren, Head of Advocacy and External Affairs  
Mr Karl Murdoch, Acting Director Water and Waste  
Mr Shane Brandenburg, Acting Director Planning, Environment and Community Services  
Mrs Tricia Hughes, Coordinator Executive Support, Office of the Mayor and CEO

### **1. OPENING**

The Mayor declared the meeting open at 10.04am and welcomed all in attendance to Flaggy Rock.

The Mayor acknowledged the traditional custodians of the land on which we meet today and paid her respects to their Elders past, present and emerging.

# CONFIRMED MINUTES

## 2. APOLOGIES

No apologies this meeting.

## 3. CONDOLENCES

- TURNER, James Raymond (Jim) MBE formerly of Clermont (former Mayor, Belyando Shire Council)
- BLACK, Clem Laurence late of St Lawrence
- STRANKS, Angela Jane formerly of Clermont
- HUNT, John late of Middlemount
- HALPIN, Rick formerly of Moranbah
- THOMAS, Bradley Dean formerly of Moranbah
- MORRIS, Noel "Buck" Frederick formerly of Moranbah
- HARVEY, Anthony Joseph "Harv" formerly of Moranbah and Dysart
- GARNER, Veronica Dell "Ronni" formerly of Moranbah
- DOYLE, Delroy Fay "Del" late of Dysart
- VERRALL, Christopher Mark "Beetle" formerly of Clermont
- ABEL, Noel late of Dysart
- SPORNE, Agnes "Dawn" formerly of Clermont
- FALLIS, Robert Owen "Bob" formerly of Strathdale, Blue Mountain
- Diamond, Gregory Laurence formerly of Dysart
- Lacey, Darrell Leslie formerly of "Tay Glen" Dysart

## 4. DECLARATION OF CONFLICTS OF INTEREST

### DECLARABLE CONFLICT OF INTEREST

Cr Jane Pickels declared a declarable a conflict of interest for Report 9.18 Procurement Compliance for Engagement of Process Engineer due to her husband's role as Isaac Regional Council's Water and Waste Plant Operator he reports to the Process Engineer.

### CONFLICT OF INTEREST

Mr Jeff Stewart-Harris declared a conflict of interest for Report 10.7 CEO Performance Review Guidelines as the report relates to the performance review process for his position as Chief Executive Officer.

# CONFIRMED MINUTES

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## CONFLICT OF INTEREST

Mrs Mary-Anne Uren, Mr Robert Perna, Mr Darren Fettell, Mr Shane Brandenburg, Mr Karl Murdoch and Mrs Tricia Hughes declared a conflict of interest for Report 10.7 CEO Performance Review Guidelines as they are direct reports of the CEO at the time of this report and Report 10.7 relates to the performance review process for the Chief Executive Officer.

### NOTE:

*Council acknowledges that Chapter 5B Councillors' Conflicts of Interest of the Local Government Act 2009 does not apply to a Councillor if the matter to be resolved relates to a corporation or association that arises solely because of a nomination or appointment of the councillor by the local government to be a member of the board of the corporation or association.*

## 5. DEPUTATIONS

No deputations this meeting.

## 6. CONSIDERATION OF NOTICE OF MOTIONS

No notice of motions for this meeting.

## 7. CONFIRMATION OF MINUTES

**Ordinary Meeting of Isaac Regional Council held in Glenden Recreation Centre, Ewan Drive, Glenden on Wednesday 22 February 2023**

## CONFIRMED MINUTES

**Resolution No.: 8241**

**Moved: Cr Lacey**

**Seconded: Cr Franzmann**

**The Minutes of the Ordinary Meeting held Glenden Recreation Centre, Ewan Drive, Glenden on Wednesday 22 February 2023 are confirmed.**

**Carried**

**Special Meeting of Isaac Regional Council held at Isaac Regional Council Chambers, Batchelor Parade, Moranbah on Wednesday 22 March 2023.**

**Resolution No.: 8242**

**Moved: Cr Pickels**

**Seconded: Cr Coleman**

**The Minutes of the Special Meeting of Isaac Regional Council held at Isaac Regional Council Chambers, Batchelor Parade, Moranbah on Wednesday 22 March 2023.**

**Carried**

### 8. BUSINESS ARISING FROM PREVIOUS MEETING

No business arising from previous meeting.

# CONFIRMED MINUTES

## 9. STANDING COMMITTEE REPORTS

**9.1**

**Isaac Regional Council Monthly Financial Report as at 28 February 2023**

### EXECUTIVE SUMMARY

In accordance with the *Local Government Regulation 2012* (s204) a monthly financial report is required to be presented to Council stating the progress made in relation to the budget for the period of the financial year as near as practicable to the end of the month before the meeting is held.

Resolution No.: CGFS0811

Moved: Cr Coleman

Seconded: Cr Moffat

That the Committee recommends that Council:

1. *Receives the financial statements for the period ended 28 February 2023 pursuant to, and in accordance with, the Local Government Regulation 2012 (s204).*

*Carried*

**Resolution No.: 8243**

**Moved: Cr Lacey**

**Seconded: Cr Pickels**

**That Council:**

1. **Receives the financial statements for the period ended 28 February 2023 pursuant to, and in accordance with, the Local Government Regulation 2012 (s204).**

**Carried**

# CONFIRMED MINUTES

## 9.2

### Safety And Resilience Update

#### EXECUTIVE SUMMARY

This report is provided as an update to Council on the current status of the Health, Safety and Wellbeing Management System (HSWMS).

Resolution No.: CGFS0812

Moved: Mayor Baker Seconded: Cr Coleman

That the Committee recommends that Council:

1. Notes the Safety and Resilience report provided on the current status of the Health, Safety and Wellbeing Management System.

Carried

**Resolution No.: 8244**

**Moved: Cr Pickels**

**Seconded: Cr Franzmann**

**That Council:**

1. **Notes the Safety and Resilience report provided on the current status of the Health, Safety and Wellbeing Management System.**

Carried

## 9.3

### State Emergency Service Bi-Annual Update

#### EXECUTIVE SUMMARY

To provide an update on State Emergency Service (SES) operations within the Isaac region as required. Group sizes have decreased overall, however there has been a recent round of recruitment of new members.



## CONFIRMED MINUTES

Resolution No.: CGFS0813

Moved: Cr Moffat

Seconded: Cr Franzmann

That the Committee recommends that Council:

1. Notes the report of the Isaac State Emergency Services unit status.

Carried

**Resolution No.: 8245**

**Moved: Cr Coleman**

**Seconded: Cr Moffat**

**That Council:**

1. **Notes the report of the Isaac State Emergency Services unit status.**

Carried

### 9.4

### Exception Based Contractual Arrangements - Local Government Regulations (2012) – Purchase of Bulk Fuel

#### EXECUTIVE SUMMARY

The purpose of this report is to seek endorsement from Council to approve the ongoing purchases of Bulk Fuels from Ampol under the exception provisions for entering into medium or large sized contractual arrangements within s235 (a) of the *Local Government Regulations 2012*.

Resolution No.: CGFS0814

Moved: Mayor Baker

Seconded: Cr Moffat

That the Committee recommends that Council:

1. Resolves it is satisfied that there is only one (1) supplier who is reasonably available for the cost-effective, direct and reliable supply of bulk fuel to the Isaac Regional Council Depots, being Ampol.

Carried

# CONFIRMED MINUTES

**Resolution No.: 8246**

**Moved: Cr Lacey**

**Seconded: Cr Pickels**

**That Council:**

- 1. Resolves it is satisfied that there is only one (1) supplier who is reasonably available for the cost-effective, direct and reliable supply of bulk fuel to the Isaac Regional Council Depots, being Ampol.**

**Carried**

## 9.5

## Audit And Risk Committee Meeting Minutes – Tuesday 21 February 2023

### EXECUTIVE SUMMARY

The purpose of this report is to present to Council the minutes of the Audit and Risk Committee Meeting commencing on Tuesday, 21 February 2023.

*Resolution No.: CGFS0815*

*Moved: Cr Moffat*

*Seconded: Cr Coleman*

*That the Committee recommends that Council:*

- 1. Receives and notes the Minutes of the Audit and Risk Committee Meeting held on Tuesday, 21 February 2023.*
- 2. Adopts the recommendations of the Audit and Risk Committee meeting held on Tuesday, 21 February 2023.*

*Carried*

**Resolution No.: 8247**

**Moved: Cr Moffat**

**Seconded: Cr Lacey**

**That Council:**

- 1. Receives and notes the Minutes of the Audit and Risk Committee Meeting held on Tuesday, 21 February 2023.**

# CONFIRMED MINUTES

2. **Adopts the recommendations of the Audit and Risk Committee meeting held on Tuesday, 21 February 2023.**

**Carried**

**9.6**

## **Minor Community Grants Summary January – February 2023**

### **EXECUTIVE SUMMARY**

This report summarises the minor community grants approved under delegation for the period 25 January to 24 February 2023.

*Resolution No.:* PECS1016

*Moved:* Cr Pickels *Seconded:* Mayor Baker

*That the Committee recommends that Council:*

1. *Notes the minor community grants approved under delegation for the period 25 January to 24 February 2023.*

*Carried*

**Resolution No.:** 8248

**Moved:** Cr Coleman **Seconded:** Cr Vea Vea

**That Council:**

1. **Notes the minor community grants approved under delegation for the period 25 January to 24 February 2023.**

**Carried**

9.7

## Clermont Kindergarten and Day Care Association Incorporated Tenure Arrangement

### EXECUTIVE SUMMARY

The purpose of this report is to seek Council endorsement of an exception under the provisions of Section 236 of the Local Government Regulations to offer tenure of BSP243853 being part of Lot 1 on SP237968, 6 Beatty Street, Clermont to Clermont Kindergarten and Day Care Association Incorporated for a period of three (3) years.

Resolution No.: PECS1017

Moved: Cr Pickels Seconded: Cr Coleman

That the Committee recommends that Council:

1. *Endorses and resolves that an exception from inviting written quotes or tenders under the provisions of Section 236 of the Local Government Regulation 2012 is granted for the granting of tenure over BSP243853 being part of Lot 1 on SP237968, 6 Beatty Street, Clermont to Clermont Kindergarten and Day Care Association Incorporated;*
2. *Recognises this organisation as a critical service to the Clermont Community and approves to enter into a three-year Licence to Occupy agreement with Clermont Kindergarten and Day Care Association Incorporated:*
  - a. *Tenure fees to be charged in accordance with 2022-2023 Fees and Charges – annual rent/usage fee \$430.00 excluding GST, matrix.*
  - b. *Acknowledging that the original building is a Council asset on which the group has made significant upgrades and alternation. Repairs and maintenance in accordance with the Base Building Inclusions and Exclusions.*
3. *Declines the request from Clermont Kindergarten and Day Care Association Incorporated for an exemption of water charges as the organisation currently receives a water concession under Council's Concessions Policy.*
4. *Authorises the Chief Executive Officer to negotiate, vary and execute the legal instruments to action clause 1 above.*

Carried

## CONFIRMED MINUTES

**Resolution No.:** 8249

**Moved:** Cr Franzmann

**Seconded:** Cr Moffat

**That Council:**

1. Endorse and resolve that an exception from inviting written quotes or tenders under the provisions of Section 236 of the Local Government Regulation 2012 is approved for the granting of tenure over BSP243853 being part of Lot 1 on SP237968, 6 Beatty Street, Clermont to Clermont Kindergarten and Day Care Association Incorporated;
2. Recognises this organisation as a critical service to the Clermont Community and approves to enter into a three-year Licence to Occupy agreement with Clermont Kindergarten and Day Care Association Incorporated:
  - a. Tenure fees to be charged in accordance with 2022-2023 Fees and Charges – annual rent/usage fee \$430.00 excluding GST, matrix (default fees to be charged subject to further investigation in the consistent application of childcare tenure fees across the region to be reported to a subsequent Planning, Environment and Community Services Standing Committee Meeting).
  - b. Acknowledging that the original building is a Council asset on which the group has made significant upgrades and alteration. Repairs and maintenance in accordance with the Base Building Inclusions and Exclusions.
3. Notes whilst individual water meters are not currently connected to this property Council will not seek payment for water services from Clermont Kindergarten and Day Care Association Incorporated.
4. Notes should individual water meters be installed in the future, service charges will be allocated to the asset owner, being Parks and Recreation, for on charging to Clermont Kindergarten and Day Care Association.
5. Endorses any on charges associated with rates and utility charges including water consumption be reduced on the following basis:
  - a. General Rate, Water and Sewer Infrastructure charges – 100% reduction
  - b. Water consumption - Tier 1-- 80% reduction
  - c. Water consumption - Tier 2-- 50% reduction
  - d. Water consumption - Tier 3 - 20% reduction
6. Authorises the Chief Executive Officer to negotiate, vary and execute the legal instruments to action clause 1 above.

**Carried**

**NOTE:**

Division 1 and 6 Councillors confirmed they were only consulted on the Licence to Occupy component of this report.

## 9.8

## Clermont Pony Club Incorporated Tenure Arrangement

### EXECUTIVE SUMMARY

The purpose of this report is to seek Council endorsement of an exception under the provisions of Section 236 of the Local Government Regulations to offer tenure of Lot 5 on RP619049, Spoonbill Road, Clermont to Clermont Pony Club incorporated for a period of three (3) years plus a three (3) year option.

Resolution No.: PECS1018

Moved: Cr Coleman Seconded: Cr Pickels

That the Committee recommends that Council:

1. Endorses and resolves that an exception from inviting written quotes or tenders under the provisions of Section 236 of the Local Government Regulation 2012 is granted for the granting of tenure over Lot 5 on RP619049, Spoonbill Road, Clermont to Clermont Pony Club Inc;
2. Approve to enter into a three-year Licence to Occupy plus a three-year option agreement with Clermont Pony Club Inc
  - a. Tenure fees to be charged in accordance with 2022-2023 Fees and Charges – annual rent/usage fee \$430.00 ex GST, matrix attached.
  - b. Acknowledging that the Council has no built assets on the land and the group will be responsible for all repairs and maintenance in accordance with the Base Building Inclusions and Exclusions.
3. Authorises the Chief Executive Officer to negotiate, vary and execute the legal instruments to action clause 1 above.

Carried

**Resolution No.: 8250**

**Moved: Cr Austen Seconded: Cr Vea Vea**

**That Council:**

1. **Endorses and resolves that an exception from inviting written quotes or tenders under the provisions of Section 236 of the Local Government Regulation 2012 is granted for the**

granting of tenure over Lot 5 on RP619049, Spoonbill Road, Clermont to Clermont Pony Club Inc;

2. Approve to enter into a three-year Licence to Occupy plus a three-year option agreement with Clermont Pony Club Inc
  - a. Tenure fees to be charged in accordance with 2022-2023 Fees and Charges – annual rent/usage fee \$430.00 ex GST, matrix attached.
  - b. Acknowledging that the Council has no built assets on the land and the group will be responsible for all repairs and maintenance in accordance with the Base Building Inclusions and Exclusions.
3. Authorises the Chief Executive Officer to negotiate, vary and execute the legal instruments to action clause 1 above.

Carried

## 9.9

### Exception To Local Government Regulations (2012) – Peter Kenyon Enterprises Pty Ltd

#### EXECUTIVE SUMMARY

The purpose of this report is to retrospectively ratify and obtain ongoing approval for presentations by Peter Kenyon as an exception to the competitive bidding requirements under s235 (a) and (b) of the *Local Government Regulations 2012* for medium or large sized contractual arrangements.

Resolution No.: PECS1019

Moved: Cr Pickels      Seconded: Cr Coleman

That the Committee recommends that Council:

1. Resolves it is satisfied that there is only one (1) supplier who is reasonably available that requires payment for community engagement presentations due to their expertise; and
2. Resolves that because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders, due to specialisation of the stimulation of community and economic renewal field;

# CONFIRMED MINUTES

3. *Endorse the following exception to enter into medium or large sized contractual arrangements as per s235 of the Local Government Regulations (2012):*

4.

<i>Company</i>	<i>Service provided/engaged for delivery of:</i>
<i>Peter Kenyon Enterprises Pty Ltd</i>	<i>Presentations to engage the community with stimulation of community and economic renewal.</i>

*Carried*

**Resolution No.: 8251**

**Moved: Cr Pickels**

**Seconded: Cr West**

**That Council:**

- Resolves it is satisfied that there is only one (1) supplier who is reasonably available that requires payment for community engagement presentations due to their expertise; and**
- Resolves that because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders, due to specialisation of the stimulation of community and economic renewal field;**
- Endorse the following exception to enter into medium or large sized contractual arrangements as per s235 of the *Local Government Regulations (2012)*:**

<b>Company</b>	<b>Service provided/engaged for delivery of:</b>
<b>Peter Kenyon Enterprises Pty Ltd</b>	<b>Presentations to engage the community with stimulation of community and economic renewal.</b>

**Carried**



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9.10

### Glenden Golf Club Asset Acquisition

#### EXECUTIVE SUMMARY

The purpose of this report is to seek Council's support for the acquisition of equipment needed for the activation of the Glenden Golf Club.

Resolution No.: PECS1020

Moved: Mayor Baker Seconded: Cr Coleman

That the Committee recommend that Council:

1. Authorise purchase of a green's mower and slasher for reactivation of the Glenden Golf Club to be funded from Glenden Town Reserve up to a value of \$15,000 excluding GST.
2. Authorise the asset transfer of Kubota B3000 tractor with 72" mowing deck, bucket attachment and three-point linkage from Corporate Properties and Fleet to Engaged Communities for use at the Glenden Golf Club.
3. Approve items 1 and 2 subject to a signed Management Agreement with Glenden Rural Interest Group.
4. Notes the Glenden Rural Interest Group will be responsible for all repairs and maintenance for the proposed assets for the term of the Management Agreement.

Carried

Resolution No.: 8252

Moved: Cr Vea Vea

Seconded: Cr Moffat

That Council:

1. Recognises the need for special consideration in its plan for activating Glenden.
2. Authorises purchase of a green's mower and slasher for reactivation of the Glenden Golf Club to be funded from Glenden Town Reserve up to a value of \$15,000 excluding GST.

## CONFIRMED MINUTES

3. Authorises the internal asset transfer of Kubota B3000 tractor with 72” mowing deck, bucket attachment and three-point linkage from Corporate Properties and Fleet to Engaged Communities for use at the Glenden Golf Club.
4. Approves items 2 and 3 subject to a signed Management Agreement with Glenden Rural Interest Group.
5. Notes the Glenden Rural Interest Group will be responsible for all repairs and maintenance for the proposed assets for the term of the Management Agreement.

Carried

9.11

### Proposed Purchase of Clermont Police Watch House

#### EXECUTIVE SUMMARY

This report seeks Council’s consideration of an opportunity to purchase the Clermont Police Watch House being offered for sale by Queensland Police Service.

Resolution No.: PECS1021

Moved: Cr Pickels      Seconded: Cr Coleman

*That the Committee recommend that Council:*

1. *Notes the Clermont Police Watch House, built in 1939, is not listed on local or state heritage registers and a Significance Assessment is required to determine the heritage significance.*
2. *Notes relocation costs of a provisional sum of approximately \$200,000 plus \$10,000 for project management.*
3. *Requests that the Chief Executive Officer or delegate prepares correspondence to the Queensland Police Service politely declining the offer to take ownership of and relocate the Clermont Police Watch House due to budgetary constraints, ongoing maintenance requirements and resourcing limitations.*

Carried

**Resolution No.:** 8253

**Moved:** Cr Lacey

**Seconded:** Cr Coleman

**That Council:**

- 1. Recognises the community sentiment about the Clermont Police Watch House built in 1939, and notes it is not listed on local or state heritage registers and a Significance Assessment for the Clermont Police Watch House, will be required to determine the heritage significance.**
- 2. Notes relocation, reestablishment, and full connection to services costs of a provisional sum of approximately \$200,000 plus \$10,000 for project management.**
- 3. Requests that the Chief Executive Officer or delegate prepares correspondence to the Queensland Police Service politely declining the offer to take ownership of and relocate the Clermont Police Watch House due to budgetary constraints, ongoing maintenance requirements, resourcing limitations and future whole of life costs of maintaining the asset.**

**Carried**

**9.12**

**Engineering And Infrastructure 2022/2023 Capital Projects Progress Report**

## EXECUTIVE SUMMARY

This report is to provide an update to the Engineering and Infrastructure Standing Committee and Council of the progress in delivery of the Engineering and Infrastructure 2022/2023 Capital Works Program.

*Resolution No.:* E&I0670

*Moved:* Cr West

*Seconded:* Cr Austen

*That the Committee recommends that Council:*

- 1. Receives and notes the monthly Engineering and Infrastructure 2022/2023 Capital Projects Progress Summary Report.*
- 2. Receives and notes works awarded under the 2022/2023 Engineering and Infrastructure Procurement Plan.*

*Carried*

# CONFIRMED MINUTES

**Resolution No.:** 8254

**Moved:** Cr Pickels

**Seconded:** Cr West

**That Council:**

1. **Receives and notes the monthly Engineering and Infrastructure 2022/2023 Capital Projects Progress Summary Report.**
2. **Receives and notes works awarded under the 2022/2023 Engineering and Infrastructure Procurement Plan.**

**Carried**

## ATTENDANCE

Cr Gina Lacey left the meeting room at 11.13am and returned to the meeting room at 11.15am.

### 9.13

### Northern Bowen Basin Gas Project – Road Maintenance Deed – Red Hill Road

## EXECUTIVE SUMMARY

This report seeks Council's consideration to enter into a Road Upgrade and Maintenance Deed for a portion of Red Hill Road [Deed] with QPM Energy Pty Ltd in relation to the construction of a gas compression facility on the three-kilometre unformed section of Red Hill Road from behind the locked gate at the intersection of Red Hill, Ellensfield and Mabbin Roads for which Council is trustee.

*Resolution No.:* E&I0671

*Moved:* Cr Lacey *Seconded:* Cr West

*That the Committee recommends that Council:*

1. *Approves to enter into a Road Upgrade and Maintenance Deed with QPM Energy Pty Ltd to address potential impacts to Council's Road network by construction traffic related to the construction of a gas compression facility accessed via a section of Red Hill Road.*

# CONFIRMED MINUTES

2. *Delegates authority to the Chief Executive Officer to negotiate, vary and execute a Road Upgrade and Maintenance Deed with QPM Energy Pty Ltd in terms similar to the draft Road Upgrade and Maintenance Deed – Red Hill Road, Northern Bowen Basin Gas Project.*

*Carried*

**Resolution No.: 8255**

**Moved: Cr West**

**Seconded: Cr Pickels**

**That Council:**

- Approves to enter into a Road Upgrade and Maintenance Deed with QPM Energy Pty Ltd to address potential impacts to Council's Road network by construction traffic related to the construction of a gas compression facility accessed via a section of Red Hill Road.**
- Delegates authority to the Chief Executive Officer to negotiate, vary and execute a Road Upgrade and Maintenance Deed with QPM Energy Pty Ltd in terms similar to the draft Road Upgrade and Maintenance Deed – Red Hill Road, Northern Bowen Basin Gas Project.**

**Carried**

**9.14**

**Contractor Performance Evaluation for Contract Irct2084-1120-214 – Roadside Slashing and Vegetation Control Services Isaac Region**

## EXECUTIVE SUMMARY

This report examines the performance review of contractor Tree Acq Pty Ltd (Trading as MPDT) for the Contract IRCT2084-1120-214 Roadside Slashing and Vegetation Control Services – Isaac Region. The contract is due to expire 31 March 2023 with the option to extend the contract for two (2) 12-month periods at Council's discretion.

*Resolution No.: E&I0672*

*Moved: Cr Moffat      Seconded: Cr West*

*That the Committee recommends that Council:*

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1. *Notes the detailed contractor evaluation report on the performance of Tree Acq Pty Ltd for its initial 12-month contract as per [Council Resolution 7779].*
2. *Notes the initial award of Contract IRCT2084-1120-214 was on a Schedule of Rates basis with the indicative sum of \$430,043.25 (excluding GST) based on service level frequency of one (1) tractor slash and one (1) spray across the region per year for all 8 separable portions.*
3. *Notes that the initial Purchase Order value was raised for \$760,419.79 (excluding GST). This value increase reflects the higher frequency for levels of service to be completed per road across the entire state-controlled network under the Road Maintenance Performance Contract (RMPC) Contract including additional variations requested during the initial contract period.*
4. *Approves the recommendation to exercise the option to extend the contract for the remaining two (2) 12-month periods.*
5. *Approves the contract extension for the total indicative sum of \$1,795,138.74 over the two (2) 12-month periods for all 8 separable portions.*
6. *Delegates the authority to the Chief Executive Officer to negotiate, vary and execute the contract to enact clause 5 above.*

*Carried*

<b>Resolution No.:</b>	<b>8256</b>
<b>Moved:</b>	<b>Cr Pickels</b>
<b>Seconded:</b>	<b>Cr Moffat</b>
<b>That Council:</b>	
<ol style="list-style-type: none"> <li>1. <b>Notes the detailed contractor evaluation report on the performance of Tree Acq Pty Ltd for its initial 12-month contract as per [Council Resolution 7779].</b></li> <li>2. <b>Notes the initial award of Contract IRCT2084-1120-214 was on a Schedule of Rates basis with the indicative sum of \$430,043.25 (excluding GST) based on service level frequency of one (1) tractor slash and one (1) spray across the region per year for all 8 separable portions.</b></li> <li>3. <b>Notes that the initial Purchase Order value was raised for \$760,419.79 (excluding GST). This value increase reflects the higher frequency for levels of service to be completed per road across the entire state-controlled network under the Road Maintenance Performance</b></li> </ol>	

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**Contract (RMPC) Contract including additional variations requested during the initial contract period.**

4. **Approves the recommendation to exercise the option to extend the contract for the remaining two (2) 12-month periods.**
5. **Approves the contract extension for the total indicative sum of \$1,795,138.74 over the two (2) 12-month periods for all 8 separable portions.**
6. **Delegates the authority to the Chief Executive Officer to negotiate, vary and execute the contract to enact clause 5 above.**

**Carried**

**9.15**

**Whitehaven Ws Pty Ltd – Winchester South – Infrastructure Access Agreement**

### EXECUTIVE SUMMARY

This report seeks Council's consideration to enter into a Terms Sheet as the basis for commencing negotiations with Whitehaven WS Pty Ltd (Whitehaven) for an Infrastructure Access Agreement in relation to the Winchester South Project.

*Resolution No.: E&I0673*

*Moved: Cr Austen      Seconded: Cr Moffat*

*That the Committee recommends that Council:*

1. *Delegates authority to the Chief Executive Officer to negotiate and execute the Terms Sheet.*
2. *Delegates authority to the Chief Executive Officer to negotiate and execute an Infrastructure Access Agreement with Whitehaven WS Pty Ltd on the terms generally in accordance with the Terms Sheet.*

*Carried*

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**Resolution No.: 8257**

**Moved: Cr West**

**Seconded: Cr Pickels**

**That Council:**

- 1. Delegates authority to the Chief Executive Officer to negotiate and execute the Terms Sheet.**
- 2. Delegates authority to the Chief Executive Officer to negotiate and execute an Infrastructure Access Agreement with Whitehaven WS Pty Ltd on the terms generally in accordance with the Terms Sheet.**

**Carried**

**9.16**

**Water And Waste 2022-2023 Capital Projects Progress Reports**

### EXECUTIVE SUMMARY

This report is to provide an update to the Water and Waste Standing Committee and Council of the progress in delivery of the Water and Waste 2022/2023 Capital Works Program.

*Resolution No.: W&W0418*

*Moved: Cr Ve a Ve a    Seconded: Cr Franzmann*

*That the Committee recommends that Council:*

- 1. Receives and notes the monthly Water and Waste 2022/2023 Capital Projects Progress Summary Report.*

*Carried*



## CONFIRMED MINUTES

**Resolution No.:** 8258

**Moved:** Cr West

**Seconded:** Cr Coleman

**That Council:**

1. **Receives and notes the monthly Water and Waste 2022/2023 Capital Projects Progress Summary Report.**

**Carried**

### ATTENDANCE

Cr Greg Austen left the meeting room at 11.27am.

**9.17**

**SCADA Modernisation - Program Update March 2023**

### EXECUTIVE SUMMARY

The purpose of this report is to provide an update of the Supervisory Control and Data Acquisition (SCADA) program including progress on implementing this program and activities planned to occur in the medium term.

*Resolution No.:* W&W0419

*Moved:* Cr Austen      *Seconded:* Cr Vea Vea

*That the Committee recommends that Council:*

1. *Receives and acknowledges this update on the SCADA Modernisation Program.*

*Carried*

# CONFIRMED MINUTES

**Resolution No.:** 8259

**Moved:** Cr West

**Seconded:** Cr Moffat

**That Council:**

1. **Receives and acknowledges this update on the SCADA Modernisation Program.**

**Carried**

## DECLARABLE CONFLICT OF INTEREST

Cr Jane Pickels declared a declarable conflict of interest for Report 9.18 Procurement Compliance for Engagement of Process Engineer due to her husband's role as a Isaac Regional Council's Water and Waste Plant Operator he reports to the Process Engineer. Jane left the meeting room at 11.29am and did not participate in the discussion for Report 9.18.

**9.18**

**Procurement Compliance for Engagement of Process Engineer**

## EXECUTIVE SUMMARY

The purpose of this report is to retrospectively ratify and obtain approval for the past cost incurred from November 2022 through to February 2023 and continued engagement of Simmonds and Bristow for Process Engineering services through to the end of the 2022-2023 financial year, that were and are non-compliant under the *Local Government Regulation 2012*.

*Resolution No.:* W&W0420

*Moved:* Cr Austen      *Seconded:* Cr Vea Vea

*That the Committee recommends that Council:*

1. *Notes that the engagement of a labour hire Process Engineer through Simmons and Bristow for the period 1 November 2022 to current has been non-compliant due to the expiry of Local Buy Panel BUS262 which the original engagement occurred through.*

## CONFIRMED MINUTES

2. *Retrospectively approves the engagement of a labour hire Process Engineer from Simmons and Bristow for the period 1 November 2022 to 29 March 2023.*
3. *Following review of previously supplied quotations (three) for similar or equivalent skilled positions approves the engagement of a labour hire Process Engineer from Simmons and Bristow for the period 30 March 2023 to 30 June 2023.*
4. *Notes that notification arrangements have been put in place to identify the end of local buy panel arrangements in timely manner to enable subsequent supplier arrangements to be put in place for business continuity.*
5. *Considers funding in the FY2024 Budget for Process Engineer resource as either an employee or a contractor to fill this organisational need.*

*Carried*

**Resolution No.: 8260**

**Moved: Cr West**

**Seconded: Cr Lacey**

**That Council:**

1. **Notes that the engagement of a labour hire Process Engineer through Simmons and Bristow for the period 1 November 2022 to current has been non-compliant due to the expiry of Local Buy Panel BUS262 which the original engagement occurred through.**
2. **Retrospectively approves the engagement of a labour hire Process Engineer from Simmons and Bristow for the period 1 November 2022 to 29 March 2023.**
3. **Following review of previously supplied quotations (three) for similar or equivalent skilled positions approves the engagement of a labour hire Process Engineer from Simmons and Bristow for the period 30 March 2023 to 30 June 2023.**
4. **Notes that notification arrangements have been put in place to identify the end of local buy panel arrangements in timely manner to enable subsequent supplier arrangements to be put in place for business continuity.**
5. **Considers funding in the FY2024 Budget for Process Engineer resource as either an employee or a contractor to fill this organisational need.**

**Carried**

# CONFIRMED MINUTES

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## ATTENDANCE

Cr Jane Pickels returned to the meeting room at 11.30am.

**9.19**

### Effluent Reuse Strategy Part 1 Report

## EXECUTIVE SUMMARY

This report summarises the outcomes of the Effluent Reuse Strategy Part 1. The Strategy is to be delivered in two parts. Part 1 provides the outcomes of investigations dealing with requirements 4 and 5 of an Environment Protection Order (EPO) issued by the Department of Environment and Science (DES) for the Moranbah Wastewater Treatment Plant. Part 2 will expand on the Part 1 investigations for Moranbah and investigate the Recycled Water Networks in Clermont, Dysart, Middlemount and Glenden.

Resolution No.: W&W0421

Moved: Cr Franzmann Seconded: Cr Vea Vea

*That the Committee recommends that Council:*

1. *Receives and notes the Effluent Reuse Strategy Part 1 Report and notes that some of the solutions proposed could be superseded once the Effluent Reuse Strategy Part 2 Report is presented in May 2023.*

*Carried*

**Resolution No.: 8261**

**Moved: Cr West**

**Seconded: Cr Moffat**

**That Council:**

1. **Receives and notes the Effluent Reuse Strategy Part 1 Report and notes that some of the solutions proposed could be superseded once the Effluent Reuse Strategy Part 2 Report is presented in May 2023.**

**Carried**

# CONFIRMED MINUTES

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## ATTENDANCE

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Cr Greg Austen returned to the meeting room at 11.31am.

**9.20**

### **3rd Quarter Report - Water Quality Reliability Investigation Action Plan Deliverables**

## EXECUTIVE SUMMARY

The purpose of this report is to present to Council the 3<sup>rd</sup> quarter report for the Water Quality Reliability Investigation Action Plan Deliverables.

*Resolution No.:* W&W0422

*Moved:* Cr Franzmann *Seconded:* Cr Vea Vea

*That the Committee recommends that Council:*

1. *Receives and notes the 3rd Quarter Water Quality Reliability Investigation Action Plan Deliverables.*

Carried

**Resolution No.:** 8262

**Moved:** Cr West

**Seconded:** Cr Franzmann

**That Council:**

1. **Receives and notes the 3<sup>rd</sup> Quarter Water Quality Reliability Investigation Action Plan Deliverables.**

Carried

**9.21**

### **Water Service Area Legislation**

## EXECUTIVE SUMMARY

The purpose of this report is to present to Council clarification on the interpretation of the *Water Supply Safety and Reliability (WSSR) Act 2008* with regard to the formation and implementation of water service areas.

## CONFIRMED MINUTES

Resolution No.: W&W0423

Moved: Cr Austen

Seconded: Cr Vea Vea

That the Committee recommends that Council:

1. *Receives and acknowledges the legal advice clarifying Water Service Area legislation; and*
2. *Supports the review of existing water service areas commencing with Clermont with a further report to be submitted to Council with options (cost analysis, legal and legislative obligations, reputation etc) for consideration at the September 2023 Water and Waste Standing Committee Meeting.*
3. *Notes that the Chief Executive Officer will seek further legal advice forthwith regarding acceptable timeframes for a review of the water service area.*
4. *Notes that there is currently no budget or resource allocations to undertake this body of work and requests the Chief Executive Officer provide Council with options about how to address this.*

*Carried*

**Resolution No.: 8263**

**Moved: Cr West**

**Seconded: Cr Franzmann**

**That Council:**

1. **Receives and acknowledges the legal advice clarifying Water Service Area legislation; and**
2. **Supports the review of existing water service areas commencing with Clermont with a further report to be submitted to Council with options (cost analysis, legal and legislative obligations, reputation etc) for consideration at the September 2023 Water and Waste Standing Committee Meeting.**
3. **Notes that the Chief Executive Officer will seek further legal advice forthwith regarding acceptable timeframes for a review of the water service area.**
4. **Notes that there is currently no budget or resource allocations to undertake this body of work and requests the Chief Executive Officer provide Council with options about how to address this.**

**Carried**

# CONFIRMED MINUTES

**9.22**

## **Water And Wastewater Preventive Maintenance Programme**

### **EXECUTIVE SUMMARY**

This report summarises the pathway of the Water and Wastewater Preventive Maintenance Programme and the outcomes of the programme to date.

*Resolution No.:* W&W0424

*Moved:* Cr Franzmann

*Seconded:* Cr Vea Vea

*That the Committee recommends that Council:*

1. *Notes the contents of the Water and Wastewater Preventive Maintenance Programme Report.*

*Carried*

**Resolution No.:** 8264

**Moved:** Cr Vea Vea

**Seconded:** Cr Lacey

**That Council:**

1. **Notes the contents of the Water and Wastewater Preventive Maintenance Programme Report.**

**Carried**

**9.23**

## **Annual Review Landfill Management Contracts**

### **EXECUTIVE SUMMARY**

This report provides a review of the performance of the Waste and Recycling Collection Contracts IRCT2083-0620-192 over the twelve (12) months from December 2021 to December 2022.

*Resolution No.:* W&W0425

*Moved:* Cr Austen

*Seconded:* Cr Vea Vea

*That the Committee recommends that Council:*

# CONFIRMED MINUTES

1. *Notes the report on the December 2021 to December 2022 annual review on the performance of the Management of Council's Landfill sites for Contract IRCT2083-0620-192.*

*Carried*

**Resolution No.: 8265**

**Moved: Cr Austen**

**Seconded: Cr West**

**That Council:**

1. **Notes the report on the December 2021 to December 2022 annual review on the performance of the Management of Council's Landfill sites for Contract IRCT2083-0620-192.**

**Carried**

## 9.24

## Water and Waste Integrated Management System Update

### EXECUTIVE SUMMARY

The purpose of this report is to provide a six (6) monthly update on activities relevant to the Water and Waste Directorate's Integrated Management System (IMS). This report is intended to compliment but not restate targets, outcomes or matrixes reported through other means including the Water and Waste Annual Performance Plan, Annual Operational Plan or Regulatory Compliance Quarterly Report.

*Resolution No.: W&W0426*

*Moved: Cr Veve Veve Seconded: Cr Austen*

*That the Committee recommends that Council:*

1. *Receives and acknowledges the content of this report on the status and outcomes of activities relevant to the Water and Waste Directorate's Integrated Management System (IMS).*

*Carried*



# CONFIRMED MINUTES

Resolution No.: 8266

Moved: Cr West

Seconded: Cr Franzmann

That Council:

1. Receives and acknowledges the content of this report on the status and outcomes of activities relevant to the Water and Waste Directorate's Integrated Management System (IMS).

Carried

## 10. OFFICER REPORTS

### 10.1

### 2024 Quadrennial Local Government Election

#### EXECUTIVE SUMMARY

In preparation of the 2024 Quadrennial Local Government Elections, Council by a formal application process, can request for the 2024 Quadrennial Local Government Election to be conducted on a postal ballot basis.

Resolution No.: 8267

Moved: Cr Vevea

Seconded: Cr Coleman

That Council:

1. Resolves to make application to the Minister of State Development, Infrastructure, Local Government and Planning pursuant to section 45 of the *Local Government Electoral Act 2011* to conduct the Isaac Regional Council 2024 Local Government Elections for Divisions 1 and 8 by 'postal ballot' due to the multiple very small centres, practicability, and cost effectiveness in utilising the postal ballot method, with the option to implement electronically assisted voting if appropriate and feasible.

## CONFIRMED MINUTES

2. **Authorise the Chief Executive Officer to formally notify the Minister of State Development, Infrastructure, Local Government and Planning, before 1 May 2023, in accordance with the recommendation in clause 1 above.**

**Carried**

**Cr Jane Pickels voted against the motion**

### 10.2

### First Nations Engagement Framework

#### EXECUTIVE SUMMARY

Council is requested to review and endorse the draft First Nations Engagement Framework to progress engagement with First Nations People Traditional Owners across Isaac Region on the suitability of the Framework.

**Resolution No.: 8268**

**Moved: Cr Ve a Ve a**

**Seconded: Cr Coleman**

**That Council:**

1. **Endorses the draft First Nations Engagement Framework (CORP-FWK-005) to proceed to engagement with First Nations People Traditional Owners across the Isaac Region on the finalisation of the Framework.**

**Carried**

### 10.3

### Reconciliation Action Plan Project Plan

#### EXECUTIVE SUMMARY

Council is requested to review and endorse the draft Reconciliation Action Plan Project Plan to progress establishment of a working group for development of the plan.

# CONFIRMED MINUTES

**Resolution No.:** 8269

**Moved:** Cr Lacey

**Seconded:** Cr Moffat

**That Council:**

1. **Endorse the draft Reconciliation Action Plan Project Plan to proceed to engagement of a working group to develop Council's Reconciliation Action Plan.**

**Carried**

**10.4**

**Authorisation for Engineering and Infrastructure to Commence Procurement Prior to Budget Approval**

## EXECUTIVE SUMMARY

This report seeks approval for the Engineering and Infrastructure Directorate to commence early issuing of Request for Quote/Request for Tender documentation for some Capital Projects and Operational works identified for the 2023-2024 Capital and Operational programs. Approval is also sought for awarding of projects that have committed external funding or previous Council resolutions.

**Resolution No.:** 8270

**Moved:** Cr Pickels

**Seconded:** Cr Lacey

**That Council:**

1. **Approves the Engineering and Infrastructure Directorate to commence early procurement through a Request for Quotation or Request for Tender process for the following projects proposed for the 2023-2024 Capital Works program with award post approval of the 2023-2024 budget:**
  - **23/24 Resealing Program**
  - **Sealed Road Pavement Rehab (including Reseal Prep)**
  - **Rural Unsealed Network Resheeting (supply/preparation of gravel)**

# CONFIRMED MINUTES

2. Approves the Engineering and Infrastructure Directorate to commence early procurement through a Request for Quotation or Request for Tender process and awarding for the following projects proposed for the 2023-2024 Capital Works program that have approved external funding or previous Council resolution:
  - Regional Floodway Construction Program
  - Golden Mile Road Pavement Rehabilitation
  - Goonyella Road Intersection Upgrade
3. Approves the Engineering and Infrastructure Directorate to commence early procurement through a Request for Quotation or Request for Tender process for the following operational works proposed for the 2023-2024 Operation Works program with award post approval of the 2023-2024 budget:
  - Dry hire of Rollers for maintenance grading works (operational)
  - Vegetation management (operational)

Carried

10.5

**Award of Contract IRCQ-MBH3-0922-1177 Moranbah Water Treatment Plant Roof Replacement**

## EXECUTIVE SUMMARY

The purpose of the report is to award the contract to the preferred tenderer for the IRCQ-MBH3-0922-1177 Moranbah Water Treatment Plant Roof Replacement project.

**Resolution No.:** 8271

**Moved:** Cr Lacey

**Seconded:** Cr Franzmann

**That Council:**

1. Approves the award of Contract IRCQ-MBH3-0922-1177 Moranbah Water Treatment Plant Roof Replacement project to Southern Cross Reservoir Services Australia Pty Ltd, ABN - 20 104 975 493 for the value of \$997,914.00 excluding GST.

# CONFIRMED MINUTES

2. Delegates the authority to the Chief Executive Officer to negotiate, execute, and vary the contract.

Carried

10.6

**Award of Contract IRCT-MBH3-1021-259 - 400ml Raw Water Dam Remediation Works**

## EXECUTIVE SUMMARY

The purpose of the report is to award the contract to the preferred tenderer for the IRCT-MBH3-1021-259 MBH 400ML Raw Water Dam Remediation Works project.

Resolution No.: 8272

Moved: Cr Lacey

Seconded: Cr Moffat

That Council:

1. Approves the award of Contract IRCT-MBH3-1021-259 MBH 400ML Raw Water Dam Remediation Works project to Lohman Contracting Pty Ltd for the value of \$1,262,961.37 excluding GST.
2. Delegates the authority to the Chief Executive Officer to negotiate, execute and vary the contract.

Carried

## CONFLICT OF INTEREST

Mr Jeff Stewart-Harris declared a conflict of interest for Report 10.7 CEO Performance Review Guidelines as the report relates to the performance review process for his position as Chief Executive Officer. Mr Stewart-Harris left the meeting room at 2.11pm and was not in attendance for the discussions for Report 10.7.

# CONFIRMED MINUTES

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## CONFLICT OF INTEREST

Mrs Mary-Anne Uren, Mr Robert Perna, Mr Darren Fettell, Mr Shane Brandenburg, Mr Karl Murdoch and Mrs Tricia Hughes declared a conflict of interest for Report 10.7 CEO Performance Review Guidelines as they are direct reports of the CEO at the time of this report and Report 10.7 relates to the performance review process for the Chief Executive Officer. Mrs Mary-Anne Uren, Mr Robert Perna, Mr Darren Fettell, Mr Shane Brandenburg, Mr Karl Murdoch and Mrs Tricia Hughes left the meeting room at 2.11pm and were not in attendance for the discussions for Report 10.7.

**10.7**

**CEO Performance Review Guidelines**

## EXECUTIVE SUMMARY

Council is being requested to endorse the CEO Performance Review Guidelines.

**Resolution No.:** 8273

**Moved:** Cr **Seconded:** Cr

**That Council:**

**1. Endorses the CEO Performance Review Guidelines.**

**Carried**

## ATTENDANCE

Mr Jeff Stewart-Harris, Mr Darren Fettell, Mr Robert Perna, Mrs Mary-Anne Uren, Mr Shane Brandenburg, Mr Karl Murdoch and Mrs Tricia Hughes entered the meeting room at 12.19pm.

Mr Mick St Clair, Manager Liveability and Sustainability entered the meeting room at 12.19pm.

Cr Viv Coleman left the meeting room at 12.19pm.

# CONFIRMED MINUTES

10.8

**Delegation To Chief Executive Officer to Award Project Identified as Irct-Mmt-0822-293 Middlemount Swimming Pool - Carpark and Driveway Remediation**

## EXECUTIVE SUMMARY

This report seeks authorisation to the Chief Executive Officer to negotiate, execute and vary the contract for the Local Roads and Community Infrastructure Funded Project identified as IRCT-MMT-0822-293 Middlemount Swimming Pool - Carpark and Driveway Remediation.

**Resolution No.:** 8274

**Moved:** Cr Pickels

**Seconded:** Cr Vea Vea

**That Council:**

1. **Authorise the Chief Executive Officer to negotiate, execute and vary the contract for IRCT-MMT-0822-293 Middlemount Swimming Pool - Carpark and Driveway Remediation, within allocated capital budget amounts, but with the following condition:**
  - a) **All tender evaluation reports be provided to all Councillors at the same time that the Chief Executive Officer is considering the report.**
  - b) **Should any Councillor (free of any conflict of interest or material personal interest) notify the Chief Executive Officer that the matter should be escalated for Committee consideration, the Chief Executive Officer shall not exercise his delegated authority to determine the tender and shall instead arrange for the matter to be included in the agenda for the next available Planning Environment and Community Services Standing Committee Meeting or Council Meeting**

**Carried**

## ATTENDANCE

Cr Viv Coleman entered the meeting room at 12.22pm.

Cr Viv Coleman left the meeting room at 12.21pm.

10.9

**MCU21/0004 – Town Planning Report for Material Change of Use (Development Permit) – Accommodation Building (15 Accommodation Units and Associated Kitchen, Dining, And Common Area) At 41 Naumann Street, Moranbah Described as Lot 306 on SP 220905**

## EXECUTIVE SUMMARY

Council has received a development application from Barada Barna Limited C/- Veris Australia Pty Ltd for a Material Change of Use (Development Permit) for an Accommodation building (15 accommodation units and associated kitchen, dining, and common area) at 41 Naumann Street, Moranbah described as Lot 306 on SP 220905. The application was lodged under the now superseded Belyando Shire Planning Scheme 2009 and is impact assessable.

The application was submitted on 31 March 2021 and at the time of lodgement, proposed 17 accommodation units. During the application's decision stage, the applicant made changes to the overall development which included a reduction from 17 to 15 units. The development application for a Material Change of Use (Development Permit) for Accommodation building (15 accommodation units and associated kitchen, dining, and common area) at 41 Naumann Street, Moranbah described as Lot 306 on SP 220905 is recommended for approval, subject to reasonable and relevant conditions.

**Resolution No.:** 8275

**Moved:** Cr Pickels **Seconded:** Cr Austen

### That Council:

- In considering this application Council is very clear in its understanding that this proposed use has strong cultural significance to the traditional custodians of the land including the enablement of Barada Barna Peoples including Elders and other generations to return to their Country.
- In the light of that understanding Council seeks through the development of its Reconciliation Action Plan a commitment from Barada Barna that Council or a like minded Community Service organisation would have first right of refusal for the purchase of the property in the event that Barada Barna seeks to dispose of it.
- Conveys the above-mentioned perspectives to Barada Barna through inclusion in Section Part B Assessment Manager's Advice.



# CONFIRMED MINUTES

## That Council:

Approves the development application for a Material Change of Use (Development Permit) for Accommodation building (15 accommodation units and associated kitchen, dining, and common area) at 41 Naumann Street, Moranbah described as Lot 306 on SP220905, subject to the following conditions:

### A. ASSESSMENT MANAGER CONDITIONS

#### 1. PREMISES

- 1.1. Approval is granted for a Material Change of Use for Accommodation building (15 accommodation units and associated kitchen, dining and common area) at 41 Naumann Street, Moranbah, legally described as Lot 5 on RP853653.
- 1.2. The development of the premises must comply with the provisions of Council's Local Laws, policies, and planning scheme to the extent they have not been varied by this approval.
- 1.3. The development must be generally in accordance with the following plans except where modified by the attached conditions:

Title	Drawing No.	Rev	Prepared By	Date
Proposed site plan ground floor stage 1	SK01.1	J	Dillon Architects	18/02/2022
Proposed site plan – roof plan – stage 1	SK01.2	J	Dillon Architects	18/02/2022
Typical accommodation plan – stage 1	SK01.3	J	Dillon Architects	18/02/2022
Site elevations and indicative perspectives – stage 1	SK01.4	J	Dillon Architects	18/02/2022
Proposed stormwater – stage 1	SK01.5	J	Dillon Architects	18/02/2022
Proposed sewer – stage 1	SK01.6	J	Dillon Architects	18/02/2022
Proposed water – stage 1	SK01.7	J	Dillon Architects	18/02/2022

**1.4 Submit to and have approved in writing by Council the following changes to the approved plans:**

**(i) Front fence recess and landscaping in accordance with Condition 10.2**

**Once approved, the amended plans and documents will become the approved plans and documents.**

**1.5 All buildings are to be constructed utilising a combination of materials and colours as indicated on the approved site elevation and indicative perspectives. Any modular buildings are to be constructed utilising building materials that extend to ground level to ensure that stumps and foundations are screened.**

**1.6 Complete all building work associated with this development approval, including work required by any of the conditions included in the Development Approval Package. Such building work must be carried out in accordance with the approved drawings and documents.**

**1.7 Where there is any conflict between the conditions of this development approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.**

## **2. GENERAL**

**2.1 The developer must demonstrate compliance with the conditions of this approval prior to commencement of the changed use.**

**2.2 The developer must pay all outstanding rates or other charges due to Council prior to commencement of changed use.**

**2.3 The costs of all development works including any necessary alteration, relocation of services, public utility mains or installations must be met by the developer. The developer is responsible to accurately locate all existing services before any development works commence to satisfy this condition.**

**2.4 Any damage which is caused to Council's infrastructure as a result of the proposed development must be repaired immediately to Council's satisfaction and at no cost to Council.**

**2.5 Where required, all private sanitary drainage and water supply works which require Council's permit and private stormwater drainage works must be carried out in strict accordance with AS/NZS 3500, Plumbing and Drainage Act 2002 and Plumbing and Drainage Regulations to the satisfaction of Council's Plumbing and Drainage Inspector.**

**2.6 The developer must construct at no cost to Isaac Regional Council all external roadwork, external stormwater drainage, external water infrastructure and external sewerage infrastructure required to service the development.**

**2.7 All design and construction for the development must be in accordance with Council's Policies, Relevant Engineering Design Guidelines, Relevant Standard drawings and standard construction specifications.**

### **3. CONSTRUCTION ACTIVITY AND NOISE**

**3.1. Any construction activity and associated noise must be limited during the construction of the proposed development to the hours of 7:00am to 6:00pm Monday to Sunday, with no work to occur on public holidays.**

**3.2. It is the Applicant's responsibility to ensure compliance with the Environmental Protection Act 1994, which prohibits unlawful environmental nuisance caused by dust, ash, fumes, light, odour, noise or smoke beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.**

### **4. STORMWATER WORKS**

**4.1. A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of construction on the site.**

**4.2. All stormwater management works must be designed and constructed in accordance with the approved plans, Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines, Urban Stormwater Quality Planning Guidelines, State Planning Policy, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).**

- 4.3. All stormwater must achieve demonstrated lawful discharge and must not adversely affect the upstream or downstream land when compared to pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or cause an actionable nuisance or damage infrastructure.
- 4.4. Any application for Operational works (stormwater works) must accompany a detailed stormwater management report certified by a suitably qualified Registered Professional Engineer of Queensland. The report must include (but not limited to) the following;
- a) A detailed assessment of the major and minor rainfall event peak discharges for the pre-development and post-development scenarios which clearly identifies discharge point(s) and demonstrate lawful discharge;
  - b) Detention systems: the volume of any detention must be sufficient to attenuate the peak discharge from the site to ensure no actionable nuisance due to the flow regime immediately downstream of the development for a selected range of Annual Exceedance Probability events, up to the Defined Flood Event (inclusive) for a range of storm durations, including critical storm duration;
  - c) Layouts showing the extent of the one (1) per cent Annual Exceedance Probability event inundation areas (pre and post) and the details of the available freeboard to the finished ground/floor levels;
  - d) Detail design calculations of outlet systems. Considerations must be given to critical scour velocity, discharge frequency /duration at the discharge location(s) and relevant management measures.

## 5. WATER WORKS

- 5.1. A Development Permit for Operational Works (water works) must be obtained prior to the commencement of any construction on the site.
- 5.2. All works must be in accordance with the approved plan), regulated work under the Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act and the provisions of a Development Permit for Operational Works (water works).

## 6. SEWERAGE WORKS

- 6.1. A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the site.

## CONFIRMED MINUTES

**6.2 All works must be designed and constructed in accordance with the approved plans and the Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act and the provisions of a Development Permit for Operational Works (sewerage works).**

### **7. ACCESS AND PARKING WORKS**

**7.1 A Development Permit for Operational Works (Access and Parking Works) must be obtained prior to commencement of any construction works on the site.**

**7.2 All works must be designed and constructed in accordance with the approved development plans and the Capricorn Municipal Development Guidelines, and the provisions of a Development Permit for Operational Works (carparking and access works).**

**7.3 Prior to commencement of the use, a compliant vehicle access point must be designed and constructed to service the proposed development in accordance with the Capricorn Municipal Development Guidelines.**

**7.4 Prior to commencement of use a minimum of 15 standard off-street parking spaces are to be provided onsite. Car parking spaces and aisles must be designed, constructed and line-marked in accordance with the relevant Australian Standards including AS2890.1 and AS2890.4.**

**7.5 Vehicular access is only permitted at the approved crossover locations as shown on the approved plans. Vehicles are not permitted to enter or exit the site in any other location.**

### **8. WASTE STORAGE AND COLLECTION**

**8.1 All waste must be stored in refuse containers within the refuse storage area as shown on the approved plans. The refuse storage area must be:**

- screened from view from adjoining properties and public areas at all times;
- of a sufficient size to accommodate waste generated from the approved use in commercial type bins that will be serviced by a commercial contractor plus clearance around the bins for manoeuvring and cleaning.

**8.2 All waste must be collected by a Council approved commercial contractor within the site. Kerb side collection is not permitted.**

**8.3 Prior to commencement of the use, the Applicant is to enter into an agreement with a licensed commercial waste contractor to provide waste collection with sufficient capacity to cater for the operation. Waste collection services are to be maintained in perpetuity. Evidence of this agreement is to be provided to Council prior to commencement of the use.**

**8.4 Prior to commencement of the use, the internal access driveway is to be constructed in a manner that provides suitable access for a refuse collection vehicle. The design Waste Collection Vehicle (WCV) must be able to enter and leave the site in a forward gear. No reversing of a WCV onto Naumann Street is permissible.**

## **9. LANDSCAPING**

**9.1 A Development Permit for Operational Works (Landscaping) must be obtained prior to commencement of any landscape works on the site.**

**9.2 The Applicant is to submit a detailed landscaping plan, generally in accordance with the approved Development Plan for Council approval detailing the location, extent, densities and species of proposed plantings, fencing and other external treatments.**

**9.3 The landscaping is to be completed in accordance with the approved plans prior to the commencement of the use and maintained at all times to the satisfaction of the Council.**

**9.4 On completion of the landscape works, submit to Council written certification from a suitably qualified person that the landscaping has been completed in accordance with the approved Landscape plan.**

## **10. SCREENING**

**10.1 A 1.8 metre solid screen fence must be constructed on all property boundaries (excluding the boundary with Naumann Street) prior to the commencement of use.**

**10.2 The front fence on the Naumann Street boundary must be recessed within the site a minimum of one (1) metre from the property boundary and a minimum 1 metre landscaping strip must be provided within this recess within the site boundaries (as per the mark ups on the approved site plan).**

## **11. SIGNAGE**

- 11.1 No signage visible from the street is permitted to be installed without the prior written approval from Council.**

## **12. ELECTRICITY AND TELECOMMUNICATIONS**

- 12.1 Underground electricity and telecommunication connections must be provided to the proposed lots to the standards of the relevant authorities.**

- 12.2 Evidence must be provided of a certificate of supply with the relevant service providers to provide each lot with live electricity and telecommunication connections, in accordance with the requirements of the relevant authorities prior to commencement of the use.**

## **13. LIGHTING**

- 13.1 Outdoor lighting associated with the use must be designed, sited, and installed to comply with the relevant parameters of Australian Standard AS4282-1997 Control of the obtrusive effects of outdoor lighting.**

- 13.2 The premises (external to a building), signs or structures on the land are not permitted to exceed an illumination of 8.0 lux at 1.5 metres beyond the boundary of the site.**

## **14. EROSION AND SEDIMENT CONTROL**

- 14.1 Prior to the commencement of any works onsite the applicant must submit to Council an Erosion and Sediment Control Plan prepared in accordance with the Capricorn Municipal Development Guidelines D7 'Erosion Control and Stormwater Management' and approved by an RPEQ.**

- 14.2 No earth works and/or construction may take place until the erosion and sediment control plan required in condition 14.1 is in place to the satisfaction of Council and to relevant engineering standards. Erosion and Sediment Control measures must be maintained onsite for the duration of the construction period.**

## **15. TRUNK INFRASTRUCTURE CHARGE**

**15.1 Trunk Infrastructure Charges must be paid to Council before the commencement of use on the subject site as indicated on the Infrastructure Charges Notice (ICN) at the rate applicable at the time of payment in accordance with Council's adopted Trunk Infrastructure Charges Resolution (No.3) 2021.**

## **16. CURRENCY PERIOD**

**16.1 The standard currency period of six (6) years as stated in Section 85(b)(i) of the Planning Act 2016 applies.**

### **B ASSESSMENT MANAGER'S ADVICE**

#### **1. Dust Control**

**It is the applicant/owner's responsibility to ensure compliance with environmental protection legislation which prohibits unlawful environmental nuisance caused by dust, ash, fumes, light, odour, or smoke beyond the boundaries of the property during all stages of the development including earthworks and construction.**

**No emissions of dust must occur beyond the boundaries of the site during earthworks and construction activities, all dust generating activities must cease until the corrective actions have been implemented to reduce dust emissions to acceptable levels or wind conditions are such that acceptable levels are achieved.**

#### **2. Sedimentation Control**

**It is the applicant/owner's responsibility to ensure compliance with environmental protection legislation to prevent soil erosion and contamination of the stormwater drainage system and waterways.**

#### **3. Noise During Construction and Noise in General**

**It is the Principal Contractor's responsibility to ensure compliance with all relevant, current, and applicable Workplace Health and Safety Act legislation.**



The principal contractor is obliged on a construction workplace to ensure that work activities at the workplace are safe and without risk of injury or illness to members of the public at or near the workplace.

#### 4. Contaminated Land

It is strictly the applicant/owner's responsibility to source information regarding contaminated land from the Department of Resource Management, Contaminated Land section as Council has not conducted detailed studies and does not hold detailed information pertaining to contaminated land.

#### Future Development Permits

- Development Permit for Building Works
- Development Permits for Plumbing and drainage work (as required).
- Application to work on Council property (as required)
- Operational works (Access and Parking)
- Operational Works (Stormwater)
- Operational works (Landscaping)
- Operation Works (Water works)
- Operational Works (Sewer works)

**Carried**

#### **PROCEDURAL MOTION:**

**Resolution No.: 8276**

**Moved: Cr Vea Vea**

**Seconded: Cr Lacey**

**That Council adjourn the meeting at 12.40pm for lunch.**

**Carried**

# CONFIRMED MINUTES

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## **PROCEDURAL MOTION:**

**Resolution No.: 8277**

**Moved: Cr Pickels**

**Seconded:**

**Cr Vea Vea**

**That Council resume the meeting at 1.25pm.**

**Carried**

## **ATTENDANCE**

All Councillors were present at the resumption of the meeting.  
Mrs Jessica Bugeja was in attendance at the resumption of the meeting.

**10.10**

**MCU21/0009 – Town Planning Report for Material Change of Use (Development Permit) – Multiple Dwelling (6 Units) At 41 Naumann Street, Moranbah Described As Lot 306 On SP 220905**

## **EXECUTIVE SUMMARY**

Council has received a development application from Barada Barna Limited C/- Veris Australia Pty Ltd for a Material Change of Use (Development Permit) for a Multiple Dwelling (6 Units) at 41 Naumann Street, Moranbah described as Lot 306 on SP220905. The application was lodged under the now superseded Belyando Shire Planning Scheme 2009 and is code assessable.

The application was submitted on 31 March 2021 and at the time of lodgement, proposed 8 units. During the application's decision stage, the applicant made changes to the overall development which included a reduction from 8 to 6 units. The development application for a Material Change of Use (Development Permit) –Accommodation Units (Multiple Dwelling – 6 Units) at 41 Naumann Street, Moranbah described as Lot 306 on SP220905, is recommended for approval, subject to reasonable and relevant conditions.

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**Resolution No.: 8278**

**Moved: Cr Moffat**

**Seconded: Cr Pickels**

**That Council:**

# CONFIRMED MINUTES

Approve the development application for a Material Change of Use (Development Permit) for a Multiple Dwelling (6 Units) at 41 Naumann Street, Moranbah described as Lot 306 on SP220905, subject to the following conditions:

## B. ASSESSMENT MANAGER CONDITIONS

### 1. PREMISES

- 1.1. Approval is granted for the Material Change of Use for A Multiple Dwelling (6 Units) at 41 Naumann Street, Moranbah, described as Lot 306 on SP220905.
- 1.2. The development of the premises must comply with the provisions of Council's Local Laws, policies, and planning scheme to the extent they have not been varied by this approval.
- 1.3. The development must be generally in accordance with the following plans except where modified by the attached conditions:

Title	Drawing No.	Rev	Prepared By	Date
Proposed site plan – ground floor – stage 2 (and 1)	SK02.1	G	Dillon Architects	18/02/2022
Proposed site plan – first floor – stage 2 (and 1)	SK02.2	G	Dillon Architects	18/02/2022
Part site plan – car turning path	SK02.3	G	Dillon Architects	18/02/2022
Indicative perspectives – stage 2 (and 1)	SK02.4	H	Dillon Architects	18/02/2022
Proposed stormwater – stage 2 (and 1)	SK02.5	G	Dillon Architects	18/02/2022
Proposed sewer – stage 2 (and 1)	SK02.6	G	Dillon Architects	18/02/2022
Proposed water – stage 2 (and 1)	SK02.7	G	Dillon Architects	18/02/2022

**1.4 Submit to and have approved in writing by Council the following changes to the approved plans:**

- (ii) Condition 7.4 - Additional visitor car parking**
- (iii) Condition 10.2 - Front fence recess and landscaping**

**Once approved, the amended plans and documents will become the approved plans and documents.**

**1.5 Complete all building work associated with this development approval, including work required by any of the conditions included in the Development Approval Package. Such building work must be carried out in accordance with the approved drawings and documents.**

**1.6 Where there is any conflict between the conditions of this development approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.**

## **2. GENERAL**

**2.8 The developer must demonstrate compliance with the conditions of this approval prior to commencement of the use.**

**2.9 The developer must pay all outstanding rates or other charges due to Council prior to commencement of the use.**

**2.10 The costs of all development works including any necessary alteration, relocation of services, public utility mains or installations must be met by the developer. The developer is responsible to accurately locate all existing services before any development works commence to satisfy this condition.**

**2.11 Any damage which is caused to Council's infrastructure as a result of the proposed development must be repaired immediately to Council's satisfaction and at no cost to Council.**

**2.12 Where required, all private sanitary drainage and water supply works which require Council's permit and private stormwater drainage works must be carried out in strict accordance with AS/NZS 3500, Plumbing and Drainage Act 2002 and**

**Plumbing and Drainage Regulations to the satisfaction of Council's Plumbing and Drainage Inspector.**

**2.13 The developer must construct at no cost to Isaac Regional Council all external roadwork, external stormwater drainage, external water infrastructure and external sewerage infrastructure required to service the development.**

**2.14 All design and construction for the development must be in accordance with Council's Policies, Relevant Engineering Design Guidelines, Relevant Standard drawings and standard construction specifications.**

### **3. CONSTRUCTION ACTIVITY AND NOISE**

**3.1. Any construction activity and associated noise must be limited during the construction of the proposed development to the hours of 7:00am to 6:00pm Monday to Sunday, with no work to occur on public holidays.**

**3.2. It is the Applicant's responsibility to ensure compliance with the Environmental Protection Act 1994, which prohibits unlawful environmental nuisance caused by dust, ash, fumes, light, odour, noise or smoke beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.**

### **4. STORMWATER WORKS**

**4.1. A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of construction on the site.**

**4.2. All stormwater management works must be designed and constructed in accordance with the approved plans, Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines, Urban Stormwater Quality Planning Guidelines, State Planning Policy, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).**

**4.3. All stormwater must achieve demonstrated lawful discharge and must not adversely affect the upstream or downstream land when compared to pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or cause an actionable nuisance or damage infrastructure.**

**4.4. Any application for Operational works (stormwater works) must accompany a detailed stormwater management report certified by a suitably qualified Registered Professional Engineer of Queensland. The report must include (but not limited to) the following;**

- a) A detailed assessment of the major and minor rainfall event peak discharges for the pre-development and post-development scenarios which clearly identifies discharge point(s) and demonstrate lawful discharge;**
- b) Detention systems: the volume of any detention must be sufficient to attenuate the peak discharge from the site to ensure no actionable nuisance due to the flow regime immediately downstream of the development for a selected range of Annual Exceedance Probability events, up to the Defined Flood Event (inclusive) for a range of storm durations, including critical storm duration;**
- c) Layouts showing the extent of the one (1) per cent Annual Exceedance Probability event inundation areas (pre and post) and the details of the available freeboard to the finished ground/floor levels;**
- d) Detail design calculations of outlet systems. Considerations must be given to critical scour velocity, discharge frequency /duration at the discharge location(s) and relevant management measures;**

## **5. WATER WORKS**

**5.1. A Development Permit for Operational Works (water works) must be obtained prior to the commencement of any construction on the site.**

**5.2 All works must be in accordance with the approved plan), regulated work under the Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act and the provisions of a Development Permit for Operational Works (water works).**

**5.3 A separate water metre must be provided for each dwelling.**

## **6. SEWERAGE WORKS**

**6.1. A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any construction works on the site.**

**6.2 All works must be designed and constructed in accordance with the approved**

plans or an alternative plan approved by Council, the Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act and the provisions of a Development Permit for Operational Works (sewerage works).

## 7. ACCESS AND PARKING WORKS

- 7.1 A Development Permit for Operational Works (Access and Parking Works) must be obtained prior to commencement of any construction works on the site.
- 7.2 All works must be designed and constructed in accordance with the approved development plans and the Capricorn Municipal Development Guidelines, and the provisions of a Development Permit for Operational Works (carparking and access works).
- 7.3 Prior to commencement of the use, a compliant vehicle access point must be designed and constructed to service the proposed development in accordance with the Capricorn Municipal Development Guidelines.
- 7.4 Prior to commencement of use a minimum of 12 standard off-street parking spaces including six (6) visitor parking spaces are to be provided onsite (as per the mark ups on the approved plans). Car parking spaces and aisles must be designed, constructed and line-marked in accordance with the relevant Australian Standards including AS2890.1 and AS2890.4.
- 7.5 Vehicular access is only permitted at the approved crossover locations as shown on the approved plans. Vehicles are not permitted to enter or exit the site in any other location.

## 8. WASTE STORAGE AND COLLECTION

- 8.1 All waste must be stored in refuse containers within the refuse storage area as shown on the approve plans. The refuse storage area must be:
- screened from view from adjoining properties and public areas at all times;
  - of a sufficient size to accommodate waste generated from the approved use in commercial type bins that will be serviced by a commercial contractor plus clearance around the bins for manoeuvring and cleaning.

**8.2 All waste must be collected by a Council approved commercial contractor within the site. Kerb side collection is not permitted.**

**8.3 Prior to commencement of the use, the Applicant is to enter into an agreement with a licensed commercial waste contractor to provide waste collection with sufficient capacity to cater for the operation. Waste collection services are to be maintained in perpetuity. Evidence of this agreement is to be provided to Council prior to commencement of the use.**

## **9. LANDSCAPING**

**9.1 A Development Permit for Operational Works (Landscaping) must be obtained prior to commencement of any landscape works on the site.**

**9.2 The Applicant is to submit a detailed landscaping plan, generally in accordance with the approved Development Plan for Council approval detailing the location, extent, densities and species of proposed plantings, fencing and other external treatments.**

**9.3 The landscaping is to be completed in accordance with the approved plans prior to the commencement of the use and maintained at all times to the satisfaction of the Council.**

**9.4 On completion of the landscape works, submit to Council written certification from a suitably qualified person that the landscaping has been completed in accordance with the approved Landscape plan.**

## **10. SCREENING**

**10.1 A 1.8 metre solid screen fence must be constructed on all property boundaries (excluding the boundary with Naumann Street) prior to the commencement of use.**

**10.2 The front fence on the Naumann Street boundary must be recessed within the site a minimum of one (1) metre from the property boundary and a minimum 1 metre landscaping strip must be provided within this recess within the site boundaries.**



**10.3 Services and mechanical plant, including individual air conditioning equipment for dwellings or rooming units, is visually integrated into the design and finish of the building or effectively screened from view.**

## **11. SIGNAGE**

**11.1 No signage visible from the street is permitted to be installed without the prior written approval from Council.**

## **12. ELECTRICITY AND TELECOMMUNICATIONS**

**12.1 Underground electricity and telecommunication connections must be provided to the proposed lots to the standards of the relevant authorities.**

**12.2 Evidence must be provided of a certificate of supply with the relevant service providers to provide each lot with live electricity and telecommunication connections, in accordance with the requirements of the relevant authorities prior to commencement of the use.**

## **13. LIGHTING**

**13.1 Outdoor lighting associated with the use must be designed, sited, and installed to comply with the relevant parameters of Australian Standard AS4282-1997 Control of the obtrusive effects of outdoor lighting.**

**13.2 The premises (external to a building), signs or structures on the land are not permitted to exceed an illumination of 8.0 lux at 1.5 metres beyond the boundary of the site.**

## **14. EROSION AND SEDIMENT CONTROL**

**14.1 Prior to the commencement of any construction works onsite the applicant must submit to Council an Erosion and Sediment Control Plan prepared in accordance with the Capricorn Municipal Development Guidelines D7 'Erosion Control and Stormwater Management' and approved by an RPEQ.**

**14.2 No construction must take place until the erosion and sediment control plan required in condition 14.1 is in place to the satisfaction of Council and to relevant engineering standards. Erosion and Sediment Control measures must be maintained onsite for the duration of the construction period.**

## 15. TRUNK INFRASTRUCTURE CHARGE

15.1 Trunk Infrastructure Charges must be paid to Council before the commencement of use on the subject site as indicated on the Infrastructure Charges Notice (ICN) at the rate applicable at the time of payment in accordance with Council's adopted Trunk Infrastructure Charges Resolution (No.3) 2021.

## 16. CURRENCY PERIOD

16.1 The standard currency period of six (6) years as stated in Section 85(b)(i) of the Planning Act 2016 applies.

## B ASSESSMENT MANAGER'S ADVICE

### 1. Dust Control

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### 2. Sedimentation Control

It is the applicant/owner's responsibility to ensure compliance with environmental protection legislation to prevent soil erosion and contamination of the stormwater drainage system and waterways.

### 3. Noise During Construction

It is the Principal Contractor's responsibility to ensure compliance with all relevant, current, and applicable Workplace Health and Safety Act legislation.

# CONFIRMED MINUTES

The principal contractor is obliged on a construction workplace to ensure that work activities at the workplace are safe and without risk of injury or illness to members of the public at or near the workplace.

## 4. Contaminated Land

It is strictly the applicant/owner's responsibility to source information regarding contaminated land from the Department of Resource Management, Contaminated Land section as Council has not conducted detailed studies and does not hold detailed information pertaining to contaminated land.

### Future Development Permits

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- Operational Works (Stormwater)
- Operational works (Landscaping)
- Operation Works (Water works)
- Operational Works (Sewer works)

Carried

## CLOSURE OF MEETING

### **PROCEDURAL MOTION:**

**Resolution No.:** 8279

**Moved:** Cr Pickels **Seconded:** Cr Coleman

# CONFIRMED MINUTES

That Council closes the meeting to the public at 1.28pm under *Local Government Regulations 2012* Section 254J (3)(g) to deliberate on Confidential Reports 11.1 and 11.2.

**Carried**

## **PROCEDURAL MOTION:**

**Resolution No.: 8280**

**Moved: Cr Vea Vea**

**Seconded: Cr Pickels**

That Council open the meeting to the public at 1.30pm.

**Carried**

## **11. CONFIDENTIAL REPORTS**

### **CONFIDENTIAL REPORT**

Closed under 254J(3) (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

**11.1**

#### **Glenden Swimming Pool Management Arrangements**

### **EXECUTIVE SUMMARY**

The purpose of this report is to seek Council's endorsement of the Request for Tender process to ensure continuity of tenure at the Glenden Swimming Pool beyond the 2022/2023 swim season.

**Resolution No.: 8281**

**Moved: Cr Austen**

**Seconded: Cr West**

# CONFIRMED MINUTES

## That Council:

1. Authorises the release of a Request for Tender (RFT) for the Management and Operation of Glenden Swimming Pool for a one (1) year Trustee Lease commencing on 01 September 2023 and expiring 31 August 2024 with two renewal periods of one year (1+1+1);
2. Endorses and resolves that Council retains the discretion to renew the Trustee Lease, year on year for a period of up to and including two (2) years subsequent to the initial term, with the final Trustee Lease expiring on 31 August 2026;
3. Endorses the status and time frames of the Request for Tender (RFT) process for the management and operation of Council owned pools located at Glenden;
4. Authorises the Chief Executive Officer to negotiate, vary and execute the legal instruments to action clause 1 and 2 above.

Carried

## CONFIDENTIAL REPORT

Closed under *Local Government Regulation 2012* section 254J(3)(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.

11.2

### Greg Cruickshank Aquatic Centre Operations Status

## EXECUTIVE SUMMARY

This report provides an overview of the operational status of the Greg Cruickshank Aquatic Centre in consideration of the other pool management and operational leasing matters.

**Resolution No.:** 8282

**Moved:** Cr West

**Seconded:** Cr Pickels

**That Council:**

# CONFIRMED MINUTES

1. Note and acknowledge the current operational status of the Greg Cruickshank Aquatic Centre.
2. Receive 2017, 2018, 2019, 2020, 2021, 2022 and 2023 year to date net operating position of Greg Cruickshank Aquatic Centre noting figures do not include depreciation, full cost recoveries or any overhead of management staff for the Department.
3. Endorse Isaac Regional Council's continued operational management of Greg Cruickshank Aquatic Centre until 31 August 2025, noting the positive community support for the facility at present, the proposed utilisation of the Greg Cruickshank Aquatic Centre kiosk by Moranbah Community Centre staff during renovations of that facility, and established community swim programs conducted by third-party operators.
4. Request the Chief Executive Officer (or delegate) to prepare a comprehensive review of the Greg Cruickshank Aquatic Centre operations and management for presentation to Council by no later than February 2025, to inform future management decisions for the facility.

Carried

## 12. INFORMATION BULLETIN

12.1

Office of the Chief Executive Officer Information Bulletin – March 2023

### EXECUTIVE SUMMARY

The Office of the Chief Executive Officer Information Bulletin for March 2023 is provided for Council review.

Resolution No.: 8283

Moved: Cr Moffat

Seconded: Cr Coleman

That Council:

1. Notes the Office of the Chief Executive Officer Information Bulletin for March 2023.

Carried

# CONFIRMED MINUTES

**Resolution No.: 8284**

**Moved: Mayor Baker**

**Seconded: Cr Lacey**

**That Council:**

- 1. Notes with great disappointment that Adani has not delivered the Stage 2 works (including major upgrading and sealing of Moray Elgin Carmichael Road) required by the Infrastructure Access Agreement by 31 March 2023;**
- 2. Notes from a presentation from Mr Michael Crowe, Chief Operating Officer for Adani on 29 March 2023, that the timeline for completing the Stage 2 works could extend to December 2025;**
- 3. Notes that this delay impacts the community in the delay of access to a safe road for almost two years;**
- 4. Notes that there are a range of other outstanding issues and defaults that need to be resolved as a matter of urgency;**
- 5. Directs and authorises the Chief Executive Officer to negotiate a Deed of Variation to the Infrastructure Access Agreement to reset milestones for the progressive delivery and completion of the Stage 2 works by not later than 31 December 2025, for Council's approval; and**
- 6. Directs the Chief Executive Officer that if items 4 and 5 above are not satisfactorily completed by 12 May 2023 and/or in the event if any material default by Adani under the Infrastructure Access Agreement (including deeds of variation) to enforce the Infrastructure Access Agreement including withdrawal of access for Adani to Moray, Elgin, Carmichael and Bulliwallah Roads, while the default/s remain or as otherwise reasonably determined by Council.**

**Carried**

# CONFIRMED MINUTES

## 13. COUNCILLOR QUESTION TIME

### 13.1 Moranbah Water Quality Issues

Cr Kelly Vevea thanked the staff involved in the Moranbah Water Quality Issues – the event was well coordinated from all aspects of the organisation.

### 13.2 CEDA Event - The Future of Australia's Resources Sector and the North

Cr Kelly Vevea and Cr Gina Lacey expressed interest in attending the CEDA Event – The Future of Australia's Resources Sector and the North which is scheduled for 19 April in Brisbane.

The Event focus is as follows:

Queensland is home to 70 per cent of northern Australia's population. A robust and future focussed resources sector and the policies and investments to further develop Northern Australia cannot be separated.

Better leveraging the regions' advantages and other key sectors like agriculture and tourism can provide new opportunities for growth here in Queensland and are important to the national economy and our connectedness to the world.

This event presents a timely opportunity to hear Federal Government priorities for our long relied on resources sector and to better understand the implications of forward Northern Australia policy for Queensland.

**Resolution No.: 8285**

**Moved: Cr Coleman**

**Seconded: Cr Pickels**

**That Council:**

- 1. Endorse the attendance of Cr Kelly Vevea and Cr Gina Lacey's at the CEDA Event - Future of Australia's Resources Sector and the North**

**Carried**



# CONFIRMED MINUTES

## 13.2

### Mayoral Update

Mayor Anne Baker provided the following updates to Council:

- Encouraged Councillors to view ACTU President, Michelle O’Neil’s address to the National Press Club of Australia on the National Transition Authority and a range of other relevant topics relevant to the Isaac Region.
- Meeting with Coordinator-General on 3 April.
- Possible visit of the Hon Brendan O’Connor MP, Minister for Skills and Training possible visit to Isaac Region in April
- Queensland Resource Industry Development Plan Advisory Committee Meeting attendance in Mackay on 4 April.

### ATTENDANCE

Cr Viv Coleman and Cr Sandy Moffat left the meeting room at 2.11pm.

## 13.3

### Mackay Hospital Foundation

Council was presented with a plaque from the Mackay Hospital Foundation in appreciation of support in 2022.

## 14. CONCLUSION

There being no further business, the Mayor declared the meeting closed at 2.13pm.

These minutes will be confirmed by Council at the Ordinary Meeting to be held in Moranbah on Wednesday 26 April 2023.

.....  
MAYOR

..... / ..... / .....  
DATE