

CONFIRMED MINUTES

SPECIAL MEETING OF ISAAC REGIONAL COUNCIL

HELD ON

FRIDAY, 17 APRIL 2020

COMMENCING AT 2.00PM

RESUMED ON TUESDAY 21 APRIL 2020

COMMENCING AT 12:30PM

BY VIDEO CONFERENCE

CONFIRMED MINUTES

ISAAC REGIONAL COUNCIL

CONFIRMED MINUTES OF THE SPECIAL MEETING

HELD BY VIDEO CONFERENCE

ON FRIDAY 17 APRIL 2020

AND

RESUMED ON TUESDAY 21 APRIL 2020

Table of Contents	Page
1. Opening	3
2. Apologies	4
3. Condolences	4
4. Declaration of Conflicts of Interest	4
5. Deputations	4
6. Consideration of Notice of Motion	4
7. Confirmation of Minutes	4
8. Business Arising from Previous Meeting	4
9. Standing Committee Reports	4
10. Officer Reports	5
11. Confidential Reports	5
12. Councillor Question Time	14
13. Conclusion	14

CONFIRMED MINUTES

ISAAC REGIONAL COUNCIL

CONFIRMED MINUTES OF THE SPECIAL MEETING

HELD BY VIDEO COUNCIL CHAMBERS

ON FRIDAY 17 APRIL 2020

COMMENCING AT 2.00PM

AND RESUMED ON TUESDAY 21 APRIL 2020 AT 12.30PM

ATTENDANCE

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

OFFICERS PRESENT

Mr Gary Stevenson PSM, Chief Executive Officer
Mr Jeff Stewart-Harris, Director Planning, Environment and Community Services
Mr Tom Wallwork, Acting Director Corporate, Governance and Financial Services
Mr Jarrod Bryant, Acting Director Engineering and Infrastructure
Mr Gary Murphy, Director Water and Waste
Mr Dan Wagner, Manager Liveability and Sustainability
Mrs Tricia Hughes, Coordinator Executive Support
Mrs Nicole Money, Executive Assistant

1. OPENING

The Mayor welcomed all in attendance and declared the meeting open at 2.00pm and acknowledged the traditional custodians of the land on which we meet today and paid her respects to their Elders past, present and emerging.

The meeting was held by video conference. Due to COVID-19 social distancing restrictions the meeting was not accessible to the public.

CONFIRMED MINUTES

2. APOLOGIES

No apologies for this meeting.

3. CONDOLENCES

No condolences this meeting.

4. DECLARATION OF CONFLICTS OF INTEREST

No conflicts of interests declared.

5. DEPUTATIONS

No deputations this meeting.

6. CONSIDERATION OF NOTICE OF MOTIONS

No items this meeting.

7. CONFIRMATION OF MINUTES

No confirmation of minutes this meeting.

8. BUSINESS ARISING FROM PREVIOUS MEETING

No business this meeting.

9. STANDING COMMITTEE REPORTS

No Standing Committee Reports.

CONFIRMED MINUTES

10. OFFICER REPORTS

No Officer Reports.

11. CONFIDENTIAL REPORTS

PROCEDURAL MOTION:

Resolution No.: 6558

Moved: Cr Lacey

Seconded: Cr Pickels

That Council closes the meeting to the public at 2.06pm under *Local Government Regulations 2012* Section 275 (1) (g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act to deliberate on Confidential Reports 11.1 and 11.2.

Carried

PROCEDURAL MOTION:

Resolution No.: 6559

Moved: Cr Austen

Seconded: Cr Pickels

That Council open the meeting to the public at 2.52pm.

Carried

CONFIDENTIAL REPORT

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

11.1

MCU19/0015 – Development Permit – Material Change of Use for Works Camp (650 Rooms / 600 Persons) and Ancillary Uses Located at 529 Wollombi Road, Suttor

EXECUTIVE SUMMARY

On 20 September 2019, QCoal Group C/- GHD lodged a development application seeking a Development Permit for a Material Change of Use – Works Camp (650 rooms / 600 persons) and ancillary uses located at 529 Wollombi Road, Suttor and described as Lot 1 on SP278043.

CONFIRMED MINUTES

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

In making its recommendation, the department has consulted with a number of expert consultants to formulate a position on the appropriateness of the development in accordance with the Development Assessment Rules and the *Planning Act 2016*.

Resolution No.: 6560

Moved: Cr Lacey

Seconded: Cr Jones

That Council:

Refuse the development application made by QCoal Group c/- GHD for a Material Change of Use – Works Camp (650 rooms / 600 persons) (council reference MCU19/0015) on the following grounds:

- **The development conflicts with the Desired Environmental Outcomes (DEOs) of the Nebo Shire Planning Scheme 2008, including:**
 - **2.2.2 (11) – The urban locality of Glenden provides a range of economic activities to support their resident and catchment populations, as well as tourists and visitors to the Shire.**
 - **2.2.3 - All townships in the shire and Coppabella are now playing an important role as an accommodation base for workers in the coal mining industry, with an active approach by Council for requiring new workers camps to be located within or adjoining the urban localities, and**
 - **2.2.3 (16) - The urban localities accommodate a range of uses, new coal mining workers camps, associated services and residential types and lot sizes to reflect community needs. Isolated workers camps, that is not within or adjoining the urban localities or Coppabella, are not envisaged within the Shire unless adjacent to mines in locations not able to be conveniently serviced by accommodation within an urban locality or within Coppabella, in that**
 - **the proposal undermines the strategic intent for Glenden to be the primary hub for economic activities to support the resident and catchment population. The proposal is for a permanent, out-of-centre, and self-contained land use in a rural locality over 30 kilometres away from the nearest urban area, with limited scope to contribute to the economic viability of Glenden. The proposal's impacts on the centre of Glenden could continue for the lifetime of the mine (50 years).**
 - **Further, the proposal has not demonstrated sufficient justification to declare that suitable accommodation arrangements cannot be secured to conveniently service the Byerwen Coal Project's needs, for the life of the project.**

CONFIRMED MINUTES

- The proposed development conflicts with overall outcome (i) of the Rural Locality Code, Nebo Shire Planning Scheme 2008, in that
 - the nature and scale of the proposal assumes a more practical and sustainable location will not be secured within an Urban locality (Glenden) within the lifetime of the mine operations. The proposal has not demonstrated sufficient justification to be located in the rural locality in perpetuity.
- The proposed development conflicts with Part 3, Strategic Framework of the draft Isaac Regional Council Planning Scheme –
 - Strategic Framework Section 3.2 Strategic Intent –Section 3.2.2 Isaac Region in 2036, subsection (21), in that
 - the proposal has not satisfactorily demonstrated management of the cumulative impacts on the health and safety of the residents and visitors to the region. The permanent addition of 600 non-resident workers in the catchment will generate increased demands for public health and emergency services in the Glenden locality, which are only funded to a level commensurate of the residential population.
 - Strategic Framework Section 3.3 Liveable Communities - Section 3.3.1.3 Non-residential workforce accommodation, subsection (2), in that
 - the proposal has not demonstrated legitimate and demonstrated need for the scale and intensity of the use for the life of the Byerwen Coal Project, referencing the anticipated workforce levels and accommodation arrangements proposed in the Coordinator General's evaluation report on the EIS for the project.
 - the proposal generates an unacceptable impact on social services, infrastructure and the local economy, and does not demonstrate a contribution to the region's economy.
 - Strategic Framework Theme 3.7 – Infrastructure for communities - Section 3.7.1.1 General, subsection (5) and 3.7.1.2 Social infrastructure, subsection (1), in that
 - the proposal conflicts with the strategic intent to provide residents, visitors and non-resident workers with access to a network of well-located social infrastructure that meets community needs and promotes a rich and active community lifestyle. The proposal seeks to establish an ongoing occupation of 600 persons in a rural locality disconnected from the community, medical, emergency and recreation services of the Glenden township.
- The proposal conflicts with the following relevant assessment benchmarks of the Mackay Isaac Whitsunday Regional Plan 2012-2031:
 - 5.5.7 Planning for workers' accommodation and infrastructure must address the impacts of the site's eventual closure,
 - 7.1.10 Promote and accommodate growth in areas where existing and planned infrastructure and services can accommodate it,

CONFIRMED MINUTES

- 7.4.2 Housing options are accessible, sustainable, respond to demographic characteristics and are adaptable to the changing needs of residents and households over time,
- 7.4.4 Encourage settlement in mining communities by providing sufficient urban land supply and diverse housing stock that can adequately accommodate predicted population growth,
- 7.4.7 Ensure the scale and number of people accommodated by non-resident worker accommodation is compatible with the nearby permanent resident population, and
- 8.3.3 Development supports and responds to the ongoing roles of centres as the primary providers of services in the region, in that
 - the proposal's scale and intensity is in excess of the anticipated demand for the Byerwen Coal Project,
 - the proposal undermines the ability to promote growth in Glenden, where planned infrastructure and services can accommodate such growth,
 - the proposal supports the establishment of a non-resident worker population base that is incompatible with the nearby permanent resident population, with the proposal seeking to accommodate non-resident workers to a level of approximately two-thirds of the current residential population, and twenty percent of the planned population of Glenden,
 - the proposal does not respond to the demographic characteristics of the local area or those presented in the Byerwen Coal Project's Environmental Impact Statement, and
 - the proposal does not respond to the ongoing role of Glenden as the primary provider of services in the broader locality and catchment.
- The proposal conflicts with the Byerwen Coal Project Coordinator-General's Evaluation Report for the EIS, in that
 - the proposal is of a scale and intensity which caters for the entirety of the Byerwen Coal Project's workforce, which is in conflict with the assertion in the proponent's EIS that only 70 per cent of the anticipated workforce would be non-residential.
 - the proposal ignores the mitigation actions needed to ensure accommodation is available for project workforces and to provide accommodation choice, which are included in the Social Impact Assessment for the Byerwen Coal Project.

Carried

PROCEDURAL MOTION:

Resolution No.: 6561

Moved: Cr Austen

Seconded: Cr Lacey

CONFIRMED MINUTES

That Council adjourn the meeting at 2.55pm to be reconvened on Tuesday 21 April 2020 commencing at 12.30pm.

Carried

RESUMPTION OF THE SPECIAL MEETING

ATTENDANCE

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

OFFICERS PRESENT

Mr Gary Stevenson PSM, Chief Executive Officer
Mr Jeff Stewart-Harris, Director Planning, Environment and Community Services
Mr Tom Wallwork, Acting Director Corporate, Governance and Financial Services
Mr Robert Perna, Director Engineering and Infrastructure
Mr Gary Murphy, Director Water and Waste
Mr Dan Wagner, Manager Liveability and Sustainability
Mrs Tricia Hughes, Coordinator Executive Support
Mrs Nicole Money, Executive Assistant

The Mayor welcomed all by video conference for the resumption of the Special Meeting at 12.30pm on Tuesday 21 April 2020.

PROCEDURAL MOTION:

Resolution No.: 6571

Moved: Cr Austen

Seconded: Cr Pickels

That Council resume the Special Meeting at 12.30pm on Tuesday 21 April 2020.

Carried

CONFIRMED MINUTES

ATTENDANCE

Cr Simon West was not on video conference at the recommencement of the Meeting.

PROCEDURAL MOTION:

Resolution No.: 6572

Moved: Cr Vea Vea

Seconded: Cr Austen

That Council closes the meeting to the public at 12.34pm under *Local Government Regulations 2012* Section 275 (1) (g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act to deliberate on Confidential Report 11.2.

Carried

ATTENDANCE

Cr Greg Austen left the meeting at 12.35pm and video conferenced back into the meeting at 12.36pm.

Cr Simon West video conferenced into the meeting at 12.36pm.

Mr Darren Fettell, Director Corporate, Governance and Financial Services entered the meeting at 12.58pm via video conference.

PROCEDURAL MOTION:

Resolution No.: 6573

Moved: Cr Vea Vea

Seconded: Cr Lacey

That Council open the meeting to the public at 1.04pm.

Carried

CONFIRMED MINUTES

CONFIDENTIAL REPORT

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

11.2	MCU19/0012 – Development Permit – Material Change of Use for Accommodation Building – Non-Resident Workers Accommodation (62 rooms) and Ancillary Facilities at 43 St Francis Drive, Moranbah
-------------	--

EXECUTIVE SUMMARY

On 4 July 2019, Sirrom Integrated Facility Services C/- Adams + Sparkes Town Planning lodged a development application seeking a Development Permit for a Material Change of Use – Accommodation Building – Non-Resident Workers Accommodation and ancillary facilities located at 43 St Francis Drive, Moranbah (Lot 38 on GV270).

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

In making its recommendation, the department has consulted with a number of expert consultants to formulate a position on the appropriateness of the development in accordance with the Development Assessment Rules and the *Planning Act 2016*.

Resolution No.: 6574

Moved: Cr Pickels

Seconded: Cr Jones

That Council grant a preliminary approval for the development application, subject to conditions.

The grounds for the decision are:

- **The development application was assessed using the impact assessment process pursuant to the requirements of the *Planning Act 2016*;**
- **The proposed development generally complies with the Desired Environmental Outcomes (DEOs) under the *Planning Scheme for the Belyando Shire 2009*, with the exception of DEO 3.3 (2) Community Wellbeing, in that:**
 - **the proposal is of a design that does not integrate with the surrounding urban environment, and the proposal is not of high-quality urban design;**
- **The proposed development does not comply with the Commercial zone code provisions under the *Planning Scheme for Belyando Shire 2009*, in that:**
 - **the proposal does not protect and enhance the form and character of the Moranbah centre and is of a built form that conflicts with the surrounding uses,**
 - **the proposal does not contribute to the desired structure of the town centre, or provide active frontages and pedestrian friendly environments along St Francis Drive, and**

CONFIRMED MINUTES

- the proposal does not attempt to sleeve carparking and servicing behind or alongside buildings, away from the street frontage;
- The proposed development does not comply with the strategic intent and zone code provisions of the draft Isaac Region Planning Scheme (version 0.3 as publicly exhibited July 2018), with regard to:
 - Strategic Framework Section 3.3 Liveable Communities - Section 3.3.1.3 Non-residential workforce accommodation, subsections (1) and (2). In particular:
 - the proposal contains relocatable modular non-resident workforce accommodation buildings within the established community of Moranbah, and
 - the proposal's-built form character is inappropriate for the Moranbah town centre and does not meet contemporary design standards or make a positive contribution to the amenity and character of the established community, and
 - 6.2.2.1 Centre zone code, 6.2.2.1.2 Purpose, (2) (e), in particular:
 - that the proposal does not provide a high level of amenity and is not reflective of the surrounding character of the area, and
 - 6.2.2.1 Centre zone code, 6.2.2.1.3 Specific benchmarks for assessment, Performance Outcomes PO7, PO8, PO9, PO11, PO12, PO13, PO14, PO17, PO18 and PO22, in particular:
 - the proposal introduces further exposed carparking and other elements that do not enhance the streetscape,
 - buildings are sleeved away from the streetscape, with carparking being the predominant frontage to the street,
 - the built form is at odds with the character of the area, which is generally of block construction (single and double storey) and includes highly reflective materials in the proposed construction.
 - the proposal's-built form features minimal variation in its external facades,
 - the proposed design and layout does not attempt to improve casual surveillance and sight lines to the street and adjoining public park, and generates concealed and entrapment locations
 - no dedicated pedestrian access is provided to the street from the development to facilitate the intended movement of occupants of the facility to other centre activities during their stay,
 - windows and openings do not promote street life and business activity, and
 - landscaping elements do not greatly assist in concealing the imposing built form elements of the proposal.

CONFIRMED MINUTES

- One submission was received during public notification of the proposal, with concerns raised regarding fencing between the adjoining seniors living use and the subject site able to be appropriately conditioned.
- Given the number of assessment benchmarks which have not been satisfied in regard to the design, function, centre integration and amenity of the proposed use, it is considered prudent to grant preliminary approval only for the proposal and allow for a further development application over the site which complies with the relevant assessment benchmarks.
- Attempts by the assessment manager to resolve these conflicts with the applicant during the development assessment process have proven unsuccessful.
- The following conditions apply to the preliminary approval:

ASSESSMENT MANAGER CONDITIONS

1. PREMISES

- 1.1. Approval is granted for a material change of use (preliminary approval) accommodation building – non-resident workers accommodation (62 accommodation rooms, associated kitchen/dining hall and an office/laundry) at 43 St Francis Drive, Moranbah, legally described as Lot 38 on GV270, subject to the following conditions.
- 1.2. The development of the premises is contingent on lodgement of an application seeking a development permit for a material change of use (accommodation building – 62 non-resident workers accommodation rooms, associated kitchen/dining hall and an office/laundry) which generally complies with the relevant assessment benchmarks.

2. GENERAL

- 2.1. All designs for subsequent development applications must be in accordance with the relevant assessment benchmarks, Council's Policies, Relevant Engineering Design Guidelines, Relevant Standard drawings and standard construction specifications.

3. LANDSCAPING

- 3.1. The applicant is to provide an updated 'Statement of Landscape Intent' prior to lodgement of an application for development permit, which provides vegetation screening to minimise the visual impact of unfeatured exterior walls of the accommodation buildings that face open space areas of the facility.

4. CURRENCY PERIOD

- 4.1 The preliminary approval is valid for a period of two (2) years from the date of this approval. Lodgement of a request for extension of the currency period, or lodgement of a development application seeking a development permit for the use must occur prior to the expiry of the currency period, otherwise the preliminary approval will lapse.

Carried

CONFIRMED MINUTES

12. COUNCILLOR QUESTION TIME

No Councillor Question Time this meeting.

13. CONCLUSION

There being no further business, the Mayor declared the meeting closed at 1.06pm.

These minutes were confirmed by Council at the Ordinary Meeting held on 28 April 2020 in Moranbah.

.....
MAYOR

..... / /
DATE