



ORDINARY MEETING

MINUTES

27 JANUARY 2015

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**REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 27 JANUARY 2015 COMMENCING AT 9.12AM**

1 OPENING

The opening prayer was presented by the Reverend Robert Edwards of Calvary Lutheran Church.

2 PRESENT

Members Present:

The Mayor, Councillor M F Strelow (Chairperson)
Councillor C E Smith
Councillor C R Rutherford
Councillor G A Belz
Councillor S J Schwarten
Councillor A P Williams
Councillor R A Swadling
Councillor N K Fisher

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr M Rowe – General Manager Community Services
Mr R Cheesman – General Manager Corporate Services
Mr R Holmes – General Manager Regional Services
Mr R Palmer – Manager Economic Development
Ms T Sweeney – Manager Workforce and Strategy
Ms A Cutler – Manager Finance
Mr S Turner – Manager Governance Support
Ms S Reeves – Manager Regional Promotions
Mr R Claus – Manager Planning
Mr R Truscott – Coordinator Strategic Planning
Ms K Barrett – Coordinator Corporate Improvement and Strategy
Mr C Wyatt – Senior Strategic Planner
Ms S Barber – Strategic Planning Officer
Ms E Brodel – Media and Communications Officer
Ms L Price – Community Awareness Officer
Ms L Leeder – Senior Governance Support Officer
Ms T Jacobsen – Governance Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 9 December 2014 be taken as read and adopted as a correct record.

Moved by: Councillor Smith
Seconded by: Councillor Rutherford

MOTION CARRIED

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

Nil

8 PRESENTATION OF PETITIONS

Nil

9 COMMITTEE REPORTS

Nil

10 COUNCILLOR/DELEGATE REPORTS

10.1 CENTRAL QUEENSLAND REGIONAL ORGANISATION OF COUNCILS (CQROC) INAUGURAL CONFERENCE

File No: 8291
Attachments: 1. Agenda - CQROC Inaugural Conference
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Evan Pardon - Chief Executive Officer

SUMMARY

The Central Highlands Regional Council is hosting the inaugural conference of the recently formed Central Queensland Regional Organisation of Councils (CQROC) in Emerald from 4-6 February 2015.

9:18AM Councillor Fisher attended the meeting

COUNCIL RESOLUTION

THAT:

1. Council approves that all Councillors be eligible to attend the Central Queensland Regional Organisation of Councils (CQROC) inaugural conference to be held in Emerald from 4-6 February 2015; and
2. Conference motions for the inaugural CQROC conference are to be lodged for consideration with the Chief Executive Officer by Friday 30 January 2015.

Moved by: Mayor Strelow
Seconded by: Councillor Swadling
MOTION CARRIED

7 PUBLIC FORUMS/DEPUTATIONS

7.1 DEPUTATION - CAPRICORN ENTERPRISE

File No: 9288
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Evan Pardon - Chief Executive Officer

SUMMARY

Representatives from Capricorn Enterprise will attend the meeting to outline the tourism goals achieved for Rockhampton Regional Council since 1 January 2014.

9:20AM The deputation by Mary Carroll from Capricorn Enterprise commenced.
9:56AM The deputation concluded.

COUNCIL RESOLUTION

THAT the deputation from Capricorn Enterprise be received.

Moved by: Councillor Swadling

Seconded by: Councillor Fisher

MOTION CARRIED

11 OFFICERS' REPORTS

11.1 AMENDMENT TO POLICY DEVELOPMENT, IMPLEMENTATION & REVIEW FRAMEWORK AND PROCEDURE

File No:	2562
Attachments:	1. Amended Policy Development, Implementation and Review Framework 2. Amended Policy Development, Implementation and Review Procedure 3. WOC Policy List & Categories
Authorising Officer:	Ross Cheesman - General Manager Corporate Services
Author:	Tracy Sweeney - Acting General Manager Corporate Services Kerrie Barrett - Coordinator Corporate Improvement & Strategy

SUMMARY

The Policy Development, Implementation & Review Framework and Procedure have been amended and are presented for Council's consideration.

10:03AM Councillor Belz left the meeting

COUNCIL RESOLUTION

THAT the Policy Development, Implementation & Review Framework as amended and the associated Policy Development, Implementation & Review Procedure be adopted, as detailed in the report.

Moved by: Councillor Fisher
Seconded by: Councillor Rutherford

MOTION CARRIED

11.2 AMENDMENT TO REVENUE STATEMENT - SEWERAGE

File No: 8785, 5254
Attachments: 1. Amended Revenue Statement
Authorising Officer: Ross Cheesman - General Manager Corporate Services
Author: Gerhard Van der Walt - Acting Manager Finance

SUMMARY

The intention of this report is to submit a minor amendment to Council's Revenue Statement for the 2014-2015 financial year.

COUNCIL RESOLUTION

THAT the amended Revenue Statement as detailed in the report be adopted.

Moved by: Councillor Rutherford

Seconded by: Councillor Smith

MOTION CARRIED

11.3 IMPLEMENTATION OF ROAD REVIEW STATUS REPORT

File No: 10738
Attachments: 1. Road Design, Construction and Maintenance Review - Project Report
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Robert Holmes - General Manager Regional Services

SUMMARY

An assessment has been undertaken of the implementation of the Combined Action Plan component of the 'Road Design, Construction and Maintenance Review – Project Report (22 April 2014)' completed for Council in mid 2014 and it was requested that a status report come back to the Council in six (6) months. The status report is submitted for the Council's information.

COUNCIL RESOLUTION

THAT Council move onto the next item of business.

Moved by: Mayor Strelow
Seconded by: Councillor Swadling

MOTION CARRIED

10:10AM Councillor Belz returned to the meeting

**11.4 COMMUNITY ASSISTANCE PROGRAM - CENTRAL QUEENSLAND
VIETNAMESE COMMUNITY****File No:** 7822**Attachments:** 1. **Application to Community Assistance
Program - Central Queensland Vietnamese
Community****Authorising Officer:** Michael Rowe - General Manager Community Services**Author:** Cheryl Haughton - Manager Community Services

SUMMARY

An application to the Community Assistance Program has been received from Central Queensland Vietnamese Community seeking financial assistance with the Vietnamese Lunar Festival – Year of the Goat.

COUNCIL RESOLUTION

THAT Council approves the application for funding from the Central Queensland Vietnamese Community to the value of \$2,000 to assist with the Vietnamese Lunar Festival – Year of the Goat.

Moved by: Councillor Smith**Seconded by:** Councillor Swadling**MOTION CARRIED**

11.5 CAPRICORNIA YEARLING SALES SPONSORSHIP OPPORTUNITY

File No: 5044
Attachments: 1. Invitation & Sponsorship Opportunity from Rockhampton Jockey Club Incorporated
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Shane Turner - Manager Governance Support

SUMMARY

Council has received a letter from the Rockhampton Jockey Club Incorporated (RJC) for the Mayor to open the Yearling Sales and a sponsorship request for the re-introduction of the Mayor's Plate. The RJC and the Central Queensland Thoroughbred Breeder's Association (CQTBA) in partnership with RRC are looking to build the Capricornia Sales race meetings and events into a valuable regional event.

COUNCIL RESOLUTION

THAT Council receive the report and a sponsorship contribution of \$10,000 be provided to the Rockhampton Jockey Club Inc to assist in the running of the Mayor's Plate race at the 2015 Capricornia Yearling Sales Race Meeting.

Moved by: Councillor Swadling
Seconded by: Councillor Smith

MOTION CARRIED

11.6 ROCKHAMPTON RIVER FESTIVAL UPDATE AND ASSOCIATED FEES AND CHARGES

File No: 456
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Shane Turner - Manager Governance Support

SUMMARY

The inaugural Rockhampton River Festival is to be run from Friday 10 July through to Sunday 12 July 2015, with a Festival launch on the evening of Thursday 9 July. As planning has been underway for some time and has reached a point where we need to formalise the site fees to be charged for the variety of stalls to be part of the festival.

10:18AM Councillor Schwarten left the meeting
10:20AM Councillor Schwarten returned to the meeting
10:26AM Chief Executive Officer left the meeting
10:28AM Chief Executive Officer returned to the meeting

COUNCIL RESOLUTION

THAT the fees and charges set out in this report be adopted by Council and included in the Council's Fees & Charges document.

Moved by: Mayor Strelow
Seconded by: Councillor Swadling

MOTION CARRIED

11.7 ROCKHAMPTON REGION PLANNING SCHEME FINAL MINISTERIAL REVIEW

File No: RRPS-PRO-2010/03/07/11
Attachments: 1. Submission Response Letter
Authorising Officer: Russell Claus - Manager Planning
Robert Holmes - General Manager Regional Services
Author: Robert Truscott - Coordinator Strategic Planning

SUMMARY

Council formally advertised the proposed planning scheme for public consultation from 7 July to 12 September, 2014. Over 600 submissions were received. This report seeks Council approval to update the scheme in response to the public submissions received, formally respond to all submissions and to formally request approval from the Minister for State Development, Infrastructure and Planning for Council to adopt the updated planning scheme.

COUNCIL RESOLUTION

1. THAT Council update the proposed planning scheme in accordance with the changes recommended in the Public Consultation Report – Proposed Response and Change Table.
2. THAT Council formally respond to all submitters, including those not properly made in accordance with the recommended responses proposed in the Public Consultation Report – Proposed Response and Change Table and draft letter pro-forma attached.
3. THAT Council submit the updated Planning Scheme, Community Consultation Submission Report and other required information to the Minister for State Development Infrastructure and Planning in accordance with Steps 7.5 (b), 7.6 and 7.7 of Statutory guideline 04/14 – Making and amending local planning instruments and seek the Minister’s approval to adopt the proposed planning scheme.
4. THAT Council release the Planning Scheme, Community Consultation Submission Report on the Council website following despatch of individual responses to submitters.

Moved by: Mayor Strelow
Seconded by: Councillor Schwarten

MOTION CARRIED

Councillor Smith recorded her vote against the motion.

11:02AM Mayor Strelow declared a recess for 10 minutes.
11:12AM Mayor Strelow declared that the meeting be resumed.

Members Present:

The Mayor, Councillor M F Strelow (Chairperson)
Councillor C E Smith
Councillor C R Rutherford
Councillor G A Belz
Councillor S J Schwarten
Councillor A P Williams
Councillor R A Swadling
Councillor N K Fisher

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr M Rowe – General Manager Community Services
Mr R Cheesman – General Manager Corporate Services
Mr R Holmes – General Manager Regional Services
Ms A Cutler – Manager Finance
Mr S Turner – Manager Governance Support
Ms S Reeves – Manager Regional Promotions
Ms C Hayes – Manager Community Standards and Compliance
Ms M Dansie - Supervisor Local Laws
Ms E Brodel – Media and Communications Officer
Ms L Leeder – Senior Governance Support Officer
Ms T Jacobsen – Governance Support Officer

12 STRATEGIC REPORTS

12.1 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 DECEMBER 2014

File No: 8148

Attachments:

1. Income Statement - December 2014
2. Key Indicator Graphs - December 2014

Authorising Officer: Ross Cheesman - General Manager Corporate Services

Author: Alicia Cutler - Manager Finance

SUMMARY

The Manager Finance presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 December 2014.

11:13AM Councillor Belz returned to the meeting

COUNCIL RESOLUTION

THAT the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 December 2014 be 'received'.

Moved by: Mayor Strelow

Seconded by: Councillor Swadling

MOTION CARRIED

12.2 ROCKHAMPTON REGIONAL COUNCIL - CREDIT REVIEW

File No: 2114
Attachments: 1. Rockhampton Regional Council Credit Review
Authorising Officer: Ross Cheesman - General Manager Corporate Services
Author: Alicia Cutler - Manager Finance

SUMMARY

The results of the Credit Review process by Queensland Treasury Corporation (QTC) on behalf of The Department of Local Government, Community Recovery and Resilience (DLGCRR) has been received and rated Council with a Moderate Rating (Neutral Outlook).

11:18AM Councillor Schwarten left the meeting
11:20AM Councillor Schwarten returned to the meeting

COUNCIL RESOLUTION

1. THAT the Credit Review Report received from Queensland Treasury Corporation (QTC) be received; and
2. THAT the Finance Staff, Chief Executive Officer, Directors and all Council staff be congratulated and that Council affirm its commitment to maintaining the direction set.

Moved by: Mayor Strelow
Seconded by: Councillor Smith
MOTION CARRIED UNANIMOUSLY

13 NOTICES OF MOTION

Nil

14 QUESTIONS ON NOTICE

Nil

15 URGENT BUSINESS QUESTIONS

16 CLOSED SESSION

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

COUNCIL RESOLUTION

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 275 of the *Local Government Regulation 2012*, for the reasons indicated.

17.1 Joint Refuse Disposal Feasibility Project

This report is considered confidential in accordance with section 275(1)(e) (h), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by it; AND other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

17.2 Community Housing - 7 and 9 Charles Street Berserker

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

17.3 Fee Reduction for a proposed Preliminary Approval Application

This report is considered confidential in accordance with section 275(1)(g), of the *Local Government Regulation 2012*, as it contains information relating to any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act.

17.4 Proposed Enforcement Proceedings

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

17.5 Sponsorship Request for Event in the Rockhampton Region

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Moved by: Councillor Swadling

Seconded by: Councillor Rutherford

MOTION CARRIED

COUNCIL RESOLUTION

11:29AM

THAT pursuant to s34(1)(k) and s44 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

Moved by: Mayor Strelow

Seconded by: Councillor Swadling

MOTION CARRIED

- 11:32AM Councillor Swadling left the meeting
11:40AM Chief Executive Officer left the meeting
11:40AM Chief Executive Officer returned to the meeting
11:41AM Councillor Swadling returned to the meeting
12:03PM Councillor Schwarten left the meeting
- 12:05PM In accordance with s173(2) of the *Local Government Act 2009*, Councillor Rutherford disclosed a conflict of interest in respect of Item 17.5 – Sponsorship for Event in the Rockhampton Region due to having a relative associated with a company involved, the Councillor considered her position, did not take part in the debate and left the meeting.
- 12:06PM Councillor Schwarten returned to the meeting

COUNCIL RESOLUTION**12:11PM**

THAT pursuant to s34(1)(k) and s44 *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

Moved by: Councillor Swadling

Seconded by: Councillor Belz

MOTION CARRIED

17 CONFIDENTIAL REPORTS

17.5 SPONSORSHIP REQUEST FOR EVENT IN THE ROCKHAMPTON REGION

File No: 5044

Attachments:

1. Prospectus for Event to proposed to be held in the Rockhampton Region.
2. Quote of costs to hold event in the Rockhampton Region
3. Budget from State Government Agency
4. Proposed Site Plan for Event
5. Event Presentation
6. Proposed Program Guide

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Shane Turner - Manager Governance Support

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

SUMMARY

Council has received a sponsorship request for an event to be held within the Rockhampton Region.

COUNCIL RESOLUTION

1. THAT the report be received and Council agree to accept the sponsorship proposal; and
2. THAT a three year agreement be negotiated.

Moved by: Mayor Strelow

Seconded by: Councillor Swadling

MOTION CARRIED

12:12PM Councillor Rutherford returned to the meeting

17.1 JOINT REFUSE DISPOSAL FEASIBILITY PROJECT

File No: 10845
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Robert Holmes - General Manager Regional Services

This report is considered confidential in accordance with section 275(1)(e) (h), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by it; AND other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

SUMMARY

In 2013, discussions were held between Gladstone Regional Council and Rockhampton Regional Council to advance the possibility of both Councils undertaking the management of refuse for their respective areas jointly. This was partially driven by the issues facing Rockhampton Regional Council with its need to identify a site for the disposal of refuse generated within its area and the potential availability of Gladstone Regional Council's Benaraby site as a disposal point. Subsequently Council endorsed the undertaking of a feasibility study and that study has been completed. Consideration of moving to the next stage is now sought.

COUNCIL RESOLUTION

THAT the Chief Executive Officer be authorised to enter into negotiations with Gladstone Regional Council to clarify as soon as practicable an applicable costing for a short term arrangement (ie an initial 10 year agreement with a 2 year review mechanism) that may be implemented whilst the suggested arrangements for a longer term arrangement are finalised.

Moved by: Mayor Strelow
Seconded by: Councillor Fisher

MOTION CARRIED UNANIMOUSLY

17.2 COMMUNITY HOUSING - 7 AND 9 CHARLES STREET BERSERKER

File No: 220
Attachments: 1. Letter from REACH Ltd
Authorising Officer: Michael Rowe - General Manager Community Services
Author: Cheryl Haughton - Manager Community Services

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

SUMMARY

Following Council decision regarding registration under the National Regulatory System Community Housing (NRSCH) a further report is presented in relation to properties at 7 and 9 Charles Street.

COUNCIL RESOLUTION

THAT Council resolves to:

- (i) dispose of properties at 7 and 9 Charles Street Rockhampton as valuable non-current assets other than by tender or auction in accordance with Section 236 (b) (ii) of the Local Government Regulation 2012; and
- (ii) gift the land to REACH Ltd in accordance with Section 236 (4) of the Local Government Regulation 2012, for the sole purpose of providing affordable community housing accommodation, and subject to REACH Ltd meeting all associated transfer costs; and
- (iii) transfer the buildings and any contingent liability to the State to REACH Ltd.

Moved by: Councillor Swadling

Seconded by: Councillor Smith

MOTION CARRIED

17.3 FEE REDUCTION FOR A PROPOSED PRELIMINARY APPROVAL APPLICATION

File No: 8025
Attachments: Nil
Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Russell Claus - Manager Planning
Robert Holmes - General Manager Regional Services
Author: Anton de Klerk - Planning Officer

This report is considered confidential in accordance with section 275(1)(g), of the *Local Government Regulation 2012*, as it contains information relating to any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act.

SUMMARY

This report outlines a request for consideration of a reduction in application fees relating to a proposed Preliminary Approval for a Transport Terminal (intermodal facility) and Medium Impact Industry (rolling stock maintenance facility) over land located at 23 Boundary Road, Parkhurst, described as Lot 1 on RP601877, Lot 1 on RP606318, Lot 1 on RP601695 and Lot 3 on RP601963, Parish of Murchison.

COUNCIL RESOLUTION

THAT Council resolve to accept a fee of \$15,000.00 for a development application for a Preliminary Approval for a Material Change of Use for a Transport Terminal (intermodal facility) and Medium Impact Industry (rolling stock maintenance facility), under section 241 of the *Sustainable Planning Act 2009*, over land located at 23 Boundary Road, Parkhurst, described as Lot 1 on RP601877, Lot 1 on RP606318, Lot 1 on RP601695 and Lot 3 on RP601963, Parish of Murchison.

Moved by: Councillor Fisher
Seconded by: Councillor Swadling
MOTION CARRIED

Councillor Smith recorded her vote against the motion.

17.4 PROPOSED ENFORCEMENT PROCEEDINGS

File No: 11098
Attachments: Nil
Authorising Officer: Michael Rowe - General Manager Community Services
Author: Catherine Hayes - Manager Community Standards and Compliance

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

SUMMARY

This report seeks approval to commence proceedings in the Magistrate Court for failure to take reasonable steps to ensure dogs did not attack someone else as required by section 194 the Animal Management (Cats and Dogs) Act 2008.

COUNCIL RESOLUTION

THAT Council resolve to proceed with:

1. Magistrate Court prosecutions against Mr Tomkins for not taking reasonable steps to ensure the dog does not attack, or act in a way that causes fear to, someone else or another animal for the bullmastiff dog known as Chop (Animal reference 881242); and
2. Magistrate Court prosecutions against Mr Tomkins for not taking reasonable steps to ensure the dog does not attack, or act in a way that causes fear to, someone else for the bullmastiff dog known as Bindi (Animal reference 881241).

Moved by: Mayor Strelow
Seconded by: Councillor Rutherford
MOTION CARRIED UNANIMOUSLY

18 CLOSURE OF MEETING

There being no further business the meeting closed at 12:14pm.

SIGNATURE

CHAIRPERSON

DATE