



ORDINARY MEETING

MINUTES

22 FEBRUARY 2022

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**REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 22 FEBRUARY 2022 COMMENCING AT 9:00AM**

1 OPENING

- 1.1 Acknowledgement of Country

2 PRESENT

Members Present:

The Mayor, Councillor A P Williams (Chairperson)
Deputy Mayor, Councillor N K Fisher
Councillor S Latcham
Councillor G D Mathers
Councillor C E Smith
Councillor M D Wickerson
Councillor D Kirkland

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Cheesman – Deputy Chief Executive Officer
Ms A Cutler – General Manager Community Services
Mr M Crow – Acting General Manager Regional Services
Ms M Taylor – Chief Financial Officer
Mr A Russell – Manager Strategy and Planning
Mr M Millett – Coordinator Major Venues
Ms L Leeder – Senior Committee Support Officer

Via Video Link:

Mr G Bowden – Executive Manager Advance Rockhampton
Mr D Morrison – Manager Office of the Mayor
Ms K Roberts – Coordinator Property and Insurance
Ms E Brown – Events Coordinator
Mr M Mansfield – Coordinator Media and Communications
Ms G Dwyer – Senior Communications Officer
Ms J Daniels – Community Master Planner

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR RUTHERFORD

File No: 10072

Responsible Officer: Evan Pardon – Chief Executive Officer

COUNCIL RESOLUTION

THAT Councillor Cherie Rutherford be granted leave of absence for today, 22 February 2022.

Moved by: Mayor Williams

Seconded by: Councillor Wickerson

MOTION CARRIED UNANIMOUSLY

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting of 8 February 2022 be confirmed.

Moved by: Councillor Smith
Seconded by: Councillor Mathers

MOTION CARRIED UNANIMOUSLY

COUNCIL RESOLUTION

THAT the minutes of the Special Meeting of 15 February 2022 be confirmed.

Moved by: Councillor Wickerson
Seconded by: Councillor Kirkland

MOTION CARRIED UNANIMOUSLY

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Councillor Grant Mathers informed the meeting:

“I have a declarable conflict of interest in **Item 8.1 – Petition – Condition of Hunt Road and Tea Tree Road, Bouldercombe** as my cousin Sandra Boag and her husband Ian Boag own a property in the vicinity of the land identified in the petition.

I propose to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.”

Councillor Ellen Smith informed the meeting:

“I have a declarable conflict of interest in **Item 10.4– Community Assistance Program – Major Application**. This declarable conflict of interest arises as my nephew Rhett McKinnon is employed by Tennis Queensland as a Development Officer and is associated with the Rockhampton Tennis Association.

I propose to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.”

Councillor Shane Latcham informed the meeting:

“I have a declarable conflict of interest in **Item 10.4– Community Assistance Program – Major Application**. This declarable conflict of interest arises as I am Trustee for a Trust of a Tennis Complex in North Rockhampton which is leased to a licenced Sports Club.

I propose to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.”

6 BUSINESS OUTSTANDING

Nil

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 PRESENTATION OF PETITIONS

9:04AM Councillor Mathers, having earlier informed the meeting of a declarable conflict of interest and his decision to not participate in the decision, left the place at which the meeting was held, including any area for the public and stayed away while the matter was discussed and voted on.

8.1 PETITION - CONDITION OF HUNT ROAD AND TEA TREE ROAD, BOULDERCOMBE

File No: 8054

Responsible Officer: Martin Crow – Acting General Manager Regional Services

SUMMARY

Council has received a petition requesting the urgent sealing of Hunt Road and Tea Tree Road, Bouldercombe.

COUNCIL RESOLUTION

THAT the petition requesting Council urgently bitumen seal Hunt Road and Tea Tree Road, Bouldercombe be received and the lead petitioner be advised their request has been referred to the General Manager Regional Services for investigation taking into account budgetary constraints.

Moved by: Councillor Smith

Seconded by: Councillor Wickerson

MOTION CARRIED UNANIMOUSLY

Councillors Williams, Fisher, Wickerson, Smith, Kirkland, Latcham voted in the affirmative. Councillor Mathers was not in the meeting room.

9:06AM Councillor Mathers returned to the meeting room

9 COUNCILLOR/DELEGATE REPORTS

Nil

10 OFFICERS' REPORTS

10.1 2022 ROCKHAMPTON AGRICULTURAL SHOW COMMITTEE

File No: 6097
Authorising Officer: Greg Bowden - Executive Manager Advance Rockhampton
Author: Eileen Brown - Events Coordinator

SUMMARY

This report outlines the Rockhampton Agricultural Show Committee for the 2022 Show.

COUNCIL RESOLUTION

THAT Council replace the 2021 Rockhampton Agricultural Show Committee Members Annette Pearce (Chair) and Tash Bury with Greg Bowden Executive Manager, Rockhampton Regional Council (Chair), and Eileen Brown Events Coordinator, Rockhampton Regional Council and additionally Councillor Grant Mathers be appointed to the Committee for the 2022 Agricultural Show; and

THAT Council approve the 2022 Rockhampton Agricultural Show Committee as follows:

- Greg Bowden, Executive Manager, Advance Rockhampton (Chair)
- Councillor Ellen Smith
- Councillor Grant Mathers
- Rod Green
- Damien Massingham
- Peter Curtis
- Eileen Brown, Events Coordinator, Advance Rockhampton

Moved by: Councillor Kirkland

Seconded by: Councillor Latcham

MOTION CARRIED UNANIMOUSLY

10.2 2022 ROCKHAMPTON AGRICULTURAL SHOW TENDER CONSIDERATION PLAN

File No: 6097
Authorising Officer: Greg Bowden - Executive Manager Advance Rockhampton
Author: Eileen Brown - Events Coordinator

SUMMARY

To seek approval under s230 of the Local Government Regulation (2012) for the procurement of various goods and services for the Rockhampton Agricultural Show 2022.

COUNCIL RESOLUTION

THAT the report be received and Council adopt the Tender Consideration Plan for the 2022 Rockhampton Agricultural Show pursuant to s230 of the *Local Government Regulation 2012*.

Moved by: Councillor Fisher
Seconded by: Councillor Kirkland

MOTION CARRIED UNANIMOUSLY

10.3 FEDERAL PRE-BUDGET SUBMISSION

File No: 10097
Authorising Officer: Matthew Mansfield - Coordinator Media and Communications
Damon Morrison - Manager Office of the Mayor
Evan Pardon - Chief Executive Officer
Author: Genevieve Dwyer - Senior Communications Officer

SUMMARY

This report provides details of Council's submission to the Australian Government in advance of the 2022-2023 Federal Budget.

COUNCIL RESOLUTION

THAT Council receive the Federal Pre-Budget Submission report.

Moved by: Mayor Williams
Seconded by: Councillor Fisher

MOTION CARRIED UNANIMOUSLY

10.4 COMMUNITY ASSISTANCE PROGRAM - MAJOR APPLICATION

9:16AM Councillor Smith, having earlier informed the meeting of a declarable conflict of interest and her decision to not participate in the decision, left the place at which the meeting was held, including any area for the public and stayed away while the matter was discussed and voted on.

Councillor Latcham, having earlier informed the meeting of a declarable conflict of interest and his decision to not participate in the decision, left the place at which the meeting was held, including any area for the public and stayed away while the matter was discussed and voted on.

File No: 12535
Authorising Officer: Alicia Cutler - General Manager Community Services
Author: Kerri Dorman - Administration Supervisor

SUMMARY

An application from the Rockhampton Tennis Association Inc. for Major Sponsorship assistance towards the 2022 Rockhampton Open Age event is presented to Council for consideration.

COUNCIL RESOLUTION

THAT Council considers the Major Sponsorship application from the Rockhampton Tennis Association Inc. for funding to assist with the 2022 Rockhampton Open Age event to be held on 2 and 3 April 2022 and approves the amount of \$3,000.00 sponsorship.

Moved by: Councillor Wickerson
Seconded by: Councillor Kirkland

MOTION CARRIED UNANIMOUSLY

Councillors Williams, Fisher, Mathers, Wickerson, Kirkland voted in the affirmative.
Councillors Smith and Latcham were not in the meeting room.

9:19AM Councillor Smith and Councillor Latcham returned to the meeting room

10.5 COMMUNITIES AND CULTURE SOLE PROVIDER PROVISION

File No: 7104
Authorising Officer: John Webb - Manager Communities and Culture
Alicia Cutler - General Manager Community Services
Author: Mark Millett - Coordinator Major Venues

SUMMARY

Council presents an annual program of exhibitions and performance and it is necessary to resolve that it would be impractical of Council to invite quotes for the content and physical productions.

COUNCIL RESOLUTION

THAT Council is satisfied that there is only one supplier who is reasonably available and that because of the specialised nature of the services that are sought, it would be impractical for Council to invite quotes for the supply of the productions, exhibition and services as detailed in the report pursuant to s235 of the *Local Government Regulation 2012*.

Moved by: Councillor Wickerson

Seconded by: Councillor Smith

MOTION CARRIED UNANIMOUSLY

10.6 YWCA LEASE

File No: 9999
Authorising Officer: Angus Russell - Manager Strategy and Planning
Alicia Cutler - General Manager Community Services
Author: Jacinta Daniels - Community Master Planner

SUMMARY

Council has received a written request from the YWCA to surrender its current lease agreement over the YWCA site located at 125 Robinson Street, Berserker (part of Janet Pujolas Park) and to transfer ownership of the building to Council.

COUNCIL RESOLUTION

THAT Council:

1. Accepts in principle the early termination of the lease over the YWCA site and transfer of ownership of the building to Council; and
2. Authorises the Chief Executive Officer (General Manager Community Services) to negotiate with YWCA the terms and conditions for the early surrender of the lease and transfer of ownership of the building to Council.

Moved by: Councillor Kirkland
Seconded by: Councillor Wickerson

MOTION CARRIED UNANIMOUSLY

10.7 NATIONAL FLOOD MITIGATION INFRASTRUCTURE PROGRAM 2021-22

File No: 12534
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Martin Crow - Manager Infrastructure Planning

SUMMARY

Council Officers are seeking endorsement from Council for a project submitted under the Federally funded National Flood Mitigation Infrastructure Program.

COUNCIL RESOLUTION

THAT Council endorse the recent submission of the Archer Street Drainage Scheme Stages 1 and 2 under the Federal Government's National Flood Mitigation Infrastructure Program.

Moved by: Councillor Smith
Seconded by: Councillor Mathers

MOTION CARRIED UNANIMOUSLY

**10.8 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED
31 JANUARY 2022**

File No: 8148
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Marnie Taylor - Acting Manager Corporate & Technology Services

SUMMARY

The Chief Financial Officer presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 January 2022.

COUNCIL RESOLUTION

THAT the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 January 2022 be 'received'.

Moved by: Mayor Williams
Seconded by: Councillor Fisher

MOTION CARRIED UNANIMOUSLY

10.9 SALE OF ACCESS RESTRICTION STRIP TO DEPARTMENT OF TRANSPORT AND MAIN ROADS - YAAMBA ROAD, RNAU PROJECT

File No: 1680
Authorising Officer: Marnie Taylor - Chief Financial Officer
Ross Cheesman - Deputy Chief Executive Officer
Author: Kellie Roberts - Coordinator Property & Insurance

SUMMARY

Coordinator Property & Insurance reporting on request from Transport & Main Roads to purchase access restriction strips on Yaamba Road, Parkhurst.

COUNCIL RESOLUTION

THAT pursuant to section 236(1)(b)(i) of the *Local Government Regulation 2012*, Council authorises the Chief Executive Officer (Coordinator Property & Insurance) to enter into a contract to sell Lot 411 on RP866035, Lot 511 on RP856810, Lot 512 on RP856810, Lots 516-517 on RP859976 and Lots 518-519 on RP860039 to Department Transport and Main Road subject to the following:

1. The purchase price is \$7,000 + GST;
2. The Buyer is responsible for all costs associated with the transfer of the land; and
3. The Buyer must convert the land to road reserve after settlement.

Moved by: Councillor Smith
Seconded by: Councillor Kirkland
MOTION CARRIED UNANIMOUSLY

10.10 SALE OF COUNCIL LAND - 12 PORT CURTIS ROAD

File No: 1680
Authorising Officer: Marnie Taylor - Chief Financial Officer
Ross Cheesman - Deputy Chief Executive Officer
Author: Michelle Mills - Property and Resumptions Officer
Kellie Roberts - Coordinator Property & Insurance

SUMMARY

Coordinator Property and Insurance reporting on a request to purchase Council land located at 12 Port Curtis Road, Port Curtis.

COUNCIL RESOLUTION

THAT pursuant to section 236(1)(c)(iv) of the Local Government Regulation 2012, the Chief Executive Officer (Property and Resumptions Officer) be authorised to negotiate and enter into a contract for the sale of 12 Port Curtis Road, Port Curtis (Lots 2 on RP606310, 9 on RP606310, 10 on RP606310, 11 on RP606310, 12 on RP606310 and 13 on RP606310) to Acer Properties Pty Ltd Tte, the adjoining owner of Lot 6 Port Curtis Road, Port Curtis (Lot 6 on SP238735), subject to the following conditions:

1. The sale price will be determined by an independent valuation report;
2. The purchaser must amalgamate 12 Port Curtis Road, Port Curtis with their adjoining lot; and
3. All costs incurred will be paid by the purchaser, including but not limited to the valuation report, stamp duty, survey costs, planning application costs (if applicable), purchaser's legal costs (if applicable) and registration fees.

Moved by: Councillor Kirkland

Seconded by: Councillor Smith

MOTION CARRIED UNANIMOUSLY

11 NOTICES OF MOTION

Nil

12 QUESTIONS ON NOTICE

Nil

13 URGENT BUSINESS\QUESTIONS

Nil

14 CLOSED SESSION

In accordance with the provisions of section 254J(3) 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 254J(3) of the *Local Government Regulation 2012*, for the reasons indicated.

15.1 Property Matter

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss 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.

Moved by: Councillor Kirkland

Seconded by: Councillor Mathers

MOTION CARRIED UNANIMOUSLY

COUNCIL RESOLUTION

9:54AM

THAT pursuant to s5.12 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

Moved by: Councillor Mathers

Seconded by: Councillor Wickerson

MOTION CARRIED UNANIMOUSLY

COUNCIL RESOLUTION

10:12AM

THAT pursuant to s5.12 *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

Moved by: Councillor Wickerson

Seconded by: Councillor Smith

MOTION CARRIED

15 CONFIDENTIAL REPORTS

15.1 PROPERTY MATTER

File No: 14815

Authorising Officer: Marnie Taylor - Chief Financial Officer
Ross Cheesman - Deputy Chief Executive Officer

Author: Kellie Roberts - Coordinator Property & Insurance

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss 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.

SUMMARY

Coordinator Property & Insurance reporting on a property matter.

COUNCIL RESOLUTION

THAT the Chief Executive Officer (Coordinator Property & Insurance) be authorised to proceed with Option 1 as outlined in the report.

Moved by: Councillor Wickerson

Seconded by: Councillor Mathers

MOTION CARRIED

Councillors Williams, Fisher and Latcham recorded their vote against the motion

16 CLOSURE OF MEETING

There being no further business the meeting closed at 10.12am.

SIGNATURE

CHAIRPERSON

DATE