



ORDINARY MEETING

MINUTES

27 JANUARY 2016

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**REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON WEDNESDAY, 27 JANUARY 2016 COMMENCING AT 9.09AM**

1 OPENING

The opening prayer was presented by Father Raj from The Cathedral Centre.

2 PRESENT

Members Present:

The Mayor, Councillor M F Strelow (Chairperson)
Councillor C E Smith
Councillor C R Rutherford
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 R Holmes – General Manager Regional Services
Mr M Rowe – General Manager Community Services
Mr R Cheesman – General Manager Corporate Services
Mr R Claus – Executive Manager Regional Development
Mr D Stevenson – Manager Corporate and Technology Services
Mr D Bremert – Manager Civil Operations
Mr R Palmer – Manager Economic Development
Ms M Barrett – Manager Parks
Ms C Hayes – Manager Community Standards and Compliance
Mr A Russell – Coordinator Strategic Infrastructure
Mr B Nicholls – Coordinator Parks Planning and Projects
Mr S Harvey – Traffic Engineer
Ms M Dansie – Supervisor Local Laws
Ms E Brodel – Media and Communications Officer
Ms L Price – Community Awareness Officer
Ms L Leeder – Senior Governance Support Officer
Ms C Grills – Governance Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE

COUNCIL RESOLUTION

THAT Councillor Greg Belz be granted leave of absence from Council and Committee meetings on Wednesday 27 January 2016.

Moved by: Councillor Schwarten

Seconded by: Councillor Swadling

MOTION CARRIED

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 8 December 2015 be taken as read and adopted as a correct record.

Moved by: Councillor Swadling

Seconded by: Councillor Smith

MOTION CARRIED

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

Nil

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 PRESENTATION OF PETITIONS

Nil

9 COMMITTEE REPORTS

Nil

10 COUNCILLOR/DELEGATE REPORTS

10.1 REQUEST FOR DONATION FROM DIVISION 6 COUNCILLOR DISCRETIONARY FUND - GRACEMERE LAKE GOLF CLUB

File No: 8295
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Megan Careless - Executive Support Officer

SUMMARY

Councillor Greg Belz requesting approval to donate \$2000 from his Division 6 Councillor Discretionary Fund to the Gracemere Lake Golf Club.

9:14AM In accordance with s173(2) of the *Local Government Act 2009*, Councillor Ellen Smith disclosed a conflict of interest in respect of Item 10.1 – Request for Donation from Division 6 Councillor Discretionary Fund – Gracemere Lake Golf Club, due to being Patron of the Club. The Councillor considered her position, did not take part in the debate and left the meeting.

COUNCIL RESOLUTION

THAT approval be granted to donate \$2000 from Division 6 Councillor Discretionary Fund to the Gracemere Lake Golf Club to assist with the purchase of a side-mount mower attachment.

Moved by: Councillor Swadling
Seconded by: Councillor Fisher

MOTION CARRIED

9:14AM Councillor Smith returned to the meeting

11 OFFICERS' REPORTS

11.1 CQ PRINCIPAL CYCLE NETWORK PLAN - PRIORITY ROUTE MAPS

File No: 5732
Attachments: 1. Priority Route Maps for RRC
Authorising Officer: Robert Holmes - General Manager Regional Services
Author: Angus Russell - Coordinator Strategic Infrastructure

SUMMARY

The Department of Transport and Main Roads have recently completed a draft of the proposed Priority Route Maps, highlighting Council's preferred and priority routes within the Principal Cycle Network. These priority routes will assist with future planning and design, and will increase opportunities for State Government funding. The Department is seeking endorsement of these plans by Rockhampton Regional Council.

COUNCIL RESOLUTION

THAT this plan be the subject of consultation with cycle networks and with individual users.

Moved by: Mayor Strelow
Seconded by: Councillor Smith

MOTION CARRIED

11.2 CYCLE NETWORK LOCAL GOVERNMENT GRANTS PROGRAM

File No: 5732
Attachments: Nil
Authorising Officer: Robert Holmes - General Manager Regional Services
Author: Angus Russell - Coordinator Strategic Infrastructure

SUMMARY

The Department of Transport and Main Roads have recently called for funding submissions under the Cycle Network Local Government Grants Program. Council Officers are proposing to submit several projects under this program.

COUNCIL RESOLUTION

THAT Council

1. Endorse the submission of the following projects for the Cycle Network Local Government Grants Program.
 - a. Moores Creek Road upgrade of on-road cycle facilities from Norman Road to Yaamba Road;
 - b. Norman Road upgrade of on-road cycle facilities from Yeppoon Road to Moores Creek Road; and,
 - c. Construct an underpass at Kerrigan Street between Moores Creek Road and Moores Creek.
2. Agree to fund 50% of the project cost should a funding submission be successful.

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

11.3 HEAVY VEHICLE SAFETY AND PRODUCTIVITY PROGRAMME ROUND 5

File No: 2744
Attachments: Nil
Authorising Officer: Robert Holmes - General Manager Regional Services
Author: Angus Russell - Coordinator Strategic Infrastructure

SUMMARY

The report seeks endorsement of a project to be submitted to Round 5 of the Australian Government's Heavy Vehicle Safety and Productivity Programme.

COUNCIL RESOLUTION

THAT Council under the Heavy Vehicle Safety and Productivity Programme

- a) apply for funding for the upgrade of Macquarie Street Gracemere; and,
- b) agree to fund 50% of the project cost should the funding submission be successful.

Moved by: Councillor Smith
Seconded by: Councillor Swadling

MOTION CARRIED

11.4 FEDERAL GOVERNMENT FUNDING APPLICATION - SAFER STREETS PROGRAM

File No: 7322
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Ross Cheesman - General Manager Corporate Services

SUMMARY

General Manager Corporates Services seeking Council endorsement to submit an application for funding under the Federal Government's Safer Streets Program.

COUNCIL RESOLUTION

THAT Council submit an application for funding under Safer Streets Program for the Riverbank/CBD Precinct.

Moved by: Councillor Swadling

Seconded by: Councillor Fisher

MOTION CARRIED

11.5 CYCLONE MARCIA RESTORATION, PILBEAM DRIVE, COMMENCEMENT OF WORKS

File No: 11543
Attachments: Nil
Authorising Officer: Robert Holmes - General Manager Regional Services
Author: David Bremert - Manager Civil Operations

SUMMARY

This report outlines the current status of the restoration of Pilbeam Drive.

COUNCIL RESOLUTION

THAT the report be received and funding arrangements endorsed.

Moved by: Councillor Fisher

Seconded by: Mayor Strelow

MOTION CARRIED

9:58AM Mayor Strelow declared a 15 minute recess.
10:22AM The meeting resumed

Members Present:

The Mayor, Councillor M F Strelow (Chairperson)
Councillor C E Smith
Councillor C R Rutherford
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 R Holmes – General Manager Regional Services
Mr M Rowe – General Manager Community Services
Mr R Cheesman – General Manager Corporate Services
Mr R Claus – Executive Manager Regional Development
Mr D Stevenson – Manager Corporate and Technology Services
Mr R Palmer – Manager Economic Development
Ms M Barrett – Manager Parks
Ms C Hayes – Manager Community Standards and Compliance
Ms A Cutler – Manager Finance
Ms K Hind – Coordinator Revenue and Accounting
Ms K Anderson – Coordinator Property and Insurance
Mr B Nicholls – Coordinator Parks Planning and Projects
Ms M Dansie – Supervisor Local Laws
Ms L Price – Community Awareness Officer
Ms L Leeder – Senior Governance Support Officer
Ms C Grills – Governance Support Officer

10:22AM Chief Executive Officer left the meeting
10:24AM Chief Executive Officer returned to the meeting

11.6 NATIONAL STRONGER REGIONS FUND ROUND THREE

File No: 7322
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Robert Holmes - General Manager Regional Services

SUMMARY

The report provides information on Round Three of the National Stronger Regions Fund programme.

10:26AM Councillor Rutherford left the meeting
10:26AM Chief Executive Officer left the meeting
10:26AM Councillor Schwarten attended the meeting
10:27AM Councillor Rutherford returned to the meeting
10:27AM Chief Executive Officer returned to the meeting

COUNCIL RESOLUTION

1. THAT the eligibility requirements and criteria for Round Two of the National Stronger Regions Fund programme be noted; and
2. THAT a submission be prepared for the identified projects, with those being the Gracemere Sewage Treatment Plant Augmentation, including the completion of the effluent pipeline, and Cedric Archer Reserve/Touch of Paradise, Gracemere Sport and Recreation Precinct project; and
3. THAT the Chief Executive Officer be instructed to prepare documentation to allow for a later application for the Mount Archer project, and the matter be returned to the Council table.

Moved by: Councillor Fisher
Seconded by: Councillor Swadling

MOTION CARRIED UNANIMOUSLY

11.7 MULTI-YEAR FUNDING AGREEMENTS

File No: 7822
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Cheryl Haughton - Acting General Manager Community Services

SUMMARY

General Manager Community Services seeking Council approval to enter into multi-year funding agreements for recurrent iconic or significant events.

COUNCIL RESOLUTION

THAT the Multi-Year Funding Agreements as outlined in the report be approved, with the exception of the Rocky River Run, with a view to it being supported on an annual basis.

Moved by: Mayor Strelow
Seconded by: Councillor Swadling

MOTION CARRIED UNANIMOUSLY

11.8 REVIEWED FITZROY RIVER ROWING COURSE INSTALLATION AND REMOVAL POLICY AND PROCEDURE

File No: 2562
Attachments: 1. Fitzroy River Rowing Course Installation and Removal Policy
Authorising Officer: Margaret Barrett - Manager Parks
Catherine Hayes - Acting General Manager Community Services
Author: Sophia Czarkowski - Sports and Education Supervisor

SUMMARY

The policy and procedure for the Fitzroy River Rowing Course Installation and Removal has been reviewed and amended as detailed in the report.

COUNCIL RESOLUTION

THAT Council

1. Approve the amendments to the Fitzroy River Rowing Course Installation and Removal Policy; and
2. Rescind the Fitzroy River Rowing Course Install and Removal Procedure.

Moved by: Councillor Rutherford

Seconded by: Councillor Williams

MOTION CARRIED

11.9 FEDERAL OPPOSITION'S CENTRAL AND NORTH QUEENSLAND TASKFORCE

File No: 4932

Attachments:

1. Central and North Queensland Taskforce-Rockhampton Regional Council Submission
2. Terms of Reference

Authorising Officer: Russell Claus - Executive Manager Regional Development
Evan Pardon - Chief Executive Officer

Author: Rick Palmer - Manager Economic Development

SUMMARY

The Federal Opposition has formed a Central and North Queensland Taskforce, and to better understand the issues affecting this area, has requested that Council identify priority projects required to advance the Rockhampton Region.

COUNCIL RESOLUTION

THAT Council send the submission detailed in the report identifying important issues to the Central and North Queensland Taskforce, without any reference to one being a higher priority than another.

Moved by: Councillor Swadling

Seconded by: Councillor Smith

MOTION CARRIED

11.10 COMMERCIAL WASTE CHARGE ON COUNCIL'S RATE NOTICE AND REFUND PROPOSED

File No: 7816
Attachments: Nil
Authorising Officer: Ross Cheesman - General Manager Corporate Services
Author: Alicia Cutler - Manager Finance

SUMMARY

In August 2015, with no retrospective implications, the ATO provided a ruling that there should be no GST on Kerbside Collection Charges for commercial properties. This report outlines the action proposed as a result of this ruling.

COUNCIL RESOLUTION

THAT the report be received and the amended fees and charges as detailed in the report be adopted.

Moved by: Councillor Swadling

Seconded by: Councillor Williams

MOTION CARRIED

11.11 FINAL MANAGEMENT REPORT FOR ROCKHAMPTON REGIONAL COUNCIL

File No: 8151
Attachments: 1. Final Management Report for Rockhampton Regional Council 2014-2015
Authorising Officer: Ross Cheesman - General Manager Corporate Services
Author: Alicia Cutler - Manager Finance

SUMMARY

Following the certification of the Financial Statements for the period ended 30 June 2015, the Final Management Report was received from Deloitte (as delegate of the Auditor-General of Queensland). As required by the Local Government Regulation 2012, this is now presented to the next available meeting of Council.

COUNCIL RESOLUTION

THAT the Final Management Report for Rockhampton Regional Council be received.

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

12 STRATEGIC REPORTS

12.1 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 DECEMBER 2015

File No: 8148

Attachments:

1. Income Statement - December 2015
2. Key Indicator Graphs - December 2015

Authorising Officer: Ross Cheesman - General Manager Corporate Services

Author: Alicia Cutler - Manager Finance

SUMMARY

Finance Manager presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 December 2015.

COUNCIL RESOLUTION

THAT the Rockhampton Regional Council Summary Budget Management Report for the Period ended 31 December 2015 be 'received'.

Moved by: Mayor Strelow

Seconded by: Councillor Rutherford

MOTION CARRIED

15.1 MAYORAL MINUTE – POUND

File No: 1464

Responsible Officer: Evan Pardon – Chief Executive Officer

SUMMARY

I like many in our community am appalled that puppies continue to contract parvo from our pound. It's seems that every suggestion I put forward is met with a number of excuses or reasons as to why it won't work. I appreciate that we are waiting for the fittings for the donga that will give separation and quarantine. Even so Council and the community have lost patience and I hereby move that a solution be found, and in the short term one that will allow some better solution in the interim while we work on the longer term.

COUNCIL RESOLUTION

1. THAT an additional budget of up to \$400,000 be found and made available in the revised budget to fit out temporary quarantine arrangements; and
2. THAT the RSPCA be advised that the Gracemere pound is needed for Council purposes; and
3. THAT these changes take effect as soon as possible; and
4. The Chief Executive Officer be charged with seeing this carried through.

Moved by: Mayor Strelow

MOTION CARRIED UNANIMOUSLY

13 NOTICES OF MOTION

13.1 NOTICE OF MOTION - COUNCILLOR STEPHEN SCHWARTEN - POSSIBLE CO-LOCATION OF NEW COUNCIL ANIMAL REFUGE FACILITY

File No: 8246
Attachments: 1. Notice of Motion - Councillor Swarten
Responsible Officer: Evan Pardon - Chief Executive Officer

SUMMARY

Councillor Stephen Swarten has indicated his intention to move a Notice of Motion at the next Ordinary Council meeting regarding the possible co-location of the new Rockhampton Regional Council Animal Refuge Facility.

COUNCIL RESOLUTION

THAT Council officers continue discussions with the Queensland State Government and with the RSPCA and other stakeholders about a possible new pound in conjunction with the Capricornia Correctional Centre with a view to the presentation of a report to the new Council as early in the term as possible.

Moved by: Councillor Swarten

Seconded by: Mayor Strelow

MOTION CARRIED UNANIMOUSLY

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 Capricorn Enterprise 2015-16 Funding Agreement

This report is considered confidential in accordance with section 275(1)(e), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by it.

17.2 Cessation of Legal Action

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.

17.3 Strategic Property Acquisition

This report is considered confidential in accordance with section 275(1)(e), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by it.

17.4 Proposed Acquisition of State Government Owned Land

This report is considered confidential in accordance with section 275(1)(e), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by it.

Moved by: Councillor Swadling

Seconded by: Councillor Smith

MOTION CARRIED

COUNCIL RESOLUTION

11:05AM

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: Councillor Swadling

Seconded by: Councillor Smith

MOTION CARRIED

11:05AM Councillor Schwarten left the meeting and did not return

COUNCIL RESOLUTION

11:43AM

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 Fisher**

Seconded by: **Councillor Rutherford**

MOTION CARRIED

17 CONFIDENTIAL REPORTS

17.1 CAPRICORN ENTERPRISE 2015-16 FUNDING AGREEMENT

File No: 9288

Attachments: 1. Capricorn Enterprise Funding Agreement

Authorising Officer: Russell Claus - Executive Manager Regional Development
Evan Pardon - Chief Executive Officer

Author: Rick Palmer - Manager Economic Development

This report is considered confidential in accordance with section 275(1)(e), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by it.

SUMMARY

This report seeks ratification of a funding agreement between Council and Capricorn Enterprise for the 2015-16 financial year.

COUNCIL RESOLUTION

THAT Council approve the draft Capricorn Enterprise 2015-2016 Funding Agreement.

Moved by: Councillor Swadling

Seconded by: Councillor Fisher

MOTION CARRIED

17.2 CESSATION OF LEGAL ACTION**File No:** 11098**Attachments:** 1. **Solicitor Advice Confirming Magistrate Determination****Authorising Officer:** **Evan Pardon - Chief Executive Officer****Author:** **Michael Rowe - General Manager Community Services**

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

The Chief Executive Officer seeking Council endorsement for cessation of legal action.

COUNCIL RESOLUTION

THAT the Chief Executive Officer's action in ceasing legal action in relation to prosecution of an offence against *S194 Animal Management (Cats and Dogs) Act 2008* be endorsed.

Moved by: **Mayor Strelow****Seconded by:** **Councillor Williams****MOTION CARRIED**

17.3 STRATEGIC PROPERTY ACQUISITION

File No: 2021

Attachments:

1. Council Report - 8 December 2015
2. Contract
3. RRC Building Assessment Report

Authorising Officer: Ross Cheesman - General Manager Corporate Services

Author: Kellie Anderson - Coordinator Property and Insurance

Previous Items: Strategic Property Acquisition - Ordinary Council - 08 Dec 2015 9.00 am

This report is considered confidential in accordance with section 275(1)(e), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by it.

SUMMARY

Coordinator Property & Insurance reporting on the finalisation of negotiations for a strategic property acquisition, seeking Council's final approval of the contract.

COUNCIL RESOLUTION

THAT Council proceed with the contract relevant to this report, in particular Special Conditions 1.1 and 1.2. Funding will be as recommended in this report.

Moved by: Mayor Strelow
Seconded by: Councillor Fisher

MOTION CARRIED

17.4 PROPOSED ACQUISITION OF STATE GOVERNMENT OWNED LAND**File No:** 2021**Attachments:**

1. NRM Preliminary Assessments
2. Map of Relevant Properties

Authorising Officer: Ross Cheesman - General Manager Corporate Services**Author:** Kellie Anderson - Coordinator Property and Insurance

This report is considered confidential in accordance with section 275(1)(e), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by it.

SUMMARY

Coordinator Property & Insurance reporting on the proposed acquisition of State Government owned land.

COUNCIL RESOLUTION

THAT the Chief Executive Officer (Coordinator Property & Insurance) be authorised to make an application to the Department Natural Resources and Mines to acquire properties as recommended in the report.

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

18 CLOSURE OF MEETING

There being no further business the meeting closed at 11:45am.

SIGNATURE

CHAIRPERSON

DATE