



ORDINARY MEETING

MINUTES

12 OCTOBER 2021

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**REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 12 OCTOBER 2021 COMMENCING AT 9:01AM**

1 OPENING

- 1.1 Acknowledgement of Country
- 1.2 Opening prayer delivered by Major Dale Brooks from the Salvation Army

9:03AM Councillor Mathers attended the meeting

2 PRESENT

Members Present:

The Mayor, Councillor A P Williams (Chairperson)
Councillor S Latcham
Councillor C E Smith (via Webex)
Councillor C R Rutherford
Councillor M D Wickerson
Councillor D Kirkland
Councillor G D Mathers

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Cheesman – Deputy Chief Executive Officer
Mr P Kofod – General Manager Regional Services
Ms A Cutler – General Manager Community Services
Mr G Bowden – Executive Manager Advance Rockhampton
Ms M Taylor – Chief Financial Officer
Mr A Russell – Manager Strategy and Planning
Mr D Morrison – Project Manager Art Gallery – Operations
Mr S Harvey – Coordinator Infrastructure Planning
Ms L Leeder – Senior Committee Support Officer

Via Webex:

Mr J Webb – Manager Communities and Culture

3 APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence for the meeting was previously granted to Councillor Neil Fisher.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting of 28 September 2021 be confirmed.

Moved by: Councillor Smith
Seconded by: Councillor Wickerson

MOTION CARRIED UNANIMOUSLY

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Councillor Ellen Smith informed the meeting:

“I declare a perceived conflict of interest in Item 10.5 – **Queensland Beef Corridors Councils** as roads mentioned in the report include May Downs Road which commences in Clarke Creek and transverses for 31km to Middlemount. My partner Pat Moran owns land on either side of this road from the commencement of the road to Isaac River, about 10kms.

I wish for eligible Councillors to now determine, pursuant to section 150ES of the Local Government Act 2009, whether I:

- May participate in the decision about the matter, including by voting on the matter; or
- Must leave the meeting, including any area set aside for the public, and stay away from the meeting while the eligible councillors discuss and vote on the matter.”

COUNCIL RESOLUTION

The table determined that Councillor Smith’s interest is reasonably far removed and being Portfolio Councillor for Infrastructure, taking in roads and road transport, it is in the public interest that Councillor Smith remains in the meeting and participates in the decision, including by voting on the matter.

Moved by: Mayor Williams
Seconded by: Councillor Rutherford

MOTION CARRIED UNANIMOUSLY

Councillors Williams, Mathers, Wickerson, Rutherford, Kirkland and Latcham voted in the affirmative.

Councillor Smith did not participate in the vote.

Councillor Drew Wickerson informed the meeting:

“I have a declarable conflict of interest in Item 10.1 – Community Assistance Program – Major Sponsorship. This declarable conflict of interest arises because a person who is a related party of mine has an interest in this matter. My brother-in-law Mark Tobin is the Chairman of the Board of RACQ Capricorn Helicopter Rescue Service.

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 PUBLIC FORUMS/DEPUTATIONS

Nil

7 PRESENTATION OF PETITIONS

Nil

8 COMMITTEE REPORTS

8.1 AUDIT AND BUSINESS IMPROVEMENT COMMITTEE MEETING - 7 OCTOBER 2021

COUNCIL RESOLUTION

THAT the Minutes of the Audit and Business Improvement Committee meeting, held on 7 October 2021 as circulated, be received and that the recommendations contained within these minutes be adopted.

Moved by: Councillor Latcham

Seconded by: Councillor Kirkland

MOTION CARRIED UNANIMOUSLY

(**Note:** The complete minutes are contained in the separate Minutes document)

Recommendation of the Audit and Business Improvement Committee, 7 October 2021

8.1.1 ANNUAL FINANCIAL STATEMENTS 30 JUNE 2021

File No: 9509

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Marnie Taylor - Acting General Manager Corporate Services

SUMMARY

Chief Financial Officer providing report on the 2020/2021 Draft Financial Statements that have been provided to Thomas Noble Russell (TNR) to be audited on behalf of Queensland Audit Office. The closing audit report is provided under separate cover.

COMMITTEE RECOMMENDATION

THAT the Draft Financial Statements for the period ended 30 June 2021 be received and any feedback be provided to the Mayor and CEO prior to signing.

Recommendation of the Audit and Business Improvement Committee, 7 October 2021**8.1.2 2021 CLOSING REPORT**

File No: 9509
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Marnie Taylor - Acting General Manager Corporate Services

SUMMARY

The report from Thomas Noble Russell is provided in regards to the final audit for 2021.

COMMITTEE RECOMMENDATION

THAT the 2021 Closing Report for the financial year ended 30 June 2021 be 'received'.

Recommendation of the Audit and Business Improvement Committee, 7 October 2021**8.1.3 RISK REGISTERS QUARTERLY UPDATE AS AT 31 JULY 2021**

File No: 8780
Authorising Officer: John Wallace - Chief Audit Executive
Ross Cheesman - Acting Chief Executive Officer
Author: Kisane Ramm - Senior Risk and Assurance Advisor

SUMMARY

Submission of the quarterly risk register updates, as at 31 July 2021, for Audit and Business Improvement Committee's consideration.

COMMITTEE RECOMMENDATION

THAT the Committee "receives" the quarterly risk register updates as at 31 July 2021, as presented in the attachments to the report, and recommends they be adopted by Council.

9 COUNCILLOR/DELEGATE REPORTS

9.1 LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND INC ANNUAL CONFERENCE DELEGATES WITH VOTING RIGHTS

File No: 8291
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Evan Pardon - Chief Executive Officer

SUMMARY

Appointment of proxy for Rockhampton Regional Council at the Local Government Association of Queensland Inc. Annual Conference to be held in Mackay from 25 to 27 October 2021.

COUNCIL RESOLUTION

THAT Councillor Latcham and Councillor Kirkland (already registered to attend the Conference) be appointed proxy for Rockhampton Regional Council at the Local Government Association of Queensland Inc. 2021 Annual Conference should the nominated delegates with voting rights, Councillor Williams and Councillor Fisher, be unable to attend.

Moved by: Mayor Williams
Seconded by: Councillor Mathers

MOTION CARRIED

10 OFFICERS' REPORTS

9:11AM Councillor Wickerson, 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.

10.1 COMMUNITY ASSISTANCE PROGRAM - MAJOR SPONSORSHIP

File No: 12535
Authorising Officer: Aaron Pont - Acting General Manager Community Services
Author: Kerri Dorman - Administration Supervisor

SUMMARY

Assistance towards the RACQ Capricorn Helicopter Rescue Service for the CBD Christmas Fair 2021 event is presented for Council consideration.

COUNCIL RESOLUTION

THAT Council considers the Major Sponsorship application from RACQ Capricorn Helicopter Rescue Service for funding to assist with the staging of the CBD Christmas Fair 2021 to be held on 4 December 2021 and approves a cash sponsorship amount of \$10,000.00 together with an in-kind sponsorship amount of \$10,000.00 administered through Advanced Rockhampton.

Moved by: Councillor Rutherford

Seconded by: Councillor Kirkland

MOTION CARRIED UNANIMOUSLY

Councillors Williams, Mathers, Rutherford, Kirkland, Latcham and Smith voted in the affirmative.

9:14AM Councillor Wickerson returned to the meeting room

10.2 ROCKHAMPTON MUSEUM OF ART - MEMBERSHIP PROGRAM FEES AND CHARGES 2021-2022 AMENDMENTS

File No: 7816
Authorising Officer: Alicia Cutler - General Manager Community Services
Author: Damon Morrison - Project Manager Art Gallery - Operations

SUMMARY

Presenting the proposed Rockhampton Museum of Art Membership Program and minor amendments to Council's Fees and Charges Schedule for the 2021-2022 financial year and one other charge for Council's consideration.

COUNCIL RESOLUTION

THAT Council:

1. adopts the amendments to the Fees and Charges Schedule for the 2021-2022 financial year in accordance with the requirements of the *Local Government Act 2009*; and
2. approves the benefits attaching to each of the individual Rockhampton Museum of Art membership categories.

Moved by: Councillor Wickerson

Seconded by: Councillor Kirkland

MOTION CARRIED UNANIMOUSLY

**10.3 TENDER CONSIDERATION PLAN - RETAIL STORE STOCKISTS
ROCKHAMPTON MUSEUM OF ART**

File No: 5883
Authorising Officer: Aaron Pont - Acting General Manager Community Services
Author: Damon Morrison - Project Manager Art Gallery - Operations

SUMMARY

The purpose of this report is to seek approval under section 230 of the Local Government Regulation 2012 (Qld), for the purchase of stock for the operations of the retail store at the Rockhampton Museum of Art.

COUNCIL RESOLUTION

THAT Council receives the report and adopts the Tender Consideration Plan as outlined in the report.

Moved by: Councillor Wickerson

Seconded by: Councillor Kirkland

MOTION CARRIED UNANIMOUSLY

10.4 DEAN STREET BUS STOP LOCATION

File No: 4807
Authorising Officer: Martin Crow - Manager Infrastructure Planning
Peter Kofod - General Manager Regional Services
Author: Stuart Harvey - Coordinator Infrastructure Planning

SUMMARY

Translink and Sunbus have requested that the bus stop at 433 Dean Street be moved due to safety issues at the current location. An objection had been received in relation to the originally proposed location and so officers have reviewed potential alternatives for Council's consideration.

COUNCIL RESOLUTION

THAT Council endorse Option D, Dean/Venables Street Bus Stop location.

Moved by: Councillor Smith
Seconded by: Councillor Kirkland

MOTION CARRIED UNANIMOUSLY

10.5 QUEENSLAND BEEF CORRIDORS COUNCILS

File No: 4932
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Angus Russell - Manager Strategy and Planning
Greg Bowden - Executive Manager Advance
Rockhampton

SUMMARY

The report provides discussion and recommendations on an invitation for Rockhampton Regional Council to become a member of the Queensland Beef Corridor Councils.

COUNCIL RESOLUTION

THAT Council:

- (a) endorse Rockhampton Regional Council becoming a member Queensland Beef Corridor Councils and agree to making an initial financial contribution of \$12,000 and to providing in-kind support; and,
- (b) seek to have Glenroy Road upgrades and a new bridge at Glenroy Crossing included in the Queensland Beef Corridors priorities.

Moved by: Councillor Smith
Seconded by: Councillor Rutherford

MOTION CARRIED UNANIMOUSLY

Councillors Williams, Mathers, Wickerson, Rutherford, Kirkland, Latcham and Smith voted in the affirmative.

11 NOTICES OF MOTION

11.1 NOTICE OF MOTION - COUNCILLOR SHANE LATCHAM - WASTE MANAGEMENT AND RESOURCE RECOVERY CONFERENCE; BUNDABERG

File No: 10072

Responsible Officer: Evan Pardon - Chief Executive Officer

SUMMARY

Councillor Shane Latcham has indicated his intention to move the following Notice of Motion at the next Council meeting scheduled for Tuesday 12 October 2021, as follows:

COUNCIL RESOLUTION

THAT Councillor Shane Latcham be approved to attend the Waste Management and Resource Recovery (WMRR) Conference in Bundaberg from 19-21 October 2021.

Moved by: Councillor Latcham

Seconded by: Councillor Mathers

MOTION CARRIED

12 QUESTIONS ON NOTICE

Nil

13 URGENT BUSINESSQUESTIONS

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 Acquisition

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.

15.2 Sale of Properties for Overdue Rates - 2021

In accordance with section 254J(3)(e) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

Moved by: Councillor Wickerson

Seconded by: Councillor Kirkland

MOTION CARRIED

COUNCIL RESOLUTION

9:52AM

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

Moved by: Councillor Kirkland

Seconded by: Councillor Wickerson

MOTION CARRIED

10:12AM Mr R Cheesman and Mr A Russell left the meeting room

10:17AM Mr R Cheesman and Mr A Russell returned to the meeting room

10:39AM Mayor Williams declared that the meeting be adjourned until 10:50am

10:53AM The meeting resumed

Members Present:

The Mayor, Councillor A P Williams (Chairperson)
Councillor S Latcham
Councillor C E Smith (via Webex)
Councillor C R Rutherford
Councillor M D Wickerson
Councillor D Kirkland
Councillor G D Mathers

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Cheesman – Deputy Chief Executive Officer
Mr P Kofod – General Manager Regional Services
Ms M Taylor – Chief Financial Officer
Mr A Russell – Manager Strategy and Planning
Ms L Leeder – Senior Committee Support Officer

Via Webex:

Mr J Webb – Manager Communities and Culture

COUNCIL RESOLUTION

11:17AM

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 Mathers

MOTION CARRIED

15 CONFIDENTIAL REPORTS

15.1 PROPERTY ACQUISITION

File No: 2021
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Angus Russell - Manager Strategy and Planning

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

The report makes recommendations in relation to a potential property acquisition.

COUNCIL RESOLUTION

THAT the Chief Executive Officer or delegate (Coordinator Property and Insurance) progress the matter as per the recommendations in the report, subject to approval in the revised budget.

Moved by: Councillor Kirkland
Seconded by: Councillor Wickerson

MOTION CARRIED

Councillor Mathers recorded his vote against the motion

15.2 SALE OF PROPERTIES FOR OVERDUE RATES - 2021

File No: 521
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Marnie Taylor - Acting General Manager Corporate Services

In accordance with section 254J(3)(e) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

SUMMARY

Council has the authority pursuant to section 140(2) of the Local Government Regulation 2012 to sell the land described below for overdue rates and charges.

COUNCIL RESOLUTION

THAT Council:

- (a) Proceed with action to sell the properties as listed below for overdue rates as provided for in *the Local Government Regulation 2012, Chapter 4, Part 12, and*
- (b) Delegate to the Chief Executive Officer its power to take all further steps under *Chapter 4, Part 12, Division 3* of the *Local Government Regulation 2012* to effect sale of the land (including, for avoidance of doubt, the power to end sale proceedings):

L 2 RP 606483	L 16 RP 603281
L 4 RP 601111	L 31 RP 603328
L 15 RP 600988	L 2 BUP 60086
L 6 BUP 60038	L 2 RP 600115
L 1 RP 612483	L 1 RP 601126, L 1 RP 601994
L 37 SP 106519	L 4 RP 600015, L 5 RP 600015
L 1 RP 604921	L 651 R 1675
L 4 RP 602179	L 26 RP 600393
L 16 RP 602726	L 17 RP 601990
L 351 RP 602658, L 352 RP 602658	L 24 RP 615489
L 1 RP 606609	L 1 RP 604751
L 1 RP 606702	L 1 RP 836227
L 1 RP 609144	L 28 RP 603400
L 2 RP 600778	L 3 RP 606440
L 82 RP 610015	L 14 RP 609098
L 53 RP 600722	L 52 RP 605796
L 50 RP 605796	L 21 RP 611603
L 22 RP 611603	L 11 SP 194994
L 16 RP 614181	L 14 RP 611078
L 4 RP 606237	L 5 RP 608254

L 137 RP 615510
L 1 RP 605303
L 3 RP 605630
L 15 RP 603521
L 31 RP 602981
L 39 RP 607327
L 390 RP 614914
L 4 RP 855526
L 57 SP 172941
L 24 RP 621058
L 2 SP 265288
L 31 G 51612
L 13 RP 616774
L 3 RP 613279
L 60 PL 641
L 7 SP 182291
L 56 SP 207632
L 20 MPH 25625
L 7 MPH 11714
L 2 RP 606276
L 1 RP 602209
L 115 RP 601438
L 2 MPH 12203
L 48 RP 601438, L 49 RP 601438
L 96 SP 216118
L 2 SP 280151
L 11 R 26200
L 1 RP 602383
L 6 RP 605917
L 34 RP 611097
L 41 RP 601866, L 202 RP 603517
L 29 RP 606050
L 184 RP 617330
L 47 RP 616972
L 121 RP 860041
L 52 SP 194991
L 22 RP 848926
L 25 SP 120927
L 16 RP 611248
L 2 SP 107710
L 30 PL 4020
L 75 SP 195023
L 14 SP 217266
L 10 MPH 31218
L 4063 CP 900424
L 2 RP 605427
L 21 RP 601438, L 22 RP 601438, L 23 RP 601438
L 2 MPH 10852
L 4 SP 237560
L 39 SP 252932
L 19 SP 238728

Moved by: Mayor Williams
Seconded by: Councillor Wickerson
MOTION CARRIED UNANIMOUSLY

CONDOLENCE MOTION - BRUCE MCCAMLEY

COUNCIL RESOLUTION

Council acknowledges the passing of former Fitzroy Shire Councillor, Bruce McCamley and recognises his significant and valued contribution to the community.

Mr McCamley will be fondly remembered as a great community advocate, including spending many years on Fitzroy Shire Council and as an active member of the Bajool and Marmor Ratepayers Association. He will be sadly missed.

Moved by: Councillor Smith

Seconded by: Councillor Wickerson

MOTION CARRIED UNANIMOUSLY

16 CLOSURE OF MEETING

There being no further business the meeting closed at 11:22am.

SIGNATURE

CHAIRPERSON

DATE