



# **ORDINARY MEETING**

## **MINUTES**

**9 NOVEMBER 2021**

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**REPORT OF THE ORDINARY MEETING  
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON  
ON TUESDAY, 9 NOVEMBER 2021 COMMENCING AT 9:00AM**

## **1 OPENING**

- 1.1 Acknowledgement of Country
- 1.2 Opening prayer delivered by Sister Beryl Amedee from the Cathedral Parish of St Joseph.

## **2 PRESENT**

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer  
Mr R Cheesman – Deputy Chief Executive Officer  
Ms A Cutler – General Manager Community Services  
Mr P Kofod – General Manager Regional Services  
Ms M Taylor – Chief Financial Officer  
Mr G Bowden – Executive Manager Advance Rockhampton  
Ms T Sweeney – Executive Manager Workforce and Governance  
Mr D Morrison – Project Manager Art Gallery – Operations  
Mr A Russell – Manager Strategy and Planning  
Ms T Fitzgibbon – Coordinator Development Assessment  
Ms K McDonald – Planning Officer  
Mr C Wyatt – Coordinator Strategic Planning  
Ms A James – Strategic Planner  
Ms A Brennan – Coordinator Legal and Governance  
Mr M Crow – Manager Infrastructure Planning  
Mr S Harvey – Coordinator Infrastructure Planning  
Ms L Leeder – Senior Committee Support Officer  
Ms K Walsh – Committee Support Officer

Via Webex:

Mr M Vycke – Manager Airport  
Mr M Mansfield – Coordinator Media and Communications  
Ms A Johnson – Land Use and Community Planner

## **3 APOLOGIES AND LEAVE OF ABSENCE**

Leave of Absence for the meeting was previously granted to Councillor Donna Kirkland.

**3.1 LEAVE OF ABSENCE - COUNCILLOR NEIL FISHER - 23 OCTOBER TO 31 DECEMBER 2021**

**File No:** 10072  
**Authorising Officer:** Emma Brodel - Senior Executive Assistant to the Mayor  
Ross Cheesman - Acting Chief Executive Officer  
**Author:** Nicole Semfel - Executive Support Officer

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**SUMMARY**

*Councillor Neil Fisher is requesting leave of absence from 23 October 2021 to 31 December 2021 inclusive.*

**COUNCIL RESOLUTION**

THAT Councillor Neil Fisher be granted leave of absence from 23 October 2021 to 31 December 2021 inclusive.

**Moved by:** Councillor Wickerson  
**Seconded by:** Councillor Latcham

**MOTION CARRIED**

## 4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

### COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting of 12 October 2021 be confirmed.

**Moved by:** Councillor Smith  
**Seconded by:** Councillor Wickerson

**MOTION CARRIED**

## 5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Councillor Drew Wickerson informed the meeting:

“In relation to Council Agenda **Item 9.6 – Rockhampton Region Planning Scheme – Major Amendment Version 3:** My wife Debra Wickerson and I have recently purchased property in Riverside Waters Stage 4 and I believe a conflict of interest could be perceived with proposed Riverside zone changes. The development is by the same developer and our property is reasonably close to the previous stages of Riverside.

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 Cherie Rutherford informed the meeting:

“In relation to Council Agenda **Item 9.6 - Rockhampton Region Planning Scheme – Major Amendment Version 3:** I declare that I live in close proximity to Riverside Waters and I wish to participate in the decision in relation to this matter. I acknowledge that eligible councillors must now determine, 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 Rutherford’s interest is too far removed and it is in the public interest that Councillor Rutherford remains in the meeting and participates in the decision, including by voting on the matter.

**Moved by:** Mayor Williams  
**Seconded by:** Councillor Latcham

**MOTION CARRIED**

Councillors Williams, Wickerson, Smith and Latcham in the affirmative  
Councillor Rutherford did not participate in the vote

“I, Councillor Ellen Smith inform the meeting that I have a declarable conflict of interest in **Item 9.3 – Reduction in Development Assessment Application Fees for Operational Works, Stormwater, Water Infrastructure, Sewage Infrastructure, Access, Parking and Site Works – Airport Precinct.** This declarable interest arises as my niece, Jacqueline Lebish and her husband Ross Lebish own properties at 48 Hunter Street and 60 Hunter Street. I proposed to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.

9:08AM Councillor Grant Mathers attended the meeting.

Councillor Grant Mathers informed the meeting:

“In relation to Council Agenda **Item 9.6 - Rockhampton Region Planning Scheme – Major Amendment Version 3**: I declare that my sister Cherie Rutherford lives in close proximity to Riverside Waters, and I wish to participate in the decision in relation to this matter. I acknowledge that eligible councillors must now determine, 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 Mathers interest is too far removed and it is in the public interest that Councillor Mathers remains in the meeting and participates in the decision, including by voting on the matter.

**Moved by:** Mayor Williams  
**Seconded by:** Councillor Latcham

#### **MOTION CARRIED**

Councillors Williams, Smith, Wickerson and Latcham vote in the affirmative  
Councillors Mathers and Rutherford did not participate in the vote

## **6 PUBLIC FORUMS/DEPUTATIONS**

Nil

## **7 PRESENTATION OF PETITIONS**

Nil

## **8 COUNCILLOR/DELEGATE REPORTS**

Nil

## 9 OFFICERS' REPORTS

### 9.1 MASTER BUILDERS SPONSORSHIP

**File No:** 12534

**Authorising Officer:** Graham Sheppard - Senior Executive Economic Development  
Greg Bowden - Executive Manager Advance Rockhampton

**Author:** Emily Van Riet - Economic Development and Industry Engagement Advisor

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#### SUMMARY

*Rockhampton Regional Council through Advance Rockhampton has the opportunity to sponsor the Central Queensland Master Builders Association. It is proposed that the sponsorship is provided to continue promoting Rockhampton region as a leader in the construction industry, connect with industry leaders and further develop collaboration with corporate bodies and industry bodies.*

#### COUNCIL RESOLUTION

THAT Rockhampton Regional Council sponsor Central Queensland Master Builders for \$1170 plus GST.

**Moved by:** Councillor Wickerson

**Seconded by:** Councillor Latcham

**MOTION CARRIED**



**9.2 SPECIALISED SUPPLIER ROCKHAMPTON AIRPORT - SMITHS DETECTION**

**File No:** 3429  
**Authorising Officer:** Ross Cheesman - Acting Chief Executive Officer  
**Author:** Marcus Vycke - Manager Airport

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**SUMMARY**

*The purpose of this report is to seek a Council resolution that Smiths Detection is deemed a specialised supplier in accordance with Section 235(b) of the Local Government Regulation 2012.*

**COUNCIL RESOLUTION**

THAT pursuant to s235(b) of the *Local Government Regulation 2012* Council approve Smiths Detection as a specialised supplier for the supply and maintenance of Airport Security Screening equipment.

**Moved by:** Councillor Latcham  
**Seconded by:** Councillor Rutherford

**MOTION CARRIED UNANIMOUSLY**

9:13AM

Councillor Ellen Smith, having earlier informed the meeting of a declarable conflict of interest and her decision not to participate in **Item 9.3 – Reduction in Development Assessment Application Fees for Operational Works for Drainage Works, Stormwater, Water Infrastructure, Sewage Infrastructure, Access, Parking and Site Works**, 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.

### **9.3 REDUCTION IN DEVELOPMENT ASSESSMENT APPLICATION FEES FOR OPERATIONAL WORKS FOR DRAINAGE WORKS, STORMWATER, WATER INFRASTRUCTURE, SEWAGE INFRASTRUCTURE, ACCESS, PARKING AND SITE WORKS**

**File No:** D/134-2021

**Authorising Officer:** Tarnya Fitzgibbon - Coordinator Development Assessment  
Doug Scott - Manager Planning and Regulatory Services  
Alicia Cutler - General Manager Community Services

**Author:** Kathy McDonald - Planning Officer

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#### **SUMMARY**

*This report discusses a proposal for consideration of a reduction in the development assessment fee relating to an Operational Works Application for Drainage Works, Stormwater, Water Infrastructure, Sewage Infrastructure, Access, Parking and Site Works located at Lot 6 Canoona Road, West Rockhampton - Lot 6 on CP906611.*

#### **COUNCIL RESOLUTION**

THAT Council accept an application fee of \$59,924.37 for the proposed development located at Lot 6 Canoona Road, West Rockhampton.

**Moved by:** Councillor Mathers  
**Seconded by:** Councillor Wickerson

#### **MOTION CARRIED UNANIMOUSLY**

Councillors Williams, Mathers, Wickerson, Rutherford and Latcham voted in the affirmative  
Councillor Smith did not participate in the vote

9:18AM Councillor Smith returned to the meeting room

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**9.4 D/109-2021 - DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (TWO LOTS INTO THREE LOTS) AND ACCESS EASEMENTS**

**File No:** D/109-2021

**Attachments:**

1. Locality Plan
2. Reconfiguration Plan

**Authorising Officer:** Tarnya Fitzgibbon - Coordinator Development Assessment  
Doug Scott - Manager Planning and Regulatory Services  
Alicia Cutler - General Manager Community Services

**Author:** Brendan Standen - Senior Planning Officer

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**SUMMARY**

*Development Application Number:* D/109-2021

*Applicant:* A, G, C, R, P, M & P Hopkins and C. Hoseason-Smith and M & K Mansfield as Ttes

*Real Property Address:* Lot 1 on RP606914 and Lot 13 on RP609433

*Common Property Address:* 106 Water Street, Berserker

*Area of Site:* 4,148m<sup>2</sup>

*Planning Scheme:* Rockhampton Region Planning Scheme 2015 (version 2.2)

*Planning Scheme Zone:* Low Density Residential Zone

*Planning Scheme Overlays:* Acid Sulfate Soils Overlay;  
Airport Environs Overlay;  
Biodiversity Areas Overlay;  
Coastal Protection Overlay;  
Flood Hazard Overlay; and  
Steep Land Overlay.

*Existing Development:* Vacant

*Approval Sought:* Development Permit for Reconfiguring a Lot (Two Lots into Three Lots and Access Easements)

*Category of Assessment:* Assessable (Impact Assessment)

*Submissions:* Nil

*Referral Agency:* Nil

*Infrastructure Charges Area:* Charge Area 1

**This item has been withdrawn from the agenda  
with the matter decided under delegation.**

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## 9.5 ADOPTED INFRASTRUCTURE CHARGES RESOLUTION

**File No:** 11344  
**Attachments:** 1. Prescribed Maximum Charges  
**Authorising Officer:** Cameron Wyatt - Coordinator Strategic Planning  
Angus Russell - Manager Strategy and Planning  
Ross Cheesman - Acting Chief Executive Officer  
**Author:** Alyce James - Strategic Planner

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### SUMMARY

*This report discusses a number of options and makes recommendations to guide drafting of a new Adopted Infrastructure Charges Resolution.*

### COUNCIL RESOLUTION

THAT Council endorse the following as the basis for drafting of a new Adopted Infrastructure Charges Resolution:

1. Increasing Infrastructure Charges to the Prescribed Cap for all use categories with the exception of dual occupancy and multiple dwellings with these uses to be set at 60% of the Prescribed Cap;
2. Having a single charge area across the Local Government Area;
3. Incorporating indexation of Infrastructure Charges between the date levied and the date paid;
4. Setting 1 July 2022 as the commencement date for the new Adopted Infrastructure Charges Resolution;
5. Developing a new Development Incentives Policy with a 15% discount to the proposed infrastructure charges from 1 July 2022 to 30 June 2023; and
6. Continuing the current *Reconfiguration of a Lot Incentives Policy* that allows developers the option of deferring the payment of the infrastructure charges until the ownership of the lot is transferred or within two years of a new title being created.

**Moved by:** Councillor Latcham

**Seconded by:** Councillor Mathers

### MOTION CARRIED

Councillor Smith recorded her vote against the motion

9:26AM

Councillor Drew Wickerson, having earlier informed the meeting of a declarable conflict of interest and his decision not to participate in Item 9.6 – Rockhampton Region Planning Scheme – Major Amendment Version 3, 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.

## **9.6 ROCKHAMPTON REGION PLANNING SCHEME - MAJOR AMENDMENT VERSION 3**

**File No:** RRPS-PRO-2021/002-01-06

**Attachments:** 1. Due to size of documentation, supporting information is provided separately

**Authorising Officer:** Cameron Wyatt - Coordinator Strategic Planning  
Angus Russell - Manager Strategy and Planning  
Ross Cheesman - Acting Chief Executive Officer

**Author:** Alyce James - Strategic Planner

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### **SUMMARY**

*This report seeks approval from Council to submit major amendment version 3 to the Rockhampton Region Planning Scheme to the Minister for State Development, Infrastructure, Local Government and Planning to undertake a State interest review.*

### **COUNCIL RESOLUTION**

1. THAT Council prepares a major amendment to the Rockhampton Region Planning Scheme (version 3) in accordance with section 20 of the *Planning Act 2016* and *Minister's Guidelines and Rules*; and
2. THAT Council provides a written statement for the amendment, to the Minister advising that a major amendment has commenced, including the nature and details of the changes.

**Moved by:** Councillor Mathers

**Seconded by:** Councillor Latcham

#### **MOTION CARRIED UNANIMOUSLY**

Councillors Mathers, Latcham, Williams, Rutherford and Smith voted in the affirmative  
Councillor Wickerson did not participate in the vote

9:32AM Councillor Wickerson returned to the meeting room

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**9.7 ROCKHAMPTON REGION PLANNING SCHEME - MAJOR AMENDMENT  
VERSION 4**

**File No:** RRPS-PRO-2021/002-01-06

**Attachments:** 1. Due to size of documentation, supporting information is provided separately

**Authorising Officer:** Cameron Wyatt - Coordinator Strategic Planning  
Angus Russell - Manager Strategy and Planning  
Ross Cheesman - Acting Chief Executive Officer

**Author:** Alyce James - Strategic Planner

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**SUMMARY**

*This report seeks approval from Council to submit major amendment versions 4.1, 4.2, 4.3 and 4.4 to the Rockhampton Region Planning Scheme to the Minister for State Development, Infrastructure, Local Government and Planning to undertake a State interest review.*

**COUNCIL RESOLUTION**

1. THAT Council prepares major amendments to the Rockhampton Region Planning Scheme (versions 4.1, 4.2, 4.3 and 4.4) in accordance with section 20 of the *Planning Act 2016* and *Minister's Guidelines and Rules*; and
2. THAT Council provides a written statement, for each amendment, to the Minister advising that a major amendment has commenced, including the nature and details of the changes.

**Moved by:** Councillor Mathers  
**Seconded by:** Councillor Rutherford  
**MOTION CARRIED UNANIMOUSLY**

**9.8 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 30 SEPTEMBER 2021**

**File No:** 8148  
**Attachments:** 1. Income Statement - September 2021  
2. Key Indicator Graphs - September 2021  
**Authorising Officer:** Ross Cheesman - Deputy Chief Executive Officer  
**Author:** Marnie Taylor - Chief Financial Officer

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**SUMMARY**

*The Chief Financial Officer presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 30 September 2021.*

**COUNCIL RESOLUTION**

THAT the Rockhampton Regional Council Summary Budget Management Report for the period ended 30 September 2021 be 'received'.

**Moved by:** Mayor Williams  
**Seconded by:** Councillor Wickerson

**MOTION CARRIED UNANIMOUSLY**

**9.9 FINAL MANAGEMENT REPORT FOR ROCKHAMPTON REGIONAL COUNCIL  
2020/2021**

**File No:** 8151  
**Authorising Officer:** Ross Cheesman - Acting Chief Executive Officer  
**Author:** Marnie Taylor - Chief Financial Officer

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**SUMMARY**

*Following the certification of the Financial Statements for the period ended 30 June 2021, the Final Management Report was received from the Queensland Audit Office (signed by Thomas Noble & Russell as delegate).*

**COUNCIL RESOLUTION**

THAT the Final Management Report for the 2020/2021 financial audit of Rockhampton Regional Council be received and the Organisation be congratulated.

**Moved by:** Councillor Latcham  
**Seconded by:** Councillor Rutherford

**MOTION CARRIED UNANIMOUSLY**



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**9.10 REVISED POLICIES - ENTERTAINMENT AND HOSPITALITY, EXPENSES REIMBURSEMENT AND PROVISION OF FACILITIES FOR MAYOR AND COUNCILLORS AND COUNCILLOR GIFTS, BENEFITS AND HOSPITALITY**

**File No:** 11979  
**Authorising Officer:** Ross Cheesman - Acting Chief Executive Officer  
**Author:** Tracy Sweeney - Executive Manager Workforce and Governance

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**SUMMARY**

*The Entertainment and Hospitality Policy is amended to include Councillors in the scope, a definition for official Council business and provisions on the distribution of tickets and is presented to Council for consideration and adoption. Subsequently the Provision of Complimentary Tickets for Events and Performances Policy is presented to Council for rescindment. The Expenses Reimbursement and Provision of Facilities for Mayor and Councillors Policy and the Councillor Gifts, Benefits and Hospitality Policy are reviewed and is presented to Council for consideration and adoption. The Employee Gifts, Benefits and Hospitality Procedure and the Entertainment and Hospitality General Ledger Expense Allocation Whole of Council Work Instruction is presented for Council's information.*

**COUNCIL RESOLUTION**

That the matter lay on the table to be further workshopped on the clarification of the proposed changes.

**Moved by:** Councillor Smith  
**Seconded by:** Councillor Latcham  
**MOTION CARRIED UNANIMOUSLY**

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**9.11 2021-22 OPERATIONAL PLAN QUARTERLY REPORT - QUARTER 1 AND PROPOSED AMENDMENTS TO THE 2021-22 OPERATIONAL PLAN**

**File No:** 8320  
**Authorising Officer:** Tracy Sweeney - Executive Manager Workforce and Governance  
**Author:** Allysa Brennan - Coordinator Legal and Governance

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**SUMMARY**

*The 2021-22 Operational Plan Quarterly Report for quarter one as at 30 September 2021, pursuant to section 174(3) Local Government Regulation 2012 is presented for Council endorsement together with proposed amendments to the 2021-22 Operational Plan for Council's adoption.*

**COUNCIL RESOLUTION**

THAT Council:

- (a) Receive the 2021-22 Operational Plan Quarterly Report for quarter one as at 30 September 2021; and
- (b) Adopt the proposed amendments to the 2021-22 Operational Plan detailed within this report.

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

**9.12 ADOPTION OF 2020/21 ANNUAL REPORT**

**File No:** 5042  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Ross Cheesman - Deputy Chief Executive Officer

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**SUMMARY**

*Deputy CEO presenting the content for the 2020/21 Annual Report for Council's consideration and approval.*

**COUNCIL RESOLUTION**

THAT in accordance with the *Local Government Act 2009*, the *Local Government Regulation 2012* and the *Water Supply (Safety and Reliability) Act 2008*, the 2020/21 Annual Report as presented be adopted.

**Moved by:** Councillor Smith  
**Seconded by:** Councillor Rutherford  
**MOTION CARRIED UNANIMOUSLY**

**10 NOTICES OF MOTION**

**11 QUESTIONS ON NOTICE**

Nil

## 12 URGENT BUSINESS\QUESTIONS

### 12.1 ROCKHAMPTON MUSEUM OF ART - COMMISSION OF WORKS

File No. 5883

Responsible Officer: Damon Morrison – Project Manager Art Gallery – Operations

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#### SUMMARY

*Councillor Wickerson requested a report be brought to the next Ordinary Council meeting providing details of the proposed commissioned artwork set for the opening exhibition in the Long Gallery at the Rockhampton Museum of Art.*

#### COUNCIL RESOLUTION

THAT a report be tabled at the next Council meeting providing details of the proposed commissioned artwork set for the opening exhibition in the Long Gallery at the Rockhampton Museum of Art.

Moved by: Councillor Wickerson

Seconded by: Councillor Mathers

MOTION CARRIED

## 13 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.

10:12AM

"I, Councillor Ellen Smith inform the meeting that I have a declarable conflict of interest in **Item 14.8 – Business Opportunity Rockhampton Airport**. This declarable interest arises as my niece, Jacqueline Lebish and her husband Ross Lebish own properties at 48 Hunter Street and 60 Hunter Street. I proposed to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.

**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.

**14.1 Airport Licence Agreement Renewal**

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.

**14.2 Qantas Lounge and Office Lease Negotiations**

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.

**14.3 Virgin Office Lease**

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.

**14.4 Virgin Cargo and Freight Site**

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.

**14.5 Specialised Supplier Rockhampton Museum of Art - Sutton Gallery Australia Pty Ltd**

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.

**14.6 Property Matter**

In accordance with section 254J(3)(i) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.

**14.7 Legal Matter Update**

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:** Mayor Williams  
**Seconded by:** Councillor Wickerson

**MOTION CARRIED**

10:14AM

Councillor Ellen Smith, having earlier informed the meeting of a declarable conflict of interest and her decision not to participate in Item 14.8 – Business Opportunity Rockhampton Airport, 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.

### 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.

#### 14.8 Business Opportunity Rockhampton Airport

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 Wickerson

**Seconded by:** Councillor Latcham

#### MOTION CARRIED

Councillors Williams, Wickerson, Latcham, Rutherford and Mathers voted in the affirmative  
Councillor Smith did not participate in the vote

### COUNCIL RESOLUTION

10:15AM

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

**Moved by:** Councillor Wickerson

**Seconded by:** Mayor Williams

#### MOTION CARRIED

10:15AM Councillor Smith returned to the meeting room

10:15AM Chairperson declared the meeting adjourn for a 10 minute recess.

10:29AM The meeting resumed

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer  
Mr R Cheesman – Deputy Chief Executive Officer  
Ms A Cutler – General Manager Community Services  
Mr P Kofod – General Manager Regional Services  
Ms T Sweeney – Executive Manager Workforce and Governance  
Mr M Vycke – Manager Airport  
Mr D Morrison – Project Manager Art Gallery – Operations  
Ms A Brennan – Coordinator Legal and Governance  
Ms S Jennings – Senior Solicitor  
Ms T Conrad – Executive Personal Assistant to the Chief Executive Officer  
Ms K Walsh – Committee Support Officer

Via Webex:

Ms M Taylor – Chief Financial Officer  
Mr G Bowen – Executive Manager Advance Rockhampton  
Mr D Stevenson – Manager Corporate and Technology Services  
Mr M Mansfield – Coordinator Media and Communications

11:22AM

Councillor Ellen Smith, having earlier informed the meeting of a declarable conflict of interest and her decision not to participate in Item 14.8 – Business Opportunity Rockhampton Airport, 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.

## COUNCIL RESOLUTION

**11:31AM**

**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**



## 14 CONFIDENTIAL REPORTS

### 14.8 BUSINESS OPPORTUNITY ROCKHAMPTON AIRPORT

**File No:** 14246  
**Authorising Officer:** Ross Cheesman - Acting Chief Executive Officer  
**Author:** Ross Cheesman - Acting Chief Executive Officer

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.

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#### SUMMARY

*This report considers the finalisation of a business opportunity at the Rockhampton Airport.*

#### COUNCIL RESOLUTION

THAT Council proceed as outlined in the body of the report.

**Moved by:** Mayor Williams  
**Seconded by:** Councillor Latcham

#### MOTION CARRIED UNANIMOUSLY

Councillors Williams, Latcham, Wickerson, Rutherford and Mathers voted in the affirmative  
Councillor Smith did not participate in the vote

11:32AM Councillor Smith returned to the meeting room

**14.1 AIRPORT LICENCE AGREEMENT RENEWAL**

**File No:** 12353  
**Authorising Officer:** Ross Cheesman - Acting Chief Executive Officer  
**Author:** Marcus Vycke - Manager Airport

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 Rockhampton Airport has an existing Licence Agreement with ARINC Incorporated which is due to expire on 27 October 2021. ARINC Incorporated have proposed to enter into a new five (5) year agreement to utilise space on the terminal building roof and baggage breakdown area.*

**COUNCIL RESOLUTION**

- 1 THAT pursuant to s235(b) of the *Local Government Regulation 2012 (Qld)* Council approve the granting of a Licence Agreement over part of Lot 6 on CP906611 to ARINC Incorporated; and
- 2 Council authorises the Chief Executive Officer (Manager Airport) to negotiate the Licence Agreement as outlined in the report, in preparation for execution for the delegated officer.

**Moved by:** Councillor Latcham

**Seconded by:** Councillor Smith

**MOTION CARRIED UNANIMOUSLY**

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**14.2 QANTAS LOUNGE AND OFFICE LEASE NEGOTIATIONS**

**File No:** 3483, 14566  
**Authorising Officer:** Ross Cheesman - Acting Chief Executive Officer  
**Author:** Marcus Vycke - Manager Airport

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.

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**SUMMARY**

*Lease Site AT currently leased to Qantas Airways Limited has expired and has been operating under a holding over clause on a month by month basis. Due to the terminal redevelopment at Rockhampton Airport, Qantas' current lounge and office spaces (Lease Site AT) have been demolished/made redundant with a new airline lounge and office space.*

*This report seeks Council approval to enter into specific lease agreements pursuant to 236(1)(c)(vii) of the Local Government Regulation 2012 (Qld).*

**COUNCIL RESOLUTION**

- 1 THAT pursuant to s236(1)(c)(vii) of the *Local Government Regulation 2012 (Qld)* Council approve the granting of Freehold Leases over part of Lot 6 on CP906611 to Qantas Airways Limited; and
- 2 Council authorises the Chief Executive Officer (Manager Airport) to negotiate the Leases as outlined in the report, in preparation for execution by the delegated officer.

**Moved by:** Councillor Rutherford

**Seconded by:** Councillor Mathers

**MOTION CARRIED UNANIMOUSLY**

**14.3 VIRGIN OFFICE LEASE**

**File No:** 3390  
**Authorising Officer:** Ross Cheesman - Acting Chief Executive Officer  
**Author:** Marcus Vycke - Manager Airport

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**

*Lease Site AX currently leased to Virgin Australia Airlines Pty Ltd has expired and has been operating under a holding over clause on a month by month basis. Due to the terminal redevelopment at Rockhampton Airport, Virgin's current office space (Lease Site AX) has been demolished/made redundant with new office spaces, communications room, common user toilets and common user kitchen facilities.*

*This report seeks Council approval to enter into a specific lease agreement pursuant to 236(1)(c)(vii) of the Local Government Regulation 2012 (Qld).*

**COUNCIL RESOLUTION**

1. THAT pursuant to s236(1)(c)(vii) of the *Local Government Regulation 2012 (Qld)* Council approve the granting of a Freehold Lease over part of Lot 6 on CP906611 to Virgin Australia Airlines Pty Ltd; and
2. THAT the Chief Executive Officer (Manager Airport) be authorised to negotiate the Lease as outlined in the report, in preparation for execution by the delegated officer.

**Moved by:** Councillor Mathers

**Seconded by:** Mayor Williams

**MOTION CARRIED**

**14.4 VIRGIN CARGO AND FREIGHT SITE**

**File No:** 13834  
**Authorising Officer:** Ross Cheesman - Acting Chief Executive Officer  
**Author:** Marcus Vycke - Manager Airport

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.

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**SUMMARY**

*Lease Site E previously leased to Alliance Airlines Pty Limited has become vacant. Virgin Australia Airlines have approached Council officers for an area on Airport to operate their cargo and freight business.*

*This report seeks Council approval to enter into a specific lease agreement pursuant to 236(1)(c)(vii) of the Local Government Regulation 2012 (Qld).*

**COUNCIL RESOLUTION**

- 1 THAT pursuant to s236(1)(c)(vii) of the *Local Government Regulation 2012 (Qld)* Council approve the granting of a Freehold Lease over part of Lot 6 on CP906611 to Virgin Australia Airlines Pty Ltd; and
- 2 Council authorises the Chief Executive Officer (Manager Airport) to negotiate the Lease as outlined in the report, in preparation for execution by the delegated officer.

**Moved by:** Councillor Latcham  
**Seconded by:** Councillor Rutherford

**MOTION CARRIED UNANIMOUSLY**

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**14.5 SPECIALISED SUPPLIER ROCKHAMPTON MUSEUM OF ART - SUTTON GALLERY AUSTRALIA PTY LTD**

**File No:** 5883  
**Authorising Officer:** Alicia Cutler - General Manager Community Services  
**Author:** Damon Morrison - Project Manager Art Gallery - Operations

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.

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**SUMMARY**

*The purpose of this report is to seek a Council resolution that Sutton Gallery Australia Pty Ltd are deemed a specialised supplier in accordance with Section 235(b) of the Local Government Regulation 2012.*

**COUNCIL RESOLUTION**

THAT pursuant to s235(b) of the Local Government Regulation 2012 Council approve Sutton Gallery Australia Pty Ltd as a specialised supplier for the acquisition of artwork.

**Moved by:** Councillor Wickerson

**Seconded by:** Councillor Smith

**MOTION CARRIED UNANIMOUSLY**

**14.6 PROPERTY MATTER**

**File No:** 412  
**Authorising Officer:** Drew Stevenson - Manager Corporate and Technology Services  
Ross Cheesman - Acting Chief Executive Officer  
**Author:** Kellie Roberts - Coordinator Property and Insurance

In accordance with section 254J(3)(i) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.

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**SUMMARY**

*This report details access issues on Council owned land and seeks direction from Council.*

**COUNCIL RESOLUTION**

THAT the Chief Executive Officer (Coordinator Property & Insurance) be authorised to proceed in the manner outlined in the report.

**Moved by:** Mayor Williams  
**Seconded by:** Councillor Wickerson

**MOTION CARRIED UNANIMOUSLY**

**14.7 LEGAL MATTER UPDATE**

**File No:** 1830  
**Authorising Officer:** Tracy Sweeney - Executive Manager Workforce and Governance  
**Author:** Allysya Brennan - Coordinator Legal and Governance

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**

*The purpose of this report is to provide Councillors with an update on a current legal matter and seek Council approval of the future action.*

**COUNCIL RESOLUTION**

THAT Council authorise the Chief Executive Officer to proceed with the action recommended in this report.

**Moved by:** Mayor Williams  
**Seconded by:** Councillor Rutherford

**MOTION CARRIED**

**15 CLOSURE OF MEETING**

There being no further business the meeting closed at 11:36am.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DATE