



ORDINARY MEETING

MINUTES

10 MAY 2016

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	OPENING.....	1
2	PRESENT	1
3	APOLOGIES AND LEAVE OF ABSENCE	1
4	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	1
5	DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA.....	1
6	BUSINESS OUTSTANDING	2
	NIL	2
7	PUBLIC FORUMS/DEPUTATIONS	3
	NIL	3
8	PRESENTATION OF PETITIONS	4
	NIL	4
9	COMMITTEE REPORTS	5
9.1	PLANNING AND REGULATORY COMMITTEE MEETING - 3 MAY 2016	5
10	COUNCILLOR/DELEGATE REPORTS	11
	NIL	11
11	OFFICERS' REPORTS.....	12
11.1	SMART HUB ANALYSIS AND CONCEPT OF OPERATION	12
11.2	DRAFT DATA PUBLISHING POLICY.....	13
11.3	LOCAL DISASTER MANAGEMENT PLAN	14
11.4	CONSTITUTION OF COMMITTEES	15
12	NOTICES OF MOTION.....	16
12.1	NOTICE OF MOTION - COUNCILLOR STEPHEN SCHWARTEN - EXECUTIVE SUPPORT	16
13	QUESTIONS ON NOTICE	17
	NIL	17
14	URGENT BUSINESS\QUESTIONS	18
14.1	MAIN STREET ROADWAY AT LEVEL CROSSING –	18
14.2	TRANSLINK AND BUS NODES	19
14.3	WORKING BEE - SOUTH ROCKHAMPTON CEMETERY	20

15	CLOSED SESSION	21
16.1	ROCKHAMPTON RIVER FESTIVAL - UPDATE AND TENDER/QUOTE CONSIDERATION PLAN	21
16.2	RATES CONCESSION REQUEST	21
16	CONFIDENTIAL REPORTS	22
16.1	ROCKHAMPTON RIVER FESTIVAL - UPDATE AND TENDER/QUOTE CONSIDERATION PLAN	22
16.2	RATES CONCESSION REQUEST	23
16.3	STAFFING MATTERS	24
17	CLOSURE OF MEETING	25

**REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 10 MAY 2016 COMMENCING AT 9.04AM**

1 OPENING

The opening prayer presented by Father Bryan Hanifin from the Catholic Parish of Rockhampton South.

2 PRESENT

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Cheesman – General Manager Corporate Services
Mr R Holmes – General Manager Regional Services
Mr R Claus – Executive Manager Regional Development
Mr D Stevenson – Manager Corporate and Technology Services
Ms S Reeves – Manager Regional Promotions
Mr S Williams – Strategic Mapping/Disaster Management Officer
Ms E Brodel – Media and Communications Officer
Ms L Leeder – Senior Governance Support Officer
Ms C Grills – Governance Support Officer
Ms S Friske – Governance Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 26 April 2016 be as taken and adopted as a correct record.

Moved by: Councillor Schwarten

Seconded by: Councillor Wickerson

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

9.1 PLANNING AND REGULATORY COMMITTEE MEETING - 3 MAY 2016

COUNCIL RESOLUTION

THAT the Minutes of the Planning and Regulatory Committee meeting, held on 3 May 2016 as circulated, be received and that the recommendations contained within these minutes be adopted.

Moved by: Councillor Smith

Seconded by: Councillor Fisher

MOTION CARRIED UNANIMOUSLY

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

Recommendation of the Planning and Regulatory Committee, 3 May 2016
9.1.1 D/183-2015 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR HEALTH CARE SERVICES

File No: D/183-2015

Attachments:

1. Locality Plan
2. Site Plan

Authorising Officer: Tarnya Fitzgibbon - Manager Development and Building
Robert Holmes - General Manager Regional Services

Author: Thomas Gardiner - Planning Officer

SUMMARY

Development Application Number: D/183-2015

Applicant: Anna and David Houghton

Real Property Address: Lot 1 on RP602720, Parish of Rockhampton

Common Property Address: 176 Campbell Street, Rockhampton City

Area of Site: 341 square metres

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Low-medium density residential zone

Planning Scheme Overlays: Nil

Existing Approvals: Building permits for a Domestic Garage and Enclosed Veranda

Approval Sought: Development Permit for a Material Change of Use for Health Care Services

Level of Assessment: Impact Assessable

Submissions: Nil

Referral Agency(s): Not applicable

Infrastructure Charges Area: Charge Area 1

Application Progress:

<i>Application Lodged:</i>	22 December 2015
<i>Acknowledgment Notice issued:</i>	7 January 2016
<i>Submission period commenced:</i>	27 January 2016
<i>Submission period end:</i>	16 February 2016
<i>Council request for additional time:</i>	17 March 2016
<i>Last receipt of information from applicant:</i>	22 February 2016
<i>Statutory due determination date:</i>	20 May 2016

COMMITTEE RESOLUTION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use for Health Care Services, made by Anna and David Houghton, on Lot 1 on RP602720, Parish of Rockhampton, located at 176 Campbell Street, Rockhampton City, Council resolves to Approve the application despite its conflict with the planning scheme and provide the following grounds to justify the decision despite the conflict:

- a) The proposed Health Care Services use will not involve the construction of a new facility in a residential area as it is located in an existing building which is small in scale and has previously been used for commercial and retail operations;
- b) Several existing retail and commercial businesses located on Campbell Street are located in proximity to the site and as such, the proposed development is consistent with the surrounding built form and streetscape;
- c) The proposed development will not compromise the primary purpose of the low-medium density residential zone from providing a range and mix of low-medium density dwelling types as the proposal is small-scale and consistent with the surrounding urban form;
- d) The proposed use does not compromise the strategic framework in the *Rockhampton Region Planning Scheme 2015*;
- e) Assessment of the development against the relevant zone purpose, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and
- f) The proposed development does not compromise the relevant State Planning Policy.

RECOMMENDATION B

That in relation to the application for a Development Permit for a Material Change of Use for Health Care Services, made by Anna and David Houghton, on Lot 1 on RP602720, Parish of Rockhampton, located at 176 Campbell Street, Rockhampton City, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of the use, unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior to the commencement of the use, unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
 - 1.6.1 Plumbing and Drainage Works; and

1.6.2 Building Works.

- 1.7 All Development Permits for Operational Works and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 1.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.9 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Number</u>	<u>Dated</u>
Proposed Podiatry Clinic	079-14-15-01, Revision A	9 June 2015

- 2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.

3.0 PLUMBING AND DRAINAGE WORKS

- 3.1 Alteration or relocation of internal plumbing and sanitary drainage works associated with the existing building must be in accordance with regulated work under the *Plumbing and Drainage Act*.

4.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 4.1 All roof and allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or infrastructure.

5.0 ASSET MANAGEMENT

- 5.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.
- 5.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines), water and sewerage infrastructure which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.

ADVISORY NOTESNOTE 1. Aboriginal Cultural Heritage

It is advised that under section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal Cultural Heritage legislation. The information on Aboriginal Cultural Heritage is available on the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs website www.datsima.qld.gov.au

NOTE 2. Asbestos Removal

Any demolition and/or removal works involving asbestos materials must be undertaken in accordance with the requirements of the *Work Health and Safety*

legislation and *Public Health Act 2005*.

NOTE 3. General Environmental Duty

General environmental duty under the *Environmental Protection Act* prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.

NOTE 4. General Safety Of Public During Construction

The *Work Health and Safety Act* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

Recommendation of the Planning and Regulatory Committee, 3 May 2016**9.1.2 MONTHLY OPERATIONS REPORT FROM COMMUNITY STANDARDS AND COMPLIANCE UNIT UP TO MARCH 2016****File No:** 1464**Attachments:**

1. Monthly Operations Report Community Standards and Compliance Section - March 2016
2. Traffic Light Report March 2016
3. Financial Matters Report up to March 2016

Authorising Officer: Michael Rowe - General Manager Community Services**Author:** Catherine Hayes - Manager Community Standards and Compliance

SUMMARY

The monthly Operations Report for Community Standards and Compliance Unit as at 31 March 2016 is presented for Councillor's information.

COMMITTEE RESOLUTION

THAT the Community Standards and Compliance Monthly Operations Report up to March 2016 be 'received'.

10 COUNCILLOR/DELEGATE REPORTS

Nil

11 OFFICERS' REPORTS

11.1 SMART HUB ANALYSIS AND CONCEPT OF OPERATION

File No: 11744

Attachments:

1. **Smart Hub Business Case and Options Analysis**
2. **Smart Hub Business Plan and Concept of Operations**
3. **Proposed Smart Hub Concept Layout**

Authorising Officer: Ross Cheesman - General Manager Corporate Services

Author: Drew Stevenson - Manager Corporate and Technology Services

SUMMARY

As an initiative of the Smart Way Forward strategy this report presents the Smart Hub business case, options analysis, business plan and concept of operation for Council's consideration.

COUNCIL RESOLUTION

THAT Council approves the Smart Hub business plan and concept of operation where Council will deliver and operate the Smart Hub for an initial start-up period subject to the consideration of third party partnership opportunities.

Moved by: Mayor Strelow

Seconded by: Councillor Smith

MOTION CARRIED UNANIMOUSLY

11.2 DRAFT DATA PUBLISHING POLICY

File No: 11744
Attachments: 1. Draft Data Publishing Policy
Authorising Officer: Ross Cheesman - General Manager Corporate Services
Author: Drew Stevenson - Manager Corporate and Technology Services

SUMMARY

The draft Data Publishing Policy, an initiative of the Smart Way Forward Strategy to guide more proactive release of appropriate and high value data to the community, is presented for Council's consideration.

COUNCIL RESOLUTION

THAT Council adopts the Data Publishing Policy as attached to this report.

Moved by: Councillor Swadling
Seconded by: Councillor Wickerson

MOTION CARRIED UNANIMOUSLY

11.3 LOCAL DISASTER MANAGEMENT PLAN

File No: 3086
Attachments: 1. Local Disaster Management Plan
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Robert Holmes - General Manager Regional Services

SUMMARY

A local government may review, or renew, its local disaster management plan when the local government considers it appropriate. The Rockhampton Region Local Disaster Management Plan has recently been reviewed and is submitted for endorsement by the Council.

COUNCIL RESOLUTION

THAT this matter be discussed at the next Council meeting on 24 May 2016.

Moved by: Councillor Williams
Seconded by: Councillor Wickerson

MOTION CARRIED

11.4 CONSTITUTION OF COMMITTEES**File No:** 10072**Attachments:**

1. **Draft Projects Development Committee Terms of Reference 10 May 2016**
2. **Schedule of Meetings - Amended June to December 2016**

Authorising Officer: Evan Pardon - Chief Executive Officer**Author:** Shane Turner - Manager Governance Support

SUMMARY

The Local Government Act 2009 allows Council to appoint Standing Committees and Council has requested that a new Standing Committee, Projects Development Committee, be created.

9:47AM Councillor Swadling left the meeting

9:48AM Councillor Swadling returned to the meeting

COUNCIL RESOLUTION

THAT the Chief Executive Officer present options that would allow Council to have a more consistent reporting mechanism and decision making stream for the elected Council.

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

12 NOTICES OF MOTION

12.1 NOTICE OF MOTION - COUNCILLOR STEPHEN SCHWARTEN - EXECUTIVE SUPPORT

File No: 289
Attachments: 1. Notice of Motion Letter - Councillor Schwarten
Responsible Officer: Evan Pardon - Chief Executive Officer

SUMMARY

Councillor Schwarten at the last Ordinary Council indicated his intention to move the attached Notice of Motion at the next Ordinary Council Meeting.

The Notice of Motion from Councillor Stephen Schwarten was withdrawn.

13 QUESTIONS ON NOTICE

Nil

14 URGENT BUSINESS\QUESTIONS

14.1 MAIN STREET ROADWAY AT LEVEL CROSSING

File No: 2714

Responsible Officer: Robert Holmes – General Manager Regional Services

SUMMARY

Councillor Schwarten seeking action in regard to restoration of the roadway at the level crossing on Main Street, Park Avenue.

COUNCIL RESOLUTION

THAT Council requests and urges rail authorities to urgently and permanently restore the Main Street roadway at the level crossing, Main Street Park Avenue.

Moved by: Councillor Schwarten

Seconded by: Councillor Swadling

MOTION CARRIED

14.2 TRANSLINK AND BUS NODES**File No:** 237**Responsible Officer:** Robert Holmes – General Manager Regional Services

SUMMARY

Councillor Tony Williams seeking representation from Department of Transport and Main Roads at a full Council Meeting to discuss Translink and the bus nodes.

COUNCIL RESOLUTION

THAT Council invite relevant officers from Department of Transport and Main Roads to attend a Council meeting to discuss Translink and the bus nodes.

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

14.3 WORKING BEE - SOUTH ROCKHAMPTON CEMETERY**File No:** 330**Responsible Officer:** Michael Rowe – General Manager Community Services

SUMMARY

Councillor Cherie Rutherford advising that a working bee has been organised on Saturday 21 May 2016 from 8.00am to 10.00am at the South Rockhampton Cemetery.

COUNCIL RESOLUTION

THAT Council lends its support towards a working bee at South Rockhampton Cemetery on 21 May 2016, after which Council will gauge support for a more permanent group, recognising that South Rockhampton Cemetery is one of several sites where the community has expressed an interest in providing assistance.

Moved by: Councillor Rutherford**Seconded by:** Councillor Wickerson**MOTION CARRIED**

15 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.

16.1 Rockhampton River Festival - Update and Tender/Quote Consideration Plan

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.

16.2 Rates Concession Request

This report is considered confidential in accordance with section 275(1)(d), of the *Local Government Regulation 2012*, as it contains information relating to rating concessions.

16.3 Staffing Matter

This report is considered confidential in accordance with section 275(1)(a), of the *Local Government Regulation 2012*, as it contains information relating to staffing matters.

Moved by: Councillor Swadling
Seconded by: Councillor Schwarten

MOTION CARRIED

COUNCIL RESOLUTION

9:57AM

THAT pursuant to s7(11) *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

Moved by: Councillor Swadling
Seconded by: Councillor Wickerson

MOTION CARRIED

10:36AM Councillor Williams left the meeting
10:38AM Councillor Williams returned to the meeting

COUNCIL RESOLUTION

10:51AM

THAT pursuant to s7(11) *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

Moved by: Councillor Swadling
Seconded by: Councillor Fisher

MOTION CARRIED

16 CONFIDENTIAL REPORTS

16.1 ROCKHAMPTON RIVER FESTIVAL - UPDATE AND TENDER/QUOTE CONSIDERATION PLAN

File No: 6097

Attachments:

1. River Festival Budget
2. Marketing Plan
3. Marketing Timetable

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

Author: Sarah Reeves - Manager Regional Promotions

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 provides an update on the Rockhampton River Festival including the tender/quote consideration plan.

COUNCIL RESOLUTION

THAT the report be received and Council adopt the Tender/Quote Consideration Plan under s230 of the *Local Government Regulation*.

Moved by: Mayor Strelow
Seconded by: Councillor Wickerson

MOTION CARRIED

16.2 RATES CONCESSION REQUEST**File No:** 8206**Attachments:** Nil**Authorising Officer:** Evan Pardon - Chief Executive Officer**Author:** Ross Cheesman - General Manager Corporate Services

This report is considered confidential in accordance with section 275(1)(d), of the *Local Government Regulation 2012*, as it contains information relating to rating concessions.

SUMMARY

A request has been received seeking a rates concession. This report details the request and provides Council with options to consider.

COUNCIL RESOLUTION

1. THAT the report be received and Option 2 as outlined in the report be adopted.
2. THAT the Chief Executive Officer prepare a policy on the impact on properties from Council works.

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

Councillor Williams and Councillor Swadling recorded their votes against the motion.

16.3 STAFFING MATTERS**File No:** 1825**Responsible Officer:** Evan Pardon – Chief Executive Officer

SUMMARY*Chief Executive Officer discussing a staffing matter.***COUNCIL RESOLUTION**

THAT the verbal report from the Chief Executive Officer be received.

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

17 CLOSURE OF MEETING

There being no further business the meeting closed at 10:53am.

SIGNATURE

CHAIRPERSON

DATE