



ORDINARY MEETING

MINUTES

18 JUNE 2019

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**REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 18 JUNE 2019 COMMENCING AT 9.03AM**

1 OPENING**2 PRESENT**

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Cheesman – Deputy Chief Executive Officer
Ms C Worthy – General Manager Community Services
Mr P Kofod – General Manager Regional Services
Ms A Cutler – Chief Financial Officer
Mr S Gatt – Manager Planning and Regulatory Services
Ms T Sweeney – Manager Workforce and Governance
Mr R Dunkley – Manager Community Assets and Facilities
Mr D Morrison – Executive Coordinator to the Mayor
Ms B Jahnke – Coordinator Community Assets
Ms K Anderson – Coordinator Property and Insurance
Ms A Brennan – Coordinator Legal and Governance
Ms K Barrett – Project Officer
Ms E Brodel – Media Officer
Ms G Dwyer – Media Officer
Ms L Leeder – Senior Committee 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 4 June 2019 be taken as read and adopted as a correct record.

Moved by: Councillor Wickerson

Seconded by: Councillor Rutherford

MOTION CARRIED

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

9:04AM

Councillor Neil Fisher informed the meeting of an interest in Item 16.1 - Commercial Lease Assessment, and declared the following:

"I declare that I have a material personal interest in this matter as I have been a presenter for the business mentioned in the report for the last 18 years, and I will be dealing with this declared personal interest by leaving the meeting while the matter is discussed and voted on."

9:04AM

Councillor Rose Swadling informed the meeting of an interest in Item 11.5 – Project Delivery Monthly Report – May 2019 - (c) South Rockhampton Flood Levee and declared the following:

"I declare that I have a personal interest in this matter due to owning a number of properties and family members having interest in property in the vicinity of the land detailed in the report, and I will be dealing with this declared personal interest by leaving the meeting while this matter is discussed and voted on."

9:05AM

Councillor Rose Swadling informed the meeting of an interest in Item 11.12 – Request to Waiver Fees – Royal Flying Doctor Service Fundraiser and declared the following:

"I declare that I have a perceived interest in this matter due to being a financial member and being a previous past president and secretary of the Royal Flying Doctor Service, and I will leave the meeting for the Council to determine whether a real conflict of interest or perceived conflict of interest exists, and decide whether I participate in the meeting in relation to the matter, including by voting on the matter."

9:06AM Councillor Rose Swadling left the meeting room

COUNCIL RESOLUTION

THAT Councillor Rose Swadling does not have either a real or perceived conflict of interest in this matter and is accordingly free to participate in the meeting while this matter is discussed, including by voting on the matter.

Moved by: Mayor Strelow
Seconded by: Councillor Williams

MOTION CARRIED

9:07AM Councillor Rose Swadling returned to the meeting room

6 BUSINESS OUTSTANDING

6.1 LIFTING MATTERS FROM THE TABLE

File No: 11979
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Evan Pardon - Chief Executive Officer

SUMMARY

Items laid on the table require a report to be lifted from the table before being dealt with. This report is designed to lift all necessary reports from the table to be dealt with at the Ordinary Council meeting on 18 June 2019.

COUNCIL RESOLUTION

THAT the following matter be lifted from the table and dealt with accordingly:

- D/120-2018 – Development Application for a Material Change of Use for a Telecommunications Facility

Moved by: Mayor Strelow
Seconded by: Councillor Swadling

MOTION CARRIED

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 PRESENTATION OF PETITIONS

Nil

9 COMMITTEE REPORTS

Nil

10 COUNCILLOR/DELEGATE REPORTS

10.1 COUNCILLOR DISCRETIONARY FUND - COUNCILLOR CHERIE RUTHERFORD - MOUNT MORGAN SHOW SOCIETY INC

File No: 8295
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Nicole Semfel - Executive Support Officer

SUMMARY

Approval is sought from Council for a donation from Councillor Rutherford's Councillor Discretionary Fund to the Mount Morgan Show Society for prize money.

COUNCIL RESOLUTION

THAT approval be granted to donate \$100 from Councillor Rutherford's Councillor Discretionary Fund to the Mount Morgan Show Society for prize money for the Concours D'Elegance Costume event for the 2019 Show.

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

**10.2 COUNCILLOR DISCRETIONARY FUND - COUNCILLOR CHERIE RUTHERFORD
- CQ COMMUNITY SUICIDE PREVENTION NETWORK**

File No: 8295
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Nicole Semfel - Executive Support Officer

SUMMARY

Approval is sought from Council for a donation from Councillor Rutherford's Councillor Discretionary Fund to the CQ Community Suicide Prevention Network.

COUNCIL RESOLUTION

THAT approval be granted to donate \$100 from Councillor Rutherford's Councillor Discretionary Fund to the CQ Community Suicide Prevention Networks safeTALK workshops.

Moved by: Councillor Rutherford
Seconded by: Mayor Strelow

MOTION CARRIED

11 OFFICERS' REPORTS

11.1 D/120-2018 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A TELECOMMUNICATIONS FACILITY

File No:	D/120-2018
Attachments:	<ol style="list-style-type: none"> 1. Information Request Response 2. Supplementary Candidate Assessment Report 3. Locality Plan 4. Site Plan 5. Floor Plan 6. Elevation Plan 7. EME Report
Authorising Officer:	<p>Amanda O'Mara - Acting Coordinator Development Assessment Steven Gatt - Manager Planning and Regulatory Services Colleen Worthy - General Manager Community Services</p>
Author:	Jonathon Trevett-Lyall - Planning Officer

SUMMARY

This matter was laid on the table at the Ordinary Council meeting on 2 April 2019 with the following resolution:

“THAT the matter lay on the table pending further information from the Applicant.”

<i>Development Application Number:</i>	<i>D/120-2018</i>
<i>Applicant:</i>	<i>Telstra c/- Visionstream</i>
<i>Real Property Address:</i>	<i>Lot 16 on SP208184, Parish of Calliungal</i>
<i>Common Property Address:</i>	<i>346A Archer Road, Mount Morgan</i>
<i>Area of Site:</i>	<i>8.1 hectares</i>
<i>Planning Scheme:</i>	<i>Rockhampton Region Planning Scheme 2015</i>
<i>Planning Scheme Zone:</i>	<i>Rural Zone</i>
<i>Planning Scheme Overlays:</i>	<i>Biodiversity Overlay</i> <i>Bushfire Hazard Overlay</i>
<i>Existing Development:</i>	<i>Dwelling House</i>
<i>Existing Approvals:</i>	<i>Nil</i>
<i>Approval Sought:</i>	<i>Development Permit for a Material Change of Use for a Telecommunications Facility</i>
<i>Level of Assessment:</i>	<i>Impact Assessable</i>
<i>Submissions:</i>	<i>Six (6)</i>
<i>Referral Agency(s):</i>	<i>Department of State Development, Manufacturing, Infrastructure and Planning</i>
<i>Infrastructure Charges Area:</i>	<i>Charge Area 3</i>

Application Progress:

<i>Application Lodged:</i>	8 November 2018
<i>Acknowledgment Notice issued:</i>	22 November 2018
<i>Submission period commenced:</i>	18 January 2019
<i>Submission period end:</i>	12 February 2019
<i>Government Agency Response:</i>	18 January 2019
<i>Last receipt of information from applicant:</i>	8 March 2019
<i>Statutory due determination date:</i>	5 April 2019

COUNCIL RESOLUTION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use for Telecommunications Facility, made by Telstra c/- Visionstream, on land located at 346A Archer Road, Mount Morgan, described as Lot 16 on SP208184, Parish of Calliungal, Council resolves to Approve the application subject to the following conditions:

1.0 **ADMINISTRATION**

- 1.1 The Developer and his employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
- 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 may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions, works, or requirements of this development must be undertaken, completed, and be accompanied by a Compliance Certificate for any operational works required by this development approval:
 - 1.3.1 to Council's satisfaction;
 - 1.3.2 at no cost to Council; and
 - 1.3.3 prior to the commencement of the use, unless otherwise stated.
- 1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the commencement of the use, unless otherwise stated.
- 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
 - 1.5.1 Operational Works:
 - (i) Access Works; and
 - 1.5.2 Building Works.
- 1.6 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.7 All engineering drawings/specifications, design and construction works must be in accordance 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 any condition of this development approval:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Site Access and Locality Plan	Q115564 S1, Rev 2	18 November 2018
Site Layout	Q115564 S1-1, Rev 2	18 November 2018
Antenna Layout	Q115564 S1-2, Rev 2	18 November 2018
North West Elevation	Q115564 S3, Rev 2	18 November 2018
Antenna Configuration Table	Q115564 S3-1, Rev 2	18 November 2018
Ecological Assessment Report	PR132412-45, Ver 3	7 December 2018

- 2.2 Where there is any conflict between the conditions of this development approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the commencement of the use.
- 2.4 That the tower height is limited to 35m above natural ground level (RL316.5m A.H.D)

3.0 ACCESS WORKS

- 3.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works on the development site.
- 3.2 All access works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*.
- 3.3 The existing access from Archer Road to the development must be upgraded to comply with the requirements of the *Capricorn Municipal Development Guidelines*.
- 3.4 All vehicles must ingress and egress the development in a forward gear.

4.0 SITE WORKS

- 4.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments"*.
- 4.2 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land 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 undertaken and completed at no cost to Council.

6.0 ENVIRONMENTAL

- 6.1 An Erosion Control and Stormwater Control Management Plan in accordance with the *Capricorn Municipal Design Guidelines*, must be implemented, monitored and maintained for the duration of the development works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, or landscaped). The plan must be available on-site for inspection by Council Officers whilst all works are being carried out.

6.2 Implement the mitigation measures outlined in the Ecological Assessment Report (refer to condition 2.1).

7.0 ENVIRONMENTAL HEALTH

7.1 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the development site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with *Australian Standard AS4282 "Control of the obtrusive effects of outdoor lighting"*.

7.2 Noise emitted from the activity must not cause an environmental nuisance.

7.3 Operations on the site must have no significant impact on the amenity of adjoining premises or the surrounding area due to the emission of light, noise or dust.

7.4 When requested by Council, nuisance monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance caused by noise, light or dust. An analysis of the monitoring data and a report, including nuisance mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation.

8.0 OPERATING PROCEDURES

8.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site. Storage of materials or parking of construction machinery or contractors' vehicles must not occur within residential Streets.

8.2 The hours of operations for the construction of the development site must be limited to 0700 hours to 1800 hours on Monday to Friday only, with no operations on Saturdays, Sundays or Public Holidays.

ADVISORY NOTES

NOTE 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 Partnerships website www.datsip.qld.gov.au.

NOTE 2. General Environmental Duty

General environmental duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.

NOTE 3. General Safety Of Public During Construction

The *Work Health and Safety Act 2011* 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.

NOTE 4. Works in Road Reserve Permit

It is advised that a Works in Road Reserve Permit (including a fee for the vehicle crossover and compliant with Standard *Capricorn Municipal Development Guidelines, Standard Drawings*) may be accepted in place of the application for a Development Permit for Operational Works (access works).

RECOMMENDATION B

That in relation to the application for a Development Permit for a Material Change of Use for a Telecommunications Facility, that in relation to the application for a Development Permit for a Material Change of Use for Telecommunications Facility, made by Telstra c/- Visionstream, on land located at 346A Archer Road, Mount Morgan, described as Lot 16 on SP208184, Parish of Calliungal, Council resolves not to issue an Infrastructure Charges Notice.

Moved by: Mayor Strelow

Seconded by: Councillor Smith

MOTION CARRIED UNANIMOUSLY

11.2 LOCAL LAW MAKING PROCESS**File No:** 11698

- Attachments:**
1. Local Law No. 2 (Animal Management) 2011
 2. Local Law No. 3 (Community and Environmental Management) 2011
 3. Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011
 4. Local Law No. 5 (Parking) 2011
 5. Local Law No. 7 (Aerodromes) 2011
 6. Subordinate Local Law No. 2 (Animal Management) 2011
 7. Subordinate Local Law No. 3 (Community and Environmental Management) 2011
 8. Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2019
 9. Subordinate Local Law No. 5 (Parking) 2011
 10. Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011
 11. Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011
 12. Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2019
 13. Subordinate Local Law No. 1.5 (Keeping of Animals) 2011
 14. Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas) 2011
 15. Subordinate Local Law No. 1.15 (Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee) 2011
 16. Subordinate Local Law No. 1.16 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011
 17. Subordinate Local Law No. 1.18 (Use of a Vehicle on an Airside Area) 2011
 18. Local Law (Repealing) Local Law (No. 1) 2019
 19. Subordinate Local Law (Repealing) Subordinate Local Law (No. 1) 2019
 20. Schedule of Anti-Competitive Provisions
 21. Public Interest Test Report - Animal Management
 22. Public Interest Test Report - Local Government Controlled Areas and Roads
 23. Public Interest Test Report - Community and Environmental Management

Authorising Officer: Colleen Worthy - General Manager Community Services**Author:** Steven Gatt - Manager Planning and Regulatory Services

SUMMARY

In July 2016 the Chief Executive Officer requested that a Local Law Review Project be undertaken to review Local and Subordinate Local Laws for the Rockhampton Regional Council. Reviews have been conducted by internal stakeholders, state governing bodies and the public for Stage 2. The Council's Local and Subordinate Local Laws have now reached the final stage of the Local Law making process.

COUNCIL RESOLUTION

THAT resolves –

- (a) to implement the recommendations of the Public Interest Test Reports as follows—
 - (i) Public Interest Test Report – subordinate local law the making of which is authorised by *Local Law No. 1 (Administration) 2011*; and
 - (ii) Public Interest Test Report – Keeping of Animals (Amendment) Subordinate Local Law (No. 1) 2019 and Animal Management (Amendment) Subordinate Local Law (No. 1) 2019; and
 - (iii) Public Interest Test Report – Community and Environmental Management (Amendment) Local Law (No. 1) 2019 and Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2019; and
- (b) to make each of the following local laws, as advertised—
 - (i) Animal Management (Amendment) Local Law (No. 1) 2019;
 - (ii) Community and Environmental Management (Amendment) Local Law (No. 1) 2019;
 - (iii) Local Government Controlled Areas, Facilities and Roads (Amendment) Local Law (No. 1) 2019
 - (iv) Parking (Amendment) Local Law (No. 1) 2019;
 - (v) Aerodromes (Amendment) Local Law (No. 1) 2019;
 - (vi) Local Law (Repealing) Local Law (No. 1) 2019; and
- (c) to make each of the following subordinate local laws, as advertised—
 - (i) Alteration or Improvement to Local Government Controlled Areas and Roads (Amendment) Subordinate Local Law (No. 1) 2019;
 - (ii) Commercial Use of Local Government Controlled Areas and Roads (Amendment) Subordinate Local Law (No. 1) 2019;
 - (iii) Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2019 (formally referred to as Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2018);
 - (iv) Keeping of Animals (Amendment) Subordinate Local Law (No. 1) 2019;
 - (v) Undertaking Regulated Activities on Local Government Controlled Areas and Roads (Amendment) Subordinate Local Law (No. 1) 2019;
 - (vi) Carrying Out Works on a Road or Interfering with a Road or its Operation (Amendment) Subordinate Local Law (No. 1) 2019;
 - (vii) Use of a Vehicle on an Airside Area (Amendment) Subordinate Local Law (No. 1) 2019;

- (viii) Animal Management (Amendment) Subordinate Local Law (No. 1) 2019;
 - (ix) Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2019;
 - (x) Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2019;
 - (xi) Parking (Amendment) Subordinate Local Law (No. 1) 2019;
 - (xii) Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee (Amendment) Subordinate Local Law (No. 1) 2019;
 - (xiii) Subordinate Local Law (Repealing) Subordinate Local Law (No. 1) 2019; and
- (d) to note that the following local laws and subordinate local laws contain anti-competitive provisions—
- (i) Commercial Use of Local Government Controlled Areas and Roads (Amendment) Subordinate Local Law (No. 1) 2019;
 - (ii) Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2019 (formally referred to a Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2018);
 - (iii) Keeping of Animals (Amendment) Subordinate Local Law (No. 1) 2019;
 - (iv) Animal Management (Amendment) Subordinate Local Law (No. 1) 2019;
 - (v) Community and Environmental Management (Amendment) Local Law (No. 1) 2019;
 - (vi) Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2019;
 - (vii) Local Government Controlled Areas, Facilities and Roads (Amendment) Local Law (No. 1) 2019;
 - (viii) Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2019; and
- (e) to adopt, pursuant to section 32 of the *Local Government Act 2009*, in the form attached to this report to Council, consolidated versions of the local laws and subordinate local laws of Council as follows—
- (i) Local Law No. 2 (Animal Management) 2011;
 - (ii) Local Law No. 3 (Community and Environmental Management) 2011;
 - (iii) Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011;
 - (iv) Local Law No. 5 (Parking) 2011;
 - (v) Local Law No. 7 (Aerodromes) 2011;
 - (vi) Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011;
 - (vii) Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011;
 - (viii) Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2019 (formerly referred to as Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2018);
 - (ix) Subordinate Local Law No. 1.5 (Keeping of Animals) 2011;

- (x) Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011;
- (xi) Subordinate Local Law No. 1.16 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011;
- (xii) Subordinate Local Law No. 1.18 (Use of a Vehicle on an Airside Area) 2011;
- (xiii) Subordinate Local Law No. 2 (Animal Management) 2011;
- (xiv) Subordinate Local Law No. 3 (Community and Environmental Management) 2011;
- (xv) Subordinate Local Law No. 5 (Parking) 2011; and
- (xvi) Subordinate Local Law No. 1.15 (Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee) 2011.

Moved by: Mayor Strelow

Seconded by: Councillor Smith

MOTION CARRIED

Councillor Williams recorded his vote against

11.3 LOCAL LAW DELEGATIONS FROM COUNCIL TO CHIEF EXECUTIVE OFFICER

File No: 4107
Attachments: 1. Limitations to the Exercise of Powers
Authorising Officer: Tracy Sweeney - Manager Workforce and Governance
Author: Allysa Brennan - Coordinator Legal and Governance

SUMMARY

Council approval is sought to delegate the exercise of powers to the Chief Executive Officer pursuant to the suite of local and subordinate local laws listed within the report.

COUNCIL RESOLUTION

THAT:

1. Council resolves as per section 257 of the *Local Government Act 2009* to delegate to the Chief Executive Officer the exercise of all powers contained within the following local and subordinate local laws that were gazetted 14 December 2018 –
 - (a) Local Law No. 8 (Waste Management) 2018;
 - (b) Subordinate Local Law No. 1.3 (Establishment or Occupation of a Temporary Home) 2011;
 - (c) Subordinate Local Law No. 1.6 (Operation of Accommodation Parks) 2018;
 - (d) Subordinate Local Law No. 1.9 (Operation of Cemeteries) 2011;
 - (e) Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2011; and
 - (f) Subordinate Local Law No. 1.13 (Undertaking Regulated Activities Regarding Human Remains) 2011;

These powers must be exercised subject to any limitations contained within Attachment 1; Limitations to the Exercise of Power. All prior resolutions delegating the same powers are repealed.
2. Pending the making of the proposed local and subordinate local laws being published in the gazette, Council, as per section 257 of the *Local Government Act 2009*, resolves to delegate to the Chief Executive Officer the exercise of all powers contained within the following local and subordinate local laws –
 - (a) Local Law No. 2 (Animal Management) 2011;
 - (b) Local Law No. 3 (Community and Environmental Management) 2011;
 - (c) Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011;
 - (d) Local Law No. 5 (Parking) 2011;
 - (e) Local Law No. 7 (Aerodromes) 2011;
 - (f) Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011;
 - (g) Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011;
 - (h) Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2019;
 - (i) Subordinate Local Law No. 1.5 (Keeping of Animals) 2011;

- (j) Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011;
- (k) Subordinate Local Law No. 1.15 (Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee) 2011;
- (l) Subordinate Local Law No. 1.16 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011;
- (m) Subordinate Local Law No. 1.18 (Use of a Vehicle on an Airside Area) 2011;
- (n) Subordinate Local Law No. 2 (Animal Management) 2011;
- (o) Subordinate Local Law No. 3 (Community and Environmental Management) 2011;
- (p) Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2019; and
- (q) Subordinate Local Law No. 5 (Parking) 2011

These powers must be exercised subject to any limitations contained within Attachment 1; Limitations to the Exercise of Power. All prior resolutions delegating the same powers are repealed.

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

11.4 COUNCIL DELEGATIONS TO CHIEF EXECUTIVE OFFICER

File No: 12660

Attachments:

1. Delegations Register - Plumbing and Drainage Act 2018
2. Delegation Register - Plumbing and Drainage Regulation 2019

Authorising Officer: Tracy Sweeney - Manager Workforce and Governance

Author: Allysa Brennan - Coordinator Legal and Governance

SUMMARY

This report seeks Council's approval for delegations under State legislation to the position of Chief Executive Officer.

COUNCIL RESOLUTION

THAT:

1. Council resolves as per section 257 of the *Local Government Act 2009* to delegate to the Chief Executive Officer, the exercise of powers contained in schedule 1 of:
 1. Attachment 1 – Delegation Register – *Plumbing and Drainage Act 2018*; and
 2. Attachment 2 – Delegation Register - *Plumbing and Drainage Regulation 2019*
2. These powers must be exercised subject to any limitations contained in schedule 2 of the Delegation Register attached to the report.

Moved by: Mayor Strelow
Seconded by: Councillor Smith

MOTION CARRIED

11.5 PROJECT DELIVERY MONTHLY REPORT - MAY 2019

File No: 7028
Attachments: 1. Project Delivery Monthly Report - May 2019
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Andrew Collins - Manager Project Delivery

SUMMARY

Monthly reports on the projects currently managed by Project Delivery.

9:23AM Councillor Swadling left the meeting having earlier declared an interest in this matter

COUNCIL RESOLUTION

THAT the Project Delivery Monthly Report for May 2019 be received.

Moved by: Mayor Strelow
Seconded by: Councillor Smith

MOTION CARRIED

9:24AM Councillor Swadling returned to the meeting

11.6 CQ CRANE HIRE GOLD RUSH HILL SPRINT 2019 - SPONSORSHIP PROPOSAL

File No: 12535
Attachments: 1. Estimated Income and Expenditure (in confidential)
Authorising Officer: Tony Cullen - General Manager Advance Rockhampton
Author: Annette Pearce - Manager Tourism, Events and Marketing

SUMMARY

Council has received correspondence regarding an opportunity to sponsor the '2019 CQ Crane Hire Gold Rush Hill Sprint' for the second year running.

COUNCIL RESOLUTION

THAT Council sponsors the 2019 'CQ Crane Hire Gold Rush Hill Sprint' event and agree to provide sponsorship contribution to the value of \$10,000 (plus GST) cash and in-kind support as outlined in the report.

Moved by: Mayor Strelow
Seconded by: Councillor Fisher

MOTION CARRIED

11.7 FINANCE POLICIES FOR REVIEW

File No: 5237
Attachments: 1. Draft Investment Policy
2. Draft Rates Concession Policy (track changes)
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Alicia Cutler - Chief Financial Officer

SUMMARY

Chief Financial Officer presenting reviewed finance policies to Council for adoption.

COUNCIL RESOLUTION

1. THAT the Investment Policy be adopted in accordance with Section 191 of Local Government Regulation 2012.
2. THAT the Rates Concession Policy be adopted in accordance with Part 10 of Local Government Regulation 2012.

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

**11.8 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED
31 MAY 2019**

File No: 8148
Attachments: 1. Income Statement May 2019
2. Key Indicator Graphs May 2019
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Alicia Cutler - Chief Financial Officer

SUMMARY

The Chief Financial Officer presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 May 2019.

COUNCIL RESOLUTION

THAT the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 May 2019 be 'received'.

Moved by: Mayor Strelow
Seconded by: Councillor Wickerson

MOTION CARRIED

**11.9 CORPORATE SERVICES DEPARTMENT - MONTHLY OPERATIONAL REPORT
MAY 2019****File No:** 1392**Attachments:**

1. CTS Monthly Report May - 2019
2. ES Monthly Report - May 2019
3. Finance Monthly Report - May 2019
4. SP Monthly Report - May 2019

Authorising Officer: Evan Pardon - Chief Executive Officer**Author:** Ross Cheesman - Deputy Chief Executive Officer

SUMMARY

The monthly operations report for the Corporate Services Department as at 31 May 2019 is presented for Councillors information.

COUNCIL RESOLUTION

THAT the Corporate Services Departmental Operations Report as at 31 May 2019 be "received".

Moved by: Mayor Strelow
Seconded by: Councillor Wickerson

MOTION CARRIED

11.10 OFFICE OF THE CEO DEPARTMENT - MONTHLY OPERATIONAL REPORT - MAY 2019

File No: 1830

Attachments:

1. Office of the CEO and Office of the Mayor - Monthly Report - May 2019
2. Workforce and Governance - Monthly Report - May 2019

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Tracy Sweeney - Manager Workforce and Governance

SUMMARY

The monthly operations report for the Office of the CEO Department as at 31 May 2019 is presented for Councillors information.

COUNCIL RESOLUTION

THAT the Office of the CEO Departmental Operations Report as at 31 May 2019 be "received".

Moved by: Mayor Strelow

Seconded by: Councillor Rutherford

MOTION CARRIED

**11.11 ROCKHAMPTON & DISTRICT HISTORICAL SOCIETY INCORPORATION
SEEKING DISPENSATION ON LEASE FEES**

File No: 4221
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Ross Cheesman - Deputy Chief Executive Officer

SUMMARY

The Rockhampton & District Historical Society Inc. are the holders of much historical information for the Region and presently lease Borough Chambers. They are seeking dispensation with their lease fees.

COUNCIL RESOLUTION

THAT Council waive the 2018-19 fees for the Rockhampton & District Historical Society Inc in relation to their lease of Borough Chambers. Furthermore the Rockhampton & District Historical Society Inc be exempt from future lease fees while they are lessees of Borough Chambers.

Moved by: Councillor Smith
Seconded by: Councillor Swadling

MOTION CARRIED

11.12 REQUEST TO WAIVER FEES - ROYAL FLYING DOCTORS SERVICE FUNDRAISER

File No: 6237
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Damon Morrison - Executive Coordinator to the Mayor

SUMMARY

A fundraising committee from Woolworths Parkhurst are hosting a not-for-profit Gala Ball at the Robert Schwarten Pavilion in July 2019 to raise funds for the Royal Flying Doctors Service in Rockhampton. The committee is seeking a waiver of some or all of Council's venue hire fees for the event

COUNCIL RESOLUTION

THAT Council waive the venue hire fees for the use of the Robert Schwarten Pavilion by Woolworths Parkhurst in relation to their Gala Ball fundraising event in July 2019.

Moved by: Mayor Strelow
Seconded by: Councillor Fisher

MOTION CARRIED

11.13 2018/19 REVISED BUDGET

File No:	8785
Attachments:	<ol style="list-style-type: none">1. 2018/2019 Revised Budget & Forward Projections2. Adopted Revenue Policy 2018/2019 (no change)3. Adopted Revenue Statement 2018/2019 (no change)4. Draft Debt (Borrowings) Policy5. Estimated Activity Statement for Business Activities6. 2018/2019 Revised Capital Budget Summary by Cost Centre7. 2018/2019 Revised Capital Budget Projects
Authorising Officer:	Ross Cheesman - Deputy Chief Executive Officer
Author:	Alicia Cutler - Chief Financial Officer

SUMMARY

Chief Financial Officer presenting a budget amendment under S. 170 of the Local Government Regulation 2012.

COUNCIL RESOLUTION

THAT in accordance with S.170 (3) of the Local Government Regulation 2012, the budget amendment for the 2018/19 financial year be adopted incorporating the following attachments:

1. 2018/19 Revised Budget & Forward Projections;
2. Revenue Policy 2018/19 as adopted by Council on 26 June 2018;
3. Revenue Statement 2018/19 as adopted at Council's Budget meeting on 13 July 2018;
4. Draft Debt (Borrowings) Policy;
5. 2018/19 Estimated Activity Statement for Business Activities: a statement showing the estimated costs of Council's significant business activities and commercial business units;
6. 2018/2019 Revised Capital Budget Summary Cost Centre;
7. 2018/2019 Revised Capital Budget Projects.

Moved by: Mayor Strelow

Seconded by: Councillor Smith

MOTION CARRIED

12 NOTICES OF MOTION

Nil

13 QUESTIONS ON NOTICE

Nil

14 URGENT BUSINESS QUESTIONS

14.1 PARKING ZONE OPTIONS - METER STREET

File No: 1464

Responsible Officer: Stuart Harvey – Coordinator Infrastructure Planning

SUMMARY

Councillor Drew Wickerson raised the matter of anti-social and disruptive behaviour in Meter Street.

COUNCIL RESOLUTION

THAT a report on parking zone options in Meter Street be presented to the appropriate Committee.

Moved by: Councillor Wickerson

Seconded by: Councillor Swadling

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.

9:58AM Councillor Fisher left the meeting having earlier declared an interest in this matter

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 Commercial Lease Amendment

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Moved by: Mayor Strelow
Seconded by: Councillor Williams

MOTION CARRIED

COUNCIL RESOLUTION

9:59AM

THAT pursuant to s5.11 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

Moved by: Councillor Smith
Seconded by: Councillor Wickerson

MOTION CARRIED

COUNCIL RESOLUTION

10:08AM

THAT pursuant to s5.11 *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

Moved by: Councillor Wickerson
Seconded by: Councillor Smith

MOTION CARRIED

16 CONFIDENTIAL REPORTS

16.1 COMMERCIAL LEASE AMENDMENT

File No: 12727

Attachments:

1. Current Lease Plan
2. Future Lease Plan

Authorising Officer: Drew Stevenson - Manager Corporate and Technology
Ross Cheesman - Deputy Chief Executive Officer

Author: Kellie Anderson - Coordinator Property and Insurance

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

SUMMARY

Coordinator Property & Insurance reporting on proposed amendments to a commercial lease.

COUNCIL RESOLUTION

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

Moved by: Mayor Strelow
Seconded by: Councillor Smith

MOTION CARRIED

17 CLOSURE OF MEETING

There being no further business the meeting closed at 10:09am.

SIGNATURE

CHAIRPERSON

DATE