



ORDINARY MEETING

MINUTES

17 SEPTEMBER 2019

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.....	2
6	BUSINESS OUTSTANDING	3
	NIL	3
7	PUBLIC FORUMS/DEPUTATIONS	4
	NIL	4
8	PRESENTATION OF PETITIONS	5
	NIL	5
9	COMMITTEE REPORTS	6
	NIL	6
10	COUNCILLOR/DELEGATE REPORTS	7
	NIL	7
11	OFFICERS' REPORTS.....	8
11.1	LOCAL LAW MAKING PROCESS.....	8
11.2	COUNCIL DELEGATIONS TO CHIEF EXECUTIVE OFFICER.....	9
11.3	ANNUAL REVIEW OF DELEGATION OF POWERS TO CHIEF EXECUTIVE OFFICER	10
11.4	2019-21 WORKS FOR QUEENSLAND PROGRAM	11
11.5	DRAFT RESOURCE SECTOR RELOCATION INCENTIVES POLICY	12
11.6	OVERSEAS TRAVEL ROCKHAMPTON DAY 2019.....	13
11.7	ART GALLERY NAMING OPTIONS.....	14
11.8	OFFICE OF THE CEO DEPARTMENT - MONTHLY OPERATIONAL REPORT - AUGUST 2019	15
11.9	CORPORATE SERVICES DEPARTMENT - MONTHLY OPERATIONAL REPORT - AUGUST 2019	16
11.10	SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 AUGUST 2019.....	17
11.11	ADVANCE ROCKHAMPTON OPERATIONAL REPORT AUGUST 2019	18

12	NOTICES OF MOTION	19
	NIL	19
13	QUESTIONS ON NOTICE	20
	NIL	20
14	URGENT BUSINESS\QUESTIONS	21
15	CLOSED SESSION	22
16.1	REQUEST TO AMEND COMMERCIAL TERMS OF LEASE - VODAFONE NETWORK PTY LTD.....	22
16.2	REQUEST FROM OPTUS MOBILE PTY LTD TO RENEW LEASE - 605 YAAMBA ROAD.....	22
16	CONFIDENTIAL REPORTS	24
16.1	REQUEST TO AMEND COMMERCIAL TERMS OF LEASE - VODAFONE NETWORK PTY LTD.....	24
16.2	REQUEST FROM OPTUS MOBILE PTY LTD TO RENEW LEASE - 605 YAAMBA ROAD.....	25
17	CLOSURE OF MEETING	26

**REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 17 SEPTEMBER 2019 COMMENCING AT 9.09AM**

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 S J Schwarten
Councillor A P Williams
Councillor R A Swadling
Councillor N K Fisher

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr P Kofod – General Manager Regional Services
Mr T Cullen – General Manager Advance Rockhampton
Ms C Worthy – General Manager Community Services
Mr D Stevenson – Acting General Manager Corporate Services
Ms T Sweeney – Manager Workforce and Governance
Mr J Webb – Manager Communities and Culture
Mr J Gillard – Manager Economic Development
Ms A Pearce – Manager Tourism, Events and Marketing
Mr D Scott – Manager Planning and Regulatory Services
Mr D Morrison – Executive Coordinator to the Mayor
Ms K Moody – Coordinator Health and Environment
Mr M Clerc – Coordinator Accounting Services
Mr M Mansfield – Coordinator Media and Communications
Ms K Anderson – Coordinator Property and Insurance
Ms A Brennan – Coordinator Legal and Governance
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 3 September 2019 be adopted as a correct record.

Moved by: Councillor Smith
Seconded by: Councillor Wickerson

MOTION CARRIED

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

9:09AM

Councillor Neil Fisher informed the meeting of an interest in Item 11.5 – Draft Resource Sector Relocation Incentives Policy and declared the following:

“I declare that I have a perceived conflict of interest due to potential involvement in the building industry and I will be dealing with this declared interest by leaving the meeting while this matter is discussed and voted on.”

6 BUSINESS OUTSTANDING

Nil

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 PRESENTATION OF PETITIONS

Nil

9 COMMITTEE REPORTS

Nil

10 COUNCILLOR/DELEGATE REPORTS

Nil

11 OFFICERS' REPORTS

11.1 LOCAL LAW MAKING PROCESS

File No:	11698
Attachments:	1. Community and Environmental Management (Amendment) Subordinate Local Law (No. 2) 2019
Authorising Officer:	Colleen Worthy - General Manager Community Services
Author:	Karen Moody - Acting Manager Planning and Regulatory Services

SUMMARY

This report is to make a minor amendment to Subordinate Local Law No. 3 (Community and Environmental Management) 2011.

COUNCIL RESOLUTION

THAT Council resolves –

- (a) To propose to make Community and Environmental Management (Amendment) Subordinate Local Law (No. 2) 2019;
- (b) To decide that Community and Environmental Management (Amendment) Subordinate Local Law (No. 2) 2019 only amends an existing subordinate local law, and in particular, *Subordinate Local Law No. 3 (Community and Environmental Management) 2011*, to make an insubstantial change, and that Council may proceed to step 5 of its subordinate local law making process without satisfying any of step 2 and step 4 inclusive of the subordinate local law making process; and
- (c) To proceed with the making of, and make, Community and Environmental Management (Amendment) Subordinate Local Law (No. 2) 2019 in the form of the subordinate local law referred to in paragraph (a); and
- (d) To adopt, pursuant to section 32 of the *Local Government Act 2009*, in the form attached to this report to Council, a consolidated version of *Subordinate Local Law No. 3 (Community and Environmental Management) 2011*.

Moved by: Councillor Smith
Seconded by: Councillor Swadling

MOTION CARRIED

11.2 COUNCIL DELEGATIONS TO CHIEF EXECUTIVE OFFICER

File No: 12660
Attachments: 1. Public Health Regulation 2018 - Delegation Register
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 Council resolves:

1. 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 Attachment 1 – Delegation Register – *Public Health Regulation 2018*.
These powers must be exercised subject to any limitations contained in Schedule 2 of the Delegation Register attached to the report.
2. To rescind the expired *Public Health Regulation 2005* delegations to the Chief Executive Officer.

Moved by: Councillor Swadling
Seconded by: Councillor Wickerson

MOTION CARRIED

11.3 ANNUAL REVIEW OF DELEGATION OF POWERS TO CHIEF EXECUTIVE OFFICER

File No: 12660

Attachments:

1. **Legislative Delegations**
2. **Limitations to the Exercise of Power**
3. **Financial Delegations**

Authorising Officer: Tracy Sweeney - Manager Workforce and Governance

Author: Allysya Brennan - Coordinator Legal and Governance

SUMMARY

In accordance with s257(5) of the Local Government Act 2009 the legislative delegations to the Chief Executive Officer are presented for Council's annual review.

COUNCIL RESOLUTION

THAT in accordance with s257(5) of the *Local Government Act 2009*, this report containing the annual review of the legislative and financial delegations to the Chief Executive Officer be received.

Moved by: Councillor Smith

Seconded by: Councillor Schwarten

MOTION CARRIED

11.4 2019-21 WORKS FOR QUEENSLAND PROGRAM

File No: 12534
Attachments: Nil
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Andrew Collins - Manager Project Delivery

SUMMARY

This report provides an update on the 2019-21 Works for Queensland Program, including the status of each project and capital budget phasing.

COUNCIL RESOLUTION

THAT the 2019-21 Works for Queensland Program report be received.

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

11.5 DRAFT RESOURCE SECTOR RELOCATION INCENTIVES POLICY

9:15AM Councillor Fisher left the meeting room having earlier declared a perceived conflict of interest in this matter.

File No: 13674

Attachments: 1. Draft Resource Sector Relocation Incentives Policy

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Damon Morrison - Resource Industry Project Manager

SUMMARY

The draft Resource Sector Relocation Incentives Policy is presented for Council's consideration and adoption.

COUNCIL RESOLUTION

THAT Council adopts the draft Resource Sector Relocation Incentives Policy.

Moved by: Councillor Swadling

Seconded by: Councillor Rutherford

MOTION CARRIED

9:18AM Councillor Fisher returned to the meeting room.

11.6 OVERSEAS TRAVEL ROCKHAMPTON DAY 2019**File No:** 7104**Attachments:**

1. Memorandum of Understanding on Art Cooperation Zhenjiang Municipal People's Government and Rockhampton Regional Council
2. Zhenjiang Jiangsu Artist In Residence AIR Brochure

Authorising Officer: John Webb - Manager Communities and Culture
Colleen Worthy - General Manager Community Services**Author:** Bianca Acimovic - Gallery Director

SUMMARY

Rockhampton Regional Council holds a Memorandum of Understanding (MOU) with Zhenjiang. In line with this MOU Rockhampton Regional Council and Zhenjiang Municipal People's Government collaborate to support the pursuit of joint efforts to develop positive exchanges and cooperation in the areas of culture and the arts. As per Council's Travel Policy, Council approval is required for overseas travel for artist travel for Rockhampton Day 2019.

COUNCIL RESOLUTION

THAT as per Council's Travel Policy, Council approve to book and fund overseas travel for artist William Yaxley to travel from Rockhampton to Zhenjiang for Rockhampton Day 2019 to support the Memorandum of Understanding between the Rockhampton Regional Council and Zhenjiang.

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

11.7 ART GALLERY NAMING OPTIONS

File No: 12155
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Matthew Mansfield - Coordinator Media and Communications

SUMMARY

This report proposes a list of potential names for the new Rockhampton Art Gallery and is presented to Council for consideration to seek community feedback on the proposed names.

COUNCIL RESOLUTION

THAT Council seeks community feedback on proposed names for the new Rockhampton Art Gallery.

Moved by: Councillor Swadling

Seconded by: Councillor Fisher

MOTION CARRIED

11.8 OFFICE OF THE CEO DEPARTMENT - MONTHLY OPERATIONAL REPORT - AUGUST 2019**File No:** 1830**Attachments:**

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

Authorising Officer: Evan Pardon - Chief Executive Officer**Author:** Tracy Sweeney - Manager Workforce and Governance

SUMMARY

The operational report for the Office of the CEO Department for the period ending 31 August 2019 is presented for Councillors' information.

COUNCIL RESOLUTION

THAT the Office of the CEO Departmental Operational Report as at 31 August 2019 be "received".

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

11.9 CORPORATE SERVICES DEPARTMENT - MONTHLY OPERATIONAL REPORT - AUGUST 2019

File No: 1392

Attachments:

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

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Drew Stevenson - Acting General Manager Corporate Services

SUMMARY

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

COUNCIL RESOLUTION

THAT the Corporate Services Departmental Operations report as at 31 August 2019 be 'received'.

Moved by: Mayor Strelow
Seconded by: Councillor Fisher

MOTION CARRIED

**11.10 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED
31 AUGUST 2019**

File No: 8148

Attachments: 1. Income Statement - August
2. Key Indicators Graphs - August

Authorising Officer: Drew Stevenson - Acting General Manager Corporate Services

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 August 2019.

COUNCIL RESOLUTION

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

Moved by: Mayor Strelow
Seconded by: Councillor Swadling

MOTION CARRIED

11.11 ADVANCE ROCKHAMPTON OPERATIONAL REPORT AUGUST 2019

File No: 12614
Attachments: 1. Advance Rockhampton Operational Report August 2019
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Tony Cullen - General Manager Advance Rockhampton

SUMMARY

The monthly operations report for the Advance Rockhampton Unit over the month of August 2019 is presented for Councillors' information.

COUNCIL RESOLUTION

THAT the Advance Rockhampton Operational Report for August 2019 be received.

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

12 NOTICES OF MOTION

Nil

13 QUESTIONS ON NOTICE

Nil

14 URGENT BUSINESS\QUESTIONS

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 Request to Amend Commercial Terms of Lease - Vodafone Network Pty Ltd

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

Moved by: Councillor Smith
Seconded by: Councillor Swadling

MOTION CARRIED

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.

16.2 Request from Optus Mobile Pty Ltd to Renew Lease - 605 Yaamba Road

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

Moved by: Councillor Swadling
Seconded by: Councillor Smith

MOTION CARRIED

COUNCIL RESOLUTION

9:41AM

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

Moved by: Councillor Schwarten
Seconded by: Councillor Smith

MOTION CARRIED

9:41AM Councillor Schwarten left the meeting
9:47AM Councillor Schwarten returned to the meeting

COUNCIL RESOLUTION

9:49AM

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

Moved by: Councillor Fisher

Seconded by: Councillor Smith

MOTION CARRIED

16 CONFIDENTIAL REPORTS

16.1 REQUEST TO AMEND COMMERCIAL TERMS OF LEASE - VODAFONE NETWORK PTY LTD

File No: 282

Attachments:

1. Request from Vodafone
2. Map

Authorising Officer: Drew Stevenson - Acting General Manager Corporate Services

Author: Kellie Anderson - Coordinator Property and Insurance

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

SUMMARY

Coordinator Property & Insurance reporting on a request from Vodafone Network Pty Ltd to amend the commercial terms of the lease agreement for part of 605 Yaamba road.

COUNCIL RESOLUTION

THAT Council authorises the Chief Executive Officer (Coordinator Property & Insurance) to proceed in accordance with Option 2 as detailed in this report and advise Vodafone Network Pty Ltd of this decision.

Moved by: Councillor Swadling
Seconded by: Councillor Smith
MOTION CARRIED

16.2 REQUEST FROM OPTUS MOBILE PTY LTD TO RENEW LEASE - 605 YAAMBA ROAD**File No:** 59**Attachments:**

1. Letter from Optus
2. Map

Authorising Officer: Drew Stevenson - Acting General Manager Corporate Services**Author:** Kellie Anderson - Coordinator Property and Insurance

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

SUMMARY

Coordinator Property & Insurance reporting on request from Optus Mobile Pty Ltd to renew their existing lease for part of 605 Yaamba Road.

COUNCIL RESOLUTION

THAT the Chief Executive Officer (Coordinator Property & Insurance) be authorised to renew the lease to Optus Mobile Pty Ltd for part of 605 Yaamba Road, Lease 'V' in Lot 1 on RP611380 on SP132072, pursuant to section 236(1)(c)(iii) and section 236(1)(c)(vi) of the *Local Government Regulation 2012 (Qld)*, subject to conditions as outlined in the report.

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

17 CLOSURE OF MEETING

There being no further business the meeting closed at 9:49am.

SIGNATURE

CHAIRPERSON

DATE