



**PERFORMANCE & SERVICE
COMMITTEE MEETING**

MINUTES

29 JULY 2014

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**REPORT OF THE PERFORMANCE & SERVICE COMMITTEE MEETING HELD AT
COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON ON TUESDAY,
29 JULY 2014 COMMENCING AT 9.01AM**

1 OPENING

2 PRESENT

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr M Rowe – General Manager Community Services
Mr R Cheesman – General Manager Corporate Services
Mr R Holmes – General Manager Regional Services
Mr D Stevenson – Manager Corporate and Technology Services
Ms A Cutler – Manager Finance
Mr S Turner – Manager Governance Support
Mr W Clark – Community Engagement Officer
Ms F McRae – Media and Communications Officer
Ms K Mahon – Committee Support Team Leader

3 APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence for the meeting was previously granted to Councillor Greg Belz.

3.1 LEAVE OF ABSENCE - COUNCILLOR SCHWARTEN - 28 JULY - 1 SEPTEMBER 2014

File No: 10072

Responsible Officer: Evan Pardon – Chief Executive Officer

SUMMARY

Councillor Stephen Swarten has requested a leave of absence from 28 July to 1 September 2014

COMMITTEE RESOLUTION

THAT Leave of Absence be granted to Councillor Stephen Swarten for the period 28 July 2014 to 1 September 2014 inclusive.

Moved by: Councillor Swadling

Seconded by: Councillor Williams

MOTION CARRIED

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COMMITTEE RESOLUTION

THAT the minutes of the Performance & Service Committee held on 24 June 2014 be taken as read and adopted as a correct record.

Moved by: Councillor Smith
Seconded by: Councillor Swadling

MOTION CARRIED

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

9:05AM

In accordance with s173(2) of the *Local Government Act 2009*, Councillor Williams disclosed a potential conflict of interest in respect of Item 7.1 – Deputation – Update on CQ NRL Bid due to being the chairperson for the Browne Park Trust, the Councillor considered his position, was of the opinion that he could participate in the debate and vote on the matter in the public interest.

6 BUSINESS OUTSTANDING

6.1 BUSINESS OUTSTANDING TABLE FOR PERFORMANCE AND SERVICE COMMITTEE

File No: 10097

Attachments: 1. Business Outstanding Table for Performance and Service Committee

Responsible Officer: Evan Pardon - Chief Executive Officer

Author: Evan Pardon - Chief Executive Officer

SUMMARY

The Business Outstanding table is used as a tool to monitor outstanding items resolved at previous Council or Committee Meetings. The current Business Outstanding table for the Performance and Service Committee is presented for Councillors' information.

COMMITTEE RESOLUTION

THAT the Business Outstanding Table for the Performance and Service Committee be received.

Moved by: Councillor Swadling

Seconded by: Councillor Williams

MOTION CARRIED

7 PUBLIC FORUMS/DEPUTATIONS

7.1 DEPUTATION - UPDATE ON CQ NRL BID

File No: 7771
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Evan Pardon - Chief Executive Officer

SUMMARY

At 9.00am Mr Geoff Murphy and Mr Denis Keefe will attend the meeting along with Mr Shaun Gallagher, Populous to provide an update on CQ NRL bid and also discuss future plans.

COMMITTEE RESOLUTION

1. THAT the deputation from Mr Geoff Murphy, Mr Denis Keefe and Mr Shaun Gallagher, Populous providing an update on CQ NRL bid and their future plans be received.
2. That Council recognise the commitment that Mr Geoff Murphy has made and thank him for his drive that has taken this bid to this stage.
3. That Council is committed to supporting the bid for an NRL team.
4. That the stadium and convention centre is one of the highest priorities for Council and that Council endorse the location of the stadium.

Moved by: Mayor Strelow
Seconded by: Councillor Swadling

MOTION CARRIED UNANIMOUSLY

9:59AM Mayor Strelow declared that the meeting be adjourned to resume at 10:15am
10:17AM Mayor Strelow declared that the meeting be resumed

PRESENT

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr M Rowe – General Manager Community Services
Mr R Cheesman – General Manager Corporate Services
Mr R Holmes – General Manager Regional Services
Mr D Stevenson – Manager Corporate and Technology Services
Ms A Cutler – Manager Finance
Mr S Turner – Manager Governance Support
Ms T Sweeney – Manager Workforce and Strategy
Ms M Barrett – Manager Parks
Mr B Russell – Senior Infrastructure Planning Engineer
Mr W Clark – Community Engagement Officer
Ms F McRae – Media and Communications Officer
Ms K Mahon – Committee Support Team Leader
Ms L Leeder – Committee Support Officer

8 OFFICERS' REPORTS

8.1 COUNCILLORS' DISCRETIONARY FUND - MAYOR STRELOW - ROCKHAMPTON ART GALLERY TRUST

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

SUMMARY

Approval is sought from Council for a donation from Mayor Strelow's Councillors' Discretionary Fund to the Rockhampton Art Gallery Trust to assist with costs associated with printing promotional materials for "Art 2067".

COMMITTEE RESOLUTION

THAT approval be granted to donate \$2,750.00 from Mayor Strelow's Councillors' Discretionary Fund to the Rockhampton Art Gallery Trust to assist with costs associated with printing promotional materials for "Art 2067".

Moved by: Councillor Swadling
Seconded by: Councillor Fisher

MOTION CARRIED

8.2 REQUEST FOR FREEDOM OF ENTRY TO THE CITY

File No: 23
Attachments: Nil
Authorising Officer: Robert Holmes - Acting Chief Executive Officer
Author: Janet Boyd - Executive Personal Assistant to the Mayor

SUMMARY

The Commanding Officer of the 31/42nd Battalion The Royal Queensland Regiment would like to exercise the Freedom of Entry to the City of Rockhampton.

COMMITTEE RESOLUTION

THAT the title change of the 42nd Battalion to the 31/42nd Battalion The Royal Queensland Regiment be recognised in respect of Freedom of Entry into the City of Rockhampton.

Moved by: Mayor Strelow
Seconded by: Councillor Williams

MOTION CARRIED

10:25AM Councillor Williams left the meeting to do a compulsory drug and alcohol test

8.3 PROPOSED APPLICATION FOR FUNDING UNDER THE STATE GOVERNMENT'S GET OUT, GET ACTIVE PROGRAM

File No: 8266

Attachments:

1. Get Out Get Active Funding Fact Sheet
2. Get Out Get Active Funding Guidelines

Authorising Officer: Margaret Barrett - Manager Parks
Michael Rowe - General Manager Community Services

Author: Sophia Czarkowski - Sports & Education Officer

SUMMARY

The Department of National Parks, Recreation, Sport and Racing (Queensland Government) has released the Get Out, Get Active funding program. Funding of up to \$20,000 is available to Local Governments to support women's participation in sport and recreation, with programs to be conducted between 1 October 2014 and 31 October 2015. Parks is requesting permission to submit a grant application for the KickStartCQ – Get Out! Get Active! Initiative.

COMMITTEE RESOLUTION

THAT Council

1. Approves the submission of an application to the Department of National Parks, Recreation, Sport and Racing under the Get Out, Get Active funding program; and
2. Provides in-principle approval for Council's financial contribution in the event that the application is successful.

Moved by: Councillor Rutherford

Seconded by: Councillor Swadling

MOTION CARRIED

8.4 2014-2015 FEES AND CHARGES AMENDMENTS

File No: 7816
Attachments: 1. Amended Fees and Charges Schedule 2014-2015
Authorising Officer: Ross Cheesman - General Manager Corporate Services
Author: Alicia Cutler - Manager Finance

SUMMARY

The intention of this report is to submit minor amendments to Council's Fees and Charges Schedule for the 2014-2015 financial year.

10:29AM Councillor Williams returned to the meeting
10:29AM Councillor Swadling left the meeting to do a compulsory drug and alcohol test

COMMITTEE RESOLUTION

THAT in accordance with the requirements of the Local Government Act 2009, council adopts the amendments to the Fees and Charges schedule for the 2014-2015 financial year.

Moved by: Mayor Strelow
Seconded by: Councillor Fisher

MOTION CARRIED

10:34AM Councillor Swadling returned to the meeting
10:34AM Councillor Rutherford left the meeting to do a compulsory drug and alcohol test

8.5 REPORT - REPEAL OF THE CARBON TAX

File No: 8246
Attachments: 1. Waste Fees excluding Carbon Tax
Authorising Officer: Ross Cheesman - General Manager Corporate Services
Author: Alicia Cutler - Manager Finance

SUMMARY

On Thursday 17 July, the Carbon Tax Repeal Bills received the Royal assent, which effectively abolishes carbon tax as at 1 July 2014. This report provides Rockhampton Regional Councils action in respect of the change in legislation.

10:41AM Councillor Rutherford returned to the meeting
10:41AM Councillor Smith left the meeting to do a compulsory drug and alcohol test

COMMITTEE RESOLUTION

THAT

- The report on the Repeal of the Carbon Tax be received.
- The Fees and Charges be adopted as per schedule attached in the report.
- Progress a concession of \$18.80 to be applied to the January – June 2015 Rate Levy.
- Should a surplus of Carbon Tax collected for future liability eventuate then this be offset against loan debt in the Waste Business.

Moved by: Mayor Strelow
Seconded by: Councillor Fisher

MOTION CARRIED

8.6 COUNCIL DELEGATIONS TO CHIEF EXECUTIVE OFFICER

File No:	4107
Attachments:	<ol style="list-style-type: none">1. Instrument of Delegation - Public Health Act 20052. Instrument of Delegation - Local Government Regulation 20123. Instrument of Delegation - Water Supply (Safety & Reliability) Act 20084. Instrument of Delegation - Work Health and Safety Act 2011
Authorising Officer:	Tracy Sweeney - Manager Workforce and Strategy Ross Cheesman - General Manager Corporate Services
Author:	Kerrie Barrett - Coordinator Corporate Improvement & Strategy

SUMMARY

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

COMMITTEE RESOLUTION

THAT as per section 257 of the *Local Government Act 2009* Council resolves to delegate to the Chief Executive Officer, the exercise of powers contained in schedule 1 of the Instruments of Delegation attached to this report:

- 1. Public Health Act 2005*
- 2. Local Government Regulation 2012*
- 3. Water Supply (Safety & Reliability) Act 2008*
- 4. Work Health and Safety Act 2011*

Further, that all prior resolutions delegating the powers under these Acts listed to the Chief Executive Officer are repealed. These powers must be exercised subject to any limitations contained in schedule 2 of the attached Instruments of Delegation.

Moved by: **Councillor Swadling**

Seconded by: **Councillor Williams**

MOTION CARRIED

8.7 REVIEW OF COUNCIL POWERS TO CHIEF EXECUTIVE OFFICER

File No: 4107

Attachments:

1. Legislative Acts & Sections
2. CEO Financial Delegation
3. Exclusions, Limitations and Constraints

Responsible Officer: Tracy Sweeney - Manager Workforce and Strategy
Ross Cheesman - General Manager Corporate Services

Author: Kerrie Barrett - Coordinator Corporate Improvement & Strategy

SUMMARY

This report seeks Council's approval of current Legislative, Financial and Administrative Delegations for the position of Chief Executive Officer, in accordance with section 257(4) of the Local Government Act 2009.

10:47AM Councillor Smith returned to the meeting.

COMMITTEE RESOLUTION

THAT as per section 257(4) of the *Local Government Act 2009* Council resolves to approve the Legislative, Financial and Administrative Delegations previously delegated to the Chief Executive Officer, provided in the documents attached to this report.

Moved by: Councillor Swadling

Seconded by: Councillor Rutherford

MOTION CARRIED

8.8 SAFE NIGHT OUT STRATEGY

File No: 5248

Attachments:

1. Safe Night Out Strategy June 2014
2. Safe Night Out Legislation Amendment Bill 2014 Part 6AB Safe Night Precincts
3. Proposed Rockhampton Safe Night Out Zone

Authorising Officer: Michael Rowe - General Manager Community Services

Author: Cheryl Haughton - Manager Community Services

SUMMARY

Council direction is sought in relation to the Safe Night Out Strategy being implemented by the Queensland Government.

COMMITTEE RESOLUTION

THAT Council

- (1) provides the Office of Liquor and Gaming Regulation with feedback on the proposed Safe Night Precinct area
- (2) nominates The Mayor, Councillor Strelow to serve on the Public Safety Consultative Committee with Councillor Swadling nominated as the alternate member

Moved by: Councillor Fisher

Seconded by: Councillor Swadling

MOTION CARRIED

9 STRATEGIC REPORTS

9.1 ANNUAL 2013/2014 OPERATIONAL PLAN REVIEW AND QUARTER 4 ASSESSMENT

File No: 8320

Attachments: 1. Operational Plan Q4 & Annual Review 2013/14

Responsible Officer: Tracy Sweeney - Manager Workforce and Strategy
Ross Cheesman - General Manager Corporate Services

Author: Kerrie Barrett - Coordinator Corporate Improvement & Strategy

SUMMARY

The 2013/14 Operational Plan annual review and fourth quarter progress report as at 30 June 2014 is presented, pursuant to s104(7) of the Local Government Act and s174(3) of the Local Government Regulation 2012.

COMMITTEE RESOLUTION

THAT the 2013/14 Operational Plan annual review and fourth quarter progress report as at 30 June 2014 be 'received'.

Moved by: Councillor Rutherford

Seconded by: Councillor Williams

MOTION CARRIED

9.2 CORPORATE SERVICES MONTHLY STATISTICAL REPORT FOR THE MONTH OF JUNE 2014**File No:** 1392**Attachments:**

1. Revenue Statistics - June 2014
2. Workforce and Strategy Statistics - June 2014
3. Corporate and Technology Statistics - June 2014

Authorising Officer: Robert Holmes - Acting Chief Executive Officer**Author:** Ross Cheesman - General Manager Corporate Services

SUMMARY

General Manager Corporate Services presenting the monthly statistical report for the month of June 2014.

10:57AM Councillor Fisher left the meeting to do a compulsory drug and alcohol test

COMMITTEE RESOLUTION

THAT the Corporate Services statistical report for June 2014 be received.

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

9.3 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 30 JUNE 2014

File No: 8148
Attachments: 1. Income Statement - June 2014
2. Key Indicator Graphs - June 2014
Authorising Officer: Ross Cheesman - General Manager Corporate Services
Author: Alicia Cutler - Manager Finance

SUMMARY

The Manager Finance presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 30 June 2014. The results compare favourably against budget but are before all accruals have been processed. The full financial results will be reported in the Annual Financial Statements.

11:03AM Councillor Fisher returned to the meeting

COMMITTEE RESOLUTION

THAT the Rockhampton Regional Council Summary Budget Management Report for the Period ended 30 June 2014 be 'received'.

Moved by: Mayor Strelow
Seconded by: Councillor Smith

MOTION CARRIED

10 NOTICES OF MOTION

Nil

11 URGENT BUSINESS\QUESTIONS

11.1 RENEWABLE ENERGY SOLUTIONS

File No: 8246

Responsible Officer: Mr Ross Cheesman – General Manager Corporate Services

SUMMARY

Councillor Tony Williams requested that with the repeal of the carbon tax that Council investigate opportunities for further energy savings.

COMMITTEE RESOLUTION

THAT a report on renewable energy solutions that may be able to be implemented across Council facilities be brought back to the table.

Moved by: Councillor Williams

Seconded by: Councillor Swadling

MOTION CARRIED

12 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.

COMMITTEE 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.

13.1 2014-17 Library Board of Queensland Triennial Service Level Agreement

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.

13.2 Management and Operation of Aquatic Facilities

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

13.3 Casuarina Road Resumption Update

This report is considered confidential in accordance with section 275(1)(f) (h), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government; AND 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 .

13.4 Legal Matters as at 30 June 2014

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

13.5 Commercial Opportunity for Rockhampton Airport

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: Councillor Swadling
Seconded by: Councillor Rutherford

MOTION CARRIED

COMMITTEE RESOLUTION

11:15AM

THAT pursuant to s341)(k) and s44 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

Moved by: Councillor Williams
Seconded by: Councillor Rutherford

MOTION CARRIED

11:29AM Mayor Strelow declared that the meeting be adjourned to resume at 11:45am
11:45AM Mayor Strelow declared that the meeting be resumed

PRESENT

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr M Rowe – General Manager Community Services
Mr R Cheesman – General Manager Corporate Services
Mr R Holmes – General Manager Regional Services
Mr D Stevenson – Manager Corporate and Technology Services
Ms A Cutler – Manager Finance
Ms T Sweeney – Manager Workforce and Strategy
Ms M Barrett – Manager Parks
Mr B Russell – Senior Infrastructure Planning Engineer
Ms M Younger – Coordinator Procurement and Logistics
Ms F McRae – Media and Communications Officer
Ms L Leeder – Committee Support Officer

COMMITTEE RESOLUTION**11:55AM**

THAT pursuant to s34(1)(k) and s44 *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

Moved by: Councillor Rutherford

Seconded by: Councillor Swadling

MOTION CARRIED

11:57AM Councillor Fisher attended the meeting

COMMITTEE RESOLUTION**12:01PM**

THAT the meeting be adjourned until 1.00pm.

Moved by: Mayor Strelow

Seconded by: Councillor Swadling

MOTION CARRIED

COMMITTEE RESOLUTION**1:15PM****THAT** the meeting be resumed.**Moved by:** Councillor Swadling**Seconded by:** Councillor Smith**MOTION CARRIED****COMMITTEE RESOLUTION****1:17PM****THAT** the meeting be adjourned until 2.00pm.**Moved by:** Councillor Swadling**Seconded by:** Councillor Smith**MOTION CARRIED****2:01PM** The Mayor, Councillor Strelow declared that the meeting be resumed.**PRESENT**

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr M Rowe – General Manager Community Services
Mr R Cheesman – General Manager Corporate Services
Mr R Holmes – General Manager Regional Services
Mr D Stevenson – Manager Corporate and Technology Services
Ms A Cutler – Manager Finance
Ms T Sweeney – Manager Workforce and Strategy
Ms M Barrett – Manager Parks
Ms M Younger – Coordinator Procurement and Logistics
Ms A Bartlett – Marketing and Media Officer
Ms L Leeder – Committee Support Officer

COMMITTEE RESOLUTION**2:02PM****THAT** pursuant to s341)(k) and s44 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.**Moved by:** Councillor Fisher**Seconded by:** Councillor Smith**MOTION CARRIED**

- 2:04PM Councillor Williams attended the meeting
2:13PM Councillor Fisher left the meeting
2:16PM Councillor Fisher returned to the meeting
- 2:50PM In accordance with s165(1)(a) of the *Local Government Act 2009* and s14(2) *Council Meeting Procedures*, the Deputy Mayor Councillor Williams be appointed Chairperson of the Performance and Service Committee meeting for the period of the Mayor, Councillor Strelow's absence.
- 2:50PM The Mayor, Councillor Strelow left the meeting
3:06PM The Mayor, Councillor Strelow returned to the meeting and resumed the Chair.

COMMITTEE RESOLUTION**3:23PM**

THAT pursuant to s34(1)(k) and s44 *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

Moved by: Councillor Fisher

Seconded by: Councillor Swadling

MOTION CARRIED

13 CONFIDENTIAL REPORTS

13.1 2014-17 LIBRARY BOARD OF QUEENSLAND TRIENNIAL SERVICE LEVEL AGREEMENT

File No: 2313

Attachments:

1. Proposed 2014-17 Library Board of Queensland Service Level Agreement
2. 2014-15 Library Collections Grant

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Michael Rowe - General Manager Community Services

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

General Manager Community Services seeking Council direction regarding entering into triennial Service Level Agreement for Public Library Services between the Library Board of Queensland and Council.

COMMITTEE RESOLUTION

THAT Council signs the 2014-17 Triennial Service Level Agreement with the Library Board of Queensland and seeks a review of the indicative grant payable under the methodology.

Moved by: Mayor Strelow

Seconded by: Councillor Swadling

MOTION CARRIED

DIVISION:

Councillors Rutherford, Smith, Strelow and Swadling voted in the affirmative.
Councillors Fisher and Williams voted in the negative.

13.2 MANAGEMENT AND OPERATION OF AQUATIC FACILITIES**File No:** 1464**Attachments:**

1. Tender Evaluation scoring - Panel Summary - Gracemere
2. Tender Evaluation scoring - Panel Summary - 42nd Battalion
3. Tender Evaluation scoring - Panel Summary - WWII and Mt Morgan
4. Financial Assessment

Authorising Officer: Michael Rowe - General Manager Community Services**Author:** Margaret Barrett - Manager Parks

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

This report outlines the results of the Tender evaluation for the management and operation of Council's four aquatic facilities.

COMMITTEE RESOLUTION

That the Committee:

- a. accept Lane 4 Pty. Ltd as the preferred tenderer for all pools subject to further negotiation on term and price; and
- b. report back to Council on the outcome of negotiations and recommendations for awarding the contract.

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

13.3 CASUARINA ROAD RESUMPTION UPDATE

File No: 8525

Attachments:

1. **Judgement Pierce & Ors v Rockhampton City Council [2014] QSC 104**
2. **Comments on email**
3. **Previous Council resolutions**

Authorising Officer: Robert Holmes - General Manager Regional Services

Author: Bruce Russell - Senior Infrastructure Planning Engineer

This report is considered confidential in accordance with section 275(1)(f) (h), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government; AND 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

In the matter of the Casuarina Road resumption, judgment was delivered on 29 May 2014 in Rockhampton for the application by Robert Pierce, Morris and Kerrod Pierce, and David Pierce to have the resumption decision reviewed under the Judicial Review Act by the Supreme Court of Queensland. Their application was dismissed. On 16 June 2014, judgment on costs was delivered and the Applicants were ordered to pay the Council's cost of and incidental to the proceedings on the standard basis.

COMMITTEE RESOLUTION

THAT the Casuarina Road Resumption Update report be received.

Moved by: Mayor Strelow

Seconded by: Councillor Smith

MOTION CARRIED

13.4 LEGAL MATTERS AS AT 30 JUNE 2014

File No: 1392
Attachments: 1. Legal Matters - June 2014
Authorising Officer: Tracy Sweeney - Manager Workforce and Strategy
Ross Cheesman - General Manager Corporate Services
Author: Kerrie Barrett - Coordinator Corporate Improvement & Strategy

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

SUMMARY

Coordinator Corporate Improvement & Strategy presenting an update of current legal matters that Council is involved in as at 30 June 2014.

COMMITTEE RESOLUTION

THAT the legal matters report containing updates on legal matters for Rockhampton Regional Council as at 30 June 2014 be received.

Moved by: Councillor Swadling

Seconded by: Councillor Williams

MOTION CARRIED

13.5 COMMERCIAL OPPORTUNITY FOR ROCKHAMPTON AIRPORT**File No:** 1392**Attachments:** Nil**Authorising Officer:** Robert Holmes - Acting Chief Executive Officer**Author:** Ross Cheesman - General Manager Corporate Services

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

General Manager Corporate Services reporting on a commercial opportunity.

COMMITTEE RESOLUTION

THAT the report on a commercial opportunity for Rockhampton Airport be received and that a workshop be held on Monday 11 August 2014 at 2.00pm.

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

14 CLOSURE OF MEETING

There being no further business the meeting closed at 3:25pm.

SIGNATURE

CHAIRPERSON

DATE