



**PERFORMANCE & SERVICE  
COMMITTEE MEETING**

**MINUTES**

**24 FEBRUARY 2015**

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**REPORT OF THE PERFORMANCE & SERVICE COMMITTEE MEETING  
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON  
ON TUESDAY, 24 FEBRUARY 2015 COMMENCING AT 9.14AM**

## **1 OPENING**

## **2 PRESENT**

Members Present:

The Mayor, Councillor M F Strelow (Chairperson)  
Councillor C E Smith  
Councillor C R Rutherford  
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 R Cheesman – General Manager Corporate Services  
Mr M Rowe – General Manager Community Services  
Mr D Stevenson – Manager Corporate and Technology Services  
Ms A Cutler – Manager Finance  
Ms K Barrett – Coordinator Corporate Improvement and Strategy  
Ms T Wooley – Communications and Marketing Officer  
Ms L Leeder – Senior Governance Support Officer

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

### **COMMITTEE RESOLUTION**

THAT a leave of absence be granted to Councillor Greg Belz for today's Performance and Service Committee meeting.

**Moved by: Councillor Rutherford**

**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 25 November 2014 be taken as read and adopted as a correct record.

**Moved by: Councillor Swadling**

**Seconded by: Councillor Williams**

**MOTION CARRIED**

**5    DECLARATIONS OF INTEREST IN MATTERS ON THE  
AGENDA**

## 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

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#### 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 Williams

**Seconded by:** Councillor Smith

**MOTION CARRIED**

**7 PUBLIC FORUMS/DEPUTATIONS**

Nil

## 8 OFFICERS' REPORTS

### 8.1 ORGANISATIONAL STRUCTURE

**File No:** 289

**Attachments:** 1. **Rockhampton Regional Council  
Organisational Structure as at 24 February  
2015**

**Authorising Officer:** **Evan Pardon - Chief Executive Officer**

**Author:** **Tracy Sweeney - Manager Workforce and Strategy**

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#### **SUMMARY**

*Minor changes to the organisational structure for Rockhampton Regional Council is presented for adoption.*

9:21AM Councillor Schwarten left the meeting

#### **COMMITTEE RESOLUTION**

THAT the organisational structure as presented be adopted.

**Moved by:** **Mayor Strelow**

**Seconded by:** **Councillor Swadling**

**MOTION CARRIED**



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**8.2 REQUEST FROM ERGON ENERGY FOR ELECTRICAL EASEMENT - ROCKHAMPTON CBD****File No:** 7218**Attachments:**

1. Ergon Energy Letter Requesting Electrical Easement
2. Underground Construction Plan Drawing 659579\_9
3. Aerial Map - Electrical Easement Options

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

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**SUMMARY**

*Manager Corporate and Technology reporting on a request from Ergon Energy (Ergon) seeking a 6m x 3m electrical easement within the Rockhampton CBD to allow Ergon to tie in their feeder network for improved electrical supply reliability. Ergon has provided two proposed suitable locations for Council's consideration.*

9:25AM Councillor Schwarten returned to the meeting

**COMMITTEE RESOLUTION**

THAT the Committee:

1. Approve Ergon Energy's request for an electrical easement over a portion of Lot 4 on RP892686, 151 East Lane Rockhampton City, (option 2) for nil consideration; and
2. The Chief Executive Officer (Coordinator Property & Insurance) be authorised to finalise discussions with Ergon Energy over the proposed area within Lot 4 on RP892686.

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

### 8.3 ELECTORAL ARRANGEMENTS

<b>File No:</b>	<b>5827</b>
<b>Attachments:</b>	<ol style="list-style-type: none"><li><b>1. Request from Minister for Local Government, Community Recovery &amp; Resilience, seeking information on Council's Electoral Arrangements</b></li><li><b>2. Letter from Acting Director General Department Of Local Government, Community Recovery and Resilience advising Electoral Divisions are Out of Quota</b></li></ol>
<b>Authorising Officer:</b>	<b>Evan Pardon - Chief Executive Officer</b>
<b>Author:</b>	<b>Shane Turner - Manager Governance Support</b>

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#### SUMMARY

*Council has received correspondence from the Previous Minister and more recently the Acting Director General Department of Local Government, Community Recovery and Resilience seeking information on Council's Electoral Arrangements for the 2016 Quadrennial Local Government Elections.*

#### COMMITTEE RESOLUTION

THAT Council write to the Minister for Infrastructure, Local Government and Planning and the Electoral Commissioner Queensland to advise that:

- Rockhampton Regional Council is to remain divided;
- A number of divisions are out of quota and Council are unable to conduct a review in accordance with section 16 of Local Government Act 2009 as the information on the number of electors for each division has not been supplied from the Electoral Commission of Queensland. Council requests the information on the number and distribution of electors as soon as possible, so that Council can undertake the review and provide the results of the review to the Minister for Infrastructure, Local Government and Planning and Electoral Commissioner Queensland;
- Rockhampton Regional Council continues to comprise of seven (7) divisions represented by one Councillor per division.

**Moved by: Councillor Schwarten**

**Seconded by: Councillor Swadling**

**MOTION CARRIED**

#### COMMITTEE RESOLUTION

THAT Council write to the Minister for Infrastructure, Local Government and Planning and the Electoral Commissioner Queensland to advise that Rockhampton Regional Council recommends that the Council Division number be renumbered.

**Moved by: Mayor Strelow**

**Seconded by: Councillor Williams**

**MOTION CARRIED**

**COMMITTEE RESOLUTION**

THAT Council write to the Minister for Infrastructure, Local Government and Planning requesting minor boundary changes with Livingstone Shire Council to overcome servicing anomalies in the localities of Parkhurst, Limestone Creek and Lakes Creek.

**Moved by:** Councillor Williams

**Seconded by:** Councillor Swadling

**MOTION CARRIED**

9:36am Councillor Rutherford left the meeting

9:37am Councillor Rutherford returned to the meeting

**COMMITTEE RESOLUTION**

THAT having regard to the Communities of Interest and identified utility provision services, Council request the Minister for Infrastructure, Local Government and Planning to conduct a review of the local government boundary with Livingstone Shire Council to include the localities of Rockyview, Glenlee and Glendale in its local government area.

**Moved by:** Mayor Strelow

**Seconded by:** Councillor Fisher

**MOTION CARRIED UNANIMOUSLY**

**COMMITTEE RESOLUTION**

Rockhampton Regional Council requests a quotation or indicative cost from the Electoral Commissioner Queensland to conduct the 2016 election for either a polling booth election or a postal vote election.

**Moved by:** Councillor Swadling

**Seconded by:** Councillor Fisher

**MOTION CARRIED**

**8.4 COUNCIL DELEGATIONS TO CHIEF EXECUTIVE OFFICER****File No:** 4107

- Attachments:**
1. Instrument of Delegation - Plumbing and Drainage Act 2002
  2. Instrument of Delegation - Disaster Management Act 2003
  3. Instrument of Delegation - Disaster Management Regulation 2014
  4. Instrument of Delegation - Liquor Act 1992
  5. Instrument of Delegation - Animal Management (Cats and Dogs) Act 2008
  6. Instrument of Delegation - Sustainable Planning Act 2009
  7. Instrument of Delegation - Environmental Protection Act 1994
  8. Instrument of Delegation - Environmental Protection Regulation 2008

**Authorising Officer:** Tracy Sweeney - Manager Workforce and Strategy  
Ross Cheesman - General Manager Corporate Services**Author:** Kerrie Barrett - Coordinator Corporate Improvement & Strategy

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**SUMMARY**

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

**COMMITTEE RESOLUTION**

THAT the matter lay on the table until the next Performance and Service Committee meeting.

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

**8.5 EXTENSION OF RATES DISCOUNT DATE DUE TO NATURAL DISASTER**

**File No:** 1392  
**Attachments:** Nil  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Ross Cheesman - General Manager Corporate Services

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**SUMMARY**

*This report is seeking Council's consideration of extending the rates discount date by two (2) weeks due to the impact of Cyclone Marcia.*

**COMMITTEE RESOLUTION**

THAT Council extend the rates payment discount period for the January to June 2015 rate levy by four (4) weeks with the discount date to be set at 8 April 2015.

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

**MOTION CARRIED UNANIMOUSLY**

## 9 STRATEGIC REPORTS

### 9.1 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 JANUARY 2015

**File No:** 8148

**Attachments:**

1. Income Statement - January 2015
2. Key Indicator Graphs - January 2015

**Authorising Officer:** Ross Cheesman - General Manager Corporate Services

**Author:** Alicia Cutler - Manager Finance

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#### SUMMARY

*The Manager Finance presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 January 2015.*

#### COMMITTEE RESOLUTION

THAT the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 January 2015 be 'received'.

**Moved by:** Councillor Smith

**Seconded by:** Councillor Rutherford

**MOTION CARRIED**

**10 NOTICES OF MOTION**

Nil

## 11 URGENT BUSINESS QUESTIONS

### 11.1 ANNUAL OPERATIONAL PLAN QUARTER TWO PROGRESS REPORT

**File No:** 11365

**Responsible Officer:** Kerrie Barrett – Coordinator Corporate Improvement & Strategy

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#### SUMMARY

*The 2014/15 operational plan progress report for quarter two as at 31 December 2014 is presented, pursuant to s174(3) Local Government Regulation 2012.*

#### COMMITTEE RESOLUTION

1. THAT the 2014/15 operational plan progress report for quarter two as at 31 December 2014 be 'received'; and
2. THAT the report be represented as an information item in the next Performance and Service Committee Agenda.

**Moved by:** Mayor Strelow

**Seconded by:** Councillor Williams

**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 Legal Matters as at 31 January 2015

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.

#### 13.2 Disposal of part of Lot 1 on CP848928 known as 131 Richardson Road, Park Avenue to the adjoining owner

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.

#### 13.3 Disposal of Part of Lot 4 on SP197254, known as 788 Norman Road Norman Gardens, to Croakybill Ltd relating to development applications D/583-2013 & D/252-2011

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.

#### 13.4 Compensation Agreement - Capricorn Stone Products Pty Ltd, Lot 1 on LIV40877 (Mining Lease 100010)

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 Smith**

**MOTION CARRIED**

### COMMITTEE RESOLUTION

**9:54AM**

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

**Moved by: Councillor Swadling**

**Seconded by: Councillor Williams**

**MOTION CARRIED**

- 9:56AM Councillor Fisher left the meeting  
9:58AM Councillor Fisher returned to the meeting  
10:03AM Councillor Fisher left the meeting  
10:06AM Councillor Fisher returned to the meeting  
10:06AM Councillor Williams left the meeting
- 10:08AM In accordance with s172(2) of the *Local Government Act 2009*, Councillor Fisher disclosed a material personal interest in respect of Item 13.2 – Disposal of Part of Lot 1 on CP848928 known as 131 Richardson Road, Park Avenue to the Adjoining Owner due to his business providing consultancy to the owner, the Councillor did not take part in the debate and left the meeting.
- 10:12AM Councillor Fisher returned to the meeting

**COMMITTEE RESOLUTION****10:18AM**

**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 Swadling**  
**Seconded by: Councillor Rutherford**  
**MOTION CARRIED**

## 13 CONFIDENTIAL REPORTS

### 13.1 LEGAL MATTERS AS AT 31 JANUARY 2015

**File No:** 1392

**Attachments:** 1. Legal Matters - November 2014 to January 2015

**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.

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#### SUMMARY

*Coordinator Corporate Improvement & Strategy presenting an update of current legal matters that Council is involved in as at 31 January 2015.*

#### COMMITTEE RESOLUTION

THAT the legal matters report containing updates on legal matters for Rockhampton Regional Council as at 31 January 2015 be received.

**Moved by:** Councillor Rutherford  
**Seconded by:** Councillor Smith

**MOTION CARRIED**

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**13.3 DISPOSAL OF PART OF LOT 4 ON SP197254, KNOWN AS 788 NORMAN ROAD NORMAN GARDENS, TO CROAKYBILL LTD RELATING TO DEVELOPMENT APPLICATIONS D/583-2013 & D/252-2011****File No:** 1680**Attachments:**

1. Letter of offer
2. Drawing showing proposed new road area
3. Aerial Map
4. D-252-2011 - Approved Plans
5. D252-2011 - Proposed Amended Plans

**Authorising Officer:** Drew Stevenson - Manager Corporate and Technology  
Ross Cheesman - 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.

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**SUMMARY**

*Croakybill Limited has approached Council with a request to acquire a portion of Council Freehold Land (230m<sup>2</sup>) at Lot 4 on SP197254 to dedicate as road in association with the requirements of their development application for the adjoining Lot 102 on SP252937.*

**COMMITTEE RESOLUTION**

THAT as the land is public open space and there is potential impact on neighbouring properties, Council does not agree to the sale of the land.

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

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**13.4 COMPENSATION AGREEMENT - CAPRICORN STONE PRODUCTS PTY LTD,  
LOT 1 ON LIV40877 (MINING LEASE 100010)****File No: 8444****Attachments:**  
1. Draft Compensation Agreement  
2. Aerial Map**Authorising Officer:** Drew Stevenson - Manager Corporate and Technology  
Ross Cheesman - General Manager Corporate Services**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.

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**SUMMARY**

*Reporting on a request received from Capricorn Stone Products Pty Ltd for Council to enter into a Compensation Agreement for a new mining lease over Quarry Reserve 430 (Lot 1 on LIV 40877) as detailed in this report.*

**COMMITTEE RESOLUTION**

THAT the Chief Executive Officer be authorised to enter into a Compensation Agreement for the amount of \$1.00 with Capricorn Stone Products Pty Ltd for the purpose of a new mining lease application (ML100010) over land Council is Trustee for, being Lot 1 on Crown Plan LIV40877.

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

10:21AM Councillor Fisher left the meeting

### 13.2 DISPOSAL OF PART OF LOT 1 ON CP848928 KNOWN AS 131 RICHARDSON ROAD, PARK AVENUE TO THE ADJOINING OWNER

**File No:** 8601

**Attachments:**

1. Correspondence from Schlencker Surveying
2. Correspondence from Capricorn Country Club
3. Map showing area to be disposed to adjoining owner
4. Valuation Report

**Authorising Officer:** Drew Stevenson - Manager Corporate and Technology  
Ross Cheesman - 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

*Reporting on a request from the adjoining owners of Lot 1 on CP848928 (131 Richardson Road) wishing to acquire approximately 187m<sup>2</sup> of Council freehold land to amalgamate with their property being Lot 18 on SP190913, 10 Sandy's Place Kawana.*

#### COMMITTEE RESOLUTION

THAT the Committee:

1. Approves the sale of the identified portion of Lot 1 on CP848928 (approximately 187m<sup>2</sup>) to the owners of the adjoining property at Lot 18 on SP190913 in accordance with the *Local Government Regulation 2012*, Section 236(c)(iv); and
2. Authorises the Chief Executive Officer (Coordinator Property and Insurance) to finalise negotiations for the sale of the land subject to the terms and conditions outlined within this report.

**Moved by:** Councillor Swadling

**Seconded by:** Councillor Smith

**MOTION CARRIED**

10:22AM Councillor Fisher returned to the meeting  
10:27AM Councillor Williams returned to the meeting  
10:28AM Councillor Schwarten left the meeting  
10:32AM Councillor Schwarten returned to the meeting

**14 CLOSURE OF MEETING**

There being no further business the meeting closed at 10:35am.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DATE