



PERFORMANCE & SERVICE COMMITTEE MEETING

MINUTES

24 NOVEMBER 2015

These Minutes are due to be confirmed at the next
Performance and Service Committee meeting on 23 February 2016.

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	OPENING.....	1
2	PRESENT	1
3	APOLOGIES AND LEAVE OF ABSENCE	1
4	CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....	1
5	DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA	2
6	BUSINESS OUTSTANDING.....	3
	NIL	3
7	PUBLIC FORUMS/DEPUTATIONS	4
7.1	PRESENTATION OF WORKPLACE HEALTH AND SAFETY AWARD OF EXCELLENCE - SAFEPLAN	4
8	OFFICERS' REPORTS	5
8.1	ANNUAL GOODS AND SERVICES SPEND ANALYSIS AND LOCAL PREFERENCE POLICY REVIEW	5
8.2	PROPOSED TRUSTEE LEASE TO NBN (TELECOMMUNICATIONS TOWER) - L203 CREEK STREET, MT MORGAN.....	6
8.3	FLOOD BARRIERS ROCKHAMPTON AIRPORT.....	7
8.4	PROPOSED SUBMISSION ON THE DRAFT STATE INFRASTRUCTURE PLAN.....	8
8.5	ECONOMIC GARDENING CAPRICORN PROPOSAL	9
8.6	RIVERFRONT REDEVELOPMENT MINISTERIAL APPROVAL.....	10
9	STRATEGIC REPORTS	11
9.1	SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 OCTOBER 2015.....	11
9.2	CORPORATE SERVICES DEPARTMENT - MONTHLY OPERATIONAL REPORT	12
9.3	2015/16 OPERATIONAL PLAN QUARTER ONE PROGRESS REPORT	13
10	NOTICES OF MOTION	14
	REFER TO CONFIDENTIAL REPORT – ITEM 13.2	14
11	URGENT BUSINESS\QUESTIONS	15
11.1	LEAVE OF ABSENCE - COUNCILLOR ELLEN SMITH.....	15
12	CLOSED SESSION	16
13.1	LEGAL MATTERS AS AT 31 OCTOBER 2015.....	16

13.2	NOTICE OF MOTION - COUNCILLOR NEIL FISHER - INSURANCE CLAIM	16
13.3	ADJOINING OWNER REQUEST TO PURCHASE LOTS 1 AND 2 ON RP603426 (PART OF 2-6 ELPHINSTONE STREET, BERSERKER)	16
13.4	CONVERSION OF 60-62 WHARF STREET TO ROAD RESERVE	16
13.5	DARUMBAL PEOPLE NATIVE TITLE CLAIM QUD6131/1998	16
13	CONFIDENTIAL REPORTS.....	18
13.1	LEGAL MATTERS AS AT 31 OCTOBER 2015.....	18
13.2	NOTICE OF MOTION - COUNCILLOR NEIL FISHER - INSURANCE CLAIM	19
13.3	ADJOINING OWNER REQUEST TO PURCHASE LOTS 1 AND 2 ON RP603426 (PART OF 2-6 ELPHINSTONE STREET, BERSERKER)	20
13.4	CONVERSION OF 60-62 WHARF STREET TO ROAD RESERVE	21
13.5	DARUMBAL PEOPLE NATIVE TITLE CLAIM QUD6131/1998	22
11	URGENT BUSINESS\QUESTIONS	23
11.2	LEAVE OF ABSENCE - COUNCILLOR GREG BELZ.....	23
14	CLOSURE OF MEETING.....	24

**REPORT OF THE PERFORMANCE & SERVICE COMMITTEE MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 24 NOVEMBER 2015 COMMENCING AT 9.00AM**

1 OPENING

2 PRESENT

Members Present:

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

In Attendance:

Mr R Holmes – Acting Chief Executive Officer
Mr R Cheesman – General Manager Corporate Services
Mr R Claus – Executive Manager Regional Development
Ms T Sweeney – Manager Workforce and Strategy
Mr D Stevenson – Manager Corporate and Technology Services
Mr T Hauenschild – Coordinator Safety and Training
Mr A Russell – Coordinator Strategic Infrastructure
Mr R Truscott – Coordinator Strategic Planning
Ms K Anderson – Coordinator Property and Insurance
Ms F McRae – Marketing and Media Officer
Ms L Leeder – Senior Governance Support Officer
Ms S Friske – Governance Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE

COMMITTEE RESOLUTION

THAT the apologies tendered by Councillor Stephen Schwarten be accepted.

Moved by: Councillor Belz
Seconded by: Councillor Swadling

MOTION CARRIED

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COMMITTEE RESOLUTION

THAT the minutes of the Performance & Service Committee held on 27 October 2015 be taken as read and adopted as a correct record.

Moved by: Councillor Swadling
Seconded by: Councillor Smith

MOTION CARRIED

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

UNCONFIRMED

6 BUSINESS OUTSTANDING

Nil

UNCONFIRMED

7 PUBLIC FORUMS/DEPUTATIONS

7.1 PRESENTATION OF WORKPLACE HEALTH AND SAFETY AWARD OF EXCELLENCE - SAFEPLAN

File No: 5207
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Tracy Sweeney - Acting General Manager Corporate Services

SUMMARY

Representatives from Local Government Workcare will be presenting Rockhampton Regional Council with an award in recognition of the outstanding result in the 2014 SafePlan audit.

COMMITTEE RESOLUTION

THAT the award from Local Government Workcare be received.

Moved by: Councillor Swadling

Seconded by: Councillor Smith

MOTION CARRIED

8 OFFICERS' REPORTS

8.1 ANNUAL GOODS AND SERVICES SPEND ANALYSIS AND LOCAL PREFERENCE POLICY REVIEW

File No: 5883

Attachments: 1. Draft Revised Local Preference Policy

Authorising Officer: Tracy Sweeney - Acting General Manager Corporate Services

Author: Drew Stevenson - Manager Corporate and Technology Services

SUMMARY

Presenting details of the annual goods and services spend analysis for the 12 month period - 31 October 2014 to 1 November 2015. This report also includes the annual review of the Local Preference Policy for the Committee's consideration and adoption.

COMMITTEE RESOLUTION

THAT the Committee:

- Receives the annual goods and services spend analysis report; and
- Adopts the revised Local Preference Policy as attached to this report.

Moved by: Mayor Strelow
Seconded by: Councillor Smith

MOTION CARRIED UNANIMOUSLY

8.2 PROPOSED TRUSTEE LEASE TO NBN (TELECOMMUNICATIONS TOWER) - L203 CREEK STREET, MT MORGAN

File No: 374

Attachments:

1. Aerial Map
2. NBN Telecommunications Tower Plans

Authorising Officer: Drew Stevenson - Manager Corporate and Technology Services
Tracy Sweeney - Acting General Manager Corporate Services

Author: Kellie Anderson - Coordinator Property and Insurance

SUMMARY

Coordinator Property & Insurance reporting on a request received from NBNCo to enter into a Trustee Lease over part of L203 Creek Street, Mt Morgan for the purpose of constructing a telecommunication tower.

COMMITTEE RESOLUTION

THAT further information, including photographs depicting the location and the view that would be presented from various locations including the highway, be made available on this matter and it be further considered at the Council meeting to be held on 8 December 2015.

Moved by: Councillor Rutherford

Seconded by: Mayor Strelow

MOTION CARRIED

9:35AM

In accordance with s173(2) of the *Local Government Act 2009*, Councillor Ellen Smith disclosed an interest in respect of Item 8.3 – Flood Barriers Rockhampton Airport due to a relative residing in Hunter Street. Councillor Smith considered her position and was of the opinion that she could participate in the debate and vote on the matter in the public interest.

8.3 FLOOD BARRIERS ROCKHAMPTON AIRPORT

File No: 1743

Attachments:

1. **Model Simulation - 1% AEP**
2. **Model Simulation - 2% AEP**
3. **Model Simulation - 5% AEP**

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Robert Holmes - General Manager Regional Services

SUMMARY

Council received an unsolicited proposal for flood barriers at the Rockhampton Airport from a company that supplies such equipment. Arrangements were made to run the proposals through the Fitzroy flood model to ascertain the effectiveness of the proposals to guide whether Council should consider pursuing that proposal further. The matter is submitted for the Committee's consideration and endorsement of a way forward on this matter.

9:40AM Councillor Belz left the meeting

COMMITTEE RESOLUTION

THAT consideration be given in the 2016/17 budget to progressing the assessment of temporary or permanent flood barrier solutions for the Rockhampton Airport.

Moved by: Mayor Strelow
Seconded by: Councillor Fisher

MOTION CARRIED

Councillor Smith recorded her vote against the motion

8.4 PROPOSED SUBMISSION ON THE DRAFT STATE INFRASTRUCTURE PLAN

File No: 4894
Attachments: 1. Proposed Submission
Authorising Officer: Martin Crow - Manager Engineering Services
Robert Holmes - General Manager Regional Services
Author: Angus Russell - Coordinator Strategic Infrastructure

SUMMARY

The report provides commentary on the draft State Infrastructure Plan and recommends a submission to be made to the Queensland Government. The Committee's endorsement of the submission is sought.

9:47AM Councillor Belz returned to the meeting

COMMITTEE RESOLUTION

THAT Council's submission on the draft State Infrastructure Plan, as presented and amended, be endorsed for submission to the State Government.

Moved by: Mayor Strelow
Seconded by: Councillor Fisher

MOTION CARRIED UNANIMOUSLY

8.5 ECONOMIC GARDENING CAPRICORN PROPOSAL

File No: 1022

Attachments: 1. Report of 11 August 2015 and flyer
2. Program overview

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

Author: Rick Palmer - Manager Economic Development

SUMMARY

Economic Gardening is a comprehensive training and mentoring development program for small business which wishes to expand. This report provides Council with the information necessary to guide a decision on participation.

COMMITTEE RESOLUTION

THAT Council:

- a) Take part in the Economic Gardening Capricorn Program (presented by Global Solutions Strategies) for 2016;
- b) Contribute \$1,100 per participating businesses based in the Rockhampton Region; and
- c) Request Capricorn Enterprise conduct more of the sessions in the Rockhampton Region.

Moved by: Mayor Strelow
Seconded by: Councillor Swadling

MOTION CARRIED

8.6 RIVERFRONT REDEVELOPMENT MINISTERIAL APPROVAL

File No: 9437
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Evan Pardon - Chief Executive Officer

SUMMARY

The State Government provided a \$15M economic stimulus package for post Cyclone Marcia recovery to Council for the redevelopment of the riverfront. To meet the intent of the funding to inject monies into the economy, there will be a number of contracts that will need to be entered into that exceed what is deemed a major policy decision during the Caretaker Period. This report seeks Council's approval to request an approval from the Minister when required.

COMMITTEE RESOLUTION

THAT Council seek Ministerial approval as required for Council to enter into contracts during the caretaker period after compliance with provisions of the Local Government Act for purchasing and contracting for the Riverfront Redevelopment Project.

Moved by: Mayor Strelow
Seconded by: Councillor Rutherford

MOTION CARRIED

9 STRATEGIC REPORTS

9.1 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 OCTOBER 2015

File No: 8148

Attachments:

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

Authorising Officer: Tracy Sweeney - Acting General Manager Corporate Services

Author: Jaco Maree - Acting Manager Finance

SUMMARY

Acting Finance Manager presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 October 2015.

COMMITTEE RESOLUTION

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

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

9.2 CORPORATE SERVICES DEPARTMENT - MONTHLY OPERATIONAL REPORT**File No:** 1392**Attachments:**

1. Finance Monthly Report - October 2015
2. Workforce & Strategy Monthly Report - October 2015
3. Corporate & Technology Monthly Report - October 2015

Authorising Officer: Evan Pardon - Chief Executive Officer**Author:** Tracy Sweeney - Acting General Manager Corporate Services

SUMMARY

The monthly operations report for the Corporate Services department as at 31 October 2015 is presented for Councillor's information.

COMMITTEE RESOLUTION

1. THAT the Corporate Services Departmental Operations Report as at 31 October 2015 be "received"; and
2. THAT a further report on the policy improvement and forms improvement be presented to the next Council meeting with options for accelerating the project.

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

9.3 2015/16 OPERATIONAL PLAN QUARTER ONE PROGRESS REPORT**File No:** 8320**Attachments:**

1. Q1 Summary - Office of CEO
2. Q1 Summary - Corporate Services
3. Q1 Summary - Regional Services
4. Q1 Summary - Community Services

Authorising Officer: Tracy Sweeney - Acting General Manager Corporate Services**Author:** Travis Pegrem - Coordinator Industrial Relations and Investigations

SUMMARY

The 2015/16 Operational Plan progress report for Quarter 1 as at 30 September 2015 is presented, pursuant to s174(3) Local Government Regulation 2012.

COMMITTEE RESOLUTION

THAT the 2015/16 Operational Plan progress report for Quarter 1 as at 30 September 2015 be received.

Moved by: Mayor Strelow
Seconded by: Councillor Smith

MOTION CARRIED

10 NOTICES OF MOTION

Refer to Confidential Report – Item 13.2

UNCONFIRMED

11 URGENT BUSINESS QUESTIONS

11.1 LEAVE OF ABSENCE - COUNCILLOR ELLEN SMITH

File No: 10072

Responsible Officer: Robert Holmes – General Manager Regional Services

SUMMARY

Councillor Ellen Smith requesting leave of absence for Friday 27 November 2015.

COMMITTEE RESOLUTION

THAT leave of absence be granted for Councillor Ellen Smith on Friday 27 November 2015.

Moved by: Councillor Smith

Seconded by: Councillor Fisher

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 October 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 Notice of Motion - Councillor Neil Fisher - Insurance Claim

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.

13.3 Adjoining Owner Request to Purchase Lots 1 and 2 on RP603426 (Part of 2-6 Elphinstone Street, Berserker)

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 Conversion of 60-62 Wharf Street to Road Reserve

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 (To protect the privacy rights of landholders).

13.5 Darumbal People Native Title Claim QUD6131/1998

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.

Moved by: Councillor Smith

Seconded by: Councillor Swadling

MOTION CARRIED

COMMITTEE RESOLUTION

10:34AM

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 Williams

Seconded by: Councillor Fisher

MOTION CARRIED

10:34AM Mayor Strelow declared a 15 minute recess.

10:51AM The meeting resumed.

Members Present:

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

In Attendance:

Mr R Holmes – Acting Chief Executive Officer
Mr R Cheesman – General Manager Corporate Services
Ms T Sweeney – Manager Workforce and Strategy
Mr D Stevenson – Manager Corporate and Technology Services
Ms K Anderson – Coordinator Property and Insurance
Ms F McRae – Marketing and Media Officer
Ms L Leeder – Senior Governance Support Officer
Ms S Friske – Governance Support Officer

10:58AM Councillor Swadling left the meeting and did not return

COMMITTEE RESOLUTION

11:35AM

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: Mayor Strelow
Seconded by: Councillor Smith
MOTION CARRIED

13 CONFIDENTIAL REPORTS

13.1 LEGAL MATTERS AS AT 31 OCTOBER 2015

File No: 1392
Attachments: 1. Legal Matters - October 2015
Authorising Officer: Tracy Sweeney - Acting General Manager Corporate Services
Author: Travis Pegrem - Coordinator Industrial Relations and Investigations

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 Industrial Relations and Investigations presenting an update of current legal matters that Council is involved in as at 31 October 2015.

COMMITTEE RESOLUTION

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

Moved by: Mayor Strelow
Seconded by: Councillor Smith

MOTION CARRIED

13.2 NOTICE OF MOTION - COUNCILLOR NEIL FISHER - INSURANCE CLAIM**File No:** 11765**Attachments:** 1. Cr Fisher - Notice of Motion**Responsible Officer:** Evan Pardon - Chief Executive Officer

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

Councillor Neil Fisher has indicated his intention to move the following Notice of Motion at the next Performance and Service Committee Meeting being held on 24 November 2015, as follows: Council review and grant the claim for damages.

COMMITTEE RESOLUTION

THAT a report on the matter of a claim for damages be presented at the next Council meeting on 8 December 2015.

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

**13.3 ADJOINING OWNER REQUEST TO PURCHASE LOTS 1 AND 2 ON RP603426
(PART OF 2-6 ELPHINSTONE STREET, BERSERKER)****File No:** 8601**Attachments:**

1. Map showing Lots 1 and 2 on RP603426 showing flood inundation
2. Photo of Fence Encroachment
3. Valuation Report
4. Correspondence making enquiry to purchase adjoining land
5. Correspondence from adjoining owner advising offer and attaching valuation report
6. Responses received from other adjoining owners
7. Aerial Map - 2011 Flood

Authorising Officer: Drew Stevenson - Manager Corporate and Technology Services
Tracy Sweeney - 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 to purchase Lots 1 and 2 on RP603426 (part of 2-6 Elphinstone Street, Berserker). This report details a number of associated issues regarding this request and proposes two options for the Committee's consideration.

COMMITTEE RESOLUTION

THAT the matter lay on the table pending a further report including information on adjoining properties and the North Rockhampton Flood Mitigation Project.

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

13.4 CONVERSION OF 60-62 WHARF STREET TO ROAD RESERVE

File No: 3974
Attachments: 1. Aerial Map
Authorising Officer: Drew Stevenson - Manager Corporate and Technology Services
Tracy Sweeney - Acting 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 (to protect the privacy rights of landholders).

SUMMARY

Coordinator Property & Insurance reporting on the proposal to convert Council owned freehold land situation at 60-62 Wharf Street, to road reserve.

COMMITTEE RESOLUTION

THAT the Chief Executive Officer (Coordinator Property & Insurance) be authorised to dedicate 60-62 Wharf Street, Depot Hill, (Lots 9-11 on RP600402) as road reserve and that all adjoining property owners be advised of this change.

Moved by: Councillor Williams

Seconded by: Mayor Strelow

MOTION CARRIED

Councillor Smith recorded her vote against the motion

13.5 DARUMBAL PEOPLE NATIVE TITLE CLAIM QUD6131/1998**File No:** 3033**Attachments:**

1. **Gilkerson Legal report regarding Council's participation in Native Title Claims Resolution**
2. **Update on Darumbal People Native Title Claim QUD6131-1998 - 1 May 2015**

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

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

This report discusses the current Native Title claim considerations with the Darumbal People and proposes the commencement of negotiations to establish an Indigenous Land Use Agreement.

COMMITTEE RESOLUTION

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

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

11 URGENT BUSINESS\QUESTIONS

11.2 LEAVE OF ABSENCE - COUNCILLOR GREG BELZ

File No: 10072

Responsible Officer: Robert Holmes – General Manager Regional Services

SUMMARY

Councillor Greg Belz requesting leave of absence for 2-3 December 2015 inclusive.

COMMITTEE RESOLUTION

THAT Councillor Greg Belz be granted leave of absence for 2-3 December 2015 inclusive.

Moved by: Councillor Belz
Seconded by: Councillor Williams

MOTION CARRIED

14 CLOSURE OF MEETING

There being no further business the meeting closed at 11:44am.

SIGNATURE

CHAIRPERSON

DATE

UNCONFIRMED