



ORDINARY MEETING

MINUTES

28 JANUARY 2014

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.....	1
6	BUSINESS OUTSTANDING	2
6.1	BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING.....	2
6.2	LIFTING MATTERS LAYED ON THE TABLE	3
6.3	ADOPTION OF COUNCILLOR CODE OF CONDUCT POLICY	4
7	PUBLIC FORUMS/DEPUTATIONS	5
	NIL	5
8	PRESENTATION OF PETITIONS	6
	NIL	6
9	COMMITTEE REPORTS	7
	NIL	7
10	COUNCILLOR/DELEGATE REPORTS	8
10.1	AMENDMENT TO COMMITTEE MEMBERSHIP AND TERMS OF REFERENCE	8
11	OFFICERS' REPORTS.....	10
11.1	CONFIRMATION OF MINUTES - CONTINUING COUNCIL MEETING 11 DECEMBER 2013	10
11.2	COMMUNITY ASSISTANCE PROGRAM.....	11
11.3	ROYALTIES FOR THE REGIONS ROUND 3 EXPRESSIONS OF INTEREST	12
11.4	COUNCIL PUBLIC INTEREST DISCLOSURE POLICY AND PROCEDURE	13
11.5	DEVELOPMENT INCENTIVES POLICY	14
11.6	ADOPTION OF COUNCILLOR ACCEPTABLE REQUEST GUIDELINES POLICY	15
11.7	BUDGET AMENDMENT - OCTOBER 2013	16
11.8	REVIEW OF FEES AND CHARGES 2013/2014	17
12	STRATEGIC REPORTS.....	18

12.1	FITZROY AGRICULTURAL CORRIDOR	18
12.2	SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 DECEMBER 2013	19
12.3	TRAVEL STATISTICS FOR STAFF AND COUNCILLORS 1 OCTOBER – 31 DECEMBER 2013	20
13	NOTICES OF MOTION.....	21
	NIL	21
14	QUESTIONS ON NOTICE	22
	NIL	22
15	URGENT BUSINESS\QUESTIONS	23
16	CLOSED SESSION	24
17.1	D350-2013 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A HOUSE.....	25
17.2	FEE REDUCTION FOR PROPOSED DEVELOPMENT APPLICATION	25
17.3	COMPENSATION AGREEMENT - CAPRICORN STONE PRODUCTS PTY LTD ON LOT 184 ON CP LIV40877 AND LOT 1 ON CP LIV40877	25
17.4	LEGAL MATTERS REPORT - 1 NOVEMBER TO 31 DECEMBER 2013	25
17.5	MONTHLY REPORT TO COUNCIL FROM CHIEF EXECUTIVE OFFICER	25
17	CONFIDENTIAL REPORTS.....	27
17.1	D350-2013 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A HOUSE.....	27
17.2	FEE REDUCTION FOR PROPOSED DEVELOPMENT APPLICATION	29
17.3	COMPENSATION AGREEMENT - CAPRICORN STONE PRODUCTS PTY LTD ON LOT 184 ON CP LIV40877 AND LOT 1 ON CP LIV40877	30
17.4	LEGAL MATTERS REPORT - 1 NOVEMBER TO 31 DECEMBER 2013	31
17.5	MONTHLY REPORT TO COUNCIL FROM CHIEF EXECUTIVE OFFICER	32
18	CLOSURE OF MEETING	33

**REPORT OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS,
232 BOLSOVER STREET, ROCKHAMPTON ON TUESDAY, 28 JANUARY 2014
COMMENCING AT 10:01AM**

1 OPENING

The opening prayer was presented by Reverend Robert Edwards of the Calvary Lutheran Church.

2 PRESENT

Members Present:

The Mayor, Councillor M F Strelow (Chairperson)
Councillor C E Smith
Councillor C R Rutherford
Councillor G A Belz
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 Holmes – General Manager Regional Services
Mr M Rowe – General Manager Community Services
Mr R Cheesman – General Manager Corporate Services
Mr S Turner – Manager Governance Support
Mr R Palmer – Manager Economic Development
Ms T Sweeney – Manager Workforce and Strategy
Ms A Cutler – Manager Finance
Mr G Van der Walt – Revenue & Accounting Coordinator
Ms T Fitzgibbon – Coordinator Development Assessment
Ms C Hibberd – Planning Officer
Ms A Bartlett – Marketing and Media Officer
Ms K Mahon – Committee Support Team Leader

3 APOLOGIES AND LEAVE OF ABSENCE

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 10 December 2013 be taken as read and adopted as a correct record.

Moved by: Councillor Williams

Seconded by: Councillor Smith

MOTION CARRIED

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

6.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

File No: 10097

Attachments: 1. Business Outstanding Table for Ordinary Council

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 Ordinary Council Meeting is presented for Councillors' information.

COUNCIL RESOLUTION

THAT the Business Outstanding table for the Ordinary Council Meeting be received.

Moved by: Councillor Schwarten

Seconded by: Councillor Smith

MOTION CARRIED

6.2 LIFTING MATTERS LAYED ON THE TABLE

File No: 2562
Attachments: Nil
Responsible Officer: Evan Pardon - Chief Executive Officer
Author: Evan Pardon - Chief Executive Officer

SUMMARY

The Business Outstanding table is used as a tool to identify when reports are due back to the table. Items lying 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 this meeting.

COUNCIL RESOLUTION

THAT the following matter, "lying on the table" in the Business Outstanding table due to return to the Council Meeting, be lifted from the table and be dealt with accordingly:

1. Adoption of Councillor Code of Conduct Policy

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

6.3 ADOPTION OF COUNCILLOR CODE OF CONDUCT POLICY

File No: 2562
Attachments: 1. Councillor Code of Conduct Policy
Responsible Officer: Evan Pardon - Chief Executive Officer
Author: Shane Turner - Manager Governance Support

SUMMARY

This matter was layed on the table at the Ordinary Council Meeting on 10 December 2013 and is now due to be returned to the table to be dealt with.

A Councillor Code of Conduct Policy has been developed for adoption by Council to provide direction for Councillors in the performance of their roles.

COUNCIL RESOLUTION

That Council move onto the next item of business.

Moved by: Councillor Swadling

Seconded by: Councillor Fisher

MOTION CARRIED

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 PRESENTATION OF PETITIONS

Nil

9 COMMITTEE REPORTS

Nil

10 COUNCILLOR/DELEGATE REPORTS

10.1 AMENDMENT TO COMMITTEE MEMBERSHIP AND TERMS OF REFERENCE

File No: 10072

Attachments: Nil

Responsible Officer: Evan Pardon - Chief Executive Officer

Author: Evan Pardon - Chief Executive Officer

SUMMARY

Following Council resolution on 25 November 2013 regarding Committee membership and Terms of Reference post de-amalgamation, a further amendment is required.

COUNCIL RESOLUTION

THAT Council adopt the following amended Committee structure and associated Terms of Reference effective 1 January 2014:

Committee	Members	Chairperson
Business Enterprise Committee	1.Mayor Strelow 2.Councillor Fisher 3.Councillor Smith 4.Councillor Rutherford 5.Councillor Belz 6.Councillor Swadling	Councillor Fisher
Communities Committee	1.Mayor Strelow 2.Councillor Swadling 3.Councillor Smith 4.Councillor Rutherford 5.Councillor Schwarten	Councillor Swadling
Health and Compliance Committee	1.Mayor Strelow 2.Councillor Smith 3.Councillor Fisher 4.Councillor Williams	Councillor Smith
Infrastructure Committee	1.Mayor Strelow 2.Councillor Belz 3.Councillor Schwarten 4.Councillor Williams 5.Councillor Fisher 6.Councillor Smith	Deputy Mayor Councillor Williams
Parks and Recreation Committee	1.Mayor Strelow 2.Councillor Rutherford 3.Councillor Schwarten 4.Councillor Williams 5.Councillor Swadling 6.Councillor Fisher	Councillor Rutherford
Performance and Service Committee	All Councillors	Mayor Strelow
Planning and Development Committee	All Councillors	Mayor Strelow
Water Committee	1.Mayor Strelow 2.Councillor Belz 3.Councillor Rutherford 4.Councillor Williams 5.Councillor Fisher	Councillor Belz

Resource Industry Committee	1.Mayor Strelow 2.Councillor Fisher 3.Councillor Smith 4.Councillor Rutherford 5.Councillor Belz 7.Councillor Williams 8.Councillor Swadling	Councillor Fisher
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Moved by: Councillor Williams

Seconded by: Councillor Smith

MOTION CARRIED

11 OFFICERS' REPORTS

11.1 CONFIRMATION OF MINUTES - CONTINUING COUNCIL MEETING 11 DECEMBER 2013

File No: 10097
Attachments: Nil
Responsible Officer: Evan Pardon - Chief Executive Officer
Author: Evan Pardon - Chief Executive Officer

SUMMARY

The Special Continuing Council Committee Meeting held on 11 December 2013 needs to be confirmed by the table as a true and accurate record.

COUNCIL RESOLUTION

1. THAT the minutes of the Special Continuing Council Committee Meeting held on 11 December 2013 be taken as read and adopted as a correct record.
2. That in respect of Item 5.5 of the minutes of the Continuing Council Meeting held 11 December 2013, Recommendation 1 regarding the establishment of the South Rockhampton Flood Levee Advisory Committee be amended to read as follows:

THAT the establishment of the South Rockhampton Flood Levee Advisory Committee be endorsed as outlined in the report presented with the inclusion of the Federal Member for Capricornia, the State members for Rockhampton and Keppel.

Moved by: Councillor Swadling
Seconded by: Councillor Williams

MOTION CARRIED

11.2 COMMUNITY ASSISTANCE PROGRAM**File No:** 7822**Attachments:** 1. **Community Assistance Program -
Attachment to report to Council 28 January
2014****Responsible Officer:** Michael Rowe - General Manager Community Services**Author:** Cheryl Haughton - Strategic Manager Community and
Cultural Development**SUMMARY**

Applications to the Community Assistance Program have been received from Central Queensland Vietnamese Community and Asthma Foundation Queensland. The applications have been assessed and both are recommended for funding for a total amount of \$3,000.

COUNCIL RESOLUTION

THAT Council approves the following applications for funding from the Community Assistance Program:

Applicant	Purpose of Grant/Sponsorship	Grant/Sponsorship Recommended
Asthma Foundation Queensland	Building Asthma Friendly Communities project (purchase of marquee and pull up banners)	\$1,000
Central Queensland Vietnamese Community	Vietnamese Lunar Festival 'The Year of the Horse'	\$2,000

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

11.3 ROYALTIES FOR THE REGIONS ROUND 3 EXPRESSIONS OF INTEREST

File No: 2744
Attachments: Nil
Responsible Officer: Robert Holmes - General Manager Regional Services
Author: Angus Russell - Coordinator Strategic Infrastructure Planning

SUMMARY

This report recommends projects to be submitted as Expressions of Interest to Round Three of the Royalties for the Regions funding program.

COUNCIL RESOLUTION

THAT Council endorse submitting the following prioritised projects as Expressions of Interest to Round 3 of the Royalties for the Regions funding program:

1. Gracemere Industrial Area Roads Project; and,
2. Mount Morgan Sewerage Extension.

Moved by: Councillor Smith
Seconded by: Councillor Williams

MOTION CARRIED UNANIMOUSLY

11.4 COUNCIL PUBLIC INTEREST DISCLOSURE POLICY AND PROCEDURE**File No:** 5238**Attachments:**
1. Public Interest Disclosure Policy
2. Public Interest Disclosure Procedure**Responsible Officer:** Ross Cheesman - General Manager Corporate Services**Author:** Tracy Sweeney - Manager Workforce and Strategy

SUMMARY

The Public Interest Disclosure Policy and the Public Interest Disclosure Procedure are presented to Council for consideration to ensure statutory compliance.

COUNCIL RESOLUTION

That Council moves onto the next item of business.

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

11.5 DEVELOPMENT INCENTIVES POLICY

File No: 5233
Attachments: Nil
Responsible Officer: Evan Pardon - Chief Executive Officer
Author: Robert Holmes - General Manager Regional Services

SUMMARY

The Council adopted the Development Incentives Policy in December 2013 and it has already generated a strong level of inquiry. On reflection, the Policy has omitted to include an area where the Council has encouraged development in the past and should further encourage in its overall strategy to see the Rockhampton CBD area grow. That is the area bounded by North Street, Victoria Parade, Cambridge Street and Alma Street and residential uses (hotels, motels and serviced apartments) should be encouraged in that area to provide markets and impetus for growth in the CBD. Council's endorsement of an amendment to the Development Incentives Policy to incorporate residential development in that area with a 50% Infrastructure Charges discount applicable is sought.

10:22AM Chief Executive Officer left the meeting.

10:23AM Chief Executive Officer returned to the meeting.

10:25AM In accordance with s173(2) of the *Local Government Act 2009*, Mayor Strelow disclosed a potential conflict of interest in respect of Item 11.5 – Development Incentives Policy due to owning a property within the area being discussed, the Councillor considered her position, did not take part in the debate and left the meeting.

10:25AM In accordance with s165(1)(a) of the *Local Government Act 2009* and s14(2) *Council Meeting Procedures*, the Deputy Mayor Councillor Williams was appointed Chairperson of the Ordinary Council meeting for the period of the Mayor, Councillor Strelow's absence.

10:27AM Councillor Belz left the meeting.

10:28AM Councillor Belz returned to the meeting.

COUNCIL RESOLUTION

THAT the Development Incentives Policy be amended to include an applicable 50% Infrastructure Charges discount on residential development in the area identified as Precinct 1 – Special Use Precinct, Inner City North Cultural with Part 2 – General Incentives of the Policy also being applicable to residential development in that area.

Moved by: Councillor Belz
Seconded by: Councillor Swadling

MOTION CARRIED

10:35AM Mayor Strelow returned to the meeting and resumed the Chair

11.6 ADOPTION OF COUNCILLOR ACCEPTABLE REQUEST GUIDELINES POLICY

File No: 2562

Attachments: 1. Councillor Acceptable Request Guidelines Policy

Responsible Officer: Evan Pardon - Chief Executive Officer

Author: Shane Turner - Manager Governance Support

SUMMARY

The Councillor Acceptable Request Guidelines Policy has been reviewed and is presented for adoption by Council.

COUNCIL RESOLUTION

That Council move onto the next item of business.

Moved by: Mayor Strelow

Seconded by: Councillor Fisher

MOTION CARRIED

11.7 BUDGET AMENDMENT - OCTOBER 2013**File No:** 8785**Attachments:**

1. Final One Page Budget October 2013 Revision
2. Ten Year Figures for October 2013 Revision
3. Detailed Capital Movements 2013-2014

Responsible Officer: Ross Cheesman - General Manager Corporate Services**Author:** Alicia Cutler - Manager Finance

SUMMARY

Manager Finance presenting the October Revised Budget for Council adoption with explanatory notes.

10:37AM In accordance with s172(2) of the *Local Government Act 2009*, Councillor Belz disclosed a material personal interest in respect of Item 11.7 – Budget Amendment – October 2013 due to a capital works project being undertaken within the vicinity of a property that he owned, the Councillor did not take part in the debate and left the meeting.

10:49AM Mayor Strelow left the meeting.

10:50AM Mayor Strelow returned to the meeting.

10:58AM Councillor Schwarten left the meeting.

COUNCIL RESOLUTION

THAT in accordance with the s.170 of Local Government Regulation 2012, the Revised Budget be adopted.

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

10:58AM Councillor Belz returned to the meeting.

11.8 REVIEW OF FEES AND CHARGES 2013/2014

File No: 7816
Attachments: 1. Fees and Charges 2013-2014
Responsible Officer: Ross Cheesman - General Manager Corporate Services
Author: Alicia Cutler - Manager Finance

SUMMARY

The fees and charges schedule has been revised to remove those fees that relate to the Livingstone Shire area specifically. This schedule is an updated schedule of Rockhampton Regional Fees and Charges which is intended to apply until 30 June 2014.

COUNCIL RESOLUTION

THAT in accordance with the requirements of the Local Government Act 2009 it is recommended that Council adopt the Fees and Charges schedule for the remaining 2013-14 financial year.

Moved by: Councillor Swadling

Seconded by: Councillor Fisher

MOTION CARRIED

12 STRATEGIC REPORTS

12.1 FITZROY AGRICULTURAL CORRIDOR

File No: 2831
Attachments: 1. Fitzroy Industry & Infrastructure Study Fact Sheets
Responsible Officer: Evan Pardon - Chief Executive Officer
Author: Rick Palmer - Manager Economic Development

SUMMARY

This report outlines the results of the Fitzroy Industry and Infrastructure Study and considers ways in which the Fitzroy Agricultural Corridor (FAC) may be progressed.

11:03AM Chief Executive Officer left the meeting.
11:04AM Chief Executive Officer returned to the meeting.
11:08AM Councillor Swadling left the meeting.
11:09AM Councillor Swadling returned to the meeting.

COUNCIL RESOLUTION

THAT:

- a) The Mayor, Deputy Mayor, Councillor Smith and Chief Executive Officer meet with the Minister for Agriculture, Fisheries & Forestry, the Hon Dr John McVeigh MP and, among other issues, push the recognition of the Fitzroy Agricultural Corridor precincts in stage 2 of the audit of prime Queensland agricultural land; and
- b) A submission be made to the Federal Government's Northern Australia Committee regarding the Fitzroy Agricultural Corridor.

Moved by: Councillor Fisher
Seconded by: Mayor Strelow

MOTION CARRIED

12.2 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 DECEMBER 2013

File No: 8148

Attachments: 1. Income Statement - December 2013
2. Key Indicator Graphs - December 2013

Responsible Officer: Alicia Cutler - Manager Finance
Ross Cheesman - General Manager Corporate Services

Author: Gerhard Van der Walt - Revenue and Accounting Coordinator

SUMMARY

The Manager Finance presenting the Rockhampton Regional Council Summary Budget Management Report for the Period Ended 31 December 2013.

COUNCIL RESOLUTION

THAT the Rockhampton Regional Council Summary Budget Management Report for the Period Ended 31 December 2013 be 'received'.

Moved by: Mayor Strelow
Seconded by: Councillor Fisher

MOTION CARRIED

12.3 TRAVEL STATISTICS FOR STAFF AND COUNCILLORS 1 OCTOBER – 31 DECEMBER 2013**File No:** 8308**Attachments:**

1. Travel Statistic for Councillors October - December 2013
2. Travel Statistics for Staff October - December 2013

Responsible Officer: Evan Pardon - Chief Executive Officer**Author:** Evan Pardon - Chief Executive Officer

SUMMARY

A brief report detailing the travel expenses incurred by Rockhampton Regional Council staff and Councillors for the period 1 October 2013 to 31 December 2013 inclusive.

COUNCIL RESOLUTION

THAT the report containing staff and Councillor travel statistics for the period 1 October 2013 to 31 December 2013 inclusive be 'received'.

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

13 NOTICES OF MOTION

Nil

14 QUESTIONS ON NOTICE

Nil

15 URGENT BUSINESS\QUESTIONS

16 CLOSED SESSION**17.1 LIFTING MATTERS LAYED ON THE TABLE****File No:** D/350-2013**Responsible Officer:** Corina Hibberd – Planning Officer

SUMMARY

The Business Outstanding table is used as a tool to identify when reports are due back to the table. Items lying 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 this meeting.

COUNCIL RESOLUTION

THAT the following matter, “lying on the table” in the Business Outstanding table due to return to the Council Meeting, be lifted from the table and be dealt with accordingly:

1. D350-2013 Development Application for a Material Change of Use for a House

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

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

11:15AM

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.

17.1 D350-2013 Development Application for a Material Change of Use for a House

This report is considered confidential in accordance with section 275(1)(g), of the *Local Government Regulation 2012*, as it contains information relating to any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act.

17.2 Fee Reduction for Proposed Development Application

This report is considered confidential in accordance with section 275(1)(g), of the *Local Government Regulation 2012*, as it contains information relating to any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act.

17.3 Compensation Agreement - Capricorn Stone Products Pty Ltd on Lot 184 on CP LIV40877 and Lot 1 on CP LIV40877

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 .

17.4 Legal Matters Report - 1 November to 31 December 2013

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.

17.5 Monthly Report to Council from 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 .

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

11:16AM Mayor Strelow declared the meeting be adjourned to resume at 11:21AM

11:23AM Mayor Strelow declared the meeting resume

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 E Pardon – Chief Executive Officer
Mr R Holmes – General Manager Regional Services
Mr R Cheesman – General Manager Corporate Services
Mr D Stevenson – Manager Corporate and Technology
Ms T Fitzgibbon – Coordinator Development Assessment
Ms C Hibberd – Planning Officer
Ms A Bartlett – Marketing and Media Officer
Ms K Mahon – Committee Support Team Leader

12:07PM Chief Executive Officer left the meeting.

12:09PM Chief Executive Officer returned

COUNCIL RESOLUTION

12:45PM

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 Williams

Seconded by: Councillor Swadling

MOTION CARRIED

17 CONFIDENTIAL REPORTS

17.1 D350-2013 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A HOUSE

File No: D/350-2013

Attachments:

1. Locality Plan
2. Site Plan
3. Floor Plan
4. The St George 4 - Bedder

Responsible Officer: Robert Holmes - General Manager Regional Services

Author: Corina Hibberd - Planning Officer

This report is considered confidential in accordance with section 275(1)(g), of the *Local Government Regulation 2012*, as it contains information relating to any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act.

SUMMARY

This matter was layed on the table at the Ordinary Council Meeting on 12 November 2013 pending a deputation. Bael Building Design presented a deputation at the Council Meeting on 10 December 2013, and the report is now due to be returned to the table to be dealt with.

Development Application Number: D/350-2013

Applicant: M Ruckert and T Spence

Real Property Address: Lot 9 on RP607631, Parish of Livingstone

Common Property Address: 73C Farm Street, Kawana

Area of Site: 749 square metres

Planning Scheme: Rockhampton City Plan 2005

Rockhampton City Plan Area: Parkhurst Rural Area

Existing Development: Storage Sheds (containers)

Existing Approvals: Subdivision sealed 29 January 1959

Approval Sought: Development Permit for a Material Change of Use for a House

Level of Assessment: Code Assessable

Submissions: Not Applicable

Referral Agency(s): Not Applicable

Adopted Infrastructure Charges Area: Charge Area Three

Application Progress:

<i>Application Lodged:</i>	30 July 2013
<i>Request for Further Information sent:</i>	13 August 2013
<i>Request for Further Information responded to:</i>	23 September 2013
<i>Submission period commenced:</i>	Not Applicable
<i>Submission period end:</i>	Not Applicable

<i>Government Agency request for addition time:</i>	<i>Not Applicable</i>
<i>Government Agency Response:</i>	<i>Not Applicable</i>
<i>Last receipt of information from applicant:</i>	<i>23 September 2013</i>
<i>Council request for additional time:</i>	<i>4 October 2013</i>
<i>Committee Meeting date:</i>	<i>5 November 2013</i>

COUNCIL RESOLUTION

That the matter be referred to the Planning & Development Committee Meeting on 29 January 2014.

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

17.2 FEE REDUCTION FOR PROPOSED DEVELOPMENT APPLICATION

File No: 4117
Attachments: Nil
Responsible Officer: Evan Pardon - Chief Executive Officer
Author: Robert Holmes - General Manager Regional Services

This report is considered confidential in accordance with section 275(1)(g), of the *Local Government Regulation 2012*, as it contains information relating to any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act.

SUMMARY

This report outlines a request for consideration of a reduction in application assessment fees relating to a proposed residential development over land at Belmont Road Parkhurst, described as Lot 102 on SP860099, Lot 129 on PL4021 and Lot 2 on RP609985.

COUNCIL RESOLUTION

THAT Council resolve to accept a fee of \$100,000 for a development application for a Preliminary Approval for a Material Change of Use for Residential and Open Space Purposes and Reconfiguration of a Lot (3 into 201 lots) affecting a Local Planning Instrument under section 242 of the *Sustainable Planning Act 2009*, over land at Belmont Road Parkhurst, described as Lot 102 on SP860099, Lot 129 on PL4021 and Lot 2 on RP609985.

Moved by: Councillor Swadling

Seconded by: Councillor Fisher

MOTION CARRIED

17.3 COMPENSATION AGREEMENT - CAPRICORN STONE PRODUCTS PTY LTD ON LOT 184 ON CP LIV40877 AND LOT 1 ON CP LIV40877**File No:** 8444**Attachments:**

1. Draft Compensation Agreement
2. Correspondence from Capricorn Stone Products Regarding Intended Quarry Access Improvements
3. Queensland Land Court - Court Order 31 October 2013

Responsible Officer: Ross Cheesman - General Manager Corporate Services**Author:** Drew Stevenson - Manager Corporate and Technology 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

Reporting on a request received from Capricorn Stone Products Pty Ltd for Council to enter into a Compensation Agreement for the renewal of mining leases over Quarry Reserve 83 (CP LIV 40877/184) and Quarry Reserve 430 (CP LIV 40877/1) as detailed in this report.

COUNCIL RESOLUTION

THAT the Chief Executive Officer be authorised to enter into a Compensation Agreement for the amount of \$1.00 (in accordance with usual practice) with Capricorn Stone Products Pty Ltd for the purpose of the renewal of their mining leases over land Council is Trustee for, being Lot 184 on Crown Plan LIV 40877 and Lot 1 on Crown Plan LIV 40877.

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

17.4 LEGAL MATTERS REPORT - 1 NOVEMBER TO 31 DECEMBER 2013

File No: 1392
Attachments: 1. Legal Matters Report as at 1 November 2013 to 31 December 2013
Responsible Officer: Tracy Sweeney - Manager Workforce and Strategy
Ross Cheesman - General Manager Corporate Services
Author: Tony Hauenschild – Coordinator Safety & Training

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

Update of current legal matters that Council is involved in from 1 November 2013 to 31 December 2013 presented for Council information.

COUNCIL RESOLUTION

THAT the Legal Matters report containing updates as at 1 November 2013 to 31 December 2013 be received.

Moved by: Councillor Rutherford

Seconded by: Councillor Smith

MOTION CARRIED

17.5 MONTHLY REPORT TO COUNCIL FROM CHIEF EXECUTIVE OFFICER

File No: 1830
Attachments: 1. CEO Monthly Report to Council
Responsible Officer: Evan Pardon - Chief Executive Officer
Author: 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

Chief Executive Officer presenting monthly report to Council as requested.

COUNCIL RESOLUTION

THAT the monthly report from the Chief Executive Officer on various matters be received.

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

18 CLOSURE OF MEETING

There being no further business the meeting closed at 12:52pm.

COUNCILLOR M F STRELOW
CHAIRPERSON

DATE

COUNCILLOR AP WILLIAMS
ACTING CHAIRPERSON

DATE