



SPECIAL MEETING

AGENDA

17 NOVEMBER 2020

Your attendance is required at a Special meeting of Council to be held in the Council Chambers, 232 Bolsover Street, Rockhampton on 17 November 2020 commencing at 9:00am for transaction of the enclosed business.

In line with section 277E of the Local Government Regulation 2012, it has been determined that it is not practicable for the public to attend Council meetings in person at the current time. Until further notice, Council meetings will instead take place via videoconference and will be livestreamed online.

A handwritten signature in black ink, appearing to be "C. P.", written in a cursive style.

CHIEF EXECUTIVE OFFICER
13 November 2020

Next Meeting Date: 24.11.20

Please note:

In accordance with the *Local Government Regulation 2012*, please be advised that all discussion held during the meeting is recorded for the purpose of verifying the minutes. This will include any discussion involving a Councillor, staff member or a member of the public.

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	OPENING.....	1
2	PRESENT	1
3	APOLOGIES AND LEAVE OF ABSENCE	1
4	DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA	1
5	OFFICERS' REPORTS	2
5.1	CENTRAL QUEENSLAND REGIONAL ORGANISATION OF COUNCILS (CQROC).....	2
5.2	EAST STREET LINK PROJECT: DESIGN & CONSTRUCTION.....	5
5.3	REUSE OF OLD GAVIAL CREEK BRIDGE.....	12
6	CLOSURE OF MEETING.....	14

1 OPENING

2 PRESENT

Members Present:

Acting Mayor, Councillor N K Fisher (Chairperson)
Councillor S Latcham
Councillor A P Williams
Councillor C E Smith
Councillor C R Rutherford
Councillor M D Wickerson
Councillor D Kirkland

In Attendance:

Mr E Pardon – Chief Executive Officer

3 APOLOGIES AND LEAVE OF ABSENCE

4 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

5 OFFICERS' REPORTS

5.1 CENTRAL QUEENSLAND REGIONAL ORGANISATION OF COUNCILS (CQROC)

File No:	11044
Attachments:	Nil
Authorising Officer:	Tracy Sweeney - Executive Manager Workforce and Governance Evan Pardon - Chief Executive Officer
Author:	Allysa Brennan - Coordinator Legal and Governance

SUMMARY

Rockhampton Regional Council (RRC) previously resolved to become a member of Central Queensland Regional Organisation of Councils Limited ("CQRoC") and appoint Mayor Margaret Strelow as the Primary Director. As a result of former Mayor Margaret Strelow's resignation, Council does not have a Primary Director of the Central Queensland Regional Organisation of Councils Limited. This report seeks Council's approval regarding appointment of a new Primary Director.

OFFICER'S RECOMMENDATION

THAT Council resolves to:

- (a) Proceed with Council's resolution made on 8 September 2020, in which case Rockhampton Regional Council will be a member of Central Queensland Regional Organisation of Councils Limited but won't have a Director; and
- (b) At the time that a new Mayor is appointed, the matter be brought back before Council for the appointment of the new Primary Director.

COMMENTARY

Rockhampton Regional Council (RRC) previously resolved to become a member of Central Queensland Regional Organisation of Councils Limited ("CQRoC") and appoint Mayor Margaret Strelow as the Primary Director. As a result of former Mayor Margaret Strelow's resignation, Council does not have a Primary Director of the Central Queensland Regional Organisation of Councils Limited.

BACKGROUND

The Central Queensland Regional Organisation of Councils has been in operation since 2013, following the demise of the Central Queensland Local Government Association. Its purpose is to pursue and advocate for matters which are of benefit to the Central Queensland region and to encourage and facilitate co-operation across the Councils. Over the past few years, there has been exploration of the most appropriate governance structure for the organisation.

After the investigation of numerous potential structures, the member Councils determined that a corporation limited by guarantee is the most appropriate legal structure for delivering the outcomes sought. The proposed company will be a beneficial enterprise, defined by the *Local Government Act 2009*.

On 8 September 2020, Council resolved to form a corporation limited by guarantee with Central Highlands Regional Council, Banana Shire Council, Gladstone Regional Council, Livingstone Shire Council and Woorabinda Aboriginal Shire Council and approved the name of the Company as "Central Queensland Regional Organisations of Councils Limited". Council further resolved to appoint Mayor Margaret Strelow as the director (the Primary Director) of the Company.

A total of up to 3 delegates can be appointed, with only 2 delegates being allowed to represent Council at any one general meeting. Council appointed Council's Chief Executive Officer as Alternate Director of the Company to act in place of the Primary Director. Council's resolution appointed Mayor Margaret Strelow, Councillor Neil Fisher and Council's Chief Executive Officer as the delegates to represent RRC at general meetings of the Company, with Councillor Fisher to only represent RRC at any general meeting where Mayor Strelow is unable to attend.

As a result of former Mayor Margaret Strelow's resignation she is no longer entitled to hold office as a Director.

CQRoC has not yet been incorporated but the other members of CQRoC intend to move forward with incorporation.

Under the draft constitution, the office of an Alternative Director is vacated when the Primary Director vacates office as a Director.

Council has a number of options:

- (a) Proceed with Council's resolution made on 8 September 2020, in which case Rockhampton Regional Council will be a member of Central Queensland Regional Organisation of Councils Limited but won't have a Director.
- (b) Council can resolve to make the Alternative Director (presently Council's Chief Executive Officer) the Primary Director and appoint a new Alternative Director; or
- (c) Council can appoint another Councillor to the position of Primary Director.

PREVIOUS DECISIONS

Council previously resolved on 8 September 2020:

"THAT Council resolves to:

- (a) *Engage in a beneficial enterprise with Central Highlands Regional Council, Banana Shire Council, Gladstone Regional Council, Livingstone Shire Council and Woorabinda Aboriginal Shire Council by forming a corporation limited by guarantee that is not listed on a stock exchange (the Company);*
- (b) *Approve the Constitution **attached** to this report as the Constitution of the Company;*
- (c) *Approve "Central Queensland Regional Organisations of Councils Limited" as the name of the Company;*
- (d) *Authorises King & Company to lodge the application for registration as a corporation limited by guarantee under the Corporations Act, subject to provision and completion of all relevant application details from all member Councils;*
- (e) *Appoint Mayor Margaret Strelow as a director (the Primary Director) of the Company;*
- (f) *Appoint Council's Chief Executive Officer as alternate director of the Company to act in place of the Primary Director;*
- (g) *Appoint Mayor Margaret Strelow, Councillor Neil Fisher and Council's Chief Executive Officer as the delegates to represent Rockhampton Regional Council (RRC) at general meetings of the Company with Neil Karl Fisher to only represent RRC at any general meeting where Margaret Fay Strelow is unable to attend; and*
- (h) *Delegate to the Chief Executive Officer the power to do all things necessary to give effect to RRC becoming a member of the Company."*

BUDGET IMPLICATIONS

There are perceived budget implications.

LEGISLATIVE CONTEXT

It is proposed that a company limited by guarantee be established under the *Corporations Act 2001 (Cth)*. If established, the company will be governed by the terms of its constitution and the Corporations Legislation.

It is intended that the proposed company be a beneficial enterprise, defined by the *Local Government Act 2009* as “an enterprise that a local government considers is directed to benefiting, and can reasonably be expected to benefit, the whole or part of its local government area”.

Under *Local Government Act* section 40, a Council may conduct a beneficial enterprise by participating with an association. Under section 40, “participates” includes forming an association, and an “association” includes “a corporation limited by guarantee but not listed on a stock exchange”.

LEGAL IMPLICATIONS

If established, the new company will be governed by the terms of its constitution and relevant Corporations Legislation.

STAFFING IMPLICATIONS

There are minimal staffing impacts.

CORPORATE/OPERATIONAL PLAN

5.1 Productive partnerships with all levels of government and relevant stakeholders

CONCLUSION

It is recommended that Council proceeds with the resolution made on 8 September 2020, in which case Rockhampton Regional Council will be a member of Central Queensland Regional Organisation of Councils Limited but won't have a Director. Further, at the time that a new Mayor is appointed, the matter be brought back before Council for the appointment of the new Primary Director.

5.2 EAST STREET LINK PROJECT: DESIGN & CONSTRUCTION

File No: 12155
Attachments: 1. [Renders](#)↓
2. [Floor Plan](#)↓
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Andrew Collins - Manager Project Delivery

SUMMARY

This report provides Council the proposed Design for the East Street Link Project in the Quay Street Cultural Precinct.

OFFICER'S RECOMMENDATION

THAT Council approves the concept design for the East Street Link Project and the commencement of these works.

COMMENTARY

The construction of the Rockhampton Museum of Art (RMoA) is well underway in the CBD. The RMoA project is an integral part of the Quay Street Cultural Precinct which is one of the six key catalyst projects identified as critical in the Rockhampton CBD Redevelopment Framework to help transform the CBD.

Supporting RMoA in the activation of the CBD and linking the CBD to the Riverside redevelopment is the East Street Links component of the overall project

BACKGROUND

The East Street Links project provides a pedestrian link and CBD event space on the sites of Council owned properties at 115 and 119 East Street.

The current proposal is to demolish the remnants of the existing buildings on the site and create an open and unroofed space from East Street to Quay Lane. The space will have service provisions in the way of power, water and sewerage connection points. The proposal will also include hard stand areas, moveable seating and potted soft landscaping to allow flexibility in the spaces use.

It will also be proposed to allow for the installation of a footing system for a future portal roof structure.

Woollam Constructions Pty Ltd are Council's builder on site for RMoA. They currently occupy the East Street Link site as a staging and logistics area to help minimise the impacts of construction on the CBD.

It is proposed to engage Woollams Constructions Pty Ltd under a variation to the current RMoA contract for the Design and Construction the East Street Links Project and have all works completed prior to the public opening of RMoA.

Attached are the design concept plans for the East Street Links Project.

PREVIOUS DECISIONS

N/A

BUDGET IMPLICATIONS

The current project budget sufficient funding for the final design and construction of the East Street Links project.

LEGISLATIVE CONTEXT

NA

LEGAL IMPLICATIONS

NA

STAFFING IMPLICATIONS

There are no additional implications to staff resourcing.

RISK ASSESSMENT

There is a risk to Council in relation to cost escalation and unfinished works adjacent to the RMoA , if the project is not completed to a stage that allows the safe removal of the existing structures and opens up pedestrian links in the CBD.

CORPORATE/OPERATIONAL PLAN

The construction of Rockhampton Museum of Art is highlight as a Significant Capital Project in Council's Operations Plan 2020-2021. The completion of the East Street Link Project is a important component of the Quay Street Cultural Precinct project.

CONCLUSION

The completion of the Quay Street Cultural Precinct project as identified in the Rockhampton CBD Redevelopment Framework is critical to the activation of the CBD. The East Street Link project is essential in connecting the CBD to RMoA and the greater Riverside Park Area. It is recommended that Council proceed with the Design and Construction of the East Street Link Project.

EAST STREET LINK PROJECT: DESIGN & CONSTRUCTION

Renders

Meeting Date: 17 November 2020

Attachment No: 1

East Street To Quay Lane Connection - Stage 1 Works (Nov 2020 – Mar 2021)



Sheet 5 of 6

East Street to Quay Lane Connection, Stage 1 works (Nov 2020 – March 2021)



Sheet 6 of 6

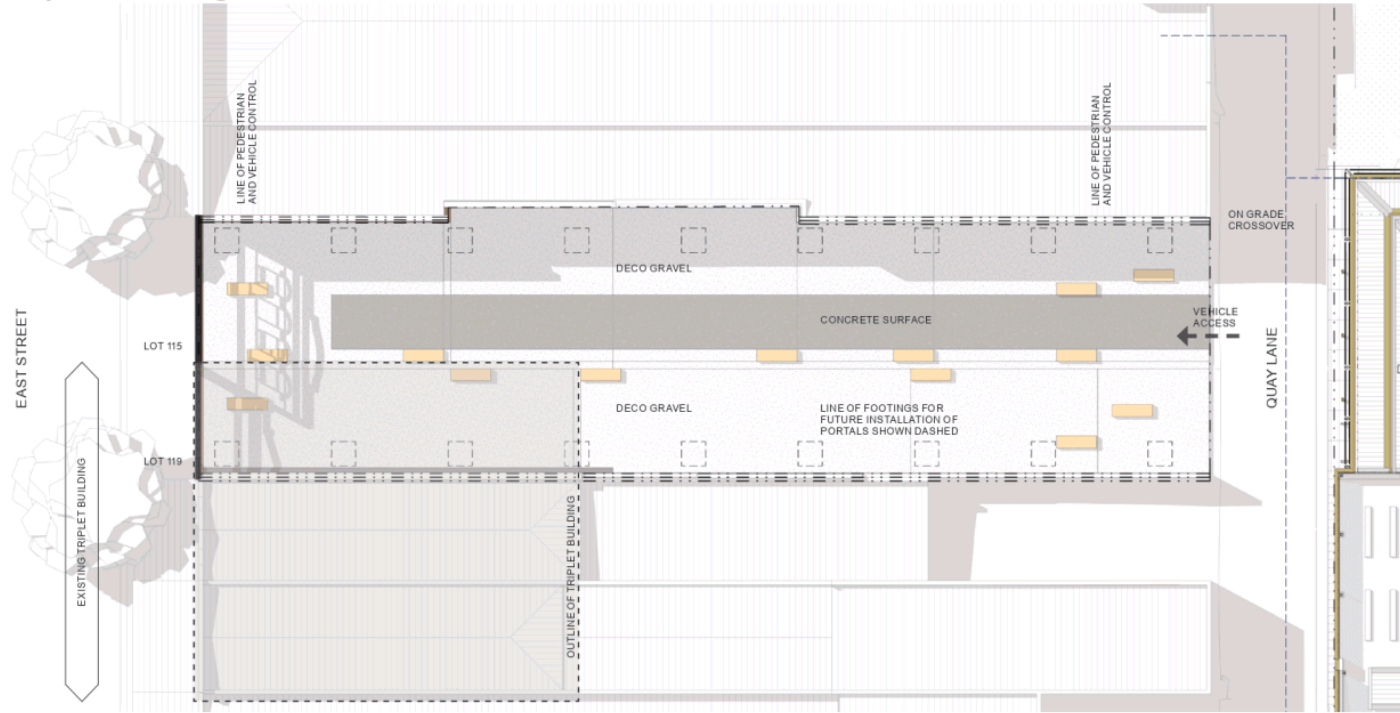
EAST STREET LINK PROJECT: DESIGN & CONSTRUCTION

Floor Plan

Meeting Date: 17 November 2020

Attachment No: 2

Floor plan - Stage 1



5.1 Comments

- The above is a plan representation which includes the remnant facade structure
- This provides a continuity of streetscape along East Street
- Offers a frame for views through the space to the gallery
- Provides a pedestrian refuge along the street edge
- Forms an entry to the site and to the greater cultural precinct
- Acts as a framework for future development
- All elements are shown indicatively
- Line of future footings are indicative only and would need to be confirmed by a structural engineer
- No parti wall propping is indicated in the above. This would likely be required however without proper structural assessment the full scope and configuration cannot be determined. Proper assessment of the structure of the existing buildings and the parti wall easement configurations is required.

PROJECT NO. 20236

6

5.3 REUSE OF OLD GAVIAL CREEK BRIDGE

File No: 363
Attachments: Nil
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Andrew Collins - Manager Project Delivery

SUMMARY

This report presents a proposal to reuse the steel trusses of the existing bridge and convert it into a fishing platform.

OFFICER'S RECOMMENDATION

THAT Council endorse the construction of a new fishing platform.

THAT the project be funded from Civil Operations capital budget.

COMMENTARY

A design has been developed which reuses the steel trusses from the old bridge. The design is a cantilevered structure with the fishing platform protruding approximately 13 metres from the bank.

BACKGROUND

In its earlier meeting Council has approved to retain the existing bridge and after construction of new bridge convert the existing bridge into an alternate use.

With the construction contractor on site with a large crane there is a significant opportunity for Council to demolish the current bridge safely and remove from the site all piers and abutments. It is also proposed to then construct the new Fishing platform.

PREVIOUS DECISIONS

On 22 September 2020 Council endorsed the removal of the old bridge and called for a further report with options to restore and reinstate the steel trusses.

BUDGET IMPLICATIONS

The current project budget is \$4.2M with cost of the new bridge only on completion estimated to be \$3.85M. The balance of the project budget is \$350,000.

For demolition of existing bridge and construction of new fishing platform using the old trusses a cost of \$1M has been established. The net shortfall to construct the new fishing platform is \$650,000.

Council has recently received \$1.63M additional grant funding for Macquarie Street Culvert upgrade and Boongary road upgrade. The Civil Operation program will need be revised to incorporate these projects. It is proposed to allocate the \$650,000 required to fund the fishing platform project as part of program adjustment.

STAFFING IMPLICATIONS

Nil

RISK ASSESSMENT

If Council does not take the opportunity to carry out the works whilst the contractor is on site, significant cost escalation will occur, to reestablish on site to undertake the works. There is also further risks on the deterioration of the trusses if they are not put into serviceable use.

CORPORATE/OPERATIONAL PLAN

Consult on, advocate, plan, deliver and maintain a range of safe urban and rural public infrastructure appropriate to the Region's needs, both present and into the future.

CONCLUSION

The report recommends the construction of a fishing platform which incorporates the old bridge trusses as part of the design.

6 CLOSURE OF MEETING