



ORDINARY MEETING

MINUTES

12 MAY 2015

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**REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 12 MAY 2015 COMMENCING AT 9.06AM**

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 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 R Claus – Executive Manager Regional Development
Mr R Palmer – Manager Economic Development
Ms M Barrett – Manager Parks
Ms K Anderson – Coordinator Property and Insurance
Ms E Brodel – Media and Communications Officer
Ms T Jacobsen – Governance Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE**4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING****COUNCIL RESOLUTION**

THAT the minutes of the Ordinary Meeting held on 14 April 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

6 BUSINESS OUTSTANDING

Nil

7 PUBLIC FORUMS/DEPUTATIONS

7.1 DEPUTATION FROM QUEENSLAND EXPLORATION COUNCIL

File No: 8444
Attachments: 1. Letter from Queensland Exploration Council
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Rick Palmer - Manager Economic Development

SUMMARY

Queensland Exploration Council (QEC) have requested an opportunity to provide a briefing on their activities as well as the importance and implications of exploration activities in the Rockhampton region.

9:07AM The Deputation from Queensland Exploration Council commenced
9:10AM Councillor Fisher attended the meeting
9:35AM Chief Executive Officer left the meeting
9:36AM Chief Executive Officer returned to the meeting
9:45AM The Deputation from Queensland Exploration Council concluded

9:45AM

Mayor Strelow declared that the meeting be adjourned for a recess until 9:55AM

9:58AM

Mayor Strelow declared that the meeting be resumed

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 R Cheesman – General Manager Corporate Services
Mr M Rowe – General Manager Community Services
Ms M Barrett – Manager Parks
Mr R Palmer – Manager Economic Development
Ms A Cutler – Manager Finance
Ms K Anderson – Coordinator Property and Insurance
Ms M Younger – Coordinator Procurement and Logistics
Ms E Brodel – Media and Communications Officer
Ms T Jacobsen – Governance Support Officer

COUNCIL RESOLUTION

1. THAT the deputation from Queensland Exploration Council be received; and
2. THAT Council make further contact with the Queensland Exploration Council with a view to partnering in hosting companies that are visiting our area and that Council continue and grow its relationship with the Coal Hub.

Moved by: Mayor Strelow

Seconded by: Councillor Fisher

MOTION CARRIED

8 MAYORAL MINUTE**8.1 MAYORAL MINUTE - RENAMING OF SECTION OF LION CREEK ROAD**

File No: 8054
Attachments: Nil
Responsible Officer: Evan Pardon – Chief Executive Officer

SUMMARY

9:59AM Mayor Margaret Strelow moved a Mayoral Minute that Council wishes to rename the portion of Lion Creek Road which is adjacent to Victoria Park to honour Graeme Acton, and that appropriate processes and consultation be undertaken.

COUNCIL RESOLUTION

1. THAT the portion of Lion Creek Road which is adjacent to Victoria Park be renamed to honour Graeme Acton; and
2. THAT appropriate processes and consultation be undertaken.

Moved by: Mayor Strelow

MOTION CARRIED

Councillor Schwarten recorded his vote against the Motion.

9 PRESENTATION OF PETITIONS

Nil

10 COMMITTEE REPORTS

Nil

11 COUNCILLOR/DELEGATE REPORTS

11.1 LEAVE OF ABSENCE FOR COUNCILLOR CHERIE RUTHERFORD - 25 TO 29 MAY 2015

File No: 10072
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Trudy Heilbronn - Executive Support Officer

SUMMARY

Councillor Cherie Rutherford seeking leave of absence from Monday 25 May to Friday 29 May 2015 inclusive.

COUNCIL RESOLUTION

THAT leave of absence be granted to Councillor Cherie Rutherford for the period Monday 25 May to Friday 29 May 2015 (inclusive).

Moved by: Mayor Strelow
Seconded by: Councillor Schwarten

MOTION CARRIED

11.2 LEAVE OF ABSENCE - COUNCILLOR GREG BELZ - 15 DECEMBER 2015 TO 13 JANUARY 2016 (INCLUSIVE)

File No: 10072
Attachments: Nil
Authorising Officer: Robert Holmes - Acting Chief Executive Officer
Author: Megan Careless - Executive Support Officer

SUMMARY

Councillor Greg Belz requesting leave of absence from 15 December 2015 to 13 January 2016 (inclusive).

COUNCIL RESOLUTION

THAT leave of absence be granted for Councillor Greg Belz from 15 December 2015 to 13 January 2016 (inclusive).

Moved by: Councillor Swadling
Seconded by: Councillor Fisher

MOTION CARRIED

11.3 LEAVE OF ABSENCE FOR COUNCILLOR ROSE SWADLING - 26 TO 28 MAY 2015 (INCLUSIVE)

File No: 10072
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer

SUMMARY

Councillor Rose Swadling requested leave of absence from 26 to 28 May 2015 (inclusive).

COUNCIL RESOLUTION

THAT leave of absence be granted for Councillor Rose Swadling from 26 to 28 May 2015 (inclusive).

Moved by: Councillor Williams

Seconded by: Councillor Fisher

MOTION CARRIED

12 OFFICERS' REPORTS

12.1 SCHEDULE OF MEETINGS - JULY TO DECEMBER 2015

File No: 1460
Attachments: 1. Schedule of Meetings - July to December 2015
Responsible Officer: Evan Pardon - Chief Executive Officer
Author: Evan Pardon - Chief Executive Officer

SUMMARY

Chief Executive Officer presenting the Schedule of Council and Committee meetings for the period July to December 2015.

COUNCIL RESOLUTION

THAT the Schedule of Council and Committee meetings for the period July to December 2015 be adopted.

Moved by: Councillor Fisher
Seconded by: Councillor Swadling

MOTION CARRIED

12.2 COMMUNITY ASSISTANCE PROGRAM

File No: 7822

Attachments: 1. **Communities Assistance Program - recommendations and assessment comments**

Authorising Officer: Michael Rowe - General Manager Community Services

Author: Cheryl Haughton - Manager Community Services

SUMMARY

Applications to the Community Assistance Program have been received from Friends of Archer Park Station, Rotary Club of Rockhampton North and Indian Association of Central Queensland. The applications were assessed and all were recommended for funding for a total amount of \$22,910.

COUNCIL RESOLUTION

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

Applicant	Purpose of Grant/Sponsorship	Amount
Friends of Archer Park Station	Carriage Refurbishment 2015	\$8,810
Rotary Club of Rockhampton North	2015 Rocky Swap	\$11,900
Indian Association of Central Queensland	2015 Diwali Milan	\$2,200

Moved by: Councillor Swadling

Seconded by: Councillor Smith

MOTION CARRIED

12.3 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION'S (ALGA) APPROACH TO INDEXATION FREEZE OF THE FEDERAL GOVERNMENTS' FINANCIAL ASSISTANCE GRANTS (FAG) FOR LOCAL GOVERNMENT

File No: 7322
Attachments: 1. Letter from LGAQ - Financial Assistance Grants to Local Government
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Ross Cheesman - General Manager Corporate Services

SUMMARY

General Manager Corporate Services reporting on the Australian Local Government Association's (ALGA) approach to indexation freeze of the Federal Governments' Financial Assistance Grants for Local Government.

COUNCIL RESOLUTION

THAT Council:

1. Acknowledges the importance of federal funding through the Financial Assistance Grants program for the continued delivery of councils services and infrastructure;
2. Acknowledges that Council will receive \$6,961,109 in 2014-15; and
3. Will ensure that this federal funding, and other funding provided by the Federal Government under relevant grant programs, is appropriately identified as Commonwealth funding in council publications.

Moved by: Councillor Williams

Seconded by: Councillor Belz

MOTION CARRIED

12.4 SHORT-TERM OPTIONS FOR OPERATION OF 42ND BATTALION MEMORIAL POOL AND 'SHUT THE GATE' LEARN-TO-SWIM FACILITY

File No: 1464
Attachments: Nil
Authorising Officer: Margaret Barrett - Manager Parks
Michael Rowe - General Manager Community Services
Author: Sophia Czarkowski - Sports & Education Officer

SUMMARY

The current Trustee Permit between Council and Lane 4 Aquatics for the operation and management of the 42nd Battalion Memorial Pool expires on 30 June 2015 and the current Trustee Lease between Council and CQ Aquajets Inc for the operation of the 'Shut the Gate' learn-to-swim facility expires on 30 June 2015. This report provides Council with a number of short-term options regarding the operation of both sites.

COUNCIL RESOLUTION

THAT Council:

1. Approve the Trustee Lease to CQ Aquajets Inc be renewed for a period of up to five (5) years under the current terms and conditions of the existing Agreement providing surety of operation to the organisation; and
2. Explore options for the leasing of the Mini Golf to be completed within 2 months.

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

12.5 RESCIND RESOLUTION - GRACEMERE REDBACKS FOOTBALL CLUB LEASE ON JOHNSON ROAD GRACEMERE

File No: 1464

Attachments: 1. Resolution - Request from Gracemere Soccer Club to lease land near cemetery in Gracemere - June 2011

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

Author: Sophia Czarkowski - Sports & Education Officer

Previous Items: 8.3 - Gracemere Redbacks Football Club's proposed lease - Parks & Recreation Committee - 05 Mar 2013 12.00pm

SUMMARY

On 5 March 2013 Council Officers requested that Council rescind a previous decision regarding the leasing of land located on Johnson Road adjacent to the Cemetery (Lot 2 SP163921) to Gracemere Redbacks Football Club Inc for the purpose of football/ soccer activities. This report seeks Council approval to rescind the previous motion carried by Council on 14 June 2011.

10:25AM Chief Executive Officer left the meeting.

10:26AM Chief Executive Officer returned to the meeting.

COUNCIL RESOLUTION

THAT Council rescind the following resolution of Council which was adopted at the Council Meeting on 14 June 2011:

THAT the committee recommends to lease land (Lot SP 163921/2) to Gracemere Redbacks Football Club.

Moved by: Mayor Strelow

Seconded by: Councillor Swadling

MOTION CARRIED UNANIMOUSLY

13 STRATEGIC REPORTS

Nil

14 NOTICES OF MOTION

Nil

15 QUESTIONS ON NOTICE

Nil

16 URGENT BUSINESS QUESTIONS**16.1 COUNCILLOR DISCRETIONARY FUND REQUEST - MAYOR MARGARET STRELOW - WOMEN'S HEALTH CENTRE**

File No: 8295
Attachments: Nil
Responsible Officer: Evan Pardon – Chief Executive Officer

SUMMARY

Mayor Margaret Strelow sought approval to donate \$1,000.00 from her Councillor Discretionary Fund to the Women's Health Centre as financial assistance towards the fundraising total to be achieved from their Masquerade Ball.

COUNCIL RESOLUTION

THAT approval be granted to donate \$1,000.00 from Mayor Margaret Strelow's Councillor Discretionary Fund to the Women's Health Centre Masquerade Ball.

Moved by: Mayor Strelow
Seconded by: Councillor Swadling

MOTION CARRIED

16.2 2015 SURAT BASIN ENERGY AND MINING EXPO

File No: 8308
Attachments: Nil
Responsible Officer: Evan Pardon – Chief Executive Officer

SUMMARY

Approval is sought for Councillor Fisher, Councillor Smith and Councillor Swadling to attend the 2015 Surat Basin Energy and Mining Expo being held 17 – 18 June 2015.

COUNCIL RESOLUTION

THAT approval be granted for Councillor Fisher, Councillor Smith and Councillor Swadling to attend the 2015 Surat Basin Energy and Mining Expo being held 17 – 18 June 2015.

Moved by: Mayor Strelow
Seconded by: Councillor Fisher

MOTION CARRIED

16.3 BEEF AUSTRALIA 2015 ACKNOWLEDGEMENT AND THANK YOU**File No:** 10486**Attachments:** Nil**Responsible Officer:** Evan Pardon – Chief Executive Officer

SUMMARY

Councillor Tony Williams moved that Council acknowledges the work of the Beef Australia 2015 Committee and recognise the efforts that the Committee, event organisers, and volunteers have undertaken to successfully showcase both the Rockhampton Region and our Beef Industry.

COUNCIL RESOLUTION

THAT Council present letters of thanks and congratulations to the Beef Australia 2015 Committee, event organisers, and volunteers.

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

17 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.

COUNCIL 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.

17.1 Request for assignment of Trustee Lease from Neil Collins to Magnum Paintball

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.

17.2 Lease of Victoria Park Precinct Cafe / Restaurant

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.

17.3 Kershaw Gardens Remediation Tender Consideration Plan

This report is considered confidential in accordance with section 275(1)(c), of the *Local Government Regulation 2012*, as it contains information relating to the local government's budget.

Moved by: Mayor Strelow

Seconded by: Councillor Smith

MOTION CARRIED

COUNCIL RESOLUTION

10:36AM

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: Mayor Strelow

Seconded by: Councillor Williams

MOTION CARRIED

11:16AM Chief Executive Officer left the meeting
11:18AM Chief Executive Officer returned to the meeting
10:37AM Councillor Williams left the meeting
10:38AM Councillor Williams returned to the meeting

COUNCIL RESOLUTION

11:32AM

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 Fisher

MOTION CARRIED

18 CONFIDENTIAL REPORTS

18.1 REQUEST FOR ASSIGNMENT OF TRUSTEE LEASE FROM NEIL COLLINS TO MAGNUM PAINTBALL

File No: 1464

Attachments:

1. Map of Rosel Park
2. Copy of Magnum Paintball's business plan
3. Example paintball gallery

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

Author: Sophia Czarkowski - Sports & Education Officer

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

Neil Collins trading as Arc Leisure has requested permission from Council to assign the Trustee Lease Agreement to Magnum Paintball for operation of paintball activities at Rosel Park, 504 Quay Street.

COUNCIL RESOLUTION

THAT Council:

1. Provide Consent to Neil Collins to assign the Trustee Lease Agreement to Magnum Paintball, subject to the condition outlined in this report; and
2. In the Deed of Assignment, agree that upon expiry of current Trustee lease, that Council will renew the lease for a period of five (5) years with the provision of an early termination clause at three (3) years at Council's sole discretion and provided that Magnum Paintball are not in breach of the agreement.

Moved by: Mayor Strelow

Seconded by: Councillor Swadling

MOTION CARRIED

18.2 LEASE OF VICTORIA PARK PRECINCT CAFE / RESTAURANT

File No: 11228

Attachments:

1. Evaluation Panel Summary
2. Tender submission - preferred Tenderer

Authorising Officer: Michael Rowe - General Manager Community Services

Author: Margaret Barrett - Manager Parks

Previous Items:

7.2 - Request for Expressions of Interest to Operate Aquatic Facilities, Develop and Operate Restaurant / Cafe - Continuing Council Committee - 11 Dec 2013 1pm (Special)

17.1 - Request to Issue Tenders for Management and Operation of Aquatic Facilities and Cafe - Ordinary Council - 08 Apr 2014 10:00 am

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 and seeks Council approval for the preferred tenderer for the leasing of the Victoria Park Precinct Café / Restaurant.

COUNCIL RESOLUTION

THAT Council approve the Trustee Lease to Samantha Bailey and Joanne Winter, for the Victoria Park Precinct Café located at 1A Lion Creek Road, Wandal (2nd World War Memorial Aquatic Centre) for a period of five (5) years.

Moved by: Mayor Strelow
Seconded by: Councillor Williams

MOTION CARRIED

Councillor Rose Swadling recorded her vote against the Motion

18.3 KERSHAW GARDENS REMEDIATION TENDER CONSIDERATION PLAN

File No: 805
Attachments: Nil
Authorising Officer: Michael Rowe - General Manager Community Services
Author: Margaret Barrett - Manager Parks
Previous Items: L.1 - Temporary Closure of Kershaw Gardens - Ordinary Council - 14 Apr 2015 9.00 am

This report is considered confidential in accordance with section 275(1)(c), of the *Local Government Regulation 2012*, as it contains information relating to the local government's budget.

SUMMARY

This report seeks Council approval of the tender consideration plan for the remediation of Kershaw Gardens.

COUNCIL RESOLUTION

THAT Council approves the Tender Consideration Plan under s230 of the *Local Government Regulation 2012*.

Moved by: Mayor Strelow
Seconded by: Councillor Rutherford

MOTION CARRIED

19 CLOSURE OF MEETING

There being no further business the meeting closed at 11:34am.

SIGNATURE

CHAIRPERSON

DATE