



ORDINARY MEETING

MINUTES

8 SEPTEMBER 2020

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**REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 8 SEPTEMBER 2020 COMMENCING AT 9:04AM**

1 OPENING

- 1.1 Acknowledgement of Country
- 1.2 Opening Prayer presented by Father Bryan Hanifin from St Joseph's Cathedral

9:05AM Councillor Fisher entered the meeting room

2 PRESENT

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Cheesman – Deputy Chief Executive Officer
Ms C Bell – Coordinator Environmental Sustainability
Ms L Leeder – Senior Committee Support Officer
Ms K Walsh – Committee Support Officer

Via Webex:

Mr P Kofod – General Manager Regional Services
Mr A Pont – Acting General Manager Community Services
Ms A Cutler – Chief Financial Officer
Ms T Sweeney – Executive Manager Workforce and Governance
Mr D Morrison – Manager Office of the Mayor
Mr D Stevenson – Manager Corporate and Technology
Ms K Anderson – Coordinator Property and Insurance
Ms A Brennan – Coordinator Legal and Governance
Mr G Sheppard – Senior Executive Economic Development

Note: To comply with social distancing measures the number of people permitted at any one time in Council Chambers is 14, with attendance in the room managed accordingly.

3 APOLOGIES AND LEAVE OF ABSENCE

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting of 25 August 2020 be confirmed.

Moved by: Councillor Smith
Seconded by: Councillor Kirkland

MOTION CARRIED

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

9:07AM

"I, Councillor Tony Williams declare that I have a conflict of interest in Item 9.1 – Councillor Discretionary Fund - Councillor Williams - Nerimbera Football Club, as I am a Patron of the Nerimbera Football Club and I will be dealing with this declared conflict of interest by leaving the meeting while this matter is discussed and voted on."

9:09AM

"I, Councillor Cherie Rutherford declare that I have a material personal interest in Item 1 on the Business Outstanding Table as I have been previously employed by PCYC and expect to be employed again in the future. I will be dealing with this declared material personal interest by leaving the meeting while the matter is discussed and voted on."

6 BUSINESS OUTSTANDING

6.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

File No: 10097
Attachments: 1. Business Outstanding Table for Ordinary Council Meeting
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 excluding the first item: Rockhampton Police Citizens Youth Welfare Association Building Ownership be received.

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

9:11AM Councillor Rutherford left the meeting room having earlier declared an interest.

COUNCIL RESOLUTION

THAT the item titled 'Rockhampton Police Citizen Youth Welfare Association Building Ownership' on the Business Outstanding table be received.

Moved by: Councillor Fisher
Seconded by: Councillor Kirkland
MOTION CARRIED

9:12AM Councillor Rutherford returned to the meeting room.

7 PUBLIC FORUMS/DEPUTATIONS

Mr Peter Donaghy from Department of Natural Resources, Mines and Energy will attend the meeting at 10.00am to provide a briefing to Council. This discussion of commercially sensitive matters will be held in Closed Session.

8 PRESENTATION OF PETITIONS

Nil

9 COUNCILLOR/DELEGATE REPORTS

9.1 COUNCILLOR DISCRETIONARY FUND - COUNCILLOR WILLIAMS - NERIMBERA FOOTBALL CLUB

9:13AM Councillor Williams left the meeting room having earlier declared an interest in this matter

File No: 8295
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Nicole Semfel - Executive Support Officer

SUMMARY

Approval is sought from Council for a donation from Councillor Williams' Councillor Discretionary Fund to assist with replacing an existing safety fence at Pilbeam Park.

COUNCIL RESOLUTION

THAT approval be granted to donate \$1,351.05 from Councillor Tony Williams' Councillor Discretionary Fund to assist with replacing an existing safety fence at Pilbeam Park.

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

9:13AM Councillor Williams returned to the meeting room

10 OFFICERS' REPORTS

10.1 ENVIRONMENTAL SUSTAINABILITY STRATEGY: FY2019-20 YEAR IN REVIEW

File No: 1174

Attachments: 1. Environmental Sustainability Strategy -
FY2019-20 Year in Review report

Authorising Officer: Alicia Cutler - Chief Financial Officer
Ross Cheesman - Deputy Chief Executive Officer

Author: Christine Bell - Coordinator Environmental
Sustainability

SUMMARY

This report provides an update on implementation of Council's Environmental Sustainability Strategy and tables the 'Year in Review' highlights report for FY2019-20.

COUNCIL RESOLUTION

That Council endorse, and approve public exhibition of, the Environmental Sustainability Strategy FY2019-20 'Year in Review' report.

Moved by: Councillor Kirkland
Seconded by: Councillor Wickerson

MOTION CARRIED

Councillor Kirkland formally congratulated the founding Chair of Environment Portfolio, Councillor Drew Wickerson along with Council's group of incredibly dedicated environment team members.

10.2 RISK REGISTERS - QUARTERLY UPDATE AS AT 7 AUGUST 2020**File No:** 8780**Attachments:**

1. Corporate Risk Register - Quarterly Update as at 7 August 2020
2. Operational Risk Register - Quarterly Update as at 7 August 2020
3. Potential and Current Risk Exposure Profile as at 7 August 2020

Authorising Officer: John Wallace - Chief Audit Executive
Ross Cheesman - Deputy Chief Executive Officer**Author:** Kisane Ramm - Senior Risk and Assurance Advisor

SUMMARY

Submission of the quarterly risk register updates, as at 7 August 2020, for adoption by Council.

COUNCIL RESOLUTION

THAT Council adopts the quarterly risk register updates as at 7 August 2020.

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

10.3 CENTRAL QUEENSLAND REGIONAL ORGANISATION OF COUNCILS (CQROC)

File No: 11044
Attachments: 1. Draft Constitution
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Allysa Brennan - Coordinator Legal and Governance

SUMMARY

Rockhampton Regional Council (RRC) is intending to become a member of a new proposed CQRoC structure. The proposed new structure is in the form of a beneficial enterprise which will be operated by forming with RRC's neighbouring Councils a corporation limited by guarantee that is not listed on a stock exchange. This report seeks Council's approval of Council's participation in the proposed new structure.

COUNCIL RESOLUTION

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.

Moved by: Mayor Strelow

Seconded by: Councillor Smith

MOTION CARRIED UNANIMOUSLY

11 NOTICES OF MOTION

Nil

12 QUESTIONS ON NOTICE

Nil

14 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.

15.1 Proposed Sale of Council Land

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.

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

RECOMMENDATION

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.

15.2 Proposed Freehold Licence for use of encroached land - 35 Jardine Street, Wandal

It was determined at the meeting that this item would be dealt with in Open Session

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.

15.3 Native title – Mount Morgan Fireclay Caverns

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 Latcham
Seconded by: Councillor Rutherford
MOTION CARRIED

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.

15.4 Deputation - Department of Natural Resources Mines and Energy

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 Williams
Seconded by: Councillor Fisher
MOTION CARRIED

13 URGENT BUSINESS QUESTIONS

13.1 COUNCILLOR DISCRETIONARY FUND - BLUE EDGE YOUTH ENGAGEMENT PROGRAMME - MOUNT MORGAN STATE HIGH SCHOOL

File No: 8295

Responsible Officer: Nicole Semfel – Executive Support Officer

SUMMARY

Approval is sought from Council for a donation from both Councillor Rutherford's and Councillor Smith's Councillor Discretionary Fund towards the Blue Edge Youth Engagement Programme - Mount Morgan State High School

COUNCIL RESOLUTION

THAT Council approves the financial assistance to Mount Morgan State High School – Blue Edge Youth Engagement Programme:

- \$200.00 from Councillor Cherie Rutherford's Councillor Discretionary Fund
- \$100.00 from Councillor Ellen Smith's Councillor Discretionary Fund

Moved by: Councillor Smith

Seconded by: Mayor Strelow

MOTION CARRIED

10 OFFICERS' REPORTS

15.2 PROPOSED FREEHOLD LICENCE FOR USE OF ENCROACHED LAND – 35 JARDINE STREET, WANDAL

File No: 374

Attachments:

1. Aerial map
2. Site Photos

Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Drew Stevenson - Manager Corporate and Technology Services

Author: Michelle Mills - Property and Resumptions Officer
Kellie Anderson - Coordinator Property and Insurance

SUMMARY

Reporting on an assessment of encroachments on Council land situated at 35 Jardine Street Wandal, in accordance with Council's Encroachment on Public Land policy and procedure.

COUNCIL RESOLUTION

THAT pursuant to item 5.3 of Council's Encroachment on Public Land policy, the Chief Executive Officer (Property and Resumptions Officer) be authorised to negotiate and enter into a Freehold Licence over Council land situated at 35 Jardine Street, Wandal (Lot 15 on RP601990) to the adjoining owner at 33 Jardine Street, Wandal for use of the encroached land.

Moved by: Mayor Strelow
Seconded by: Councillor Kirkland

MOTION CARRIED

Councillor Fisher recorded his vote against the motion

COUNCIL RESOLUTION**9:35AM**

THAT pursuant to s5.11 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

Moved by: Councillor Wickerson

Seconded by: Councillor Fisher

MOTION CARRIED

COUNCIL RESOLUTION**10:10AM**

THAT pursuant to s5.11 *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

Moved by: Councillor Fisher

Seconded by: Councillor Wickerson

MOTION CARRIED

15 CONFIDENTIAL REPORTS

15.1 PROPOSED SALE OF COUNCIL LAND

File No:	1680
Attachments:	1. Aerial map
Authorising Officer:	Ross Cheesman - Deputy Chief Executive Officer Drew Stevenson - Manager Corporate and Technology Services
Author:	Michelle Mills - Property and Resumptions Officer 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 to purchase Council owned land.

COUNCIL RESOLUTION

THAT the Chief Executive Officer (Property and Resumptions Officer) be authorised to:

1. Dispose of Council land, situated at 6 Cribb Street, Mount Morgan (Lot 26 on MPH11201) via public tender in accordance with section 228(4) of the *Local Government Regulation 2012*; and
2. The sale be subject to a reserve as set by the value in Council's 2018 Land Asset Valuation Schedule

Moved by: Mayor Strelow
Seconded by: Councillor Fisher

MOTION CARRIED

15.3 NATIVE TITLE – MOUNT MORGAN FIRECLAY CAVERNS**File No:** 13509**Attachments:**

1. Map
2. Correspondence
3. Notice of Intention to Compulsorily Acquire Native Title Rights and Interests
4. Notice of Intention to Resume Non-Native Title Rights and Interests
5. Background Information Statement
6. Objection Procedure

Authorising Officer: Drew Stevenson - Manager Corporate and Technology Services
Ross Cheesman - Deputy Chief Executive Officer**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.

SUMMARY

Coordinator Property & Insurance reporting on native title matters for the Mount Morgan Fireclay Caverns Tourism Project.

COUNCIL RESOLUTION

1. THAT Council resolves to compulsorily acquire any and all native title rights and interests over part of Lot 101 SP139776 and part of Lot 203 on RN1556 situated in Mount Morgan for the purpose of alienating the land in fee simple by the State of Queensland to Rockhampton Regional Council pursuant to the Land Act, 1994 (Qld) and for the purpose as specified in:
 - a) A draft Notice of Intention to Compulsorily Acquire Native Title Rights and Interests tabled at Council's Ordinary Meeting on 8 September 2020; and
 - b) A draft Notice of Intention to Resume Non-Native Title Rights and Interests tabled at Council's Ordinary Meeting on 8 September 2020;
2. That Council authorises the service of both Notices in order to commence the compulsory acquisition process.
3. THAT the Chief Executive Officer (Coordinator Property & Insurance) be authorised to attend, on Council's behalf, the objection meeting to be held in relation to the proposed native title compulsory acquisition initiated by service of Notices considered in draft at Council's Ordinary Meeting on 8 September 2020.

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

Councillor Williams and Councillor Wickerson recorded their vote against the motion

COUNCIL RESOLUTION**10:13AM**

THAT pursuant to s5.11 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

Moved by: Councillor Smith

Seconded by: Councillor Wickerson

MOTION CARRIED

COUNCIL RESOLUTION**11:15AM**

THAT pursuant to s5.11 *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

Moved by: Councillor Wickerson

Seconded by: Councillor Smith

MOTION CARRIED

15.4 DEPUTATION - DEPARTMENT OF NATURAL RESOURCES MINES AND ENERGY

File No: 8444
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Angus Russell - Acting Executive Manager Advance Rockhampton

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

Mr Peter Donaghy from the Department of Natural Resources Mines and Energy will provide an update on and discuss project developments and industry conditions in the resources sector.

COUNCIL RESOLUTION

THAT the deputation from the Department of Natural Resources Mines and Energy be received.

Moved by: Councillor Fisher
Seconded by: Councillor Smith

MOTION CARRIED

16 CLOSURE OF MEETING

There being no further business the meeting closed at 11:16am.

SIGNATURE

CHAIRPERSON

DATE