



ORDINARY MEETING

MINUTES

9 AUGUST 2016

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**REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 9 AUGUST 2016 COMMENCING AT 9.06AM**

1 OPENING

2 PRESENT

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Cheesman – Deputy CEO/General Manager Corporate Services
Mr P Kofod – General Manager Regional Services
Mr D Stevenson – Manager Corporate and Technology Services
Ms T Sweeney – Manager Workforce and Strategy
Mr D Morrison – Executive Coordinator to the Mayor
Ms K Anderson – Coordinator Property and Insurance
Mr M Borg – Coordinator Fleet Services
Mr C Claassen – Civil Works Manager
Ms P Fry – Grants Officer
Mr A Wratten – Communication and Marketing Supervisor
Ms L Leeder – Acting Executive Assistant to CEO

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 LEAVE OF ABSENCE - COUNCILLOR ELLEN SMITH

File No: 10072
Responsible Officer: Evan Pardon

SUMMARY

Councillor Ellen Smith requesting leave of absence from 15 to 19 August 2016 inclusive.

COUNCIL RESOLUTION

THAT leave of absence be granted for Councillor Ellen Smith from 15 to 19 August 2016 inclusive.

Moved by: Mayor Strelow
Seconded by: Councillor Swadling

MOTION CARRIED

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 26 July 2016 be taken as read and adopted as a correct record.

THAT the minutes of the Special Meeting held on 2 August 2016 be taken as read and adopted as a correct record.

Moved by: Councillor Swadling

Seconded by: Councillor Wickerson

MOTION CARRIED

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

Nil

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 PRESENTATION OF PETITIONS

Nil

9 COMMITTEE REPORTS

9.1 PLANNING AND REGULATORY COMMITTEE MEETING - 2 AUGUST 2016

COUNCIL RESOLUTION

THAT the Minutes of the Planning and Regulatory Committee meeting, held on 2 August 2016 as circulated, be received and that the recommendations contained within these minutes be adopted.

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

(**Note:** The complete minutes are contained in the separate Minutes document)

Recommendation of the Planning and Regulatory Committee, 2 August 2016**9.1.1 DEPUTATION FROM FITZROY BASIN ASSOCIATION**

File No: 3084
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Robert Holmes - General Manager Regional Services

SUMMARY

Deputation from Fitzroy Basin Association to discuss a proposed environmental project which includes studies into the impact of run off on the environment in general as well as the Great Barrier Reef.

COMMITTEE RECOMMENDATION

THAT the Deputation by the Fitzroy Basin Association be received.

Recommendation of the Planning and Regulatory Committee, 2 August 2016**9.1.2 COMMUNITY STANDARDS AND COMPLIANCE MONTHLY OPERATIONS REPORT FOR JUNE 2016****File No:** 1464**Attachments:**

1. Monthly Operations Report From Community Standards and Compliance Unit For June 2016
2. Traffic Light Report for June 2016
3. Financial Matters Report for June 2016

Authorising Officer: Peter Owens - Acting General Manager Community Services**Author:** Peter Owens - Acting General Manager Community Services

SUMMARY

The monthly Operations Report for Community Standards and Compliance Section as at 30 June 2016 is presented for Councillor's information.

COMMITTEE RECOMMENDATION

THAT the Community Standards and Compliance Monthly Operations Report for June 2016 be 'received'.

Recommendation of the Planning and Regulatory Committee, 2 August 2016**9.1.3 PLANNING SECTION MONTHLY OPERATIONS REPORT FOR JUNE 2016**

File No: 7028
Attachments: 1. Monthly Report - June 2016
Authorising Officer: Peter Owens - Acting General Manager Community Services
Author: Tarnya Fitzgibbon - Coordinator Development Assessment

SUMMARY

The monthly operations report for the Planning Section as at 30 June 2016 is presented for Councillors information.

COMMITTEE RECOMMENDATION

THAT the Planning Section report for June be received.

Recommendation of the Planning and Regulatory Committee, 2 August 2016**9.1.4 INFORMATION ON PROGRESS OF POUND PROJECT**

File No: 3275
Attachments: Nil
Authorising Officer: Peter Owens - Acting General Manager Community Services
Author: Cheryl Haughton - Manager Communities and Facilities

SUMMARY

An update on progress with the Pound project is provided for the information of Councillors.

COMMITTEE RECOMMENDATION

THAT the report on progress with the Pound project be received.

10 COUNCILLOR/DELEGATE REPORTS

Nil

11 OFFICERS' REPORTS

11.1 PILBEAM DRIVE BETTERMENT UPDATE

File No: 3676
Attachments: Nil
Authorising Officer: Robert Holmes - General Manager Regional Services
Author: David Bremert - Manager Civil Operations

SUMMARY

As part of the 2015/16 Cyclone Marcia Damage projects, Pilbeam Drive reconstruction was commenced. This project was funded through NDRRA and Council capital budget.

Council undertook an assessment of the slips along the road, identifying 24 slips that need rectification. A submission was presented to QRA for funding but was not successful.

COUNCIL RESOLUTION

1. THAT Council notes the additional funding requirement for Pilbeam Drive Reconstruction as per Table 2 in this report.
2. THAT Council advocate to both the Federal Member for Capricornia, Michelle Landry and State Member for Keppel, Brittany Lauga as well as the relevant Federal and State Ministers with a view to gaining funding support for the additional works.
3. THAT, notwithstanding Recommendation 2 above, consideration be given to allocating funding for this matter at the earliest budget review opportunity.
4. THAT Council engage Earthtec to undertake the additional slip rectification works on Pilbeam Drive.

Moved by: Mayor Strelow
Seconded by: Councillor Williams

MOTION CARRIED UNANIMOUSLY

11.2 BUILDING OUR REGIONS (ROUND 2): DETAILED APPLICATION STAGE

File No: 1018
Attachments: Nil
Authorising Officer: Ross Cheesman - Deputy CEO/General Manager
Corporate Services
Author: Penelope-Jane Fry - Grants Officer

SUMMARY

This report recommends the following two shortlisted prioritised projects be submitted as detailed applications for the “Building our Regions (Round 2) Regional Capital Fund”:

- *Rockhampton CBD Smart Technologies and Working Hub*
- *First Turkey Mountain Bike Reserve*

COUNCIL RESOLUTION

THAT the Council resolves to:

- support the submission of the detailed applications for both projects shortlisted within Round 2 of the Building our Regions program in the following priority order -
 1. Rockhampton CBD Smart Technologies and Working Hub; and
 2. First Turkey Mountain Bike Reserve
- commit to delivering the projects and approves any applicant financial and/or in-kind contributions if Building our Regions funding is awarded; and
- commit to the management and costs associated with the ongoing operation and maintenance of the infrastructure (excluding the mountain bike trails specifically) if Building our Regions funding is awarded.

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

12 NOTICES OF MOTION

Nil

13 QUESTIONS ON NOTICE

Nil

14 URGENT BUSINESS\QUESTIONS

15 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.

16.1 Native title – Mount Morgan – 'Taking of Native Title'

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.

16.2 Chief Executive Officer – Annual Performance Review Process

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.

16.3 Monthly Report from Chief Executive Officer for period ending Monday 1 August 2016

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 Schwarten

Seconded by: Councillor Swadling

MOTION CARRIED

COUNCIL RESOLUTION

9:33AM

THAT pursuant to s7(11) *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

Moved by: Councillor Swadling

Seconded by: Councillor Smith

MOTION CARRIED

9:43AM Chief Executive Officer left the meeting

9:46AM Chief Executive Officer returned to the meeting

COUNCIL RESOLUTION

9.54AM

THAT pursuant to s7(11) *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

Moved by: Councillor Schwarten

Seconded by: Councillor Fisher

MOTION CARRIED

16 CONFIDENTIAL REPORTS

16.1 NATIVE TITLE – MOUNT MORGAN – 'TAKING OF NATIVE TITLE'

File No: 12022, 3033

Attachments:

1. Letter to applicants for Gaangalu Nation
2. Relevant Factors for Consideration
3. Draft Notice of Intention to Acquire
4. Draft Notice of Intention to Resume
5. Background Information Statement

Authorising Officer: Drew Stevenson - Manager Corporate and Technology Services
Ross Cheesman - Deputy CEO/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 .

SUMMARY

Reporting on Native Title Compliance matters relating to part of Lot 12 USL47036, Mt Morgan.

COUNCIL RESOLUTION

THAT

1. Council proposes to compulsorily acquire any and all native title rights and interests over part of Lot 12 USL47036 (Proposed Lot 100 on SP139779) situated in Mount Morgan for the purpose of transferring the land (in freehold) by the State of Queensland to Rockhampton Regional Council pursuant to the Land Act, 1994 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 9 August 2016; and
 - b) a draft Notice of Intention to Resume Non-Native Title Rights and Interests tabled at Council's ordinary meeting on 9 August 2016.
2. Council authorises service of both Notices in order to commence the compulsory acquisition process.
3. Council delegates authority to the Chief Executive Officer 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 the Notices considered in draft at Council's ordinary meeting on 9 August 2016.

Moved by: Mayor Strelow

Seconded by: Councillor Schwarten

MOTION CARRIED UNANIMOUSLY

16.2 CHIEF EXECUTIVE OFFICER – ANNUAL PERFORMANCE REVIEW PROCESS**File No:** 6947**Attachments:** Nil**Authorising Officer:** Ross Cheesman - Deputy CEO/General Manager
Corporate Services**Author:** Tracy Sweeney - Manager Workforce and Strategy

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

This report is presented for Councillors to consider the process to undertake the annual performance review for the Chief Executive Officer.

COUNCIL RESOLUTION

THAT the recommendations detailed in the report be adopted.

Moved by: Mayor Strelow**Seconded by:** Councillor Schwarten**MOTION CARRIED UNANIMOUSLY**

16.3 MONTHLY REPORT FROM CHIEF EXECUTIVE OFFICER FOR PERIOD ENDING MONDAY 1 AUGUST 2016**File No:** 1830**Attachments:** 1. Monthly Report July 2016**Authorising 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 for the period ending Monday 1 August 2016.

COUNCIL RESOLUTION

THAT the monthly report from the Chief Executive Officer for the period ending 1 August 2016 be received.

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

17 CLOSURE OF MEETING

There being no further business the meeting closed at 9:55am.

SIGNATURE

CHAIRPERSON

DATE