



SPECIAL MEETING

MINUTES

9 JULY 2019

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	BUSINESS OUTSTANDING	2
5.1	LIFTING MATTERS FROM THE TABLE	2
6	OFFICERS' REPORTS	3
6.1	DRAFT GATES AND GRIDS POLICY AND ANTI-COMPETITIVE TESTING OF PROPOSED SUBORDINATE LOCAL LAWS	3
7	CLOSURE OF MEETING.....	5

**REPORT OF THE SPECIAL MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 9 JULY 2019 COMMENCING AT 10.03AM**

1 OPENING

2 PRESENT

Members Present:

Councillor C R Rutherford (Chairperson)
Councillor C E Smith
Councillor M D Wickerson
Councillor A P Williams

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr P Kofod – General Manager Regional Services
Mr T Cullen – General Manager Advance Rockhampton
Ms T Sweeney – Manager Workforce and Governance
Ms K Moody – Acting Manager Planning and Regulatory Services
Ms A Brennan – Coordinator Legal and Governance
Mr T Pegrem – Coordinator Workforce Relations and Ethics
Mr J McCaul – Coordinator Development Engineering
Mr D Bremert – Senior Project Manager
Ms R Phelan – Project Officer
Ms K Walsh – Committee Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE

The Mayor, Councillor Margaret Strelow tendered her apology as she is representing Council at the 2019 Asia Pacific Cities Summit and Mayors' Forum in Brisbane.

Councillor Rose Swadling previously granted Leave of Absence from 8 July 2019 to 4 August 2019 inclusive.

Councillor Neil Fisher previously granted Leave of Absence from 1 June 2019 to 31 July 2019 inclusive.

4 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

5 BUSINESS OUTSTANDING

5.1 LIFTING MATTERS FROM THE TABLE

File No: 11979
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Evan Pardon - Chief Executive Officer

SUMMARY

Items laid on the table require a report to lift the matter from the table to be dealt with. This report is designed to lift all necessary reports from the table to be dealt with at the Special Council meeting on 9 July 2019.

COUNCIL RESOLUTION

THAT the following matter be lifted from the table and dealt with accordingly:

- Draft Gates and Grids Policy and Anti-Competitive Testing of Proposed Subordinate Local Laws

Moved by: Councillor Smith
Seconded by: Councillor Williams

MOTION CARRIED

6 OFFICERS' REPORTS

6.1 DRAFT GATES AND GRIDS POLICY AND ANTI-COMPETITIVE TESTING OF PROPOSED SUBORDINATE LOCAL LAWS

File No: 11979

Attachments:

1. Draft Gates and Grids Policy
2. Subordinate Local Law No. 1.17 (Gates and Grids) 2019
3. Local Government Controlled Areas, Facilities and Roads (Amendment) Subordinate Local Law (No. 1) 2019
4. Local Law (Repealing) Local Law (No. 2) 2019

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Peter Kofod - General Manager Regional Services

SUMMARY

A revised subordinate local law has been developed and Subordinate Local Law No. 1.17 (Gates and Grids) 2019 which covers the installation, maintenance and removal of gates and grids. In addition a policy for the management of gates and grids has been prepared. This report seeks Council's endorsement to publically exhibit these documents and seek community feedback.

COUNCIL RESOLUTION

THAT Council resolves to:

1. Receive the Draft Gates and Grids Policy with a change to 4.2.1 (a) adding the words 'and viable' and undertake public consultation;
2. Propose to make each of the following:-
 - a. Subordinate Local Law No. 4 (Local Governmental Controlled Areas Facilities and Roads) 2019; and
 - b. Subordinate Local Law No. 1.17 (Gates and Grids) 2019 with the change from 'consult' to 'notify' in 3(f)
 - c. Local Law (Repealing) Local Law (No. 2) 2019
3. Consult with relevant government entities about the overall State interest for Local Law (Repealing) Local Law (No. 2) 2019 under section 29A(3) of the *Local Government Act 2009*.
4. Pursuant to section 257 of the *Local Government Act 2009* ("the Act"), to delegate to the Chief Executive Officer of Council its powers under section 38 of the Act and section 15 of the *Local Government Regulation 2012* to decide –
 - a. How the public interest test of the subordinate local laws listed is to be conducted; and
 - b. The matters with which the public interest test report in relation to the subordinate local laws particularised must deal; and
 - c. The consultation process for the public interest test and how the process is to be used in the public interest test.

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

7 CLOSURE OF MEETING

There being no further business the meeting closed at 10:11am.

SIGNATURE

CHAIRPERSON

DATE