



ORDINARY MEETING

MINUTES

25 FEBRUARY 2025

These Minutes are due to be confirmed at the next
Ordinary Council Meeting on the 11 March 2025

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UNCONFIRMED

**REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 25 FEBRUARY 2025 COMMENCING AT 9:02 PM**

1 OPENING

- 1.1 Acknowledgement of Country

2 PRESENT

Members Present:

The Mayor, Councillor A P Williams (Chairperson)
Deputy Mayor, Councillor M D Wickerson
Councillor S Latcham
Councillor E W Oram
Councillor C R Rutherford
Councillor M A Taylor
Councillor E B Hilse

In Attendance:

Mr E Pardon – Chief Executive Officer

3 APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence for the meeting was previously granted to Councillor Grant Mathers.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting of 11 February 2025 be confirmed.

Moved by: Councillor Wickerson

Seconded by: Councillor Taylor

MOTION CARRIED

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Nil

6 BUSINESS OUTSTANDING

Nil

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 PRESENTATION OF PETITIONS

Nil

9 COMMITTEE REPORTS

Nil

UNCONFIRMED

10 COUNCILLOR/DELEGATE REPORTS

10.1 LEAVE OF ABSENCE - COUNCILLOR DREW WICKERSON - TUESDAY 25 MARCH TO FRIDAY 28 MARCH 2025 INCLUSIVE

File No: 10072
Authorising Officer: Justin Kann - Manager Office of the Mayor
Evan Pardon - Chief Executive Officer
Author: Sharnie De Klerk - Executive Support Officer

SUMMARY

Councillor Drew Wickerson is seeking leave of absence for Tuesday 25 March to Sunday 30 March 2025 inclusive.

COUNCIL RESOLUTION

THAT Councillor Drew Wickerson be granted leave of absence for Tuesday 25 March to Sunday 30 March 2025 inclusive.

Moved by: Mayor Williams
Seconded by: Councillor Hilse
MOTION CARRIED UNANIMOUSLY

11 OFFICERS' REPORTS

11.1 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR A PLACE OF WORSHIP AND OPERATIONAL WORKS FOR AN ADVERTISING DEVICE (WALL SIGN)

File No: D/100-2024

Authorising Officer: Amanda O'Mara - Coordinator Development Assessment
Doug Scott - Manager Planning & Regulatory Services
Alicia Cutler - General Manager Community Services

Author: Sophie Muggeridge - Planning Officer

SUMMARY

Development Application Number: D/100-2024

Applicant: Oasis New Life Centre Property Ltd C/- Gideon Town Planning

Real Property Address: Lot 77 on SP142293 and Lot A on SP7235

Common Property Address: 5-7 Fraser Street, Park Avenue

Area of Site: 5,629 square metres

Planning Scheme: Rockhampton Region Planning Scheme 2015 (v4.4)

Planning Scheme Zone: Low Density Residential Zone

Planning Scheme Overlays: Acid Sulfate Soils Overlay;
Airport Environs Overlay;
Biodiversity Areas Overlay;
Coastal Protection Overlay;
Flood Hazard Overlay; and
Steep Land Overlay.

Existing Development: Vacant land

Approval Sought: Development Permit for a Material Change of Use for Place of Worship and Operational Works an Advertising Device (wall sign)

Category of Assessment: Assessable subject to Impact assessment

Submissions: Nil

Referral Agency: Department of Housing, Local Government, Planning and Public Works (State Assessment and Referral Agency Department)

COUNCIL RESOLUTION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use for Place of Worship and Operational Works for an Advertising Device (wall sign), made by Oasis New Life Centre Property Ltd C/- Gideon Town Planning, located at 5-7 Fraser Street, Park Avenue, described as Lot 77 on SP142293 and Lot A on AP7235, Council resolves to provide the following reasons for its decision:

STATEMENT OF REASONS

Description of the development	
Material Change of Use for Place of Worship and Operational Works an Advertising Device (wall sign)	
Reasons for Decision	
<p>a) Assessment of the development against the relevant zone purpose, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and</p> <p>b) On balance, the application should be approved because the circumstances favour Council exercising its discretion to approve the application even though the development does not comply with an aspect of the assessment benchmarks.</p>	
Assessment Benchmarks	
<p>The development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> • Local Government Infrastructure Plan; • Strategic Framework; • Low Density Residential Zone Code; • Access, Parking and Transport Code; • Landscape Code; • Stormwater Management Code; • Waste Management Code; • Water and Sewer Code; • Flood Hazard Overlay Code; and • Advertising Devices Code. 	
Compliance with assessment benchmarks	
The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exceptions listed below.	
Assessment Benchmark	Reasons for the approval despite non-compliance with benchmark
Strategic Framework	<p>3.3 Settlement Pattern</p> <p>3.3.8 Element – Urban and new urban</p> <p>3.3.8.1 Specific Outcome (8)</p> <p>The proposed development conflicts with Specific Outcome (8) of the Urban and New Urban theme of the Strategic Framework as</p>

	<p>the proposed Place of Worship is not considered to only service the needs of the immediate local residential community.</p> <p>Despite this, the proposed development does comply with the remaining relevant overall outcomes (5) and (6) of the urban and new urban area theme because:</p> <p>(5) - the proposed place of worship is an urban development located within an urban area and is to replace the existing Oasis Church on site. The development avoids impacts from natural hazards and is a community facility; and</p> <p>(6) – is located on a corner lot and high order road with convenient walking distance to centres, parks and major community facilities.</p> <p>Furthermore, the proposed development aligns with the community identity and diversity element of the Strategic Framework (3.5.3.1 (1) (a) and (b)) as a place of worship provides a focus for strong community connection and encourages greater use by residents as meeting places, for recreation and accessing services and facilities.</p> <p>The development does not conflict with any other Strategic Framework theme or their strategic outcomes. Therefore, on balance the development will not compromise the <i>Rockhampton Region Planning Scheme 2015</i> strategic outcomes.</p>
<p>Low Density Residential Zone</p>	<p>Low Density Residential Zone Purpose (2), (e), (ii) and (iii)</p> <p>The proposed development conflicts with the following Overall Outcomes of the Low Density Residential Zone Code Purpose:</p> <p>(ii) which states “<i>are small-scale and consistent with the surrounding urban form</i>”; and</p> <p>(iii) which states “<i>primarily function to service the needs of the immediate local residential community</i>”;</p> <p>Despite this, the proposed development can comply with the remaining Overall Outcomes (i), (ii), (iv) and (v) for a non-residential development because:</p> <p>The proposed building is designed to maintain an attractive streetscape and align with the amenity of the surrounding residential area whilst encouraging a pedestrian network. The proposed place of worship has direct access to Glenmore Road which is classified as an urban sub arterial road and will not detract from the role and function of centres nor result in the expansion of a centre zone.</p> <p>Therefore, the proposed development is taken to comply, on balance with the purpose of the Low-Density Residential Zone Code.</p> <p>Performance Outcome (PO) 13</p> <p>The proposed development does not comply with Acceptable Outcome (AO) 13.3 because the length of exterior walls are between 28 to 41 metres, where AO13.1 requires the length of all exterior walls to be a maximum of 12 metres.</p>

Despite this, the proposed development is designed and located to an appropriate scale and size for its intended purpose and will integrate into the streetscape because:

- The proposed structure is located within the existing building footprint and has a smaller gross floor area than the original structure, demolished due to fire damage.
- Fraser Street reserve is an internal road that only serves as vehicle access and overflow carpark for the development, with a significant setback from Glenmore Road (primary road frontage).
- The proposed building is articulated with various colours and materials to maintain the amenity of the area; and
- Landscaping is maintained and integrated into the site to soften the bulk and appearance of the building.

Therefore, the proposed development is taken to comply with PO 13.

Performance Outcome (PO) 16

The development complies with all the Performance Outcomes of 16, with the exception of Performance Outcome (a) and (c) which states:

- (a) *It services the day-to-day needs of residents of the local neighbourhood or is a community or emergency facility that primarily services the needs of the local neighbourhood; and*
- (c) *is small in scale.*

Despite the Place of Worship being large in scale and having the ability to service various neighbourhoods within the region, the proposed development does not take away from the intent of the Low Density Residential Zone. The proposed development is a community facility that can demonstrate it will not compromise the residential character because:

- The building is significantly setback from the Glenmore Road frontage and maintains all existing landscaping.
- The building will incorporate articulation into the design to soften the appearance and minimise its impact on the local amenity; and
- The proposed development does not compromise the role of surrounding centre zones and is located on a higher order road.

Therefore, the proposed development is taken to comply on balance with the remaining Performance Outcomes of PO 16.

Performance Outcome (PO) 24

The proposed development does not comply with Acceptable Outcome (AO) 24.1 because the development will provide a minimum landscaped area of four (4) per cent rather than the required minimum of ten per cent set by AO24.1 for a non-residential development.

	<p>Despite this, the alternative outcome of four (4) per cent landscaping for the overall site is capable of achieving compliance with the overarching PO because:</p> <ul style="list-style-type: none"> • The proposed development will maintain an attractive streetscape by retaining all existing landscaping on site; and • The adjoining lot along the primary road frontage provides the subject site with a significant setback, effectively utilised as road reserve this lot provides extensive established landscaping that enhances the appearance of the development. <p>Therefore, the proposed development is taken to comply with PO 24.</p>
<p>Landscape Code</p>	<p>The proposed development does not comply or compliance cannot be achieved with several of the Acceptable Outcomes and corresponding Performance Outcomes listed under the Landscape Code.</p> <p>Despite this, the existing extent and type of landscaping on the site, which includes natural bushland and planted garden beds throughout the carparking area and perimeter of the site is considered appropriate to maintain the visual amenity, soften the built form and screen the proposed development.</p> <p>Therefore, is responsive to the local character of the Low Density Residential Zone and purpose of the overall Landscape Code.</p>
<p>Relevant Matters</p>	
<p>The proposed development was assessed against the following relevant matters:</p> <p>The subject site has approval under Development Permit D-R/124-2004 for Material Change of Use for a Place of Public Worship. However, as the proposed building differs from the original approved plans this application was triggered as referral was required to the Department of Housing, Local Government, Planning and Public Works (State Assessment and Referral Agency Department).</p>	
<p>Matters raised in submissions</p>	
<p>The proposal was the subject of public notification between 4 November 2024 and 22 November 2024, in accordance with the requirements of the Planning Act 2016 and the Development Assessment Rules, and no submissions were received.</p>	
<p>Matters prescribed by regulation</p>	
<ul style="list-style-type: none"> • The Rockhampton Region Planning Scheme 2015 (version 4.4). • Central Queensland Regional Plan 2013. • Development Permit D/124-2004 – Material Change of Use (Place of Public Worship). • Development Permit D/82-2020 – Material Change of Use for an Indoor Sport and Recreation (Children’s Play Area); and • The common material, being the material submitted with the application. 	

RECOMMENDATION B

THAT in relation to the application for a Development Permit for a Material Change of Use for Place of Worship and Operational Works for an Advertising Device (wall sign), made by Oasis New Life Centre Property Ltd C/- Gideon Town Planning, located at 5-7 Fraser Street, Park Avenue, described as Lot 77 on SP142293 and Lot A on AP7235, Council resolves to Approve the application subject to the following conditions:

MATERIAL CHANGE OF USE**1.0 ADMINISTRATION**

- 1.1 The owner, the owner's successors in title, and any occupier of the premises is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 Unless otherwise stated, all conditions, works, or requirements of this development approval must be undertaken and completed:
 - 1.3.1 to Council's satisfaction;
 - 1.3.2 at no cost to Council; and
 - 1.3.3 prior to the commencement of the use, unless otherwise stated.
- 1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the commencement of the use.
- 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
 - 1.5.1 Plumbing and Drainage Works; and
 - 1.5.2 Building Works.
- 1.6 All Development Permits for Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 1.7 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.8 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant Australian Standards and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 1.9 All development conditions contained in this development approval about infrastructure under Chapter 4 of the *Planning Act 2016* should be read as being non-trunk infrastructure conditioned under section 145 of the *Planning Act 2016*, unless otherwise stated.

2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by any condition of this development approval:

<u>Plan/Document Name</u>	<u>Prepared by</u>	<u>Date</u>	<u>Reference No.</u>	<u>Version/Issue</u>
Technical Memorandum – Stormwater & Flooding	Janes & Stewart Consultants	31 July 2024	24059	
Cover Sheet	Rufus Design Group	31 October 2024	231008-00	
Set-out Plan & Notes	Rufus Design Group	31 October 2024	231008-01	
Detailed Surveyor's Plan	Rufus Design Group	31 October 2024	231008-02	
Site Features Plan	Rufus Design Group	31 October 2024	231008-03	1
Ground Floor Plan	Rufus Design Group	31 October 2024	231008-04	1
First Floor Plan	Rufus Design Group	31 October 2024	231008-05	1
Elevations	Rufus Design Group	31 October 2024	231008-06	
Sections & Fire Rating Details	Rufus Design Group	31 October 2024	231008-08	

2.2 Where there is any conflict between the conditions of this development approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.

3.0 PARKING WORKS

3.1 All access and parking works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), Capricorn Municipal Development Guidelines and *Australian Standard AS2890 "Parking facilities"*.

3.2 All vehicles must ingress and egress the development in a forward gear.

3.3 A minimum of seventy-seven (77) parking spaces must be provided on-site (Lot 77 on SP142293), including Fraser Street (Lot A on SP7235).

3.4 Universal access parking spaces must be provided on-site in accordance with *Australian Standard AS2890.6 "Parking facilities - Off-street parking for people with disabilities"*.

3.5 Parking spaces must be line-marked in accordance with the approved Site Plan (refer to condition 2.1) and in accordance with the *Australian Standard AS2890 "Parking facilities"*.

- 3.6 All vehicle operations associated with the development must be directed by suitable directional, informative, regulatory or warning signs in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"* and *Australian Standard AS2890.1 "Parking facilities – Off-street car parking"*.
- 3.7 Road signage and pavement markings must be installed in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"*.
- 3.8 All vehicle operation areas must be illuminated in accordance with the requirements of *Australian Standard AS1158 "Lighting for roads and public spaces"*.
- 3.9 All internal pedestrian pathways must be designed and constructed in accordance with *Australian Standard AS1428 "Design for access and mobility"*.
- 4.0 PLUMBING AND DRAINAGE WORKS
- 4.1 All internal plumbing and drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act 2008, Plumbing and Drainage Act 2018, and Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 4.2 The development must be connected to Council's reticulated sewerage and water networks.
- 4.3 The existing sewerage and water connection point(s) must be retained, and upgraded if necessary, to service the development.
- 4.4 Adequate domestic and firefighting protection must be provided to the development, and must be certified by an hydraulic engineer or other suitably qualified person.
- 4.5 Sewer connections and water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with heavy duty trafficable lids.
- 5.0 ROOF AND ALLOTMENT DRAINAGE WORKS
- 5.1 Internal stormwater pits must be fitted with proprietary water quality improvement devices.
- 5.2 All roof and allotment drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines and sound engineering practice.
- 5.3 All roof and allotment runoff from the development must be directed to a lawful point of discharge and must not restrict, impair or change the natural flow of runoff water or cause a nuisance to surrounding land or infrastructure.
- 6.0 BUILDING WORKS
- 6.1 A Development Permit for Building Works assessable under the Building Assessment Provisions must be obtained prior to the commencement of any building works on the site.
- 6.2 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the development site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with *Australian Standard AS4282 "Control of the obtrusive effects of outdoor lighting"*.
- 6.3 All non-habitable areas subjected to flood inundation during a one per cent (1%) Annual exceedance probability flood event, must be designed and constructed using suitable flood resilient materials.

- 6.4 All electrical and telecommunication services and utilities connected to the property, including electrical outlets, must be designed and installed at such a height that they are a minimum of 500 millimetres above a one per cent (1%) Annual exceedance probability flood level.
- 6.5 Impervious paved waste storage area/s must be provided in accordance with the *Environmental Protection Regulation 2019* and must be:
- 6.5.1 designed and located so as not to cause a nuisance to neighbouring properties;
 - 6.5.2 screened so as not to be visible from a public space; and
 - 6.5.3 setback a minimum of two (2) metres from any road frontage.
- 6.6 Any building plant must be screened from view of the street by one or more of the following:
- 6.6.1 a solid screen fence, or
 - 6.6.2 a roof design feature; or
 - 6.6.3 a wall; or
 - 6.6.4 dense vegetation; or
 - 6.6.5 be located within, underneath or central to the building so as to not be visible from the street.
- 7.0 LANDSCAPING WORKS
- 7.1 Existing established landscaping shown on the approved plans (refer to condition 2.1) must be retained.
- 7.2 Landscaping must be designed in accordance with the requirements of *Australian Standard AS 1428 — Design for access and mobility*.
- 7.3 Planting types used within the landscaping areas (refer to condition 2.1) must include either trees, shrubs or groundcovers, or any combination of these planting types. These plantings must be established and maintained generally at the following density rates:
- 7.3.1 trees at five (5) metre intervals;
 - 7.3.2 shrubs at two (2) metre intervals; and
 - 7.3.3 groundcovers at one (1) metre intervals.
- 7.4 Landscaping, or any part thereof, upon reaching full maturity, must not:
- 7.4.1 obstruct sight visibility zones as defined in the Austroads 'Guide to Traffic Engineering Practice' series of publications;
 - 7.4.2 adversely affect any road lighting or public space lighting; or
 - 7.4.3 adversely affect any Council infrastructure, or public utility plant.
- 7.5 The landscaped areas must be subject to:
- 7.5.1 a watering and maintenance plan during the establishment moment; and
 - 7.5.2 an ongoing maintenance and replanting programme.
- 8.0 ASSET MANAGEMENT
- 8.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.

8.2 Any damage to existing stormwater, water supply and sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land and Council infrastructure), that occurs while any works are being carried out in association with this development approval must be repaired at full cost to the developer. This includes the reinstatement of any existing traffic signs or pavement markings that may have been removed or damaged.

9.0 ENVIRONMENTAL

9.1 An Erosion Control and Stormwater Control Management Plan prepared and certified by suitably qualified person (*Certified Professional in Erosion and Sediment Control or a Registered Professional Engineer of Queensland*) in accordance with the *State Planning Policy 2017* and *Capricorn Municipal Design Guidelines* requirements, must be:

9.1.1 implemented, monitored and maintained for the duration of the development works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped); and

9.1.2 available on-site for inspection by Council Officers whilst all works are being carried out.

10.0 ENVIRONMENTAL HEALTH

10.1 Noise emitted from the activity must not cause an environmental nuisance.

10.2 Operations on the site must have no significant impact, as determined by council, on the amenity of adjoining premises or the surrounding area due to the emission of light, noise or dust.

10.3 When requested by Council, nuisance monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance as determined by Council caused by noise, light or dust. An analysis of the monitoring data and a report, including nuisance mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation and will require any mitigation measures identified in the assessment to be implemented within appropriate timeframes.

11.0 OPERATING PROCEDURES

11.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site. Storage of materials or parking of construction machinery or contractors' vehicles must not occur within Glenmore Road.

11.2 The hours of operations for the development site must be limited to:

(i) 07:00 hours to 22:00 hours on Monday to Sundays and public holidays

11.3 All waste storage areas must be:

11.3.1 kept in a clean and tidy condition; and

11.3.2 maintained in accordance with *Environmental Protection Regulation 2019*.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

It is advised that under section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal cultural heritage legislation. The information on Aboriginal cultural heritage is available on the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships website www.dsdsatsip.qld.gov.au

NOTE 2. General Safety Of Public During Construction

The *Work Health and Safety Act 2011* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

NOTE 3. General Environmental Duty

General environmental duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.

NOTE 4. Rating Category

Please note, a Material Change of Use approval may result in an adjustment to a property's rating category. Please contact Council's Rates Department should you require further information.

NOTE 5. Licensable Activities

Should an activity licensable by Rockhampton Regional Council be proposed for the premises, Council's Environment and Public Health Unit should be consulted to determine whether any approvals are required. Such activities may include food business operations. Approval for such activities is required before 'fitout' and operation.

OPERATIONAL WORKS**Table 1: Abbreviations/terms used in the Conditions.**

<u>Abbreviation / Term</u>	<u>Meaning</u>
Ambient light sensor	Measures the surrounding ambient light
Animation	A simulation of movement created by displaying a series of pictures or frames either digitally or otherwise.
AS/NZS	Australian and New Zealand Standard
Cd	Candela – a unit of luminous intensity
Dwell time	The length of time an image displays on the screen.
Luminance	Brightness (intensity of light) leaving the display, which is measured in Candela per square metre.
OMA	Outdoor Media Authority Digital Guideline
RPEQ	Registered Professional Engineer of Queensland
Video	A recording or the streaming of moving visual images captured by or using a video camera or similar device.

1.0 ADMINISTRATION

- 1.1 The owner, the owner’s successors in title, and any occupier of the premises is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 The following further development permits are required prior to the commencement of any works on the site:
 - 1.4.1 Building Works.
- 1.5 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 The approved advertising device must be completed and maintained generally in accordance with the approved drawings and documents, except where amended by the conditions of this permit.

<u>Plan/Document Name</u>	<u>Prepared by</u>	<u>Date</u>	<u>Reference No.</u>	<u>Version/Issue</u>
Elevations	Rufus Design Group	31 October 2024	231008-06	

- 2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.

3.0 OPERATING PROCEDURE

- 3.1 All advertising devices must only display or advertise a matter associated with the primary purpose for which the premises are used, or the purpose stated in this approval.
- 3.2 All text and images displayed on the approved advertising device:
 - 3.2.1 must be static;
 - 3.2.2 must not imitate a traffic control device, move contrary to any traffic control device or include traffic instructions (for example ‘stop’); and
 - 3.2.3 must not involve moving parts or flashing lights.
- 3.3 Any lighting devices associated with the advertising device, such as sensory lighting, must be positioned on the site and shielded so as not to cause glare or other nuisance to nearby residents or motorists. Night lighting must be designed, constructed and operated in accordance with ‘*Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting*’ and ‘*Civil Aviation Safety Authority (CASA) Guidelines: Lighting in the vicinity of aerodromes: Advice to lighting designers*’.

4.0 LUMINANCE

- 4.1 Luminance levels of the advertising device must not exceed the applicable levels listed in Table 2 below.

Table 2: Luminance levels for Advertising Devices

(Source: OMA)

Lighting Condition	Zone 1	Zone 2	Zone 3
Full Sun on Sign face	Maximum Output	Maximum Output	Maximum Output
Day Time Luminance	6000-7000 cd/m ²	6000-7000 cd/m ²	6000-7000 cd/m ²
Morning/Evening/Twilight/incomplete weather	1000 cd/m ²	700 cd/m ²	600 cd/m ²
Night Time	500 cd/m ²	350 cd/m ²	300 cd/m ²

Note:

- Zone 1 very high ambient off street lighting i.e central city locations
- Zone 2 high to medium off street ambient lighting
- Zone 3 low levels of off street ambient lighting, i.e. most residential areas, rural areas.

5.0 BUILDING WORKS

- 5.1 A Development Permit for Building Works assessable under the Building Assessment Provisions must be obtained prior to the commencement of any building works on the site.

6.0 ASSET MANAGEMENT

- 6.1 Any damage to, or alterations necessary, to electricity, telephone, water mains, sewerage mains, stormwater drains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken immediately, at no cost to Council, and completed within the following timeframes:

6.1.1 where damage causes a hazard to pedestrian/traffic safety or interrupts a community service, immediately; or

6.1.2 as soon as reasonably possible as agreed with Council.

7.0 ADVERTISING DEVICE CONSTRUCTION AND MAINTENANCE

- 7.1 Council reserves the right for uninterrupted access to the site at all times during construction.
- 7.2 All Construction work and other associated activities are permitted only between 0630 hours and 1800 hours Monday to Saturday. No work is permitted on Sundays or public holidays. All requirements of the *Environmental Protection Act 1994* and the *Environmental Protection Regulation 2019* must be observed at all times, unless otherwise approved by Council in writing.
- 7.3 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site.
- 7.4 Any proposed works within the vicinity (or zone of influence) of existing Council infrastructure will not adversely affect the integrity of the infrastructure. Any restoration works required on existing Council infrastructure as a result of proposed works will be at the developer's expense.
- 7.5 All conduits, wiring, switches or other control apparatus installed on an Advertising Device must be concealed from general view, with control apparatus secured in a manner to prevent unauthorised entry and display setting tampering.

- 7.6 All electrical services and systems must comply with *Australian and New Zealand Standard AS/NZS 3000:2007* – “Electrical Installations”.
- 7.7 Any Advertising Device must be maintained at all times on the premises by the owner of the premises to the same standard as it was when it was installed, and be maintained in a safe, clean, condition that does not adversely impact the visual amenity

ADVISORY NOTES

NOTE 1. General Environmental Duty

General environmental duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.

NOTE 2. General Safety Of Public During Construction

The *Work Health and Safety Act 2011* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

Moved by: **Councillor Taylor**
Seconded by: **Councillor Latcham**

MOTION CARRIED

11.2 CAPRICORN MEGA CAREERS EXPO 2025

File No: 2440
Authorising Officer: Wade Clark - Economic Development Manager
Angus Russell - Executive Manager Advance
Rockhampton
Author: Jackson Powell - Senior Advisor Industry Engagement

SUMMARY

The Capricorn Mega Careers Expo is an annual event held at CQUniversity which supports high school students and job seekers of all ages to discover exciting careers and study pathways that can help shape their future. Council, through Advance Rockhampton, has previously provided financial and in-kind support for this event alongside CQUniversity and the Rockhampton Manufacturing Hub and this partnership arrangement is being sought for the 15 May 2025 event.

COUNCIL RESOLUTION

THAT Council sponsors the Capricorn Mega Careers Expo to be held on 15 May 2025 for \$5,000 (Inc GST).

Moved by: Mayor Williams
Seconded by: Councillor Taylor
MOTION CARRIED UNANIMOUSLY

11.3 FUTURE PATHWAYS FORUM SPONSORSHIP PROPOSAL

File No: 2440
Authorising Officer: Wade Clark - Economic Development Manager
Angus Russell - Executive Manager Advance
Rockhampton
Author: Jackson Powell - Senior Advisor Industry Engagement

SUMMARY

The Future Pathways Forum (Previously Capricornia Secondary Schools Industry Breakfast) has been developed to assist engagement between the region's high schools and local industry with an emphasis on discussing skill requirements and employment pathways.

A sponsorship proposal has been put to Advance Rockhampton which will assist in funding the engagement whilst providing Council a platform to speak at the event and address an action from the Rockhampton Region Economic Action Plan (2023-2028).

COUNCIL RESOLUTION

THAT Council sponsors the Future Pathways Forum to be held on 23 July 2025 for \$5,000 (Inc GST).

Moved by: Councillor Oram
Seconded by: Councillor Latcham
MOTION CARRIED UNANIMOUSLY

11.4 MASTER BUILDERS QUEENSLAND SPONSORSHIP PROPOSAL

File No: 12534
Authorising Officer: Wade Clark - Economic Development Manager
Angus Russell - Executive Manager Advance
Rockhampton
Author: Jackson Powell - Senior Advisor Industry Engagement

SUMMARY

Master Builders Queensland (MBQ) are the peak industry association representing the building and construction sector in Queensland. MBQ is seeking a sponsorship arrangement to develop further industry engagement initiatives in the Rockhampton Region.

COUNCIL RESOLUTION

THAT Council sponsors the Master Builders Queensland Roadshow on 12 May 2025 at a total cost of \$1,100 (excl. GST).

Moved by: Councillor Wickerson

Seconded by: Councillor Taylor

MOTION CARRIED UNANIMOUSLY

**11.5 INTER COLLEGIATE MEAT JUDGING NORTHERN CONFERENCE
PARTNERSHIP PROPOSAL - SPONSORSHIP**

File No: 12534
Authorising Officer: Angus Russell - Executive Manager Advance
Rockhampton
Author: Wade Clark - Economic Development Manager

SUMMARY

The annual Inter Collegiate Meat Judging (ICMJ) Northern Conference competition in Rockhampton provides a valuable opportunity for young professionals in the red meat industry to compete in judging of beef, liaise with their peers and link in with prospective employers in the beef supply chain.

Council has previously been a supporting partner and it is recommended that as part of talent attraction and retention that sponsorship continues of the ICMJ Careers Expo.

COUNCIL RESOLUTION

THAT Council sponsors the 2025 Inter Collegiate Meat Judging (ICMJ) Northern Beef Conference (9-12 April 2025) as a supporting partner for \$5,500 (excl. GST).

Moved by: Councillor Latcham

Seconded by: Councillor Oram

MOTION CARRIED UNANIMOUSLY

11.6 2024 COMMUNITY SATISFACTION SURVEY REPORT

File No: 1024
Authorising Officer: Marnie Taylor - Acting General Manager Corporate Services
Author: Emma Brodel - Coordinator Communications and Engagement

SUMMARY

This report provides a copy of the 2024 Community Satisfaction Survey results undertaken by Taverner Research Group, on behalf of Rockhampton Regional Council in October, 2024.

COUNCIL RESOLUTION

THAT Council receive the 2024 Community Satisfaction Survey Report undertaken by Taverner Research Group (TRG).

Moved by: Mayor Williams
Seconded by: Councillor Oram

MOTION CARRIED

11.7 COUNCIL DELEGATIONS TO CHIEF EXECUTIVE OFFICER

File No: 12660
Authorising Officer: Damon Morrison - Manager Workforce and Governance
Marnie Taylor - Acting General Manager Corporate Services
Author: Shannon Jennings - Coordinator Legal and Governance

SUMMARY

This report seeks Council's approval for delegations under State legislation to the position of Chief Executive Officer.

COUNCIL RESOLUTION

THAT:

1. Council resolves as per section 257 of the *Local Government Act 2009* to delegate to the Chief Executive Officer, the exercise of powers contained in schedule 1 of:
 - a. Delegation Register – *Animal Care and Protection Regulation 2023* (Attachment 1 of the report)
 - b. Delegation Register – *State Penalties Enforcement Act 1999* (Attachment 2 of the report)
 - c. Delegation Register – *Waste Reduction and Recycling Act 2011* (Attachment 3 of the report)
 - d. Delegations Register - *Waste Reduction and Recycling Regulation 2023* (Attachment 4 of the report)
 - e. Delegations Register - *Planning Act 2016* (Attachment 5 of the report)
 - f. Delegations Register - *Planning Act 2016 - Development Assessment Rules* (Attachment 6 of the report)
 - g. Delegations Register - *Planning and Environment Court Act 2016* (Attachment 7 of the report).
2. These powers must be exercised subject to any limitations contained in schedule 2 of the Delegation Registers attached to this report. (Attachments 1 to 7 of the report)
3. The powers previously delegated to the CEO for the *Prostitution Act 1999* and *Prostitution Regulation 2014* be revoked for the reasons stated within the report.

Moved by: Mayor Williams
Seconded by: Councillor Wickerson

MOTION CARRIED UNANIMOUSLY

**11.8 WHOLE OF COUNCIL CORPORATE PERFORMANCE REPORT FOR PERIOD
ENDING JANUARY 2025**

File No: 1392
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Marnie Taylor - Acting General Manager Corporate Services

SUMMARY

Acting General Manager Corporate Services presenting the Whole of Council Corporate Performance Report for period ending 31 January 2025 for Councillors' information.

COUNCIL RESOLUTION

THAT the Whole of Council Corporate Performance Report for period ending 31 January 2025 be "received".

Moved by: Councillor Oram
Seconded by: Councillor Wickerson
MOTION CARRIED UNANIMOUSLY

**11.9 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED
31 JANUARY 2025**

File No: 8148
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Marnie Taylor - Acting General Manager Corporate Services

SUMMARY

The Chief Financial Officer presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 January 2025.

COUNCIL RESOLUTION

THAT the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 January 2025 be received.

Moved by: Councillor Wickerson
Seconded by: Councillor Oram

MOTION CARRIED UNANIMOUSLY

12 NOTICES OF MOTION

12.1 NOTICE OF MOTION - COUNCILLOR DREW WICKERSON - QUEENSLAND HERITAGE COUNCIL

File No: 10072

Attachments: 1. Queensland Heritage Council

SUMMARY

Councillor Drew Wickerson has indicated his intention to move the following Notice of Motion at the next Council Meeting, as follows:

COUNCIL RESOLUTION

THAT Council approve the nomination of Councillor Drew Wickerson to the position of LGAQ Representative on the Queensland Heritage Council for a term of three years commencing 2025.

Moved by: Mayor Williams

Seconded by: Councillor Latcham

MOTION CARRIED UNANIMOUSLY

13 QUESTIONS ON NOTICE

Nil

14 URGENT BUSINESS QUESTIONS

14.1 COUNCILLOR MARIKA TAYLOR - THE QUEENSLAND RESOURCES COUNCIL (QRC) RESOURCES AWARDS FOR WOMEN LUNCH

File No: 10072

Responsible Officer: Evan Pardon – Chief Executive Officer

SUMMARY

Councillor Marika Taylor is seeking approval to attend the Queensland Resources Council (QRC) Awards for Women Lunch on Friday 7 March 2025 on behalf of Mayor Tony Williams.

The Resources Awards for Women in conjunction with International Women's Day - Panel Discussion "March Forward" with the IWD Lunch and Awards following is being held at the Brisbane Convention and Exhibition Centre.

The resources sector is invaluable to our region, by supporting jobs, businesses, infrastructure and services to benefit communities. It supports 1 in every 6 jobs within QLD. In 2023 – 2024 the resources sector contributed \$120.2 billion dollars to the Qld economy. By attending, Rockhampton Regional Council is sending a message of support to the Rockhampton Region's resource industry businesses.

To be present in person shows that Rockhampton Regional Council supports our resources sector as a whole and the people within it.

Associated costs shall be expended from the Councillor's Travel Expenses Allocation. The anticipated costs for, registration, travel and accommodation is approx. \$1200.

COUNCIL RESOLUTION

THAT Councillor Marika Taylor be granted approval to attend the Queensland Resources Council (QRC) Awards for Women Lunch in Brisbane on Friday 7 March 2025.

Moved by: Mayor Williams

Seconded by: Councillor Wickerson

MOTION CARRIED UNANIMOUSLY

14.2 COUNCILLOR SHANE LATCHAM - COUNCILLOR CONDUCT TRIBUNAL OUTCOME**File No: 10072****Responsible Officer: Evan Pardon – Chief Executive Officer**

SUMMARY

That the Councillor Conduct Tribunal has given orders for Councillor Shane Latcham to make a statement with regards to a decision made on 13 August 2024.

Councillor Latcham read the following statement:

The Councillor Conduct Tribunal found in mitigating factors that I had ultimately told the truth and did not benefit, personally or otherwise, by providing factual information.

Despite this, according to the Councillor Conduct Tribunal's decision and pursuant to section 150AR(1)(b)(i) of the act, I hereby make a public admission that I engaged in misconduct.

COUNCIL RESOLUTION

THAT Council receives Councillor Latcham's Statement.

Moved by: Mayor Williams**Seconded by: Councillor Wickerson****MOTION CARRIED UNANIMOUSLY**

15 CLOSURE OF MEETING

There being no further business the meeting closed at 9.29 pm.

SIGNATURE

CHAIRPERSON

DATE

UNCONFIRMED