



ORDINARY MEETING

MINUTES

23 MAY 2017

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	OPENING.....	1
2	PRESENT	1
3	APOLOGIES AND LEAVE OF ABSENCE	1
4	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	2
5	DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA.....	2
6	BUSINESS OUTSTANDING	3
	NIL	3
7	PUBLIC FORUMS/DEPUTATIONS	4
8	PRESENTATION OF PETITIONS	5
9	COMMITTEE REPORTS	6
9.1	PLANNING AND REGULATORY COMMITTEE MEETING - 16 MAY 2017	6
9.2	AIRPORT, WATER AND WASTE COMMITTEE MEETING - 16 MAY 2017	28
9.3	COMMUNITY SERVICES COMMITTEE MEETING - 17 MAY 2017	37
9.4	PARKS, RECREATION & SPORT COMMITTEE MEETING - 17 MAY 2017	41
9.5	INFRASTRUCTURE COMMITTEE MEETING - 16 MAY 2017	44
10	COUNCILLOR/DELEGATE REPORTS	53
11	OFFICERS' REPORTS.....	54
11.1	SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 30 APRIL 2017	54
11.2	PROPOSED FEES AND CHARGES 2017-18.....	55
11.3	FINANCE POLICIES FOR REVIEW	56
11.4	CORPORATE SERVICES DEPARTMENT - MONTHLY OPERATIONAL REPORT APRIL 2017	57
11.5	NDRRA - BETTERMENT AND INSURANCE REPORT	58
11.6	BRIDGES RENEWAL PROGRAMME (ROUND 3).....	59
11.7	2016/17 OPERATIONAL PLAN QUARTER THREE PROGRESS REPORT	60
11.8	COUNCIL DELEGATIONS TO CHIEF EXECUTIVE OFFICER.....	61
11.9	DISPOSAL OF COUNCIL PROPERTY TO ADJOINING OWNER FOR CARPARK ACCESS PURPOSES	62
11.10	ADVANCE ROCKHAMPTON - ECONOMIC DEVELOPMENT ADVISORY COMMITTEE - TERMS OF REFERENCE	63
11.11	PROPOSED SUBMISSION: BETTER MINE REHABILITATION FOR QUEENSLAND	64
11.12	ROCKHAMPTON RAVENS APPLICATION TO JOIN WNBL.....	65

12	NOTICES OF MOTION.....	66
	NIL	66
13	QUESTIONS ON NOTICE.....	67
	NIL	67
14	URGENT BUSINESS\QUESTIONS	68
15	CLOSED SESSION	69
16.1	ROCKHAMPTON RIVER FESTIVAL TENDER / QUOTE CONSIDERATION PLAN	69
16.2	LEGAL MATTERS REPORT - 30 APRIL 2017	69
16.3	ROGAR AVENUE FRENCHVILLE - DRAINAGE COMPLAINT.....	69
16.4	CHIEF EXECUTIVE OFFICER MONTHLY REPORT	69
16.5	STRATEGIC PROPERTY ACQUISITION	69
16	CONFIDENTIAL REPORTS	71
16.5	STRATEGIC PROPERTY ACQUISITION	71
16.1	ROCKHAMPTON RIVER FESTIVAL TENDER / QUOTE CONSIDERATION PLAN	72
16.2	LEGAL MATTERS REPORT - 30 APRIL 2017	73
16.3	ROGAR AVENUE FRENCHVILLE - DRAINAGE COMPLAINT.....	74
16.4	CHIEF EXECUTIVE OFFICER MONTHLY REPORT	75
17	CLOSURE OF MEETING	76

**REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY 23 MAY 2017 COMMENCING AT 9.03 AM**

1 OPENING

Deputy Mayor presented the Mayor with a formal robe to be worn while representing the Council at civic and ceremonial functions.

Tracey Sweeney gave a short presentation and thanks to the RRC Relay for Life team.

2 PRESENT

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Cheesman – Deputy Chief Executive Officer
Mr P Kofod – General Manager Regional Services
Mr S Waters – General Manager Regional Development and Aviation
Ms A Cutler – Finance Manager
Ms T Sweeney – Manager Workforce & Strategy
Mr D Stevenson – Manager Corporate and Technology Services
Ms A Bartlett – Coordinator Regional Promotions and Tourism
Mr S Harvey – Coordinator Strategic Infrastructure
Ms K Anderson – Coordinator Property and Insurance
Mr D Morrison – Executive Coordinator to the Mayor
Mr R Palmer – Senior Executive Industry Engagement
Mr C Wyatt – Senior Strategic Planner
Ms A O'Mara – Senior Planning Officer
Mr A De Klerk – Senior Planning Officer
Ms C Abell – Property and Resumptions Officer
Ms M Mills – Property and Insurance Officer
Ms C Pointing – Internal Communications Officer
Mr K Saloyedoff – Engineering Waste Facilities & Services
Ms M George – Insurance Officer
Ms E Brodel – Media Officer
Ms P Fry – Grants Officer
Mr M Mansfield – Supervisor Media & Engagement
Ms S Friske – Acting Senior Governance Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE

Councillor Schwarten tendered his apology and was not in attendance
Councillor Swadling tendered her apology and was not in attendance

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 9 May 2017 be taken as read and adopted as a correct record.

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

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

In accordance with s173(2) of the *Local Government Act 2009*, Councillor Neil Fisher disclosed a “perceived” conflict of interest in respect of Item 9.1.4 - D/190-2016 – Development Application for Material Change of Use for a Dwelling House and Reconfiguring a Lot (one lot into two lots and access easement) due to his having performed work for a previous owner and holding an acquaintance with the applicant. Councillor Fisher considered his position and was of the opinion that he could participate in the debate and vote on the matter in the public interest.

In accordance with s173(2) of the *Local Government Act 2009*, Mayor Margaret Strelow disclosed a conflict of interest in respect of Item 9.5.7 - Quay Lane and Pilbeam Theatre Car Park Configuration due to interest in property on adjoining sides of the lane. Mayor Strelow considered her position and advised that she will not take part in the debate.

In accordance with s173(2) of the *Local Government Act 2009*, Councillor Neil Fisher disclosed a conflict of interest in respect of Item 16.5 – Strategic Property Acquisition due to casual employment. Councillor Fisher considered his position and advised that he will not take part in the debate.

6 BUSINESS OUTSTANDING

Nil

7 PUBLIC FORUMS/DEPUTATIONS

8 PRESENTATION OF PETITIONS

8.1 EXTENSION OF LANDMARK FACILITIES, GEORGE STREET, ALLENSTOWN

File No: 8025

Authorising Officer: Evan Pardon – Chief Executive Officer

SUMMARY

The residents of Stanley Street, Allenstown have submitted a petition against the extension of facilities of Landmark, George Street/Lower Dawson Road, Rockhampton.

COUNCIL RESOLUTION

THAT the petition in relation to the extension of facilities landmark at George Street/Lower Dawson Road by Stanley Street be received and a report be prepared for the next Planning and Regulatory Committee meeting.

Moved by: Councillor Wickerson

Seconded by: Councillor Smith

MOTION CARRIED

9 COMMITTEE REPORTS

9.1 PLANNING AND REGULATORY COMMITTEE MEETING - 16 MAY 2017

COUNCIL RESOLUTION

THAT the Minutes of the Planning and Regulatory Committee meeting, held on 16 May 2017 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, 16 May 2017**9.1.1 BUSINESS OUTSTANDING TABLE FOR PLANNING AND REGULATORY COMMITTEE**

File No: 10097
Attachments: 1. Business Outstanding Table
Authorising 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 Planning and Regulatory Committee is presented for Councillors' information.

COMMITTEE RECOMMENDATION

THAT the Business Outstanding Table for the Planning and Regulatory Committee be received.

Recommendation of the Planning and Regulatory Committee, 16 May 2017**9.1.2 MONTHLY OPERATIONS REPORT FOR PLANNING AND REGULATORY SERVICES FOR APRIL 2017****File No:** 1464**Attachments:**

1. Traffic Light Report for April 2017
2. Financial Matters Report for April 2017
3. Monthly Operations Report for Local Laws - April 2017
4. Monthly Operations Report - Health and Environment - April 2017
5. Monthly Operations Report - Development Assessment - April 2017

Authorising Officer: Michael Rowe - General Manager Community Services**Author:** Steven Gatt - Manager Planning & Regulatory Services

SUMMARY

The monthly operations report for the Planning and Regulatory Service Section as at 30 April 2017 is presented for Councillors information.

COMMITTEE RECOMMENDATION

THAT the Planning and Regulatory Services Monthly Operations Report for April 2017 be 'received'.

Recommendation of the Planning and Regulatory Committee, 16 May 2017**9.1.3 DRAFT STREET PERFORMING POLICY**

File No: 11979
Attachments: 1. DRAFT Street Performing Policy
Authorising Officer: Michael Rowe - General Manager Community Services
Author: Steven Gatt - Manager Planning & Regulatory Services

SUMMARY

A draft policy has been developed to provide a framework to guide the appropriate use of areas for street performing to encourage vibrancy and promote arts and culture within the community in the Rockhampton CBD and other centres.

COMMITTEE RECOMMENDATION

THAT Council adopts the Draft Street Performing Policy.

Recommendation of the Planning and Regulatory Committee, 16 May 2017**9.1.4 D/190-2016 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR A DWELLING HOUSE AND RECONFIGURING A LOT (ONE LOT INTO TWO LOTS AND ACCESS EASEMENT)**

File No: D/190-2016

Attachments:

1. **Locality Plan**
2. **Site Plan**

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning & Regulatory Services
Michael Rowe - General Manager Community Services

Author: Thomas Gardiner - Planning Officer

SUMMARY

Development Application Number: D/190-2016

Applicant: C Seemungal-Dass

Real Property Address: Lot 27 on SP247221, Parish of Archer

Common Property Address: 304 Frenchville Road, Frenchville

Area of Site: 2.352 hectares

Planning Scheme: *Rockhampton Region Planning Scheme 2015*

Planning Scheme Zone: Low Density Residential Zone
Environmental Management and Conservation Zone

Planning Scheme Overlays: Biodiversity Areas Overlay – MLES General
Biodiversity Areas Overlay – MLES High
Biodiversity Overlay – MSES Wildlife Habitats
Bushfire Hazard Overlay – Very High Hazard
Steep Land Overlay – 15-20% slope
Steep Land Overlay – 20-25% slope
Steep Land Overlay – 25%+ slope

Existing Development: Dwelling House (10573/RHISTC)
New Shed (D/411-2002)

Existing Approvals: Development Permit (D/426-2010) for Reconfiguring a Lot (one lot into three lots)

Approval Sought: Development Permit for a Material Change of Use for a Dwelling House and Reconfiguring a Lot (one lot into two lots and access easement)

Level of Assessment: Impact Assessable

Submissions: Nil

Referral Agency(s): Nil
 Infrastructure Charges Area: Charge Area 1
 Application Progress:

Application Lodged:	5 December 2016
Acknowledgment Notice issued:	12 December 2016
Request for Further Information sent:	21 December 2016
Request for Further Information responded to:	20 March 2017
Submission period commenced:	21 March 2017
Submission period end:	13 April 2017
Council request for additional time:	26 April 2017
Last receipt of information from applicant:	19 April 2017
Statutory due determination date:	16 June 2017

COMMITTEE RECOMMENDATION

RECOMMENDATION A

THAT in relation to the application for a Development Permit for Material Change of Use (Dwelling House) and Reconfiguring a Lot (one lot into two lots and access easement), made by C. Seemungal-Dass, on Lot 27 on SP247221, Parish of Archer, located at 304 Frenchville Road, Council resolves to Approve the application despite its conflict with the planning scheme and provide the following grounds to justify the decision despite the conflict:

- a) The proposed subdivision will not result in the fragmentation of habitat as an Environmental Management Plan has demonstrated that this area does not contain significant fauna;
- b) The location of the proposed building envelope will not disrupt any existing ecological functions as an Environmental Management Plan has demonstrated that the development will maintain biodiversity corridors and other habitat linkages;
- c) A Bushfire Management Plan has been conditioned which includes mitigation measures including suitable hazard reduction areas between any future Dwelling House and the hazard to negate any potential impacts resulting from bushfire;
- d) The proposed use does not compromise the strategic framework in the *Rockhampton Region Planning Scheme 2015*;
- e) 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
- f) The proposed development does not compromise the relevant State Planning Policy.

RECOMMENDATION B

That in relation to the application for a Development Permit for Material Change of Use for a Dwelling House and Reconfiguring a Lot (one lot into two lots and access easement), made by C. Seemungal-Dass, on Lot 27 on SP247221, Parish of Archer, located at 304 Frenchville Road, Council resolves to Approve the application subject to the following conditions:

RECONFIGURING A LOT CONDITIONS**1.0 ADMINISTRATION**

- 1.1 The Developer and his employee, agent, contractor or invitee 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 All conditions, works, or requirements of this development approval must be undertaken, completed, and be accompanied by a Compliance Certificate for any operational works required by this development approval:
- 1.3.1 to Council's satisfaction;
- 1.3.2 at no cost to Council; and
- 1.3.3 prior to the issue of the Compliance Certificate for the Survey Plan, 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 issue of the Compliance Certificate for the Survey Plan, unless otherwise stated.
- 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
- 1.5.1 Operational Works:
- (i) Access Works; and
- (ii) Stormwater Works.
- 1.6 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.7 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.
- 1.8 The access to Lot 29 must be via the Easement over Lot 28. Easement documents must accompany the Survey Plan for endorsement by Council, prior to the issue of the Compliance Certificate for the Survey Plan. The purpose of this easement must be for access and services in favour of Lot 28 and 29.
- 1.9 The existing easement documents for easement A and B on SP247221 must be updated to include the proposed Lot 29.

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>Plan/Document Reference</u>	<u>Dated</u>
Reconfiguration of Lot (with Ortho Underlay)	6560-01-ROL Rev B Sheet 1 of 2	23 February 2017
Reconfiguration of Lot (with Contours Underlay)	6560-01-ROL Rev B Sheet 2 of 2	23 February 2017
Layout Plan	0751617-SK01 Rev A	20 March 2017

Longitudinal Section	0751617-SK02 Rev A	20 March 2017
Cross Sections	0751617-SK03 Rev A	20 March 2017
Bushfire Hazard Assessment and Management Plan	Prepared by Denley Environmental	21 November 2016
Slope Stability Report	R14272A	16 September 2010
Biodiversity and Nature Conservation Assessment	40545	12 February 2011

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.

2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of an application for a Development Permit for Operational Works.

3.0 ACCESS WORKS

3.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works required by this development approval.

3.2 All access works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, and the provisions of a Development Permit for Operational Works (access works).

3.3 The existing access road within the existing easement A and B must be sealed to a minimum width of 4.0 metres and the entire length of the proposed Access Road 1 (within the proposed access easement - from the northern boundary of Lot 28 up to the Access Road 2) must be sealed to a minimum of 4.0 metres in accordance with the *Capricorn Municipal Development Guidelines*.

3.4 The entire length of the proposed Access Road 2 must be bitumen sealed to a minimum of 2.5 metres and the turnaround area must be constructed in accordance with the *Capricorn Municipal Development Guidelines*.

3.5 The width of the proposed access easement, created within the proposed Lot 28, in favour of Lot 28 and Lot 29 must be suitably sized to include all road drainage channels as well as any stormwater directed onto the easement and cater for all upstream stormwater surface runoff generated by a one (1) in 100 year Average Recurrence Interval rainfall event.

3.6 A registered professional engineer must supervise the works on behalf of the applicant. A certificate of construction compliance must be submitted by a registered professional engineer verifying that all works have been carried out in accordance with Council approved drawings, approval conditions and specifications.

Note: The existing access road within the existing easement A and B and to the constructed section of Frenchville Road including any drainage structures / culverts will not be maintained by Council and must remain the responsibility of the owners of Lots 25, 26, 28 and 29 as per previous approval D/426-2010. The existing access easement documentations must be updated to include new Lot 29 and such maintenance responsibilities.

The new proposed Access Road 2 within the proposed access easement on Lot 28 will not be maintained by Council and must remain the responsibility of the owners of Lots 28 and 29. Access easement documentations must provide for such maintenance responsibilities.

4.0 SEWERAGE WORKS

4.1 All sewerage 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 2002*.

- 4.2 Temporary onsite sewage treatment must be provided and disposed of in accordance with the provisions of the *Plumbing and Drainage Act 2002* until reticulated sewerage service is made available. A separate Plumbing and Drainage Permit must be obtained at the building application stage.

5.0 WATER WORKS

- 5.1 All water 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 2002*.
- 5.2 All lots within the development must be connected to Council's reticulated water network.
- 5.3 The proposed Lot 29 must be connected to the reticulated water supply network via 'Special Water Supply Arrangement' with the connection point and water meter within the existing easement B.
- 5.4 The internal plumbing works associated with the existing dwelling house on Lot 28 must be relocated such that it is located within the Lot it serves, where required.

6.0 STORMWATER WORKS

- 6.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works required by this development approval.
- 6.2 All stormwater 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*, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 6.3 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect surrounding land or infrastructure in comparison to the pre-development conditions, including but not limited to blocking, altering or diverting existing stormwater runoff patterns or having the potential to cause damage to other infrastructure.
- 6.4 All stormwater drainage works must adhere to the recommendation of the approved Slope Stability Report (refer to condition 2.1).

7.0 SITE WORKS

- 7.1 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks plan that clearly identifies the following:
- 7.1.1 the location of cut and/or fill;
 - 7.1.2 the type of fill to be used and the manner in which it is to be compacted;
 - 7.1.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - 7.1.4 details of any proposed access routes that are intended to be used to transport fill to or from the development site; and
 - 7.1.5 the maintenance of access roads to and from the development site so that they are free of all cut and/or fill material and cleaned as necessary.
- 7.2 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments"*.
- 7.3 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.

- 7.4 Any retaining structures above one (1) metre in height that are not incidental works to a Development Permit for Building Works, must not be constructed unless separately and specifically certified by a Registered Professional Engineer of Queensland and must be approved as part of a Development Permit for Operational Works (site works).
- 7.5 All site works must adhere to the recommendation of the approved Slope Stability Report.
- 7.6 Any vegetation cleared or removed must be:
- (i) mulched on-site and utilised on-site for landscaping purposes to Council's satisfaction, or in accordance with the approved landscaping plan; or
 - (ii) removed for disposal at a location approved by Council, within sixty (60) days of clearing. Any vegetation removed must not be burnt.

8.0 ELECTRICITY

- 8.1 Underground electricity services must be provided to each lot in accordance with the approved Operational Works Plans and the standards and requirements of the relevant service provider.
- 8.2 Evidence of acceptance of the works from the relevant service provider must be provided to Council, prior to the issue of the Compliance Certificate for the Survey Plan.

9.0 TELECOMMUNICATIONS

- 9.1 Underground telecommunications services must be provided to each lot in accordance with the approved Operational Works Plans and the standards and requirements of the relevant service provider. Unless otherwise stipulated by telecommunications legislation at the time of installation, this includes all necessary pits and pipes, and conduits that provide a connection to the telecommunications network.
- 9.2 Evidence of acceptance of the works from the relevant service provider must be provided to Council, prior to the issue of the Compliance Certificate for the Survey Plan.

Note: The *Telecommunications Act 1997* (Cth) specifies where the deployment of optical fibre and the installation of fibre-ready facilities is required.

Note: For telecommunications services, written evidence must be in the form of either a "Telecommunications Infrastructure Provisioning Confirmation" where such services are provided by Telstra or a "Notice of Practical Completion" where such services are provided by the NBN.

10.0 ASSET MANAGEMENT

- 10.1 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.
- 10.2 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.

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 Frenchville Road.

- 11.2 All refuse bin collection location for any future use on the proposed Lots must be at Frenchville Road.

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 Aboriginal and Torres Strait Islander and Partnerships website www.datsip.qld.gov.au.

NOTE 2. 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 3. 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 4. Property Note (Bushfire)

All future buildings on the proposed lots must be constructed in accordance with *Australian Standard AS3959 "Construction of buildings in bushfire-prone areas"* and the approved Bushfire Management Plan.

NOTE 5. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with Council policies. The charges are presented on an Infrastructure Charges Notice.

MATERIAL CHANGE OF USE CONDITIONS

1.0 ADMINISTRATION

- 1.1 The Developer and his employee, agent, contractor or invitee 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 All conditions, works, or requirements of this development approval must be undertaken, completed, and be accompanied by a Compliance Certificate for any operational works required by this development approval:
- 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, unless otherwise stated.

- 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
- 1.5.1 Operational Works:
(i) Site Works;
- 1.5.2 Plumbing and Drainage Works; and
- 1.5.3 Building Works:
- 1.6 All Development Permits for Operational Works and 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.

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>Plan/Document Reference</u>	<u>Dated</u>
Reconfiguration of Lot (with Ortho Underlay)	6560-01-ROL Rev B Sheet 1 of 2	23 February 2017
Reconfiguration of Lot (with Contours Underlay)	6560-01-ROL Rev B Sheet 2 of 2	23 February 2017
Bushfire Hazard Assessment and Management Plan	Prepared by Denley Environmental	21 November 2016
Slope Stability Report	R14272A	16 September 2010
Biodiversity and Nature Conservation Assessment	40545	12 February 2011

- 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.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of an application for a Development Permit for Operational Works/Building Works.

3.0 WATER WORKS

- 3.1 All water 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 2002*.
- 3.2 The development must be connected to Council's reticulated water network via a 'Special Water Supply Arrangement'.
- 3.3 Adequate domestic and fire fighting protection must be provided to the development, and must be certified by an hydraulic engineer or other suitably qualified person.

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 2002, Council's Plumbing and Drainage Policies.

- 4.2 A separate Plumbing and Drainage permit must be obtained for the proposed dwelling house at building stage.
- 4.3 Alteration, disconnection or relocation of internal plumbing and sanitary drainage works associated with the existing Dwelling House on Lot 28 must be in accordance with regulated work under the *Plumbing and Drainage Act 2002* and Council's Plumbing and Drainage Policies.
- 4.4 Temporary onsite sewerage treatment must be provided and disposed of in accordance with the provisions of the *Plumbing and Drainage Act 2002* until reticulated sewerage service is made available.
- 4.5 The onsite sewerage treatment facility must be located within the approved Building Location Envelope.
- 4.6 The on-site sewerage treatment and disposal area must not be located within the existing water course or conflict with the separation distance as detailed within the *Queensland Plumbing and Wastewater Code*.

5.0 STORMWATER WORKS

- 5.1 All stormwater 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.
- 5.2 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect surrounding land or infrastructure in comparison to the pre-development conditions, including but not limited to blocking, altering or diverting existing stormwater runoff patterns or having the potential to cause damage to other infrastructure.

6.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 6.1 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*, sound engineering practice.
- 6.2 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.

7.0 SITE WORKS

- 7.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works on the development site.
- 7.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks plan that clearly identifies the following:
 - 7.2.1 the location of cut and/or fill;
 - 7.2.2 the type of fill to be used and the manner in which it is to be compacted;
 - 7.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - 7.2.4 details of any proposed access routes that are intended to be used to transport fill to or from the development site; and
 - 7.2.5 the maintenance of access roads to and from the development site so that they are free of all cut and/or fill material and cleaned as necessary.
- 7.3 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments"*.

- 7.4 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.
- 7.5 Any retaining structures above one (1) metre in height that are not incidental works to a Development Permit for Building Works, must not be constructed unless separately and specifically certified by a Registered Professional Engineer of Queensland and must be approved as part of a Development Permit for Operational Works (site works).
- 7.6 All site works must adhere to the recommendation of the approved Slope Stability Report (refer to condition 2.1).
- 8.0 BUILDING WORKS
- 8.1 A Development Permit for Building Works must be obtained for the construction of the proposed dwelling house on the development site.
- 8.2 The proposed dwelling house must be constructed in accordance with *Australian Standard AS3959 "Construction of buildings in bushfire-prone areas"* and the approved Bushfire Management Plan (refer to condition 2.1).
- 9.0 ELECTRICITY
- 9.1 Underground electricity services must be provided to the development in accordance with the approved Operational Works Plans and the standards and requirements of the relevant service provider.
- 9.2 Evidence of acceptance of the works from the relevant service provider must be provided to Council, prior to the commencement of the use.
- 10.0 TELECOMMUNICATIONS
- 10.1 Underground telecommunications services must be provided to the development in accordance with the approved Operational Works Plans and the standards and requirements of the relevant service provider.
- 10.2 Evidence of acceptance of the works from the relevant service provider must be provided to Council, prior to the commencement of the use.
- 11.0 ASSET MANAGEMENT
- 11.1 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.
- 11.2 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.
- 11.3 'As Constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the commencement of the use. This information must be provided in accordance with the *Asset Design and As Constructed Manual (ADAC)*.
- 12.0 OPERATING PROCEDURES
- 12.1 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 Frenchville Road.

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 Aboriginal and Torres Strait Islander and Partnerships website www.datsip.qld.gov.au.

NOTE 2. 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 3. 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.

RECOMMENDATION C

That in relation to the application for a Development Permit for Material Change of Use for a Dwelling House and Reconfiguring a Lot (one lot into two lots and access easement), made by C. Seemungal-Dass, on Lot 27 on SP247221, Parish of Archer, located at 304 Frenchville Road, Council resolves to issue an Infrastructure Charges Notice for the amount of \$11,200.00.

Recommendation of the Planning and Regulatory Committee, 16 May 2017
9.1.5 D/20-2017 - DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (ONE LOT INTO THREE LOTS AND ACCESS EASEMENT)

File No: D/20-2017

Attachments:

1. Locality Plan
2. Site Plan

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning & Regulatory Services
Michael Rowe - General Manager Community Services

Author: Bevan Koelmeyer - Planning Officer

SUMMARY

Development Application Number: D/20-2017

Applicant: Capehead Pty Ltd C/- Reel Planning CQ

Real Property Address: 66 Alfred Road, Parkhurst; Parish of Murchison

Common Property Address: Lot 485 on LIV40112

Area of Site: 31.925 hectares

Planning Scheme: *Rockhampton City Plan 2005*

Rockhampton City Plan Area: Yeppoon Road Corridor Environmental Protection Area

Planning Scheme Overlays (applicable): Bushfire Prone Land, Environmentally Sensitive Location (Remnant Vegetation), Waterway Corridor and Steep and Unstable Land

Existing Development: Two (2) Dwelling Houses and ancillary domestic outbuildings

Existing Approvals: Nil

Approval Sought: Development Permit for Reconfiguring a Lot (one (1) lot into three (3) lots) and an access easement

Level of Assessment: Impact Assessable

Submissions: Nil

Referral Agency(s): Nil

Adopted Infrastructure Charges Area: Charge Area 3

Application Progress:

Application Lodged:	20 February 2016
Acknowledgment Notice issued:	1 March 2017
Request for Further Information sent:	8 March 2017
Request for Further Information responded to:	15 March 2017
Submission period commenced:	23 March 2017
Submission period end:	12 April 2017

Council request for additional time:	24 April 2017
Government Agency request for additional time:	Not Applicable
Government Agency Response:	Not Applicable
Last receipt of information from applicant:	13 April 2017
Statutory due determination date:	14 June 2017

COMMITTEE RECOMMENDATION

RECOMMENDATION A

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (one (1) lot into three (3) lots) and an access easement, made by Reel Planning CQ on behalf of Capehead Pty Ltd, on Lot 485 on LIV40112, Parish of Murchison, located at 66 Alfred Road, Parkhurst, Council resolves to Approve the application despite its conflict with the planning scheme and provide the following grounds to justify the decision despite the conflict.

Sufficient grounds to support the development are as follows:

- a) Proposed lot 1 is only approximately 0.34 hectares below the minimum lot size for this zone, being ten (10) hectares. This lot has already been improved with a dwelling house and it is unlikely that further intensification of development will occur on this parcel in future. This non-compliance is unlikely to negatively affect the character of the area.
- b) The proposed boundaries and the building envelope are located clear of regulated vegetation and the mapped waterway to ensure that the ecological values of the Site and Area are retained. The site is located on the low ground of the Area and does not form part of the low hills that characterise much of the Area to the east and, as such, the proposed subdivision and the subsequent construction of a dwelling house on the vacant lot will not negatively impact the scenic values of the Area;
- c) The proposed use does not compromise the achievements of the Desired Environmental Outcomes in the *Rockhampton City Plan 2005*;
- d) Assessment of the development against the relevant area intent, 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
- e) The proposed development does not compromise the relevant State Planning Policy.

RECOMMENDATION B

That in relation to the application for a Development Permit for Reconfiguring a Lot (one (1) lot into three (3) lots) and an access easement, made by Reel Planning CQ on behalf of Capehead Pty Ltd, on Lot 485 on LIV40112, Parish of Murchison, located at 66 Alfred Road, Parkhurst, Council resolves to Approve the application subject to the following conditions:

1.0 **ADMINISTRATION**

- 1.1 The Developer and his employee, agent, contractor or invitee 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 All conditions, works, or requirements of this development approval must be undertaken, completed, and be accompanied by a Compliance Certificate for any operational works required by this development approval:

- 1.3.1 to Council's satisfaction;
- 1.3.2 at no cost to Council; and
- 1.3.3 prior to the issue of the Compliance Certificate for the Survey Plan, 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 issue of the Compliance Certificate for the Survey Plan, unless otherwise stated.
- 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
- 1.5.1 Operational Works:
- (i) Road Works; and
- (ii) Access Works.
- 1.6 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.7 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.
- 1.8 The access to proposed Lot 3 must be via the proposed Easement A over proposed Lot 2. Easement documents must accompany the Survey Plan for endorsement by Council, prior to the issue of the Compliance Certificate for the Survey Plan.

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>Plan/Document Reference</u>	<u>Dated</u>
Proposed Subdivision Layout	R17003-001 Revision B	29 March 2017

- 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.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of an application for a Development Permit for Operational Works.

3.0 ROAD WORKS

- 3.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works required by this development approval.
- 3.2 All road works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, and relevant *Australian Standards* and *Austroroads Guidelines* and the provisions of a Development Permit for Operational Works (road works).
- 3.3 Olive Street must be constructed to Rural Access standard from the intersection with McMillan Avenue to the access point for Lot 1.
- 3.4 McMillan Avenue must be designed and constructed to Major Urban Collector standard, with half road construction, with a minimum width of 5.5 metres from the end of the existing seal to the intersection with Olive Street. The edge line of the new construction must match the alignment of the existing kerb and channel on the western

side of McMillan Avenue. Council will accept a two-coat seal in accordance with the requirements of the Capricorn Municipal Development Guidelines in lieu of asphalt surfacing for this section of roadway, with no kerb and channel construction required in this instance.

3.5 The intersection of McMillan Avenue and Olive Street must be sealed with a minimum of a two-coat seal in accordance with the requirements of the Capricorn Municipal Development Guidelines such that it has a minimum width of 6.5 metres within the Olive Street road reserve and extends a minimum of ten (10) metres to the east along Olive Street.

3.6 Traffic signs and pavement markings must be provided in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*. Where necessary, existing traffic signs and pavement markings must be modified in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*.

4.0 ACCESS WORKS

4.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works required by this development approval.

4.2 All access works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), and *Capricorn Municipal Development Guidelines*, and the provisions of a Development Permit for Operational Works (access works).

4.3 New sealed accesses must be constructed for proposed Lots 1 and 3.

5.0 PLUMBING AND DRAINAGE WORKS

5.1 On-site sewage treatment and disposal must be in accordance with the *Queensland Plumbing and Wastewater Code* and Council's Plumbing and Drainage Policies. This can be completed at the building works application stage.

5.2 On-site water supply for domestic and firefighting purposes must be provided and may include the provision of a bore, dams, water storage tanks or a combination of each. This can be completed at the building works application stage.

6.0 STORMWATER WORKS

6.1 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect surrounding land or infrastructure in comparison to the pre-development conditions, including but not limited to blocking, altering or diverting existing stormwater runoff patterns or having the potential to cause damage to other infrastructure.

6.2 Easements must be provided over all land assessed to be within the one (1) per cent Average Annual Exceedance (AEP) probability defined flood event inundation area.

7.0 SITE WORKS

7.1 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.

8.0 ELECTRICITY

8.1 Electricity services must be provided to each lot in accordance with the standards and requirements of the relevant service provider.

8.2 Evidence that the new lots can be provided with electricity services from the relevant service provider must be provided to Council, prior to the issue of the Compliance Certificate for the Survey Plan.

9.0 TELECOMMUNICATIONS

9.1 Telecommunications services must be provided to each lot in accordance with the standards and requirements of the relevant service provider. Unless otherwise

stipulated by telecommunications legislation at the time of installation, this includes all necessary pits and pipes, and conduits that provide a connection to the telecommunications network.

- 9.2 Evidence that the new lots can be provided with telecommunications services from the relevant service provider must be provided to Council, prior to the issue of the Compliance Certificate for the Survey Plan.

10.0 ASSET MANAGEMENT

- 10.1 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.

- 10.2 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.

11.0 ENVIRONMENTAL

- 11.1 Any application for a Development Permit for Operational Works must be accompanied by a detailed Environmental Management Plan that addresses, but is not limited to, the following:

- (i) water quality and drainage;
- (ii) erosion and silt/sedimentation management;
- (iii) fauna management;
- (iv) vegetation management and clearing;
- (v) top soil management;
- (vi) interim drainage plan during construction;
- (vii) construction programme;
- (viii) geotechnical issues;
- (ix) weed control;
- (x) bushfire management;
- (xi) emergency vehicle access;
- (xii) noise and dust suppression; and
- (xiii) waste management.

- 11.2 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan that addresses, but is not limited to, the following:

- (i) objectives;
- (ii) site location and topography
- (iii) vegetation;
- (iv) site drainage;
- (v) soils;
- (vi) erosion susceptibility;
- (vii) erosion risk;
- (viii) concept;

- (ix) design; and
- (x) implementation,

for the construction and post-construction phases of work.

11.3 The Environmental Management Plan approved as part of a Development Permit for Operational Works must be part of the contract documentation for the development works.

11.4 The Erosion Control and Stormwater Control Management Plan prepared by a Registered Professional Engineer of Queensland in accordance with the *Capricorn Municipal Design Guidelines*, must be implemented, monitored and maintained for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The plan must be available on-site for inspection by Council Officers whilst all works are being carried out.

12.0 OPERATING PROCEDURES

12.1 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 McMillan Avenue and Olive Street.

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 Aboriginal and Torres Strait Islander and Partnerships website www.datsip.qld.gov.au.

NOTE 2. 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 3. 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 4. Property Note (Bushfire)

All future buildings on the proposed lots must be constructed in accordance with *Australian Standard AS3959 "Construction of buildings in bushfire-prone areas"*.

NOTE 5. Works in Road Reserve Permit

It is advised that a Works in Road Reserve Permit (including a fee for the vehicle crossover and compliant with Standard *Capricorn Municipal Development Guidelines*, Standard Drawings) may be accepted in place of the application for a Development Permit for Operational Works (access works).

NOTE 6. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with Council policies. The charges are presented on an Infrastructure Charges Notice.

RECOMMENDATION C

That in relation to the application for a Development Permit for Reconfiguring a Lot (one (1) lot into three (3) lots) and an access easement, made by Reel Planning CQ on behalf of Capehead Pty Ltd, on Lot 485 on LIV40112, Parish of Murchison, located at 66 Alfred Road, Parkhurst, Council resolves to issue an Infrastructure Charges Notice for the amount of \$14,000.00.

9.2 AIRPORT, WATER AND WASTE COMMITTEE MEETING - 16 MAY 2017**COUNCIL RESOLUTION**

THAT the Minutes of the Airport, Water and Waste Committee meeting, held on 16 May 2017 as circulated, be received and that the recommendations contained within these minutes be adopted.

Moved by: Councillor Fisher

Seconded by: Councillor Smith

MOTION CARRIED

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

Recommendation of the Airport, Water and Waste Committee, 16 May 2017**9.2.1 FRW ANNUAL PERFORMANCE PLAN AS AT 31 MARCH 2017**

File No: 1466

Attachments:

1. **Customer Service Standards as at 31 March 2017**
2. **Customer Service and Financial Targets as at 31 March 2017**
3. **Non Compliance Comments as at 31 March 2017**

Authorising Officer: Peter Kofod - General Manager Regional Services

Author: Jason Plumb - Manager Fitzroy River Water

SUMMARY

Fitzroy River Water's performance against financial and non-financial targets and key strategies is reported to Council on a quarterly basis in accordance with the adopted 2016/17 Performance Plan. This report as at 31 March 2017 is presented for the Committee's information.

COMMITTEE RECOMMENDATION

THAT the Fitzroy River Water Annual Performance Plan quarterly report as at 31 March 2017 be received.

Recommendation of the Airport, Water and Waste Committee, 16 May 2017**9.2.2 FRW MONTHLY OPERATIONS REPORT - APRIL 2017**

File No: 1466
Attachments: 1. FRW Monthly Operations Report - April 2017
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Jason Plumb - Manager Fitzroy River Water

SUMMARY

This report details Fitzroy River Water's financial position and other operational matters for the Council's information as at 30 April 2017.

COMMITTEE RECOMMENDATION

THAT the FRW Monthly Operations Report for April 2017 be received.

Recommendation of the Airport, Water and Waste Committee, 16 May 2017**9.2.3 COMMUNITY SERVICE OBLIGATIONS FOR FITZROY RIVER WATER**

File No: 1466
Attachments: 1. FRW Community Service Obligations 2016-17
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Jason Plumb - Manager Fitzroy River Water

SUMMARY

Activities conducted by Fitzroy River Water (FRW) that are not its commercial interests should be identified as a community service obligation (CSO) in order to reflect the requirement for FRW to operate as a commercial business unit. The FRW Annual Performance Plan 2016/17 lists the existing CSOs identified for a range of FRW's current activities. The implementation of the Undetected Leak Rebate Policy is another activity that should be considered as a CSO. This report provides some justification for this consideration and recommends that this activity be included as a CSO in FRW's Annual Performance Plan.

COMMITTEE RECOMMENDATION

THAT the implementation of the Undetected Leak Rebate Policy for both residential and commercial customers be identified as a CSO to the amount of \$110,000 per annum, and FRW's Annual Performance Plan be updated accordingly.

Recommendation of the Airport, Water and Waste Committee, 16 May 2017**9.2.4 ONGOING MANAGEMENT OF INFLOW AND INFILTRATION IN SEWERAGE NETWORKS**

File No: 6210
Attachments: Nil
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Jason Plumb - Manager Fitzroy River Water

SUMMARY

The selective inspection program approved by Council in August 2016 was successful in identifying many sources of stormwater inflow or infiltration due to defects or non-compliant internal plumbing or sewerage infrastructure. With the rectification of many of these defects now approaching completion, FRW seeks to continue this approach to identify and address similar issues in other parts of Rockhampton's sewerage networks. This report provides a summary of the findings of the first three month inspection program, and recommends the approval of a second three month inspection program to focus on relevant parts of the sewerage network in North Rockhampton.

COMMITTEE RECOMMENDATION

THAT Council approve a selective inspection program for a period of three months from 1 July 2017 to 30 September 2017 of customer properties in North Rockhampton to enable defective or unauthorised connections to sewer to be identified and rectified in order to reduce inflow and infiltration to the sewerage networks during wet weather events.

Recommendation of the Airport, Water and Waste Committee, 16 May 2017**9.2.5 AIRPORT ASSET MANAGEMENT PLAN****File No:** 5960**Attachments:**

1. Airport Asset Management Plan
2. Appendix A- Airport Infrastructure Inspection Schedule
3. Appendix B- Building Condition Assessments and Prioritisation
4. Appendix C- Prioritised Building Defects
5. Appendix D- 10 Year Capital Program

Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer**Author:** Alicia Cutler - Manager Finance

SUMMARY*Officers presenting the Airport Asset Management Plan for adoption.***COMMITTEE RECOMMENDATION**

THAT in accordance with S.167 of the Local Government Regulation 2012, the Airport Asset Management Plan be adopted.

Recommendation of the Airport, Water and Waste Committee, 16 May 2017**9.2.6 ROCKHAMPTON AIRPORT - MONTHLY OPERATIONS REPORT - MARCH AND APRIL 2017**

File No: 7927

Attachments: 1. Rockhampton Airport Monthly Operational Report - March and April 2017

Authorising Officer: Scott Waters - General Manager Regional Development and Aviation

Author: Tracey Baxter - Acting Manager Airport

SUMMARY

The monthly operations and annual performance plan report for the Rockhampton Airport for March and April 2017 is presented for Councillors information.

COMMITTEE RECOMMENDATION

THAT the Rockhampton Airport Operations and Annual Performance Plan Report for March and April 2017 be 'received'.

Recommendation of the Airport, Water and Waste Committee, 16 May 2017**9.2.7 ROCKHAMPTON REGIONAL WASTE AND RECYCLING
MONTHLY OPERATIONS AND ANNUAL PERFORMANCE PLAN REPORT
FOR MARCH AND APRIL 2017**

File No: 7927
Attachments: 1. RRWR Operational and Performance Plan
Report March April
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Craig Dunglison - Manager RRWR

SUMMARY

The purpose of this report is to provide Council with an overview of Rockhampton Regional Waste and Recycling (RRWR) operations for the months of March and April 2017.

COMMITTEE RECOMMENDATION

THAT the RRWR Operations and Annual Performance Plan update Report for the periods 1 to 31 March and 1 to 30 April 2017 be received.

Recommendation of the Airport, Water and Waste Committee, 16 May 2017**9.2.8 2017 CLEAN UP AUSTRALIA DAY WASTE AUDIT REPORT**

File No: 11946
Attachments: 1. 2017 Clean Up Australia Day Waste Audit Report
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Craig Dunglison - Manager RRWR

SUMMARY

This report will put forward the results from Rockhampton Regional Waste and Recycling's (RRWR) participation in the Regional 2017 Clean Up Australia Day event. As one of our Region's largest litter "clean up" events; RRWR wished to provide support and to utilise the event as an opportunity to collect data on the key types of waste littered in the local area. The report will present the data collected through the audit, the overall effectiveness of RRWR's participation and also provide recommendations for future involvement with this event.

COMMITTEE RECOMMENDATION

THAT the 2017 Clean Up Australia Day Waste Audit Report be received

9.3 COMMUNITY SERVICES COMMITTEE MEETING - 17 MAY 2017**COUNCIL RESOLUTION**

THAT the Minutes of the Community Services Committee meeting, held on 17 May 2017 as circulated, be received and that the recommendations contained within these minutes be adopted.

Moved by: Mayor Strelow
Seconded by: Councillor Fisher

MOTION CARRIED

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

Recommendation of the Community Services Committee, 17 May 2017**9.3.1 BUSINESS OUTSTANDING TABLE FOR COMMUNITY SERVICES COMMITTEE**

File No: 10097
Attachments: 1. Business Outstanding Table
Authorising 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 Community Services Committee is presented for Councillors' information.

COMMITTEE RECOMMENDATION

THAT the Business Outstanding Table for the Community Services Committee be received.

Recommendation of the Community Services Committee, 17 May 2017**9.3.2 ARTS AND HERITAGE MONTHLY OPERATIONS REPORT FOR APRIL 2017**

File No: 1464
Attachments: 1. Arts and Heritage Monthly Operations Report for April 2017
Authorising Officer: Michael Rowe - General Manager Community Services
Author: Peter Owens - Manager Arts and Heritage

SUMMARY

The report provides information on the programs and activities of the Arts and Heritage section for April 2017.

COMMITTEE RECOMMENDATION

THAT the Arts and Heritage Monthly Operations Report for April 2017 be received.

Recommendation of the Community Services Committee, 17 May 2017**9.3.3 COMMUNITIES AND FACILITIES MONTHLY OPERATIONAL REPORT**

File No: 1464
Attachments: 1. Monthly Operations Report April 2017
Authorising Officer: Michael Rowe - General Manager Community Services
Author: Cheryl Haughton - Manager Communities and Facilities

SUMMARY

This report provides information on the activities of the Communities and Facilities section for April 2017.

COMMITTEE RECOMMENDATION

THAT the Monthly Operational Report on the activities of the Communities and Facilities section for April 2017 be received.

9.4 PARKS, RECREATION & SPORT COMMITTEE MEETING - 17 MAY 2017**COUNCIL RESOLUTION**

THAT the Minutes of the Parks, Recreation and Sport Committee meeting, held on 17 May 2017 as circulated, be received and that the recommendations contained within these minutes be adopted.

Moved by: Councillor Rutherford

Seconded by: Councillor Smith

MOTION CARRIED

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

Recommendation of the Parks, Recreation and Sport Committee, 17 May 2017**9.4.1 BUSINESS OUTSTANDING TABLE FOR PARKS, RECREATION AND SPORT COMMITTEE**

File No: 10097
Attachments: 1. Business Outstanding Table
Authorising 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 Parks, Recreation and Sport Committee is presented for Councillors' information.

COMMITTEE RECOMMENDATION

THAT the Business Outstanding Table for the Parks, Recreation and Sport Committee be received.

Recommendation of the Parks, Recreation and Sport Committee, 17 May 2017**9.4.2 PARKS AND OPEN SPACE OPERATIONS REPORT - APRIL 2017**

File No: 1464
Attachments: 1. Parks and Open Space Operations Report - April 2017
Authorising Officer: Michael Rowe - General Manager Community Services
Author: Margaret Barrett - Manager Parks

SUMMARY

This report provides information on the activities and services of Parks and Open Space Section for the month of April 2017.

COMMITTEE RECOMMENDATION

THAT the report on the activities and services of Parks and Open Space Section for April 2017 be received.

9.5 INFRASTRUCTURE COMMITTEE MEETING - 16 MAY 2017**COUNCIL RESOLUTION**

THAT the Minutes of the Infrastructure Committee meeting, held on 16 May 2017 as circulated, be received and that the recommendations contained within these minutes be adopted excluding 9.5.7 – Quay Land and Pilbeam Theatre Car Park Configuration.

Moved by: Councillor Williams

Seconded by: Councillor Fisher

MOTION CARRIED

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

Recommendation of the Infrastructure Committee, 16 May 2017**9.5.1 WARD AND SPENCER STREET TRAFFIC SAFETY ANALYSIS**

File No:	5252
Attachments:	1. Ward and Spencer Street Traffic and Safety Analysis 2. Option 3 - Overall Linemarking Plan
Authorising Officer:	Martin Crow - Manager Engineering Services Peter Kofod - General Manager Regional Services
Author:	Stuart Harvey - Coordinator Strategic Infrastructure

SUMMARY

This report details the traffic safety analysis performed for the areas bounded by Ward Street, Spencer Street, Jessie Street and Upper Dawson Road. The analysis aims to address the concerns raised, through a petition, by residents in the area. The report investigates traffic data, crash data and study area and provides recommendations to Council.

COMMITTEE RECOMMENDATION

THAT Council endorse Option C to improve intersection sight distance at the identified intersections, and to remark parking spaces on Jessie Street as detailed in Option 3 Overall Linemarking Plan and Council review traffic speeds in the area in 6 months.

Recommendation of the Infrastructure Committee, 16 May 2017**9.5.2 STREET SAFETY AND VEHICLE PARKING - STEWART STREET AND SOMERSET ROAD**

File No: 377
Attachments: 1. Stewart St - Somerset Rd Intersection
Authorising Officer: Martin Crow - Manager Engineering Services
Peter Kofod - General Manager Regional Services
Author: Jamie McCaul - Coordinator Development Engineering

SUMMARY

Further to the Planning and Regulatory Committee Meeting on 13 September 2016, Council Officers have undertaken investigations with a view to identifying any potential parking issues and street safety issues within Stewart Street and at the Stewart Street / Somerset Road intersection.

COMMITTEE RECOMMENDATION

THAT Council monitor the Stewart Street and Somerset Road intersection to ensure any vehicles parking in the vicinity are compliant with the road rules and setback from the intersection and should issues be evident, advise Local Laws accordingly.

Recommendation of the Infrastructure Committee, 16 May 2017**9.5.3 CIVIL OPERATIONS MONTHLY OPERATIONS REPORT - MAY 2017**

File No: 7028

Attachments:

1. **Monthly Operations Report - Civil Operations 30 April 2017**
2. **Works Program May - June 2017**

Authorising Officer: Peter Kofod - General Manager Regional Services

Author: David Bremert - Manager Civil Operations

SUMMARY

This report outlines Civil Operations Monthly Operations Report 30 April 2017 and also Works Program of planned projects for the months May to June 2017.

COMMITTEE RECOMMENDATION

THAT the Civil Operations Monthly Operations Report for May 2017 be received.

Recommendation of the Infrastructure Committee, 16 May 2017**9.5.4 ENGINEERING SERVICES MONTHLY OPERATIONS REPORT - MAY 2017**

File No: 7028
Attachments: 1. Monthly Operations Report Engineering Section
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Martin Crow - Manager Engineering Services

SUMMARY

This report outlines Engineering Services Monthly Operations Report for the period to the end of April 2017.

COMMITTEE RECOMMENDATION

THAT the Engineering Services Monthly Operations Report for May 2017 report be received.

Recommendation of the Infrastructure Committee, 16 May 2017**9.5.5 BUSINESS OUTSTANDING TABLE FOR INFRASTRUCTURE COMMITTEE**

File No: 10097
Attachments: 1. Business Outstanding Table
Authorising 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 Infrastructure Committee is presented for Councillors' information.

COMMITTEE RECOMMENDATION

THAT the Business Outstanding Table for the Infrastructure Committee be received and an update be provided on Updated Fitzroy River Flood Mapping at the next Infrastructure Committee meeting.

Recommendation of the Infrastructure Committee, 16 May 2017**9.5.6 ROAD SAFETY STRATEGY REVIEW 2017**

File No: 5252

Attachments:

1. Road Safety Action Plan
2. Road Safety Data Analysis 2011-2015

Authorising Officer: Martin Crow - Manager Engineering Services
Peter Kofod - General Manager Regional Services

Author: Stuart Harvey - Coordinator Strategic Infrastructure

SUMMARY

This report contains a progress report from the Rockhampton Regional Road Safety (3E) Committee on the implementation of the Rockhampton Regional Road Safety Strategy 2012 – 2022 for the period concluding April 2017. It also highlights future priority areas for action based on a revised crash profile.

COMMITTEE RECOMMENDATION

THAT the progress report from the Rockhampton Regional Road Safety (3E) Committee for the period concluding April 2017 be received; and

THAT Council ask the 3E Committee to commence discussions and prepare a draft plan for the Bruce Highway traffic diversions required at times of flood.

Moved by: Councillor Williams

Seconded by: Mayor Strelow

MOTION CARRIED

Recommendation of the Infrastructure Committee, 16 May 2017

9:20AM THAT in accordance with s165(1)(a) of the Local Government Act 2009 and s14(1)(2) Council Meeting Procedures, the Deputy Mayor Councillor Rutherford be appointed Chairperson of the Council meeting for the period of the Mayor, Councillor Strelow's absence.

9:20AM In accordance with s173(2) of the *Local Government Act 2009*, Mayor Margaret Strelow disclosed a conflict of interest in respect of Item 9.5.7 - Quay Lane and Pilbeam Theatre Car Park Configuration due to interest in property on adjoining sides of the lane. Mayor Strelow considered her position and advised that she will not take part in the debate.

9.5.7 QUAY LANE AND PILBEAM THEATRE CAR PARK CONFIGURATION

File No: 191

Attachments:

1. Quay Lane Widening
2. Pilbeam Theatre Car Park Reconfiguration

Authorising Officer: Martin Crow - Manager Engineering Services
Peter Kofod - General Manager Regional Services

Author: Stuart Harvey - Coordinator Strategic Infrastructure

SUMMARY

Upon the commencement of the construction of the Gallery Apartments in Quay Lane, concerns have been raised to Council regarding the road configuration and traffic management processes in both Quay Lane and the Pilbeam Theatre car park. Officers have investigated a design for both Quay Lane and the Pilbeam Theatre car park that aims to address these issues and has been put forward to Council for consideration.

COUNCIL RESOLUTION

THAT Council receives the report and Councillors inspect the site prior to the next Infrastructure Committee meeting to address concerns raised.

Moved by: Councillor Williams

Seconded by: Councillor Wickerson

MOTION CARRIED

9:22AM Mayor Strelow returned to the meeting and resumed the chair.

Recommendation of the Infrastructure Committee, 16 May 2017

9.5.8 ROAD ACCESS - MAINTENANCE OF ROADS

File No: 412

Attachments:

1. Roads that are maintained
2. Roads that are not maintained by Council

Authorising Officer: Peter Kofod - General Manager Regional Services

Author: David Bremert - Manager Civil Operations

The CEO advised prior to the meeting that this item has been withdrawn from the agenda.

10 COUNCILLOR/DELEGATE REPORTS

10.1 UPDATE ON LEICHHARDT WAY

File No: 5770

Authorising Officer: Rick Palmer – Senior Executive Industry Engagement

SUMMARY

Cr Williams provided verbal report to Council regarding meetings he and Rick Palmer attended on the 19 May 2017 with Leichhardt Way and Australian Country Way meeting groups to discuss merging the two groups together. The next formal meeting where the resolution will be undertaken and adopted will be held in Rockhampton at a date to be advised.

COUNCIL RESOLUTION

That the verbal report be received.

Moved by: Mayor Strelow

Seconded by: Councillor Rutherford

MOTION CARRIED

11 OFFICERS' REPORTS

11.1 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 30 APRIL 2017

File No: 8148

Attachments:

1. Income Statement- April 2017
2. Key Indicator Graphs- April 2017

Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer

Author: Alicia Cutler - Manager Finance

SUMMARY

The Manager Finance presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 30 April 2017.

COUNCIL RESOLUTION

THAT the Rockhampton Regional Council Summary Budget Management Report for the Period ended 30 April 2017 be 'received'.

Moved by: Mayor Strelow

Seconded by: Councillor Rutherford

MOTION CARRIED

11.2 PROPOSED FEES AND CHARGES 2017-18

File No: 7816
Attachments: 1. **Memo- Proposed Fees and Charges Schedule 2017/2018**
2. **Proposed Fees and Charges 2017-18**
Authorising Officer: **Ross Cheesman - Deputy Chief Executive Officer**
Author: **Alicia Cutler - Manager Finance**

SUMMARY

The intention of this report is to submit Council's reviewed Fees and Charges Schedule for the 2017 – 2018 financial year.

COUNCIL RESOLUTION

THAT in accordance with the requirements of the *Local Government Act 2009*, Council adopts the Fees and Charges schedule for the 2017-2018 financial year.

Moved by: **Councillor Rutherford**
Seconded by: **Councillor Wickerson**

MOTION CARRIED

11.3 FINANCE POLICIES FOR REVIEW

File No: 5237

Attachments:

1. Draft Investment Policy
2. Draft Revenue Policy 2017-2018
3. Draft Revenue Policy 2017-2018 (Track Changes)

Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer

Author: Alicia Cutler - Manager Finance

SUMMARY

Manager Finance presenting reviewed annual policies to Council for adoption. These policies are integral to the Annual Budget and as such are presented prior to the adoption of the Budget.

COUNCIL RESOLUTION

THAT the following policies as detailed in the report be adopted:

- Investment Policy
- Revenue Policy

Moved by: Councillor Rutherford

Seconded by: Councillor Fisher

MOTION CARRIED

**11.4 CORPORATE SERVICES DEPARTMENT - MONTHLY OPERATIONAL REPORT
APRIL 2017**

File No: 1392

Attachments:

1. Workforce & Strategy Monthly Report April 2017
2. CTS Monthly Report April 2017
3. Finance Monthly Report April 2017

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Ross Cheesman - Deputy Chief Executive Officer

SUMMARY

The monthly operations report for the Corporate Services department as at 30 April 2017 is presented for Councillor's information.

COUNCIL RESOLUTION

THAT the Corporate Services Departmental Operations Report as at 30 April 2017 be "received".

Moved by: Mayor Strelow
Seconded by: Councillor Smith

MOTION CARRIED

11.5 NDRRA - BETTERMENT AND INSURANCE REPORT

File No: 12594
Attachments: Nil
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Robert Holmes - Claims Coordinator

SUMMARY

The Rockhampton region experienced a heavy rain event and subsequent flood during the period 27 March to 12 April 2017. This was a declared event for the purposes of disaster relief.

The Rockhampton Regional Council in its capacity as the local disaster coordination body and through the damaging impact of the rain and subsequent flood has expended considerable funds to date and will endure much more expenditure in the restoration of assets damaged through the event. Council's expenditure needs to exceed the trigger point in order to be able to claim under the NDRRA and Council's trigger point is \$336,518 - the trigger point is similar to the excess on an insurance policy and Council needs to contribute that amount towards the NDRRA claimable items.

The various funding categories under the NDRRA and the estimated/proposed expenditure under those categories are outlined in this report as is the projects that have been identified for submission as either Betterment or Category D under the NDRRA. Council's consideration of those projects is sought.

COUNCIL RESOLUTION

THAT Council lodge submissions in accordance with Tables 3 and 4 of this report for Betterment and Category D under the NDRRA in respect of the Cyclone Debbie Rain Event and subsequent flood should the opportunity arise.

Moved by: Mayor Strelow
Seconded by: Councillor Wickerson

MOTION CARRIED

11.6 BRIDGES RENEWAL PROGRAMME (ROUND 3)

File No: 12534
Attachments: Nil
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Martin Crow - Manager Engineering Services
Author: Penelope-Jane Fry - Grants Officer
Stuart Harvey - Coordinator Strategic Infrastructure

SUMMARY

Rockhampton Regional Council has submitted two projects for funding from the Bridges Renewal Program (Round 3).

COUNCIL RESOLUTION

THAT Council “receives” the report.

Moved by: Councillor Williams

Seconded by: Councillor Fisher

MOTION CARRIED

11.7 2016/17 OPERATIONAL PLAN QUARTER THREE PROGRESS REPORT**File No:** 8320**Attachments:**

1. Operational Plan Qtr 3 progress report - Community Services
2. Operational Plan Qtr 3 progress report - Corporate Services
3. Operational Plan Qtr 3 progress report - Office of the CEO
4. Operational Plan Qtr 3 progress report - Regional Development and Aviation
5. Operational Plan Qtr 3 progress report - Regional Services

Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer**Author:** Tracy Sweeney - Manager Workforce and Strategy

SUMMARY

The 2016/17 Operational Plan progress report for quarter 3 as at 30 March 2017 is presented, pursuant to s174(3) Local Government Regulation 2012.

COUNCIL RESOLUTION

THAT the 2016/17 Operational Plan progress report for Quarter 3 as at 30 March 2017 be received.

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

11.8 COUNCIL DELEGATIONS TO CHIEF EXECUTIVE OFFICER

File No:	4107
Attachments:	1. Instrument of Delegation – Land Act 1994 2. Instrument of Delegation – Water Act 2000 3. Instrument of Delegation – Water Supply (Safety and Reliability) Act 2008
Authorising Officer:	Ross Cheesman - Deputy Chief Executive Officer
Author:	Tracy Sweeney - Manager Workforce and Strategy

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 the Instruments attached to this report:
 1. *Land Act 1994; and*
 2. *Water Act 2000*
2. These powers must be exercised subject to any limitations contained in Schedule 2 of the Instruments of Delegation attached to this report; and
3. Council resolves as per section 257 of the *Local Government Act 2009* to rescind the delegation to the Chief Executive Officer of section 180(2) of the *Water Supply (Safety and Reliability) Act 2008*.

Moved by: Mayor Strelow
Seconded by: Councillor Smith

MOTION CARRIED

11.9 DISPOSAL OF COUNCIL PROPERTY TO ADJOINING OWNER FOR CARPARK ACCESS PURPOSES

File No: 1680
Attachments: 1. Aerial Map
Authorising Officer: Ross Cheesman - Acting Chief Executive Officer
Author: Kellie Anderson - Coordinator Property and Insurance

SUMMARY

Coordinator Property & Insurance reporting on a request to dispose of Lot 11 on RP603797 (102 Albert Street, The Range). This report details the requirements of the adjoining owner regarding this request and proposes two options of disposal for Council's consideration.

COUNCIL RESOLUTION

THAT Council authorises the Chief Executive Officer (Coordinator Property & Insurance) to negotiate and enter into a Contract of Sale for Lot 11 on RP603797 to Hospital Corporation Australia Pty Ltd ACN 000 935 946, being the registered owner of the adjoining properties at Lots 1 and 2 on RP 605591 and Lot 5 on CP R26360 in accordance with the *Local Government Regulation 2012, Section 236(1)(c)(iv)*, subject to the following conditions: .

- The sale price will be determined by an independent valuation report;
- Lot 11 on RP603797 is amalgamated with the purchaser's four (4) adjoining allotments.
- All costs incurred will be paid by the purchaser including but not limited to the valuation report, stamp duty, survey costs, legal costs and registration fees (if applicable).

THAT the Chief Executive Officer is authorised to sign the Owner's Consent to allow the Development Application (D/29-2017) to proceed by the inclusion of Lot 11 on RP603797.

Moved by: Councillor Smith
Seconded by: Councillor Wickerson

MOTION CARRIED

11.10 ADVANCE ROCKHAMPTON - ECONOMIC DEVELOPMENT ADVISORY COMMITTEE - TERMS OF REFERENCE

File No: 1291

Attachments: 1. Terms of Reference - Advance Rockhampton Economic Development Advisory Committee

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Scott Waters - General Manager Regional Development and Aviation

SUMMARY

Council adopted the Advance Rockhampton Region Economic Action Plan 2017 – 2020. A key deliverable for the implementation of the plan was the formation of the Mayor's Economic Development Advisory Committee – Advance Rockhampton. This report has terms of reference for the Advance Rockhampton Committee for Council's consideration, after draft terms of reference were received at Council meeting on 9 May 2017.

COUNCIL RESOLUTION

THAT Council resolves to create the Advance Rockhampton – Economic Development Advisory Committee as per the recommendation of Council's Economic Action Plan and adopt the Terms of Reference as detailed in the report.

Moved by: Mayor Strelow
Seconded by: Councillor Smith

MOTION CARRIED

11.11 PROPOSED SUBMISSION: BETTER MINE REHABILITATION FOR QUEENSLAND

File No: 4894

Attachments: 1. Proposed Submission to the Better Mine Rehabilitation for Queensland

Authorising Officer: Chris Ireland - Manager Regional Development and Promotions
Scott Waters - General Manager Regional Development and Aviation
Ross Cheesman - Deputy Chief Executive Officer

Author: Rick Palmer - Senior Executive Industry Engagement
Penelope-Jane Fry - Grants Officer

SUMMARY

This report tables a proposed submission in response to a call for submissions by the Queensland Government into the 'Better Mine Rehabilitation for Queensland' reform.

COUNCIL RESOLUTION

THAT Council endorse the proposed submission to the Queensland Government in response to the 'Better Mine Rehabilitation for Queensland' Discussion Paper.

Moved by: Mayor Strelow
Seconded by: Councillor Rutherford

MOTION CARRIED

11.12 ROCKHAMPTON RAVENS APPLICATION TO JOIN WNBL

File No: 12117
Attachments: Nil
Authorising Officer: Chris Ireland - Manager Regional Development and Promotions
Scott Waters - General Manager Regional Development and Aviation
Author: Rick Palmer - Senior Executive Industry Engagement

SUMMARY

This report outlines the result of the application by Rockhampton Ravens to enter a team in the Women's National Basketball League.

COUNCIL RESOLUTION

THAT Council receive the report and Council provide a strongly worded letter on the disappointment of being unsuccessful for the application.

Moved by: Councillor Smith
Seconded by: Councillor Wickerson

MOTION CARRIED

12 NOTICES OF MOTION

Nil

13 QUESTIONS ON NOTICE

Nil

14 URGENT BUSINESS\QUESTIONS

14.1 REQUEST FOR LEAVE OF ABSENCE

File No: 10072

Authorising Officer: Evan Pardon – Chief Executive Officer

SUMMARY

Councillor Rutherford is seeking a leave of absence for the period 29 May to 5 June 2017 inclusive.

COUNCIL RESOLUTION

THAT leave of absence be granted for Councillor Cherie Rutherford from 29 May to 5 June 2017 inclusive.

Moved by: Mayor Strelow

Seconded by: Councillor Fisher

MOTION CARRIED

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 Rockhampton River Festival Tender / Quote Consideration Plan

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.

16.2 Legal Matters Report - 30 April 2017

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

16.3 Rogar Avenue Frenchville - Drainage Complaint

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.

16.4 Chief Executive Officer Monthly Report

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.

16.5 Strategic Property Acquisition

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: Mayor Strelow

Seconded by: Councillor Smith

MOTION CARRIED

COUNCIL RESOLUTION

10.14AM

THAT pursuant to s7.11 *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

10:14AM Mayor Strelow declared that the meeting be adjourned until 10:30AM
10:38AM Meeting resumed

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Cheesman – Deputy Chief Executive Officer
Mr P Kofod – General Manager Regional Services
Mr S Waters – General Manager Regional Development and Aviation
Ms A Cutler – Finance Manager
Ms T Sweeney – Manager Workforce & Strategy
Ms A Bartlett – Coordinator Regional Promotions and Tourism
Mr D Morrison – Executive Coordinator to the Mayor
Mr M Mansfield – Supervisor Media & Engagement
Ms E Brodel – Media Officer
Ms S Friske – Acting Governance Support Officer

11:20AM In accordance with s173(2) of the *Local Government Act 2009*, Councillor Neil Fisher disclosed a conflict of interest in respect of Item 16.5 – Strategic Property Acquisition due to casual employment. Councillor Fisher considered his position and advised that he will not take part in the debate.

COUNCIL RESOLUTION

11:38AM

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

Moved by: Councillor Wickerson

Seconded by: Councillor Rutherford

MOTION CARRIED

16 CONFIDENTIAL REPORTS

THAT pursuant to s5.7 *Council Meeting Procedures* the Order of Business be amended to consider Item 16.5 – Strategic Property Acquisition next.

In accordance with s173(2) of the *Local Government Act 2009*, Councillor Neil Fisher disclosed a conflict of interest in respect of Item 16.5 – Strategic Property Acquisition due to casual employment. Councillor Fisher considered his position and advised that he will not take part in the debate.

16.5 STRATEGIC PROPERTY ACQUISITION

File No: 1392
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Ross Cheesman - Deputy 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

Deputy CEO reporting on a strategic property acquisition.

COUNCIL RESOLUTION

THAT Council proceed to acquire the property as considered in the body of the report.

Moved by: Mayor Strelow
Seconded by: Councillor Wickerson

MOTION CARRIED

Councillor Williams recorded his vote against the motion.

11:39AM Councillor Fisher returned to the meeting

16.1 ROCKHAMPTON RIVER FESTIVAL TENDER / QUOTE CONSIDERATION PLAN**File No:** 6097**Attachments:** 1. 2017 River Festival Marketing Overview**Authorising Officer:** Scott Waters - General Manager Regional Development and Aviation**Author:** Aimee Bartlett - Acting Destination Coordinator

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

This report provides an outline of the proposed Tender and Quoting processes that will be utilised for the coordination of the Rockhampton River Festival from 2017 to 2019.

COUNCIL RESOLUTION

THAT the report be received and Council adopt the Tender/Quote Consideration Plan under s230 of the *Local Government Regulation*.

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

16.2 LEGAL MATTERS REPORT - 30 APRIL 2017**File No:** 1392**Attachments:** 1. Legal Matters Report - 1 April 2017 - 30 April 2017**Authorising Officer:** Ross Cheesman - Acting Chief Executive Officer**Author:** Tracy Sweeney - Manager Workforce and Strategy

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

SUMMARY

Manager Workforce and Strategy presenting an update of current legal matters that Council is involved in as at 30 April 2017.

COUNCIL RESOLUTION

THAT the legal matters report containing updates on legal matters for Rockhampton Regional Council as at 30 April 2017 be received.

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

16.3 ROGAR AVENUE FRENCHVILLE - DRAINAGE COMPLAINT

File No: 8055

Attachments:

1. Submission from resident
2. Catchment Plan
3. Mitigation Plan

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Peter Kofod - General Manager Regional Services
Martin Crow - Manager Engineering Services

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

An investigation into the impacts of stormwater overflow from Rogar Avenue drainage has been undertaken. This investigation has identified that further works may be required to mitigate the impacts of the stormwater overflow.

COUNCIL RESOLUTION

THAT Council endorse the development of a preliminary drainage design and cost estimate to mitigate the identified impacts from Rogar Avenue and the proposed project be considered for future funding under the capital works program.

Moved by: Councillor Fisher

Seconded by: Mayor Strelow

MOTION CARRIED

16.4 CHIEF EXECUTIVE OFFICER MONTHLY REPORT

File No: 1830
Attachments: 1. CEO Report May 2017
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 15 May 2017.

COUNCIL RESOLUTION

THAT the monthly report from the Chief Executive Officer for the period ending 15 May 2017 be received.

Moved by: Mayor Strelow
Seconded by: Councillor Smith

MOTION CARRIED

17 CLOSURE OF MEETING

There being no further business the meeting closed at 11:41am.

SIGNATURE

CHAIRPERSON

DATE