



# **ORDINARY MEETING**

## **MINUTES**

**28 FEBRUARY 2023**

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**REPORT OF THE ORDINARY MEETING  
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON  
ON TUESDAY, 28 FEBRUARY 2023 COMMENCING AT 9:00AM**

## **1 OPENING**

- 1.1 Acknowledgement of Country

## **2 PRESENT**

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer  
Mr R Cheesman – Deputy Chief Executive Officer  
Mr P Kofod – General Manager Regional Services (via video link)  
Ms M Taylor – Chief Financial Officer  
Mr G Bowden – Executive Manager Advance Rockhampton  
Mr D Morrison – Manager Workforce and Governance (via video link)  
Mr J Kann – Manager Office of the Mayor  
Mr J Webb – Manager Communities and Culture  
Mr M Crow – Manager Infrastructure Planning  
Mr C Wyatt - Coordinator Strategic Planning  
Ms M Prasad – Senior Infrastructure Planning Engineer  
Mr J Bulwinkel – Supervisor Business Support  
Mr B Standen – Principal Planning Officer  
Ms K Kellett – Personal Assistant to Airport Manager (via video link)  
Ms J Barrett – Senior Communications Officer (via video link)  
Ms K Walsh – Committee Support Officer

## **3 APOLOGIES AND LEAVE OF ABSENCE**

### **COUNCIL RESOLUTION**

THAT Councillor Donna Kirkland be granted Leave of Absence for the Infrastructure Committee meeting on 7 March 2023.

**Moved by:** Councillor Kirkland  
**Seconded by:** Councillor Wickerson

**MOTION CARRIED UNANIMOUSLY**

## 4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

### COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting of 14 February 2023 be confirmed.

**Moved by:** Councillor Fisher

**Seconded by:** Councillor Kirkland

**MOTION CARRIED UNANIMOUSLY**

## 5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Councillor Ellen Smith informed the meeting:

“I have a declarable conflict of interest in **Item 16.3 – Commercial Opportunity – Airport** as my niece Jacqueline Lebish and her husband Ross Lebish own properties at 48 Hunter Street and 60 Hunter Street.

I will deal with the conflict by leaving the room and staying away from the place where the meeting is being held when this matter is being discussed and voted on.”

**6 BUSINESS OUTSTANDING**

Nil

**7 PUBLIC FORUMS/DEPUTATIONS**

Nil

**8 PRESENTATION OF PETITIONS**

Nil

**9 COMMITTEE REPORTS**

Nil

**10 COUNCILLOR/DELEGATE REPORTS**

Nil

## 11 OFFICERS' REPORTS

### 11.1 INTER COLLEGIATE MEAT JUDGING (ICMJ) NORTHERN CONFERENCE PARTNERSHIP PROPOSAL - SPONSORSHIP

**File No:** 12534  
**Authorising Officer:** Greg Bowden - Executive Manager Advance Rockhampton  
**Author:** Wade Clark - Industry Engagement Manager

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#### SUMMARY

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

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

#### COUNCIL RESOLUTION

THAT Council sponsors the 2023 Inter Collegiate Meat Judging (ICMJ) Northern Beef Conference - careers expo for \$5,000 (ex GST).

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

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**11.2 ROCKHAMPTON MUSEUM OF ART PHILANTHROPY BOARD MEMBER RECOMMENDATION**

**File No:** 7104  
**Authorising Officer:** Alicia Cutler - General Manager Community Services  
**Author:** John Webb - Manager Communities and Culture

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**SUMMARY**

*The Rockhampton Museum of Art Philanthropy Board recommends to Rockhampton Regional Council the appointment of a new Rockhampton Museum of Art Philanthropy Board Member.*

**COUNCIL RESOLUTION**

THAT Council accept the recommendation by the Rockhampton Museum of Art Philanthropy Board and appoint John Nevil (Rick) Palmer for a term, in accordance with the Rockhampton Museum of Art Philanthropy Board Terms of Reference.

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

**MOTION CARRIED UNANIMOUSLY**



**11.3 MINOR INFRASTRUCTURE PROGRAM - KETTLE PARK LIGHTING PROJECT**

**File No:** 12534  
**Authorising Officer:** Alicia Cutler - General Manager Community Services  
**Author:** Justin Bulwinkel - Supervisor Business Support  
Angus Russell - Executive Manager Strategy and Planning

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**SUMMARY**

*The report recommends that the Kettle Park Lighting Project (partnered project initiative) be put forward as a priority application to the Minor Infrastructure Program.*

**COUNCIL RESOLUTION**

THAT Council submit an application for funding through the Department of Tourism, Innovation and Sport, Minor Infrastructure Program to support the Kettle Park Lighting Project.

**Moved by:** Councillor Rutherford

**Seconded by:** Councillor Wickerson

**MOTION CARRIED UNANIMOUSLY**

#### 11.4 D/278-2010 - REQUEST FOR A MINOR CHANGE TO DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE (IMPACT) FOR MULTIPLE DWELLING UNITS

**File No:** D/278-2010

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

**Author:** Brendan Standen - Principal Planning Officer

#### SUMMARY

*Development Application Number:* D/278-2010

*Applicant:* M.R and B.L Vaughan

*Real Property Address:* Lot 3 on SP175972

*Common Property Address:* 21 Russell Street, Gracemere

*Area of Site:* 806 square metres

*Planning Scheme:* Fitzroy Shire Planning Scheme 2005

*Planning Scheme Zone:* Town Zone

*Existing Development:* Multiple Dwelling Unit

*Approval Sought:* Amended Decision Notice for Development Permit D/278-2010 for Material Change of Use for Multiple Dwelling Units

#### COUNCIL RESOLUTION

##### RECOMMENDATION A

THAT in relation to the Change Application (Minor) to Development Permit D/278-2010 for Material Change of Use for Multiple Dwelling Units (Three Units) made by M.R and B.L Vaughan at 21 Russell Street, Gracemere, described as Lot 3 on SP175972, Council resolves to approve the application subject to the following conditions:

##### 1.0 ADMINISTRATION

1.1 The approved use and development must be completed and maintained generally in accordance with the approved drawings and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan Number</u>	<u>Dated</u>
Site and Drainage Plan	22L0033RU - 4 of 15	28 November 2022
Floor Plans	29070 DA02 Amendment E	24 May 2012
Ground Floor Plan	22L0033RU – 5 of 15	28 November 2022
Overall Site Plan	29070 DA01 Amendment E	24 May 2012
Section and Elevations	29070 DA03 Amendment E	24 May 2012
Elevation 1 and Elevation 2	22L0033RU – 7 of 15	28 November 2022
Elevation 3 and Elevation 4	22L0033RU – 8 of 15	28 November 2022

- 1.2 Where there is any conflict between conditions of this decision notice and details shown on the approved plans, the conditions of approval must prevail.
- 1.3 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.4 The Developer is responsible for ensuring compliance with this Approval and the Conditions of the Approval by an employee, agent, contractor or invitee of the Developer.
- 1.5 All conditions, works, or requirements of this approval must be undertaken and completed to the satisfaction of Council.
- 1.6 The following further development permits are required prior to the commencement of any works on the site:
- (i) Operational Works:
    - (i) Access and Parking; and
    - (ii) Roof and Allotment Drainage.
  - (ii) Plumbing and Drainage Works; and
  - (iii) Building Works.
- 1.7 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.
- 1.8 Any outstanding rates, charges or expenses levied by the Council over the subject land must be paid prior to the issue of a Development Permit for Building Works.
- 2.0 **ACCESS AND PARKING**
- 2.1 A Development Permit for Operational Works (access and parking) must be obtained prior to the commencement of any works on the site.
- 2.2 Design and construction must be in accordance with the provisions of a Development Permit for Operational Works (Access and Parking). The layout must be generally in accordance with the endorsed plans (refer to condition 1.1).
- 2.3 All the design and construction must be in accordance with the Australian Standard for parking facilities; Off-Street Car Parking (Australian Standard/New Zealand Standard AS/NZ2890.1 and 2 2004 or as amended)), the Capricorn Municipal Development Guidelines relevant standard drawings, and to the satisfaction of Council.
- 2.4 The proposed access driveway, internal access road/driveway and visitor parking areas must be concrete paved, or bitumen sealed in accordance with the Capricorn Municipal Development Guidelines and to the satisfaction of Council.
- 2.5 All vehicles must be able to leave the site and enter the public road in a forward direction.
- 2.6 The existing driveway crossover must be reinstated to match the existing kerb and channel.
- 3.0 **SEWERAGE WORKS**
- 3.1 Deleted.
- 3.2 The connection to the reticulated sewerage to the development site must be provided in accordance with the Water Supply (Safety and Reliability) Act. The proposed sewerage reticulation works, including connections to the existing system, must be carried out in accordance with the Capricorn Municipal Development Guidelines.

- 3.3 Where a sewerage connection does not exist for the subject site, Council will provide one at no cost to the applicant. The development must be connected to the reticulated sewerage system.
- 3.4 A trafficable brass cover must be provided on the connection point where it is to be located within a trafficable area.
- 3.5 Large trees must not be planted within one (1.0) metre of the sewerage reticulation. Small shrubs and groundcover are acceptable.
- 4.0 WATER WORKS
- 4.1 Deleted.
- 4.2 The connection to the reticulated water supply to the development site must be provided in accordance with the Water Supply (Safety and Reliability) Act.
- 4.3 In accordance with the Queensland Plumbing and Drainage Code and Council's Sub-metering Policy, the proposed development must be provided with a master meter at the property boundary and sub-meters for each sole occupancy unit.
- 5.0 ROOF AND ALLOTMENT DRAINAGE
- 5.1 A Development Permit for Operational Works (roof and allotment drainage) must be obtained prior to the commencement of any works on the site.
- 5.2 All drainage works must be designed and constructed in accordance with the Queensland Urban Drainage Manual, the Capricorn Municipal Development Guidelines and sound engineering practice.
- 5.3 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect external land or infrastructure by way of blocking, altering or diverting existing stormwater runoff patterns or have the potential to cause damage to other infrastructure items.
- 5.4 An application for a Development Permit for Operational Works (roof and allotment drainage) must be accompanied by a stormwater drainage strategy, prepared and certified by a suitably experienced registered professional engineer, which must include (but not limited to):
- (i) Encompasses the whole stormwater catchment area contributing to stormwater flows on the subject land; and
  - (ii) Identifies, in the form of a stormwater drainage master plan, the drainage catchment and sub-catchment areas for the pre-development and post-development scenarios; and
  - (iii) Includes an assessment of the major and minor rainfall event discharges from the drainage catchments for the pre-development and post-development scenarios; and
  - (iv) Assesses and mitigates the impact of the changes to the storm water drainage catchments as a consequence of the development on the subject land; and
  - (v) Assesses how the proposed development will achieve no net increase in stormwater runoff for a selected range of stormwater events up to and including the 1 in 100 year event, in the post-development scenario. The report is also required to identify the extent to which the site is inundated by stormwater runoff from a 1 in 100 year storm event; and
  - (vi) Demonstrates the method of drainage through the subject land; and
  - (vii) Includes detailed engineering design calculations and drawing for both the minor and major drainage systems; and
  - (viii) Demonstrates that all proposed drainage systems comply with the requirements of the Queensland Urban Design Manual, the Capricorn

Municipal Development Guidelines and the Queensland Water Quality Guidelines; and

- (ix) Incorporates Water Sensitive Urban Design Principles, with specific treatment and structural measures provided to ensure compliance with the water quality objectives prescribed in the Queensland Environmental Protection Agency's Water Quality Guidelines and Australian Run-off Quality.

## 6.0 SITE WORKS

6.1 Any vegetation cleared or removed must be:

- (i) mulched on-site and utilised on-site for landscaping purposes, in accordance with the landscaping plan approved by Council; or
- (ii) removed for disposal at a location approved by Council;

within sixty (60) days of clearing. Any vegetation removed must not be burnt.

## 7.0 PLUMBING AND DRAINAGE

7.1 Construction of independent internal sanitary drainage works must be in accordance with regulated work under the Plumbing and Drainage Act.

7.2 Construction of independent internal plumbing works must be in accordance with regulated work under the Plumbing and Drainage Act.

7.3 The development must be provided with a master water meter at the property boundary and sub meters for each of the proposed units, and must be in accordance with Water Supply (Safety and Reliability) Act and Council's sub-metering policies.

## 8.0 BUILDING

8.1 Privacy screening must be provided to second floor windows facing surrounding properties.

8.2 All external elements, such as air conditioners, must be adequately screened from public view, to Council's satisfaction. Noise from any external elements, such as air conditioners, must not exceed 5dB(A) (decibels) above the background ambient noise level, measured at the boundaries of the subject site.

8.3 A waste bin compound must be provided and the development must be designed to a waste management standard with one (1) normal 240 litres general waste and one (1) 240 litre recyclable waste bin per unit.

8.4 Impervious paved and drained washdown areas to accommodate all refuse containers must be provided. The areas must be aesthetically screened from any road frontage or adjoining property and must be set back a minimum of two (2) metres from any road frontage. A suitable hosecock (with backflow prevention) and hoses must be provided at the refuse container area, and washdown must be drained to the sewer and fitted with an approved stormwater diversion valve arrangement, in accordance with a Plumbing and Drainage Permit and Sewerage Trade Waste Permit.

8.5 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with '*Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting*'.

8.6 The approval for the Multiple Dwelling Unit component of the application is for four units only. Units must not be operated as dual key apartments unless and until separate approval is obtained from Council, via the issue of Development Permit for a Material Change of Use.

## 9.0 LANDSCAPING

9.1 Deleted.

- 9.2 Landscaping must be in accordance with the approved plans (see condition 1.1), except as varied by Condition 9.6.
- 9.3 The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary).
- 9.4 The fence fronting Russell Street must have a maximum height of 1.2 metres (if solid) or 1.5 metres with Fifty (50) percent transparency.
- 9.5 All remaining boundary fences must be constructed to a height of 1.8 metres.
- 9.6 Landscaping must be provided within a 1.5-metre-wide landscaped garden bed to be provided along the site's entire frontage to Russell Street (within the site boundaries), except where vehicle or pedestrian access is required, as follows:
- 9.6.1 Trees at five (5) metre intervals;
- 9.6.2 Shrubs at two (2) metre intervals; and
- 9.6.3 Groundcovers at 0.5 metre to one (1) metre intervals.
- 9.7 Two (2) street trees, located generally equidistance apart and on the southern side of the existing pedestrian footpath, must be planted within the Russell Street road reserve that Lot 3 on SP175972 has frontage to. Street trees must be maintained by the owner / developer until established.
- 9.8 Street trees may be one or a combination of the following species:
- (i) Buckinghamia celcissma – Ivory Curl
  - (ii) Corymbia ptychocarpa –Swamp Bloodwood
  - (iii) Cupaniopsis anacardioides – Tuckeroo
  - (iv) Cupaniopsis parvisolia – Small Leaf Tuckeroo
  - (v) Harpullia pendula – Tulip wood
  - (vi) Melicope elleryana- Pink Flowering Euodia
  - (vii) Syzygium leuhmanii- Small Leafed Lilly Pilly
  - (viii) Waterhousia floribunda – Weeping Lilly Pilly
  - (ix) Xanthostemon chrysanthus – Golden Penda
- 9.9 Street tree planting must be carried out in accordance with the requirements of Planning Scheme Policy SC6.12 - Landscape Design and Street Trees Planning Scheme Policy.
- 9.10 Street trees must be located such that when mature, they do not impact on street lighting, future driveway locations or other infrastructure in accordance with the *Capricorn Municipal Development Guidelines*.
- Note:** There is a sewer line within the road reserve. Council recommends the developer undertakes a “dial before you dig” search before tree planting.
- 10.0 ELECTRICITY AND TELECOMMUNICATIONS
- 10.1 Each unit must be provided with underground electricity and telecommunication connections in accordance with the relevant authority.
- 11.0 CONTRIBUTIONS/COSTS
- 11.1 Contributions must be paid to Council prior to the issue of a Building Works Permit. The contributions must be paid in accordance with the Council Policy rates at the date of payment. The following table sets out the contributions required to be paid:

<u>Policy</u>	<u>Contribution</u>	<u>Current Total*</u>
Planning Scheme Policy 1/96	Water Headworks	\$5,100.70
Planning Scheme Policy 1/96	Sewerage Headworks	\$3,237.80
Planning Scheme Policy 4/96	Strategic Road Network	\$1,323.00
* The sums of money quoted will remain firm for a period of twelve (12) months, after which time, Council reserves the right to review same in accordance with the policies and rates and charges current at the time of payment.		

11.2 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 at full cost to the developer.

## 12.0 ENVIRONMENTAL

12.1 Any application for a Development Permit for Operational Works or a Development Permit for Building Works must be accompanied by a detailed Environmental Management Plan, which addresses, but is not limited to, the following matters:

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

12.2 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.

12.3 No works can commence on the site unless and until an Environmental Management Plan has been approved by Council as part of Development Permit for Operational Works.

## 13.0 OPERATING PROCEDURES

13.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Russell Street.

NOTES

## NOTE 1. Aboriginal Cultural Heritage Act, 2003

It is advised that under *Section 23 of the Aboriginal Cultural Heritage Act*, 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 Environment and Heritage Protection website <http://www.ehp.qld.gov.au>

## NOTE 2. Dust Control

It is the developer's responsibility to ensure compliance with Part 2A - Environmental Nuisance of the Environmental Protection Regulation 1998 which prohibits unlawful environmental nuisance caused by dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks and construction.

## NOTE 3. Sedimentation Control

It is the developer's responsibility to ensure compliance with Section 32 of the Environmental Protection (Water) Policy 1997 to prevent soil erosion and contamination of the stormwater drainage system and waterways.

## NOTE 4. Noise During Construction And Noise In General

It is the developer's responsibility to ensure compliance with Section 6S General Emission Criteria and Section 6T Noise Emission Criteria of the Environmental Protection Regulation 1998.

## NOTE 5. General Safety Of Public During Construction

It is the principal contractor's responsibility to ensure compliance with Section 31 of the Workplace Health and Safety Act 1995. Section 31(1)(c) states that the principal contractor is obliged on a construction workplace to ensure that work activities at the workplace are safe and without risk of injury or illness to members of the public at or near the workplace.

It is the responsibility of the person in control of the workplace to ensure compliance with Section 30 of the Workplace Health and Safety Act 1995. Section 30(1)(c) states that the person in control of the workplace is obliged to ensure there is appropriate, safe access to and from the workplace for persons other than the person's workers.

## NOTE 6. Telecommunications

To ensure that services are provided in your development with minimal disruption and cost, you need to ensure that early notification to a Telecommunications Carrier is given. If you have not entered into an agreement with a Telecommunication Carrier, it is advisable to "Register Your Development" on [www.telstrasmartcommunity.com](http://www.telstrasmartcommunity.com) website to ensure co-ordination of trenching with your other infrastructure.

**Moved by: Councillor Mathers**

**Seconded by: Councillor Smith**

**MOTION CARRIED UNANIMOUSLY**



**11.5 PROPOSED PLANNING SCHEME MAJOR AMENDMENT VERSIONS 4.1 TO 4.4**

**File No:** RRPS-PRO-2021/003  
**Authorising Officer:** Cameron Wyatt - Coordinator Strategic Planning  
Angus Russell - Executive Manager Strategy and Planning  
**Author:** Sophie Muggeridge - Strategic Planner

**SUMMARY**

*Council formally advertised the proposed planning scheme major amendment for public consultation from 4 April 2022 to 3 June 2022. This report seeks Council approval to update the scheme in response to the public submissions received and to formally request approval from the Minister for State Development, Manufacturing, Infrastructure and Planning for Council to adopt the major amendment to the planning scheme.*

**COUNCIL RESOLUTION**

THAT Council submit a notice to the Minister of State Development, Manufacturing, Infrastructure and Planning requesting adoption of the proposed major amendment versions 4.1, 4.2, 4.3 and 4.4 to the Planning Scheme in accordance with section 18 of the *Planning Act 2016*.

**Moved by:** Councillor Mathers

**Seconded by:** Councillor Smith

**MOTION CARRIED UNANIMOUSLY**

***Meeting Adjourned*****COUNCIL RESOLUTION**

9:20AM

That the meeting be adjourned for 15 minutes to resolve technical issues.

**Moved by:** Mayor Williams

**Seconded by:** Councillor Fisher

**MOTION CARRIED UNANIMOUSLY**

***Meeting Resumed*****COUNCIL RESOLUTION**

9:32AM

That the meeting be resumed.

**Moved by:** Councillor Kirkland

**Seconded by:** Councillor Rutherford

**MOTION CARRIED UNANIMOUSLY**

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer  
Mr R Cheesman – Deputy Chief Executive Officer  
Mr P Kofod – General Manager Regional Services (via video link)  
Ms M Taylor – Chief Financial Officer  
Mr D Morrison – Manager Workforce and Governance (via video link)  
Mr J Kann – Manager Office of the Mayor  
Mr M Crow – Manager Infrastructure Planning  
Mr M Vycke – Manager Airport  
Ms K Roberts – Coordinator Property and Insurance  
Ms K Kellett – Personal Assistant to Airport Manager (via video link)  
Ms G Dwyer – Acting Coordinator Media and Communications (via video link)  
Ms J Barrett – Senior Communications Officer (via video link)  
Ms K Walsh – Committee Support Officer

**11.6 TENDER CONSIDERATION PLAN - ARCHER STREET DRAINAGE SCHEME**

**File No:** 2479  
**Authorising Officer:** Peter Kofod - General Manager Regional Services  
**Author:** Martin Crow - Manager Infrastructure Planning

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**SUMMARY**

*The purpose of this report is to seek approval under S230 of the Local Government Regulation (2012) to enter into a contract for detail design, construction documentation, approvals processes and construction support services in relation to the Archer Street Drainage Scheme.*

**COUNCIL RESOLUTION**

THAT Council:

1. Receives this report for the preparation and adoption of the Tender Consideration Plan; and
2. Approves the further engagement of AECOM as the detail design, construction documentation, approvals processes and construction support services consultant for the Archer Street Drainage Scheme.

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

**MOTION CARRIED UNANIMOUSLY**

**11.7 DISASTER READY FUND ROUND 1 2023-24**

**File No:** 12534  
**Authorising Officer:** Martin Crow - Acting General Manager Regional Services  
**Author:** Martin Crow - Acting General Manager Regional Services

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**SUMMARY**

*Council Officers seeking endorsement for submissions made under the Federal Government's Disaster Ready Fund Round 1 2023/24.*

**COUNCIL RESOLUTION**

THAT Council endorse the following grant applications under the Federal Government's Disaster Ready Fund Round 1 2023/24 :-

1. Advanced Communications Module on Disaster Dashboard
2. Robert Schwarten Pavilion Evacuation Centre Emergency Generator
3. Fitzroy River Barrage Raising Project Business Case Development.

**Moved by:** Mayor Williams  
**Seconded by:** Councillor Kirkland

**MOTION CARRIED UNANIMOUSLY**

**11.8 WHOLE OF COUNCIL CORPORATE PERFORMANCE REPORT FOR PERIOD  
ENDING JANUARY 2023**

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

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**SUMMARY**

*Deputy Chief Executive Officer presenting the Whole of Council Corporate Performance Report for period ending 31 January 2023 for Councillor's information.*

**COUNCIL RESOLUTION**

THAT the Whole of Council Corporate Performance Report for period ending 31 January 2023 be 'received'.

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

**MOTION CARRIED UNANIMOUSLY**

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**11.9 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED  
31 JANUARY 2023**

**File No:** 8148  
**Authorising Officer:** Ross Cheesman - Deputy Chief Executive Officer  
**Author:** Marnie Taylor - Chief Financial Officer

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**SUMMARY**

*The Chief Financial Officer presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 January 2023.*

**COUNCIL RESOLUTION**

THAT the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 January 2023 be 'received'.

**Moved by:** Mayor Williams  
**Seconded by:** Councillor Fisher

**MOTION CARRIED UNANIMOUSLY**

**11.10 ACQUISITION OF PROPERTIES AS WORTHLESS FOR OVERDUE RATES - 2021**

**File No:** 521  
**Authorising Officer:** Ross Cheesman - Deputy Chief Executive Officer  
**Author:** Marnie Taylor - Chief Financial Officer

**SUMMARY**

*At an ordinary meeting of Council on 9 March 2021, a motion was passed by Council to acquire three parcels of land for overdue rates and charges pursuant to section 148 of the Local Government Regulation 2012 ("LGR") ("the Resolution").*

*The reference to section 148 of the LGR was incorrect as the provision of the LGR that empowers Council to acquire land for overdue rates and charges is section 149(1). A resolution of Council can be amended pursuant to section 262 of the LGR.*

*Accordingly, it is recommended that Council resolve to amend the Resolution, in accordance with section 262 of the LGR, to correctly reflect that Council is acquiring the land pursuant to section 149(1) of the LGR.*

**COUNCIL RESOLUTION**

THAT Council resolve to amend, in accordance with section 262 of the *Local Government Regulation 2012*, the resolution arising from Item 10.8 of the 9 March 2021 ordinary meeting of Council to reflect that Council is acquiring the parcels of land listed below for overdue rates and charges pursuant to section 149(1) of the *LGR*:

- 1) Lot 1 on Crown Plan MPH10952
- 2) Lot 302 on Crown Plan W464
- 3) Lot 406 on Crown Plan W464

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

**11.11 FEES AND CHARGES AMENDMENTS FEBRUARY 2023**

**File No:** 7816  
**Authorising Officer:** Ross Cheesman - Deputy Chief Executive Officer  
**Author:** Marnie Taylor - Chief Financial Officer

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**SUMMARY**

*The intention of this report is to submit a minor amendment to Council's Fees and Charges Schedule for the 2022/2023 financial year.*

9:56AM Councillor Fisher left the meeting room

**COUNCIL RESOLUTION**

THAT in accordance with the requirements of the *Local Government Act 2009*, Council adopts the amendment to the Fees and Charges Schedule for the 2022/2023 financial year as detailed in the report.

**Moved by:** Councillor Mathers

**Seconded by:** Councillor Smith

**MOTION CARRIED UNANIMOUSLY**

Councillor Fisher did not participate in the vote.



**11.12 DISCONTINUANCE OF QUARTERLY RATING PROPOSAL**

**File No:** 7094  
**Authorising Officer:** Ross Cheesman - Deputy Chief Executive Officer  
**Author:** Marnie Taylor - Chief Financial Officer

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**SUMMARY**

*In May 2020, Council resolved to introduce quarterly rating for 2021/2022 financial year. Since then, implementation of quarterly rating has been deferred, pending the outcome of community consultation.*

*This report outlines key impacts to Council if it were to implement quarterly rating.*

9:59AM Councillor Fisher returned to the meeting room

**COUNCIL RESOLUTION**

THAT Council maintain the currently half yearly rates billing process (excluding water billing) and discontinue any further action to change the billing cycle, due to additional operational cost implications to Council that would result from quarterly rating.

**Moved by:** Mayor Williams  
**Seconded by:** Councillor Fisher

**MOTION CARRIED UNANIMOUSLY**

**12 NOTICES OF MOTION**

Nil

**13 QUESTIONS ON NOTICE**

Nil

**14 URGENT BUSINESS\QUESTIONS**

## 15 CLOSED SESSION

In accordance with the provisions of section 254J(3) 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 254J(3) of the *Local Government Regulation 2012*, for the reasons indicated.

#### 16.1 Monthly Budget Review - January 2023

In accordance with section 254J(3)(c) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss the local government's budget.

#### 16.2 Commercial Lease

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

Moved by: Mayor Williams  
Seconded by: Councillor Wickerson

**MOTION CARRIED UNANIMOUSLY**

### COUNCIL RESOLUTION

10:15AM

THAT pursuant to s5.12 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

Moved by: Mayor Williams  
Seconded by: Councillor Kirkland

**MOTION CARRIED UNANIMOUSLY**

### COUNCIL RESOLUTION

11:07AM

THAT pursuant to s5.12 *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

Moved by: Mayor Williams  
Seconded by: Councillor Wickerson

**MOTION CARRIED UNANIMOUSLY**

## 16 CONFIDENTIAL REPORTS

### 16.1 MONTHLY BUDGET REVIEW - JANUARY 2023

**File No:** 8785

**Authorising Officer:** Ross Cheesman - Deputy Chief Executive Officer

**Author:** Marnie Taylor - Chief Financial Officer

In accordance with section 254J(3)(c) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss the local government's budget.

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#### SUMMARY

*Chief Financial Officer presenting updated budget estimates to 31 January 2023.*

#### COUNCIL RESOLUTION

THAT the report be received and the budget estimate changes be endorsed.

**Moved by:** Mayor Williams

**Seconded by:** Councillor Fisher

**MOTION CARRIED UNANIMOUSLY**

**16.2 COMMERCIAL LEASE****File No:** 10294**Authorising Officer:** Dan Toon - Manager Water and Wastewater  
Peter Kofod - General Manager Regional Services**Author:** Kellie Roberts - Coordinator Property and Insurance

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

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**SUMMARY**

*Coordinator Property & Insurance reporting on a proposed amendment to a commercial lease arrangement.*

**COUNCIL RESOLUTION**

THAT the Chief Executive Officer (Coordinator Property and Insurance) be authorised to proceed with Option 1 as outlined in the report.

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

## 15 CLOSED SESSION

### 11:08AM

Councillor Smith, having earlier informed the meeting of a declarable conflict of interest and her decision to not participate in Item 16.3 – Commercial Opportunity – Airport, left the place at which the meeting was held, including any area for the public and stayed away while the matter was discussed and voted on.

### COUNCIL RESOLUTION

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 254J(3) of the *Local Government Regulation 2012*, for the reasons indicated.

#### 16.3 Commercial Opportunity – Airport

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

**Moved by:** Mayor Williams

**Seconded by:** Councillor Mathers

#### MOTION CARRIED

Councillors Williams, Fisher, Mathers, Wickerson, Rutherford, Kirkland and Latcham voted in the affirmative.

Councillor Smith did not participate in the vote.

### COUNCIL RESOLUTION

#### 11:09AM

THAT pursuant to s5.12 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

**Moved by:** Mayor Williams

**Seconded by:** Councillor Wickerson

#### MOTION CARRIED UNANIMOUSLY

Councillors Williams, Fisher, Wickerson, Mathers, Rutherford, Kirkland and Latcham voted in the affirmative.

Councillor Smith did not participate in the vote.

11:14AM Chief Executive Officer left the meeting room.

11:16AM Chief Executive Officer returned to the meeting room.

11:28AM Mayor, Councillor Williams left the meeting.

11:28AM Deputy Mayor, Councillor Fisher assumed the Chair.

### COUNCIL RESOLUTION

#### 11:33AM

THAT pursuant to s5.12 *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

**Moved by:** Councillor Wickerson

**Seconded by:** Councillor Kirkland

#### MOTION CARRIED

Councillors Fisher, Wickerson, Kirkland, Mathers, Rutherford and Latcham voted in the affirmative.

Councillor Smith did not participate in the vote.

## 16 CONFIDENTIAL REPORTS

### 16.3 COMMERCIAL OPPORTUNITY - AIRPORT

**File No:** 1689

**Authorising Officer:** Ross Cheesman - Deputy Chief Executive Officer

**Author:** Marcus Vycke - Manager Airport

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

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#### SUMMARY

*Manager of Airport reporting on a potential commercial opportunity for Rockhampton Airport and seeking support for progressing discussions with the proponent.*

#### COUNCIL RESOLUTION

THAT the Manager Airport be authorised to proceed as outlined in the body of the report.

**Moved by:** Councillor Fisher

**Seconded by:** Councillor Kirkland

#### MOTION CARRIED UNANIMOUSLY

Councillors Fisher, Kirkland, Mathers, Wickerson, Rutherford and Latcham voted in the affirmative.

Councillor Smith did not participate in the vote.

11:34AM Councillor Smith returned to the meeting room.

**17 CLOSURE OF MEETING**

There being no further business the meeting closed at 11:34am.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DATE





**MEETING  
ATTACHMENTS**

**28 FEBRUARY 2023**

## **ANNEXURE A**

Documents presented to Councillors for their reference during the Council meeting when dealing with:

- 11.4 D/278-2010 - REQUEST FOR A MINOR CHANGE TO DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE (IMPACT) FOR MULTIPLE DWELLING UNITS**

# **Change Application (D/278-2010) to Development Permit for Material Change of Use for Multiple Dwelling (Three Units)**

*21 Russell Street, Gracemere*

Council meeting – 28 February 2023

Brendan Standen – Principal Planning Officer



3<sup>rd</sup> unit

Existing 2 units

Malbetel

# Proposed Changes

- Reorientate the third unit toward the internal driveway rather than Russell Street



# Grounds for Approval

- The proposed change satisfies the ‘minor change’ test under the *Planning Act 2016*.
- The proposed changes comply with the provisions included in the *Fitzroy Shire Planning Scheme 2005*.
- Therefore, the change application is recommended for approval subject to the conditions outlined in the report.