



ORDINARY MEETING

MINUTES

13 AUGUST 2024

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	OPENING.....	1
2	PRESENT	1
3	APOLOGIES AND LEAVE OF ABSENCE	2
4	CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....	2
5	DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA	2
6	BUSINESS OUTSTANDING.....	3
	6.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL.....	3
7	PUBLIC FORUMS/DEPUTATIONS	4
	NIL	4
8	PRESENTATION OF PETITIONS.....	4
	NIL	4
9	COMMITTEE REPORTS.....	4
	NIL	4
10	COUNCILLOR/DELEGATE REPORTS	4
	NIL	4
11	OFFICERS' REPORTS	5
	11.1 D/138-2020 - REQUEST FOR A MINOR CHANGE TO DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR A RESIDENTIAL CARE FACILITY	5
	11.2 RECONFIGURATION OF A LOT INCENTIVES POLICY - RESCIND.....	14
	11.3 PLANNING SCHEME MAJOR AMENDMENT - PACKAGE A.....	15
	11.4 CHRISTMAS FAIR 2024.....	16
	11.5 VICTORIA PARK TENNIS CENTRE - LEASE/OPERATING RENEWAL & CAPITAL COMMITMENT	17
	11.6 SUSTAINABILITY STRATEGY: FY2023-24 YEAR IN REVIEW	18
	11.7 ADOPTED CHARGE FOR WATER PURCHASED VIA STANDPIPE FOR THE 2024-25 FINANCIAL YEAR.....	19
	11.8 2023-24 OPERATIONAL PLAN REPORT - ANNUAL SUMMARY AND QUARTER 4 PROGRESS REPORT	20
	11.9 REVIEWED COUNCILLOR PORTFOLIO POLICY & ASSOCIATED MATTERS	22
	11.10 DISPOSAL OF COUNCIL OWNED LAND (ACCESS RESTRICTION STRIP) TO ROAD RESERVE - 64 COWIE STREET, KAWANA.....	23
12	NOTICES OF MOTION	24

12.1	NOTICE OF MOTION – MAYOR TONY WILLIAMS – IN-KIND SUPPORT FOR SCOOTAVILLE	24
13	QUESTIONS ON NOTICE	25
	NIL	25
14	URGENT BUSINESS\QUESTIONS	25
15	CLOSED SESSION	26
16.1	PROPOSED SALE OF 34 WOOD STREET & 402 DENISON STREET BY CLOSED TENDER TO ADJOINING NEIGHBOURS	
16.2	COMMERCIAL OPPORTUNITY	
16	CONFIDENTIAL REPORTS.....	27
16.1	PROPOSED SALE OF 34 WOOD STREET & 402 DENISON STREET BY CLOSED TENDER TO ADJOINING NEIGHBOURS	27
16.2	COMMERCIAL OPPORTUNITY	28
17	CLOSURE OF MEETING.....	29

**REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 13 AUGUST 2024 COMMENCING AT 9:00AM**

1 OPENING

- 1.1 Acknowledgement of Country
- 1.2 Opening prayer delivered by Pastor Bryden Sheridan from Fire Church Rockhampton

2 PRESENT

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Cheesman – Deputy Chief Executive Officer
Mr P Kofod – General Manager Regional Services
Ms A Cutler – General Manager Community Services
Mr A Russell – Executive Manager Advance Rockhampton
Ms M Taylor – Chief Financial Officer
Mr D Morrison – Manager Workforce and Governance
Mr D Toon – Manager Water and Wastewater
Mr A Pont – Manager Parks (via video-link)
Mr Z Garven – Tourism and Events Manager
Mr J Kann – Manager Office of the Mayor
Ms C Bell – Coordinator Environmental Sustainability
Ms A O'Mara – Coordinator Development Assessment
Mr C Wyatt – Coordinator Strategic Planning
Ms K Roberts – Coordinator Property and Insurance
Ms S Jennings – Coordinator Legal and Governance
Mr J Bulwinkel – Sports and Active Communities Coordinator
Ms K McDonald – Principal Planning Officer
Ms E Buchan – Senior Stakeholder Relations Advisor
Ms L Leeder – Senior Committee Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR MARIKA TAYLOR - WEDNESDAY 21 AUGUST 2024

File No: 10072

Responsible Officer: Evan Pardon – Chief Executive Officer

SUMMARY

Councillor Marika Taylor is requesting leave of absence from Council's Infrastructure Project Reference Group meeting scheduled for Wednesday 21 August 2024.

COUNCIL RESOLUTION

THAT leave of absence be granted for Councillor Marika Taylor on Wednesday 21 August 2024.

Moved by: Mayor Williams

Seconded by: Councillor Wickerson

MOTION CARRIED

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting on 23 July 2024 be confirmed.

Moved by: Councillor Wickerson

Seconded by: Councillor Oram

MOTION CARRIED UNANIMOUSLY

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Nil

6 BUSINESS OUTSTANDING

6.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL

File No: 10097

Attachments: 1. **Business Outstanding for Ordinary Council - August 2024**

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 Ordinary Council is presented for Councillors' information.

COUNCIL RESOLUTION

THAT the Business Outstanding Table for Ordinary Council be received.

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

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 PRESENTATION OF PETITIONS

Nil

9 COMMITTEE REPORTS

Nil

10 COUNCILLOR/DELEGATE REPORTS

Nil

11 OFFICERS' REPORTS

11.1 D/138-2020 - REQUEST FOR A MINOR CHANGE TO DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR A RESIDENTIAL CARE FACILITY

File No: D/138-2020

Authorising Officer: Amanda O'Mara - Coordinator Development Assessment
Doug Scott - Manager Planning and Regulatory Services
Aaron Pont - Acting General Manager Community Services

Author: Kathy McDonald - Principal Planning Officer

SUMMARY

Development Application Number: D/138-2020

Applicant: Multicap Limited

Real Property Address: Lot 59 on RP848298

Common Property Address: 76 Jardine Street, West Rockhampton

Area of Site: 1.29 hectares

Planning Scheme: Rockhampton Region Planning Scheme 2015 (v2.1)

Planning Scheme Zone: Low Density Residential Zone

Approval Sought: Amended Decision Notice for Development Permit D/138-2020 for a Material Change of Use for a Residential Care Facility

Affected Entity: Nil

COUNCIL RESOLUTION

RECOMMENDATION A

That in relation to the application for a Minor Change to Development Permit D/138-2020 for a Material Change of Use for a Residential Care Facility, made by Multicap Limited, located at 76 Jardine Street, West Rockhampton, described as Lot 59 on RP848298, Council resolves to issue an Amended Decision Notice subject to the following conditions:

ADMINISTRATION

- 1.1 The Developer and their 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) Road Works;
 - (ii) Access and Parking Works;
 - (iii) DELETED;
 - (iv) Stormwater Works;
 - (v) Roof and Allotment Drainage;
 - (vi) 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:

Drawing/report title	Prepared by	Date	Reference number	Rev
Stage 1A- Floor Plan and Elevation 2 Bed Robust Villa + OOA	Thomson Adsett	21 June 2024	A-10-22	C8
Stage 1B- Floor Plan and Elevation 2 x 1 Bed Fully Accessible+ OOA	Thomson Adsett	19 April 2024	MCU 002	4
Stage 1B- Floor Plan and Elevation 2 x 2 Bed Duplex with OOA	Thomson Adsett	19 April 2024	MCU 006	3
Stage 1A- Floor Plan and Elevation 2 Bed Robust Villa + OOA	Thomson Adsett	6 October 2022	MCU 003	2

Stage 1A– Proposed Floor Plan 2 Bed High Physical Villa +OOA	Thomson Adsett	6 October 2022	MCU 004	3
Stage 2 - Floor Plan and Elevation Short Term Accommodation + Admin	Thomson Adsett	9 February 2021	MCU 005	2
Stage 2 - Floor Plan and Elevation 2 x 2 Bed Duplex with OOA	Thomson Adsett	9 February 2021	MCU 006	2
Flood Impact Assessment and Stormwater Management Plan	McMurtrie Consulting Engineers	8 February 2021	J20065	R1V2
Technical Memorandum – 76 Jardine Street, West Rockhampton Stage 1A Flooding and Stormwater	McMurtrie Consulting Engineers	12 October 2022	J20065	-
Technical Memorandum	McMurtrie Consulting Engineers	2 May 2024	045-19-20	-

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 STAGED DEVELOPMENT

3.1 This development approval is for a development to be undertaken in four (4) discrete stages, namely:

3.1.1 Stage One A (1A) and Stage One B (1B);

3.1.2 Stage Two (2); and

3.1.3 Stage Three (3),

in accordance with the approved plan (refer to condition 2.1).

The stages are required to be undertaken in chronological order.

3.2 Stage One A (1A) must be completed within six (6) years from the date this approval takes effect. Stage One B (1B), Stage Two (2) and Stage Three (3) must be completed within 12 years from the date this approval takes effect.

3.3 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.

4.0 ROAD WORKS

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

4.2 All road works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, relevant *Australian Standards* and *Austroroads Guidelines* and the provisions of a Development

Permit for Operational Works (road works).

- 4.3 Jardine Street must be widened where required for the full frontage of the development site to match the existing kerb and channel alignment. Kerb and channel, pedestrian pathways and drainage infrastructure must be included.
- 4.4 All pathways and access ramps must be designed and constructed in accordance with *Australian Standard AS1428 "Design for access and mobility"*.
- 4.5 All pathways must incorporate kerb ramps at all road crossing points.
- 4.6 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*.
- 5.0 ACCESS AND PARKING WORKS
- 5.1 A Development Permit for Operational Works (access and parking works) must be obtained prior to the commencement of any access and parking works on the development site.
- 5.2 All access and parking works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).
- 5.3 All car parking and access areas must be sealed to Council's satisfaction. Design and construction must be in accordance with the provisions of a Development Permit for Operational Works (access and parking works).
- 5.4 A new access to the development must be provided at Jardine Street.
Note: Proposed Stage 3 Temporary Site Access Option 1 is not approved.
- 5.5 All vehicles must ingress and egress the development in a forward gear.
- 5.6 Adequate sight distances must be provided for all ingress and egress movements at the access driveways in accordance with *Australian Standard AS2890.2 "Parking facilities - Off street commercial vehicle facilities"*.
- 5.7 A minimum of twenty-five (25) parking spaces must be provided on-site. This includes sixteen (16) covered car parking spaces and nine (9) visitor's parking spaces.
- 5.8 Universal access parking spaces must be provided on-site in accordance with *Australian Standard AS2890.6 "Parking facilities - Off-street parking for people with disabilities"*.
- 5.9 Parking spaces must be line-marked in accordance with the approved Site Plan (refer to condition 2.1) and in accordance with the *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).
- 5.10 All vehicle operations associated with the development must be directed by suitable directional, informative, regulatory or warning signs in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"* and *Australian Standard AS2890.1 "Parking facilities – Off-street car parking"*.
- 5.11 Road signage and pavement markings must be installed in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"*.
- 5.12 All vehicle operation areas must be illuminated in accordance with the requirements of *Australian Standard AS1158 "Lighting for roads and public spaces"*.
- 5.13 All internal pedestrian pathways must be designed and constructed in accordance with *Australian Standard AS1428 "Design for access and mobility"*.

6.0 SEWERAGE WORKS

6.1 DELETED

6.2 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* and the *Plumbing and Drainage Act 2018*.

6.3 The development must be connected to Council's reticulated sewerage network.

6.4 DELETED

6.5 Any proposed sewerage access chamber located within a park or reserve, or below a ten per cent (10%) Annual exceedance probability flood level, must be provided with bolt down lids.

6.6 The finished sewerage access chamber surface must be at a sufficient level to avoid ponding of stormwater above the top of the chamber. A heavy duty trafficable lid must be provided in the trafficable area.

6.7 Sewer connections located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with heavy duty trafficable lids.

6.8 All works must be undertaken in accordance with *Queensland Development Code, Mandatory Part 1.4 "Building over or near relevant infrastructure."*

6.9 The development must comply with Council's Building Over/Adjacent to Local Government Sewerage Infrastructure Policy. Any permit associated with the Building Over/Adjacent to Local Government Sewerage Infrastructure Policy must be obtained prior to the issue of a Development Permit for Building Works.

6.10 Large trees must not be planted within one (1) metre of the centreline of any sewerage and/or water infrastructure; small shrubs and groundcover are acceptable.

7.0 WATER WORKS

7.1 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*, and *Plumbing and Drainage Act 2018*.

7.2 The development must be connected to Council's reticulated water network.

7.3 Adequate domestic and firefighting protection must be provided to the development, and must be certified by a hydraulic engineer or other suitably qualified person.

7.4 Water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with heavy duty trafficable lids.

7.5 Easements must be provided over all water infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.

8.0 PLUMBING AND DRAINAGE WORKS

8.1 A Development Permit for Plumbing and Drainage Works must be obtained for the proposed structure on the development site.

8.2 All internal plumbing and drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act 2008, Plumbing and Drainage Act 2018*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.

9.0 STORMWATER WORKS

9.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works required by this development

- approval.
- 9.2 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).
- 9.3 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.
- 9.4 The development must not increase peak stormwater runoff for a selected range of storm events up to and including a one per cent (1%) Annual exceedance probability storm event, for the post-development conditions.
- 9.5 The installation of gross pollutant traps must be in accordance with relevant *Australian Standards* and all maintenance of the proposed gross pollutant traps must be the responsibility of the property owner or body corporate (if applicable).
- 9.6 Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by engineering plans with details of any new drainage systems including retention systems, inlet and outlet structures, or the amendment and upgrading of existing drainage systems to implement the proposed drainage strategy.
- 9.7 Adequate scour protection measures must be provided for the proposed stormwater channel and all stormwater outlets.
- 9.8 The bio basin as identified on the approved plans (refer to condition 2.1) must be landscaped in accordance with Council's requirements. Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by detailed plans and specifications for the proposed bio basin and the design must:
- 9.8.1 be suitable to the climate and incorporate predominately native species;
- 9.8.2 maximise areas suitable for on-site infiltration of stormwater;
- 9.8.3 incorporate shade trees; and
- 9.8.4 demonstrate that all areas apart from garden beds are fully turfed or hydromulched.
- 9.9 Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by a new Stormwater Management Plan and Flood Impact Assessment, prepared and certified by a Registered Professional Engineer of Queensland that as a minimum includes:
- 9.9.1 details of the detention volume required for the development;
- 9.9.2 water surface elevation / level maps for pre and post development;
- 9.9.3 water quality electronic modelling (MUSIC) files;
- 9.9.4 flood assessment electronic modelling files;
- Note: The modelling files are to be provided in the format as, BC DBase, Check, Model, Results and Run. A log (read me) file should be included to understand how, and which files have been modified.
- 9.9.5 demonstration that any proposed bio-basin(s) is immune to a eighteen percent (18%) Annual Exceedance Probability defined flood event; and
- 9.9.6 all land proposed as major overland flow paths must include appropriate freeboard, access and maintenance provisions consistent with the *Queensland Urban Drainage Manual*.

10.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 10.1 A Development Permit for Operational Works (roof and allotment drainage works) must be obtained prior to the commencement of any drainage works on the development site.
- 10.2 All roof and allotment drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, sound engineering practice and the provisions of a Development Permit for Operational Works (roof and allotment drainage works).
- 10.3 All roof and allotment runoff from the development must be directed to a lawful point of discharge and must not restrict, impair or change the natural flow of runoff water or cause a nuisance to surrounding land or infrastructure.
- 10.4 The development must not increase peak stormwater runoff for a selected range of storm events up to and including a one per cent (1%) Annual exceedance probability storm event, for the post-development conditions.

11.0 SITE WORKS

- 11.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works on the development site.
- 11.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks plan that clearly identifies the following:
- 11.2.1 the location of cut and/or fill;
 - 11.2.2 the type of fill to be used and the manner in which it is to be compacted;
 - 11.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - 11.2.4 details of any proposed access routes that are intended to be used to transport fill to or from the development site; and
 - 11.2.5 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.
- 11.3 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments"*.
- 11.4 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.
- 11.5 If required, 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).
- 11.6 If required, any retaining structures close to or crossing sewerage infrastructure must comply with *Queensland Development Code, Mandatory Part 1.4 "Building over or near relevant infrastructure."* The structure must be self-supporting and no additional load must be applied to Council's sewerage infrastructure.

12.0 BUILDING WORKS

- 12.1 A Development Permit for Building Works must be obtained for the proposed structures on the development site.
- 12.2 Impervious paved waste storage areas must be provided in accordance with the approved plans (refer to condition 2.1) and the *Environmental Protection Regulation 2019* and must be:

- 12.2.1 designed and located so as not to cause a nuisance to neighbouring properties;
- 12.2.2 screened so as not to be visible from a public space;
- 12.2.3 if required, provided with a suitable hosecock and hoses 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 the Sewerage Trade Waste provisions and the *Plumbing and Drainage Act 2018*.

As an alternative to a washdown facility, a fully contained commercial bin cleaning service is acceptable provided no wastewater is discharged from the site to the sewer.

- 12.3 The finished floor level for habitable areas (refer to condition 2.1) must be a minimum of 500 millimetres above a one per cent (1%) Annual exceedance probability flood inundation level.
- 12.4 All non-habitable areas subjected to flood inundation during a one per cent (1%) Annual exceedance probability flood event, must be designed and constructed using suitable flood resilient materials.
- 12.5 All electrical and telecommunication services and utilities connected to the property, including electrical outlets, must be designed and installed at such a height that they are a minimum of 500 millimetres above a one per cent (1%) Annual exceedance probability flood level.
- 13.0 LANDSCAPING WORKS
- 13.1 All landscaping must be established generally in accordance with the approved plans (refer to condition 2.1). The landscaping must be constructed and/or established prior to the commencement of the use and the landscaped areas must predominantly contain plant species that have low water dependency.
- 14.0 ELECTRICITY
- 14.1 Electricity services must be provided to the development in accordance with the standards and requirements of the relevant service provider.
- 15.0 TELECOMMUNICATIONS
- 15.1 Telecommunications services must be provided to the development in accordance with the standards and requirements of the relevant service provider.
- 16.0 ASSET MANAGEMENT
- 16.1 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.
- 16.2 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.
- 16.3 '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)*.
- 17.0 ENVIRONMENTAL HEALTH
- 17.1 Any lighting devices associated with the development, such as sensory lighting, must

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

- 17.2 Noise emitted from the activity must not cause an environmental nuisance.
- 17.3 Operations on the site must have no significant impact on the amenity of adjoining premises or the surrounding area due to the emission of light, noise or dust.
- 18.0 OPERATING PROCEDURES
- 18.1 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 Jardine 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. Infrastructure Charges Notice

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

NOTE 5. Building Works

Council will be a referral agency for the Building Works Permit where the development does not comply with the Queensland Development Code. This Development Permit does not constitute a referral agency response from Council for the Building Works Permit in relation to building envelopes and setbacks.

RECOMMENDATION B

That in relation to the application for a Minor Change to Development Permit D/138-2020 for a Material Change of Use for a Residential Care Facility, made by Multicap Limited, located at 76 Jardine Street, West Rockhampton, described as Lot 59 on RP848298, Council resolves to issue an Amended Infrastructure Charges Notice for the amount of \$253,524.50.

Moved by: Councillor Mathers
Seconded by: Councillor Wickerson

MOTION CARRIED UNANIMOUSLY

11.2 RECONFIGURATION OF A LOT INCENTIVES POLICY - RESCIND

File No: 13674
Authorising Officer: Doug Scott - Manager Planning and Regulatory Services
Aaron Pont - Acting General Manager Community Services
Author: Amanda O'Mara - Coordinator Development Assessment

SUMMARY

The Reconfiguration of a Lot Incentives Policy is to be rescinded as the purpose of the policy has been fulfilled.

COUNCIL RESOLUTION

THAT the Reconfiguration of a Lot Incentives Policy be rescinded.

Moved by: Councillor Mathers

Seconded by: Councillor Oram

MOTION CARRIED

11.3 PLANNING SCHEME MAJOR AMENDMENT - PACKAGE A

File No: RRPS-PRO-2023/004-03
Authorising Officer: Cameron Wyatt - Coordinator Strategic Planning
Angus Russell - Executive Manager Advance
Rockhampton
Author: Alyce James - Strategic Planning Officer

SUMMARY

The purpose of this report is to provide an overview of public consultation that undertaken from 17 June 2024 to 15 July 2024 and to formally request approval from the Minister for Housing, Local Government and Planning to adopt the Major Amendment (Package A) to the planning scheme.

COUNCIL RESOLUTION

THAT Council submit a notice to the Minister for Housing, Local Government and Planning requesting approval to adopt the proposed Major Amendment (Package A) to the Planning Scheme in accordance with section 20 of the *Planning Act 2016*.

Moved by: Councillor Mathers

Seconded by: Mayor Williams

MOTION CARRIED UNANIMOUSLY

11.4 CHRISTMAS FAIR 2024

File No: 11713
Authorising Officer: Angus Russell - Executive Manager Advance Rockhampton
Author: Zac Garven - Tourism and Events Manager

SUMMARY

This report discusses the Christmas Fair due to be held on 7 December 2024.

COUNCIL RESOLUTION

THAT Council approves the 2024 Christmas Fair to be delivered by the Advance Rockhampton Event Team.

Moved by: Mayor Williams
Seconded by: Councillor Wickerson

MOTION CARRIED UNANIMOUSLY

11.5 VICTORIA PARK TENNIS CENTRE - LEASE/OPERATING RENEWAL & CAPITAL COMMITMENT

File No: 9242
Authorising Officer: Aaron Pont - Acting General Manager Community Services
Author: Justin Bulwinkel - Sports and Active Communities Coordinator
Jack Barnett - Sports and Active Communities Advisor

SUMMARY

The report outlines an enhanced leasing and operating strategy for the Rockhampton Regional Tennis Centre (RRTC) at Victoria Park, 4 Graeme Acton Way, Wandal. It details proposed changes to the governance structure currently imposed by the Council on the operator model managing the facility, along with information on the facility's capital commitments.

COUNCIL RESOLUTION

THAT:

1. Council endorses the changes within the Rockhampton Regional Tennis Centre (RRTC) future operating model to establish a more enticing and viable commercial environment for prospective non-profit organisation or commercial operator, as outlined in the report.
2. Council approves a preliminary project scope to resurface end-of-life courts at RRTC enabling Council Officers to proceed with detailed design, utilising the existing capital budget allocated in future years, commencing from 2025/2026.
3. Council authorises the Sports & Active Communities Coordinator to invite tenders for the lease and operation agreement of RRTC.
4. Council write to Tennis Rockhampton Limited acknowledging the outstanding commitment and dedication they have given to not only the tennis community but our community for many years.

Moved by: Councillor Rutherford

Seconded by: Councillor Hilse

MOTION CARRIED UNANIMOUSLY

11.6 SUSTAINABILITY STRATEGY: FY2023-24 YEAR IN REVIEW

File No: 1174
Authorising Officer: Aaron Pont - Acting General Manager Community Services
Author: Christine Bell - Coordinator Environmental Sustainability

SUMMARY

This report provides an update on implementation of Council's Sustainability Strategy (Towards 2030), tabled within the Year in Review highlights report for FY2023-24.

COUNCIL RESOLUTION

THAT Council endorse, and approve public exhibition of, the Sustainability Strategy: FY2023-24 'Year in Review' report.

Moved by: Councillor Hilse
Seconded by: Councillor Wickerson

MOTION CARRIED UNANIMOUSLY

11.7 ADOPTED CHARGE FOR WATER PURCHASED VIA STANDPIPE FOR THE 2024-25 FINANCIAL YEAR

File No: 7816
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Dan Toon - Manager Water and Wastewater

SUMMARY

Council adopted changes to the 2024-25 Fees and Charges Schedule at the Ordinary Council meeting held on 25 June 2024 which included an increase in the charge for water purchased via standpipe to \$5.00 per kL. In conjunction with adopting the increase, Council resolved to seek a further report regarding the impact of the increase on a specific group of customers.

COUNCIL RESOLUTION

9:37AM

That pursuant to s7.8 Council Meeting Procedures the provisions of the Rockhampton Regional Council Meeting Procedures be suspended to allow adequate time for informal discussion on Item 11.7 – Adopted Charge for Water Purchased via Standpipe for the 2024-25 Financial Year prior to entering into formal debate.

Moved by: Councillor Rutherford

Seconded by: Mayor Williams

MOTION CARRIED

COUNCIL RESOLUTION

10:08AM

That pursuant to s7.8 Council Meeting Procedures the provisions of the Rockhampton Regional Council Meeting Procedures be resumed.

Moved by: Councillor Rutherford

Seconded by: Councillor Mathers

MOTION CARRIED

COUNCIL RESOLUTION

THAT Council request a report on options for a Rebate Policy.

Moved by: Councillor Oram

Seconded by: Councillor Hilse

MOTION CARRIED

Mayor Williams recorded his vote against the motion

11.8 2023-24 OPERATIONAL PLAN REPORT - ANNUAL SUMMARY AND QUARTER 4 PROGRESS REPORT

File No: 8320
Authorising Officer: Damon Morrison - Manager Workforce and Governance
Ross Cheesman - Deputy Chief Executive Officer
Author: Shannon Jennings - Coordinator Legal and Governance

SUMMARY

The 2023-24 Operational Plan Report – Annual Summary and progress report for quarter four as at 30 June 2024 is presented for Council endorsement pursuant to section 174(3) Local Government Regulation 2012.

COUNCIL RESOLUTION

THAT Council receive the 2023-24 Operational Plan Report – Annual Summary and progress report for quarter four as at 30 June 2024.

Moved by: Mayor Williams
Seconded by: Councillor Taylor

MOTION CARRIED UNANIMOUSLY

COUNCIL RESOLUTION

10:40AM

That the meeting be adjourned until 11:15am.

Moved by: Mayor Williams**Seconded by: Councillor Hilse****MOTION CARRIED****COUNCIL RESOLUTION**

11:25AM

That the meeting be resumed.

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

11:25AM

Mayor Williams left the meeting and Deputy Mayor Councillor Wickerson assumed the Chair.

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Cheesman – Deputy Chief Executive Officer
Mr P Kofod – General Manager Regional Services
Ms A Cutler – General Manager Community Services
Ms M Taylor – Chief Financial Officer
Mr D Morrison – Manager Workforce and Governance (via video-link)
Mr J Kann – Manager Office of the Mayor
Ms M Younger – Manager Corporate and Technology Services
Ms K Roberts – Coordinator Property and Insurance
Ms E Brodel – Coordinator Communications and Engagement (via video-link)
Ms L Leeder – Senior Committee Support Officer

11.9 REVIEWED COUNCILLOR PORTFOLIO POLICY & ASSOCIATED MATTERS

File No: 10072
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Ross Cheesman - Deputy Chief Executive Officer

SUMMARY

This report presents an updated Councillor Portfolio Policy, which includes suggested changes to the current make up of Councillor Portfolios. Also included are updated Terms of Reference for Communities & Infrastructure Committees and Project Reference Groups in the event these proposed changes are adopted.

COUNCIL RESOLUTION

1. THAT Council adopt the Councillor Portfolio Policy as attached to the report.
2. THAT Council endorse the Terms of Reference for the following as attached to the report:
 - Communities Committee 2024-2028
 - Infrastructure Committee 2024-2028
 - Communities Project Reference Group
 - Infrastructure Project Reference Group
3. THAT Council approve the following list of Council approved Appointment of Representatives to External Organisations:

Organisation	Council Representative
Rockhampton Museum of Art Philanthropy Board	Councillor Wickerson
Australian Local Government Women's Association	Councillor Taylor
Capricorn Pest Management Group	Councillor Mathers
Fitzroy Basin Association	Councillor Oram
Fitzroy Partnership for River Health	Councillor Oram
Fitzroy River Restocking Group	Councillor Oram
Floodplain Management Australia	Councillor Taylor
Leichhardt Way/Drive Inland Promotions Association	Councillor Taylor
Local Disaster Management Group	Mayor Williams Councillor Wickerson
Regional Arts Development Fund Committee	Councillor Wickerson
Capricornia Domestic & Family Violence Steering Committee	Councillor Taylor Councillor Latcham
Reef Guardian Council Program	Councillor Oram Councillor Hilse
Beef Corridors Program	Mayor Williams Councillor Taylor
Rockhampton Regional Roads and Transport Group	Councillor Taylor Mayor Williams (proxy)

Moved by: Councillor Latcham

Seconded by: Councillor Taylor

MOTION CARRIED UNANIMOUSLY

11.10 DISPOSAL OF COUNCIL OWNED LAND (ACCESS RESTRICTION STRIP) TO ROAD RESERVE - 64 COWIE STREET, KAWANA

File No: 1680
Authorising Officer: Megan Younger - Manager Corporate and Technology Services
Ross Cheesman - Deputy Chief Executive Officer
Author: Michelle George - Property and Resumptions Officer
Kellie Roberts - Coordinator Property and Insurance

SUMMARY

Coordinator Property & Insurance reporting on request from the occupant of 306-308 Alexandra St to construct driveway access over Council freehold land located at 64 Cowie Street, which is an access restriction strip.

COUNCIL RESOLUTION

THAT

1. Pursuant to section 236(1)(b)(i) of the *Local Government Regulation 2012*, Council authorises the Chief Executive Officer (Coordinator Property & Insurance) to dispose of 64 Cowie Street, Kawana described as Lot 101 on RP900393 (10m2 in size) to be dedicated as road reserve; and
2. Council authorises the Chief Executive Officer (Coordinator Property & Insurance) to negotiate the terms of a Deed of Agreement with CQCR Pty Ltd A.C.N 636 812 041, as outlined in the report, in preparation for execution by the delegated Officer.

Moved by: Councillor Taylor
Seconded by: Councillor Mathers
MOTION CARRIED UNANIMOUSLY

12 NOTICES OF MOTION

12.1 NOTICE OF MOTION – MAYOR TONY WILLIAMS – IN-KIND SUPPORT FOR SCOOTAVILLE

File No: 10072
Responsible Officer: Justin Kann - Manager Office of the Mayor
Evan Pardon - Chief Executive Officer

SUMMARY

Mayor Tony Williams has indicated his intention to move a Notice of Motion at the next meeting scheduled for Tuesday 13 August 2024 regarding in-kind support to Scootaville.

COUNCIL RESOLUTION

THAT Council approves in-kind financial support to Scootaville through the waiving of venue hire and associated charges at the Rockhampton Showgrounds.

Moved by: Councillor Wickerson
Seconded by: Councillor Mathers

MOTION CARRIED

BACKGROUND

Scootaville is a charity ride run by registered charity Radschool Association Inc.

The event is a charity bike ride on small, motorised scooters travelling from Brisbane to Townsville and raises funds for two critical veteran's charities - Legacy and the National Body of the Air Force Association which cares for homeless veterans.

The 2024 event will travel from Brisbane to Townsville and proposes to stop in Rockhampton between 6 and 8 September 2024 at the Rockhampton Showgrounds and have requested that Council waive venue hire fees and associated charges in recognition of the important work they do raising funds for veterans, their families and friends.

The cost of venue hire and associated charges are expected to be around \$1800.

Funds are available from the Mayor and Councillors' Office budget to meet these costs and provide the venue free of charge. There will be no net impact on Council's 2024-25 Budget.

Council has a strong history working with veterans charities like Legacy with this proposed support aligning with previous in-kind contributions provided for charity events.

Further information on Scootaville is available on the Department of Veterans Affairs website at www.dva.gov.au/news/latest-stories/fundraiser-scootaville-2024 and at www.radschool.org.au/scootaville/.

13 QUESTIONS ON NOTICE

Nil

14 URGENT BUSINESS\QUESTIONS

Nil

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 Proposed Sale of 34 Wood Street & 402 Denison Street by Closed Tender to Adjoining Neighbours

In accordance with section 254J(3)(i) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.

16.2 Commercial Opportunity

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: Councillor Taylor
Seconded by: Councillor Latcham
MOTION CARRIED UNANIMOUSLY

COUNCIL RESOLUTION

11:40AM

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

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

COUNCIL RESOLUTION

12:09PM

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

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

16 CONFIDENTIAL REPORTS

16.1 PROPOSED SALE OF 34 WOOD STREET & 402 DENISON STREET BY CLOSED TENDER TO ADJOINING NEIGHBOURS

File No: 1680

Authorising Officer: Megan Younger - Manager Corporate and Technology Services
Ross Cheesman - Deputy Chief Executive Officer

Author: Michelle George - Property and Resumptions Officer
Kellie Roberts - Coordinator Property and Insurance

In accordance with section 254J(3)(i) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.

SUMMARY

Reporting on a request to purchase Council Land located at 34 Wood Street and 402 Denison Street, Depot Hill.

COUNCIL RESOLUTION

THAT pursuant to Section 236(1)(c)(iv) of the *Local Government Regulation 2012 (Qld)*, the Chief Executive Officer (Coordinator Property and Insurance) be authorised to proceed with Option 1 as outlined within the report.

Moved by: Councillor Taylor
Seconded by: Councillor Mathers

MOTION CARRIED UNANIMOUSLY

16.2 COMMERCIAL OPPORTUNITY**File No:** 8019**Attachments:** 1. Proposal**Authorising Officer:** Evan Pardon - Chief Executive Officer**Author:** Ross Cheesman - Deputy Chief Executive Officer

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.

SUMMARY

This report will outline a commercial proposition to ascertain whether Council would like to pursue the potential opportunity.

COUNCIL RESOLUTION

THAT Council proceed as recommended in the report.

Moved by: Councillor Wickerson**Seconded by:** Councillor Hilse**MOTION CARRIED UNANIMOUSLY**

17 CLOSURE OF MEETING

There being no further business the meeting closed at 12:10pm.

SIGNATURE

CHAIRPERSON

DATE



**MEETING
ATTACHMENTS**

13 AUGUST 2024

ANNEXURE A

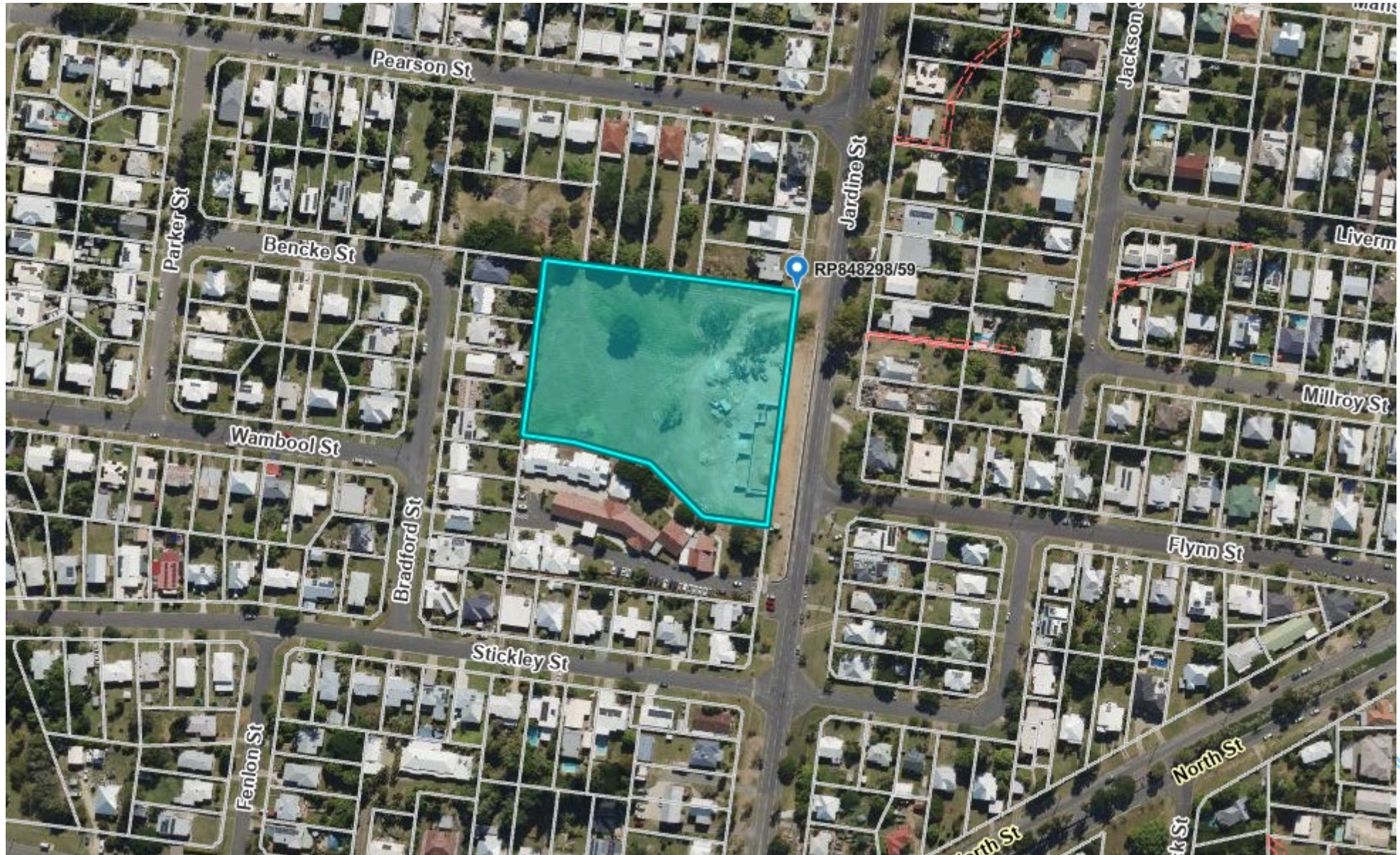
Documents presented to Councillors for their reference during the Council meeting when dealing with:

- Item 11.1 - D/138-2020 Request for a Minor Change to Development Permit for a Material Change of Use for a Residential Care Facility**

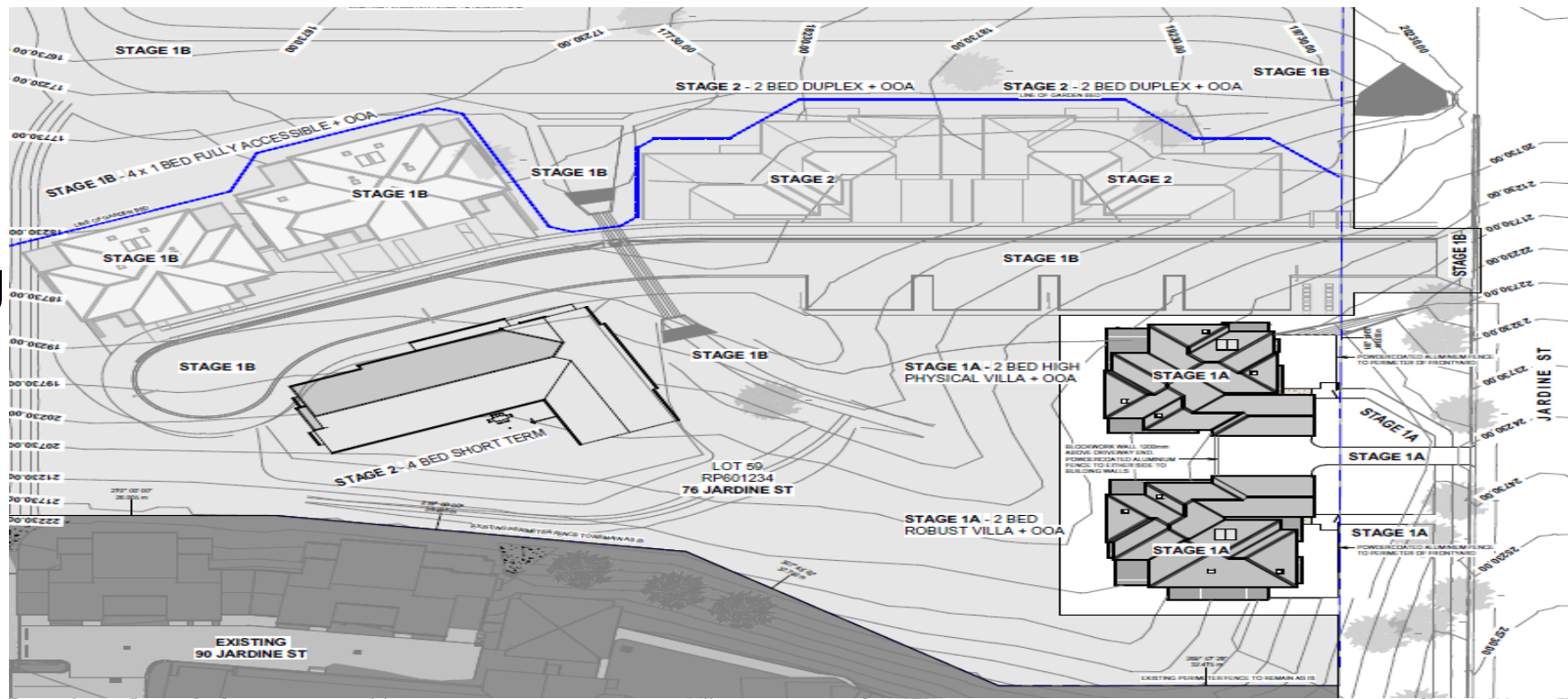
- Item 11.7 - Adopted Charge for Water Purchased via Standpipe for the 2024-25 Financial Year**

Locality

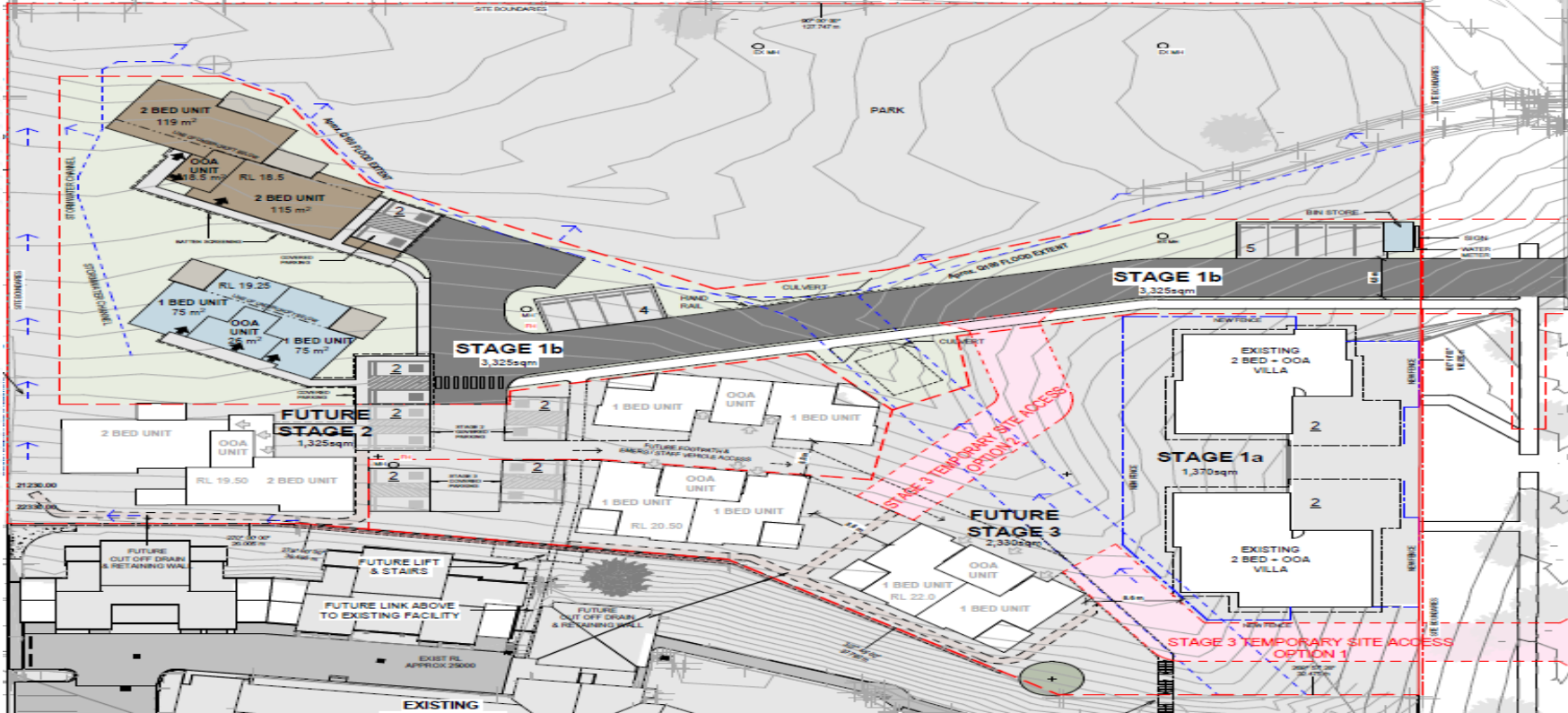
76 Jardine Street, West Rockhampton - Lot 59 on RP848298
Minor Change to Development Permit (D/138-2020) for Material Change of Use for a
Residential Care Facility



Existing Layout



New Layout



Information presented by Councillor Rutherford during Item 11.7 -
 Adopted Charge for Water Purchased via Standpipe

	URBAN COST		RURAL COST
75kl @ \$1.06/kl	\$ 79.50		
75kl @ \$1.65/kl	\$ 123.75		
450kl @ \$3.26/kl	\$ 1,467.00		
Total 550kl	\$ 1,670.25	550kl @ \$5.00	\$ 2,750.00
		Pay extra	\$ 1,079.75
300kl	\$692.25	300kl @ \$5.00	\$ 1,500.00
		Pay extra	\$807.75
50kl @ \$1.06/kl	\$ 53.00	50kl @ \$5.00	\$250.00
		Pay extra	\$ 197.00