



# ORDINARY MEETING

## AGENDA

**27 AUGUST 2024**

*Your attendance is required at an Ordinary meeting of Council to be held in the Council Chambers, 232 Bolsover Street, Rockhampton on 27 August 2024 commencing at 9:00am for transaction of the enclosed business.*

A handwritten signature in black ink, appearing to be "C. P.", written over a horizontal line.

**CHIEF EXECUTIVE OFFICER**  
21 August 2024

Next Meeting Date: 10.09.24

**Please note:**

In accordance with the *Local Government Regulation 2012*, please be advised that all discussion held during the meeting is recorded for the purpose of verifying the minutes. This will include any discussion involving a Councillor, staff member or a member of the public.

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**1 OPENING**

1.1 Acknowledgement of Country

**2 PRESENT**

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer

**3 APOLOGIES AND LEAVE OF ABSENCE**

**4 CONFIRMATION OF MINUTES**

Minutes of the Ordinary Meeting held 13 August 2024

**5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA**

**6 BUSINESS OUTSTANDING**

Nil

**7 PUBLIC FORUMS/DEPUTATIONS**

Nil

**8 PRESENTATION OF PETITIONS**

Nil

**9 COMMITTEE REPORTS**

Nil

**10 COUNCILLOR/DELEGATE REPORTS****10.1 LEAVE OF ABSENCE - COUNCILLOR SHANE LATCHAM - TUESDAY  
3 SEPTEMBER 2024**

**File No:** 10072  
**Attachments:** Nil  
**Authorising Officer:** Nicole Semfel - Executive Assistant to the Mayor  
Justin Kann - Manager Office of the Mayor  
Evan Pardon - Chief Executive Officer  
**Author:** Megan Careless - Executive Support Officer

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**SUMMARY**

*Councillor Shane Latcham is seeking leave of absence on Tuesday 3 September 2024.*

**OFFICER'S RECOMMENDATION**

THAT Councillor Shane Latcham be granted leave of absence on Tuesday 3 September 2024.

**BACKGROUND**

Councillor Shane Latcham has advised the Chief Executive Officer he is seeking leave of absence on Tuesday 3 September 2024 inclusive.

**10.2 COUNCILLOR DISCRETIONARY FUND APPLICATION - MOUNT MORGAN PROMOTION AND DEVELOPMENT - WATTLE DAY FESTIVAL**

**File No:** 8295  
**Attachments:** Nil  
**Authorising Officer:** Justin Kann - Manager Office of the Mayor  
Evan Pardon - Chief Executive Officer  
**Author:** Nicole Semfel - Executive Assistant to the Mayor

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**SUMMARY**

*Mayor Tony Williams, Councillor Drew Wickerson and Councillor Cherie Rutherford are requesting approval for a donation of \$1371.00 in total from their Councillor Discretionary Funds to Mount Morgan Promotion and Development to support the Wattle Day Festival.*

**OFFICER'S RECOMMENDATION**

THAT Council approve the allocation of \$371 from Mayor Tony Williams, \$500 from Councillor Drew Wickerson and \$500 from Councillor Cherie Rutherford's Councillor Discretionary Funds to Mount Morgan Promotion and Development to support the Wattle Day Festival for their creative arts workshops.

**BACKGROUND**

Mount Morgan Promotion and Development are seeking funding in the amount of \$2371 for the creative arts workshops held in conjunction with Wattle Day Festival on Sunday 1 September 2024.

They have been successful in receiving \$1000 from the Regional Arts Development Fund (RADF) and are seeking the remaining \$1371 from Mayor Tony Williams, Councillor Drew Wickerson and Councillor Cherie Rutherford from their Councillor Discretionary Funds.

## 11 OFFICERS' REPORTS

### 11.1 D/170-2022 - 'OTHER CHANGE' TO DEVELOPMENT PERMIT D/170-2022 FOR A MATERIAL CHANGE OF USE FOR A STAGED RETIREMENT FACILITY (57 DWELLINGS)

**File No:** D/170-2022

**Attachments:**

1. [Locality Plan](#)
2. [Master Plan](#)

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

**Author:** Kathy McDonald - Principal Planning Officer

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#### SUMMARY

**Development Application Number:** D/170-2022

**Applicant:** Gemstone Lifestyle No 3 Pty Ltd

**Real Property Address:** Lot 8 on RP607712 and Lot 24 on RP607814

**Common Property Address:** 192 Dean Street, Berserker

**Area of Site:** 25,250 square metres

**Planning Scheme:** Rockhampton Region Planning Scheme 2015 (version 4.4)

**Planning Scheme Zone:** Low Density Residential Zone

**Planning Scheme Overlays:** Acid Sulfate Soils Overlay;  
Airport Environs Overlay;  
Flood Hazard Overlay; and  
Steep Land Overlay.

**Existing Development:** Nil

**Approval Sought:** 'Other Change' to Development Permit D/170-2022 for a Material Change of Use for a Staged Retirement Facility (57 Dwellings)

**Category of Assessment:** Assessable subject to Impact assessment

**Submissions:** Two (2) Not Properly Made Submissions

**Referral Agency:** Department of State Development, Infrastructure, Local Government and Planning (State Assessment and Referral Agency Department)

#### OFFICER'S RECOMMENDATION

##### RECOMMENDATION A

That in relation to the request for an 'Other Change' to Development Permit D/170-2022 for a Material Change of Use for a Staged Retirement Facility (57 Dwellings), made by Gemstone Lifestyle No 3 Pty Ltd, located at 192 Dean Street, Berserker, described as Lot 8 on RP607712 and Lot 24 on RP607814, Council resolves to provide the following reasons for its decision:

**STATEMENT OF REASONS**

<b>Description of the development</b>	
'Other Change' to Material Change of Use for a Staged Retirement Facility (57 Dwellings)	
<b>Reasons for Decision</b>	
<p>Assessment of the development against the relevant zone purpose, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and</p> <p>On balance, the application should be approved because the circumstances favour Council exercising its discretion to approve the application even though the development does not comply with an aspect of the assessment benchmarks.</p>	
<b>Assessment Benchmarks</b>	
<p>The development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> <li>• Local Government Infrastructure Plan;</li> <li>• Strategic Framework;</li> <li>• Low Density Residential Zone Code;</li> <li>• Flood Hazard Overlay Code;</li> <li>• Access, Parking and Transport Code;</li> <li>• Landscape Code;</li> <li>• Stormwater Management Code;</li> <li>• Waste Management Code; and</li> <li>• Water and Sewer Code.</li> </ul>	
<b>Compliance with assessment benchmarks</b>	
The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exceptions listed below.	
<b>Assessment Benchmark</b>	<b>Reasons for the approval despite non-compliance with benchmark</b>
<b>Low Density Residential Zone Code</b>	<p><b>Performance Outcome (PO) 18</b></p> <p>The proposed development does not comply with AO18.1 because the Retirement Facility is not located within close proximity (200 metres) to a park, centre zone or major community facility.</p> <p>Despite this, the subject site is considered highly accessible and provides convenience for the following reasons:</p> <p>The development is located approximately 600 metres (walking distance) from the Neighbourhood Centre Zone on Berserker Street and Elphinstone Street directly west of the subject site; and</p> <p>Is located approximately 600 metres (walking distance) from Rigarfsford Park south-east of the subject site along Elphinstone Street, which is suitable for general sport and recreation activities; and</p> <p>A bus stop is located directly fronting the subject site along Dean Street which will provide residents with easily accessible public transport.</p>

	<p>Furthermore, Dean Street is categorised as an Urban Sub Arterial Road and has sufficient capacity to cater for the vehicle movements associated with the development.</p> <p>To the extent any conflicts are identified the proposed development is considered to comply with the following higher order provisions of the Planning Scheme:</p> <p>6.2.1.2 (2)(c) (Overall Outcomes Low Density Residential Zone) – The proposed development maintains a low-rise setting.</p> <p>3.3.8.1 (5)(f) (Strategic Framework, Settlement Pattern, Element – Urban and New Urban) – The proposed development assists in providing housing choice and lifestyle options.</p> <p>Therefore, the development is taken to comply with PO18.</p>
<b>Matters raised in submissions</b>	
<p>The proposal was the subject of public notification between 3 June 2024 and 28 June 2024, in accordance with the requirements of the Planning Act 2016 and the Development Assessment Rules, and two (2) not properly made submissions were received.</p>	
<p>Construction concerns including requesting compensation for residents adjoining the development site for dust damage to private property, noise and tradespeople within the immediate area.</p>	<p>The submitters raised concerns with the length of construction time it may take to develop the site regarding dust impacts and noise to the surrounding properties and the possibility of receiving compensation.</p> <p>Compensation is not provided to neighbouring properties for development purposes regarding construction requirements. Operational Works conditions of approval and requirements in the Environmental Protection Act 1994 ensures that all environmental measures can be enforced during construction to protect the amenity of adjoining premises or the surrounding area from emission of light, noise, odour or dust.</p>
<p>Property boundary concerns</p>	<p>The submitter raised concerns with existing fences being damaged during construction.</p> <p>All boundary fences proposed will be constructed 100 millimetres from each boundary, abutted up against existing fences. If access to any adjoining private property is required, this matter is dealt with directly by the developer and with the property owner.</p>
<p>Bin Pad Placement</p>	<p>The submitter raised concerns with the location of a Bin Pad in the south-west corner of the subject site and its proximity to the adjoining properties outdoor entertainment area.</p> <p>The location of the Bin Pad is approximately 25 metres away from the adjoining property boundary to the south. This is more than the minimum two (2) metre requirement as stipulated in the Waste Management Code under the <i>Rockhampton Region Planning Scheme</i> (2015).</p>
<b>Matters prescribed by regulation</b>	
<p>The Rockhampton Region Planning Scheme 2015 (version 4.4); and Central Queensland Regional Plan 2013; The common material, being the material submitted with the application.</p>	

**RECOMMENDATION B**

That in relation to the request for an 'Other Change' to Development Permit D/170-2022 for a Material Change of Use for a Staged Retirement Facility (57 Dwellings), made by Gemstone Lifestyle No 3 Pty Ltd, located at 192 Dean Street, Berserker, described as Lot 8 on RP607712 and Lot 24 on RP607814, Council resolves that:

1. Condition 2.1 Changed
  2. Condition 3.4 Changed
  3. Condition 4.4 Deleted
  4. Condition 4.12 Changed
  5. Condition 4.19 Changed
  6. Condition 5.4 Changed
  7. Condition 5.9 Changed
  8. Condition 5.10 Deleted
  9. Condition 5.11 New
  10. Condition 6.10 Changed
  11. Condition 6.11 Changed
  12. Condition 6.12 New
  13. Condition 7.1 Deleted
  14. Condition 9.4 New
  15. Condition 9.5 New
  16. Condition 9.6 New
  17. Condition 10.6 Changed
  18. Condition 10.11 New
  19. Condition 10.12 New
  20. Condition 11.1 Changed
  21. Conditions 16.1 to 16.4 New
  22. Condition 17.1 New
  23. Conditions 18.1 to 18.3 New
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**RECOMMENDATION C**

That to reflect the above changes, Gemstone Lifestyle No 3 Pty Ltd, be issued with an Amended Decision Notice:

**1.0 ADMINISTRATION**

- 1.1 The owner, the owner's successors in title, and any occupier of the premises is responsible for ensuring compliance with the conditions of this development approval.
  - 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
  - 1.3 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:
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- 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 All development conditions contained in this development approval about infrastructure under Chapter 4 of the Planning Act 2016 should be read as being non-trunk infrastructure conditioned under section 145 of the Planning Act 2016, unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
- 1.6.1 Operational Works:
- (i) Road Works;
  - (ii) Access and Parking Works;
  - (iii) Stormwater Works;
  - (iv) Roof and Allotment Drainage; and
  - (v) Site Works.
- 1.6.2 Plumbing and Drainage Works; and
- 1.6.3 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 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.9 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.
- 1.10 Lot 8 on RP607712 and Lot 24 on RP607814 must be amalgamated and registered as one lot prior to the commencement of the use.

## 2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Prepared by</u>	<u>Date</u>	<u>Reference No.</u>	<u>Version/ Issue</u>
Master Plan	Jared Poole Design	14 May 2024	BP1485/03.01	P
Staging Plan	Jared Poole Design	14 May 2024	BP1485/03.02	A
Fencing Plan	Living Gems	14 May 2024	BP1485/03.03	C
Statement of Landscape Intent	Zone Landscape Architecture	16 May 2024	L24029	C

Stormwater Management Plan	Westera Partners	15 March 2024	S24-018	A
Engineering Service Report	Westera Partners	15 March 2024	S24-018	A
Traffic Impact Assessment	McMurtrie Consulting Engineers	23 May 2023	063-21-22	A

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

### 3.0 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, relevant Australian Standards and Austroads Guidelines and the provisions of a Development Permit for Operational Works (road works).

3.3 Double barrier lines must be marked in the centre of Dean Street fronting the proposed access driveway to prevent right turn onto the development site from the Dean Street.

3.4 A concrete footpath, with a minimum width of 1.5 metres, must be constructed on the eastern side of Dean Street for the full frontage of the development site.

3.5 Road signage and pavement markings must be installed in accordance with Australian Standard AS1742.1 "Manual of uniform traffic control devices".

3.6 All pathways and access ramps must be designed and constructed in accordance with Australian Standard AS1428 "Design for access and mobility".

3.7 All pathways located within a road reserve or public use land must be provided with public space lighting in accordance with Australian Standard AS1158 "Lighting for roads and public spaces".

### 4.0 ACCESS AND PARKING WORKS

4.1 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.

4.2 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).

4.3 All car parking and access areas must be paved or 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).

4.4 DELETED

4.5 A new access to the development must be provided at Dean Street. A small traffic island with a 'No Right Turn' sign must be installed in the access driveway to prevent right turn onto Dean Street.

4.6 Access to development site from Dean Street must be limited to 'left in, left out' only.

4.7 All vehicular access to and from the development must be via Dean Street only.

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- 4.8 Service and delivery vehicles, including refuse collection vehicles must be via Dean Street only.
- 4.9 Any redundant vehicular crossovers must be replaced by Council standard kerb and channel.
- 4.10 All vehicles must ingress and egress the development in a forward gear.
- 4.11 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".
- 4.12 A minimum of one seventy-seven (77) car parking spaces and six (6) RV parking spaces must be provided on-site in accordance with the approved plans (refer to condition 2.1).
- 4.13 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".
- 4.14 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).
- 4.15 Any application for a Development Permit for Operational Works (access and parking works) must be accompanied by detailed and scaled plans, which demonstrate the turning movements/swept paths of the largest vehicle to access the development site including refuse collection vehicles.
- 4.16 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".
- 4.17 All vehicle operation areas must be illuminated in accordance with the requirements of Australian Standard AS1158 "Lighting for roads and public spaces".
- 4.18 All internal pedestrian pathways must be designed and constructed in accordance with Australian Standard AS1428 "Design for access and mobility".
- 4.19 A pedestrian pathway with a minimum width of 1.8 metres must be constructed to provide residents access to/from Stamford Street.
- 5.0 **PLUMBING AND DRAINAGE WORKS**
- 5.1 A Development Permit for Plumbing and Drainage Works must be obtained for the removal and/or demolition of any existing structure on the development site.
- 5.2 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.
- 5.3 The development must be connected to Council's reticulated sewerage and water networks.
- 5.4 The existing water connection point(s) must be disconnected. A new water connection point must be provided to the development site from existing 100 millimetre diameter main in Stamford Street. A hydraulic engineer or other suitably qualified person must determine the size of connection required.
- 5.5 Adequate domestic and firefighting protection must be provided to the development and must be certified by a hydraulic engineer or other suitably qualified person.
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- 5.6 Note: A 100 millimetre internal water main may be required within the internal road network for fire-fighting purposes. This requirement must be finalised by a suitable qualified person.
- 5.7 The proposed development must be provided with a master meter at the development site boundary and sub-meters for each sole occupancy building in accordance with the Queensland Plumbing and Drainage Code and Council's Sub-metering Policy.
- 5.8 All internal plumbing and sanitary drainage works must be completely independent for each dwelling unit.
- 5.9 Sewer connections, access chambers and water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with heavy duty trafficable lids.
- 5.10 DELETED
- 5.11 The existing sewerage infrastructure located adjacent to the southern property boundary must be decommissioned as identified on the approved plans (see condition 2.1). Council's ownership finishes at the existing access chamber on the eastern side of the easement. All proposed sewerage works internal to the site will be privately owned and maintained.
- 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 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.
- 6.5 Easements must be provided over all land assessed to be within the inundation area in a one per cent (1%) Annual exceedance probability flood event.
- 6.6 Note: The pedestrian access from the site to Stamford Street is permitted within easement area.
- 6.7 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).
- 6.8 All proprietary stormwater quality treatment devices must be routinely checked, serviced and cleaned in accordance with the manufacturer's recommendations. Records of all maintenance activities undertaken must be kept and made available to Council upon request. Where replacement cartridges or other necessary components for the system become unavailable, an alternative system approved by Council, is required to be retrofitted into the development to achieve an equivalent pollutant reduction outcome. All maintenance cost must be borne by the site owner.

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- 6.9 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.
- 6.10 The combined treatment/detention tank water quality improvement devices 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 detention basin, and the design must:
- 6.10.1 be suitable to the climate and incorporate predominately native species;
  - 6.10.2 maximise areas suitable for on-site infiltration of stormwater;
  - 6.10.3 incorporate shade trees; and
  - 6.10.4 demonstrate that all areas apart from garden beds are fully turfed or hydromulched.
- 6.11 The detailed design of the combined treatment/detention tank as identified on the approved plans (refer to condition 2.1), must ensure the safety of the public and/or tenants and where applicable include all required safety measures and facilities (for example, child proof fences). A maintenance plan for the proposed detention basin system must be submitted as part of any application for a Development Permit for Operational Works (stormwater works).
- 6.12 An amended Stormwater Management Plan must be submitted with the Operational Works application. The amended plan must address the State Planning Policy requirements for water quality for the entire development site. It maybe necessary to treat the eastern catchment flows to a higher standard such that the overall site treatment meets the reduction targets. In addition, commentary should be included around the western catchment flows pre and post and a comparison of same.
- 7.0 ROOF AND ALLOTMENT DRAINAGE WORKS
- 7.1 DELETED
- 7.2 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).
- 7.3 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.
- 8.0 SITE WORKS
- 8.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works on the development site.
- 8.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks plan that clearly identifies the following:
- 8.2.1 the location of cut and/or fill;
  - 8.2.2 the type of fill to be used and the manner in which it is to be compacted;
  - 8.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
  - 8.2.4 details of any proposed access routes that are intended to be used to transport fill to or from the development site; and
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- 8.2.5 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.
- 8.3 All earthworks must be undertaken in accordance with Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments".
- 8.4 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.
- 8.5 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).
- 9.0 **BUILDING WORKS**
- 9.1 A Development Permit for Building Works assessable under the Building Assessment Provisions must be obtained prior to the commencement of any building works on the site.
- 9.2 All building works for Class 1 and Class 10 buildings must be undertaken in accordance with Queensland Development Code, Mandatory Part 1.4 for building over or near relevant infrastructure.
- 9.3 Impervious paved waste storage area/s must be provided in accordance with the approved plans (refer to condition 2.1) and the Environmental Protection Regulation 2019 and must be:
- 9.3.1 designed and located so as not to cause a nuisance to neighbouring properties;
- 9.3.2 surrounded by at least a 1.8 metre high screen fence that obstructs from view the contents of the waste storage area by any member of the public from any public place;
- 9.3.3 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.
- 9.4 Boundary fencing must be erected along the common boundary of the subject development site prior to the commencement of the use in all areas shown on the approved plans (refer to condition 2.1).
- 9.5 The private open space area provided for each unit must be fenced with a 1.8 metre high screen fence. The fence must be constructed of appropriate materials and to Council's satisfaction to prevent viewing of the private open space from a public space and adjoining properties.
- 9.6 All external elements, such as air conditioners, pool and spa pumps and associated equipment, must be adequately screened from public view to Council's satisfaction.
- 10.0 **LANDSCAPING WORKS**
- 10.1 Landscaping must be constructed and/or established prior to the commencement of the use in all areas shown on the approved plans (refer to condition 2.1).
- 10.2 Landscaping must be designed in accordance with the requirements of Australian Standard AS 1428 — Design for access and mobility.
-

- 
- 10.3 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.
- 10.4 Landscaping, or any part thereof, upon reaching full maturity, must not:
- 10.4.1 obstruct sight visibility zones as defined in the Austroads 'Guide to Traffic Engineering Practice' series of publications;
  - 10.4.2 adversely affect any road lighting or public space lighting; or
  - 10.4.3 adversely affect any Council infrastructure, or public utility plant.
- 10.5 The landscaped areas must be subject to:
- 10.5.1 a watering and maintenance plan during the establishment phase; and
  - 10.5.2 an ongoing maintenance and replanting programme.
- 10.6 Existing established street trees located along Dean Street must be retained where deemed healthy and in good form. Where replacement of street trees is necessary they must be provided in accordance with the approved plans (refer to condition 2.1) and the requirements of Planning Scheme Policy SC6.12 - Landscape Design and Street Trees Planning Scheme Policy.
- 10.7 The street trees required by condition 10.6 must be one or a combination of the following species:
- 10.7.1 *Buckinghamia celcissma* – Ivory Curl
  - 10.7.2 *Corymbia ptychocarpa* –Swamp Bloodwood
  - 10.7.3 *Cupaniopsis anacardioides* – Tuckeroo
  - 10.7.4 *Cupaniopsis parvisolia* – Small Leaf Tuckeroo
  - 10.7.5 *Harpullia pendula* – Tulip wood
  - 10.7.6 *Melicope elleryana*- Pink Flowering Euodia
  - 10.7.7 *Syzygium leuhmanii*- Small Leafed Lilly Pilly
  - 10.7.8 *Waterhousia floribunda* – Weeping Lilly Pilly
  - 10.7.9 *Xanthostemon chrysanthus* – Golden Penda
- 10.8 The street trees must:
- 10.8.1 Be planted between one (1) and 1.2 metres from the edge of the kerb;
  - 10.8.2 Be at least three (3) metres from a driveway;
  - 10.8.3 Be at least five (5) metres apart; and
  - 10.8.4 Be at least six (6) metres from the corner of the kerb at street intersections.
- 10.9 Street trees must be maintained by the owner / developer until established.
- Note: Street trees become the property of Council. Council reserves all rights to trim or remove street trees as per our requirements and in accordance with the current Street Tree Policy.
- 10.10 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.
- 10.11 Street trees and landscaping must not impact on vehicle site distances in accordance with *Australian Standard AS2890 – Parking Facilities*, or unduly restrict visibility to pedestrians in verge areas.
- 10.12 Council approval must be obtained prior to the removal of or interference with street trees located on Council land.
-

**11.0 ELECTRICITY**

- 11.1 Underground electricity services must be provided in accordance with approved Operational Works Plans and the standards and requirements of the relevant service provider.

**12.0 TELECOMMUNICATIONS**

- 12.1 Telecommunications services must be provided to the development in accordance with the standards and requirements of the relevant service provider.

**13.0 ASSET MANAGEMENT**

- 13.1 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.
- 13.2 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.
- 13.3 '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).

**14.0 ENVIRONMENTAL HEALTH**

- 14.1 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".

**15.0 OPERATING PROCEDURES**

- 15.1 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 Dean Street, Stamford Street or Edington Street.
- 15.2 No kerbside collection is permitted for waste bins. All waste must be stored and collected within the site.

**16.0 STAGED DEVELOPMENT**

- 16.1 This development approval is for a development to be undertaken in four (4) discrete stages, namely:
- 16.1.1 Stage One - Fourteen (14) dwelling houses, Roundabout and three (3) carparks
  - 16.1.2 Stage Two - Twenty (20) dwelling houses and six (6) carparks;
  - 16.1.3 Stage Three - Twenty-three (23) dwelling houses, six (6) visitor and six (6) recreation vehicle (RV) carparks; and
  - 16.1.4 Stage Four - Five (5) visitor carparks, club house, hobby shed, pool, pickleball court and barbecue/s.
- in accordance with the approved staging plan (refer to condition 2.1).
- 16.2 Stage one must be completed prior to any other stage. All other stages are not required to be undertaken in any chronological order.



- 16.3 Unless otherwise expressly stated, the conditions must be read as being applicable only to the stages(s) being developed.
- 16.4 The currency period for all Stages is six (6) years from the date this approval takes effect.
- 17.0 STREET LIGHTING
- 17.1 The developer is responsible for all costs associated with the supply and installation of any road lighting or public space lighting in accordance with Australian Standard AS1158 'Lighting for roads and public spaces'.
- 18.0 ENVIRONMENTAL
- 18.1 The Erosion Control and Stormwater Control Management Plan in accordance with the Capricorn Municipal Design Guidelines, must be:
- 18.1.1 Implemented, monitored, and maintained for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydro mulched, concreted, landscaped); and
- 18.1.2 Available on-site for inspection by Council Officers whilst all works are being carried out.

#### ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

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

All vehicular access to and from the development must be via Dean Street only. Direct vehicular access to Stamford Street or Edington Street is prohibited.

NOTE 5. Licensable Activities

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

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.

NOTE 7. Advertising Devices

Any Advertising device associated with or attached to the development must be carried out in accordance with Council's Planning Scheme.

NOTE 8. Standard Terms Document for Easements

Easement documents for Council infrastructure must utilise Council's standard terms document - 718579623 to accompany the Survey Plan for endorsement by Council.

NOTE 9. Rating Category

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

**BACKGROUND**

Council, under delegation, approved on 12 June 2023 a Development Permit for a Material Change of Use for a Multiple Dwelling (60 Dwellings) located at 192 Dean Street, Berserker, described as Lot 8 on RP607712 and Lot 24 on RP607814.

This development has not commenced.

In accordance with section 82 of the *Planning Act 2016*, the applicant has applied for an 'Other Change' to the development approval. The applicant has proposed to make the following changes to the development approval:

- Amend the approval from a Multiple Dwelling (60 Dwellings) to a Retirement Facility (57 Dwellings); and
- Introduce staging for the Retirement Facility.

**PROPOSAL**

The Applicant seeks to amend the Development Permit to a Material Change of Use for a Staged Retirement Facility (57 Dwellings) over 192 Dean Street, Berserker.

Specifically, the Applicant seeks approval to construct Retirement Facility comprising of 57 dwellings over four (4) stages.

Stage One will commence the development in the western portion of the vacant site, fronting Dean Street. This stage will include 14 dwelling houses, internal roads and roundabout along with three (3) visitor carparks.

Stage Two will comprise twenty (20) dwelling houses, internal road connections and six (6) visitor carparks in the northern portion of the site.

Stage Three will comprise the remaining twenty-three (23) dwelling houses, internal road connections, six (6) visitor carparks and three (3) RV carparks in the southern portion of the site; and

Stage four (4) will comprise the club house, hobby shed, pool, pickleball court and BBQ area along with five (5) visitor carparks in the north-eastern portion of the site.

Each dwelling will contain three (3) bedrooms, two (2) bathrooms, kitchen, living, dining and laundry with an outdoor private open space area. The eastern portion is encumbered with a drainage easement and will remain free of structures for stormwater detention.

All dwellings present internal to the site with vehicular access from the north-western corner from Dean Street. This access provides for left-in, left-out only vehicle manoeuvres.

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Road works, including double lining and traffic islands on Dean Street at the frontage of the site will ensure any right-in, right-out manoeuvres cannot be performed. Private internal access roads will extend from the Dean Street crossover within the site. Internal pathways and a pedestrian access will provide residences a second access from Stamford Street.

There is a total of 77 on-site car parking spaces with each dwelling provided with one (1) enclosed parking space, plus twenty 20 visitor parking spaces and six (6) RV parking spaces.

## **PLANNING ASSESSMENT**

### **MATTERS FOR CONSIDERATION**

This application has been assessed by relevant Council planning, engineering, environmental health, and other technical officers as required. The assessment has been in accordance with the assessment process provisions of the Development Assessment Rules, based on consideration of the relevant State Planning Policy; State Government guidelines; the Council's Town Planning Scheme, Planning Policies and other general policies and procedures, as well as other documents as considered relevant.

### **STATE PLANNING POLICY 2017**

Section 2.1 of *Rockhampton Region Planning Scheme 2015* noted the *State Planning Policy 2017* is integrated in the planning scheme. The State planning interests are therefore addressed as part of this assessment of the development against the *Rockhampton Region Planning Scheme 2015*.

### **CENTRAL QUEENSLAND REGIONAL PLAN 2013**

The *Central Queensland Regional Plan 2013* is a statutory document which came into effect on 18 October 2013. The Regional Plan is identified as being appropriately integrated with the Planning Scheme and therefore an assessment against the Planning Scheme is taken to be an assessment against the *Central Queensland Regional Plan 2013*.

### **Rockhampton Region Planning Scheme 2015**

#### **Strategic framework**

The subject site is situated within the Urban area designation under the scheme's strategic framework map. The strategic framework themes and their strategic outcomes, as identified within Part 3 of the *Rockhampton Region Planning Scheme 2015* are applicable:

- Settlement Pattern
- Natural Environment and Hazards
- Community Identity diversity
- Access and Mobility
- Infrastructure and Services
- Natural Resources and Economic Development

An assessment of the proposal demonstrates that the development will not compromise the *Rockhampton Region Planning Scheme 2015* strategic outcomes.

#### **Low Density Residential Zone**

The subject site is situated within the **Low Density Residential Zone** under the *Rockhampton Region Planning Scheme 2015*. The purpose of the Low Density Residential Zone identifies that:

- 
- (1) *The purpose of the low density residential zone code is to:*
- (a) *provide locations where residential uses, predominantly in the form and type of single detached one (1) storey and two (2) storey dwelling houses on individual lots are preferred to develop;*
  - (b) provide for the development of a mixture of other residential land use types that provide for long-term residency, where they are sited and designed to maintain the existing urban form (low rise and low density) and amenity of the surrounding area;**
  - (c) *minimise land use conflict and ensure that community and recreation facilities develop only where they are consistent with amenity and characteristics of the surrounding area; and*
  - (d) *ensure that development within the zone has appropriate standards of infrastructure and essential services.*
- (2) *The purposes of the zone will be achieved through the following overall outcomes:*
- (a) *development provides for predominantly single detached dwelling houses on individual lots of varying sizes and dual occupancies, maintaining a generally low-rise, 1-2 storey built form and low density character with small scale, detached buildings;*
  - (b) *residential development within the zone is of a type which primarily provides for the long-term accommodation of residents and not for short-term accommodation, except in the circumstances stated in (d);*
  - (c) low-rise multiple dwellings, relocatable home parks, residential care facilities and retirement facilities develop in the zone when they are situated in proximity (convenient walking distance) to parks, centres, major community facilities (hospital, university etcetera) and have access to higher order roads (minor urban collector or higher) or public transport;**
  - (d) *short-term accommodations only occurs where it:*
    - (i) *is established in an existing dwelling;*
    - (ii) *does not adversely impact on the amenity of the surrounding residential area;*
    - (iii) *maintains the appearance of an ordinary dwelling that is consistent with the intentions of the zone; and*
    - (iv) *is limited in scale and duration;*

*Note—Use of a dwelling for short-term accommodation in this context may take the form of short term rental, Airbnb or similar accommodation. Purpose built commercially run short-term accommodation facilities are not intended. Short-term accommodation does not include a party house, which is separately defined.*

- (e) *non-residential uses only occur within the zone where they:*
    - (i) *do not compromise the residential character and existing amenity of the surrounding area;*
    - (ii) *are small-scale and consistent with the surrounding urban form;*
    - (iii) *primarily function to service the needs of the immediate local residential community;*
    - (iv) *do not detract from the role and function of centres;*
    - (v) *do not result in the expansion of a centre zone; and*
    - (vi) *have direct access to higher order roads (minor urban collector or higher) and are in proximity to public transport;*
  - (f) *no expansion of existing centres or industrial areas will occur into the low density residential zone. In addition, no additional local centres or higher order centres are required within the low density residential zone;*
  - (g) *neighbourhood centres do not expand to service a wider local centre catchment. South Gracemere is to accommodate a neighbourhood centre commensurate with the population of the immediate catchment;*
-

- (h) *new proposed centres within greenfield areas are not intended to accommodate full-line supermarkets;*

*Editor's note—To remove any doubt specialised centres are a centre zones category.*

- (i) *development maximises opportunities for surveillance, activation of street fronts, integration with surrounding streetscapes, and presents an attractive appearance to the street with variations in built form, shape and colour;*
- (j) *development maintains a high level of residential amenity having regard to traffic, noise, dust, odour, lighting and other locally specific impacts;*
- (k) *new residential developments are not located in proximity to existing incompatible uses such as rural uses, industrial uses and major community facilities without separation distances, landscaping and screening that minimise impacts on amenity in relation to noise, odour, dust, light, loss of privacy or other adverse impacts;*
- (l) *new residential developments are located and integrated with existing neighbourhoods;*
- (m) *development is sited and designed to respond to the region's climate (sustainable practices for maximising energy efficiency, water conservation and public/active transport use), local heritage features, natural landscape features and environmental constraints;*
- (n) *development provides connection to pathways, cycle ways, roads and public transport infrastructure commensurate with the needs of the use;*
- (o) *development is serviced by infrastructure that is commensurate with the needs of the use; and*
- (p) *the establishment of one (1) precinct within the zone where particular requirements are identified:*
- (i) Fitzroy River accommodation precinct; and*
  - (ii) Residential stables precinct.*

This application is consistent with the purpose of the Zone.

### **Rockhampton Regional Planning Scheme Codes**

The following codes are applicable to this application:

- Low Density Residential Zone Code;
- Flood Hazard Overlay Code;
- Access, Parking and Transport Code;
- Filling and Excavation Code;
- Landscape Code;
- Stormwater Management Code; and
- Water and Sewer Code.

An assessment has been made against the requirements of the abovementioned codes and the proposed development generally complies with the relevant Performance Outcomes and Acceptable Outcomes. Where the application is in conflict with the Acceptable Outcomes and is not otherwise conditioned to comply an assessment of the Performance Outcomes is contained in the Statement of Reasons in **Recommendation A** of this report.

### **REFERRALS**

The application was referred to the Department of State Development, Infrastructure, Local Government and Planning (State Assessment and Referral Agency Department) as a Concurrence Agency. The Department assessed the application and provided a referral agency response with no conditions on 17 June 2024.

## INFRASTRUCTURE CHARGES

Charges Resolution (No. 1) of 2022 for **accommodation (short and long term)** applies to the application. The Infrastructure Charges are as follows:

- (a) A charge of \$1,748,626.05 for 57 x three (3) bedroom dwelling suites (retirement facility); and
- (b) An Infrastructure Credit of \$61,355.30, applicable for the existing two (2) allotments.

In accordance with section 3.1 of Charges Resolution (No.1) of 2022, the base charge will be automatically increased using the Producer Price Index (PPI), adjusted according to the three (3) yearly PPI average quarterly percentage change between financial quarters.

The calculations are reflected in the below table:

Column 1 Use Schedule	Column 1A Use	Column 2 Adopted Infrastructure Charge for residential development (\$)			Column 3 Unit	Column 4 Calculated Charge
		(a) 2 or less b'room	(b) 3 or more b'room	(c) Not part of suite		
Accommodation (Long Term)	Retirement Facility	N/A	<b>30,677.65</b>	N/A	Per b'room or suite	\$1,748,626.05
Total Base Charge						\$1,748,626.05
Charge (including PPI)						\$1,955,291.91
Total Base Credit						\$61,355.30
Credit (including PPI)						\$68,606.73
<b>TOTAL CHARGE</b>						<b>\$1,886,685.18</b>

The Infrastructure Charge is payable in stages:

- A charge of \$480,247.13 for fourteen (14) dwellings (Stage 1);
  - Less \$68,606.73 Infrastructure Credit applicable for the existing two (2) allotments;

Therefore a charge of \$411,640.40 is payable for Stage 1;

- A charge of \$686,067.34 for twenty (20) dwellings is payable for Stage 2;
- A charge of \$788,977.44 for twenty-three (23) dwellings is payable for Stage 3; and
- No charge for Stage 4 (club house and outdoor open space and recreation).

Therefore, a total charge of **\$1,886,685.18** is payable for the development.

## CONSULTATION

The proposal was the subject of public notification between 3 June 2024 and 28 June 2024, in accordance with the requirements of the *Planning Act 2016* and the Development Assessment Rules, and two (2) not properly made submissions were received.

A summary of the submissions lodged, with Council officer comments is contained in the Statement of Reasons in **Recommendation A** of this report.

**CONCLUSION**

The proposed development is considered to be in keeping with the purpose of the Low Density Residential Zone. Furthermore, the proposal generally complies with the provisions included in the applicable codes. The proposal is, therefore, recommended for approval in accordance with the approved plans and subject to the conditions outlined in the recommendation.

**D/170-2022 - 'OTHER CHANGE' TO  
DEVELOPMENT PERMIT D/170-2022  
FOR A MATERIAL CHANGE OF USE  
FOR A STAGED RETIREMENT  
FACILITY (57 DWELLINGS)**

**Locality Plan**

**Meeting Date: 27 August 2024**

**Attachment No: 1**





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**D/170-2022 - 'OTHER CHANGE' TO  
DEVELOPMENT PERMIT D/170-2022  
FOR A MATERIAL CHANGE OF USE  
FOR A STAGED RETIREMENT  
FACILITY (57 DWELLINGS)**

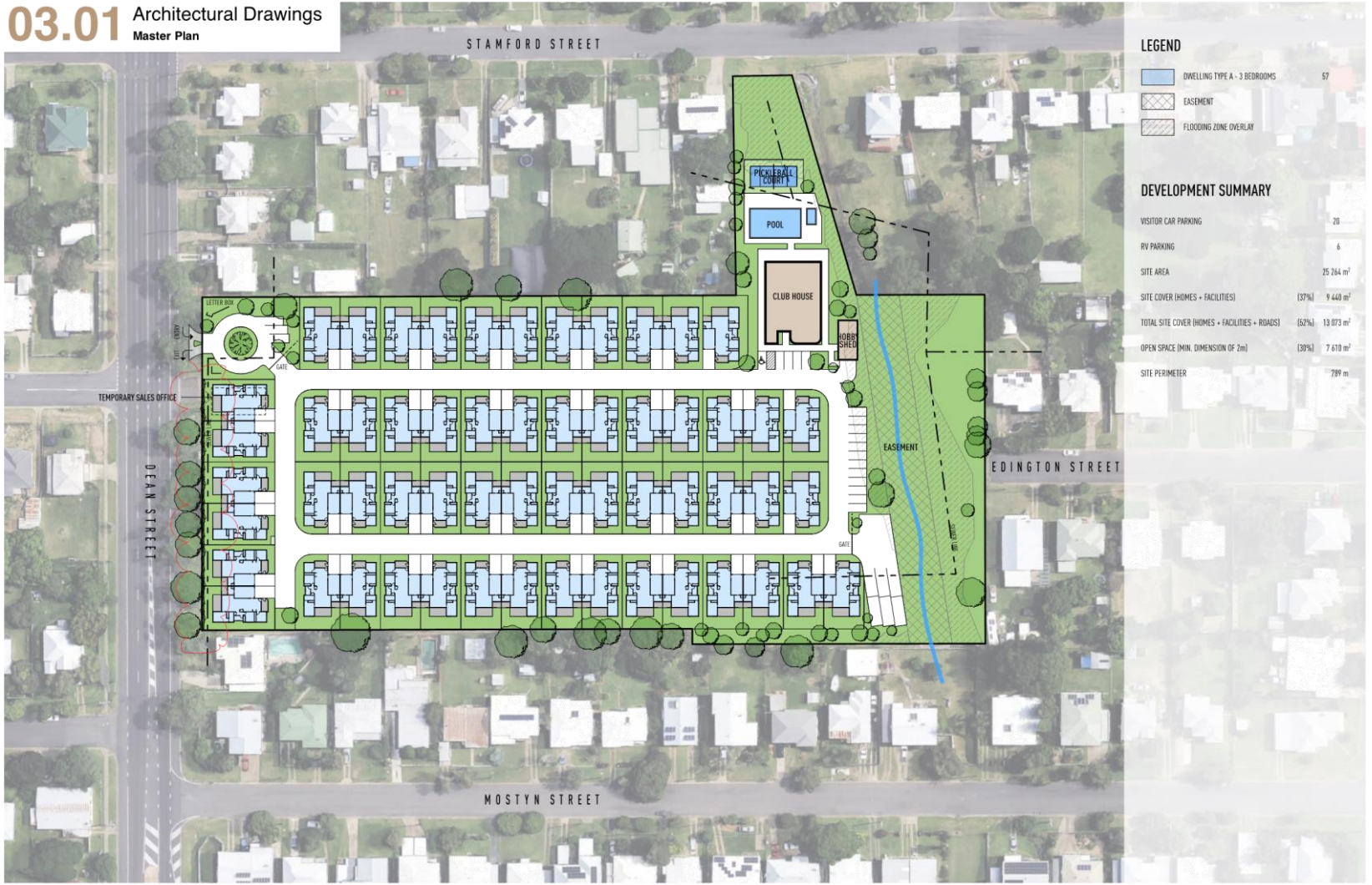
**Master Plan**

**Meeting Date: 27 August 2024**

**Attachment No: 2**



**03.01** Architectural Drawings  
Master Plan



**LEGEND**

- DWELLING TYPE A - 3 BEDROOMS 57
- EASEMENT
- FLOODING ZONE OVERLAY

**DEVELOPMENT SUMMARY**

VISITOR CAR PARKING	20
RV PARKING	6
SITE AREA	25 784 m <sup>2</sup>
SITE COVER (HOMES + FACILITIES)	(37%) 9 440 m <sup>2</sup>
TOTAL SITE COVER (HOMES + FACILITIES + ROADS)	(52%) 13 073 m <sup>2</sup>
OPEN SPACE (MIN. DIMENSION OF 2m)	(30%) 7 610 m <sup>2</sup>
SITE PERIMETER	789 m

**JAREDPOLLEDESIGN**  
LEVEL 1 33 ELKHORN AVENUE  
SURFERS PARADISE, QLD 4217 AUSTRALIA  
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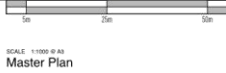
**Living Gems\***

ISSUE	DATE	DESCRIPTION	CLIENT
P	14.03.24	WESTERN BOUNDARY UPDATED	LIVING GEMS
D	16.04.24	LOT ADDED FOR REVIEW	
N	11.04.24	CLUBHOUSE UPDATED	
M	19.03.24	RV PARKING AMENDED	
L	12.03.24	BOUNDARY COORDINATION	

PROJECT: PROPOSED NEW RESIDENCE  
Lot 248R907814 + 8R907712, Dean Street, Rockhampton QLD 4701

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DRAWING TITLE: BP1485/03.01



SCALE: 1:1000 @ A1  
Master Plan

**POOLE**

**11.2 D/5-2024 - MATERIAL CHANGE OF USE FOR LOW IMPACT INDUSTRY**

**File No:** D/5-2024

**Attachments:** 1. [Locality Plan](#)  
2. [Site Plan and Elevations](#)

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

**Author:** Kathy McDonald - Principal Planning Officer

**SUMMARY**

**Development Application Number:** D/5-2024

**Applicant:** JJ Kerr's Appliances Pty Ltd

**Real Property Address:** Lot 131 and 132 on RP601289

**Common Property Address:** 59 Lucas Street, Berserker

**Area of Site:** 818 square metres

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

**Planning Scheme Zone:** Low-Medium Density Residential Zone

**Planning Scheme Overlays:** Acid Sulfate Soils Overlay; and Airport Environs Overlay.

**Existing Development:** Dwelling House

**Approval Sought:** Development Permit for a Material Change of Use for Low Impact Industry

**Category of Assessment:** Assessable subject to Impact assessment

**Submissions:** Nil

**Referral Agency:** Department of State Development, Infrastructure, Local Government and Planning (State Assessment and Referral Agency Department)

**OFFICER'S RECOMMENDATION****RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use for Low Impact Industry, made by JJ Kerr's Appliances Pty Ltd, located at 59 Lucas Street, Berserker, described as Lot 131 and 132 on RP601289, Council resolves to provide the following reasons for its decision:

**STATEMENT OF REASONS**

<b>Description of the development</b>
Material Change of Use for a Low Impact Industry

<b>Reasons for Decision</b>	
<p>a) Assessment of the development against the relevant zone purpose, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and</p> <p>b) On balance, the application should be approved because the circumstances favour Council exercising its discretion to approve the application even though the development does not comply with an aspect of the assessment benchmarks.</p>	
<b>Assessment Benchmarks</b>	
<p>The development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> <li>• Local Government Infrastructure Plan;</li> <li>• Strategic Framework;</li> <li>• Specialised Centre Zone Code;</li> <li>• Low-Medium Density Residential Zone Code;</li> <li>• Low Impact Industry Zone Code;</li> <li>• Access, Parking and Transport Code;</li> <li>• Landscape Code;</li> <li>• Stormwater Management Code;</li> <li>• Waste Management Code;</li> <li>• Water and Sewer Code; and</li> <li>• Airport Environs Overlay Code.</li> </ul>	
<b>Compliance with assessment benchmarks</b>	
<p>The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exceptions listed below.</p>	
<b>Assessment Benchmark</b>	<b>Reasons for the approval despite non-compliance with benchmark</b>
<b>Low-Medium Density Residential Zone Purpose and Strategic Framework</b>	<p><b>6.2.2.2 Purpose of the Low-Medium Density Residential Zone</b></p> <p>The proposed development conflicts with aspects of the overall outcomes specified under (2) (c) of the zones purpose. The overall outcomes specify provisions for a non-residential use located within the Low-Medium Density Residential Zone.</p> <p>Specifically, the conflict is with (iii) which stipulates that the primary function of the development is to service the needs of the immediate local residential community and (v) which stipulates that the development does not result in the expansion of a centre zone.</p> <p><b>3.3 Settlement Pattern – 3.3.12 Element – Specialised Centres</b></p> <p>3.3.12.1 Specific Outcome (4) of the Strategic Framework specifies that further expansion of centres into adjacent residential zones and outside the designated centre areas (including ribbon development along roads) will not occur.</p> <p>Whilst the development is located in the Low-Medium Density Residential Zone it is also located in the Specialised Centres designation under the scheme’s strategic framework mapping. This being considered, the mapping suggests the subject site is planned for</p>

	<p>centre development and is not an expansion of the centre zone.</p> <p>Furthermore, the development is not considered to worsen the 'ribbon effect' as adjoining development to the east and south of the subject site is already established further along within the Low Medium Density Residential Zone and Lucas Street.</p> <p>Likewise, whilst the development is not purpose built, it is not considered to compromise the role and function of designated centres as a Low Impact Industry use is contemplated within the Specialised Centre Zone. Is small in scale, has an active street front and does not involve a significant increase in Ground Floor Area.</p> <p>Therefore, the proposal demonstrates that the development will not compromise the Rockhampton Region Planning Scheme 2015 Strategic Framework outcomes.</p>
<p><b>Specialised Centre Zone Code</b></p>	<p><b>Performance Outcome (PO) 36</b></p> <p>The proposed development conflicts with PO 36 and no Acceptable Outcome (AO) is nominated. PO 36 states that industrial uses do not occur in the mixed use sub-precinct.</p> <p>Whilst the subject site is not directly located within the mixed use sub-precinct it does boarder it.</p> <p>Industrial uses are contemplated within the Specialised Centre Zone, generally concentrated in the outdoor sales and sub-precinct and contemplated elsewhere where they can demonstrate that no adverse amenity impacts will occur as a result of the development due to the proximity to surrounding residential areas.</p> <p>The applicable overall outcomes for the mixed use sub-precinct state that non-residential development provides:</p> <ul style="list-style-type: none"> <li>- suitable buffering to the residential zones located east and west of Musgrave Street;</li> <li>- business-to-business uses are located on lower order side roads connecting with Musgrave Street; and</li> <li>- all uses incorporate a high level of design and pedestrian amenity and contribute to the creation of an attractive link between the major centre zone.</li> </ul> <p>The development can demonstrate appropriate buffers to existing sensitive land uses (20 metres away) with appropriate landscaping and a minimum 1.8 metre high solid screen fence conditioned to be erected surrounding the development site;</p> <p>The development site is located on Lucas Street being a lower order side road connected to Musgrave Street; and</p> <p>Provides appropriate pedestrian amenity with the extension of the footpath to integrate with existing commercial and industrial adjoining developments contributing to the linkage of Lucas Street to Musgrave Street.</p> <p>Therefore, the proposal can demonstrate compliance with the overall outcomes of the mixed use sub-precinct and purpose of the Specialised Centre Zone.</p>
<p><b>Low-Medium Density Residential Zone Code</b></p>	<p><b>Performance Outcome (PO) 10</b></p> <p>The proposed development conflicts with Acceptable Outcome (AO) 10.1 (d) and (e) because:</p> <p>(d) requires the side boundary setbacks to be two (2) metres for a wall up to 7.5 metres high, where the proposed setback along the right side boundary is 208 millimetres.</p> <p>(e) requires the rear boundary setback to be four (4) metres, where the</p>

	<p>proposed setback is three (3) metres; and</p> <p>The proposed development does not comply with Acceptable Outcome (AO) 10.3 because the maximum length of any exterior wall is fifteen (15) metres, where the proposed length of the wall along the right side boundary is 23.5 metres.</p> <p>Despite this, the development is designed to make provisions for landscaping, integration with the streetscape and privacy and noise attenuation to ensure no adverse impacts on the urban form of the surrounding low-medium density residential area.</p> <p>This is achieved by increasing the road boundary setback to include landscaping along the front boundary and both left and right side boundaries. Extension of the footpath to integrate with existing commercial and industrial adjoining developments and on-site carparking to avoid increased parking along Lucas Street.</p> <p>Conditions have been imposed to ensure the exterior wall fronting east includes articulation so that it does not exceed a length of fifteen (15) metres without a change in plane to minimise the expanse of blank walls facing the street.</p> <p>Furthermore, the reduced setbacks are considered low-level conflicts as the adjoining property is of a similar land use (motor vehicle workshop) and the building height and scale is consistent with the zone.</p> <p>Therefore, the proposed development is taken to comply with Performance Outcome (PO) 10.</p>
	<p><b>Performance Outcome (PO) 13</b></p> <p>The proposed development does not comply with Performance Outcome (PO) 13 (a) and (g) and no Acceptable Outcome is nominated.</p> <p>(a) specifies that non-residential development services the day-to-day needs of residents of the local neighbourhood; and</p> <p>(g) specifies that non-residential development does not adjoin an existing commercial centre zone, where the subject site is adjoining the Specialised Centre Zone.</p> <p>Despite this, the development does comply with the remainder of the Performance Outcomes (c), (d), (e), (f), (h) and (i) of PO13:</p> <p>(c) and (e) - The development can demonstrate that it will not compromise the residential character and existing amenity of the surrounding area as the built form height and scale of the development complies with the built form provisions for a new building within the zone and is consistent with the surrounding area. In addition, the adjoining property is of a similar land use (motor vehicle workshop) and built form.</p> <p>(d) - The development can demonstrate that it is small in scale as the limited site area, layout, ground floor area and land use applied for indicate the capabilities of the site are constrained to that of a small scale development.</p> <p>(f) - Whilst the development is not purpose built, it is not considered to compromise the role and function of designated centres as a Low Impact Industry use is contemplated within the Specialised Centre Zone.</p> <p>(h) – The development site is in proximity to public transport with a bus stop located 130 metres away along Musgrave Street; and</p> <p>(i) – The development is not anticipated to compromise the local street network as outlined in the response to PO14.</p> <p>Therefore, on balance the proposed development complies with PO13.</p>

	<p>Refer to above response to <b>6.2.2.2 Purpose of the Low-Medium Density Residential Zone</b> for non-compliances with (a) and (g).</p>
	<p><b>Performance Outcome (PO) 14</b></p> <p>The proposed development conflicts with Acceptable Outcome (AO) 14.1 because the development is located on Lucas Street which is identified as an Urban Access Street, whereby 14.1 specifies that a development for a non-residential use is located only on a road classified as a minor urban collector or higher.</p> <p>Despite this, the Lucas Street carriage width is approximately 11 metres and combined with the road reserve width, is approximately 20 metres. With this road geometry and in accordance with the Capricorn Municipal Development Guidelines (CMDG), Lucas Street can be classified as a Minor Urban Collector.</p> <p>Furthermore, in accordance with Road Planning and Design Manual, for Light Industrial uses the daily traffic generation rate is nine (9) per 100 square metres of Ground Floor Area (GFA). The proposed development has a total GFA of 330 square metres so, will generate a maximum of 30 vehicles per day. This is not considered a major increase to Lucas Street which can accommodate 3000 vehicles per day.</p> <p>Therefore, the proposed development is taken to comply with PO 14.</p>
	<p><b>Performance Outcomes (PO) 24.3</b></p> <p>The proposed development partly conflicts with Acceptable Outcome (AO) 24.3 because a minimum four (4) metre width landscape buffer for the full length of the rear boundary is not proposed.</p> <p>Despite this, the development proposes an alternative outcome that will enhance the appearance and create an attractive environment that is consistent with the surrounding streetscape because:</p> <ul style="list-style-type: none"> <li>- The development does comply with the minimum landscaped area of 10 per cent with approximately 80 square metres of landscaping proposed and condensed to the front of the development site to enhance the street appearance.</li> <li>- Extension of the footpath to integrate with existing commercial and industrial adjoining developments will improve the public street along Lucas Street.</li> <li>- A minimum 1.8 metre high solid screen fence has been conditioned to be erected between the subject development site and adjacent rear residential property to appropriately screen the development from the adjoining sensitive land uses; and</li> <li>- The Alternative rear boundary setback of three (3) metres is considered appropriate as the closest dwelling to the rear is an additional 20 metres from the rear common boundary of the development.</li> </ul> <p>Therefore, the proposed development is taken to comply with Performance Outcome (PO) 24.</p>
<b>Low Impact Industry Zone Code</b>	<p><b>Performance Outcomes (PO) 7.1</b></p> <p>The proposed development partly conflicts with Acceptable Outcome (AO) 7.1 because a minimum two (2) metre width landscaping is not provided for the full length of the road frontage.</p> <p>An alternative outcome has been proposed with the development providing a 1.166 metre Landscape strip along the road frontage.</p> <p>As stated in the response to Performance Outcome (PO) 24.3 of the Low-Medium Density Residential Zone Code, the development does comply with the minimum landscaped area of 10 per cent with approximately 80 square metres of landscaping proposed and</p>



	<p>condensed to the front of the development site to enhance the street appearance.</p> <p>Therefore, the development is considered to make a positive contribution to the streetscape and is taken to comply with Performance Outcome (PO) 7.</p>
<b>Relevant Matters</b>	
<p>The proposed development was assessed against the following relevant matters:</p> <p>The development is not considered to further expand into the adjacent residential zone due to the approved development TPC/2382-1900 for a Service Industry (Sales and Service of Automotive Parts) which is an established land use on the adjoining property located further along Lucas Street within the Low-Medium Density Residential Zone.</p>	
<b>Matters raised in submissions</b>	
<p>The proposal was the subject of public notification between 20 May 2024 and 12 June 2024, in accordance with the requirements of the Planning Act 2016 and the Development Assessment Rules, and no submissions were received.</p>	
<b>Matters prescribed by regulation</b>	
<ul style="list-style-type: none"> <li>• The Rockhampton Region Planning Scheme 2015 (version 4.4);</li> <li>• Central Queensland Regional Plan 2013; and</li> <li>• The common material, being the material submitted with the application.</li> </ul>	

## RECOMMENDATION B

THAT in relation to the application for a Development Permit for a Material Change of Use for Low Impact Industry, made by JJ Kerr's Appliances Pty Ltd, located at 59 Lucas Street, Berserker, described as Lot 131 and 132 on RP601289, Council resolves to Approve the application subject to the following conditions:

### 1.0 ADMINISTRATION

- 1.1 The owner, the owner's successors in title, and any occupier of the premises is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 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) Access and Parking Works;
  - (ii) Sewerage Works;
  - (iii) Stormwater Works;
  - (iv) Roof and Allotment Drainage;
- 1.5.2 Plumbing and Drainage Works; and
- 1.5.3 Building Works:
- (i) Demolition Works; and
  - (ii) 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.
- 1.9 Lot 131 on RP601289 and Lot 132 on RP601289 must be amalgamated and registered as one lot prior to the commencement of the use.
- 1.10 All development conditions contained in this development approval about infrastructure under Chapter 4 of the *Planning Act 2016* should be read as being non-trunk infrastructure conditioned under section 145 of the *Planning Act 2016*, unless otherwise stated.
- 2.0 APPROVED PLANS AND DOCUMENTS
- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by any condition of this development approval:

<u>Plan/Document Name</u>	<u>Prepared by</u>	<u>Date</u>	<u>Reference No.</u>	<u>Version/ Issue</u>
3D View	Dezignelements	29 April 2024	23_252 / S-01	-
3D View	Dezignelements	29 April 2024	23_252 / S-02	-
3D View	Dezignelements	29 April 2024	23_252 / S-03	-
Site Plan	Dezignelements	29 April 2024	23_252 / S-04	-
Proposed Floor Plan	Dezignelements	29 April 2024	23_252 / S-05	-
Elevations	Dezignelements	29 April 2024	23_252 / S-06	-
Elevations	Dezignelements	29 April 2024	23_252 / S-07	-
Stormwater Management Plan	Hartecs Group	25 March 2024	PRJ-0437	1

- 2.2 Where there is any conflict between the conditions of this development approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.
- 3.0 ROAD WORKS
- 3.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works on for the development site.
- 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*, relevant *Australian Standards* and the provisions of a Development Permit for Operational Works (road works).
- 3.3 A concrete pathway must be provided along Lucas Street, for the full frontage of the development site. The construction must extend and connect from the existing adjacent concrete pathways on Lucas Street.
- 4.0 ACCESS AND PARKING WORKS
- 4.1 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.
- 4.2 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).
- 4.3 All access, parking and vehicle manoeuvring areas must be paved or sealed to Council's satisfaction.
- 4.4 The existing access to the development located at south-eastern corner must be removed.
- 4.5 A new access to the development must be provided from Lucas Street.
- 4.6 Any redundant vehicular crossovers must be replaced by Council standard kerb and channel.
- 4.7 All vehicles must ingress and egress the development in a forward gear.
- 4.8 A minimum of one (1) metre setback must be provided from the access driveway to any street signage, power poles, streetlights, access chambers, stormwater gully pits or other Council asset.
- 4.9 A minimum of four (4) parking spaces must be provided on-site.
- 4.10 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).
- 4.11 Any application for a Development Permit for Operational Works (access and parking works) must be accompanied by detailed and scaled plans, which demonstrate the turning movements/swept paths of the largest vehicle (Medium Rigid Vehicle – 8.8 metres) to access the development site including refuse collection vehicles.
- 4.12 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"*.
- 4.13 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"*.
- 4.14 Medium Rigid Vehicles (8.8 metres in length) or smaller vehicles must be used to

supply and remove goods or services to and from the proposed development.

Note: Large Vehicles other than Medium Rigid Vehicles (8.8 metres in length) are restricted to the development site.

#### 5.0 SEWERAGE WORKS

5.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the development site.

5.2 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, Plumbing and Drainage Act 2018* and the provisions of a Development Permit for Operational Works (sewerage works).

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

5.4 The existing combined line located within the development site must be upgraded to standard sewerage infrastructure (150 millimetre sewerage main) and terminated at the access chamber on the eastern boundary of Lot 131 on RP601289.

Note: The upgrade must be from the existing access chamber located within the neighbouring allotment (Lot 137 on SP259322).

5.5 Owners consent must be obtained from adjoining property owners (Lot 131 RP601289 and Lot 137 on SP259322) prior to the commencement of any sewerage works required by this development approval.

5.6 The existing sewerage connection point(s) must be disconnected, and a new connection point must be provided to the development site from sewerage infrastructure to be constructed in accordance with condition 5.4.

Note: the new sewerage connection point must be located a minimum of one (1) metre clear of the proposed structure.

5.7 The upgraded sewerage infrastructure (sewerage main and access chamber) must be located a minimum of two (2) metres clear of the proposed structure.

5.8 The sewerage service to the existing building located within the neighbouring allotment (Lots 129 - 130 on SP601289) must be maintained throughout the development.

5.9 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.

5.10 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.

5.11 Sewerage trade waste permits must be obtained for the discharge of any non-domestic waste into Council's reticulated sewerage network. Arrestor traps must be provided where commercial or non-domestic waste is proposed to be discharged into the sewer system.

#### 6.0 PLUMBING AND DRAINAGE WORKS

6.1 A Development Permit for Plumbing and Drainage Works must be obtained for the removal and/or demolition of any existing structure on the development site.

6.2 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.

6.3 The development must be connected to Council's reticulated water networks.

6.4 The existing water connection point(s) must be retained, and upgraded if necessary,

to service the development.

- 6.5 A fire hydrant must be installed on the existing water infrastructure located within the Lucas Street, fronting the development site.

#### 7.0 STORMWATER WORKS

- 7.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the development site.

- 7.2 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).

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

- 7.4 The development must not increase peak stormwater runoff for a selected range of storm events up to and including a one percent (1%) Annual Exceedance Probability defined storm event, for the post development condition.

#### 8.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 8.1 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.

- 8.2 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).

- 8.3 All the roof drainage pipes (downpipes) from the proposed structure must be connected to a rainwater tank which is used as the detention system.

- 8.4 All the roof drainage system (downpipes and gutters) for the proposed building / shed must be designed to accommodate the one percent (1%) Annual Exceedance Probability defined storm event flow.

#### 9.0 SITE WORKS

- 9.1 All earthworks must be undertaken in accordance with Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments".

- 9.2 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.

#### 10.0 BUILDING WORKS

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

- 10.2 The existing dwelling on the subject land must be demolished and a Development Permit for Building Works (demolition) must be obtained prior to the commencement of demolition works on the development site.

- 10.3 All building works for Class 2 to Class 9 buildings must be undertaken in accordance with "*Queensland Development Code, Mandatory Part 1.4 for building over or near relevant infrastructure*".

- 10.4 Any building plant must be screened from view of the street by one or more of the

- following:
- 10.4.1 a solid screen fence, or
  - 10.4.2 a roof design feature; or
  - 10.4.3 a wall; or
  - 10.4.4 dense vegetation; or
  - 10.4.5 be located within or behind the building so as to not be visible from the street.
- 10.5 The external wall of the structure fronting east must be:
- 10.5.1 articulated so that it does not exceed a length of fifteen (15) metres without a change in plane of at least 0.75 metre depth; or
  - 10.5.2 painted with at least two colours, each of which covers at least ten (10) per cent of total exterior wall area; or
  - 10.5.3 covered with at least two (2) different types of cladding material, each of which covers at least ten (10) per cent of total exterior wall area.
- 10.6 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"*.
- 10.7 Impervious paved waste storage area/s must be provided in accordance with the approved plans (refer to condition 2.1) and the *Environmental Protection Regulation 2019* and must be:
- 10.7.1 designed and located so as not to cause a nuisance to neighbouring properties;
  - 10.7.2 surrounded by at least a 1.8 metre high screen fence that obstructs from view the contents of the waste storage area by any member of the public from any public place;
  - 10.7.3 of a sufficient size to accommodate commercial type bins that will be serviced by a commercial contractor plus clearances around the bins for manoeuvring and cleaning;
  - 10.7.4 setback a minimum of two (2) metres from any road frontage; and
  - 10.7.5 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*.
- Note: 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.
- 10.8 A minimum 1.8 metre high solid screen fence must be erected between the subject development site and adjacent rear residential property of the development. The fence must be constructed of materials and finishes that are aesthetically pleasing and commensurate with the surrounding residential area.
- 10.9 A minimum 1.8 metre high screen fence must be erected between the subject development site and adjacent properties to the east and west of the development.
- 11.0 LANDSCAPING WORKS
- 11.1 Landscaping must be constructed and/or established prior to the commencement of the use in all areas shown on the approved plans (refer to condition 2.1).

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- 11.2 Landscaping must be designed in accordance with the requirements of *Australian Standard AS 1428 — Design for access and mobility*.
- 11.3 Planting types used within the landscaping areas (refer to condition 2.1) must include either trees, shrubs or groundcovers, or any combination of these planting types. These plantings must be established and maintained generally at the following density rates:
- 11.3.1 trees at five (5) metre intervals;
  - 11.3.2 shrubs at two (2) metre intervals; and
  - 11.3.3 groundcovers at one (1) metre intervals.
- 11.4 At least fifty (50) per cent of all new plantings within the landscaping areas (refer to condition 2.1) must be locally native species with low water dependency and must comply with the following requirements:
- 11.4.1 Plant species are chosen from sources recommended in *Planning Scheme Policy SC6.12 – Landscape Design and Street Trees Planning Scheme Policy*; and
  - 11.4.2 Plant species must not include undesirable species identified in *Planning Scheme Policy SC6.12 – Landscape Design and Street Trees Planning Scheme Policy*.
- 11.5 One (1) shade tree within the car parking area is to be provided and planted within a deep natural ground/structured soil garden bed/island/bay and protected by wheel stops or bollards as required.
- 11.6 The shade tree must have a clean trunk with a minimum height of two (2) metres.
- 11.7 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.
- 11.8 Landscaping, or any part thereof, upon reaching full maturity, must not:
- 11.8.1 obstruct sight visibility zones as defined in the Austroads ‘Guide to Traffic Engineering Practice’ series of publications;
  - 11.8.2 adversely affect any road lighting or public space lighting; or
  - 11.8.3 adversely affect any Council infrastructure, or public utility plant.
- 11.9 The landscaped areas must be subject to:
- 11.9.1 a watering and maintenance plan during the establishment moment; and
  - 11.9.2 an ongoing maintenance and replanting programme.
- 11.10 Council approval must be obtained prior to the removal of or interference with the existing street tree located on Council land, fronting the development site.
- 12.0 **ELECTRICITY**
- 12.1 Underground electricity services must be provided in accordance with the standards and requirements of the relevant service provider. Alternatively overhead electricity service connection may be approved where:
- 12.1.1 overhead electricity reticulation is established;
  - 12.1.2 no new poles within the road reserve are required to service the development;
  - 12.1.3 overhead service connection does not cross a road; and
  - 12.1.4 overhead service connection does not cross the development site (a premises), other than the premises being serviced.
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### 13.0 TELECOMMUNICATIONS

- 13.1 Telecommunications services must be provided to the development in accordance with the standards and requirements of the relevant service provider.

### 14.0 ASSET MANAGEMENT

- 14.1 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.
- 14.2 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.
- 14.3 '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).

### 15.0 ENVIRONMENTAL

- 15.1 An Erosion Control and Stormwater Control Management Plan prepared and certified by suitably qualified person (*Certified Professional in Erosion and Sediment Control or a Registered Professional Engineer of Queensland*) in accordance with the *Capricorn Municipal Design Guidelines* and *State Planning Policy 2017* must be:
- 15.1.1 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); and
- 15.1.2 available on-site for inspection by Council Officers whilst all works are being carried out.

### 16.0 OPERATING PROCEDURES

- 16.1 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 Lucas Street.
- 16.2 Operations on the development site must have no significant impact as determined by Council on the amenity of adjoining premises or the surrounding area due to the emission of light, noise, odour or dust.
- 16.3 When requested by Council, noise monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance as determined by Council caused by noise. The monitoring data, an analysis of the data and a report, including noise mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation. Council may require any noise mitigation measures identified in the assessment to be implemented within appropriate timeframes. Noise measurements must be compared with the acoustic quality objectives specified in the most recent edition of the *Environmental Protection (Noise) Policy 2019*.
- 16.4 Regulated waste and any other waste must not be released to the environment, stored, transferred or disposed of in such a manner that it will or may cause environmental harm or nuisance. This includes any waste being burnt or incinerated at the premises.
- 16.5 All traceable regulated waste must be removed from the premises by a licensed regulated waste transporter.
-



- 16.6 Where regulated waste is removed from the premises, records must be maintained for a period of five (5) years, and include the following:
- 16.6.1 the date, quantity and type of waste removed;
  - 16.6.2 a copy of any licensed waste transport vehicle docket;
  - 16.6.3 the name of the licensed regulated waste removalist and/or disposal operator; and
  - 16.6.4 the intended treatment and/or disposal destination of the waste.
- These records must be available for inspection by Council when requested.
- 16.7 No metal surface coating will be permitted other than the following:
- 16.7.1 Brushed finishes achieved by a hand brush with bristles; and/or
  - 16.7.2 Using hand held aerosol cans where the can and spray device forms one disposable unit and the can holds less than one (1) litre of product.
- 16.8 The workshop must have an impervious floor that is adequately bunded and drains to a holding tank or the sewer through an approved oil interceptor/separation system.
- 16.9 No washing of plant equipment and vehicles is permitted on the development site unless an approved washdown bay is built to prevent contamination of land and the stormwater system.
- 16.10 The hours of operations for the development site must be limited to:
- (i) 0700 hours to 2200 hours.
- 16.11 The loading and/or unloading of waste collection vehicles must be limited to be outside of the standard business operating hours.
- 16.12 All waste storage areas must be:
- 16.12.1 kept in a clean and tidy condition; and
  - 16.12.2 maintained in accordance with *Environmental Protection Regulation 2019*.

### ADVISORY NOTES

#### NOTE 1. Aboriginal Cultural Heritage

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

#### NOTE 2. Asbestos Removal

Any demolition and/or removal works involving asbestos materials must be undertaken in accordance with the requirements of the *Work Health and Safety Act 2011* and *Public Health Act 2005*.

#### NOTE 3. General Environmental Duty

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

**NOTE 4. 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 5. Licensable Activities**

Should an activity licensable by Rockhampton Regional Council be proposed for the development site, Council's Environment and Public Health Unit must be consulted to determine whether any approvals are required. Such activities may include food preparation, storage of dangerous goods or environmentally relevant activities. Approval for such activities is required before 'fit out' and operation.

**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.

**NOTE 7. Rating Category**

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

**NOTE 8. Advertising Devices**

Any Advertising device associated with or attached to the development must be carried out in accordance with Council's Planning Scheme.

**BACKGROUND****SITE AND LOCALITY**

The site is located at 59 Lucas Street, Berserker, formally described as Lot 131 and 132 on RP601289, is rectangular shaped lots and has a total site area of 818 square metres. The site is improved with a single dwelling house that is bound by a commercial use to the west and industrial use to the east.

The subject site is immediately bound by:

- North – Low-Medium Density Residential Zone and two (2) single dwellings
- East – Low-Medium Density Residential Zone and an established Service Industry (Sales and Service of Automotive Parts)
- South – Lucas Street (Urban Access Street), beyond that is the Specialised Centre Zone and Musgrave Street Precinct – Mixed Use Sub-Precinct with an established Service Industry and Motor Vehicle Workshop (CQ Mechanical) and Outdoor Sales (Coats Hire)
- West – Specialised Centre Zone and Musgrave Street Precinct – Mixed Use Sub-Precinct with an established Showroom and Warehouse (Bi-Rite Home Appliances).

The wider area is characterised by a mix of residential and non-residential development.

**PROPOSAL**

The Applicant seeks a Development Permit for a Material Change of Use for Low Impact Industry over the subject site.

Specifically, the proposal is to establish low impact industry use. Notable components of the proposal include:

- 330 square metre commercial/industrial structure that will consist of:

- 63 square metre front of house, office/staff room and amenities; and
- 267 square metre workshop.
- Four (4) onsite carparks, including two (2) parking with disability carparks; and
- Landscaping within the front portion of the development along the street frontage and side boundary setbacks.

The structure will be setback approximately 14 metres from the Lucas Street road boundary to allow for three (3) on-site carparks and landscaping with a three (3) metre setback from the rear boundary allowing for an additional one (1) or two (2) tandem staff car parks. The built form will have a total height of six (6) metres and designed to be in keeping with similar developments within Luas Street.

As the development is not purpose built the hours of operation and limiting operating procedures have been conditioned.

## **PLANNING ASSESSMENT**

### **MATTERS FOR CONSIDERATION**

This application has been assessed by relevant Council planning, engineering, environmental health, and other technical officers as required. The assessment has been in accordance with the assessment process provisions of the Development Assessment Rules, based on consideration of the relevant State Planning Policy; State Government guidelines; the Council's Town Planning Scheme, Planning Policies and other general policies and procedures, as well as other documents as considered relevant.

### **TOWN PLANNING COMMENTS**

#### **State Planning Policy 2017**

Section 2.1 of Rockhampton Region Planning Scheme 2015 noted the State Planning Policy 2017 is integrated in the planning scheme. The State planning interests are therefore addressed as part of this assessment of the development against the Rockhampton Region Planning Scheme 2015.

#### **Central Queensland Regional Plan 2013**

The Central Queensland Regional Plan 2013 is a statutory document which came into effect on 18 October 2013. The Regional Plan is identified as being appropriately integrated with the Planning Scheme and therefore an assessment against the Planning Scheme is taken to be an assessment against the Central Queensland Regional Plan 2013.

#### **Rockhampton Region Planning Scheme 2015**

##### **Strategic framework**

The subject site is situated within the **Specialised Centres** designation under the scheme's strategic framework map. The strategic framework themes and their strategic outcomes, as identified within Part 3 of the Rockhampton Region Planning Scheme 2015 are applicable:

- Settlement Pattern
- Natural Environment and Hazards
- Community Identity diversity
- Access and Mobility
- Infrastructure and Services
- Natural Resources and Economic Development

An assessment of the proposal identifies that the development presents conflicts with elements of the Strategic Framework. An assessment against the Strategic Framework is contained in the Statement of Reasons in **Recommendation A** of this report.

### Low-Medium Residential Zone

The subject site is situated within the Low-Medium Residential Zone under the Rockhampton Region Planning Scheme 2015. The purpose of the Low-Medium Residential Zone identifies that: -

- (1) *The purpose of the low-medium density residential zone code is to:*
  - (a) *provide locations preferred for the consolidation of a range and mix of dwelling types developed at low-medium densities in the planning scheme area;*
  - (b) *minimise land use conflict and ensure that uses supporting low-medium density development predominantly develop in the zone; and*
  - (c) *ensure that development within the zone has appropriate standards of infrastructure and essential services.*
- (2) *The purposes of the zone will be achieved through the following overall outcomes:*
  - (a) *development provides for dwellings, dual occupancies and multiple dwellings being generally a low to medium-rise built form (up to three (3) storeys in building height) and low-medium density;*
  - (b) *infill development and greenfield areas are developed in a manner that makes efficient use of land and can provide for the development of a range and mix of accommodation and residential types;*
  - (c) ***non-residential uses only occur within the zone where they:***
    - (i) ***do not compromise the residential character and existing amenity of the surrounding area;***
    - (ii) ***are small-scale and consistent with the surrounding urban form;***
    - (iii) ***primarily function to service the needs of the immediate local residential community;***
    - (iv) ***do not detract from the role and function of centres;***
    - (v) ***do not result in the expansion of a centre zone;***
    - (vi) ***have direct access to higher order roads (minor urban collector or higher); and***

**Editor's note—To remove any doubt a centre zone includes specialised centres**

- (vii) *provide for uses along Albert Street that can demonstrate a dependence on having a highway passing trade;*
- (d) *development for an office is limited in scale (200 square metres gross floor area) to ensure the primacy of the principal centre and involves the reuse of an existing building to promote renewal;*
- (e) *new proposed centres within greenfield areas are not intended to accommodate full-line supermarkets;*
- (f) *with the exception of a local centre at North Parkhurst (along William Palfrey Road on Lot 5 SP238731), no other neighbourhood or local centres are required within the low-medium density residential zone;*
- (g) *short-term accommodation, rooming accommodation and tourist parks occur where there is access to public transport and higher order roads (minor urban collector or higher);*
- (h) *development has a built form that creates an attractive and pedestrian oriented streetscape and is integrated with nearby centres, community facilities, open space and recreation facilities via pathways, cycle ways, roads and public transport infrastructure commensurate with the needs of the use;*

- (i) *development maximises opportunities for surveillance, activation of street fronts, integration with surrounding streetscapes, and presents an attractive appearance to the street with variations in built form, shape and colour;*
- (j) *development maintains a high level of residential amenity having regard to traffic, noise, dust, odour, lighting and other locally specific impacts;*
- (k) *new residential developments are not located in proximity to existing incompatible uses such as rural uses, industry uses and major community facilities without separation distances, buffering, landscaping and screening that minimise a loss of amenity in relation to noise, odour, dust, light, loss of privacy or other adverse impacts;*
- (l) *new residential developments are located and integrated with existing neighbourhoods and in proximity to existing community infrastructure;*
- (m) *development is sited and designed to respond to the region's climate (sustainable practices for maximising energy efficiency, water conservation and public/active transport use), local heritage features, natural landscape features and environmental constraints; and*
- (n) *development is serviced by infrastructure that is commensurate with the needs of the use.*

An assessment has been made against the requirements of the Low-Medium Residential Zone purpose and the proposed development generally complies. Where the application is in conflict, an assessment of the Strategic Framework is contained in the Statement of Reasons in Recommendation A of this report.

### **Rockhampton Regional Planning Scheme Codes**

The following codes are applicable to this application:

- Specialised Centre Zone Code;
- Low-Medium Density Residential Zone Code;
- Low Impact Industry Zone Code;
- Access, Parking and Transport Code;
- Landscape Code;
- Stormwater Management Code;
- Waste Management Code;
- Water and Sewer Code; and
- Airport Environs Overlay Code.

An assessment has been made against the requirements of the abovementioned codes and the proposed development generally complies with the relevant Performance Outcomes and Acceptable Outcomes. Where the application is in conflict with the Acceptable Outcomes and is not otherwise conditioned to comply an assessment of the Performance Outcomes is contained in the Statement of Reasons in **Recommendation A** of this report.

### **INFRASTRUCTURE CHARGES**

Charges Resolution (No. 1) of 2022 for **non-residential development** applies to the application. The Infrastructure Charges are as follows:

- (a) A charge of \$18,084.00 for Gross Floor Area being 330 square metres (office/staff room and amenities, warehouse storage or workshop);
- (b) A charge of \$8,256.30 for Impervious Area being 754 square metres (roof area, hardstand areas, access, and parking areas); and
- (c) An Infrastructure Credit of \$30,677.65, made up as follows:

- (i) \$61,355.30 - Infrastructure Credit applicable for the existing two (2) allotments.

In accordance with section 3.1 of Charges Resolution (No.1) of 2022, the base charge will be automatically increased using the Producer Price Index (PPI), adjusted according to the three (3) yearly PPI average quarterly percentage change between financial quarters.

The calculations are reflected in the below table:

Column 1 Use Schedule	Column 1A Use	Column 2 Adopted Infrastructure Charge for non-residential development (\$)		Column 3 Calculated Charge
		(a) per m <sup>2</sup> of Gross Floor Area (GFA)	(b) per m <sup>2</sup> Impervious to Stormwater	
Other Industry	Low Impact Industry	54.80	10.95	\$26,340.30
Total Base Charge				\$26,340.30
Charge (including PPI)				\$29,340.30
Total Base Credit				\$61,355.30
Credit (including PPI)				\$68,606.73
<b>TOTAL CHARGE</b>				<b>Nil</b>

Therefore, Council resolves not to issue an Infrastructure Charges Notice for this development because the charges arising from the development are less than or equal to the credits applicable for the development.

### CONSULTATION

The proposal was the subject of public notification between 20 May 2024 and 12 June 2024, in accordance with the requirements of the Planning Act 2016 and the Development Assessment Rules, and no submissions were received.

### REFERRALS

The application was referred to the Department of State Development, Infrastructure, Local Government and Planning (State Assessment and Referral Agency Department) as a Concurrence. The Department assessed the application and provided a referral agency response with no conditions on 22 February 2024.

### CONCLUSION

THAT the proposed development is not anticipated to compromise the Strategic Framework of Rockhampton Region Planning Scheme 2015. Furthermore, the proposal generally complies with the provisions included in the applicable codes. The proposal is therefore, recommended for approval in accordance with the approved plans and subject to the conditions outlined in the recommendation.

# **D/5-2024 - MATERIAL CHANGE OF USE FOR LOW IMPACT INDUSTRY**

## **Locality Plan**

**Meeting Date: 27 August 2024**

**Attachment No: 1**





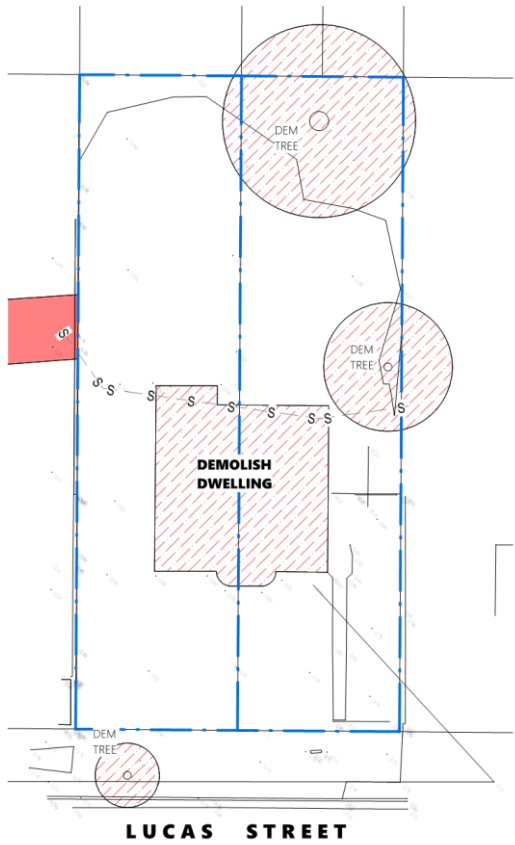


# **D/5-2024 - MATERIAL CHANGE OF USE FOR LOW IMPACT INDUSTRY**

## **Site Plan and Elevations**

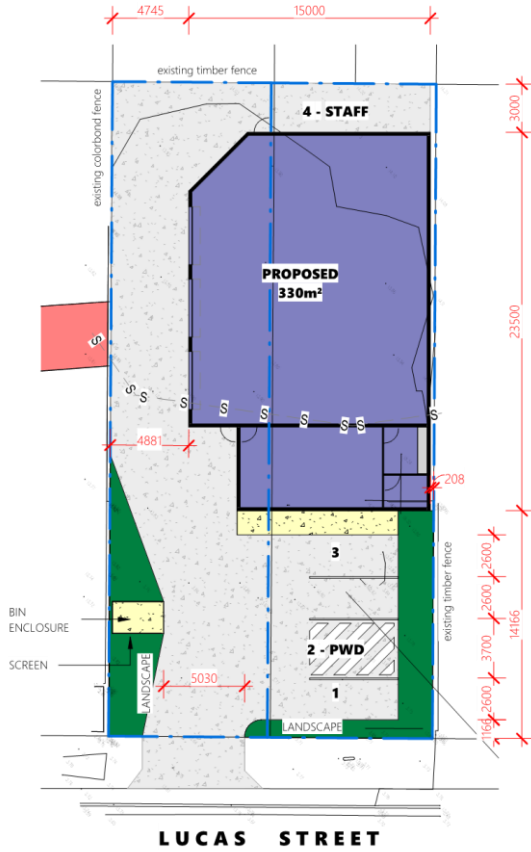
**Meeting Date: 27 August 2024**

**Attachment No: 2**



**Existing Site Plan**

1 : 250



**Proposed Site Plan**

1 : 250

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No.	Description:	Date:

**REVISIONS**

ISSUED FOR  
**PRELIMINARY**

Project:	<b>DEVELOPMENT</b>
Address:	<b>59 LUCAS STREET, BERSERKER</b>
Drawing Title:	<b>SITE PLAN</b>



0407 271 336 M  
info@dezi nelements.com.au E  
QBCC No: 1247120 BDAQ No: 0001677

Scale: 1 : 250	Rev: -
Date: DEC 2023	
Drawn: NJB	
Project No: <b>23_252</b>	Drawing No: <b>S-04</b>





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No.	Description:	Date:	<b>REVISIONS</b>

ISSUED FOR  
**PRELIMINARY**

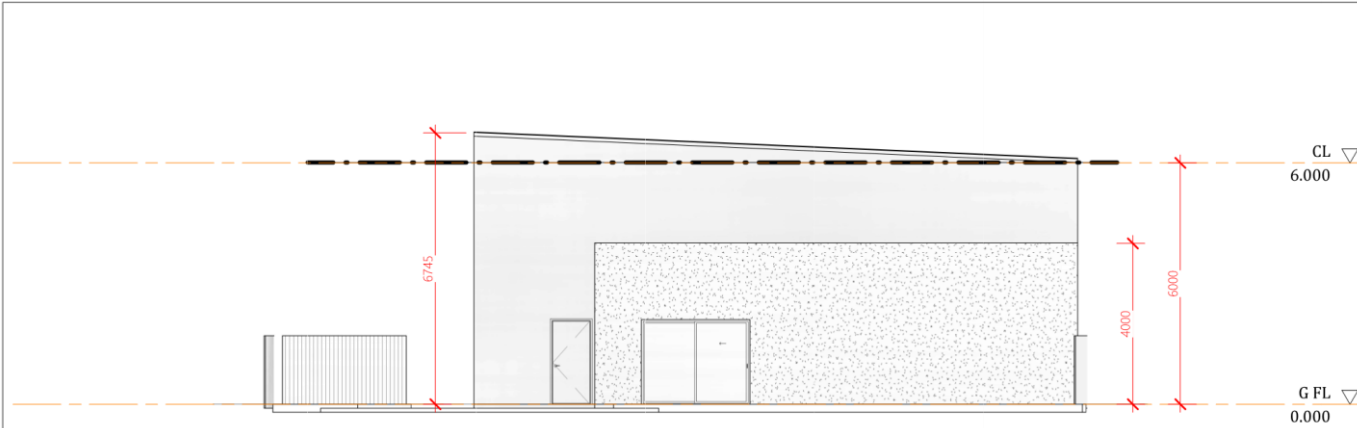
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Drawing Title:	<b>3D VIEW</b>



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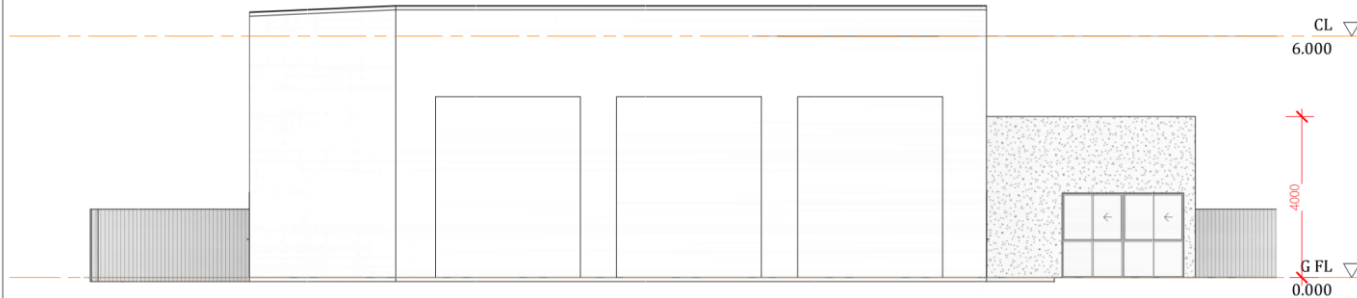
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Date: DEC 2023	-
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Project No: <b>23_252</b>	Drawing No: <b>S-03</b>

28/08/2024 8:18:43 AM



**Proposed Elevation 1**

1 : 100



**Proposed Elevation 2**

1 : 100

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No.	Description:	Date:	REVISIONS

ISSUED FOR  
**PRELIMINARY**

Project:	<b>DEVELOPMENT</b>
Address:	<b>59 LUCAS STREET, BERSERKER</b>
Drawing Title:	<b>ELEVATIONS</b>



0407 271 336 M  
info@dezi nelements.com.au E  
QBCC No: 1247120 BDAQ No: 0001677

Scale:	1 : 100	Rev:	
Date:	DEC 2023		
Drawn:	NJB		
Project No:	<b>23_252</b>	Drawing No:	<b>S-06</b>

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**11.3 PILBEAM THEATRE RENEWAL SOLE SOURCE SUPPLIER ARRANGEMENT**

**File No:** 5883  
**Attachments:** Nil  
**Authorising Officer:** Peter Kofod - General Manager Regional Services  
**Author:** Andrew Collins - Manager Project Delivery

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**SUMMARY**

*This report seeks a Council resolution to endorse the engagement of a specialised consultant as it is deemed impractical for the Council to invite quotes or tenders due to the commissions requirement to revise and update designs previously submitted to Council.*

**OFFICER'S RECOMMENDATION**

THAT pursuant to s235 (b) of the *Local Government Regulation 2012*, Council approves the engagement of Architectus/Conrad Gargett to revise and update the Concept Plans on the Rockhampton Performing Arts & Convention Centre Project.

**COMMENTARY**

In late 2019 Council commissioned Conrad Gargett to development conceptual designs, cost plans and business case inputs for redevelopment scenarios of the Pilbeam Theatre Complex. This engagement was established through a Public Tender process.

The resulting vision and concept designs and preliminary feasibility for a new Rockhampton Performing Arts and Convention Centre (RPACC) was presented at a Councillor workshop on 18 November 2020.

Sometime has now passed since the designs were presented to Council, given the declining condition of the Pilbeam Theatre, the significant rise in construction costs post COVID-19, and competing major infrastructure projects vying for Council funding, it is now essential to revisit our design options.

The Designer Architectus/Conrad Gargett (now merged) in collaboration with Council input will revisit the design options that were developed for the initial concept.

The process of updating and revising the originally developed concept designs will be approached with a lens that carefully balances artistic expression, functionality, and, most importantly, cost-effectiveness.

A Performing Arts Centre & Convention Centre by its very nature often require an overstated design to captivate and inspire and draw in audiences, making the venue a landmark. That has been achieved with the concept design developed by the designer. The challenge is now to make it more affordable.

The main influencing factor in construction costs are the size and scale of a project. The re-commission with this specialised consultant will involve assessing spatial requirements in relation to essential functions versus desired features and evaluating their impact. In the current construction market this will be the only way to make the project more affordable.

It is important that we re-engage with Architectus/Conrad Gargett who carried out the original concept design to ensure continuity, consistency and efficiency. This will also help maintain the integrity and design intent of the information gathered and work completed to date.

**BACKGROUND**

The Pilbeam Theatre is approximately 44 years old with a number of the building services and building fabrics having either reached or are beginning to reach the end of their serviceable life. Council in the 24/25 & 25/26 FY capital budgets have allocated funding to facilitate repairs to the air conditioning system, to address leaking roof issues and to address pedestrian safety and delivery access functions for the Theatre relative to the carpark.

This initiative aims to extend the facility's operational lifespan by an additional 7-10 years.

The strategy moving forward once a Detailed Business Case is developed as the next logical stage would be to advocate for funding to progress the design and construction of a new facility.

Once funding is secured, it is planned to advance the new Performing Arts Centre and Convention Centre detailed designs and procure construction services to have the project completed within the projected ten-year timeframe.

**PREVIOUS DECISIONS**

No formal resolution previously taken by Council on the Project.

**BUDGET IMPLICATIONS**

Council have allocated \$500,000 in the 24/25 FY capital budget for the Pilbeam Theatre Redevelopment. This current engagement is estimated to be at \$20,000.

**LEGISLATIVE CONTEXT**

Under Section 235, Other Exceptions, of the Local Government Regulation 2012:

*"A local government may enter into a medium-sized contractual arrangement or large sized contractual arrangement without first inviting written quotes or tenders if –*

*b) the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders; or"*

**LEGAL IMPLICATIONS**

No legal implication is known or is anticipated with this work package.

**STAFFING IMPLICATIONS**

This work package will be managed with Project Delivery Section.

**RISK ASSESSMENT**

The main risks if we were not to proceed as detailed in this report would be detrimental impact to the current design intent and loss of the value that has been expended to date.

**CORPORATE/OPERATIONAL PLAN**

This project is linked to the goals detailed in the 2024-2025 Operational Plan.

GOAL 2.1 Our places and spaces enhance the live ability and diversity of our communities

GOAL 2.2 We support our communities through our activities and programs

GOAL 2.3 Our Region's heritage and culture are preserved and celebrated

GOAL 5.1 Our Region has infrastructure that meets current and future needs

The task outlined in this report correspond directly to Action item number 5.1.2.3, titled *"Update Pilbeam Theatre Redevelopment Concept Design"* as specified in the 2024-2025 Operational Plan.

**CONCLUSION**

It is recommended Council approve the continued use of Architectus / Conrad Gargett as a specialised consultant to update and revise Concept designs previously developed by them and presented to Council. This engagement to be made in accordance with Section 235(b) of the *Local Government Regulation 2012* and detailed in this report.

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**11.4 RISK REGISTERS QUARTERLY UPDATE AS AT 19 JULY 2024**

<b>File No:</b>	<b>8780</b>
<b>Attachments:</b>	<ol style="list-style-type: none"><li><b>1. Corporate Risk Register - Quarterly Update as at 19 July 2024 (including Risk Calculator)</b><a href="#">↓</a></li><li><b>2. Operational Risk Register - Quarterly Update as at 19 July 2024</b><a href="#">↓</a></li><li><b>3. Control Effectiveness Ratings</b><a href="#">↓</a></li></ol>
<b>Authorising Officer:</b>	<b>Ross Cheesman - Deputy Chief Executive Officer</b>
<b>Author:</b>	<b>Kisane Ramm - Senior Risk and Assurance Advisor</b>

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**SUMMARY**

*Submission of the quarterly risk register updates, as at 19 July 2024, for adoption by Council.*

**OFFICER'S RECOMMENDATION**

THAT Council adopts the quarterly risk registers, as at 19 July 2024, as updated by management.

**LEGISLATIVE CONTEXT**

*The Local government Regulation 2012, Chapter 5, s164, requires...(1) a local government must keep a written record stating (a) the risks the local government's operations are exposed to...; and (b) the control measures adopted to manage the risks.*

**CORPORATE/OPERATIONAL PLAN**

The Corporate/Operational Plans document Council's objectives and how they are to be achieved for the period in which the Plan covers.

Council's commitment to risk management is outlined in the Enterprise Risk Management Framework and the Enterprise Risk Management Policy.

The 2024-2025 Operational Plan states that its implementation will be undertaken in accordance with the Enterprise Risk Management Process Procedure.

**COMMENTARY**

Over the years there has been a growing expectation that Councils do more in the risk management space to effectively manage their risks. Queensland Audit Office has found common risk management issues throughout Councils and recommended to Parliament that Councils should have: comprehensive risk registers that identify risk; and appropriate risk mitigation strategies.

Council's Enterprise Risk Management Framework requires management to review and update the Corporate, and Operational Risk Registers. It also provides guidance on how these are reported to Council.

The following tables highlight some of the changes made by the risk owners in this quarterly update, excluding any minor changes (eg: employee's titles, minor wording/corrections, restructures, etc).



RISK NUMBER	CHANGE	RISK OWNER
<b>Corporate Risk Register</b>		
13	Deletion of 1, and addition of 3 more, existing controls. 100% Completion of the stated Future Risk Control, and the addition of a new Future Risk Control, to be completed 30/9/24 – 90% completed	GM Community Services
<b>Operational Risk Register</b>		
301	Existing control #1 amended.	
303	Future Risk Control completion date extended from 1/4/24 to 1/12/24, and management have identified it as 50% completed	Manager Civil Operations
328	2 new Future Risk Controls added, currently identified at 5% completed with the existing completion date extended from 30/6/25 to 30/6/26.	Manager Water and Wastewater
428	Change from Accept (ALARP) to Treat. New Future Risk Control added, currently identified as 10% completed with the existing completion date as 30/11/24.	Manager Planning and Regulatory Services
432	The future risk control has been identified as 80% completed, with the completion date extended from 30/6/20 to 30/6/25.	Manager Parks
435	100% Completion of the stated Future Risk Control, and the additional of a new Future Risk Control which is 40% completed and the completion date to be 30/6/25.	Manager Parks
440	1 new Future Risk Controls added. Removal of 1 Existing Control to become a 2 <sup>nd</sup> Future Risk Control. Both currently at 50% completed and to be completed by 31/1/28	Manager Parks
P 386	2 Future Risk Controls completed and moved to Existing Controls for this project. Current Future Control #8 has had its dates pushed back from 2025 start to 2027 start. These changes have impacted on the % complete changing it from 70% to 20% and the completion dated from 1/3/24 to 31/1/27.	General Manager Regional Services
P 344	This project has reached Project Completion and will be removed from the risk register	Manager Project Delivery
P 389	Newly identified possible Causation and Existing Control. Future Risk Controls identified as 100% and therefore risk is to change from Treat to Accept (ALARP)	Manager Project Delivery
P 449	The stated Future Risk Control has been 100% completed, creating a new Existing Control. A new Future Risk Control has been identified with the completion date listed as 31/12/34. This risk has moved from Manager Communities and Culture to Manager Project Delivery	Manager Project Delivery

<b>OP RISK REG</b>		<b>CORP RISK REG</b>
<b>157</b>		<b>13</b>
<b>39</b>	<b>NUMBER OF RISKS being treated</b>	<b>3</b>
<b>85</b>	<b>LONGEST ELAPSED TIME (in months) for those being treated</b>	<b>0</b>
<b>24</b>	<b>AVERAGE ELAPSED TIME (in months) for those being treated</b>	<b>0</b>
<b>31/12/2014</b>	<b>OLDEST DATE</b>	<b>31/12/25</b>
<b>127</b>	<b># of ACCEPT (ALARP)</b>	<b>10</b>

**PREVIOUS DECISIONS**

Nil

**BUDGET/STAFFING IMPLICATIONS**

Nil

**CONCLUSION**

The risk registers, having undergone review as at 19 July 2024, conducted by the respective managers, are now presented for Council's consideration and adoption.

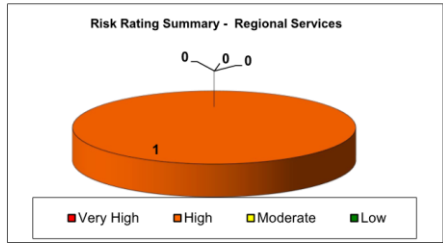
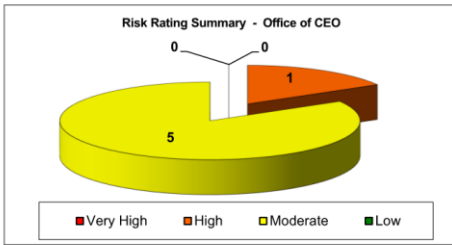
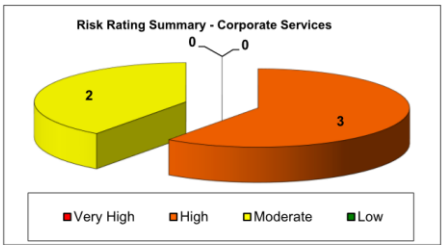
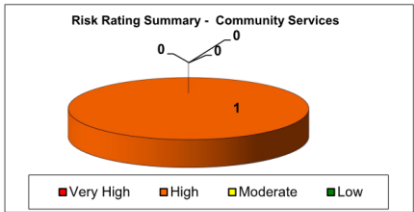
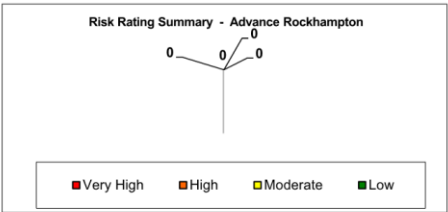
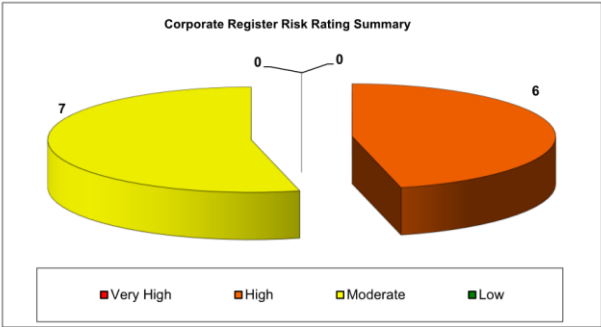
# **RISK REGISTERS QUARTERLY UPDATE AS AT 19 JULY 2024**

## **Corporate Risk Register – Quarterly Update as at 19 July 2024 (including Risk Calculator)**

**Meeting Date: 27 August 2024**

**Attachment No: 1**

### ERM RISK SUMMARY REPORT Corporate Current Risk Rating Profile as at 19/7/2024



**CORPORATE RISKS**  
Corporate Risks Requiring Further Treatment as at 19/7/2024

Risk Category	Risk Identification No.	Link to Planning (Objective)	Risk/Failure (including consequence/s)	Current Risk Rating	Future Risk Control(s)	Resources / Budget Needed	Performance / Constraints	% Complete	Completion Date	Risk Owner	Management's Comments
05. Employees	4	1.3 We are motivated to provide excellent service and have a strong organisational culture.	Ineffective workforce planning leading to potential skills gaps in the workforce, poor staff retention, decreasing staff satisfaction and welfare, higher wage costs, and failure to meet the operational needs of Council.	Moderate 6	1. Pulse Survey results analysed to gauge organisational health and any subsequent actions required (19/4/24) 2. Training needs analysis across the organisation is to regularly occur (19/4/24)	0		10%	31/12/2025	CEO	19/7/24: No change
05. Knowledge & Information Management	6	1.3 We are motivated to provide excellent service and have a strong organisational culture.	Council fails to develop, implement and maintain strategies for managing information and communications systems targeting operational management, knowledge transfer and performance improvements resulting in ineffective service delivery, negative impacts on corporate objectives, financial loss and reputational damage.	Moderate 6	(1-6) Digital Readiness Strategy actions being identified and will be implemented (21/7/23)			0%	31/12/2025	Deputy CEO	19/7/24: No change
06. Environmental	13	4.1 Our Regions is resilient and prepared to manage climate-related risks and opportunities.	Failure to appropriately prepare for, or respond to, local climate change impacts on Council's and the Community's interests resulting in: disruption to service delivery; damage to: infrastructure and assets; community; economy; environment; staff and council reputation.	High 5	(1.) Commence local implementation of the Climate Risk Management Framework for Queensland Local Government (phase 1) (12/1/24). 2. Leadership Team to endorse Council's proposed Climate Risk Management Plan (19/7/24).	0	Grant funding is required for progression of additional stages. Further resources required to support key mitigation and adaptation initiatives.	19/7/24: 90% 50%	19/7/24: 30/09/2024 30/06/2024	GM Community Services	19/7/24: Future Risk Controls: 1. Climate Risk Management Framework for Queensland Local Government (Phase 1). Is 100% completed. Add 2. Leadership Team to endorse Council's proposed Climate Risk Management Plan. ( 90%) Completion date to be extended to 30/9/24. Existing Controls: Delete 13 and add Sustainability Unit as a Control Owner Add: 17. Funding secured through to 30/6/26 to support Climate Resilient Rockhampton Region Project Facilitator role. 18. Council's Sections are identifying local climate change risks and opportunities. 19. Climate risk response measures embedded within Council's Operational Plan, associated strategies, operations, and services. Change: 8 to Corporate Emission Reduction Plan.

**CORPORATE RISKS**  
**Very High' and 'High' Current Risk Ratings as at 19/7/2024**

Risk Category	Risk Identification No.	Link to Planning (Objective)	Risk/Failure (including consequences)	Existing Controls Implemented by Risk Owner	Current Risk Rating	Risk Evaluation	Risk Owner	Management's Comments
02. Business Process Management	1	1.1 We are fiscally responsible.	Council processes and services are provided without due recognition of economy, efficiency and effectiveness (value for money) exposing Council to increased costs, loss in reputation and ratepayer confidence and impacting service delivery.	(1) Established Asset Management plans. (2) Non-priced based selection criteria included in the tender / quote assessment process to assist in the value for money assessment. (3) Tender evaluation plans with weighted selection criteria assessment that does not rely on price as having the highest weighting. (4) Capital Projects evaluation process includes whole of life cycle cost considerations. (4) Fleet asset assessment utilises a whole of life cost model as part of the acquisition and operations process. (5) Long term financial forecasts based around asset management plans adopted.	High 5	Accept Risk (ALARP)	Deputy CEO	19/7/24: No changes
05. Employees	3	1.3 We are motivated to provide excellent service and have a strong organisational culture.	Failure to maintain a safe and healthy workplace and safe systems of work resulting in: preventable incidents, illness, injury or death; non-compliance with legislative requirements; legal action; reputational damage; reduced service levels; financial impacts and increased insurance premiums.	(1) A 3 year Health and Safety Strategy is annually endorsed by Leadership Team - yearly action plans cascade out of this strategy. Conduct regular reviews of WHS Management System. (2) CEO's commitment to safety is communicated to staff via the signed and dated "Workplace Health and Safety Policy Statement". Duty statements have been developed for all levels of workers. Organisational toolkits available on the hub. Safety leadership Training delivered to all workers. (3) Councils policy/procedures implemented and regularly reviewed to reflect staff/management requirements regarding WHS Act 2011/Regs. (4,5,10) Duty statements have been developed for all levels of workers. Safe work practices & procedures discussed at pre-start meetings & toolbox talks. Site visits taking place by WHSAs - includes reviews of SWMS used on site and providing instruction/guidance where needed/requested. (5) Senior Safety Advisors embedded within departments to provide direct coaching and mentoring to staff. (6) Risk assessments are captured in the Operational Safety Risk Registers which is regularly reviewed & discussed at safety committee meetings for effectiveness. (7) Incident reports and inspections are reported on and where approved investigations are completed to improve compliance. Timeframes are monitored for investigation completion rate. Implementation of the Rectification Action Plan (RAP) from audits. Riskware (software) now fully implemented and supports monitoring and reporting of hazards, incidents and rectification actions. (8) Legislation interpretation conducted in consultation with all WHS Team members. Where issues with interpretation arise external assistance is requested from competent persons (regulators). (9) Zero tolerance philosophy in regard to bullying and harassment in accordance with adopted and implemented Council policy and procedures. (10,5) Workplace Hazard Inspection program implemented and actions assigned in Riskware. (11) Corporate Rehabilitation Policy has been developed by LGW and is displayed on Notice Boards. Procedures developed by and adopted from LGW. Review and assess on a case by case basis to achieve improved injury management techniques.	High 4	Accept Risk (ALARP)	DCEO	19/7/24: No changes
04. Disaster, Business Continuity, & Disaster Recovery	8	1.1 We are fiscally responsible.	Identified Disaster Mitigation Strategies not actioned resulting in increased impact/effect of disaster events on the community and potential for increased costs to Council in recovery and restoration costs.	(2) Identified disaster mitigation strategies implemented where possible within disaster management budget. (2) Appropriate funding opportunities identified and sourced to implement identified disaster mitigation strategies. 19/2/16: (1) Disaster mitigation strategies reviewed and reported on annually. (2) Forward works program for disaster mitigation strategies developed and considered through Council's Capital Project budget evaluation by 1 July each year. (2) Funding is pursued under Natural Disaster Relief, or similar program, if and when State Government make the funding available.	High 5	Accept Risk (ALARP)	GM Regional Services	19/7/24: No changes
08. Fiscal Environment	9	1.1 We are fiscally responsible.	Council's financial operations fail to support and sustain Council's service provision, financial sustainability and the community's expectations resulting in revenue shortfalls, increased debt, reduced service levels, loss of reputation and community discontent.	(1) Council's Long Term Financial Forecast includes forecasts from asset management plans. (2) Long Term Financial Forecasts are reviewed annually. (3) Asset Management Plans reviewed regularly. (4) Finance staff are adequately qualified as per the respective Position Descriptions. (5) Council lobbies other levels of government for appropriate grants and subsidies. (5) Council financially operates in a surplus position. (6) Financial controls are monitored. Finance also works closely with Internal and External Audit in regards to internal controls. (7) Project Delivery procedure developed. (8) Regular credit reviews undertaken by Qld Treasury Corporation (23/10/20). (9) Monthly budget reviews (23/10/20).	High 5	Accept Risk (ALARP)	Deputy CEO	19/7/24: No changes

Risk Category	Risk Identification No.	Link to Planning (Objective)	Risk/Failure (including consequence/s)	Existing Controls Implemented By Risk Owner	Current Risk Rating	Risk Evaluation	Risk Owner	Management's Comments
10. Legal, Regulatory & Compliance	10	1.3 We are motivated to provide excellent service and have a strong organisational culture.	Actions of Council, Councillors or employees that fail to meet the standards of behaviour outlined in the Local Government Act and other Legislation, Council's Code of Conduct and other associated policies or procedures resulting in damage to Council's reputation, complaints, investigations, financial losses and regulatory breaches against Council or individuals.	(1-4) Policy implemented. (3) Controls within Local Government Act and policy. (2-3) Training in obligations undertaken. 30/1/15: (4) Management's ongoing review/update of authorisations and delegations (including signing of correspondence) 2/10/15: (1) Fraud and Corruption risk assessment undertaken annually by managers. 19/2/16: (5) Complaints Management Process adopted by Council. (5) Industrial Relations and Investigations Unit investigate and monitor administrative action complaints. (2, 4, 3) Councillors and staff are regularly reminded of obligations under LGA and Council's Code of Conduct along with other relevant legislation and policies.	High 4	Accept Risk (ALARP)	CEO	19/7/24: No change
06: Environmental	13	4.1 Our Regions is resilient and prepared to manage climate-related risks and opportunities.	Failure to appropriately prepare for, or respond to, local climate change impacts on Council's and the Community's interests resulting in: disruption to service delivery; damage to: infrastructure and assets; community, economy, environment; staff and council reputation.	1. Operational Plan. 2. Sustainability Strategy. 3. Waste Strategy. 4. Increased budget for Tree Canopy. 5. Fleet Acquisition Policy. 6. Planning Scheme. 7. Disaster Management Plan. 8. <del>Energy Action Plan</del> Corporate Emission Reduction Plan. 9. Clean Growth Choices. 10. Purchasing Policy. 11. Bringing Back Nature Program. 12. Queensland Climate Resilient Council's Program. 13. <del>Sustainability Unit established within Council who work with staff to identify local climate change risks and opportunities and embed response measure within Council's Operational Plan, associated strategies and normal operating activities.</del> 14. Managers and key decision makers have ready access to climate change related information and resources. 15. Current legislative requirements are monitored. 16. Emerging national and state strategic frameworks are recognised, and best practice guidance is considered. 17. Funding secured through to 30/6/26 to support Climate Resilient Rockhampton Region Project Facilitator role. 18. Council's Sections are identifying local climate change risks and opportunities (19/7/24). 19. Climate risk response measures embedded within Council's Operational Plan, associated strategies, operations, and services (19/7/24).	High 5	Treat Risk	GM Community Services	19/7/24: Future Risk Controls: 1. Climate Risk Management Framework for Queensland Local Government (Phase 1). Is 100% completed. Add 2. Leadership Team to endorse Council's proposed Climate Risk Management Plan. ( 90%) Completion date to be extended to 30/9/24. Existing Controls: Delete 13 and add Sustainability Unit as a Control Owner Add: 17. Funding secured through to 30/6/26 to support Climate Resilient Rockhampton Region Project Facilitator role. 18. Council's Sections are identifying local climate change risks and opportunities. 19. Climate risk response measures embedded within Council's Operational Plan, associated strategies, operations, and services. Change: 8 to Corporate Emission Reduction Plan.

Appendix A – Rockhampton Regional Council - Risk Calculator and Tables Diagram

Action Table  
(Risk Criteria)

Risk Rating	Action Required
Red = Very High (1-3)	<p>Employees to escalate to Risk Owners (Managers) and Risk Owner to immediately advise Leadership Team/CEO.</p> <p>Requires ongoing executive level oversight. The level of risk warrants that all possible mitigation measures be analysed in order to bring about a reduction in exposure.</p> <p><b>For Safety Risks – Don't proceed any further</b> Workers are to take immediate action as outlined in the WH&amp;S Risk Management Procedure</p>
Orange = High (3-5)	<p>Employees to immediately escalate to Risk Owners (Managers) and Risk Owner to escalate to General Manager.</p> <p>The level of risk is likely to endanger capability and should be reduced through risk reduction strategies where possible. Risk Owners to detail risk treatment action plans and resources required as necessary.</p> <p><b>For Safety Risks – Don't proceed any further</b> Prioritised action required by workers as outlined in the WH&amp;S Risk Management Procedure</p>
Yellow = Moderate (5-7)	<p>Employees to immediately escalate to Risk Owners (Managers) and Risk Owner to advise General Manager.</p> <p>This level of risk should not automatically be accepted when evaluated but rather a cost-benefit analysis is required to determine if treatment is required.</p> <p><b>For Safety Risks</b> Planned action by workers to be taken as outlined in the WH&amp;S Risk Management Procedure</p>
Green = Low (7-9)	<p>Employees to advise Risk Owners.</p> <p>Manage by routine procedures. Monitor trends.</p> <p><b>For Safety Risks</b> Workers are to action by routine procedures as outlined in the WH&amp;S Risk Management Procedure</p>

Consequence Table, and  
(Potential Exposure Table)

CONSEQUENCE DESCRIPTORS (Detrimental in black and Beneficial in red)						
Consequence →		1.	2.	3.	4.	5.
Potential Exposure →		(1. Insignificant)	(2. Minor)	(3. Moderate)	(4. Major)	(5. Catastrophic)
CONSEQUENCE CATEGORIES	Community Relationships	Occasional local negative publicity. Council policy has low impact on community.  <i>Negligible improvement to image and reputation in a few areas of Council.</i>	Periodic, local negative publicity arising from short term community concerns. Some disagreement between policy and public opinion.  <i>Image and reputation improved in some areas of Council.</i>	Increasing and broadening negative publicity, loss of customer confidence, escalating customer complaints. Reputation affected. Obvious disagreement between policy and public opinion.  <i>Some enhancement to image and reputation across Council.</i>	Sustained negative publicity surrounding possible Government enquiry, Coroner's enquiry or other legal proceedings or a loss of accreditation. Reputation tarnished. Major disagreement between policy and public opinion.  <i>Noticeable improvements to image and reputation across Council</i>	State Government dismisses Council with severe damage to Council's reputation. Total disagreement between policy and public opinion.  <i>Image and reputation enhanced to a very high level across Council</i>
	Service Delivery	Minimal effect on service delivery. Little or no impact on customer expectations	Service delivery delays and disruptions localised to a few work locations. Limited impact on customer expectations	Service delivery delays and disruptions in a number of work locations. Some impact on customer expectations.	Service delivery severely affected at multiple work locations. Some areas unable to meet customer expectations	Cessation of operation of one or multiple major sites of operation. Inability to meet customer expectations
	Infrastructure / Facilities / Assets	Minimal effect on infrastructure, assets, facilities, records, ICT data or communications systems	Localised damage to infrastructure, assets, facilities, or records. Restricted access to ICT data, records / records systems or communications systems during work hours.	Temporary damage to infrastructure, assets, facilities and more widespread damage to records. Temporary restricted access to ICT data records / records systems or communications systems for days	Restriction to or damage to some infrastructure, assets, facilities utilities, records / record systems, ICT data & communications systems resulting in prolonged service disruption.	Loss of all or some major infrastructure, assets, facilities, utilities, records / record systems, ICT data and communications systems. Permanent damage to infrastructure (etc) where services have ceased.
	Financial	Loss or gain of < one tenth% of annual net rates & utility revenue.  Budget loss or gain for a Major Event or Capital Project of <1%.	Loss or gain of between one tenth% & < one quarter% of annual net rates & utility revenue.  Budget loss or gain for a Major Event or Capital Project of 1% to 5%.	Loss or gain of between one quarter% & < 1% of annual net rates & utility revenue.  Budget loss or gain for a Major Event or Capital Project of 5% to 10%.	Loss or gain of between 1% & 17% of annual net rates & utility revenue.  Budget loss or gain for a Major Event or Capital Project of 10% to 20%.	Loss or gain of 17% or more of annual net rates & utility revenue.  Budget loss or gain for a Major Event or Capital Project of 20%.
	Strategic	Little or no effect on corporate / operational plan objectives.  <i>Negligible improvement in corporate / operational plan objective achievement.</i>	Minor parts of corporate / operational plan objectives not being addressed.  <i>Minor contribution towards all corporate / operational plan objectives being achieved.</i>	Some corporate / operational plan objectives not being addressed effectively which may impact on their achievement.  <i>Moderate contribution towards all corporate / operational plan objectives being achieved.</i>	A number of corporate / operational plan objectives not being addressed effectively in almost all cases.  <i>All corporate / operational plan objectives meet with some exceeding required level of achievement</i>	Multiple corporate / operational plan objectives not being addressed for an extended period preventing their achievement.  <i>All corporate / operational plan objectives exceeded required level of achievement</i>
	Compliance (includes environmental compliance)	No known regulatory or statutory non-compliances. Low level environmental impact	Council experiences some temporary non-compliances. Environmental damage is easily contained and controlled	Temporary non-compliance with legislative requirements with a high number of regulatory conditions imposed. Environmental damage is not minor but responds to internal treatment	Legislative non-compliance results in multiple terminations of staff. Major environmental damage requiring outside assistance to rectify	Legislative non-compliance results in criminal charges and high level damages awarded against Council and Council staff. Environmental damage extensive, with irreversible long term effects
	Safety	No harm, injuries or ailments requiring treatment to public/workers	Minor harm or injury where first aid is required for public/workers	Harm, injury or illness requiring professional medical treatment for public/workers	One or more public/workers requiring hospitalization & immediate medical treatment with the potential for permanent / long term incapacitation	Loss of life or multiple loss of life to public/workers. Life threatening injury / illness to public/workers.
	FRW Water Quality	Isolated exceedance of aesthetic parameter with little or no disruption to normal operations	Potential local aesthetic, isolated exceedance of chronic health parameter	Potential widespread aesthetic impact or repeated breach of chronic health parameter	Potential acute health impact, no declared outbreak expected	Potential acute health impact, declared outbreak expected

Likelihood Assessment Table

RATING	Likelihood Assessment		
	Probability	Frequency and or Exposure	Colloquial Description (use for safety consequences only)
E	>95% - 100%	Weekly	Is expected to occur at most times
D	>70% - 95%	Monthly or several times a year	Will probably occur at most times
C	>30% - 70%	Once every 1-5 years	Could occur at some time
B	>5% - 30%	Once every 5-15 years	Might occur at some time
A	<5%	Greater than every 15 years	May occur in rare circumstances

RISK CALCULATOR

		CONSEQUENCE RATINGS				
		1.	2.	3.	4.	5.
LIKELIHOOD	E	Moderate 5	High 4	High 3	Very High 2	Very High 1
	D	Moderate 6	Moderate 5	High 4	Very High 3	Very High 2
	C	Low 7	Moderate 6	Moderate 5	High 4	Very High 3
	B	Low 8	Low 7	Moderate 6	High 5	High 4
	A	Low 9	Low 8	Moderate 7	Moderate 6	High 5



# **RISK REGISTERS QUARTERLY UPDATE AS AT 19 JULY 2024**

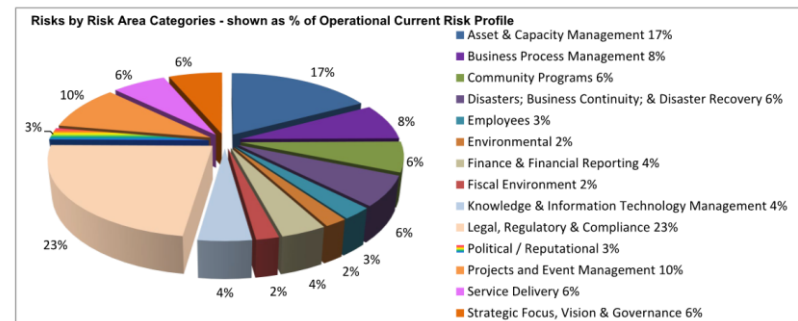
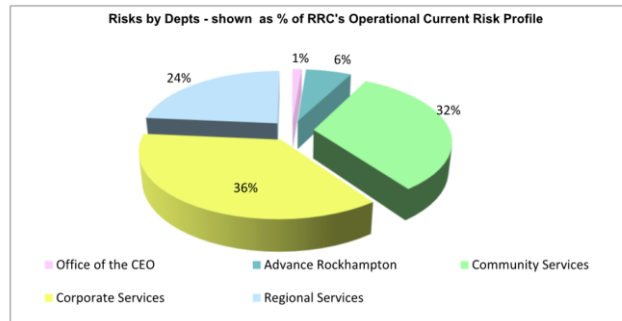
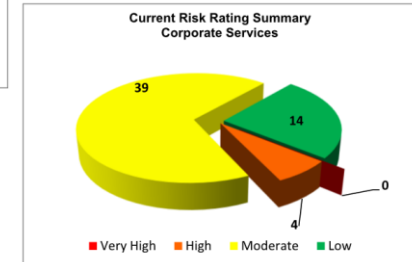
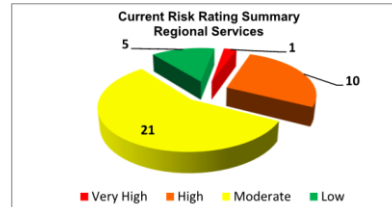
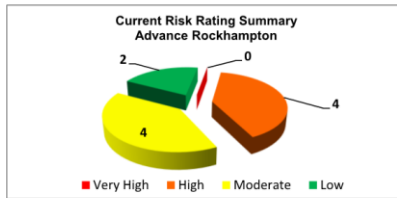
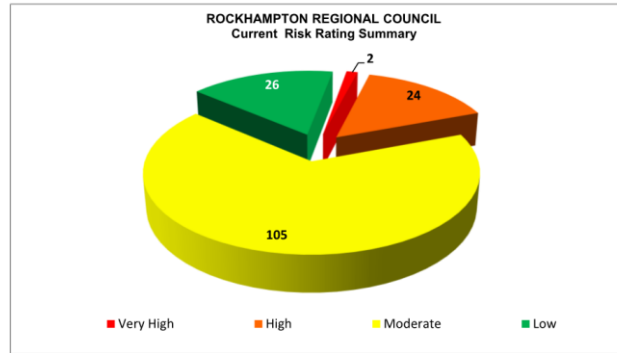
## **Operational Risk Register – Quarterly Update as at 19 July 2024**

**Meeting Date: 27 August 2024**

**Attachment No: 2**

ERM OPERATIONAL RISK REGISTER SUMMARY REPORT  
AS AT 19/07/2024

Rockhampton Regional Council's Current Risk Rating Profile



**OPERATIONAL RISKS**  
**Very High and High Current Risk Ratings as at 19/07/2024**

Risk Category	Risk Identification No.	OBJECTIVES (Links to Corporate Plan 2022-2027 - or other documentation)	Risk/Failure (including consequence/s)	Existing Controls Implemented By Risk Owner	CURRENT RISK RATING	Risk Evaluation (don't proceed to Column N if risk is accepted as per results of ACTION TABLE and/or Cost-Benefit Analysis)	Risk Owner	MANAGEMENT COMMENT
14. Strategic Focus, Vision & Governance	110	3.4 We support our Region's economy through our projects and activities.	Failure to assist developers through the development application process, which can result fewer developments coming to fruition.	1. Duty Planner consultations. 2. Pre-lodgement meetings. 3. Executive Manager Advance Rockhampton case manages selected applications. 4. Development Advice Centre (DAC) to assist developers with Council's processes (1/7/22)	High 4	Accept Risk (ALARP)	Executive Manager Advance Rockhampton	19/7/24: No Change
09. Knowledge & Information Technology Management	214	Secure & dependable ICT delivery - ICT Strategy	System failure, corruption or loss of data resulting in failure to deliver services, reduced staff productivity, and negative impact on Council reputation.	1. (1) In-built system redundancy. 2. (1) Server virtualisation. 3. (1, 2, 3, 4) Scheduled system backups for recovery/restoration as required. 4. (1, 2) Vendor support. 5. (1, 2, 3, 4) Independent, off-site IT Disaster Recovery (DR) Site. 6. (1, 2) DR Plan with priority recovery schedule and IT Business Continuity Plan. 7. (1, 2, 3, 4) Information security policies. 8. (3) IT governance framework including IT project management and formalised change management procedures. 9. (3) Established testing procedures as part of the project scope and change management controls. 10. (3) Vendor support engaged as part of the upgrade process. 11. (2,4) Installed Uninterrupted Power Supply (UPS) systems. 12. (2,4) Backup power generators installed at critical IT infrastructure sites. 13. (4) Programmed maintenance of environmental control systems. 14. (5) Programmed corporate application training. 15. (5) IT FAQ library viewable from the IT Service Desk site.	High 4	Accept Risk (ALARP)	Manager Corporate and Technology Services	19/7/24: No changes. Assurance updates provided.
06. Employees	238	1.3 We are motivated to provide excellent service and have a strong organisational culture.	A legislatively compliant safety management system is not implemented, monitored and reviewed effectively, for Council and it's workers to achieve a safe place to work and acceptable compliance levels with regulator expectations and WH&S audits resulting in: increased worker injuries, legislative breaches, regulator action, reputational damage, reduced service levels, increased costs and non-compliance with a key council objective.	(1) A rolling Health and Safety Strategy is developed and endorsed by Leadership Team - with yearly action plans cascading out of the strategy developed for Council. (1,2) Rectification Action Plans from audit findings are developed and communicated to Management and WHS committees. Regular progress reports provided to Management & WHS committees. (2) Communicate and consult with all levels any WHS process improvements or updates to the Safety Management System through the W&G communication schedule, toolbox talk meetings, e-Bulletin, emails, Safety Advisors targeting specific workgroups & HSRs. (3) Zero tolerance philosophy in regard to unsafe acts in accordance with adopted and implemented Council policy and procedures. (4 - 2) Consultation occurs in accordance with relevant council policies and procedures. (5) Data currently collated and analysed using spreadsheets and presented as trends at PEAK Safety Committee Meeting to identify areas or systems that require review and possible improvements.	High 4	Accept Risk (ALARP)	Manager Workforce and Governance	19/7/24: No changes
08. Fiscal Environment	251	1.1 We are fiscally responsible	The loss of revenue impacting on Council's financial position potentially resulting in higher future rate rises, additional borrowings or service level reductions.	1. Undertaken training workshops with Council on Financial Sustainability and implications of change. 2. Include a lower reliance on grants and subsidies from other levels of government in Council's long term financial forecast. 3. Conservative financial forecast estimates. 4. Conservative estimates used in conjunction with DA applications. 5. Align related capital expenditure directly with developer contributions. 6. Using historical forecasts trending with wetter seasons.	High 5	Accept Risk (ALARP)	Chief Financial Officer	19/7/24: No changes

Risk Category	Risk Identification No.	OBJECTIVES (Links to Corporate Plan 2022-2027 - or other documentation)	Risk/Failure (including consequence/s)	Existing Controls Implemented By Risk Owner	CURRENT RISK RATING	Risk Evaluation (don't proceed to Column N if risk is accepted as per results of ACTION TABLE and/or Cost-Benefit Analysis)	Risk Owner	MANAGEMENT COMMENT
09. Knowledge & Information Technology Management	261	Secure & dependable ICT delivery - ICT Strategy	Loss, theft, corruption of data due to a cyber attack resulting in failure to deliver services, reduced staff productivity, and negative impact on Council reputation.	<ol style="list-style-type: none"> <li>(1, 3) Robust firewall and antivirus solutions implemented. Review of activity logs for attempted intrusions.</li> <li>(1,3,7) Regular security awareness training for employees conducted.</li> <li>(1, 3) Implemented Web filtering tools to block access to known malicious sites.</li> <li>(1) Email attachments and links are scanned and quarantined if suspicious.</li> <li>(2) Access is controlled to sensitive areas (server rooms).</li> <li>(2) Surveillance cameras and alarm systems for sensitive areas installed.</li> <li>(2) Device encryption and secure disposal procedures for old equipment have been implemented.</li> <li>(3) Principle of least privilege applied to systems and data access.</li> <li>(4) Systems and software regularly updated and patched.</li> <li>(1,2,3,4,5) Annual network penetration tests and vulnerability assessments carried out by specialist third party providers.</li> <li>(4) Data encrypted at rest and in transit (BitLocker).</li> <li>(5) Cyber Security Improvement Program in place and reported to ISSG.</li> <li>(6) Cyber Incident Response Plan developed, reviewed and tested.</li> <li>(7) Security assessments undertaken reported to ISSG and Audit and Business Improvement Committee.</li> <li>(7,8) Annual Cyber Security update provided to Extended Leadership Team.</li> <li>(8) Business cases to implement actions in Security Improvement Program are developed.</li> <li>(1, 4, 5) Cloud security checklists undertaken for new systems/services where applicable.</li> <li>Building security with external and internal restricted access to the server room.</li> <li>(1,4,5) ICT Acceptable Use policy, including scheduled forced user password renewal.</li> <li>(1,3,4) Programmed review of user network usage and network access deactivation for 'terminated' employees.</li> <li>(1,2,3,4,5,6) Established Information security policies and procedures.</li> <li>(4,5,6) Data Breach Response Policy and Procedure implemented</li> <li>(1,2,3,4,5) Security Improvement Plan Developed and being implemented.</li> <li>(1,3,4,6) Key server logs captured in Log Analyser System.</li> <li>(5,6) Cyber Liability Insurance with Cyber Incident Response Centre.</li> </ol>	High 4	Treat Risk	Manager Corporate and Technology Services	19/7/24: No changes.
11. Political / Reputational	304	5.1 Our Region has infrastructure that meets current and future needs.	Failure of operation asset (roads, drainage, etc.) leading to: injury or death of public/staff; damage to property/equipment - resulting in legal outcomes, financial impacts and negative publicity for Council.	<ol style="list-style-type: none"> <li>Asset inspection program in place (8/6/20)</li> <li>Customer service requests monitored regularly (8/6/20)</li> <li>Rapid response to high priority reactive maintenance (8/6/20)</li> </ol>	High 4	Accept Risk (ALARP)	Manager Civil Operations	19/7/24: No changes
13. Service Delivery	308	5.1 Our Region has infrastructure that meets current and future needs.	Landslip and/or rocks on road along Pilbeam Drive at Mt Archer - poses a threat to safety of road users resulting in public liability.	<ol style="list-style-type: none"> <li>Bank stabilisation (8/6/20)</li> <li>Stormwater upgrades (8/6/20)</li> <li>Road alignment improvements and renewal pavement (8/6/20)</li> <li>Inspections undertaken after major storm events (8/6/20)</li> </ol>	High 4	Accept Risk (ALARP)	Manager Civil Operations	19/7/24: No changes
01. Asset & Capacity Management	312	1.1 We are fiscally responsible	Inadequate Developer Contributions for Infrastructure resulting in a cost impost on ratepayers and reduction in funds available for other projects.	<ol style="list-style-type: none"> <li>Infrastructure Charges Resolution No. 1 of 2022 was adopted on 25/1/22. (1/7/22)</li> <li>Revised and updated Local Government Infrastructure Plan (LGIP) adopted 2020. (8/6/20)</li> </ol>	High 4	Treat Risk	Manager Infrastructure Planning	19/7/24:

Risk Category	Risk Identification No.	OBJECTIVES (Links to Corporate Plan 2022-2027 - or other documentation)	Risk/Failure (including consequence/s)	Existing Controls Implemented By Risk Owner	CURRENT RISK RATING	Risk Evaluation (don't proceed to Column N if risk is accepted as per results of ACTION TABLE and/or Cost-Benefit Analysis)	Risk Owner	MANAGEMENT COMMENT
01. Asset & Capacity Management	315	5.1 Our Region has infrastructure that meets current and future needs.	Failure to maintain accuracy and value of the forward works program and adequately provide for the annual capital program resulting in projects nominated for delivery being deferred to accommodate increased costs within annual capital program and the Long Term Financial Strategy (LTFS).	1. (1.) Corporate capital planning framework currently in place. 2. (2.) Pre-project planning and design program initiated to provide early design of known fixed year projects. 3. (2.) Project Scoping confirmation process developed and implemented as part of design process. 4. Regular updates (project costs and timings) to LGIP to inform Forward Works Program (10/01/20)	High 4	Treat Risk	Manager Infrastructure Planning	19/7/24.
14. Strategic Focus, Vision & Governance	330	3.1 We plan for growth with the future needs of the community, business and industry in mind.	Failure to address general long term planning needs for the community will result in lower quality development, less development overall, continued poor economic and community performance indicators, and lost opportunities in pursuit of achieving elevation of Rockhampton's reputation to an exceptional regional city.	1. (1) Have staff employed working in this field. 2. (2) Have budget allocated for training.  30/1/15: 3. (1) Use attrition opportunities to hire new staff with required skill sets. 4. (2) Train existing staff to pursue strategic planning functions. 5. (3) Reduce time devoted to low risk, low value, tasks to free more time for strategic and placemaking planning. 6. (4) Continue to liaise with State Govt officers to ease regulatory burden on RRC's capacity for self determination. 7. (5) Pursue all opportunities to educate all sectors of the community on the benefits of quality targeted planning initiatives. 8. (5) Develop partnerships with business and community groups to pursue initiatives of joint benefit.	High 4	Accept Risk (ALARP)	Executive Manager Advance Rockhampton	19/7/24: No Change
03. Community Programs	417	2.2 We support our communities through our activities and programs.	Grant and sponsorship programs not delivered in accordance with regulations, policy and procedures resulting in loss of reputation for Council with community concerns about disbursement of funds, and withdrawal of matching funding from other levels of government meaning grant is unable to be offered.	1. Policy, procedure and funding regulations implemented and reviewed regularly.	High 4	Accept Risk (ALARP)	Manager Communities and Culture	19/7/24: No change
10. Legal, Regulatory & Compliance	422	2.1 Our places and spaces enhance the liveability and diversity of our communities.	Inability to comply with regulatory obligations and conservation of heritage assets, asbestos inspections and treatment, resulting in facilities being non-compliant and deemed unsafe and unusable, with loss of service to community, possible injury to staff and public, and damage to reputation of Council.	1. Partial Completion of conservation management plan (CMP) program, however-not-funded-in-14-and-15-16-budget to be updated as required. 2. Identified assets requiring inspection included in planned maintenance subject to funding. 3. Forward budget submission referencing Risk Register, Corporate Plan and legislative requirement developed.(19/2/16) 4. Conservation and Maintenance plans incorporated into Asset Register and Management Plan.(19/2/16) 5. Renewal schedule within Asset Management Plan, and maintenance planned in accordance with budget allocation.(3/3/17)	High 4	Accept Risk (ALARP)	Manager Community Assets and Facilities	19/7/24: No Change
10. Legal, Regulatory & Compliance	427	2.2 We support our communities through our activities and programs.	Council does not meet its legislative and service delivery responsibilities for Local Laws' community compliance leading to the possibility of legal action, significant damage to Council's reputation with multiple complaints, and general public dissatisfaction.	1. Budget submission for appropriate resources to address required compliance service levels. 2. Infringement financial management system (Pathways module). 3. Infringement Notice Policy and Procedure implemented.(8/6/18) 4. Management has completed a process review internal audit and identified actions have been implemented.(8/6/18) 5. Full contingent of staff in place (7/8/20) 6. Regular review of "case law" relevant to Council's services (30/10/21).	High 4	Accept Risk (ALARP)	Manager Planning and Regulatory Services	19/7/24: No change
10. Legal, Regulatory & Compliance	429	1.3 We are motivated to provide excellent service and have a strong organisational culture.	Inconsistent regulation and enforcement of local laws and legislation resulting in poor service and considerable public dissatisfaction.	1. Staff trained. 2. Local Law review. 3. Process and procedure review. <del>4. 2 x Local Law committee members for 2018 with Australian Institute of Animal Management (8/12/17). (Deleted 1/7/22)</del> 4. Regular Australian Institute of Animal Management webinar attended by Local Laws staff (1/7/22)	High 4	Accept Risk (ALARP)	Manager Planning and Regulatory Services	19/7/24: No change

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13. Service Delivery	331	1.1 We are fiscally responsible	Availability of staff to undertake essential Council Services, i.e.: Development Assessment, is impacted by changes made to State Legislation resulting in less capacity to provide planning services, requiring supplemental funding from other sources, eg: increased rates.	Current fees address service level requirements.	High 4	Accept Risk (ALARP)	Manager Planning and Regulatory Services	19/7/24: No change
10. Legal, Regulatory & Compliance	332	1.1 We are fiscally responsible	Failure to collect revenue, as dictated by legislation, results in less funds available and lack of confidence in Council business practices.	(1) Customer financial management system (Pathway) (1) Process and workflow developed to facilitate collection to ensure these are dealt with as they become due (9/8/19). (1 & 2) Threshold for collection activity identified (9/8/19).	High 5	Accept Risk (ALARP)	Manager Planning and Regulatory Services	19/7/24: No change
01. Asset & Capacity Management	458	2.1 Our places and spaces enhance the liveability and diversity of our communities.	Damage or failure of Council's Open Space Facilities resulting in injury to public and potential litigation.	1. Condition assessment program in place on a three year cycle to identify need for corrective maintenance or capital renewal or upgrade. 2. Asset register and management plan maintained. 3. Reporting to Council on maintenance and renewal/upgrade requirements. 4. Regular safety hazard inspection program in place. 5. 10 year maintenance and renewal strategy, based on valuations and condition assessments, developed.	Very High 3	Treat Risk	Manager Community Assets and Facilities	19/7/24:
12. Projects and Event Management	607	3.3 Our work attracts visitors to the Region.	Rockhampton Agricultural Show is shut down, cancelled, or has low attendance resulting in a financial impact and reputational damage.	(2, 7, 8) Working with appropriate authorities to ensure events are delivered in a safe environment. (4) Marketing plan developed, funded and executed. (5) Research undertaken to ensure dates maximise attendance. (5) Alignment with Agricultural Show circuit. (7) Biosecurity Plan in place. 1. Lease arrangement with Showmen's Guild 2. Council endorsed Rockhampton Region Economic Development Strategy 2023-2028 and Rockhampton Region Economic Action Plan 2023-2028 (section P3) (28/4/23).	High 4	Accept Risk (ALARP)	Executive Manager Advance Rockhampton	19/7/24: No Change
12. Projects and Event Management	609	3.3 Our work attracts visitors to the Region.	Rockynats event is shut down, cancelled, or has low attendance resulting in a financial impact and reputational damage.	(2, 7) Working with appropriate authorities to ensure events are delivered in a safe environment. (4) Marketing plan developed, funded and executed. (5) Research undertaken to ensure dates maximise attendance. (6) Contract in place to clearly define responsibilities. 1. Risk shared with Rockynats P/L 2. Council endorsed Rockhampton Region Economic Development Strategy 2023-2028 and Rockhampton Region Economic Action Plan 2023-2028 (section P3) (28/4/23).	High 4	Accept Risk (ALARP)	Executive Manager Advance Rockhampton	19/7/24: No Change
12. Projects and Event Management	P 386	3.4 We support our Region's economy through our projects and activities.	Failure to deliver the North Rockhampton Sewage Treatment Plant augmentation project within budget, timeframe and to expected quality could result in damage to reputation, financial loss, and serious disruption of service.	1. Peer Review commissioned. 2. P90 (costing) Estimate commissioned. 3. Budget approval. 4. Project Control Group Established. 5. Determining appropriate procurement strategy for the project, including role of design consultant. 7. Land acquisition initiated. 8. Statutory approvals granted. 9. Environmental approvals granted.	High 5	Treat Risk	General Manager Regional Services	19/7/24: Change column N- item 8 to now be January 2027. Stage C to assess tertiary treatment to comply with new EA Jan 2027. Owing to the change in the Future Risk Control #8 this pushes % complete back to 20% and completion date to 31/1/27. Statutory approvals, and Environmental approvals granted - to be moved to Existing Controls.
12. Projects and Event Management	P 389	5.1 Our Region has infrastructure that meets current and future needs.	Failure to deliver the Botanic Gardens & Zoo Redevelopment program could lead to reputational damage and financial impacts	1. Staging of project to deliverable scopes within budget allocations. 2. Review of T&C of contract to reflect current markets risk appetite. 3. Administering of contract controls (19/7/24)	High 4	Accept Risk (ALARP)	Manager Project Delivery	19/7/24: Issue of ground water, resultant pile redesign has also impacted structural steel design. Future Risk Controls have been completed. 100%. Accept Risk.

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12. Projects and Event Management	P 391	5.1 Our Region has infrastructure that meets current and future needs.	Failure to deliver the Gracemere and South Rockhampton Sewage Treatment Plan (SRSTP) short term strategy could lead to service delivery disruptions, lack of compliance with legislative requirements (including environmental) and reputational damage.	1. Engaged expert consultants. 2. High level strategy to guide implementation. 3. Project governance (PCG) activated.	High 4	Treat Risk	Manager Project Delivery	19/7/24: Future Risk Controls: 1. - Design finalised. Add Collaborate with FRW to develop a live working process for SRSTP.(as a future risk is delivering the project on a live plant).
12. Projects and Event Management	P 392	5.1 Our Region has infrastructure that meets current and future needs.	Failure to deliver new South Rockhampton Sewage Treatment Plant could lead to financial impacts, lack of compliance with legislative requirements (including environmental) and reputational damage.	1. Design brief has been prepared.	High 4	Treat Risk	Manager Project Delivery	19/7/24: No change
01. Asset & Capacity Management	P 449	2.1 Our places and spaces enhance the liveability and diversity of our communities.	Failure to plan for the future of the Pilbeam Theatre in a timely manner as it nears end of life which may result in: Short-term - Failure, rendering the building unusable; Long-term - Inability to support the cultural life of a major regional centre, having safety, service delivery, financial, compliance, facilities, and community relationship consequences for council.	1. Condition Assessments done. 2. Maintenance undertaken (both planned and reactive) 3. Hazard inspections - any identified hazards listed in RiskWare and resolved via the Safety Management system. 4. Contingency planning for alternative event site to maintain portion of service delivery in case of failure. 5. Council has endorsed allocation of funding to complete maintenance addressing high risk infrastructure concerns.	High 4	Treat Risk	Manager Project Delivery Manager- Communities and Culture	19/7/24: Future Risk Control 100% - add to Existing Controls: Council has endorsed allocation of funding to complete maintenance addressing high risk infrastructure concerns.  Add new Future Risk Control: Pursuit of longer term redevelopment plans for the Pilbeam Theatre to be undertaken. To be completed by date 31/12/24. This project risk has moved to Project Delivery and the Manager Project Delivery is the Risk Owner.
12. Projects and Event Management	P 318	5.1 Our Region has infrastructure that meets current and future needs.	Failure to deliver the Cell D construction project could lead to closure of the Lakes Creek Road Landfill resulting in cessation of operation of one or multiple sites of operation.	1. Masterplan reviewed and updated to inform cell construction timeframes and capital budget. 2. Sufficient budget contingency to cover construction. 3. Performance specification developed. 4. Contract in place. 5. Project team established.	High 4	Accept Risk (ALARP)	Manager Rockhampton Regional Waste and Recycling	19/7/24: No change
12. Projects and Event Management	P 346	5.1 Our Region has infrastructure that meets current and future needs.	Failure to deliver the Low Lift Pump Station renewal project at the Glenmore Water Treatment Plant will lead to catastrophic service delivery disruption, compromise compliance with legislative requirements and cause significant reputational damage.	1. Prepared detailed strategy to guide implementation. 2. Project governance. 3. Early engagement of FRW operational team.	Very High 3	Treat Risk	Manager Water and Wastewater	19/7/24: No change



**OPERATIONAL RISKS**  
Risks Undergoing Further Treatment as at 19/07/2024

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14. Strategic Focus, Vision & Governance	111	3.2 Our work attracts business and industry to our Region.	Failure to collaborate with Rockhampton Region's business groups and businesses, which could lead to initiatives failing to attain their true potential, and/or possible business closures, resulting in limited growth of Council's rate base and Council's reputation affected.	Moderate 5	Industry Engagement and Stakeholder Management process under review (26/10/20)			31/7/21: 80% 30/4/2021: 50%	14/01/22: 30/06/2022  31/10/24: 31/12/2021  31/7/21: 31/8/2021  30/06/2024	Executive Manager Advance Rockhampton	19/7/24: No Change
10. Legal, Regulatory & Compliance	211	1.1 We are fiscally responsible	Failure to comply with standards and regulations associated with Fleet and Workshop operations leading to operational disruptions, legal censure, possible fines and loss of reputation.	Moderate 6	Obtain building approval for Gracemere Fleet Operations (12/1/24)				30/06/2025	Manager Corporate and Technology Services	19/7/24: No change
09. Knowledge & Information Technology Management	215	Productive workforce, maintaining connected and accessible services - ICT Strategy	Information Systems Unit lacking timely response to rapidly changing or emerging organisational priorities, innovations and projects leading to negative impact on organisational service delivery.	Moderate 6	Digital Readiness Strategy actions being identified and will be implemented (12/1/24).			0%	31/12/2025	Manager Corporate and Technology Services	19/7/24: No change
09. Knowledge & Information Technology Management	218	Productive workforce, maintaining connected and accessible services - ICT Strategy	Failure to deliver an adequate IT platform leading to limited ability of the organisation to perform at optimum levels.	Moderate 6	Digital Readiness Strategy actions being identified and will be implemented.			0%	31/12/2025	Manager Corporate and Technology Services	19/7/24: No change
05. Employees	240	1.3 We are motivated to provide excellent service and have a strong organisational culture.	Compliance training not available to employees meaning the day to day operations are not achievable, resulting in non-compliance which does not meet operational needs creating skill gaps in the workforce, legislative breaches, legal action against employees and council and a risk of serious injury to employees and the public.	Moderate 6	Training needs analysis across the organisation is to regularly occur (19/4/24)			10%	31/12/2025	Manager Workforce and Governance	19/7/24: No changes
09. Knowledge & Information Technology Management	261	Secure & dependable ICT delivery - ICT Strategy	Loss, theft, corruption of data due to a cyber attack resulting in failure to deliver services, reduced staff productivity, and negative impact on Council reputation.	High 4	1.. Implementation of recommendations is ongoing, from QAO audit on "Responding to and recovering from cyber attacks" dated 13/12/23 . 2. Implementation of multi-factor authentication for all council staff to be completed by 30/6/24.			19/4/24: 30%	30/06/2025	Manager Corporate and Technology Services	19/7/24: No changes.



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01. Asset & Capacity Management	303	5.1 Our Region has infrastructure that meets current and future needs.	Loss of/damage to office and depot facilities at Dooley Street, as key emergency operational area, with an impact on ability to coordinate and deliver services.	Moderate 6	Manager Community Assets and Facilities to make arrangements for a backup generator to be available to run the site in emergency situations.			50%	19/7/24: 01/12/2024 01/04/2024	Manager Civil Operations	19/7/24: Generator has been installed and is planned to be operational by 1/12/24. Change completion date to 1/12/24 and 50%.
06. Environmental	307	4.1 Our Regions is resilient and prepared to manage climate-related risks and opportunities.	Environmental damage from infrastructure works leading to: legislative non-compliance; tarnished reputation and fines.	Low 7	1. Environmental Management Plan to be developed.			20/1/23: 10%	20/1/23: 31/8/2024 14/01/22: 31/8/2022	Manager Civil Operations	19/7/24: No changes
01. Asset & Capacity Management	312	1.1 We are fiscally responsible	Inadequate Developer Contributions for Infrastructure resulting in a cost impost on ratepayers and reduction in funds available for other projects.	High 4	5 year major review of the Local Government Infrastructure Plan (LGIP) is underway. Intent of the review is to ensure better alignment between the LGIP and the Long Term Financial Forecast (21/7/23)		26/8/16: Limiting factors: State Legislation caps infrastructure charges; Decision by Council to charge less, in most cases, than what is allowed under State Legislation.	10%	30/06/2025	Manager Infrastructure Planning	19/7/24:
01. Asset & Capacity Management	315	5.1 Our Region has infrastructure that meets current and future needs.	Failure to maintain accuracy and value of the forward works program and adequately provide for the annual capital program resulting in projects nominated for delivery being deferred to accommodate increased costs within annual capital program and the Long Term Financial Strategy (LTFS).	High 4	1. Continued refinement of forward works program. 2. (2. & 3.) Development of indicative estimating tool. 3. Develop Network specific prioritisation processes.	Budget, IT Support, Software.	3/3/17: Draft 10 year Capital Program has been developed.  Availability of personnel to do this work.	31/7/21: 75% 29/5/20- 90% 17/7/15- 75% (60%)	21/7/23: 30/06/2024 31/7/21- 30/06/2023 07/08/20- 01/07/2021 14/12/18- 01/07/2020 3/3/17- 01/07/2018 01/07/2016	Manager Infrastructure Planning	19/7/24:
10. Legal, Regulatory & Compliance	322	F1 Provide high-quality, safe, reliable and cost-effective water and sewerage services.	Failure to comply with legislative requirements for water and sewerage services resulting in fines, loss of reputation and environment or health impacts.	Moderate 5	1. Major capital program addressing identified improvements for treatment plants being implemented and will show as individual projects (20/1/23). 2. Review of water network disinfection effectiveness initiated to support objectives of the Drinking Water Quality Management Plan (19/4/24) 3. Construction of network assets consisting of pump stations, reservoirs and pipeline to supply potable water from Gracemere to Mount Morgan to alleviate reliability and quality issues associated with existing supply from No 7 Dam. (19/4/24)			10%	31/12/2034	Manager Water and Wastewater	19/7/24: No change

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01. Asset & Capacity Management	323	F3 Responsibly manage, improve and augment infrastructure.	Failure to adequately maintain water and sewage process assets resulting in fines, loss of revenue, disruption to services and loss of reputation.	Moderate 5	1. Major capital program addressing identified improvements for treatment plants being implemented and will show as individual projects (20/1/23). 2. Program of works proposed for adoption with the Capital Budget, based on the barrage's condition assessment, to ensure service capability is assured. (19/4/24)			10%	31/12/2034	Manager Water and Wastewater	19/7/24: No Change
01. Asset & Capacity Management	324	F1 Provide high-quality, safe, reliable and cost-effective water and sewerage services.	Inadequate physical security resulting in disruption or loss of critical services and supply, serious injury or death, damage to assets, theft; and damage to reputation.	Moderate 5	1. Swipe card access for improved physical security currently being installed at the Glenmore Water Treatment Plant site to limit access to the number of high risk areas. 2. Physical security deficiencies identified in 2022 CyberCX report prioritised and submitted as a program of works for consideration with adoption of the 24/25 Capital Budget. (19/4/24)			19/4/24: 15% 24/7/23: 60% 31/7/24: 95%	19/4/24: 31/12/2030 31/7/23: 31/12/2024 4/7/22: 30/09/2022 30/10/21: 28/01/2022 31/7/21: 30/09/2021 31/12/2020	Manager Water and Wastewater	19/7/24: No Change
10. Legal, Regulatory & Compliance	325	F3 Responsibly manage, improve and augment infrastructure.	Failure of Water Treatment Plant resulting in loss of supply for extended period, financial loss, loss of reputation, public health risk, safety risk; and breach of license conditions.	Moderate 6	1. Security cameras and equipment to be installed and monitored via SCADA software. 2. Finalise implementation of recommendations identified in 2022 CyberCX report. (19/4/24) [See also P 388]	(1, 2 & 3) Staff (1, 4) Budget	(1) Awaiting budget approval. (2 & 3) Staff availability.	19/4/24: 60% 8/6/18: 30% 17/7/15: 50% (30/1/15: 20%)	19/4/24: 30/06/2025 31/01/21: 31/12/2023 7/8/20: 31/08/2022 8/9/19: 31/12/2020 8/6/18: 30/6/2019 3/03/17: 30/06/2017 2/10/15: 30/06/2016 17/7/15: 31/12/2015 (31/12/2014)	Manager Water and Wastewater	19/7/24: No Change

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10. Legal, Regulatory & Compliance	326	F3 Responsibly manage, improve and augment infrastructure.	Failure of Sewage Treatment Plant resulting in breach of EPA license; serious disruption of services; serious litigation and financial loss; loss of reputation.	Moderate 5	7/8/20: As part of the Sewerage Treatment Plants Strategy the NRSTP and GSTP augmentation projects are proceeding to delivery stage to ensure long term compliant operation of the STPs.  1. SAMPs being reviewed for all water and sewerage infrastructure – to include all key information required for the planning, design and refurbishment of current and future water and sewerage infrastructure. (19/4/24)  2. Develop Sewerage Treatment Plants Strategy. (Note: Implementation of this strategy projects out to 2051)  3. Complete upgrade of Nth Rton STP (19/4/24). 4. Undertake interim upgrade of Sth Rton STP to facilitate closure of Gmere STP (19/4/24). 5. Plan for construction of new Mt Morgan STP (19/4/24). 6. Develop and implement a comprehensive stormwater inflow/infiltration mitigation strategy (19/4/24).			19/4/24: 20% 01/07/22: 80%	19/4/24: 31/06/28  31/02/21- 31/12/2023  31/12/2022	Manager Water and Wastewater	19/7/24: No Change
10. Legal, Regulatory & Compliance	327	F1 Provide high-quality, safe, reliable and cost-effective water and sewerage services.	Failure to supply safe drinking water due to contaminated raw water resulting in health related issues; serious disruption to services; financial loss; loss of reputation.	Moderate 6	1. Glenmore Water Treatment Plant Upgrade Project (P388)  2. Review Cyanobacteria Management Protocol. (19/4/24)			19/4/24: 90%	19/4/24: 31/12/2024  01/07/22- 31/12/2023	Manager Water and Wastewater	19/7/24: No Change
04. Disasters; Business Continuity; & Disaster Recovery	328	F3 Responsibly manage, improve and augment infrastructure.	Fire in FRW buildings resulting in injury to staff; loss of plant and equipment.	Moderate 6	16/6/17: Additional controls to reduce the risk of fire in FRW buildings being implemented as per Audit Recommendations (minor capital upgrades and administrative improvements)  1. GWTP's fire alarm system to be upgraded for the entire site (19/7/24). 2. Fire suppression system to be installed for NRSTP's recently (2024) installed electrical equipment (19/7/24).		14/12/18: Fire suppression and fire detection systems installed at NRSTP as part of the complete electrical renewal project. Similar upgrades planned for the GWTP which will commence in 2019.	23/7/24: 5% 19/4/24: 75% 9/8/19: 50% 20%	23/7/24: 30/06/2026  19/4/24: 30/06/2026  31/01/2021- 31/12/2023  7/8/20- 31/08/2022	Manager Water and Wastewater	19/7/24: Recent upgrade works at both NRSTP and GWTP neglected to adequately implement appropriate controls to manage fire risk leaving the sites exposed. Add to Future Risk Controls: 1. GWTP's fire alarm system to be upgraded for the entire site. 2. Fire suppression system to be installed for NRSTP's recently installed (2024) electrical equipment. Completion date 30/6/26; 5%
13. Service Delivery	329	F3 Responsibly manage, improve and augment infrastructure.	Failure to plan effectively and establish future requirements for water and sewerage infrastructure resulting in environmental license non-compliances; severely impacted service delivery; additional costs; loss of reputation.	Moderate 6	1. FRW structure review to enhance engineering, technical and trade capabilities (21/7/23) 29/9/23 (Reopened 19/4/24) To be finalised and is pending the availability of approved positions as vacancies from within the overall RRC structure (19/4/24).			31/7/23: 80% 01/07/22: 60% 31/7/21: 90%	21/7/23: 30/06/2024  01/07/22- 30/06/23  30/10/21- 28/1/2022  31/7/21: 30/09/2021  30/06/2021	Manager Water and Wastewater	19/7/24: No Change

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13. Service Delivery	428	1.3 We are motivated to provide excellent service and have a strong organisational culture.	Insufficient appropriate human and equipment resources to manage and operate sites resulting in significant loss of service range and quality.	Moderate 5	Restructure of Local Laws team to include Senior Officer/s from existing Local Laws positions.			10%	30/11/2024	Manager Planning and Regulatory Services	19/7/24: Change from Accept to TREAT; Future Risk Treatment - Restructure Local Laws team to include senior Officer/s from existing Local Laws Officer positions; 10%; 30/11/24
10. Legal, Regulatory & Compliance	431	2.1 Our places and spaces enhance the liveability and diversity of our communities.	Animal housing at the Zoo does not meet the required standard (inclusive of; animal husbandry, record keeping, staffing & asset renewal) resulting in: Loss of zoo licences / closure of facility; Injury or death to an animal; Negative public perception; Staff turnover; Injury or death to zookeepers.	Moderate 6	1- Develop Zoo Master Plan and associated business plans and implement (14/12/18) 1. Implement and continually review Botanical Gardens and Zoo Redevelopment Plan.	Annual Budget  External contractors to be used.  Staff time and management overview.		10%	31/12/2033	Manager Parks	19/7/24: no update required
04. Disasters: Business Continuity, & Disaster Recovery	432	4.1 Our Regions is resilient and prepared to manage climate-related risks and opportunities.	Parks is not adequately prepared to implement disaster recovery and restoration activities through poor internal systems and staff deployment arrangements resulting in increased impacts on Council budget including lost funding opportunities, delayed restoration of assets and reputation damage.	Moderate 6	Training gap analysis to be undertaken and relevant training sought. (9/8/19)	Budget to be sourced		19/7/24: 80%  0%	19/7/24: 30/06/2025  30/06/2020	Manager Parks	19/7/24: Parks training gap analysis completed and a Training Plan has been developed and training will be sourced. Update to 80% date to be extended to 30/6/25.
01. Asset & Capacity Management	434	2.1 Our places and spaces enhance the liveability and diversity of our communities.	Insufficient interment space for future burials leading to damage to council's reputation and loss of revenue.	Moderate 6	1- 24/8/18: Planning for future growth of Gracemere Cemetery (1/7/22) 2. 26/4/19: Expansion of Mt Morgan Cemetery 3. 26/4/19: Memorial Gardens future burials to be investigated 4. 7/8/20: Engineering solution to be looked into for water table/ingress at Memorial Gardens for future expansion. 5. Update Traffic Management Plans at Nth Rton Cemetery to allow for future burial. 6. Investigate reopening Sth Rton Cemetery.		Lack of budget	28/1/23: 30% 14/01/22-40%  0%	31/12/2023	Manager Community Assets and Facilities	19/7/24:
03. Community Programs	435	2.1 Our places and spaces enhance the liveability and diversity of our communities.	Inadequate resources/service provision to maintain sporting fields resulting in: injury to patrons; damage to Council's reputation; poor service delivery.	Low 7	Service levels to be established (19/7/24).  Implementation of GIS app into operations to provide better visibility of presence and maintenance visit to sites (20/1/23)			19/7/24: 40%  19/7/24: 100% 20/1/23: 50%	19/7/24: 30/06/2025  01/07/2023	Manager Parks	19/7/24: Supervisor Sports and Admin is now Sports and Active Community Coordinator. Future Risk control is 100%.  Add new Future Risk Control : Service Levels to be established. 40% -date to be completed 30/6/25. (Note: 2024-25 Op Plan contains targets/actions relating to service delivery)
04. Disasters: Business Continuity, & Disaster Recovery	439	4.1 Our Regions is resilient and prepared to manage climate-related risks and opportunities.	Lack of fire management planning resulting in: possible injury or loss of life; damage to Council's reputation; possible litigation.	Moderate 5	Renegotiate expired MOU with QPWS (9/8/19).			20/1/23: 10% 31/01/21: 90%	31/10/2023	Manager Infrastructure Planning  Manager Parks	19/7/24: MARTIN - PLEASE CHECK THIS ONE THOROUGHLY AS IT HAS BEEN TRANSFERRED TO YOU - Ksane

Risk Category	Risk Identification No.	OBJECTIVES Links to Planning (Corp Plan 2022-27 OR other documentation)	Risk/Failure (including consequence/s)	CURRENT RISK RATING	Future Risk Control/s	Resource / Budget Needed	Performance / Constraints	% Complete	Completion Date	Risk Owner	MANAGEMENT'S COMMENTS/NOTES ON ANY CHANGES TO BE MADE TO DETAILS IN ALL COLUMNS except Resources/Budget Needed; and Performance/Constraints - those cells can be typed in directly
03. Community Programs	440	1.3 We are motivated to provide excellent service and have a strong organisational culture.	Tree falls resulting in: injury/death; damage to property; damage to Council's reputation; negative financial impact.	Moderate 5	1. Tree inventory (capture of assets) commenced (possibly 5-year project) (14/12/18) 2. Develop and implement procedures to incorporate best practice tree risk management in line with LGMS Tree Risk Management Guidelines 2021 (20/1/23). 3. Industry level training for additional key staff responsible for tree inspections and maintenance (20/1/23). 5. Software to be investigated and purchased to manage tree inventory (20/1/23). 6. Improved prioritisation of tree works to ensure a risk based approach is in place (19/7/24). 7. Service level adoption to guide resource planning (19/7/24)	(1, 5) Budget unknown - possible consultant fee to identify best practice tree inventory software and purchase of software (3) Estimate \$20,000	Tree inventory currently paused waiting for implementation of RAMP (9/8/19) (1) Alternative software needs to be identified and implemented. Resources for ongoing management of the database currently unknown (20/1/23). (2) Lengthy process to gain council adoption. Risk of non-adoption (20/1/23). (3) Staff willingness to upskill (20/1/23). (4) Council's willingness to adopt proposed service levels (20/1/23).	19/7/24: 50% 28/4/23: 40% 20/4/2023: 30% 14/12/18: 20%	20/1/2023: 31/01/28 14/12/18: 31/12/2023	Manager Parks	19/7/24: add to N - Improved prioritisation of tree works to ensure a risk based approach is in place  Column G shift number 8 to column N - this is a future control "R" now 50%.
01. Asset & Capacity Management	442	2.1 Our places and spaces enhance the liveability and diversity of our communities.	Failures of play equipment resulting in: injury/ death; and financial compensation claims. (The level of negligence increases where there has been an inspection but no action.)	Moderate 6	1. Create future lifecycle strategies with Community Assets (9/8/19)				30/06/2021	Manager Community Assets and Facilities	19/7/24:
06. Environmental	443	2.3 Our Region's heritage and culture are preserved and celebrated.	Loss of significant/ historic/ iconic botanical collections resulting in negative publicity and loss of: reputation; region's "green" status; iconic material; and research opportunities.	Moderate 6	1-Review, update and implement existing land- & conservation management & succession plans. 2-Complete the identification of the current collection as part of the succession plan. 3. Rockhampton Botanic Gardens Master-Living Collections Plan in final draft. 4. Plant Pathogen Management Plan to be prepared and implemented.	Staff time and management overview.		30/10/21: 80% 31/01/21: 75% 8/6/18: 50% 26/8/16: 80% (40%)	8/6/18: 31/12/2023 16/6/17: 31/12/2017 26/8/16: 30/06/2017 (30/06/2016)	Manager Parks	19/7/24: change column N number 3 - rockhampton botanic gardens living collections plan
13. Service Delivery	444	2.1 Our places and spaces enhance the liveability and diversity of our communities.	Inadequate/ inappropriate open space does not meet the community's requirements/ expectations resulting in lack of: standardised infrastructure charges; consistency and quality of the asset including land; lack of benchmark for Council/ developer Standards; unwanted contributed assets; leading to reputational damage; social problems and; financial impacts.	Moderate 5	1. Develop & implement a Parks Infrastructure Strategy for conditioning of new development. 2. Develop a local parks contribution policy. 3. Complete & implement Landscape Guidelines (as part of CMDG). 4. Open Space Strategy to be adopted by Council and implemented (inc service levels).		26/8/16: Sport, Parks, Active Recreation and Community (SPARC) Strategy currently in preparation awaiting Council consideration.	8/6/18: 80% 70%	8/6/18: 31/12/2019 16/6/17: 31/03/2018 26/8/16: 30/04/2017 (31/12/2016)	Manager Planning and Regulatory Services	19/7/24:

Risk Category	Risk Identification No.	OBJECTIVES Links to Planning (Corp Plan 2022-27 OR other documentation)	Risk/Failure (including consequence/s)	CURRENT RISK RATING	Future Risk Control/s	Resource / Budget Needed	Performance / Constraints	% Complete	Completion Date	Risk Owner	MANAGEMENT'S COMMENTS/NOTES ON ANY CHANGES TO BE MADE TO DETAILS IN ALL COLUMNS except Resources/Budget Needed; and Performance/Constraints - those cells can be typed in directly
01. Asset & Capacity Management	446	4.2 We pursue innovative and sustainable practices.	Integrity of land-fill caps, where Council is now using the space for public use (eg: parks), is impacted through an event occurring causing exposure of toxins, hazards etc (eg: TC Marcia causing tree fall and erosion) resulting in: public health and safety, financial, and environmental repercussions.	Moderate 7	1-Continuous review and updating of Site- Management Plan; 2. Site remediation priorities to be determined, planned and implemented, when required.	To be determined per event and site.	(Note: Remediation Plan for Kershaw Gardens in effect)  Public perception Funding	0%	8/6/18: Timely post event	Manager Parks	19/7/24: Future risk Control 1, to be deleted as has been completed for the event impacting Kershaw Gardens. 2. add 'when required'; Add Future Risk Control owner Manager RRWR.
01. Asset & Capacity Management	458	2.1 Our places and spaces enhance the liveability and diversity of our communities.	Damage or failure of Council's Open Space Facilities resulting in injury to public and potential litigation.	Very High 3	Develop lifecycles to show resource allocation to tasks, along with criticality rating, so detail budget forecasting can occur [26/4/19]	Identify additional resources that are required through lifecycle maintenance strategies. [26/4/19]	No forecasting has occurred from strategies, resulting in response actions being ad hoc and reactive. [26/4/19]	0%	30/06/2019	Manager Community Assets and Facilities	19/7/24:
10. Legal, Regulatory & Compliance	463	2.2 We support our communities through our activities and programs.	Council does not meet it legislative and service delivery requirements for building, plumbing and development compliance resulting in potential legal action against Council, damage to Councils reputation and public dissatisfaction	Moderate 5	1. Continued development of electronic systems to support staff (2-) Enforcement training for staff 2. Develop a public awareness program 3- Continuing professional development training for staff (1/7/22) (4.) Develop work instructions for issuing statutory notices (19/4/24)			19/4/24: 70%  29/9/23- 60% 40%	19/4/24: 31/12/2024  1/07/22- 31/12/2023  31/12/2021	Manager Planning and Regulatory Services	19/7/24: No change
12. Projects and Event Management	P 386	3.4 We support our Region's economy through our projects and activities.	Failure to deliver the North Rockhampton Sewage Treatment Plant augmentation project within budget, timeframe and to expected quality could result in damage to reputation, financial loss, and serious disruption of service.	High 5	5- Statutory approvals initiated. 6- Environmental approvals initiated. 7. Concurrent "building/approval" strategy is being implemented (30/10/21) 8. Environmental Authority received for 2025 Jan 2027 start. Stage C to assess tertiary treatment to comply with new EA Jan 2027. New conditions to be assessed and compliance requirements planned and budgeted for (28/4/23)			19/7/24: 20%  29/9/23- 70%  60%	19/7/24: 31/01/2027  28/4/23- 01/03/2024  1/7/22- 01/03/2023  30/10/21- 30/4/2022  30/09/2021	General Manager Regional Services	19/7/24: Change column N- item 8 to now be January 2027. Stage C to assess tertiary treatment to comply with new EA Jan 2027. Owing to the change in the Future Risk Control #8 this pushes % complete back to 20% and completion date to 31/1/27. Statutory approvals, and Environmental approvals granted - to be moved to Existing Controls.
12. Projects and Event Management	P 388	3.4 We support our Region's economy through our projects and activities.	Failure to deliver Glenmore Water Treatment Plant augmentation project within budget, timeframe and to expected quality could result in reputation damage, financial loss and serious disruption of service.	Moderate 6	1. Establish clear responsibilities of contractor. 2. Determine process and response time to manage issues through the design and construct contract. 3. Carry out condition appraisal and process function (30/10/21) 4. Further assessment of water filter cells refurbishment program, to monitor efficiency improvements (28/4/23). 5. Upgrade of sedimentation tanks to current technology, to enhance pre-treatment process (28/4/23).			21/7/23: 80%	28/4/23: 31/12/2024  30/10/21- 31/01/2023  30/4/21- 31/07/2021  30/04/2021	General Manager Regional Services	19/7/24: Change to complete
12. Projects and Event Management	P 342	5.1 Our Region has infrastructure that meets current and future needs.	Failure to deliver a safe, sustainable and reliable water security solution for the Mt Morgan community could result in reputational damage, serious disruption to service and an impact on future council budgets.	Moderate 6	(20/1/23) Construction phase: 1. Implement Terms and Conditions of GC 21 contract. 2. Employ local indigenous representative/s. 3- Council to advocate for additional project grant funding from the Federal Government to reflect current market responses to project tender (28/4/23) - completed (12/1/24).			Construction: 12/1/24: 10% 0%	Construction: 12/1/24: 30/9/2025 31/12/2024	Manager Project Delivery	19/7/24: No Change

Risk Category	Risk Identification No.	OBJECTIVES Links to Planning (Corp Plan 2022-27 OR other documentation)	Risk/Failure (including consequence/s)	CURRENT RISK RATING	Future Risk Control/s	Resource / Budget Needed	Performance / Constraints	% Complete	Completion Date	Risk Owner	MANAGEMENT'S COMMENTS/NOTES ON ANY CHANGES TO BE MADE TO DETAILS IN ALL COLUMNS except Resources/Budget Needed; and Performance/Constraints - those cells can be typed in directly
12. Projects and Event Management	P 344	1.1-We are fiscally responsible	Failure to deliver the Glenmore Water Treatment Plant Solar Farm, within time and budget allocations.	Moderate 6	1. Monitor project program (29/9/23) 2. Implement terms and conditions of GC21 contract (29/9/23)			19/7/24: 100% 12/4/24: 90% 70%	31/03/2024	Manager Project Delivery	19/7/24: Project Completion reach, Minor post completion work being conducted. 100% completed.
12. Projects and Event Management	P 391	5.1 Our Region has infrastructure that meets current and future needs.	Failure to deliver the Gracemere and South Rockhampton Sewage Treatment Plan (SRSTP) short term strategy could lead to service delivery disruptions, lack of compliance with legislative requirements (including environmental) and reputational damage.	High 4	1. Finalise design including design reports 2. Finalise cost plans 3. Initiate collaboration with approval authorities. 4. Implement short term strategy. 5. Collaborate with FRW to develop a live working process for SRSTP (19/7/24)			19/7/24: 40% 21/7/23: 20%	31/07/2025	Manager Project Delivery	19/7/24: Future Risk Controls: 1. - Design finalised. Add Collaborate with FRW to develop a live working process for SRSTP (as a future risk is delivering the project on a live plant).
12. Projects and Event Management	P 392	5.1 Our Region has infrastructure that meets current and future needs.	Failure to deliver new South Rockhampton Sewage Treatment Plant could lead to financial impacts, lack of compliance with legislative requirements (including environmental) and reputational damage.	High 4	1. Finalise design including design reports 2. Finalise cost plans 3. Initiate collaboration with approval authorities.			0%	31/12/2030	Manager Project Delivery	19/7/24: No change
01 Asset & Capacity Management	P 449	2.1 Our places and spaces enhance the liveability and diversity of our communities.	Failure to plan for the future of the Pilbeam Theatre in a timely manner as it nears end of life which may result in: Short-term - Failure, rendering the building unusable; Long-term - Inability to support the cultural life of a major regional centre; having safety, service delivery, financial, compliance, facilities, and community relationship consequences for council.	High 4	Report to be presented to Council advising of the building and inherent infrastructure's condition, so that Council can decide on the way forward (eg: new building, or some other solution)  Pursuit of longer term redevelopment plans for the Pilbeam Theatre to be undertaken (19/7/24)			23/7/24: 100% 70%	31/10/2023  31/12/2034	Manager Project Delivery Manager-Communities and Culture	19/7/24: Future Risk Control 100% - add to Existing Controls: Council has endorsed allocation of funding to complete maintenance addressing high risk infrastructure concerns.  Add new Future Risk Control: Pursuit of longer term redevelopment plans for the Pilbeam Theatre to be undertaken. To be completed by date 31/12/34. This project risk has moved to Project Delivery and the Manager Project Delivery is the Risk Owner.
12. Projects and Event Management	P 346	5.1 Our Region has infrastructure that meets current and future needs.	Failure to deliver the Low Lift Pump Station renewal project at the Glenmore Water Treatment Plant will lead to catastrophic service delivery disruption, compromise compliance with legislative requirements and cause significant reputational damage.	Very High 3	1. Engage expert consultants for accelerated design 2. Finalise design including design reports and procurement plan 3. Finalise cost plans 4. Initiate collaboration with procurement team 5. Implement short term strategy to address highest identified failure mode.	\$3.23M		23/04/24: 5%	31/12/2024	Manager Water and Wastewater	19/7/24: No change

# **RISK REGISTERS QUARTERLY UPDATE AS AT 19 JULY 2024**

## **Control Effectiveness Ratings**

**Meeting Date: 27 August 2024**

**Attachment No: 3**



COMBINED CORPORATE AND OPERATIONAL RISK REGISTERS

Current Risk Rating showing # Control Effectiveness Ratings as at July 2024

EFFECTIVENESS RATING ↓	CURRENT RISK RATINGS →												TOTAL
	Very High 1	Very High 2	Very High 3	High 3	High 4	High 5	Moderate 5	Moderate 6	Moderate 7	Low 7	Low 8	Low 9	
Fully Effective	0	0	0	0	0	0	3	12	1	7	2	1	26
Substantially Effective	0	0	1	0	10	5	33	34	3	11	2	0	99
Partially Effective	0	0	1	0	10	1	13	11	1	3	0	0	40
Largely Ineffective	0	0	0	0	3	1	0	1	0	0	0	0	5
None / Totally Ineffective	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>23</b>	<b>7</b>	<b>49</b>	<b>58</b>	<b>5</b>	<b>21</b>	<b>4</b>	<b>1</b>	<b>170</b>

Potential Exposure Risk Rating showing # Control Effectiveness Ratings as at July 2024

EFFECTIVENESS RATING ↓	POTENTIAL EXPOSURE RISK RATINGS →					TOTAL
	Catastrophic	Major	Moderate	Minor	Insignificant	
Fully Effective	0	17	6	3	0	26
Substantially Effective	7	55	32	5	0	99
Partially Effective	2	20	17	1	0	40
Largely Ineffective	0	4	1	0	0	5
None / Totally Ineffective	0	0	0	0	0	0
<b>TOTAL</b>	<b>9</b>	<b>96</b>	<b>56</b>	<b>9</b>	<b>0</b>	<b>170</b>

Risks Assessed with (Totally Ineffective) and (Largely Ineffective) Control Effectiveness Rating as at July 2024

Risk	Risk Id	Potential Exp.	Current Risk Rate	Evaluation	Objective
Failure to address general long term planning needs for the community will result in lower quality development, less development overall, continued poor economic and community performance indicators, and lost opportunities in pursuit of achieving elevation of Rockhampton's reputation to an exceptional regional city.	330	4. Major	High 4	Accept Risk (ALARP)	3.1 We plan for growth with the future needs of the community, business and industry in mind.
Insufficient appropriate human resources (staff and volunteers) to manage and operate sites resulting in closure and/or significant loss of service range and quality.	403	3. Moderate	Moderate 6	Accept Risk (ALARP)	2.2 We support our communities through our activities and programs.
Failure to deliver new South Rockhampton Sewage Treatment Plant could lead to financial impacts, lack of compliance with legislative requirements (including environmental) and reputational damage.	P392	4. Major	High 4	Treat Risk	5.1 Our Regions has infrastructure that meets current and future needs
Failure to appropriately prepare for, or respond to, local climate change impacts on Council's and the Community's interests resulting in: disruption to service delivery; damage to: infrastructure and assets; community, economy, environment; staff and council reputation.	13	4. Major	High 5	Accept Risk (ALARP)	4.1 Our Regions is resilient and prepared to manage climate-related risks and opportunities.
Failure to plan for the future of the Pilbeam Theatre in a timely manner as it nears end of life which may result in: Short-term - Failure, rendering the building unusable; Long-term - inability to support the cultural life of a major regional centre; having safety, service delivery, financial, compliance, facilities, and community relationship consequences for council.	P449	4. Major	High 4	Treat Risk	2.1 Our places and spaces enhance the liveability and diversity of our communities

Note: 4 of the above 5 risks have been assessed as having a likelihood of C (Possible - Could occur); #13 has been assessed as B (Unlikely - might occur at some time)

# Measure of Likelihood based on Current Risk Ratings		July '24	Apr '24	Jan '24	Sep '23	Jul '23	Apr '23	Jan '23	Jul '22
A	<5% (May occur rarely)	16	16	16	16	16	16	16	17
B	>5%-30% (Might at some time)	61	60	59	59	59	60	60	60
C	>30%-70% (Could occur)	76	75	76	75	75	74	74	77
D	>70%-95% (Will probably occur)	17	18	18	17	17	16	16	16
E	>95%-100% (Expected to occur)	0	0	0	0	0	0	0	0
		170	169	169	167	167	166	166	170

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**11.5 ENCROACHMENT ON PUBLIC LAND POLICY & PROCEDURE REVIEW**

<b>File No:</b>	<b>10360, 11979</b>
<b>Attachments:</b>	<ol style="list-style-type: none"><li><b>1. Final Draft Encroachment on Public Land Policy - Tracked Changes</b><a href="#">↓</a></li><li><b>2. Final Draft Encroachment on Public Land Policy - Clean</b><a href="#">↓</a></li><li><b>3. Final Draft Encroachment on Public Land Procedure - Tracked Changes</b><a href="#">↓</a></li><li><b>4. Final Draft Encroachment on Public Land Procedure - Clean</b><a href="#">↓</a></li></ol>
<b>Authorising Officer:</b>	<b>Megan Younger - Manager Corporate and Technology Services</b> <b>Ross Cheesman - Deputy Chief Executive Officer</b>
<b>Author:</b>	<b>Kellie Roberts - Coordinator Property and Insurance</b>

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**SUMMARY**

*The revised draft Encroachment on Public Land Policy and Procedure is presented to Council for consideration and adoption.*

**OFFICER'S RECOMMENDATION**

That Council:

1. Adopts the revised Encroachment on Public Land Policy and Procedure; and
2. Approves a review date of the Encroachment on Public Land Policy of July 2026 and a review date of the Encroachment on Public Land Procedure of July 2025.

**COMMENTARY**

The Encroachment on Public Land Policy (Policy) and Encroachment on Public Land Procedure (Procedure) were last reviewed in December 2017 and are due for review.

A recent review of this Policy and Procedure has been undertaken with the following proposed major amendments:

1. Definition of Freehold Land adjusted to include all Council freehold land not just public open space.
2. Approval for encroachment action changed from Council adoption to general manager in accordance with delegations, excluding the sale of land to encroachers.
3. The upfront fee has been adjusted to an annual fee to be increased by CPI each year and is capped at \$2k/annum.
4. Other minor wording changes to simplify the documents.

The proposed changes to the definition of Freehold Land aims to capture not just land zoned as public open space, but all Council freehold land. This is to ensure that Council has a consistent approach in dealing with encroachments on all Council land.

A new change is proposed in the Procedure that if a Trustee Permit or Freehold Licence is utilised to deal with the encroachment, there is a set fee of \$150/m<sup>2</sup> (or part thereof) + GST per annum payable to Council. This fee is capped at \$2000 + GST per annum. The fee payable to Council is to be increased annually by CPI. Alternatively, Council can stipulate a lesser fee which is currently approved at \$100 pa.

There are also proposed approval changes, whereby only the disposal of land to the encroacher requires a Council Resolution under the requirements of the *Local Government Regulation 2012*. The remaining approval requirements has changed to the general manager in accordance with delegations.

**BACKGROUND**

Council's Encroachment on Public Land Policy and Procedure was originally adopted in September 2013.

**PREVIOUS DECISIONS**

Nil

**BUDGET IMPLICATIONS**

Nil

**LEGISLATIVE CONTEXT**

No legislative context.

**LEGAL IMPLICATIONS**

No legal implications.

**STAFFING IMPLICATIONS**

No staffing implications.

**RISK ASSESSMENT**

No required.

**CORPORATE/OPERATIONAL PLAN**

Operational Plan

Goal 1.1 – We are fiscally responsible.

We have effective governance with accountable decision-making practices.

**CONCLUSION**

The revised Encroachment on Public Land Policy and Procedure is presented for Council's consideration and approval.

# **ENCROACHMENT ON PUBLIC LAND POLICY & PROCEDURE REVIEW**

## **Final Draft Encroachment on Public Land Policy - Tracked Changes**

**Meeting Date: 27 August 2024**

**Attachment No: 1**

## ENCROACHMENT ON PUBLIC LAND POLICY

### ADMINISTRATIVE POLICY



#### 1 Scope

This policy applies to encroachments on Rockhampton Regional Council owned land or trust land under Rockhampton Regional Council's control.

This policy does not apply to:

- (a) Matters covered under existing legislation, Local Law or policy; including outdoor eating areas, shopfront displays and advertising structures;
- (b) Structures of a temporary nature approved or required as part of a development application process; and
- (c) Authorities, corporations or other parties that have a statutory right to create such encroachments (for example power poles/boxes, post boxes, telephone lines, etc).

#### 2 Purpose

The purpose of this policy is to guide the determination of how an encroachment is dealt with in a practical and equitable manner and in accordance with legislation.

#### 3 Related Documents

##### 3.1 Primary

Nil

##### 3.2 Secondary

*Land Act 1994*

*Local Government Act 2009*

*Local Government Regulation 2012*

*Local Law No. 1 (Administration) 2011*

*Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011*

*Property Law Act 1974*

Encroachment on Public Land Procedure

[Rockhampton Region Planning Scheme](#)

#### 4 Definitions

To assist in interpretation, the following definitions apply:

CEO	Chief Executive Officer A person who holds an appointment under section 194 of the <i>Local Government Act 2009</i> . This includes a person acting in this position.
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#### LEGAL AND GOVERNANCE USE ONLY

Adopted/Approved:	<a href="#">Adopted, 10 September 2013</a> <del>DRAFT</del>	Department:	Corporate Services
Version:	4	Section:	Corporate and Technology Services
Reviewed Date:	<del>4 December 2017</del>	Page No:	Page 1 of 4

Council	Rockhampton Regional Council
Delegated Officer	<a href="#">An employee appointed to a position with the relevant legislative delegation and/or administrative powers.</a>
Employee	<a href="#">Local government employee:</a> (a) <a href="#">The CEO; or</a> (a)(b) <a href="#">A person holding an appointment under section 196 of the Local Government Act 2009.</a>
Encroacher (Owner)	The owner or <del>permitted occupant(s)</del> <a href="#">(registered lessee)</a> of the land responsible for the encroachment on public land.
Encroachment	A situation <del>in real estate</del> where an <a href="#">adjoining</a> property owner or permitted occupant(s) violates the property rights of a neighbour (Council) by making improvements or erecting structures on or over the neighbour's land.
Freehold Land	Council owned freehold land, <del>provided as public open space under the Rockhampton Region Planning Scheme.</del>
General Manager	<a href="#">An employee appointed to a position with a corporate band 2 delegated in line with the Delegation and Authorisation Policy and detailed in the Delegations Corporate Register, positions include Deputy Chief Executive Officer, general managers and executive managers.</a>
Public Land	Freehold land and various categories of trust land and roads under Council's control (for example <a href="#">parks, reserves and</a> footpaths).
Road	As <del>per defined in</del> <a href="#">the Land Act 1994</a> , an area <del>of</del> land, whether surveyed or unsurveyed: (a) Dedicated, notified or declared to be a road for public use; or (b) Taken under an Act, for the purpose of a road for public use. The term includes: (a) A street, esplanade, reserve for esplanade, highway, pathway, thoroughfare, track or stock route; and (b) A bridge, causeway, culvert or other works in, on, over or under a road; and (c) Any part of a road.
Trust Land	As <del>per defined in</del> <a href="#">the Land Act 1994</a> , the land comprising a reserve or deed of grant in trust, <del>with Council as the appointed trustee.</del>

## 5 Policy Statement

It is widely accepted that [public](#) roads, footpaths and ~~spaces~~[public land](#) are in the public domain and are to be managed for the benefit of all users. ~~Encroachments onto public land are considered when a property owner or permitted occupant(s) advances a private land use activity from private land into the adjoining public land. These e~~Encroachments may be as simple as a mowing strip and as complex as unapproved building structures installed in, on, across, under or over public land.

### 5.1 Encroachment Categories

Council recognises that encroachments on public land do not always impose a constraint on the community use or effective operation of the public land and in some cases may enhance its use.

In assessing the impact or constraint of the various instances of encroachments on the community or Council, the following categories have been adopted.:

LEGAL AND GOVERNANCE USE ONLY			
Adopted/Approved:	<del>Adopted, 10 September 2013</del> <a href="#">DRAFT</a>	Department:	Corporate Services
Version:	1	Section:	Corporate and Technology Services
Reviewed Date:	1 December 2017	Page No:	Page 2 of 4

**5.1.1 Minor**

Encroachments or structures of a minor nature considered unlikely to result in significant risk (financially or public liability) for the community or Council.

For example: [landscaped gardens](#)~~extended lawn areas~~, mowing strips, letter boxes, access stairs, hand rails, [shopfront awning posts](#) and small retaining walls.

**5.1.2 Restrictive**

Encroachments or structures of this nature are considered quite significant as they restrict public access and generate considerable benefit to the encroacher. There may also be public liability issues for Council.

For example: [gardens](#), medium to large retaining walls and large hardstands.

**5.1.3 Exclusive**

Encroachments and structures that provide exclusive benefit to the encroacher and/or prevent any public access. There may also be increased public liability issues for Council.

For example: fenced areas, shed/garage structures and pools.

**5.2 Possible Actions to Remedy Encroachments**

Some possible actions to remedy encroachments on public land may include:

- (a) Permit or licence (agreement) to use land, subject to Council conditions (~~minor or~~ restrictive encroachment);
- (b) Commence action to establish an agreement for use over the encroached land (~~minor or~~ restrictive encroachment);
- (c) [Compliance notice Order](#) to remove encroaching structures/materials [by Council's Local Laws](#); or
- (d) Commence action to sell encroached land [to the encroacher](#).

Council may consider approval of an encroachment on public land with due consideration of a range of criteria including, but not limited to, safety, commercial gain, personal gain, community impact and any legislative constraints.

**5.3 Approval for Encroachment Action**

~~The following~~Any actions to remedy encroachments under this policy must be adopted by Council~~approved by the relevant general manager responsible for the public land~~:

- (a) Permit or licence (agreement) to use land, subject to Council conditions (restrictive encroachment);
- (b) Commence action to establish an agreement for use over the encroached land (restrictive encroachment); or
- (c) Commence action to sell encroached land to the encroacher.

For the sale of land to the encroacher, this action must be adopted by the passing a resolution of Council.

The appropriate delegated officer will ~~CEO has delegated authority to~~ sign any tenure agreement for use of encroached land.

A compliance notice to remove encroaching structures/materials by Council's Local Laws must be approved by the appropriate delegated officer.

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**6 Review Timelines**

This policy is reviewed when any of the following occur:

- (a) The related information is amended or replaced; or
- (b) Other circumstances as determined from time to time by [the CEO Council](#).

**7 Document Management**

Sponsor	Chief Executive Officer
Business Owner	Deputy Chief Executive Officer
Policy Owner	Manager Corporate and Technology Services
Policy Quality Control	Legal and Governance



**LEGAL AND GOVERNANCE USE ONLY**

Adopted/Approved:	<a href="#">Adopted, 10 September 2013</a> <del>DRAFT</del>	Department:	Corporate Services
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# **ENCROACHMENT ON PUBLIC LAND POLICY & PROCEDURE REVIEW**

## **Final Draft Encroachment on Public Land Policy - Clean**

**Meeting Date: 27 August 2024**

**Attachment No: 2**

## ENCROACHMENT ON PUBLIC LAND POLICY

### ADMINISTRATIVE POLICY



#### 1 Scope

This policy applies to encroachments on Rockhampton Regional Council owned land or trust land under Rockhampton Regional Council's control.

This policy does not apply to:

- (a) Matters covered under existing legislation, Local Law or policy; including outdoor eating areas, shopfront displays and advertising structures;
- (b) Structures of a temporary nature approved or required as part of a development application process; and
- (c) Authorities, corporations or other parties that have a statutory right to create such encroachments (for example power poles/boxes, post boxes, telephone lines, etc).

#### 2 Purpose

The purpose of this policy is to guide the determination of how an encroachment is dealt with in a practical and equitable manner and in accordance with legislation.

#### 3 Related Documents

##### 3.1 Primary

Nil

##### 3.2 Secondary

*Land Act 1994*

*Local Government Act 2009*

*Local Government Regulation 2012*

*Local Law No. 1 (Administration) 2011*

*Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011*

*Property Law Act 1974*

Encroachment on Public Land Procedure

#### 4 Definitions

To assist in interpretation, the following definitions apply:

CEO	Chief Executive Officer A person who holds an appointment under section 194 of the <i>Local Government Act 2009</i> . This includes a person acting in this position.
Council	Rockhampton Regional Council

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Delegated Officer	An employee appointed to a position with the relevant legislative delegation and/or administrative powers.
Employee	Local government employee: (a) The CEO; or (b) A person holding an appointment under section 196 of the <i>Local Government Act 2009</i> .
Encroacher	The owner or registered lessee of the land responsible for the encroachment on public land.
Encroachment	A situation where an adjoining property owner or permitted occupant(s) violates the property rights of a neighbour (Council) by making improvements or erecting structures on or over the neighbour's land.
Freehold Land	Council owned freehold land.
General Manager	An employee appointed to a position with a corporate band 2 delegated in line with the Delegation and Authorisation Policy and detailed in the Delegations Corporate Register, positions include Deputy Chief Executive Officer, general managers and executive managers.
Public Land	Freehold land and various categories of trust land and road under Council's control (for example parks, reserves and footpaths).
Road	As defined in the <i>Land Act 1994</i> , an area of land, whether surveyed or unsurveyed: (a) Dedicated, notified or declared to be a road for public use; or (b) Taken under an Act, for the purpose of a road for public use. The term includes: (a) A street, esplanade, reserve for esplanade, highway, pathway, thoroughfare, track or stock route; and (b) A bridge, causeway, culvert or other works in, on, over or under a road; and (c) Any part of a road.
Trust Land	As defined in <i>the Land Act 1994</i> , the land comprising a reserve or deed of grant in trust, with Council as the appointed trustee.

## 5 Policy Statement

It is widely accepted that roads, footpaths and public land are in the public domain and are to be managed for the benefit of all users. Encroachments may be as simple as a mowing strip and as complex as unapproved building structures installed in, on, across, under or over public land.

### 5.1 Encroachment Categories

Council recognises that encroachments on public land do not always impose a constraint on the community use or effective operation of the public land and in some cases may enhance its use.

In assessing the impact or constraint of the various instances of encroachments on the community or Council, the following categories have been adopted.

#### 5.1.1 Minor

Encroachments or structures of a minor nature considered unlikely to result in significant risk (financially or public liability) for the community or Council.

For example: extended lawn areas, mowing strips, letter boxes, access stairs, hand rails, shopfront awning posts and small retaining walls.

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**5.1.2 Restrictive**

Encroachments or structures of this nature are considered quite significant as they restrict public access and generate considerable benefit to the encroacher. There may also be public liability issues for Council.

For example: gardens, medium to large retaining walls and large hardstands.

**5.1.3 Exclusive**

Encroachments and structures that provide exclusive benefit to the encroacher and/or prevent any public access. There may also be increased public liability issues for Council.

For example: fenced areas, shed/garage structures and pools.

**5.2 Possible Actions to Remedy Encroachments**

Some possible actions to remedy encroachments on public land may include:

- (a) Permit or licence (agreement) to use land, subject to Council conditions (restrictive encroachment);
- (b) Commence action to establish an agreement for use over the encroached land (restrictive encroachment);
- (c) Compliance notice to remove encroaching structures/materials by Council's Local Laws; or
- (d) Commence action to sell encroached land to the encroacher.

Council may consider approval of an encroachment on public land with due consideration of a range of criteria including, but not limited to, safety, commercial gain, personal gain, community impact and any legislative constraints.

**5.3 Approval for Encroachment Action**

The following actions to remedy encroachments under this policy must be approved by the relevant general manager responsible for the public land:

- (a) Permit or licence (agreement) to use land, subject to Council conditions (restrictive encroachment);
- (b) Commence action to establish an agreement for use over the encroached land (restrictive encroachment); or
- (c) Commence action to sell encroached land to the encroacher.

For the sale of land to the encroacher, this action must be adopted by the passing a resolution of Council.

The appropriate delegated officer will sign any tenure agreement for use of encroached land.

A compliance notice to remove encroaching structures/materials by Council's Local Laws must be approved by the appropriate delegated officer.

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**6 Review Timelines**

This policy is reviewed when any of the following occur:

- (a) The related information is amended or replaced; or
- (b) Other circumstances as determined from time to time by Council.

**7 Document Management**

Sponsor	Chief Executive Officer
Business Owner	Deputy Chief Executive Officer
Policy Owner	Manager Corporate and Technology Services
Policy Quality Control	Legal and Governance



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# **ENCROACHMENT ON PUBLIC LAND POLICY & PROCEDURE REVIEW**

## **Final Draft Encroachment on Public Land Procedure - Tracked Changes**

**Meeting Date: 27 August 2024**

**Attachment No: 3**

## ENCROACHMENT ON PUBLIC LAND PROCEDURE



### 1 Scope

This procedure applies to encroachments on Rockhampton Regional Council owned land or trust land under Rockhampton Regional Council's control.

[This procedure does not apply to:](#)

- [\(a\) Matters covered under existing legislation, Local Law or policy; including outdoor eating areas, shopfront displays and advertising structures;](#)
- [\(b\) Structures of a temporary nature approved or required as part of a development application process; and](#)
- [\(c\) Authorities, corporations or other parties that have a statutory right to create such encroachments \(for example power poles/boxes, post boxes, telephone lines, etc\).](#)

### 2 Purpose

The purpose of this procedure is to describe the process in dealing with encroachment in a practical and equitable manner in accordance with legislation.

### 3 Related Documents

#### 3.1 Primary

Encroachment on Public Land Policy

#### 3.2 Secondary

*Land Act 1994*

[Land Title Act 1994](#)

*Local Government Act 2009*

*Local Government Regulation 2012*

*Local Law No. 1 (Administration) 2011*

*Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011*

*Property Law Act 1974*

[Rockhampton Region Planning Scheme](#)

### 4 Definitions

To assist in interpretation, the following definitions apply:

Council	Rockhampton Regional Council
<u><a href="#">CPI</a></u>	<u><a href="#">Consumer price index</a></u>

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<a href="#">Delegated Officer</a>	<a href="#">An employee appointed to a position with the relevant legislative delegation or administrative powers.</a>
<a href="#">DNRMDOR</a>	Queensland Department of <a href="#">Natural Resources and Mines</a>
<a href="#">Employee</a>	<a href="#">Local government employee:</a> (a) <a href="#">The Chief Executive Officer; or</a> (a)(b) <a href="#">A person holding an appointment under section 196 of the Local Government Act 2009.</a>
<a href="#">Encroacher(Owner)</a>	The owner or <del>permitted occupant(s)</del> <a href="#">registered lessee</a> of the land responsible for the encroachment on public land.
<a href="#">Encroachment</a>	A situation <del>in real estate</del> where an <a href="#">adjoining</a> property owner or permitted occupant(s) violates the property rights of a neighbour (Council) by making improvements or erecting structures on or over the neighbour's land.
<a href="#">Encroachment Categories</a>	Categories adopted by Council; Minor, Restrictive and Exclusive; used for guiding the actions to be taken in the community's and Council's interest.
<a href="#">Freehold Land</a>	Council owned freehold land, <del>provided as public open space under the Rockhampton Region Planning Scheme.</del>
<a href="#">General Manager</a>	<a href="#">An employee appointed to a position with a corporate band 2 delegated in line with the Delegation and Authorisation Policy and detailed in the Delegations Corporate Register. positions include Deputy Chief Executive Officer, general managers and executive managers.</a>
<a href="#">GST</a>	<a href="#">Goods and services tax.</a>
<a href="#">Land Management Plan</a>	A document that provides <a href="#">DNRMDOR</a> with information to support an application for use of an area of trust land. The plan also provides the Queensland Government ('the State') with a basis for ensuring the trustee, lessee or permittee, being the land steward of the trust land under their control, <del>will be maintain</del> <a href="#">sing</a> the trust land for its dedicated purpose on behalf of the State and to the State's satisfaction.
<a href="#">Public Land</a>	Freehold land and various categories of trust land and road under Council's control (for example <a href="#">parks, reserves and</a> footpaths).
<a href="#">Road</a>	As <del>per defined in</del> the <i>Land Act 1994</i> , an area <del>of</del> land, whether surveyed or unsurveyed: (a) Dedicated, notified or declared to be a road for public use; or (b) Taken under an Act, for the purpose of a road for public use. The term includes: (a) A street, esplanade, reserve for esplanade, highway, pathway, thoroughfare, track or stock route; and (b) A bridge, causeway, culvert or other works in, on, over or under a road; and (c) Any part of a road.
<a href="#">Trust Land</a>	As <del>per defined in</del> the <i>Land Act 1994</i> , the land comprising a reserve or deed of grant in trust, <del>with Council as the appointed trustee.</del>

## 5 Procedure

~~The land registry, under the Land Title Act 1994, records Queensland, as with all states, has adopted the Torrens Title system of land ownership; meaning that the Certificate of Title is the absolute proof of ownership of the land. The Title Register adopts the surveyed boundaries of the land and confirms the ownership from the property boundary, down to the centre of the earth and the air space above. Any private improvements beyond the property boundary onto public land could bejs considered an encroachment on~~

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[public land](#).

Encroachments onto public land are considered when a private owner or occupier advances a private land use activity from private land into the adjoining public land. Encroachments may be as simple as a mowing strip and as complex as unapproved building structures installed in, on, across, under or over public land.

### 5.1 State Government Advice on Trust Land Encroachment

Advice was sought from the [DNRM-DOR](#) in relation to encroachments on trust land. Where it is determined that an existing secondary use is inconsistent with the purpose of the trust land, options for consideration include:

- (a) Allowing the use to continue under a trustee lease [or trustee permit](#) if it does not diminish the purpose of the trust land;
- (b) Revocation of the land, excision of part of the land or change the gazetted purpose that could accommodate the secondary use if it can be demonstrated that the whole or part of the trust land is no longer required for its gazetted purpose; or
- (c) Require any secondary use to discontinue.

Most encroachments would be classified as an existing inconsistent secondary use of trust land.

Existing inconsistent uses may continue if:

- (a) It can be demonstrated that the requirement for secondary use to discontinue is not feasible on technical or planning grounds;
- (b) The community has not raised valid concerns;
- (c) The requirements of a land management plan are addressed [\(if required\)](#); and
- (d) The trustees declare that they are satisfied the occupation does not diminish the purpose of the trust.

### 5.2 Encroachment Conditions and Remedy Actions

Based on the adopted encroachment categories, the following table of encroachment conditions and remedy actions has been developed as a guide for possible actions that may be taken to remedy an unauthorised encroachment.

Category	Encroachment Conditions	Possible Remedy Actions/Response
Minor	<ul style="list-style-type: none"> <li>(a) Planting lawn or ground level landscaping.</li> <li>(b) Retaining wall encroaches less than 600mm and is less than 600mm in height.</li> <li>(c) Letter box, <a href="#">access stairs, shopfront awning posts</a> or hand rails.</li> <li>(d) Limited benefit to encroacher.</li> <li>(e) Limited public liability.</li> </ul>	If public risk is evident and unavoidable, then complete removal of encroachment is required.
Restrictive	<ul style="list-style-type: none"> <li>(a) Encroachment greater than 600mm in height.</li> <li>(b) Encroachment extends more than 600mm onto public land.</li> <li>(c) Restricted access to the public.</li> <li>(d) Considerable benefit to encroacher.</li> </ul>	<ul style="list-style-type: none"> <li>(a) Complete removal of encroachment is required; <a href="#">or-</a></li> <li>(b) Possible consideration of a Trustee Permit/Freehold Licence with the encroacher (some special conditions may be necessary for public access and protection).</li> </ul>

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	(e) Some public liability issues for Council.	
<b>Exclusive</b>	(a) Permanent structures on public land. (a) Fenced areas. (b) Exclusive benefit to encroacher. (c) No public access exists. (d) Some public liability issues for Council.	(a) Complete removal of encroachment is required; <del>or-</del> (b) Possible consideration to sell the portion of public land to the encroacher ( <del>noting Council <u>must pass a resolution approval is mandatory</u> and public consultation may be required. Some sale conditions may also be necessary).</del>

**5.3 Restrictive Encroachment – [Trustee Permit](#)/[Freehold Licence](#) [Tenure Agreements](#)**

**5.3.1 Who Can Apply for a [Trustee Permit](#) or [Freehold Licence](#)**

Only the [registered](#) owner or lessee ~~as registered on the certificate of title of the encroaching property~~ may apply for a trustee permit or freehold licence for an encroachment.

~~Where the property is not Torrens Title, permission from all relevant parties must be obtained (for example, in the case of a Community Title or Strata Title, the permit or lease is only issued to the Body Corporate and not the individual).~~

**5.3.2 Trustee Permit Requirements (Trust Land)**

[Trustee permit requirements include:](#)

- (a) Permits can only be issued to the registered owner or [registered](#) lessee of the encroaching property (as shown on the certificate of title).
- (b) Permits are to be issued:
  - (i) Over trust land;
  - (ii) For a maximum period of three years;
  - (iii) ~~And~~ Registered on the title; and
  - (iv) ~~And Registrations~~ All costs are to be paid by the encroacher.
- (c) A sketch plan meeting the requirements of the *Land Act 1994*, showing the permit area, must be provided and all costs paid by the encroacher.
- (d) ~~An upfront once-off fee calculated at \$150m2 (or part thereof) per annum + GST, increased by CPI, is payable by the encroacher for the three year duration of the permit is payable by the encroacher. This fee is capped at \$2000 per annum + GST.~~
- (e) The encroacher must hold public liability insurance of no less than \$20,000,000 with Council noted as an interested party.
- (f) The permit ~~is terminated if the permit holder transfers their interests in the encroaching property to another party, is not automatically transferred to a purchaser of the encroaching property.~~ Prospective purchasers ~~of the encroaching property need must to~~ apply to Council to be granted a permit.
- (g) No further development or expansion of the encroachment is permitted.
- (h) The permit does not grant exclusive use of the land and the public must be allowed access at all times.

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**5.3.25.3.3 Freehold Licence Requirements (Freehold Land)**

- (a) A licence can only be issued to the registered owner or registered lessee of the encroaching property (as shown on the certificate of title).
- (b) Licenses are issued for a period of five years and are not registered on the title.
- (c) ~~An upfront once-off fee calculated at \$150m/2 (or part thereof) per annum + GST, increased by CPI, is payable by the encroacher for the five year duration of the licence is payable by the encroacher. This fee is capped at \$2000 per annum + GST.~~
- (d) The encroacher must hold public liability insurance of no less than \$10,000,000 with Council noted as an interested party.
- (e) The freehold licence is terminated if the licence holder transfers their interests in the encroaching property to another party, is not automatically transferred to a purchaser of the encroaching property. Prospective purchasers of the encroaching property must apply to Council to be granted a freehold licence.
- (f) No further development or expansion of the encroachment is permitted.
- (g) The freehold licence does not grant exclusive use of the land and the public must be allowed access at all times.

**5.3.35.3.4 Renewal and Cancellation**

Upon expiry of a permit or licence, should the encroachment still exist then a renewal may be issued.

If the encroacher does not adhere to all terms and conditions of their respective permit or licence, the encroacher is served with the relevant notice to remedy the breach. Failure to remedy the breach within a specified timeframe will result in the permit or licence being cancelled and the encroachment being removed, at the cost of the encroacher.

Examples of reasons for cancellation under a breach include but not limited to:

- (a) Encroacher fails to hold a current public liability insurance certificate;
- (b) Evidence of unapproved expansion and development of the encroachment area; or
- ~~(b)~~(c) Failure to maintain the permit or licence area; or
- ~~(c)~~(d) Failure to provide public access for restrictive encroachments.

Council also reserves the right to cancel a permit or licence by providing 30 days written notice to the encroacher. Reasons for cancellation and removal of the encroachment include but not limited to:

- (a) Council has planned development of the area;
- (b) The encroachment area is required for community use; or
- (c) The encroachment area is subject to sale.

**5.3.45.3.5 Public Liability Insurance**

Encroachers under a permit or licence must take out and keep current a public liability insurance policy noting specifically the interest of Council as an insured party.

The policy must insure for the amount of at least \$20,000,000 for trust land and at least \$10,000,000 for freehold land, and must cover injury, loss or damage to persons or property arising out of the activity carried out under the permit/licence or the granting of this permit/licence by Council.

A certificate of currency for the policy must be presented to Council upon request and at annual renewal of the policy.

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**5.4 Exclusive Encroachment – Sale of Encroached Land to the Encroacher**

**5.4.1 Freehold Land**

Where the encroacher applies to purchase the encroached land, the request must go through Council's ~~Land Review, Rationalisation and Realisation process (RRR)~~ [Property and Insurance unit](#) to determine if the land is surplus to Council's requirements. This process consists of consulting with relevant internal stakeholders and neighbouring property owners prior to presenting a report to Council for consideration.

If determined to be surplus land ~~and it meets the requirements, Council must pass a resolution~~ to sell the land under section 236(4)(e) exceptions for valuable non-current asset contracts, of the *Local Government Regulation 2012*, ~~Council must pass a resolution~~.

The purchaser is responsible for costs associated with the purchase.

**5.4.2 Trust Land**

The State of Queensland, represented by [DNRMDOR](#), owns trust land and therefore applications to purchase must be submitted to [DNRMDOR](#). ~~Community consultation is required to determine if the land is required for its gazetted community purpose~~. Council, as trustee, is also required to consent to the purchase.

The purchaser is responsible for costs associated with the purchase.

**5.5 Exclusive Encroachment – Removal of Encroachment**

If the ~~selling/purchasing~~ sale of the encroached land cannot be satisfied, ~~compliance action to removal~~ [remove of the encroachment \(at the cost of the encroacher\)](#) is to be commenced ~~as directed by Council~~ [by Council's Local Laws by the appropriate delegated officer](#).

**6 Review Timelines**

This procedure is reviewed when any of the following occur:

- (a) The related information is amended or replaced; or
- (b) Other circumstances as determined from time to time by the [Deputy Chief Executive Officer, General Manager](#)

**7 Document Management**

Sponsor	Chief Executive Officer
Business Owner	Deputy Chief Executive Officer
Policy Owner	Manager Corporate and Technology Services
Policy Quality Control	Legal and Governance



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# **ENCROACHMENT ON PUBLIC LAND POLICY & PROCEDURE REVIEW**

## **Final Draft Encroachment on Public Land Procedure - Clean**

**Meeting Date: 27 August 2024**

**Attachment No: 4**

## ENCROACHMENT ON PUBLIC LAND PROCEDURE



### 1 Scope

This procedure applies to encroachments on Rockhampton Regional Council owned land or trust land under Rockhampton Regional Council's control.

This procedure does not apply to:

- (a) Matters covered under existing legislation, Local Law or policy; including outdoor eating areas, shopfront displays and advertising structures;
- (b) Structures of a temporary nature approved or required as part of a development application process; and
- (c) Authorities, corporations or other parties that have a statutory right to create such encroachments (for example power poles/boxes, post boxes, telephone lines, etc).

### 2 Purpose

The purpose of this procedure is to describe the process in dealing with encroachment in a practical and equitable manner in accordance with legislation.

### 3 Related Documents

#### 3.1 Primary

Encroachment on Public Land Policy

#### 3.2 Secondary

*Land Act 1994*

*Land Title Act 1994*

*Local Government Act 2009*

*Local Government Regulation 2012*

*Local Law No. 1 (Administration) 2011*

*Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011*

*Property Law Act 1974*

### 4 Definitions

To assist in interpretation, the following definitions apply:

Council	Rockhampton Regional Council
CPI	Consumer price index
Delegated Officer	An employee appointed to a position with the relevant legislative delegation or administrative powers.

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DOR	Queensland Department of Resources
Employee	Local government employee: (a) The Chief Executive Officer; or (b) A person holding an appointment under section 196 of the <i>Local Government Act 2009</i> .
Encroacher	The owner or registered lessee of the land responsible for the encroachment on public land.
Encroachment	A situation where an adjoining property owner or permitted occupant(s) violates the property rights of a neighbour (Council) by making improvements or erecting structures on or over the neighbour's land.
Encroachment Categories	Categories adopted by Council; Minor, Restrictive and Exclusive; used for guiding the actions to be taken in the community's and Council's interest.
Freehold Land	Council owned freehold land.
General Manager	An employee appointed to a position with a corporate band 2 delegated in line with the Delegation and Authorisation Policy and detailed in the Delegations Corporate Register, positions include Deputy Chief Executive Officer, general managers and executive managers.
GST	Goods and services tax.
Land Management Plan	A document that provides DOR with information to support an application for use of an area of trust land. The plan also provides the Queensland Government ('the State') with a basis for ensuring the trustee, lessee or permittee, being the land steward of the trust land under their control, maintains the trust land for its dedicated purpose on behalf of the State and to the State's satisfaction.
Public Land	Freehold land and various categories of trust land and road under Council's control (for example parks, reserves and footpaths).
Road	As defined in the <i>Land Act 1994</i> , an area of land, whether surveyed or unsurveyed: (a) Dedicated, notified or declared to be a road for public use; or (b) Taken under an Act, for the purpose of a road for public use. The term includes: (a) A street, esplanade, reserve for esplanade, highway, pathway, thoroughfare, track or stock route; and (b) A bridge, causeway, culvert or other works in, on, over or under a road; and (c) Any part of a road.
Trust Land	As defined in the <i>Land Act 1994</i> , the land comprising a reserve or deed of grant in trust, with Council as the appointed trustee.

## 5 Procedure

The land registry, under the *Land Title Act 1994*, records the surveyed boundaries of the land and confirms the ownership from the property boundary. Any private improvements beyond the property boundary onto public land is considered an encroachment.

Encroachments onto public land are considered when a private owner or occupier advances a private land use activity from private land into the adjoining public land. Encroachments may be as simple as a mowing strip and as complex as unapproved building structures installed in, on, across, under or over public land.

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### 5.1 State Government Advice on Trust Land Encroachment

Advice was sought from the DOR in relation to encroachments on trust land. Where it is determined that an existing secondary use is inconsistent with the purpose of the trust land, options for consideration include:

- (a) Allowing the use to continue under a trustee lease or trustee permit if it does not diminish the purpose of the trust land;
- (b) Revocation of the land, excision of part of the land or change the gazetted purpose that could accommodate the secondary use if it can be demonstrated that the whole or part of the trust land is no longer required for its gazetted purpose; or
- (c) Require any secondary use to discontinue.

Most encroachments would be classified as an existing inconsistent secondary use of trust land.

Existing inconsistent uses may continue if:

- (a) It can be demonstrated that the requirement for secondary use to discontinue is not feasible on technical or planning grounds;
- (b) The community has not raised valid concerns;
- (c) The requirements of a land management plan are addressed (if required); and
- (d) The trustees declare that they are satisfied the occupation does not diminish the purpose of the trust.

### 5.2 Encroachment Conditions and Remedy Actions

Based on the adopted encroachment categories, the following table of encroachment conditions and remedy actions has been developed as a guide for possible actions that may be taken to remedy an unauthorised encroachment.

Category	Encroachment Conditions	Possible Remedy Actions/Response
<b>Minor</b>	<ol style="list-style-type: none"> <li>(a) Planting lawn or ground level landscaping.</li> <li>(b) Retaining wall encroaches less than 600mm and is less than 600mm in height.</li> <li>(c) Letter box, access stairs, shopfront awning posts or hand rails.</li> <li>(d) Limited benefit to encroacher.</li> <li>(e) Limited public liability.</li> </ol>	If public risk is evident and unavoidable, then complete removal of encroachment is required.
<b>Restrictive</b>	<ol style="list-style-type: none"> <li>(a) Encroachment greater than 600mm in height.</li> <li>(b) Encroachment extends more than 600mm onto public land.</li> <li>(c) Restricted access to the public.</li> <li>(d) Considerable benefit to encroacher.</li> <li>(e) Some public liability issues for Council.</li> </ol>	<ol style="list-style-type: none"> <li>(a) Complete removal of encroachment is required; or</li> <li>(b) Possible consideration of a Trustee Permit/Freehold Licence with the encroacher (some special conditions may be necessary for public access and protection).</li> </ol>

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Category	Encroachment Conditions	Possible Remedy Actions/Response
<b>Exclusive</b>	(a) Permanent structures on public land. (a) Fenced areas. (b) Exclusive benefit to encroacher. (c) No public access exists. (d) Some public liability issues for Council.	(a) Complete removal of encroachment is required; or (b) Possible consideration to sell the portion of public land to the encroacher (Council must pass a resolution and public consultation may be required. Some sale conditions may also be necessary).

### 5.3 Restrictive Encroachment – Trustee Permit/Freehold Licence Tenure Agreements

#### 5.3.1 Who Can Apply for a Trustee Permit or Freehold Licence

Only the registered owner or lessee of the encroaching property may apply for a trustee permit or freehold licence for an encroachment.

#### 5.3.2 Trustee Permit Requirements (Trust Land)

Trustee permit requirements include:

- (a) Permits can only be issued to the registered owner or registered lessee of the encroaching property (as shown on the certificate of title).
- (b) Permits are to be issued:
  - (i) Over trust land;
  - (ii) For a maximum period of three years;
  - (iii) Registered on the title; and
  - (iv) All costs are to be paid by the encroacher.
- (c) A sketch plan meeting the requirements of the *Land Act 1994*, showing the permit area, must be provided and all costs paid by the encroacher.
- (d) A fee calculated at \$150m<sup>2</sup> (or part thereof) per annum + GST, increased by CPI, is payable by the encroacher for the three year duration of the permit. This fee is capped at \$2000 per annum + GST.
- (e) The encroacher must hold public liability insurance of no less than \$20,000,000 with Council noted as an interested party.
- (f) The permit is terminated if the permit holder transfers their interests in the encroaching property to another party. Prospective purchasers of the encroaching property must apply to Council to be granted a permit.
- (g) No further development or expansion of the encroachment is permitted.
- (h) The permit does not grant exclusive use of the land and the public must be allowed access at all times.

#### 5.3.3 Freehold Licence Requirements (Freehold Land)

- (a) A licence can only be issued to the registered owner or registered lessee of the encroaching property (as shown on the certificate of title).
- (b) Licenses are issued for a period of five years and are not registered on the title.
- (c) A fee calculated at \$150m<sup>2</sup> (or part thereof) per annum + GST, increased by CPI, is payable by the encroacher for the five year duration of the licence. This fee is capped at \$2000 per annum + GST.
- (d) The encroacher must hold public liability insurance of no less than \$10,000,000 with Council noted as an interested party.

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- (e) The freehold licence is terminated if the licence holder transfers their interests in the encroaching property to another party. Prospective purchasers of the encroaching property must apply to Council to be granted a freehold licence.
- (f) No further development or expansion of the encroachment is permitted.
- (g) The freehold licence does not grant exclusive use of the land and the public must be allowed access at all times.

**5.3.4 Renewal and Cancellation**

Upon expiry of a permit or licence, should the encroachment still exist then a renewal may be issued.

If the encroacher does not adhere to all terms and conditions of their respective permit or licence, the encroacher is served with the relevant notice to remedy the breach. Failure to remedy the breach within a specified timeframe will result in the permit or licence being cancelled and the encroachment being removed, at the cost of the encroacher.

Examples of reasons for cancellation under a breach include but not limited to:

- (a) Encroacher fails to hold a current public liability insurance certificate;
- (b) Evidence of unapproved expansion and development of the encroachment area;
- (c) Failure to maintain the permit or licence area; or
- (d) Failure to provide public access for restrictive encroachments.

Council also reserves the right to cancel a permit or licence by providing 30 days written notice to the encroacher. Reasons for cancellation and removal of the encroachment include but not limited to:

- (a) Council has planned development of the area;
- (b) The encroachment area is required for community use; or
- (c) The encroachment area is subject to sale.

**5.3.5 Public Liability Insurance**

Encroachers under a permit or licence must take out and keep current a public liability insurance policy noting specifically the interest of Council as an insured party.

The policy must insure for the amount of at least \$20,000,000 for trust land and at least \$10,000,000 for freehold land, and must cover injury, loss or damage to persons or property arising out of the activity carried out under the permit/licence or the granting of this permit/licence by Council.

A certificate of currency for the policy must be presented to Council upon request and at annual renewal of the policy.

**5.4 Exclusive Encroachment – Sale of Encroached Land to the Encroacher**

**5.4.1 Freehold Land**

Where the encroacher applies to purchase the encroached land, the request must go through Council's Property and Insurance unit to determine if the land is surplus to Council's requirements. This process consists of consulting with relevant internal stakeholders and neighbouring property owners prior to presenting a report to Council for consideration.

If determined to be surplus land and it meets the requirements to sell the land under section 236 exceptions for valuable non-current asset contracts, of the *Local Government Regulation 2012*, Council must pass a resolution.

The purchaser is responsible for costs associated with the purchase.

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**5.4.2 Trust Land**

The State of Queensland, represented by DOR, owns trust land and therefore applications to purchase must be submitted to DOR. Council, as trustee, is also required to consent to the purchase.

The purchaser is responsible for costs associated with the purchase.

**5.5 Exclusive Encroachment – Removal of Encroachment**

If the sale of the encroached land cannot be satisfied, compliance action to remove the encroachment is to be commenced by Council’s Local Laws by the appropriate delegated officer.

**6 Review Timelines**

This procedure is reviewed when any of the following occur:

- (a) The related information is amended or replaced; or
- (b) Other circumstances as determined from time to time by the Deputy Chief Executive Officer.

**7 Document Management**

Sponsor	Chief Executive Officer
Business Owner	Deputy Chief Executive Officer
Policy Owner	Manager Corporate and Technology Services
Policy Quality Control	Legal and Governance



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**11.6 TEMPORARY ENTERTAINMENT EVENTS AND REGULATED ACTIVITIES ON COUNCIL CONTROLLED AREAS AND ROADS POLICY**

<b>File No:</b>	<b>11979</b>
<b>Attachments:</b>	<b>1. Draft Temporary Entertainment Events and Regulated Activities on Council Controlled Areas and Roads Policy</b> <a href="#">↓</a>
<b>Authorising Officer:</b>	<b>Ross Cheesman - Deputy Chief Executive Officer</b>
<b>Author:</b>	<b>Marnie Taylor - Chief Financial Officer</b>

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**SUMMARY**

*Council endorsement is sought to adopt a new Local Law Policy relevant to particular events and activities conducted by third parties on certain Council controlled areas and roads.*

**OFFICER'S RECOMMENDATION**

THAT the Temporary Entertainment Events and Regulated Activities on Council Controlled Areas and Roads Policy (Local Law Policy) attached to the report be adopted.

**COMMENTARY**

A new policy is proposed to compliment Council's Local Laws relevant to particular events and activities conducted by third parties on certain Council controlled areas and roads (most commonly, within open space parks). Such events/activities have increased in popularity and gained momentum over recent years.

Council currently has two adopted Local Laws which preside over the uses detailed within the attached policy however, as the laws are quite broad, a subordinate policy that contains a greater level of detail, introduces guiding principles and impact categories with subsequent scaled application, assessment and approval processes is believed will be an effective tool to better manage customer interactions and ensure impacts/risks are minimised.

**BACKGROUND**

Council's Local Laws relevant to the third party events and activities detailed within the policy were adopted in the 2018/2019 financial year. Through a recent internal review it was identified that the current management and processes surrounding the application, assessment, and approval of applications relevant to the laws are at times quite cumbersome in comparison to the likely impacts and risks the event/activity is likely to carry.

Following internal stakeholder consultation with Council officers and Leadership Team, efficiencies were identified and incorporated into the attached policy. For example, an event/activity screening process will be introduced to enable an initial high level evaluation of the likely impacts and risks associated with an event/activity which will inform the application or registration process to be followed. This initial step will ensure a scaled approach is taken relevant to the individual event/activity with low impact and low risk events assessed and treated in a different way to high risk and high impact events.

**BUDGET IMPLICATIONS**

Nil.

**LEGISLATIVE CONTEXT**

The attached policy is consistent with, and will sit subordinate to, Council's adopted Local Laws:

*Subordinate Local Law No 1.12 (Operation of Temporary Entertainment Events) 2011*  
*Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011*

**LEGAL IMPLICATIONS**

Under the *Human Rights Act 2019 (Qld)*, Council has an obligation to make decisions which are compatible with human rights and Council must give proper consideration to human rights when making decisions. In developing this Policy, consideration was given to human rights in accordance with the requirements of the Queensland *Human Rights Act 2019*. It is considered that the subject matter does not limit any human rights and supports a human rights approach to decision making by Council. A statement is included within the Policy detailing the human rights considerations.

**STAFFING IMPLICATIONS**

Nil.

**RISK ASSESSMENT**

Identified risks for individual events/activities conducted by third parties on Council controlled areas and roads will be assessed by Council officers and approved to proceed only where adequate controls and measures are proposed. Approvals will be subject to conditions of approval where appropriate.

**CORPORATE/OPERATIONAL PLAN**

The proposed Policy supports Council's 2022-2027 Corporate Plan as delineated below:

Goal 2.1 *'Our places and spaces enhance the liveability and diversity of our communities'*.

Effort 2.1.2 *'We encourage diversity of community events and innovative use of our places and spaces'*.

**CONCLUSION**

The Temporary Entertainment Events and Regulated Activities on Council Controlled Areas and Roads Policy (Local Law Policy) will compliment Council's Local Laws and will ensure third party events/activities on Council controlled areas and roads are better managed with impacts/risks minimised.

**TEMPORARY ENTERTAINMENT  
EVENTS AND REGULATED ACTIVITIES  
ON COUNCIL CONTROLLED AREAS  
AND ROADS POLICY**

**Draft Temporary Entertainment Events  
and Regulated Activities on Council  
Controlled Areas and Roads Policy**

**Meeting Date: 27 August 2024**

**Attachment No: 1**

## TEMPORARY ENTERTAINMENT EVENTS AND REGULATED ACTIVITIES ON COUNCIL CONTROLLED AREAS AND ROADS POLICY

### LOCAL LAW POLICY



#### 1 Scope

This policy applies to temporary entertainment events and regulated activities conducted by third parties on Rockhampton Regional Council controlled areas and roads where the approval of Council may be required in accordance with Subordinate Local Law No. 1.12 (*Operation of Temporary Entertainment Events*) 2011 and Subordinate Local Law No. 1.14 (*Undertaking Regulated Activities on Local Government Controlled Areas and Roads*) 2011). The policy does not apply to:

- (a) Events/activities undertaken by or on behalf of Council;
- (b) Major venues/community venues/other facilities controlled/operated by Council where third party use is managed by alternate means (for example, hire agreement);
- (c) Activities authorised by an existing tenure agreement for the relevant Council controlled area;
- (d) Activities authorised under a separate Council Local Law;
- (e) Street performing;
- (f) Events/activities undertaken on private land; and
- (g) Events/activities undertaken on State Government controlled areas and roads.

#### 2 Purpose

The purpose of this policy is to encourage temporary entertainment events and regulated activities on Council controlled areas whilst ensuring associated impacts and risks are appropriately managed resulting in the safety and wellbeing of patrons, the broader community, infrastructure and environment.

#### 3 Related Documents

##### 3.1 Primary

*Subordinate Local Law No 1.12 (Operation of Temporary Entertainment Events) 2011*

*Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011*

##### 3.2 Secondary

*Environmental Protection Act 1994*

*Human Rights Act 2019*

*Land Act 1994*

*Local Government Act 2009*

*Local Law No. 1 (Administration) 2011*

*Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011*

*Work Health and Safety Act 2011*

Car Wash Fundraiser Risk Assessment

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Corporate Plan 2022 – 2027  
 Display or Information Booth Risk Assessment  
 Enterprise Risk Management Process Procedure  
 Environmental Sustainability Policy  
 Event Guide Best Practice  
 Fees and Charges Schedule  
 List of Food Vendors/Stall Holders Form  
 Medium/Major Impact Private Event/Gathering/Ceremony (Public Place Activity) on Council Controlled Areas and Roads Application Form  
 Medium/Major Impact Regulated Activities on Council Controlled Areas and Roads Application Form  
 Medium/Major Impact Temporary Entertainment Event on Council Controlled Areas and Roads Application Form  
 Queensland Development Code (MP 3.2) - Tents  
 Refund, Exemption and Reduction of Fees and Charges Policy  
 Regulated Area Risk Assessment  
 Sustainability Strategy (Towards 2030)  
 Temporary Event Risk Assessment  
 Temporary Event Application Review Notification Whole of Council Work Instruction

#### 4 Definitions

To assist in interpretation, the following definitions apply:

Authorised Person	A person who is appointed with the relevant powers under <i>Local Law No. 1 (Administration) 2011</i> to monitor and enforce compliance as provided in Council's local laws.
Community Organisation	As defined in schedule 8 of the <i>Local Government Regulation 2012</i> : (a) An entity that carries on activities for a public purpose; or (b) Another entity whose primary objective is not directed at making a profit.
Council	Rockhampton Regional Council
Delegated Officer	An employee appointed to a position with the relevant legislative delegation under <i>Local Law No. 1 (Administration) 2011</i> , <i>SLL1.12</i> or <i>SLL1.14</i> .
Employee	Local government employee: (a) The Chief Executive Officer; or (b) A person holding an appointment under section 196 of the <i>Local Government Act 2009</i> .
LNFP	Local Not-for-Profit Community Organisation, as defined in Council's Fees and Charges Schedule, a community organisation benefitting the Council Local Government Area, and the organisation: (a) Has operating purposes other than to provide goods or services at a profit; (b) Does not have as its principal objective the generation of profit; (c) Is not an association or body of members representing entities that have the

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	<p>principal objective of generating a profit;</p> <p>(d) Does not have in its governing rules, legislation, regulations or constitution, the objective of generating a profit;</p> <p>(e) Does not pay income tax;</p> <p>(f) Is not able to transfer ownership or make distributions of surpluses to its members; and</p> <p>(g) Receives contributions of labour or resources from members or supporters, who do not expect a commensurate pecuniary return.</p>
Permitted Equipment /Structures	<p>Non-invasive, low risk temporary equipment and structures that are not considered 'Temporary Entertainment Equipment/Structures', cause minimal site overlay, require minimal setup and management, and can be quickly and easily removed. For example:</p> <p>(a) Up to two marquees where each marquee:</p> <p>(i) Does not exceed 3 metres by 6 metres in size; and</p> <p>(ii) Is weighted to manufacturer's instructions; and</p> <p>(iii) Is not pegged or staked into the ground, shrubs, trees, and/or other infrastructure,</p> <p>(b) Arbors;</p> <p>(c) Arches;</p> <p>(d) Easels;</p> <p>(e) Fold up tables;</p> <p>(f) Seating;</p> <p>(g) Carpet runners;</p> <p>(h) Acoustic music; and</p> <p>(i) Battery operated public address systems.</p>
Region	Rockhampton Regional Area defined by the Local Government Areas of Queensland.
SLL1.12	<i>Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2011</i>
SLL1.14	<i>Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011</i>
Temporary Entertainment Event	<p>As defined in <i>Local Law No. 1 (Administration) 2011</i>, the opening to the public, or the preparation for opening to the public, of an entertainment event and for which the opening to the public does not constitute development under the Planning Act.</p> <p>Council approval is required to authorise the conduct of the event pursuant to SLL1.12.</p> <p>For example, festival, concert, circus, polo, sporting events/competitions, markets, amusement rides.</p>
Temporary Entertainment Equipment/ Structures	<p>Equipment, structures and the like temporarily installed and commonly used for the purpose of entertaining and which crowds/persons are typically drawn to, including but not limited to:</p> <p>(a) Amusement devices (including inflatable devices such as jumping castles,</p>

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	<p>water slides);</p> <p>(b) Staging;</p> <p>(c) Dancefloors;</p> <p>(d) Petting zoos;</p> <p>(e) Soft play and other similar children’s entertainment equipment;</p> <p>(f) Marquees exceeding 100m<sup>2</sup>; and</p> <p>(g) Other equipment/structures causing significant site overlay and requiring significant setup and management.</p>
Regulated Activity	<p>Activities regulated and assessed in accordance with SLL1.14, including:</p> <p>(a) Driving or leading of animals to cross a road; and</p> <p>(b) Depositing of goods or materials;</p> <p>(c) Public Place Activities that do not involve the soliciting or carrying on the supply of goods or services (including food or drink) for profit, specifically:</p> <p>(i) The placing of a display or information booth;</p> <p>(ii) Conducting a social gathering or meeting of more than 50 people;</p> <p>(iii) Conducting or taking part in:</p> <p>(A) An organised sporting activity of regional, State or national significance;</p> <p>(B) A street parade;</p> <p>(C) A vintage car display;</p> <p>(D) A novelty vehicle race, for example, a go-cart race;</p> <p>(E) An invitation-only ceremony, party or celebration attended by more than 50 people;</p> <p>(F) A training event held on no more than 1 day; or</p> <p>(G) A training event held on more than 1 day without payment of a fee,</p> <p>(iv) Exercising a right of occupation and use of a specified part of a local government controlled area by an incorporated association;</p> <p>(v) Film and television production (excludes live-to-air reporting, news or current affairs for an existing program or program with a definite on-air schedule, and, audio/visual recording of a private wedding/ ceremony/celebration).</p> <p>Excludes:</p> <p>(a) A picnic, day outing, walk or the like undertaken by not more than 50 persons;</p> <p>(b) An invitation only gathering of friends or family, including, for example, a barbecue or birthday party, undertaken by not more than 50 persons, provided the undertaking of the activity does not include the placing of temporary entertainment equipment, for example, a jumping castle or an inflatable water side, on a local government controlled area or road;</p> <p>(c) A cake stall, sausage sizzle, car wash or similar fundraising event; and</p> <p>(d) An authorised public assembly undertaken in compliance with the requirements of the <i>Peaceful Assembly Act 1992</i>.</p>

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## 5 Policy Statement

Council acknowledges and is committed to ensuring that the primary purpose of Council controlled areas is for community use and enjoyment. Council ensures areas are preserved and remain appropriate for the needs of the community in accordance with its Corporate Plan, strategies and legislative/regulatory obligations.

While most general and recreational public uses within areas concur with the purpose of the land and do not need the formal consent of Council (for example, a small gathering within a park for a child's birthday party), some activities are regulated by Council's Local Laws and require approval or are otherwise restricted or prohibited because of their potential risks and impacts to the operation of the area or road, its users, and/or adjoining properties.

Council recognises that certain third party secondary uses may enhance Council controlled areas and provide a benefit to the community by bringing people together and creating lively spaces. On this basis, Council encourages the hosting of, and attendance at these third party events/activities and, through this policy, aims to ensure application requirements are tailored based on the nature, size, scale, impacts and risks associated with the event/activity, whilst still aligning with the objects of the local laws.

### 5.1 Guiding Principles

The following principles are relevant to events/activities proposed to be undertaken by third parties:

- (a) **Alignment with Council's Strategic Direction** – Event/activity must align with Council's strategic direction as detailed in Council's Corporate Plan and Sustainability Strategy (Towards 2030);
- (b) **Community Use Prioritised** - Impacts on the day-to-day recreational use by residents and visitors is considered and adequately managed with any conflicts resolved prior to approval;
- (c) **Safety Prioritised** – Event/activity must not impose an adverse safety risk to residents, visitors, and occupants of the land (for example, Rockhampton Zoo animals);
- (d) **Limited Impacts on Community Assets** – Event/activity must be suitable for the area and not adversely impact on public infrastructure or other community assets. For example, major impact events/activities may be restricted to certain areas and are required to provide detailed management plans;
- (e) **Limited Impacts on Residents and Local Businesses** – Limitations may be imposed on the number and nature of events/activities in key precincts to manage any likely negative impacts on residents, visitors and local businesses. For example, new or additional road closures are restricted/avoided, particularly in high use areas or where alternate routes are not available. Approval for events/activities may also be conditioned to ensure appropriate community notification and consultation is undertaken where Council deems necessary;
- (f) **Limited Financial Impacts on Ratepayers** – Council fees and charges associated with the application/undertaking of the event/activity are borne by the applicant to ensure no direct or inadvertent ratepayer subsidy. A delegated officer may, as a condition of approval, also require applicants to give reasonable security (for example, bond) to ensure any damage caused is made good;
- (g) **Sustainable Environmental Practices** - Events/activities must employ sustainable environmental practices including minimum requirements for waste management and other measures to facilitate protection of the environment and liveability of our Region.

### 5.2 Framework

A framework of administrative and operational documents together with informative guides/tools for applicants support this policy. Whilst those documents provide detailed information for applicants and employees assessing applications, the following outlines the general requirements.

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**5.2.1 Event/Activity Screening**

Effectively a pre-lodgement meeting/self-assessment allowing the applicant to broadly outline the key factors of the proposed event/activity prior to submitting any documentation. The information provided by the applicant is aligned to the criteria in Table 1. The applicant is then made aware of the requirements to proceed and may also be informed at this point of any likely restrictions/limitations (for example, unavailability of desired location). Tentative information of the event/activity may be recorded by Council at this point, however such action does not infer a formal approval.

Table 1 – Impact Category Criteria

Impact Category	Criteria
Minor Impact	<p>The proposed event/activity:</p> <ul style="list-style-type: none"> <li>(a) Is declared under Schedule 1, section 2 within SLL1.14 and SLL1.12 as not requiring an approval, or</li> <li>(b) Is not classified as either a regulated activity or a temporary entertainment event requiring an application and approval under SLL1.14 or SLL1.12, and</li> <li>(c) Occupies only a single Council controlled area, and</li> <li>(d) Involves no road closures and/or major traffic interruptions, and</li> <li>(e) Involves no high risk activities (for example, pyrotechnic displays such as fireworks), and</li> <li>(f) Involves no activities requiring a high risk work licence (for example, operation of a crane or forklift, scaffolding), and</li> <li>(g) Involves no temporary entertainment equipment/structures, and</li> <li>(h) Does not exceed one day in duration, and</li> <li>(i) Is likely to generate minimal noise emissions and any proposed use of an amplifier device is within the hours and levels stipulated in the Environmental Protection Act 1994, and</li> <li>(j) Is likely to attract fewer than 50 attendees/guests (unless a cake stall, sausage sizzle, car wash or similar fundraising event), and</li> <li>(k) Can be met with existing site power and lighting infrastructure, and</li> <li>(l) Can be met with existing access/parking infrastructure, and</li> <li>(m) Can be met with existing site waste provisions, and</li> <li>(n) Does not involve the commercial sale of food/drinks/liquor, and</li> <li>(o) Can be met with existing sanitation amenities and facilities, and</li> <li>(p) Will not unreasonably impede on regular community use in the area and neighbouring properties, and</li> <li>(q) Poses low risks to animals and plant matter in the area.</li> </ul> <p>Examples may include a small (&lt;50 people) invitation-only wedding or birthday party, educational excursion or a fundraising cake stall.</p>

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Impact Category	Criteria
Medium Impact	<p>The proposed event/activity:</p> <ul style="list-style-type: none"> <li>(a) Is classified as either a regulated activity or a temporary entertainment event requiring an application and approval under SLL1.14 or SLL1.12;</li> <li>(b) Occupies no more than two Council controlled areas/roads;</li> <li>(c) Involves no road closures and/or major traffic interruptions;</li> <li>(d) Involves no hazardous/high-risk activities (for example, pyrotechnic displays such as fireworks);</li> <li>(e) Does not exceed two consecutive days duration (excluding bump in/out);</li> <li>(f) Is likely to attract fewer than 1,000 persons;</li> <li>(g) Does not involve the selling or consumption of liquor; and</li> <li>(h) Is likely to impact on regular community use in the area and neighbouring properties.</li> </ul> <p>Examples may include invitation-only ceremony/celebration attended by 50 or more people (for example, large wedding), markets, film and television production, or the temporary deposit of goods/materials in a park (for example, short-term storage of landscaping supplies for works on adjoining private property).</p>
Major Impact	<p>The proposed event/activity:</p> <ul style="list-style-type: none"> <li>(a) Identifies as either a regulated activity or a temporary entertainment event requiring an application and approval under SLL1.14/1.12, and</li> <li>(b) Involves road closures and/or major traffic interruptions, and/or</li> <li>(c) Is likely to pose significant impacts on nearby residents and/or businesses, and/or</li> <li>(d) Is likely to attract 1,000 or more persons, and/or</li> <li>(e) Involves the selling or consumption of liquor, and/or</li> <li>(f) Involves hazardous/high risk activities (for example, pyrotechnic displays such as fireworks).</li> </ul> <p>Examples may include festivals, concerts, circuses or pop-up polo.</p>

**5.2.2 Registration/Application Requirements**

Applications are encouraged well in advance to allow Council sufficient time to undertake assessment and request further information or clarification where necessary while still allowing adequate time for the applicant to arrange advertising and/or communication with key stakeholders, public, and/or invited guests. No advertising or other communications are to be undertaken until a registration confirmation or approval is granted.

Mandatory submission requirements vary depending on impact category determined for each individual event/activity. Requirements imposed for each category align to the relevant local law (where applicable) and Council policies. Examples of some of the required documentation to support medium/major impact events/activities may include:

- (a) Full details of proposed event/activity including provision of site plans;
- (b) Details and specifications of any equipment and/or vehicles proposed to be used during the event/activity;
- (c) Evidence of a current public liability policy to the value of up to \$20,000,000;
- (d) Traffic management plan;
- (e) Stakeholder and community consultation information;
- (f) Risk assessment and management strategies;
- (g) Details of any proposed signage;

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- (h) Evidence of compliance with other agencies' requirements (for example, Office of Liquor and Gaming Regulation, Department of Transport and Main Roads);
- (i) Evidence of compliance with sanctioning or state controlling body requirements; and
- (j) Details of how the applicant proposes to dispose of and manage waste generated from the event/activity.

Requirements are clearly communicated to applicants at the initial screening, the point of application submission and are also available on Council's website.

**5.2.3 Assessment Timeframes**

Following receipt of a properly made application together with all supporting documentation, applications are assessed within the following timeframes:

- (a) Minor impact – 30 working days;
- (b) Medium impact – 60 working days; or
- (c) Major impact - 120 working days.

Applications received outside of these timeframes may:

- (a) Incur an additional express application fee and delay the approval of the application, or
- (b) Be refused due to insufficient capacity for Council to complete an adequate assessment.

When determining a decision on an application, a delegated officer considers (as a minimum) the following:

- (a) Alignment to the Guiding Principles in paragraph 5.1 of this policy; and
- (b) Compliance and consistency with the purpose of relevant legislation/regulations and policies (for example, events/activities involving the operation of an amusement device must demonstrate compliance with *Amusement Devices Code of Practice 2023*), and
- (c) Conflicts with other approved uses/events/activities within the area; and
- (d) Whether the proposed operation and management of the event/activity is adequate to protect public health, safety and amenity and prevent environmental harm.

Submitting an application does not guarantee approval.

**5.2.4 Approval Terms and Conditions**

**5.2.4.1 Minor Impact Events/Activities**

A written notice of approval is not mandatory for minor impact events/activities as these lower-risk events/activities are not governed by, or are exempt from requiring an approval under Council's local laws. Instead, such events/activities may be acknowledged by Council in the form of a registration confirmation for non-exclusive use.

In addition to satisfying Council that the event/activity will be held safely, the registration ensures a record of the event/activity is maintained to acknowledge the applicant's non-exclusive use. As part of the registration confirmation, Council officers communicate clear expectations regarding holding a safe event/activity ensuring all risks are adequately controlled and managed by the applicant. Other general requirements and information (for example, site specific restrictions) are advised through the registration confirmation. Should the registered event/activity need to be rescheduled, for example due to weather, applicants may contact Council to arrange.

**5.2.4.2 Medium and Major Impact Events/Activities**

Medium and major impact events/activities are regulated by Council local laws as either a regulated activity or temporary entertainment event and require conditional approval under Council local laws.

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Medium and major impact event/activity approvals are subject to conditions outlined in schedule 1 of *SLL1.12* and *SLL1.14* which are acknowledged by the applicant at the point of application and later affirmed within the subsequent written notice of approval. Non-standard conditions may also be included within the notice where a delegated officer considers appropriate.

Approval for an event/activity that includes the installation of a temporary tent (marquee) that has a plan area more than 500m<sup>2</sup> are conditional on a building permit from a Queensland licenced Building Certifier being obtained. A temporary tent (marquee) that has a plan area more than 100m<sup>2</sup> but less than 500m<sup>2</sup> must comply with the Queensland Development Code MP 3.2 - Tents.

As outlined in *SLL1.12* and *SLL1.14* the term of an approval including the term for which an approval may be renewed or extended are determined by a delegated officer having regard to the information submitted by the applicant. Approvals are not transferable.

### 5.3 Compliance

In accordance with *Local Law No. 1 (Administration) 2011*, a delegated officer may amend/suspend/cancel an approval where necessary (for example, if the applicant has failed to comply with the conditions of the approval).

Council may also undertake enforcement action if at any time, an authorised person considers a person is engaging in conduct that is, or is preparatory to, a contravention of a declared prohibited or restricted activities authorised by *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011*.

### 5.4 Fees and Charges

Fees and charges relevant to each event/activity are in accordance with Council's adopted Fees and Charges Schedule for the current financial year. All fees and charges must be paid prior to the registration confirmation/approval being issued for the event/activity.

Reduced fees and charges for events/activities organised and operated by certain applicants (for example, LNFP fundraising community event) are detailed within the adopted Fees and Charges Schedule. Applicants must provide evidence where required (for example, proof of the organisation's not-for-profit status) to be eligible.

### 5.5 Security Bonds

As medium and major impact events/activities may result in damage to property and infrastructure, a delegated officer may, as a condition of approval, require the applicant to give reasonable security (which may include a deposit of money, a guarantee or an insurance bond) to ensure that the damage is made good.

### 5.6 Refunds

Application fees are not refundable. Refund of other fees and charges associated with an event/activity that does not proceed for reasons including, but not limited to adverse weather, sudden illness, or other factors outside of the control of the applicant are considered on a case-by-case basis and must be submitted in accordance with Council's Refund, Exemption and Reduction of Fees and Charges Policy.

### 5.7 Human Rights Considerations

The local laws to which this policy relates aim to regulate certain activities/events, including those that are open to the public, on Council controlled areas and roads. It does not impose restrictions or requirements on a person's right to assemble peacefully with others in such areas and the right to freedom of movement. This is consistent with the *Human Rights Act 2019*, specifically the right to peaceful assembly and freedom of association and the right to freedom of movement.

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**6 Review Timelines**

This policy is reviewed when any of the following occur:

- (a) The related information is amended or replaced; or
- (b) Other circumstances as determined from time to time by the Deputy Chief Executive Officer.

**7 Document Management**

Sponsor	Chief Executive Officer
Business Owner	Deputy Chief Executive Officer
Policy Owner	Chief Financial Officer
Policy Quality Control	Legal and Governance



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**11.7 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 30 JUNE 2024**

**File No:** 8148

**Attachments:** 1. [Income Statement - June 2024](#)  
2. [Key Indicator Graphs - June 2024](#)

**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 30 June 2024.*

**OFFICER'S RECOMMENDATION**

That the Rockhampton Regional Council Summary Budget Management Report for the period ended 30 June 2024 be received.

**COMMENTARY**

The attached financial report and graphs have been compiled from information within Council's TechnologyOne system. The reports presented are as follows:

1. Income Statement (Actuals and Budget for the period 1 July 2023 to 30 June 2024), Attachment 1.
2. Key Indicators Graphs, Attachment 2.

The attached financial statement provides Council's position at the end of the 2023/24 financial year prior to a small number of accounting adjustments for general purpose financial reporting purposes. The actual financial results reported as part of Council's annual report will include these adjustments. This Budget Management report shows the most useful comparison against Council's budgeted position.

Results should be approximately 100% of the May budget review as end of financial year processing is now complete.

The following commentary is provided in relation to the Income Statement:

Total Operating Revenue is at 103% of the May monthly budget review. Key components of this result are:

- Fees and charges revenue is at 104% largely due to results ahead of budget for Airport fees, Development Approvals, and Waste and Recycling fees.
- Private and recoverable works are at 108% of budget due to completion of additional projects.
- Grants and Subsidies are at 87%. This is mainly due to the timing of payments for Financial Assistance Grant. It was forecast that 50% of the Financial Assistance Grant for 2024/25, estimated at \$1.4M would be prepaid in the 2023/24 financial year, however funds were received early in the 2024/25 financial year.
- Other Income is at 109% in part due to additional concession income from the Airport.
- All other revenue items are in proximity to budget.

Total Operating Expenditure is at 103% of the May monthly budget review. Key components of this result are:

- Materials and Plant are at 96% due to below budget expenditure in external plant hire and chemical costs.

- Asset operational expenses are at 94% due to savings for services such as cleaning and electricity.
- Administrative expenses are at 93% of budget due to savings for services such as software licences and retainers.
- Depreciation expenses are at 103% mainly due to increases in depreciation for roads assets post indexation, site improvements and landfill cells.
- Finance costs are at 125% of budget due to increases in the costs of funding the future restoration of landfill and quarry sites.
- All other expenditure items are in proximity to budget.

The net operating result per this report is improved compared to the May monthly budget review. The budgeted net result was a deficit of \$1.4M and the actual result is a surplus of \$0.2M.

For the Annual Financial Report some items originally recorded as capital expenditure have been reclassified as operating expenditure. This occurs when expenditure originally classified as capital does not meet the requirements for capitalisation as a non-current asset and therefore must be expensed in the current financial year. Examples include work that is capital in nature however the amount of expenditure is below the threshold for capitalisation as a non-current asset, landscaping (planting of trees and shrubs), and feasibility, scoping, planning and design for projects that do not proceed.

The following commentary is provided in relation to capital income and expenditure, as well as investments and loans:

Total Capital Income is at 68% of the May budget review. This result is influenced by the transfer of approximately \$12.9M of grant funds from the 2023/24 financial year to the 2024/25 financial year. These grant funds were received for specific capital projects but had not been spent on those projects by 30 June 2024. The unspent grant funds are carried forward as revenue in 2024/25 to match the expenditure on the capital projects as it is incurred.

Total Capital Expenditure is at 94% of the May budget review. The capital program saw \$22.5M spent during June and expenditure totalled \$127.8M for the financial year. Any unspent capital budgets will be carried forward to the 2024/25 financial year.

Total Investments are \$87.1M at 30 June 2024.

Total Loans are \$131.0M at 30 June 2024.

## **CONCLUSION**

Operational income and expenses are mostly in line with the latest budget expectations for the 2023/24 financial year and Council has recorded an operating surplus for the year prior to a small number of accounting adjustments for financial reporting purposes.

Capital expenditure results for 2023/24 were also in range of budget at 94% of May budget review. Budget amounts for any Capital Income not received and unspent Capital Expenditure will be carried forward to the 2024/25 financial year.

In conclusion, the final operating result for the 2023/24 year of \$0.2M is slightly higher than that projected in the May budget review. The capital expenditure budget for 2024/25 will increase by approximately \$8.4M due to the carry forward of unspent budget amounts from the 2023/24 financial year.

# **SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 30 JUNE 2024**

## **Income Statement - June 2024**

**Meeting Date: 27 August 2024**

**Attachment No: 1**



**Income Statement  
For Period July 2023 to June 2024  
100% of Year Gone**

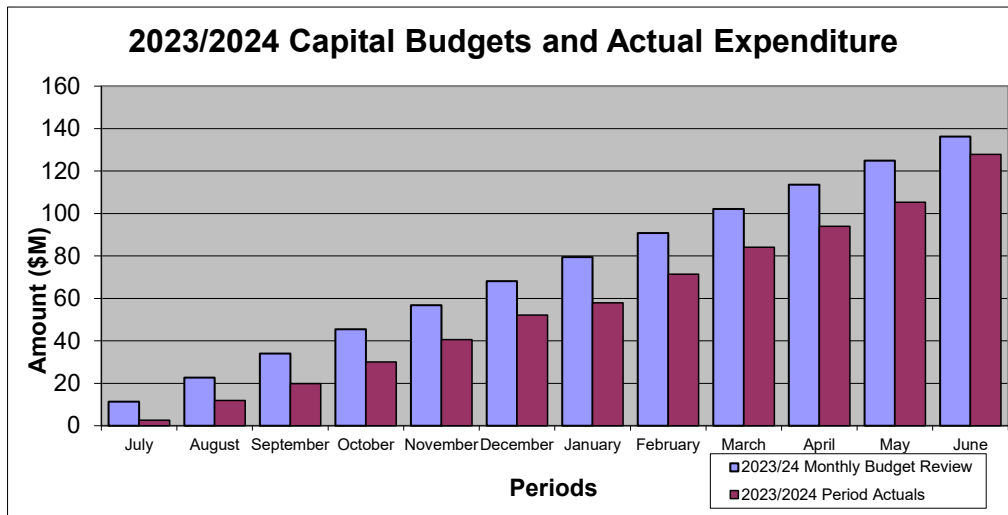
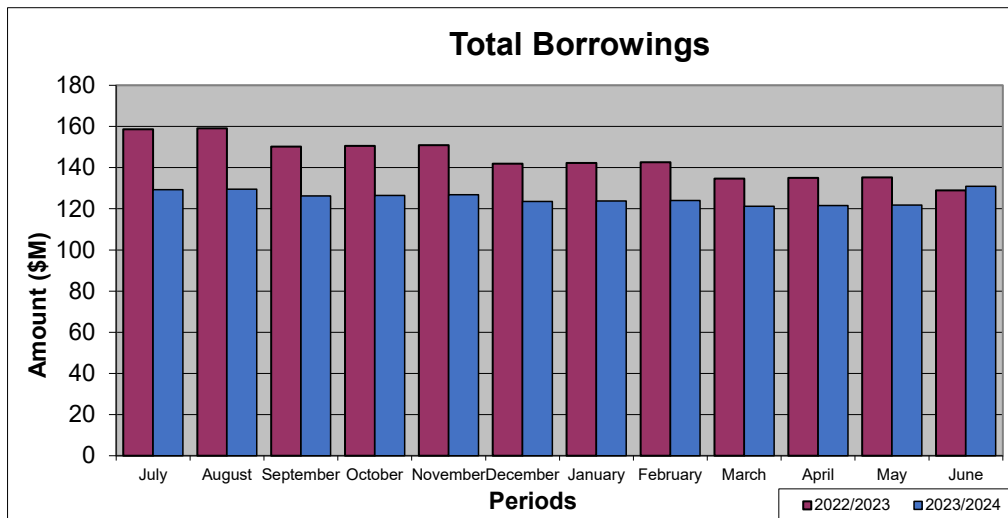
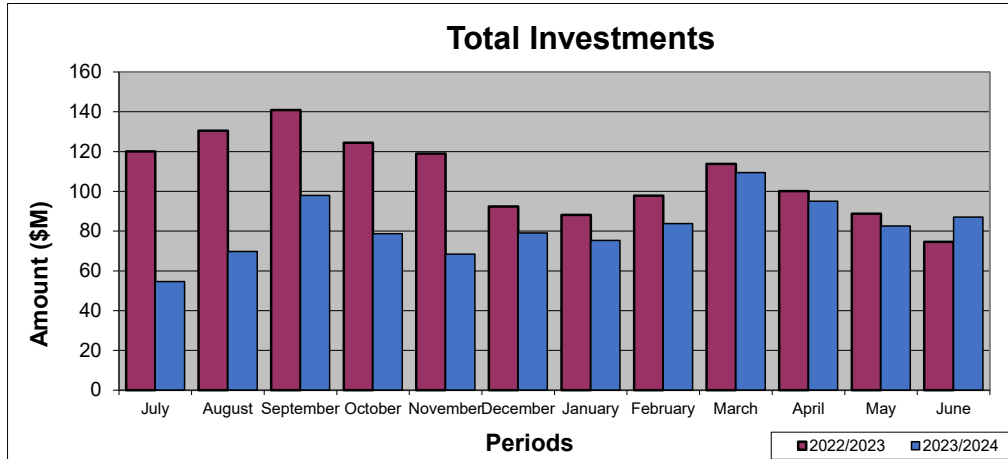
	Adopted Budget	May Budget Review	YTD Actual	Commitments	YTD Actuals (inc commitments)	% of Revised Budget
	\$	\$	\$	\$	\$	
<b>OPERATING</b>						01
						12
<b>Revenues</b>						
Net rates and utility charges	(187,045,651)	(186,145,652)	(185,961,765)	0	(185,961,765)	100% A
Fees and Charges	(37,940,957)	(41,109,409)	(42,676,796)	0	(42,676,796)	104% A
Private and recoverable works	(6,357,439)	(7,647,864)	(8,235,699)	0	(8,235,699)	108% A
Rent/Lease Revenue	(3,658,701)	(3,662,201)	(3,592,764)	0	(3,592,764)	98% A
Grants Subsidies & Contributions	(11,738,257)	(12,976,495)	(11,328,631)	0	(11,328,631)	87% A
Interest revenue	(3,842,750)	(4,042,750)	(4,109,980)	0	(4,109,980)	102% A
Other Income	(5,583,817)	(6,653,506)	(7,439,625)	0	(7,439,625)	109% A
<b>Total Revenues</b>	<b>(256,167,572)</b>	<b>(262,437,877)</b>	<b>(263,345,259)</b>	<b>0</b>	<b>(263,345,259)</b>	<b>103% A</b>
<b>Expenses</b>						
Employee Costs	99,783,767	98,936,562	100,135,200	0	100,135,200	101% A
Contractors & Consultants	26,140,307	26,532,699	26,273,301	0	26,273,301	99% A
Materials & Plant	20,316,259	23,745,914	22,735,875	0	22,735,875	96% A
Asset Operational	30,601,904	31,105,891	29,313,985	0	29,313,985	94% A
Administrative expenses	15,990,307	14,901,507	13,840,934	0	13,840,934	93% A
Depreciation	67,171,870	71,925,895	73,985,235	0	73,985,235	103% A
Finance costs	3,777,460	3,777,460	4,739,897	0	4,739,897	125% A
Other Expenses	1,331,865	1,735,606	1,697,657	0	1,697,657	98% A
<b>Total Expenses</b>	<b>265,113,740</b>	<b>272,661,534</b>	<b>272,722,084</b>	<b>0</b>	<b>272,722,084</b>	<b>103% A</b>
<b>Transfer / Overhead Allocation</b>						
Transfer / Overhead Allocation	(7,474,642)	(8,841,028)	(9,555,889)	0	(9,555,889)	108% A
<b>Total Transfer / Overhead Allocation</b>	<b>(7,474,642)</b>	<b>(8,841,028)</b>	<b>(9,555,889)</b>	<b>0</b>	<b>(9,555,889)</b>	<b>128% A</b>
<b>TOTAL OPERATING POSITION (SURPLUS)/DEFICIT</b>	<b>1,471,526</b>	<b>1,382,630</b>	<b>(179,064)</b>	<b>0</b>	<b>(179,064)</b>	<b>-12% A</b>
<b>CAPITAL</b>	<b>Adopted Budget</b>	<b>Revised Budget</b>	<b>YTD Actual</b>	<b>Commitments</b>	<b>YTD Actuals (inc comr)</b>	<b>% of Revised Budget</b>
<b>Total Developers Contributions Received</b>	(7,273,428)	(7,273,428)	(2,649,707)	0	(2,649,707)	36%
<b>Total Capital Grants and Subsidies Received</b>	(55,043,604)	(77,484,165)	(54,582,525)	0	(54,582,525)	70%
<b>Total Proceeds from Sale of Assets</b>	0	(711,750)	(636,370)	0	(636,370)	89%
<b>Total Capital Income</b>	<b>(62,317,032)</b>	<b>(85,469,343)</b>	<b>(57,868,602)</b>	<b>0</b>	<b>(57,868,602)</b>	<b>68%</b>
<b>Total Capital Expenditure</b>	150,637,323	136,227,958	127,838,763	0	127,838,763	94%
<b>Net Capital Position</b>	<b>88,320,291</b>	<b>50,758,615</b>	<b>69,970,161</b>	<b>0</b>	<b>69,970,161</b>	<b>138%</b>
<b>TOTAL INVESTMENTS</b>			87,052,706			
<b>TOTAL BORROWINGS</b>			130,977,029			

# **SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 30 JUNE 2024**

## **Key Indicator Graphs - June 2024**

**Meeting Date: 27 August 2024**

**Attachment No: 2**



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**11.8 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 JULY 2024**

**File No:** 8148  
**Attachments:** 1. [Income Statement - July 2024](#)  
2. [Key Indicators - July 2024](#)  
**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 July 2024.*

**OFFICER'S RECOMMENDATION**

That the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 July 2024 be received.

**COMMENTARY**

The attached financial report and graphs have been compiled from information within Council's TechnologyOne system. The reports presented are as follows:

1. Income Statement (Actuals and Budget for the period 1 July 2024 to 31 July 2024), Attachment 1.
2. Key Indicators Graphs, Attachment 2.

The attached financial statement provides Council's position after one month of the 2024/25 financial year. Results should be approximately 8.3% of the adopted budget.

The following commentary is provided in relation to the Income Statement:

Total Operating Revenue is at 38% of the adopted budget. Key components of this result are:

- Net Rates and Utility Charges are at 48% of budget. Council's rates and utility charges for the first six months of the financial year ending 31 December 2024 have been raised and are due on 4 September 2024.
- Rent and lease revenue is ahead of the budget at 11% due to rental fee received in advance for various council owned commercial properties. Actual revenue will align more closely with budget as the year progresses.
- Grants and Subsidies are ahead of budget at 24% due to recognition of unearned revenue from the 2023/24 financial year carried over to the 2024/25 year and receipt of 85% of the annual Federal Assistance Grant amount for 2024/25.
- All other revenue items are in proximity to budget.

Total Operating Expenditure is at 8% of the adopted budget. Key components of this result are:

- Contractors and consultants, materials and plant, and administrative expenses are at 4%, 6% and 4% respectively. This is due to the processing of financial year end accruals – services provided in June and invoiced in July have been accrued back to the 2023/24 financial year.
- All other expenditure items are in proximity to budget.

The following commentary is provided in relation to capital income and expenditure, as well as investments and loans:

Total Capital Income is at 19% of the adopted budget. This result is influenced by the transfer of grant funds from the 2023/24 financial year to the 2024/25 financial year. These grant funds were received for specific capital projects but had not been spent on those projects by 30 June 2024.

Total Capital Expenditure is at 2% of the adopted budget. The result for July is affected by processing of financial year end accruals – work done in June and invoiced in July has been accrued back to the 2023/24 financial year.

Total Investments are \$70.1M at 31 July 2024.

Total Loans are \$131.3M at 31 July 2024.

## **CONCLUSION**

With only one month of the financial year passed and many of the transactions processed in July relating to the 2023/24 financial year, definitive trends are yet to emerge within the budget management report. Total operational revenue is ahead of budget at 38% due to the levying of the General Rates and Utility Charges for the six months ending 31 December 2024.

The capital program saw \$3.6M spent during the first month of the financial year with the capital expenditure result affected by the processing of financial year end accruals.



# **SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 JULY 2024**

## **Income Statement - July 2024**

**Meeting Date: 27 August 2024**

**Attachment No: 1**



**Income Statement**  
**For Period 1 July 2024 to 31 July 2024**  
**8.3% of Year Gone**

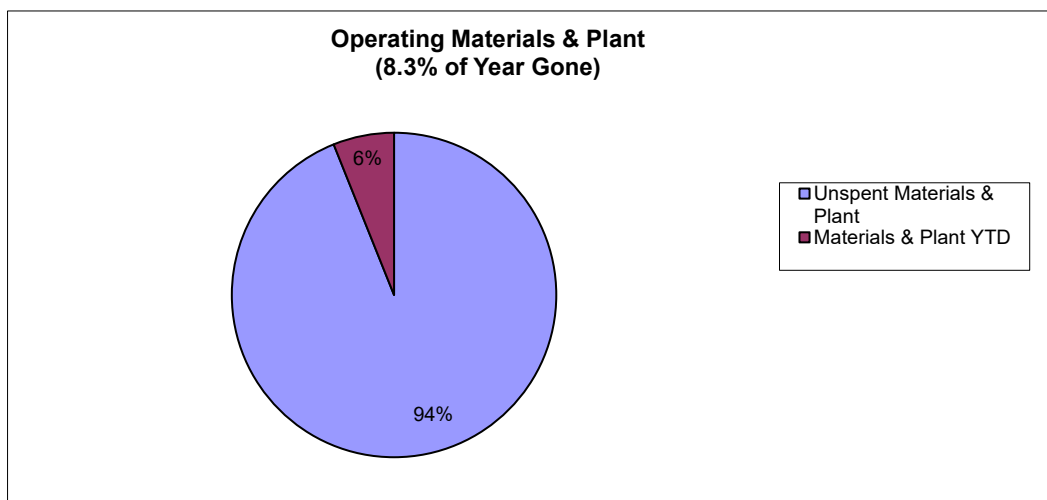
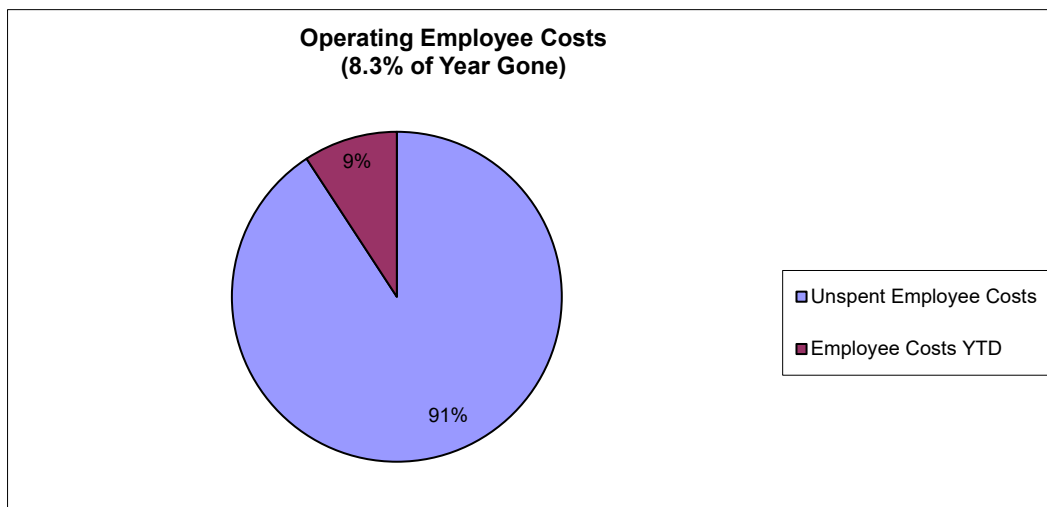
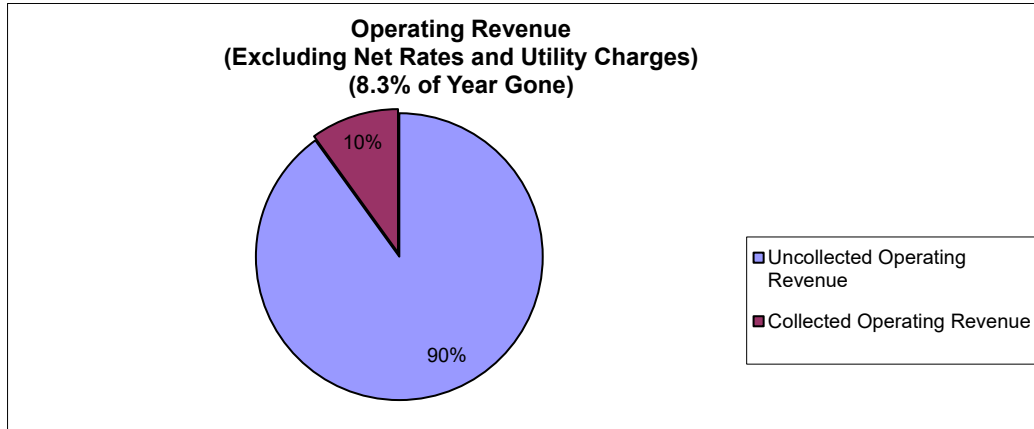
	Adopted Budget	YTD Actual	Commitments	YTD Actuals (inc commitments)	Actual % of Adopted Budget
	\$	\$	\$	\$	
<b>OPERATING</b>					
<b>Revenues</b>					
Net rates and utility charges	(201,515,445)	(95,793,958)	0	(95,793,958)	48% A
Fees and Charges	(40,849,613)	(2,929,684)	0	(2,929,684)	7% A
Private and recoverable works	(7,732,060)	(491,619)	0	(491,619)	6% A
Rent/Lease Revenue	(3,513,927)	(392,261)	0	(392,261)	11% A
Grants Subsidies & Contributions	(9,724,867)	(2,366,162)	0	(2,366,162)	24% A
Interest revenue	(3,506,000)	(357,499)	0	(357,499)	10% A
Other Income	(7,037,053)	(665,930)	0	(665,930)	9% A
<b>Total Revenues</b>	<b>(273,878,965)</b>	<b>(102,997,113)</b>	<b>0</b>	<b>(102,997,113)</b>	<b>38% A</b>
<b>Expenses</b>					
Employee Costs	103,886,392	9,575,003	329,969	9,904,973	9% A
Contractors & Consultants	28,343,064	1,208,186	10,803,891	12,012,077	4% A
Materials & Plant	17,452,691	1,059,150	2,774,100	3,833,250	6% A
Asset Operational	29,160,444	2,045,811	2,450,134	4,495,945	7% A
Administrative expenses	17,119,919	746,073	3,307,474	4,053,547	4% A
Depreciation	79,980,948	6,660,513	0	6,660,513	8% A
Finance costs	4,129,420	341,912	0	341,912	8% A
Other Expenses	1,346,235	135,138	167,993	303,131	10% A
<b>Total Expenses</b>	<b>281,419,113</b>	<b>21,771,787</b>	<b>19,833,561</b>	<b>41,605,348</b>	<b>8% A</b>
<b>Transfer / Overhead Allocation</b>					
Transfer / Overhead Allocation	(7,582,450)	(678,555)	0	(678,555)	9% A
<b>Total Transfer / Overhead Allocation</b>	<b>(7,582,450)</b>	<b>(678,555)</b>	<b>0</b>	<b>(678,555)</b>	<b>9% A</b>
<b>TOTAL OPERATING POSITION (SURPLUS)/DEFICIT</b>	<b>(42,303)</b>	<b>(81,903,881)</b>	<b>19,833,561</b>	<b>(62,070,321)</b>	<b>A</b>
<b>CAPITAL</b>					
<b>Total Developers Contributions Received</b>	<b>(7,273,428)</b>	<b>(177,137)</b>	<b>0</b>	<b>(177,137)</b>	<b>2%</b>
<b>Total Capital Grants and Subsidies Received</b>	<b>(42,963,267)</b>	<b>(10,581,713)</b>	<b>19,780</b>	<b>(10,561,933)</b>	<b>25%</b>
<b>Total Proceeds from Sale of Assets</b>	<b>(6,549,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
<b>Total Capital Income</b>	<b>(56,785,695)</b>	<b>(10,758,850)</b>	<b>19,780</b>	<b>(10,739,070)</b>	<b>19%</b>
<b>Total Capital Expenditure</b>	<b>194,279,612</b>	<b>3,578,399</b>	<b>103,887,194</b>	<b>107,465,593</b>	<b>2%</b>
<b>Net Capital Position</b>	<b>137,493,917</b>	<b>(7,180,451)</b>	<b>103,906,974</b>	<b>96,726,524</b>	<b>-5%</b>
<b>TOTAL INVESTMENTS</b>		<b>70,118,171</b>			
<b>TOTAL BORROWINGS</b>		<b>131,298,570</b>			

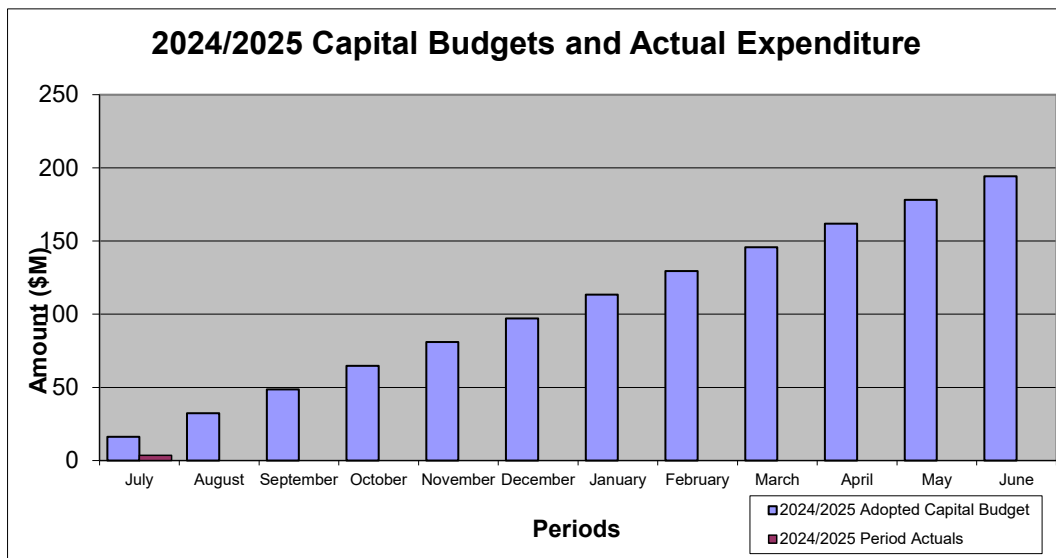
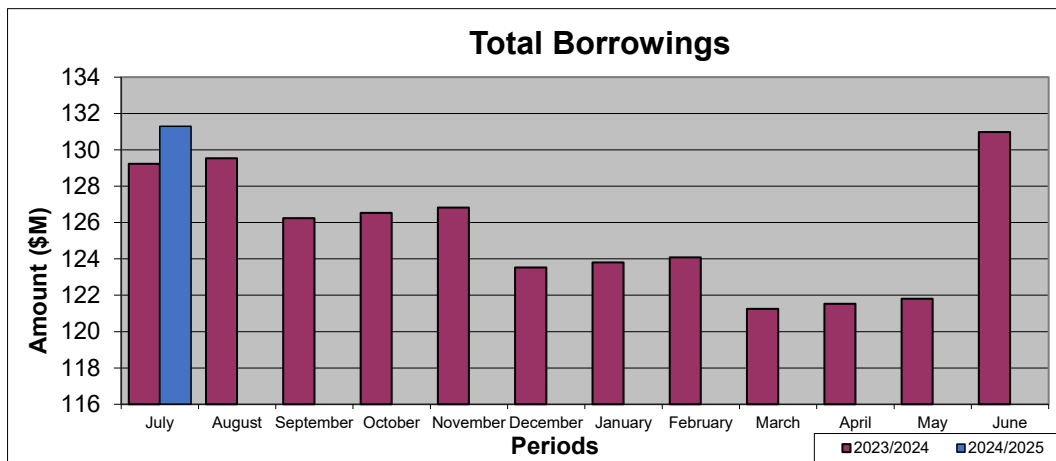
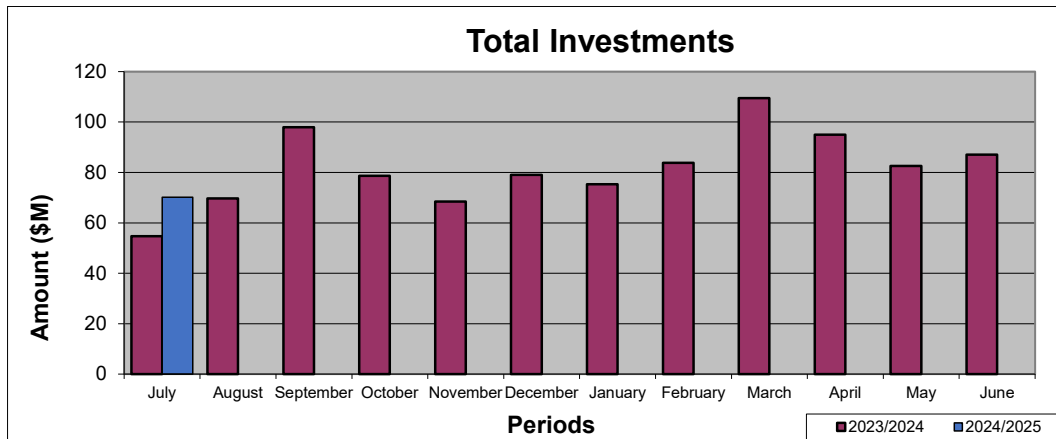
# **SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 JULY 2024**

## **Key Indicators - July 2024**

**Meeting Date: 27 August 2024**

**Attachment No: 2**





**11.9 WHOLE OF COUNCIL CORPORATE PERFORMANCE REPORT FOR PERIOD ENDING JULY 2024**

**File No:** 1392  
**Attachments:** 1. Corporate Performance Report July 2024 [↓](#)  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Megan Younger - Acting General Manager Corporate Services

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**SUMMARY**

*Acting General Manager Corporate Services presenting the Whole of Council Corporate Performance Report for period ending 31 July 2024 for Councillors' information.*

**OFFICER'S RECOMMENDATION**

THAT the Whole of Council Corporate Performance Report for period ending 31 July 2024.

**COMMENTARY**

The Whole of Council Corporate Performance Report for period ending 31 July 2024 is presented for Council's consideration.

**WHOLE OF COUNCIL CORPORATE  
PERFORMANCE REPORT  
FOR PERIOD ENDING JULY 2024**

**Corporate Performance Report  
July 2024**

**Meeting Date: 27 August 2024**

**Attachment No: 1**

Whole of Council



# Corporate Performance Report

01 July 2024 – 31 July 2024



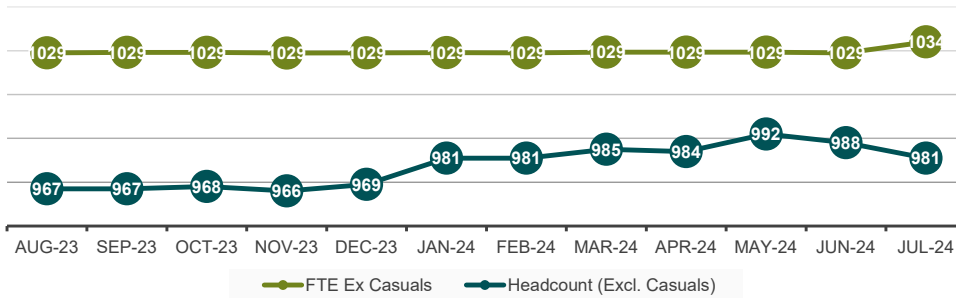
Corporate Performance Report | 01 July 2024 – 31 July 2024

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**CORPORATE SERVICES**  
**Human Resources**

**WORKFORCE**



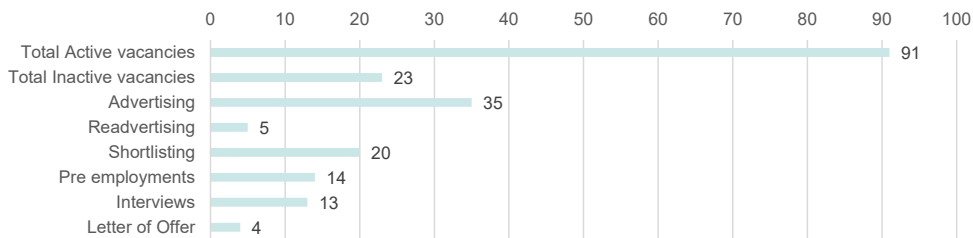
**Commentary:**

**Establishment (FTE)** – Our positions include the total number of positions in Council, including Full Time and Part Time. These positions will vary from Permanent roles to Fixed Term roles and the above figures exclude Casuals.

**Employees (Headcount)** - Our workforce includes the total number of employees employed by Council including full time and part time employees (excludes labour hire and contractors). Figures above show Headcount totals excluding casuals.

Council had 75 Casuals available for month of July.

**RECRUITMENT**

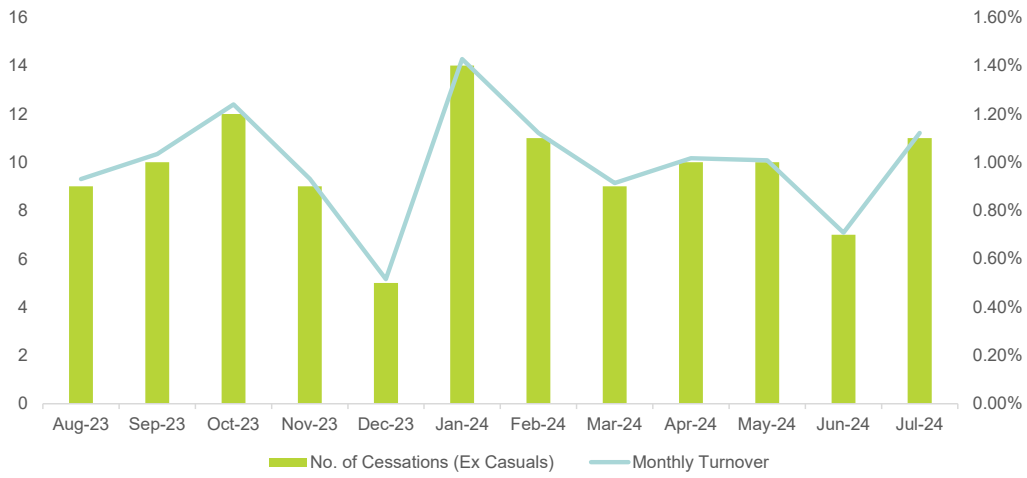


**Commentary:** Active vacancies are those positions currently being recruited, including casual positions, long term leave and fixed term backfilling. Inactive vacancies are positions that are currently under review or on hold.

Inactive vacancies for previous month – 26

Corporate Performance Report | 01 July 2024 – 31 July 2024

**STAFF TURNOVER - 11.97%**



**Commentary:** Staff turnover for the previous 12 months is 11.97%. This is considered to be an acceptable level of employee turnover. Casual employees are excluded from staff turnover calculations.



### Administrative Action Complaints

Departmental Report – Number of level 3 Administrative Action Complaints as of 1 July 2024 – 31 July 2024.

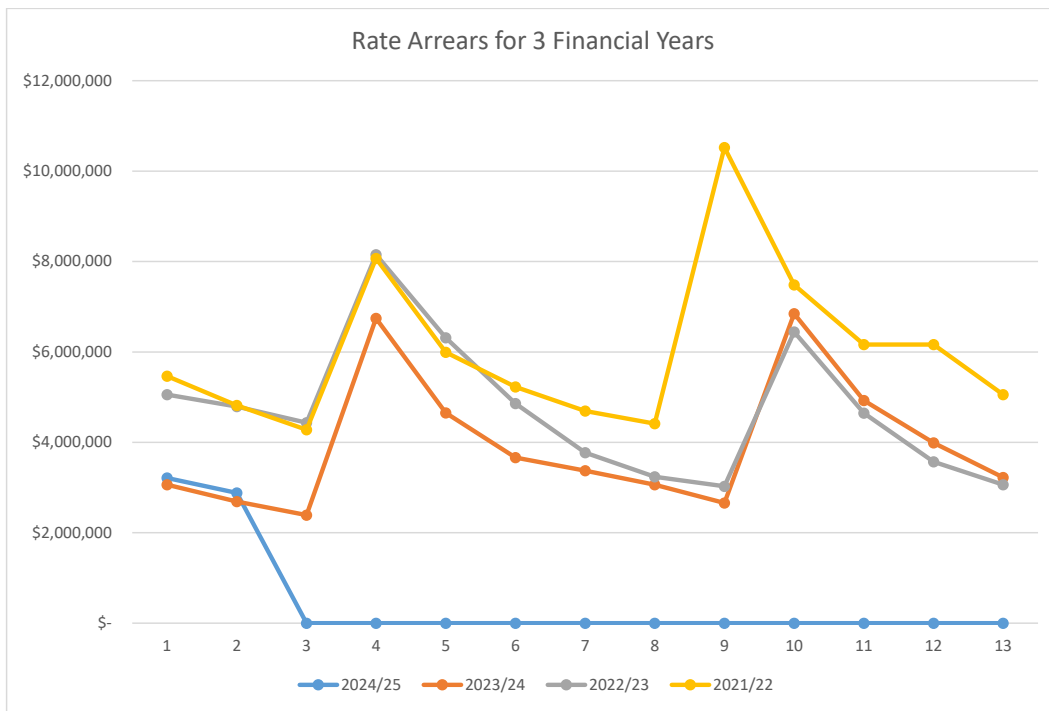
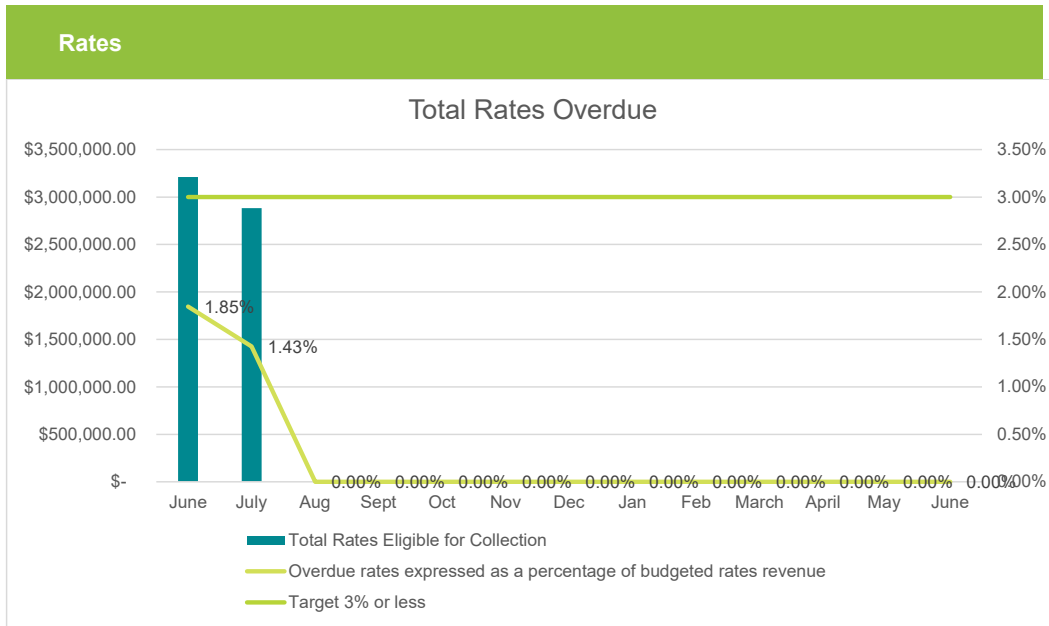
Department	AAC* Level 3	Queensland Ombudsman Referrals to RRC	Queensland Ombudsman Requests from RRC	Open /closed
Office the CEO	0	0	0	-
Regional Services	1	0	0	2 Open (1 open received in 23/24 FY)
Community Services	0	0	0	3 Open (3 open received in 23/24 FY)
Corporate Services	1	0	0	1 Open
<b>RRC Totals</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>6 Open (4 open received in 23/24 FY)</b>

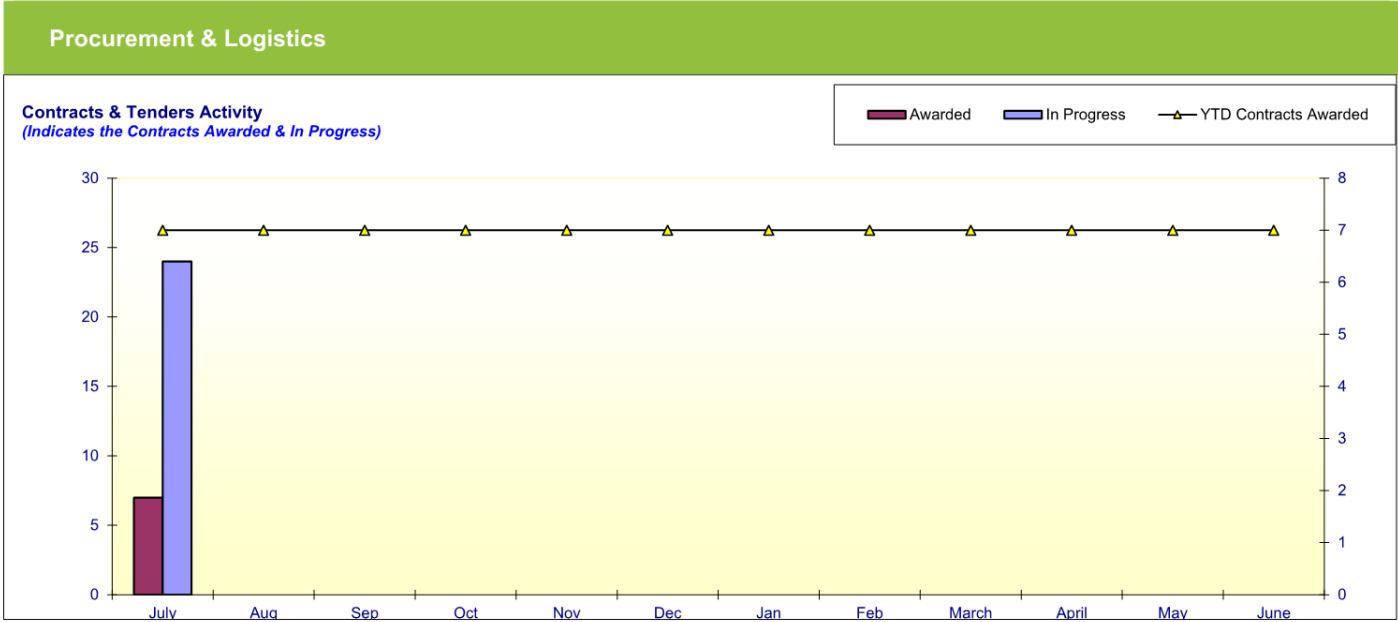
\* AAC - Administrative Action Complaints

### Service Level Statistics

Service Level	Target	Current Performance
Maintain the ratio of customer queries satisfied by Customer Service Officers, without referral to departments.	80%	87%
IT support services provided within service levels outlined in the IT Service Catalogue.	90%	92%
Ensure availability of system up-time during core business hours (excluding planned outages).	99%	99%
Process records on the day of receipt as per Recordkeeping Charter.	95%	97%
Ensure supplier payments are made within stated trading terms.	90%	92%

Corporate Performance Report | 01 July 2024 – 31 July 2024





Contracts Awarded: 7

- TEN15881 - Lease of Land for Commercial Opportunity at Rockhampton Airport (Site B) - Pacifica Developments Pty Ltd
- TEN15843 - RPQS for Hire of Impact Crushing Services - Bouldercombe Quarries Pty Ltd - SOR
- TEN15595 - Supply of Asphalt Mixture - Boral Resources (Qld) Pty Ltd - SOR
- QUO15863 - Herbicide Flow Units - Rapid Spray Pty Ltd - SOR
- TEN15879 - RPQS Supply & Delivery of Wet Cement - Various - SOR
- TEN15908 - RPQS Provision of Automotive Trade Services - Various - SOR
- TEN15940 - Crime Prevention through Environmental Design Analysis of Fitzroy Riverbank - Barker Ryan Stewart Pty Ltd \$18,150



Contracts in Progress: 24

- TEN15693 - RPQS Hire of Road Reclaimers & Spreader Trucks - Under Evaluation
- TEN15857 - Supply & Delivery of Sodium Hypochlorite - Under Evaluation
- TEN15910 - Maintenance of Wetplay and Aquatic Centre Plant & Equipment - Closing 28 August
- TEN15934 - Gracemere Creek Catchments Flood Modelling - Under Evaluation
- TEN15935 - Flood Risk Management Study for Rockhampton Catchments - Under Evaluation
- TEN15941 - Walter Reid Roof Replacement, Facade Repairs & Office Fit Out - Under Evaluation
- TEN15946 - Chapel Extension at Rockhampton Memorial Gardens - On Hold - Project over budget
- TEN15950 - PSA Supply of Stationery - Under Evaluation
- TEN15957 - Kershaw Gardens Rapid Bridge Repairs - Under Evaluation
- TEN15959 - Depot Masterplan and Concept Design - Under Evaluation
- QUO15961 - Provision of Invasive Animal Control - Under Evaluation
- TEN15963 - S & D Drainage Pipes, Inlets & Access Chamber Components - Under Evaluation
- TEN15965 - RPQS Veterinary Services - Under Evaluation
- TEN15968 - PSA Robotic Services FRW Water and Wastewater Assets - Under Evaluation
- QUO15972 - Local Government Infrastructure Planning External Review - Closing 21 August
- TEN15976 - PSA S & D First Aid Requirements - Under Evaluation
- TEN15981 - PSA Asset Pole Inspections - Document Development
- QUO15982 - Dry Hire of 1.5 Tonne Excavator - Document Development
- TEN15994 - Waste Facilities Supervision Services - Closing 28 August
- QUO16011 - Supply & Delivery of Gaseous Chlorine - Under Evaluation
- TEN16020 - Sale of Land 5 - 71 Olive Street - Closing 11 September
- TEN16022 - Project Manager - Guided Weapons & Explosive Ordnance Manufacturing Precinct Business Case - Closing 28 August
- TEN16023 - Southside Aquatic Centre Changing Places Facility - Closing 28 August
- TEN16025 - RPQS Real Estate Agency and Auctioneer Services - Document Development

**Customer Request Statistics**

**Customer Requests Completed Monthly & Top 5 Customer Requests**

	<b>July</b>
<b>Requests Logged</b>	3751
<b>Same month Completed</b>	2929
<b>% completed same month</b>	<b>78%</b>
<b>Completed Total for Month</b>	<b>4297</b>
<b>Total Pending</b>	<b>1963</b>
<b>Top 5 Requests for Month</b>	Local Laws Systematic Program Replacement Bin RRC (Damaged/Lost/Stolen) Wandering & Restrained for collection Property Search Form Duty Planner Assets & Facilities Management (Asset)

**Total outstanding customer requests up to 3 months old: 1378**

## COMMUNITY SERVICES

### Directorate

#### POINTS OF INTEREST

- A successful 2024 Homeless Connect event was held on 4<sup>th</sup> July 2024. 351 people attended the event with 2341 services accessed via the 43 agencies who participated. With the event being held during the school holidays, this year's event also provided children's activities and light entertainment. The Directorate team appreciated the assistance given to them by the Communities Assets & Facilities team, various Council Trainees, as well as other Council staff, exemplifying Council's 'One Team' Value.

#### Community Relations

- Council provided 'Gold' Sponsorship to NAIDOC week 2024. Staff participated in the March (from City Hall to the Cricket Grounds), with a joint (Community Services, RMOA and Disaster Management) stall participating at the Expo. Council also provided support through the promotion of Rockhampton's NAIDOC events calendar and attendance at Gin.Gal Wadya (women's talk), flag raising and the ball.
- During the month the Community Relations Officer (CRO) interacted/worked with or assisted 28 external groups/networks either through engagements or activities while 17 interactions was also undertaken internally on various matters/issues.
- A Native Nations Cultural Exchange occurred in the Region between indigenous youth of Qld (Australia), Aotearoa (New Zealand) and British Columbia (Canada) sharing their culture. The program aims to foster understanding, connection and healing among indigenous youth.
- Domestic and Family Violence Prevention Council has approached RRC to join the Champions Network. The Network is partnering with 23+ Councils and supporting committed local government leaders in delivering a place-based response to domestic and family violence in the workplace and across communities.

## Environmental Sustainability

#### POINTS OF INTEREST

- Sustainability Strategy – Facilitated Council's Sustainability Strategy Executive Group workshop on 11 July 2024, drafted the final Year in Review sustainability highlights report and provided Councillors with a portfolio update.
- Climate Resilient Rockhampton Region program – Secured a \$280,000 grant from the Queensland Resilience and Risk Reduction Fund to support Council's 'Activating Climate Risk Management in the Rockhampton Region' project. This project will address key commitments in Council's Corporate and Operational Plan, and build capability and capacity to mitigate and manage climate risks in the Rockhampton Region by commencing implementation of Council's proposed Climate Risk Management Plan.
- Towards Net Zero program – Commenced data collation for analysis as part of the Fleet Transition Plan and undertook supplier analysis as part of Council's Supply Chain Emissions project.
- Native Plant Program – Successfully delivered the 2024 Native Plant Program giveaways at Rockhampton, Gracemere and Mount Morgan from 23-25 July 2024; which involved some great internal collaboration with Council's Nursery, Customer Service Team, Community Services Directorate and the Rockhampton Regional Library. The program supported 30+ local schools/childcare centres and 1000+ local residents to contribute towards urban greening in their own yards across the Region.

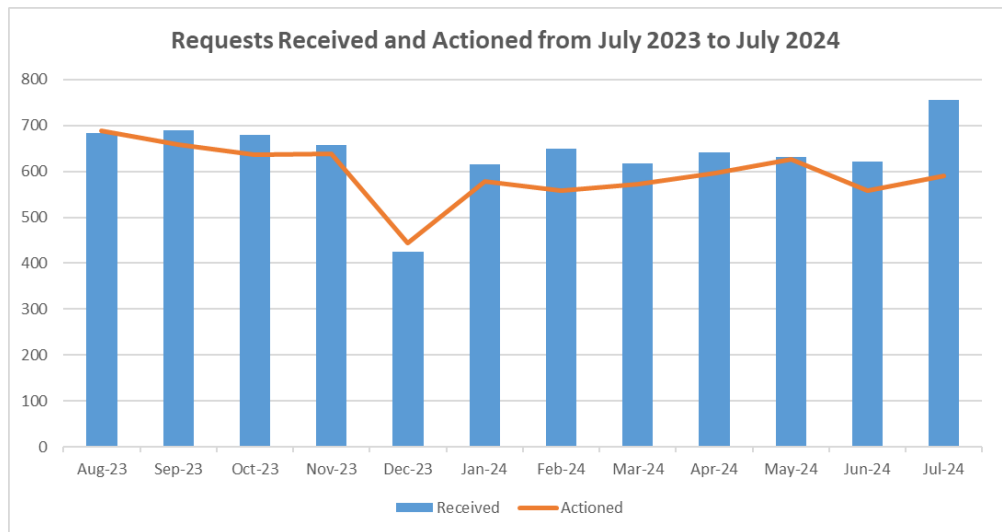
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- National Tree Day – The local community got behind Council’s National Tree Day planting event at River Rose Drive (Norman Gardens) on Sunday 28 July 2024; planting over 600 trees, shrubs and groundcovers from over a dozen different species.
- Natural Resource Management – Capricornia Catchments signed on to deliver another 12 months of community bush regeneration works adjacent to Nurim Circuit and Grasstrees Track at Fraser Park (this includes working with nominated community groups to undertake infill plantings and to remove weeds and litter).

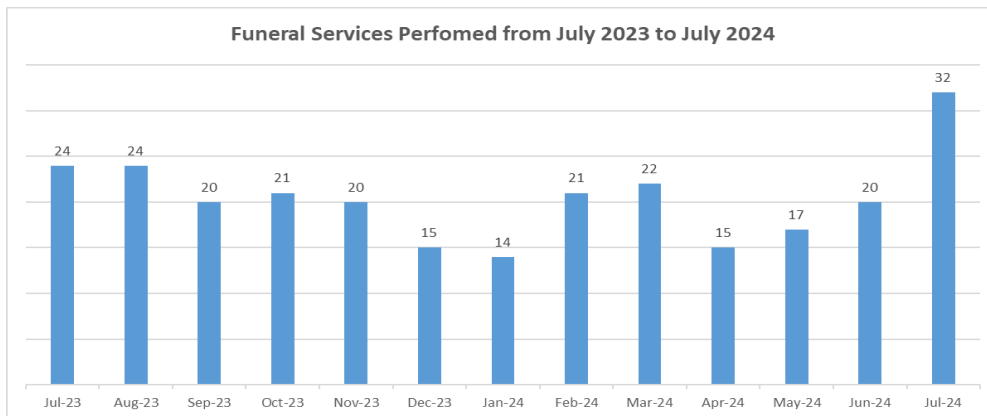
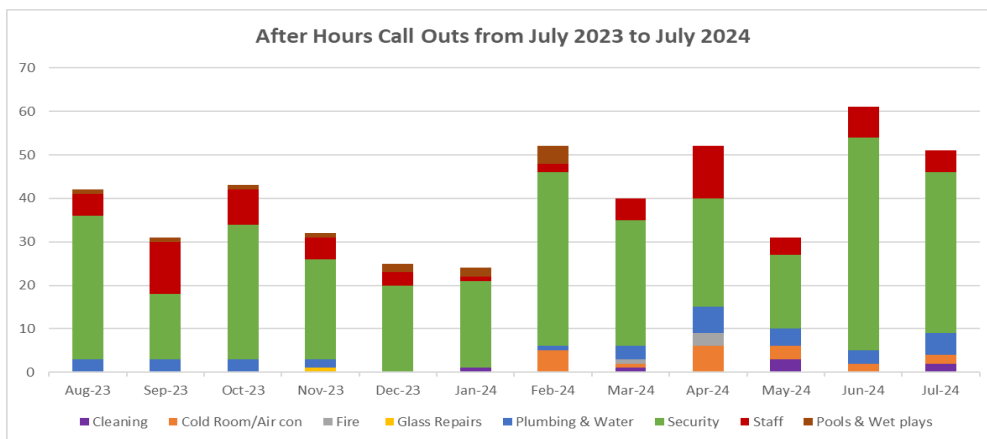
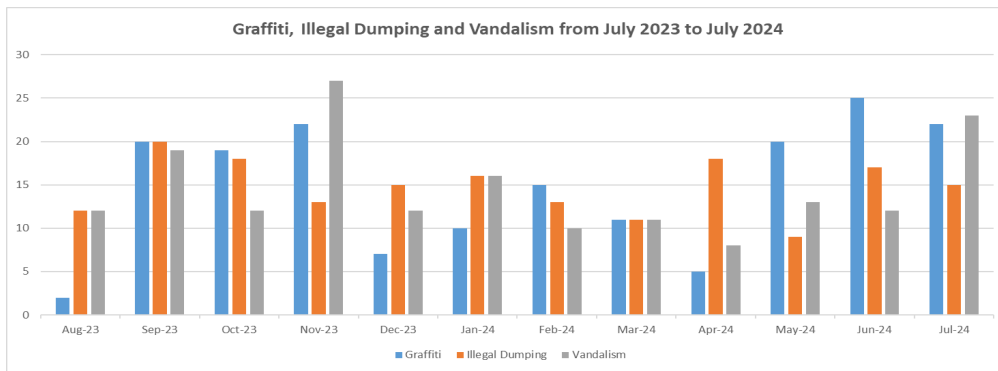
**Community Assets & Facilities**

**POINTS OF INTEREST**

- Splash-a-bout successfully took over the management of the 2<sup>nd</sup> World War Memorial Pool
- City Hall Generator has been connected and commissioned and is now ready if a natural disaster should occur
- Full external window clean has been carried out at RMOA. This work was carried out after hours to ensure the safety of staff with the closure of Quay Lane
- Works at the Rockhampton Showgrounds were completed to satisfy the WHSQ issued Improvement Notice
- Jefferies Park redevelopment work have been completed to improve the memorial and all ability access



Corporate Performance Report | 01 July 2024 – 31 July 2024



## Communities & Culture

### POINTS OF INTEREST

#### MAJOR VENUES

The Pilbeam Theatre presented two productions, 'The Sunshine Club' and 'Fourteen' as well as hosted two local school musicals.

The Walter Reid Cultural Centre hosted Rockhampton Little Theatre's production of 'Snakes and Ladders', as well as the annual CQ contemporary artists exhibition which coincided with the River Festival. This year's River Festival event included the Walter Reid Cultural Centre in its footprint, which yielded an additional 2,600 people visiting the centre over The River Festival weekend.

The Rockhampton Showgrounds hosted Homeless Connect, The Home Show, the QLD Caravan Rally, dog show, poultry show and regular Artisans Markets.

62 VP (the old Art Gallery) had five commercial hires, along with facilitating 17 Council operational meetings.

#### LIBRARIES

Libraries had a good start to the new financial year with the highest monthly physical visitor numbers in four and a half years, topping 20,000, for the first time since (pre-COVID) February 2020. There was also a record breaking program engagement figure of 6,557 for the month of July.

Libraries continued to work in conjunction with other Council sections, holding a Teddy Bears' Picnic Storytime at the Zoo and partnering with Environmental Sustainability/Customer Service to run the Native Plant Program free tree giveaway out of Southside and Gracemere libraries.

LIBRARY STATISTICS	YTD 24/25	23/24	22/23	SLQ target	YTD RRL	23/24 RRL	22/23 RRL
Loans (physical & online)	<b>39,123</b>	461,740	448,601	5-8 per capita	<b>0.48</b>	5.66	5.47
Physical visits	<b>20,002</b>	214,790	165,490	4.8 per capita	<b>0.25</b>	2.64	2.02
Web visits (now includes FB)	<b>7,829</b>	89,413	20,173	No target	-	-	-
Programs & activities	<b>131</b>	1146	898	No target	-	-	-
Program engagement	<b>6,557</b>	59,447	43,328	0.4 per capita	<b>0.08</b>	0.73	0.53
Active members	<b>20,802</b>	20,719	19,791	44% of pop.	<b>25.25%</b>	25.42%	24.14%
New members	<b>306</b>	3032	3,180	No target	-	-	-
Customer queries	<b>7,039</b>	70,537	68,404	No target	-	-	-
Total collection	<b>180,902</b>	183,815	187,966	No target	-	-	-
Physical stock	<b>157,626</b>	158,186	160,367	0.85-1.5 per capita	<b>1.93</b>	1.94	2.05

#### HISTORY CENTRE

## Corporate Performance Report | 01 July 2024 – 31 July 2024

Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD 24/25	23/24	22/23
144	-	-	-	-	-	-	-	-	-	-	-	144	1746	1778

## CHILD CARE STATISTICS UTILISATION %

Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	YTD 24/25	23/24	22/23
93.2	-	-	-	-	-	-	-	-	-	-	-	93.2	96.68	88

## MAJOR EVENTS

Venue Event Attendance	YTD 24/25	23/24	22/23
Pilbeam	4,635	60,984	64,130
R'ton Showgrounds	23,350	281,182	169,642
Mt Morgan Showgrounds	5	1,624	1,633
Walter Reid	6,087	8,680	6,901
62 Victoria Parade	1,228	4,616	4,104

Walter Reid CC Total Site Attendance	YTD 24/25
Business Hours	4,558
After Hours	4,979

## HERITAGE VILLAGE

In July, the Rockhampton Heritage Village hosted its second markets of the calendar year, drawing nearly 3,000 visitors who braved the cold for a family-friendly night out. The Australian Country Hospital Association hosted a nurses reunion on-site, with approximately 150 guests enjoying the hospital collection and the village displays.

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Heritage Village Visitor Types	YTD 24/25	23/24	22/23
General Admittance	866	6,118	6,208
School Tours Numbers	248	1,988	1,736
Other Tour Numbers	0	57	286
School Holiday Activities July – 6 day period	484	260	256 (Rain)
School Holiday Activities Sept – 6 day period	-	918	374 (Rain)
School Holiday Activities Easter	-	993	731
School Holiday Activities June	-	265	666
Cultural Festival	-	-	-
Markets	2,937	12,688	13,375
Emergency Service Day, Halloween	-	-	500
Shearing Shed	392	4,325	-
<b>TOTAL</b>	<b>4,535</b>	<b>27,612</b>	<b>24,132</b>

**SHEARING SHED BOOKINGS**

Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	YTD 24/25	23/24	22/23
3	-	-	-	-	-	-	-	-	-	-	-	3	37	35

**SHEARING SHED ATTENDANCE**

Shearing Shed Attendance	YTD 24/25	23/24	22/23
Private Hire Pax #	390	3,365	-
Internal Event Pax #	2	675	-
Ceremony Only Pax #	-	285	-
<b>TOTAL</b>	<b>392</b>	<b>4,325</b>	<b>-</b>



**MONTHLY VOLUNTEER HOURS**

Site	YTD 24/25	23/24	22/23
Friends of the Theatre	243.25	4,082	3,895
Friends of the Village	2,398	23,630	27,517
Archer Park Rail Museum	1,278.25	14,031	10,819
Rockhampton Museum of Art	140.5	1,127	869
Mount Morgan Railway	814.42	9,593	7,933
<b>TOTAL</b>	<b>4,874.42</b>	<b>52,462</b>	<b>46,664</b>

**RAIL MUSEUMS**

Museum Attendance	YTD 24/25	23/24	22/23
Archer Park Museum	465	4,305	5,851
Mount Morgan Museum	631	2,930	3,252

**ROCKHAMPTON MUSEUM OF ART**

July in RMOA was busy, beginning with the Gold Award 2024, and ending with programming dovetailing into the River Festival. A new internal mural was painted by artist Wendy Sharpe, and the long-in-the-works Luke Roberts exhibition was launched. Over the River Festival weekend, the single day visitation record was broken once again, with over 4,000 visitors coming through on Saturday July 26 and great numbers overall across the weekend, thanks to a good balance of programming and ticketed and free events.

Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
14,915	-	-	-	-	-	-	-	-	-	-	-

RMOA Activity	YTD 24/25	23/24	22/23
Programs	31	496	321
Member Events	2	16	17
Group Tour Bookings	0	35	55
Corporate Hire	0	32	21
Exhibitions	3	14	13
Artist in Residence (days)	2	60	82
Shop Sales	\$6,668	\$74,215	\$80,313
Attendance	14,915	90,830	81,678

**HOME ASSIST TABLE**

*This program provides services to the following local government areas:  
Rockhampton, Banana, Central Highlands, Gladstone, Livingstone*

**State Government – Department of Communities, Housing & Digital Economy –****Home Assist Program**

Measured Service Type	Reporting Hrs/ Month	Monthly Output Target	Year To Date Actual	Output Service Delivery Targets
Info Refer	106 hrs	105 hrs	106 hrs	1,268 hrs
Home Maintenance	635 hrs	775 hrs	635 hrs	9,300 hrs

*CQ Home Assist Secure assisted 419 state funded clients with a total 913 information, referral and maintenance activities in July.*

July Breakdown of Client Services Provided by Region			
Region	Number of Registered Clients	% of Clients Serviced for Month	% YTD Avg
Rockhampton	2,189	63	63
Banana Shire	52	1	1
Central Highlands	48	1	1
Gladstone	500	14	14
Livingstone	863	21	21
<b>TOTAL</b>	<b>3,652</b>	<b>100</b>	<b>100</b>

## CHSP – Federal Funding TABLE

**Commonwealth Home Support Program**

Measured Service Type	Current Month Outputs	Monthly Output Service Delivery Target	YTD Actual	Financial Year Service Delivery Target
Garden Maintenance	102 hrs	See below	See below	See below
Major Home Maintenance	187 hrs	See below	See below	See below
Minor Home Maintenance	503 hrs	See below	See below	See below
<b>Total Maintenance output hours</b>	<b>792 hrs</b>	<b>467 hrs</b>	<b>792 hrs</b>	<b>5,613 hrs</b>
Complex & Simple Mods	\$43,800	\$44,995	\$47,594	\$539,944

CQ Home Assist Secure assisted 601 federally funded clients with a total of 1,389 information, referral, maintenance and modification activities in July.

July Breakdown of Client Services Provided by Region			
Region	Number of Registered Clients	% Total Clients Serviced for Month	% YTD Avg
Rockhampton	1,733	57	57
Banana Shire	84	0	0
Central Highlands	79	1	1
Gladstone	804	18	18
Livingstone	848	24	24
<b>TOTAL</b>	<b>3,548</b>	<b>100</b>	<b>100</b>

The program CQ Home Assist Secure handled a total of 3,192 calls in July.

## Parks

### POINTS OF INTEREST

National Tree Day celebration and community planting in collaboration with Sustainability team at River Rose Drive with 1000 plants planted and approximately 200 community participants taking part. RRC Nursery provided 5000 tube stock plants for National Tree Day giveaway program across Rockhampton, Gracemere and Mt Morgan locations.

Renovation works on gardens along Belmont Road, Norman Road and commenced the tree planting along Farm and Carlton Street (DTMR funded works).

Continuation of Median works on TMR network including Bruce Highway (Old Bunnings), Oleander Median (new bridge) and Musgrave Street palm maintenance and gardening.

### PARKS MAINTENANCE

- Haigh Park audit of existing rose collection and renovation project underway.
- Works at Cedric Archer Park removing weeds and repairing irrigation in preparation for mulching and replanting bare areas of the gardens.
- Rectification works have continued on sporting facilities following recent events including Pop-up polo, Rocky Show and NAIDOC week celebrations.
- Approximately 400 plants put in ground within Kershaw Gardens with assistance from Friends of the Gardens volunteer group.

### STAFF ACHIEVEMENTS

- 2 x 2023 Gardener trainees have been successful in gaining permanent employment with Council.
- All Parks Team Leaders have commenced training in their Certificate III in Parks and Garden through CQU.

### COMMUNITY ENGAGEMENT

- Residential Street Tree planting program commenced and on track for nominated completion date.
- Teddy Bears Picnic Storytime held at the Zoo in collaboration with the Rockhampton Library saw approximately 180 people attend.

### SPORTS AND ACTIVE COMMUNITIES

- Project control group initiated for Junior State Cup 2025 (touch football).

### ZOO VISITATION, ENCOUNTERS & COMMUNITY INVOLVEMENT

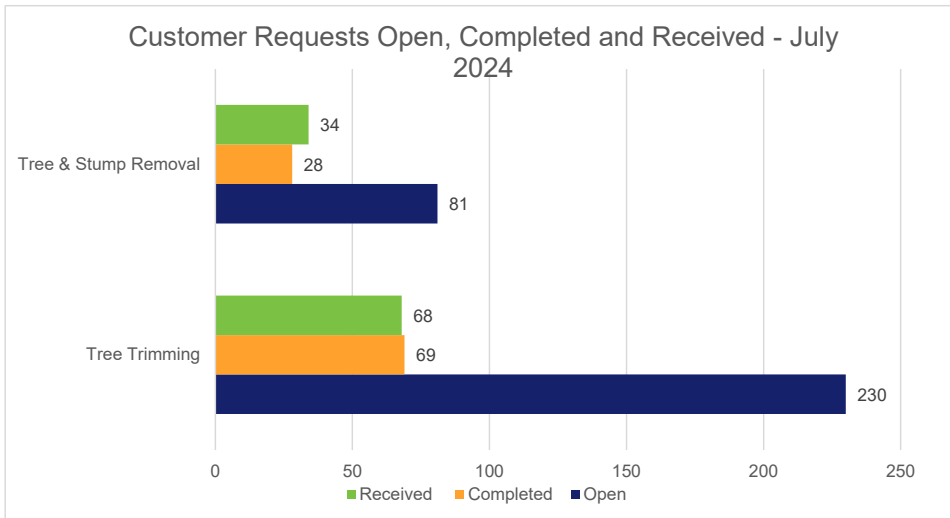
Collaboration with Australian Native Bee Association, establishing Native beehives and hotels within the zoo, will also run educational talks in school holidays.

Application submitted for two echidnas that have become available. Permit application submitting to Biosecurity Queensland and was granted. We are now waiting to hear if successful for the placement of the echidnas as many zoos want them. They will go in the empty, previous lace monitor enclosure as it meets all the containment requirements.

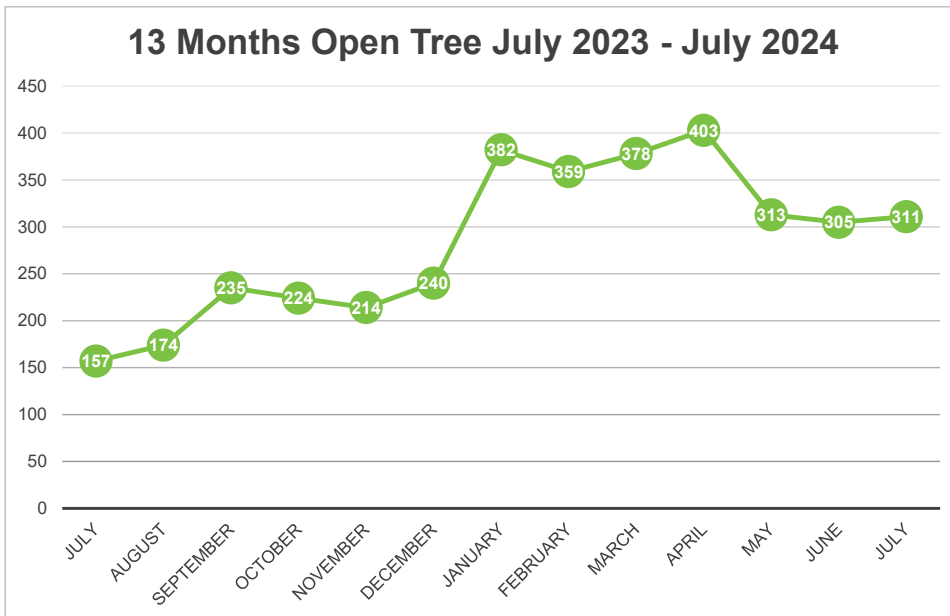
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Measure	Measurement	July 2024	July 2023
Zoo Visitors	Numbers	14,854	17,531
<b>CONDUCTED</b> Animal Encounters	# Meerkat Encounters	25	24
	\$ Meerkat Encounters	\$6,500	\$6,000
	# Otter Encounters	5	5
	\$ Otter Encounters	\$220	\$495
	# Snake Encounters	2	3
	\$ Snake Encounters	\$90	\$234
	# Junior Zookeeper	1	2
	\$ Junior Zookeeper	\$300	\$1,050
	Encounters Free	0	1
Measure	Measurement	July 2024	July 2023
Adoptions	# Combined Adoptions	3	-
	\$ Combined Adoptions	\$200	-
Tours (Time Safaris)	# Bookings	61	-
Volunteers / Students	Volunteer Hours	345	325
	Student Hours	0	173.5
Guest donations	Donation \$	\$2,743	\$2,674
	Online donations	\$125	\$1,020
Money RRC donated to Conservation Trust	15% Encounters	\$920	\$1,240
	15% Donations	\$460	\$401
	Total	\$1,380	\$1,641
Facebook	Facebook Followers	40,865	39,539
	Facebook Reach	147,463	336,196
	Facebook Engagements	8,884	22,952

**PARKS PATHWAY REQUESTS**



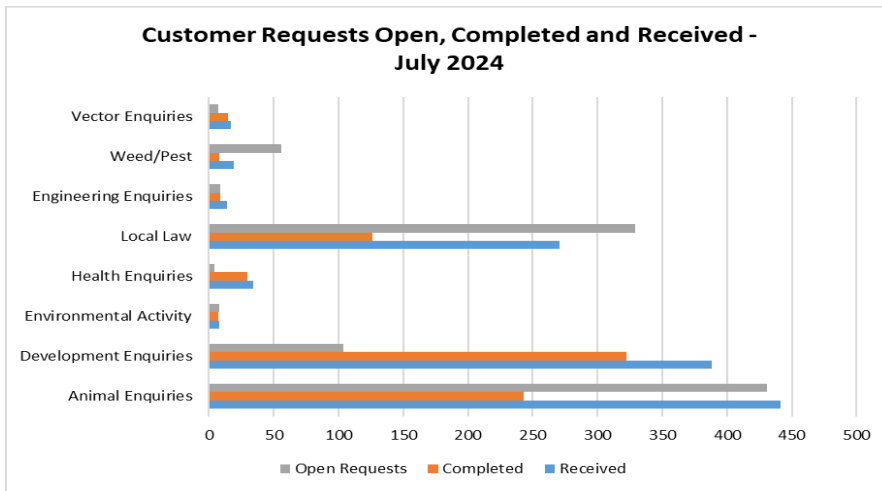
\*\*Graph shows all open tree request including trimmings and removals.



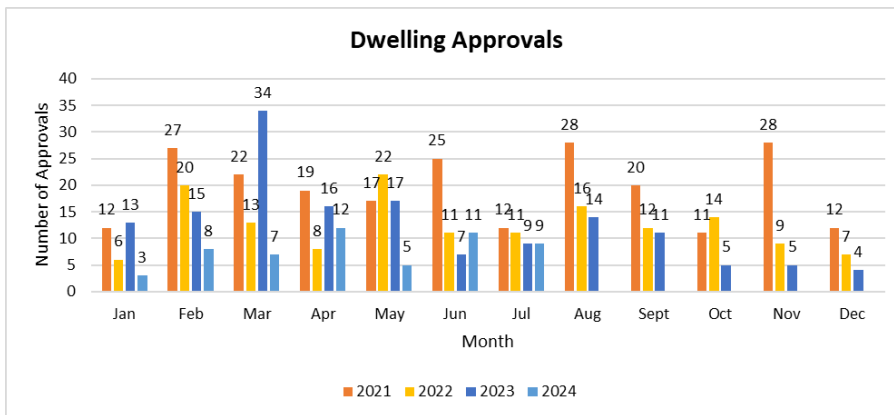
**Planning & Regulatory Services**

**POINTS OF INTEREST**

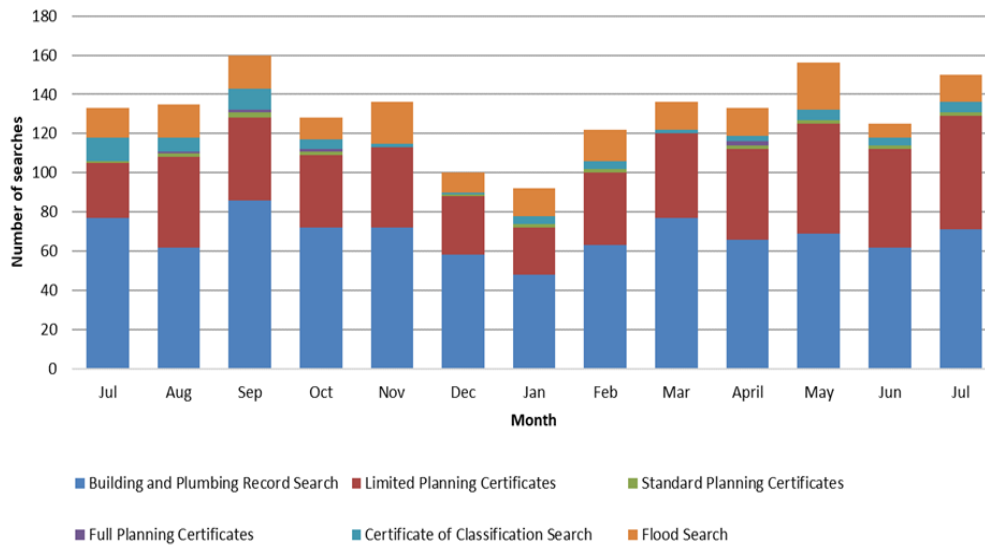
New draft Erosion and Sediment Control Guidelines were presented to the Capricorn Municipal Development Guidelines Steering Committee for review and adoption. The new guidelines will ensure developers are implementing appropriate measures to comply with the State Planning Policy design objectives for new development sites.



Open Requests – total number of customer requests currently 'open' and under investigation  
 Completed – the number of requests completed in July that were received in July  
 Received – the number of requests received in July



Property Searches Completed in the last 12 Months



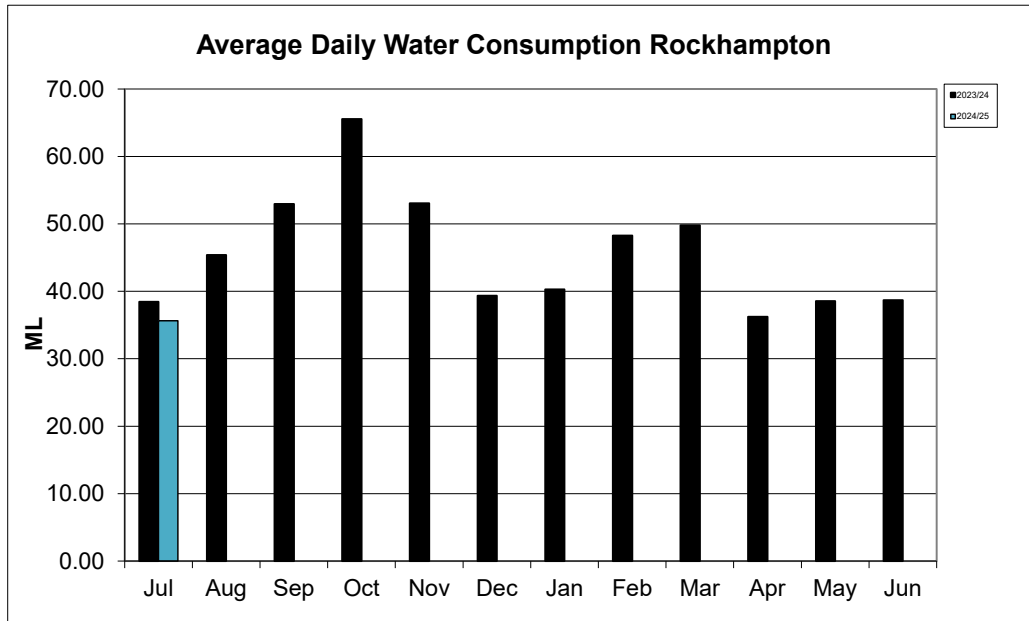


**REGIONAL SERVICES**  
**Fitzroy River Water**

**Drinking Water Supplied**

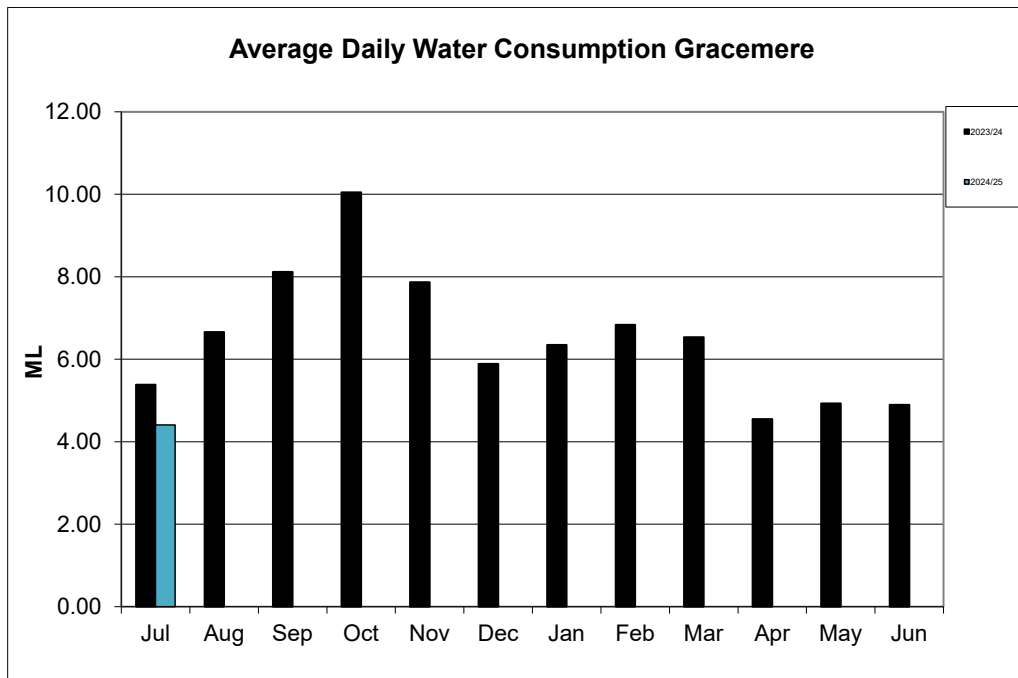
Data is presented in graphs from July 2023 to June 2024 and July 2024 to June 2025.

**Rockhampton**



Average daily water consumption during July (35.62 ML per day) was lower than that recorded in June (38.70 ML per day) and was lower than that reported in the same period last year. The reduction in consumption can be attributed to the colder weather experienced throughout July and occasional rainfall that prevented dry conditions usually associated with Winter becoming established.

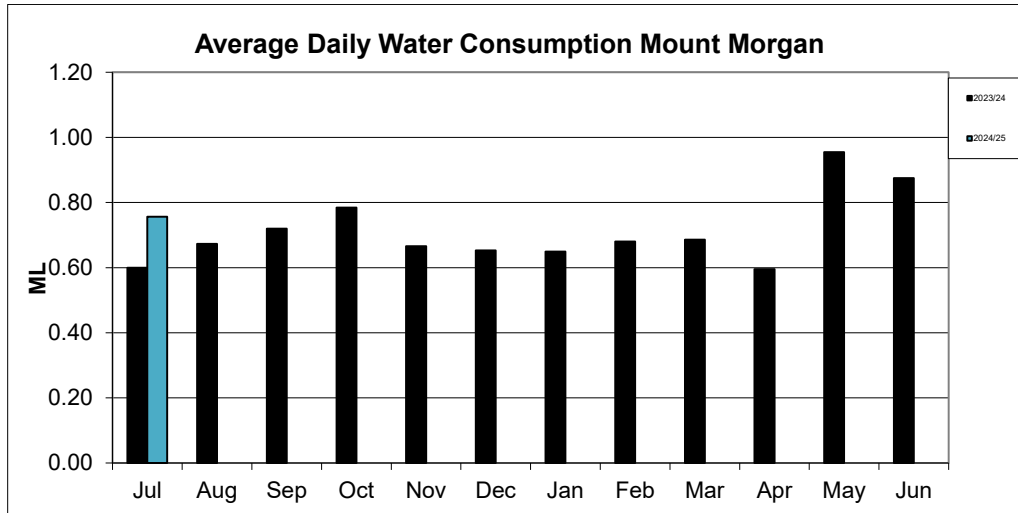
**Gracemere**



Average daily water consumption during July (4.41 ML per day) was lower than that recorded for June (4.90 ML per day) and was lower than that reported in the same period last year. The reduction in consumption can be attributed to the colder weather experienced throughout July and occasional rainfall that prevented dry conditions usually associated with Winter becoming established.

The Fitzroy Barrage Storage is currently at 100% of accessible storage volume and remains above the threshold in the Drought Management Plan used to trigger the implementation of water restrictions.

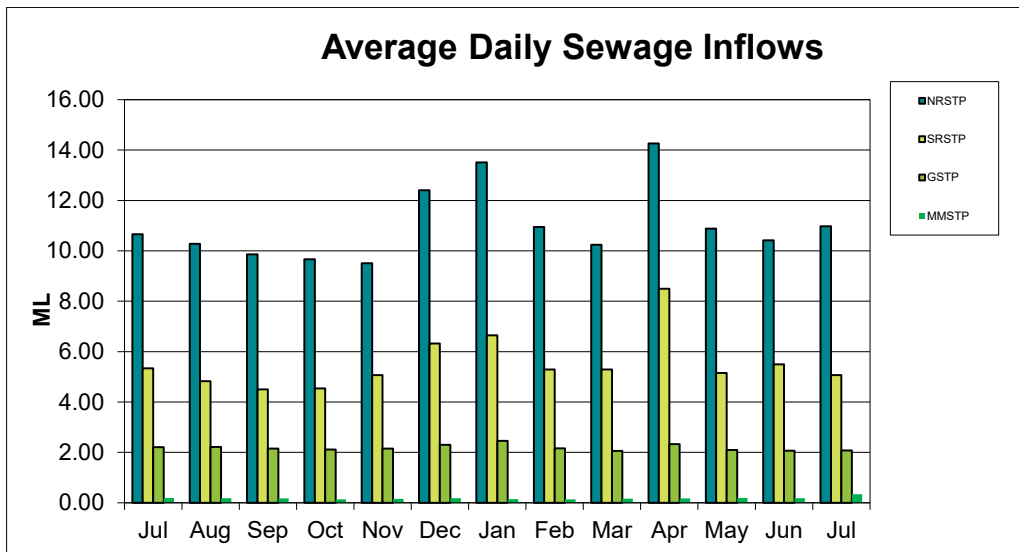
**Mount Morgan**



Average daily water consumption during July (0.76 ML per day) decreased compared to that recorded for June (0.88 ML per day) but was higher than that reported in the same period last year. The increase in the past three months compared to last year can be attributed to the lifting of water restrictions and was anticipated following such a long period of constrained usage.

The No. 7 Dam storage was at 92% at the end of July. The town water supply returned to full reliance on the water treatment plant to treat water from the No. 7 Dam from the 23<sup>rd</sup> of April.

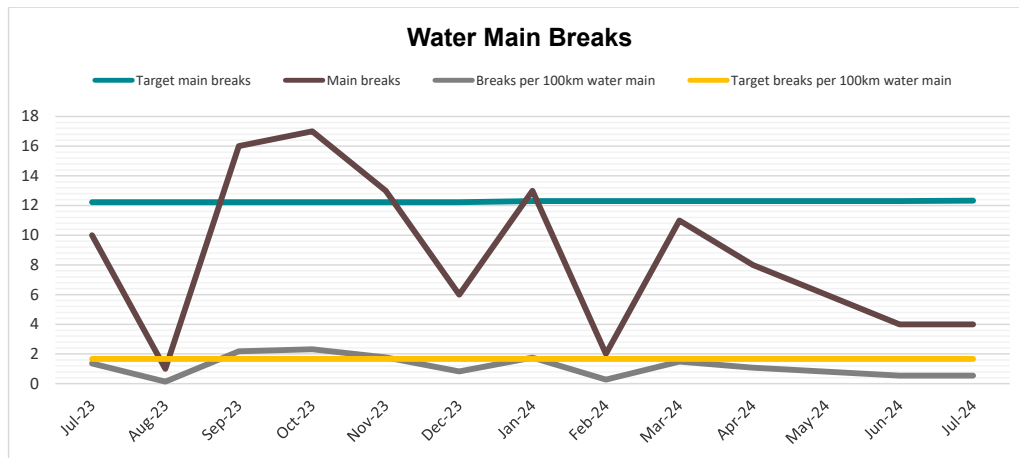
**Sewage Inflows to Treatment Plants**



Average daily sewage inflows during July increased slightly across all STP's except for South Rockhampton STP which was lower when compared with the previous month.

Mount Morgan STP recorded a significantly higher inflow due to installation of a new digital flow meter which provides improved measurement accuracy.

**Regional Water Main Breaks**



**Performance**

Target achieved with water main breaks continuing to trend at an acceptable level. Changing weather conditions (cooler temperatures, reduced consumption and rainfall events), changes in consumption and resulting ground movement could be contributing factors to recent failures in addition to age of assets and operating conditions.

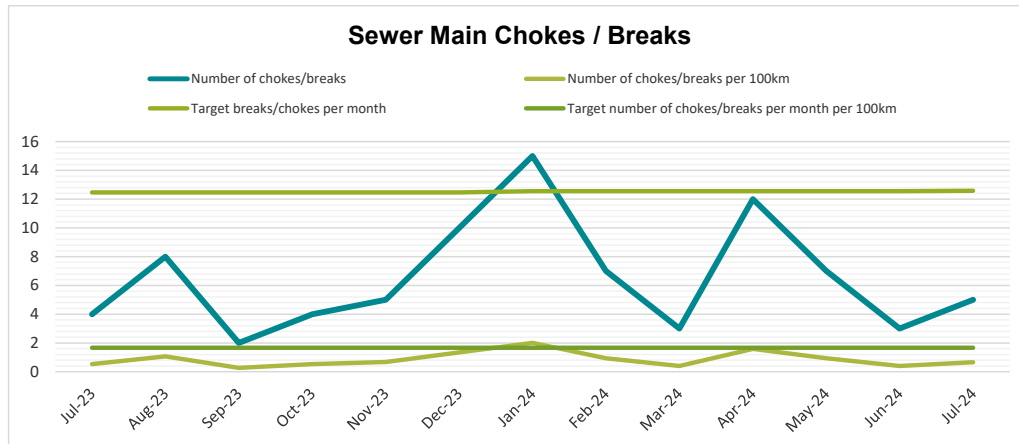
**Response to Issues**

Continued defect logging and investigation of main break causes. District metering and pressure management used to assist with identifying the cause of failures. Water mains experiencing repeated failures are assessed against specific criteria for inclusion in the Water Main Replacement program.

	Number of Main Breaks	Target Main Breaks	Breaks per 100 km	Target Breaks per 100 km
July	4	12	.54	1.67

Locality	Main Breaks
Rockhampton	4
Mount Morgan	0
<b>Regional Total</b>	<b>4</b>

**Rockhampton Regional Sewer Main Chokes/Breaks**



**Performance**

Target achieved with an increase in sewer mainline blockages during this month. Mainline blockages continue to generally be caused by fat deposits and root intrusion.

**Issues and Status**

Data indicates that a high percentage of blockages/overflows continue to be caused by fat build up and defective pipes allowing tree root intrusion.

**Response to Issue**

Continue defect logging and CCTV inspection following each individual blockage for prioritisation and inclusion in the Capital Sewer Main Relining program. Rehabilitation programs are also in place annually for the repair of defective mainlines, property connections (jump ups), access chambers and combined lines.

	Number of chokes/ breaks	Target chokes/breaks per month	Number of chokes/ breaks per 100 km	Target number of chokes / breaks per month per 100km
July	5	13	0.7	1.67

Locality	Surcharges Resulting from Mainline Blockages	Mainline Blockages
Rockhampton	3	5
Mount Morgan	0	0
<b>Regional Total</b>	<b>3</b>	<b>5</b>

**Water Meter Replacement**

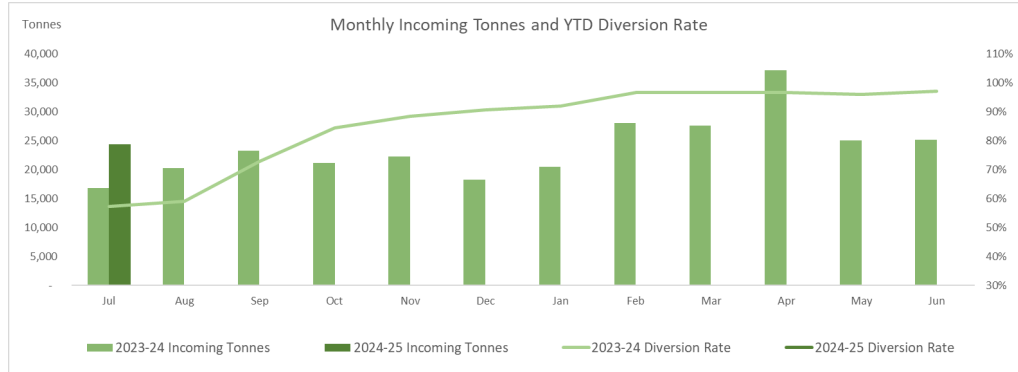
## Corporate Performance Report | 01 July 2024 – 31 July 2024

	<b>Number completed</b>	<b>FY to date totals</b>
Reactive Replacement	216	<b>216</b>
Planned Replacement	0	<b>0</b>
<b>Regional Total</b>	<b>216</b>	<b>216</b>

Water meter replacements continue to be carried out on a reactive basis, failed meters and meters meeting select criteria are replaced. Reinstatement of the capital water meter replacement program has been provided for in the current capital budget and the recent decision by Council to support the proposed bulk replacement of aged meters will eventually result in a significant reduction in reactive meter replacements.

**Rockhampton Regional Waste and Recycling**

**Total Incoming Tonnes**



**Reading this Chart**

Diversion rate is % of incoming waste we recover as opposed to burying in landfill. This is a strategic KPI measuring our progress to zero waste to landfill by 2050. Incoming tonnes is an indicator of the waste generation trends in our region, and the impact our current strategies are having on reducing those trends. Current year performance is shown in pale green.

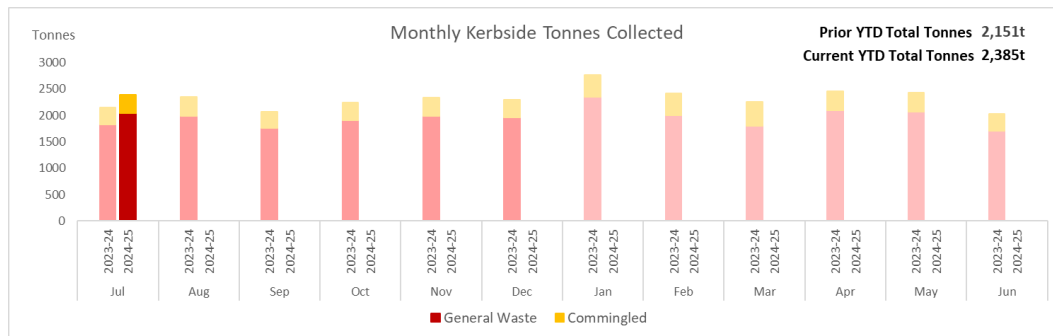
**Current Commentary**

Incoming tonnes in July have increased compared to the same period last year. For the month of July our diversion rate is 45%, largely due to a decrease in incoming Clean Earth for Operational Use purposes.



Corporate Performance Report | 01 July 2024 – 31 July 2024

**Kerbside Tonnes**



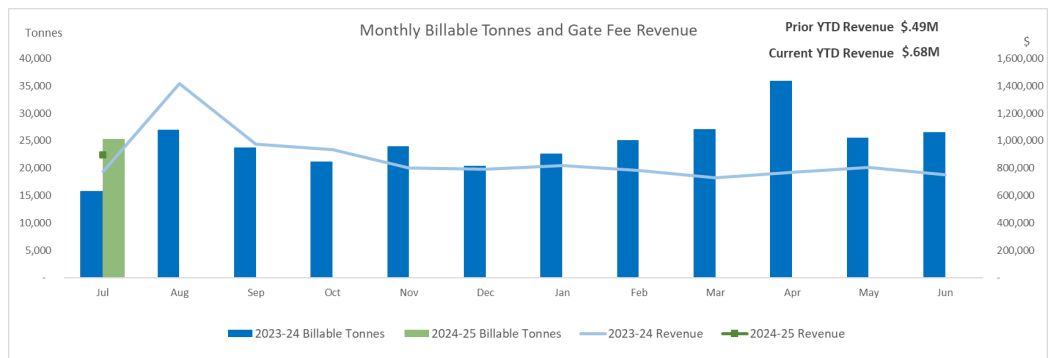
**Reading this Chart**

Showing total waste generation and recovery rates at the kerbside, providing an indicator of the extent to which we are diverting household waste and meeting our strategic KPI to reduce household waste by 25% by 2050.

**Current Commentary**

Incoming tonnes in July have increased compared to the same period last year for both kerbside General Waste and Commingle Recyclables. For the month of July, Commingled Recyclables represents 14% of our total tonnes.

**Billable Tonnes**



**Reading this Chart**

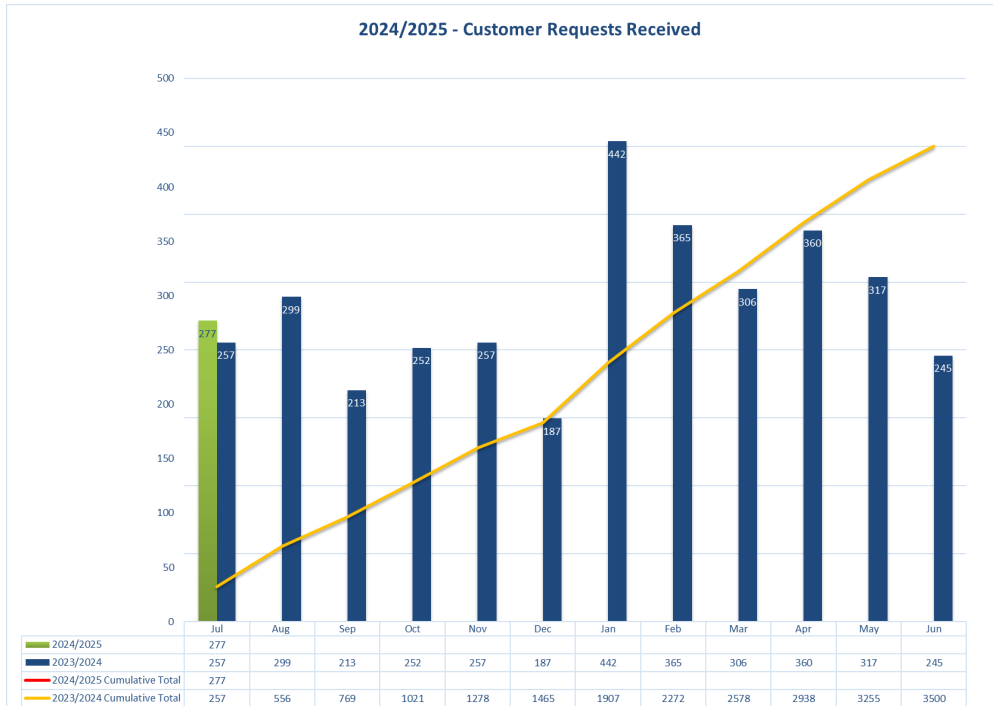
This is a critical measure of waste facility activity levels, the long-term financial sustainability of the business unit, as well as being a relatively strong indicator of economic activity levels in our region. Current year performance is shown in green.

**Current Commentary**

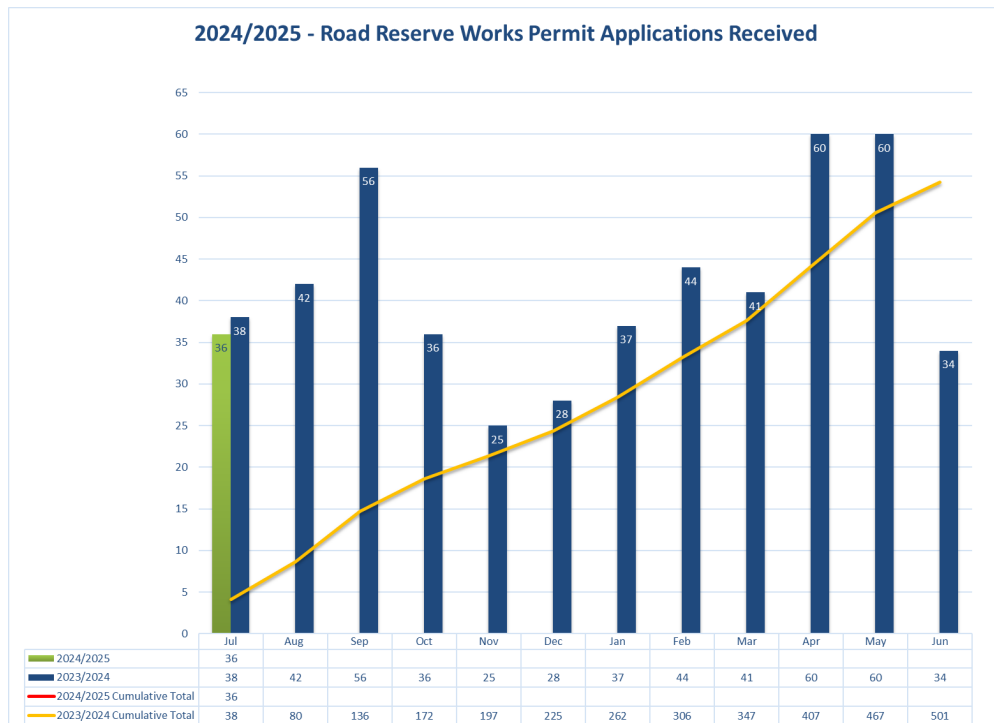
July revenue has increased compared to the same period last year and is made up of ongoing increased levels of Commercial and Industrial Waste.

**CIVIL OPERATIONS**

**CUSTOMER REQUESTS**



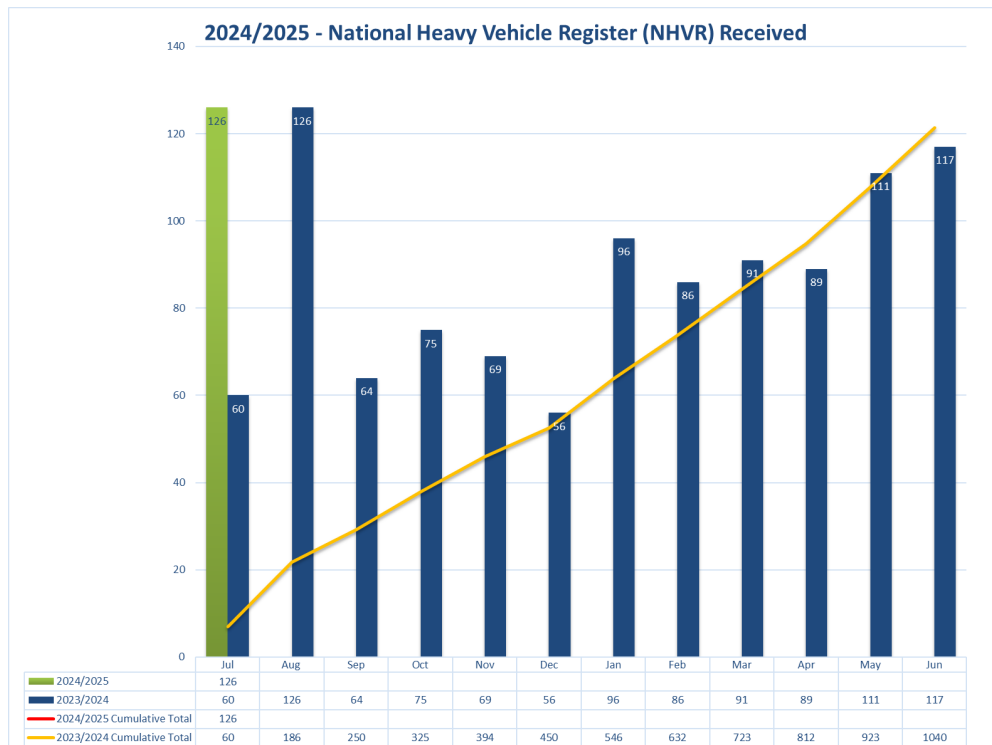
**ROAD RESERVE WORKS PERMIT APPLICATIONS**



**Commentary:**

- Applications received in July were fairly balanced between utility works, standard driveways and some other miscellaneous works in rural areas.
- Of note is an application at the end of Flaggy Creek Road, Bushley being the first application lodged for Boulder Creek Wind Farm and some ancillary closure/detours associated with work at the Ridgелands Road and Laurel Bank Road, Alton Downs intersection.

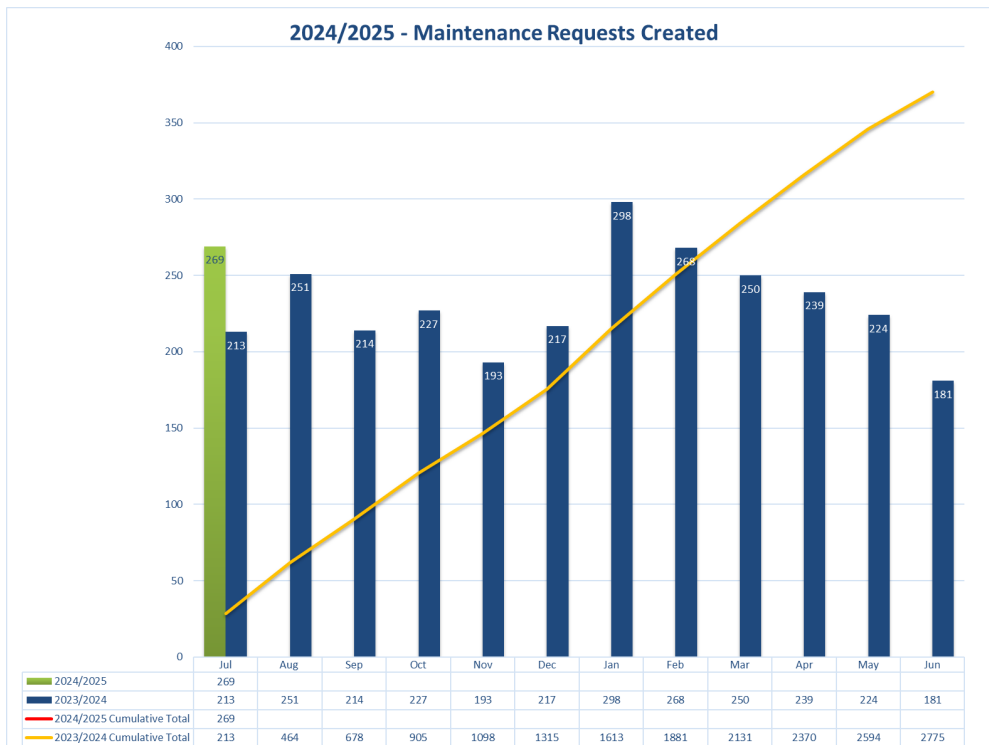
**NATIONAL HEAVY VEHICLE REGISTER (NHVR)**



**Commentary:**

- Whilst the application discrepancy between July 2023 and July 2024 is clear on the graph, it should be noted that in the following month, namely, August 2023, the applications were again matching current levels. By way of explanation, on average, there are approximately 100 applications received through the portal each month which are managed by Civil Operations.
- During July, the Department of Defence, in preparation for the Diamond Exercise scheduled to take place in Rockhampton in August 2024, submitted numerous NHVR applications over and above their usual monthly applications. Representatives of the DoD had previously met with Civil Operations staff to discuss access to premises nominated for the exercise. The resulting applications were submitted via the NHVR portal to accommodate the access of Class 3 vehicle configurations at these locations. Three thousand DoD personnel will be visiting the city during August and will be inhabiting the different locations so they can undertake a typical response scenario.
- Existing Ring Road civil contractors continue to submit applications, often as renewals, as their initial applications are only 'approved' for a year at a time. Similarly, applications received from companies in the business of moving freight through, and specifically to, Rockhampton are regularly being as their initial permit approvals are due for renewal.

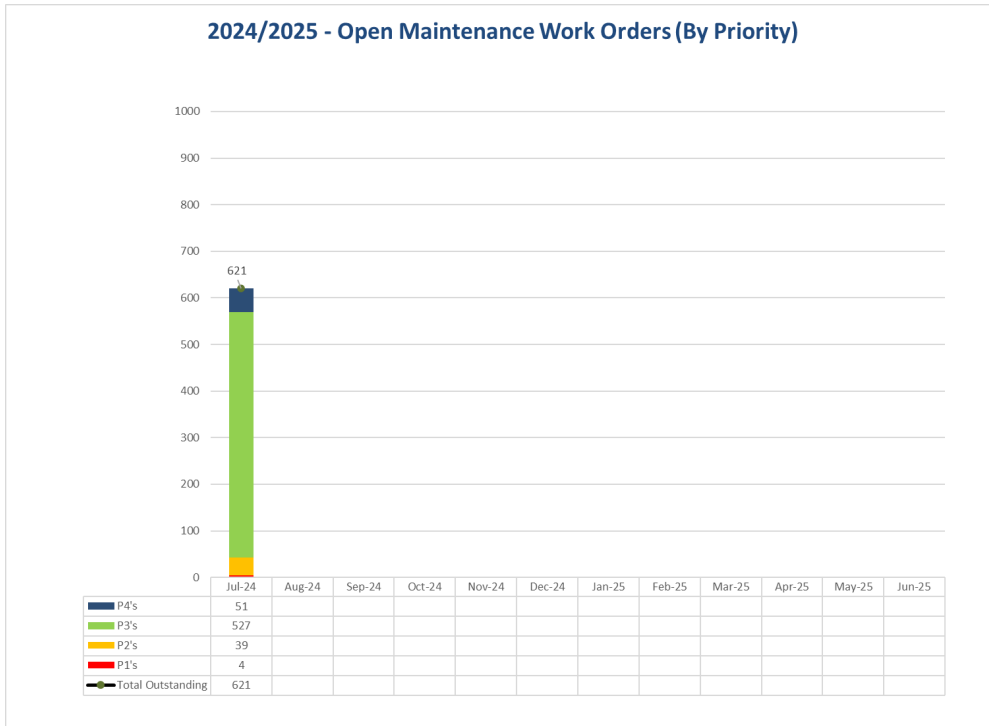
**MAINTENANCE WORK ORDERS**



**Commentary:**

- Since last month we have seen a significant increase in requests for street sweeping, signs/lines/guideposts and grading. Civil Operations also generated double the number of inter-department work orders, many of which were associated with the Riverfest preparation and operations.

**Open Maintenance Work Orders (By Priority)**



**Commentary:**

- These figures outline the total number of open Maintenance Works Orders at the end of each month.

**Average Age of Open Work Orders**

	P1's (average days open)	P2's (average days open)	P3's (average days open)	P4's (average days open)
July 2024	25	81	169	85

**Commentary:**

- These figures outline the average age of open Maintenance Works Orders at the end of each month.

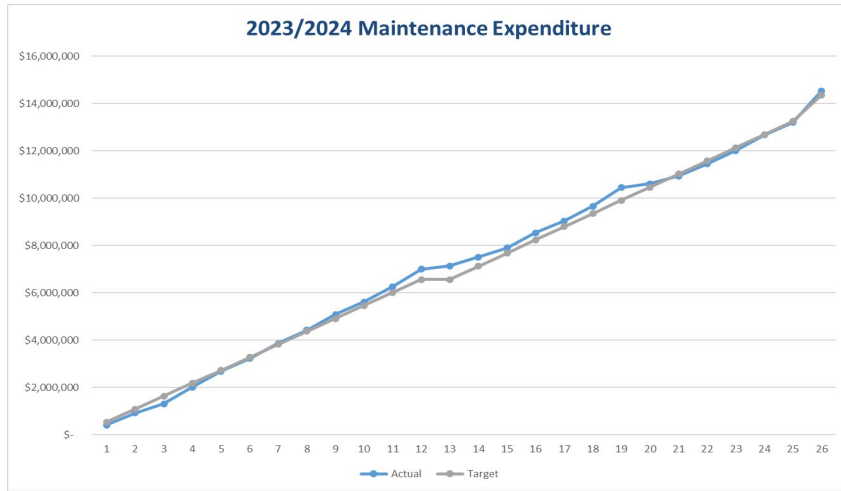
**Maintenance Work Order Completed Within Target Timeframe - Overall Performance (YTD)**

Priority	Response Target Timeframe	Average Response Time Achieved	Total No. of Work Orders	Response Time Achieved	% Completed within Target Timeframe
P1	< 2 working days	1 day	2	2	100%
P2	< 5 working days	3 days	50	30	60%
P3	< 30 working days	48 days	197	139	71%
P4	< 60 working days	28 days	8	8	100%
<b>OVERALL PERFORMANCE</b>			<b>257</b>	<b>179</b>	<b>70%</b>

**Commentary:**

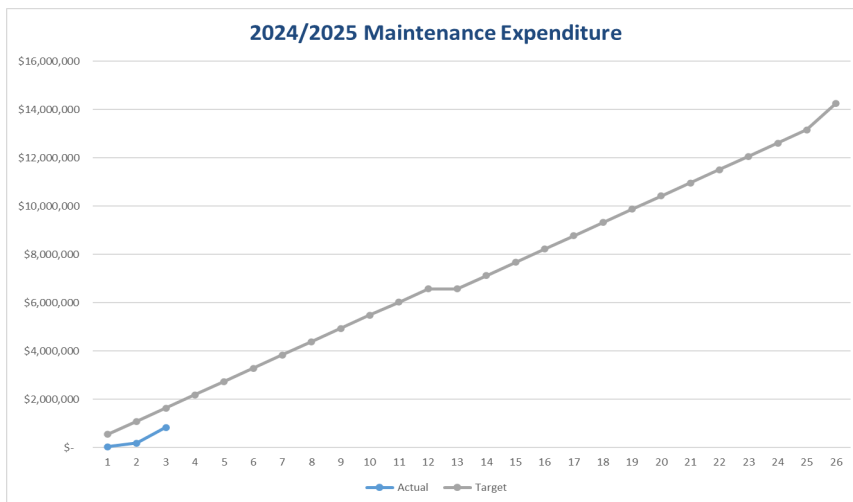
- These figures outline the overall performance of the unit achieving completion of Maintenance Works Orders within target timeframes for the current financial year.
- These figures do not include Work Order Inspections.

**MAINTENANCE EXPENDITURE**



**Commentary:**

- End of financial year has been finalised and expenditure was on target for the year.

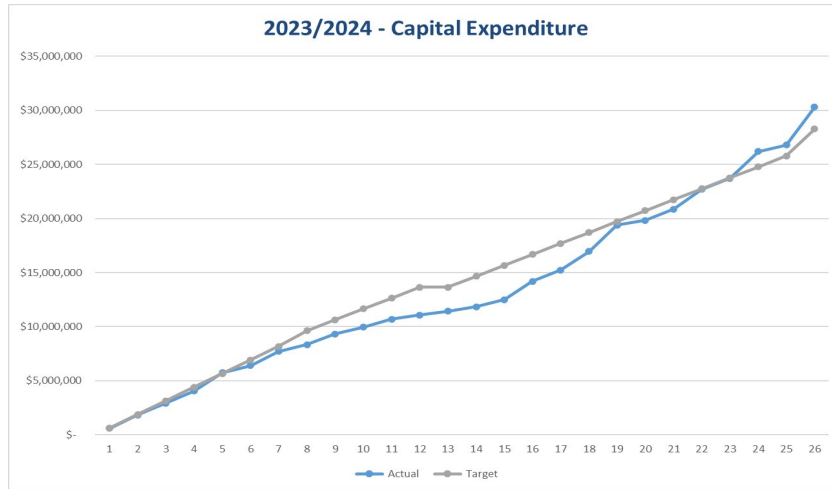


**Commentary:**

- The expenditure is slightly below expectations for this time of the year. This will be monitored closely over the coming months to address.

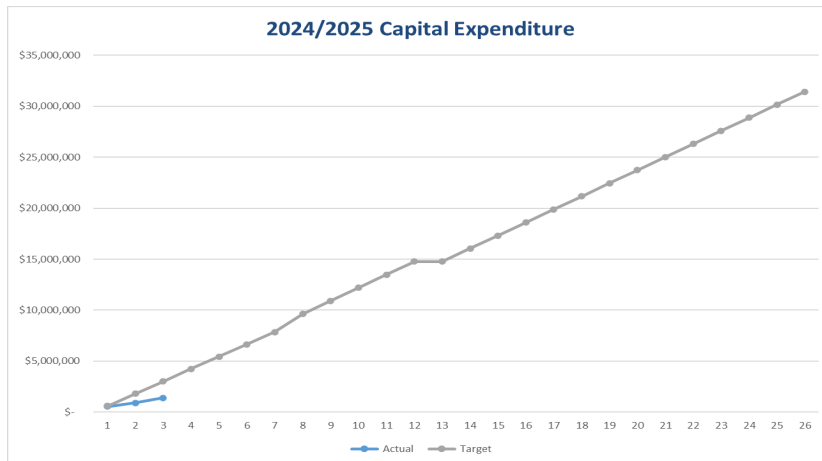


**CAPITAL EXPENDITURE**



**Commentary:**

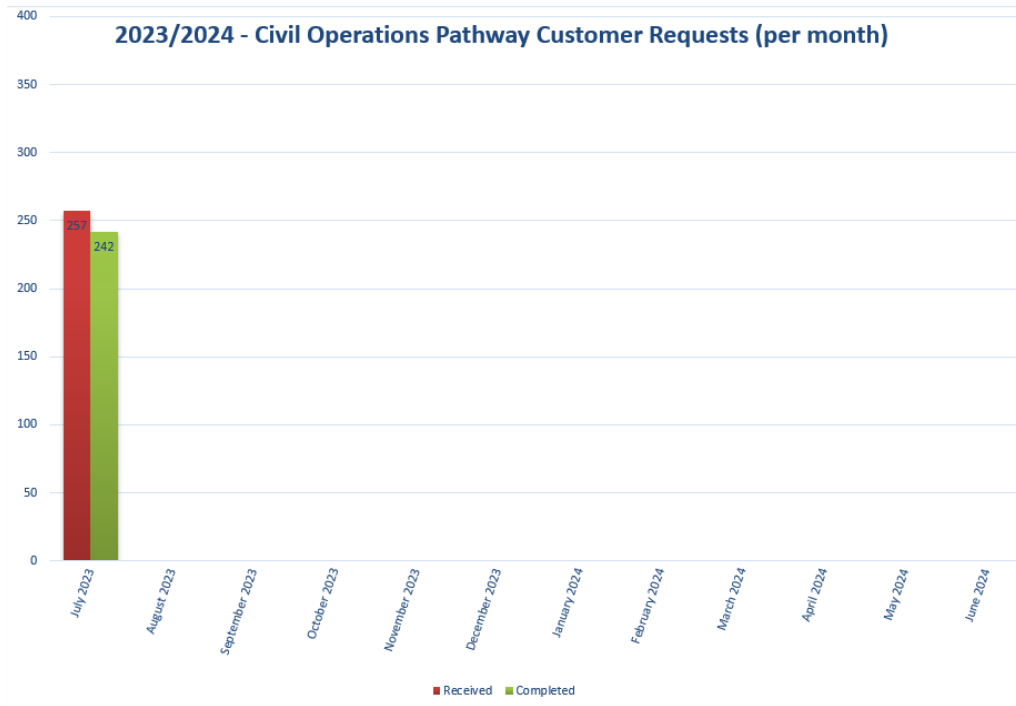
- End of financial year has been finalised and slightly more than the originally planned Capital Works program value was delivered.



**Commentary:**

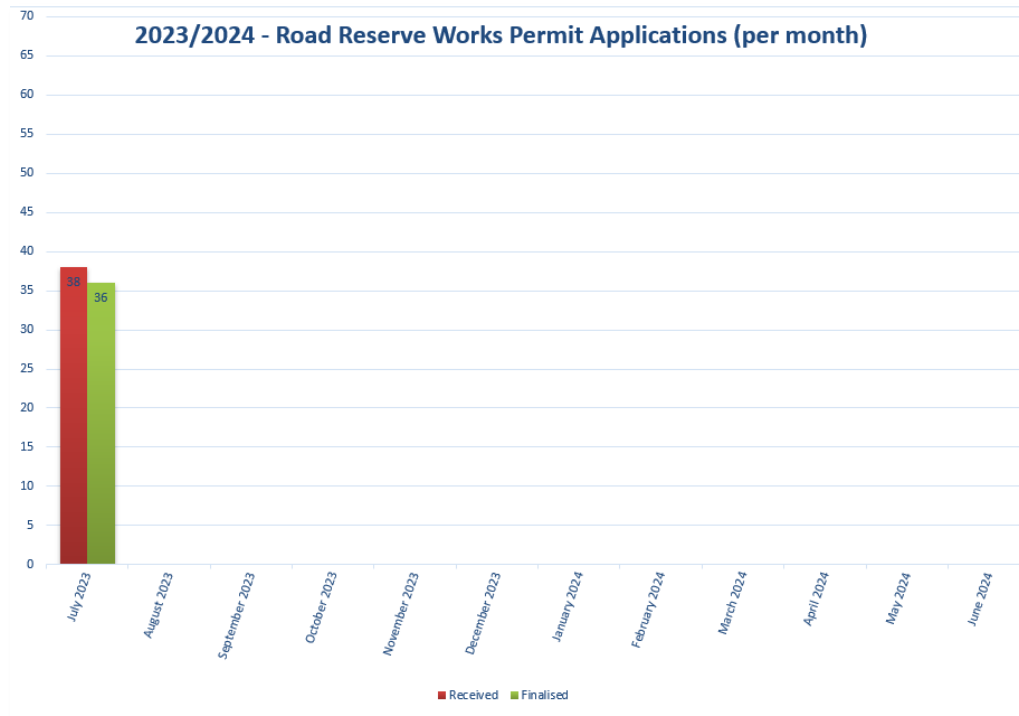
Several of the significant projects for the year are in the early design and procurement phases. As such, the expenditure is slightly below expectations at this stage. This will be monitored closely through the year.

CUSTOMER REQUESTS	
Received – July 2023 257	Total Received YTD 257
Completed – July 2023 242	Total Completed YTD 242



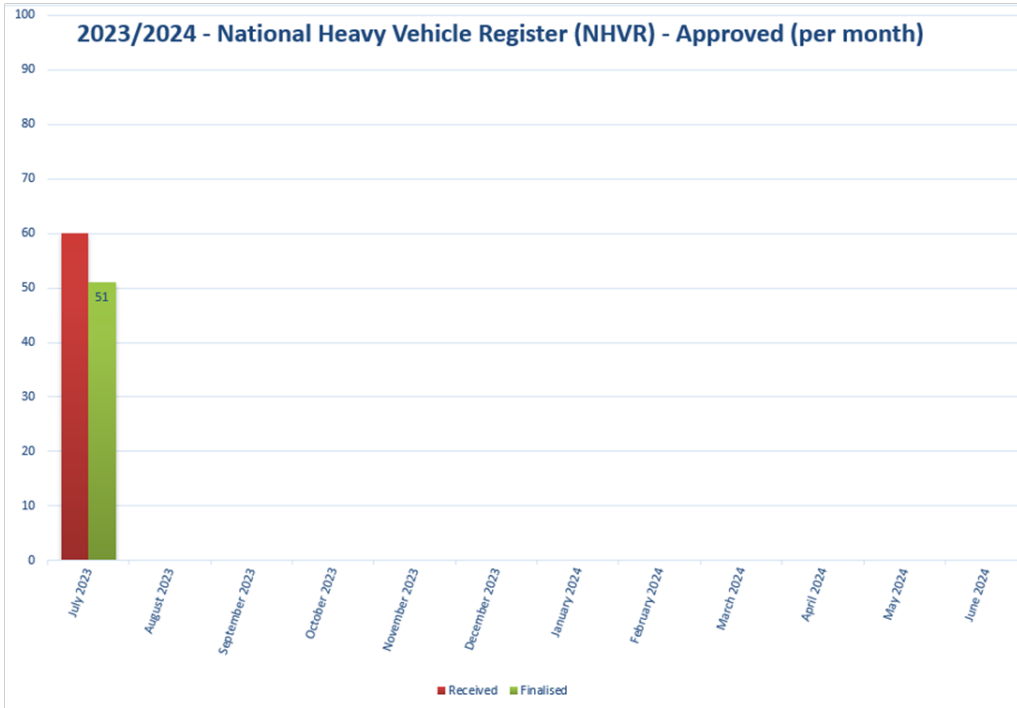
Corporate Performance Report | 01 July 2024 – 31 July 2024

ROAD RESERVE WORKS PERMIT APPLICATIONS	
Received – July 2023 38	Total Received YTD 38
Finalised – July 2023 36	Total Finalised YTD 36

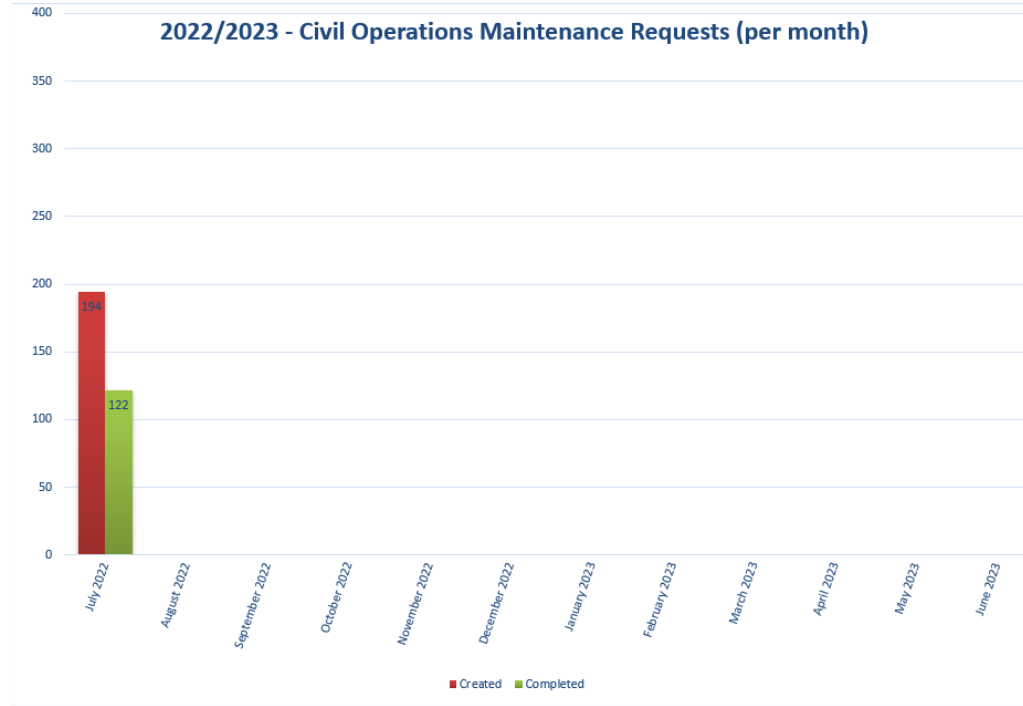


Corporate Performance Report | 01 July 2024 – 31 July 2024

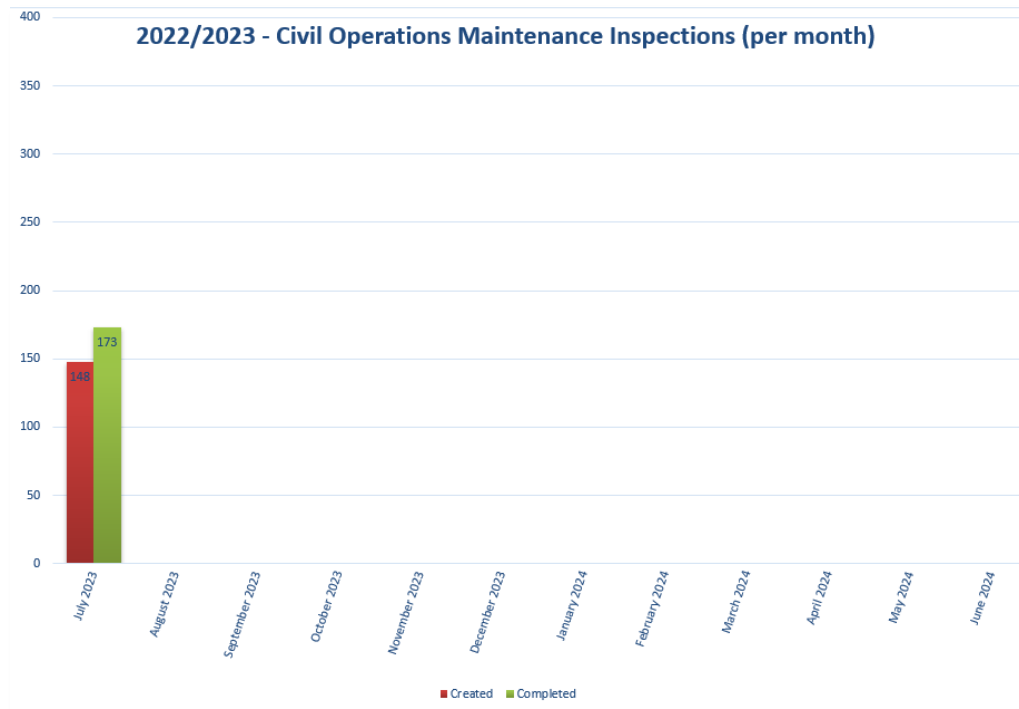
NATIONAL HEAVY VEHICLE REGISTER (NHVR) - APPROVED	
Received – July 2023 60	Total Received YTD 60
Completed – July 2023 51	Total Completed YTD 51



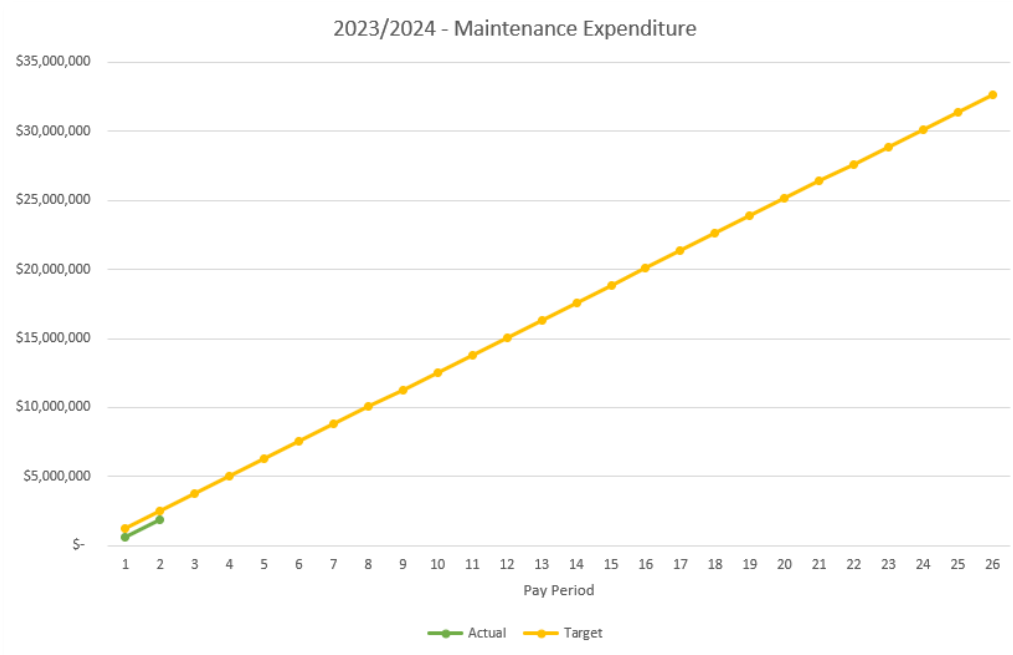
MAINTENANCE REQUESTS	
Created – July 2023 194	Total Created YTD 194
Completed – July 2023 122	Total Completed YTD 122



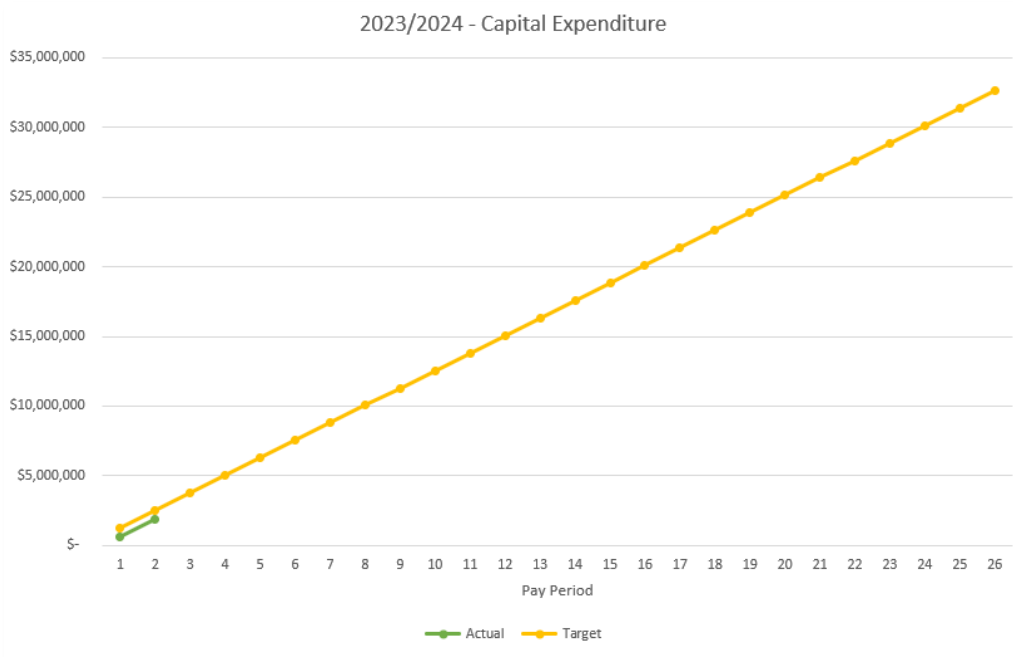
MAINTENANCE INSPECTIONS	
Created – July 2023 148	Total Created YTD 148
Completed – July 2023 173	Total Completed YTD 173



**MAINTENANCE EXPENDITURE**



CAPITAL WORKS EXPENDITURE





## ADVANCE ROCKHAMPTON

## Key Regional Statistics

Statistic	Current Period	Previous Period	Variation
GRP	\$6.29B (Jun 23)	\$6.32B (Jun 22)	▼ 0.03%
Population	84,517 (Jun 23)	83,596 (Jun 22)	▲ 1.1%
Unemployment Rate	5.3% (Mar 24)	5.6% (Dec 24)	▼ 0.3%
Jobseeker & Youth Allowance Receipts	4,155 (Jun 24)	4,130 (May 24)	▲ 25
Labour Force	45,384 (Mar 24)	45,503 (Dec 24)	▼ 119
Rental Vacancy Rate	0.7% (Apr 24)	0.9% (Dec 23)	▼ 0.2%
GST Registered Businesses	5,759 (Dec 23)	5,829 (Sep 23)	▼ 70
Airport Incoming Flights	456 (Jun 24)	422 (May 24)	▲ 34
Seek Advertisements	1,117 (Jun 24)	1,030 (Jun 24)	▲ 87
Residential Building Approvals	\$86.9m (FY23-24 to May 24) vs \$115.5m (FY22-23)		
Commercial Building Approvals	\$187.4m (FY23-24 to May 24) vs \$96.3m (FY22-23)		

**KEY EVENTS & ENGAGEMENTS**

Mount Morgan No.7 Dam Fossicking consultation (31 May – 1 July)

Supplying into Major Projects Workshop (10 July)

Industry Breakfast Update (17 July)

Queensland Mining & Engineering Exhibition (23-25 July)

REZ Readiness Community Workshop (DEC 18 July)

Planning Scheme Package A Major Amendment consultation (17 June – 15 July)

Planning Scheme Packages B & C Major Amendments consultation (19 July – 16 August)

Central Queensland Regional Water Assessment Working Group Meeting (DRDMW 25 July)

### Industry Development – Infrastructure Project Updates

#### ROCKHAMPTON RING ROAD

- \$1.7 B project cost
- Commenced: Early works Late 2022
- Stage 1 Completion: 2025/2026 FY
- 49% of contracts awarded locally
- \$22M+ in local expenditure to date
- \$70M+ committed

#### FITZROY TO GLADSTONE PIPELINE

- \$983 M project cost
- Early works: March 2023
- Construction: August 2023
- Expected completion: December 2026
- 400 local jobs during construction
- 25 apprenticeships and traineeships
- 40% local content target

#### MOUNT MORGAN PIPELINE

- \$88 M project cost
- Commenced: November 2023
- Completion: September 2025
- Est. 50 jobs during construction

#### MORT & CO FEEDLOT AND FERTILISER FACILITY

- \$130 M project cost
- Commencing: Q3 2024
- 297 direct jobs & 210 indirect during construction
- 45 FTE during operation

#### MOUNT MORGAN TAILINGS PROCESSING & REHABILITATION PROJECT

- \$150 M project value
- Commenced: Early Works mid 2023
- Completion: 2025
- Project Value: \$150M
- 250 jobs during construction
- 150 ongoing jobs

#### ROCKHAMPTON RAILYARD REJUVINATION

- \$23.7 M state government commitment over 4 years
- Masterplan coming late 2024
- Three tenants confirmed

#### BROWNE PARK REDEVELOPMENT – UPDATE

- \$54 M project cost
- Construction: July 2024
- Completion: mid 2025
- 96 construction jobs

#### RENEWABLE ENERGY PROJECTS

##### CAPRICORN BESS AND PV

- Commencing: Mid 2025
- Completion: 2027

##### MOUNT HOPEFUL WIND FARM

- Commencing: Mid 2024
- Completion: 2027
- Est Cost: \$600M
- Approx. 150 jobs during construction
- 8-12 FTE during operation

**STANWELL CLEAN ENERGY HUB**

- Battery Energy Storage System capacity doubled
- \$100M+ in project value
- Common infrastructure and civil works commenced late 2023
- Expected 5-year delivery
- Up to 650 jobs during construction
- Sustains the existing 200 FT and up to 600 contractor jobs

**BOOMER GREEN ENERGY HUB**

- Commencing: Q1 2026
- Completion: Q3 2029
- 350+ jobs during construction
- 30 FTE during operation
- Est Cost: \$3B

**BOULDER CREEK WIND FARM**

- Commencing: Mid 2024
- Completion: Late 2026
- 94 turbine Stage 2 planning
- Est Cost: \$750M
- Up to 300 jobs during construction
- 12 FTE during operation

**CLARKE CREEK WIND FARM**

- Commenced: July 2022
- Completion: Late 2025
- 350 jobs created to date
- \$250m regional investment
- Est Cost: \$3B

**MOONLIGHT RANGE**

- 300+ jobs during construction
- 10 FTE during operation
- Commencing: 2026
- Completion: Q1 2029

**MOAH CREEK WIND FARM**

- Commencing: 2025
- Completion: Late 2028
- 380 jobs during construction
- 15 ongoing jobs
- Est cost: \$1.3B

**MOAH CREEK SOLAR FARM**

- Commencing: Mid 2025
- Completion: 2027
- Est Cost: \$600M
- Approx. 300 jobs during construction
- Target operation 2025
- 10 FTE during operation

**Events**

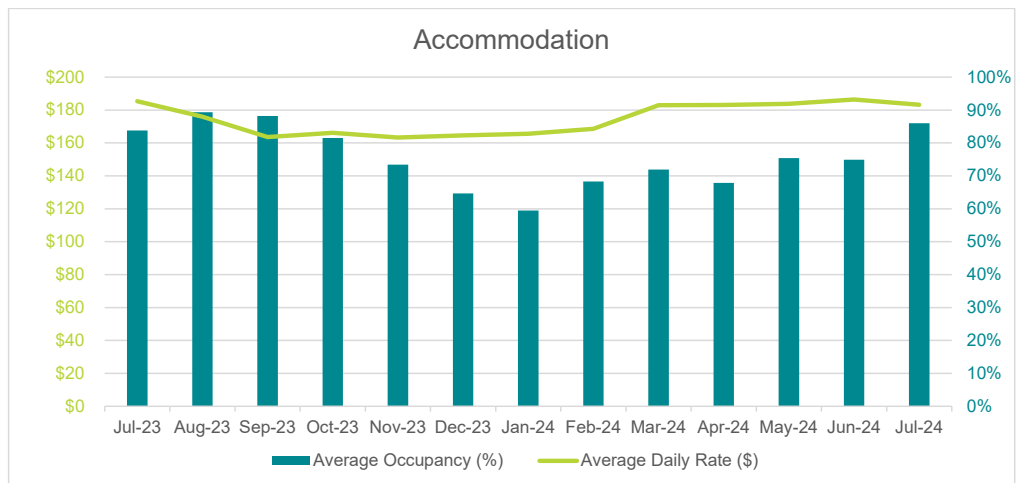
**26 - 28 July 2024 | Rockhampton River Festival** - Successful event delivered with 35,000 attendees

**31 August 2024 | CapriCon Pop Culture Convention** - 100+ vendors approved, paid and mapped, Panel and Workshop program finalised, travel bookings complete, ticketing process finalised, operational requirements locked in.

**December 2024 | Laservision (Radiance Christmas Lights)** - Stakeholder meeting with partners held.

**4-6 April 2025 | Rockynats 05** - Community consultation underway, community consultation dates locked in, lay out and logistics meetings underway, entrants on sale, off-track entertainment planning underway.

**Tourism Infrastructure**





**AIRPORT PASSENGER NUMBERS**

	Inbound
<b>This Year</b>	25,931
<b>Last Year</b>	24,435
<b>Variation</b>	<b>+6%</b>

June 2024 compared to June 2023. Qantas and Virgin only.

**Tourism Positioning and Marketing**

**CAMPAIGNS – TOP 5 PROJECTS IN TOURISM**

**1. Queensland Tourism Awards** - we have completed final submissions for four award submissions including Major Festivals and Events, Tourism Marketing & Campaigns, Outstanding Contribution by a Volunteer or Volunteer Group and The Marie Watson-Blake Award for Outstanding Contribution by an Individual. Winners are announced 15 Nov 2024.

**2. Tourism Filming** - this month we had production house Live to Create film tourism content at the Gracemere Pump Track, as well as fitness videos and dog friendly tourism and hospitality experiences - these will be used to promote our tourism blogs and as website content.

**3. Rockhampton River Festival and Paris LIVE Activation** - we worked with the Queensland Government to deliver a Paris Games LIVE Activation during Rockhampton River Festival. We also worked alongside production team Live to Create to produce high quality videos and images to push out through social media channels during the festival.

**4. QLD Touch Junior State Cup** - we have commenced industry engagement with accommodation providers, event organisers and suppliers for the event in July 2025 after the official date announcement last month. We are also working with QLD Touch on media and marketing in the lead up to the event.

**5. Major Event Calendar** - we have drafted the 2025 Major Event Calendar with some dates for events still to be confirmed with external event organisers. The calendar will be launched in October or November in conjunction with our 2025 Major Events Marketing Campaign.

## **ADVERTISING**

### **BILLBOARDS**

- Airport: departure lounge bathrooms (MTB/Meerkats) - 16.5K REACH
- Airport: static entry/exit sign (Nurim/Meerkats) - 32K REACH
- Airport: digital exit sign (Explore Rockhampton various x 6) - 32K REACH

### **SOCIAL**

- Fishing the Fitzroy boosted Facebook post - 37.8K REACH
- Explore Rockhampton boosted Facebook post - 7.8K REACH
- Travel Without Limits - 2K REACH
- Have Wheelchair Will Travel - 1K REACH

### **SEM (Search Engine Marketing)**

- Explore Rockhampton campaign - 7.1K REACH

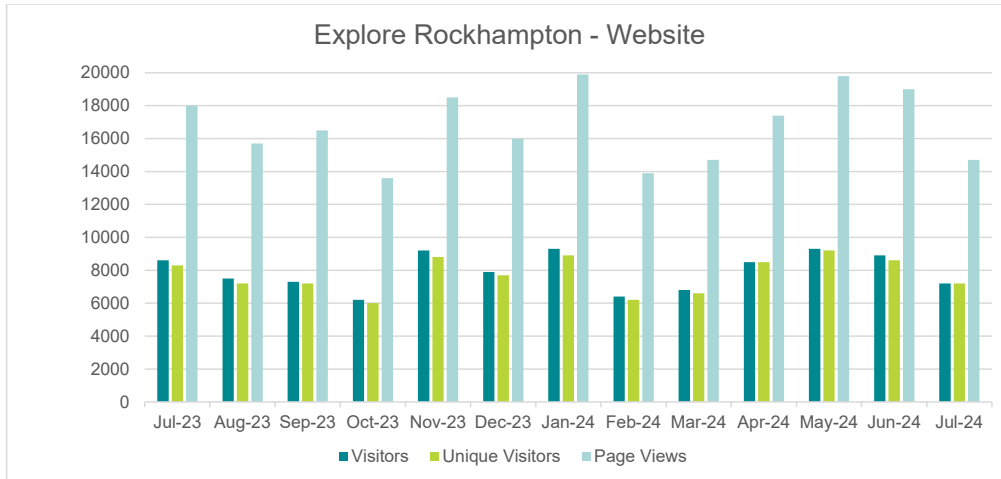
### **PRINT**

- CQ Today - Fortnightly tourism column - 160K REACH
- Caravanning Australia - Nomads Campaign - 250K REACH
- Travel Without Limits - Accessible Campaign - 2K REACH
- Holidays With Kids - Families Campaign - 1.2M REACH

**TOTAL REACH: 1.7M**

Social Media

@ExploreRockhampton



	Facebook			Instagram		
	Reach	Impressions	Fans	Impressions	Engagement	Fans
<b>This Month</b>	30.5K	50.8K	12,475	47.9K	2.1K	3,573
<b>Last Month</b>	27.9K	116.1K	12,465	22.4K	648	3,529
<b>Variation</b>	<b>+2.6K</b>	<b>-65.3K</b>	<b>+10</b>	<b>+25.5K</b>	<b>+1.4K</b>	<b>+44</b>

July 2024 compared to June 2024

Instagram reach and impressions were high for July due to sharing high quality content including video reels from Rockhampton River Festival.

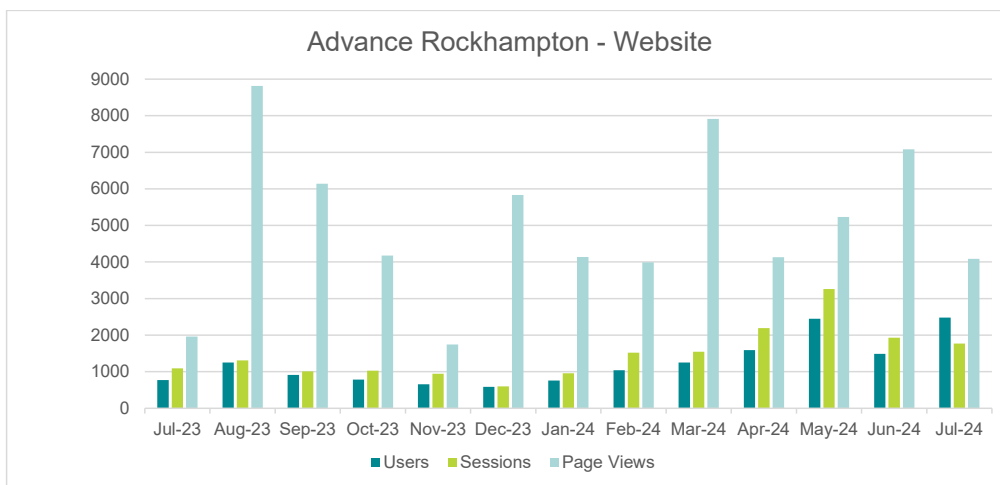
**@MyRockhampton**

	Facebook		
	Reach	Impressions	Fans
<b>This Month</b>	22,250	44,968	18,427
<b>Last Month</b>	31,875	105,555	16,559
<b>Variation</b>	<b>-9,625</b>	<b>-60,587</b>	<b>+1,868</b>

July 2024 compared to June 2024

Analytics platform changed mid-July

**@AdvanceRockhampton**



	LinkedIn			
	Impressions	Engagements	Reached Users	Followers
<b>This Month</b>	13,852	1,682	6,489	2,718
<b>Last Month</b>	11,066	813	5,869	2,672
<b>Variation</b>	<b>+2,786</b>	<b>+869</b>	<b>+620</b>	<b>+46</b>

July 2024 compared to June 2024



Strong engagement around QME attendance and associated campaign

**@FishingTheFitzroy**

	Facebook		
	Reach	Impressions	Fans
<b>This Month</b>	60.5K	1.6K	26,525
<b>Last Month</b>	140.4K	2.8K	26,522
<b>Variation</b>	<b>-79.9K</b>	<b>-1.2K</b>	<b>+3</b>

July 2024 compared to June 2024

There were no trophy images shared this month to keep engagement high on FTF.

**@RockhamptonRiverFestival**

	Facebook			Instagram		
	Fans	Impressions	Engagement	Fans	Impressions	Engagement
<b>2024</b>	12,950	2.18M	10,320	2,190	121,710	3,430
<b>Variation from 2023</b>	<b>+10%</b>	<b>+117%</b>	<b>+38%</b>	<b>+3.6%</b>	<b>+21%</b>	<b>+109.5%</b>

**@CapriConRockhampton**

	Facebook			Instagram		
	Fans	Impressions	Engagement	Fans	Impressions	Engagement
<b>2024</b>	5,930	152,250	1,390	545	4,420	521
<b>Variation from 2023</b>	<b>+10%</b>	<b>+41%</b>	<b>+39%</b>	<b>+1%</b>	<b>+262%</b>	<b>+479%</b>

**12 NOTICES OF MOTION**

Nil

**13 QUESTIONS ON NOTICE**

Nil

**14 URGENT BUSINESS/QUESTIONS**

*Urgent Business is a provision in the Agenda for members to raise questions or matters of a genuinely urgent or emergent nature, that are not a change to Council Policy and can not be delayed until the next scheduled Council or Committee Meeting.*

**15 CLOSURE OF MEETING**