



# **ORDINARY MEETING**

## **MINUTES**

**11 MARCH 2025**

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**REPORT OF THE ORDINARY MEETING  
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON  
ON TUESDAY, 11 MARCH 2025 COMMENCING AT 9:01 AM**

## **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 OF PREVIOUS MEETING**

### **COUNCIL RESOLUTION**

THAT the minutes of the Ordinary Meeting of 25 February 2025 be confirmed.

THAT the minutes of the Special Meeting of 10 March 2025 be confirmed.

**Moved by:** Councillor Oram  
**Seconded by:** Councillor Rutherford

**MOTION CARRIED**

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

Nil

## 6 BUSINESS OUTSTANDING

### 6.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL

**File No:** 10097  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Evan Pardon - Chief Executive Officer

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#### SUMMARY

*The Business Outstanding Table is used as a tool to monitor outstanding items resolved at previous Council or Committee meetings. The current Business Outstanding Table for Ordinary Council is presented for Councillors' information.*

9:02AM Councillor Wickerson entered the meeting

#### COUNCIL RESOLUTION

THAT the Business Outstanding Table for Ordinary Council be received.

**Moved by:** Councillor Rutherford

**Seconded by:** Councillor Mathers

**MOTION CARRIED UNANIMOUSLY**

**7 PUBLIC FORUMS/DEPUTATIONS**

Nil

**8 PRESENTATION OF PETITIONS**

Nil

**9 COMMITTEE REPORTS**

Nil

## 10 COUNCILLOR/DELEGATE REPORTS

### 10.1 COUNCILLOR DISCRETIONARY FUND APPLICATION - ROD LAVER COMMUNITY TENNIS CLUB

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

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#### SUMMARY

*Mayor Tony Williams and Councillor Marika Taylor are requesting approval for a donation of \$500 and \$648 respectively from their Councillor Discretionary Funds to the Rod Laver Community Tennis Club.*

#### COUNCIL RESOLUTION

THAT Council approve the allocation of \$500 from Mayor Tony Williams and \$648 from Councillor Marika Taylor's Councillor Discretionary Fund to the Rod Laver Community Tennis Club.

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

9:03AM Opening Prayer – Pastor Craig Yeomans, from Rockhampton Baptist Church

## 11 OFFICERS' REPORTS

### 11.1 REQUEST FOR A MINOR CHANGE TO DEVELOPMENT PERMIT D/21-2021 FOR A MATERIAL CHANGE OF USE FOR A SERVICE STATION AND OPERATIONAL WORKS FOR ADVERTISING DEVICES (ONE (1) FREESTANDING SIGN, SIX (6) CANOPY SIGNS AND TWO (2) AWNING FASCIA SIGNS)

**File No:** D/21-2021

**Authorising Officer:** Amanda O'Mara - Coordinator Development Assessment  
Angela Arnold - Acting 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/21-2021

Applicant: Westwood Ventures Pty Ltd

Real Property Address: Lot 1 on SP340154 (previously Lot 1 and 2 on RP605296, Lot 88 on W4619, 87 and 89 on W4612)

Common Property Address: 4589 Capricorn Highway, Westwood (previously Lot 1 Coverley Street, Westwood)

Area of Site: 3.0215 hectares

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

Planning Scheme Zone: Township Zone

Planning Scheme Precinct: Nil

Existing Development: Hotel

Approval Sought: Amended Decision Notice for a Development Permit for Material Change of Use for a Service Station and Operational Works for Advertising Devices (one (1) freestanding sign, six (6) canopy signs and two (2) awning fascia signs)

Affected Entity: Nil

#### COUNCIL RESOLUTION

##### RECOMMENDATION A

THAT in relation to the application for a Minor Change to D/21-2021 for Material Change of Use for a Service Station and Operational Works for Advertising Devices (one (1) freestanding sign, six (6) canopy signs and two (2) awning fascia signs), made by Westwood Ventures Pty Ltd, located at 4589 Capricorn Highway, Westwood, described as Lot 1 on SP340154, Council resolves to issue an Amended Decision Notice subject to the following conditions:



**PART 1 – MATERIAL CHANGE OF USE FOR A SERVICE STATION****1.0 ADMINISTRATION**

- 1.1 The Developer and their employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions, works, or requirements of this development approval must be undertaken, completed, and be accompanied by a Compliance Certificate for any operational works required by this development approval:
- 1.3.1 to Council’s satisfaction;
  - 1.3.2 at no cost to Council; and
  - 1.3.3 prior to the commencement of the use,  
unless otherwise stated.
- 1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the commencement of the use, unless otherwise stated.
- 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
- 1.5.1 Operational Works:
    - (i) Access and Parking Works;
    - (ii) Roof and Allotment Drainage;
    - (iii) Landscaping; and
    - (iv) Site Works;
  - 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 1 on RP605296, Lot 2 on RP605296, Lot 88 on W4612, Lot 87 on W4612 and Lot 89 on W4612 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>
Staging Plan	GSPC	3 February 2025	241334-03	
Proposed Site Plan (as amended by Council)	MCHP Architects	12 August 2021	20-041 DA01	D
Proposed Site Plan	dezignelements	21 October 2024	24_202 S-01	
Existing and Proposed Floor Plan	dezignelements	21 October 2024	24_202 S-02	
Elevations	dezignelements	21 October 2024	24_202 S-03	
3D View	dezignelements	21 October 2024	24_202 S-04	
Car Canopy Plan and Elevations	MCHP Architects	12 August 2021	20-062 DA04	C
Truck Canopy Plan and Elevations	MCHP Architects	12 August 2021	20-062 DA05	C
Site Layout Plan	Siris & Associates	September 2024	SCE-24-003-003	C
Service Station Bulk Earthworks Plan	Siris & Associates	September 2024	SCE-24-003-004	C
Stormwater Layout Plan	Siris & Associates	September 2024	SCE-24-003-005	C
Traffic Impact Assessment Report	McMurtrie Consulting Engineers	25 May 2021	0672021	C
Stormwater Management Plan	McMurtrie Consulting Engineers	19 May 2021	067-20-21	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.

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

### 3.0 STAGED DEVELOPMENT

3.1 This development approval is for a development to be undertaken in three (3) discrete stages, in accordance with the approved Site Plan – Staging Plan – 241334-03, dated 03 February 2025 (refer to condition 2.1).

Stage One must be completed prior to any other stage. All other stages are not required to be undertaken in any chronological order.

- 3.2 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.
- 3.3 The currency period for Stage one is six (6) years from the date this approval takes effect.
- 3.4 The currency period for Stage two and Stage three is ten (10) years from the date this approval takes effect.
- 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 generally in accordance with approved Site Layout Plan SCE-24-003-003 by Siris & Associates dated September 2024. Design and construction must be in accordance with the provisions of a Development Permit for Operational Works (access and parking works).
- 4.4 The existing southern access from the Capricorn Highway to the development on Lot 2 on RP605296 must be permanently closed.
- 4.5 The existing northern access from the Capricorn Highway to the development on Lot 1 on RP605296 must be upgraded to comply with the requirements of the *Capricorn Municipal Development Guidelines*. The access must cater for all vehicles up to a Type 1 Road Train and be for ingress only.
- 4.6 The existing southern access from the Capricorn Highway to the development on Lot 87 and 89 W4612 must be upgraded to comply with the requirements of the *Capricorn Municipal Development Guidelines*. The access must cater for all vehicles up to a Type 1 Road Train and be for egress only (left-out only).
- 4.7 A new access from the Capricorn Highway to the development must be provided at the southern end of Lot 1 on RP605296. The access must cater for all vehicles up to a 8.8 metre service vehicle and be for egress only (right and left out).
- 4.8 All vehicular access to and from the development must be via the Capricorn Highway only.
- 4.9 All vehicles must ingress and egress the development in a forward gear.
- 4.10 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"*.
- 4.11 A minimum of five (5) car parking spaces, six (6) heavy vehicle parking spaces and a loading bay must be provided on-site.
- 4.12 Provision of parking on the Capricorn Highway must be provided in accordance with the approved site plan (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 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"*.
- 4.16 Road signage and pavement markings must be installed in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"*.
- 4.17 All vehicle operation areas must be illuminated in accordance with the requirements of *Australian Standard AS1158 "Lighting for roads and public spaces"*.

#### 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 structures 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 Adequate on-site water supply for domestic and fire-fighting purposes must be provided to the development, and may include the provision of a bore, dams, water storage tanks or a combination of each. This must be certified by a hydraulic engineer or other suitably qualified person.
- 5.4 Alteration, or relocation of internal plumbing and sanitary drainage works associated with the existing building must be in accordance with regulated work under the *Plumbing and Drainage Act 2018* and Council's Plumbing and Drainage Policies.
- 5.5 On-site sewerage treatment and disposal must be provided in accordance with the *Queensland Plumbing and Wastewater Code* and Council's Plumbing and Drainage Policies.

Note: On-site sewerage treatment works that have a total daily peak design capacity of at least 21 equivalent persons (EP) is considered as an Environmentally Relevant Activity in accordance with *Environmental Protection Act 1994*. Appropriate license will be required to operate the ERA.

- 5.6 The on-site sewerage treatment and disposal area must not be located within the existing water course and bores or conflict with the separation distance as detailed with the *Queensland Plumbing and Wastewater Code*.

#### 6.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 6.1 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.
- 6.2 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).
- 6.3 All roof and allotment runoff from the development must be discharged such that it must not restrict, impair or change the natural flow of runoff water or cause a nuisance or worsening to surrounding land or 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 Any application for a Development Permit for Operational Works (roof and allotment drainage 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.
- 7.0 SITE WORKS
- 7.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works on the development site.
- 7.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks plan that clearly identifies the following:
- 7.2.1 the location of cut and/or fill;
  - 7.2.2 the type of fill to be used and the manner in which it is to be compacted;
  - 7.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
  - 7.2.4 details of any proposed access routes that are intended to be used to transport fill to or from the development site; and
  - 7.2.5 the maintenance of access roads to and from the development site so that they are free of all cut and/or fill material and cleaned as necessary.
- 7.3 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments"*.
- 7.4 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.
- 8.0 BUILDING WORKS
- 8.1 A Development Permit for Building Works must be obtained for the removal and/or demolition of any existing structures on the development site.
- 8.2 A Development Permit for Building Works must be obtained for the proposed structures on the development site.
- 8.3 Structures must not be located within the on-site sewerage treatment and disposal area or conflict with the separation distances, in accordance with the *Queensland Plumbing and Wastewater Code*.
- 8.4 All external elements, such as air conditioners and associated equipment, must be adequately screened from public view, to Council's satisfaction.
- 8.5 Access to and use of the land the subject of this application must comply with the provisions of the *Disability Discrimination Act 1992* and/or the *Anti-Discrimination Act 1991*. If either of those statutes require the provision of access or facilities in a way that is inconsistent with this development approval, those facilities must be provided.
- 8.6 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:
- 8.6.1 designed and located so as not to cause a nuisance to neighbouring properties;
  - 8.6.2 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;

- 8.6.3 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;
- 8.6.4 setback a minimum of two (2) metres from any road frontage; and
- 8.6.5 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*.

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.

- 8.7 A minimum 1.8 metre high screen fence must be erected along the common boundary of the subject site and the northern adjoining residential property to the extent as shown on the Proposed Site Plan (refer to condition 2.1). This fence must be built as part of Stage one.

#### 9.0 LANDSCAPING WORKS

- 9.1 A Development Permit for Operational Works (landscaping works) must be obtained prior to the commencement of any landscaping works required by this development approval.
- 9.2 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).
- 9.3 A minimum of one (1) metre in width of planting area must be established along the common boundary of the subject site and the northern adjoining residential property to the extent as shown on the Proposed Site Plan (refer to condition 2.1).
- 9.4 A Landscaping Plan must be submitted with any application for a Development Permit for Operational Works (landscaping works). The landscaping plans must be designed in accordance with the requirements of *Planning Scheme Policy SC6.12 - Landscape Design and Street Trees Planning Scheme Policy*.
- 9.5 A minimum of one (1) metre in width of planting area must be established along the common boundary of the subject site and the northern adjoining residential property.
- 9.6 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.
- 9.7 Plant species must not include undesirable species identified in *Planning Scheme Policy SC6.12 - Landscape Design and Street Trees Planning Scheme Policy*.

#### 10.0 ELECTRICITY

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

#### 11.0 ASSET MANAGEMENT

- 11.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.
- 11.2 Any damage to existing stormwater, water supply and sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land and Council infrastructure), that occurs while any works are being carried out in association with this development approval must be repaired at full cost to the developer. This includes the reinstatement of any existing traffic signs or pavement markings that may have been removed or damaged.

## 12.0 ENVIRONMENTAL

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

## 13.0 ENVIRONMENTAL HEALTH

- 13.1 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"*.
- 13.2 Operations on the site must have no significant impact as determined by Council on the amenity of adjoining premises or the surrounding area due to the emission of light, odour, noise or dust.
- 13.3 When requested by Council, noise monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance 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*.
- 13.4 An incidents register must be kept at the premises and it must record any incidents including but not limited to:
- 13.4.1 any fire at the premises; and
  - 13.4.2 any release of contaminants not in accordance with the development approval conditions.
- 13.5 Odour and visible contaminants, including but not limited to dust, fume, smoke, aerosols, overspray or particulates, must not be released to the environment in a manner that will or may cause environmental nuisance or harm unless such release is authorised by Council.
- 13.6 Plant and equipment must be maintained in proper working order at all times, in accordance with the manufacturer's directions to ensure the efficiency of the equipment.
- 13.7 Stormwater must be prevented from entering contaminated work areas. Any stormwater which may enter into a contaminated area must not be drained to the stormwater drainage system.
- 13.8 Soil/silt must be prevented from being moved off the site by stormwater by such practicable means as may be necessary.
- 13.9 No contaminants are permitted to be released to land or water, including soil, silt, oils, detergents, etcetera. Any wash-down areas used for the maintenance or cleaning of equipment (including vehicles) must be appropriately bunded and drained to a holding tank and evaporated.
- 13.10 All chemicals and/or environmentally hazardous liquids must be contained within a covered, bunded storage area that has a volume of at least that of the largest container in the bund plus twenty-five percent (25%) of the total storage capacity.

- 13.11 An appropriate spill kit must be kept on-site for neutralising or decontaminating spills. The spill kit must be clearly identifiable, maintained regularly and stored in a central location that is easily accessible to employees. Staff must be adequately trained in the use of these materials. The spill kit may consist of:
- 13.11.1 a bin with a tight-fitting lid, partially filled with non-combustible absorbent material such as vermiculite;
  - 13.11.2 a broom, shovel, face shield, chemically-resistant boots and gloves; and
  - 13.11.3 waste bags and ties.
- 13.12 Any spillage of environmentally hazardous liquids or other materials must be cleaned up as quickly as practicable. Any spillage of waste and/or contaminants must not be hosed or swept to any stormwater drainage system, roadside gutter or waters.
- 14.0 CHEMICAL STORAGE
- 14.1 Adequate procedures and measures (including an inventory control system) must be in place to monitor the storage volumes within chemical tanks to prevent overflow and to detect leaks and for the inspection and maintenance of environmental control measures, for example, bunding, wastewater containment devices, interceptors and acoustic enclosures.
- 14.2 All fuel dispensing areas must be drained to a holding tank. Contaminants within the holding tank must be removed and disposed of as regulated waste (for example, fuel, oil). Clean water can then be deposited to the stormwater system.
- 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 the Capricorn Highway or Coverley Street.
- 15.2 All waste must be stored within a waste storage area (for example, general waste, recyclable waste, pallets, empty drums etcetera) in accordance with the approved plans (refer to condition 2.1). The owner of the land must ensure that:
- 15.2.1 the area is kept in a clean and tidy condition;
  - 15.2.2 fences and screens are maintained;
  - 15.2.3 no waste material is stored external to the waste storage area/s;
  - 15.2.4 contaminants/washdown does not discharge into water courses, drainage lines or onto adjoining properties; and
  - 15.2.5 the area is maintained in accordance with *Environmental Protection Regulation 2019*.
- 15.3 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.
- 15.4 When requested by Council, nuisance monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance as determined by Council caused by noise, light, odour or dust. An analysis of the monitoring data and a report, including nuisance mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation and will require any mitigation measures identified in the assessment to be implemented within appropriate timeframes.
- 15.5 Where unsealed surface treatments are utilised in access, parking and vehicle manoeuvring areas, contaminants such as oils or chemicals must not be released onto the surface treatment.



- 15.6 All surface treatments must be operated and maintained in a manner so that there is no significant impact as determined by Council on the amenity of adjoining premises or the surrounding area being caused due to the emission of dust or resulting in sediment laden water.

## **PART 2 – OPERATIONAL WORKS FOR ADVERTISING DEVICES**

### **16.0 ADMINISTRATION**

- 16.1 The Developer is responsible for ensuring compliance with the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 16.2 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 16.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 16.4 The following further development permits are required prior to the commencement of any works on the site:
- 16.4.1 Building Works.
- 16.5 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

### **17.0 APPROVED PLANS AND DOCUMENTS**

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

<u>Plan/Document Name</u>	<u>Prepared by</u>	<u>Date</u>	<u>Reference No.</u>	<u>Version/ Issue</u>
Proposed Site Plan (as amended by Council)	MCHP Architects	12 August 2021	20-041 DA01	D
Proposed Floor Plan	MCHP Architects	12 August 2021	20-062 DA02	C
Building Elevations	MCHP Architects	12 August 2021	20-062 DA03	C
Car Canopy Plan and Elevations	MCHP Architects	12 August 2021	20-062 DA04	C
Truck Canopy Plan and Elevations	MCHP Architects	12 August 2021	20-062 DA05	C

- 17.2 A set of the above approved plans are returned to you as the Consultant. The Consultant is to supply one (1) Approved set to the contractor to be retained on site at all times during construction.
- 17.3 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 17.4 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for endorsement by Council prior to the submission of a Development Application for Building Works.

**18.0 OPERATING PROCEDURE**

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

**19.0 LUMINANCE**

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

Table 2: Luminance levels for Advertising Devices

(Source: Outdoor Media Authority Digital Guideline)

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

**Note:**

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

**20.0 ASSET MANAGEMENT**

- 20.1 Any damage to, or alterations necessary, to electricity, telephone, water mains, sewerage mains, stormwater drains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken immediately, at no cost to Council, and completed within the following timeframes:
- 20.1.1 where damage causes a hazard to pedestrian/traffic safety or interrupts a community service, immediately; or
- 20.1.2 as soon as reasonably possible as agreed with Council.

**21.0 ADVERTISING DEVICE CONSTRUCTION AND MAINTENANCE**

- 21.1 Council reserves the right for uninterrupted access to the site at all times during construction.

- 21.2 All Construction work and other associated activities are permitted only between 0630 hours and 1800 hours Monday to Saturday. No work is permitted on Sundays or public holidays. All requirements of the *Environmental Protection Act 1994* and the *Environmental Protection Regulation 2019* must be observed at all times.
- 21.3 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site.
- 21.4 Any proposed works within the vicinity (or zone of influence) of existing Council infrastructure will not adversely affect the integrity of the infrastructure. Any restoration works required on existing Council infrastructure as a result of proposed works will be at the developer's expense.
- 21.5 All conduits, wiring, switches or other control apparatus installed on an Advertising Device must be concealed from general view, with control apparatus secured in a manner to prevent unauthorised entry and display setting tampering.
- 21.6 All electrical services and systems must comply with Australian and New Zealand Standard AS/NZS 3000:2007 – "Electrical Installations".
- 21.7 All advertising devices must be maintained at all times on the premises by the owner of the premises to the same standard as it was when it was installed, and be maintained in a safe, clean, condition that does not adversely impact the visual amenity of the site.

#### ADVISORY Notes

##### NOTE 1. Aboriginal Cultural Heritage

It is advised that under section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal cultural heritage legislation. The information on Aboriginal cultural heritage is available on the Department of Aboriginal and Torres Strait Islander and Partnerships website [www.datsip.qld.gov.au](http://www.datsip.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. 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 5. 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 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. Duty to Notify of Environmental Harm**

If a person becomes aware that serious or material environmental harm is caused or threatened by an activity or an associated activity, that person has a duty to notify Rockhampton Regional Council.

**NOTE 8. Flood Hazard**

The one per cent (1%) Annual exceedance probability (AEP) flood extents for the project area should be obtained from Queensland Globe and QSpatial. Where the project area is located within the inundation extents consideration should be given to flood risk for the development and how this risk can be mitigated to an acceptable level for the use proposed.

**RECOMMENDATION B**

THAT in relation to the application for a Minor Change to D/21-2021 for Material Change of Use for a Service Station and Operational Works for Advertising Devices (one (1) freestanding sign, six (6) canopy signs and two (2) awning fascia signs), made by Westwood Ventures Pty Ltd, located at 4589 Capricorn Highway, Westwood, described as Lot 1 on SP340154, Council resolves to issue an Amended Infrastructure Charges Notice for the amount of \$16,450.00.

**Moved by:** Councillor Mathers  
**Seconded by:** Councillor Rutherford  
**MOTION CARRIED**

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**11.2 MOUNT MORGAN FOSSICKING AREA ESTABLISHMENT OF A GENERAL PERMISSION AREA FOR RECREATIONAL FOSSICKING**

**File No:** 14077  
**Authorising Officer:** Wade Clark - Economic Development Manager  
Angus Russell - Executive Manager Advance  
Rockhampton  
**Author:** Amanda Hinton - Senior Advisor Economic  
Development

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**SUMMARY**

*This report is seeking endorsement from Council to establish a General Permission Area at No 7 Dam (Lot 201 on Crown Plan RN836502), Mount Morgan for recreational fossicking.*

**COUNCIL RESOLUTION**

THAT Council:

1. Endorses the establishment of a General Permission Area at No 7 Dam, Mount Morgan (Lot 201 on Crown Plan RN836502) for recreational fossicking; and
2. Endorses the Chief Executive Officer or delegate to write to the Deputy Director General, Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development requesting recreational fossicking to be permitted at No 7 Dam, Mount Morgan (Lot 201 on Crown Plan RN836502).

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

**MOTION CARRIED UNANIMOUSLY**

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**11.3 CAPRICORNIA PRINTMAKERS PROPOSAL REGARDING LEASE 0.7 OF WRCC**

**File No:** 2210  
**Authorising Officer:** John Webb - Manager Communities and Culture  
Alicia Cutler - General Manager Community Services  
**Author:** Mark Millett - Coordinator Major Venues

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**SUMMARY**

*The Capricornia Printmakers Inc have provided Council a request / proposal to assume the lease of space 0.7 of the Walter Reid Cultural Centre expanding the Capricornia Printmaker's offerings to include the letterpress owned and operated by Derek Lamb (Officina Athelstane). Mr. Derek Lamb, the current leaseholder of 0.7, has not been renewed and is due to be vacated by 30 May 2025.*

**COUNCIL RESOLUTION**

THAT Council grant permission for Capricornia Printmakers Inc. to assume the lease of Walter Reid Cultural Centre space 0.7 (lease B) and authorises the Chief Executive Officer (through Manager Communities and Culture) to negotiate the terms and conditions of the agreement.

**Moved by:** Councillor Wickerson

**Seconded by:** Councillor Rutherford

**MOTION CARRIED UNANIMOUSLY**

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**11.4 ADOPTION OF ROCKHAMPTON REGION PLANNING SCHEME MAJOR AMENDMENT**

**File No:** RRPS-PRO-2023/007-05  
**Authorising Officer:** Cameron Wyatt - Coordinator Strategic Planning  
Angus Russell - Executive Manager Advance  
Rockhampton  
**Author:** Alyce James - Strategic Planning Officer

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**SUMMARY**

*This report seeks the formal adoption of Major Amendment Packages A, B and C to the Rockhampton Region Planning Scheme.*

9:13AM Mayor Williams left the meeting

9:15AM Mayor Williams returned to the meeting

**COUNCIL RESOLUTION**

THAT Council adopt Major Amendment Packages A, B, and C to the Rockhampton Region Planning Scheme, to be known as Version 5.

THAT the Major Amendment Version 5 to the Rockhampton Region Planning Scheme commence on 28 March 2025.

**Moved by:** Councillor Mathers

**Seconded by:** Councillor Oram

**MOTION CARRIED**

Councillor Hilse recorded his vote against the motion

**11.5 LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND INC ANNUAL CONFERENCE, 20-22 OCTOBER 2025, GOLD COAST**

**File No:** 8291  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Evan Pardon - Chief Executive Officer

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**SUMMARY**

*Local Government Association of Queensland Inc advising the Annual Conference will be held at the Gold Coast Convention and Exhibition Centre from 20 to 22 October 2025.*

**COUNCIL RESOLUTION**

THAT the matter lay on the table until such time as conference topics are available

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

**MOTION CARRIED UNANIMOUSLY**



**11.6 SUMMARY OF PROPOSED CHANGES TO 2024-2025 FEES & CHARGES**

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

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**SUMMARY**

*Chief Financial Officer submitting minor amendments to Council's Fees and Charges Schedule for the 2024-2025 financial year.*

**COUNCIL RESOLUTION**

THAT in accordance with the requirements of the *Local Government Act 2009*, Council adopts the amendments to the Fees and Charges Schedule for the 2024-2025 financial year as detailed in the report.

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

**12 NOTICES OF MOTION**

Nil

**13 QUESTIONS ON NOTICE**

Nil

**14 URGENT BUSINESS\QUESTIONS**

Nil

## 15 CLOSED SESSION

### COUNCIL RESOLUTION

9:34am

THAT Council move into Closed Session pursuant to section 254J(1) of the *Local Government Regulation 2012* and the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 254J(3) of the *Local Government Regulation 2012*, for the reasons indicated.

#### 16.1 Leasing Matter

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

#### 16.2 Future Bulk Water Supply Agreement between Rockhampton Regional Council and Livingstone Shire Council

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

**Moved by: Mayor Williams**

**Seconded by: Councillor Taylor**

**MOTION CARRIED**

### COUNCIL RESOLUTION

### COUNCIL RESOLUTION

10:17AM

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

**Moved by: Councillor Rutherford**

**Seconded by: Councillor Oram**

**MOTION CARRIED UNANIMOUSLY**

## 16 CONFIDENTIAL REPORTS

### 16.1 LEASING MATTER

**File No:** 12407  
**Authorising Officer:** Megan Younger - Manager Corporate and Technology Services  
Ross Cheesman - Acting Chief Executive Officer  
**Author:** Kellie Roberts - Coordinator Property and Insurance

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

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#### SUMMARY

*Coordinator Property & Insurance reporting on a leasing matter.*

#### COUNCIL RESOLUTION

THAT Council authorises the Chief Executive Officer (Coordinator Property & Insurance) to proceed with Option 3 as outlined in the report.

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

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**16.2 FUTURE BULK WATER SUPPLY AGREEMENT BETWEEN ROCKHAMPTON REGIONAL COUNCIL AND LIVINGSTONE SHIRE COUNCIL**

**File No:** 7037  
**Authorising Officer:** Ross Cheesman - Deputy Chief Executive Officer  
**Author:** Marnie Taylor - Chief Financial Officer

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

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**SUMMARY**

*Report seeking Council's views on negotiating a new Bulk Water Supply Agreement with Livingstone Shire Council, commencing from 1 July 2025.*

10:12AM Councillor Oram left the meeting  
10:14AM Councillor Oram returned to the meeting

**COUNCIL RESOLUTION**

THAT Council resolves that it will continue to allow Livingstone Shire Council (LSC) to use Council's existing water allocation from the Fitzroy Barrage Water Supply Scheme to supply water under a new Bulk Water Supply Agreement (yet to be negotiated) until 30 June 2026 and from 1 July 2026 Council will treat and supply the LSC allocation.

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

**MOTION CARRIED UNANIMOUSLY**

**17 CLOSURE OF MEETING**

There being no further business the meeting closed at 10:18 am.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DATE