



ORDINARY MEETING

MINUTES

8 MARCH 2016

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**REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 8 MARCH 2016 COMMENCING AT 9.09AM**

1 OPENING**2 PRESENT**

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Cheesman – General Manager Corporate Services
Mr M Rowe – General Manager Community Services
Mr R Holmes – General Manager Regional Services
Ms M Barrett – Manager Parks
Ms T Sweeney – Manager Workforce and Strategy
Mr D Stevenson – Manager Corporate and Technology Services
Mr T Gardiner – Acting Senior Planning Officer
Ms C Hibberd – Planning Officer
Ms E Brodel – Media and Communications Officer
Ms L Leeder – Senior Governance Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE

Councillor Stephen Schwarten tendered his apology and was not in attendance.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**COUNCIL RESOLUTION**

THAT the minutes of the Ordinary Meeting held on 23 February 2016 be as taken and adopted as a correct record.

Moved by: Councillor Swadling

Seconded by: Councillor Smith

MOTION CARRIED

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

9:10AM

In accordance with s173(2) of the *Local Government Act 2009*, the Mayor, Councillor Margaret Strelow disclosed a conflict of interest in respect of Item 11.4 - Rockhampton Hockey Association's Request for an Extension to its Leased Area to Permit a Second Artificial Surface in that her husband sits on the management committee for the Rockhampton Hockey Association, the Councillor considered her position and will leave the meeting when the matter is discussed.

6 BUSINESS OUTSTANDING

Nil

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 PRESENTATION OF PETITIONS

Nil

9 COMMITTEE REPORTS

9.1 AUDIT AND BUSINESS IMPROVEMENT COMMITTEE MEETING - 29 FEBRUARY 2016

COUNCIL RESOLUTION

THAT the Minutes of the Audit and Business Improvement Committee meeting, held on 29 February 2016 as circulated, be received and that the recommendations contained within these minutes be adopted.

Moved by: Mayor Strelow

Seconded by: Councillor Smith

MOTION CARRIED

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

Recommendation of the Audit and Business Improvement Committee, 29 February 2016**9.1.1 2016 EXTERNAL AUDIT PLAN**

File No: 8151
Attachments: 1. External Audit Plan - RRC 2015-16
Authorising Officer: Ross Cheesman - General Manager Corporate Services
Author: Alicia Cutler - Manager Finance

SUMMARY

The External Audit Plan has been provided by Deloitte Touche Tohmatsu for the audit of the 2015/16 Financial Statements.

COMMITTEE RECOMMENDATION

THAT the 2016 External Audit Plan be 'received'.

Recommendation of the Audit and Business Improvement Committee, 29 February 2016**9.1.2 UPDATE ON VARIOUS OPEN AUDIT MATTERS**

File No: 8151
Attachments: Nil
Authorising Officer: Ross Cheesman - General Manager Corporate Services
Author: Alicia Cutler - Manager Finance

SUMMARY

Finance Manager providing an update on progress on various open Audit Matters.

COMMITTEE RECOMMENDATION

THAT the Update on Various Open Audit Matters Report be 'received'.

Recommendation of the Audit and Business Improvement Committee, 29 February 2016**9.1.3 FINANCIAL SERVICES UPDATE - ASSET ITEMS OUTSTANDING****File No:** 8151**Attachments:**

1. Valuation Methodology used for Airport & Bridges Valuation
2. Proposed Decision Tool to aid the Indexation of Assets

Authorising Officer: Ross Cheesman - General Manager Corporate Services**Author:** Alicia Cutler - Manager Finance

SUMMARY

Update from Finance Manager in regards to asset items from the 2014-15 Final Management Report.

COMMITTEE RECOMMENDATION

THAT the Financial Services Update – Asset Items Outstanding report be received.

Recommendation of the Audit and Business Improvement Committee, 29 February 2016**9.1.4 ANNUAL AUDIT PLAN UPDATE**

File No: 5207
Attachments: 1. AAP Updated Jan 2016
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: John Wallace - Chief Audit Executive

SUMMARY

An update to the Annual Audit Plan is presented for the information of the Committee. Significant changes to the plan should be brought to the attention of the Committee.

COMMITTEE RECOMMENDATION

THAT the Annual Audit Plan report be received.

Recommendation of the Audit and Business Improvement Committee, 29 February 2016**9.1.5 INTERNAL AUDIT PLAN - PROGRESS**

File No: 5207
Attachments: 1. Annual Audit Plan Progress
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: John Wallace - Chief Audit Executive

SUMMARY

The progress of work against the Annual Internal Audit Plan is presented for the information of the Committee.

COMMITTEE RECOMMENDATION

THAT the Internal Audit Plan – Progress report be received.

Recommendation of the Audit and Business Improvement Committee, 29 February 2016**9.1.6 PAVERS TENDER - COMPLIANCE REVIEW**

File No: 5207
Attachments: 1. Pavers Tender TEN11854 - Compliance Review Report
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: John Wallace - Chief Audit Executive

SUMMARY

This review has been completed as a CEO requested adjustment to the approved annual audit plan.

COMMITTEE RECOMMENDATION

THAT the Pavers Tender – Compliance Review report be received.

Recommendation of the Audit and Business Improvement Committee, 29 February 2016**9.1.7 COMMITTEE MEETING DATE(S)**

File No: 5207
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: John Wallace - Chief Audit Executive

SUMMARY

The Committee should consider and formally decide any date(s) for the next meeting.

COMMITTEE RECOMMENDATION

THAT the report be received and the next Audit and Business Improvement Committee Meeting be held onsite at 10.00am on Friday 27 May 2016.

Recommendation of the Audit and Business Improvement Committee, 29 February 2016**9.1.8 CEO DISCUSSION (PLACEHOLDER) - FOR ANY MATTERS OF INTEREST**

File No: 5207
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: John Wallace - Chief Audit Executive

SUMMARY

The Chief Executive Officer will update the Committee on any matters of importance.

COMMITTEE RECOMMENDATION

THAT the Chief Executive Officer's update be received and noted where relevant.

10 COUNCILLOR/DELEGATE REPORTS

Nil

- 9:13AM The Mayor, Councillor Margaret Strelow declared a conflict of interest in respect of Item 11.1 - D/69-2015 - Application under the Development Incentives Policy for Development Permit for a Material Change of Use for Commercial Premises, due to her daughter being a previous owner of the building with the sale being subject to material change of use, the Mayor considered her position and left the meeting.
- 9:13AM Deputy Mayor, Councillor Williams assumed the Chair in Mayor Strelow's absence.
- 9:13AM Councillor Fisher attended the meeting.

11 OFFICERS' REPORTS

11.1 D/69-2015 - APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR COMMERCIAL PREMISES

File No:	D/69-2015
Attachments:	<ol style="list-style-type: none"> 1. Proposed Site/Area Plan 2. Locality Plan
Authorising Officer:	Tarnya Fitzgibbon - Manager Development and Building Robert Holmes - General Manager Regional Services
Author:	Corina Hibberd - Planning Officer

SUMMARY

<i>Development Application Number:</i>	<i>D/69-2015</i>
<i>Applicant:</i>	<i>Mary McKenzie C/- DesignTek</i>
<i>Real Property Address:</i>	<i>Lot 6 on SP274657 (Previously Lot 3 on RP600207), Parish of Rockhampton</i>
<i>Common Property Address:</i>	<i>91 Denham Street, Rockhampton City</i>
<i>Rockhampton City Plan Area:</i>	<i>Central Business District Commercial Area (Precinct 3 - Mixed Use Precinct - Central Business District City Frame) - Rockhampton City Plan 2005</i>
<i>Type of Approval:</i>	<i>Development Permit for a Material Change of Use for Commercial Premises</i>
<i>Date of Decision:</i>	<i>25 August 2015</i>
<i>Application Lodgement Fee:</i>	<i>\$2,389.00</i>
<i>Infrastructure Charges:</i>	<i>\$10,115.00</i>
<i>Infrastructure charges incentive:</i>	<i>Precinct 2 (unchanged GFA) – 50% (\$5,057.50)</i>
<i>Incentives sought:</i>	<i>Development facilitation Refund of Development Application Fees Refund of service and connection fees</i>

COUNCIL RESOLUTION

THAT in relation to the application under the Development Incentives Policy for a Development Permit for a Material Change of Use for Commercial Premises, on Lot 6 on SP274657 (Previously Lot 3 on RP600207), Parish of Rockhampton, located at 91 Denham Street, Rockhampton City, Council resolves to Approve the following incentives if the use commences prior to 25 August 2018:

- a) A fifty per cent (50%) reduction of infrastructure charges to the amount of \$5,057.50;
- b) A refund of the application lodgement fee amounting to \$2,389.00 on completion of the development; and
- c) That Council enter into an agreement with the applicant in relation to (a) and (b)

Moved by: Councillor Smith

Seconded by: Councillor Swadling

MOTION CARRIED

9:14AM Mayor Strelow returned to the meeting and resumed the Chair.

11.2 D/79-2015 - APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR VEHICLE DEPOT

File No: D/79-2015

Attachments: 1. Locality Plan
2. Proposal Plan

Authorising Officer: Tarnya Fitzgibbon - Manager Development and Building
Robert Holmes - General Manager Regional Services

Author: Corina Hibberd - Planning Officer

SUMMARY

Development Application Number: D/79-2015

Applicant: Glen Lawrence Reynolds

Real Property Address: Lot 14 on R26286, Parish of Murchison

Common Property Address: 44 Robison Street, Park Avenue

Rockhampton City Plan Area: Park Avenue Industrial Area – Precinct 1, Industrial precinct (park Avenue Low Impact Industry)

Type of Approval: Development Permit for a Material Change of Use for Vehicle Depot

Date of Decision: 18 December 2015

Application Lodgement Fee: \$2,359.00

Infrastructure Charges: \$13,260.00

Infrastructure charges incentive: Precinct 2 expanded GFA – 50%
Value of discount: \$6,630

Incentives sought: Refund of Development Application Fees
Refund of service and connection fees

COUNCIL RESOLUTION

THAT in relation to the application under the Development Incentives Policy for a Development Permit for a Material Change of Use for Vehicle Depot, on Lot 14 on R26286, located at 44 Robison Street, Park Avenue, Council resolves to Approve the following incentives if the use commences prior to 18 December 2018:

- a) A fifty per cent (50%) reduction of infrastructure charges to the amount of \$6,630;
- b) \$2,359.00 general incentives;
- c) Service and Connection fees; and
- d) That Council enter into an agreement with the applicant in relation to (a) and (b)

Moved by: Councillor Williams

Seconded by: Councillor Smith

MOTION CARRIED

11.3 D/155-2015 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR SHORT-TERM ACCOMMODATION (SIX UNITS) AND OPERATIONAL WORKS FOR AN ADVERTISING SIGN (PYLON SIGN)

File No: D/155-2015

Attachments: 1. Locality Plan
2. Site Plan

Authorising Officer: Tarnya Fitzgibbon - Manager Development and Building
Robert Holmes - General Manager Regional Services

Author: Thomas Gardiner - Planning Officer

SUMMARY

Development Application Number: D/155-2015

Applicant: G & M Demedio

Real Property Address: Lot 3 on RP619710, Parish of Murchison

Common Property Address: 1014-1016 Yaamba Road, Parkhurst

Area of Site: 8.415 hectares

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Low Density Residential Zone

Planning Scheme Overlays: Steep Land Overlay – 15-20% slope
Steep Land Overlay – 20-25% slope
Steep Land Overlay – 25%+ slope

Existing Development: Dwelling House, Twelve (12) Motel Units, Barbecue Hut and Pool House, and Swimming Pool and Fence

Existing Approvals: Development Permit for a Material Change of Use (D/30-2014) for Accommodation Building (twelve motel units)

Approval Sought: Development Permit for a Material Change of Use for Short-term Accommodation (six units) and Operational Works for an Advertising Sign (Pylon Sign)

Level of Assessment: Impact Assessable

Submissions: Nil

Referral Agency(s): Department of Infrastructure, Local Government and Planning

Infrastructure Charges Area: Charge Area 1

Application Progress:

<i>Application Lodged:</i>	10 November 2015
<i>Acknowledgment Notice issued:</i>	17 November 2015
<i>Applicant requested a Major Amendment:</i>	25 November 2015
<i>Acknowledgment Notice issued:</i>	26 November 2015
<i>Request for Further Information sent:</i>	1 December 2015

<i>Request for Further Information responded to:</i>	<i>23 December 2015</i>
<i>Submission period commenced:</i>	<i>12 January 2016</i>
<i>Submission period end:</i>	<i>4 February 2016</i>
<i>Council request for additional time:</i>	<i>10 February 2016</i>
<i>Government Agency Response:</i>	<i>7 January 2016</i>
<i>Last receipt of information from applicant:</i>	<i>5 February 2016</i>
<i>Statutory due determination date:</i>	<i>5 April 2016</i>

COUNCIL RESOLUTION

RECOMMENDATION A

THAT in relation to the application for a Development Permit for a Material Change of Use for Short-term Accommodation (six units) and Operational Works for an Advertising Sign (Pylon Sign), made by G & M Demedio, on Lot 3 on RP619710, Parish of Murchison, located at 1014-1016 Yaamba Road, Parkhurst, Council resolves to Approve the application despite its conflict with the planning scheme and provide the following grounds to justify the decision despite the conflict:

- a) The proposal is for an additional six (6) Short-term accommodation units as an extension to an existing approval on the subject site for an Accommodation Building (twelve motel units) (D/30-2014). As such, the extension is consistent with the existing development on the subject site, and the development on adjoining Lot 5 on RP619210;
- b) The proposal will not compromise the strategic intent of the region's urban areas in providing for a range of housing options. It is an extension to an existing, approved use on the subject site. While the proposal is not consistent with the intent of the Low density residential zone, the use is urban in nature and is unlikely to compromise the intent of the surrounding area in facilitating greenfield development opportunities for a range of residential uses;
- c) The proposed use does not compromise the strategic framework in the *Rockhampton Region Planning Scheme 2015*;
- d) 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
- e) The proposed development does not compromise the relevant State Planning Policy.

RECOMMENDATION B

That in relation to the application for a Development Permit for a Material Change of Use for Short-term Accommodation (six units) and Operational Works for an Advertising Sign (Pylon Sign), made by G & M Demedio, on Lot 3 on RP619710, Parish of Murchison, located at 1014-1016 Yaamba Road, Parkhurst, Council resolves to Approve the application subject to the following conditions:

MATERIAL CHANGE OF USE

1.0 ADMINISTRATION

- 1.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 1.2 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.

- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of the use, unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior to the commencement of the use, 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) Stormwater Works;
 - (ii) Roof and Allotment Drainage Works; and
 - (iii) 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 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.9 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 2.0 APPROVED PLANS AND DOCUMENTS
- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan Number / Rev</u>	<u>Dated</u>
Setout Plan	150810-02	3 November 2015
Units Floor Plan	150810-05	3 November 2015
Units Elevations	150810-06	3 November 2015
Reception Building Floor Plans	150810-03	3 November 2015
Reception Building Elevations	150810-04	3 November 2015
Stormwater Management Plan	D150171-01 / A	December 2015
Stormwater Management Plan Report	D15.171 / 01	23 December 2015

- 2.2 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.
- 2.3 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 Operational Works.

3.0 ACCESS AND PARKING WORKS

- 3.1 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* and *Australian Standard AS2890 "Parking Facilities"*.
- 3.2 All parking spaces, access driveway(s), and vehicular manoeuvring areas associated with this proposed development must be concrete paved or asphalted.

4.0 PLUMBING AND DRAINAGE WORKS

- 4.1 All internal plumbing and drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 4.2 The development must be connected to Council's reticulated sewerage and water networks.
- 4.3 The existing sewerage and water connection point(s) must be retained, and upgraded if necessary, to service the development.
- 4.4 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.
- 4.5 Sewer connections 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.
- 4.6 Alteration, disconnection 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* and Council's Plumbing and Drainage Policies.
- 4.7 Amended sewerage/Sewerage trade waste permits must be obtained for the discharge of any non-domestic waste into Council's sewerage reticulation network. Arrestor traps must be provided where commercial or non-domestic waste is proposed to be discharged into the sewer system.

5.0 STORMWATER WORKS

- 5.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 5.2 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).
- 5.3 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 condition, including but not limited to blocking, altering or diverting existing stormwater runoff patterns or having the potential to cause damage to other infrastructure.
- 5.4 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 defined storm event, for the post development condition.

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 directed to a lawful point of discharge and must not restrict, impair or change the natural flow of runoff water or cause a nuisance or worsening to surrounding land or infrastructure.

7.0 SITE WORKS

- 7.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works.
- 7.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which 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 to the site which are intended to be used to transport fill to or from the site; and
 - 7.2.5 the maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary.
- 7.3 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments"*.
- 7.4 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.
- 7.5 Any vegetation cleared or removed must be:
- (i) mulched on-site and utilised on-site for landscaping purposes, in accordance with the landscaping plan approved by Council; or
 - (ii) removed for disposal at a location approved by Council;
- within sixty (60) days of clearing. Any vegetation removed must not be burnt.

8.0 BUILDING WORKS

- 8.1 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 2008* and must be:
- 8.1.1 designed and located so as not to cause a nuisance to neighbouring properties;
 - 8.1.2 surrounded by at least a 1.8 metre high fence that obstructs from view the contents of the waste storage area by any member of the public from any public place;

- 8.1.3 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;
- 8.1.4 setback a minimum of two (2) metres from any road frontage; and
- 8.1.5 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*.

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.

9.0 ASSET MANAGEMENT

- 9.1 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.
- 9.2 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.

10.0 ENVIRONMENTAL

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

11.0 OPERATING PROCEDURES

- 11.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Yaamba Road.
- 11.2 The owner must ensure that all waste storage areas are:
 - 11.2.1 kept in a clean, tidy condition;
 - 11.2.2 maintained in accordance with *Environmental Protection (Waste Management) Regulations*; and
 - 11.2.3 no waste material (for example pallets, cardboard) is stored external to waste storage enclosures.

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 Multicultural Affairs website www.datsima.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 property during all stages of the development including earthworks, construction and operation.

NOTE 3. General Safety Of Public During Construction

The *Work Health and Safety Act 2011* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

NOTE 4. Infrastructure Charges Notice

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

NOTE 5. Water Quality

The impervious area associated with the subject development must be combined with any additional impervious areas associated with future development with respect to the triggers in the State Planning Policy July 2014 relating to water quality.

NOTE 6. Written Consent

Evidence of written consent from the Department of Transport and Main Roads must be provided to Council for any works located within a State-controlled road.

OPERATIONAL WORKS**12.0 ADMINISTRATION**

12.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.

12.2 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.

12.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.

12.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the issue of the Certificate of Classification for the Building Works.

12.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:

12.5.1 Building Works.

12.6 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

13.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan Number</u>	<u>Dated</u>
New Sign	1115-195 / A	19 November 2015

- 13.2 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.
- 13.3 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.
- 13.4 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.
- 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 at full cost to the Developer.
- 15.0 OPERATING PROCEDURES
- 15.1 All signage must only display or advertise a matter associated with the primary purpose for which the premises is used.
- 15.2 All signage 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.
- 15.3 Any lighting devices associated with the signage, 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"*.
- 16.0 CONSTRUCTION PROCEDURES
- 16.1 Council reserves the right for uninterrupted access to the site at all times during construction.
- 16.2 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* and *Environmental Protection Regulations* must be observed at all times.
- 16.3 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within 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 Multicultural Affairs website www.datsima.qld.gov.au.

NOTE 2. General Environmental Duty

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

NOTE 3. General Safety Of Public During Construction

The *Work Health and Safety Act 2011* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

RECOMMENDATION C

That in relation to the application for a Development Permit for a Material Change of Use for Short-term Accommodation (six units) and Operational Works for an Advertising Sign (Pylon Sign), made by G & M Demedio, on Lot 3 on RP619710, Parish of Murchison, located at 1014-1016 Yaamba Road, Parkhurst, Council resolves to issue an Infrastructure Charges Notice for the amount of \$45,000.00.

Moved by: Councillor Swadling

Seconded by: Councillor Fisher

MOTION CARRIED

9:19AM In accordance with s173(2) of the *Local Government Act 2009*, the Mayor, Councillor Margaret Strelow disclosed a conflict of interest in respect of Item 11.4 - Rockhampton Hockey Association's Request for an Extension to its Leased Area to Permit a Second Artificial Surface in that her husband sits on the management committee for the Rockhampton Hockey Association and left the meeting.

9:19AM Deputy Mayor, Councillor Williams assumed the Chair in Mayor Strelow's absence.

11.4 ROCKHAMPTON HOCKEY ASSOCIATION'S REQUEST FOR AN EXTENSION TO ITS LEASED AREA TO PERMIT A SECOND ARTIFICIAL SURFACE

File No: 4199
Attachments: Nil
Authorising Officer: Margaret Barrett - Manager Parks
Michael Rowe - General Manager Community Services
Author: Sophia Czarkowski - Sports and Education Supervisor
Previous Items: Rockhampton Hockey Association and Rockhampton Netball Association - Grant Applications under the next round of Get Playing Plus Funding - Ordinary Council - 08 Sep 2015 9:00am

SUMMARY

Rockhampton Hockey Association uses the hockey fields at Birdwood Park (commonly known as Kalka Shades), Water Street, Koongal (being Lot 1 LN2893) during the hockey season (March through September). The Club is seeking funding for the construction of a second artificial surface and requires its Lease area to be extended to accommodate this development.

COUNCIL RESOLUTION

THAT the Ordinary Council meeting be closed to the public in accordance with s275(1)(h) of the *Local Government (Operations) Regulation 2012*, as it is considered necessary to close the meeting to discuss Item 11.4 – Rockhampton Hockey Association's Request for an Extension to its Leased Area to Permit a Second Artificial Surface.

9:32AM

THAT pursuant to s7(11) *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

Moved by: Councillor Swadling

Seconded by: Councillor Smith

MOTION CARRIED

9:53AM Councillor Swadling left the meeting
9:53AM Councillor Swadling returned to the meeting
9:56AM Councillor Belz left the meeting
10:02AM Councillor Belz returned to the meeting

COUNCIL RESOLUTION**10:12AM**

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

Moved by: Councillor Swadling

Seconded by: Councillor Smith

MOTION CARRIED

10:13AM Chief Executive Officer left the meeting

10:14AM Chief Executive Officer returned to the meeting

COUNCIL RESOLUTION

1. THAT Council request that further discussions occur with the Rockhampton Hockey Association, Rockhampton Cricket Incorporated and Council in regards to a proposed extension of the lease area to the south of the existing artificial surface to cater for a second artificial surface;
2. THAT Council, on location being agreed and subject to Rockhampton Hockey Association applying for and successfully receiving the Get Playing Plus grant for which applications close on 1 April 2016 and successfully obtaining all relevant building and planning approvals:
 - a. Commit \$350,000 to the cost of constructing a second artificial hockey playing surface from the *Major Project Seed Funding for Improving Sporting Facilities through Sporting Clubs* for the 2016/17 Financial Year,
 - b. Amend the current leased area held by Rockhampton Hockey Association at Water Street, Koongal to enable the construction of a second artificial hockey playing surface with the terms and conditions of such amended lease being as follows:
 - i. The annual rental fee is to be charged in line with Council's Fees and Charges for Parks – Specialist Area
 - ii. The initial Lease term be 10 years
 - iii. The Lease is subject to the following special conditions:
 1. The Trustee Lessee owns the infrastructure, and the Trustee Lessee is responsible for all maintenance of the infrastructure
 2. Within two (2) years from the commencement date, the Trustee Lessee must complete the construction of the second artificial surface (to the satisfaction of the Trustee, as per Clause 5.4). Failure to fulfil this Special Condition may result in termination of the Trustee Lease
 - iv. Rockhampton Hockey Association is responsible for all survey and registration costs, and Council's reasonable legal costs with regards to the Lease
 - v. The Manager Parks be authorised to negotiate the final layout and plans with Rockhampton Hockey Association;
 - c. Amend the current leased area held by Rockhampton Cricket Inc. to decrease the area held at Water Street, Koongal to facilitate the construction of a second artificial hockey playing surface and increase the area held at Reaney Street, Rockhampton to facilitate the construction of a turf wicket field with the terms and conditions of such amended lease remaining as per the current lease.

Moved by: Councillor Rutherford

Seconded by: Councillor Williams

MOTION CARRIED UNANIMOUSLY

10:15AM Mayor Strelow returned to the meeting and resumed the Chair.

11.5 COUNCIL DELEGATIONS TO CHIEF EXECUTIVE OFFICER

File No: 4107
Attachments: 1. Instrument of Delegation - Local Government Act 2009
Authorising Officer: Tracy Sweeney - Manager Workforce and Strategy
Ross Cheesman - General Manager Corporate Services
Author: Travis Pegrem - Coordinator Industrial Relations and Investigations

SUMMARY

This report seeks Council's approval of a delegation under the Local Government Act 2009 to the position of Chief Executive Officer.

COUNCIL RESOLUTION

THAT:

1. Council resolves as per section 257 of the *Local Government Act 2009* to delegate to the Chief Executive Officer, the exercise of powers contained in schedule 1 of the Instrument of Delegation – *Local Government Act 2009* attached to this report;
2. All prior resolutions delegating the same power under the *Local Government Act 2009* to the Chief Executive Officer are repealed;
3. The power must be exercised subject to any limitations contained in schedule 2 of the Instrument of Delegation attached to this report.

Moved by: Councillor Swadling

Seconded by: Councillor Smith

MOTION CARRIED

12 STRATEGIC REPORTS

Nil

13 NOTICES OF MOTION

Nil

14 QUESTIONS ON NOTICE

Nil

15 URGENT BUSINESS\QUESTIONS

Mayor Strelow presented Councillor Greg Belz with a gift of appreciation for his 22 years of service to Rockhampton City Council and Rockhampton Regional Council, upon his retirement following Council elections on 19 March 2016.

Councillors also expressed their thanks to Councillor Belz for his dedication and commitment to local government and wished him well in his retirement.

Councillor Belz thanked everyone for their good wishes.

16 CLOSURE OF MEETING

There being no further business the meeting closed at 10:41am.

SIGNATURE

CHAIRPERSON

DATE