



# **ORDINARY MEETING**

## **MINUTES**

**24 MAY 2016**

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**REPORT OF THE ORDINARY MEETING  
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON  
ON TUESDAY, 24 MAY 2016 COMMENCING AT 9.02AM**

**1 OPENING****2 PRESENT**

## Members Present:

The Mayor, Councillor M F Strelow (Chairperson)  
Councillor R A Swadling  
Councillor N K Fisher  
Councillor A P Williams  
Councillor C E Smith  
Councillor C R Rutherford  
Councillor M D Wickerson  
Councillor S J Schwarten

## 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  
Mr R Claus – Executive Manager Regional Development  
Mr D Stevenson – Manager Corporate and Technology Services  
Ms T Sweeney – Manager Workforce and Strategy  
Ms A Cutler – Manager Finance  
Ms C Haughton – Manager Communities and Facilities  
Ms C Hayes – Manager Community Standards and Compliance  
Ms T Fitzgibbon – Manager Building and Development  
Ms S Reeves – Manager Regional Promotions  
Ms M Barrett – Manager Parks  
Ms S Sommerville – Coordinator Facilities  
Mr T Pegrem – Coordinator Industrial Relations and Investigations  
Mr V Morrice – Coordinator Parks and Visitor Services  
Mr A Collins – Special Projects Officer  
Ms J Noland – Development Compliance Officer  
Mr C Hibberd – Senior Planning Officer  
Mr T Gardiner – Planning Officer  
Mr L Sunderland – Regional Business Development Officer  
Mr S Williams – Strategic Mapping/Disaster Management Officer  
Ms E Brodel – Media and Communications Officer  
Ms C Steinberger – Media and Communications Officer  
Ms L Leeder – Senior Governance Support Officer  
Ms S Friske – Governance Support Officer

**3 APOLOGIES AND LEAVE OF ABSENCE**

## **4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

### **COUNCIL RESOLUTION**

THAT the minutes of the Ordinary Meeting held on 10 May 2016 be as taken and adopted as a correct record.

**Moved by:** Councillor Swadling

**Seconded by:** Councillor Schwarten

**MOTION CARRIED**

## **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

### 9.1 PLANNING AND REGULATORY COMMITTEE MEETING - 17 MAY 2016

#### COUNCIL RESOLUTION

THAT the Minutes of the Planning and Regulatory Committee meeting, held on 17 May 2016 as circulated, be received and that the recommendations contained within these minutes be adopted, excluding Item 9.1.2 – Animal Management - Systematic Inspections in Bouldercombe Township, and Item 9.1.3 – D/106-2015 - Development Application for a Material Change of Use for an Undefined Use (Rural Entertainment and Function Facility with Ancillary Accommodation).

**Moved by:** Councillor Smith

**Seconded by:** Councillor Fisher

**MOTION CARRIED**

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

**Recommendation of the Planning and Regulatory Committee, 17 May 2016****9.1.2 ANIMAL MANAGEMENT - SYSTEMATIC INSPECTIONS IN BOULDERCOMBE TOWNSHIP****File No: 1464****Responsible Officer: Michael Rowe – General Manager Community Services**

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**SUMMARY**

*Councillor Smith has received multiple telephone calls regarding dog attacks in the Bouldercombe township and would like after hours patrols carried out.*

**COUNCIL RESOLUTION**

THAT the Council conduct an approved systematic inspection under the *Animal Management (Cats and Dogs) Act 2008* for the keeping of animals in the defined Bouldercombe township during the period 13 June 2016 until 31 August 2016 inclusive.

**Moved by: Councillor Smith****Seconded by: Councillor Swadling****MOTION CARRIED**

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**Recommendation of the Planning and Regulatory Committee, 17 May 2016**
**9.1.3 D/106-2015 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR AN UNDEFINED USE (RURAL ENTERTAINMENT AND FUNCTION FACILITY WITH ANCILLARY ACCOMMODATION)**

**File No:** D/106-2015

**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

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**SUMMARY**

*Development Application Number:* D/106-2015

*Applicant:* Cashmia Investments

*Real Property Address:* Lot 2330 on LIV40846, Parish of Calioran

*Common Property Address:* Lot 2330 South Yaamba Road, South Yaamba

*Area of Site:* 64.8 hectares

*Planning Scheme:* Fitzroy Shire Planning Scheme 2005

*Planning Scheme Zoning:* Rural zone

*Planning Scheme Overlays:* Agricultural Land Class Overlay (GQAL Class A1 and Class C1)  
Bushfire Prone Land (Low Risk)

*Existing Development:* Two (2) Accommodation Buildings, Outdoor Covered Function Area, Shed, Gazebo and Barbecue Hit

*Existing Approvals:* Nil

*Approval Sought:* Development Permit for a Material Change of Use for an Undefined Use (Rural Entertainment and Function Facility with ancillary accommodation)

*Level of Assessment:* Impact Assessable

*Submissions:* Six (6) submissions

*Referral Agency(s):* Nil

*Adopted Infrastructure Charges Area:* Charge Area 3

**Application Progress:**

<i>Application Lodged:</i>	17 November 2015
<i>Acknowledgment Notice issued:</i>	25 November 2015
<i>Submission period commenced:</i>	11 January 2016
<i>Submission period end:</i>	1 February 2016
<i>Council request for additional time:</i>	22 February 2016
<i>Last receipt of information from applicant:</i>	1 February 2016
<i>Statutory due determination date:</i>	30 March 2016

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**COUNCIL RESOLUTION****RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use for an Undefined Use (Rural Entertainment and Function Facility with ancillary accommodation) made by Cashmia Investments on Lot 2330 on LIV40846, Parish of Calioran, located at Lot 2330 South Yaamba Road, South Yaamba, 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 proposed development for an Undefined Use (Rural Entertainment and Function Facility with ancillary accommodation) holds regional significance and is a form of development that was not anticipated by the *Fitzroy Shire Planning Scheme 2005*. Despite its non-compliance with the Rural zone code, the proposed development provides a unique venue which will accommodate a range of events that capitalise on the environmental and scenic amenity values defining the region's rural setting, making the proposed development considerably distinct from existing urban and town-based function venues. Therefore, the proposed development is regarded to be regionally significant as it is unique to the area and there are currently no similar function venues promoting the distinct rural amenity values which define the Rockhampton region;
- b) The activities associated with the proposed function facility are more suitably located on large lots within the Rural zone, in comparison to existing residential, commercial and industrial zones in the region. The location of the site in the Rural zone is situated in an area that is considered suitable for the activities associated with the proposed function facility as they coincide with the environmental and landscape values which define the Rural zone;
- c) The majority of activities associated with the proposal will be for receptions and functions which are small-scale in nature. The proposed facility is restricted to accommodate ten (10) events per calendar year where the number of persons attending an event is greater than two-hundred (200), but less than five hundred (500) persons. Large scale events with a capacity of greater than five hundred (500) persons are restricted to twice in a calendar year and must be the subject of a Temporary Events Application to Council. As such, due to the infrequent nature of large scale events on the site, there are expected to be minimal impacts on the local rural amenity as the facility will largely accommodate small-scale receptions and functions;
- d) The use area of the proposal is sufficiently setback from the nearest residential dwellings and is considered appropriate to mitigate impacts on rural amenity which may result from the proposed use;
- e) The size of the use area (approximately three per cent (3%) of the subject site) for the proposed function facility will ensure that the majority of the subject site can be utilised for its productive capacity and remains viable for agricultural and rural activities which are consistent with the Rural zone and will not unduly compromise the rural amenity or primary activities of the surrounding area;
- f) The proposed function facility will not compromise the viability of good quality agricultural land as the site proposed use area is not affected by the Agricultural Land Class Overlay under the *Fitzroy Shire Planning Scheme 2005*, or located in an area identified as Class A or Class B on the Agricultural Land Classification mapping;
- g) The outdoor entertainment and recreational activities accommodated on the subject site are considered to be compatible with the environmental and scenic amenity features which define the surrounding rural landscape;
- h) Mitigation measures to reduce impacts on the amenity and lifestyle values of surrounding properties have been incorporated as part of the development conditions. This includes establishing a cap on the maximum number of persons per function or event, hours of operation, noise and nuisance monitoring, and dust mitigation measures;

- i) An annual road maintenance contribution is conditioned to ensure that the efficiency of the gravel road network used to access the subject site is maintained to mitigate traffic impacts resulting from the proposed development on the local road network, community and the environment;
- j) The proposed use does not compromise the achievements of the Desired Environmental Outcomes in the *Fitzroy Shire Planning Scheme 2005*;
- k) An assessment of the development against the relevant zone outcomes, planning scheme codes and local planning policies demonstrates that the proposed development will not cause significant adverse impacts on the rural amenity of the surrounding area, the surrounding natural environment, built environment and infrastructure, community facilities, or local character; and
- l) 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 an Undefined Use (Rural Entertainment and Function Facility with ancillary accommodation) made by Cashmia Investments on Lot 2330 on LIV40846, Parish of Calioran, located at Lot 2330 South Yaamba Road, South Yaamba, Council resolves to Approve the application subject to the following conditions:

#### 1.0 **ADMINISTRATION**

- 1.1 The proposed development must be carried out in accordance with the following use definition:

#### **Rural Entertainment and Function Facility with ancillary accommodation**

“The use of the premises in a rural setting for social, recreational or festive occasions involving the primary conduct of:

- Receptions or functions; and
- Outdoor entertainment events that are held wholly or mainly outdoors and may include charity or corporate events involving rural or leisure pastimes and arena demonstrations or spectacles (such as competitor sports for rodeos or the like).

Ancillary to the primary land use are the following:

- The preparation and provision of food and liquor for consumption on-site;
- The provision of amenities, storage facilities and car parking associated with the use; and
- Short-term accommodation.

- 1.2 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.
- 1.3 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.4 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.5 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of the use, unless otherwise stated.
- 1.6 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.

- 1.7 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
- 1.7.1 Operational Works:
- (i) Road Works;
- 1.7.2 Plumbing and Drainage Works; and
- 1.7.3 Building Works.
- 1.8 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.
- 1.9 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.10 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.
- 1.11 All conditions, works, or requirements of this development approval relating to the existing non-compliant Rural Entertainment and Function Facility with ancillary accommodation must be undertaken and completed:
- 1.11.1 to Council's satisfaction;
- 1.11.2 at no cost to Council; and
- 1.11.3 within six (6) months of the date of this development approval.

## 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/Document Number</u>	<u>Dated</u>
Engineering Report	Austin Grillmeier	July 2015
Property Location Plan	Dwg 01	July 2015
Property Layout Plan	Dwg 02	July 2015
Site Plan	Dwg 03	July 2015
Site 3D View	Dwg 04	July 2015
Accommodation Building 1	Dwg 05	July 2015
Accommodation Bldg 1 Elevs	Dwg 06	July 2015
Accommodation Building 2	Dwg 07	July 2015
Accommodation Bldg 2 Elevs	Dwg 08	July 2015
Covered Function Area	Dwg 09	July 2015
Function Area Elevs 1	Dwg 10	July 2015
Function Area Elevs 2	Dwg 11	July 2015
Gazebo / BBQ	Dwg 12	July 2015
Site Based Management Plan (SBMP) for Rural Entertainment and Function Facility with ancillary accommodation	-	17 November 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 ROAD WORKS

- 3.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works on the site.
- 3.2 All 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 Install 'Give Way' signage on one (1) of the approaches to both floodways on Seymour Road, with advanced warning signs depicting 'Floodway' and 'One Lane' on both approaches to both floodways.
- 3.4 Traffic signs must be provided in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*. Where necessary, existing traffic signs must be modified in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*.
- 3.5 The developer must pay a contribution to Council of \$6,000.00 per annum towards the maintenance of the gravel road network used to access the facility.

Note: Council reserves the right to change this contribution if the scale and intensity of the development, and the vehicle movements on the gravel road network, increase.

### 4.0 ACCESS AND PARKING WORKS

- 4.1 Parking of vehicles associated with the proposed use activities is restricted to the parking areas (patron parking and spillover parking) as shown on the approved site plan.

### 5.0 PLUMBING AND DRAINAGE WORKS

- 5.1 All sanitary drainage works must be in accordance with regulated work under the *Plumbing and Drainage Act* and Council's Plumbing and Drainage Policies.
- 5.2 All internal plumbing and sanitary drainage works must be in accordance with regulated work under the *Plumbing and Drainage Act*.
- 5.3 Alteration or relocation of internal sanitary drainage works associated with the existing building must be in accordance with regulated work under the *Plumbing and Drainage Act*.
- 5.4 On-site sewage treatment and disposal must be in accordance with the *Queensland Plumbing and Wastewater Code* and Council's Plumbing and Drainage Policies.
- 5.5 On-site water supply for domestic and fire-fighting purposes must be provided and may include the provision of a bore, dams, water storage tanks or a combination of each.
- 5.6 The two (2) accommodation buildings must be provided with water storage tanks and couplings for fire-fighting purposes in accordance with Plumbing and Drainage Act and Council's adopted *Bushfire Risk Study, Performance Criteria and Acceptable Solutions, Bushfire minimisation methods*.

### 6.0 STORMWATER WORKS

- 6.1 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect adjoining land or infrastructure in comparison to the pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or have the potential to cause damage to other infrastructure.

## 7.0 ROOF AND ALLOTMENT DRAINAGE WORKS

7.1 All roof and allotment drainage must be in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.

7.2 All roof and allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or infrastructure.

## 8.0 SITE WORKS

8.1 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 adjoining properties or infrastructure.

## 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 at full cost to the Developer.

9.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.

## 10.0 ENVIRONMENTAL HEALTH

10.1 Operations on the development site must have no significant impact on the amenity of adjoining premises or the surrounding area due to the emission of light, noise or dust.

10.2 Noise from the activity must not cause an environmental nuisance.

10.3 The activity must not be conducted in a manner that achieves the acoustic quality objectives outlined in Schedule 1 of the *Environmental Protection (Noise) Policy*.

10.4 In the event of a genuine noise complaint being made to Council, conduct an appropriate investigation to determine whether the operation has exceeded the acoustic quality objectives outlined in Schedule 1 of the *Environmental Protection (Noise) Policy*.

10.5 If the acoustic quality objectives outlined in Schedule 1 of the *Environmental Protection (Noise) Policy* have been exceeded, and when requested by Council, noise monitoring must be undertaken and recorded within three (3) months, to investigate the 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*.

10.6 Appropriate dust suppression measures in the form of constant water spraying or other dust suppressants must be applied to the surrounding gravel road network prior to, and at the conclusion of, each event on the site to prevent dust nuisance to surrounding properties.

10.7 A suitable dust suppressant must be applied to the internal road network, parking area, and any unsealed use areas within the site for the duration of each event to prevent dust from leaving the site.

10.8 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"*.

- 10.9 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 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.
- 10.10 The hours of operations for the Rural Entertainment and Function Facility component of the proposed use must be limited to:
- 10.10.1 1000 hours to 2200 hours on Monday to Thursday, and
- 10.10.2 0800 hours to 2400 hours on Friday to Sunday.
- Note: This excludes the operation of the ancillary accommodation component of the application which may occur for the duration of a specific function or event. The two (2) large scale events specified in condition 11.5 are also excluded from these hours of operation.
- 10.11 The use of the premises for short-term accommodation and camping, where not associated with the Rural Entertainment and Function Facility with ancillary accommodation, is not permitted.
- 10.12 The activity must be conducted in accordance with a site based management plan approved by Council and be in accordance with the approved plans (refer to condition 2.1).
- 10.13 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 harm unless such release is authorised by Council.
- 10.14 All waste is to be collected from the site by a commercial waste collection contractor.
- 10.15 Waste and 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.
- 10.16 All traceable regulated waste must be removed from the premises by a licensed regulated waste transporter.
- 10.17 Where regulated waste is removed from the premises, records must be maintained for a period of five (5) years, and include the following:
- 10.17.1 the date, quantity and type of waste removed;
- 10.17.2 a copy of any licensed waste transport vehicle docket;
- 10.17.3 the name of the licensed regulated waste removalist and/or disposal operator; and
- 10.17.4 the intended treatment and/or disposal destination of the waste.
- 11.0 OPERATING PROCEDURES
- 11.1 The developer must prepare a Flood Contingency Plan for the subject site that addresses but is not limited to the following:
- 11.1.1 Evacuation times;
- 11.1.2 Evacuation routes
- 11.1.3 Types of vehicles required for evacuation purposes; and
- 11.1.4 Details the storage or removal of materials, goods or equipment during times of flood.

- 11.2 It is the responsibility of the owner or occupier of the land to implement the contingency plan during a flood event or if there is a risk of flooding near the land.
- 11.3 The maximum number of persons attending each event must not exceed two hundred (200) persons for receptions or functions and outdoor entertainment events.
- 11.4 There are to be no more than ten (10) events per calendar year where the number of persons attending the event exceeds two hundred (200) persons, and is not greater than five hundred (500) persons.
- 11.5 Large-scale events where the persons attending exceeds five hundred (500) persons, must not exceed two thousand (2000) persons, are limited to two (2) events per calendar year. Such events must be the subject of a Temporary Events Application approved by Council.
- 11.6 Any camping activities are restricted to the designated camping areas as shown on the approved site plan (refer to condition 2.1). No camping is permitted outside of the designated camping area.
- 11.7 The proposed development must not include any motorised forms of recreation and sport, unless it is ancillary to a primary outdoor entertainment event (for example: during the interval of an outdoor entertainment event).

#### ADVISORY NOTES

NOTE 1. General Environmental Duty

General environmental duty under the *Environmental Protection Act* 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 2. 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 storage of flammable and combustible liquid and environmentally relevant activities such as motor vehicle workshop operations. Approval for such activities is required before 'fit-out' and operation.

NOTE 3. General Safety Of Public During Construction

The *Work Health and Safety Act* 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. Contingency Plans

Council is not required to approve contingency plans and Council does not accept any liability for loss of or damage to property, or injury or loss of life as a result of any person using or relying on the contingency plan, or failing to use the contingency plan during a flood event.

NOTE 5. Works in Road Reserve Permit

It is advised that a Works in Road Reserve Permit may be accepted in place of the Development Permit for Operational Works (roadworks).

**Moved by: Councillor Smith**

**Seconded by: Mayor Strelow**

**MOTION CARRIED**

**Recommendation of the Planning and Regulatory Committee, 17 May 2016****9.1.1 FITZROY BASIN ASSOCIATION - ENVIRONMENTAL IMPACT PROJECT****File No: 3084****Responsible Officer: Robert Holmes – General Manager Regional Services**

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**SUMMARY**

*Councillor Wickerson and Councillor Fisher met with representatives of Fitzroy Basin Association regarding a proposed environmental project.*

**COMMITTEE RECOMMENDATION**

THAT Council invite representatives of Fitzroy Basin Association to outline it's proposed studies into the impact of run off on the environment in general and the Great Barrier Reef.

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**Recommendation of the Planning and Regulatory Committee, 17 May 2016**
**9.1.4 D/151-2015 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A CHILD CARE CENTRE**

**File No:** D/151-2015

**Attachments:**

1. Locality Plan
2. Site Plan
3. Floor Plan
4. Elevations

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

**Author:** Corina Hibberd - Acting Senior Planning Officer

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**SUMMARY**

*Development Application Number:* D/151-2015

*Applicant:* G. Shuker

*Real Property Address:* Lot 25 on SP238738, Parish of Archer

*Common Property Address:* 16 Alan Drive, Frenchville

*Area of Site:* 1.629 hectares

*Planning Scheme:* Rockhampton Region Planning Scheme 2015

*Planning Scheme Zone:* Sport and Recreation Zone

*Planning Scheme Overlays:* Nil Applicable

*Existing Development:* Little Zebra Child Care Centre and Goodlife Health Club

*Existing Approvals:* D-R/473-2003 Material Change of Use for Indoor Entertainment, Outdoor Entertainment, Professional Office and Caretakers – approved 21 October 2003 (and associated operational works)

D/37-2015 Indoor Sport and Recreation (amendment to hours of operation), approved 17 July 0251.

*Approval Sought:* Development Permit for a Material Change of Use for a Child Care Centre

*Level of Assessment:* Impact Assessable

*Submissions:* One Properly Made Submission

*Referral Agency(s):* Nil

*Infrastructure Charges Area:* Charge Area One

*Application Progress:*

<i>Application Lodged:</i>	6 November 2015
<i>Acknowledgment Notice issued:</i>	20 November 2015
<i>Request for Further Information sent:</i>	4 December 2015

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<i>Request for Further Information responded to:</i>	<i>1 March 2016</i>
<i>Submission period commenced:</i>	<i>3 March 2016</i>
<i>Submission period end:</i>	<i>30 March 2016</i>
<i>Council request for additional time:</i>	<i>Sent 27 April 2016</i>
<i>Statutory due determination date:</i>	<i>30 May 2016</i>

## COMMITTEE RESOLUTION

### RECOMMENDATION A

That in relation to the application for a Development Permit for a Material Change of Use for Child Care Centre, made by Capricorn Survey Group (CQ) Pty Ltd on behalf of G Shuker, on Lot 25 on SP238738, Parish of Archer, located at 16 Alan Drive, Frenchville, 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 use is highly compatible with the surrounding community and recreational uses and integrates well with the built and natural environment;
- b) The availability of land, the amenity, and the operational needs of different uses in the Sport and Recreation Zone are not compromised by the proposed development;
- c) The development is of a scale, size, appearance and built form which is consistent with amenity of the area;
- d) There is a high demand and need for child care centres in the Rockhampton area;
- e) The proposed use does not compromise the strategic framework in the *Rockhampton Region Planning Scheme 2015*;
- f) 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
- g) 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 Child Care Centre, made by Capricorn Survey Group (CQ) Pty Ltd on behalf of G Shuker, on Lot 25 on SP238738, Parish of Archer, located at 16 Alan Drive, Frenchville, Council resolves to Approve the application subject to the following conditions:

#### 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) Road Works;
  - (ii) Access and Parking Works;
  - (iii) Stormwater 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/Document Number</u>	<u>Dated</u>
Site Plan	Project 15928 DA-101 Rev. A	8 February 2016
Floor Plan	Project 15928 DA-102 Rev. A	23 October 2015
Elevations	Project 15928 DA-200 Rev. A	23 October 2015
Sections	Project 15928 DA-300 Rev. A	23 October 2015
Traffic Impact Assessment Report	K3513-0002	29 February 2016
Conceptual Stormwater Management Plan	K3513-0003/A	29 February 2016

- 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 ROAD WORKS
- 3.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works on the site.
- 3.2 All 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 1.5 metre wide pavement widening and sealing for Robinson Street (as shown in Figure 8 of the 'Traffic Impact Assessment Report') with additional tapering length and line marking for a Channelised Right turn into the site, must be provided in accordance with *Austroads Guidelines – Part 4A*.
- 3.4 Traffic signs and pavement markings must be provided in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*. Where necessary, existing traffic signs and pavement markings must be modified in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*.
- 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 site.
- 4.2 All 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 parking spaces, access driveway, and vehicular manoeuvring areas associated with this proposed development must be concrete paved or asphalted.
- 4.4 All vehicles must ingress and egress the development in a forward gear.
- 4.5 Universal access parking spaces must be provided in accordance with *Australian Standard AS2890.6 "Parking Facilities - Off-Street parking for people with disabilities"*.
- 4.6 Road signage and pavement markings must be installed in accordance with the *Australian Standard AS1742.1 "Manual of Uniform Traffic Control Devices"*.
- 4.7 All vehicle operation areas must be illuminated in accordance with the requirements of *Australian Standard AS1158 "Lighting for Roads and Public Spaces"*.
- 4.8 All internal pedestrian pathways must be designed and constructed in accordance with *Australian Standard AS1428 "Design for Access and Mobility"*.
- 4.9 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"*.
- 4.10 Road signage and pavement markings must be installed in accordance with the *Australian Standard AS1742.1 "Manual of Uniform Traffic Control Devices"*.
- 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 to access the site including refuse collection vehicles.
- 5.0 PLUMBING AND DRAINAGE WORKS
- 5.1 All internal plumbing and drainage works must be designed and constructed in accordance with the *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.
- 5.2 The development must be connected to Council's reticulated water network.
- 5.3 The existing water connection point(s) must be retained and upgraded, if necessary, to service the development.
- 5.4 The development must be connected to Council's reticulated sewerage network.
- 5.5 The existing sewerage connection point(s) must be retained and upgraded, if

necessary, to service the development.

5.6 The proposed development must be provided with a master meter at the property boundary and sub meters for each sole occupancy building in accordance with the *Queensland Plumbing and Drainage Code* and Council's Sub-metering Policy.

5.7 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.

#### 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 on the site.

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 adjoining land or infrastructure in comparison to the pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or have the potential to cause damage to other infrastructure.

6.4 The proposed development must achieve no increase in peak stormwater runoff for a selected range of storm events up to and including the one in one hundred year storm event (100 year Average Recurrence Interval) for the post development condition.

#### 7.0 SITE WORKS

7.1 All earthworks must be undertaken in accordance with *Australian Standards, AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.

7.2 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 adjoining properties or infrastructure.

#### 8.0 BUILDING WORKS

8.1 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"*.

8.2 Noise emitted from the activity must not cause an environmental nuisance.

8.3 Operations on the site must have no significant impact on the amenity of adjoining premises

8.4 Waste storage and collection must take place within the site.

8.5 Impervious paved waste storage area/s must be provided in accordance with the *Environmental Protection Regulation 2008* and must be:

8.5.1 designed and located so as not to cause a nuisance to neighbouring properties;

8.5.2 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;

8.5.3 of a sufficient size to accommodate commercial type bins that will be serviced by a commercial contractor plus clearances around the bins for maneuvering and cleaning.

8.5.4 setback a minimum of two (2) metres from any road frontage; and



8.5.5 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 LANDSCAPING WORKS

9.1 Appropriate landscaping must be constructed and/or established prior to the commencement of the use. The landscaped areas must predominantly contain plant species that are locally native to the Central Queensland region due to their low water dependency.

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

9.3 Landscaping, or any part thereof, upon reaching full maturity, must not:

- (i) obstruct sight visibility zones as defined in the *Austrroads 'Guide to Traffic Engineering Practice'* series of publications;
- (ii) adversely affect any road lighting or public space lighting; or
- (iii) adversely affect any Council infrastructure, or public utility plant.

9.4 The landscaped areas must be subject to:

9.4.1 a watering and maintenance plan during the establishment moment; and

9.4.2 an ongoing maintenance and replanting programme.

## 10.0 ELECTRICITY AND TELECOMMUNICATIONS

10.1 Underground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.

## 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 at full cost to the Developer.

11.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.

11.3 '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 Manual for Submission of Digital As Constructed Information.

## 12.0 ENVIRONMENTAL

12.1 Implement and maintain an Erosion Control and Stormwater Control Management Plan on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The prepared Erosion Control and Stormwater Control Management Plan must be available on-site for inspection by Council Officers during those works.

## 13.0 OPERATING PROCEDURES

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

- construction machinery or contractors' vehicles will be permitted in any streets.
- 13.2 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.
- 13.3 All waste storage areas must be:
- 13.3.1 kept in a clean and tidy condition; and
  - 13.3.2 maintained in accordance with *Environmental Protection Regulation 2008*.
- 13.4 The hours of operations for the Child Care Centre (D/151-2015) must be limited to:
- 13.4.1 0630 hours to 1830 hours on Monday to Friday, and
  - 13.4.2 no operations on Saturdays, Sundays or Public Holidays,

#### 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](http://www.datsima.qld.gov.au).

NOTE 2. General Environmental Duty

General environmental duty under the *Environmental Protection Act* 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* 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. 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 storage of flammable and combustible liquid and environmentally relevant activities such as motor vehicle workshop operations. Approval for such activities is required before 'fitout' and operation.

NOTE 5. Infrastructure Charges Notice

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

#### **RECOMMENDATION C**

That in relation to the application for a Development Permit for a Material Change of Use for Child Care Centre, made by Capricorn Survey Group (CQ) Pty Ltd on behalf of G Shuker, on Lot 25 on SP238738, Parish of Archer, located at 16 Alan Drive, Frenchville, Council resolves to issue an Infrastructure Charges Notice for the amount of **\$119,102.00**.

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**Recommendation of the Planning and Regulatory Committee, 17 May 2016**
**9.1.5 D/174-2015 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A RESIDENTIAL CARE FACILITY**

<b>File No:</b>	<b>D/174-2015</b>
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. <b>Locality Plan</b></li> <li>2. <b>Proposed Site Plan</b></li> <li>3. <b>Proposed Floor Plan - Ground</b></li> <li>4. <b>Proposed Floor Plan - Level 1</b></li> <li>5. <b>Proposed Floor Plan - Level 2</b></li> <li>6. <b>Proposed Floor Plan - Basement</b></li> <li>7. <b>Proposed Elevations</b></li> </ol>
<b>Authorising Officer:</b>	<b>Tarnya Fitzgibbon - Manager Development and Building Robert Holmes - General Manager Regional Services</b>
<b>Author:</b>	<b>Alyce McLellan - Planning Officer</b>

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**SUMMARY**

<i>Development Application Number:</i>	<i>D/174-2015</i>
<i>Applicant:</i>	<i>Rockhampton Benevolent Homes Society Incorporated C/- ADAMS + SPARKES Town Planning</i>
<i>Real Property Address:</i>	<i>Lot 2 on CP890319 and Lot 4 on SP220782, Parish of Rockhampton</i>
<i>Common Property Address:</i>	<i>60 West Street, The Range</i>
<i>Area of Site:</i>	<i>1.35 hectares</i>
<i>Planning Scheme:</i>	<i>Rockhampton City Plan 2005</i>
<i>Rockhampton City Plan Area:</i>	<i>Low Density Residential Area</i>
<i>Planning Scheme Overlays:</i>	<i>Steep Land</i>
<i>Existing Development:</i>	<i>Benevolent Aged Care Home</i>
<i>Existing Approvals:</i>	<i>D/597-2000 – Extension to Aged Persons Home – Approved 16 October 2000</i> <i>D/1247-2000 – Aged Persons Home – Approved 21 November 2000</i> <i>D/921-2001 – Special Purposes – Benevolent Home – Approved 21 September 2001</i> <i>D/1328-2005 – Redevelopment of Aged Care Persons Home - Approved 22 August 2005</i> <i>D/1240-2006 Material Change of Use (Aged Care Accommodation – 25 Beds) Approved 22 March 2007</i>
<i>Approval Sought:</i>	<i>Development Permit for a Material Change of Use for a Residential Care Facility</i>
<i>Level of Assessment:</i>	<i>Impact Assessable</i>
<i>Submissions:</i>	<i>One (1) Properly Made Submission</i>
<i>Referral Agency(s):</i>	<i>Nil</i>
<i>Adopted Infrastructure Charges Area:</i>	<i>Charge Area One</i>

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*Application Progress:*

<i>Application Lodged:</i>	<i>8 December 2015</i>
<i>Acknowledgment Notice issued:</i>	<i>22 December 2015</i>
<i>Request for Further Information sent:</i>	<i>13 January 2016</i>
<i>Request for Further Information responded to:</i>	<i>28 January 2016</i>
<i>Submission period commenced:</i>	<i>5 February 2016</i>
<i>Submission period end:</i>	<i>26 February 2016</i>
<i>Council request for additional time:</i>	<i>30 March 2016</i>
<i>Minor Change to Development Application:</i>	<i>19 April 2016</i>
<i>Last receipt of information from applicant:</i>	<i>19 April 2016</i>
<i>Request for extension by agreement:</i>	<i>21 April 2016</i>
<i>Statutory due determination date:</i>	<i>30 May 2016</i>

**COMMITTEE RESOLUTION****RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use for Residential Care Facility, made by Rockhampton Benevolent Homes Society Incorporated C/- ADAMS + SPARKES Town Planning, on Lot 2 on CP890319 and Lot 4 on SP220782, Parish of Rockhampton, located at 60 West Street, The Range, Council resolves to Approve the application subject to the following conditions:

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) Road Works;
  - (ii) Access and Parking Works;
  - (iii) Sewerage Works;
  - (iv) Stormwater Works;

- (v) Roof and Allotment Drainage Works; and
  - (vi) Site Works.
- 1.6.2 Plumbing and Drainage Works; and
- 1.6.3 Building Works:
- (i) Demolition Works; and
  - (ii) 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/Document Number</u>	<u>Dated</u>
Proposed Floor Plan – Basement	BEAC0104 A02.02_C	6 April 2016
Proposed Floor Plan - Ground	BEAC0104 A02.03_C	6 April 2016
Proposed Floor Plan – Level 1	BEAC0104 A02.04_C	6 April 2016
Proposed Floor Plan – Level 2	BEAC0104 A02.05_C	6 April 2016
Site Sections	BEAC0104 A05.01_C	6 April 2016
Proposed Elevations	BEAC0104 A04.02_C	6 April 2016
Schematic Design – Landscaping Plan	1407800 SD-02 Issue A	23 October 2014
Civil Services Layout Plan	C01 Rev A	20 January 16
Site Based Stormwater Management Plan	B15-064	30 October 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 ROAD WORKS
- 3.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works on the site.
- 3.2 All 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, with a minimum width of 1.2 metres, must be constructed on the

development side of Cambridge Street for the full frontage of the site.

- 3.4 All pathways and access ramps must be designed and constructed in accordance with *Australian Standard AS1428 "Design for Access and Mobility"*. 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"*.
- 3.5 All pathways must incorporate kerb ramps at all road crossing points.
- 3.6 Traffic signs and pavement markings must be provided in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*. Where necessary, existing traffic signs and pavement markings must be modified in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*.
- 3.7 Any retaining structures above one metre in height must be separately approved for structural adequacy by a Registered Professional Engineer of Queensland at design submission and certified on completion of construction for compliance with the design.
- 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 site.
- 4.2 All 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 parking spaces, access driveway(s), and vehicular manoeuvring areas associated with this proposed development must be concrete paved or asphalted.
- 4.4 The existing access to the existing dwelling houses located along Cambridge Street must be closed.
- 4.5 Two (2) new accesses to the development must be provided at Cambridge Street and West Street.
- 4.6 Any redundant vehicular crossover 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 Adequate sight distances must be provided for all ingress and egress movements at the access driveways in accordance with *Australian Standard 2890.2 "Parking Facilities - Off Street Commercial Facilities"*.
- 4.9 A minimum of thirty-two (32) additional parking spaces must be provided on-site.
- 4.10 Universal access parking spaces must be provided in accordance with *Australian Standard AS2890.6 "Parking Facilities - Off-Street parking for people with disabilities"*.
- 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 to access the site including refuse collection vehicles.
- 4.12 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"*.
- 4.13 Road signage and pavement markings must be installed in accordance with the *Australian Standard AS1742.1 "Manual of Uniform Traffic Control Devices"*.
- 4.14 All vehicle operation areas must be illuminated in accordance with the requirements of *Australian Standard AS1158 "Lighting for Roads and Public Spaces"*.
- 4.15 All internal pedestrian pathways must be designed and constructed in accordance with

*Australian Standard AS1428 "Design for Access and Mobility".*

## 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 site.
- 5.2 All 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* 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 sewerage connection point(s) at each of the two dwelling houses must be disconnected.
- 5.5 A new sewerage connection point must be provided at proposed sewerage main to service the development.
- 5.6 A 150 millimetre diameter Gravity Sewer Main must be constructed in accordance with the approved plans (refer to condition 2.1).
- 5.7 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.
- 5.8 Sewer connections located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with trafficable lids.

## 6.0 WATER WORKS

- 6.1 All 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, the Plumbing and Drainage Act*.
- 6.2 The development must be connected to Council's reticulated water network.
- 6.3 The existing water connection point(s) must be retained and upgraded, if necessary, to service the development.
- 6.4 Water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface level and must be provided with heavy duty trafficable lids.
- 6.5 The applicant must ensure adequate firefighting protection is available from the existing hydrant within Cambridge Street and West Street road reserves and also from the on-site firefighting equipment for the proposed development. Should adequate protection not be achievable, upgrade of on-site firefighting equipment, internal pillar hydrant, water tanks, and pumps may be required.

## 7.0 PLUMBING AND DRAINAGE WORKS

- 7.1 All plumbing and sanitary drainage works must be in accordance with regulated work under the *Plumbing and Drainage Act* and Council's Plumbing and Drainage Policies.
- 7.2 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*.
- 7.3 Sewerage/Amended Sewerage trade waste permits must be obtained for the discharge of any non-domestic waste into Council's sewerage reticulation. Arrester traps must be provided where commercial or non-domestic waste water is proposed to be discharged into the system.
- 7.4 Hoses must be provided at the refuse container area, and washdown must be drained to the sewer in accordance with a Plumbing and Drainage Permit and Sewerage Trade

Waste Permit.

#### 8.0 STORMWATER WORKS

- 8.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 8.2 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).
- 8.3 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect adjoining land or infrastructure in comparison to the pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or have the potential to cause damage to other infrastructure.
- 8.4 The Operational Works (stormwater works) application must include an assessment of how the development meets the water quality objectives of the *State Planning Policy 2014*.
- 8.5 The proposed development must achieve no increase in peak stormwater runoff for a selected range of storm events up to and including the one in one hundred year storm event (100 year Average Recurrence Interval) for the post development condition.
- 8.6 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).
- 8.7 Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by a detailed Stormwater Management Plan, prepared and certified by a Registered Professional Engineer of Queensland. The Stormwater Management Plan must clearly demonstrate that;
- 8.7.1 All content of the stormwater management plan is in accordance with the *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, *Healthy waters guidelines*, and sound engineering practice;
- 8.7.2 The Stormwater discharge is to a lawful point of discharge in accordance with the *Queensland Urban Drainage Manual*;
- 8.7.3 Each part of the lot is self-draining;
- 8.7.4 The volume of detention is sufficient to attenuate the peak discharge from the site to ensure non-worsening for a range of design rainfall events up to and including the 100 year Average Recurrence Interval (ARI) event, in accordance with the provisions of the *Queensland Urban Drainage Manual*;
- 8.7.5 The potential pollutants in stormwater discharged from the site are managed in accordance with current best industry practices and in accordance with *State Planning Policy 2014*.
- 8.7.6 The stormwater management plan is accompanied by full calculations; including electronic modelling files from industry standard modelling software, (including both electronic model files and results files) and all details of the modelling assumptions to support both the proposed water quantity and quality management strategy.
- 8.7.7 It includes detailed engineering plans with details of any new drainage systems, or the amendment and upgrading of exiting drainage systems to implement the proposed drainage strategy.

#### 9.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 9.1 A Development Permit for Operational Works (roof and allotment drainage works) must be obtained prior to the commencement of any drainage works on the site.



- 9.2 All roof and allotment drainage must be in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 9.3 All roof and allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or infrastructure.
- 10.0 SITE WORKS
- 10.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works.
- 10.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which clearly identifies the following:
- 10.2.1 the location of cut and/or fill;
- 10.2.2 the type of fill to be used and the manner in which it is to be compacted;
- 10.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
- 10.2.4 details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
- 10.2.5 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.
- 10.3 All earthworks must be undertaken in accordance with *Australian Standards, AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 10.4 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 adjoining properties or infrastructure.
- 10.5 The structural design of all retaining walls above one (1) metre in height must be separately and specifically certified by a Registered Professional Engineer of Queensland as part of the Operational Works submission. A Registered Professional Engineer of Queensland must on completion certify that all works are compliant with the approved design.
- 10.6 All site works must be undertaken to ensure that there is:
- 10.6.1 no increase in upstream or downstream flood levels for all levels of immunity up to Q100;
- 10.6.2 no increase in velocity profiles, for which no remedy exists to prevent erosion and/or scouring. In the event that modelling shows non-compliance with the above, works must be undertaken within the system to satisfy the above criteria for development; and
- 10.6.3 a lawful point of discharge to which the developed flows from the land drain. Easements will be required over any other land to accommodate the flows.
- 11.0 BUILDING WORKS
- 11.1 The existing dwelling houses on the subject land must be demolished or relocated off-site.
- 11.2 All waste storage areas must be:
- 11.2.1 surrounded by at least a 1.8 metre high fence that obstructs from view the contents of the bin compound by any member of the public from any public place;
- 11.2.2 of a minimum size to accommodate Skip type bins in accordance with the *Environmental Protection (Waste Management) Regulations*.

- 11.3 Impervious paved and drained washdown areas to accommodate all refuse containers must be provided. The areas must be aesthetically screened from any road frontage or adjoining property.
- 11.4 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"*.
- 11.5 All external elements, such as air conditioners and associated equipment, must be adequately screened from public view, to Council's satisfaction.
- 12.0 LANDSCAPING WORKS
- 12.1 All landscaping must be established generally in accordance with the approved plans (refer to condition 2.1). The landscaping must be constructed and/or established prior to the commencement of the use and the landscape areas must predominantly contain plant species that are locally native to the Central Queensland region due to their low water dependency.
- 13.0 ELECTRICITY AND TELECOMMUNICATIONS
- 13.1 Electricity and telecommunication 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 at full cost to the Developer.
- 14.2 Any damage to existing water supply and sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.
- 15.0 OPERATING PROCEDURES
- 15.1 Noise emitted from the activity must not cause an environmental nuisance.
- 15.2 Operations on the site must have no significant impact on the amenity of adjoining premises or the surrounding area due to the emission of light, noise or dust.
- 15.3 Medical waste including chemicals and sharps etcetera must be stored and disposed of in accordance with the *Environmental Protection (Waste Management) Regulations*. Licensed waste containers and approved contractors only are permitted for the collection and disposal of specialised waste.
- 15.4 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 Cambridge Street or West Street.

#### ADVISORY NOTES

##### NOTE 1. Aboriginal Cultural Heritage

It is advised that under section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal cultural heritage legislation. The information on Aboriginal cultural heritage is available on the Department of Aboriginal and Torres

Strait Islander and Multicultural Affairs website [www.datsima.qld.gov.au](http://www.datsima.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* legislation and *Public Health Act 2005*.

NOTE 3. General Environmental Duty

General environmental duty under the *Environmental Protection Act* 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 4. General Safety Of Public During Construction

The *Work Health and Safety Act* 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. Infrastructure Charges Notice

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

**RECOMMENDATION B**

That in relation to the application for a Development Permit for a Material Change of Use for Residential Care Facility, made by Rockhampton Benevolent Homes Society Incorporated C/- ADAMS + SPARKES Town Planning, on Lot 2 on CP890319 and Lot 4 on SP220782, Parish of Rockhampton, located at 60 West Street, The Range, Council resolves to issue an Adopted Infrastructure Charges Notice for the amount of \$229,251.00.

**9.2 INFRASTRUCTURE COMMITTEE MEETING - 17 MAY 2016****COUNCIL RESOLUTION**

THAT the Minutes of the Infrastructure Committee meeting, held on 17 May 2016 as circulated, be received and that the recommendations contained within these minutes be adopted.

**Moved by:** Councillor Williams

**Seconded by:** Councillor Smith

**MOTION CARRIED**

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

**Recommendation of the Infrastructure Committee, 17 May 2016****9.2.1 BUSINESS OUTSTANDING TABLE FOR INFRASTRUCTURE COMMITTEE**

<b>File No:</b>	<b>10097</b>
<b>Attachments:</b>	<b>1. Business Outstanding table for Infrastructure Committee</b>
<b>Authorising Officer:</b>	<b>Evan Pardon - Chief Executive Officer</b>
<b>Author:</b>	<b>Evan Pardon - Chief Executive Officer</b>

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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 the Infrastructure Committee is presented for Councillors' information.*

**COMMITTEE RECOMMENDATION**

THAT the Business Outstanding Table for the Infrastructure Committee be received.

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**Recommendation of the Infrastructure Committee, 17 May 2016****9.2.2 IMPLEMENTATION OF ROAD REVIEW STATUS REPORT**

**File No:** 10738  
**Attachments:** 1. Road Review Action Plan Status Report  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Robert Holmes - General Manager Regional Services

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**SUMMARY**

*An assessment has been undertaken of the implementation of the Combined Action Plan component of the 'Road Design, Construction and Maintenance Review – Project Report (22 April 2014)' completed for Council in mid-2014 and it was requested that a status report come back to the Council in six (6) months. A status report was submitted for the Council's information in January 2015; however, it was requested that a status review be conducted by the original consultant. That review has been undertaken and the report is now submitted for the Committee's information.*

**COMMITTEE RECOMMENDATION**

1. THAT correspondence be sent to Aurecon conveying the Council's appreciation for the information and guidance provided through the Road Design, Construction and Maintenance Review and the recently completed Action Plan Status Report and indicating the value that it has provided the Council.
2. THAT all staff involved in the Road Design, Construction and Maintenance Review and the recently completed Action Plan Status Report be thanked for the open and participative manner of that involvement.
3. THAT the Road Review Action Plan Status Report be received.

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**Recommendation of the Infrastructure Committee, 17 May 2016****9.2.3 VICTORIA PARADE AND QUAY STREET ADDITIONAL SCOPE****File No:** 2759**Attachments:**

1. Location of three projects
2. Victoria Parade - Cambridge to Archer
3. Quay Street - William to Derby
4. Fitzroy Street Stage 1E

**Authorising Officer:** Robert Holmes - General Manager Regional Services**Author:** David Bremert - Manager Civil Operations

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**SUMMARY**

*As part of the 2015/16 Capital Budget, Council approved the Victoria Parade and Quay Street - William to Derby projects. As part of the Riverbank Precinct Works, the Fitzroy Street Stage 1E project was also approved.*

*Construction works have commenced and are well underway for two of the three projects. The scope has grown for all three of the projects, which require additional funds to be allocated to complete the works.*

**COMMITTEE RECOMMENDATION**

THAT Council approves the additional funding, as indicated in Table 1, to the three projects indicated in that Table.

**Recommendation of the Infrastructure Committee, 17 May 2016****9.2.4 CIVIL OPERATIONS MONTHLY OPERATIONS REPORT - MAY 2016****File No: 7028****Attachments:**

- 1. Monthly Operations Report - Civil Operations  
30 April 2016**
- 2. Work Program May - June 2016**

**Authorising Officer: Robert Holmes - General Manager Regional Services****Author: David Bremert - Manager Civil Operations**

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**SUMMARY**

*This report outlines Civil Operations Monthly Operations Report 30 April 2016 and also Works Program of planned projects for the month May to June 2016.*

**COMMITTEE RECOMMENDATION**

THAT the Civil Operations Monthly Operations Report for May be received.



**Recommendation of the Infrastructure Committee, 17 May 2016****9.2.5 ENGINEERING SERVICES MONTHLY OPERATIONS REPORT - MAY 2016****File No: 7028****Attachments: 1. Monthly Operations Report - Engineering Services - 30 April 2016****Authorising Officer: Robert Holmes - General Manager Regional Services****Author: Martin Crow - Manager Engineering Services**

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**SUMMARY**

*This report outlines Engineering Services Monthly Operations Report for the period to the end of April 2016*

**COMMITTEE RECOMMENDATION**

THAT the Engineering Services Monthly Operations Report for April 2016 report be received.

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**Recommendation of the Infrastructure Committee, 17 May 2016****9.2.6 ROCKHAMPTON CBD BUS FACILITY CONCEPT DESIGN OPTIONS ANALYSIS AND EVALUATION REPORT****File No:** 237**Attachments:**

1. Option 1.1 Concept plan
2. Option 3.2 Concept Plan
3. Bolsover St 3D View
4. Alma St 3D View

**Authorising Officer:** Robert Holmes - General Manager Regional Services**Author:** Martin Crow - Manager Engineering Services

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**SUMMARY**

*Transport and Main Roads have completed the Rockhampton CBD Bus Facility Concept Design Options Analysis and Evaluation Report. This report has reviewed the operations of the bus services that use the main bus stops in Bolsover Street outside the Police Station, Kern Arcade and Denham Street outside the Leichhardt Hotel to determine the most cost effective and user friendly way to provide a public transport to service the CBD area. This report however has not been made publicly available and as yet has not been endorsed as State Government Policy.*

**COMMITTEE RECOMMENDATION**

THAT the Rockhampton CBD Bus Facility Concept Design Options Analysis and Evaluation report be received.

**9.3 AIRPORT, WATER AND WASTE COMMITTEE MEETING - 17 MAY 2016****COUNCIL RESOLUTION**

THAT the Minutes of the Airport, Water and Waste Committee meeting, held on 17 May 2016 as circulated, be received and that the recommendations contained within these minutes be adopted.

**Moved by:** Councillor Fisher  
**Seconded by:** Councillor Swadling

**MOTION CARRIED**

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

**Recommendation of the Airport, Water and Waste Committee, 17 May 2016****9.3.1 BUSINESS OUTSTANDING TABLE FOR AIRPORT, WATER AND WASTE COMMITTEE**

**File No:** 10097  
**Attachments:** Nil  
**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 the Airport, Water and Waste Committee is presented for Councillors' information.*

**COMMITTEE RECOMMENDATION**

THAT the Business Outstanding Table for the Airport, Water and Waste Committee be received.

**Recommendation of the Airport, Water and Waste Committee, 17 May 2016****9.3.2 ROCKHAMPTON AIRPORT RESURFACING PROJECT - OPTIONS AVAILABLE FOR MAINTENANCE AND RENEWAL OF THE ROCKHAMPTON AIRPORT RUNWAYS, TAXIWAYS AND APRONS FOR THE NEXT 21 YEARS**

**File No:** 1689

**Attachments:** 1. Rockhampton Airport Resurfacing Project  
(Closed Session)

**Authorising Officer:** Ross Cheesman - General Manager Corporate Services

**Author:** Trevor Heard - Manager Rockhampton Airport

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**SUMMARY**

*This report details the options available for maintenance and renewal of the Airport runways, taxiways and aprons.*

**COMMITTEE RECOMMENDATION**

THAT Council prepare a submission for support from both major parties in the Federal government election and that Council present a case for support for resurfacing at the airport.

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**Recommendation of the Airport, Water and Waste Committee, 17 May 2016****9.3.3 FRW ANNUAL PERFORMANCE PLAN AS AT 31 MARCH 2016**

**File No:** 1466

**Attachments:**

1. **Customer Service Standards as at 31 March 2016**
2. **Customer Service and Financial targets as at 31 March 2016**
3. **Non Compliance Comments as at 31 March 2016**

**Authorising Officer:** Robert Holmes - General Manager Regional Services

**Author:** Jason Plumb - Manager Fitzroy River Water

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**SUMMARY**

*Fitzroy River Water's performance against financial and non-financial targets and key strategies is reported to Council on a quarterly basis in accordance with the adopted 2015/16 Performance Plan. This report as at 31 March 2016 is presented for the Committee's information.*

**COMMITTEE RECOMMENDATION**

THAT the Fitzroy River Water Annual Performance Plan quarterly report as at 31 March 2016 be received.

**Recommendation of the Airport, Water and Waste Committee, 17 May 2016****9.3.4 FRW MONTHLY OPERATIONS REPORT - APRIL 2016**

**File No:** 1466  
**Attachments:** 1. FRW Monthly Operations Report - April 2016  
**Authorising Officer:** Robert Holmes - General Manager Regional Services  
**Author:** Jason Plumb - Manager Fitzroy River Water

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**SUMMARY**

*This report details Fitzroy River Water's financial position and other operational matters for the Council's information as at 30 April 2016.*

**COMMITTEE RECOMMENDATION**

THAT the FRW Monthly Operations Report for April 2016 be received.

**Recommendation of the Airport, Water and Waste Committee, 17 May 2016****9.3.5 CORPORATE SERVICES DEPARTMENT - ROCKHAMPTON AIRPORT -  
MONTHLY OPERATIONS AND ANNUAL PERFORMANCE PLAN REPORT**

**File No:** 7927  
**Attachments:** 1. Monthly Operations Report - April 2016  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Ross Cheesman - General Manager Corporate Services

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**SUMMARY**

*The monthly operations and annual performance plan report for the Rockhampton Airport as at 30 April 2016 is presented for Councillors information.*

**COMMITTEE RECOMMENDATION**

THAT the Corporate Services Departmental Operations and Annual Performance Plan Report for the Rockhampton Airport as at 30 April 2016 be "received".



**Recommendation of the Airport, Water and Waste Committee, 17 May 2016****9.3.6 ROCKHAMPTON REGIONAL WASTE AND RECYCLING OPERATIONAL REPORT FOR APRIL 2016**

**File No:** 7927  
**Attachments:** 1. RRWR Operational Report April 2016  
**Authorising Officer:** Robert Holmes - General Manager Regional Services  
**Author:** Craig Dunglison - Manager RRWR

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**SUMMARY**

*The purpose of this report is to provide Council with an overview of Rockhampton Regional Waste and Recycling (RRWR) for the month of April 2016*

**COMMITTEE RECOMMENDATION**

THAT the RRWR Operations Report for April 2016 be received

**Recommendation of the Airport, Water and Waste Committee, 17 May 2016****9.3.7 FRW REVIEW**

**File No:** 1825  
**Attachments:** Nil  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Robert Holmes - General Manager Regional Services

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**SUMMARY**

*Funding was provided in the 2015/16 Budget to undertake a review of FRW and this was commenced earlier in the year. The purpose of the review was to review the practices, procedures and outcomes associated with the water and sewerage operations. The consultants will attend the meeting to provide a status of the review and seek comments from the Committee in respect of FRW operations and performance.*

**COMMITTEE RECOMMENDATION**

THAT the update be received and the consultant take into account, for the finalisation of the report, the comments offered by the Committee.

**Recommendation of the Airport, Water and Waste Committee, 17 May 2016****9.3.8 ROCKHAMPTON AIRPORT FEES AND CHARGES 2016/17****File No: 7816****Attachments:**

1. Airport Fees and Charges Updated Schedule
2. Rockhampton Airport Car Parking

**Authorising Officer: Ross Cheesman - General Manager Corporate Services****Author: Trevor Heard - Manager Rockhampton Airport**

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**SUMMARY**

*This report details proposes the fees and charges for Rockhampton Airport for the 2016/17 year.*

**COMMITTEE RECOMMENDATION**

THAT the Airport Fees and Charges included in the attachment be approved for the 2016-17 year.

**9.4 COMMUNITY SERVICES COMMITTEE MEETING - 18 MAY 2016****COUNCIL RESOLUTION**

THAT the Minutes of the Community Services Committee meeting, held on 18 May 2016 as circulated, be received and that the recommendations contained within these minutes be adopted, excluding Item 9.4.2 - Community Assistance Program.

**Moved by: Councillor Swadling**

**Seconded by: Councillor Williams**

**MOTION CARRIED**

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

## Recommendation of the Community Services Committee, 18 May 2016

### 9.4.2 COMMUNITY ASSISTANCE PROGRAM

<b>File No:</b>	<b>7822</b>
<b>Attachments:</b>	<b>1. Community Assistance Program Round 3 - 2016</b>
<b>Authorising Officer:</b>	<b>Michael Rowe - General Manager Community Services</b>
<b>Author:</b>	<b>Cheryl Haughton - Manager Communities and Facilities</b>

#### SUMMARY

*Sixteen applications for funding were received for the last round of the Community Assistance Program for the current financial year. The applications have been assessed and recommendations for funding are presented for Council consideration.*

#### COUNCIL RESOLUTION

THAT Council approves the allocation of funding from the Community Assistance Program and actions to be performed for the following:

<b>Applicant</b>	<b>Purpose of Grant/Sponsorship</b>	<b>Amount</b>
AM Media Consultants T/A Special Children's Parties	2016 CQ Special Children's Christmas Party	Special report to return
Bundara Kindergarten Association Inc	Protecting Our Children As They Play: Bundara Kindergarten Shade Initiative	731
Capricorn Helicopter Rescue Service	Rescue Chopper Day and Family Fun Open Day	2,500
Capricorn Silver Band Inc	Access for People with Disabilities	12,000
CQ Aquajets Swim Club Inc	Shut The Gate Learn 2 Swim Roof Refurbishment	1,000
Multiple Sclerosis Society of Queensland	2017 Rockhampton MS Swimathon	800
Queensland Justice Association (Rockhampton Branch)	2016 JP State Conference	Special report to return
Rockhampton Bowls Club	2016 Mayoral Trophy	1,650
The Rockhampton Waterski and Powerboat Club Inc	Install A New Oven into Club's Kitchen	1,000
Wildlife Rockhampton Rescue Rehabilitation and Release	Grand Echidna Charity Ball	2,732
Capricorn Animal Aid Organisation Inc.	Community Organisation Support	7,000
Fitzroy Basin Elders Committee Inc.	Community Organisation Support	4,500

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Fitzroy River Fish Stocking Association Inc.	Community Organisation Support	5,000
Ridgeland and District Sporting and Agricultural Association Inc.	Ridgeland Show seating and entertainment	5,376.15
Rockhampton Senior Citizens Club Inc.	Purchase of second 12 seater commuter bus	11,000

**Moved by:** Mayor Strelow  
**Seconded by:** Councillor Swadling  
**MOTION CARRIED**

**Recommendation of the Community Services Committee, 18 May 2016****9.4.1 ARTS AND HERITAGE MONTHLY OPERATIONS REPORT FOR MARCH AND APRIL 2016**

**File No:** 1464

**Attachments:**

1. Arts and Heritage Monthly Operations Report for March and April 2016
2. Review of Mary Poppins from Rockhampton Morning Bulletin 12 March 2016

**Authorising Officer:** Michael Rowe - General Manager Community Services

**Author:** Peter Owens - Manager Arts and Heritage

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**SUMMARY**

*The report provides information on the programs and activities of the Arts and Heritage section for March and April 2016.*

**COMMITTEE RECOMMENDATION**

THAT the Monthly Operations Report of the Arts and Heritage section for March and April 2016 be received.

**COMMITTEE RECOMMENDATION**

THAT Council prepare a short submission to be presented to both Federal candidates seeking support to upgrade the Music Bowl including amenities and car park .

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**Recommendation of the Community Services Committee, 18 May 2016****9.4.3 TRUSTEE LEASE AT THE ROCKHAMPTON HERITAGE VILLAGE WITH THE CENTRAL QUEENSLAND AMATEUR RADIO ASSOCIATION INC.****File No:** 4308**Attachments:**

1. Letter from CQ Amateur Radio Association Inc.
2. Plan of Neilsen's building at the Rockhampton Heritage Village

**Authorising Officer:** Michael Rowe - General Manager Community Services**Author:** Peter Owens - Manager Arts and Heritage

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**SUMMARY**

*Council's approval is sought to enter into a Trustee Lease with the Central Queensland Amateur Radio Association Inc. covering a portion of land currently contained within the site of the Rockhampton Heritage Village.*

**COMMITTEE RECOMMENDATION**

THAT Council authorises the Chief Executive Officer to enter into a Trustee Lease with the Central Queensland Amateur Radio Association Inc. as detailed in the report.



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**Recommendation of the Community Services Committee, 18 May 2016**
**9.4.4 REGIONAL ARTS DEVELOPMENT FUND 2015/16 ROUND 3 GRANT RECOMMENDATIONS**

**File No:** 8944  
**Attachments:** Nil  
**Authorising Officer:** Michael Rowe - General Manager Community Services  
**Author:** Peter Owens - Manager Arts and Heritage

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**SUMMARY**

*Applications received for round three of the 2015/16 Regional Arts Development Fund have been assessed by the RADF Committee and six are recommended for funding.*

**COMMITTEE RECOMMENDATION**

THAT Council approves the following applications for funding from the Regional Arts Development Fund:

Applicant	Purpose of Grant	Grant Recommended
Amber Countryman	Local travel and attendance fees to attend five day fibre arts workshop – Wrapt in Rocky	559
Blue Eagle Productions	Making a feature film in and around Rockhampton to showcase local artists and skills	13,000
Michelle Black, Peta Lloyd and Sean Biddulph	Costs of materials and artist fees for the design, construction and installation of approximately 70 large circular suspended dream weavings and installations.	12,071
Capricorn Arts Mob	Producing short films for NAIDOC week celebrations and Rockhampton River Festival	6,750
Capricornia Silver Band	Workshop for the Capricornia Silver brass band with Warwick Tyrell	2,022
Central Queensland Contemporary Artists	To go towards development and marketing, to new audiences in a non-arts environment and exhibition of new local product.	3,020
	total	37,422

**Recommendation of the Community Services Committee, 18 May 2016****9.4.5 PROPOSAL TO RENEW CONTRACT FOR THE DELIVERY OF THE TWILIGHT MOVIES PROGRAM****File No:** 7014**Attachments:** 1. **Proposal from Mr Ben Dyer of Total PartyFx to renew his agreement to provide the Twilight Movies program****Authorising Officer:** Michael Rowe - General Manager Community Services**Author:** Peter Owens - Manager Arts and Heritage

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**SUMMARY**

*Mr Ben Dyer of Total PartyFx has written to Council proposing the renewal of his company's contract to deliver the annual Twilight Movie program on behalf of Council, on a fee for service basis.*

**COMMITTEE RECOMMENDATION**

THAT Council advise Mr Dyer that it does wish to take up his offer to renew the current contract to deliver the Twilight Movie program in the Rockhampton region for the 2016/17 financial year under Option 1 detailed in his proposal.

**Recommendation of the Community Services Committee, 18 May 2016****9.4.6 COMMUNITIES AND FACILITIES MONTHLY OPERATIONAL REPORT****File No:** 1464**Attachments:** 1. Monthly Operational Report January to April 2016**Authorising Officer:** Michael Rowe - General Manager Community Services**Author:** Cheryl Haughton - Manager Communities and Facilities

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**SUMMARY**

*This report provides information on the activities of the Communities and Facilities section for the period January to April 2016.*

**COMMITTEE RECOMMENDATION**

THAT the Monthly Operational Report on the activities of the Communities and Facilities section for the period January to April 2016 be received.

**Recommendation of the Community Services Committee, 18 May 2016****9.4.7 COMMUNITY BASED EMPLOYMENT AGREEMENTS**

**File No:** 707  
**Attachments:** Nil  
**Authorising Officer:** Michael Rowe - General Manager Community Services  
**Author:** Kerri Dorman - Administration Supervisor

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**SUMMARY**

*Approval is sought for the Chief Executive Officer to be granted delegated authority to enter into community-based employment agreements on behalf of Rockhampton Regional Council.*

**COMMITTEE RECOMMENDATION**

THAT Council delegate to the Chief Executive Officer the power to enter into community based employment agreements subject to existing financial delegation.

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**Recommendation of the Community Services Committee, 18 May 2016****9.4.8 USE OF ROBERT SCHWARTEN PAVILION AT SHOWGROUNDS BY ROCKHAMPTON HIGH SCHOOL****File No:** 8020**Attachments:** 1. Letter from Principal of Rockhampton High School regarding the use of the Robert Schwarten Pavilion**Authorising Officer:** Michael Rowe - General Manager Community Services**Author:** Peter Owens - Manager Arts and Heritage

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**SUMMARY**

*The Principal of Rockhampton High School has written to Council seeking Council permission to make use of the Robert Schwarten Pavilion at the Rockhampton Showgrounds as an emergency evacuation site for the school.*

**COMMITTEE RECOMMENDATION**

THAT Council agree to the request as detailed in Ms Dwyer's letter of 25 February 2016 and authorise staff to facilitate access arrangements.

**Recommendation of the Community Services Committee, 18 May 2016****9.4.9 DRAFT POLICY ON THE PROVISION OF COMPLIMENTARY TICKETS****File No: 7104****Attachments: 1. DRAFT POLICY on the Provision of Complimentary Tickets****Authorising Officer: Michael Rowe - General Manager Community Services****Author: Peter Owens - Manager Arts and Heritage**

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**SUMMARY**

*The CEO has requested the Manager Arts and Heritage develop policy on the provision of Complimentary Tickets for consideration and adoption by Council*

**COMMITTEE RECOMMENDATION**

THAT the policy Provision of Complimentary Tickets for Events and Performances be reformatted for adoption and approval.

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**9.5 PARKS, RECREATION AND SPORT COMMITTEE MEETING - 18 MAY 2016****COUNCIL RESOLUTION**

THAT the Minutes of the Parks, Recreation and Sport Committee meeting, held on 18 May 2016 as circulated, be received and that the recommendations contained within these minutes be adopted, excluding Item 9.5.2 – Request for Permission to Enter Into a Freehold Licence and Trustee Permit with Rockhampton Police Citizens Youth Welfare Association Over Part of Stapleton Park.

**Moved by:** Councillor Rutherford

**Seconded by:** Councillor Swadling

**MOTION CARRIED**

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

**9:29AM**

Councillor Rutherford declared an interest in Item 9.5.2 - Request for Permission to Enter Into a Freehold Licence and Trustee Permit with Rockhampton Police Citizens Youth Welfare Association Over Part of Stapleton Park due to her involvement with the PCYC and left the meeting.

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**Recommendation of the Parks, Recreation and Sport Committee, 18 May 2016****9.5.2 REQUEST FOR PERMISSION TO ENTER INTO A FREEHOLD LICENCE AND TRUSTEE PERMIT WITH ROCKHAMPTON POLICE CITIZENS YOUTH WELFARE ASSOCIATION OVER PART OF STAPLETON PARK****File No:** 4229**Attachments:**

1. Overview of Stapleton Park, Bridge Street, Berserker
2. Map indicating ownership of land at Stapleton Park
3. Map indicating proposed Trustee Permit and Freehold Licence area

**Authorising Officer:** Margaret Barrett - Manager Parks  
Michael Rowe - General Manager Community Services**Author:** Sophia Czarkowski - Sports and Education Supervisor

---

**SUMMARY**

*Rockhampton Police Citizens Youth Welfare Association (PCYC) has a Freehold Lease over part of Stapleton Park. It is being requested that the Club be issued with a Freehold Licence and Trustee Permit over part of Stapleton Park for its events and activities as consistent with the purpose of the land and the constitution of the organisation.*

**COUNCIL RESOLUTION**

THAT the matter lay on the table pending further information about the frequency of recent use of this space and with options for a lesser area being presented to Council that specifically excludes the skate park and access to the cycle track.

**Moved by:** Mayor Strelow**Seconded by:** Councillor Swadling**MOTION CARRIED**

9:30AM Councillor Rutherford returned to the meeting



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**Recommendation of the Parks, Recreation and Sport Committee, 18 May 2016****9.5.1 PARKS AND OPEN SPACE OPERATIONS REPORT - JANUARY, FEBRUARY AND MARCH 2016**

**File No:** 1464

**Attachments:** 1. **Parks & Open Space Operations Report for months of January, February and March 2016.**

**Authorising Officer:** Michael Rowe - General Manager Community Services

**Author:** Margaret Barrett - Manager Parks

---

**SUMMARY**

*This report provides information on the activities and services of Parks and Open Space Unit for the months of January, February and March 2016.*

**COMMITTEE RECOMMENDATION**

THAT the report on the activities and services of Parks and Open Space Unit for January, February and March 2016 be received.

**COMMITTEE RECOMMENDATION**

THAT a tropical gardening expo be incorporated with the Spring Garden Festival including an open day at the Botanic Gardens.

---

**Recommendation of the Parks, Recreation and Sport Committee, 18 May 2016****9.5.3 CENTRAL QUEENSLAND SPORT AND RECREATION GROUP - TERMS OF REFERENCE**

**File No:** 8052  
**Attachments:** 1. Terms of Reference  
**Authorising Officer:** Margaret Barrett - Manager Parks  
Michael Rowe - General Manager Community Services  
**Author:** Sophia Czarkowski - Sports and Education Supervisor

---

**SUMMARY**

*The Central Queensland Sport and Recreation Group (CQSRG) was formed in January 2015 and comprises representatives from Central Queensland Local Government areas and representatives from the State Government. This report outlines the Terms of Reference of the group and requests Council endorse the document.*

**COMMITTEE RECOMMENDATION**

THAT Council authorise the Chief Executive Officer to sign the Terms of Reference for the Central Queensland Sport and Recreation Group.

---

**Recommendation of the Parks, Recreation and Sport Committee, 18 May 2016****9.5.4 CHANGES TO CAR PARKING ARRANGEMENTS AT 2ND WORLD WAR MEMORIAL AQUATIC CENTRE**

**File No:** 11178

**Attachments:** 1. 2nd World War Memorial Aquatic Centre Car Park Design

**Authorising Officer:** Margaret Barrett - Manager Parks  
Michael Rowe - General Manager Community Services

**Author:** Sophia Czarkowski - Sports and Education Supervisor

---

**SUMMARY**

*This report addresses the car parking arrangements at 2<sup>nd</sup> World War Memorial Aquatic Centre after the finalisation of the redevelopment.*

**COMMITTEE RECOMMENDATION**

THAT Council endorse the action as outlined in Option Three of the report that four (4) car parks in the existing 2<sup>nd</sup> World War Memorial Aquatic Centre car park be widened to create four (4) designated parents with prams car parks and the action as outlined in Option One of the report that the bus parking zone be regulated to permit passenger vehicles on weekends and outside 8am-4pm Monday-Friday with both bus operators and the lessee of the 2<sup>nd</sup> World War Memorial Aquatic Centre being advised of this change.

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**Recommendation of the Parks, Recreation and Sport Committee, 18 May 2016****9.5.5 KERSHAW GARDENS REDEVELOPMENT - CENTRAL PRECINCT**

<b>File No:</b>	11716, 11717
<b>Attachments:</b>	1. Redevelopment Areas (Central)
<b>Authorising Officer:</b>	Margaret Barrett - Manager Parks Michael Rowe - General Manager Community Services
<b>Author:</b>	Vincent Morrice - Coordinator Parks and Visitor Services
<b>Previous Items:</b>	9.1.9 - Kershaw Gardens Remediation and Restoration Project - progress report - Parks & Recreation Committee - 04 Aug 2015 9:00am 9.1.2 - Kershaw Gardens Concept Master Plan - Community Engagement - Ordinary Council - 13 Oct 2015 9.00 am 11.5 - Kershaw Gardens Restoration - Implementation Plan Priorities - Ordinary Council - 08 Dec 2015 9.00 am

---

**SUMMARY**

*Following the approval of the redevelopment priorities for Kershaw Gardens (December 2015) Urbis Pty Ltd were engaged to undertake the detailed design for the Central Activities and Amenities area (Central Precinct). This report seeks confirmation on the design elements and staging for construction in the Central Precinct at Kershaw Gardens and the issue of tender specifications for the relevant work packages.*

**COMMITTEE RECOMMENDATION**

THAT this matter be referred to Ordinary Council Meeting 24 May 2016.

## 10 COUNCILLOR/DELEGATE REPORTS

### 10.1 LEAVE OF ABSENCE - COUNCILLOR ROSE SWADLING

**File No:** 8294  
**Attachments:** Nil  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Lyn Brill - Administration Officer

---

#### SUMMARY

*Councillor Rose Swadling is seeking leave of absence from Monday 29 August 2016 to Monday 3 October 2016 inclusive.*

#### COUNCIL RESOLUTION

THAT Councillor Rose Swadling be granted leave of absence from Monday 29 August 2016 to Monday 3 October 2016 inclusive.

**Moved by:** Mayor Strelow  
**Seconded by:** Councillor Schwarten  
**MOTION CARRIED**

**10.2 LEAVE OF ABSENCE - COUNCILLOR TONY WILLIAMS**

**File No:** 8294  
**Attachments:** Nil  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Cindy Green - Executive Support Officer

---

**SUMMARY**

*Councillor Tony Williams is seeking leave of absence from Monday 21 June 2016 to Friday 24 June 2016 inclusive.*

**COUNCIL RESOLUTION**

THAT Councillor Tony Williams be granted leave of absence from Monday 21 June to Friday 24 June 2016 inclusive.

**Moved by:** Councillor Swadling

**Seconded by:** Councillor Smith

**MOTION CARRIED**

**10.3 APPOINTMENT OF ACTING MAYOR - 30 AND 31 MAY 2016**

**File No:** 10072  
**Attachments:** Nil  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Evan Pardon - Chief Executive Officer

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**SUMMARY**

*As Mayor and Deputy Mayor will both be absent on 30 and 31 May 2016 the appointment of an Acting Mayor for this period is required.*

**COUNCIL RESOLUTION**

THAT Councillor Tony Williams be appointed as Acting Mayor for 30 and 31 May 2016.

**Moved by:** Mayor Strelow  
**Seconded by:** Councillor Schwarten

**MOTION CARRIED**

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## 11 OFFICERS' REPORTS

### 11.1 LOCAL DISASTER MANAGEMENT PLAN

**File No:** 3086  
**Attachments:** 1. Local Disaster Management Plan  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Robert Holmes - General Manager Regional Services

---

#### SUMMARY

*A local government may review, or renew, its local disaster management plan when the local government considers it appropriate. The Rockhampton Region Local Disaster Management Plan has recently been reviewed and is submitted for endorsement by the Council.*

#### COUNCIL RESOLUTION

THAT the matter lay on the table pending updates as discussed.

**Moved by:** Councillor Schwarten

**Seconded by:** Councillor Wickerson

**MOTION CARRIED**



**11.2 2016 - 2017 DOG REGISTRATION FEE REPORT**

**File No:** 1464  
**Attachments:** Nil  
**Authorising Officer:** Michael Rowe - General Manager Community Services  
**Author:** Catherine Hayes - Manager Community Standards and Compliance

---

**SUMMARY**

*Manager Community Standards and Compliance seeking approval for the proposed dog registration fees for 2016-2017.*

**COUNCIL RESOLUTION**

THAT Council approves the proposed dog registration fees for 2016-2017 as detailed in the report.

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

**MOTION CARRIED**

**11.3 DRAFT VOLUNTEER POLICY AND PROCEDURE**

**File No:** 11979  
**Attachments:** 1. Draft Volunteer Policy  
2. Draft Volunteer Procedure  
**Authorising Officer:** Michael Rowe - General Manager Community Services  
**Author:** Cheryl Haughton - Manager Communities and Facilities

---

**SUMMARY**

*A policy and procedure has been developed to establish a consistent approach to the direct engagement and management of volunteers across Council programs.*

**COUNCIL RESOLUTION**

THAT Council adopts the Volunteer Policy and Procedure as presented.

**Moved by:** Councillor Swadling  
**Seconded by:** Councillor Wickerson

**MOTION CARRIED**

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**11.4 SUSPENSION OF PARKING PATROLS FOR ROCKHAMPTON RIVER FESTIVAL**

**File No:** 8041  
**Attachments:** 1. TMP  
**Authorising Officer:** Russell Claus - Executive Manager Regional Development  
Evan Pardon - Chief Executive Officer  
**Author:** Sarah Reeves - Manager Regional Promotions

---

**SUMMARY**

*Manager Regional Promotions is requesting that parking patrols be suspended in the week leading up to the Rockhampton River Festival to lessen disruption to CBD workers. It is also requested that CBD parking patrols be suspended during and after the festival to encourage increased visitation and reduce the negative impacts of enforcement.*

**COUNCIL RESOLUTION**

THAT Council resolves to not undertake parking patrols of regulated parking in the area bounded by Fitzroy, Denison, Derby and Quay Streets, excluding East Street from Archer to Derby Streets, for the period 12 July 2016 to 20 July 2016 both dates inclusive.

**Moved by:** Mayor Strelow  
**Seconded by:** Councillor Schwarten

**MOTION CARRIED**

---

**11.5 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 30 APRIL 2016**

**File No:** 8148  
**Attachments:** 1. Income Statement - April 2016  
2. Key Indicator Graphs - April 2016  
**Authorising Officer:** Ross Cheesman - General Manager Corporate Services  
**Author:** Alicia Cutler - Manager Finance

---

**SUMMARY**

*The Finance Manager presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 30 April 2016.*

**COUNCIL RESOLUTION**

THAT the Rockhampton Regional Council Summary Budget Management Report for the period ended 30 April 2016 be 'received'.

**Moved by:** Mayor Strelow  
**Seconded by:** Councillor Schwarten  
**MOTION CARRIED**

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**11.6 CORPORATE SERVICES DEPARTMENT - MONTHLY OPERATIONAL REPORT  
APRIL 2016****File No:** 1392**Attachments:**

1. Finance Monthly Operations Report - April 2016
2. Workforce & Strategy Monthly Operations Report - April 2016
3. Corporate & Technology Monthly Operations Report - April 2016

**Authorising Officer:** Evan Pardon - Chief Executive Officer**Author:** Ross Cheesman - General Manager Corporate Services

---

**SUMMARY**

*The monthly operations report for the Corporate Services department as at 30 April 2016 is presented for Councillor's information.*

9:55AM Chief Executive Officer left the meeting

9:57AM Chief Executive Officer returned to the meeting

**COUNCIL RESOLUTION**

THAT the Corporate Services Departmental Operations Report as at 30 April 2016 be "received".

**Moved by:** Mayor Strelow**Seconded by:** Councillor Rutherford**MOTION CARRIED**

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**11.7 2015/16 OPERATIONAL PLAN QUARTER THREE PROGRESS REPORT****File No:** 8320**Attachments:**

1. Q3 Summary - Office of CEO
2. Q3 Summary - Corporate Services
3. Q3 Summary - Regional Services
4. Q3 Summary - Community Services
5. Operational Plan Quarter Three

**Authorising Officer:** Tracy Sweeney - Manager Workforce and Strategy  
Ross Cheesman - General Manager Corporate Services**Author:** Travis Pegrem - Coordinator Industrial Relations and Investigations

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**SUMMARY**

*The 2015/16 Operational Plan progress report for Quarter 3 as at 31 March 2016 is presented, pursuant to s174(3) Local Government Regulation 2012.*

**COUNCIL RESOLUTION**

THAT the 2015/16 Operational Plan progress report for Quarter 3 as at 31 March 2016 be received.

**Moved by:** Councillor Swadling**Seconded by:** Councillor Smith**MOTION CARRIED**

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**11.8 ENERGY EFFICIENCY MANAGEMENT AND RENEWABLE ENERGY OPTIONS**

**File No:** 5054  
**Attachments:** Nil  
**Authorising Officer:** Cheryl Haughton - Manager Communities and Facilities  
Michael Rowe - General Manager Community Services  
**Author:** Sharon Sommerville - Coordinator Facilities

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**SUMMARY**

*This report details initiatives that have already been implemented in an effort to reduce Council's electricity costs, and outlines further options to be considered.*

**COUNCIL RESOLUTION**

THAT Council receives the report and adopts the following energy saving initiatives:

- develops and adopts an energy efficiency policy
- undertakes a staff awareness program
- implements energy reduction targets to further reduce costs and energy consumption
- considers the recommended capital projects as part of the 2016-17 budget.

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

**11.9 GRACEMERE ANIMAL MANAGEMENT FACILITY PROPOSAL**

**File No:** 3275  
**Attachments:** Nil  
**Authorising Officer:** Michael Rowe - General Manager Community Services  
**Author:** Andrew Collins - Special Projects Officer

---

**SUMMARY**

*General Manager Community Services reporting on the Gracemere Animal Management Facility Proposal.*

10:29AM Councillor Schwarten left the meeting  
10:33AM Councillor Schwarten returned to the meeting

**COUNCIL RESOLUTION**

1. That the report detailing the new animal management facility proposal be received.
2. That revised budget allocations in the 2016/17 and 2017/18 financial years be brought forward to allow the awarding of contracts for construction of the new proposed animal management facility and support infrastructure.

**Moved by:** Mayor Strelow  
**Seconded by:** Councillor Smith

**MOTION CARRIED UNANIMOUSLY**



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**11.10 CAPRICORNIA BUSINESS AWARDS 2016 SPONSORSHIP PROPOSAL**

**File No:** 8026  
**Attachments:** 1. CBA Sponsorship Proposal  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Russell Claus - Executive Manager Regional Development

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**SUMMARY**

*Council has received correspondence regarding an opportunity to partner with Capricornia Newspapers Pty Ltd, Livingstone Shire Council, Chamber of Commerce, and Capricorn Enterprise as a sponsorship opportunity for the 2016 Capricornia Business Awards, being held on 28 October 2016.*

**COUNCIL RESOLUTION**

THAT Council enter into the sponsorship agreement for \$10,000 as a partner in the 2016 Capricornia Business Awards. That sponsorship is provided on the understanding that Livingstone Shire Council will be providing equal sponsorship of \$10,000.

**Moved by:** Mayor Strelow  
**Seconded by:** Councillor Swadling

**MOTION CARRIED**

**12 NOTICES OF MOTION**

Nil

**13 QUESTIONS ON NOTICE**

Nil

**14 URGENT BUSINESS\QUESTIONS**

## 15 CLOSED SESSION

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

### COUNCIL RESOLUTION

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 275 of the *Local Government Regulation 2012*, for the reasons indicated.

#### 16.5 Kershaw Gardens Redevelopment - Central Precinct

This report is considered confidential in accordance with section 275(1)(c) (e), of the *Local Government Regulation 2012*, as it contains information relating to the local government's budget; AND contracts proposed to be made by it.

**Moved by:** Councillor Swadling

**Seconded by:** Mayor Strelow

**MOTION CARRIED**

### COUNCIL RESOLUTION

**10:45AM**

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:** Mayor Strelow

**MOTION CARRIED**

### COUNCIL RESOLUTION

**10:48AM**

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 Schwarten

**MOTION CARRIED**

## 16 CONFIDENTIAL REPORTS

### 16.5 KERSHAW GARDENS REDEVELOPMENT - CENTRAL PRECINCT

File No:	11716, 11717
Attachments:	1. Redevelopment Areas (Central)
Authorising Officer:	Margaret Barrett - Manager Parks Michael Rowe - General Manager Community Services
Author:	Vincent Morrice - Coordinator Parks and Visitor Services
Previous Items:	9.1.9 - Kershaw Gardens Remediation and Restoration Project - progress report - Parks & Recreation Committee - 04 Aug 2015 9:00am 9.1.2 - Kershaw Gardens Concept Master Plan - Community Engagement - Ordinary Council - 13 Oct 2015 9.00 am 11.5 - Kershaw Gardens Restoration - Implementation Plan Priorities - Ordinary Council - 08 Dec 2015 9.00 am 9.5.5 - Kershaw Gardens Redevelopment - Central Precinct - Parks, Recreation and Sport Committee - 18 May 2016 12.30 pm

This report is considered confidential in accordance with section 275(1)(c) (e), of the *Local Government Regulation 2012*, as it contains information relating to the local government's budget; AND contracts proposed to be made by it.

#### SUMMARY

***This report was presented at the Parks, Recreation and Sport Committee meeting on 18 May 2016 with the Committee Recommendation that this matter be referred to the Ordinary Council Meeting on 24 May 2016.***

*Following the approval of the redevelopment priorities for Kershaw Gardens (December 2015) Urbis Pty Ltd were engaged to undertake the detailed design for the Central Activities and Amenities area (Central Precinct). This report seeks confirmation on the design elements and staging for construction in the Central Precinct at Kershaw Gardens and the issue of tender specifications for the relevant work packages.*

#### COUNCIL RESOLUTION

THAT Council approves:

1. the design elements and staging plan for construction of the earthworks, services and embellishments in the Central Precinct at Kershaw Gardens; and
2. the preparation and issue of Tender Specifications for the relevant work packages.

Moved by: Mayor Strelow  
Seconded by: Councillor Rutherford  
**MOTION CARRIED**

10:49AM Mayor Strelow declared a recess until 11.15am.  
11:15AM The meeting resumed.

Members Present:

The Mayor, Councillor M F Strelow (Chairperson)  
Councillor R A Swadling  
Councillor N K Fisher  
Councillor A P Williams  
Councillor C E Smith  
Councillor C R Rutherford  
Councillor M D Wickerson  
Councillor S J Schwarten

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  
Mr R Claus – Executive Manager Regional Development  
Mr D Stevenson – Manager Corporate and Technology Services  
Ms T Sweeney – Manager Workforce and Strategy  
Ms S Reeves – Manager Regional Promotions  
Mr T Pegrem – Coordinator Industrial Relations and Investigations  
Ms K Anderson – Coordinator Property and Insurance  
Ms E Brodel – Media and Communications Officer  
Ms L Leeder – Senior Governance Support Officer  
Ms S Friske – Governance Support Officer

## 15 CLOSED SESSION

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

### COUNCIL RESOLUTION

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 275 of the *Local Government Regulation 2012*, for the reasons indicated.

#### 16.1 Legal Matters as at 30 April 2016

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

#### 16.2 Native Title - Darumbal People Native Title Claim QUD6131/1998 - Determination

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

#### 16.3 Darumbal People QUD6131/1998 and Indigenous Land Use Agreement (ILUA)

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

#### 16.4 Proposed Upcoming Event Opportunity

This report is considered confidential in accordance with section 275(1)(e) (h), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by it; AND other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage .

#### 16.6 Sectional Review and Organisational Structure

This report is considered confidential in accordance with section 275(1)(a), of the *Local Government Regulation 2012*, as it contains information relating to staffing matters.

**Moved by: Councillor Schwarten**

**Seconded by: Councillor Wickerson**

**MOTION CARRIED**

### COUNCIL RESOLUTION

**11:15AM**

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

**Moved by: Councillor Rutherford**

**Seconded by: Councillor Smith**

**MOTION CARRIED**

11:19AM Councillor Williams attended the meeting

11:28AM Councillor Schwarten left the meeting

11:31AM Councillor Schwarten returned to the meeting



12:01PM Councillor Schwarten left the meeting  
12:04PM Councillor Schwarten returned to the meeting  
12:20PM Councillor Schwarten left the meeting and did not return  
12:24PM Councillor Williams left the meeting  
12:26PM Councillor Williams returned to the meeting

**12:36PM**

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

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## 16 CONFIDENTIAL REPORTS

### 16.1 LEGAL MATTERS AS AT 30 APRIL 2016

**File No:** 1392

**Attachments:** 1. Legal Matters as at 30 April 2016

**Authorising Officer:** Tracy Sweeney - Manager Workforce and Strategy  
Ross Cheesman - General Manager Corporate Services

**Author:** Travis Pegrem - Coordinator Industrial Relations and Investigations

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

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#### SUMMARY

*Coordinator Industrial Relations and Investigations presenting an update of current legal matters that Council is involved in as at 30 April 2016.*

#### COUNCIL RESOLUTION

THAT the legal matters report containing updates on legal matters for Rockhampton Regional Council as at 30 April 2016 be received.

**Moved by:** Councillor Smith  
**Seconded by:** Councillor Swadling

**MOTION CARRIED**

**16.2 NATIVE TITLE - DARUMBAL PEOPLE NATIVE TITLE CLAIM QUD6131/1998 - DETERMINATION****File No: 3033****Attachments:**

1. **Schedule 1 - Map - Darumbal People Claim Area and Local Government Areas**
2. **Schedule 2 - Maps - Extent of Part B Darumbal Claim - overlap with BKY#2**
3. **Schedule 3 - Draft s87 Agreement and Consent Determination Orders**

**Authorising Officer:** **Drew Stevenson - Manager Corporate and Technology Services**  
**Ross Cheesman - General Manager Corporate Services****Author:** **Kellie Anderson - Coordinator Property and Insurance**

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

---

**SUMMARY**

*The purpose of this report is to seek Council's endorsement of the terms of the draft consent determination orders recognising the Darumbal People as the holders of certain native title rights and interests. The determination orders have been negotiated between all the parties to these court proceedings.*

**COUNCIL RESOLUTION**

THAT having considered the draft s87 agreement and determination orders tabled at Council's ordinary meeting on 24 May 2016 , Rockhampton Regional Council:

1. Consents to the draft determination orders for QUD6131/1998 (Darumbal People);
2. Authorises the Chief Executive Officer to endorse on its behalf any incidental changes made to the draft determination prior to execution; and
3. Authorises Gilkerson Legal to execute an agreement under section 87 of the Native Title Act 1993 confirming Council's consent to the draft determination orders.

**Moved by: Mayor Strelow****Seconded by: Councillor Swadling****MOTION CARRIED UNANIMOUSLY**

---

**16.3 DARUMBAL PEOPLE QUD6131/1998 AND INDIGENOUS LAND USE AGREEMENT (ILUA)**

**File No:** 3033

**Attachments:** 1. Draft Darumbal People and Local Government Indigenous Land Use Agreement

**Authorising Officer:** Drew Stevenson - Manager Corporate and Technology Services  
Ross Cheesman - General Manager Corporate Services

**Author:** Kellie Anderson - Coordinator Property and Insurance

**Previous Items:** 13.5 - Darumbal People Native Title Claim QUD6131/1998 - Performance & Service Committee - 24 Nov 2015 9.00 am

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

---

**SUMMARY**

*The purpose of this report is to seek Council's endorsement of the terms of the proposed Indigenous Land Use Agreement (ILUA) with the Darumbal People, Livingstone Shire Council and Rockhampton Regional Council.*

**COUNCIL RESOLUTION**

THAT:

- (a) Having reviewed the terms of the settled Indigenous Land Use Agreement (ILUA) between the registered native title claimants for Native Title Determination Application QUD6131/1998 (Darumbal People) and Local Government, a copy of which was tabled at Council's ordinary meeting on 24 May 2016, Council authorises the Mayor and Chief Executive Officer to sign the settled ILUA on Council's behalf.
- (b) Council authorises the Chief Executive Officer to endorse on its behalf any changes made to the ILUA prior to execution on the basis that such changes do not adversely affect Council's interests.

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

**MOTION CARRIED UNANIMOUSLY**

**16.4 PROPOSED UPCOMING EVENT OPPORTUNITY**

**File No:** 6097  
**Attachments:** 1. Agreement  
**Authorising Officer:** Russell Claus - Executive Manager Regional Development  
Evan Pardon - Chief Executive Officer  
**Author:** Sarah Reeves - Manager Regional Promotions

This report is considered confidential in accordance with section 275(1)(e) (h), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by it; AND other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

---

**SUMMARY**

*Manager Regional Promotions to present a briefing to Councillors regarding an upcoming event opportunity.*

**COUNCIL RESOLUTION**

THAT Council endorses the authorisation of the agreement attached to the report.

**Moved by:** Councillor Rutherford

**Seconded by:** Councillor Fisher

**MOTION CARRIED**

## 16.6 SECTIONAL REVIEW AND ORGANISATIONAL STRUCTURE

**File No:** 1825, 289

**Responsible Officer:** Evan Pardon – Chief Executive Officer

This report is considered confidential in accordance with section 275(1)(a), of the *Local Government Regulation 2012*, as it contains information relating to staffing matters.

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### SUMMARY

*Outcomes of recent reviews undertaken and minor changes to the organisational structure for Rockhampton Regional Council is presented for adoption.*

### COUNCIL RESOLUTION

THAT Council resolves that:

1. The organisational structure as presented in Attachment 2 be adopted;
2. The recommendations contained within the report as presented be adopted;
3. That Mr Ross Cheesman General Manager Corporate Services be appointed as Acting CEO when the role of the CEO is vacant or any period, when the chief executive officer is absent from duty or cannot, for another reason, perform the chief executive officer's responsibilities and that his title is Deputy Chief Executive Officer and General Manager Corporate Services;
4. The CEO be delegated under section 195 *Local Government Act 2009* to appoint an acting CEO, if himself or Mr Cheesman is absent from duty or cannot, for another reason, perform the chief executive officer's responsibilities limited to a maximum of four (4) weeks; and
5. The recommendations contained within the consultant's report (summarised in attachment 4) be implemented.

**Moved by:** Mayor Strelow

**Seconded by:** Councillor Fisher

**MOTION CARRIED UNANIMOUSLY**

**17 CLOSURE OF MEETING**

There being no further business the meeting closed at 12:39pm.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DATE