



ORDINARY MEETING

MINUTES

7 MARCH 2017

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**REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 7 MARCH 2017 COMMENCING AT 9.02AM**

1 OPENING

The opening prayer presented by Reverend Shaji Joseph from St Luke's Anglican Church, Wandal.

2 PRESENT

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Cheesman – Deputy Chief Executive Officer
Mr M Rowe – General Manager Community Services
Mr P Kofod – General Manager Regional Services
Mr S Waters – General Manager Regional Development and Aviation
Mr D Stevenson – Manager Corporate and Technology Services
Mr S Gatt – Manager Planning and Regulatory Services
Ms C Haughton – Manager Communities and Facilities
Mr G Randall – Coordinator Local Laws
Ms T Fitzgibbon – Coordinator Development Assessment
Mr A Collins – Special Projects Officer
Ms A O'Mara – Senior Planning Officer
Mr T Gardiner – Planning Officer
Mr S Turner – Strategic Process Officer
Mr D Morrison – Executive Coordinator to the Mayor
Ms J Curran – Community Engagement Officer
Ms E Brodel – Media Officer
Ms J O'Neill – Marketing Officer
Ms L Leeder – Senior Governance Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE

Leave of absence granted to Councillor Stephen Schwarten from 6 March 2017 to 13 April 2017 inclusive.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 21 February 2017 be taken as read and adopted as a correct record.

Moved by: Councillor Swadling
Seconded by: Councillor Rutherford
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 AUDIT AND BUSINESS IMPROVEMENT COMMITTEE MEETING - 17 FEBRUARY 2017

COUNCIL RESOLUTION

THAT the Minutes of the Audit and Business Improvement Committee meeting, held on 17 February 2017 as circulated, be received and that the recommendations contained within these minutes be adopted, excluding 9.1.1 – Update from General Manager Regional Services.

Moved by: Mayor Strelow

Seconded by: Councillor Smith

MOTION CARRIED

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

Recommendation of the Audit and Business Improvement Committee, 17 February 2017**9.1.1 UPDATE FROM GENERAL MANAGER REGIONAL SERVICES**

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

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

General Manager Regional Services to address business outstanding matters from the last Audit and Business Improvement Committee meeting.

COUNCIL RESOLUTION

THAT the presentation by the General Manager Regional Services be received.

THAT the Manager Finance provide 12 monthly status reports against the long term Asset Management Plans to the Committee, and distribute Council's status in respect of the recommendations raised in the "forecasting long term sustainability of Local Government" report.

Moved by: Mayor Strelow
Seconded by: Councillor Smith

MOTION CARRIED

Recommendation of the Audit and Business Improvement Committee, 17 February 2017**9.1.2 RISK REGISTERS - ANNUAL PRESENTATION**

File No: 8780

Attachments:

1. Corporate Risk Register as at 2 December 2016
2. Operational Risk Register as at 2 December 2016

Authorising Officer: John Wallace - Chief Audit Executive
Evan Pardon - Chief Executive Officer

Author: Kisane Ramm - Senior Risk and Assurance Advisor

SUMMARY

Annual presentation of the risk registers, as at 2 December 2016, for adoption.

COMMITTEE RECOMMENDATION

THAT Council adopt the risk registers as at 2 December 2016, as presented to the Committee in the attachments to this report.

Recommendation of the Audit and Business Improvement Committee, 17 February 2017**9.1.3 RISK REGISTERS - QUARTERLY UPDATE AS AT 2 DECEMBER 2016 & SOFTWARE UPDATE****File No:** 8780**Attachments:**

1. **Potential and Current Risk Exposure Profile as at 2 December 2016**
2. **Comparison of Current and Potential Exposure Risk Ratings Broken Down by Level of Consequence as at 2 December 2016**
3. **Corporate Risk Register - Quarterly Update as at 2 December 2016**
4. **Operational Risk Register - Quarterly Update as at 2 December 2016**
5. **Project Plan for ERM software as at 2 February 2017**

Authorising Officer: John Wallace - Chief Audit Executive
Evan Pardon - Chief Executive Officer**Author:** Kisane Ramm - Senior Risk and Assurance Advisor

SUMMARY

Submission of the quarterly risk register updates, as at 2 December 2016, for the Committee's consideration.

COMMITTEE RECOMMENDATION

THAT the quarterly risk register updates as at 2 December 2016, as presented in the attachments to this report, be "received" by the Committee.

Recommendation of the Audit and Business Improvement Committee, 17 February 2017**9.1.4 EXTERNAL AUDIT PLAN 2017**

File No:	9509
Attachments:	1. Draft Audit Plan 2017 2. Briefing Note
Authorising Officer:	Ross Cheesman - Deputy Chief Executive Officer
Author:	Alicia Cutler - Manager Finance

SUMMARY

The External Audit Plan from Councils newly appointed Auditors, Thomas Noble & Russell Chartered Accountants (TNR) is submitted for committee review.

COMMITTEE RECOMMENDATION

THAT the 2017 External Audit Plan be endorsed.

THAT review of the status of Disaster Management Plan Annual Review be added to the schedule on an annual basis.

Recommendation of the Audit and Business Improvement Committee, 17 February 2017**9.1.5 CASH HANDLING MANAGEMENT REPORT**

File No: 5207

Attachments:

1. Internal Audit Outcome (Extract)
2. Current List of RRC Cash Floats
3. List of EFTPOS Terminals

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Ross Cheesman - Acting Chief Executive Officer
Alicia Cutler - Manager Finance

SUMMARY

An update in respect of Cash Handling is provided.

COMMITTEE RECOMMENDATION

THAT the Cash Handling Management report be endorsed.

Recommendation of the Audit and Business Improvement Committee, 17 February 2017**9.1.6 IA UNIT RESOURCING**

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

SUMMARY

The CAE provides a response to business outstanding request from 14 October, 2016.

COMMITTEE RECOMMENDATION

THAT the IA Unit Resourcing Report be received and noted.

Recommendation of the Audit and Business Improvement Committee, 17 February 2017**9.1.7 AUDIT PLAN PROGRESS**

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

SUMMARY

The audit plan progress to date is submitted for consideration.

COMMITTEE RECOMMENDATION

THAT the report be received by the Committee and noted.

Recommendation of the Audit and Business Improvement Committee, 17 February 2017**9.1.8 ASSURANCE REVIEW - FOOTPATHS INSPECTIONS PROCESS**

File No: 5207
Attachments: 1. Footpaths Inspections Process
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: John Wallace - Chief Audit Executive

SUMMARY

The planned review attached is now finalised for the Committee.

COMMITTEE RECOMMENDATION

THAT the report be received by the Committee and recommendations and responses noted.

Recommendation of the Audit and Business Improvement Committee, 17 February 2017**9.1.9 ASSURANCE REVIEW-ACCOUNTS RECEIVABLE (WASTE DISPOSAL) - LANDFILL SITES**

File No: 5207
Attachments: 1. **Accounts Receivable Process - Waste Disposal (Landfill Sites)**
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: John Wallace - Chief Audit Executive

SUMMARY

The planned review attached is now finalised for the Committee.

COMMITTEE RECOMMENDATION

THAT the report be received by the Committee and recommendations and responses noted.

Recommendation of the Audit and Business Improvement Committee, 17 February 2017**9.1.10 INVESTIGATION AND LEGAL MATTERS AS AT 31 DECEMBER 2016**

File No: 5207
Attachments: 1. Legal Matters as at 31 December 2016
Authorising Officer: Tracy Sweeney - Manager Workforce and Strategy
Ross Cheesman - Deputy Chief Executive Officer
Author: Travis Pegrem - Coordinator Industrial Relations and Investigations

SUMMARY

Coordinator Industrial Relations and Investigations presenting an update of financial year to date Investigative Matters and the current Legal Matters as at 31 December 2016.

COMMITTEE RECOMMENDATION

THAT the update of investigative and legal matters for Rockhampton Regional Council be received.

Recommendation of the Audit and Business Improvement Committee, 17 February 2017**9.1.11 UPDATE FROM ACTING CHIEF EXECUTIVE OFFICER**

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

SUMMARY

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

COMMITTEE RECOMMENDATION

THAT the update from the Acting Chief Executive Officer be received.

9.2 PLANNING AND REGULATORY COMMITTEE MEETING - 28 FEBRUARY 2017**COUNCIL RESOLUTION**

THAT the Minutes of the Planning and Regulatory Committee meeting, held on 28 February 2017 as circulated, be received and that the recommendations contained within these minutes be adopted, excluding Item 9.2.1 – D/116-2008 Request for a Permissible Change to Development Permit for a Material Change of Use for a Warehouse; and Item 9.2.3 – D/141-2016 Development Application for a Material Change of Use for a Multiple Dwelling (thirteen units).

Moved by: Councillor Smith
Seconded by: Councillor Rutherford

MOTION CARRIED

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

Recommendation of the Planning and Regulatory Committee, 28 February 2017**9.2.1 D/116-2008 - REQUEST FOR A PERMISSIBLE CHANGE TO DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR A WAREHOUSE**

File No: D/116-2008

Attachments:

1. Locality Plan
2. Site Plan
3. Acoustic report

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning & Regulatory Services
Michael Rowe - General Manager Community Services

Author: Thomas Gardiner - Planning Officer

SUMMARY

Development Application Number: D-R/116-2008

Applicant: PFD Food Services Pty Ltd (C/-HPC Urban Design + Planning)

Real Property Address: Lot 24 on RP603516 and Lot 25 on RP603516, Parish of Murchison

Common Property Address: 4-6 Hempenstall Street, Kawana

Area of Site: 4,046 square metres

Planning Scheme: Rockhampton City Plan 2005 (superseded)
Planning Scheme Area: Parkhurst Industrial Area, Precinct 1 – Industrial Precinct, Parkhurst Low Impact Industry (superseded)

Planning Scheme Overlays: Nil

Existing Development: Warehouse

Existing Approvals: Development Permit (D/116-2008) for a Material Change of Use for a Warehouse

Approval Sought: Amended Decision Notice for Development Permit (D/116-2008) for a Warehouse

Infrastructure Charges Area: Charge Area 1

COMMITTEE RECOMMENDATION

THAT to reflect the above changes to conditions, PFD Food Services Pty Ltd C/- HPC Urban Design + Planning be issued with an Amended Decision Notice for a Development Permit D/116-2008 for a Material Change of Use for a Warehouse, on land described as Lot 24 on RP603516 and Lot 25 on RP603516, Parish of Murchison, located at 4-6 Hempenstall Street, Kawana:

1.0 ADMINISTRATION

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

<u>Plan/Document Name</u>	<u>Plan Number</u>	<u>Dated</u>
Proposed Site Layout Plan	16-002185 SK01 Rev 2	December 2016
Existing Elevations	1683 WD-02 Rev. B	5 February 2014
Proposed Elevation	1683 WD-03 Rev. D	5 February 2014
Vehicle Movement Plan	16-002185 SK03 Rev 2	December 2016
Stormwater Management Plan	16-002185 SK02 Rev 2	December 2016
Noise modelling of PFD Food Services Site in Rockhampton	-	20 January 2017
Technical Memo – Stormwater Management	-	12 December 2016

- 1.2 Where there is any conflict between conditions of this decision notice and details shown on the approved plans, the conditions of approval must prevail.
- 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 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.
- 1.5 All conditions, works, or requirements of this approval must be undertaken and completed to the satisfaction of Council.
- 1.6 The following further development permits are required prior to the commencement of any works on the site:
- 1.6.1 Operational Works:
- (i) Access and Parking;
 - (ii) Stormwater Works;
 - (iii) Site Works; and
 - (iv) Landscaping.
- 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 Deleted.
- 1.9 Any outstanding rates, charges or expenses levied by the Council over the subject land must be paid prior to the issue of a Development Permit for Building Works.
- 2.0 ACCESS AND PARKING
- 2.1 A Development Permit for Operational Works (access and parking) must be obtained prior to the commencement of any works on the site.
- 2.2 All car parking and access areas must be paved or sealed to the satisfaction of Council. Design and construction must be in accordance with the Capricorn Municipal Development Guidelines, Australian Standards and the provisions of a Development Permit for Operational Works (access and parking). The layout must be

generally in accordance with the endorsed plans (refer to condition 1.1).

- 2.3 On-site parking, manoeuvring areas and accesses must be designed and constructed in accordance with Australian Standard 2890. The design must ensure that all vehicles enter and leave the site in a forward gear.
- 2.4 All access ways, both internal and external to the must be designed and constructed in accordance with Australian Standard 1428 for equitable access and mobility.
- 2.5 All stormwater runoff from parking and access areas must be collected and drained to a lawful point of discharge.
- 2.6 All redundant vehicular crossing(s) must be removed and replaced with Council's standard kerb and channel in accordance with the Capricorn Municipal Development Guidelines, prior to the commencement of use. Details of the works must be submitted as part of any application for a Development Permit for Operational Works (access and parking).

3.0 SEWERAGE WORKS

- 3.1 The development must be connected to Council's reticulated sewerage network in accordance with the provisions of the *Water Act* and *Plumbing and Drainage Act*. Council's preference is that the existing sewer connection be retained to service the development.
- 3.2 Any construction works proposed in the vicinity of Council's existing sewerage infrastructure must not adversely affect the integrity of the infrastructure.
- 3.3 The development must comply with Council's Building Over Sewer Policy.
- 3.4 A trade waste permit must be obtained for the washdown bay prior to the issue of a Development Permit for Building Works.
- 3.5 All sanitary drainage works must be in accordance with regulated work under the *Plumbing and Drainage Act*.

4.0 WATER WORKS

- 4.1 The development must be connected to Council's reticulated water network in accordance with the provisions of the *Water Act* and *Plumbing and Drainage Act*. Council's preference is that the existing water connection be retained to service the development.
- 4.2 Any construction works proposed in the vicinity of Council's existing water infrastructure must not adversely affect the integrity of the infrastructure.
- 4.3 All plumbing works must be in accordance with regulated work under the *Plumbing and Drainage Act*.

5.0 STORMWATER WORKS

- 5.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any works on the site.
- 5.2 All stormwater runoff from the subject site, and roof water and water from paved surfaces, must be collected within the site and directed to a lawful point of discharge, in accordance with Council requirements, the Queensland Urban Drainage Manual and the Capricorn Municipal Design Guidelines. The development must not adversely affect any other land by way of blocking, altering or diverting existing stormwater runoff patterns or have the potential to cause damage to other infrastructure items.

Note: The kerb adaptor for the southernmost driveway trench grate had not been installed properly and the pipe was exposed within the verge area. This needs to be rectified.

6.0 SITE WORKS

- 6.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any works on the site.
- 6.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which clearly identifies the following:
- 6.3 the location of cut and/or fill;
- (i) the type of fill to be used and the manner in which it is to be compacted;
 - (ii) the quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - (iii) details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
 - (iv) 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.
- 6.4 Any vegetation cleared or removed must be:
- (i) mulched on-site and utilised on-site for landscaping purposes, in accordance with the landscaping plan approved by Council; or
 - (ii) removed for disposal at a location approved by Council;
- within sixty (60) days of clearing. Any vegetation removed must not be burnt

7.0 BUILDING

- 7.1 All external elements, such as air conditioners, must be adequately screened from public view, to Council's satisfaction. Noise from any external elements, such as air conditioners, must not exceed 5dB(A) above the background ambient noise level, measured at the boundaries of the subject site.
- 7.2 All lift motor rooms, plant and service facilities must be totally enclosed or screened using materials consistent with those elsewhere in the building. Noise from any lift motor room must not exceed 5dB(A) above the background ambient noise level, measured at the boundaries of the subject site.
- 7.3 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the 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*'.

8.0 LANDSCAPING

- 8.1 A Development Permit for Operational Works (landscaping) must be obtained prior to the commencement of any works on the site.
- 8.2 Any application for a Development Permit for Operational Works (landscaping) must be in accordance with the endorsed (refer condition 1.1). The landscape plan must include, but is not limited to, the following:
- 8.2.1 A plan documenting the "Extent of Works" and supporting documentation which includes:
- (i) location and name of existing trees, including those to be retained (the location of the trees shall be overlaid or be easily compared with the proposed development design);
 - (ii) the extent of soft and hard landscape proposed;
 - (iii) important spot levels and/or contours. The levels of the trees to be retained shall be provided in relation to the finished levels of the

- proposed buildings and works;
 - (iv) underground and overhead services;
 - (v) typical details of critical design elements (eg stabilisation of batters, retaining walls, podium/balcony planters, trees in car park areas, fences);
 - (vi) details of landscape structures including areas of deep planting; and
 - (vii) specification notes on mulching and soil preparation.
- 8.2.2 A "Planting Plan" and supporting documentation which includes:
- (i) trees, shrubs and groundcovers to all areas to be landscaped;
 - (ii) position and canopy spread of all trees and shrubs;
 - (iii) the extent and type of works (i.e. paving, fences, garden bed edging etc). All plants shall be located within an edged garden; and
 - (iv) a plant schedule with the botanic and common names, total plant numbers and pot sizes at the time of planting.
- 8.3 The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary).
- 9.0 ELECTRICITY AND TELECOMMUNICATIONS
- 9.1 The use must not commence unless and until the use has been provided with live underground electricity and telecommunication connections in accordance with the requirements of the relevant authority.
- 9.2 Provide street lighting and public space lighting in accordance with the relevant Australian Standards.
- 10.0 CONTRIBUTIONS/COSTS
- 10.1 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.
- 10.2 All frontage works damaged as a result of the development must be repaired or replaced, to Council's satisfaction, prior to the commencement of the use. All works must be at full cost to the developer.
- 11.0 ENVIRONMENTAL
- 11.1 Any application for a Development Permit for Operational Works or a Development Permit for Building Works must be accompanied by a detailed Environmental Management Plan, which addresses, but is not limited to, the following matters:
- (i) water quality and drainage;
 - (ii) erosion and silt/sedimentation management;
 - (iii) acid sulphate soils;
 - (iv) fauna management;
 - (v) vegetation management and clearing;
 - (vi) top soil management;
 - (vii) interim drainage plan during construction;
 - (viii) construction programme;
 - (ix) geotechnical issues;
 - (x) weed control;

- (xi) bushfire management;
- (xii) emergency vehicle access;
- (xiii) noise and dust suppression; and
- (xiv) waste management.

11.2 Any application for a Development Permit for Operational Works or Development Permit for Building Works must be accompanied by an Erosion and Sediment Control Plan which addresses, but is not limited to, the following:

- (i) objectives;
- (ii) site location / topography;
- (iii) vegetation;
- (iv) site drainage;
- (v) soils;
- (vi) erosion susceptibility;
- (vii) erosion risk;
- (viii) concept;
- (ix) design; and
- (x) implementation, for the construction and post construction phases of work.

The erosion and sediment control plan must incorporate detailed plans, control measures, monitoring programmes and maintenance procedures to ensure appropriate development and management practices within and adjacent to the site.

11.3 The Environmental Management Plan and the Erosion and Sediment Control Plan approved as part of a Development Permit for Operational Works must be part of the contract documentation for the development works.

11.4 No works can commence on the site unless and until an Environmental Management Plan and an Erosion and Sediment Control Plan has been approved by Council as part of Development Permit for Operational Works.

12.0 OPERATING PROCEDURES

12.1 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 Hempenstall Street.

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

12.3 Noise mitigation measures and recommendations must be implemented in accordance with the approved acoustic documents (refer to condition 1.1).

12.4 When requested by the administering authority, noise monitoring must be undertaken and recorded to investigate any noise complaint. In this situation the endorsed acoustic documents (refer condition 1.1) must be revised by the owner/operator within three (3) months and submitted to Council for approval with additional mitigation measures. Council will require any noise mitigation measures identified in the assessment to be implemented within appropriate timeframes.

12.5 The hours of operation for the use of the premises must occur in accordance with the following requirements

- (i) Monday to Friday twenty-four (24) hours,
- (ii) Saturday from 0700 to 1700 hours,

- with loading and/or unloading of delivery vehicles being limited between the hours of 1500 and 1800 on Sundays. No heavy vehicles must enter the development site outside these times to wait for unloading/loading.
- 12.6 All waste must be stored in the refuse area and recycle bin area indicated on the endorsed plans (refer condition 1.1).
- 12.7 The waste storage areas must be:
- 12.7.1 surrounded by a fence/screen, at least 1.8 metres in height, that obstructs from view the contents of the bin compound by any member of the public from any public place; and
 - 12.7.2 of a minimum size to accommodate two commercial type bins with a capacity of three cubic metres each for the whole site.
- 12.8 All waste containers must be:
- 12.8.1 stored within the bin storage area;
 - 12.8.2 securely covered at all times; and
 - 12.8.3 maintained in a clean condition and in good repair.
- 12.9 When requested by Council, nuisance monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance 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.
- 12.10 Noise mitigation measures detailed in the 'Noise Modelling of PFD Food Services Site in Rockhampton' report dated 20 January 2017 must be installed prior to commencing twenty-four (24) hour operations.

NOTES

NOTE 1. Aboriginal Cultural Heritage Act, 2003

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 Natural Resources, Mines and Water's website www.nrm.qld.gov.au/cultural_heritage/index.html

NOTE 2. Asbestos Removal

Any demolition and/or removal works involving asbestos materials must be undertaken in accordance with the requirements of the Workplace Health and Safety legislation.

NOTE 3. Dust Control

It is the developer's responsibility to ensure compliance with Part 2A - Environmental Nuisance of the Environmental Protection Regulation 1998 which prohibits unlawful environmental nuisance caused by dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks and construction.

NOTE 4. Sedimentation Control

It is the developer's responsibility to ensure compliance with Section 32 of the Environmental Protection (Water) Policy 1997 to prevent soil erosion and contamination of the stormwater drainage system and waterways.

NOTE 5. Noise During Construction And Noise In General

It is the developer's responsibility to ensure compliance with Section 6S General Emission Criteria and Section 6T Noise Emission Criteria of the Environmental Protection Regulation 1998.

NOTE 6. General Safety Of Public During Construction

It is the principal contractor's responsibility to ensure compliance with Section 31 of the Workplace Health and Safety Act 1995. Section 31(1)(c) states that the principal contractor is obliged on a construction workplace to ensure that work activities at the workplace are safe and without risk of injury or illness to members of the public at or near the workplace.

It is the responsibility of the person in control of the workplace to ensure compliance with Section 30 of the Workplace Health and Safety Act 1995. Section 30(1)(c) states that the person in control of the workplace is obliged to ensure there is appropriate, safe access to and from the workplace for persons other than the person's workers.

COMMITTEE RECOMMENDATION

THAT prior to *Item 8.2 - D/116-2008 - Request for a Permissible Change to Development Permit for a Material Change of Use for a Warehouse* being considered at Council, an additional report with a summary of the issue and discussion with the complainant feedback be presented.

Recommendation of the Planning and Regulatory Committee, 28 February 2017**9.2.2 D/141-2016 - DEPUTATION - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A MULTIPLE DWELLING (THIRTEEN UNITS)**

File No: D/141-2016
Attachments: Nil
Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning & Regulatory Services
Michael Rowe - General Manager Community Services
Author: Amanda O'Mara - Senior Planning Officer

SUMMARY**INTRODUCTION**

Development Application Number: D/141-2016
Applicant: Aeon Projects Pty Ltd Tte
Real Property Address: Lot 20 on SP262830, Parish of Rockhampton
Common Property Address: 37 Alma Street, Rockhampton City
Approval Sought: Development Permit for a Material Change of Use for a Multiple Dwelling (thirteen units)

SUMMARY

Council in receipt of an application for a Development Application for a Material Change of Use for a Multiple Dwelling (thirteen units), made by GSPC, on behalf of Aeon Projects Pty Ltd Tte, on land described as Lot 20 on SP262830, Parish of Rockhampton, located at 37 Alma Street, Rockhampton City.

The application is to be presented to the Planning and Regulatory Committee meeting on 28 February 2017.

Don Close (Applicant) and Sunil Govind (GSPC) has requested the opportunity to have a deputation with the Council at the Planning and Regulatory Committee meeting to provide justification to support the proposed development.

COMMITTEE RECOMMENDATION

THAT the deputation by Powan Govind and Sunil Govind be 'received'

Recommendation of the Planning and Regulatory Committee, 28 February 2017**9.2.3 D/141-2016 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A MULTIPLE DWELLING (THIRTEEN UNITS)**

File No: D/141-2016

Attachments:

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

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning & Regulatory Services
Michael Rowe - General Manager Community Services

Author: Amanda O'Mara - Senior Planning Officer

SUMMARY

Development Application Number: D/141-2016

Applicant: Aeon Projects Pty Ltd Tte

Real Property Address: Lot 20 on SP262830, Parish of Rockhampton

Common Property Address: 37 Alma Street, Rockhampton City

Area of Site: 2,529 square metres

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: High Density Residential Zone

Planning Scheme Overlays: Nil

Existing Development: Vacant Land

Existing Approvals: Nil

Approval Sought: Development Permit for a Material Change of Use for a Multiple Dwelling (thirteen units)

Level of Assessment: Code Assessable

Submissions: Not Applicable

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

Infrastructure Charges Area: Charge Area 2

COMMITTEE RECOMMENDATION

THAT Council approves the development application subject to appropriate recommendations being drafted and presented to the next Council meeting.

Recommendation of the Planning and Regulatory Committee, 28 February 2017**9.2.4 STATUS UPDATE ON SOURCING THE NEW ANIMAL MANAGEMENT FACILITY (POUND)****File No:** 3275**Attachments:**

1. Creek Flooding Map
2. Servicing Map

Authorising Officer: Michael Rowe - General Manager Community Services**Author:** Steven Gatt - Manager Planning & Regulatory Services

SUMMARY

This report provides a status update of the pound site procurement. The original site has stalled and a new location has been sourced and is identified within this report. Actions are underway to procure the new site.

COMMITTEE RECOMMENDATION

THAT the report be received and noted.

11.3 REQUEST FOR A PERMISSIBLE CHANGE TO DEVELOPMENT PERMIT D-R/116-2008 FOR A WAREHOUSE

File No:	D-R/116-2008
Attachments:	Nil
Authorising Officer:	Tarnya Fitzgibbon - Coordinator Development Assessment Steven Gatt - Manager Planning & Regulatory Services Michael Rowe - General Manager Community Services
Author:	Thomas Gardiner - Planning Officer
Previous Items:	9.2.1 - D/116-2008 - Request for a Permissible Change to Development Permit for a Material Change of Use for a Warehouse - Planning and Regulatory Committee - 28 Feb 2017 9.00 am

SUMMARY

A request for a permissible change to Development Permit D-R/116-2008 for a Warehouse was tabled to the Planning and Regulatory Committee on 28 February 2017.

The request emanated from noise complaints received by Council from one complainant, caused by the operators of the site, PFD Food Services Pty Ltd.

On 1 March 2017, Thomas Gardiner (Planning Officer) and Philip Harrison (Coordinator Building, Plumbing and Compliance) had a face-to-face meeting with the complainant and current occupier of the premises.

The Officers outlined the preventative measures that PFD Food Services Pty Ltd would be required to implement, prior to commencing twenty-four (24) hour operations from the site, from Monday to Friday, as outlined in the amended Acoustic Report.

The complainant stated that PFD Food Services Pty Ltd had already begun to alter their operations to reduce noise emissions, including reducing the times when trucks enter and exit the site, and was appreciative of the efforts the company have gone to towards protecting the existing residential amenity since the complaint was made.

After reviewing each of the thirteen (13) noise mitigation measures outlined in the acoustic report, the complainant was satisfied that by implementing each of the recommendations that the proposal for PFD Food Services Pty Ltd to operate twenty-four (24) hours Monday to Friday would not cause an unacceptable noise nuisance.

The complainant thanked and acknowledged council for consulting prior to making a formal decision.

Following further consideration to mitigate the concerns of a 24 hour operation at the site into the future. Council's Planning Officer proposes to include the following amendment to condition 12.5 relating to the approval to operate twenty-four (24) hours.

The following condition is proposed as part of an amended Decision Notice:

The hours of operation for the use of the premises must occur in accordance with the following requirements

- (i) Monday to Friday twenty-four (24) hours to a period up until 7 March 2022*

Note: In the event that the applicant wishes to extend the approval period, Council will not unreasonably refuse an extension provided that there are no noise or nuisance complaints received.

The amendment to this condition is to safeguard any future noise nuisances which may result from the future sale of the property. The timeframe for twenty-four (24) hour operation can only be extended on the proviso that there are no nuisance complaints made to Council.

COUNCIL RESOLUTION

THAT to reflect the above changes to conditions, PFD Food Services Pty Ltd C/- HPC Urban Design + Planning be issued with an Amended Decision Notice for a Development Permit D/116-2008 for a Material Change of Use for a Warehouse, on land described as Lot 24 on RP603516 and Lot 25 on RP603516, Parish of Murchison, located at 4-6 Hemenstall Street, Kawana:

1.0 ADMINISTRATION

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

<u>Plan/Document Name</u>	<u>Plan Number</u>	<u>Dated</u>
Proposed Site Layout Plan	16-002185 SK01 Rev 2	December 2016
Existing Elevations	1683 WD-02 Rev. B	5 February 2014
Proposed Elevation	1683 WD-03 Rev. D	5 February 2014
Vehicle Movement Plan	16-002185 SK03 Rev 2	December 2016
Stormwater Management Plan	16-002185 SK02 Rev 2	December 2016
Noise modelling of PFD Food Services Site in Rockhampton	-	20 January 2017
Technical Memo – Stormwater Management	-	12 December 2016

- 1.2 Where there is any conflict between conditions of this decision notice and details shown on the approved plans, the conditions of approval must prevail.
- 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 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.
- 1.5 All conditions, works, or requirements of this approval must be undertaken and completed to the satisfaction of Council.
- 1.6 The following further development permits are required prior to the commencement of any works on the site:
- 1.6.1 Operational Works:
- (i) Access and Parking;
 - (ii) Stormwater Works;
 - (iii) Site Works; and
 - (iv) Landscaping.
- 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 Deleted.

1.9 Any outstanding rates, charges or expenses levied by the Council over the subject land must be paid prior to the issue of a Development Permit for Building Works.

2.0 ACCESS AND PARKING

2.1 A Development Permit for Operational Works (access and parking) must be obtained prior to the commencement of any works on the site.

2.2 All car parking and access areas must be paved or sealed to the satisfaction of Council. Design and construction must be in accordance with the Capricorn Municipal Development Guidelines, Australian Standards and the provisions of a Development Permit for Operational Works (access and parking). The layout must be generally in accordance with the endorsed plans (refer to condition 1.1).

2.3 On-site parking, manoeuvring areas and accesses must be designed and constructed in accordance with Australian Standard 2890. The design must ensure that all vehicles enter and leave the site in a forward gear.

2.4 All access ways, both internal and external to the must be designed and constructed in accordance with Australian Standard 1428 for equitable access and mobility.

2.5 All stormwater runoff from parking and access areas must be collected and drained to a lawful point of discharge.

2.6 All redundant vehicular crossing(s) must be removed and replaced with Council's standard kerb and channel in accordance with the Capricorn Municipal Development Guidelines, prior to the commencement of use. Details of the works must be submitted as part of any application for a Development Permit for Operational Works (access and parking).

3.0 SEWERAGE WORKS

3.1 The development must be connected to Council's reticulated sewerage network in accordance with the provisions of the *Water Act* and *Plumbing and Drainage Act*. Council's preference is that the existing sewer connection be retained to service the development.

3.2 Any construction works proposed in the vicinity of Council's existing sewerage infrastructure must not adversely affect the integrity of the infrastructure.

3.3 The development must comply with Council's Building Over Sewer Policy.

3.4 A trade waste permit must be obtained for the washdown bay prior to the issue of a Development Permit for Building Works.

3.5 All sanitary drainage works must be in accordance with regulated work under the *Plumbing and Drainage Act*.

4.0 WATER WORKS

4.1 The development must be connected to Council's reticulated water network in accordance with the provisions of the *Water Act* and *Plumbing and Drainage Act*. Council's preference is that the existing water connection be retained to service the development.

4.2 Any construction works proposed in the vicinity of Council's existing water infrastructure must not adversely affect the integrity of the infrastructure.

4.3 All plumbing works must be in accordance with regulated work under the *Plumbing and Drainage Act*.

5.0 STORMWATER WORKS

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

5.2 All stormwater runoff from the subject site, and roof water and water from paved surfaces, must be collected within the site and directed to a lawful point of discharge, in accordance with Council requirements, the Queensland Urban Drainage Manual and the Capricorn Municipal Design Guidelines. The development must not adversely affect any other land by way of blocking, altering or diverting existing stormwater runoff patterns or have the potential to cause damage to other infrastructure items.

Note: The kerb adaptor for the southernmost driveway trench grate had not been installed properly and the pipe was exposed within the verge area. This needs to be rectified.

6.0 SITE WORKS

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

6.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which clearly identifies the following:

6.3 the location of cut and/or fill;

- (i) the type of fill to be used and the manner in which it is to be compacted;
- (ii) the quantum of fill to be deposited or removed and finished cut and/or fill levels;
- (iii) details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
- (iv) 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.

6.4 Any vegetation cleared or removed must be:

- (i) mulched on-site and utilised on-site for landscaping purposes, in accordance with the landscaping plan approved by Council; or
- (ii) removed for disposal at a location approved by Council;

within sixty (60) days of clearing. Any vegetation removed must not be burnt

7.0 BUILDING

7.1 All external elements, such as air conditioners, must be adequately screened from public view, to Council's satisfaction. Noise from any external elements, such as air conditioners, must not exceed 5dB(A) above the background ambient noise level, measured at the boundaries of the subject site.

7.2 All lift motor rooms, plant and service facilities must be totally enclosed or screened using materials consistent with those elsewhere in the building. Noise from any lift motor room must not exceed 5dB(A) above the background ambient noise level, measured at the boundaries of the subject site.

7.3 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the 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*'.

8.0 LANDSCAPING

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

8.2 Any application for a Development Permit for Operational Works (landscaping) must be in accordance with the endorsed (refer condition 1.1). The landscape plan must include, but is not limited to, the following:

8.2.1 A plan documenting the “Extent of Works” and supporting documentation which includes:

- (i) location and name of existing trees, including those to be retained (the location of the trees shall be overlaid or be easily compared with the proposed development design);
- (ii) the extent of soft and hard landscape proposed;
- (iii) important spot levels and/or contours. The levels of the trees to be retained shall be provided in relation to the finished levels of the proposed buildings and works;
- (iv) underground and overhead services;
- (v) typical details of critical design elements (eg stabilisation of batters, retaining walls, podium/balcony planters, trees in car park areas, fences);
- (vi) details of landscape structures including areas of deep planting; and
- (vii) specification notes on mulching and soil preparation.

8.2.2 A “Planting Plan” and supporting documentation which includes:

- (i) trees, shrubs and groundcovers to all areas to be landscaped;
- (ii) position and canopy spread of all trees and shrubs;
- (iii) the extent and type of works (i.e. paving, fences, garden bed edging etc). All plants shall be located within an edged garden; and
- (iv) a plant schedule with the botanic and common names, total plant numbers and pot sizes at the time of planting.

8.3 The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary).

9.0 ELECTRICITY AND TELECOMMUNICATIONS

9.1 The use must not commence unless and until the use has been provided with live underground electricity and telecommunication connections in accordance with the requirements of the relevant authority.

9.2 Provide street lighting and public space lighting in accordance with the relevant Australian Standards.

10.0 CONTRIBUTIONS/COSTS

10.1 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.

10.2 All frontage works damaged as a result of the development must be repaired or replaced, to Council’s satisfaction, prior to the commencement of the use. All works must be at full cost to the developer.

11.0 ENVIRONMENTAL

11.1 Any application for a Development Permit for Operational Works or a Development Permit for Building Works must be accompanied by a detailed Environmental Management Plan, which addresses, but is not limited to, the following matters:

- (i) water quality and drainage;

- (ii) erosion and silt/sedimentation management;
- (iii) acid sulphate soils;
- (iv) fauna management;
- (v) vegetation management and clearing;
- (vi) top soil management;
- (vii) interim drainage plan during construction;
- (viii) construction programme;
- (ix) geotechnical issues;
- (x) weed control;
- (xi) bushfire management;
- (xii) emergency vehicle access;
- (xiii) noise and dust suppression; and
- (xiv) waste management.

11.2 Any application for a Development Permit for Operational Works or Development Permit for Building Works must be accompanied by an Erosion and Sediment Control Plan which addresses, but is not limited to, the following:

- (i) objectives;
- (ii) site location / topography;
- (iii) vegetation;
- (iv) site drainage;
- (v) soils;
- (vi) erosion susceptibility;
- (vii) erosion risk;
- (viii) concept;
- (ix) design; and
- (x) implementation, for the construction and post construction phases of work.

The erosion and sediment control plan must incorporate detailed plans, control measures, monitoring programmes and maintenance procedures to ensure appropriate development and management practices within and adjacent to the site.

11.3 The Environmental Management Plan and the Erosion and Sediment Control Plan approved as part of a Development Permit for Operational Works must be part of the contract documentation for the development works.

11.4 No works can commence on the site unless and until an Environmental Management Plan and an Erosion and Sediment Control Plan has been approved by Council as part of Development Permit for Operational Works.

12.0 OPERATING PROCEDURES

12.1 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 Hemenstall Street.

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

- 12.3 Noise mitigation measures and recommendations must be implemented in accordance with the approved acoustic documents (refer to condition 1.1).
- 12.4 When requested by the administering authority, noise monitoring must be undertaken and recorded to investigate any noise complaint. In this situation the endorsed acoustic documents (refer condition 1.1) must be revised by the owner/operator within three (3) months and submitted to Council for approval with additional mitigation measures. Council will require any noise mitigation measures identified in the assessment to be implemented within appropriate timeframes.
- 12.5 The hours of operation for the use of the premises must occur in accordance with the following requirements
- (i) Monday to Friday twenty-four (24) hours,
 - (ii) Saturday from 0700 to 1700 hours,
- with loading and/or unloading of delivery vehicles being limited between the hours of 1500 and 1800 on Sundays. No heavy vehicles must enter the development site outside these times to wait for unloading/loading.
- 12.6 All waste must be stored in the refuse area and recycle bin area indicated on the endorsed plans (refer condition 1.1).
- 12.7 The waste storage areas must be:
- 12.7.1 surrounded by a fence/screen, at least 1.8 metres in height, that obstructs from view the contents of the bin compound by any member of the public from any public place; and
 - 12.7.2 of a minimum size to accommodate two commercial type bins with a capacity of three cubic metres each for the whole site.
- 12.8 All waste containers must be:
- 12.8.1 stored within the bin storage area;
 - 12.8.2 securely covered at all times; and
 - 12.8.3 maintained in a clean condition and in good repair.
- 12.9 When requested by Council, nuisance monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance 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.
- 12.10 Noise mitigation measures detailed in the 'Noise Modelling of PFD Food Services Site in Rockhampton' report dated 20 January 2017 must be installed prior to commencing twenty-four (24) hour operations.

NOTES

NOTE 1. Aboriginal Cultural Heritage Act, 2003

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 Natural Resources, Mines and Water's website www.nrm.qld.gov.au/cultural_heritage/index.html

NOTE 2. Asbestos Removal

Any demolition and/or removal works involving asbestos materials must be

undertaken in accordance with the requirements of the Workplace Health and Safety legislation.

NOTE 3. Dust Control

It is the developer's responsibility to ensure compliance with Part 2A - Environmental Nuisance of the Environmental Protection Regulation 1998 which prohibits unlawful environmental nuisance caused by dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks and construction.

NOTE 4. Sedimentation Control

It is the developer's responsibility to ensure compliance with Section 32 of the Environmental Protection (Water) Policy 1997 to prevent soil erosion and contamination of the stormwater drainage system and waterways.

NOTE 5. Noise During Construction And Noise In General

It is the developer's responsibility to ensure compliance with Section 6S General Emission Criteria and Section 6T Noise Emission Criteria of the Environmental Protection Regulation 1998.

NOTE 6. General Safety Of Public During Construction

It is the principal contractor's responsibility to ensure compliance with Section 31 of the Workplace Health and Safety Act 1995. Section 31(1)(c) states that the principal contractor is obliged on a construction workplace to ensure that work activities at the workplace are safe and without risk of injury or illness to members of the public at or near the workplace.

It is the responsibility of the person in control of the workplace to ensure compliance with Section 30 of the Workplace Health and Safety Act 1995. Section 30(1)(c) states that the person in control of the workplace is obliged to ensure there is appropriate, safe access to and from the workplace for persons other than the person's workers.

THAT condition 12.5 be amended to allow PFD Food Services to operate twenty-four (24) hours from Monday to Friday to a period up until 7 March 2022 which can be extended with approval from Council.

Moved by: Councillor Smith

Seconded by: Councillor Swadling

MOTION CARRIED UNANIMOUSLY

11.4 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A MULTIPLE DWELLING (THIRTEEN UNITS)

File No:	D/141-2016
Attachments:	Nil
Authorising Officer:	Tarnya Fitzgibbon - Coordinator Development Assessment Steven Gatt - Manager Planning & Regulatory Services Michael Rowe - General Manager Community Services
Author:	Amanda O'Mara - Senior Planning Officer
Previous Items:	9.2.3 - D/141-2016 - Development Application for a Material Change of Use for a Multiple Dwelling (thirteen units) - Planning and Regulatory Committee - 28 Feb 2017 9.00 am

SUMMARY

The application was presented to the Planning and Regulatory Committee meeting on 28 February 2017. This report outlines conditions of approval, as requested.

COUNCIL RESOLUTION

THAT in relation to the application for a Development Permit for a Material Change of Use for a Multiple Dwelling (thirteen units), made by GSPC on behalf of Aeon Projects Pty Ltd Tte, on Lot 20 on SP262830, Parish of Rockhampton, located at 37 Alma Street, Rockhampton City, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Developer is responsible for ensuring compliance with the conditions of this development 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, works, or requirements of this development approval must be undertaken and completed and be accompanied by a Compliance Certificate for any operational works required by this development approval:
 - 1.3.1 to Council's satisfaction;
 - 1.3.2 at no cost to Council; and
 - 1.3.3 prior to the commencement of the use, unless otherwise stated.
- 1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the commencement of the use, unless otherwise stated.
- 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
 - 1.5.1 Operational Works:
 - (i) Road Works;

- (ii) Access and Parking Works;
 - (iii) Sewerage Works;
 - (iv) Stormwater Works; and
 - (v) Roof and Allotment Drainage;
- 1.5.2 Plumbing and Drainage Works; and
- 1.5.3 Building Works:
- 1.6 All Development Permits for Operational Works and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 1.7 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.8 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan /Document Reference</u>	<u>Dated</u>
Site Plan	140704-02, Sheet 02	2 November 2016
Ground Floor Plan – Units 1 - 8	140704-03, Sheet 03	2 November 2016
First Floor Plan – Units 1 - 8	140704-04, Sheet 04	2 November 2016
Elevations – Units 1-8	140704-05, Sheet 05	2 November 2016
Floor Plan – Units 9 - 13	140704-06, Sheet 06	2 November 2016
Elevations – Units 9-13	140704-07, Sheet 07	2 November 2016
Landscaping Plan	140704-09, Sheet 09	2 November 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 approval by Council prior to the submission of an application for a Development Permit for Operational Works/Building 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 eastern side of Alma Street for the full frontage of the development site.
- 3.4 All pathways and access ramps must be designed and constructed in accordance with *Australian Standard AS1428 "Design for access and mobility"*.
- 3.5 All pathways must incorporate kerb ramps at all road crossing points.
- 3.6 Traffic signs and pavement markings (if required) 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 application for a Development Permit for Operational Works (road works) must include a Traffic Impact Assessment report addressing the impacts of traffic generated by the development, and how these impacts will be catered by the existing infrastructure and/or what measures are proposed to ameliorate any impacts. The report must be prepared and certified by a Registered Professional Engineer of Queensland (RPEQ), suitably experienced and qualified in this discipline of engineering.

3.8 Kerb and Channel must be installed along the western side of Bolsover Lane, for the full frontage of the development site.

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.

4.4 Any redundant vehicular crossover must be replaced by Council standard kerb and channel.

4.5 All vehicles must ingress and egress the development in a forward gear.

4.6 A minimum of twenty (20) parking spaces must be provided on-site. This includes thirteen (13) covered car parking spaces and seven (7) visitor's parking spaces.

4.7 The proposed access must not be located within one (1) metre of any street signage, power poles, street lights, stormwater gully pits, manholes or other council asset.

4.8 Parking spaces must be line-marked as shown in the Site Plan (refer to condition 2.1) and in accordance with the *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).

4.9 Any application for a Development Permit for Operational Works (access and parking works) must be accompanied by detailed and scaled plans, which demonstrate the turning movements/swept paths of the largest vehicle to access the development site including refuse collection vehicles.

4.10 Appropriate signage must be installed on the approach and departure sides of the Bolsover Lane access to allow safe egress movement and must be in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*.

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 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.

- 5.5 Sewer connections located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with heavy duty trafficable lids.
- 5.6 The existing sewerage main must be re-aligned from the proposed sewerage access chamber located within southern boundary and must be redirected to the standard alignment along the southern, eastern and northern western boundary in accordance with *Capricorn Municipal Development Guidelines* requirements. The section of redundant sewerage main and access chamber must be removed from the site.

6.0 PLUMBING AND DRAINAGE WORKS

- 6.1 All internal plumbing *and* drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 6.2 The development must be connected to Council's reticulated water network.
- 6.3 The existing water connection point(s) must be disconnected. A new water connection point must be provided to the development. A hydraulic engineer or other suitably qualified person must determine the size of connection required.
- 6.4 Adequate domestic and fire fighting protection must be provided to the development, and must be certified by a hydraulic engineer or other suitably qualified person.
- 6.5 The proposed development must be provided with a master meter at the development site boundary and sub-meters for each sole occupancy building in accordance with the *Queensland Plumbing and Drainage Code* and Council's Sub-metering Policy.
- 6.6 All internal plumbing and sanitary drainage works must be completely independent for each unit/tenancy.
- 6.7 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.
- 6.8 A fire hydrant must be installed on the existing 100 millimetre diameter water main located within Alma Street, at the frontage of the proposed driveway.

7.0 STORMWATER WORKS

- 7.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the development site.
- 7.2 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 7.3 All stormwater must drain to a lawful point of discharge and must not adversely affect surrounding land or infrastructure in comparison to the pre-development condition, including but not limited to blocking, altering or diverting existing stormwater runoff patterns or having the potential to cause damage to other infrastructure.
- 7.4 Any application for a Development Permit for Operational Works (stormwater works) must include an assessment of how the development meets the stormwater management design objectives in *State Planning Policy 2016*.
- 7.4.1 The installation of detention tank and water quality devices must be in accordance with relevant Australian Standards and all maintenance of the approved stormwater system must be the responsibility of the property owner or body corporate.
- 7.5 Any application for a Development Permit for Operational works (stormwater works)

must include a revised stormwater management plan that demonstrates the development does not increase peak stormwater runoff for a selected range of storm events up to and including a one percent (1%) Annual Exceedance Probability defined storm event, for the post development condition.

7.5.1 All stormwater (roof and allotment runoff) must be discharged to the existing 375 millimetre diameter stormwater main located within Bolsover Lane, fronting the development site.

7.5.2 Access chamber must be constructed over the stormwater main to allow for a connection point.

Note: Revised stormwater management plan must calculate the detention tank size utilising the runoff-routing methodology and must provide outlet details and location of outlet from tank.

8.0 ROOF AND ALLOTMENT DRAINAGE WORKS

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

8.2 All roof and allotment drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, sound engineering practice and the provisions of a Development Permit for Operational Works (roof and allotment drainage works).

8.3 All roof and allotment runoff from the development must be directed to a lawful point of discharge and must not restrict, impair or change the natural flow of runoff water or cause a nuisance or worsening to surrounding land or infrastructure.

9.0 SITE WORKS

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

9.2 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.

10.0 BUILDING WORKS

10.1 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"*.

10.2 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.

10.3 All units must be provided with open-air clothes drying facilities and the facilities must be screened from public view.

10.4 All building works must be undertaken in accordance with *Queensland Development Code, Mandatory Part 1.4* for building over or near relevant infrastructure. Alternatively, an application must be submitted to Council in accordance with Council's *Building Over/Adjacent to Local Government Sewerage Infrastructure Policy*.

10.5 All proposed structures (outermost projection of structures) must be located a minimum of 1.5 metres clear from the centre of access chamber in accordance with *Queensland Development Code, Mandatory Part 1.4* for building over or near relevant infrastructure.

- 10.6 All proposed structures must be located a minimum of 1.0 metre from the sewerage connection point in accordance with the *Queensland Development Code, Mandatory Part 1.4* for building over or near relevant infrastructure.
- 10.7 Impervious paved waste storage area/s must be provided in accordance with the approved plans (refer to condition 2.1) and the *Environmental Protection Regulation 2008* and must be:
- 10.7.1 designed and located so as not to cause a nuisance to neighbouring properties;
 - 10.7.2 surrounded by at least a 1.8 metre high fence that obstructs from view the contents of the waste storage area by any member of the public from any public place;
 - 10.7.3 of a sufficient size to accommodate commercial type bins that will be serviced by a commercial contractor plus clearances around the bins for manoeuvring and cleaning;
 - 10.7.4 setback a minimum of two (2) metres from any road frontage; and
 - 10.7.5 provided with a suitable hosecock and hoses at the refuse container area, and washdown must be drained to the sewer and fitted with an approved stormwater diversion valve arrangement in accordance with the Sewerage Trade Waste provisions and the *Plumbing and Drainage Act*.
- 11.0 LANDSCAPING WORKS
- 11.1 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.
- 11.2 The landscaped areas must be subject to:
- 11.2.1 a watering and maintenance plan during the establishment moment; and
 - 11.2.2 an ongoing maintenance and replanting programme.
- 11.3 The private open space of each unit must be screened to Council's satisfaction with mature vegetation to prevent viewing of the private open space from a public space and adjoining properties.
- 11.4 Large trees must not be planted within one (1) metre of the centreline of any sewerage infrastructure; small shrubs and groundcover are acceptable.
- 12.0 ELECTRICITY AND TELECOMMUNICATIONS
- 12.1 Underground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
- 12.2 Evidence must be provided of a Telecommunications Infrastructure Provisioning Confirmation and Certificate of Electricity Supply with the relevant service providers to provide the use with telecommunication and live electricity connections, in accordance with the requirements of the relevant authorities prior to the commencement of the use.
- 13.0 ASSET MANAGEMENT
- 13.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.
- 13.2 Any damage to existing stormwater, water supply and sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land and Council infrastructure) that occurs while any works are being carried out in

association with this development approval must be repaired at full cost to the developer. This includes the reinstatement of any existing traffic signs or pavement markings that may have been removed or damaged.

- 13.3 'As Constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the commencement of the use. This information must be provided in accordance with the *Manual for Submission of Digital As Constructed Information*.

14.0 ENVIRONMENTAL

- 14.1 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.

- 14.2 An Erosion Control and Stormwater Control Management Plan prepared by a Registered Professional Engineer of Queensland in accordance with the *Capricorn Municipal Design Guidelines*, must be:

14.2.1 implemented, monitored and maintained for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped); and

14.2.2 available on-site for inspection by Council Officers whilst all works are being carried out.

15.0 OPERATING PROCEDURES

- 15.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Bolsover Lane or Alma Street.

- 15.2 All waste storage areas must be:

15.2.1 kept in a clean and tidy condition; and

15.2.2 maintained in accordance with *Environmental Protection Regulation 2008*.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

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

NOTE 2. General Environmental Duty

General environmental duty under the *Environmental Protection Act* 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 *Workplace 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. Infrastructure Charges Notice

Council has resolved not to issue an Infrastructure Charges Notice for this development because the new infrastructure charges arising from the

development are less than the credits applicable for the new development.

NOTE 5. Electricity Works

Existing distribution cabinet may require relocation for the safety of the development and pedestrian. Ergon energy maintains this infrastructure and the applicant is requested to contact Ergon Energy, if relocation requires.

Moved by: Councillor Smith
Seconded by: Councillor Wickerson
MOTION CARRIED

10 COUNCILLOR/DELEGATE REPORTS

10.1 LEAVE OF ABSENCE REQUEST FROM COUNCILLOR STEPHEN SCHWARTEN FOR THE PERIOD 6 MARCH TO 13 APRIL 2017 INCLUSIVE

File No: 10072

Attachments:

1. Letter to the Mayor (Closed Session)
2. Letter to the CEO (Closed Session)

Authorising Officer: Ross Cheesman - Acting Chief Executive Officer

Author: Shane Turner - Strategic Process Officer

SUMMARY

Councillor Stephen Swarten is seeking a leave of absence for the period 6 March 2017 to 13 April 2017 inclusive.

COUNCIL RESOLUTION

THAT Council approve a leave of absence for Councillor Swarten for the period 6 March 2017 to 13 April 2017 inclusive, subject to the provision of a medical certificate.

Moved by: Councillor Swadling

Seconded by: Councillor Fisher

MOTION CARRIED

10.2 INTERNATIONAL TRAVEL TO INDIA - 13 TO 20 MARCH 2017

File No: 1291
Attachments: Nil
Authorising Officer: Ross Cheesman - Acting Chief Executive Officer
Author: Ross Cheesman - Acting Chief Executive Officer

SUMMARY

Mayor Strelow has been invited by Premier Anastacia Palaszczuk to attend meetings with the management of Adani in India. This report seeks Council approval for Mayor and the General Manager Regional Development and Aviation to travel to India.

COUNCIL RESOLUTION

THAT the Mayor, Councillor Margaret Strelow and the General Manager Regional Development and Aviation, Mr Scott Waters be authorised to travel to India for the purposes as outlined in the report for the period 13 to 20 March 2017.

Moved by: Councillor Fisher
Seconded by: Councillor Swadling

MOTION CARRIED

11 OFFICERS' REPORTS

11.1 SUMMARY OF BOND STORE HERITAGE DISCUSSIONS AND PROPOSED RELOCATION OF THE SMART WORKING HUB TO THE GROUND FLOOR OF CUSTOMS HOUSE

File No: 12472

Attachments:

1. Bond Store Smart Hub Concept Design
2. 1920's Walls Shown on Plan
3. Estimate Cost Plan - Smart Hub Customs House
4. Customs House Proposed Ground Floor Layout and Photographs

Authorising Officer: Ross Cheesman - Acting Chief Executive Officer

Author: Drew Stevenson - Manager Corporate and Technology Services

SUMMARY

This report presents a summary of preliminary discussions with QLD Department of Environment and Heritage Protection (EHP) representatives regarding the re-purposing and retro-fitout of the Bond Store to accommodate the new Smart Working Hub. This report also proposes the relocation of the smart hub to the ground floor of Customs House.

COUNCIL RESOLUTION

THAT Council:

1. Receives this report summarising the discussions regarding the heritage implications hindering the successful operation of the smart hub in the Bond Store; and
2. Approves the relocation of the smart hub to the Customs House and that the commercial kitchen, bar and the area it adjoins, as well as the large function area on the upper floor, be retained.

Moved by: Councillor Swadling

Seconded by: Councillor Fisher

MOTION CARRIED

11.2 COMMUNITY ASSISTANCE PROGRAM

File No: 1018
Attachments: Nil
Authorising Officer: Michael Rowe - General Manager Community Services
Author: Cheryl Haughton - Manager Communities and Facilities

SUMMARY

An application from the Team Indigenous Corporation for Major Sponsorship Assistance towards the Stan Alberts 20/20 Cricket Carnival is presented for Council consideration.

COUNCIL RESOLUTION

THAT Council considers the application made under the Major Sponsorship scheme for funding of \$5,000 to assist with the staging of the Stan Alberts 20/20 Cricket Carnival to be held from 14 – 16 April 2017; and

THAT Council advise the proponents that they should ensure that the participants are appropriately insured.

Moved by: Mayor Strelow
Seconded by: Councillor Swadling

An amendment was proposed:

THAT Council considers the application made under the Major Sponsorship scheme for funding of \$10,000 to assist with the staging of the Stan Alberts 20/20 Cricket Carnival to be held from 14 – 16 April 2017; and

THAT Council advise the proponents that they should ensure that the participants are appropriately insured.

COUNCIL RESOLUTION

The amendment becomes the motion.

Moved by: Councillor Williams
Seconded by: Councillor Smith

MOTION CARRIED

COUNCIL RESOLUTION

THAT Council considers the application made under the Major Sponsorship scheme for funding of \$10,000 to assist with the staging of the Stan Alberts 20/20 Cricket Carnival to be held from 14 – 16 April 2017; and

THAT Council advise the proponents that they should ensure that the participants are appropriately insured.

Moved by: Councillor Williams
Seconded by: Councillor Smith

MOTION CARRIED

COUNCIL RESOLUTION

That Council develop a structured assessment criteria in relation to participant numbers and economic and social benefit in providing community assistance funding to community events.

Moved by: Mayor Strelow

Seconded by: Councillor Rutherford

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.

16.1 Renewal of Nearmap Subscription

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

16.2 Rockhampton Riverbank Precinct Project

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

16.3 Northern Suburbs

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

16.4 Possible Land Purchase

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

Moved by: Mayor Strelow
Seconded by: Councillor Wickerson
MOTION CARRIED

COUNCIL RESOLUTION

9.57AM

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

9:58AM Mayor Strelow declared a recess for 10 minutes.
10:12AM The meeting resumed.

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Cheesman – Deputy Chief Executive Officer
Mr P Kofod – General Manager Regional Services
Mr S Waters – General Manager Regional Development and Aviation
Mr D Stevenson – Manager Corporate and Technology Services
Mr A Collins – Special Projects Officer
Mr D Morrison – Executive Coordinator to the Mayor
Ms J Curran – Community Engagement Officer
Ms E Brodel – Media Officer
Ms J O’Neill – Marketing Officer
Ms L Leeder – Senior Governance Support Officer

10:49AM Councillor Rutherford left the meeting
10:49AM Chief Executive Officer left the meeting
10:51AM Councillor Rutherford returned to the meeting
10:51AM Chief Executive Officer returned to the meeting

COUNCIL RESOLUTION

11:13AM

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

Moved by: Councillor Rutherford

Seconded by: Councillor Smith

MOTION CARRIED

16 CONFIDENTIAL REPORTS

16.1 RENEWAL OF NEARMAP SUBSCRIPTION

File No: 10323
Attachments: 1. Memo- Renewal of Nearmap Subscription
Authorising Officer: Ross Cheesman - Acting Chief Executive Officer
Author: Alicia Cutler - Manager Finance

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

SUMMARY

This report seeks Council approval of the quote for renewal of the Nearmap subscription for a further 3 years period. Approval of Council is sought as Nearmap is considered to be a unique supplier of the product that is being sought.

COUNCIL RESOLUTION

THAT Council approves the supply for two (2) years from Nearmaps under S. 235(a) of the *Local Government Regulation 2012* as there is only 1 supplier who is reasonably available.

Moved by: Councillor Wickerson
Seconded by: Councillor Smith

MOTION CARRIED

16.2 ROCKHAMPTON RIVERBANK PRECINCT PROJECT

File No: 11359
Attachments: Nil
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Andrew Collins - Special Projects Officer

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

SUMMARY

This report provides an update on the Rockhampton Riverbank Precinct Project including budget status and current anticipated completion times for the various project stages.

COUNCIL RESOLUTION

THAT:

1. Council receives the report detailing the current financial status and project update for the Rockhampton Riverbank Precinct Project;
2. Council endorse the inclusion of the variations outlined in the variation adjustment table for Stage 2 back into the project scope and include changes to the roof of the existing shelter structure;
3. Council endorse Stage 1c and 1d to be constructed by Council and an additional allocation of \$100,000 to the Riverbank Project; and
4. Council look at options for improved facilities at the sand wharf.

Moved by: Mayor Strelow
Seconded by: Councillor Wickerson

MOTION CARRIED UNANIMOUSLY

16.3 NORTHERN SUBURBS**File No:** 4932**Authorising Officer:** Evan Pardon – Chief Executive Officer

SUMMARY

Discussion was held regarding the northern suburb localities transferring back to Rockhampton Regional Council.

COUNCIL RESOLUTION

THAT:

1. Council receive the verbal report and that previous financial offers to Livingstone Shire Council be withdrawn; and
2. Council calls on the State Government to amend the Council boundaries to include the Northern Suburbs of Glenlee, Rockyview and Glendale in the Rockhampton Region area for the 2020 Local Government Election.

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

16.4 POSSIBLE LAND PURCHASE**File No: 2021****Authorising Officer: Evan Pardon – Chief Executive Officer**

SUMMARY*Discussion was held regarding a possible land purchase.***COUNCIL RESOLUTION**

THAT the verbal report be received and that further investigation be undertaken on the identified block of land.

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

17 CLOSURE OF MEETING

There being no further business the meeting closed at 11.16am.

SIGNATURE

CHAIRPERSON

DATE