



ORDINARY MEETING

MINUTES

12 DECEMBER 2017

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**REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 12 DECEMBER 2017 COMMENCING AT 9.02AM**

1 OPENING

The opening prayer presented by Father Matthew Maloney from the Catholic Parish of Rockonia North Rockhampton.

2 PRESENT

Members Present:

The Mayor, Councillor M F Strelow (Chairperson)
Councillor C R Rutherford
Councillor M D Wickerson
Councillor A P Williams
Councillor R A Swadling

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Cheesman – Deputy Chief Executive Officer
Mr P Kofod – General Manager Regional Services
Mr T Cullen – General Manager Advance Rockhampton
Mr S Waters – General Manager Aviation Services
Ms C Worthy – General Manager Community Services
Mr M Clerc – Acting Chief Financial Officer
Mr C Ireland – Manager Regional Development and Promotions
Mr C Wyatt – Manager Strategic Planning
Ms T Baxter – Manager Airport
Mr S Gatt – Manager Planning and Regulatory Services
Mr B Hunton – Manager Parks
Ms T Sweeney – Manager Workforce and Strategy
Mr J Webb – Acting Manager Arts and Heritage
Ms B Acimovic – Gallery Director
Mr A Russell – Senior Executive Strategic Projects
Ms K Moody – Coordinator Health and Environment
Mr S Harvey – Coordinator Strategic Infrastructure
Mr S Williams – Coordinator Disaster Management and Strategic Mapping
Ms C Bell – Coordinator Natural Resource Management
Ms T Fitzgibbon – Coordinator Development Assessment
Mr V Morrice – Coordinator Parks and Visitor Services
Ms A Brennan – Coordinator Corporate Improvement and Strategy
Mr T Pegrem – Coordinator Industrial Relations and Investigations
Mr D Morrison – Executive Coordinator for the Mayor
Ms P Fry – Regional Development Advisor
Ms A O'Mara – Senior Planning Officer
Mr T Gardiner – Senior Planning Officer
Mr B Diplock – Planning Officer
Mr B Koelmeyer – Planning Officer
Ms K Talbot – Senior Media Officer
Ms E Brodel – Media Officer
Ms L Leeder – Senior Governance Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence for the meeting was previously granted to Councillor Ellen Smith.

Leave of Absence for the meeting was previously granted to Councillor Stephen Schwarten.

Leave of Absence for Councillor Neil Fisher was granted for this meeting.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

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

Moved by: Councillor Williams

Seconded by: Councillor Swadling

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 - 5 DECEMBER 2017

COUNCIL RESOLUTION

THAT the Minutes of the Planning and Regulatory Committee meeting, held on 5 December 2017 as circulated, be received and that the recommendations contained within these minutes be adopted.

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

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

Recommendation of the Planning and Regulatory Committee, 5 December 2017
9.1.1 D/112-2017 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A DWELLING HOUSE

File No: D/112-2017

Attachments:

1. Locality Plan
2. Site Plan

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning and Regulatory Services
Colleen Worthy - General Manager Community Services

Author: Jonathon Trevett-Lyall - Planning Officer

SUMMARY

Development Application Number: D/112-2017

Applicant: Brett Prothero & Gina Zuidanbaan

Real Property Address: Lot 30 on RP603372, Parish of Archer

Common Property Address: 13 Totteridge Street, Lakes Creek

Area of Site: 4,451 square metres

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Rural residential zone

Planning Scheme Overlays: Special management area overlay

Existing Development: Vacant land

Existing Approvals: Nil

Approval Sought: Development Permit for a Material Change of Use for a Dwelling House

Level of Assessment: Impact

Submissions: Nil

Referral Agency(s): Nil

Infrastructure Charges Area: Charge Area 3

Application Progress:

<i>Application Lodged:</i>	13 September 2017
<i>Confirmation Notice issued:</i>	26 September 2017
<i>Submission period commenced:</i>	16 October 2017
<i>Submission period end:</i>	7 November 2017
<i>Last receipt of information from applicant:</i>	8 November 2017
<i>Statutory due determination date:</i>	15 December 2017

COMMITTEE RECOMMENDATION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material change of use for a Dwelling house, made by Brett Prothero & Gina Zuidanbaan on behalf of A E Datt, on land located at 13 Totteridge Street, Lakes Creek, formally described as Lot 30 on RP603372 Parish of Archer, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Developer and their employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
 - 1.2 Where these conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
 - 1.3 All conditions, works, or requirements of this development approval must be undertaken, completed, and be accompanied by a Compliance Certificate for any operational works required by this development approval:
 - 1.3.1 to Council's satisfaction;
 - 1.3.2 at no cost to Council; and
 - 1.3.3 prior to the commencement of the use,
unless otherwise stated.
 - 1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the commencement of the use, unless otherwise stated.
 - 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
 - 1.5.1 Operational Works:
 - (i) Access Works;
 - 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 any condition of this development approval:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Site Plan	17-274-R Sheet A02 Version B	14 September 2017
Floor Level	17-274-R Sheet A03 Version C	14 September 2017
Elevation 1 & 2	17-274-R Sheet A04 Version A	14 September 2017
Elevation 3 & 4	17-274-R Sheet A05 Version A	14 September 2017
3D View	17-274-R Sheet A07 Version A	14 September 2017

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

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

3.0 ACCESS WORKS

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

3.2 All access 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 works).

3.3 A new access to the development must be provided within the Totteridge Street road reserve.

4.0 PLUMBING AND DRAINAGE WORKS

4.1 All internal plumbing and drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act 2008*, *Plumbing and Drainage Act 2002*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.

4.2 The development must be connected to Council's reticulated water network.

4.3 On-site sewerage treatment and disposal must be provided in accordance with the *Queensland Plumbing and Wastewater Code* and Council's Plumbing and Drainage Policies.

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

4.4 Water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with heavy duty trafficable lids.

5.0 ROOF AND ALLOTMENT DRAINAGE WORKS

5.1 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*.

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

6.0 SITE WORKS

- 6.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments"*.
- 6.2 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.

7.0 ELECTRICITY

- 7.1 Evidence that the development is provided with electricity services from the relevant service provider must be provided to Council, prior to the commencement of the use.

8.0 TELECOMMUNICATIONS

- 8.1 Evidence that the development is provided with telecommunications services from the relevant service provider must be provided to Council, prior to the commencement of the use.

9.0 ASSET MANAGEMENT

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

10.0 OPERATING PROCEDURES

- 10.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site. Storage of materials or parking of construction machinery or contractors' vehicles must not occur within Totteridge 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 Partnerships website www.datsip.qld.gov.au.

NOTE 2. General Environmental Duty

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

NOTE 3. General Safety Of Public During Construction

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

NOTE 4. Works in Road Reserve Permit

It is advised that a Works in Road Reserve Permit (including a fee for the vehicle crossover and compliant with Standard *Capricorn Municipal Development Guidelines, Standard Drawings*) may be accepted in place of the application for a Development Permit for Operational Works (access works).

NOTE 5. 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 6. Noise and Odour

The lot the subject of this development approval is located within a Special Management Area. This area is expressly identified as being impacted by lawful non-residential uses. In commencing a residential use within the area, the owner(s) acknowledges and accepts that the use will be potentially impacted by emissions from the lawful non-residential uses.

It is the responsibility of the property owner(s) to take all measures necessary to ensure that the proposed dwelling is developed and maintained in such a way as to mitigate odour and noise impacts from the surrounding lawful non-residential uses. These measures must be undertaken at the expense of the property owner(s).

RECOMMENDATION B

That in relation to the application for a Development Permit for a Material change of use for a Dwelling house, made by Brett Prothero & Gina Zuidanbaan on behalf of A E Datt, on land located at 13 Totteridge Street, Lakes Creek, formally described as Lot 30 on RP603372 Parish of Archer, Council resolves not to issue an Infrastructure Charges Notice.

Recommendation of the Planning and Regulatory Committee, 5 December 2017
9.1.2 D/126-2017 - DEVELOPMENT APPLICATION FOR OPERATIONAL WORKS FOR AN ADVERTISING DEVICE (BILLBOARD)

File No: D/126-2017

Attachments:

1. Locality Plan
2. Structural Plans
3. Proposed Street View Image

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning and Regulatory Services
Colleen Worthy - General Manager Community Services

Author: Brandon Diplock - Planning Officer

SUMMARY

Development Application Number: D/126-2017

Applicant: Paradise Outdoor Advertising

Real Property Address: Lot 1 on RP600141, Parish of Rockhampton

Common Property Address: 35 Fitzroy Street, Rockhampton

Area of Site: 1,012 square metres

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Principal centre zone

Planning Scheme Overlays: Not applicable

Existing Development: Commercial office

Existing Approvals: Commercial office

Approval Sought: Development Permit for Operational Works for an Advertising Device (Billboard)

Level of Assessment: Code Assessable

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

Infrastructure Charges Area: Charge Area 1

Application Progress:

<i>Application Lodged:</i>	12 October 2017
<i>Acknowledgment Notice issued:</i>	Not Applicable
<i>Council request for additional time:</i>	14 November 2017
<i>Government Agency Response:</i>	20 October 2017
<i>Last receipt of information from applicant:</i>	12 October 2017
<i>Statutory due determination date:</i>	22 December 2017

COMMITTEE RECOMMENDATION

THAT in relation to the application for a Development Permit for Operational Works for an Advertising Device (Billboard), made by Paradise Outdoor Advertising on behalf of Vector Properties Pty Ltd, on land located at 35 Fitzroy Street, Rockhampton, formally described as Lot 1 on RP600141, Parish of Rockhampton, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Developer and his employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
- 1.4.1 Building Works.
- 1.5 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan Number</u>	<u>Dated</u>
Site Plan	S01-01, Rev A	10 October 2017
Structure Plan	BSV_PARAROCK0917Y_001, Edition A, Sheet 1 of 1	20 September 2017
Traffic Impact Assessment		18 October 2017

- 2.2 A set of the above approved plans are returned to you as the Consultant. The Consultant is to supply one (1) Approved set to the contractor to be retained on site at all times during construction.
- 2.3 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 2.4 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for endorsement by Council prior to the submission of a Development Application for Building Works.
- 3.0 DIGITAL SCREEN DISPLAY FEATURES
- 3.1 The digital display screen of the Advertising Device must incorporate an automatic error detection system which will turn off the screen display or display a blank screen should the Advertising Device malfunction.
- 3.2 The Advertising Device display screen must incorporate a minimum of two (2) automated ambient light sensors capable of supporting a minimum of five (5) levels of stepped dimming to ensure display screen luminance can adjust automatically in response to surrounding ambient light conditions from dark of night to fully sunlit conditions.

- 3.3 The Advertising Device display screen must provide for onsite control, operation, configuration and diagnosis of the screen display.
- 3.4 Messages must remain static for a minimum dwell time of eight (8) seconds, and are not to scroll across the screen or incorporate flashing, blinking, revolving, pulsating, high contrast or rotating effects animation.
- 3.5 Each change of advertisement is to be completed instantaneously (i.e. within 0.1 of a second).

4.0 DIGITAL SCREEN ADVERTISEMENTS AND MOVEMENT

- 4.1 The Advertising Device display screen must not be split to display multiple advertisements on the one display screen.
- 4.2 Advertisements must not display text, photographs or symbols depicting, mimicking or that could be reasonably interpreted as a traffic control device.
- 4.3 Advertisements must not invite traffic to move contrary to any traffic control device, or turn where there is fast moving traffic.
- 4.4 Advertisements must not use colours in combinations or shapes that could be reasonably interpreted as a traffic control device.
- 4.5 Advertisements must only promote a single, self-contained advertising message that is clear, succinct, legible and easily understood at a glance. The use of text components in a sequential manner, whereby text refers to or is reliant on previous or successive screen displays in order to convey an advertising message is not permitted.

Note: An advertising message refers to the main point the advertisement is attempting to convey to its target audience. This condition seeks to ensure that drivers in particular are not required to spend an excessive amount of time reading and interpreting advertisements.

- 4.6 Changeover animation effects such as 'fade', 'zoom', or 'fly-in' between advertisements must not be used.
- 4.7 A blank black, white, or any coloured screen must not be displayed between advertisements.
- 4.8 Advertisement that comprise of, or incorporate moving visual images, such as videos or animations must not be displayed.

Note: Video refers to a recording or the streaming of moving visual images captured by or using a video camera. Animation refers to a simulation of movement created by displaying a series of pictures or frames either digitally or otherwise.

- 4.9 The Advertising Device must not be capable of playing audio nor synchronised with any outdoor sound system utilised for advertising purposes.

5.0 ILLUMINANCE AND LUMINANCE

- 5.1 Any lighting devices associated with the signage, such as sensory lighting, must be positioned on the site and shielded so as not to cause glare or other nuisance to nearby residents or motorists. Night lighting must be designed, constructed and operated in accordance with '*Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting*'.
- 5.2 Luminance levels of the Advertising Device must not exceed the applicable levels listed in *Table 1* below.

Table 1: Luminance levels Advertising Device

			All Colours		Bailey's Sign Nit Setting	
Ambient Condition Description	Dimming Level	Advertising Device Illuminance Vertical Component (lx)	Screen Luminance (Cd/m ²) Max	Screen Luminance (Cd/m ²) Min	Max (nit)	Min (nit)
Sunny Day	5	40,000	6,300	2,800	6,000	2,800
Cloudy Day	4	4,000	1,100	500	1,100	500
Twilight	3	400	480	260	480	260
Dusk	2	40	380	120	380	120
Night	1	< 4	340	80	270	80

Note: Illuminance refers to the intensity of light falling at a given place on a lighted surface when measured by a lux meter and expressed as luminous flux per unit area (otherwise known as lux (lx)). Luminance refers to the intensity of light per unit area of its source when measured by a luminance meter and expressed as candela per square meter (cd/m²). It is often used to describe the perceived brightness of a light source.

6.0 ASSET MANAGEMENT

6.1 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.

7.0 OPERATING PROCEDURES

7.1 When requested by Council, a lighting investigation must be undertaken by a qualified person to investigate any complaint of light nuisance, and the results notified within twenty-eight (28) days to Council.

7.2 The lighting investigation must be carried out generally in accordance with the relevant test methods contained section 5 of 'Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting' and Appendix A of 'Australian Standard AS4852.2:2009: Variable Message Signs - Portable Signs' as applicable to determine whether or not the illuminance and luminance levels listed within this Permit have been exceeded.

8.0 ADVERTISING DEVICE CONSTRUCTION AND MAINTENANCE

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

8.2 All Construction work and other associated activities are permitted only between 0630 hours and 1800 hours Monday to Saturday. No work is permitted on Sundays or public holidays. All requirements of the *Environmental Protection Act 1994* and *Environmental Protection Regulations 2008* must be observed at all times.

8.3 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site.

8.4 Any proposed works within the vicinity (or zone of influence) of existing Council infrastructure will not adversely affect the integrity of the infrastructure. Any restoration works required on existing Council infrastructure as a result of proposed works will be at the developer's expense.

- 8.5 The Advertising Device (Digital Billboard Sign) must be designed and certified by a Registered Professional Engineer of Queensland and constructed in accordance with the requirements of the Queensland Development Code and the Building Code of Australia.
- 8.6 All conduits, wiring, switches or other control apparatus installed on an Advertising Device must be concealed from general view, with control apparatus secured in a manner to prevent unauthorised entry and display setting tampering.
- 8.7 All electrical services and systems must comply with '*Australian and New Zealand Standard AS/NZS 3000:2007 - Electrical Installations*'.
- 8.8 The Advertising Device, including its display screen and supporting structure, must meet applicable wind loading requirements as specified in '*Australian Standard AS 1170.2: 2011 - Structural Design Actions Part 2 - Wind Actions*'.
- 8.9 Upon removal of the Advertising Device, the wall surface must be restored to its original condition.
- 8.10 All signage must be maintained at all times on the premises by the owner of the premises to the same standard as it was when it was installed.
- 8.11 The Advertising Device (Digital Billboard Sign) must be maintained in a safe, clean, tidy and sightly condition at all times.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

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

NOTE 2. General Environmental Duty

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

NOTE 3. General Safety Of Public During Construction

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

Recommendation of the Planning and Regulatory Committee, 5 December 2017**9.1.3 BIOSECURITY PLAN 2017-2021**

File No:	7099
Attachments:	1. Biosecurity Plan for Pest Management 2017 - 2021
Authorising Officer:	Steven Gatt - Manager Planning and Regulatory Services Colleen Worthy - General Manager Community Services
Author:	Karen Moody - Coordinator Health and Environment

SUMMARY

This report presents the Rockhampton Regional Council Biosecurity Plan 2017-2021 (The Plan) for Council's consideration and adoption.

COMMITTEE RECOMMENDATION

THAT Council adopts the Biosecurity Plan 2017-2021.

Recommendation of the Planning and Regulatory Committee, 5 December 2017**9.1.4 REQUEST FOR INFRASTRUCTURE AGREEMENT**

File No: D/14-2017
Attachments: 1. Letter from Applicant
Authorising Officer: Steven Gatt - Manager Planning and Regulatory Services
Colleen Worthy - General Manager Community Services
Author: Tarnya Fitzgibbon - Coordinator Development Assessment

SUMMARY

The applicant for a development in South Rockhampton is requesting to enter into an Infrastructure Agreement with Council.

COMMITTEE RECOMMENDATION

THAT Council adopt Option one (1) as detailed in the report.

Recommendation of the Planning and Regulatory Committee, 5 December 2017**9.1.5 D158-2016 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR EXTRACTIVE INDUSTRY, HIGH IMPACT INDUSTRY, WAREHOUSE, ENVIRONMENTALLY RELEVANT ACTIVITY 16 (EXTRACTIVE AND SCREENING ACTIVITIES) AND ENVIRONMENTALLY RELEVANT ACTIVITY 53 (COMPOSTING AND SOIL CONDITIONER MANUFACTURING)**

File No:	D/158-2016
Attachments:	<ol style="list-style-type: none">1. Locality Plan2. Location Plan3. Activity Area A - Extractive Industry (Screening), High Impact Industry (Composting) and Warehouse4. Activity Area B - Extractive Industry (Quarrying)5. Activity Area C - Extractive Industry (Dredging, Deposit and Short Term Stockpile Area)
Authorising Officer:	Tarnya Fitzgibbon - Coordinator Development Assessment Steven Gatt - Manager Planning and Regulatory Services Colleen Worthy - General Manager Community Services
Author:	Amanda O'Mara - Senior Planning Officer

SUMMARY

<i>Development Application Number:</i>	<i>D/158-2016</i>
<i>Applicant:</i>	<i>Hopeman Pty Ltd</i>
<i>Real Property Address:</i>	<i>Lot 91 on SP224420, Lot 1743 on LIV40543, Lot 1918 on LIV40627, Lot 2 on RP601957, Lot 138 and 139 on PL4021</i>
<i>Common Property Address:</i>	<i>263A Belmont Road, Parkhurst, Lots 138, 139, 1743 & 1918 D Berrys Road and Lot 2 Belmont Road, Glenlee</i>
<i>Area of Site:</i>	<i>613.55 Hectares</i>
<i>Planning Scheme:</i>	<i>Rockhampton Region Planning Scheme 2015</i>
<i>Planning Scheme Zone:</i>	<i>Rural Zone</i>
<i>Planning Scheme Overlays:</i>	<i>Biodiversity Overlay, Bushfire Hazard Overlay, Extractive Resources Overlay, Steep Land Overlay and Flood Hazard Overlay</i>
<i>Existing Development:</i>	<i>Sand Quarry</i>
<i>Existing Approvals:</i>	<i>Development Permit for Operational Works for Earthworks (D/56-2016) and Building Permits for a House and Farm Shed</i>
<i>Approval Sought:</i>	<i>Development Permit for a Material Change of Use for an Extractive Industry, High Impact Industry, Warehouse, Environmentally Relevant Activity 16 (Extractive and Screening Activities) and Environmentally Relevant Activity 53</i>

	<i>(Composting and Soil Conditioner Manufacturing)</i>
<i>Level of Assessment:</i>	<i>Impact Assessable</i>
<i>Submissions:</i>	<i>One (1) Submission</i>
<i>Referral Agency(s):</i>	<i>Department of Infrastructure, Local Government and Planning and Livingstone Shire Council</i>
<i>Infrastructure Charges Area:</i>	<i>Not applicable</i>
<i>Application Progress:</i>	

<i>Application Lodged:</i>	<i>10 October 2016</i>
<i>Acknowledgment Notice issued:</i>	<i>24 October 2016</i>
<i>Request for Further Information sent:</i>	<i>7 November 2016</i>
<i>Request for Further Information responded to:</i>	<i>7 July 2017</i>
<i>Submission period commenced:</i>	<i>24 July 2017</i>
<i>Submission period end:</i>	<i>11 August 2017</i>
<i>Government Agency Response:</i>	<i>3 November 2017</i>
<i>Council request for additional time:</i>	<i>23 November 2017</i>
<i>Statutory due determination date:</i>	<i>8 January 2018</i>

COMMITTEE RECOMMENDATION

RECOMMENDATION A

THAT in relation to the application for a Development Permit for a Material Change of Use for an Extractive Industry, High Impact Industry, Warehouse, Environmentally Relevant Activity 16 (Extractive and Screening Activities) and Environmentally Relevant Activity 53 (Composting and Soil Conditioner Manufacturing), made by Hopeman Pty Ltd on behalf of Loukin Pty Ltd Tte, on Lot 91 on SP224420, Lot 1743 on LIV40543, Lot 1918 on LIV40627, Lot 2 on RP601957, Lot 138 and 139 on PL4021, located at 263A Belmont Road, Parkhurst, Lots 138, 139, 1743 and 1918 D Berrys Road and Lot 2 Belmont Road, Glenlee, Council resolves to Approve the application and provide the following grounds to justify the decision:

- a) The subject site is strategically located in a rural area adjacent to the Fitzroy River floodplain and forms a large part of Key Resource Area 22, which has been identified as containing fine to coarse grained sand and gravel.
- b) The subject site can be rehabilitated once the quarry and associated operations cease, therefore not restricting the land for rural uses in the future. In addition, it is not anticipated that the proposed activities will restrict or adversely impact on the ongoing safe and efficient use of the nearby rural uses.
- c) The proposal is well buffered to sensitive uses by both distance and topographic screening.
- d) The proposed development will not detract from the scenic landscape features and environmental characteristics of the locality.
- 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 an Extractive Industry, High Impact Industry, Warehouse, Environmentally Relevant Activity 16 (Extractive and Screening Activities) and Environmentally Relevant Activity 53 (Composting and Soil Conditioner Manufacturing), made by Hopeman Pty Ltd on behalf of Loukin Pty Ltd Tte, on Lot 91 on SP224420, Lot 1743 on LIV40543, Lot 1918 on LIV40627, Lot 2 on RP601957, Lot 138 and 139 on PL4021, located at 263A Belmont Road, Parkhurst, Lots 138, 139, 1743 and 1918 D Berrys Road and Lot 2 Belmont Road, Glenlee, 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) Access Works;
 - 1.6.2 Building Works (office).
 - 1.7 All Development Permits for Operational 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>
Flood Evacuation Management Plan	K3181-0007	28 July 2016
Pavement Impact Analysis	K3181-0036	6 July 2017
Vehicle Swept Path Plan	K3181-R001 Issue A	28 April 2017
Stormwater Management, Sediment and Erosion Control Plan	K3181-SE001 Issue A	28 July 2016
Stormwater Management, Sediment and Erosion Control Details	K3181-SE002 Issue A	28 July 2016
Location Plan	SK-001 Rev 4	28 July 2016
Activity Area A – Extractive Industry (Screening) & High Impact Industry (Composting) & Warehouse	SK-002 Rev 4	28 July 2016
EA/DA Environmental Report	Steer Environmental Consulting	29 July 2016
Activity Area B – Extractive Industry (Quarrying)	SK-003 Rev 4	29 July 2016
Activity Area C – Extractive Industry (Dredging & Deposit & Short term Stockpile Area)	SK-004 Rev 4	29 July 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 The Developer must pay a Road Maintenance Levy of \$0.299 per tonne hauled towards the maintenance of Belmont Road. In this regard, the Developer must submit to Council a record of the tonnage of material hauled every six (6) months to facilitate invoicing and payment of the Road Maintenance Levy.
- 3.2 The Developer must pay a contribution of \$41,275.00 towards the upgrade and widening of Belmont Road.
- 3.3 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 WORKS**
- 4.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access 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 works).

- 4.3 The existing access to the development must be upgraded to comply with the requirements of the *Capricorn Municipal Development Guidelines* and must be sealed from the edge of the existing seal on Belmont Road to the front property boundary of the subject site.
- 4.4 In order to achieve sufficient site distance requirements, tree clearing within the verge area to the south of the existing access must be undertaken. The Developer must include all relevant details regarding the trees to be removed and how the area will be stabilised / re-vegetated with the submission of the Operational Works application.
- 4.5 Adequate sight distances must be provided for all ingress and egress movements at the access driveways in accordance with *Austrroads "Guide to Road Design Part 4A – Unsignalised and Signalised Intersections"*.
- 4.6 Road signage and pavement markings must be installed in accordance with the *Australian Standard AS1742.1 "Manual of Uniform Traffic Control Devices"*.
- 5.0 PLUMBING AND DRAINAGE WORKS
- 5.1 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.
- 6.0 SITE WORKS
- 6.1 All earthworks must be undertaken in accordance with *Australian Standards, AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 6.2 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.
- 6.3 Vegetation must not be cleared unless and until written approval has been provided by Council. A Development Permit for Operational Works constitutes written approval, only for the purposes of clearing vegetation directly pertinent to the operational works which are the subject of the Development Permit.
- 7.0 ASSET MANAGEMENT
- 7.1 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.
- 7.2 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.
- 8.0 ENVIRONMENTAL
- 8.1 Composting activities must be limited to the processing of uncontaminated soil and/or green waste. The following activities are not permitted as part of the activities:
- 8.1.1 Sewerage sludges or septic wastes liquid or solid;
- 8.1.2 Oily or greasy wastes from trade waste generating activities;
- 8.1.3 All petroleum hydrocarbons;
- 8.1.4 Any chemical sludges or wastes that contain known quantities of heavy metals;
- 8.1.5 Any animal wastes (e.g. manures) that have the potential to contain elevated loads of microbial pathogens such as *Giardia*, *Cryptosporidium* or other faecal

pathogens;

- 8.1.6 Any wastes that contain strongly acidic or alkali chemicals that have the potential to alter the pH of the receiving waters in the Fitzroy River Barrage storage.
- 8.2 The Developer must implement and maintain the Stormwater Management, Sediment and Erosion Control Plan on-site for the duration of the activity. The prepared Stormwater Management, Sediment and Erosion Control Plan must be available on-site for inspection by Council Officers during those works.
- 9.0 ENVIRONMENTAL HEALTH
- 9.1 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"*.
- 9.2 Noise emitted from the activity must not cause an environmental nuisance.
- 9.3 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.
- 9.4 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.
- 10.0 OPERATING PROCEDURES
- 10.1 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 Belmont Road.
- 10.2 The hours of operations for the development site must be limited to:
- 10.2.1 0600 hours to 1800 hours on Mondays to Saturdays; and
- 10.2.2 No operations on Sundays or Public Holidays.
- 10.3 Truck movements (to and from the site) is limited to a maximum of sixteen (16) trips per day.
- 10.4 Cleaning of plant equipment and vehicles must be carried out in an area where waste water can be suitably managed so as not to cause contaminants to release into waterways or overland flow paths.
- 10.5 All waste storage areas must be kept in a clean, tidy condition in accordance with *Environmental Protection (Waste Management) Regulations*.
- 10.6 It is the responsibility of the owner or occupier of the land from time to time to implement the Contingency Plan during a flood event or if there is a risk of flooding near the land.
- 10.7 Security fencing must be provided for the full length of the perimeter of the site and around extractive industry stockpiles and operations.

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

RECOMMENDATION C

That in relation to the application for a Development Permit for a Material Change of Use for an Extractive Industry, High Impact Industry, Warehouse, Environmentally Relevant Activity 16 (Extractive and Screening Activities) and Environmentally Relevant Activity 53 (Composting and Soil Conditioner Manufacturing), made by Hopeman Pty Ltd on behalf of Loukin Pty Ltd Tte, on Lot 91 on SP224420, Lot 1743 on LIV40543, Lot 1918 on LIV40627, Lot 2 on RP601957, Lot 138 and 139 on PL4021, located at 263A Belmont Road, Parkhurst, Lots 138, 139, 1743 and 1918 D Berrys Road and Lot 2 Belmont Road, Glenlee, Council resolves to not issue an Adopted Infrastructure Charges Notice.

Recommendation of the Planning and Regulatory Committee, 5 December 2017**9.1.6 APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR DEVELOPMENT PERMIT D/578-2013 - MATERIAL CHANGE OF USE FOR HEALTH CARE (EXTENSIONS)**

File No: D/578-2013/A

Attachments:

1. Proposed Site Plan
2. Locality Plan

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning and Regulatory Services
Colleen Worthy - General Manager Community Services

Author: Brandon Diplock - Planning Officer

SUMMARY

Development Application Number: D/578-2013/A

Applicant: Mercy Health and Aged Care Central Queensland Ltd

Real Property Address: 31 Ward Street and 14, 16 and 18 Spencer Street, The Range – Lot 1 and Lot 2 on RP607678, Lot 1, Lot 2 and Lot 3 on RP604754, Parish of Rockhampton

Common Property Address: 31 Ward Street and 14, 16 and 18 Spencer Street, The Range – Lot 1 and Lot 2 on RP607678, Lot 1, Lot 2 and Lot 3 on RP604754

Rockhampton City Plan Area: The Range South Residential Area

Type of Approval: Development Permit for a Development Incentives Application for D/578-2013 - Material Change of Use for Health Care (extensions)

Date of Decision: 3 March 2014

Infrastructure Charges: \$195,672.00

Infrastructure charges incentive: Precinct 2 expanded GFA – 50%
Value of discount - \$97,836.00

Incentives sought: Infrastructure Charges Concession 50%

COMMITTEE RECOMMENDATION

THAT in relation to the application under the Development Incentives Policy for a Development Permit for a Material Change of Use for Health Care (extensions), on land located at 31 Ward Street and 14, 16 and 18 Spencer Street, The Range, formally described as Lot 1 and Lot 2 on RP607678, Lot 1, Lot 2 and Lot 3 on RP604754, Parish of Rockhampton, Council resolves to Approve the following incentives if the use commences prior to 3 March 2018:

- a) A fifty (50) percent reduction of infrastructure charges to the amount of \$97,836.00; and
- b) That Council enter into an agreement with the applicant in relation to (a).

Recommendation of the Planning and Regulatory Committee, 5 December 2017**9.1.7 BUSINESS OUTSTANDING TABLE FOR PLANNING AND REGULATORY COMMITTEE**

File No: 10097

Attachments: 1. **Business Outstanding Table for Planning and Regulatory Committee**

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Evan Pardon - Chief Executive Officer

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 Planning and Regulatory Committee is presented for Councillors' information.

COMMITTEE RECOMMENDATION

THAT the Business Outstanding Table for the Planning and Regulatory Committee be received.

Recommendation of the Planning and Regulatory Committee, 5 December 2017
9.1.8 D/20-2017 - DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (ONE LOT INTO THREE LOTS) AND ACCESS EASEMENT

File No: D/20-2017

Attachments:

1. Locality Plan
2. Site Plan

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning and Regulatory Services
Colleen Worthy - General Manager Community Services

Author: Bevan Koelmeyer - Planning Officer

SUMMARY

Development Application Number: D/20-2017

Applicant: Capehead Pty Ltd Tte

Real Property Address: Lot 485 on LIV40112, Parish of Murchison

Common Property Address: 66 Alfred Road, Parkhurst

Area of Site: 31.92 hectares

Planning Scheme: Rockhampton City Plan 2005

Planning Scheme Zone: Yeppoon Road Corridor Environmental Protection Area

Planning Scheme Overlays: Bushfire Prone Land; Environmentally Sensitive Location (Remnant Vegetation), Waterway Corridor, and Steep and Unstable Land

Existing Development: Two (2) Dwelling Houses and ancillary domestic outbuildings

Existing Approvals: D/121-2016 – Approval for application of superseded planning scheme request

Approval Sought: Development Permit for Reconfiguring a Lot for (one lot into three lots) and an Access Easement

Submissions: None

COMMITTEE RECOMMENDATION
RECOMMENDATION A

THAT in relation to the application for a Development Permit for a Reconfiguring a Lot for (one lot into three lots) and an Access Easement, made by Capehead Pty Ltd Tte, located at 66 Alfred Road, Parkhurst, on Lot 485 on LIV40112, Parish of Murchison - Council resolves that:

1. Item 8 and Condition 2.1 be amended by replacing:

<i>Plan/Document Name</i>	<i>Plan Number</i>	<i>Dated</i>
<i>Proposed Subdivision Layout</i>	<i>R17006-001, Revision B</i>	<i>29 March 2017</i>

With

<i>Plan/Document Name</i>	<i>Plan Number</i>	<i>Dated</i>
Proposed Subdivision Layout	R17006-001, Revision C	19 October 2017

2. Condition 3.0 (inclusive) be inserted:

3.0 STAGED DEVELOPMENT

3.1 This development approval is for a development to be undertaken in two (2) discrete stages, namely:

3.1.1 Lot 3 (Stage One – one [1] lot); and

3.1.2 Lots 1 to 2 (Stage Two – two [2] lots).

in accordance with the approved proposed subdivision layout plan (refer to condition 2.1).

The stages are not required to be undertaken in any chronological order.

3.2 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.

3. Condition 4.0 to be amended by replacing:

4.0 ROAD WORKS

With

4.0 ROAD WORKS (STAGE 2)

4. Condition 5.3 to be amended by replacing:

New sealed accesses must be constructed for proposed Lots 1 and 3.

With

New sealed accesses must be constructed for proposed Lots 2 and 3.

5. Condition 9.1 to remain unchanged.

6. Condition 9.2 to be deleted.

7. Condition 10.1 to be deleted.

8. Infrastructure Charges be amended as follows:

Column 1 Charge Area	Column 2 Infrastructure Charge (\$/lot)	Column 3 Unit	Calculated Charge
Charge Area 3	7,000	per lot	
Total			\$21,000.00
Less credit			\$7,000.00
TOTAL CHARGE			\$14,000.00

With

Column 1 Charge Area	Column 2 Infrastructure Charge (\$/lot)	Column 3 Unit	Calculated Charge
Charge Area 3	7,000	per lot	
Total			\$21,000.00
Less credit			\$14,000.00
TOTAL CHARGE			\$7,000.00

RECOMMENDATION B

THAT in relation to the application for a Development Permit for a Reconfiguring a Lot for (one lot into three lots) and an Access Easement, made by Capehead Pty Ltd Tte, located at 66 Alfred Road, Parkhurst, on Lot 485 on LIV40112, Parish of Murchison, Council resolves to Approve the negotiated application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Developer and his employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions, works, or requirements of this development approval must be undertaken, completed, and be accompanied by a Compliance Certificate for any operational works required by this development approval:
- 1.3.1 to Council's satisfaction;
- 1.3.2 at no cost to Council; and
- 1.3.3 prior to the issue of the Compliance Certificate for the Survey Plan, 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 issue of the Compliance Certificate for the Survey Plan, 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; and
- (ii) Access Works.
- 1.6 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.7 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 1.8 The access to proposed Lot 3 must be via the proposed Easement A over proposed Lot 2. Easement documents must accompany the Survey Plan for endorsement by Council, prior to the issue of the Compliance Certificate for the Survey Plan.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Proposed Subdivision Layout	R17003-001, Revision C	19 October 2017

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

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

3.0 STAGED DEVELOPMENT

3.1 This development approval is for a development to be undertaken in two (2) discrete stages, namely:

4.1.1 Lot 3 (Stage One – one [1] lot); and

4.1.2 Lots 1 to 2 (Stage Two – two [2] lots).

in accordance with the approved proposed subdivision layout plan (refer to condition 2.1).

The stages are not required to be undertaken in any chronological order.

3.2 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.

4.0 ROAD WORKS (STAGE 2)

4.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works required by this development approval.

4.2 All road works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, and relevant *Australian Standards* and *Austroads Guidelines* and the provisions of a Development Permit for Operational Works (road works).

4.3 Olive Street must be constructed to Rural Access standard from the intersection with McMillan Avenue to the access point for Lot 1.

4.4 McMillan Avenue must be designed and constructed to Major Urban Collector standard, with half road construction, with a minimum width of 5.5 metres from the end of the existing seal to the intersection with Olive Street. The edge line of the new construction must match the alignment of the existing kerb and channel on the western side of McMillan Avenue. Council will accept a two-coat seal in accordance with the requirements of the *Capricorn Municipal Development Guidelines* in lieu of asphalt surfacing for this section of roadway, with no kerb and channel construction required in this instance.

4.5 The intersection of McMillan Avenue and Olive Street must be sealed with a minimum of a two-coat seal in accordance with the requirements of the *Capricorn Municipal Development Guidelines* such that it has a minimum width of 6.5 metres within the Olive Street road reserve and extends a minimum of ten (10) metres to the east along Olive Street.

4.6 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*.

5.0 ACCESS WORKS

5.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works required by this development approval.

5.2 All access works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), and *Capricorn Municipal Development Guidelines*, and the provisions of a Development Permit for Operational Works (access works).

5.3 New sealed accesses must be constructed for proposed Lots 2 and 3.

6.0 PLUMBING AND DRAINAGE WORKS

- 6.1 On-site sewage treatment and disposal must be in accordance with the *Queensland Plumbing and Wastewater Code* and Council's Plumbing and Drainage Policies. This can be completed at the building works application stage.
- 6.2 On-site water supply for domestic and firefighting purposes must be provided and may include the provision of a bore, dams, water storage tanks or a combination of each. This can be completed at the building works application stage.

7.0 STORMWATER WORKS

- 7.1 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect surrounding land or infrastructure in comparison to the pre-development conditions, including but not limited to blocking, altering or diverting existing stormwater runoff patterns or having the potential to cause damage to other infrastructure.
- 7.2 Easements must be provided over all land assessed to be within the one (1) per cent Average Annual Exceedance (AEP) probability defined flood event inundation area.

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 surrounding land or infrastructure.

9.0 ELECTRICITY

- 9.1 Electricity services must be provided to each lot in accordance with the standards and requirements of the relevant service provider.

10.0 TELECOMMUNICATIONS

- 10.1 Evidence that the new lots can be provided with telecommunications services from the relevant service provider must be provided to Council, prior to the issue of the Compliance Certificate for the Survey Plan.

11.0 ASSET MANAGEMENT

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

12.0 ENVIRONMENTAL

- 12.1 Any application for a Development Permit for Operational Works must be accompanied by a detailed Environmental Management Plan that addresses, but is not limited to, the following:
- (i) water quality and drainage;
 - (ii) erosion and silt/sedimentation management;
 - (iii) fauna management;
 - (iv) vegetation management and clearing;
 - (v) top soil management;
 - (vi) interim drainage plan during construction;

- (vii) construction programme;
 - (viii) geotechnical issues;
 - (ix) weed control;
 - (x) bushfire management;
 - (xi) emergency vehicle access;
 - (xii) noise and dust suppression; and
 - (xiii) waste management.
- 12.2 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan that addresses, but is not limited to, the following:
- (i) objectives;
 - (ii) site location and 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.
- 12.3 The Environmental Management Plan approved as part of a Development Permit for Operational Works must be part of the contract documentation for the development works.
- 12.4 The Erosion Control and Stormwater Control Management Plan prepared by a Registered Professional Engineer of Queensland in accordance with the *Capricorn Municipal Design Guidelines*, must be implemented, monitored and maintained for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The plan must be available on-site for inspection by Council Officers whilst all works are being carried out.
- 13.0 OPERATING PROCEDURES
- 13.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site. Storage of materials, or parking of construction machinery or contractors' vehicles must not occur within McMillan Avenue and Olive 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 Partnerships website www.datsip.qld.gov.au.

NOTE 2. General Environmental Duty

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

NOTE 3. General Safety Of Public During Construction

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

NOTE 4. Property Note (Bushfire)

All future buildings on the proposed lots must be constructed in accordance with *Australian Standard AS3959 "Construction of buildings in bushfire-prone areas"*.

NOTE 5. Works in Road Reserve Permit

It is advised that a Works in Road Reserve Permit (including a fee for the vehicle crossover and compliant with Standard *Capricorn Municipal Development Guidelines*, Standard Drawings) may be accepted in place of the application for a Development Permit for Operational Works (access works).

NOTE 6. Infrastructure Charges Notice

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

RECOMMENDATION C

THAT in relation to the application for a Development Permit for a Reconfiguring a Lot for (one lot into three lots) and an Access Easement, made by Capehead Pty Ltd Tte, located at 66 Alfred Road, Parkhurst, on Lot 485 on LIV40112, Parish of Murchison, Council resolves to issue a negotiated Adopted Infrastructure Charges Notice for the amount of \$7,000.00.

Recommendation of the Planning and Regulatory Committee, 5 December 2017**9.1.9 APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR DEVELOPMENT PERMIT D/72-2017 - MATERIAL CHANGE OF USE FOR INDOOR SPORT AND RECREATION**

File No: D/72-2017/A

Attachments: 1. Locality Plan
2. Site Plan

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning and Regulatory Services
Colleen Worthy - General Manager Community Services

Author: Brandon Diplock - Planning Officer

SUMMARY

Development Application Number: D/72-2017/A

Applicant: DNL Enterprises

Real Property Address: 12 Power Street, Kawana

Common Property Address: Lot 7 on RP620247 – Parish of Murchison

Planning Scheme Zone: Low impact industry

Type of Approval: Development Permit for a Development Incentives Application for D/72-2017 - Material Change of Use for Indoor Sport and Recreation

Date of Decision: 25 July 2017

Application Lodgement Fee: \$2,288.00

Infrastructure Charges: Nil

Infrastructure charges incentive: Non-residential development in Rockhampton Region
Maximum concession: 50%

Incentives sought: Refund of Development Application Fees

COMMITTEE RECOMMENDATION

THAT in relation to the application under the Development Incentives Policy for a Development Permit for a Material Change of Use for Indoor Sport and Recreation, on land located at 12 Power Street, Kawana, described as Lot 7 on RP620247, Parish of Murchison, Council resolves to Approve the following incentives:

- a) A refund of development application fees to the amount of \$2,288.00.

Recommendation of the Planning and Regulatory Committee, 5 December 2017**9.1.10 COMMITTEE REPORT DELEGATIONS - OCTOBER 2017**

File No: 7028
Attachments: Nil
Authorising Officer: Steven Gatt - Manager Planning and Regulatory Services
Colleen Worthy - General Manager Community Services
Author: Tarnya Fitzgibbon - Coordinator Development Assessment

SUMMARY

This report outlines the development applications received in October 2017 and whether they will be decided under delegation or decided by Council.

COMMITTEE RECOMMENDATION

THAT this report into the applications lodged in October 2017 be received.

9.2 INFRASTRUCTURE COMMITTEE MEETING - 5 DECEMBER 2017**COUNCIL RESOLUTION**

THAT the Minutes of the Infrastructure Committee meeting, held on 5 December 2017 as circulated, be received and that the recommendations contained within these minutes be adopted, excluding Item 9.2.4 – Quay Lane and Pilbeam Theatre Car Park Configuration.

Moved by: Councillor Williams

Seconded by: Councillor Swadling

MOTION CARRIED

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

9:13AM

In accordance with s173(2) of the Local Government Act 2009, Mayor Margaret Strelow declared a conflict of interest in respect of Item 9.2.4 – Quay Lane and Pilbeam Theatre Car Park Configuration due to interest in property on adjoining sides of the lane. Mayor Strelow will leave the meeting when the matter is discussed.

Recommendation of the Infrastructure Committee, 5 December 2017**9.2.1 BUSINESS OUTSTANDING TABLE FOR INFRASTRUCTURE COMMITTEE**

File No:	10097
Attachments:	1. Business Outstanding Table for Infrastructure Committee
Authorising Officer:	Evan Pardon - Chief Executive Officer
Author:	Evan Pardon - Chief Executive Officer

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.

Recommendation of the Infrastructure Committee, 5 December 2017**9.2.2 PETITION - ROAD MAINTENANCE AT THE INTERSECTION OF MAIN AND TWIGG STREETS**

File No: 8054
Attachments: Nil
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: David Bremert - Manager Civil Operations

SUMMARY

At the Council meeting held on 26 September 2017 a petition was received requesting road repairs along Main Street. These road repair works have been completed.

COMMITTEE RECOMMENDATION

THAT the report on the petition regarding road maintenance at the intersection of Main and Twigg Streets be noted.

Recommendation of the Infrastructure Committee, 5 December 2017**9.2.3 ROAD NAMING ROCKHAMPTON NORTHERN ACCESS UPGRADE PROJECT**

File No: 8054
Attachments: 1. Boundary Road Layout
Authorising Officer: Peter Kofod - General Manager Regional Services
Martin Crow - Manager Engineering Services
Stuart Harvey - Coordinator Strategic Infrastructure
Author: Stuart Singer - Technical Officer

SUMMARY

A request has been received from the Department of Transport and Main Roads (TMR) to assist with the renaming of a section of Boundary Road which will be affected by the Rockhampton Northern Access Upgrade project. This report seeks to gain Council endorsement to undertake the formal renaming process for the affected section of Boundary Road, Parkhurst.

COMMITTEE RECOMMENDATION

THAT the affected section of Boundary Road, Parkhurst is advertised for community suggestions for a name and that the formal renaming of this section of road, as per Council's Naming of Infrastructure Assets Policy and Procedure, occur at the appropriate time.

Recommendation of the Infrastructure Committee, 5 December 2017**9.2.5 ENGINEERING SERVICES MONTHLY OPERATIONS REPORT - DECEMBER 2017**

File No: 7028
Attachments: 1. Monthly Operations Report Engineering Services November 2017
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Martin Crow - Manager Engineering Services

SUMMARY

This report outlines Engineering Services Monthly Operations Report for the period to the end of December 2017.

COMMITTEE RECOMMENDATION

THAT the Engineering Services Monthly Operations Report for December 2017 report be received.

Recommendation of the Infrastructure Committee, 5 December 2017**9.2.6 CIVIL OPERATIONS MONTHLY OPERATIONS REPORT**

File No: 7028

Attachments:

1. **Civil Operations Monthly Operations Report - November 2017**
2. **Works Program - December 2017 - January 2018**

Authorising Officer: Peter Kofod - General Manager Regional Services

Author: David Bremert - Manager Civil Operations

SUMMARY

This report outlines Civil Operations Monthly Operations Report as at 24 November 2017 and also Works Program of planned projects for the months December 2017 to January 2018.

COMMITTEE RECOMMENDATION

THAT the Civil Operations Monthly Operations Report for November 2017 be received.

9:14AM Mayor Margaret Strelow left the meeting. Deputy Mayor, Councillor Cherie Rutherford assumed the Chair.

Recommendation of the Infrastructure Committee, 5 December 2017

9.2.4 QUAY LANE AND PILBEAM THEATRE CAR PARK CONFIGURATION

File No: 191

Attachments:

1. Pilbeam Theatre Car Park Configuration
2. Quay Lane Widening

Authorising Officer: Martin Crow - Manager Engineering Services
Peter Kofod - General Manager Regional Services

Author: Stuart Harvey - Coordinator Strategic Infrastructure

SUMMARY

Upon the commencement of the construction of the Gallery Apartments in Quay Lane, concerns have been raised to Council regarding the road configuration and traffic management processes in both Quay Lane and the Pilbeam Theatre car park. Officers have investigated a design for both Quay Lane and the Pilbeam Theatre car park that aims to address these issues and has been put forward to Council for consideration.

COUNCIL RESOLUTION

THAT Council endorse the concept design for Quay Lane and the Pilbeam Theatre car park and consider the allocation of required funds for construction in the 2018/19 Capital Budget.

Moved by: Councillor Williams
Seconded by: Councillor Wickerson

MOTION CARRIED

9:17AM Mayor Margaret Strelow returned to the meeting and resumed the Chair.

9.3 AIRPORT, WATER AND WASTE COMMITTEE MEETING - 5 DECEMBER 2017**COUNCIL RESOLUTION**

THAT the Minutes of the Airport, Water and Waste Committee meeting, held on 5 December 2017 as circulated, be received and that the recommendations contained within these minutes be adopted.

Moved by: Councillor Swadling
Seconded by: Councillor Rutherford

MOTION CARRIED

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

Recommendation of the Airport, Water and Waste Committee, 5 December 2017**9.3.1 ROCKHAMPTON AIRPORT MONTHLY OPERATIONAL REPORT - NOVEMBER 2017**

File No: 7927

Attachments: 1. ROCKHAMPTON AIRPORT MONTHLY OPERATIONAL REPORT - NOVEMBER 2017

Authorising Officer: Scott Waters - General Manager Aviation

Author: Tracey Baxter - Manager Airport

SUMMARY

The monthly operations and annual performance plan report for the Rockhampton Airport for November 2017 is presented for Councillors information.

COMMITTEE RECOMMENDATION

THAT the Rockhampton Airport Operations and Annual Performance Plan Report for November 2017 be 'received'.

Recommendation of the Airport, Water and Waste Committee, 5 December 2017**9.3.2 ROCKHAMPTON REGIONAL WASTE AND RECYCLING MONTHLY OPERATIONS REPORT NOVEMBER 2017**

File No: 7927
Attachments: 1. RRWR Operations Report November 2017
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Craig Dunglison - Manager RRWR

SUMMARY

The purpose of this report is to provide Council with an overview of Rockhampton Regional Waste and Recycling (RRWR) for the month of November 2017.

COMMITTEE RECOMMENDATION

THAT Airport, Water and Waste Committee recommend to Council that the Rockhampton Regional Waste and Recycling November 2017 Report be received.

Recommendation of the Airport, Water and Waste Committee, 5 December 2017**9.3.4 FRW ANNUAL PERFORMANCE PLAN AS AT 30 SEPTEMBER 2017**

File No:	1466
Attachments:	1. Customer Service Standards as at 30 September 2017 2. Customer Service and Financial Targets as at 30 September 2017 3. Non Compliance Comments as at 30 September 2017
Authorising Officer:	Peter Kofod - General Manager Regional Services
Author:	Jason Plumb - Manager Fitzroy River Water

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 2017/18 Performance Plan. This report as at 30 September 2017 is presented for the Committee's information.

COMMITTEE RECOMMENDATION

THAT the Fitzroy River Water Annual Performance Plan quarterly report as at 30 September 2017 be received.

Recommendation of the Airport, Water and Waste Committee, 5 December 2017**9.3.5 FITZROY RIVER WATER SPECIALISED ITEM SUPPLIERS**

File No: 1466
Attachments: Nil
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Jason Plumb - Manager Fitzroy River Water

SUMMARY

This report details a number of items of equipment or products that are important to Fitzroy River Water's water and sewerage operations for which Council approval is sought for these items to be provided by the listed sole suppliers in accordance with s235(b) of the Local Government Regulation (2012).

COMMITTEE RECOMMENDATION

THAT pursuant to s235(b) of the *Local Government Regulation 2012*, Council approves the use of the nominated suppliers for the items listed without the need to seek additional quotes or tenders.

9.4 COMMUNITY SERVICES COMMITTEE MEETING - 6 DECEMBER 2017**COUNCIL RESOLUTION**

THAT the Minutes of the Community Services Committee meeting, held on 6 December 2017 as circulated, be received and that the recommendations contained within these minutes be adopted.

Moved by: Councillor Swadling

Seconded by: Councillor Williams

MOTION CARRIED UNANIMOUSLY

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

Recommendation of the Community Services Committee, 6 December 2017**9.4.1 RELOCATION OF ROCKHAMPTON HOSPITAL POST OFFICE BUILDING TO ROCKHAMPTON HERITAGE VILLAGE**

File No: 2497

Attachments:

1. Letter from Mr John McBow, President, The Friends of the Rockhampton Heritage Village
2. Site Map of Rockhampton Heritage Village showing the proposed location
3. Image of the Post Office Building

Authorising Officer: Steven Gatt - Manager Planning and Regulatory Services

Author: Peter Owens - Manager Arts and Heritage

SUMMARY

The Friends of the Heritage Village are seeking Council's permission to relocate the former Rockhampton Hospital Post Office building to the Rockhampton Heritage Village

COMMITTEE RECOMMENDATION

THAT Council approve the relocation of the Rockhampton Hospital Post Office building to the Rockhampton Heritage Village as detailed in the report.

Recommendation of the Community Services Committee, 6 December 2017**9.4.2 GENERAL TENANCY AGREEMENT FOR CALLIUNGAL CENTRE**

File No: 11039
Attachments: Nil
Authorising Officer: Colleen Worthy - General Manager Community Services
Author: Cheryl Haughton - Manager Communities and Facilities

SUMMARY

Council consideration is sought in relation to a General Tenancy Agreement for use of the Calliungal Centre.

COMMITTEE RECOMMENDATION

THAT Council approves the General Tenancy Agreement for use of the Calliungal Centre by the Electoral Commission Queensland for the period 14 June 2017 to 1 January 2018.

Recommendation of the Community Services Committee, 6 December 2017**9.4.3 ART GALLERY RESOURCING PUBLIC PROGRAMS**

File No: 1464
Attachments: Nil
Authorising Officer: John Webb - Acting Manager Arts and Heritage
Colleen Worthy - General Manager Community Services
Author: Bianca Acimovic - Gallery Director

SUMMARY

This report is a recommendation following a review of resourcing to sustainably undertake and deliver public programs at Rockhampton Art Gallery. As an income generation model with an outcome of cost recovery, this report speaks to current and proposed resourcing.

COMMITTEE RECOMMENDATION

THAT the Art Gallery Resourcing Public Programs report be received.

Recommendation of the Community Services Committee, 6 December 2017**9.4.4 ROCKHAMPTON SHOWGROUNDS HIRE - 'ONE HOT NIGHT' NOISE CURFEW**

File No: 10486

Attachments: 1. Letter from Josh Jones - Promoter of 'One Hot Night' Event

Authorising Officer: Colleen Worthy - General Manager Community Services

Author: John Webb - Acting Manager Arts and Heritage

SUMMARY

Josh Jones promoter of One Hot Night featuring local artists Busby Marou an event at Rockhampton Showgrounds on Friday 29 December 2017 has written to Council requesting an extension to the existing curfew of 10.30pm to 11.55pm.

COMMITTEE RECOMMENDATION

THAT Council grant Josh Jones an extension of time to the noise curfew (10.30pm) for Rockhampton Showgrounds to 11.30pm on Friday 29 December 2017, subject to appropriate conditions being placed to ensure compliance is met.

9.5 PARKS, RECREATION AND SPORT COMMITTEE MEETING - 6 DECEMBER 2017**COUNCIL RESOLUTION**

THAT the Minutes of the Parks, Recreation and Sport Committee meeting, held on 6 December 2017 as circulated, be received and that the recommendations contained within these minutes be adopted, excluding Item 9.5.3 – Application: Qld Centenary of Anzac Lasting Legacies Grants Program – Rockhampton War Memorial.

Moved by: Councillor Rutherford

Seconded by: Councillor Swadling

MOTION CARRIED

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

Recommendation of the Parks, Recreation and Sport Committee, 6 December 2017**9.5.1 BUSINESS OUTSTANDING TABLE FOR PARKS, RECREATION AND SPORT COMMITTEE**

File No:	10097
Attachments:	1. Business Outstanding Table for Parks, Recreation and Sport Committee
Authorising Officer:	Evan Pardon - Chief Executive Officer
Author:	Evan Pardon - Chief Executive Officer

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 Parks, Recreation and Sport Committee is presented for Councillors' information.

COMMITTEE RECOMMENDATION

THAT the Business Outstanding Table for the Parks, Recreation and Sport Committee be received.

Recommendation of the Parks, Recreation and Sport Committee, 6 December 2017**9.5.2 RECOGNITION OF SERVICE TO THE COMMUNITY: ROY AND EILEEN COKER****File No:** 787, 2117**Attachments:**

1. Council Resolution 2006
2. Images: Hall, Park and Playground
3. Playground Location
4. Play Equipment
5. Proposed Coker Walk

Authorising Officer: Blake Hunton - Manager Parks
Colleen Worthy - General Manager Community Services**Author:** Vincent Morrice - Coordinator Park and Visitor Services

SUMMARY

Council has been approached by the descendants of Roy & Eileen Coker seeking the (re)establishment of an appropriate memorial/tribute for Roy and Eileen in recognition of their life-long "... commitment and dedication to community service for the needy and underprivileged in the Rockhampton area."

COMMITTEE RECOMMENDATION

THAT Council names the section of the pathway that traverses the former Coker Hall and Coker Park site as "The Roy and Eileen Coker Walk" and erect interpretative signage to display this name at clearly visible points at either end of the pathway.

Recommendation of the Parks, Recreation and Sport Committee, 6 December 2017**9.5.4 FORMALISING THE PLANTING PALETTE FOR THE ROCKHAMPTON REGION****File No:** 5918**Attachments:**

1. Planting Palette - Strategy
2. Planting Palette - Master Species List

Authorising Officer: Blake Hunton - Manager Parks**Author:** Christine Bell - Coordinator Natural Resource Management

SUMMARY

Our streets, parks and open spaces are living assets that have the potential to improve the character, identity and liveability of our Region. The Planting Palette provides a practical guide for long-term planting improvements that will help to deliver cool and shady landscapes with a splash of colour.

COMMITTEE RECOMMENDATION

1. THAT the Planting Palette as outlined in the report be adopted as a guide for long-term planting improvements across the Rockhampton Region; and
2. THAT an implementation plan be developed for the Planting Palette.

Recommendation of the Parks, Recreation and Sport Committee, 6 December 2017**9.5.5 SPORT, PARKS, ACTIVE RECREATION AND COMMUNITY STRATEGY**

File No: 12379
Attachments: 1. Draft SPARC Strategy
Authorising Officer: Blake Hunton - Manager Parks
Author: Christine Bell - Coordinator Natural Resource Management

SUMMARY

This report tables the draft 'Sport, Parks, Active Recreation and Community (SPARC) Strategy 2018-2028'.

COMMITTEE RECOMMENDATION

THAT Council:

1. Endorse the draft SPARC Strategy; and
2. Approve public exhibition to seek community feedback on the draft SPARC Strategy.

Recommendation of the Parks, Recreation and Sport Committee, 6 December 2017**9.5.3 APPLICATION: QLD CENTENARY OF ANZAC LASTING LEGACIES GRANTS PROGRAM - ROCKHAMPTON WAR MEMORIAL**

File No: 7149

Attachments:

1. Design Concepts
2. Cenotaph 1924

Authorising Officer: Blake Hunton - Manager Parks
Colleen Worthy - General Manager Community Services

Author: Vincent Morrice - Coordinator Park and Visitor Services

Previous Items: 9.4.4 - Application: Qld Centenary of Anzac Lasting Legacies Grants Program - Rockhampton War Memorial - Parks, Recreation and Sport Committee - 19 Jul 2017 12.30 pm

SUMMARY

Applications for the Queensland Centenary of Anzac Lasting Legacies Grants Program Round 6 close 28 January, 2018 with grants up to \$80,000 available. A concept plan has been prepared to create an Interpretive Hub at Rockhampton War Memorial as Stage One of a program of restoration and enhancement works.

COUNCIL RESOLUTION

THAT application be made to the Queensland Centenary of Anzac Lasting Legacies Grants Program for the construction of an Interpretive Hub (Stage 1) at Rockhampton War Memorial, with the amended scope that excludes the picket fence and roof structure, and includes lighting.

Moved by: Councillor Rutherford

Seconded by: Councillor Swadling

MOTION CARRIED UNANIMOUSLY

10 COUNCILLOR/DELEGATE REPORTS

10.1 LEAVE OF ABSENCE - COUNCILLOR NEIL FISHER

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

SUMMARY

Chief Executive Officer advising that Councillor Neil Fisher has requested leave of absence from Thursday 7 December 2017 to Tuesday 2 January 2018.

COUNCIL RESOLUTION

THAT leave of absence be granted for Councillor Neil Fisher from Thursday 7 December 2017 to Tuesday 2 January 2018.

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

11 OFFICERS' REPORTS

11.1 D/19-2017 - DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (TWO LOTS INTO FIVE LOTS) AND ACCESS EASEMENT

File No: D/19-2017

Attachments:

1. Locality Plan
2. Site Plan-Proposed Subdivision Layout-R17006-001 Rev C

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning and Regulatory Services

Author: Bevan Koelmeyer - Planning Officer

Council at its meeting on 21 November 2017 resolved that the matter be referred to the Ordinary Meeting to be held on 12 December 2017.

SUMMARY

Development Application Number: D/19-2017

Applicant: Vicki Heilbronn

Real Property Address: Lot 1844 on LIV40662 and Lot 485 on LIV40112, Parish of Murchison

Common Property Address: 277 Yeppoon Road and 66 Alfred Road, Parkhurst

Area of Site: 39.255 hectares

Planning Scheme: Rockhampton City Plan 2005

Planning Scheme Zone: Yeppoon Road Corridor Environmental Protection Area

Planning Scheme Overlays:

- Bushfire Prone Land
- Environmentally Sensitive Location (Remnant Vegetation)
- Waterway Corridor

Existing Development: Dwelling house and ancillary domestic outbuilding

Existing Approvals: D/121-2016 (Approval for application of superseded planning scheme request)

Approval Sought: Development Permit for Reconfiguring a Lot for (two lots into five Lots) and an Access Easement

COUNCIL RESOLUTION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for Reconfiguring a Lot for (two lots into five Lots) and an Access Easement, made by Vicki Heilbronn, located at 277 Yeppoon Road and 66 Alfred Road, Parkhurst, on Lot 1844 on LIV40662 and Lot 485 on LIV40112, Parish of Murchison Council resolves that:

1. Item 8 and Condition 2.1 be amended by replacing:

Plan/Document Name	Plan Number	Dated
<i>Flood Hazard Assessment</i>	<i>K3925-0002</i>	<i>21 February 2017</i>
<i>Proposed Subdivision Layout</i>	<i>R17006-001, Revision B</i>	<i>29 March 2017</i>
<i>Bushfire Hazard Assessment & Bushfire Management Plan</i>	<i>Version 2</i>	<i>10 March 2017</i>
<i>Regulated Vegetation Impact Assessment and Mitigation</i>	<i>Version 2</i>	<i>29 March 2017</i>

With

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Flood Hazard Assessment	K3925-0002	21 February 2017
Proposed Subdivision Layout	R17006-001, Revision C	10 October 2017
Bushfire Hazard Assessment & Bushfire Management Plan	Version 2	10 March 2017
Regulated Vegetation Impact Assessment and Mitigation	Version 2	29 March 2017

2. Condition 3.0 (inclusive) be inserted:**3.0 STAGED DEVELOPMENT**

3.1 This development approval is for a development to be undertaken in two (2) discrete stages, namely:

3.1.1 Lot 13 to Lot 14 (Stage One – two [2] lots); and

3.1.2 Lot 11 to Lot 12 (Stage Two – two [2] lots),

in accordance with the approved proposed subdivision layout plan (refer to condition 2.1).

The stages are not required to be undertaken in any chronological order.

3.2 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.

3. Conditions 4.1, 4.2, 4.3, 4.4 and 4.5 to be amended by replacing:

3.1 *A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works required by this development approval.*

3.2 *All road works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), Capricorn Municipal Development Guidelines, and relevant Australian Standards and Austroads Guidelines and the provisions of a Development Permit for Operational Works (road works).*

3.3 *Olive Street must be constructed to Rural Access standard from the intersection with McMillan Avenue to the access point for Lot 11.*

- 3.4 *McMillan Avenue must be designed and constructed as a half road construction, with a minimum width of 5.5 metres from the end of the existing seal to the intersection with Olive Street. The edge line of the new construction must match the alignment of the existing kerb and channel on the western side of McMillan Avenue. Council will accept a two-coat seal in accordance with the requirements of the Capricorn Municipal Development Guidelines in lieu of asphalt surfacing for this section of roadway, with no kerb and channel construction required in this instance.*
- 3.5 *The intersection of McMillan Avenue and Olive Street must be sealed with a minimum of a two-coat seal in accordance with the requirements of the Capricorn Municipal Development Guidelines such that it has a minimum width of 6.5 metres within the Olive Street road reserve and extends a minimum of ten (10) metres to the east along Olive Street.*

With

- 4.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works required by this development approval for Stage 2.
- 4.2 All road works for Stage 2 of the development must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, and relevant *Australian Standards* and *Austrroads Guidelines* and the provisions of a Development Permit for Operational Works (road works).
- 4.3 As part of Stage 2, Olive Street must be constructed to a Rural Access standard from the intersection with McMillan Avenue to the access point for Lot 11.
- 4.4 As part of Stage 2 of the development, McMillan Avenue must be designed and constructed as a half road construction, with a minimum width of 5.5 metres from the end of the existing seal to the intersection with Olive Street. The edge line of the new construction must match the alignment of the existing kerb and channel on the western side of McMillan Avenue. Council will accept a two-coat seal in accordance with the requirements of the *Capricorn Municipal Development Guidelines* in lieu of asphalt surfacing for this section of roadway, with no kerb and channel construction required in this instance.
- 4.5 As part of Stage 2 of the development, the intersection of McMillan Avenue and Olive Street must be sealed with a minimum of a two-coat seal in accordance with the requirements of the *Capricorn Municipal Development Guidelines* such that it has a minimum width of 6.5 metres within the Olive Street road reserve and extends a minimum of ten (10) metres to the east along Olive Street.

4. Condition 5.4 be amended by replacing:

A new access must be constructed for proposed Lot 11 in accordance with the requirements of the Capricorn Municipal Development Guidelines.

With

A new access must be constructed for Lot 11 for Stage 2 of the development in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.

5. Condition 9.1 to remain unchanged.**RECOMMENDATION B**

THAT in relation to the application for a Development Permit for Reconfiguring a Lot for (two lots into five Lots) and an Access Easement, made by Vicki Heilbronn, located at 277 Yeppoon Road and 66 Alfred Road, Parkhurst, on Lot 1844 on LIV40662 and Lot 485 on LIV40112, Parish of Murchison Council resolves to Approve the application subject to the following conditions:

ADMINISTRATION

- 1.1 The Developer and his employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions, works, or requirements of this development approval must be undertaken, completed, and be accompanied by a Compliance Certificate for any operational works required by this development approval:
- 1.3.1 to Council's satisfaction;
- 1.3.2 at no cost to Council; and
- 1.3.3 prior to the issue of the Compliance Certificate for the Survey Plan, 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 issue of the Compliance Certificate for the Survey Plan, 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 Works;
- 1.6 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.7 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 1.8 The access to Lot 12 and Lot 13 must be via Easement B over Lot 485 and Easement C over Lot 13. Easement documents must accompany the Survey Plan for endorsement by Council, prior to the issue of the Compliance Certificate for the Survey Plan.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Flood Hazard Assessment	K3925-0002	21 February 2017
Proposed Subdivision Layout	R17006-001, Revision C	10 October 2017
Bushfire Hazard Assessment & Bushfire Management Plan	Version 2	10 March 2017
Regulated Vegetation Impact Assessment and Mitigation	Version 2	29 March 2017

- 2.2 Where there is any conflict between the conditions of this development approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of an application for a Development Permit for Operational Works.
- 3.0 STAGED DEVELOPMENT
- 3.1 This development approval is for a development to be undertaken in two (2) discrete stages, namely:
- 3.2.1 Lot 13 to Lot 14 (Stage One – two [2] lots); and
 - 3.2.2 Lot 11 to Lot 12 (Stage Two – two [2] lots),
- in accordance with the approved proposed subdivision layout plan (refer to condition 2.1).
- The stages are not required to be undertaken in any chronological order.
- 3.2 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.
- 4.0 ROAD WORKS
- 4.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works required by this development approval for Stage 2.
- 4.2 All road works for Stage 2 of the development must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, and relevant *Australian Standards* and *Austroroads Guidelines* and the provisions of a Development Permit for Operational Works (road works).
- 4.3 As part of Stage 2, Olive Street must be constructed to a Rural Access standard from the intersection with McMillan Avenue to the access point for Lot 11.
- 4.4 As part of Stage 2 of the development, McMillan Avenue must be designed and constructed as a half road construction, with a minimum width of 5.5 metres from the end of the existing seal to the intersection with Olive Street. The edge line of the new construction must match the alignment of the existing kerb and channel on the western side of McMillan Avenue. Council will accept a two-coat seal in accordance with the requirements of the *Capricorn Municipal Development Guidelines* in lieu of asphalt surfacing for this section of roadway, with no kerb and channel construction required in this instance.
- 4.5 As part of Stage 2 of the development, the intersection of McMillan Avenue and Olive Street must be sealed with a minimum of a two-coat seal in accordance with the requirements of the *Capricorn Municipal Development Guidelines* such that it has a minimum width of 6.5 metres within the Olive Street road reserve and extends a minimum of ten (10) metres to the east along Olive Street.
- 4.6 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*.
- 5.0 ACCESS WORKS
- 5.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works required by this development approval.

- 5.2 All access works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), and *Capricorn Municipal Development Guidelines*, and the provisions of a Development Permit for Operational Works (access works).
- 5.3 The internal access to Lot 12 and Lot 13 must be constructed from the end of Alfred Road to the southern boundary of Lot 12. Construction must be a minimum of four (4) metres wide with a low flow pipe and concrete spillway with a one (1) year ARI immunity through the existing natural channel.
- 5.4 A new access must be constructed for Lot 11 for Stage 2 of the development in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 5.5 Flood height markers must be installed along the access to Lot 12 and Lot 13, for the full extent of the 1% Average Exceedance Probability inundation area.
- 6.0 PLUMBING AND DRAINAGE WORKS
- 6.1 On-site sewage treatment and disposal must be in accordance with the Queensland Plumbing and Wastewater Code and Council's Plumbing and Drainage Policies. This can be completed at the building works application stage.
- 6.2 On-site water supply for domestic and firefighting purposes must be provided and may include the provision of a bore, dams, water storage tanks or a combination of each. This can be completed at the building works application stage.
- 7.0 STORMWATER WORKS
- 7.1 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect surrounding land or infrastructure in comparison to the pre-development conditions, including but not limited to blocking, altering or diverting existing stormwater runoff patterns or having the potential to cause damage to other infrastructure.
- 8.0 SITE WORKS
- 8.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments"*.
- 8.2 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.
- 8.3 Vegetation must not be cleared unless and until written approval has been provided by Council. A Development Permit for Operational Works constitutes written approval, only for the purposes of clearing vegetation directly pertinent to the operational works that are the subject of the Development Permit.
- 8.4 All site works must be undertaken to ensure that there is:
- 8.4.1 no increase in upstream or downstream flood levels for all levels of immunity up to a one per cent (1%) Annual exceedance probability defined flood event;
 - 8.4.2 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
 - 8.4.3 a lawful point of discharge to which the approved works drain during the construction phase.

9.0 ELECTRICITY

- 9.1 Electricity services must be provided in accordance with the standards and requirements of the relevant service provider, prior to the issue of the Compliance Certificate for the Survey Plan.

10.0 TELECOMMUNICATIONS

- 10.1 Evidence that the new lots can be provided with telecommunications services from the relevant service provider must be provided to Council, prior to the issue of the Compliance Certificate for the Survey Plan.

11.0 ASSET MANAGEMENT

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

12.0 ENVIRONMENTAL

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

- (i) objectives;
- (ii) site location and 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.

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

- 12.3 The development must be undertaken in accordance with the recommendations in the approved Bushfire Management Plan (refer to condition 2.1).
- 12.4 The maintenance of the fire management trail must be the responsibility of the owner of the land (the Developer) until the subdivision is accepted by Council as being 'off defects' whereupon it must be the responsibility of the relevant property owners. All future owners of the proposed lots must be advised by the Developer in writing of their responsibility to comply with the requirements of the approved Bushfire Management Plan (refer to condition 2.1).
- 12.5 All future buildings on the proposed lots must be constructed in accordance with *Australian Standard AS3959 "Construction of buildings in bushfire-prone areas"* and the approved Bushfire Management Plan (refer to condition 2.1). A property note to this effect will be entered against Lots 11, 12, 13 and 14.

ADVISORY NOTES

NOTE 1. General Environmental Duty

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

NOTE 2. General Safety Of Public During Construction

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

NOTE 3. Property Note (Bushfire)

All future buildings on the proposed lots must be constructed in accordance with *Australian Standard AS3959 "Construction of buildings in bushfire-prone areas"* and the approved Bushfire Management Plan.

NOTE 4. Infrastructure Charges Notice

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

NOTE 5. Clearing within Road Reserve

An approval for a Tree Clearing Permit, issued by the Department of Environment and Heritage Protection in addition to the Operational Works (road works) permit, will be required when constructing the proposed new roads.

It is a requirement under the *Nature Conservation Act 1992* that an approved Tree Clearing Permit is obtained from the Department of Environment and Heritage Protection, prior to any tree clearing activities that are to occur within a road reserve that is under Council control.

NOTE 6. Provision for Sewer and Water services

Each lot must be provided with on-site sewerage treatment and disposal systems at the time of house construction. All systems must comply with the *Queensland Plumbing and Wastewater Code, Australian Standard AS1547:2012 "On-site domestic wastewater management"* and Council Plumbing and Drainage Policies. Sustainable Water sources including rainwater tanks, and a bore or small dam must be provided.

NOTE 7. Rural Addressing

Rural addressing must be provided to each lot in accordance with Council's rural addressing procedures.

Moved by: Mayor Strelow

Seconded by: Councillor Swadling

MOTION CARRIED

11.2 DEVELOPING NORTHERN AUSTRALIA CONFERENCE 2018

File No: 4705
Attachments: 1. 2018 Prospectus
Authorising Officer: Tony Cullen - General Manager Advance Rockhampton
Author: Chris Ireland - Manager Regional Development and Promotions

SUMMARY

Council has previously attended the Developing Northern Australia Conferences in 2015, 2016 and 2017. The conference for 2018 will be held in Alice Springs and given Council's Advance Rockhampton initiative and re-positioning of the region, it is viewed that a broader level of representation is required and that Council play a more active role in future Conferences.

COUNCIL RESOLUTION

THAT Council provide a Silver Level Sponsorship to the 2018 Developing Northern Australia Conference.

Moved by: Mayor Strelow
Seconded by: Councillor Swadling

MOTION CARRIED

11.3 BUILDING BETTER REGIONS FUND

File No: 12534
Attachments: 1. Project Fact Sheet: Bringing Nature Back
Authorising Officer: Tony Cullen - General Manager Advance Rockhampton
Author: Penelope-Jane Fry - Regional Development Advisor

SUMMARY

Rockhampton Regional Council has the opportunity to seek Australian Government funding through the Building Better Regions Fund and a project is recommended for submission.

COUNCIL RESOLUTION

THAT Council resolve to apply for 100% of the \$19,990 cash cost of the Bringing Nature Back Project from the Community Investments Stream of the Building Better Regions Fund.

Moved by: Mayor Strelow
Seconded by: Councillor Wickerson

MOTION CARRIED

11.4 EXTENSION TO FACADE IMPROVEMENT SCHEME 2017/18

File No: 11359

Attachments:

1. Facade Improvement Scheme Information Package
2. Community Engagement Plan
3. Mount Morgan Area Map

Authorising Officer: Tony Cullen - General Manager Advance Rockhampton

Author: Cameron Wyatt - Manager Strategic Planning

SUMMARY

The purpose of this report is to seek approval to extend the Facade Improvement Scheme to include Morgan Street in Mount Morgan and to allocate additional funding. In addition, it is recommended that the period of time to undertake the works be reduced from 6 months to 3 months.

COUNCIL RESOLUTION

THAT Council approve the extension of the Façade Improvement Scheme to include Morgan Street, Mount Morgan as described in this report, subject to approval of the budget allocation for this work; and

THAT the period to undertake the works be reduced from six months to three months to encourage completion of the works and settlement of Council's contribution.

Moved by: Councillor Rutherford

Seconded by: Councillor Wickerson

MOTION CARRIED

11.5 LOCAL GOVERNMENT CYCLE NETWORK GRANTS PROGRAM

File No: 5732
Attachments: 1. Murray Street / North Street proposed works
Authorising Officer: Martin Crow - Manager Engineering Services
Peter Kofod - General Manager Regional Services
Author: Stuart Harvey - Coordinator Strategic Infrastructure

SUMMARY

The Department of Transport and Main Roads have recently called for funding submissions under the Cycle Network Local Government Grants Program. Council Officers are proposing to submit a project under this program.

COUNCIL RESOLUTION

THAT Council:

1. Endorse the submission to upgrade North Street on-road and off-road cycle facilities from West Street to Campbell Street under the Cycle Network Local Government Grants Program; and
2. Agree to fund 50% of the project cost should a funding submission be successful.

Moved by: Councillor Williams
Seconded by: Councillor Swadling

MOTION CARRIED

**11.6 CENTRAL QUEENSLAND REGIONAL ORGANISATION OF COUNCILS
CHARTER**

File No: 11044
Attachments: 1. Draft Charter
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Evan Pardon - Chief Executive Officer

SUMMARY

Chief Executive Officer presenting Charter for Central Queensland Regional Organisation of Councils for adoption by Council.

COUNCIL RESOLUTION

THAT Council adopt the Charter for Central Queensland Regional Organisation of Councils as detailed in the report.

Moved by: Councillor Rutherford
Seconded by: Councillor Swadling

MOTION CARRIED

11.7 PLANNING ACT 2016 AND SUSTAINABLE PLANNING ACT 2009 - TEMPORARY DELEGATION OVER CHRISTMAS / NEW YEAR PERIOD

File No: 4107
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Evan Pardon - Chief Executive Officer

SUMMARY

The purpose of this report is to obtain a temporary delegation for the Chief Executive Officer to facilitate the statutory requirements of the Planning Act 2016 and the Sustainable Planning Act 2009 to accommodate the Council meeting recess over the December 2017 to January 2018 period.

COUNCIL RESOLUTION

THAT pursuant to Section 257 of the *Local Government Act 2009* Council resolves to delegate its powers as 'Assessment Manager' under the *Planning Act 2016* and the *Sustainable Planning Act 2009* to the Chief Executive Officer for the period 13 December 2017 until 29 January 2018, both dates inclusive, subject to the following limitation:

- (1) The exercise of this delegation will only occur following consultation with, and written concurrence from, two elected members with one drawn from each of the below nominated groupings:
 - (a) Mayor or Acting Mayor, and
 - (b) A member of the Planning and Regulatory Standing Committee

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

11.8 LOCAL DISASTER MANAGEMENT PLAN

File No: 3086
Attachments: Nil
Authorising Officer: Martin Crow - Manager Engineering Services
Peter Kofod - General Manager Regional Services
Author: Sam Williams - Coordinator Disaster Management and Strategic Mapping

SUMMARY

The Rockhampton Region Local Disaster Management Plan has recently been reviewed and updated. The updated plan has been endorsed by the LDMG and is submitted for endorsement by the Council.

COUNCIL RESOLUTION

1. THAT the Rockhampton Region Local Disaster Management Plan be endorsed with amendments to Section 3.3 to include appropriate ratification of decisions to achieve the outcomes of the sub-groups;
2. THAT the Recovery Committee will be a permanent committee as part of the Local Disaster Management Plan; and
3. THAT under Section 3.7 - Verbal member status reports would be provided at Local Disaster Management Group meetings by exception (e.g. during disasters).

Moved by: Councillor Williams
Seconded by: Councillor Swadling

MOTION CARRIED

11.9 SCHEDULE OF MEETINGS - APRIL TO DECEMBER 2018

File No: 1460
Attachments: 1. Schedule of Meetings April to December 2018
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Evan Pardon - Chief Executive Officer

SUMMARY

Schedule of Council and Committee meetings for the period April to December 2018 is presented for adoption by Council.

COUNCIL RESOLUTION

THAT the Schedule of Council and Committee meetings for the period April to December 2018, as attached to the report, be adopted.

Moved by: Mayor Strelow
Seconded by: Councillor Rutherford

MOTION CARRIED

11.10 REGIONAL ARTS DEVELOPMENT FUND 2017-18 ROUND 1 FUNDING RECOMMENDATIONS

File No: 8944
Attachments: Nil
Authorising Officer: Colleen Worthy - General Manager Community Services
Author: John Webb - Acting Manager Arts and Heritage

SUMMARY

Applications received for round one of the 2017/18 Regional Arts Development Fund have been assessed by the RADF Committee and four are recommended for funding.

COUNCIL RESOLUTION

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

Applicant	Purpose of Grant	Grant Recommended
CQ Contemporary Artists	Bringing 2 tutors to Rockhampton to facilitate 2 separate art workshops in 2018	\$3,395
Recollection Artists	Mounting a joint exhibition of new works re-examining the distinct cultural identity of the Rockhampton region, based on the books <i>The Early History of Rockhampton</i> and <i>Battler's Tales of Early Rockhampton</i> .	\$13,500
Plural Theatre	Conducting theatre workshops with young people in foster care, exploring their emotional wellbeing as they approach transition from care.	\$3,818.48
Rockhampton Art Gallery	Developing and presenting a large scale, engaging exhibition providing opportunity for artists working in the Central Queensland region.	\$3,825
	total	\$24,538.48

Moved by: Councillor Swadling
Seconded by: Councillor Wickerson

MOTION CARRIED

11.11 LICENCES FOR CAR RENTAL CONCESSIONS – ROCKHAMPTON AIRPORT

File No: 10535
Attachments: Nil
Authorising Officer: Tracey Baxter - Manager Airport
Author: Sue Mitchell - Airport Commercial and Administration Supervisor

SUMMARY

The contracts for the Licences for Car Rental Concessions at Rockhampton Airport are due to expire on 28 February 2018. Council approved an extension for two (2) years in April 2016. The car rental providers at Rockhampton Airport include all of the current providers in the Australian airport market being; Avis, Budget, Europcar, Hertz, Redspot and Thrifty. On this basis approval is being sought from Council to renew these licences in accordance with provisions of the Local Government Regulation 2012.

COUNCIL RESOLUTION

THAT pursuant to s236(1)(c)(vii) of the *Local Government Regulation 2012* Council approves the current Car Rental Concession licences at Rockhampton Airport be extended for a period of two (2) years for the existing licensees.

Moved by: Councillor Wickerson

Seconded by: Councillor Rutherford

MOTION CARRIED

11.12 COMPLAINTS MANAGEMENT FRAMEWORK POLICIES AND PROCEDURES

File No: 11979

Attachments:

1. Complaints Management Policy
2. Administrative Action Complaint Procedure
3. Corrupt Conduct Policy
4. Corrupt Conduct Procedure
5. Public Interest Disclosure Policy
6. Public Interest Disclosure Procedure

Authorising Officer: Tracy Sweeney - Manager Workforce and Strategy
Ross Cheesman - Deputy Chief Executive Officer

Author: Travis Pegrem - Coordinator Industrial Relations and Investigations

SUMMARY

A suite of policy documents have been developed to form the Complaints Management Framework in accordance with legislative requirements and to establish a consistent and transparent approach in assessing and dealing with a variety of complaint types.

COUNCIL RESOLUTION

THAT Council adopts the Complaints Management Policy, the Administrative Action Procedure, the Corrupt Conduct Policy and Procedure and the Public Interest Disclosure Policy and Procedure as presented.

Moved by: Councillor Swadling
Seconded by: Councillor Wickerson

MOTION CARRIED

11.13 COUNCIL DELEGATIONS TO CHIEF EXECUTIVE OFFICER

File No: 12660

Attachments:

1. Instrument of Delegation - Planning Act 2016
2. Instrument of Delegation - Waste Reduction & Recycling Act 2011

Authorising Officer: Tracy Sweeney - Manager Workforce and Strategy

Author: Allysya Brennan - Coordinator Corporate Improvement and Strategy

SUMMARY

This report seeks Council's approval for delegations under State legislation to the position of Chief Executive Officer.

COUNCIL RESOLUTION

THAT:

1. Council resolves as per section 257 of the *Local Government Act 2009* to delegate to the Chief Executive Officer, the exercise of powers contained in Schedule 1 of the Instruments attached to the report:
 1. *Planning Act 2016*
 2. *Waste Reduction and Recycling Act 2011*
2. These powers must be exercised subject to any limitations contained in schedule 2 of the Instruments of Delegation attached to the report.

Moved by: Councillor Rutherford

Seconded by: Councillor Swadling

MOTION CARRIED

11.14 ROCKHAMPTON AERO CLUB REQUEST FOR REDUCTION IN LEASE RENTAL PAYMENT

File No: 3719
Attachments: 1. Letter from Rockhampton Aero Club
Authorising Officer: Scott Waters - General Manager Aviation
Author: Tracey Baxter - Manager Airport

SUMMARY

The Rockhampton Aero Club are seeking a reduction in rent payments for Lease Site AN at Rockhampton Airport. The reduction requested is 50% for an initial 12 month period and 25% for the following 12 months.

COUNCIL RESOLUTION

THAT Council approve a reduction in rent payments of 30% for a 12 month period for the Rockhampton Aero Club; and

THAT further the lease be reviewed with the intention of a Community Service Obligation to be developed in conjunction with the Club over the coming year.

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

11.15 2017-2018 REVISED BUDGET**File No:** 8785**Attachments:**

1. 2017-18 One Page September Revised Budget
2. Financial Statements and Ratios 2017-18
3. Capital Revision Council Summary by Project 2017-18

Authorising Officer: Ross Cheesman - Acting Chief Executive Officer**Author:** Alicia Cutler - Chief Financial Officer

SUMMARY

Acting Chief Financial Officer presenting 2017-18 Budget Revision which was undertaken during October and November 2017.

COUNCIL RESOLUTION

THAT in accordance with S170(3) of the Local Government Finance Regulation 2012, the papers, as attached to the report, be adopted as a Budget Amendment for 2017/18.

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

12 NOTICES OF MOTION

12.1 NOTICE OF MOTION - COUNCILLOR DREW WICKERSON - EXPRESSION OF INTEREST TO BECOME A MEMBER ON COMMUNITY SERVICES COMMITTEE

File No: 8246

Attachments: 1. Expression of Interest to join Community Services Committee

Responsible Officer: Evan Pardon - Chief Executive Officer

SUMMARY

Councillor Drew Wickerson has indicated his intention to move a Notice of Motion at the next Council Meeting being held on Tuesday 12 December 2017 regarding membership of Community Services Committee.

COUNCIL RESOLUTION

THAT Council approve Councillor Drew Wickerson's expression of interest to become a member of the Community Services Committee commencing in January 2018, and that the Terms of Reference be amended accordingly.

Moved by: Mayor Strelow

Seconded by: Councillor Swadling

MOTION CARRIED UNANIMOUSLY

12.2 NOTICE OF MOTION - COUNCILLOR DREW WICKERSON - ACKNOWLEDGING TRADITIONAL CUSTODIANS

File No: 8246
Attachments: 1. Traditional Owners Acknowledgement
Responsible Officer: Evan Pardon - Chief Executive Officer

SUMMARY

Councillor Drew Wickerson has indicated his intention to move a Notice of Motion at the next Council meeting being held on 12 December 2017 regarding acknowledgement of traditional custodians at all Council and Committee meetings.

COUNCIL RESOLUTION

THAT at each Ordinary Meeting, Committee Meeting and Special Meeting of Council, the Chairperson is afforded the opportunity to acknowledge the traditional custodians of the land upon which the meeting is being held.

Moved by: Councillor Wickerson
Seconded by: Councillor Williams

MOTION CARRIED

COUNCIL RESOLUTION

THAT Council seek some form of tangible recognition of the traditional owners permanently within the Chamber.

Moved by: Mayor Strelow
Seconded by: Councillor Wickerson

MOTION CARRIED

13 QUESTIONS ON NOTICE

Nil

14 URGENT BUSINESS\QUESTIONS

14.1 TREE MANAGEMENT POLICY

File No: 11979

Responsible Officer: Colleen Worthy – General Manager Community Services

SUMMARY

Councillor Tony Williams requesting a review of the Tree Management Policy.

COUNCIL RESOLUTION

THAT Councillors and Officers undertake a ground truthing of the Tree Management Policy.

Moved by: Councillor Williams

Seconded by: Mayor Strelow

MOTION CARRIED

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 Preparation of Property for Sale

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.

Moved by: Councillor Swadling

Seconded by: Councillor Williams

MOTION CARRIED

COUNCIL RESOLUTION

10:42AM

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

Moved by: Councillor Swadling

Seconded by: Councillor Wickerson

MOTION CARRIED

COUNCIL RESOLUTION

10:47AM

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

Moved by: Councillor Wickerson

Seconded by: Councillor Swadling

MOTION CARRIED

16 CONFIDENTIAL REPORTS

16.1 PREPARATION OF PROPERTY FOR SALE

File No: 1680
Attachments: 1. Concept Earthworks Plan
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Angus Russell - Senior Executive Strategic Projects

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

The report provides discussion and recommendations for preparation of the subject land for future disposal.

COUNCIL RESOLUTION

THAT the recommended actions be endorsed.

Moved by: Councillor Swadling
Seconded by: Councillor Williams

MOTION CARRIED

17 CLOSURE OF MEETING

There being no further business the meeting closed at 10:48am.

SIGNATURE

CHAIRPERSON

DATE