



# **ORDINARY MEETING**

## **MINUTES**

**23 MAY 2023**

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**REPORT OF THE ORDINARY MEETING  
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON  
ON TUESDAY, 23 MAY 2023 COMMENCING AT 9:00AM**

## **1 OPENING**

- 1.1 Acknowledgement of Country

## **2 PRESENT**

Members Present:

The Mayor, Councillor A P Williams (Chairperson)  
Deputy Mayor, Councillor N K Fisher  
Councillor S Latcham  
Councillor C E Smith  
Councillor C R Rutherford  
Councillor M D Wickerson  
Councillor D M Kirkland  
Councillor G D Mathers

In Attendance:

Mr E Pardon – Chief Executive Officer  
Mr R Cheesman – Deputy Chief Executive Officer  
Mr P Kofod – General Manager Regional Services  
Ms A Cutler – General Manager Community Services  
Ms M Taylor – Chief Financial Officer  
Mr Z Garven – Acting Executive Manager Advance Rockhampton  
Ms M Younger – Manager Corporate and Technology Services  
Mr M O’Keeffe – Manager Rockhampton Regional Waste and Recycling (via video-link)  
Mr J Webb – Manager Communities and Culture  
Mr D Scott – Manager Planning and Regulatory Services  
Mr D Morrison – Manager Workforce and Governance (via video-link)  
Ms E Dwyer – Manager Community Assets and Facilities  
Mr J Gwydir – Manager Civil Operations  
Mr C Claassen – Civil Works Manager  
Ms E Brown – Events Coordinator  
Ms A O’Mara – Coordinator Development Assessment  
Ms K McDonald – Senior Planning Officer  
Ms A Davie – Grants and Policy Advisor (via video-link)  
Ms C Hurley – Senior Communications Officer (via video-link)  
Ms J Daniels – Senior Communications Officer (via video-link)  
Ms K Dorman – Administration Supervisor (via video-link)  
Ms L Leeder – Senior Committee Support Officer

## **3 APOLOGIES AND LEAVE OF ABSENCE**

## 4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

### COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting of 9 May 2023 and the minutes of the Special Meeting of 11 May 2023 be confirmed.

**Moved by:** Councillor Fisher

**Seconded by:** Councillor Smith

**MOTION CARRIED UNANIMOUSLY**

## 5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Councillor Donna Kirkland informed the meeting:

"I have a declarable conflict of interest in **Item 11.5 - D/84-2014 - Request for Minor Change to Development Approval - Preliminary Approval to Vary the Effect of the Planning Scheme for a Material Change of Use for Residential Purposes and Development Permit for Reconfiguring a Lot (2 lots into 237 lots + Public Use Land) Riverside Waters Estate** as my son and daughter-in-law Sean and Laura Kirkland own property at 22 Mossvale Drive, Edenbrook.

I feel that their property is removed from the proposed development at Riverside Waters estate however their property location appears on the Locality Plan in Attachment 1 of the report.

I would like to test the table in regard to the declared interest as I do not believe it impacts my capacity, moving forward, when called to make decisions for the greater region.

I wish for eligible Councillors to now determine, pursuant to section 150ES of the Local Government Act 2009, whether I:

- May participate in the decision about the matter, including by voting on the matter; or
- Must leave the meeting, including any area set aside for the public, and stay away from the meeting while the eligible councillors discuss and vote on the matter."

### COUNCIL RESOLUTION

The table determined that Councillor Kirkland's interest is reasonably far removed, and it is in the public interest that Councillor Kirkland remains in the meeting and participates in the decision, including by voting on the matter.

**Moved by:** Mayor Williams

**Seconded by:** Councillor Smith

**MOTION CARRIED UNANIMOUSLY**

Councillors Williams, Fisher, Wickerson, Rutherford, Smith, Latcham, Mathers voted in the affirmative

Councillor Kirkland did not participate in the vote

Councillor Donna Kirkland informed the meeting:

"I have a declarable conflict of interest in **Item 16.1 - Request for Infrastructure Charges Concession**. This declarable conflict of interest arises as I am a founding non-executive member of The Shelter Collective group and the owner of the property mentioned in the report is also amongst the founding members for The Shelter Collective. Additionally the company listed as applicants for the development are a donating company to The Shelter Collective housing initiative.

I will deal with the conflict by leaving the room and staying away from the place where the meeting is being held when this matter is being discussed and voted on."

Councillor Grant Mathers informed the meeting:

"I have a declarable conflict of interest in **Item 16.1 - Request for Infrastructure Charges Concession**. This declarable conflict of interest arises as I am a founding non-executive member of The Shelter Collective group and the owner of the property mentioned in the report is also amongst the founding members for The Shelter Collective. Additionally the company listed as applicants for the development are a donating company to The Shelter Collective housing initiative.

I will deal with the conflict by leaving the room and staying away from the place where the meeting is being held when this matter is being discussed and voted on."

Councillor Drew Wickerson informed the meeting:

"I have a declarable conflict of interest in **Item 11.5 - D/84-2014 - Request for Minor Change to Development Approval - Preliminary Approval to Vary the Effect of the Planning Scheme for a Material Change of Use for Residential Purposes and Development Permit for Reconfiguring a Lot (2 lots into 237 lots + Public Use Land) Riverside Waters Estate** as my wife Deborah and I own property at Riverside Waters.

I will deal with the conflict by leaving the room and staying away from the place where the meeting is being held when this matter is being discussed and voted on."

Councillor Rutherford informed the meeting:

"I have a declarable conflict of interest in **Item 11.5 - D/84-2014 - Request for Minor Change to Development Approval - Preliminary Approval to Vary the Effect of the Planning Scheme for a Material Change of Use for Residential Purposes and Development Permit for Reconfiguring a Lot (2 lots into 237 lots + Public Use Land) Riverside Waters Estate** as I own property just outside Riverside Waters at 20 Samuel Crescent; additionally I have a declarable conflict of interest as I also have a friendship with Councillor Wickerson who has a declarable conflict of interest in this matter.

I will deal with these conflicts by leaving the room and staying away from the place where the meeting is being held when this matter is being discussed and voted on."

Councillor Rutherford informed the meeting:

“I have a declarable conflict of interest in **Item 16.1 - Request for Infrastructure Charges Concession** as my brother Councillor Mathers has a declarable conflict of interest in this matter due to his relationship with The Shelter Collective.

I wish for eligible Councillors to now determine, pursuant to section 150ES of the Local Government Act 2009, whether I:

- May participate in the decision about the matter, including by voting on the matter; or
- Must leave the meeting, including any area set aside for the public, and stay away from the meeting while the eligible councillors discuss and vote on the matter.”

### COUNCIL RESOLUTION

The table determined that Councillor Rutherford’s interest is reasonably far removed and it is in the public interest that Councillor Rutherford remains in the meeting and participates in the decision, including by voting on the matter.

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

### MOTION CARRIED

Councillors Williams, Fisher, Mathers, Wickerson, Smith, Kirkland, Latcham voted in the affirmative  
Councillor Rutherford did not participate in the vote

Councillor Mathers informed the meeting:

“I have a declarable conflict of interest in **Item 11.5 - D/84-2014 - Request for Minor Change to Development Approval - Preliminary Approval to Vary the Effect of the Planning Scheme for a Material Change of Use for Residential Purposes and Development Permit for Reconfiguring a Lot (2 lots into 237 lots + Public Use Land) Riverside Waters Estate** as my sister Councillor Rutherford has a declarable conflict of interest in this matter as she owns property just outside the Riverside Waters.

I wish for eligible Councillors to now determine, pursuant to section 150ES of the Local Government Act 2009, whether I:

- May participate in the decision about the matter, including by voting on the matter; or
- Must leave the meeting, including any area set aside for the public, and stay away from the meeting while the eligible councillors discuss and vote on the matter.”

**COUNCIL RESOLUTION**

The table determined that Councillor Mathers' interest is reasonably far removed and it is in the public interest that Councillor Mathers remains in the meeting and participates in the decision, including by voting on the matter.

**Moved by:** Councillor Kirkland

**Seconded by:** Mayor Williams

**MOTION CARRIED**

Councillors Williams, Fisher, Wickerson, Rutherford, Smith, Kirkland, Latcham voted in the affirmative

Councillor Mathers did not participate in the vote

**6 BUSINESS OUTSTANDING**

Nil

**7 PUBLIC FORUMS/DEPUTATIONS**

The meeting will adjourn at 10:00am for presentation of National Emergency Medals to local recipients acknowledging sustained service during Tropical Cyclone Debbie in 2017.

**8 PRESENTATION OF PETITIONS**

Nil

**9 COMMITTEE REPORTS**

Nil



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## 10 COUNCILLOR/DELEGATE REPORTS

### 10.1 COUNCILLOR DISCRETIONARY FUND APPLICATION - ROCKHAMPTON CLAY TARGET CLUB INC.

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

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#### SUMMARY

*Mayor Tony Williams, Councillor Cherie Rutherford and Councillor Donna Kirkland are requesting approval for a donation of \$922 from their Councillor Discretionary Funds to the Rockhampton Clay Target Club Inc.*

#### COUNCIL RESOLUTION

THAT Council approves the allocation of \$222 from Mayor Tony Williams, \$500 from Councillor Cherie Rutherford and \$200 from Councillor Donna Kirkland to the Rockhampton Clay Target Club Inc. towards catering and event prizes for their two-day Carnival being held in Rockhampton on 10 and 11 June 2023.

**Moved by:** Councillor Smith  
**Seconded by:** Councillor Latcham  
**MOTION CARRIED UNANIMOUSLY**

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**10.2 COUNCILLOR DISCRETIONARY FUND APPLICATION - GOLDEN MOUNT FESTIVAL ASSOCIATION INC. - COUNCILLOR CHERIE RUTHERFORD**

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

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**SUMMARY**

*Councillor Cherie Rutherford is requesting retrospective approval for a donation of \$100 from her Councillor Discretionary Funds to the Golden Mount Festival Association Inc.*

**COUNCIL RESOLUTION**

THAT Council approves the allocation of \$100 from Councillor Cherie Rutherford's Councillor Discretionary Fund towards prize money for the Golden Mount Festival.

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

**MOTION CARRIED UNANIMOUSLY**

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## 11 OFFICERS' REPORTS

### 11.1 2023 ROCKHAMPTON AGRICULTURAL SHOW - APPROVAL FOR PAYMENT OF PRIZES

**File No:** 14298  
**Authorising Officer:** Zac Garven - Acting Executive Manager Advance Rockhampton  
**Author:** Eileen Brown - Events Coordinator

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#### SUMMARY

*Council's current Payment Exception Authority Procedure requires Council or Committee approval to pay prize monies in cash. This report is seeking formal approval to allow prizes to be paid in cash at the 2023 Rockhampton Agricultural Show.*

#### COUNCIL RESOLUTION

THAT Council approve the payment of prizes in cash for the 2023 Rockhampton Agricultural Show.

**Moved by:** Councillor Smith  
**Seconded by:** Councillor Mathers

**MOTION CARRIED UNANIMOUSLY**

**11.3 SPONSORSHIP OF FOX SUPERFLOW MOUNTAIN BIKE EVENT**

**File No:** 11715  
**Authorising Officer:** Zac Garven - Acting Executive Manager Advance  
Rockhampton  
**Author:** Eileen Brown - Events Coordinator

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**SUMMARY**

*A request for sponsorship for the Fox Superflow Mountain Bike (MTB) Event to be held at the First Turkey Mountain Bike Reserve on 10 and 11 June 2023 is presented to Council for consideration.*

**COUNCIL RESOLUTION**

THAT Council approves the allocation of \$5,000 (excl GST) in funding for sponsorship of the 2023 Fox Superflow Mountain Bike Event on 10 and 11 June 2023.

**Moved by:** Councillor Rutherford  
**Seconded by:** Councillor Fisher

**MOTION CARRIED UNANIMOUSLY**

**11.2 2024 ROCKHAMPTON AGRICULTURAL SHOW PUBLIC HOLIDAY**

**File No:** 14298  
**Authorising Officer:** Zac Garven - Acting Executive Manager Advance  
Rockhampton  
**Author:** Eileen Brown - Events Coordinator

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**SUMMARY**

*Each year the Queensland Government invites Council to nominate a date for the granting of a special public holiday for the holding of the annual agricultural show. The proposed date for this holiday in 2024 is Thursday 13 June.*

**COUNCIL RESOLUTION**

THAT Council authorises the Chief Executive Officer (or delegate) to complete the on-line form, nominating Thursday 13 June 2024 as a special agricultural show holiday for the Rockhampton Regional Council region.

**Moved by:** Councillor Smith  
**Seconded by:** Councillor Mathers

**MOTION CARRIED UNANIMOUSLY**

**11.4 D/648-2012 - REQUEST FOR MINOR CHANGE TO DEVELOPMENT PERMIT FOR A PUBLIC FACILITY (WASTE DISPOSAL STATION) AND ENVIRONMENTALLY RELEVANT ACTIVITY (ERA 60 - WASTE DISPOSAL)**

**File No:** D/648-2012  
**Authorising Officer:** Amanda O'Mara - Coordinator Development Assessment  
Doug Scott - Manager Planning and Regulatory Services  
Alicia Cutler - General Manager Community Services  
**Author:** Kathy McDonald - Senior Planning Officer

**SUMMARY**

*Development Application Number:* D/648-2012  
*Applicant:* QRR Properties Pty Limited  
*Real Property Address:* Lot 1 on RP604651  
*Common Property Address:* 231 Lucas Street, Gracemere  
*Area of Site:* 3.804 hectares  
*Planning Scheme:* Fitzroy Shire Planning Scheme 2005 (Reprint 3)  
*Planning Scheme Zone:* Town Zone  
*Planning Scheme Precinct:* Utilities Precinct  
*Existing Development:* Waste Disposal Station  
*Approval Sought:* Amended Decision Notice for Development Permit D/648-2012 for Public Facility (Waste Disposal Station) and an Environmentally Relevant Activity (ERA 60 - Waste Disposal)  
*Affected Entity:* Nil

**COUNCIL RESOLUTION**

THAT in relation to the application for a minor change to Development Permit D/648-2012 for a Material Change of Use for Public Facility (Waste Disposal Station) and an Environmentally Relevant Activity (ERA 60 - Waste Disposal), made by QRR Properties Pty Limited, located at 231 Lucas Street, Gracemere, described as Lot 1 on RP604651, Council resolves to issue an Amended Decision Notice:

**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 its purposes:

1.6.1 Operational Works:

- (i) Road Works;
- (ii) Access Works;
- (iii) Stormwater Works;
- (iv) Site Works;
- (v) Landscaping Works;

1.6.2 Building Works; and

1.6.3 Plumbing and Drainage Works.

- 1.7 All Development Permits for Operational Works and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.

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

- 1.9 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant Australian Standards and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

- 1.10 The approval is limited to a period of twenty (20) years from the approval effective date. Thereafter the use shall cease to be lawful.

## 2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Cover Sheet	D12.42	Undated
Site Plan	D12.42-01 Revision 1	June 2012
Waste Disposal Facility Plan	D12.42-02 Revision 1	June 2012
Stormwater Management	D12.42-06 Revision 2	March 2013
Waste Disposal Facility Plan	D12.42-08 Revision 1	March 2013
Environmental Noise Level Study for Proposed Waste Disposal Facility	Page 11 of 28 R13059/D2804/Rev.0	3 July 2013
Landscaping Buffer Sketch	D12.42OW-SK1 Revision 1	August 2015

- 2.2 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 a Development Application for Operational Works.

## 3.0 ROAD WORKS

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

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

- 3.3 Lucas Street must be widened on the development side with kerb and channel, asphalt sealed pavement and stormwater drainage to a minimum standard of six (6) metres of sealed pavement from the road centreline to the kerb invert for the full frontage of the site. Tapers must be provided at either end.
- 3.4 A Basic Right Turn Treatment in accordance with the Department of Main Roads Planning and Design Manual must be provided on the western side of Lucas Street. Widening must consist of an asphalt sealed pavement and appropriate stormwater drainage.
- 3.5 Parking on both sides of Lucas Street must be restricted in the vicinity of the development access to ensure vehicles entering and exiting the site do not obstruct through traffic.
- 3.6 Traffic signs and pavement markings must be provided in accordance with the Manual of Uniform Traffic Control Devices – Queensland. Where necessary, existing traffic signs and pavement markings must be modified in accordance with the Manual of Uniform Traffic Control Devices – Queensland.
- 3.7 Category P3 street lighting must be provided for the full frontage of the site.

#### 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 All trafficable areas within the Waste Transfer Area must be sealed and drained.
- 4.4 Any application for a Development Permit for Operational Works (access and parking works) must be accompanied by detailed and scaled plans which demonstrate that the access is of suitable dimensions for a single articulated (nineteen (19) metre) design vehicles to lawfully enter and exit the site.
- 4.5 Any application for a Development Permit for Operational Works (access and parking works) must be accompanied by details of how transportation of soil/ sediment into the road reserve by vehicles leaving the site will be prevented.

#### 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.
- 5.2 On-site sewerage treatment and disposal must be in accordance with the Queensland Plumbing and Wastewater Code and Council’s Plumbing and Drainage Policies.
- 5.3 All internal plumbing and sanitary drainage works must be in accordance with regulated work under the Plumbing and Drainage Act.

#### 6.0 STORMWATER WORKS

- 6.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 6.2 Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by a report prepared by a Registered Professional Engineer of Queensland, demonstrating how the stormwater harvesting proposed will be carried out in accordance with the requirements of the Australian Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2) Stormwater Harvesting and Reuse.



- 6.3 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), the Queensland Urban Drainage Manual, the Capricorn Municipal Development Guidelines, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 6.4 All stormwater not collected and harvested on the site must drain to a demonstrated lawful point of discharge and must not adversely affect adjoining land or infrastructure by way of blocking, altering or diverting existing stormwater runoff patterns or have the potential to cause damage to other infrastructure.
- 6.5 Any application for a Development Permit for Operational Works (stormwater works) must include an assessment of how the development meets the water quality objectives of the State Planning Policy 4/10 – Healthy Waters.
- 6.6 The proposed development must not increase peak stormwater runoff for a selected range of storm events up to and including the one in one hundred year storm event (100 year Average Recurrence Interval) for the post development condition.
- 6.7 Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by a Stormwater Drainage Report, prepared and certified by a Registered Professional Engineer of Queensland, which as a minimum includes:
- 6.7.1 identification of drainage catchment and drainage sub-catchment areas for the pre-development and post-development scenarios including a suitably scaled stormwater master plan showing the aforementioned catchment details and lawful point(s) of discharge that comply with the requirements of the Queensland Urban Drainage Manual;
  - 6.7.2 an assessment of the peak discharges for all rainfall events up to and including the one in one hundred year rainfall event (100 year Average Recurrence Interval) for the pre-development and post-development scenarios;
  - 6.7.3 details of any proposed on-site detention / retention systems and associated outlet systems required to mitigate the impacts of the proposed development on downstream lands and existing upstream and downstream drainage systems;
  - 6.7.4 identification and conceptual design of all new drainage systems, and modifications to existing drainage systems required to adequately manage stormwater collection and discharge from the proposed development;
  - 6.7.5 demonstration of how major design storm flows are conveyed through the subject development to a lawful point of discharge in accordance with the Queensland Urban Drainage Manual and the Capricorn Municipal Development Guidelines;
  - 6.7.6 identification of the area of land inundated as a consequence of the minor and major design storm events in the catchment for both the pre-development and post-development scenarios;
  - 6.7.7 identification of all areas of the proposed development, and all other land (which may include land not under the control of the developer), which needs to be dedicated to, or encumbered in favour of Council or another statutory authority, in order to provide a lawful point of discharge for the proposed development. The areas identified must satisfy the requirements of the Queensland Urban Drainage Manual. All land proposed as major overland flow paths must include appropriate freeboard, access and maintenance provisions consistent with the Queensland Urban Drainage Manual; and
  - 6.7.8 details of all calculations, assumptions and data files (where applicable).

- 7.0 SITE WORKS
- 7.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works.
- 7.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by a site based management plan which clearly addressed the following:
- 7.2.1 Dust suppression
  - 7.2.2 Compaction method suitable for future use of the site.
  - 7.2.3 Site filling sequence
  - 7.2.4 Stormwater flow paths and storage during the operational and post operational stages of the development.
  - 7.2.5 Finished surface levels
  - 7.2.6 Cleaning of access roads to and from the site.
- 7.3 Any application for a Development Permit for Operational Works (site works) must be accompanied by a preliminary site investigation into acid sulphate soils in accordance with State Planning Policy 2/02 – Planning and Managing Development Involving Acid Sulfate Soils. If preliminary testing indicates that acid sulphate soils are present in the areas to be excavated, a more detailed acid sulphate soil investigation must be completed, and an appropriate management plan submitted to Council as part of any application for a Development Permit for Operational Works (site works).
- 7.3.1 Should preliminary testing demonstrate that acid sulphate soils are present in the areas to be excavated or filled, an acid sulphate soils investigation following the procedure outlined in Step 2 in Section 6 of the guideline should be carried out and a report provided.
  - 7.3.2 Investigation boreholes should be to a depth of one (1) metre below the anticipated depth of disturbance and to at least three (3) metres depth in areas to be filled. Boreholes should be drilled within areas where the road works, water reticulation, sewerage reticulation, and electricity distribution and telecommunications infrastructures will be located.
  - 7.3.3 If there will be groundwater extraction activities (including drainage, pumping or other activity that removes groundwater) carried out in association with excavation activities, then a groundwater investigation will need to be undertaken in accordance with Section 7 of the State Planning Policy 2/02 guideline.
  - 7.3.4 Sampling associated with the acid sulfate soils investigation should follow the Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland (Ahern et al 1998). Laboratory analysis associated with the acid sulphate soils investigation should follow the Laboratory Methods Guidelines of the Queensland Acid Sulphate Soil Technical Manual.
- 7.4 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- 7.5 All site works must be undertaken to ensure that there is:
- 7.5.1 no increase in upstream or downstream flood levels for all levels of immunity up to Q100;
  - 7.5.2 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

- 7.5.3 a lawful point of discharge to which the developed flows from the land drain. Easements will be required over any other land to accommodate the flows.

## 8.0 LANDSCAPING WORKS

- 8.1 A Development Permit for Operational Works (landscaping works) must be obtained prior to the commencement of any landscaping works on the site.
- 8.2 Landscaping must be provided along the frontage of the site in accordance with the approved plans (refer to condition 2.1) and a Development Permit for Operational Works (Landscaping).
- 8.3 Landscape buffering must be provided along the length of the western boundary for a width of five (5) metres where possible whilst also maintaining a minimum clear width of six (6) metres for access within the easement. The buffer must comprise a mixture of trees (minimum mature height of six (6) metres) and shrubs/hedging (minimum mature height of 1.8 metres).
- 8.4 The landscape buffer as required in condition 8.3 must be planted on a 1.2 metre earth mound.
- 8.5 The Landscape buffering required in Condition 8.3 must achieve a minimum level of seventy-five (75) per centum opacity within two (2) years of being planted.
- 8.6 Trees, as required in condition 8.3 must incorporate a minimum of thirty (30) per centum advanced plant stock, to create an immediate effect.
- Note: Trees a minimum of two (2) metres in height constitute 'advanced plant stock'.
- 8.7 The plantings selected for the buffers must incorporate a minimum of seventy (70) per centum species native to the Central Queensland Region.
- 8.8 As part of the Development Permit for Operational Works (landscaping works) a landscaping plan must be submitted addressing the post operational phase of the development.
- 8.9 Landscaping, or any part thereof, upon reaching full maturity, must not:
- (i) obstruct sight visibility zones as defined in the *Austroads 'Guide to Traffic Engineering Practice'* series of publications;
  - (ii) adversely affect any road lighting or public space lighting; or
  - (iii) adversely affect any Council infrastructure, or public utility plant.
- 8.10 The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary).

## 9.0 BUILDING WORKS

- 9.1 An acoustic barrier must be constructed in accordance with the approved plans (refer condition 2.1) and must be:
- 9.1.1 located behind the landscaping buffer as conditioned in condition 8.2 to improve the visual impact of the barrier;
  - 9.1.2 at least 2.4 metres higher than the level of activities on the subject site, both with respect to the landfill and truck movements relative to the waste stockpiles;
  - 9.1.3 continuous and gap free (excluding the access);
  - 9.1.4 have a minimum surface area density of 10 kilograms per square metre; and
  - 9.1.5 constructed of suitable materials which may include:
    - (i) reinforced concrete;

- (ii) concrete block;
- (iii) brick;
- (iv) hebel panel;
- (v) sheet metal at least two (2) millimetres thick;
- (vi) minimum 7.5 millimetre thick fibrous cement sheets;
- (vii) earth mound;
- (viii) lapped timber palings, for example kiln dried softwood palings at least fifteen (15) millimetres thick and overlapped a minimum of twenty-five (25) millimetre or at least nineteen (19) millimetres thick and overlapped a minimum of fifteen (15) millimetres.

#### 10.0 ELECTRICITY AND TELECOMMUNICATIONS

- 10.1 Electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
- 10.2 Evidence must be provided of a certificate of supply with the relevant service providers to provide each lot with live electricity and telecommunication connections, in accordance with the requirements of the relevant authorities prior to the commencement of the use.

#### 11.0 ASSET MANAGEMENT

- 11.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.
- 11.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.
- 11.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the commencement of the use. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.

#### 12.0 ENVIRONMENTAL

- 12.1 Any application for a Development Permit for Operational Works must be accompanied by a detailed Environmental Management Plan, which addresses, but is not limited to, the following matters:
- (i) water quality and drainage;
  - (ii) erosion and silt/sedimentation management;
  - (iii) acid sulphate soils;
  - (iv) fauna management;
  - (v) vegetation management and clearing;
  - (vi) top soil management;
  - (vii) interim drainage plan during construction;
  - (viii) construction programme;
  - (ix) geotechnical issues;
  - (x) weed control;

- (xi) bushfire management;
  - (xii) emergency vehicle access;
  - (xiii) noise and dust suppression; and
  - (xiv) waste management.
- 12.2 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan which addresses, but is not limited to, the following:
- (i) objectives;
  - (ii) site location / topography;
  - (iii) vegetation;
  - (iv) site drainage;
  - (v) soils;
  - (vi) erosion susceptibility;
  - (vii) erosion risk;
  - (viii) concept;
  - (ix) design; and
  - (x) implementation for the construction and post construction phases of work.
- 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 and Stormwater Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The prepared Erosion Control and Stormwater Control Management Plan must be available on-site for inspection by Council Officers during those works.
- 13.0 OPERATING PROCEDURES
- 13.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Lucas Street.
- 13.2 DELETED
- 13.3 All waste management systems must be in accordance with the Environmental Protection (Water) Policy and regulations and Council's water management policies.
- 13.4 The hours of operations must be limited to:
- (i) 0700 hours to 1800 hours on Monday to Friday, and
  - (ii) 0800 hours to 1700 hours on Saturday; with
  - (iii) no operations on Sunday or Public Holidays.
- 13.5 Appropriate dust suppression methods, such as water trucks and sprinkler systems must be utilised during the operation of the facility to ensure no increase in dust nuisance to surrounding residents.

#### ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

It is advised that under *Section 23 of the Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable

measures to ensure the activity does not harm Aboriginal Cultural Heritage (the “cultural heritage duty of care”). Maximum penalties for breaching the duty of care are listed in the Aboriginal Cultural Heritage legislation. The information on Aboriginal Cultural Heritage is available on the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs website: [www.datsima.qld.gov.au](http://www.datsima.qld.gov.au).

NOTE 2. Asbestos Removal

Any demolition and/or removal works involving asbestos materials must be undertaken in accordance with the requirements of the *Workplace Health and Safety* legislation and *Public Health Act 2005*.

NOTE 3. General Environmental Duty

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

NOTE 4. General Safety Of Public During Construction

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

NOTE 5. Adopted Infrastructure Charges Notice

This application is subject to infrastructure contributions in accordance with Council policies. The contributions are presented on an Adopted Infrastructure Charges Notice which has been supplied with this decision notice.

NOTE 6. Duty to Notify of Environmental Harm

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

**Moved by: Councillor Latcham**

**Seconded by: Councillor Mathers**

**MOTION CARRIED UNANIMOUSLY**

**11.5 D/84-2014 - REQUEST FOR MINOR CHANGE TO DEVELOPMENT APPROVAL - PRELIMINARY APPROVAL TO VARY THE EFFECT OF THE PLANNING SCHEME FOR A MATERIAL CHANGE OF USE FOR RESIDENTIAL PURPOSES AND DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (2 LOTS INTO 237 LOTS + PUBLIC USE LAND) RIVERSIDE WATERS ESTATE**

9:26AM

Councillor Wickerson, having earlier informed the meeting of a declarable conflict of interest and his decision to not participate in Item 11.5 - Request for Minor Change to Development Approval - Preliminary Approval to Vary the Effect of the Planning Scheme for a Material Change of Use for Residential Purposes and Development Permit for Reconfiguring a Lot (2 lots into 237 lots + Public Use Land) Riverside Waters Estate, left the place at which the meeting was held, including any area for the public and stayed away while the matter was discussed and voted on.

9:26AM

Councillor Rutherford, having earlier informed the meeting of a declarable conflict of interest and her decision to not participate in Item 11.5 - Request for Minor Change to Development Approval - Preliminary Approval to Vary the Effect of the Planning Scheme for a Material Change of Use for Residential Purposes and Development Permit for Reconfiguring a Lot (2 lots into 237 lots + Public Use Land) Riverside Waters Estate, left the place at which the meeting was held, including any area for the public and stayed away while the matter was discussed and voted on.

**File No:** D/84-2014

**Authorising Officer:** Amanda O'Mara - Coordinator Development Assessment  
Doug Scott - Manager Planning and Regulatory Services  
Alicia Cutler - General Manager Community Services

**Author:** Kathy McDonald - Senior Planning Officer

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**SUMMARY**

*Development Application Number:* D/84-2014

*Applicant:* Jamesford Holdings Pty Ltd and Glenmore Developments Pty Ltd

*Real Property Address:* Lot 600 on SP325484 and Lot 129 on PL4021 (previously known as Lot 102 on RP860099)

*Common Property Address:* 54-102 Belmont Road and 263 Belmont Road, Parkhurst

*Area of Site:* 51.329 hectares

*Planning Scheme:* Rockhampton Region Planning Scheme 2015 (v1.1)

*Planning Scheme Zone:* Rural Zone (residential development as per the Preliminary to Vary the Effect of the Planning Scheme)

*Existing Development:* Residential Subdivision

*Approval Sought:* Amended Decision Notice for Preliminary Approval to Vary the Effect of the Planning

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*Scheme for a Material Change of Use for Residential Purposes and Development Permit for Reconfiguring a Lot (2 lots into 237 lots + Public Use Land) Riverside Waters Estate*

Affected Entity:

Nil

## COUNCIL RESOLUTION

### RECOMMENDATION A

That in relation to the application for a Minor Change to D/84-2014 for Preliminary Approval to Vary the Effect of the Planning Scheme for a Material Change of Use for Residential Purposes and Development Permit for Reconfiguring a Lot for (2 lots into 237 lots + Public Use Land), made by Jamesford Holdings Pty Ltd and Glenmore Developments Pty Ltd, located at 54-102 and 263 Belmont Road, Parkhurst, described as Lot 600 on SP325484 and Lot 129 on PL4021, Council resolves to provide the following reasons for its decision:

### STATEMENT OF REASONS

<b>Description of the development</b>	Preliminary Approval to Vary the Effect of the Planning Scheme for a Material Change of Use for Residential Purposes and Development Permit for Reconfiguring a Lot (2 lots into 237 lots + Public Use Land)	
<b>Reasons for Decision</b>	<p>a) The proposed subdivision is consistent with the intent of the Riverside Estate development area under the Preliminary Approval to Vary the Effect of the Planning Scheme, which is to create land to accommodate a range of housing, predominantly detached dwelling houses, on a range of lot sizes;</p> <p>b) The proposal is considered to provide for an efficient land use pattern and is well connected to other parts of the Rockhampton region;</p> <p>c) The proposed subdivision does not compromise the strategic framework in the <i>Rockhampton Region Planning Scheme 2015</i>; and</p> <p>d) Assessment of the development against the relevant zone purpose, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity.</p>	
<b>Assessment Benchmarks</b>	<p>The proposed development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> <li>Riverside Estate Development Code.</li> </ul>	
<b>Compliance with assessment benchmarks</b>	The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exceptions listed below.	
	<b>Assessment Benchmark</b>	<b>Reasons for the approval despite non-compliance with benchmark</b>
	Riverside Estate Development Code	<p>The development does not wholly meet Acceptable Outcome 30 as not all of the proposed lots within the Riverside Estate meet the minimum lot dimensions.</p> <p>Approximately ten (10) proposed lots within the estate will not meet the minimum 20 metre road frontage requirement. Despite this, the intent and character of the Riverside Estate remains, and those with reduced frontages are</p>



		consistent with the rest of the estate with equal to, or above the minimum lot size of 1,000 square metres.  Therefore, the proposal is considered to comply with Performance Outcome 30 (PO30).
<b>Matters prescribed by regulation</b>	<ul style="list-style-type: none"> <li>• The <i>Rockhampton Region Planning Scheme 2015</i> (v1.1); and</li> <li>• The common material, being the material submitted with the application.</li> </ul>	

## **RECOMMENDATION B**

That to reflect the below changes, Jamesford Holdings Pty Ltd and Glenmore Developments Pty Ltd, be issued with an Amended Decision Notice:

### **PART A – Material Change of Use for Residential Purposes**

#### **1.0 DEFINITIONS AND INTERPRETATION**

1.1 In this approval:

- 1.1.1 **Applicant** means Glenmore Holdings (Aust) Pty Ltd C/- Capricorn Survey Group (CQ) Pty Ltd being the applicant for the application for preliminary approval with respect to the Subject Land.
- 1.1.2 **Approval** means the approval of the Application by the Council on 26 May 2015, as amended.
- 1.1.3 **Application** means the Application made by the Applicant to Council dated 3 April 2014 over the Subject Land for Preliminary Approval varying the effect of Council's Planning Scheme and Reconfiguring a Lot (2 lots into 237 lots).
- 1.1.4 **Conditions** mean the conditions of this approval including any attachment referred to in these conditions.
- 1.1.5 **Council** means Rockhampton Regional Council. Where 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.
- 1.1.6 **Developer** means the Glenmore Holdings (Aust) Pty Ltd or the registered proprietor and any occupier of the Subject Land.
- 1.1.7 **Environmental Management Plan** means a plan prepared and approved in accordance with Condition 21.0.
- 1.1.8 **Infrastructure** means infrastructure reasonably required to service the proposed development including roads (internal, external and access), parks, open space and conservation areas, water and sewerage services, stormwater, drainage and community facilities.
- 1.1.9 **Sustainable Planning Act 2009** means the *Sustainable Planning Act 2009* as amended from time to time.
- 1.1.10 **Subject Land** means ~~Lot 2 on RP609985, Lot 102 on RP860099~~ Lot 600 on SP325484 and Lot 129 on PL4021, Parish of Murchison, situated at ~~46-48, 54-102~~ and 263 Belmont Road, Parkhurst, having a total area of 51.329 hectares.
- 1.1.11 **Planning Scheme** means *Rockhampton City Plan 2005* as amended from time to time, or any other subsequent replaced planning scheme.
- 1.1.12 **Preamble** means an introduction which provides guidance and background to a condition. While a preamble does not form part of the condition it can be used for the purpose of understanding and interpreting a condition.
- 1.1.13 **Master Plan Development Document** means the Riverside Estate

Development Document which includes the assessment table, definitions and development codes being a plan of the proposed development for a material change of use which affects Council's Planning Scheme with respect to the subject land which in particular:

- (i) states what development is:
  - (a) Assessable Development (requiring code or impact assessment); or
  - (b) Self-assessable Development; or
  - (c) Exempt Development; and
- (ii) Identifies codes for the development.

## 2.0 ADMINISTRATION

- 2.1 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.
- 2.2 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 2.3 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.

## 3.0 APPROVED PLANS AND DOCUMENTS

- 3.1 This is a preliminary approval for a Material Change of Use to vary the affect of Council's Planning Scheme under section 242 of the *Sustainable Planning Act 2009* for Residential development, on the subject land, generally in accordance with the following plans and documents, except where amended by the Conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Material Change of Use (Residential Lots + Public Use Land)	7066-01-MCU	8 February 2019
Riverside Estate Development Document	Revision C	August 2015

- 3.2 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.
- 3.3 Updated plans reflecting the revised development footprint (refer to Condition 3.1 and plan labelled "Material Change of Use (Residential Lots + Public Use Land)") must be submitted prior to the endorsement of the Survey Plan Approval Certificate for the first stage of the Reconfiguring a Lot (refer to Condition 9.1).

## 4.0 PLANNING FRAMEWORK

- 4.1 All development must be in accordance with the Riverside Estate Development Document (refer to condition 3.1) unless otherwise conditioned.
- 4.2 To remove any doubt:
  - 4.2.1 any development on the Subject Land, which is not identified in the Riverside Estate Development Document must be:
    - (i) if it is a Material Change of Use – impact assessable (pursuant to the

Level of Assessment Table in the Master Plan Development Document); or

- (ii) for all other forms of development – subject to the level of assessment established in the Planning Scheme; and

4.2.2 any development on the Subject Land, which is identified in the Riverside Estate Development Document and which conflicts with the purpose of the applicable codes or conditions of this Approval, must be:

- (i) if it is a Material Change of Use – impact assessable; or
- (ii) for all other forms of development – subject to the level of assessment established in the Planning Scheme.

## 5.0 RELEVANT PERIOD

5.1 The standard relevant periods stated in section 341 and 343 of the *Sustainable Planning Act 2009* apply to each aspect of development in this approval.

## 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 the full cost to the Developer.

6.2 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.

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

## **PART B – Reconfiguring a Lot for (2 lots into 237 Lots)**

### 7.0 ADMINISTRATION

7.1 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.

7.2 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.

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

7.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the issue of the Compliance Certificate for the Survey Plan, unless otherwise stated.

7.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the issue of the Compliance Certificate for the Survey Plan, unless otherwise stated.

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

7.6.1 Operational Works:

- (i) Road Works;

- (ii) Access Works;
- (iii) Sewerage Works;
- (iv) Water Works;
- (v) Stormwater Works;
- (vi) Inter-allotment Drainage Works;
- (vii) Site Works; and
- (viii) Deleted.

7.6.2 Deleted.

7.6.3 Deleted.

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

7.8 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.

#### 8.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Reconfiguration Plan (237 Lots + Public Use Land)	Revision F	6 May 2023
Overall Landscape Concept Sketch	17-004/SK02, Revision A	July 2019
Landscape Sketch – 2	17-004/SK04, Revision A	July 2019
Landscape Sketch – 4	17-004/SK06, Revision A	July 2019
Landscape Sketch – 7	17-004/SK09, Revision A	July 2019
Conceptual Stormwater Management Plan	K4887-003-A	12 September 2019
Infrastructure Report – Riverside Estate	R1294 – Revision C	December 2014
Traffic Impact Assessment Report	R12394, Issue A	12 December 2014
Sewer and Water Network Analysis	1335/1358	17 June 2019

8.2 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.

8.3 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 a Development Application for Operational Works.

#### 9.0 STAGED DEVELOPMENT

9.1 This approval is for a development to be undertaken in twelve (12) discrete stages, namely:

- 9.1.1 Lots 1, 2, 22, 23, 70 to 81, 94 to 100, and Public Use Land (Stage 1);
- 9.1.2 Lots 82 to 93 (Stage 2);
- 9.1.3 Lots 3 to 11, 15 to 21, and Public Use Land (Stage 3);
- 9.1.4 Lots 24 to 30, 46 to 53, 60 to 69, 232, 233 and Public Use Land (Stage 4);
- 9.1.5 Lots 12 to 14, 31 to 45, 229 to 231 and 237 and Public Use Land (Stage 5);
- 9.1.6 Lots 54 to 59, 211 to 228, 234 to 236 and Public Use Land (Stage 6);
- 9.1.7 Lots 101 to 105, 128 to 136, 146 to 150, and Public Use Land (Stage 7);
- 9.1.8 Lots 151 to 155, 165 to 175, 206 to 210, and Public Use Land (Stage 8);
- 9.1.9 Lots 106 to 115, and 123 to 127 (Stage 9);
- 9.1.10 Lots 116 to 122, 137 to 145, 187 and 188 (Stage 10);
- 9.1.11 Lots 156 to 164, 182 to 186, and 189 to 193 (Stage 11); and
- 9.1.12 Lots 176 to 181, 194 to 205, and Public Use Land (Stage 12).

Staging must take place in a coordinated and a planned manner having regard to the orderly sequence in provision of access and infrastructure.

- 9.2 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.
- 9.3 The "Public Use Land" must be transferred to Council as freehold fee simple on trust for Stages 1, 3, 4, 5, 6, 7, 8, and 12.

#### 10.0 ROAD WORKS

- 10.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works on the site.
- 10.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 8.1), *Capricorn Municipal Development Guidelines*, relevant Australian Standards and the provisions of a Development Permit for Operational Works (road works).
- 10.3 Any application for a Development Permit for Operational Works (road works) must demonstrate that all new roads and road reserves included in the application connect with existing constructed road(s) within and road reserve(s) at the time of making the application.
- 10.4 Belmont Road must be designed and constructed to a Major Urban Collector standard, with half road construction along the development side and having a minimum width of ten (10) metres of the carriageway width. Kerb and channel, pedestrian pathways and drainage infrastructure must be included. This non-trunk infrastructure is conditioned under section 145 of the *Planning Act 2016*.
  - 10.4.1 Widening of Belmont Road from the southern boundary to the entrance roundabout must be carried out as part of Stage 1 and having a minimum width of ten (10) metres of the carriageway width from the existing kerb and channel on the other side of Belmont Road.
  - 10.4.2 Widening of Belmont Road from the entrance roundabout to the northern boundary of the Public Use Land adjacent to the proposed Lot 11 must be carried out as part of Stage 3 and having a minimum width of ten (10) metres of the carriageway width from the existing kerb and channel on the other side of Belmont Road.
  - 10.4.3 Widening of Belmont Road from Stage 3 to the northern boundary of the property must be constructed along the frontage of Stages 7, 9 and 10 as they are carried out. The road must have a minimum width of ten (10)

- metres of the carriageway width from the future kerb and channel on the other side of Belmont Road.
- 10.5 All new roads shown on the approved plans (refer to condition 8.1), must comply with all requirements for road classification of “Access Place” or a “Access Street” or a “Minor Collector” in accordance with the requirements of the *Capricorn Municipal Development Guidelines*. All roads must be above Q100 flood inundation level.
  - 10.6 A turning area must be provided at the road end at the boundary of each stage(s) prior to the commencement of the use for such stage(s). Details of the turning areas, including practical vehicular and pedestrian access to lots, parking for adjacent lots and manoeuvring for a Council refuse collection vehicle must be demonstrated in any application for a Development Permit for Operational Works (road works).
  - 10.7 Construct a roundabout at the intersection of Belmont Road, Samuel Crescent and Road A in accordance with the requirements of the *Capricorn Municipal Development Guidelines* and the Main Roads Planning and Design Manual. This non-trunk infrastructure is conditioned under section 145 of the *Planning Act 2016*.
  - 10.8 Construct two roundabouts at the intersection of Road A/Road B/Road C adjacent to the proposed Lot 100 and at the intersection of Road A/Road C adjacent to the proposed Lot 141 in accordance with the requirements of the *Capricorn Municipal Development Guidelines* and the *Main Roads Planning and Design Manual*. This non-trunk infrastructure is conditioned under section 145 of the *Planning Act 2016*.
  - 10.9 Additional land area must be dedicated along the Belmont Road development side to be able to provide a minimum verge width of five (5) metres between property boundaries and the edge of the carriageway. The alignment must be determined in consultation with Council and location details must be demonstrated in any application for a Development Permit for Operational Works (road works).
  - 10.10 All pathways must incorporate kerb ramps at all road crossings.
  - 10.11 Traffic calming devices must be provided to control vehicle speeds within the Minor Collector and Access Streets. Details of traffic calming devices and practical access to adjacent allotments must be demonstrated in any application for a Development Permit for Operational Works (road works).
  - 10.12 A bus set-down area, including all weather shelter must be designed and constructed in accordance with the Public Transport Infrastructure Manual. The bus set-down area must be located within Belmont Road. Details of the bus set-down area must be provided with any application for a Development Permit for Operational Works (road works).
  - 10.13 All new traffic signs and pavement markings must be provided in accordance with the *Manual of Uniform Traffic Control Devices – Queensland* and where necessary, existing traffic signs and pavement markings must be modified in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*.
  - 10.14 Any application for a Development Permit for Operational Works (road works) must include details of the Council approved road names for all new roads.
  - 10.15 Any retaining structures within road reserves must not be constructed unless approved as part of a Development Permit for Operational Works (road works). Retaining walls must be wholly contained within the proposed private allotments and not be constructed as Council-owned infrastructure.
  - 10.16 Proposed ‘Road I’ as shown on the approved plans (refer to conditions 3.1 and 8.1) must be interconnected with Belmont Road to service as a secondary road access point for the development. This non-trunk infrastructure is conditioned under section 145 of the *Planning Act 2016*.

### 11.0 ACCESS WORKS

- 11.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works on the site.
- 11.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 8.1), *Capricorn Municipal Development Guidelines, Australian Standard AS2890 "Off Street Car Parking"* and the provisions of a Development Permit for Operational Works (access works).
- 11.3 All vehicular access to and from proposed Lots 1 to 11, 88 to 112 and 122 (inclusive) must be obtained via the proposed new internal roads only. Direct vehicular access to Belmont Road is prohibited. A property note to this effect will be entered against Lots 1 to 11, 88 to 112 and 122 (inclusive).
- 11.4 Deleted.
- 11.5 Access to proposed Lot 112 must be constructed to a sealed or equivalent standard.

### 12.0 SEWERAGE WORKS

- 12.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the site.
- 12.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 8.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (sewerage works).
- 12.3 All lots within the development must be connected to Council's reticulated sewerage network.
- 12.4 The initial three stages (stages 1, 2 and 3) of the development must be serviced via a gravity connection to the existing reticulated sewerage network in accordance with the Sewer and Water Network Analysis report (refer to condition 8.1).
- Note: The proposed point of connection to the existing sewerage network is recommended to be via a new sewerage access chamber constructed over the existing gravity sewer located north of the Belmont Road Sewerage Pump Station (SP038).
- 12.5 A non-trunk sewage pump station and associated non-trunk sewerage rising main must be constructed within the development site to discharge to the proposed gravity sewerage network constructed under stages 1, 2 and 3. The remaining nine stages (stage 4 - 12) must be connected to the reticulated sewerage network via this sewerage pump station in accordance with Sewer and Water Network Analysis report (refer to condition 2.1). This non-trunk infrastructure is conditioned under section 145 of the *Planning Act 2016*. The Sewer and water Network Analysis identifies capacity limitations in the existing network and triggers associated with external upgrades.
- 12.6 A minimum of twenty (20) metre by twenty (20) metre freehold allotment area for a sewerage pump station site and adequate access for the sewerage pump station site must be dedicated in favour of Council.
- 12.7 Deleted.
- 12.8 Deleted.
- 12.9 Sewerage infrastructure must be provided to the development boundary for connectivity.
- 12.10 Any proposed sewerage access chambers located within a park or reserve, or below a Q100 flood event, must be provided with bolt down lids.
- 12.11 Easements must be provided over all sewerage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the

requirements of the *Capricorn Municipal Development Guidelines*.

### 13.0 WATER WORKS

- 13.1 A Development Permit for Operational Works (water works) must be obtained prior to the commencement of any water works on the site.
- 13.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 8.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (water works).
- 13.3 All lots within the development must be connected to Council's reticulated water network.
- 13.4 A non-trunk 200 millimetre diameter water main must be constructed along the western side of the Belmont Road reserve from the Belmont Road and Gremalis Drive intersection to the Belmont Road and Samuel Crescent intersection to service the development (in accordance with the sewer and Water Network Analysis report (refer to condition 8.1). This non-trunk infrastructure is conditioned under section 145 of the *Planning Act 2016*.

Note: It is noted that the critical 900mm diameter primary supply main from the Glenmore Water Treatment Plant is located along half the length of this route. Extensive liaison with Fitzroy River Water is required to ensure there is no risk to this main during construction.

- 13.5 The final sizes of the internal water mains must not be less than those detailed in the water supply network analysis report (refer to condition 8.1).
- 13.6 Water infrastructure must be provided to the development boundaries for connectivity.
- 13.7 All proposed water reticulation mains within the development site must be interconnected to eliminate dead ends and looped mains are permitted in cul-de-sacs.
- 13.8 Easements must be provided over all water supply infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.

### 14.0 STORMWATER WORKS

- 14.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 14.2 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 8.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 14.3 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect adjoining land or infrastructure by way of blocking, altering or diverting existing stormwater runoff patterns or have the potential to cause damage to other infrastructure.
- 14.4 The Operational Works (stormwater works) application must include an assessment of how the development meets the water quality objectives of the *State Planning Policy 2017*.
- 14.5 Each allotment must be designed so as to be flood free in a one in one hundred year flood event (100 year Average Recurrence Interval).
- 14.6 Easements must be provided over all land assessed to be within the one in one hundred year rainfall event (100 year Average Recurrence Interval) inundation area.
- 14.7 Any application for a Development Permit for Operational Works (stormwater works)



must be accompanied by a Stormwater Drainage Report, prepared and certified by a Registered Professional Engineer of Queensland, which as a minimum includes:

- 14.7.1 identification of drainage catchment and drainage sub-catchment areas for the pre-development and post-development scenarios including a suitably scaled stormwater master plan showing the aforementioned catchment details and lawful point(s) of discharge that comply with the requirements of the *Queensland Urban Drainage Manual*;
  - 14.7.2 an assessment of the peak discharges for all rainfall events up to and including the one in one hundred year rainfall event (100 year Average Recurrence Interval) for the pre-development and post-development scenarios;
  - 14.7.3 details of any proposed on-site detention / retention systems and associated outlet systems required to mitigate the impacts of the proposed development on downstream lands and existing upstream and downstream drainage systems;
  - 14.7.4 identification and conceptual design of all new drainage systems, and modifications to existing drainage systems required to adequately manage stormwater collection and discharge from the proposed development;
  - 14.7.5 demonstration of how major design storm flows are conveyed through the subject development to a lawful point of discharge in accordance with the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*;
  - 14.7.6 identification of the area of land inundated as a consequence of the minor and major design storm events in the catchment for both the pre-development and post-development scenarios;
  - 14.7.7 identification of all areas of the proposed development, and all other land (which may include land not under the control of the developer), which needs to be dedicated to, or encumbered in favour of Council or another statutory authority, in order to provide a lawful point of discharge for the proposed development. The areas identified must satisfy the requirements of the *Queensland Urban Drainage Manual*. All land proposed as major overland flow paths must include appropriate freeboard, access and maintenance provisions consistent with the *Queensland Urban Drainage Manual*; and
  - 14.7.8 details of all calculations, assumptions and data files (where applicable).
- 14.8 Proposed Public Use Lands and Stormwater Channels as identified on the approved plans (refer to condition 8.1) must be dedicated as detention basin and must be landscaped in accordance with Council's requirements. Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by detailed plans and specifications for proposed Stormwater Channels and Bio-retention basins and the design must:
- 14.8.1 be suitable to the climate and incorporate predominately native species;
  - 14.8.2 maximise areas suitable for on-site infiltration of stormwater;
  - 14.8.3 incorporate shade trees; and
  - 14.8.4 demonstrate that all areas apart from garden beds are fully turfed or hydromulched.

The detailed design of the detention basins must include all required safety measures and facilities (for example child proof fences) to ensure the safety of the public and/or tenants (in particular young children). A management plan for the proposed detention basin system must be submitted as part of any application for a

Development Permit for Operational Works (stormwater works).

#### 15.0 INTER-ALLOTMENT DRAINAGE

- 15.1 A Development Permit for Operational Works (inter-allotment drainage works) must be obtained prior to the commencement of any drainage works on the site.
- 15.2 All inter-allotment drainage works must be designed and constructed in accordance with the approved plans (refer to condition 8.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, and sound engineering practice and the provisions of a Development Permit for Operational Works (inter-allotment drainage works).
- 15.3 Inter-allotment drainage, must be designed and constructed in accordance with the *Queensland Urban Drainage Manual* and must be provided to any lot where it cannot be satisfactorily demonstrated that roof and allotment runoff associated with building construction on that lot, could not reasonably be directed to the frontage kerb and channel or alternative lawful point of discharge.
- 15.4 Inter-allotment drainage systems and overland flow paths must be wholly contained within a Council easement, with a minimum width of three (3) metres. Easement documents must accompany the plan for endorsement by Council prior to the issue of the Compliance Certificate for the Survey Plan.

#### 16.0 SITE WORKS

- 16.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works.
- 16.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which clearly identifies the following:
- 16.2.1 the location of cut and/or fill;
  - 16.2.2 the type of fill to be used and the manner in which it is to be compacted;
  - 16.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
  - 16.2.4 details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
  - 16.2.5 the maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary.
- 16.3 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 16.4 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- 16.5 The structural design of all retaining walls above one (1) metre in height must be separately and specifically certified by a Registered Professional Engineer of Queensland as part of the Operational Works submission. A Registered Professional Engineer of Queensland must on completion certify that all works are compliant with the approved design.
- 16.6 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.
- 16.7 Any vegetation cleared or removed must be:
- (i) mulched on-site and utilised on-site for landscaping purposes, in accordance with the landscaping plan approved by Council; or

- (ii) removed for disposal at a location approved by Council; within sixty (60) days of clearing. Any vegetation removed must not be burnt.
- 16.8 All site works must be undertaken to ensure that there is:
- 16.8.1 no increase in upstream or downstream flood levels for all levels of immunity up to Q100;
  - 16.8.2 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
  - 16.8.3 a lawful point of discharge to which the developed flows from the land drain. Easements will be required over any other land to accommodate the flows.
- 17.0 LANDSCAPING
- 17.1 All landscaping must be established generally in accordance with the approved plans (refer to condition 8.1). The landscaping must be constructed and/or established prior to the commencement of the use and the landscape areas must predominantly contain plant species that have low water dependency.
- 17.2 The proposed development must have a minimum total area of at least 2.9 hectares dedicated to being suitable parkland as defined by *Planning Policy 5 – Open Space Infrastructure Policy* and must be generally in accordance with the approved plan (refer to condition 8.1). Any landscaping works must be accompanied by detailed plans and all public land along Ramsay Creek must comply with the following:
- 17.2.1 no development must occur within fifty (50) metres of the river bank. The riverbank is to be maintained as public open space and natural riparian wetland in accordance with state development conditions.
  - 17.2.2 be maintained to encourage nature regeneration of native forbs and grasses with small to medium trees and shrubs. Mature riparian canopy species are to be retained wherever possible to assist in maintaining the scenic amenity of this residential estate.
  - 17.2.3 all grassed open spaces must be accessible for maintenance purposes. Service access/s must be at least three (3) metres wide and secured by a lockable gate or pole.
- 17.3 Any landscaping works must be generally in accordance with the approved plans (refer to condition 8.1) and must include, but is not limited to, the following:
- 17.3.1 A plan documenting the “Extent of Works” and supporting documentation which includes:
    - (i) location and name of existing trees, including those to be retained (the location of the trees shall be overlaid or be easily compared with the proposed development design);
    - (ii) the extent of soft and hard landscape proposed;
    - (iii) important spot levels and/or contours. The levels of the trees to be retained shall be provided in relation to the finished levels of the proposed buildings and works;
    - (iv) underground and overhead services;
    - (v) typical details of critical design elements (stabilisation of batters, retaining walls, podium/balcony planters, trees in car park areas, fences);
    - (vi) details of landscape structures including areas of deep planting; and

- (vii) specification notes on mulching and soil preparation.
- 17.3.2 A "Planting Plan" and supporting documentation which includes:
- (i) trees, shrubs and groundcovers to all areas to be landscaped;
  - (ii) position and canopy spread of all trees and shrubs;
  - (iii) the extent and type of works (inclusive but not limited to paving, fences and garden bed edging). All plants shall be located within an edged garden; and
  - (iv) a plant schedule with the botanic and common names, total plant numbers and pot sizes at the time of planting.
- 17.4 Landscaping, or any part thereof, upon reaching full maturity, must not:
- (i) obstruct sight visibility zones as defined in the *Austrroads 'Guide to Traffic Engineering Practice'* series of publications;
  - (ii) adversely affect any road lighting or public space lighting; or
  - (iii) adversely affect any Council infrastructure, or public utility plant.
- 17.5 Large trees must not be planted within one (1) metre of the centreline of any sewerage infrastructure. Small shrubs and groundcover are acceptable.
- 17.6 The establishment of the park, grassed landscaped areas and all landscaping must be constructed and or established, generally in accordance with the approved Landscape Concept Plan (refer to condition 8.1), prior to the issue of the Survey Plan Approval Certificate applicable to that stage.
- 17.7 The landscaped areas must be subject to an ongoing maintenance and replanting programme to be provided in writing prior to the sealing of plans.
- 17.8 The Children's Play Equipment Area, exercise stations and additional park amenities must be constructed generally in accordance with the approved Landscape Concept Plans (refer to condition 8.1). These areas must comply with the following requirements:
- 17.8.1 a playground area is constructed in accordance with revised Landscape Concept Plan (refer to condition 8.1);
  - 17.8.2 the playground is suitable for children between the ages of two (2) and twelve (12) and constructed in accordance with a local destination play space as defined by the Rockhampton Regional Council Playground Strategy;
  - 17.8.3 the active recreational playground area must be turfed and equipped with an installed irrigation system;
  - 17.8.4 additional park amenities be provided, for example picnic shelters, tables and benches;
  - 17.8.5 adequate vehicle parking must be provided (for consideration by Council at Operational Works stage);
  - 17.8.6 the playground area must be wheel chair accessible and have a grade no greater than one (1) in twenty (20) slope for eighty per cent (80%) of the area.
- Note: Council may consider a cash contribution to be negotiated in lieu of construction of a Children's Play Equipment area with additional Park Amenities.
- 17.9 Vehicle barriers must be constructed around all areas of public land with road frontage.
- 17.10 All allotments bordering onto Belmont Road (Lot 1 to 11, 88 to 112 and 122) must

have a minimum two (2) metre high, double lapped and capped acoustic timber fence (having a minimum surface area density of ten (10) kilograms per square metre) along the full frontage of Belmont Road.

17.10.1 A minimum 0.75 metre wide landscaped strip must be provided for the full frontage of the acoustic fence facing Belmont Road to reduce the visual impact of the fence. The landscaped strip must be established within six (6) months of the approved operational works applicable to that stage.

17.11 The bike and pedestrian paths and the public open space area located in the main stormwater drain corridor must be generally in accordance with the approved plans (refer to condition 8.1).

17.12 Deleted.

17.13 Bike and pedestrian paths must not be constructed on land that is susceptible to inundation by floodwaters.

17.14 The proposed northern picnic shelter is not approved due the access pathway being susceptible to inundation by floodwaters. Alternative and/or additional picnic shelter locations (including public benches) must be demonstrated in the application for a Development Permit for Operational Works (landscaping works).

## 18.0 PUBLIC LAND

18.1 All public land must be designed and constructed generally in accordance with the approved plans (refer to condition 8.1).

18.2 Eighty per cent (80%) of all natural grass cover and other designated grassed area must be covered within six (6) months of the subdivision works being placed on maintenance.

18.3 The owner of land will be required to provide a maintenance bond to be decided under an operational works permit to be held for the maintenance and establishment of the public open space for twelve (12) months after the sealing of any plans relating to Lots 102 on RP860099 and Lot 129 on PL4021.

## 19.0 ELECTRICITY AND TELECOMMUNICATIONS

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

19.2 Evidence must be provided of a certificate of supply with the relevant service providers to provide each lot with live electricity and telecommunication connections, in accordance with the requirements of the relevant authorities prior to the issue of the Compliance Certificate for the Survey Plan.

## 20.0 ASSET MANAGEMENT

20.1 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.

20.2 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.

20.3 '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 Survey Plan Approval Certificate. This information must be provided in accordance with the Asset Design and As Constructed Manual (ADAC).

## 21.0 ENVIRONMENTAL

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

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

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

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

21.3 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.

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

## 22.0 OPERATING PROCEDURES

22.1 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 Council owned roadways.

### 23.0 INFRASTRUCTURE COSTS

23.1 The development is located completely outside the priority infrastructure area. As per section 130 of the *Planning Act 2016* Council requires additional trunk infrastructure costs. As the development is adjacent to and will be serviced to the desired standard of service for charge area 1, as outlined in the Adopted Infrastructure Charges Resolution, 2015 (No. 5), the calculation of the establishment cost of trunk infrastructure for charge area 1 applies. An additional charge of \$14,000.00 per lot is required and is payable to Council prior to the issue of the Survey Plan Approval Certificate for each stage.

### 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 Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships website [www.dsdsatsip.qld.gov.au](http://www.dsdsatsip.qld.gov.au)

#### NOTE 2. General Environmental Duty

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

#### NOTE 3. General Safety Of Public During Construction

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

#### NOTE 4. Property Notes

(i) All vehicular access to and from proposed Lots 1 to 11, Lots 88 to 112 and Lot 122 (inclusive) must be obtained via the proposed new internal roads only. Direct vehicular access to Belmont Road is prohibited.

(ii) All allotments bordering onto Belmont Road (Lots 1 to 11, Lots 88 to 112 and Lot 122) must have a minimum two (2) metre high, double lapped and capped acoustic timber fence (having a minimum surface area density of ten (10) kilograms per square metre) along the full frontage of Belmont Road. This must be constructed by the developer and maintained by the owner of each applicable allotment.

#### NOTE 5. Adopted Infrastructure Charges Notice

This application is subject to infrastructure contributions in accordance with Council policies. The contributions are presented on an Amended Infrastructure Charges Notice, which has been supplied with this decision notice.

**RECOMMENDATION C**

That to reflect the above changes, Jamesford Holdings Pty Ltd and Glenmore Developments Pty Ltd, be issued with an Amended Infrastructure Charges Notice for the amount of \$1,645,000.00.

**Moved by:** Councillor Mathers

**Seconded by:** Councillor Kirkland

**MOTION CARRIED UNANIMOUSLY**

Councillors Williams, Fisher, Mathers, Smith, Kirkland, Latcham voted in the affirmative. Councillors Wickerson and Rutherford were not in the meeting room and did not participate in the vote.

9:29AM Councillor Wickerson and Councillor Rutherford returned to the meeting room



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**11.6 12 MONTH REVIEW OF COMMUNITY ASSISTANCE PROGRAM**

**File No:** 12535  
**Authorising Officer:** Alicia Cutler - General Manager Community Services  
**Author:** Kerri Dorman - Administration Supervisor

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**SUMMARY**

*A review of Council's Community Assistance Program (CAP) has highlighted a need for changes to the program to improve accessibility for community organisations and is submitted for Council consideration.*

**COUNCIL RESOLUTION**

THAT Council endorse the following changes proposed in Table 1 and Table 2 to the Community Assistance Program and update the Community Assistance program Procedure and fact sheets accordingly for the 23/24 year.

**Moved by:** Councillor Rutherford  
**Seconded by:** Councillor Wickerson

**MOTION CARRIED UNANIMOUSLY**

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**11.7 CULTURAL HERITAGE ASSESSMENTS - SOLE SUPPLIERS**

**File No:** 3033  
**Authorising Officer:** Ross Cheesman - Deputy Chief Executive Officer  
**Author:** Megan Younger - Manager Corporate and Technology Services

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**SUMMARY**

*This report details first nations sole/specialist suppliers to provide Cultural Heritage Assessments (as required) for Council projects.*

**COUNCIL RESOLUTION**

THAT pursuant to s235(a) and (b) of the *Local Government Regulation 2012*, Council approves the use of the following suppliers as sole/specialist suppliers to carry out Cultural Heritage Assessment (as required) for Council projects:

1. Darumbal Enterprises Pty Ltd;
2. Ghungalou Aboriginal Corporation; and
3. The nominated technical representatives for Darumbal Enterprises Pty Ltd and Ghungalou Aboriginal Corporation where determined by the Chief Executive Officer (or delegate) to be applicable.

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

**MOTION CARRIED UNANIMOUSLY**

**COUNCIL RESOLUTION**

9:54AM

THAT the meeting be adjourned until 10:45am.

**Moved by: Mayor Williams****Seconded by: Councillor Fisher****MOTION CARRIED UNANIMOUSLY****COUNCIL RESOLUTION**

10:45AM

THAT the meeting be resumed.

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

Members Present:

The Mayor, Councillor A P Williams (Chairperson)  
Deputy Mayor, Councillor N K Fisher  
Councillor S Latcham  
Councillor C E Smith  
Councillor C R Rutherford  
Councillor M D Wickerson  
Councillor D M Kirkland  
Councillor G D Mathers

In Attendance:

Mr E Pardon – Chief Executive Officer  
Mr R Cheesman – Deputy Chief Executive Officer  
Mr P Kofod – General Manager Regional Services  
Ms A Cutler – General Manager Community Services  
Ms M Taylor – Chief Financial Officer  
Mr A Russell – Executive Manager Strategy and Planning  
Mr Z Garven – Acting Executive Manager Advance Rockhampton (via video-link)  
Ms M Younger – Manager Corporate and Technology Services (via video-link)  
Mr M O’Keeffe – Manager Rockhampton Regional Waste and Recycling (via video-link)  
Mr D Morrison – Manager Workforce and Governance (via video-link)  
Ms E Dwyer – Manager Community Assets and Facilities  
Mr J Gwydir – Manager Civil Operations  
Mr C Claassen – Civil Works Manager  
Ms A Davie – Grants and Policy Advisor  
Ms E Brodel – Coordinator Communications and Engagement  
Ms C Hurley – Senior Communications Officer (via video-link)  
Ms J Daniels – Senior Communications Officer (via video-link)  
Ms L Leeder – Senior Committee Support Officer

**11.8 COMMITMENT TO BUILDING OUR REGIONS FUNDING FOR NORTH ROCKHAMPTON SEWAGE TREATMENT PLANT AUGMENTATION PROJECT**

**File No:** 12534  
**Authorising Officer:** Peter Kofod - General Manager Regional Services  
**Author:** Andrew Collins - Manager Project Delivery

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**SUMMARY**

*Council has a funding agreement with the Queensland Government under the Building Our Regions Round 6 for the Augmentation works at North Rockhampton Sewage Treatment Plant. To achieve milestone 2 in the agreement a resolution is required from Council confirming its commitment to delivering the project, has budgeted for the project and acknowledges responsibility for any funding shortfall.*

**COUNCIL RESOLUTION**

THAT Council:

1. Confirms it is committed to delivering the North Rockhampton Sewage Treatment Plant Augmentation Project;
2. Has a capital budget allocated to complete the works identified in the Building Our Regions funding agreement; and
3. Acknowledges responsibility for any shortfall if costs or other contributors change.

**Moved by:** Councillor Kirkland

**Seconded by:** Councillor Mathers

**MOTION CARRIED**

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**11.9 GRACEMERE SEWAGE TREATMENT PLANT SCREW PRESS SOLE SUPPLIER**

**File No:** 11760  
**Authorising Officer:** Peter Kofod - General Manager Regional Services  
**Author:** Dan Toon - Manager Water and Wastewater

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**SUMMARY**

*The purpose of this report is to seek a Council resolution that Innovative Filtration Solutions is deemed a specialised supplier in accordance with Section 235(b) of the Local Government Regulation 2012.*

**COUNCIL RESOLUTION**

THAT pursuant to s235(b) of the *Local Government Regulation 2012* Council approve Innovative Filtration Solutions as a specialised supplier for the augmentation of the Gracemere Sewage Treatment Plant Screw Press.

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

**MOTION CARRIED UNANIMOUSLY**

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**11.10 WHOLE OF COUNCIL CORPORATE PERFORMANCE REPORT FOR PERIOD  
ENDING APRIL 2023**

**File No:** 1392  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Ross Cheesman - Deputy Chief Executive Officer

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**SUMMARY**

*Deputy Chief Executive Officer presenting the Whole of Council Corporate Performance Report for period ending 30 April 2023 for Councillor's information.*

**COUNCIL RESOLUTION**

THAT the Whole of Council Corporate Performance Report for period ending 30 April 2023 be "received".

**Moved by:** Councillor Fisher  
**Seconded by:** Councillor Mathers

**MOTION CARRIED UNANIMOUSLY**

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**11.11 PROPOSED FEES & CHARGES 2023/2024**

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

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**SUMMARY**

*The Fees and Charges Schedule for the 2023/2024 Financial Year is submitted for adoption.*

10:57AM Councillor Wickerson left the meeting room  
11:00AM Councillor Wickerson returned to the meeting room

**COUNCIL RESOLUTION**

THAT in accordance with the requirements of the *Local Government Act 2009*, Council adopts the Fees and Charges schedule for the 2023/2024 financial year, excluding fees and charges for public swimming pools.

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

**MOTION CARRIED UNANIMOUSLY**

**COUNCIL RESOLUTION**

THAT Council requests a further report for budget consideration in relation to fees and charges for public swimming pools.

**Moved by:** Councillor Latcham  
**Seconded by:** Councillor Rutherford

**MOTION CARRIED UNANIMOUSLY**

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**11.12 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED  
30 APRIL 2023**

**File No:** 8148  
**Authorising Officer:** Ross Cheesman - Deputy Chief Executive Officer  
**Author:** Marnie Taylor - Chief Financial Officer

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**SUMMARY**

*The Chief Financial Officer presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 30 April 2023.*

11:05AM Councillor Fisher left the meeting room

**COUNCIL RESOLUTION**

THAT the Rockhampton Regional Council Summary Budget Management Report for the period ended 30 April 2023 be received.

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

**MOTION CARRIED**



## 12 NOTICES OF MOTION

### 12.1 NOTICE OF MOTION - COUNCILLOR SHANE LATCHAM - AMENDMENT TO EXPENSES REIMBURSEMENT AND PROVISION OF FACILITIES FOR MAYOR AND COUNCILLORS POLICY

**File No:** 11979  
**Responsible Officer:** Nicole Semfel - Acting Senior Executive Assistant to the Mayor  
Justin Kann - Manager Office of the Mayor  
Evan Pardon - Chief Executive Officer

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#### SUMMARY

*Councillor Shane Latcham has indicated his intention to move the following Notice of Motion at the next Ordinary Council Meeting scheduled for Tuesday 23 May 2023.*

11:14AM Councillor Fisher returned to the meeting room

#### COUNCILLOR'S RECOMMENDATION

THAT Council amend the "Expenses Reimbursement and Provision of Facilities for Mayor and Councillors Policy" to increase Item 5.1.3 Travel Expenses by \$1,500 per Councillor and decrease Item 5.1.2 Professional Development by \$1,500 per Councillor.

**Moved by:** Councillor Latcham  
**Seconded by:** Councillor Kirkland

#### DIVISION:

Councillors Fisher, Kirkland, Latcham and Smith voted in the affirmative.  
Councillors Mathers, Rutherford, Wickerson and Williams voted in the negative.  
Mayor Williams used his casting vote in the negative.

#### MOTION LOST

**13 QUESTIONS ON NOTICE**

Nil

**14 URGENT BUSINESS\QUESTIONS**

Nil

## 15 CLOSED SESSION

In accordance with the provisions of section 254J(3) 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 254J(3) of the *Local Government Regulation 2012*, for the reasons indicated.

#### 16.1 Request for Infrastructure Charges Concession

In accordance with section 254J(3)(f) (g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss matters that may directly affect the health and safety of an individual or a group of individuals; AND negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

11:25AM

Councillor Mathers, having earlier informed the meeting of a declarable conflict of interest and his decision to not participate in Item 16.1 – Request for Infrastructure Charges Concession, left the place at which the meeting was held, including any area for the public and stayed away while the matter was discussed and voted on.

11:25AM

Councillor Kirkland, having earlier informed the meeting of a declarable conflict of interest and her decision to not participate in Item 16.1 – Request for Infrastructure Charges Concession, left the place at which the meeting was held, including any area for the public and stayed away while the matter was discussed and voted on.

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

#### MOTION CARRIED UNANIMOUSLY

Councillors Williams, Fisher, Wickerson, Rutherford, Smith, Latcham voted in the affirmative. Councillors Mathers and Kirkland were not in the meeting room and did not participate in the vote.

### COUNCIL RESOLUTION

11:26AM

**THAT** pursuant to s5.12 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

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

#### MOTION CARRIED

**COUNCIL RESOLUTION****11:48AM**

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

**Moved by:** Councillor Latcham

**Seconded by:** Councillor Rutherford

**MOTION CARRIED**

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## 16 CONFIDENTIAL REPORTS

### 16.1 REQUEST FOR INFRASTRUCTURE CHARGES CONCESSION

**File No:** 6237  
**Authorising Officer:** Angus Russell - Executive Manager Strategy and Planning  
Evan Pardon - Chief Executive Officer  
**Author:** Ann Davie - Grants and Policy Advisor

In accordance with section 254J(3)(f) (g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss matters that may directly affect the health and safety of an individual or a group of individuals; AND negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

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#### SUMMARY

*The report deals with a request for infrastructure charges concession.*

#### OFFICER'S RECOMMENDATION

THAT Council adopts Option 4 as detailed in the report in relation to providing infrastructure charges concession for the subject development.

**Moved by:** Councillor Smith  
**Seconded by:** Councillor Fisher

#### MOTION LOST

Councillors Smith and Fisher voted in the affirmative.  
Councillors Williams, Wickerson, Rutherford, Latcham voted in the negative.

#### COUNCIL RESOLUTION

THAT Council adopts Option 3 as detailed in the report in relation to providing infrastructure charges concession for the subject development.

**Moved by:** Councillor Rutherford  
**Seconded by:** Councillor Latcham

#### MOTION CARRIED

Councillors Williams, Wickerson, Rutherford, Latcham voted in the affirmative.  
Councillors Smith and Fisher voted in the negative.  
Councillors Mathers and Kirkland were not in the meeting room and did not participate in the vote.

11:50AM Councillor Mathers and Councillor Kirkland returned to the meeting room

## 15 CLOSED SESSION

### COUNCIL RESOLUTION

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

#### 16.2 2023/2024 Budget Briefing

In accordance with section 254J(3)(c) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss the local government's budget.

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

**MOTION CARRIED UNANIMOUSLY**

### COUNCIL RESOLUTION

**11:52AM**

**THAT** pursuant to s5.12 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

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

**MOTION CARRIED**

### COUNCIL RESOLUTION

**12:01PM**

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

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

**MOTION CARRIED**

### COUNCIL RESOLUTION

**12:01PM**

THAT the meeting be adjourned, to resume at 12:30pm.

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

**MOTION CARRIED UNANIMOUSLY**

### COUNCIL RESOLUTION

**12:31PM**

THAT the meeting be resumed.

**Moved by:** Councillor Mathers  
**Seconded by:** Councillor Fisher

**MOTION CARRIED UNANIMOUSLY**

## Members Present:

The Mayor, Councillor A P Williams (Chairperson)  
Deputy Mayor, Councillor N K Fisher  
Councillor S Latcham  
Councillor C E Smith  
Councillor C R Rutherford  
Councillor M D Wickerson  
Councillor D M Kirkland  
Councillor G D Mathers

## In Attendance:

Mr E Pardon – Chief Executive Officer  
Mr R Cheesman – Deputy Chief Executive Officer  
Mr P Kofod – General Manager Regional Services  
Ms A Cutler – General Manager Community Services  
Ms M Taylor – Chief Financial Officer  
Mr A Russell – Executive Manager Strategy and Planning (via video-link)  
Mr Z Garven – Acting Executive Manager Advance Rockhampton (via video-link)  
Ms M Younger – Manager Corporate and Technology Services (via video-link)  
Mr M O’Keeffe – Manager Rockhampton Regional Waste and Recycling (via video-link)  
Mr D Morrison – Manager Workforce and Governance (via video-link)  
Ms E Dwyer – Manager Community Assets and Facilities  
Mr M Crow – Manager Infrastructure Planning (via video-link)  
Mr M Vycke – Manager Airport (via video-link)  
Mr J Gwydir – Manager Civil Operations  
Mr D Toon – Manager Water and Wastewater (via video-link)  
Mr C Claassen – Civil Works Manager  
Ms E Brodel – Coordinator Communications and Engagement  
Ms C Hurley – Senior Communications Officer (via video-link)  
Ms L Leeder – Senior Committee Support Officer

**COUNCIL RESOLUTION****12:31PM**

**THAT** pursuant to s5.12 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

**Moved by:** Mayor Williams

**Seconded by:** Councillor Kirkland

**MOTION CARRIED UNANIMOUSLY**

12:39PM Councillor Wickerson left the meeting room  
12:41PM Councillor Wickerson returned to the meeting room  
1:25PM Chief Executive Officer left the meeting room  
1:26PM Chief Executive Officer returned to the meeting room  
1:37PM Chief Executive Officer left the meeting room  
1:38PM Chief Executive Officer returned to the meeting room  
1:42PM Councillor Wickerson left the meeting room  
1:44PM Councillor Wickerson returned to the meeting room  
1:46PM Councillor Rutherford left the meeting room  
1:46PM Councillor Rutherford returned to the meeting room  
2:29PM Mayor Williams left the meeting room  
2:29PM Mayor Williams returned to the meeting room  
2:30PM Chief Executive Officer left the meeting room

2:32PM Chief Executive Officer returned to the meeting room  
2:42PM Councillor Wickerson left the meeting room  
2:44PM Councillor Wickerson returned to the meeting room  
3:03PM Councillor Wickerson left the meeting room  
3:07PM Councillor Wickerson returned to the meeting room  
3:07PM Chief Executive Officer left the meeting room  
3:13PM Councillor Wickerson left the meeting room  
3:14PM Councillor Wickerson returned to the meeting room  
3:15PM Councillor Wickerson left the meeting room

### COUNCIL RESOLUTION

**3:35PM**

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

**Moved by:** Councillor Kirkland

**Seconded by:** Councillor Mathers

**MOTION CARRIED**

### COUNCIL RESOLUTION

**3:36PM**

**THAT** the meeting be adjourned, to resume at 8:30am on Wednesday 24 May 2023.

**Moved by:** Councillor Fisher

**Seconded by:** Councillor Smith

**MOTION CARRIED**

### COUNCIL RESOLUTION

**Wednesday 24 May 2023 – 8:36AM**

**THAT** the meeting be resumed.

**Moved by:** Councillor Kirkland

**Seconded by:** Councillor Mathers

**MOTION CARRIED**

Members Present:

The Mayor, Councillor A P Williams (Chairperson)  
Deputy Mayor, Councillor N K Fisher  
Councillor S Latcham  
Councillor C E Smith  
Councillor C R Rutherford  
Councillor M D Wickerson  
Councillor D M Kirkland  
Councillor G D Mathers

In Attendance:

Mr E Pardon – Chief Executive Officer  
Mr R Cheesman – Deputy Chief Executive Officer  
Ms M Taylor – Chief Financial Officer  
Ms M Younger – Manager Corporate and Technology Services (via video-link)



Mr M O’Keeffe – Manager Rockhampton Regional Waste and Recycling (via video-link)  
Mr M Crow – Manager Infrastructure Planning (via video-link)  
Mr D Morrison – Manager Workforce and Governance (via video-link)  
Mr D Toon – Manager Water and Wastewater  
Mr M Vycke – Manager Airport (via video-link)  
Mr J Kann – Manager Office of the Mayor  
Ms E Brodel – Coordinator Communications and Engagement (via video-link)  
Ms C Hurley – Senior Communications Officer (via video-link)  
Ms L Leeder – Senior Committee Support Officer

## COUNCIL RESOLUTION

**8:36AM**

**THAT** pursuant to s5.12 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

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

**MOTION CARRIED**

8:36AM Councillor Smith attended the meeting

8:36AM

Prior to discussion around the Mount Morgan Water Supply Pipeline Project commencing, Councillor Smith declared: “I have a prescribed conflict of interest in this matter as my nephew Adam McEvoy is a partner in MTC Industries which has a contract with Fitzroy River Water to cart potable drinking water to Mount Morgan. My brother John McEvoy is employed by MTC Industries to drive the water tanker.

In relation to the proposed water pipeline to Mount Morgan, the alignment goes along Kabra Road where my brother owns a property at 248 Kabra Road. The proposed alignment also goes along Moonmera Road where my sister and brother-in-law Trish and Don McKinnon own a property on the corner of Moonmera and Poison Creek Roads.”

Councillor Smith left the meeting room while this matter was discussed.

8:38AM Councillor Wickerson attended the meeting

8:40AM Councillor Rutherford attended the meeting

8:48AM Councillor Smith returned to the meeting room

8:57AM Councillor Wickerson left the meeting room

8:57AM Councillor Wickerson returned to the meeting room

9:49AM Councillor Wickerson left the meeting room

9:52AM Councillor Wickerson returned to the meeting room

9:54AM Councillor Smith left the meeting room

10:00AM Councillor Smith returned to the meeting room

## COUNCIL RESOLUTION

**10:26AM**

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

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

**MOTION CARRIED**

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## 16 CONFIDENTIAL REPORTS

### 16.2 2023/2024 BUDGET BRIEFING

**File No:** 8785

**Authorising Officer:** Ross Cheesman - Deputy Chief Executive Officer

**Author:** Marnie Taylor - Chief Financial Officer

In accordance with section 254J(3)(c) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss the local government's budget.

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#### SUMMARY

*This report will provide an update to Council on the progress of the 2023/2024 Budget.*

#### COUNCIL RESOLUTION

THAT Council receive the information associated with the briefing on the 2023/2024 Budget as presented.

**Moved by:** Mayor Williams

**Seconded by:** Councillor Rutherford

**MOTION CARRIED UNANIMOUSLY**

**17 CLOSURE OF MEETING**

There being no further business the meeting closed at 10:27am on Wednesday 24 May 2023.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DATE



**MEETING  
ATTACHMENTS**

**23 MAY 2023**

**ANNEXURE A**

Documents presented to Councillors for their reference during the Council meeting when dealing with:

- Item 11.4**      D/648-2012 Request for Minor Change to Development Permit for a Public Facility (Waste Disposal Station) and Environmentally Relevant Activity (ERA 60 – Waste Disposal)
- Item 11.5**      D/84-2014 - Request for Minor Change to Development Approval - Preliminary Approval to Vary the Effect of the Planning Scheme for a Material Change of Use for Residential Purposes and Development Permit for Reconfiguring a Lot (2 lots into 237 lots + Public Use Land) Riverside Waters Estate

**Minor Change to Development Permit  
(D/648-2012)  
for a Material Change of Use for a Public Facility  
(Waste Disposal Station) and an Environmentally  
Relevant Activity (ERA 60 - Waste Disposal)**

*231 Lucas Street, Gracemere - Lot 1 on RP604651*

Council meeting – 23 May 2023

Kathy McDonald– Senior Planning Officer

# Locality

231 Lucas Street, Gracemere - Lot 1 on RP604651



# Minor Change Assessment Summary

- Council officers are in support of the minor change for the removal of the Waste Acceptance Policy document from the approved plans table and any reference to it in the conditions of approval.
- The subject site has an Environmental Authority (EA) under which ERA 60 – Waste disposal that was approved and issued by The Department of Environment and Science (DES). The change and subsequent removal of the Waste Acceptance Policy will align with the conditions of the EA.
- The minor change does not increase the scale and intensity of the development. Operations will continue as intended. The regulation of materials to enter and exit the site will remain with the EA under ERA 60 – Waste disposal, which was approved and issued by DES.
- Therefore, the minor change application is recommended for approval subject to the conditions outlined in the report.



# **Minor Change to Development Permit (D/84-2014)**

## **Reconfiguring a Lot (2 lots into 237 lots + Public Use Land) Riverside Waters Estate**

*54-102 Belmont Road and 263 Belmont Road, Parkhurst*

Council meeting – 23 May 2023

Kathy McDonald– Senior Planning Officer

# Locality

54-102 Belmont Road and 263 Belmont Road, Parkhurst



# Minor Change Assessment Summary

- The Riverside Estate layout has been altered to include nine (9) additional lots:
  - Lot 232 and Lot 233 in Stage 4;
  - Lot 229, Lot 230 to Lot 231 and Lot 237 in Stage 5; and
  - Lot 234, Lot 235 and Lot 236 in Stage 6.
- No changes have been proposed for the remaining stages and the development will now comprise of 2 lots into 237 lots.
- The overall development footprint will not be modified as part of this change. Selected Lot sizes have been reduced to allow for the inclusion of the additional lots, however all lots remain equal to or above the minimum size requirement of 1,000 square metres.
- Therefore, the minor change application is recommended for approval subject to the conditions outlined in the report.